



UNIVERSITY OF MIAMI SCHOOL OF LAW
CHARLES C. PAPY, JR.
MOOT COURT BOARD

BYLAWS

As Amended, February 2008



CHARLES C. PAPY, JR. MOOT COURT BOARD BYLAWS

PREAMBLE

The Charles C. Papy, Jr. Moot Court Board of the University of Miami School of Law is hereby created for the purposes of fostering excellence in written and oral advocacy and competition. To further such purposes, the Board is dedicated to the promotion of educational opportunities and the administration and maintenance of such programs further described below.

ARTICLE I MEMBERSHIP

Application to the Moot Court Board shall be open to all first and second year students of the University of Miami School of Law in good standing who have demonstrated excellence in written and oral advocacy.

A. Membership Criteria

1. First Year Criteria

- a. Applicants must achieve at least a 3.0 average in their first year Legal Research and Writing class or be in the top half of their class or section.
- b. Applicants must participate in the John T. Gaubatz 1L Competition and submit their Legal Research and Writing briefs to the Board for evaluation. In the event that an applicant cannot compete in the 1L Competition due to extraordinary circumstances, the 1L Competition Vice President shall establish another means to evaluate the applicant's oral advocacy skills.
- c. Applicants must attain a minimum number of service points in order to be considered for membership to the Board. Students must attain either a total of five (5) points during the fall semester or a cumulative total of seven (7) points for the school year. Students must earn half of their service points two (2) in the fall or cumulative total of four (4) for the school year through observation of final rounds (see 4 below). The remaining points shall be earned in any combination of the following:
 1. Two (2) points for participating as a witness for either the Mock Trial Competition or Litigation Skills. The witness must be reasonably prepared for their role or may be subject to a two (2) point deduction. The maximum number of witness points that may be earned is four (4).

2. One (1) point for participation as a bailiff in any moot court board competition. There is no limit on the total number of bailiff points that can be earned.
 3. One (1) point may be earned for participation as an alternate bailiff or witness. The maximum number of points that can be earned as an alternate is two (2).
 4. One (1) point can be earned for observing the final round of any moot court competition. There is no limit on the total number of observation points that can be earned.
 5. Additional opportunities may be made available at the discretion of the Executive Vice President.
- d. Any applicant who fails to perform any duty for which he/she has undertaken to earn a service point will have one (1) point removed from his/her total point accumulation. This deduction will apply regardless of whether the applicant has earned any points. This deduction will not apply if the applicant has provided reasonable notice to the Vice President of the competition for which he/she will earn the service point, subject to review by the Executive Committee.

2. Non-First Year Criteria

- a. Applicants must achieve at least a 3.0 average in their first year Legal Research and Writing class or be in the top fifty percent (50%) of their class as of the application date.
- b. Non-first year applicants must, at the time of application, either be enrolled in or have successfully completed the Fall or Spring Advanced Moot Court class.
- c. Applicants must attain a minimum number of service points in order to be considered for membership to the Board. Service points obtained as a 1L transfer to the 2L year. Transfer students are not required to obtain service points. Non-transfer students must attain either a total of 5 points during the fall semester or a cumulative total of 7 points for the school year. Students must earn half of their service points two (2) in the fall or cumulative total of four (4) over the course of the school year through observation of final rounds (see 4 below). The remaining points shall be earned in any combination of the following:
 1. Two (2) points for participating as a witness for either the Mock Trial Competition or Litigation Skills. The witness must be reasonably prepared for their role or may be subject to a two (2) point deduction. The maximum number of witness points that may be earned is four (4).

2. One (1) point for participation as a bailiff in any moot court board competition. There is no limit on the total number of bailiff points that can be earned.
 3. One (1) point may be earned for participation as an alternate bailiff or witness. The maximum number of points that can be earned as an alternate is two (2).
 4. One (1) point can be earned for observing the final round of any moot court competition. There is no limit on the total number of observation points that may be earned.
 5. Additional opportunities may be made available at the discretion of the Executive Vice President.
- d. Any applicant who fails to perform any duty for which he/she has undertaken to earn a service point will have one (1) point removed from his/her total point accumulation. This deduction will apply regardless of whether the applicant has earned any points. This deduction will not apply if the applicant has provided reasonable notice to the Vice-president of the competition for which he/she will earn the service point, subject to review by the Executive Committee.

