

Willamette University College of Law

Moot Court Board Bylaws

Article I: Statement of Purpose and Enabling Clause

1. The purpose of the Moot Court Board ("Board") is to administer Moot Court sponsored competitions, and to promote student interest and competence in the art of trial and appellate advocacy. The Board shall promote a close, working relationship with peers, the local bar and legal community, and the law school faculty. This purpose is in accordance with the faculty resolution dated April 9, 1970, establishing the Moot Court Board.
2. Enabling Clause: These Bylaws shall become effective upon ratification by a majority of those members present and voting at a meeting called by the President no later than September 15, 2013.

Article II: Executive Board

1. Function and Purpose

- a. The Executive Board is the governing body of the Moot Court Board.
- b. The Executive Board is composed of the Executive Officers of the Moot Court Board. The officers shall work together to ensure the operation and success of the Moot Court Board as a student organization. The Executive Board is accountable to the rest of the Moot Court Board. The Executive Board shall make its best effort to set the Moot Court Board up for future success.
- c. In order to promote the growth and maintenance of institutional knowledge, each Executive Officer is responsible for maintaining a record of their administrative responsibilities and best practices. Each Executive Officer is responsible for maintaining records of the competition for which they serve as a Competition Committee Chair.

2. Specific Duties of the Executive Board, Including but Not Limited to:

- a. Developing a tentative schedule of competitions, activities, and elections for the academic year by the first week of the July preceding the academic year for which the Executive Board is responsible;
- b. Each Executive Board officer is responsible for acting as the Competition Chair for at least one competition during the academic year during which they serve as an officer;
- c. Maintaining records of membership, members' fulfillments of their requirements, and volunteer bailiffs, witnesses, and greeters;
- d. Share information about the opportunities offered by participating in Moot Court to the incoming 1L class;
- e. The incoming Executive Board shall widely publicize the purpose, activities, tournaments, and proposed meetings during the First Year Appellate Competition within a reasonable time frame. To "widely publicize" means to inform the Willamette University College of Law, and the 1L class in particular, about the Moot Court Board and its competitions, selection process, and the duties of its members. This includes, but is not limited to, sending an informational email via the Willamette University College of Law listserv, hosting a table in a school common area, and providing the library, Legal Research and Writing professors, or Career and Professional Development Center with descriptive brochures or packets;
- f. Creating committees or subcommittees as is reasonably necessary to carry out tasks necessary for the effective administration of the Board and its competitions that may not be predicted by these Bylaws;

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The creation and goal of the committee or subcommittee should be announced to the General Board before the committee begins its activities.

- ii. Committees must include at least one member of the Executive Board.
 - iii. Committees may be composed entirely of a subset of officers of the Executive Board, or may include a combination of both Executive Board officers and General Board Members.
 - iv. Committees may develop their own procedures for accomplishing their goal.
 - v. Examples of committees include, but are not limited to:
 - 1. The Selection Committee referred to in Article III;
 - 2. A Bylaws revision or amendment committee.
 - g. Any and all additional duties listed in these bylaws.
3. Specific Executive Officer Positions and Duties. All executive officers must be third-year students (or have completed the equivalent of four full-time semesters of courses) elected during the student's second year.
- a. President: The President has the following duties and responsibilities:
 - i. Chair the Executive Board, act as chief executive officer of the Moot Court Board, oversee all operations of the Moot Court Board, and act as official Board representative at all university and community functions involving the Board;
 - ii. Work to maintain relationships with the College of Law administration, student body, and other student organizations;
 - iii. Develop long-range planning and policy subject to these bylaws;
 - iv. Act as liaison between the Faculty Advisor, the Support Panel, and the Executive Board; v. Maintain the Moot Court Executive Board Bylaws;
 - vi. Sign, along with the Faculty Advisor, authorization of credit for participation in Moot Court Board.
 - vii. At the end of the academic year, assess the performance of the overall Moot Court Board and write a final report. The final report will be distributed to the Executive Board, the Faculty Advisor, the Support Panel, the Dean of Student Affairs, and the Dean of the Law School. The final report shall be deposited in the permanent records of the Moot Court Board.
 - viii. All officers and committee chairs, unless otherwise stated in these bylaws, report to the President. The President bears the ultimate responsibility for the Moot Court Board;
 - b. Vice-President: The Vice-President has the following duties and responsibilities:
 - i. Work cohesively with the President to achieve the goals of the Executive Board including any specific delegations from the President not addressed in these bylaws. The Vice-President is directly responsible to the President.
 - ii. Pursuant to the procedures in Article II, subsection "B.", conduct all disciplinary actions for expulsion of Moot Court Board members. In such actions, the Vice-President shall record and maintain permanent records of such proceedings. It is the responsibility of the Vice-President to follow the bylaws and maintain proper procedure for any and all disciplinary matters or grievances.
 - iii. Preside over meetings of the Moot Court Board in the absence of the President.
 - iv. Schedule, prepare, and preside over educational meetings and workshops.
 - v. Work with the President and the Treasurer to schedule, prepare, and conduct the annual awards banquet. The outgoing Executive Board members should conduct whatever advanced planning is necessary for a successful awards banquet. The Vice-President shall organize information and collect votes from the Executive Board for award recipients.
 - vi. Prepare an orientation for new and returning Moot Court Board members.
 - vii. In the result of a permanent vacancy of the Presidency, the Vice- President assumes all duties and responsibilities of

