



**BYLAWS FOR THE
ST. THOMAS UNIVERSITY SCHOOL OF LAW
MOOT COURT BOARD**

ARTICLE I. DEFINITIONS

- A. MEMBERS:** All students that are selected in the First-Year Intramural Competition and the Second-Year/Third-Year Competition.
- B. MEMBERSHIP:** All Members of the Moot Court Board.
- C. MOOT COURT EXECUTIVE BOARD:** the President, Executive Vice-President, Vice-President(s) of Membership, Vice-President of Financial Affairs, Vice-President of Internal Affairs, Vice-President of Alumni Relations.
- D. OFFICER:** Any Member of the Moot Court Executive Board.
- E. QUORUM:** 60% of the Membership. Once a Quorum is established at a meeting, it is present until the meeting is adjourned.
- F. MAJORITY:** 50% of the Membership plus one (1) more member.
- G. LEGITIMATE:** Conforming to recognized principles or accepted rules or standards.
- H. WORKSHOP:** Seminar emphasizing practical methods and training.

ARTICLE II. MEMBERSHIP

A. COMPOSITION

- 1. Second and third-year law students who have successfully completed the required Appellate Advocacy course and meet the 2.5 minimum GPA requirement.

B. SELECTION

- 1. Fall Tryout Competition
 - a. The Moot Court Board shall sponsor an intramural competition for Second-Year and Third-Year students every Fall Semester, no later than September.
 - b. The competition shall be coordinated by the Vice-President(s) of Membership.



c. Informational Meeting.

- 1) The Vice-President(s) of Membership shall hold an informational meeting for all interested Second-Year and Third-Year students. Notice of such meetings shall be given to all interested at least one (1) week in advance.
 - 2) The Vice-President(s) of Membership shall distribute release forms which entitle the Executive Board to determine Competitor's academic standing.
 - 3) The Competitor release form shall not entitle any Member to determine a Competitor's specific grade(s) or grade point average.
 - 4) Information obtained from these procedures shall remain confidential and under the control of the Executive Board and Faculty Advisor.
- d. The Vice-President of Internal Affairs may post sign-up sheets and shall schedule pairings he/she deems necessary for competition rounds.
- e. Judging shall be conducted by the Executive Board. The Vice-President of Internal Affairs shall conduct an informational meeting for judges and explain scoring procedures.
- f. Should the Moot Court Board use the problem of the Appellate Advocacy class immediately preceding the Fall Intramural Competition, the Vice-President(s) of Membership shall obtain available bench briefs from the Legal Writing Department for distribution to judges.
- g. Member attendance at the final round of the Fall Intramural Competition is strongly encouraged.
- h. The Vice-President of Internal Affairs shall provide the Executive Board a final report of Competitor performance at the end of the Intramural Competition. Scores shall be calculated by adding the average of a Competitor's oral argument scores and the average of a Competitor's written brief scores, the sum of which is to be divided by two (2).
- i. Competitors who meet the qualifications set by the Executive Board shall be invited to join the Moot Court Board. The qualifications for Membership shall be determined by combining a qualifying score in a written brief and oral argument.



- j. The Executive Board may, at its discretion, accept additional Competitors for Membership on the Moot Court Board, who otherwise would not have been chosen for Membership at the initial tryout.

