MOOT COURT BOARD BYLAWS

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I. Purpose
   a. The University of Baltimore School of Law Moot Court Board (hereinafter “the Moot Court Board” or “the Board”) is a student-run organization which promotes the University of Baltimore School of Law moot court program, coordinates the activities of the interscholastic moot court teams, and conducts the Byron L. Warnken Moot Court Competition.
   b. The Moot Court Board is dedicated to the development of the University of Baltimore School of Law moot court team members’ written and oral appellate advocacy skills.

II. Definitions
   a. Executive Board: those members of the Moot Court Board as outlined in section III.a.i. of these Bylaws.
   b. Majority: a majority is greater than 50% of a quorum.
   c. Members at-large: Members of the Moot Court Board not on the Executive Board.
   d. Moot Court Board: the Moot Court Board as a whole.
   e. Overwhelming Majority: an overwhelming majority is, at minimum, 70% of a quorum.
   f. Preceding Moot Court Board: the outgoing Moot Court Board of the current academic year.
   g. Quorum: a quorum is the minimum number of Moot Court Board Executive Board Members or Moot Court Board Members required for a valid meeting or vote in the particular circumstance. The quorum for the minimum number of members shall be set as outlined in these bylaws.
   h. Succeeding Moot Court Board: the incoming Moot Court Board for the following academic year.

III. Moot Court Board Structure
   a. The Moot Court Board shall be comprised of the Executive Board and Members at-large.
      i. The Executive Board shall consist of nine (9) members including four (4) officers and six (5) committee chairs.
         1. Officers:
            a. President
            b. Vice-President
            c. Secretary
            d. Treasurer
         2. Committee Chairs
            a. Byron L. Warnken Moot Court Competition Co-Chairs (2 positions)
            b. Moots/Judges Chair
            c. Public Relations Chair
            d. Student Liaison Program Chair
      ii. There shall be a sufficient number of Members at-large to carry out the duties and fulfill the purpose of the Moot Court Board as outlined in these Bylaws.
1. The number of members-at-large should be evaluated each year by the Preceding Moot Court Board based upon the number of moot court teams that will be competing in the upcoming academic year.

2. There should be no fewer than fifteen (15) and no more than twenty (20) Members at-large.

3. The Members at-large should reflect approximately a 1:1 ratio with the number of moot court teams in the University of Baltimore moot court program.

b. Faculty Advisor
   i. There shall be one (1) faculty advisor to the Moot Court Board selected from the University of Baltimore School of Law faculty.
   1. The faculty advisor to the Preceding Moot Court Board shall remain as the faculty advisor to the Succeeding Moot Court Board.
      a. Duties:
         i. The faculty advisor shall act as an advisor to the Moot Court Board in matters as outlined in these Bylaws and in other matters as may be necessary from time to time.
      b. Removal:
         i. The Moot Court Board, in its discretion, may remove the faculty advisor so long as:
            1. An overwhelming majority of the Executive Board votes in favor of electing a new faculty advisor;
            2. There is a quorum of at least seven (7) Executive Board members; and
            3. The Dean of the School of Law agrees to have the faculty advisor removed.
         ii. The faculty advisor may elect to resign as the faculty advisor so long as reasonable notice is provided to the Moot Court Board.
      c. Selection:
         i. If the Executive Board votes to remove the faculty advisor or if the faculty advisor resigns, the Moot Court Board, in its discretion, may elect a new faculty advisor so long as:
            1. A majority of the Executive Board votes in favor of electing the faculty advisor; and
            2. There is a quorum of at least seven (7) Executive Board members.
IV. **Moot Court Board Members’ Duties and Requirements**

a. The Executive Board and Members at-large will have certain duties as their positions require. These duties may change from time to time in order to ensure that the purpose of these Bylaws is sufficiently carried out.

b. All Moot Court Board members shall discharge their duties in a manner consistent with the purpose of the Moot Court Board as outlined in these Bylaws.

c. **General Membership Duties**
   
i. Each member must commit to at least one academic year of service on the Board comprised of the fall and spring semesters in one academic year.

   ii. Each member must attend all scheduled general Board meetings and individual committee meetings.

d. **Executive Board** – The Executive Board shall set forth various tasks for the Moot Court Board to complete as needed. Such tasks or responsibilities may be undertaken by the Executive Board itself or delegated to Members at-large as may be necessary in a particular situation. It shall be the duty of the Executive Board and its various officers to delegate the tasks and responsibilities to the Members at-large as necessary and required in order to achieve the purpose of the Bylaws.

   i. **President** – direct and oversee all operations of the Moot Court Board; set policy; represent the Board before the University of Baltimore Law School administration, faculty, and its various committees.