B. Selection Process

1. The maximum number of the total memberships shall be seven percent (7%) of the total combined enrollment of the first-year and second-year classes of the Law School. In addition to the seven percent (7%), one new member may be selected for each existing member who will graduate the following December. Note: Night students are to be included in ascertaining the total enrollment of the first and second-year classes.
2. Fifty-five percent (55%) of those selected shall be from the first-year class. This percentage can be changed by a two-thirds (2/3) vote by the membership. This vote is final once the selection process begins.
3. Non-first year applicants shall be selected to join the Board at the completion of each semester of the Advanced Moot Court class and prior to the election meeting in April. The Board shall admit any student applicant finishing in the top 20% of their respective AMC class. First-year applicants shall be selected as soon as possible as the Spring semester grades and class standings are available.
4. New members shall be selected by the President according to the following criteria:
 - a. First-Year Applicants

- (1) Briefs shall be blindly scored by five Moot Court Board members using the C. Clyde Atkins Advanced Moot Court scoring criteria used in the previous Fall seminar. The high and low scores will be dropped and the remaining three scores will be averaged. This score will represent 1/3 of the applicant's total score.
- (2) Applicants shall be judged on their oral skills in each of two preliminary rounds by three Moot Court Board members. The three score shall be averaged and the applicant given an average score for each of his two rounds. The average oral score for each of the applicant's preliminary rounds shall constitute 1/3 of the applicant's total score. Only the scores given by Moot Court Board Members using the Advanced Moot Court scoring sheet used by the C. Clyde Atkins Competition shall be considered for application to the Board. Any Moot Court Board member judging an Optional Moot Court Round must recuse themselves from the round if they are unfairly biased toward a competing team or if for any reason they are unable to objectively evaluate the team(s).
- (3) The applicant's average brief score (as computed in section 1) shall be combined with the applicant's average oral scores from each of his two preliminary rounds (as computed in section 2) such that his brief will count for 1/3 of his total score and his oral scores shall count for 2/3 of total his score.
- (4) The President shall receive the total scores from the 1L Competition Vice President as soon as practicable after the 1L competition and shall rank the applicants based on their total competition score. Those applicants otherwise qualified under Article I(A)(1) shall be admitted to the Board in accordance with Article I(B)(1) which limits membership to 7% of the total number of upper level students.

b. Non-First Year Applicants

- (1) The average brief score as determined under the Fall or Spring AMC guidelines shall constitute 1/3 of the applicant's total score.

- (2) Applicants shall be judged on their oral skills in each of two preliminary rounds in the Fall or Spring AMC class competition by three judges selected by the Fall or Spring AMC Vice President, respectively. The three scores shall be averaged and the applicant given an average score for each of his two rounds. The average oral score for each of the applicant's preliminary rounds shall constitute 1/3 of the applicant's total score.
- (3) The applicant's average brief score (as computed in section 1) shall be combined with the applicant's average oral scores from each of his two preliminary rounds (as computed in section 2) such that his brief will count for 1/3 of his total score and his oral scores shall count for 2/3 of total his score.
- (4) The applicant's total score shall be used to rank the applicant against his respective AMC class in accordance. Pursuant to Article I(B)(3), any applicant finishing in the top 20% of his AMC class who has otherwise satisfied the requirements of Article I(A)(2) shall be admitted to the Board by the President.

c. Creation of Vacancies

- (1) If prior to the commencement of fall classes, it comes to the attention of the Executive Board that a first-year student, who has been selected that spring to join the Moot Court Board, has not re-enrolled in the University for their second year, that position shall be deemed vacant.
- (2) When the Executive Board deems a position vacant, the Executive Board shall then extend an invitation for the next highest ranked eligible student to join the Moot Court Board.

ARTICLE II DUTIES OF CANDIDATES AND MEMBERS

This article is designed to ensure continued service after selection to the Board.

