

# CONSTITUTION OF THE DETACHMENT OF INDIANA

## PREAMBLE

Proud possessors of a priceless heritage, we male descendants of veterans of the Great Wars associate ourselves together as Sons of the American Legion for the following purposes:

To uphold and defend the Constitution of the United States of America, to maintain law and order, to foster and perpetuate a true spirit of Americanism, to preserve the memories of our former members and the associations of our members and our forefathers in the Great Wars, to inculcate a sense of individual obligation to the community, state, and nation; to combat the autocracy of both the classes and masses, to make right the master of might, to promote peace and good will on earth, to safeguard and transmit to posterity the principles of justice, freedom, and democracy; to consecrate and sanctify our friendship by our devotion to mutual helpfulness, to adopt in letter and spirit all of the great principles for which The American Legion stands, and to assist in carrying on for God and Country.

## ARTICLE I NAME

Section 1. The name of this organization shall be the "Sons of The American Legion, Detachment of Indiana."

Section 2. The headquarters of the Sons of The American Legion, Detachment of Indiana, shall be located at the site of the Headquarters of The American Legion, Department of Indiana.

## ARTICLE II NATURE

Section 1. The Sons of The American Legion, Detachment of Indiana, is a civilian organization. Membership therein does not affect nor increase liability for military or police service.

Section 2. The Sons of The American Legion, Detachment of Indiana, shall be absolutely non-political and shall not be used for the dissemination of

partisan principles nor the promotion of the candidacy of any person or group seeking public office or preferment.

Section 3. The Sons of The American Legion, Detachment of Indiana shall be absolutely non-sectarian.

Section 4. Each member shall perform his duty as a citizen according to his own conscience and understanding in accord with the law.

Section 5. The name and addresses of members of the Sons of The American Legion, Detachment of Indiana, or any subdivision thereof SHALL NOT BE USED for any other than official business of the Sons of The American Legion, Detachment of Indiana, without the specific authorization of The American Legion, Department of Indiana.

Section 6. When a Squadron, District, or any official acting in his official capacity, contemplates or is involved in litigation in a court of record, the Detachment Judge Advocate and The American Legion, Department of Indiana, shall be notified by registered mail without delay before it or he commences any such proceeding, or upon notice that any proceedings have been commended against it or him, in order that the Detachment of Indiana may have an opportunity to protect the legal rights of the Sons of The American Legion, Detachment of Indiana, and so that the Detachment Judge Advocate and The American Legion, Department of Indiana, may secure an attorney to protect such rights.

## ARTICLE III ORGANIZATION

Section 1. The Sons of The American Legion, Detachment of Indiana, is that jurisdiction of the Sons of The American Legion lying in the state of Indiana. The Sons of The American Legion, Detachment of Indiana, shall be divided into 11 Districts, and shall coincide with the Districts of The American Legion, Department of Indiana. These Districts are comprised by and composed of counties as follows:

<b>1st District-</b>	Lake County
<b>2nd District-</b>	Porter, Newton, Jasper, Starke, Benton, White, Pulaski, Fulton, Kosciusko, Tippecanoe, Carroll, and Cass Counties
<b>3rd District- Counties</b>	LaPorte, St. Joseph, Elkhart, and Marshall

- 4th District-** LaGrange, Steuben, Noble, DeKalb, Whitley, Allen, Wells, and Adams Counties
- 5th District-** Clinton, Howard, Miami, Wabash, Huntington, Tipton, Grant, Blackford, Jay, and Madison Counties
- 6th District-** Vigo, Vermillion, Warren, Fountain, Parke, Montgomery, Putnam, Boone, Hamilton, and Hendricks Counties.
- 7th District-** Gibson, Knox, Sullivan, Clay, Greene, Daviess, Martin, Owen, Morgan, Monroe, and Johnson Counties
- 8th District-** Posey, Vanderburgh, Warrick, Pike, Dubois, Spencer, Perry, Crawford, Harrison, Floyd, and Clark Counties.
- 9th District-** Lawrence, Orange, Brown, Jackson, Washington, Bartholomew, Jennings, Scott, Jefferson, Ripley, Franklin, Dearborn, Ohio, and Switzerland Counties.
- 10th District-** Hancock, Shelby, Delaware, Henry, Rush, Decatur, Randolph, Wayne, Fayette, and Union Counties.
- 11th District-** Marion County

The Sons of The American Legion, Detachment of Indiana, shall be divided into 2 sections which shall coincide with the sections of The American Legion, Department of Indiana. These sections shall be comprised by and composed of Districts as follows:

- Northern Section: 1st, 2nd, 3rd, 4th, and 5th Districts
- Southern Section: 6th, 7th, 8th, 9th, 10th, and 11th Districts

Section 2. The organization of Districts shall be under the jurisdiction and sponsorship of the local District of The American Legion. The District shall bear the name of the sponsoring District of The American Legion, maintain its Districts Headquarters in the same location as that of the sponsoring District, and shall conform with the regulations of the District of The American Legion having jurisdiction along with regulations of the National Executive Committee of The American Legion, the National Constitution and By-laws of the Sons of The American Legion, the regulations of The American Legion, Department of Indiana, the Constitution and By-laws of the Sons of The American Legion, Detachment

of Indiana, and the regulations of the Detachment Executive Committee, Sons of The American Legion, Detachment of Indiana.