2. Spring Tryout Competition

- a. The Moot Court Board shall sponsor an intramural competition for Second-Year students every Spring semester, no later than February.
- b. Deleted.
- c. The competition shall be coordinated by the Vice-President(s) of Membership.
- d. Informational Meeting.
 - 1) The Vice-President(s) of Membership shall hold an informational meeting for all interested Second-Year students. Notice of such meeting shall be given to all interested at least one (1) week in advance.
 - 2) The Vice-President(s) of Membership shall distribute release forms which entitle the Moot Court Board Executive Board to determine Competitor's academic standing.
 - 3) The Competitor release form shall not entitle any Member to determine a Competitor's specific grade(s) or grade point average.
 - 4) Information obtained from these procedures shall remain confidential and under the control of the Executive Board and Faculty Advisor.
 - 5) Deleted.
- e. The Vice-President of Internal Affairs may post sign-up sheets and shall schedule pairings he/she deems necessary for competition rounds.
- f. Judging shall be conducted by the Executive Board. The Vice-President of Internal Affairs shall conduct an informational meeting for judges and explain scoring procedures.
- g. Competitors who meet the qualifications set by the Executive Board shall be invited to join the Moot Court Board. The qualifications for Membership shall be determined by combining a qualifying score in a written brief and oral.



- h. The Executive Board may, at its discretion, accept additional Competitors for Membership on the Moot Court Board, who otherwise would not have been chosen for Membership at the initial tryout.

C. DUTIES

1. General

- a. Membership is contingent upon participation to activities as set out in this Constitution and the Bylaws of the Moot Court Board.
- b. Members shall have the responsibility of informing themselves of meeting times and other functions by checking their mail and email.
- c. Members shall be required to attend all general meetings and sessions.
- d. Members are encouraged to promote the St. Thomas Moot Court Board by attending the Moot Court Board Banquet and other social functions.

2. Commitment

- a. Membership duties include, but are not limited to, the following: serving as judges for both intramural competitions and appellate advocacy practices, competition preparation, fundraising, tabling, and attending general Membership meetings and sessions.
- b. Members are required to serve as a research assistant, competitor, or coach for a competition team before his/her graduation date. Failure to complete this duty will result in removal from the St. Thomas Moot Court Board.
- c. Failure to fully participate in the competition requirements as specified by the competition rules, Faculty Advisor, Student Coach, or competitor set deadlines may result in removal from the St. Thomas Moot Court Board.
- d. Every Member is required to complete five (5) commitment points each semester. Opportunities will arrive throughout the semester to earn commitment points. Participating in a competition as a Research Assistant, Competitor, or Coach allots the full five (5) points. Points can be earned by tabling, fundraising, attending appellate advocacy practices, and other opportunities as set by the Executive Board.
- e. If a Member fails to meet all five (5) commitment points in one semester, he/she will be required to meet eight (8) commitment points the following semester to remain on the Moot Court Board and receive graduation cords.



3. Interscholastic Competitions

a. Competitors

- 1) Accepting a position in a competition means that a Competitor will read all competition rules carefully to ensure that they prepare the best possible presentations, whether written, oral, or both.
- 2) All work must be accurate, thorough, and completed by the assigned time. Preliminary drafts of briefs must be completed by the date designated by the Student Coach, after consultation with the competing team.
- 3) All Competitors must meet with practice requirements imposed by their Student Coach. At a minimum, all Competitors should give four (4) practice arguments as appellants and four (4) practice arguments as appellees, or their respective equivalents for a total of eight (8) practice panels.

b. Student Coaches

- 1) Following the selection of interscholastic competitions as defined in Article II, Section C, Clause 3, the Executive Board and Faculty Advisor shall select Student Coaches.
- 2) Student Coaches together with the Faculty Advisor shall designate dates on which preliminary briefs must be completed by the Competitors, after consultation with the competing team.
- 3) Student Coaches should ensure that bench briefs are written for the competition. All bench briefs shall be blue-booked and proofread for grammatical errors in citations. All bench briefs shall be completed by the assigned time.
- 4) Student Coaches shall obtain the Competitors' schedules and plan practice rounds for their oral arguments.
- 5) Student Coaches shall ensure that judges are obtained for practice rounds once it is determined outside judges will be beneficial.
- 6) Student Coaches shall ensure that thank-you notes are written to all faculty and outside attorneys who judge Competitors.