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President and a new Vice-President is elected.

c. Treasurer: The Treasurer has the following duties and responsibilities:

- i. Develop the annual Moot Court Board budget to present to the Faculty Advisor, Executive Board, and College of Law administration before the academic year begins.
- ii. Record and maintain records of all finances of the Moot Court Board and approve payment of all bills and requests for reimbursement. In the event the Treasurer needs reimbursement for an expense, the President will approve payment pursuant to administrative rules from the Student Accounts Office.
- iii. Preside over all meetings of the Moot Court Board in the absence of the President and Vice-President;
- iv. Oversee the Operations Manager and act as a liaison between the Operations Manager and the Executive Board.
- v. Work with the competition chair of every intra-scholastic competition to provide funding for competitions expenses;
- vi. Work with the Secretary, the Moot Court Board sponsored interscholastic regional and national teams, and the assigned coaches to provide funding for food and travel expenses for all interscholastic competitions;
- vii. Work with the President and perform any specific delegation not addressed in these bylaws; d.

Secretary: The Secretary has the following duties and responsibilities:

- i. Record and maintain minutes of all meetings of the Moot Court Board meetings and Executive Board sessions.
- ii. Record and maintain up-to-date attendance records of all Moot Court Meetings.
- iii. Oversee all teams sponsored by the Moot Court Board to interscholastic competitions as specified herein; and provide interscholastic competitors with information and services regarding interscholastic competitions.
- iv. Report to the Moot Court Board within two weeks the actions and decisions of the Executive Board with reasonable explanation and notice of actions.
 - v. Upon election, the Secretary will chair the competition committee for the annual First Year Appellate Competition. The outgoing Secretary shall take reasonable steps to assist the incoming Secretary in the organizations and implementation of the competition committee.
- vi. Oversee, schedule, and monitor all teams sponsored by the Moot Court Board to interscholastic regional and national competitions as specified herein; while working as a liaison between the teams, the assigned coach(es), and the Executive Board.
- vii. The Secretary of the Moot Court Board shall report to the President and perform any specific delegated tasks not addressed in these bylaws.

e. Judges Chairs: The Judges Chairs have the following duties and responsibilities:

- i. Organize and maintain a database of potential judges and their up-to-date contact information to ensure there are an adequate number of judges for all competitions. Potential judges must be current members of the state bar and in good standing, though this requirement may be selectively waived for individuals who have a long history of outstanding service in the bar, such as a former state Supreme Court Justice;
- ii. Work with the Operations Manager to use the Moot Court Board webpage or other electronic tools to collect, administer, and distribute information related to volunteering as a judge for

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competitions;

iii. No later than the second Monday of each academic year, the Judges Chairs shall review and revise:

1. All standardized Moot Court Board score sheets for both the trial and appellate competitions; and
2. The directions and guidance provided to competition judges explaining the scoring process, what is expected from the student competitors, and what is expected of volunteer judges with regards to quality of evaluation and feedback to competitors;

iv. Ensure that each volunteer judge receives appropriate documentation of their participation so they may receive CLE credit from the Oregon State Bar for volunteering. Judges Chairs should familiarize themselves with those documentation and CLE requirements, which usually available on the Oregon State Bar Minimum Continuing Legal Education website;

v. Work with each Competition Committee to ensure there are an adequate number of judges for all competitions. An adequate number of judges means at least one judge per competition round, though more than one for each competition round is recommended;

vi. Work with each Competition Committee to ensure judges have all relevant information for attending and judging, and are adequately prepared to ensure fair competition and provide fair and constructive scoring and feedback;

vii. Act as a liaison between potential judge volunteers and the Executive Board;

viii. The Judges Chairs are directly responsible to the President and should perform specific delegated tasks not addressed in these Bylaws;

f. Operations Manager: The Operations Manager is not an official executive officer position, but is an appointed position chosen by the incoming Executive Board with the following duties and responsibilities:

- i. Work with the Executive Board to structure and administer the elections of officers and the selection of new incoming members;
- ii. Work with the Executive Board to maintain and service the Moot Court Board webpage with the most up-to-date information, news, and administrative tools;
- iii. The Operations Manager is directly responsible to the Treasurer for all communications and any other specific delegated tasks not addressed in these bylaws.

4. Executive Board Officer Elections:

a. Elections shall take place at a regularly scheduled Board Meeting no later than March 31. b. Written nominations shall be accepted by a member of the Executive Board no later than seven days prior to the election.

c. Each nominee may make a brief statement followed by questions from the floor.

d. Vote shall be by anonymous written ballot.

e. Election to office requires a majority vote by a quorum of the Moot Court Board.

f. Incoming elected Executive Board officers shall assume their full duties at the final Moot Court Board general meeting of the year. Until that time, the newly elected officers have time to plan for the following academic year, and may assist the newly elected Secretary in planning for and executing the First Year Appellate Competition.