   ii. **Vice-President** – assist the President in directing and overseeing all operations of the Moot Court Board; keep track of students’ hours and credit and recommend credit approval or denial of Member credits; stand in for the President when the President is unavailable unless otherwise specified in these Bylaws.

   iii. **Secretary** – draft memoranda concerning the meetings, including minutes of the proceedings; maintain the internal TWEN page and post meeting minutes on the TWEN page; publicize the activities of the Moot Court Board in University newspapers and in an annual newsletter in conjunction with the Public Relations Chair; perform other related tasks as needed by the President; assist in the selection process as outlined in Section V; regularly check the Moot Court Board mailbox.

   iv. **Treasurer** – develop and submit a budget to the Executive Board for review and approval; oversee the budget process and assure that the budget is maintained; act as a liaison between the Moot Court Board and the Office of Financial Affairs; represent the Board on financial matters.

   v. **Byron L. Warnken Moot Court Competition Co-Chairs** (2 co-chairs) – organize and conduct the annual *Byron L. Warnken Moot Court Competition*. 
vi. **Moots/Judges** – recruit and schedule judges; coordinate practice oral arguments; develop and update best practices guidelines.

vii. **Public Relations** – Maintain Moot Court Board bulletin board; publicize accomplishments of moot court teams, other events, and activities of the Moot Court Board; maintain the Moot Court Board website; regularly check and respond to emails in the moot court email address account; assist *Warnken Competition* co-chairs by publicizing the *Warnken Competition*.

viii. **Student Liaison Program** – facilitate and manage the Student Liaison Program in which Members at-large will be assigned to each moot court team as the team’s Student Liaison. The Student Liaisons provide support to the moot court teams including administrative assistance and acting as a guest judge or timekeeper during team practices. Additionally, the Student Liaison Program chair will help arrange judges for moots; provide assistance to faculty advisors as requested; answer questions regarding planning out of town travel; work with the Westlaw and Lexis/Nexis account managers to schedule trainings. The Chair need not act as a Student Liaison.

e. **Members at-large** – the Members at-large shall be assigned various tasks and responsibilities by the Executive Board in order to achieve the purpose of these Bylaws. The Executive Board shall assign those tasks and responsibilities as are necessary or required in a particular situation.

i. Tasks or responsibilities may be assigned by any Executive Board Member, but the award of hours towards earning credits is within the reasonable discretion of the Vice-President.

ii. Each Member at-large must actively serve on at least one committee outlined in section IV.d.v-viii.

iii. Each Member at-large will serve as a Student Liaison to one or more moot court teams during the year. Student Liaisons will assist their assigned team(s) prepare for their upcoming competition(s) and report to the Student Liaison Program Chair.

f. **Credits**

i. Per University of Baltimore School of Law policy, all Moot Court Board Members shall receive one (1) credit per semester served on the Moot Court Board provided that the Member satisfactorily completes all duties and requirements including a minimum of sixty hours (60) of substantive Moot Court Board work per semester.

ii. Credits shall be disbursed by the Vice-President upon the Vice-President’s certification of satisfactory completion of duties and hours per University of Baltimore School of Law policy.

V. **Moot Court Board Member Selection**

a. **Executive Board and Members at-large**

i. Any student who is enrolled in the University of Baltimore School of Law, and who is in good academic standing, shall be eligible to serve on the Moot Court Board provided the individual:
1. Is currently a member of a moot court team;
2. Has been named to a moot court team for the succeeding academic year;
3. Has successfully completed the Appellate Practice Clinic;
4. Has earned at least a B+ in the Appellate Advocacy Workshop; or
5. Is currently a member of a Preceding Moot Court Board.

ii. The Secretary shall distribute, or otherwise make available, Moot Court Board applications to all students meeting the criteria as outlined in Section V.a.i. in the spring semester of that academic year.

1. The election process shall take place after the Byron L. Warnken Moot Court Competition but with sufficient time before the end of the spring semester in order to ensure proper guidance and instruction to the Succeeding Moot Court Board.

iii. Executive Board members shall be selected to one term of service on the Moot Court Board Executive Board, but Executive Board members of a Preceding Moot Court Board are eligible to reapply to any Executive Board position on a Succeeding Moot Court Board.

1. Members at-large shall be selected to one term of service on the Moot Court Board, but Members at-large of a Preceding Moot Court Board are eligible to reapply to a Member at-large position or any Executive Board position on a Succeeding Moot Court Board.

iv. The Secretary shall collect applications for all potential Moot Court Board members.

v. Within a reasonable time after the Secretary collects the applications, the Executive Board shall interview all Moot Court Board applicants and select the Succeeding Moot Court Board by majority vote.