A. Candidates

1. Upon selection to the Moot Court Board, an applicant becomes a candidate for Board membership. Candidates may refer to themselves as members on their resume before they actually attain full member status.
2. In order to become a full member, a candidate must fulfill all candidacy requirements.
3. Candidates shall be considered full members if they have compiled with all requirements outlined below:

a. Office Hours

- (1) During office hours, each candidate shall book judges, perform Moot Court Board committee work, or conduct other Moot Court Board business.
- (2) Each candidate may seek a substitute for his/her office hour.

Notice of such substitution must be, in writing, to the Executive Vice President prior to the office hour and signed by the replacement. If the substitute does not attend the office hour, the absence is assessed against the replacement only.

Candidates may, at the discretion of the Executive Vice President, make up an office hour either at a later time, or by performing equivalent work such that the absence will not be recorded.

- (3) Absent extenuating circumstances, the total number of absences, excused or un-excused, shall not exceed four (4) per year. The Executive Board shall determine what constitutes an extenuating circumstance.

b. Dues Requirement: All candidates, by the first meeting of their candidacy, must make a payment of dues to the Moot Court Board. The amount of dues shall be determined at a meeting of the out-going and incoming executive board. Payment is subject to the following criteria:

(1) Candidates admitted through the Fall Advanced Moot Court Workshop shall pay an amount of dues equal to eighty percent (80 %) of the prescribed amount.

(2) Candidates are entitled to a Fifteen (15) day extension in dues payment upon consulting the Executive Vice President and signing the appropriate form.

(3) Financial Hardship: A candidate who, due to serious financial hardship, may be entitled to the following adjustments to the due's requirement:

i. Payment Plan: Any candidate who is experiencing financial hardship and who wishes to arrange for an alternative payment plan shall apply to the Executive Vice President by the date upon which dues should be paid. The Executive Vice President will then promulgate a payment schedule. Upon entering into the payment plan, the candidate will be required to complete payment of the dues on the established schedule.

ii. Dues Reduction: Any candidate who is experiencing severe financial hardship, documented by affidavit from the law school's financial aid department, may, at the discretion of the executive board, apply for a partial reduction of dues. The reduction will not exceed 80% of the cost of a single ticket to the Society of Bar and Gavel's Barristers Ball. The Board will then withhold the distribution of a Barrister's Ball ticket to the candidate receiving the waiver.

(4) Failure to Pay Dues: Failure to pay dues will result in removal from the Moot Court Board.

b. Lounge Duty. Each candidate shall perform lounge duty at least once per semester.

- (1) Lounge duty assignments shall be posted by the Executive Vice President with at least two (2) weeks notice. In order to avoid conflicts with night classes, candidates must submit their schedules to the Executive Vice President at the beginning of each semester. From these schedules, the Executive Vice President shall coordinate lounge duty with the competition's Vice President or director.
- (2) If a candidate is unable to attend lounge duty, then he/she is responsible for finding a substitute. Notice of such replacement must be made in writing to the Executive Vice President prior to the lounge duty and signed by the replacement. If the replacement fails to attend the lounge duty, the absence shall be assessed against the replacement only.
- (3) Candidates must perform their assigned lounge duty except in extraordinary emergencies. Two absences from lounge duty, except those due to extraordinary emergencies, shall result in removal from the Moot Court Board. A candidate who fails to perform an assigned lounge duty, not due to an extraordinary emergency, shall be assigned by the Competition Vice President an additional duty to perform. Failure to perform this assigned duty shall result in removal from the Board. Arriving more than 15 minutes late for lounge duty shall be considered an absence.

The President or Executive Vice President, subject to reversal by the Executive Committee, shall determine what constitutes an extraordinary emergency. The full Board membership can override the Executive Committee's decision by a two-thirds (2/3) vote

- c. Meetings. All candidates must attend all Moot Court Board meetings. No un-excused absences will be accepted for an election meeting. If a candidate must miss a meeting due to extenuating circumstances, that individual must give advance notice and a confirmation in writing to the President or Executive Vice President. No more than two (2) excused absences shall be allowed during any academic year. After a candidate's second excused absence, any subsequent absence--excused or otherwise- shall be counted as an absence. Arriving more than 15 minutes late for a meeting shall be considered an absence. A candidate shall be removed from the Board on the third absence. Any candidate who, without prior notification and approval from the President or

Executive Vice President or absent extenuating circumstances, leaves a meeting before it has adjourned, shall be considered absent.

