THE CONSTITUTION OF THE MOCK TRIAL BOARD

I. NAME

A. The name of this organization shall be the Mock Trial Board.

II. PURPOSE

A. The purpose of the Mock Trial Board is to promote the engagement of students in mock trial competition at both intra and inter-scholastic levels and, in doing so, to promote the practical development of trial lawyers at the Duke University School of Law.

III. MEMBERSHIP

A. Membership in the Mock Trial Board is by invitation only resulting from participation in the Duke Mock Trial Tournament.

B. The total number of individuals invited to the Board shall not exceed twenty-four. Four members of the team that wins the Duke Mock Trial Tournament shall be extended invitations to join the Mock Trial Board. In addition, other top finishers may be invited to join the Board.

IV. MEETINGS

A. General meetings are held at least once per semester and are open only to Mock Trial Board members.

V. GENERAL RESPONSIBILITIES

A. Duke Mock Trial Tournament
   1. All members are required to judge rounds of the Duke Mock Trial Tournament.

B. Participation
   1. All members are required to either:
      a. Serve as an officer or in an appointed position for one term, or
      b. Compete in an interscholastic competition.
   2. 3L members who have not yet completed their requirements will be given preference over 2Ls to fulfill that obligation or, at the discretion of the Officers, will be granted an exemption from the
PARTICIPATION REQUIREMENT.

C. REMEDIAL MEASURES
   1. The Officers may implement whatever measures it determines to be necessary and proper in order to ensures fulfillment of the general responsibilities for Mock Trial Board membership. Expulsion, as detailed below, is one such measure available to the Officers.
   2. Expulsion
      a. Members may lose their membership in the Mock Trial Board and have their employers contacted if they do not fulfill the general requirements mentioned in Section V.
      b. Discretion to remove members is left to a unanimous vote of the Officers (excluding the individual being considered for removal if that individual is an Officer).

VI. OFFICERS

A. PRESIDENT
   1. Elected by a simple majority vote.
   2. Presides at general meetings and board meetings.
   3. Responsible for planning meetings.
   4. Vote counter along with one other Officer.
   5. Liaison to the administration and alumni.

B. VICE PRESIDENT
   1. Elected by a simple majority vote.
   2. Responsible for publicity of all open events sponsored by the Mock Trial Board.
   3. Presides over all meetings in the absence of the President.
   4. Keeps the minutes at board meetings.
   5. Performs the President’s tasks if so delegated.

C. TOURNAMENT CHAIRS
   1. Elected by a simple majority vote.
   2. Promote and inform IILs about any local competitions in which they may participate.
   3. In charge of the Duke Mock Trial Tournament, including, among other things, publicity, finding a case packet, providing instruction, reserving space, giving awards, and finding judges.
   4. Within reason, the Tournament Chair(s) may delegate some responsibility to other board members. No officer may refuse such delegated responsibility without cause. Abuse of the delegation power may constitute grounds for impeachment.

D. INTERSCHOLASTIC COORDINATOR
   1. Elected by a simple majority vote.
2. Coordinates teams in preparation for interscholastic competition.
3. Arranges for practice rounds, including the reserving of rooms and finding of judges.

E. Treasurer
1. Elected by a simple majority vote.
2. Maintains the Mock Trial Board budget.
3. In charge of reimbursements for expenses incurred by members in the course of preparing for and participating in competitions.

VII. Other Positions

A. Webmaster
1. Appointed by a simple majority vote of the Officers
2. Creates and maintains Mock Trial Website.

B. Any other positions may be created as necessary by a unanimous vote of the Officers.
1. Such positions shall be filled by appointment by the Officers.

VIII. Elections

A. Generally
1. Elections will be held at a spring meeting.
2. Elected officers will serve the fall and spring semesters following the election semester.
3. All elected officers are entitled to vote on measures that arise for consideration by the Officers as dictated by this Constitution or as circumstances allow, except for the President, who will serve as a tiebreaker vote if necessary.

