



AMERICAN KENNEL CLUBSM

PROCEDURAL CHECKLIST

Event Committee Hearings

Club _____

Defendant _____

Address _____

Event _____

Date _____

The AKC® requires that each Event Committee review and become familiar with the contents of the pamphlet titled "Dealing With Misconduct." This checklist must be completed by the Committee Chair and initialed and signed. The accused must also sign this document.

Please be advised, if an Event Committee receives a complaint alleging that a dog poses a hazard, pursuant to Chapter 11, Section 15, of the Rules Applying to Dog Shows, the committee must complete a Disqualification by Event Committee form. The form is included in each club's Event Kit.

This checklist is part of the record of the Event Committee Hearing, concerning the alleged conduct of an individual, and should be submitted with the complete report of the proceedings. The report must be sent so as to be received by the Executive Secretary of the AKC within 5 days of the last date of the event or within five days of the date of the hearing if held subsequent to the date of the event. The complete report must be sent to AKC (Attn: Executive Secretary), 260 Madison Avenue, Fourth Floor, New York, NY 10016.

PREHEARING

Complete and Initial

1. Preliminary Investigation. Investigate all complaints and make a preliminary determination whether, if the alleged conduct was proven true, it was prejudicial to the sport and it occurred at or in connection with the show or trial. _____

2. Name and address of the individual making the complaint. _____

3. Get the complaint in writing. _____

4. It was determined that a hearing should be held. _____

5. Notice of Hearing. The accused was advised at _____ a.m./p.m. on _____ (date).

a) Accused was told he/she was being charged with the following misconduct:

b) The hearing will be held

at _____ a.m./p.m. on _____ (date).

(The accused must be given reasonable time to secure witnesses and to prepare.)

c) The accused was provided with a copy of the "Dealing With Misconduct" booklet. _____

6. The Chair established the committee as follows (include address and telephone number):

Chair _____
Secretary _____

HEARING

- 7. *Introduction.* The Chair introduced himself or herself and the members of the Committee and designated one member of the Committee to keep a record of the proceedings. _____
- 8. *Advisal of Charges.* The Chair again advised the accused of the specific charges (same as #5A above). _____
- 9. *Advisal of Rights.* The Chair advised the accused of these rights:
 - a) To hear, confront and question all witnesses;
 - b) To present witnesses on his/her own behalf; and
 - c) To testify on his/her own behalf. _____
- 10. *Witness List.* The Chair determined the list of witnesses to be called by the Committee and the accused.

Committee's Witnesses:

Accused's Witnesses:

- 11. *Unauthorized Persons Excused.* The Chair excused all persons except the Committee, the accused and the AKC Representative. The witnesses were excused from the proceedings, except when they were called on individually to testify. _____

12. *Witnesses.* The Chair called and swore in the witnesses: first, those named by the Committee; then, those named by the accused. The Chair ascertained the full name and address of each witness. The Chair questioned the witness and then allowed the accused to question the witness. (An appropriate oath is as follows: "Do you swear or promise that you will tell the truth, the whole truth and nothing but the truth?")

13. *Accused Statement.* After all the witnesses testified, the Chair permitted the accused to make a final statement in response to the charges.

14. *Close Hearing.* The Chair then excused all persons except the committee and asked the accused to remain available to receive the committee's decision.

POSTHEARING

15. *Findings.* After deliberation and by majority vote, the committee made these findings:

- a) As to whether the charged conduct has been proven;
- b) Whether such conduct was prejudicial to the best interests of purebred dogs, AKC events or the AKC; and
- c) Whether the charged conduct occurred in connection with, or during the progress of, its event.

16. *Decision.*

- a) The committee found that all three of the elements in charge(s) number _____ were not proven and it dismissed the charge(s).
- b) The committee found that all three elements in charge(s) _____ were proven and it suspended the accused from any or all AKC privileges.

17. *Notice.* After the committee made its decision, the Chair:

- a) Immediately notified the accused of the charges that were dismissed and those that were sustained.
- b) If charges were sustained, the accused was so advised and notified of his/her immediate suspension of any or all AKC privileges.

18. *Reminder.*

- a) Committee must notify the accused, in writing, by certified mail return receipt requested and first-class mail, of the committee's decision and of any suspension, if one was ordered.
- b) Send to the AKC, within five days, a complete report of the proceedings, which includes:
 - A copy of the signed written complaint
 - A comprehensive summary of the hearing (*see Section VII of Dealing with Misconduct*)
 - This Procedural Checklist
 - A duplicate copy of the notice of suspension sent to the accused.

Signature – Chair

Signature – Defendant

Attesting to the fact that all items on this list were completed.

Attesting to the fact that Items 3, 5, 6, 7, 8, 9, 10, 11 and 15 were completed.