5. Vacancies

a. President: In the event a vacancy occurs in the office of the President, the Vice President shall succeed to the office of the President.

b. Vice-President, Treasurer, Secretary, and Judges Chairs: In the event a vacancy occurs in the Vice-President's position, the Treasurer's position, the Secretary's position, or the Judges Chairs

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- positions, a new election shall be held to fill that vacancy within two weeks of the creation of the vacancy.
- c. Operations Manager: In the event a vacancy occurs in the Operations Manager position, the Executive Board shall appoint a new Operations Manager.
 - d. Any compensation that Board officers receive shall be prorated through the last day in office. The time period shall be divided by semester. The succeeding officer shall be entitled to the remainder of the compensation due that office.
6. Recalling Officers
- a. By petition of 25% of the total Board membership, a Vote of Confidence meeting may be called in regard to one or more officers.
 - b. A meeting shall be called within seven calendar days.
 - c. Following discussion, a Vote of Confidence shall be called for by the presiding officer. d. If 2/3 quorum of the Moot Court Board renders a Vote of No Confidence, the officer(s) shall be removed from office.
 - e. The officer(s) shall be replaced by election at the next regularly scheduled Moot Court Board meeting pursuant to regular election bylaws.

Article III: Membership

1. Board Composition. The Moot Court Board shall consist of no less than ten third-year students and no less than ten second- year students prior to the beginning of the academic year.
- a. As set out and defined in Article II of these Bylaws, the governing body of the Moot Court Board is the student Executive Board.
 - b. At the discretion of the Executive Board, any deficiency in membership numbers prior to spring semester will immediately initiate invitations to re-interview those not initially chosen to comprise the Moot Court Board. The Executive Board will conduct these interviews pursuant to the rules set forth in these Bylaws.
2. Moot Court Board General Member Meetings; Voting at General Member Meetings
- a. A quorum of the total membership of the board shall be necessary for the conduct of business at any general member meeting. This provision may be waived by the majority vote of a quorum of Executive Board officers present at any general member meeting at which business is to be conducted but a quorum of the total membership is not present.
 - b. A quorum shall be 50% plus one member of the relevant membership of the Board.
 - c. Unless otherwise provided for in these Bylaws, all Board decisions must be decided by a majority of those present.
 - d. These Bylaws may be amended by a 2/3 majority of all members of the Board present and voting at a meeting called for such a purpose.
 - e. All amendments to these Bylaws shall become effective on the date they are passed by a vote of the Board in accordance with this article.
 - f. In the event that meetings cannot be held in-person, these Bylaws authorize meetings to be conducted over video-conferencing or other remote conferencing platforms, hosted by the Moot Court Board Executive Board Officers. The Executive Board officers, in these cases, may reasonably adapt the attendance requirements as necessary.
3. Moot Court Board Member Selection.
- a. Timing and Notification of Moot Court Board Membership Selection Process; Number of Students to be Invited each Academic Year.
 - i. The member selection process shall be conducted annually by the incoming Executive Board,

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and should begin following the First Year Appellate Competition.

1. An Executive Board may elect to hold an additional member selection process during the fall of the academic year for which they are responsible if board membership is low, or transfer students express interest in joining the board before the spring member selection period.
 - ii. The incoming Executive Board must provide notice of the upcoming member selection process to the entire law student body. The notice shall contain descriptions of the criteria for selection, the steps to the selection process and how students can apply to be considered for membership, information about the Moot Court Program generally, information about the location of the Bylaws (or be able to provide a copy of the Bylaws), and any other relevant information.
 - iii. The incoming Executive Board will maintain active contact with prospective and current Moot Court Board members to ensure each member or potential member is given ample notice of upcoming deadlines and obligations. This, however, is not to relieve members or potential members of the responsibility of organization, planning, or participating.
 - iv. The incoming Executive Board maintains discretion over how many students will be invited onto the Moot Court Board based on a speculative determination regarding the approximate number of Moot Court Board members required to fulfill tournament positions for the upcoming year.
 - v. Notification of selection and issuance of an invitation to join the board shall be made not later than the day following the last scheduled Board meeting during spring semester.
- b. Member Selection; Automatic Invitations; General Invitations Through a Written Application and an Interview Process; Transfer Students.
- i. Automatic Invitations. Automatic Invitations for membership shall be offered to the first-ranked winner of each section of the First Year Appellate Competition and any winners of any open Moot Court Board sponsored competition that receives academic credit.
 - ii. General Invitations. General invitations will be extended to applicants who earn the highest points through their written application and interview, evaluated by a Selection Committee consisting of incoming Executive Board officers.
 1. Selection Committee. The incoming Executive Board may elect to create a Selection Committee composed of at least three Executive Board officers, or may elect that the entire Executive Board will serve as the Selection Committee, to evaluate applications and conduct interviews.
 2. Eligibility for Invitation to the Board. The incoming Executive Board will establish a consistent standard for determining Moot Court Board eligibility, which should be reflected in the written application and interview process. The standard must be fair, transparent, readily explainable, and may take into consideration the following:
 - a. Desire to participate actively as a Moot Court Board Member through competitions, workshops, educational meetings, or any other roles;
 - b. Desire to lead or participate in other administrative roles in Moot Court;
 - c. Constructive suggestions for innovation within the Moot Court Board;
 - d. Potential conflicts with other law school activities;
 - e. Organizational skills; effective team-building skills; ability to promote Moot Court Board to the law school and external community;
 - f. Professional demeanor in the interview including, but not limited to, the

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following: Dress; punctuality; respect for Executive Board members and the Moot Court Board

- g. Whether the applicant is in good standing according to the University Honor Code,
- h. Education/training, relevant undergraduate or high school experience; i. Career, Professional, or other relevant employment related experience not limited to advocacy;
- j. Other life experiences that may make the candidate a valuable member of the Moot Court Board;
- k. Volunteer participation in Moot Court events; and/or
- l. Any other factors or qualities the incoming Executive Board deems appropriate or reasonable for evaluating eligibility to join.

