

The Constitution of the Case Western Reserve University

Undergraduate Mock Trial Organization

I. Purpose of the CWRU Mock Trial Organization

The Purpose of this organization is to provide a framework for members to gain a better understanding of the practice of law through intercollegiate competition, to have access to local and national legal communities, to strengthen communication and presentation skills, to create an interest in the law, and to encourage teamwork and professionalism in the university community.

II. Definitions

Mock Trial Team - A team shall consist of no fewer than 6 members. The purpose of a team is to compete in both invitational and American Mock Trial Association tournaments.

Mock Trial Organization - The Organization shall consist of all the members. An individual need not be a member of a team to be a member of the organization.

III. Membership

Section 1. General Membership: The general membership to the organization is open to all undergraduate members of Case Western Reserve University, regardless of race, color, creed, sex, sexual orientation, national origin, disability, age, or status as a veteran.

Section 2. Membership on the Team: Membership on team(s) shall be determined initially by coaches for the beginning of the season. In restacking teams during midseason, the executive board as a whole and the coaches as a whole each will have one vote in the decision-making process, with the scores from previous performances being considered if there is disagreement between the board and the coaches. Membership conditions will also be based on the guidelines of both the American Mock Trial Association and Case Western Reserve University.

Section 3. Alumni Membership: Any undergraduate members upon leaving the school while a member of the Mock Trial Organization shall be given alumni status for life. Members on internship or co-op shall be considered full members under section 2.

IV. Officers, Executive Board, and Committees

Section 1. Executive Board: The members of the executive board shall be the President, Vice President, Treasurer, Secretary and Tournament Director. All other members including the coaches may attend the meeting and give advice; however, the way of deciding issues at the meeting shall remain in the power of the Vice President. Captains of individual teams or a designated representative shall come to all executive meetings to speak for their team, but will not have the ability to vote on issues. The executive board shall also be responsible for any standing committees as defined by Article IX, and may create ad-hoc committees when necessary. Decisions on issues raised shall be made by a majority vote of the board.

Section 2. President: The President of the CWRU Mock Trial Organization shall preside over the general body meetings as well as creating any rules for those meetings. The President shall also serve as the undergraduate representative of the organization to the University or any other outside body. The President shall be the spokesperson for the organization in areas that do not involve off-campus tournaments.

Section 3. Vice President: The Vice President of the CWRU Mock Trial Organization shall be in charge of all communication within the executive board. The Vice President shall preside over executive board meetings. The Vice President shall be in charge of all internal affairs of the organization as well as ensuring coordination between teams.

Section 4. Treasurer: The Treasurer of the CWRU Mock Trial Organization shall be in charge of proceeds that result from the annual invitational. The Treasurer shall, with assistance of the other officers, create a budget and present it to the team for approval. The Treasurer shall be responsible for completing the necessary paperwork for receiving funds from the Undergraduate Student Government each semester. The Treasurer shall also be responsible for reimbursing tournament expenses.

Section 5. Secretary: The Secretary of the CWRU Mock Trial Organization shall be in charge of all communication from the executive board to the general body members. The Secretary shall also take minutes at executive and general body meetings. The Secretary shall have the ability of assuming the role of Webmaster or nominate with consideration of the executive council a person designated to be the webmaster provided that there is an operational team web page.

Section 6. Tournament Director: The Tournament Director of the CWRU Mock Trial Organization is responsible for organizing and implementing an annual invitational tournament hosted by the Case Western Undergraduate Mock Trial Organization in conjunction with any sponsors, including but not limited to the University and the Case Law School, and will work in cooperation with the executive board and coaches to assist in all logistics of the event.

Section 7. Team Captain: The Team Captains of the CWRU Mock Trial Organization shall work in coordination with the coach to prepare the team for all tournaments, including but not limited to running all team meetings, printing evidence and demonstratives, organizing transportation to tournaments, securing lodging, and attending to all team concerns. The Captains

will also be responsible for organizing scrimmages with other teams in the CWRU Mock Trial Organization Captains will be selected by each team.