AKC DISCIPLINE GUIDELINES – EFFECTIVE APRIL 10, 2006

Explanatory Notations

- Discipline in excess of the aggravated term, or less than the mitigated term, must be approved by the AKC Board of Directors (“Board”). Discipline imposed for cases not covered by guidelines must be approved by the Board.
- An especially egregious offense will result in a more severe length of suspension and/or fine than suggested in the Guidelines.
- Multiple serious offenses may result in a lifetime suspension of all AKC privileges.
- These Guidelines will be reviewed from time to time.
- Event Suspension is a suspension of event privileges for the individual and applies to dogs registered or co-registered at the time of suspension, or subsequently obtained during the term of suspension, which may not be entered or compete in events during the term of suspension unless they are transferred to another individual.
- Registration Suspension is a suspension of registration privileges, which means AKC will not accord registration of any litter, or individual dog or transfer ownership of a dog owned solely or in part by the suspended individual. In addition, AKC will not register any litter of dogs if the sire of the litter was owned solely, or in part by a person who is suspended on the date the mating occurred.
- Suspension of all privileges would include both event suspension and registration suspension.
- When discipline guidelines become less punitive, the new penalty (suspension period and conditions and fine, if applicable) will be applied to persons currently under suspension for that offense.
- For violations denoted with an asterisk (*), reinstatement is contingent on passing an AKC kennel inspection, which will be scheduled only after the associated fine has been paid.
- **IN THOSE CASES WHERE AN EVENT OR REGISTRATION SUSPENSION IS CALLED FOR, THE AKC MANAGEMENT DISCIPLINE COMMITTEE MAY RECOMMEND THE SUSPENSION OF ALL PRIVILEGES, WHEN WARRANTED BY THE SEVERITY OF THE CASE.**

<u>Offense</u>	<u>Mitigated</u>	<u>Standard</u>	<u>Aggravated</u>
I. Misconduct Against a Judge (Event Suspension)			
a. Physical abuse	3 mo/\$300	1 yr/\$1000	10 yr/\$5000
b. Verbal abuse (inappropriate, abusive or foul language) directed personally to a judge	2 mo/\$100	6 mo/\$500	1 yr/\$1000
c. Inappropriate public criticism of a judge, not disruptive, but demonstrating a lack of sportsmanship	Rep/\$50	1 mo/\$200	3 mo/\$300
d. Public criticism of a judge's decision that causes a disruption at an event	Rep/\$100	3 mo/\$300	6 mo/\$500
e. Unsportsmanlike conduct during an event including but not limited to:			
1. Refusal or throwing down of ribbon	Rep/\$100	3 mo/\$300	6 mo/\$500
2. Leaving ring without permission	Rep/\$100	3 mo/\$300	6 mo/\$500
3. Refusing to continue to compete	Rep	3 mo/\$300	6 mo/\$500
4. Failure to control an unruly dog	Rep	45 d/\$150	3 mo/\$300
5. Failure to follow a judge's instructions	Rep	45 d/\$150	3 mo/\$300
f. Attempting to influence a judge	6 mo/\$200	18mo/\$500	5 yr/\$1000
II. Disorderly Conduct (Event Suspension)			
a. Physical altercation	2 mo/\$200	6 mo/\$300	2 yr/\$1000
b. Abusive or foul language/verbal altercation	Rep/\$100	1 mo/\$500	3 mo/\$1000
c. Personal property damage	Rep/\$100	1 mo/\$500	3 mo/\$1000
d. Impairing a club's ability to retain site	3 mo/\$100	3 mo/\$500	6 mo/\$1000
e. Failure to properly control a dog at an event	Rep/\$200	3 mo/\$500	6 mo/\$1000
f. Sexual harassment	3 mo/\$100	6 mo/\$200	2 yr/\$300
g. Disruptive behavior at an event	Rep/\$100	3 mo/\$300	6 mo/\$500
III. Inappropriate Treatment of Animals (All Privileges)			
a. Physical abuse at or in connection with an event by individual	1 mo/\$300	6 mo/\$1000	1 yr/\$2500
b. Physical abuse at or in connection with an event by club	Rep/\$300	Loss of event/\$500	Loss of event/\$1000
c. Neglect at or in connection with an event by individual	1 mo/\$100	3 mo/\$500	1 yr/\$1000
d. Neglect at or in connection with an event by club	Rep/\$100	Loss of next event/\$300	Loss of next event/\$500
e. Cruelty in connection with an event	5 yr/\$1000	10 yr/\$2000	15 yr/\$3000
f. Mistreatment in connection with an event	Rep/\$100	1 mo/\$300	6 mo/\$500
g. Whelping dogs at event site	Rep/\$200	3 mo/\$500	6 mo/\$1000
h. Judicial or administrative determination of cruelty or neglect to any animal where cruelty to dogs was part of the charge*	5 yr/\$1000	10 yr/\$2000	15 yr/\$3000
i. Unacceptable conditions, dogs and/or facilities *	3 mo/\$500	1 yr/\$1000	5 yr/\$2500
IV. Violation of AKC Rules/Regulations or Club Regulations (Event Suspension)			
a. Showing the wrong dog without voluntary correction	Rep/\$300	1 mo/\$500	3 mo/\$1000
b. Substitution	2 yr/\$1000	5 yr/\$3000	10 yr/\$5000