Section 3. All S.A.L. Districts shall adopt a Constitution and By-laws conforming to the Detachment and National Constitution and By-laws of the Sons of The American Legion, and shall submit a copy of same to the Detachment Headquarters, for approval by the Detachment Judge Advocate and filing by the Detachment Headquarters. All Districts shall also submit a copy of a Constitution and By-laws to the District Judge Advocate of the District of The American Legion having jurisdiction for approval and filing.

Section 4. The organization of Squadrons shall be under the jurisdiction and sponsorship of the local Posts of The American Legion. The Squadron shall bear the name of the sponsoring Post of The American Legion, maintain its Squadron Headquarters in the same location as that of the sponsoring post, and shall conform with the regulations of the Post of The American Legion having jurisdiction along with regulations of the National Executive Committee of The American Legion, the National Executive Committee of the Sons of The American Legion, the National Constitution and By-laws of the Sons of The American Legion, the regulations of The American Legion, Department of Indiana, the Constitution and By-laws of the Sons of The American Legion, Detachment of Indiana, the regulations of the Detachment Executive Committee, Sons of The American Legion, Detachment of Indiana, the regulations of the District of The American Legion having jurisdiction over the Squadron, and the regulations and the Constitution and By-laws of the District of the Sons of the American Legion having jurisdiction over the Squadron.

Section 5. All S.A.L. Squadrons shall adopt a Constitution and By-laws conforming to the Detachment, National, and the District (having jurisdiction) Constitution and By-laws of the Sons of The American Legion, and shall submit a copy of same to the Post Judge Advocate of The American Legion Post having jurisdiction for approval and filing, and shall submit a copy of same to the Detachment Headquarters for filing.

**ARTICLE IV ELIGIBILITY**

Section 1. Eligibility for membership in the Sons of The American Legion, Detachment of Indiana, shall be governed by the provisions of the National Constitution of the Sons of The American Legion, which are as follows:

All direct male descendants, including adopted sons and stepsons, of members of The American Legion, and such male descendants of veterans who died in service during the Great Wars, during the delimiting period set forth in Article IV, Section 1, of the National Constitution of The American Legion, or who died subsequent to their honorable discharge from such service, shall be eligible for membership in the Sons of The American Legion.

Section 2. Any male descendant as outlined in Article IV, Section 1, of the Detachment Constitution of the Sons of The American Legion, Detachment of Indiana, who was regularly enlisted, drafted, inducted, or commissioned, and who was accepted for and assigned to active duty at some time during the delimiting periods of the Great Wars, as set forth in Article IV, Section 1, of the National Constitution of The American Legion, or who, being a citizen of the United States at the time of his entry therein, served on active duty in the armed forces of any of the Governments associated with the United States during any of said periods, shall be eligible for membership in the Sons of The American Legion, Detachment of Indiana; provided, however, that such service shall have been terminated by honorable discharge or honorable separation and such person either shall have broken his continuity of service and returned to a civilian status, or shall continue to serve honorably after the date of cessation of such hostilities as fixed by the United States Government; provided, however, that no person shall be entitled to membership who being in such service during any of said periods, refused on conscientious, political, or other grounds to subject himself to military discipline or unqualified service.

Section 3. There shall be no form or class of membership except an active membership.

Section 4. No person shall be a member, at any one time, of more than one Squadron of the Sons of The American Legion.

Section 5. No person who has been expelled by a Squadron shall be admitted to membership in another squadron without the consent of the expelling Squadron, except that where such consent has been asked for

and denied by such Squadron, he may then appeal to the Detachment Executive Committee for permission to apply for membership in another Squadron, and shall be ineligible for membership until such permission is granted.

Section 6. An applicant for membership in the Sons of The American Legion, Detachment of Indiana, who is a male descendant as outlined in Article IV, Section 2, of the Detachment Constitution of the Sons of The American Legion, Detachment of Indiana, shall be required to show either an honorable discharge notice of separation, or a photo static, certified, or true copy of same as certified to by a Notary Public, to any designated Squadron official.

