Brandeis University Mock Trial Association Club
Constitution

This version supersedes any previous versions.

Article I: General

1. The official name of this group shall be the Brandeis University Mock Trial Association.

2. This group shall exist as a chartered club under the provisions set forth by the Brandeis University Student Union for the following purposes:
   a. To participate in the competitions of the American Mock Trial Association (AMTA), including Invitational, Regional, and National Tournaments.
   b. To improve the legal reasoning, public speaking, and acting skills of the members of the Club and the General Campus.

Article II: Membership

1. Membership is open to all students, staff, and faculty of Brandeis University without regard to race, religion, color, gender, national origin, disability, age, veteran status, creed, marital status, public assistance status, or sexual orientation.

2. Voting Membership is open to only students of Brandeis University.

3. Membership is granted to all persons pursuant to Article II,
Sections 1 and 2 who:

a. Have attended two or more Club Meetings during the current semester; or, if the current semester has had three or fewer Club Meetings,

b. Have attended two or more Club Meetings during the previous semester.

4. A Club Meeting is defined as a meeting open to the General Campus called by the Executive Board to discuss information relevant to Mock Trial.

5. To remain in good standing as Voting Members, Members must attend six Club Meetings during the course of each semester they are at Brandeis. Social events do not count as Club Meetings.

6. Team Membership

a. Team composition will be decided by the Executive Board, after a fair tryout process approved by the returning Membership in advance.

b. Participation on a Team will be limited to the rules and policies of AMTA.

c. All Team Members must be club members in good standing.

d. The acceptance of position on a team mandates full consent to any re-assignment pursuant to Article IV, Section 4.
7. All Team members who remain in good standing and wish to remain on a Team the next year may do so without trying out again. However, if a Team member does not attend the requisite number of Club Meetings in the Spring semester, as designated by Article II, Section 5, and that member wishes to be on a Team the following year, that member must tryout again.

Article III: Officers

1. The Organization will have an Executive Board consisted of the following Officers: President, Executive Competitive Coordinator, Vice President, Tournament Director, Treasurer, Secretary, and Social Events/Fundraising Coordinator.

2. Officers must be eligible to compete for Brandeis University using the AMTA guidelines for eligibility. Officers cannot hold more than one office. Officers must also be club members in good standing at the time of their election.

3. Except as provided for under this Constitution, all Officers will have equal say and equal vote in administrative matters, including, but not limited to: financial operations, tournament participation, and general club policy.

4. Duties of Officers shall be as follows:
   a. President
      i. The President is ultimately responsible for
the overall success of the Club.

ii. The President shall preside over all Executive Board Meetings and general Club Meetings.

iii. The President will be responsible for scheduling club meetings decided upon by the Executive Board.

iv. The President will oversee the implementation of the events set up by the Secretary and the Social Events Fundraising Coordinator.

v. The President is responsible for delegating all necessary tasks that are not specifically enumerated in the Constitution. The President will ensure the smooth operation of the club and present, at a minimum, monthly progress reports to the Membership.

b. Executive Competitive Coordinator

i. The Executive Competitive Coordinator shall preside over the general, not individual, Team Meetings.

ii. The Executive Competitive Coordinator will be responsible for scheduling and organizing try-outs and Team selection meetings.
iii. The Executive Competitive Coordinator, along with the Vice President and Tournament Director, will be responsible for team composition and appointment of captains.

iv. The Executive Competitive Coordinator shall be responsible for communications with AMTA and arranging accommodations and transportation for competitions off campus.

c. Vice President

i. The Vice President shall preside over the Club Meetings if the President cannot attend and/or the general Team meetings if the Executive Competitive Coordinator cannot attend.

ii. The Vice President shall be responsible for finding and scheduling professional attorney/staff coaches.

iii. The Vice President is responsible for maintaining contact with Mock Trial alumni.

iv. The Vice President will work with the Executive Competitive Coordinator and Tournament Director on team compilation and captain selection.
v. Once teams are set, the Vice President shall keep all Team Captains informed of current competitive information.

vi. The Vice President will also be in charge of ensuring that all teams are running smoothly and on schedule.

v. The Vice President is in charge of coordinating the procurement of any office supplies needed by the Club, including copying case packets.

vii. The Vice President is responsible for scheduling any Workshops that are open to the General Campus with the purpose of improving the skills of individuals as those skills relate to Mock Trial.

viii. The Vice President cannot be a Team Captain.

d. Tournament Director

i. The Tournament Director will work with the Executive Competitive Coordinator and Vice President on team compilation and captain selection.

ii. The Tournament Director is responsible for organizing any Tournaments held on campus,
including inviting other schools, arranging facilities, and securing judges.

iii. The Tournament Director is the primary point of contact with other schools and local attorneys to serve as judges.

iv. The Tournament Director is responsible for scheduling and administering the Mock Trials, Arizona Fall League, and any inter-Brandeis scrimmages.