**IV. Violation of AKC Rules/Regulations
or Club Regulations (Event Suspension) cont.**

<u>Offense</u>	<u>Mitigated</u>	<u>Standard</u>	<u>Aggravated</u>
c. Judging Improprieties (the judge himself/herself or complicity with a judge)	1 yr/\$500	2 yr/\$750	Life/\$1000
d. Benching violations	Rep	Rep/\$50	
e. Disregard of published club regulations (e.g., parking, ex-pens, crates in aisle, unauthorized concession, selling puppies, etc.)	Rep/\$100	1 mo/\$500	3 mo/\$1000
f. Entering/exhibiting altered dog (temporary alteration)	Rep/\$500	6 mo/\$1000	1 yr/\$2500
g. Entering/exhibiting altered dog (permanent alteration)	1 yr/\$1000	2 yr/\$2000	5 yr/\$5000
h. Willful refusal to return ribbon or prize after award disallowed	Rep/\$100	1 mo/\$200	1 mo/\$500
i. Gun safety violation (by gunner)	Rep	1 yr/\$500	2 yr/\$1000
j. Gun safety violation (by club)	Rep/\$100	Loss of next event/\$300	Loss of next event/\$500
k. Providing fraudulent information on an entry to show an ineligible dog	3 mo/\$500	6 mo/\$1000	1 yr/\$2000

V. Registration Violations (Registration Suspension)

a. Submission of a false application to register or transfer (not signature forgeries), which do not affects the Stud Book	1 yr/\$200	3 yr/\$300	5 yr/\$500
b. Signing AKC applications to register or transfer in blank; failure to properly complete an AKC document to show the name and address of the individual to whom the dog was directly transferred and the date of the transfer *	Rep/\$300	3 mo/\$500	1 yr/\$2000
c. Failure to complete supplemental transfers (i.e., jumping transfers). Failure to complete proper chain of registration on an AKC registered or registerable dog*	Rep/\$300	3 mo/\$500	1 yr/\$2000
d. Submission of application containing a false certification as to the signature of one of the owners (this includes making false complaints)	6 mo/\$500	1 yr/\$1000	5 yr/\$2000
e. Signing AKC documents on behalf of another without filing a properly completed Power of Attorney form	Rep	3 mo/\$500	1 yr/\$1000
f. Attempting to register a litter whelped outside the US	Rep/\$200	6 mo/\$500	1 yr/\$1000

(If now living within the U.S., six months; if residents are still outside the U.S., indefinite, with an application for reinstatement upon return to the U.S.)

VI. Registration Violations (All Privileges)

a. Submission of a false application to register or transfer (not signature forgeries), which affects the Stud Book	3 yr/\$500	5 yr/\$1000	Life/\$5000
b. Selling or buying AKC registration papers	5 yr/\$500	10 yr/\$1000	Life/\$5000
c. Refusing to produce dogs or records	5 yr/\$1000	10yr/\$2000	Life/\$3000

(If reinstated, must start with a new colony.)

d. Non-compliance with AKC's Rules and Regulations on Record Keeping and Identification			
1. Minor violations	Rep	Rep/\$100	Rep/\$300
2. Not minor, but less than gross violations	3 mo/\$300	6 mo/\$500	1 yr/\$1000
3. Gross violations	5 yr/\$1000	10 yr/\$2000	Life/\$3000

(If reinstated, must start with a new colony.)

e. Submission of an AKC litter application which the individual should have known contained a false certification as to the sire and/or dam of the litter (DNA exclusion)	<u>2 Exclusions/5yrs</u> 6 mo/\$500	<u>3 Exclusions/5yrs</u> 1 yr/\$1000	<u>4 Exclusions/5yrs</u> 5yrs/\$2000
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VII. Circumvention of Suspension

a. Circumvention of Suspension*	Rep/Double Original Fine	Double original Suspension and Fine	Up to Life/\$5000
b. Aiding and abetting the circumvention of an AKC suspension of registration or all privileges (All Privileges)*	Rep/\$500	5 yr/\$1000	Life/\$5000
c. Aiding and abetting the circumvention of an AKC suspension of event privileges (Event Suspension)	Rep/\$500	6 mo/\$1000	1 yr/\$5000

DEFINITIONS OF OFFENSES

- CRUELTY:** Conscious action or inaction that may endanger life or cause serious health consequences to animals.
- ABUSE:** Improper treatment which could cause serious injury to animals.
- NEGLECT:** Inadequate care or voluntary inattention to basic needs, ignoring the safety and well being of animals because of haste or ignorance.
- MISTREATMENT:** Inappropriate treatment or handling of animals not likely to cause serious injury, e.g. excessive or severe discipline/training.