Section 7. A member whose dues for the current year have not been paid by February 1 shall be classed as delinquent. If his dues are paid on or before April 1, he shall be automatically reinstated. If he is still delinquent after April 1, he shall be suspended from all privileges. If he is still under suspension on December 31 of such year, his membership in the Sons of The American Legion, Detachment of Indiana, shall be forfeited.

## **ARTICLE V LEGISLATIVE ORGANIZATION**

Section 1. The legislative body shall be the Detachment Convention to be held annually, not more than 60 days prior to the American Legion, Department of Indiana, Department Convention, at a time and place to be fixed by the Detachment Executive Committee, Sons of The American Legion, Detachment of Indiana.

Section 2. The Detachment Adjutant, at the direction of the Detachment Commander, shall issue a call for the Detachment Convention not less than 30 days prior to the opening day of the Convention.

Section 3. In the Detachment Convention, each Squadron shall be entitled to 1 Delegate and 1 Alternate for its Charter, and 1 Delegate and 1 Alternate for each 15 members, or a major fraction thereof, provided such Delegates and Alternates shall be members of the Squadron. The method of selection of each individual Delegate and Alternate shall be the option of each individual Squadron. The Close of Books membership numbers for the individual squadron shall be used to determine delegate strength for each individual squadron.

Section 4. Each Delegate shall be entitled to 1 vote. The vote of any Delegate absent and not represented by an Alternate shall be cast by the majority of the Delegates and/or Alternates present.

Section 5. A certified list containing the names and addresses of the Convention Delegates and Alternates shall be sent to the Detachment Adjutant not later than 30 days prior to the Detachment Convention. The total number of votes to which a Squadron is entitled shall be equal to the number of Delegates properly certified.

Section 6. The Detachment Commander, all Past Detachment Commanders, and Detachment Vice-Commanders shall be Delegates-at-Large to the Detachment Convention, and shall each have 1 vote per ballot, such vote to be cast with their respective Squadrons. An at-large Delegate must be present at the Convention in order to cast his vote.

Section 7. The Detachment Convention shall elect Delegates and Alternates to the National Convention of the Sons of The American Legion. The number of Delegates and Alternates to be elected shall be determined by the National Constitution of the Sons of The American Legion. These Delegates and Alternates shall constitute the Detachment of Indiana Delegation of the National Convention of the Sons of The American Legion. The National Executive Committeeman, Alternate National Executive Committeeman, outgoing Detachment Commander, and the incoming Detachment Commander are automatically elected to the Delegates to the National Convention of the Sons of The American Legion. The outgoing Detachment Commander is automatically elected to be the Chairman of the Indiana Delegation. If the outgoing Detachment Commander is unable to perform his duties as Chairman of the National Delegation from Indiana, then the duties of Chairman shall fall upon the National Executive Committeeman from Indiana, but if he cannot perform such duties, then the duties of Chairman shall fall upon the Alternate Executive Committeeman from Indiana, but if the Alternate National Executive Committeeman is unable to perform such duties, then the duties of Chairman shall fall upon the incoming Detachment Commander, but if he is unable to perform such duties, then the Indiana Delegation shall elect a Chairman for such National Convention.

Section 8. At the Detachment Convention, a quorum shall exist when at least 5 Squadrons of the Detachment have Delegate or Alternate representation present.

Section 9. The rights of Squadrons to make and accredit substitutions for absentee Delegates or Alternate Delegates shall be recognized by the Detachment Adjutant, provided that such substitution shall be officially certified by the Squadron Commander and Squadron Adjutant at the time of the certification required by Article V, Section 5, of this Detachment Constitution, or at any time prior to the adjournment of the first session of the Detachment Convention.

Section 10. Each District will be entitled to one Delegate for each 225 members or major fraction thereof and one Alternate for each 225 members or major fraction thereof. The Detachment Convention shall elect Delegates and Alternates that are given to the Detachment but not delegated to a District. If more Delegates are given to the Detachment after the Detachment Convention the Commander shall appoint Delegates.

## **ARTICLE VI DETACHMENT OFFICERS**

Section 1. The Detachment Convention shall elect the Detachment Commander, 4 Vice Commanders, 2 of whom shall hold membership in the Northern section of Indiana as outlined in Article III, Section 1, of this Detachment Constitution, and the other 2 in the Southern section of Indiana as outlined in Article III, Section 1, of this Detachment Constitution, Sergeant-at-Arms, and one every 3 years a Finance Officer, and one every 2 years, a National Executive Committeeman and an Alternate National Executive Committeeman. The National Executive Committeeman and the Alternate National Executive Committeeman, being duly elected Detachment Officers, shall be members of the Detachment Executive Committee with full voice and vote. Vacancies in these offices, occurring between Detachment Convention, shall be filled by election by the Detachment Executive Committee. All candidates for Detachment offices, and District Commanders, must present a resolution and proof of eligibility of their membership at least 30 days prior to the Convention, candidates succeeding themselves need to submit a new resolution each year. All appointed Detachment officers must present

proof of eligibility to the Detachment Adjutant within 15 days of their appointment, or they will have to relinquish their appointment.

