

The University of Akron
MOOT COURT HONOR SOCIETY
Constitution

ARTICLE I – PURPOSE

Section 1 – Purpose. The Moot Court Honor Society is an organization devoted to the development of excellence in appellate advocacy. In pursuing this goal, the Moot Court Honor Society shall require the highest standards both as a condition of earning membership, and as a condition of maintaining membership. The Moot Court Honor Society shall afford all qualified students the opportunity to participate in advocacy-related activities.

ARTICLE II – MOOT COURT HONOR SOCIETY SELECTION

Section 1 – Workshops. The Moot Court Board of Directors shall set up a number of workshops to be scheduled over the course of an academic year. Such workshops will deal with topics generally relevant to the purpose of the Moot Court Honor Society. All first and second year day students, as well as first, second and third year evening students, will be eligible to attend these workshops. Before the first workshop, the Moot Court Board of Directors shall determine a minimum number of workshops that a student must attend to receive an invitation to join the Moot Court Honor Society.

Section 2 – Invitations.

- A. Students who attend the minimum number of workshops, and have achieved a 2.5 cumulative University of Akron School of Law grade point average, may apply for an invitation by doing both of the following:
 - a. Attending tryouts as set up by the Board of Directors.
 - b. Submitting their graded LARW II brief to the Board of Directors.
- B. The Board of Directors will evaluate the performances at the tryout and the submitted brief and extend invitations to deserving students.
- C. Tryouts for one academic year will be held no later than April of the previous academic year.

Section 3 – If total participants in the workshops yield fewer than 12 students eligible for the Moot Court Honor Society, the Board of Directors may waive the requirement.

ARTICLE III – MEMBERS OF THE MOOT COURT HONOR SOCIETY

Section 1 – Eligibility for Membership. Any student who participates in the selection process described in Article II may be eligible for membership in the Moot Court Honor Society.

Section 2 – Membership. Any student accepting an invitation to membership on the Moot Court Honor Society shall become a member thereof. Membership status may be maintained only if the student sustains a cumulative University of Akron School of Law grade point average of 2.5.

Section 3 – Powers and Duties of Members.

- A. The Moot Court Honor Society membership shall comprise the major decision and policy-making body of this organization.
- B. The duties of each member shall include:
 - a. To serve on one Moot Court Honor Society Committee, as needed, or serve on the Board of Directors. Such committee service shall consist of aiding the appropriate committee chairperson in planning and implementing the committee-sponsored activity.
 - b. To attend all Moot Court Honor Society functions, as determined by the Board.
 - c. To avoid conduct that violates the Law School's Honor Code or the Moot Court Constitution.

Section 4 – Notice to Moot Court Membership. All Moot Court members shall sign a form designated by the Moot Court Board of Directors, acknowledging acceptance of their obligation to comply with Moot Court Honor Society academic requirements as duties as stated in this Constitution.

ARTICLE IV – THE BOARD OF DIRECTORS

Section 1 – Board Membership. The Moot Court Honor Society Board of Directors shall be composed of the President/Chief Justice, the Vice-President for External Competitions/Associate Justice, the Vice-President for Internal Training/Associate Justice, and the Executive Officer/Associate Justice. Justice titles shall be used only during mock court exercises, rehearsals, or demonstrations.

Section 2 – Powers and Duties of the Board.

- A. The Board of Directors shall manage the day to day operations of the organization, and shall formulate policies to be presented to the Moot Court Honor Society membership for consideration and approval. The Board shall work closely and meet periodically with the Moot Court Faculty Advisor. The Board shall implement all Moot Court Honor Society policies and decisions. The Board shall conduct business, address matters, and decide issues consistent with this article.
- B. The Board may conduct business electronically via email without convening a Board meeting, consistent with this article.
- C. The Board shall strive to work closely with the Law School's writing professors towards the betterment of the Moot Court Honor Society.
- D. The Board shall confer with the Moot Court Faculty Advisor on Moot Court matters, decisions, and actions.
- E. The Board may, by majority vote, seek the advice and counsel of the Moot Court Discipline Committee. The Board shall inform the Moot Court Discipline Committee of matters, decisions, and actions as necessary for it to function pursuant to this article.