The President or Executive Vice President, subject to reversal by the Executive Committee, shall determine what constitutes an extenuating circumstance. The decision of the Executive Committee can be overridden by a two-thirds (2/3) vote of the full Board.

- d. 1L Advising. Each candidate shall serve as an advisor for an assigned first-year Legal Research and Writing class.
- e. 1L Judging. All candidates must judge and procure judges for their Legal Research and Writing class practice rounds and the John T. Gaubatz 1L Moot Court Competition. Candidates shall judge as many rounds as the 1L Competition Vice President deems necessary to fulfill the needs of the competition.
- f. Advanced Moot Court. All second-year candidates must complete the Advanced Moot Court. Failure to do so shall result in removal from the Board. Students taking Spring AMC shall be barred from participating in any interschool competition that conflicts with AMC.
- g. Competition Requirement. All candidates and members must compete in at least one (1) interschool competition prior to graduation, in addition to Advanced Moot Court and the John T. Gaubatz 1L Competition.

Interschool Competitions include, but are not limited to, any State, Regional, or National competition to which the Moot Court Board sends a team. Other competitions may satisfy this requirement, provided that the competition is approved in advance by the Executive Board.

- h. Directorship Requirement. In the first year of selection to the Board, each Candidate must serve as a Competition (Executive or Catering) Director or Administrative Director.
 - (1) Competition Directors. Competition directors serve under the Vice President of one of the Board sponsored competitions. The director can either serve in an Executive capacity (handling the administration of the competition itself) or as a caterer, handling the reception and related matters for respective competitions.

- (2) Administrative Directors. Administrative Directors serve under either the President, Executive Vice President, or Inter-School Vice President. The President and his/her directors shall constitute the “Presidential Advisory Committee.” The Executive VP and his/her directors shall constitute the “XVP Committee.” The Inter-School VP and his/her directors shall constitute the “ISVP Committee.” The President, Executive VP, and Inter-School VP shall have discretion to allocate limited responsibilities of the office to their directors.

B. “4L” Board Candidates

An individual in good standing with the Moot Court Board entering his or her third year of Board participation that has elected to continue to be involved as an active member of the Board shall be subjected to the following requirements during his or her third year of Board participation:

- (1) The obligation of paying dues to the Moot Court Board in the amount and within the timeframe specified for all other members and candidates.
- (2) The obligation of attending all meetings in which member and candidate attendance are required.
- (3) The obligation of serving as a first year advisor and participating in class room visits, as a practice round judge and in any other capacity determined to be required by the appropriate Board Executive under this specific duty.
- (4) The obligation of serving as a judge, completing lounge duty and grading briefs for the John T. Gaubatz 1L Competition to the same extent as required of all other returning members and candidates.
- (5) Any other obligations deemed to be required by the appropriate Board executive.
Further, these individuals shall be exempt from the following requirements during his or her third year of Board participation:
 - (1) The obligation of completing office hours during both the Fall and Spring Semesters.
 - (2) The obligation of completing one mandatory lounge duty during both the Fall and Spring semesters.
 - (3) Any other obligations as seen fit by the appropriate Board executive.

C. Procedure for Removal from the Board

1. Written notice in member's office mailbox shall be given to any candidate or member who is within one absence of expulsion in either office hours, lounge duty, or meeting attendance.
2. Any candidate who fails to fulfill his/her duties shall be removed by the Executive Committee. Any candidate removed from membership may appeal the Executive Committee's decision to the full membership at the next scheduled meeting. The full membership can override this decision by a two-thirds (2/3) vote.
3. Once selected to the Board, all members and candidates must serve until their respective graduation date from the School of Law. If a candidate or member is removed or resigns from the Board prior to graduation, the candidate shall be prevented from placing Moot Court or Moot Court Candidate on his/her resume. The Director of the Office of Placement shall be provided with written notice of any removal or resignation.

ARTICLE III IMPEACHMENT

A. Impeachment of Officers

Any member in good standing may, if he/she deems an Executive Board Member guilty of a failure to fulfill the duties and obligations of his/her office as provided for in Articles IV or V, call that Executive Board Member to account for his/her actions.