Section 2. The Detachment Vice Commanders shall be elected at the Detachment Convention by the Delegates from the Districts comprising the territory in which they hold membership.

Section 3. The elected Detachment Officers are eligible to succeed themselves. The Detachment Commander shall not succeed himself for more than 2 consecutive years. A Detachment Vice Commander shall not succeed himself for more than 2 consecutive years.

Section 4. The Detachment Commander shall appoint with the approval of the Detachment Executive Committee, the Detachment Adjutant, along with as many Assistant Adjutants as the Detachment Executive Committee deems necessary, the Detachment Chaplain, the Detachment Historian, the Detachment Judge Advocate, the Detachment Membership Chairman, the Detachment Director of Public Relations, as many Assistant Sergeant-at-Arms as the Detachment Executive Committee deems necessary, and the members and chairmen of commissions and committees formed by the Detachment Executive Committee. The appointed individuals shall hold office at the pleasure of the appointing power, with the exception of the Detachment Adjutant.

Section 5. The Detachment Adjutant appointed subsequent to the adoption of this Constitution shall serve a probationary period of not more than 2 years, after which he shall serve without tenure, provided his appointment is confirmed by the Detachment Executive Committee, and be subject to removal only by a two-thirds (2/3) vote of the Detachment Executive Committee. Vacancy in the office of Detachment Adjutant occasioned by death or resignation or such removal as designated above shall be filled in the same manner as the original appointment was made, and first consideration shall be given to present Detachment Officers.

Section 6. Any Squadron, District, or Detachment elective or appointed office shall become vacant upon the induction or enlistment of the incumbent into active regular or reserve (for the year in which he attends his 6 months training) organization of any branch of the military establishment, Coast Guard included, of the United States of America. Such individual should notify his immediate advisor of his enlistment or induction. Any individual who leaves office under these circumstances

shall be granted all rights, privileges, and honors due to a Past Officer of that level regardless of the length of his term of office.

Section 7. The Detachment Commander shall appoint, with the approval of the Detachment Executive Committee, an Executive Vice Commander who shall be 1 of the 4 elected Vice Commanders. If the Detachment Commander is a member of a Squadron in the Northern section of Indiana, he will appoint an Executive Vice Commander from the Southern section. If the Detachment Commander is a member of a Squadron from the Southern section of Indiana, he will appoint an Executive Vice Commander from the Northern section. In the event of a vacancy in the office of Detachment Commander, caused by resignation, death, or removal, the Executive Vice Commander shall become Acting Commander until the vacancy is filled by the Detachment Executive Committee.

Section 8. All actions of the Detachment Officers acting in their official capacities as well as actions of the Detachment Executive Committee and the Detachment Convention are subject to the approval of the American Legion, Department of Indiana.

## **ARTICLE VII DETACHMENT EXECUTIVE COMMITTEE**

Section 1. The Detachment Executive Committee shall meet immediately following the adjournment of the Detachment Convention, Fall Conference, Mid-Winter Conference, Spring Conference, also prior to the opening of the first business session of the Detachment Convention, and at the call of the Detachment Commander. The Detachment Commander, in order to call a meeting of the Detachment Executive Committee, must issue such a call at least 7 days prior to the date of the meeting. The Sons of The American Legion Committee of The American Legion, Department of Indiana, must be invited to such a meeting.

Section 2. The Detachment Executive Committee shall consist of all Detachment Officers, all Past Detachment Commanders, and the Sons of The American Legion District Commanders of Indiana. The voting members of the Detachment Executive Committee shall be the elected

Detachment Officers, all Past Detachment Commanders, and the Sons of The American Legion District Commanders of Indiana. The Detachment or Acting Commander may vote only to break a tie. The presence of 5 voting members at a meeting of the Detachment Executive Committee shall constitute a quorum.

Section 3. The Detachment Executive Committee, without meeting, may transact business by mail, telegraph, or telephone on matters of urgency and on which action cannot be delayed until the next regular meeting. Thirty (30) days shall be allowed for the return by mail, telegraph, or telephone of the votes thereon by the Detachment Adjutant. The Detachment Adjutant shall notify the Detachment Commander of the results of the vote taken.

Section 4. All members of the Detachment Executive Committee, in order to qualify, must continue to hold membership in one of the Squadrons of this Detachment.