3. Written Application and Interview Process.

- a. Invitations for membership to the Moot Court Board will be given to those applicants who earn the highest overall points on a Written Application and through an Interview. The incoming Executive Board will assign available points to the questions in the Written Application and to the factors they evaluate during the Interview. Points available to be earned should be distributed as followed:

- i. A maximum of 20 points for the written application.

- ii. A maximum of 35 points for involvement in Moot Court activities. 1.

- An applicant to Moot Court Board will receive 5 points per night of competition for serving as witness, bailiff, or juror.
 - 2. An applicant to Moot Court Board will receive 3 points per night of competition for serving as greeter.
 - 3. All applicants who participated as a competitor in the open competitions will receive 5 points per night of competition.

This includes participation beyond the first attorney-judged round of FYAC.

- 4. Volunteers can still actively volunteer after they have received 35 points, however, the Selection Committee will only count 35 points towards the application.
 - 5. It shall be the responsibility of the Executive Board officers serving as Competition Chairs for their respective Competition Committees to maintain records of student volunteers and to track the number of points awarded to each volunteer for that competition.
 - 6. The applicant is bound by the University Honor Code. Any incident of claimed participation when the applicant did not participate will result in immediate disqualification from membership on Moot Court Board.

- iii. A maximum of 45 points for the interview.

- b. The Selection Committee members will individually determine the point values earned by an applicant through the applicant's written application and interview. The individual scores will be averaged to arrive at an overall score

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for the applicant.

c. Written Applications.

- i. Application questions must be designed to reflect the standards set by the incoming Executive Board for determining eligibility for invitation to the Moot Court Board (see above).
- ii. Applications shall be accepted until a date chosen at the discretion of the incoming Executive Board. Preferably at a designated time on the Friday or Saturday after the completion of the First Year Appellate Competition (FYAC).
- iii. FYAC runners-up must submit an application. Once a Written Application is filled out and sent to the incoming Executive Board, the runner-up will be automatically invited to interview.
- iv. Applicants must be ranked from highest to lowest based on points earned through the Written Application.

d. Interviews.

- i. The Selection Committee shall automatically offer interviews to the FYAC runners-up and to at least the top 51% of those who earned points through the Written Application.
- ii. Factors considered and questions asked during the Interview must be designed to reflect the standards set by the incoming Executive Board for determining eligibility for invitation to the Moot Court Board (see above).

e. Applicant scores will be retained through fall semester in the event that unforeseen circumstances warrant expansion of Moot Court Board Membership.

iii. Transfer Students. Transfer students are subject to the same member selection process detailed above.

4. Member Benefits, Responsibilities, and the Member and Competitor Code of Conduct.

a. Member Benefits.

- i. Moot Court Board members are entitled to voluntarily participate in any Moot Court sponsored competitions or activities
- ii. Moot Court Board members who win feeder competitions are eligible to represent Willamette University College of Law in regional and/or national competitions.
- iii. Students can register to receive academic credit for participating in Moot Court Competitions, pursuant to the Willamette University College of Law Student Handbook.

b. Member Responsibilities. Members must:

- i. Participate and invest in Moot Court, honoring the privilege that Moot Court represents to each Board Member.
- ii. Abide by all requirements and responsibilities of these Bylaws.
- iii. Participate in at least one Moot Court Board sponsored competition per academic year.
- iv. Actively participate/volunteer for at least one Moot Court Competition Committee during the academic year. "Actively participate/volunteer" means performing all committee and organizational duties as assigned by the competition chair or the Executive Board.

v. Abide by the following Attendance Policy:

1. Members must attend at least 80% of mandatory meetings in one academic year or the

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- member is removed from the Board by notification from the Vice President
2. Excused absences for good cause may be obtained from the Secretary prior to a meeting. A member is not considered absent from a meeting if he/she has a serious illness or family emergency, e.g. death in the family; has a regularly scheduled class or makeup class during the meeting; or if he/she is competing in a Moot Court Board sponsored competition.
 3. A member may make up an absence by attending any of the optional workshops provided to the Moot Court Board membership.
 4. Members can be removed by two-thirds vote for violating the attendance policy. Removed members may appeal within two weeks after the removal date to the Executive Board to be reinstated on the Board.
- vi. Abide by the Member and Competitor Code of Conduct.
 - vii. Actively participate as the Executive Board and Support Panel deem proper in order to account for year-to-year changes (e.g., if the Board and Willamette University College of Law host a regional or national moot court competition).
 - viii. Acknowledge the Bylaws and Member and Competitor Code of Conduct:
 1. All new members must read the Bylaws and the Member and Competitor Code of Conduct and acknowledge by signature to agree to be bound by these Bylaws.
 2. Current members who have not yet agreed to be bound by the Bylaws shall do so at or before the first general meeting of the academic year.
 3. Any member who opts not to be bound by the Bylaws is ineligible for Moot Court Board membership.
- c. Member and Competitor Code of Conduct. Each Board Member is expected to:
- i. Treat the Executive Board and each Moot Court Board Member, visiting guests, and the Support Panel with respect, collegiality, and professionalism. Members must represent themselves, and by extension, the Moot Court Board, in the highest standard of professionalism. Setting a superlative example as a representative of the Willamette Moot Court Board is a responsibility of membership;
 - ii. Not speak disparagingly of other Board Members, Executive Board Officers, visiting guests and Judges, Support Panel, and other non-Board Members participating in the tournaments. Speaking disparagingly of those involved with the Moot Court Board and its activities is unprofessional and a violation of these Bylaws;
 - iii. Resolve issues in a prompt and civil manner. Should differences arise that are temporarily irreconcilable, it is the responsibility of both parties to reach out to the Executive Board for assistance and guidance;
 - iv. Maintain proper professional dress and demeanor appropriate for all Moot Court Board Functions. Continuous violations of appropriate dress may result in a reduction of points from tournaments;
 - v. Promptly attend all Moot Court Board Meetings, and abide by the Attendance Policy (above); vi. Demonstrate appropriate respect for all speakers at all educational and Board meetings; vii. Maintain the highest level of professionalism in both appearance and conduct during all Moot Court activities in which the Board Member participates;
 - viii. Provide an example to other law students through appropriate conduct in competitions; ix. Donate time and energy to promote Moot Court activities;
 - x. Diligently participate as a member of the Competition Committee; and