4. Intramural Competitions

- a. Members may be required to assist with, but are not limited to, judging competition rounds.
- b. All Members shall attend the meeting during which judging procedures will be explained for all competitions.
- c. All Members shall attend the final round of the First-year Intramural Competition. Members that cannot attend must submit a legitimate reason to the Executive Vice-President.
- d. The Moot Court Board may sponsor an intramural competition each semester of the academic school year, excluding summer. The intramural competition shall be *mandatory* for all members unless expressly excused for one of the exceptions below. Failure, by required members, to participate in the intramural competition may be deemed by the Moot Court Executive Board as *failure to compete*. Failure to participate in the intramural competition shall result in a written reprimand, and may result in removal from the organization. All discipline shall be imposed by the Executive Vice-President and in accordance with the standards and procedures set forth by the organization's Constitution and Bylaws.

1) All members must compete in the intramural competition *unless*:

- a. That member is presently enrolled in the Moot Court class component;
- b. That member is selected to compete, coach, or be a research assistant in an interscholastic competition during the semester;
- c. That member is enrolled or participating in an internship or clinic located outside of Miami-Dade, Broward, or Palm Beach County;
- d. That member is a member of the Executive Board tasked with the responsibility of planning, organizing, grading the submitted briefs, and operating the Intramural Competition's oral argument;
- e. That member is in their graduating semester; or



- f. That member served as a competitor or coach in an interscholastic competition during the immediately preceding Summer semester.
 - i. Exception (f) is ONLY applicable for the Fall Intramural Competition.

D. DISCIPLINE

1. Any Moot Court Board Member whose conduct is not in accordance with any Constitutional provision, Bylaw, or duly enacted police of the Moot Court Board, may be brought up for disciplinary action at the request of any Moot Court Board Member.
2. Members who violate the Membership duties and/or responsibilities as set out by the Executive Board and Constitution and Bylaws, shall be subject to an initial oral reprimand. The Executive Vice-President shall orally reprimand the Member and the Member shall sign a statement attesting that an oral reprimand was given.
3. Members who violate the Membership duties and/or responsibilities as set out by the Executive Board and the Constitution and Bylaws for a second time, shall be subject to a written reprimand. The Executive Vice-President shall specify the violation in writing and the Member shall sign the reprimand attesting that a written reprimand was given.
 - a. A Member may appeal a written reprimand by filing a request of appeal within ten (10) days of receipt of the reprimand. Once an appeal is filed, the Executive Board will meet with the Member in an informal process whereby the Member may present reasons for the violation. The Executive Board shall vote to either overturn or stay the written reprimand by majority vote. The decision of the Executive Board shall be final.
4. If a Moot Court Board Member has a third incident of a violation, the Member shall be brought up for disciplinary actions.
5. To initiate disciplinary proceedings the individual Moot Court Board Member shall file a complaint with the Executive Vice-President. The complaint shall:
 - a. Allege with specificity, both the conduct of the accused Member that is the subject of the proceeding and which Constitutional provision, Bylaw, or Policy has been violated;



- b. Be copied by the Executive Vice-President and delivered to the accused within five (5) school days of the filing of the complaint.
6. After the complaint is filed, the Executive Vice-President shall set a disciplinary hearing within ten (1) school days of the filing of the complaint. The Executive Vice-President shall inform he accused, the complainant, and the Executive Board, and shall notify the faculty advisor.
7. All disciplinary hearings will proceed in the following manner:
 - a. The disciplinary hearing shall be a closed proceeding.
 - b. The Executive Vice-President shall call the hearing to order.
 - c. The Faculty Advisor shall be present to ensure that the proceedings are fair and impartial.
 - d. The Executive Vice-President shall preside over the proceedings and make procedural rulings not inconsistent with this section.
 - e. Since the Executive Board is comprised of law students, the proceedings are not subject to any formal rules of evidence. No relevant evidence or testimony will be excluded.
 - f. The complainant shall be allowed to present evidence and testimony to the Executive Board.
 - g. After the complainant rests, the accused shall be given the opportunity to present evidence and testimony to the Executive Board.
 - h. At the end of the accused's presentation, both sides shall be given an opportunity to present closing arguments not to exceed ten (10) minutes each.
 - i. The Executive Board shall then deliberate and render a verbal decision within two (2) days of the hearing.
 - j. The Executive Board will provide a written opinion to be available to all Members within seven (7) days of the hearing, which shall include the following:
 - 1) "Findings of Fact"; demonstrated by clear and convincing evidence which the Executive Board must find by a majority of the vote;