Section 5. The Detachment Executive Committee shall have power and authority in the event of an emergency to call a Detachment Convention, provided that notice at least 30 days prior thereto shall have been given to all Squadrons of the Detachment, and the reasons stated in such notice for the calling of such Convention. The place of meeting upon such call shall be designated by the Detachment Executive Committee.

#### **ARTICLE VIII DISTRICT ORGANIZATION**

Section 1. Districts may organize in accordance with the geographical boundaries as stated in Article III, Section 1, of this Detachment Constitution. (Note: further information on District organization is contained in Article III, Sections 2 and 3, of this Constitution).

Section 2. Each District shall elect its officers at a regular meeting prior to June 1 of each year, and report them on such forms required, together with the District Commander and District Adjutant, to the Detachment Headquarters. At its own discretion, a District may also hold an installation ceremony for its own newly elected and appointed District officers.

#### **ARTICLE IX SQUADRON ORGANIZATION**

Section 1. The smallest administrative unit of the Sons of The American Legion of this Detachment shall be known as the "Squadron", which shall have a minimum membership of 10 paid-up members. No Squadron shall be received into this organization until it shall have received a Squadron Charter. Those who desire to form a Squadron shall make application for a charter to the Post Commander of the local Post of The American Legion in the area in which they reside. Upon approval by the Post Commander, the application shall be forwarded to the Department Commander of The American Legion, Department of Indiana, and upon his approval it shall be forwarded to the National Headquarters of The American Legion, where the charter may be issued by the National Commander and the National Adjutant of The American Legion in the same as prescribed for the issuance of charters for Posts of The American Legion. There shall be no more than 1 Squadron of the Sons of The American Legion for each Post of The American Legion. Squadrons may be organized into sections based upon age.

Section 2. The political and administrative structure of the Squadron shall follow the guidelines of the National Constitution and By-laws of the Sons of The American Legion, and Article III, Sections 4 and 5, and Article IX, Section 1, of this Detachment Constitution.

Section 3. In the event any Squadron of this Detachment does not have 10 or more paid-up members by July 1 of any year, such Squadrons shall have their Charters automatically suspended until the showing of 10 or more

paid-up members is made, at which time the Charter may be reinstated by the Detachment Executive Committee.

Section 4. Each Squadron in the Detachment of Indiana shall submit a certified list containing the names and addresses of newly elected and/or appointed Squadron officers, to the Detachment Headquarters no later than June 1 of each year. The method of selection (election or appointment) of each individual Squadron officer shall be the option of each individual Squadron.

## **ARTICLE X RULES OF PROCEDURE**

Section 1. The Detachment Executive Committee shall have the power to form commission and/or committees under the Detachment Executive Committee and the power to form commission and/or committees for the Detachment Convention.

Section 2. The Detachment Executive Committee shall have the power to establish Rules of Procedure for the Detachment Executive Committee to govern its meetings.

Section 3. The Detachment Executive Committee shall provide a Uniform Code of Procedure for the orderly organization and operation of the Detachment Convention with continuing power of revision and said Code shall be applicable at all Detachment Convention unless it is amended, suspended, or repealed by a two-thirds (2/3) vote of the registered delegates to a Detachment Convention.

## **ARTICLE XI UNIFORM CAP**

Section 1. Detachment Officers shall be entitled to wear the cap prescribed by the National Sons of The American Legion. French Blue bottom, gold crown.

Section 2. All Detachment officer caps will be embroidered, in gold, with only "INDIANA" on the left side and on the left side only. The Squadron number along with the office will be embroidered, in gold, on the right side.

Section 3. All District officer caps will have a French Blue bottom, with a white crown.

Section 4. All District officer caps will be embroidered with their District number and the word "DISTRICT" along with the word "INDIANA" on the left side and on the left side only. The Squadron number along with the District office will be embroidered on the right side. Embroidery will be in white.

Section 5. The National Executive Committeeman and the Alternate National Executive Committeeman or any other member of the

Detachment of Indiana who has been elected and/or appointed to a National office, shall be entitled to wear the all gold with the word "INDIANA" on the left side and on the left side only, and the Squadron number along with the National office on the right side.

Section 6. The cap recognized as an official membership cap within the Detachment of Indiana, except for those listed above, is the all French Blue cap. The individual who has held any office may embroider his cap in any manner he wishes, as to indicate that he is a past officer.

Section 7. The cap must display the logo of the Indiana Soldier's and Sailor's Monument as prescribed by The American Legion, Department of Indiana.

## **ARTICLE XII FINANCE**

Section 1. The revenue of this Detachment shall be derived from annual membership dues and from such other sources as may be approved by the Detachment Executive Committee.