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- xi. Attempt to resolve disputes or conflicts professionally and civilly prior to invoking the grievance procedures described below.
- 5. Tenure. Students selected to the Moot Court Board shall serve continuously as governed by these Bylaws. A student shall be considered a member of the Board until the student:
 - a. Withdraws from Willamette University College of Law;
 - b. Withdraws from the Moot Court Board;
 - c. Is placed on academic probation; or
 - d. Is removed from the Moot Court Board pursuant to these Bylaws.
- 6. Board Member Removal; Sanctions of Board Members.
 - a. Reasons for Board Member Removal. Reasons for removal include, but are not limited to: i. Failure to participate in at least one sponsored competition during an academic year; ii. Failure to actively participate/volunteer on at least one Competition Committee; iii. Failure to abide by the Member and Competitor Code of Conduct; iv. Committing an act that reflects poorly on the member's honesty, trustworthiness, or fitness as a member of the Executive Board and/or the Board; v. Engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation; vi. Engaging in conduct that seriously interferes with the Executive Board's ability to responsibly administer Board activities, including, but not limited to, Moot Court competitions; vii. Stating or implying an ability to improperly influence Board members involved in administering or judging Moot Court competitions; and viii. Knowingly assisting any Board member in conduct that is a violation of these Bylaws.
 - b. Notice of Removal. Notice of removal shall be given to the member and an opportunity to appeal the decision of the Executive Board shall be given before final disposition. Upon final disposition, notice of removal will be sent to the Career Development Office, the Assistant Dean of Student Affairs, and the Associate Dean for Administrative Affairs.
 - i. The removed member shall eliminate any notation of Moot Court Board membership from his/her resume and/or cover letters to employers.
 - ii. Once a member has been removed from the Board, that former member may not be invited to rejoin the Board by qualifying through a subsequent open competition except by a majority vote of the Executive Board.
 - c. Procedure for Board Member Removal.
 - i. Any Moot Court Board member may bring a complaint against another member for violating a provision of these Bylaws, or for one of "Reasons for Board Member Removal" listed above. ii. The member must present his/her/their complaint before the Executive Board and state the specific reason for his/her/their request to remove the other member.
 - iii. The Executive Board will take a vote on the merits of the complaint that will be recorded in the Executive Board minutes.
 - iv. If the Executive Board, by unanimous consent, determines that the complaint has no merit, then the complaint is ended.
 - v. If the Executive Board believes that the complaint does have merit, but that the complaint does not warrant removal, then the procedures to sanction a member will be followed pursuant to these Bylaws.
 - vi. If the Executive Board believes that the complaint warrants removal of the member, then the

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plaintiff shall bring his/her/their complaint before the full Moot Court Board at the next General Moot Court Board meeting, to be held within ten days from when the complaint is lodged.

1. Prior to that meeting, the plaintiff must submit a written memorandum summarizing the complaint that must then be distributed to the Moot Court Board members and to the defending member. The defending member, at his or her option, may submit a written memorandum on his or her behalf, which will also be distributed to all Moot Court Board members.
 2. At that meeting, the plaintiff will have ten minutes to present his/her/their argument before the full Board as to why the member in question violated the Bylaws or other Moot Court rules.
 3. At that meeting, the defending member will have ten minutes to respond to the charges before the full Board.
 4. The President will act as mediator at that meeting and may direct either speaker to stop speaking prior to the end of the full ten minutes if the President determines, in the interests of justice, to do so.
 5. The entire Moot Court Board will vote by written or electronic ballot on whether to remove the member. If two-thirds of the full Moot Court Board votes to remove the member, the member is removed immediately. The two-third requirement requires two-thirds of the full Board, not simply two-thirds of those present at the meeting.
- d. Procedure to Sanction a Moot Court Board Member.