- 2) “Conclusions of Law”; which shall be based upon the Constitution and Bylaws and the Executive Board must find by a majority vote;
- 3) “Sanctions”; which the Executive Board must find by a majority vote.

k. Sanctions

- 1) Sanctions for a first violation of the Membership duties set forth by the Executive Board, the Constitution and Bylaws shall be an oral reprimand.
 - 2) Sanctions for a second violation of the Membership duties set forth by the Executive Board, the Constitution and Bylaws, shall be a written reprimand.
 - 3) Sanctions for a third violation of the Membership duties set forth by the Executive Board, the Constitution, and Bylaws, shall be disciplinary action up to and including removal from Moot Court Board.
 - 4) If after a third violation, a Member is not removed from Moot Court Board, but continues to violate the provision of the Bylaws, the Executive Board may, at its discretion, initiate disciplinary proceedings and sanctions shall be disciplinary action up to and including removal from Moot Court Board.
1. Upon rendition of the verdict, an aggrieved party may appeal the decision of the Executive Board. The appeal shall be made to a Quorum of the Moot Court Board and shall take place at the next scheduled general board meeting. The appeal must proceed as follows:
- 1) The Moot Court Board President shall preside.
 - 2) The appeal shall begin with a reading of the verdict of the Executive Board by the Executive Vice-President.
 - 3) Each party shall be allocated ten (10) minutes to argue.
 - 4) A maximum of fifteen (15) minutes will then be allocated for the Moot Court Board to ask questions to the parties. The President will recognize Moot Court Board Members for questions Under no circumstances will argument or discussion be allowed during this question and answer period.



- 5) Following the question and answer period, the parties shall leave the room.
 - 6) A maximum of fifteen (15) minutes will then be allocated for discussion among Moot Court Board Members present. The President will recognize Members for the purpose of discussion.
 - 7) Moot Court Board Members will then vote on the appeal. The President, however, shall vote only in the event of a tie.
 - 8) To overturn the decision of the Executive Board, a majority of all Members present must vote in favor of reversal. Under no circumstances will any proxy votes be allowed or counted.
- m. Any Member who violates Article II, Section C, Clause 2(b) shall be subject to removal from Moot Court Board at the discretion of the Executive Board.

ARTICLE III. EXECUTIVE BOARD

A. COMPOSITION

1. The Moot Court Board shall be governed by the Constitution and Bylaws, which are to be enforced by the Executive Board.
2. The Executive Board shall consist of: President, Executive Vice-President, Vice-President(s) of Membership, Vice-President of Financial Affairs, Vice-President of Internal Affairs, and Vice-President of Alumni Relations all of whom must be Members of the Moot Court Board.

B. ELIGIBILITY

1. Members seeking Executive Board positions must not be on academic probation.
2. Members seeking the office of President, Executive Vice-President, Vice-President(s) of Membership, Vice-President of Financial Affairs, Vice-President of Internal Affairs, and Vice-President of Alumni Relations must run for these positions in March of their second year of law school.
3. Members graduating in December shall be precluded from running for the office of President, Executive Vice-President, Vice-President(s) of Membership, Vice-President of Financial Affairs, Vice-President of Internal Affairs, and Vice-President of Alumni Relations.



C. ELECTION PROCEDURES

1. Letter of Intent

- a. Members seeking Executive Board positions must submit a letter of intent to the Moot Court Board email account one (1) week prior to an election.
- b. Members submitting a letter of intent must specify the position(s) they are seeking and why they feel they are qualified to be an Executive Board officer. Failure to indicate a position will result in a disqualification for that position.