Section 2. The minimum annual dues shall be set by the Detachment Executive Committee and shall be payable as of July 1 of each year for the succeeding year.

Section 3. The National and Detachment dues shall be included in the annual dues to be collected by each Squadron and the portion of such dues designated as Detachment and National dues shall be immediately transmitted to the Detachment of Indiana.

Section 4. The dues structure of a Squadron, beyond that set by the Detachment Executive Committee, shall be at the discretion of that Squadron and its sponsoring Post.

Section 5. The Detachment Commander shall appoint 1 member to the Detachment Finance Committee, who shall serve for 3 years, subject to the approval of the Detachment Executive Committee. Any member of the Finance Committee may be removed for just cause by a two-thirds (2/3) vote of the Detachment Executive Committee. The Detachment Commander, Judge Advocate, and Finance Officer shall be ex-officio members of the Detachment Finance Committee. The Detachment Adjutant shall be ex-officio secretary of the Finance Committee. Any

vacancies, other than the ex-officio members on the Detachment Finance Committee, shall be filled as described above.

Section 6. The Detachment Finance Committee shall be charged with the preparation of the yearly budget. The Finance Committee shall be charged with the handling of funds under that budget. The actions preparation of the budget and the handling of funds under the annual budget shall be subject to the approval of the Detachment Executive Committee. All appropriations by the Detachment Executive Committee or expenditures of funds by Detachment Officers, Detachment Commissions, and/or Detachment Committees shall be subject to the prior consideration of the Detachment Finance Committee and its recommendations.

Section 7. The Detachment Commander, subject to the approval of the Detachment Executive Committee, shall appoint a Chairman of the Detachment Finance Committee each year, first consideration shall be given to the Detachment Finance Officer.

Section 8. The Finance Committee shall be charged with the protection and investment of the Detachment Special Reserve Fund. Investments shall be limited to the purchase of government securities. Funds held by the Special Reserve Fund Committee shall be spent only upon the joint approval of the Detachment Finance Committee and a two-thirds (2/3) majority of the voting members of the Detachment Executive Committee.

Section 9. The Detachment Commander shall appoint, subject to ratification by the Detachment Executive Committee, a Rehabilitation Commission composed of 3 members who shall serve for a term of 3 years, 2 years, and 1 year respectively. Vacancies occurring on the Commission for any reason shall be filled by appointees who shall serve the unexpired term of the member whose place he takes. The members of the Commission, as above constituted, shall serve out the term for which they were appointed or until removed by two-thirds (2/3) vote of the Detachment Executive Committee, and thereafter each succeeding Detachment shall appoint 1 member who shall serve for 3 years. The Detachment Commander shall name the Chairman of this Commission each year.

Section 10. The Detachment Rehabilitation Commission shall be charged with the preparation and administration of the Detachment

Rehabilitation program. In addition, the Commission shall be charged with the protection and administration of the Special Rehabilitation Projects Fund. Money held in the Special Rehabilitation Projects Fund shall be spent only upon the joint approval of the Detachment Rehabilitation Commission and the Detachment Executive Committee.

Section 11. The Detachment Commander shall appoint, subject to ratification by the Detachment Executive Committee, the Convention Committee, which should consist of four (4) members, two (2) representatives from the North, and two (2) from the South. The above representatives shall serve for terms of 1 year and 2 years and the succeeding years be appointed by the new Commander for a two (2) year term. The new Commander will also appoint, in addition to the other four (4) representatives, a chairman for a one (1) year term. Vacancies occurring on the Committee for any reason shall be filled by appointees who shall serve the unexpired term of the member whose place he takes. The members of the Committee, as above constituted, shall serve out the term for which they were appointed or until removed by two-thirds (2/3) vote of the Detachment Executive Committee. They will assist the Detachment Adjutant in performing Article 5, Sections 5 and 9. When a Squadron reports to the Credentials Committee, Delegate and Alternate badges will be issued to those Delegates and Alternates present. A list will be compiled as to how many badges are issued to a Squadron. It will be the duty of the Detachment Sgt. of Arms and Assistant Sgt. of Arms to insure only qualified Delegates and Alternates are allowed to vote.

Section 12. The Detachment Convention Committee shall be charged with surveying potential dates and sites for each year's Detachment Convention. In addition, said Committee shall be charged with the planning, administration, and financing of the Detachment Convention.

Section 13. The Detachment Convention Committee shall be entrusted with the protection and management of the Detachment Convention Fund. Said Fund shall be used to pay for the cost incurred by the Detachment Convention. The Convention Committee shall reasonably attempt to solicit donations for the Detachment Convention Fund. The Committee shall set the registration fee for the Detachment Convention, subject to the approval of the Detachment Executive Committee.