Section 3 – Duties of Board Officers

- A. President/Chief Justice

- a. To convene and preside over Board meetings and general membership meetings;
 - b. To represent the Moot Court Honor Society at official Moot Court Honor Society activities;
 - c. To act as a liaison between the Moot Court Honor Society and the administration and faculty of the Law School, including the Faculty Advisor.
- B. Vice-President for External Competitions/Associate Justice
- a. To inform members of available outside competitions in a timely manner;
 - b. To act as a liaison with directors or coaches of outside competitions;
 - c. To ensure that members receive necessary competition materials and correspondence;
 - d. To ensure the registration of all external competition teams in their corresponding competitions.
- C. Vice-President for Internal Training/Associate Justice
- a. To carry out the duties of the President in the President's absence;
 - b. To represent the members at Moot Court Honor Society functions;
 - c. To schedule the workshops describe in Article II;
 - d. To arrange any other for the Moot Court Honor Society as the Board of Directors, or the general membership of the Moot Court Honor Society may deem necessary.
- D. Executive Officer/Associate Justice
- a. To keep and maintain the Moot Court Honor Society bank account;
 - b. To diligently supervise requests and expenditures of all Moot Court monies;
 - c. To effectuate accurate and timely reporting of expenses and other financial transactions;
 - d. To oversee and monitor Moot Court travel records and expenses;
 - e. To record minutes from all Board and general membership meetings;
 - f. To publish to all members the minutes from all Board and general membership meetings in a timely manner;
 - g. To keep and maintain organized files regarding membership information;
 - h. To keep and maintain the current Moot Court Constitution, and Bylaws.

Section 4 – Appointment of Committee Chairpersons. The Board shall appoint committee chairpersons, as needed, to serve during the term of the Board.

- A. A member of the Board shall serve as a liaison to each committee and report the activity of that committee to the entire Board.
- B. Committee chairpersons, appointed by the Board, have the following individual duties and responsibilities:
 - a. To organize and preside over meetings with their committee members;
 - b. To organize and directly supervise their committee members;
 - c. To regularly report progress and problems to their Board liaison;
 - d. To promptly report to the Board any problems encountered by the committee that are not resolvable by such committee, and if necessary, to seek advice as to the appropriate course of action.

Section 5 – Appointment of Committee Members. The Board shall, by majority vote, form committee to address Moot Court matters, appoint committee members, and establish rules consistent with this Constitution by which a committee shall accomplish its goals. All committees shall provide advance notice of dates, times, and place of committee meetings, including those held by the Discipline Committee and the Moot Court Board of Review, to the Moot Court membership.

ARTICLE V – SELECTION OF THE BOARD OF DIRECTORS

Section 1 – The selection date of members of the Moot Court Board of Directors for the following academic year will be set by the Moot Court President, no later than the last day of classes of the Spring semester.

Section 2 – Any Moot Court member in his or her second year of membership may apply for an office of the Board of Directors. Members shall apply for an office by delivering a letter of intent and a current resume to the incumbent Board.

Section 3 – The incumbent Board members shall interview each member who has submitted a letter of intent and a resume.

Section 4 – The incumbent Board members shall select the most qualified applicant for each Board position, considering qualities such as past participation in the organization, demonstrated leadership skills, knowledge, character and integrity.

Section 5 – Upon selection of the new Board members, the President shall first notify all candidates of the selections.

Section 6 – The Moot Court membership shall be notified of the new Board members in a manner consistent with Article VIII, Section 3 of the Moot Court Constitution.

Section 7 – Power in all newly selected Board members shall vest upon the first Board meeting convened after the selection process.

Section 8 – Outgoing Board members shall assist the newly selected Board in the effective transition of the new Board members into office by handing over pertinent documents and records, and by offering advice on matters of administration.

ARTICLE VI – FACULTY ADVISOR

Section 1 – The Moot Court Honor Society Faculty Advisor shall be appointed by the Dean of the Law School from among the faculty of the University of Akron School of Law. If the incumbent Faculty Advisor resigns from the post, or is otherwise unable to serve, a replacement shall be appointed by the Dean of the Law School.

ARTICLE VII – EXTERNAL COMPETITION TEAMS

Section 1 – The Moot Court Board of Directors shall determine, in consultation with the Faculty Advisor and the School of Law Administration, which outside competitions to send teams.

Section 2 – The Moot Court Board of Directors shall determine, in consultation with the Faculty Advisor, who to invite to be the coach of the external competition team.

Section 3 – The coach of the external team shall determine the method of selecting which members of the Moot Court Honor Society shall participate on the external team.

ARTICLE VIII – MEETINGS AND QUORUMS

Section 1 – Board of Directors Meetings. Meetings of the Moot Court Board of Directors shall be held as often as necessary to effect the efficient management of the organization, but no less frequently than once per month during a school year. Advance notice of three (3) school days for the Board meetings shall be given, except in emergencies.

Section 2 – General Membership Meeting. All meetings shall be called by the President of the Moot Court Board of Directors, but upon written request of at least fifty (50) percent of the membership, the President shall be required to call a meeting. Advance notice of three (3) school days for the Board meetings shall be given, except in emergencies.