B. Impeachment Procedures

1. The accusing party shall submit, in writing, all allegations against the Executive Board Member to any member of the Executive Board at least two weeks prior to the next general meeting. A majority vote by the entire Executive Board, absent the accused member, may remedy the situation by:
 - a. dismissing the charges, or
 - b. giving the Executive Board member a written and/or verbal warning, or
 - c. removing the member from the Executive Board.
2. The Executive Board may also make any necessary recommendation

regarding scholarship money to the appropriate Dean, who will implement the Executive Board's decision.

- C.** If the actions taken by the Executive Board pursuant to the foregoing subsection (B) proves unsatisfactory to the party bringing charges, the party may bring the allegations, along with supporting evidence, before the general membership, with at least two weeks notice being given directly to the accused. The accused has the right to bring forth evidence in their defense. The Executive Board member shall be removed from office by a two-thirds (2/3) vote of all the members in good standing attending said meeting.
- D.** The accused may also appeal the Executive Board's decision at the next general meeting, and if he-or she was removed from the Executive Board, may be reinstated by a two-thirds (2/3) vote of all the members in good standing attending said meeting.
- E.** The Executive Board, in its discretion, may hold a general election to fill a vacancy on the Executive Board occasioned by impeachment by the following procedure:
 - 1. A candidate must post his or her name and/or statement one week prior to the election date. Nominations shall not be permitted from the floor.
 - 2. The candidate must be elected by majority vote of all the members present at the election meeting.

ARTICLE IV ELECTION OF OFFICERS

The President shall be elected at a membership meeting in March and all other officers in April.

A. Election Procedures

- 1. One (1) week prior to the election, each candidate for office must post his/her name and the office desired on the Moot Court Board bulletin board. Candidates for office may also submit a brief statement regarding their reasons for running. Nominations shall not be permitted from the floor at the time of the election.
- 2. The Moot Court Board shall have a President who shall be elected by a majority vote of the membership. The President shall serve from the date of election until the next President is elected.
- 3. The membership shall elect six (6) or seven (7) Vice Presidents to head the following divisions:

- a. John T. Gaubatz 1L Competition
 - b. Advanced Moot Court - Fall
 - c. Advanced Moot Court - Spring
 - d. Mock Trial
 - e. Negotiation
 - f. Inter-school
 - g. Host Administrator (years when applicable)
4. The membership shall elect an Executive Vice President.
 5. The election of Vice Presidents and Executive Vice President shall proceed in the following order:
 - a. Executive Vice President
 - b. Vice President – John T. Gaubatz 1L Competition
 - c. Vice President – Advanced Moot Court- Fall
 - d. Vice President – Advanced Moot Court- Spring
 - e. Vice President - Mock Trial Division
 - f. Vice President – Negotiation Division
 - g. Vice President – Inter-School Division
 - h. Vice President – Host Administrator
 6. Candidates for office, who lose their initial election, are entitled to run for the next office to be elected, in accordance with the order established in subsection 5, above.
 7. Proxy votes shall not be accepted.

B. Offices

The following officers shall constitute the membership of the Executive Committee (also referred to as the "Executive Board" or "E-Board"):

1. President
2. Executive Vice President
3. Division Vice Presidents

ARTICLE V **DIVISIONS**

The following shall be the permanent Divisions of the Moot Court Board:

A. President

The President shall be responsible for coordinating the activities of the Moot Court Board in furtherance of its goals and responsibilities as herein described. The duties of the President shall commence at the March election and shall include the following:

1. Managing all public relations of the Moot Court Board with the community.
2. Oversee the food budget for competitions and provide assistance necessary to the Vice Presidents running the competitions.
3. Answering all Board U.S. Mail and "voice mail."
4. Oversee and approve all written correspondence by Vice Presidents.
5. Be present at the beginning and final rounds of each competition including State and Regional/National competitions hosted by the University of Miami.
6. Oversee the completion of assigned duties of the general membership.
7. Coordinate and organize all social gatherings for the membership. Purchase and award member honorary plaques and certificates.
8. Coordinate and organize all meetings with the administration.
9. Schedule and organize all membership meetings.