#### **ARTICLE XIII DISCIPLINE**



Section 1. The Detachment may suspend, cancel, or revoke the charter of any Squadron which violates the regulations it has been placed under, subject to the approval of the Department Executive Committee, The American Legion, Department of Indiana.

Section 2. Upon the cancellation or evocation of the charter of any Squadron, the property and assets belonging to such Squadron shall therefore become the property of the Post sponsoring said Squadron.

Section 3. The Detachment Executive Committee, after notice and hearing may suspend or revoke the Squadron charter when the Squadron violates the National or Detachment Constitution, or when a Squadron fails to adequately carry out the instructions of the Detachment Executive Committee, or when it fails to properly discipline any of its members for such violations, or when a Squadron violates any of the laws of the United States of America, or any laws of the State of Indiana, or any ordinances or regulations of any municipality, and the Detachment Executive Committee shall have full power and authority to provide for the government and administration of the Squadron during such suspension, with the approval of The American Legion, Department of Indiana. The procedure for notice and hearing, as stated above, shall occur in such form as prescribed by the Constitution and By-laws and the Executive Committee of The American Legion, Department of Indiana. The Detachment Convention and in event the charter is suspended, canceled, or revoked, the Squadron affected shall have the power of appeal at the next assembled Detachment Convention.

Section 4. Any member who violates the S.A.L. National Constitution or Detachment Constitution, or who in the opinion of the Squadron of which he is a member, has been guilty of other conduct unbecoming a member of the Sons of The American Legion, shall be expelled or otherwise suitable punished after notice and upon hearing by any such Squadron in such form as prescribed by the Constitution and By-laws of The American Legion, Department of Indiana, and the Department Executive Committee, as affecting members of The American Legion, provided, however, that any action taken by any Squadron under the provision of this section may be appealed by record only, to the Detachment Executive Committee, and in accordance with its rules and regulations.

Section 5. Any elected member of the Detachment executive Committee who fails to perform his duties as prescribed by this Constitution and By-laws may be removed, for just cause, by a two-thirds (2/3) majority vote of the Detachment Executive Committee. The vacancy occurring as a result, will be filled as prescribed in Article VI, Section 1, of this Constitution.

Section 6. Any appointed officer of the Detachment Executive Committee who fails to perform his duties as prescribed by this Constitution and By-laws may be removed, for just cause, by a two-thirds (2/3) majority vote of the Detachment Executive Committee. The vacancy occurring as a result, will be filled as prescribed in Article VI, Section 4, of this Constitution.

Section 7. In the event any elected or appointed Detachment Officer, Commission, or Committee Chairman or member fails to attend 2 or more consecutive meetings of the Detachment Executive Committee, without submitting a written, telegraph, or telephone excuse, such person shall automatically be considered for removal by the Detachment Executive Committee.

#### **ARTICLE XIV AMENDMENTS**

Section 1. All amendments to the National Constitution of the Sons of The American Legion, that have been duly enacted, and that pertain to the Sons of The American Legion, Detachment of Indiana, shall be added to this Detachment Constitution, as applicable.

Section 2. All amendments to the Department Constitution of The American Legion, Department of Indiana, that have been duly enacted, and that pertain to the Sons of The American Legion, Detachment of Indiana, shall be added to this Detachment Constitution, as applicable.

Section 3. To amend this Constitution, a resolution designed to amend it must first be passed by a Squadron, then it must be passed by an S.A.L. District, then it shall need approval of two-thirds (2/3) majority vote of the Detachment Convention, then after being considered and approved for filing by the Department Judge Advocate, the American Legion, Department of Indiana, such resolution must finally be approved by the Department Executive Committee, The American Legion, Department of Indiana.

Section 4. The Constitution may also be amended at any Detachment Convention by a vote of two-thirds (2/3) of the total authorized representation thereat, present and voting thereon, provided that the proposed amendment shall have been submitted through the Detachment Adjutant to the several Squadrons of the Detachment by mailing same at least 30 days prior to the convening of the next Detachment Convention; any such proposed amendment may be amended without further notice by a two-thirds (2/3) vote of the total authorized representation thereat, present and voting thereon, provided it does not increase the modification proposed by the amendment and it has received the approval of the Convention Committee on Constitution and By-laws, provided further it may be amended by a two-thirds (2/3) vote at any Detachment Convention without notice.

Section 5. This Constitution may also be amended at any Detachment Convention by a unanimous vote of the total authorized representation thereat, present and voting thereon, without prior notice.”

Section 6. An amendment to this Constitution shall become effective immediately upon approval by the Department Executive Committee, the American Legion, Department of Indiana, unless otherwise provided by such amendment.