v. The Tournament Director cannot compete at any Invitational Tournaments he/she is in charge of. The Tournament Director may compete at any Tournaments off-campus.

e. Treasurer

i. The Treasurer shall be responsible for the financial operations of the Organization.

ii. The Treasurer will keep accurate records of incoming and outgoing funds, present quarterly financial reports, and make financial records available to the Membership upon request.

iii. The Treasurer will be in charge of keeping track of all bank records and statements from the Club checking account.
iv. The Treasurer is in charge of securing money from the Student Union Finance Board and the Brandeis Administration.

f. Secretary

i. The Secretary shall be responsible for the communication within the Organization.

ii. The Secretary shall take and catalogue the minutes of meetings (both club and executive), schedule rooms and locations, and communicate meeting announcements and other information to the Membership.

iii. The Secretary shall be responsible for maintaining and updating all Organization email lists, and keeping a list of who is a member in good standing and is a voting member.

iv. The Secretary is responsible for maintaining the Club web site or delegating that responsibility to another member of the Club.

v. The Secretary is in charge of publicity both on and off campus.

vi. The Secretary is responsible for organizing the Activities Fair booth and putting up any
necessary fliers.

vi. The Secretary is responsible for new Member recruitment.

g. Social Events/Fundraising Coordinator

i. The Social Events/Fundraising Coordinator is responsible for scheduling and running any Social Events for the Club.

ii. The Social Events/Fundraising Coordinator is responsible for organizing and running any fundraising events during the year.

5. Election Procedures:

a. Officers will be elected by the Voting Members of the Organization at a time and place to be determined by the current Executive Board, and will be announced at least one week prior.

b. Regular elections are held once annually during the Spring semester.

c. All reasonable effort shall be made to ensure maximum attendance at the election proceedings.

d. The procedure shall consist of nominations, followed by an optional short speech by each candidate.

e. Candidates may decline a nomination.

f. Officers shall be elected by majority vote, provided a quorum is present.
g. Proxy voting is not allowed.

h. The election shall proceed in the following order:
   President, Executive Competitive Coordinator, Vice President, Tournament Director, Treasurer,
   Secretary, Social Events/Fundraising Coordinator.

i. The election will be based on a roll-down system, meaning that elections procedures will take place for each office in the aforementioned order and once that position is filled, the procedure will start again for the next position. Candidates from the previous position may be nominated for any remaining positions as the elections roll-down.

6. Members who are abroad in the Spring semester may run for positions for the following year by emailing the Secretary 48 hours prior to elections. Abroad Members must indicate which position(s) they would accept if nominated. Abroad Members may not make speeches, vote, or nominate him/herself.

7. Newly elected Officers assume their position following Commencement.

8. Officers cannot study abroad during their term.

Article IV: Teams

1. A Team is defined as a group of Members who practice together. There are two kinds of Teams:
a. Competitive Teams, whose primary goal is success for Brandeis Mock Trial at competitions; and
b. Practice Teams, whose primary goal is to improve the skills of the individual members.

2. The number of Teams shall be decided by the Executive Board, based upon participation, number of returning Members, number of new Members, financial capabilities of the Club, and any other relevant criteria.

3. Team composition will be determined by the Executive Board in accordance with Article II, Section 6.

4. The Executive Board, by a majority vote, may alter Team composition as necessary based on objective data such as scores from competitions and subjective observations. Such alterations must be done with the goal of increasing the success of Brandeis Mock Trial at competitions.

5. Competitive Team Membership shall abide by current AMTA policy regarding eligibility, number of Members, and any other standards necessary for competition in AMTA.

6. Each Team will have two Captains appointed by the Executive Board.
   a. Executive Board members (or a representative portion thereof) will meet with team captains in a collective meeting at least once a month.

7. Captains shall be responsible for the planning and scheduling
of Team Meetings. These Meetings will take place at a time and place that reasonably accommodates the needs of the majority of the Team Members. Meetings should take place no less than once per week in the beginning of the school year, and then more frequently at a time determined by the Vice President, and the team captains.

8. Captains have the authority to assign roles within their team; however, the Executive Competitive Coordinator, Vice President, and Tournament Director, as a committee, have the ultimate veto power of all team decisions.

9. All due diligence shall be made to promote respect within and among each Team.

10. Team Members who remain in good standing as defined in Article II who wish to return to a Team, may do so the following school year without trying out again.

11. It is not a requirement that a Team compete at Regionals.

Article VI: Removal

1. Removal of Officers:
   a. An Officer may be removed from his/her office by a vote of the total number of Executive Board members minus two. If there are seven Executive Board members, five must vote for removal for it to be successful. After a successful vote by the Executive Board to remove an Officer, at the next
Club Meeting when a quorum is present, the Voting Membership will vote on the removal of that Officer. A majority vote of the club is required for removal.

b. An Officer may also be removed from his/her office by a vote of the Voting Membership. At a Club Meeting, a Voting Member may make a motion for a vote to remove an Officer. At the next Club Meeting when a quorum is present, the Voting Membership will vote on the removal of that Officer. A 3/4 majority vote is required for removal.

c. If an Officer is removed following the procedures in Article VI, resigns from Office, or is unable to perform the duties of his/her Office, at the next Club Meeting, a new election for that position will be held following the election procedures in Article III, Section 5, excluding Article III, Section 5, clause B detailing the timing of the election. Current members of the Executive Board may run for the vacated position, and if successful, their position will be available for candidates at that same election.