2. Absentee Ballots

- a. Members that cannot attend an election must submit a legitimate reason to the Executive Vice-President.
- b. Upon determination that a Member's reason for non-attendance at an election is legitimate, the Executive Vice-President shall issue the Member an absentee ballot.
- c. Members permitted to vote by absentee ballot must submit their vote to the Moot Court Board email account one (1) day prior to an election.
- d. The absentee ballots will be prepared in advance with the names of the prospective candidates and the positions for which they are running. The ballots can be retrieved from the President or Executive Vice-President.
- e. The ballots must be turned in by the party signing it or, if submitted by some other individual, must be sealed in an envelope with the voter's signature across the seal.
- f. The President will then announce the number of absentee ballots prior to the commencement of the voting process.

3. Election Session

- a. The election for President, Executive Vice-President, Vice-President(s) of Membership, Vice-President of Financial Affairs, Vice-President of Internal Affairs, and Vice-President of Alumni Relations, shall take place sometime in March.
- b. The election process requires the presence of a Quorum.



- c. Ballots shall be distributed to all Members present at the election.
- d. All candidates running for President shall be allowed four (4) minutes to deliver a speech.
- e. The Moot Court President shall allow two (2) Members to each ask one (1) question of the candidate running for President.
- f. All candidates running for Executive Vice-President and Vice-President(s) of Membership shall be allowed three (3) minutes to deliver a speech.
- g. All candidates running for Vice-President of Financial Affairs, Vice-President of Internal Affairs, and Vice-President of Alumni Relations shall be allowed two (2) minutes to deliver a speech.
- h. The Moot Court President shall allow one (1) Member to ask one (1) question of the candidates running for Executive Vice-President, Vice-President(s) of Membership, Vice-President of Financial Affairs, Vice-President of Internal Affairs, and Vice-President of Alumni Relations.
- i. Candidates opposing each other shall leave the room while their opponents are delivering their speeches.
- j. Executive Board officers shall be elected by a Majority Vote.
- k. The President, Vice-President of Internal Affairs, and one (1) Member who is not an officer shall count all votes, and the President shall announce the winners.
- l. If a candidate receives a majority of votes cast, that candidate is declared elected. In the case of a tie, a “runoff election” will be held immediately. If a tie remains in effect after a runoff election, Members shall continue voting until a candidate receives a majority vote.

D. TERM

1. The term of the President, Executive Vice-President, Vice-President(s) of Membership, Vice-President of Financial Affairs, Vice-President of Internal Affairs, and Vice-President of Alumni Relations shall be one (1) year, commencing in April and concluding in April of the following year.



2. Following the election in March, the executive Board officers shall spend two (2) weeks training the newly-elected Executive Board officers.

E. GENERAL DUTIES

1. The Executive Board shall enforce all the provisions of the Constitution and the Bylaws of the Moot Court Board.
2. The Executive Board and Faculty Advisor shall examine all interscholastic Moot Court Board competitions and select the competitions the Moot Court Board will participate in the following school year. The Executive Board shall consider:
 - a. The expense of the competition;
 - b. The Moot Court Board's previous success at the competition;
 - c. The interests of the Moot Court Board.
3. The Executive Board shall be responsible for the fair, timely, and efficient selection of teams for Moot Court Board competitions and for facilitating the preparation of the teams for their respective competitions. The Executive Board shall consider:
 - a. The Member's prior participation in an interscholastic competition. The Executive Board shall give the greatest consideration to this factor.
 - 1) Members that have not competed and have not been asked to compete in an interscholastic competition shall receive the most priority.
 - 2) Members that have been asked to compete and have refused will receive the least priority.
 - b. The Member's level of participation in Moot Court Board activities.
 - c. The Member's field of interest.
 - d. The Member's team partner preference.
 - e. The Member's oral argument and brief scores in intramural competitions. The Executive Board shall give the least consideration to this factor.
4. The Executive Board shall select all Student Coaches after the final determination of interscholastic competitions for that year.