# **BY-LAWS OF THE DETACHMENT OF INDIANA**

## **ARTICLE I DUTIES OF OFFICERS**

Section 1. The Detachment Commander shall be the Executive Head of the Sons of The American Legion, Detachment of Indiana, he shall be ex-officio member of all commissions and/or committees, and he shall perform such duties as are incident to that office.

Section 2. The Detachment Executive Vice Commander shall act as a representative of the Detachment Commander on all matters referred to him by the Commander, and shall perform such other duties as Acting Commander if the Detachment Commander is unable to do so.

Section 3. The Detachment Vice Commanders shall act as representatives of the Commander on all matters referred to them by the Commander, shall be members of the Detachment Membership Committee help in the promotion of the membership of the Detachment, and shall perform such other duties as are incident to that office.

Section 4. The Detachment Adjutant shall be the administrative officer of the Detachment of Indiana, and the administrative head of the Detachment Headquarters, empowered to carry out the mandates of the Detachment Convention and the Detachment Executive Committee, he shall serve as secretary to the Detachment Convention and to all meetings of the Detachment Executive Committee.

Section 5. The Detachment Assistant Adjutant(s) shall be under the direction of the Detachment Adjutant, and through the Detachment Adjutant, the Detachment Commander, and shall perform such duties as are incident to that office.

Section 6. The Detachment Finance Officer shall be authorized to maintain funds in the name of the Detachment of Indiana, in such special accounts as may be authorized by the Detachment Executive Committee, and approved by the American Legion, Department of Indiana. He shall make reports upon the condition of the Detachment treasury, both special account (and through cooperation with the Department Finance Officer) and S.A.L. accounts handled by him when called for by the Detachment Commander, the Detachment Executive Committee, or the Department of Indiana. All disbursements by the Detachment Finance

Officer must be by check with the checks countersigned by the Department Finance Officer.

Section 7. The Detachment Judge Advocate shall advise the Detachment Executive Committee on all legal matters, including the construction and interpretation of the Detachment Constitution and By-laws, and shall perform such other duties as are incident to that office. All opinions rendered by the Judge Advocate shall be reduced in writing and placed in a permanent file.

Section 8. The Detachment Chaplain shall perform such divine and non-sectarian services as may be necessary, adhering to such ceremonial rituals as may be recommended by National Headquarters from time to time.

Section 9. The Detachment Historian shall collect from year to year all records and data of value and interest for the Detachment of Indiana.

Section 10. The Detachment Sergeant-at-Arms shall be charged with the responsibility of preserving order at all Detachment meetings and shall be given the custody of the Colors.

Section 11. The Detachment Assistant Sergeant-at-Arms shall be under the direction of the Detachment Sergeant-at-Arms.

Section 12. The Detachment Membership Chairman shall chair the Detachment Membership Committee, and shall primarily concern himself with the promotion of the membership of the Detachment, and shall perform other duties as are incident to that office.

Section 13. The Detachment Director of Public Relations shall be charged with assisting the Detachment Adjutant in the preparation and distribution of all publications and communications with the media. He shall perform such other duties as are incident to that office.

## **ARTICLE II AMENDMENTS**

Section 1. All amendments to the National By-laws of the Sons of The American Legion, that have been duly enacted and that pertain to

the Sons of The American Legion, Detachment of Indiana, shall be added to these Detachment By-laws as applicable.

Section 2. All amendments to the Department By-laws of The American Legion, Department of Indiana, that have been duly enacted and pertain to the Sons of The American Legion, Detachment of Indiana, shall be added to these By-laws as applicable.

Section 3. To amend these By-laws, a resolution designed to amend them must first be passed by a Squadron, then it must be passed by an S.A.L. District, then it shall need approval of two-thirds (2/3) majority vote of the Detachment Convention, then after being considered and approved for filing by the Department Judge Advocate, the American Legion, Department of Indiana, such resolution must finally be approved by the Department Executive Committee, The American Legion, Department of Indiana.

Section 4. The By-Laws may also be amended at any Detachment Convention by a vote of two-thirds (2/3) of the total authorized representation thereat, present, and voting thereon, provided that the proposed amendment shall have been submitted through the Detachment Adjutant to the several Squadrons of the Detachment by mailing same at least 30 days prior to the convening of the next Detachment Convention. Any such proposed amendment may be amended without further notice by a two-thirds (2/3) vote of the total authorized representation thereat, present, and voting thereon, provided it does not increase the modification proposed by the amendment and it has received the approval of the Convention Committee on Constitution and By-Laws, provided further it may be amended by a unanimous vote at any Detachment Convention without notice.

Section 5. There shall be no age limit for voting for elections, and any motions made, at any level of the Detachment of Indiana.

Revised 7/14/18