2. Removal of Captains:

a. A Captain may be removed from his/her role as Captain by a vote of the total number of Executive
Board members minus two. If there are seven Executive Board members, five must vote for removal for it to be successful.

b. A Captain may also be removed from his/her office by a vote of the Voting Membership. At a Club Meeting, a Voting Member may make a motion for a vote to remove a Captain. At the next Club Meeting, the Voting Membership will vote on the removal of that Captain. A 2/3 majority vote is required for removal.

c. If a Captain is removed following the procedures in Article VI, resigns his/her Captainship, or is unable to perform the duties of their Captainship, the Executive Board will appoint a new Captain from that team.

3. Removal of Team Members:

   a. A Team Member may be removed from their Team by a majority vote of the Executive Board.

Article VII: Financial Matters

1. The Organization shall not provide for monetary gain, incidentally or otherwise to its directors or Membership. This does not restrict the payment of wages, salaries, or incentives by the Organization for services rendered, provided an accurate, itemized, and public record is made of any and all payments, and approved of by the Executive
board.

Article VIII: Bylaws

1. Bylaws may be proposed by the Membership, and may be adopted by a majority vote of Voting Members present at a Club Meeting, provided that a quorum is present.

2. No bylaws may be established that conflict with the Constitution.

3. Bylaws take effect from time of approval up until the end of the school year, and may be reintroduced at the beginning of the next school year for reapproval.

Article IX: Amendments

1. Any Voting Member of the Organization may submit Amendments to this Constitution. These proposals should be made in writing, and submitted to the Executive Board. The Executive Board shall submit any and all proposed Amendments to the Membership at the next Club Meeting.

2. Duly proposed Amendments submitted to the Membership will be voted upon, provided a quorum is present. A 2/3 majority in favor of the Amendment is required for enactment.

3. Any new Amendments shall take effect 24 hours after passage.

Article X: Interpretation of the Constitution

1. The Executive Board shall, by majority decision, have authority to interpret this Constitution when a dispute should arise to its meaning. The interpretation shall be a
textual interpretation, adhering as closely as possible to the literal meaning of the text. Any Officer has the power to submit an area of dispute concerning interpretation to the Voting Membership during a Club Meeting. Provided that a quorum is present, the Voting Membership will have the power to override the Executive Board interpretation with a 2/3 vote in favor of the dissenting Officers interpretation. All written interpretations shall be recorded in the annals to be maintained by the Secretary, and made available to club members.

2. Areas of issue deemed not to be covered in this Constitution by a majority vote of the Executive Board shall be put to a vote of the Voting Membership. Such a vote will not be ratified as an Amendment unless the procedure in Article IX is followed.

Article XI: Administrative Priority

1. The administration of the Organization shall be governed by the following order of priority:

   a. Ensuring the occupation of all seats on the Executive Board.
   b. Amendments to the Constitution.
   c. Proposed bylaws.
   d. Financial decisions.
   e. Other administrative decisions.
Article XII: Definition of Terms

1. The following definitions shall apply during the interpretation of this Constitution:
   a. Amendment: Any change made to the terms of this Constitution.
   b. Arizona Fall League: A series of scrimmages arranged by the Tournament Director between Brandeis teams composed of primarily First-Years and Sophomores. Held after Regionals and uses an older case as a fact pattern.
   c. Club Meeting: A meeting open to the General Campus called by the Executive Board to discuss information relevant to Mock Trial.
   d. Executive Board: The governing body of the organization, composed of the President, Executive Competitive Coordinator, Vice President, Tournament Director, Treasurer, Secretary, and Social Events/Fundraising Coordinator.
   e. Officer: Any member of the Executive Board.
   f. Mock Mock Trials: A series of scrimmages arranged by the Tournament Director between Brandeis Teams. Typically held before Regionals, but can be held at any time during the year.
   g. Quorum: Fifteen Voting Members or 2/3 of active Voting Membership, whichever is fewer.
h. Senior-most Officer: Determined in the following order:
   President, Executive Competitive Coordinator, Vice President, Tournament Director, Treasurer, Secretary, and Social Events/Fundraising Coordinator.

i. Social Event: An event run by Mock Trial with the purpose of improving Club camaraderie and bonding.

j. Tournament: A Mock Trial tournament.

k. Voting Member: Any Member of the Organization, including Officer, who has met and adhered to all the guidelines required for good standing as stated in Article II, Section 8.

l. Workshop: Meetings that are open to the General Campus with the purpose of improving the skills of individuals as those skills relate to Mock Trial.