

MOOT COURT BOARD CONSTITUTION

I. Statement of Purpose

The University of Maryland Francis King Carey School of Law Moot Court Board (the “Board”) is a self-governing body composed of third year day and fourth year evening students who have demonstrated exceptional ability in both written and oral appellate advocacy. The Board is dedicated to honoring those students who have exhibited superior written and oral advocacy skills, and providing its Members with the opportunity to further strengthen and refine those skills. Because Membership is predicated upon demonstrated competence in written and oral advocacy, the Board is also charged with the responsibility of fostering and enhancing those skills in other students. By assisting faculty in the Written and Oral Advocacy program and by sponsoring annual competitions, the Board seeks to develop the technical, analytical, and intellectual attributes necessary for students to become effective advocates. Further, by participating in outside moot court competitions, the Board represents the University of Maryland Francis King Carey School of Law on both the local and national level.

II. Statement of Ethics and Professionalism

The Board is a student-run organization that has close interaction with current law students of every class, faculty, and with legal professionals outside of the school setting. Integrity and courtesy are indispensable to the practice of law. The conduct of law students should at all times exhibit professional integrity and personal courtesy in the fullest sense of those terms.

It is expected that members of the Board will conduct themselves in a manner that preserves the dignity and honor of the Board and the legal profession, where courtesy and civility are observed as a matter of course. It is expected that all members of the Board will honor their pledge (adapted from Penn State Law Statement on Professionalism ([see https://pennstatelaw.psu.edu/about-us/student-life/student-ethics-professionalism](https://pennstatelaw.psu.edu/about-us/student-life/student-ethics-professionalism)) which does not in any way supplant or displace the University of Maryland Carey School of Law’s Honor Code. The pledge is set forth below:

As a member of Board, I pledge:

- To treat all members of the Law School community in a civil, professional and courteous manner at all times.
- To speak and write in a civil and respectful manner in all communications.
- Not to engage in any conduct that diminishes the dignity or decorum of the Board or Law School environment.
- Not to bring the profession into disrepute by making unfounded accusations of impropriety or personal attacks upon others and, absent good cause, not to attribute improper motive or conduct to others.

- To refrain from acting upon or manifesting racial, gender or other bias or prejudice toward others.
- Not to misrepresent, mischaracterize, misquote or miscite facts or authorities in any oral or written communication.

III. Executive Board

The Executive Board shall consist of the Executive Officers (President, Vice-President, and Treasurer), the Myerowitz Competition Chairpersons, the Fall Competition Chairpersons, the Outside Competition Chairperson(s), and the Written and Oral Advocacy Chairperson(s).

IV. Executive Officers – President, Vice President, and Treasurer

A. President

There shall be a President, who will have ultimate responsibility and accountability for the management of the Board. The President shall oversee all functions of the Board, including committees, and shall be responsible for ensuring that other Members of the Board properly fulfill their duties. The President will act as a liaison between the Board and the Faculty and Administration. The President will work in conjunction with the Faculty Advisor in planning weekly classes. The President will be responsible for maintaining the records of the Board. The President will also be responsible for maintaining proper communication with alumni, practitioners, judges, and other law schools when necessary for the proper functioning of the Board.

The President's specific duties shall include, but are in no way limited to, overseeing the Fall Competition, Myerowitz Competition, and the Board members' participation in outside competitions. . The President is also responsible for, periodically reviewing all correspondence sent to the Board, and responding or forwarding such correspondence to the appropriate Board Member. The President's role in the Fall and Myerowitz competitions shall include grading briefs, judging oral arguments, attending all training sessions, planning the timeline, and reviewing the problems prior to publication.

The President shall have final editorial oversight for all bench briefs that are mailed or otherwise sent to any Member of the Board or guest judge. The President shall serve as a Member of the Election Committee and as a Member of the Membership Committee. The President may delegate these responsibilities to the various committee chairpersons or to the Vice-President when appropriate.

B. Vice President

There shall be a Vice President, who, along with the President, shall manage the Board. The Vice President shall fully assist the President in the President's duties, and

shall be responsible, along with the President, to ensure that the Board's functions are carried out and that responsibilities are properly delegated. The Vice President's duties include, but are in no way limited to, advertising as appropriate for all Board events; planning social activities for the Members of the Board; working with other schools to co-sponsor events and activities; planning banquets; maintaining the Board's website; and keeping notes of meetings and sending necessary reminders to Board Members. The Vice President, in conjunction with the President, shall oversee the work of the Outside Competition Chairperson(s) and serve as a Member of the Election and Membership Committees.

C. Treasurer

There shall be a Treasurer, who will be responsible for the fiscal affairs of the Board. This shall include, but shall not be limited to, preparations, oversight and review of the annual Board budget; maintenance of adequate records of the Board's fiscal activities; responsibility for presenting all budgetary requests to the appropriate persons; and responsibility for ensuring that all Board-related activities, including but not limited to the Fall and Myerowitz competitions and speaker events, are fiscally planned and provided for.