- i. If the Executive Board determines that a violation of these Bylaws or a complaint against a member has merit but does not warrant removal from the Board, the following process will be followed:
- ii. The Executive Board will determine whether to seek informal mediation to resolve the complaint.
- iii. If the Executive Board chooses not to seek informal mediation, then:
 1. A hearing panel will be established. The panel will consist of three members.
 - a. One member will be appointed by the defending member.
 - b. One member will be appointed by the President.
 - c. One member will be an Executive Officer, but not the President.
 2. The panel will establish reasonable guidelines to determine how they will conduct the hearing. The members involved in the complaint may suggest guidelines, but the panel has final determination of the guidelines.
 3. The panel will hear evidence and then make the following recommendations:
 - a. If, by two-thirds vote, the hearing panel finds that sanctions are warranted, then they can choose the following:
 - i. Public reprimand with a written statement to be read at the next Moot Court Board meeting;
 - ii. Suspension from the next two Moot Court competitions, also to be read from a written statement at the next Moot Court Board meeting;
 - iii. If appropriate, the hearing panel may determine that a student should be denied academic credit for violating these Bylaws in any way during a competition.
 - b. If the hearing panel finds that removal is warranted, then the procedures for

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removal of a member will be followed at the next Moot Court Board meeting, to be held no later than ten days from when the hearing panel makes its determination.

- e. Procedure to Remove a Moot Court Board Member for Violation of University of Law School Honor Code and Student Codes of Conduct. Any violation of the University or Law School Honor Code results in immediate removal from Moot Court Board.
 - f. Executive Board Member as a Party to the Removal Process. No officer of the Executive Board shall vote on any matter regarding removal if he or she is either the plaintiff or defendant. Executive Board officers are expected to recuse themselves from voting if a serious conflict of interest exists.
7. Reinstatement. If a member is removed from the Moot Court Board, the following procedures apply:
- a. If a student withdraws from the Willamette University College of Law, the Moot Court Board, or is placed on academic probation, the student may petition the Executive Board of the Moot Court Board for possible reinstatement.
 - b. If a student is removed from the Moot Court Board, the student may petition the Executive Board of the Moot Court Board, and upon a favorable finding by the officers, the matter shall be put to a majority vote of the Board at the next regularly scheduled Board meeting.

Article IV: In-House Competitions

- 1. Benefits:
 - a. It is a privilege of Moot Court Board membership to represent the Board during intra- scholastic competitions.
 - b. One who represents the Moot Court Board to the best of his/her/their ability in an in-house competition may be able to receive one academic credit for his/her/their participation and dedication, pursuant to the rules in the Willamette University College of Law Student Handbook.
- 2. The Moot Court Board will administer and help organize in-house competitions each academic year, including, but not limited to, the:
 - a. Bruce Spaulding Civil Trial Competition, a civil trial competition limited to only Moot Court Board Members;
 - b. Don Turner Criminal Trial Competition, open to all Willamette law students who have completed at least the equivalent of two semesters of course work and the Legal Research and Writing courses;
 - c. National Appellate Advocacy Competition, a feeder competition for the ABA's regional and national NAAC Competition;
 - d. American Association for Justice Civil Trial Competition, the feeder competition for the American Association for Justice's regional/national Student Trial Advocacy Competition;
 - e. Willamette University College of Law Open Appellate Advocacy Competition, open to all Willamette law students who have completed at least the equivalent of two semesters of course work and the Legal Research and Writing courses; and
 - f. First Year Appellate Competition.
 - g. The International Law Moot Court Competition is not sponsored by the Willamette Moot Court Board but is available for credit. Please see the Willamette University College of Law International Law Advisor, and the Willamette University College of Law Student Handbook for more information.
- 3. Competitor Benefits and Responsibilities. These benefits and responsibilities apply to both Board Members and Non-Members who participate in open competitions, and include:
 - a. Adherence to the Willamette University College of Law Honor Code, Willamette Moot Court Board

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- Bylaws, Member and Competitor Code of Conduct (see Article III), and specific competition rules set forth by Competition Chairs;
- b. Attendance at the educational meeting and/or workshop required by the specific competition in which the student is competing. If a competitor is unable to attend a required meeting and/or workshop, the Executive Board may approve fulfillment of this requirement through attendance of an equivalent event;
 - c. Participation in a round to which a competitor advances, unless otherwise approved by the Competition Committee.
4. Competition Committees.
- a. Competition Committees are responsible for the duties and tasks outlined in these bylaws and in this section, and any other reasonable task required for the efficient administration of their respective competitions to the best of their abilities.
 - b. Each competition committee will be composed of:
 - i. One Competition Chair, who must be an Executive Board Officer;
 - ii. A Competition Co-Chair;
 - iii. At least one Judges Chair; and
 - iv. Any other position necessary for the efficient administration of the competition, which may include, but is not limited to:
 - 1. A Day Chair;
 - 2. A Volunteer Chair;
 - 3. An Operations Manager;
 - 4. An Access to Justice Chair.
 - c. The Competition Chair is responsible for:
 - i. All aspects of the competition they oversee;
 - ii. Making reasonable efforts to communicate effectively with competitors on matters such as rules, deadlines, and clarifications on fact patterns.;
 - iii. Making reasonable efforts to organize, delegate tasks, and communicate effectively with other members of the Competition Committee;
 - iv. Communicating with other Executive Board officers regarding the competition as necessary or appropriate;
 - v. Organizing the required workshop or meeting for the competition;
 - vi. All other tasks necessary for administering a fair, educational, and valuable experience for competitors and members of the Competition Committee.
 - d. The Competition Committee, and the Judges Chair(s) in particular, will actively work with the Executive Board Judges Chairs in order to:
 - i. Find at least one judge for each competition round, though more than one judge per competition round is recommended;
 - ii. Take reasonable steps to prevent volunteers from judging a competition round if a conflict of interest exists between a judge and a competitor;
 - iii. Provide judges with the information including, but not limited to, that which is necessary for judges to understand and carry out their responsibilities for the competition round, which may include directions for attendance, details about timing of the competition, what to expect during the competition, and how to score competitors;
 - iv. Provide the volunteer judges with the appropriate documentation necessary for them to receive CLE credit from the State Bar Association in gratitude for them sharing their time and