Section 3 – Notice. Advance notice of Board and general membership meetings shall include the date time, and location of the meeting and shall be posted or transmitted in the most expedient manner available. Electronic mail distribution satisfies this obligation.

Section 4 – Quorums.

- A. No Moot Court Board of Directors meeting shall be conducted without a majority of the Board members in attendance.
- B. A two-thirds (2/3) quorum is required for general membership meetings when business is being conducted.
- C. No quorum is required for general membership informational meetings.

Section 5 – Voting.

- A. All members of the Moot Court Board of Directors shall be permitted to vote on any matter raised in any Board meeting, as well as any general membership meeting. A favorable majority of the entire Board shall be required to effect passage of any motion or resolution, except as otherwise provided in this Constitution. If the Board does not determine the effective date of the approved action, the action shall become effective immediately upon passage.
- B. All members of the Moot Court Honor Society shall be permitted to vote on any matter raised in any Moot Court general membership meeting. A favorable majority of those voting shall be sufficient to effect passage of any motion or resolution, except as otherwise provided in this Constitution.

Section 6 – Proxy Votes.

- A. A vote by written proxy on any question, election, or Constitutional amendment before the Membership or the Board of Directors that is posted in advance of the meeting at which a vote is to be taken is to be delivered to a Board Member and reasonably accommodated, including absentee and electronic mail ballots.
- B. A member may not give general proxy power to another member to vote on questions that are not posted in advance of the voting meeting.

C. Proxy votes shall not be counted towards the fulfillment of a quorum.

Section 7 – Minutes. Minutes shall be taken at every Moot Court general membership meeting, and shall be reported to the Membership within three (3) days. A copy of the Minutes shall be kept on file in the Moot Court Honor Society Office.

Section 8 – Procedure. All Board and general membership meetings shall be conducted according to Parliamentary Procedure.

ARTICLE IX – AMENDMENTS

Section 1 – Proposals. Any Member of the Moot Court Honor Society may propose amendments to this Constitution by submitting such amendment to the Moot Court Board Secretary.

Section 2 – Procedure. Any proposed amendments to this Constitution shall be vote upon at a Moot Court general membership meeting. Before such meeting, the proposal shall be posted in an accessible area or distributed by electronic mail no fewer than five (5) days before such vote is taken.

Section 3 – Passage.

- A. Upon a favorable vote of a three-fourths (3/4) majority of the Membership, a proposed amendment shall take effect immediately, unless otherwise specified in the amendment.
- B. The Board of Directors shall communicate the outcome of the vote to the Membership no later than one (1) day after passage by posting on a Moot Court bulletin board via electronic mail.]

Section 4 – Filing.

- A. The language of an amendment shall be incorporated hereto.
- B. A revised copy of the Moot Court Honor Society Constitution, clearly stating the date of the most recent amendments, shall be posted on the Moot Court website no later than three (3) days after amendment.
- C. A revised copy of the Moot Court Honor Society Constitution, clearly stating the date of the most recent amendments, shall be kept on file in the following locations: the Moot Court Honor Society Office, the Office of the Dean, the Office of Student Affairs, the Office of the Moot Court Faculty advisor, and the Law Library.

ARTICLE X – INTERPRETATION

Section 1 – Interpretation.

- A. Interpretation of this Constitution, in the event that a question of construction should arise, shall be reversed to the President of the Moot Court Board of Directors, subject to ratification by a majority of those members voting at a subsequent Moot Court Board meeting. In the event that such ratification is not obtained, that interpretation which obtains a favorable majority vote shall be deemed controlling.

- B. For an interpretation to become binding upon future meetings, it must be proposed as a Constitutional amendment and endorsed according to the procedures set forth in Article VIII. Unless an interpretation is incorporated into the Constitution, it will be considered open for revision by a majority of the membership at any future meeting.

ARTICLE XI – BYLAWS

Section 1 – Adoption and Amendment.

- A. The Moot Court Honor Society Bylaws are the operational guidelines for the Board of Directors of the organization.
- B. The Moot Court Board of Directors, upon a majority vote of the entire Board, shall have the authority to promulgate Bylaws or amendments to Bylaws when deemed necessary, provided that: (1) the Bylaw or amendment to a Bylaw is consistent with the Moot Court Constitution, and (2) the Bylaw or amendment to a Bylaw is approved by a majority vote of a quorum of the Moot Court Membership.
- C. New Bylaws or amendments to Bylaws shall be reported to the Moot Court membership by the Executive Officer.
- D. New Bylaws or amendments to Bylaws shall take effect immediately, unless otherwise specified in the Bylaws or amendment to a Bylaw.