5. The Executive board shall be responsible for maintaining a cooperative working relationship with the law school staff and administration.

F. SPECIAL DUTIES

1. The President's responsibilities include:
 - a. Calling and conducting all meeting held by the Executive Board and Moot Court Board.
 - b. Presiding over the appeal of a decision by the Executive Board.
 - c. Verifying that a Quorum is present at all meetings in which a vote is taken.
 - d. Voting in the event of a tie at any meetings. This responsibility shall not apply in an election session.
 - e. Representing the Moot Court Board at all Deans' Counsel meetings and Student Bar Association meetings.
 - f. Acting as a liaison to the faculty, administration, and community.
 - g. Assisting the Vice-President of Financial Affairs in completion of the Moot Court Board budget for the Director of Operations.
 - h. Delivering the budget to the Moot Court Board Faculty Advisory for approval. Upon approval, delivering the budget to the Director of Operations and the Assistant Dean of Student Affairs.
 - i. Answering all Moot Court Board mail.
 - j. Approving all written correspondence by Executive Board Members.
 - k. Organizing an orientation meeting with new Moot Court Board Members no later than the week after their session.
2. The Executive Vice-President's responsibilities include:
 - a. Assuming the duties of the President in the event that the President is unable to serve.
 - b. Conducting a disciplinary hearing, as set forth in Article II, Section D of the Bylaws. Should the Executive Vice-President be the subject of disciplinary



action, the Executive Board will appoint another Executive Board Member to assume the duties of the Executive Vice-President under this subsection.

- c. Reading verdicts of the Disciplinary Committee at the general meeting, following their deliberations.
 - d. Overseeing all ad hoc committees.
 - e. Overseeing all Student Coaches and ensuring that they are carrying out their responsibilities as specified in Article II, Section C, Clause 3(b).
3. The Vice-President(s) of Membership's responsibilities include:
- a. Coordinating oral argument and brief writing workshops for Moot Court Board Members.
 - b. Facilitating tryouts during the Fall and Spring Semesters. This includes the tryouts arranged for students who take appellate advocacy in the Summer.
 - c. Remain in contact with the school's Legal Writing department for bench briefs.
 - d. Hold informational sessions for Second-Year and Third-Year law students interested in joining the Moot Court Board.
 - e. Schedule and host practice rounds for the appellate advocacy class.
4. The Vice-President of Financial Affairs' responsibilities include:
- a. Assisting the President in the completion of the Moot Court Board budget for the Director of Operations.
 - b. Planning the Moot Court Board budget for the Student Bar Association and submitting it to the Treasurer of the Student Bar Association.
 - c. Overseeing the maintenance of the office and purchase of necessary supplies.
 - d. Keeping an accurate accounting of all expenditures of the Moot Court Board.
 - e. Organizing the Spring Banquet and purchasing and awarding Member honorary plaques and certificates. The awards include:
 - 1) Plaques for the winning teams of the First-Year Intramural Fall and Spring Competitions.



- 2) Certificates for the semi-finalists of the First-Year Intramural Fall and Spring Competition.
 - 3) Gift for the Third-Year Member who has contributed significantly to the Moot Court Board. This Member cannot be a Member of the Executive Board.
 - 4) Gift for the Faculty Advisor.
 - 5) Certificates of Achievements for every competition team during that academic year.
5. The Vice-President of Internal Affairs' responsibilities include:
- a. Taking minutes at all meetings and distributing of same to all Members.
 - b. Maintaining records of Membership attendance at all required meetings.
 - c. Maintaining accurate email addresses and telephone numbers of all current Members and distributing same to all Members.
 - d. Publicizing all Moot Court Board meetings and events by placing notices in Members' mail folders.
 - e. Preparing and posting a calendar of all Moot Court Board events.
 - f. Submitting a list of newly selected Members and newly elected officers after each election to the Associate Dean of Student Affairs, the Moot Court Board Faculty Advisor, and the Law Librarian.
 - g. Receiving all Moot Court Board keys from outgoing Board Members.
 - h. Organizing and maintaining accessible files for briefs from previous competitions.
 - i. Planning any intramural competition(s).
 - j. Providing each new Member a copy of the Moot Court Board Bylaws and Constitution.
 - k. Determining the results of all students who tryout to become Members of the Moot Court Board.