10. Manage the Board budget.
11. Allocate available directorships to Vice Presidents based upon annual Board needs.
12. Both the "New" and "Outgoing" president shall undertake the following:

Ascertain the GPA of Moot Court Board applicants, collect written and oral scores from members grading applications to the Board, average the scores in accordance with Bylaw Art. I(A) and (B)(4) and rank first and second year applicants.
13. Summer Duties
 - a. Continue checking Board U.S. mail and "voice" mail.
 - b. Notify new candidates by written letter of acceptance to the Board.
 - c. Be responsible for correspondence informing incoming students of the Moot Court Board, and coordinating "orientation" activities for same.
14. Upon selection and notice, the president shall give written notice to the membership, including all new members, regarding the availability of all Directorships for all Competitions and shall provide each member, including all new members, with the names and current addresses of all Vice Presidents in charge of Competitions. Further, the President shall direct all members, including new members, interested in becoming a Director to contact the appropriate Vice President in writing and to express their interest and explain their qualifications. The President shall set an appropriate deadline by which members must indicate their interests to any Vice President and shall give written notice to the membership of that date.
15. Apply for Continuing Legal Education (CLE) credits through the Florida bar for each competition hosted by the Board.

B. Executive Vice President

The Executive Vice President shall undertake to administer the following:

1. Records of the treasury, including collection of dues, disbursements of funds, and any other treasury-related activity.
2. Maintain records of membership attendance, lounge duty, office hours and all required meetings.

3. Maintain records of service points for all competitions.
4. Coordination, with other members of the Executive Board, of correspondence to other law schools, attorneys, law firms, or other parties, as required.
5. Preparation of minutes of all Moot Court Board meetings and distribution of same to all Board members.
6. Preparation and posting of a calendar of Moot Court Board events.
7. Coordination (scheduling conflicts, room conflicts, etc.) of all competitions offered by the Board.
8. Coordination of the Public Relations Committee as chairman for all activities of that group.
9. Receipt and compilation, in conjunction with the President and all Vice Presidents, of all information regarding non-member service to the Moot Court Board.
10. Provide each newly member with a copy of the Moot Court Board Bylaws upon their acceptance to the Board.
11. Oversee the maintenance of the office and purchase of necessary supplies.

C. 1L Competition Division

The responsibilities of this Division shall include the following:

1. Selection/applications
 - a. Prepare, disseminate, and collect from membership, application forms for first-year students. The form shall include a certification that the work submitted by the applicant was his/her own.
 - b. Distribute evaluation forms for Legal Research and Writing instructors to complete regarding first-year applicants to the Moot Court Board.

2. Advising First-Year Students

Coordinate all advising activities with tutorial instructors and ensure that all members of the Moot Court Board serve as advisors to first-year students

for their moot court problems. Advising shall include, but is not limited to, conducting practice rounds for oral arguments. In addition, each advisor must personally review the oral and written work of a percentage to be determined in accordance with the advisor/student ration.

3. John T. Gaubatz 1L Competition
 - a. Coordinate the John T. Gaubatz 1L Competition by providing a timetable for rounds, competent judging, and ensuring that all first-year students who opt to participate are given the opportunity.
 - b. Determine the appropriate number of rounds each candidate and member must serve as a judge to meet the needs of the Competition.
 - c. Provide the bench briefs prepared by the tutorial instructors to the Competition judges.
 - d. Compile all information regarding non-member service to the Competition.

D. Advanced Moot Court Division

The responsibilities of this Division shall include the following:

1. Advance Moot Court Competition - Fall and Spring semesters

This Division shall serve to assist in the administration, instruction, and direction of the advanced moot court courses. Responsibilities shall include:

- a. Selection and preparation of a problem.
- b. Competent instruction, judging and scoring of such competition.
- c. Scheduling.
- d. Printing and distribution of materials, including the distribution and collection of applications for Moot Court Board membership to all participants. In addition, each Vice-President - Appellate Division shall distribute membership applications to all individuals participating in approved courses, not sponsored by the Moot Court Board, which meet during the semester in which that Vice-President's competition takes place.