1. Any Executive Board member of a Preceding Moot Court Board who is reapplying for an Executive Board position on a Succeeding Moot Court Board shall be ineligible to interview, vote, or otherwise assist in the Executive Board selection process subject to Section V.a.v.2. of these Bylaws.
2. If there are less than five (5) Executive Board members who are not reapplying to the Executive Board, and therefore less than five (5) Executive Board members eligible to interview and select the Succeeding Moot Board Executive Board, the President shall appoint Members at-large from the Preceding Moot Court Board to fill the interviewing committee to five (5) members to interview all Executive Board applicants and select Moot Court Board members by majority vote.

   a. If there is an insufficient number of eligible Executive Board members and Members at-large to comprise an interviewing committee, the faculty advisor shall
serve on the committee and that shall constitute a sufficient interviewing committee.

b. Any Executive Board member of a Preceding Moot Court Board who is ineligible to interview applicants for the Executive Board of a Succeeding Moot Court Board is still eligible to interview applicants to the Members at-large of a Succeeding Moot Court Board.

vi. Factors in selecting the Succeeding Moot Court Board members may include an applicant’s: resume, GPA, time of graduation, advocacy courses and grades, trial or litigation courses or experience, clinic experience, judicial internships or clerkships, past, present or upcoming Moot Court team experience, and a short statement of qualifications and goals for the Moot Court Board.

vii. Should a vacancy on the Executive Board arise, the Executive Board shall fill that vacancy, with a member of the Executive Board or with a Member at-large, by majority vote of the Executive Board and in a manner consistent with Section V.a. of these Bylaws.

1. Executive Board members shall be restricted to one position on the Executive Board.

viii. Should a vacancy in the Members at-large arise, and the Executive Board finds it necessary to fill that position, the Executive Board may fill that vacancy in a similar manner as outlined in Section V.a. of these Bylaws.

VI. Discipline

a. Any Executive Board Member or Member at-large may be removed for cause.

b. Accumulation of three (3) or more demerits constitutes cause.

   i. Members failing to perform their duties or engaging in conduct unbecoming of a Moot Court Board Member shall receive one demerit for each failure or each occurrence of unbecoming conduct.

   ii. Each failure of a Member to perform his/her duty or each occurrence of unbecoming conduct shall be reported to the Vice-President.

   iii. Before issuance of a demerit, the Vice-President shall consult with the allegedly offending Moot Court Board Member.

      1. The issuance of a demerit lies within the sole discretion of the Vice-President.

iv. Upon the issuance of a third demerit, the Vice-President shall initiate a disciplinary hearing before the Disciplinary Board.

      1. The Disciplinary Board shall consist of five members of the Executive Board and must include the President, but shall not include the Vice-President.

         a. The Vice-President shall present the case against the allegedly offending Moot Board Member.

         b. The President shall preside over the Disciplinary Board.
i. The Faculty Advisor shall be in attendance to act as a neutral and detached witness to the proceedings. The Faculty Advisor shall take no part in the hearing or decision-making process. The Disciplinary Board may, however, consult with and seek the advice of the faculty advisor before its deliberations or decision.

v. In the disciplinary hearing, the Disciplinary Board shall hear argument from the Vice-President describing the offenses allegedly committed by the member. The Disciplinary Board shall also hear arguments from the allegedly offending Moot Court Board Member.

vi. The Disciplinary Board’s decision and findings shall be by majority vote.

   1. The Disciplinary Board must vote as to whether each demerit is warranted.

vii. If the Disciplinary Board finds, by clear and convincing evidence, that each of the three demerits are warranted, the Disciplinary Board may take disciplinary action.

   1. Disciplinary action may include referral to the University of Baltimore School of Law Honor Board, revocation of credits, removal from the Moot Court Board, or other action deemed just and appropriate by the Disciplinary Board.

      a. If the Disciplinary Board votes for removal from the Moot Court Board, the former member of the Moot Court Board may not note Moot Court Board membership on the individual’s resume, qualifications, or in any way represent that the individual was a member of the Moot Court Board.

viii. If the Disciplinary Board does not find clear and convincing evidence for any number of the demerits, that number of demerits shall be removed from the individual’s demerit count.

   1. The individual’s demerit count shall continue from the number of demerits found by clear and convincing evidence at the disciplinary hearing.

c. **Egregious Conduct:**

   i. Particularly egregious conduct constitutes cause.

   ii. If a Moot Court Board Member engages in particularly egregious conduct, that information shall be conveyed to the President of the Moot Court Board.