6. The Vice-President of Alumni Relations' responsibilities include:
 - a. Organizing and maintaining accurate files concerning alumni addresses, phone numbers, and contributions.
 - b. Soliciting alumni for contributions.
 - c. Collecting news clippings and other documentation of Moot Court Board competitions and accomplishments.
 - d. Photographing various Moot Court Board activities.

G. VACANCIES

1. Resignation or Removal.
 - a. An Executive Board officer that wishes to resign must submit a letter of resignation to the Moot Court Board President.
 - b. If an Executive board officer fails to satisfy any general or specific duties, that officer is subject to the same disciplinary proceedings as any Moot Court Board Member.
2. Upon an officer's resignation or removal from officer following a disciplinary proceeding, the Vice-President of Internal Affairs shall notify all Members of the vacancy.
3. Interested Members shall follow the Election Procedures in Article III, Section C, with the exception that the election for the vacant office shall be held at the next scheduled meeting.

IV. AMENDMENT AND INTERPRETATION OF BYLAWS

A. AMENDMENT

1. An amendment to the Bylaws of the Moot Court Board shall require a majority vote of the Executive Board.
 - a. Amendments made through the Bylaws will include clarification of the organization's governing documents, changes to the internal operations of the organization, and other non-fundamental changes. All Moot Court Board members will be notified of any changes, revisions, or amendments



implemented and will include a statement from the Executive Board as to the reasons such changes were made, and the overall benefit for their implementation.

- b. Members in disagreement with any bylaw changes may notify the Vice-President of Internal Affairs requesting for a vote by proxy, and stating their reasoning in which they feel the changes made are *fundamental* and should be implemented only through amendment by the Board. The member(s) challenging the implementation of any bylaw will remain anonymous for everyone except the Vice-President of Internal Affairs.
- c. The procedure for challenging a change made by the Executive Board through bylaws will proceed as follows:
 - 1) Member(s) will *expressly state* their objection to the new bylaw implementation, and will explain their reasoning why such bylaw is *fundamental* and should be implemented only through amendment by the Board, or not at all. This statement will be distributed to all Moot Court Board members prior to voting, but the objecting member(s) will nonetheless remain anonymous.
 - 2) Following the circulation of the objecting member(s) statement, a link will be emailed to all Moot Court Board members allowing them to vote by proxy. Proxy voting will take place through an online voting platform (i.e., Survey Monkey or an equivalent polling system) and will require each member's Name and STU Student ID number.
 - a. Voting on the amendment will remain open for 72 hours or until every member has casted their vote, whichever occurs sooner. Each member is entitled to one vote. No one may vote for any other member, whether through assignment of voting rights or any other circumstances.
 - b. Voting will take place in a Yes/No format, either expressly voting for ("Yes") or against ("No") the amendment.
 - c. Failure to cast a vote within the prescribed voting time will result as a "non-vote".
 - i. Voting of at least a Quorum of the membership is required. Failure to exceed this threshold will effectively lead to implementation of the bylaw through acceptance by silence.



- d. Within 24 hours following the conclusion of voting, all members of the Moot Court Board will be emailed with the overall results of the voting, along with the number of votes cast in total, for, and against the bylaw implementation.
 - e. Any complaints or violations to the bylaw implementation of the above procedures should be brought to the Executive Vice-President's attention immediately so such situation can be properly addressed and resolved.
2. The Moot Court Board President shall ensure that the Moot Court Board receives the proposed Amendment one (1) week before the next scheduled meeting.
 3. The Moot Court Board President shall read the proposed Amendment at the next scheduled meeting and entertain a vote provided that a Quorum is present.
 4. The Bylaws shall be amended by a two-thirds (2/3) vote of the Moot Court Board Membership.