- e. Accurate and complete records of all actions and procedures, and evaluations of said actions for compilation in an account of the year's activities, including the compilation of all information regarding nonmember service to the Competition.
- f. Providing rule books which shall be made available to all contestants.
- g. Selecting and monitoring qualified advisors to assist advanced moot court teams in the preparation of their briefs and oral arguments. Advisors will be selected from the 3L class first. If enough 3L candidates do not volunteer to advise, 2L candidates will be considered as advisors. Members of the Executive Board are only eligible to advise if spots remain after both 3Ls and 2Ls volunteer. Advisor and team pairings will be selected randomly. Advising AMC shall include completion of the following:
 - (1) A minimum of four (4) oral argument practice rounds with the advisee group to whom the candidate is assigned.
 - (2) The provision of feedback on all component parts of advisee group's brief and comments on the final draft of the brief including substantive, organizational, and technical feedback.
 - (3) One formal group meeting with the AMC VP within two weeks of the beginning of the AMC class for which the third-year candidate is advising.
 - (4) Additional regulations for compliance may be promulgated at the discretion of the AMC VP.
- h. Create a file on every competitor including feedback from the advisor(s), score sheets, and general information regarding sportsmanship and professionalism (such as meeting deadlines and turning in quality work). The file will remain confidential and only available to members of the e-board and school administration.

E. Mock Trial Division

The responsibilities of this Division include the following:

Mock Trial Competition: Intra-school

The Division shall undertake to administer and direct the intra-school Mock Trial Competition by disseminating the problem that serves as a basis for the competition. In addition, the Division shall make arrangements for the following:

- a. A timetable for formation of intra-school teams and runoff competition for ultimate selection of winners.
- b. Competent judging and scoring of such elimination competition.
- c. Bench briefs or trial records if required.
- d. Printing and mailing of any materials required.
- d. May provide competent coaching for each team entered in the elimination competition.
- f. Rule books which shall be made available to all contestants.
- g. Accurate and complete records of all actions, procedures and evaluations of said actions, and procedures for compilation in an account of the year's activities, including compilation of all non-member service to the Competition.

F. Negotiation Division

The responsibilities of this Division shall include the following:

1. Negotiation Competition - Intra-School Fall Semester

The Division shall undertake to administer and direct the intra-school Negotiation Competition by disseminating the problem(s) that serves as the basis for the competition and shall also take responsibility for the selection of a winner(s). The Division shall also make arrangements for the following:

- a. A timetable for formation of intra-school teams and runoff competition for ultimate selection of winners.
- b. Competent judging and scoring of such elimination competition.
- c. Printing and mailing all required materials.
- d. Rule books, which shall be made available to all contestants.

- e. Accurate and complete records of all actions, procedures and evaluations of said actions, and procedures for compilation in an account of the year's activities, including compilation of all non-member service to the Competition.

G. Inter-School Division

The Responsibilities of this Division shall include the following:

1. Outside Competitions attended by Moot Court Board Members

The Division shall also have the responsibility for coordinating and directing members of the Moot court Board for attending outside competitions, including:

- a. The procurement of a competent faculty member or attorney to serve as an advisor for the teams, where necessary.
- b. The scheduling of practice rounds and the booking of judges for the competitors.
- c. Assistance with preparation for the competition, as allowed by the rules of the respective inter-school competitions.
- d. Travel and accommodations, if required.
- e. Collect feedback forms regarding each interschool competition and each competitor to keep on file and assist in future placement.

2. The Division shall also have the responsibility of selecting and preparing the team(s) to represent the University of Miami at all interschool competitions:

- a. Teams shall be selected only from Moot Court Board members.
- b. 2L brief writers, when given positive feedback from their teammates and coach, will be given priority to attend the same competition as an oralist the next year.
- c. Students are not eligible to compete in interschool competitions as oralists until they have completed AMC. 2Ls may compete as brief writers prior to the completion of AMC. Thus, final placements of 2Ls as oralists should not be completed, when possible, prior to the results of Fall AMC.

d. Scores from all prior competitions including the John T. Gaubatz 1L Competition, AMC, and any others will be used to place students in interschool competitions in addition to knowledge of the subject matter and/or previous experience with the competition.

e. Brief writers shall have the following responsibilities: writing joint sections of the brief, editing; answering research assignments from the oralists; ensuring competition rule compliance; copying, binding, and mailing the final brief; and other duties as assigned by the interschool VP, the coach, the team's oralists, or as required by the competition.