V. Coaches

Section 1. Coaches: A Coach of the CWRU Mock Trial Organization shall not be an undergraduate at any university. New coaches to the CWRU Mock Trial Organization shall be approved by the current coaches as well as by the Executive Board. The duties of the coaches shall be to advise the mock trial team concerning all aspects of competition in both the regional, national, and invitational tournaments including a CWRU invitational tournament. The coach shall be concerned with creating a plan to prepare the team as well as holding practices. The coaches shall decide how many teams there will be. Positions on the individual teams will be at the discretion of the coach for that particular team. A coach can overturn a decision by the executive board is if the decision is illegal, against the policy of CWRU, violates this Constitution, or conflicts with a team event.

VI. Voting Issues

Section 1. Quorum: A quorum is established when a majority of the membership is in attendance.

Section 2. Mandatory Meetings: The executive board may, by majority vote, make an event mandatory with two weeks' notice.

Section 3. Elections: Elections for the Executive Committee shall be held after the competitive season for the following academic year. Nominations can be made by any person up until the actual presentation of speeches. All nominees for positions shall give a short speech as to why they should be elected to that position. A person shall be elected to an office when they have received a majority of the vote. In the case of the first vote leading to no one with a simple majority, there shall be a runoff between the two nominees who had the highest votes. The order of election shall be President, Vice President, Treasurer, Secretary, and Tournament Director. The officers elect shall enter office at the end of the spring semester and continue service throughout the following summer, fall, and spring semesters. All members of the Mock Trial Organization are eligible to vote.

Section 4. Amendments: An amendment to this Constitution shall be proposed to the entire membership with the standard notification and quorum requirements above. An amendment will then be voted on and shall succeed by a 2/3 majority vote.

Section 5. Impeachment: Any member of the mock trial organization who holds a titled position conferred to them by the organization can be impeached by a two thirds vote of the membership. Removal from office can only occur after such a vote.

VII. Membership Affirmative Voting

Section 1. Vetoing an activity: If the executive board has committed itself to an issue that requires funds, and the membership of the organization disagrees with the item, it may veto that issue. The veto is successful if 2/3 of the membership votes for the veto.

Section 2. Affirmative voting in an activity: If the membership would like to do an activity that the executive committee refuses to hear, then the membership may bring the activity to the executive committee's table for discussion by a simple majority vote. There must be the Quorum and Notification requirements. If the executive board then turns the activity down, the membership may then overrule them by a vote of 2/3.

VIII. Conduct Violations

Section 1. Hazing: Any violation of the Case Western Reserve University or Ohio's Anti-Hazing law shall be grounds for a conduct violation of a member whether within or outside of a Mock Trial Organization sanctioned meeting. In addition there shall not be any type of pledgship in the Mock Trial Organization.

IX. Standing Committees

Section 1. Definitions: There shall be two standing committees within the Mock Trial Organization. These committees shall be chaired by a member appointed by the executive board who will report back to the board as a whole. Any member, including those holding an elected position, shall be allowed to chair a committee. Any member can join either committee voluntarily at the approval of the committee chair.

Section 2. Fundraising Committee: There shall be a committee, led by a Fundraising Chair appointed by the executive board, responsible for raising money for the Mock Trial Organization through external means. The Committee shall appeal to outside entities, including but not limited to local law firms, to procure funding for Mock Trial Organization activities.

Section 3. Recruiting Committee: There shall be a committee, led by a Recruiting Chair appointed by the executive board, responsible for encouraging members of the CWRU undergraduate community to join the Mock Trial Organization. The Committee shall be responsible for organizing recruiting activities such as the fall meeting as well as creating public relations type documents (such as fliers), and may ask for the assistance of the executive board in presenting the Organization to students.

X. Approval of this Constitution

This Constitution shall be submitted before the membership of the organization and shall be discussed and voted on. If 2/3 of the membership approves this document, then it shall immediately take effect as the organization's Constitution.