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- expertise with competitors;
 - v. Send thank you notes to each judge who volunteered within a timely manner.
 - e. The Competition Committee, typically the Volunteer Chair, will be responsible for finding greeters, bailiffs, and jurors for each competition round.
 - i. 2L and 3L students may only volunteer as judges for the First Year Appellate Competition
 - f. The Competition Committee is responsible for supplying enough food that will confidently supply the volunteering judges at each competition.
 - g. The Competition Committee is responsible for making sure necessary space is reserved for the competition, necessary technology or platforms are available, tracking round and competition results, and any other duty involved with coordinating the event.
5. Protest of Competition Outcomes; Protest Procedure.

- a. Standing for Protest. Any team participating in a Moot Court sponsored competition may bring a protest to the Executive Board that is based on a violation of the competition rules or any other action that prejudiced the outcome of a competition round.
- b. Moot Protests. A protest is moot and shall not be considered if it is brought during a single elimination round of a competition by the team that won the round.
- c. Procedure for Protests.
 - i. Notice of Protest. The protesting team must inform the bailiff, the Competition Chair, and the opposing team that they are filing a protest. If the Competition Chair is unavailable, the protesting team must provide notice to the Competition Co-Chair, or a member of the Executive Board, who must assist in providing notification to the Competition Chair.
 - 1. Written Notice of Protest. The protesting team *must* provide a written notice that they are filing a protest to the bailiff, the Competition Chair, and the opposing team. The written notice may be given in the form of a physical writing, or in the form of an email to the bailiff's, Competition Chair's, and opposing team members' Willamette email addresses. The written notice must contain:
 - a. The signature of at least one member of the protesting team (an electronic signature if provided through email meets this requirement);
 - b. The fact that they are protesting; and
 - c. The name of the bailiff and opposing team members of the round which is being protested (if the competition is being held in-person, the location of the room where the round was held should also be included).
 - 2. Verbal Notice of Protest. Competitors who provide notice via email should also provide verbal notice of the protest to the above listed parties in order to ensure that all parties are aware of the location of the written notice of protest.
 - 3. Failure to Provide Written Notice. No protest may be brought if the written notice of protest is not delivered to the above listed parties within fifteen minutes of the end of the round being protested. A protest is not official and will not be considered until the above listed parties have received notice.
 - ii. Protest Hearing and Sanctions.
 - 1. Protest Hearing Panel. Three members of the Willamette Moot Court Executive Board or of the respective competition's Competition Committee, who are not currently competing in the competition in which the protest is brought, must hear all protests. The preferred group that will serve as the Protest Hearing Panel will be composed of:

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- a. The Competition Chair of the current competition's Competition Committee;
 - b. The Co-Chair of the current competition's Competition Committee; and
 - c. The Willamette Moot Court Executive Board member assigned to assist with the current competition.
2. Timing of Protest Hearing.
- a. If possible, any protest must be heard immediately upon the conclusion of the judge's critique at the end of the round. If there is no judge's critique, then the protest shall be heard as soon as possible.

 - b. If possible, all protests must be concluded on the same night/day that the protest is brought.
3. Judge Participation.
- a. The respective judge(s) of the protested competition is not to be informed that a protest was brought.
 - b. Judges are not to be asked to remain or become involved in the hearing of the protest.
 - c. This section does not apply to Willamette Moot Court Board members who judge the First Year Appellate Competition. These judges are eligible to participate in a protest concerning the First Year Appellate Competition.
4. Protest Hearing General Procedure.
- a. No protest hearing shall last longer than sixty minutes, unless at least two members of the Protest Hearing Panel decide otherwise.
 - b. Every party to a protest should have equal time to present their case. Any party to a protest may waive time to present their case.
5. Protest Hearing Panel Deliberation.
- a. The three Willamette Moot Court Board members who hear the protest must meet in private when deliberating and deciding.
 - b. The three Willamette Moot Court Board members shall consider and discuss:
 - i. Whether there is any finding of a rule violation or action that prejudiced the administration of the competition; and
 - ii. Whether there is any sanction that may be imposed for a rule violation or action that prejudiced the outcome of the round.
6. Protest Hearing Ruling.
- a. The three members of the Hearing Panel must rule by a majority vote if there was a violation of the rules of the competition or if an action occurred that prejudiced the outcome of the competition round.
 - b. If there are not at least two members of the Hearing Panel that find a violation of the competition rules or any other action that prejudices the outcome of the competition round, then the protest shall be dismissed.
 - c. If at least two members of the Hearing Panel rule that a violation of the competition's rules or an action that prejudiced the outcome of the competition round has occurred, then a sanction may be levied and if levied, notice of the sanction shall be given to all competitors.
7. Levy of Protest Sanctions.
- a. Sanctions must be decided and dispensed in accordance with these Bylaws.