B. INTERPRETATION

1. Any ambiguities in the interpretation of the Bylaws shall be voted on by the Moot Court Board.
2. A two-thirds (2/3) vote of the Membership present at the next scheduled meeting shall be required to effectuate any interpretation.



LEGISLATIVE HISTORY:

1. The original Constitution and Bylaws for the *St. Thomas University School of Law* Moot Court Board were adopted over the course of two (2) general Membership meetings held on February 29, 1996, and March 21, 1996. The original documents are located on diskette and named "CONSTIT MOO" and "BYLAWS MOO." Subsequent versions should be saved with the month and year represented as the three (3) digit extension following either "CONSTIT" or "BYLAWS."
2. This document was amended in March of 1997. The first amendment made Article IV, Section A, Clause 4, conform to the Amendment requirement of the Moot Court Board Constitution. The second amendment changed the old Article III, Section C, Clause 2, entitled "Proxy Voting," and substituted the words "Absentee Ballots," and also added additional language.
3. This document was amended in April of 2001. The amendment added a provision to Article II, Section B, Clause 1 ("First-Year Intramural Competition") and Article II, Section B, Clause 2 ("Second-Year/Third-Year Intramural Competition"), giving the Executive Board discretion, under exceptional circumstances, to accept up to three (3) additional people for Membership, who otherwise would not have been chosen for Membership on the Board.
4. This document was amended in November of 2009. The amendment modified provisions to Article II and Article III. Specifically, the amendment changed the term "Election Meeting" to "Election Session." Additionally, the amendment clarified that the President does not have the authority to break a tie in an Election Session. The Executive Board position of Travel Chair has been changed to Competition Chair. The Competition Chair's duties have merged with the Travel Chair's duties and have increased the position's responsibilities.
5. This document was amended in August 2014. The amendment modified provisions to Article III. Specifically, the amendment eliminated the Executive Board Competition Chair position because four of the five Competition Chair's duties are handled by other individuals. The Competition Chair's one remaining duty was merged with the Vice-President of Internal Affairs' duties and has increased that position's responsibilities.
6. This document was amended in March 2015. The amendment modified provisions to Article II, Section C. Specifically, the amendment made it a requirement for members of the Moot Court Board to fulfil the minimum requirement of serving as a research assistance, competitor, or coach for a competition team prior to his/her graduation date.
7. This document was amended in August of 2015. The changes mostly include stylistic updates to make the document more readable and clear. Additionally, the titles of several E-Board positions were changed. Specifically, the Treasurer was changed to Vice-



President of Financial Affairs; the Secretary was changed to Vice-President of Internal Affairs; and the Alumni Chair was changed to Vice-President of Alumni Relations. The duties of the Vice-President of Financial Affairs were amended to include the responsibility of getting Certificates of Achievements for every competition team during that academic year. Duties of Membership were amended to provide that a student who is selected for competition team and who fails to comply with competition rules or rules set by the team, competitors, coach, or faculty advisor may be removed from the Moot Court Board. The election process was also amended to provide that any student who fails to indicate a position or positions he or she wishes to run for on the letter of intent is disqualified from running for that position during the actual election.

8. This document was amended in October 2017. The changes mostly include stylistic updates to make the documents more readable and clear, including separation of the Constitution and Bylaws. Additionally, the law school faculty advisor added the requirement of a minimum 2.5 GPA to become Members, to compete, or to coach.
9. This document was amended in January 2018 via amendment from the Moot Court Board to add a provision requiring every member complete 5 commitment points and if the points are not completed by the end of the semester, members have a chance to complete 8 points the following semester.