H. The Moot Court Board hosted the ABA Arbitration Regional Competition in the Fall of 2006, is expected to host the ABA Client-Counseling Regional Competition in Spring 2008 and the ABA Negotiation Regional Competition in Fall 2008, and will likely host other interschool competitions in the future. Thus, an amendment to the bylaws is necessary to ensure that the Board member who serves as "Host Administrator" of each competition is reasonably compensated and also recognized an official member of the Executive Board.

1. In the event that the University of Miami School of Law Moot Court Board is selected to host an interschool competition, a VP "Host Administrator" shall be elected, or appointed, and recognized as an official member of the Executive Board.

(a) If the need for such a position is known during the academic year prior to when the competition will be held, the "Host Administrator" shall be elected, if possible, at that year's VP election meeting; otherwise

(b) The President shall call an emergency election meeting to select the "Host Administrator." Each candidate must notify the President of his/her intent to run for the position at least three days prior to the meeting.

(c) In extraordinary circumstances, the "Host Administrator" shall be appointed by the President, with the consent of the Executive Board.

2. In the event that the University of Miami School of Law Moot Court Board is selected to host an interschool competition:

The "Host Administrator" shall be compensated reasonably, and the reasonableness calculation is to be determined by the Executive Board, in consideration of the amount of time and work involved in comparison to other positions. **I. Responsibilities of all Vice Presidents**

(1) Each Division Vice-President shall appoint a Director to assist with Competition duties. Vice-Presidents shall give preference to second-year candidates in their choice of directors. This does not mean to preclude the existence of more than one director.

(2) Prior to choosing a Director for a competition, the Vice President shall interview all members, including newly elected members, who have provided written notice of their interests in becoming a director. Directors shall be selected after the entire membership has received written notice of the directorships available in Article V(A). Criteria upon which a Director will be chosen may be at the discretion of the Vice President but in all cases should conform to the goals of the Moot Court Board.

**ARTICLE VI
AMENDMENT AND INTERPRETATION OF BYLAWS**

- A. Any member may submit for membership vote any proposed amendments.
- B. Any ambiguities in the interpretation of the Bylaws shall be voted on by the membership. A two-thirds (2/3) vote of the membership present at the next scheduled meeting shall be required to effectuate any interpretation. A failure of the membership to resolve in one meeting any ambiguity by a two-thirds (2/3) vote shall then be resolved by a majority vote of the entire Executive Committee.
- C. Any amendments to the bylaws under this Article shall be noted in an annotated version of the bylaws entitled "Moot Court Board Bylaws Annotated." When an amendment occurs, the old text should be replaced with the new text, followed by a footnote stating: (1) The date of the amendment, (2) The old text of the bylaw, and (3) The primary reasons why the bylaw was changed. An unannotated version of these bylaws should be used for most Board purposes, while the Bylaws Annotated should be disseminated to Board members and candidates when contemplating bylaw amendments.

**ARTICLE VII
SCHOLARSHIPS**

- A. The following represents the percent distribution of the total scholarships available to the Moot Court Board:

President	28%
Executive Vice-President	11%
Vice-President-AMC-Fall	10%
Vice-President-AMC-Spring	10%
Vice President-Mock Trial	10%
Vice-President-1L Competition	11%
Vice-President-Negotiation	10%

Vice-President-Inter-School 10%

Thus, if there is 1.5 total scholarships allotted to the Moot Court Board, the President would receive 28% of 1.5 which equals 42% of his/her tuition.

ARTICLE VIII COMPETITIONS

- A.** All Board-sponsored competitions **shall** be conducted pursuant to the provisions of the bylaws governing each respective competition.
- B.** The bylaws of the Board-sponsored Negotiation Competition, Advanced Moot Court Competition, Mock Trial Competition, and First Year Moot Court Competition are incorporated herein by reference.
- C.** In the event that the Board elects to host additional competitions, competition bylaws **shall** be created and ratified under Article VI before execution of the competition.
- D.** Competition bylaws **shall** be made available upon request of any student at the School of Law.
- E.** Competition scores, excluding the John T. Gaubatz 1L Competition, shall be released after the completion of each competition. Scores shall be released without the judges' name and by team number, with all the teams' scores in the same document.