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If at least two members of the Hearing Panel rule that an action violated the rules of the competition or prejudiced the outcome of the competition round, then the application of a sanction is limited by the discretion of the members of the Hearing Panel the protest.

c. Sanctions Available.

i. In any single elimination round of a competition the only sanction possible for violating the rules of the competition is the loss of the round for the party being protested against.

ii. In any round that is not a single elimination round, the three members of the Hearing Panel must unanimously agree on the sanction to be levied. Sanctions in this case include:

1. Deducting points from the protested team's score.

2. Requiring the protested team to forfeit the round.

3. Both 1 and 2.

4. Dismissal of the protested team from the competition.

Dismissal from the competition has the same effect on the members of the team dismissed as though they never entered the competition; including loss of recommendation for credit and/or loss of recommendation for a transcript notation.

iii. Appeal of Protest Ruling and Sanctions.

1. Any competitor that loses eligibility for academic credit as a sanction resulting from a protest may appeal the decision to the Willamette Moot Court Executive Board.

2. Appeals must be brought in writing to the Willamette Moot Court Board Secretary within five (5) school days following notice of the sanction.

Article V: Regional and National Competitions

1. Selection of Regional and/or National Competition Representatives.

a. Winners of Moot Court Board sponsored feeder competitions will receive an automatic invitation to represent Willamette University College of Law in the respective regional and/or national competition.

i. Winners of the National Appellate Competition will be invited to attend the National Appellate Regional Competition sponsored by the ABA.

ii. Winners of the American Association for Justice Trial Competition will be invited to attend the regional and/or national Student Trial Advocacy Competition sponsored by the American Association for Justice.

b. If a competition winner turns down his/her/their automatic invitation, preference will be given to runners-up of these feeder competitions in selecting the replacement representative.

c. Any interested board member may seek to represent the Board as a participant in interscholastic moot court competitions, upon timely notice in writing to the Willamette Moot Court Board Secretary. It remains within the final discretion of the Executive Board to determine which members of the Board shall be selected to represent the Board on its competition teams.

d. If more members are interested in participating in a given competition than there are positions available, the Executive Board shall prescribe procedures for selecting teams among the interested members. The

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Executive Board shall choose a procedure that is both fair and appropriate for ensuring that the most qualified members of the board are selected. The procedure used shall also be readily explainable to any inquirer.

- e. No Executive Board member may be selected to represent the Board in interscholastic competition without prior express approval of the majority of the members of the Executive Board following an Executive Board Meeting.
2. Expectations of Members Representing the Board at Regional and/or National Competitions. Board members who are selected to compete in regional competitions are expected to:
- a. Act professionally and in accordance with these Bylaws and the Member and Competitor Code of Conduct at all times during the Willamette Moot Court Board sponsored-trip;
 - b. Actively participate in team practices, scheduling of which shall be determined by the discretion of the support staff and the competitors;
 - c. Actively record when practices took place and who participated to the Willamette Moot Court Board Secretary; and
 - d. Interact professionally with all coaches, teammates, competitors, and competition staff before, during, and after the competition.
3. Faculty and Support Panel Assistance.
- a. A panel of faculty and/or a Support Panel member may be enlisted to provide coaching, guidance, support, and/or mentorship to assist competitors in the development of their written or oral advocacy skills in preparation for these competitions.
 - b. Frequency, length, and substance of meetings with such coach(es) will be determined at the discretion of the support staff, the coach(es), and the competitors.
4. Registration
- a. The Executive Board will have the responsibility to register all competitors for regional tournaments. b. Registration shall be done in a timely manner so as to allow competitors ample time to work with each other and coaches before the tournament.
5. Travel and Expenses
- a. The Executive Board will be responsible for maintaining and allocating funds for competitor participation in regional competitions.
 - b. Additional expenses must be pre-approved in order for expenditures to be fully or partially reimbursed.
 - c. Any and all travel competition including NAAC and AAJ will require the competitors to submit a formal budget request to the Executive Board, the Executive Board will review the budget and vote, once voted on any objections to the budget will be done through a formal hearing with the Executive Board and traveling competitors.

Article VI: Faculty Advisor and Support Panel

1. Faculty Advisor.
- a. The Faculty Advisor is a volunteer position filled by one faculty member who may:
 - i. Act as an institutional resource for the current Executive Board as they plan, structure, and implement the Moot Court Board's goals, events, discipline, and policy;
 - ii. Work as a liaison between the Executive Board, the School Administration, and the Support Panel when necessary;
 - iii. Sign, along with the President, authorization of credit for participation in Moot Court Board sponsored competitions.
 - b. It is the responsibility of the President and the Faculty Advisor to communicate and discuss any and all

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Moot Court Board activities as they progress.

2. Support Panel.

a. Purpose and Function.

- i. The Support Panel's purpose is to help prepare and coach teams for interscholastic regional and national competitions, act as a resource for institutional memory for the current Executive Board, and help the Executive Board achieve the goals of the Moot Court Board.
- ii. The Support Panel is made up of local volunteer attorneys and ideally includes a trial practice professor.

b. Interscholastic Regional/National Coaching.

- i. At the discretion of the Executive Board, the Support Panel will select a from its members one coach per team for a regional/national competition.
- ii. The selected coach should work with the interscholastic competitors and Executive Board to coordinate practice times, room reservations, and travel arrangements pursuant to the procedures in these Bylaws.

c. Workshops and Education.

- i. At the discretion of the Executive Board, the Support Panel should work with the Moot Court Board to help provide workshop material, educational presentations, and quest speakers to help the Board Members enhance their advocacy skills.
- ii. Reasonable notice should be provided to the Support Panel Members if they are expected to contribute at educational meetings and workshops.