



## **Mandalorian Mercs Costume Club**

# **Clan Alternative Dispute Resolution Procedure**

Revision: February 2020

## **Section 1: Disputes Subject to Procedure**

All disputes arising between any member or members, and the clan, or any officer of clan's Aliit Ka'ra, relative to the membership, or the interpretation, breach of, or application of the clan's Constitution and Bylaws or any other internal MMCC clan matter whatsoever which cannot be satisfactorily resolved through other means, shall be settled by dispute resolution.

Except as otherwise provided herein, any time limits specified in this procedure may be shortened or extended by the Al'verde, Magister or the International Command Council (or its designee) upon a showing of good cause. All parties to any dispute subject to this procedure shall not pursue administrative or judicial actions during this dispute resolution process.

## **Section 2: Request for Dispute Resolution**

Any party to the dispute may file a written request with the Alor'ad (a "complaint") via email or through the MMCC official forums asking that dispute resolution take place. All requests for dispute resolution must be filed with the Alor'ad within thirty (30) days after the member knew or should have known of the occurrence of the event upon which the request is based. A copy of the complaint shall be sent to the respondent(s).

All complaints regarding the Alor'ad must be filed with the Al'verde.

## **Section 3: Response to Complaint**

The respondent(s) to the complaint may file a written response to the complaint with the Alor'ad (or Al'verde if the complaint includes the Alor'ad) within ten (10) days of receiving notice of the complaint. A copy of the response shall be sent to the complainant(s). Responses must be filed via email or through the Official MMCC forums.

## **Section 4: Confidentiality**

Once a complaint has been filed, communications between the complainant(s), respondent(s), Alor'ad (or Al'verde) and Magister(s) should be kept confidential to the extent possible.

## **Section 5: Appointment of the Magister**

Within fifteen (15) days of receipt of the complaint, the Alor'ad (or Al'verde) shall contact the region Magister to hear the dispute. The Magister shall be from the region in which the dispute arises, other than the clan which is party to the dispute, and who is impartial on the matter in dispute without loyalties to any party to the dispute. The Alor'ad (or Al'verde) shall notify the parties, in writing, of the name of the Magister.

In the event the Magister is not acceptable to any party, the objecting party must submit a written statement to the Alor'ad (or Al'verde) within ten (10) days of receiving the notice of appointment identifying all the reasons for such an objection. If no such objection is received, the Magister shall be deemed acceptable to all parties. If the Alor'ad (or Al'verde) determines that the party's written objection statement sufficiently demonstrates that the Magister lacks neutrality, the Alor'ad (or Al'verde) may request the MMCC Judicial Officer or Alor be substituted for the region Magister so long as the Judicial Officer or Alor be from any clan other than the clan which is party to the dispute. Otherwise, the Alor'ad (or Al'verde) shall issue their denial of the objection(s) and confirm the appointment of the original Magister, via email or MMCC official forums, to all parties. The Alor'ad (or Alver'de) decision and appointment shall be determined within fifteen (15) days of receiving any party's written objection statement.

Upon appointment, the Magister shall have all authority appropriate and necessary to resolve or decide the dispute in accordance with this procedure. The time limits in this Section 5 may not be shortened or extended by the Alor'ad, Al'verde, Aliit Ka'ra, or Region Command.

If the Alor'ad (or Al'verde) does not appoint a Magister to hear the dispute within fifteen (15) days of receipt of the complaint, the MMCC Tribunal will appoint a Magister to hear the dispute. The Tribunal shall notify the parties, via email or MMCC official forums, of the name of the appointed Magister.

In the event an appointed Magister is not acceptable to any party, the objecting party must submit a written statement to the Tribunal within ten (10) days of receiving the Tribunal's notice of appointment identifying all the reasons for such an objection. If no such objection is received, the Magister shall be deemed acceptable to all parties. If the Tribunal determines, in their sole discretion, that the party's written objection statement sufficiently demonstrates that the appointed Magister lacks neutrality, the Tribunal shall appoint a substitute Magister as provided above. Otherwise, the Tribunal shall issue its denial of the objection(s) and confirm the appointment of the original Magister selected by the Tribunal, via email or MMCC official forums, to all parties.

The Tribunal's decision and appointment shall be determined within fifteen (15) days of receiving any party's written objection statement. Upon appointment, the Magister shall have all authority appropriate and necessary to resolve or decide the dispute in accordance with this procedure.

## **Section 6: Reconciliation Meeting & Decision of Magister**

Upon being appointed, the Magister shall arrange a meeting of the parties for the purpose of conciliating the dispute. The meeting shall be scheduled within thirty (30) days of the appointment of the Magister.

The objective of the Magister shall be to find a prompt and amicable resolution to the dispute. If such conciliation efforts are unsuccessful, the Magister shall have the authority to issue his or her decision relative to the dispute.

The Magister shall issue the decision in writing no later than thirty (30) days after the date on which the initial meeting of the parties was held, and the decision shall be final and binding on all parties. A copy of the written decision shall be provided to all parties, the Al'verde, Judicial Officer, and Alor.

The decision of the Magister must be consistent with any applicable provisions of the International, Region and Clan Constitutions and By-Laws and policies of the International Command Council, and is subject to the authority of and further review by the Mandalore at the sole discretion of the Mandalore or their designee.

Failure to comply with the final and binding decision of the Magister constitutes conduct unbecoming an Official Member and is subject to loss of membership privileges and/or charter cancellation.