      1. The President, in consultation with the Vice-President, shall determine whether there is probable cause to initiate the disciplinary hearings before the Disciplinary Board.

   iii. The Disciplinary Board shall then determine, by majority vote, whether there is clear and convincing evidence that the alleged egregious conduct occurred.
1. The Board shall then determine what, if any, disciplinary action to take.

d. Disciplinary Actions Against the President:
   i. Disciplinary actions against the President shall be in the same manner and form as any other Moot Court Board Member.
      1. The Vice-President shall select the members of the Disciplinary Board.
         a. The Disciplinary Board shall then determine which member of the Disciplinary Board will preside over the hearing.

e. Disciplinary Actions Against the Vice-President:
   i. Disciplinary actions against the Vice-President shall be in the same manner and form as any other Moot Court Board Member.
      1. A Failure to perform a duty or an occurrence of unbecoming conduct shall be reported to the President.
         a. Should a disciplinary hearing become necessary, the President shall select a member of the Executive Board to present the case against the Vice-President.

VII. Bylaw Amendment Procedures
   a. These Bylaws may be amended so long as they are consistent with the purpose of these Bylaws.
      i. Proposals:
         1. Amendments may be proposed by
            a. Forty percent (40%) of the Executive Board; or
            b. Forty percent (40%) of the Members at-large;
         2. Amendment proposals shall be in writing and signed by the sponsoring Moot Court Board Members;
         3. Amendment proposals shall be delivered to the President of the Moot Court Board; and
         4. Amendment proposals shall be distributed or otherwise made reasonably accessible to the Moot Court Board within a reasonable time.
      ii. Voting:
         1. Voting shall take place within a reasonable time as determined by the President of the Moot Court Board, but in any event shall take place no later than three (3) weeks after the procedures outlined in section VII.a.i. have been completed.
         2. All members of the Board shall be eligible to vote.
         3. Voting shall be administered by the Secretary in a manner sufficient to carry out the purpose of these Bylaws.
         4. The Secretary shall administer absentee ballots to those Moot Court Board members with sufficient cause for being unable to vote at the designated time so long as reasonable notice is given to the Secretary.
5. The quorum for Amendment voting shall be at least seven (7) Executive Board Members and at least two thirds (2/3) of the Members at-large.
6. The proposal shall be adopted upon an affirmative vote of two thirds (2/3) majority of the Moot Court Board including a majority of the Executive Board.

iii. **Emergency Proposals:**
1. Emergency Amendments to these Bylaws may be proposed so long as they are consistent with the purpose of these Bylaws.
2. An Emergency Amendment may be proposed by
   a. A majority of the Executive Board; or
   b. A majority of the Members at-large.
3. Amendment proposals shall be in writing and signed by the sponsoring Moot Court Board Members;
4. Amendment proposals shall be delivered to the President of the Moot Court Board; and
5. Amendment proposals shall be distributed or otherwise made reasonably accessible to the Executive Board within a reasonable time under the circumstances, but in any event shall be made available within forty-eight (48) hours.

iv. **Emergency Voting:**
1. Voting shall take place within a reasonable time under the circumstances as determined by the President of the Moot Court Board, but in any event shall take place no later than seven (7) days after the procedures outlined in section VII.a.iii. have been completed.
2. All members of the Executive Board shall be eligible to vote.
3. Voting shall be administered by the Secretary in a manner sufficient to carry out the purpose of these Bylaws.
4. The Secretary shall administer absentee ballots to those Executive Board members with sufficient cause for being unable to vote at the designated time so long as reasonable notice under the circumstances is given to the Secretary.
5. The quorum for Emergency Amendment voting shall be at least seven (7) Executive Board Members.
6. The proposal shall be adopted upon an affirmative vote of an overwhelming majority of the quorum of the Executive Board.
7. Upon passage, the Bylaw Amendment Procedures as outlined in section VII.a.i-ii shall be commenced within fourteen (14) days.
   a. The Emergency Amendment to these Bylaws shall remain in effect until voting consistent with section VII.a.iii. has been completed.
i. If the Bylaw Amendment Procedures as outlined in section VII.a.i. have not been initiated within fourteen days, the Emergency Amendment shall expire;

ii. If the voting on the Proposed Amendment does not garner the required votes pursuant to section VII.a.iii. the Emergency Amendment shall immediately expire.

VIII. Honor Code
a. The Moot Court Board strictly adheres to the Honor Code as set forth by the University of Baltimore School of Law.

IX. Interpretation
a. These Bylaws shall be interpreted in a manner consistent with its purpose.
b. The words and phrases contained in these Bylaws are intended to carry their ordinary meaning unless otherwise indicated in these Bylaws.