B. Eligibility
1. Any member of the Mock Trial Board may run for any position unless that member has already occupied that same position.
2. Members wishing to run for the office of President must submit a statement of intent at least 24 hours before the election so that it may be distributed to the membership.
3. For all other positions besides President, nominations will be taken from the floor. Individuals may nominate themselves, but a second is required.
4. The election order starts with voting for President, then Vice President(s), Tournament Chair(s), Interscholastic Coordinator, and, finally, Treasurer.
5. Anyone who has not yet been elected to a position during the course of the election meeting may be nominated for an office, even if that individual ran for another office before.
C. VOTING
1. All current members of the Mock Trial Board may vote in elections.
2. Voting should take place during the election meeting by secret ballot. If a member is unable to attend the meeting he or she is able to vote in advance via email or ballot handed to the President for one person, or two persons if running together, per position.
3. All votes must be counted by the President and one other officer.

D. APPOINTED POSITIONS
1. Appointments will be applied for within two weeks of elections and voted upon by the Officers before the end of the Spring semester.
2. All appointed positions shall require a simple majority vote by the Officers.
3. Appointed officers will serve until replaced or the position is eliminated by the board.

IX. INTERSCHOLASTIC COMPETITIONS

A. ELIGIBILITY
1. All members of the Mock Trial Board are eligible to compete unless they have been placed on probation.
2. A member may be placed on probation only for cause related to the functions of the Mock Trial Board. An individual may be placed on probation by a unanimous vote of the Officers, not including that individual.

B. DECIDING TEAMS
1. The method of team selection shall be left to the discretion of a majority of the Officers.
2. If the decision will be based to any degree upon success during the Duke Mock Trial Competition, only the President and/or the prior year’s Tournament Chair(s) may access individual score information. If specific scores are made available to anyone else, the responsible party shall be subject to a mandatory impeachment vote.
3. Mock Trial Board members shall have first priority to fill out teams. In the event that not enough Board members wish to compete, other Duke Law students may be added to such teams as decided by a majority of the Officers.

C. CHOOSING COMPETITIONS
1. The choice of competitions is left to the discretion of the Officers.
X. AMENDMENTS

A. GENERAL INFORMATION

1. AMENDMENTS TO THIS CONSTITUTION CAN BE MADE BY A 2/3 MAJORITY VOTE OF THE MEMBERSHIP.

2. BEFORE AN AMENDMENT IS PRESENTED TO THE MEMBERSHIP, IT MUST BE PRESENTED TO THE BOARD OF OFFICERS AT AN OFFICIAL BOARD MEETING AND BE APPROVED BY A SIMPLE MAJORITY VOTE OF THE BOARD.

3. AN AMENDMENT MUST BE DISTRIBUTED TO THE MEMBERSHIP AT LEAST ONE WEEK PRIOR TO THE GENERAL MEETING WHERE THE AMENDMENT IS TO BE PRESENTED.

4. AT THE GENERAL MEETING WHERE AN AMENDMENT IS PRESENTED, THE AUTHOR OF THE AMENDMENT WILL HAVE A MAXIMUM OF 5 MINUTES TO SPEAK ABOUT THE AMENDMENT. THERE WILL BE A MAXIMUM OF 20 MINUTES ALLOTTED FOR FURTHER DEBATE, ALTERNATING BETWEEN VIEWS, AFTER WHICH THE VOTE WILL TAKE PLACE.

5. MEMBERS UNABLE TO ATTEND THE MEETING MAY SUBMIT VOTES VIA EMAIL TO THE PRESIDENT. SUCH VOTES MUST BE VERIFIED BY AT LEAST ONE OTHER OFFICER.

XI. IMPEACHMENT OF OFFICERS

A. GENERAL INFORMATION

1. IMPEACHMENT PROCEEDINGS CAN BE INITIATED IN TWO WAYS. FIRST, IF THIS CONSTITUTION REQUIRES THEM FOR VIOLATION OF A SPECIFIC REQUIREMENT. SECOND, IF A MAJORITY OF THE OTHER OFFICERS VOTE TO BEGIN IMPEACHMENT.

2. IMPEACHMENT PROCEEDINGS MUST BE ANNOUNCED ONE WEEK IN ADVANCE OF AN IMPEACHMENT MEETING, ALLOWING TIME FOR REASONABLE INVESTIGATION.


4. NO TIME LIMIT MAY BE IMPOSED FOR QUESTIONS OR DISCUSSION DURING THE IMPEACHMENT MEETING.

XII. RATIFICATION

A. THIS CONSTITUTION WILL BE CONSIDERED RATIFIED AND WILL BE THE SUPREME GOVERNING DOCUMENT OF THE MOCK TRIAL BOARD UPON APPROVAL BY 2/3 OF THE MEMBERSHIP.