The Treasurer shall also work in conjunction with the Outside Competition Chairperson(s) in all matters relating to the fiscal administration of outside competitions. Such matters include, but are not limited to, arranging transportation for outside competition teams to competitions; arranging appropriate accommodations for outside competition teams when necessary; and ensuring outside competition team members receive reimbursement for competition-related costs.

V. **Committee Chairpersons**

A. Fall Competition Chairpersons

There shall be two (2) Fall Competition Chairpersons, who will have primary responsibility for the Fall Competition. Their responsibilities include, but are not limited to, researching and writing a one-issue problem and competition rules. The Fall Competition Chairpersons are to work closely together in researching and writing the problem, communicating with the Board and the competitors, promoting the competition, holding mandatory competitor meetings, insuring that all oral arguments are videotaped, and organizing all other aspects of the Fall Competition. The Fall Competition Chairpersons are to be the main point of contact between the Fall Competition Committee and the Board and the faculty advisor. The Fall Competition Chairpersons will supervise the Members of the Fall Competition Committee who will assist them with the various responsibilities as provided under X(A). While the Fall Competition Chairpersons may delegate some of their responsibilities, they may not assign another Member of the Fall Competition Committee the task of researching and writing the problem. The Fall Competition Chairpersons shall be members of the Membership Committee.

B. Myerowitz Competition Chairpersons

There shall be three (3) Myerowitz Competition Chairpersons who will have primary responsibility for the Myerowitz Competition. The three (3) Members of the National Team will be the Myerowitz Competition Chairpersons. Their responsibilities include, but are in no way limited to, researching and writing a two-issue problem; writing the bench brief for the guest judges; initiating contact with the faculty advisor and the rest of the Board in order to create the timeline for the competition; holding informational meetings for competitors; and maintaining contact with Administration throughout the competition. The Myerowitz Competition Chairpersons will ultimately be responsible for delegating tasks to the Myerowitz Competition Committee. All three National Team Members will serve as Members of the Best Brief Committee, and may include other Board Members on this committee as they see fit. The three National Team Members shall participate in judging all of the first and second round arguments (together with sufficient additional judges to ensure that there are five (5) judges for each first and second round oral argument). The Myerowitz Chairpersons are responsible for the videotaping of all Myerowitz oral arguments. The Myerowitz Competition Chairpersons may delegate certain responsibilities to the Members of the Myerowitz Competition Committee as provided under X(B) but may not assign a Member of the Myerowitz Competition Committee the task of researching or writing the problem. The Myerowitz Competition Chairpersons shall be members of the Membership Committee.

C. Outside Competition Chairperson(s)

There shall be one (1) or two (2) Outside Competition Chairperson(s) who will have primary responsibility for organizing, promoting, and encouraging the participation of the Moot Court Board in outside Moot Court competitions at other law schools. As the coordinator(s) for inter-school competition teams (exclusive of the National Team), the Outside Competition Chairperson(s), in conjunction with the Treasurer, shall be responsible for researching and providing the travel arrangements for all competitors, enrolling competition teams in outside competitions, and providing logistical assistance to competitors in their preparation for outside competitions. The Outside Competition Chairperson(s) shall also be responsible for assisting the outside competition teams in oral advocacy skills development, finding a coach and arranging practice moots. The Outside Competition Chairperson(s) may delegate certain responsibilities to Board Members as provided under X(C).

D. Written and Oral Advocacy (Advocacy) Chairperson (s)

There shall be one (1) or two (2) Written and Oral Advocacy Chairperson(s) who will have primary responsibility for coordinating the Board's participation in the Written and Oral Advocacy Program. The Advocacy Chairperson(s) shall act as a liaison between the Advocacy adjunct professors and the Board. Furthermore, the Advocacy Chairperson(s) shall assist the School of Law's Director of the Written and Oral Advocacy Program in the research and creation of the second-semester Advocacy problem as the Director needs. The Advocacy Chairperson(s) shall assign Board

Members to each Written and Oral Advocacy section in order to provide assistance with their practice oral arguments. The Advocacy Chairperson(s) may delegate certain responsibilities to Board Members as provided under X(D).

VI. Election of Officers, Chairpersons, and Committee Positions

A. Timing of Elections

Following the conclusion of the Myerowitz Competition and selection of new Members-Elect, but prior to exams, the Election Committee shall choose the Executive Board Members, Committee Chairpersons, and Committee Members for the following year.

B. The Election Committee

The Election Committee shall consist of the President, Vice President, and the Treasurer.

C. Election Process

All positions (with the exception of the Myerowitz Chairpersons who will be the National Team) shall be determined as follows:

1. The Election Committee will hold a meeting of the Members Elect to discuss the election procedures and answer any questions of the Members-Elect. The meeting will be mandatory for Members-Elect, unless there is good cause for excusal.
2. The Election Committee will send preference forms to the Members-Elect to indicate which positions they prefer. The preference form shall also include a short essay section where Members-Elect are required to describe their desire for a particular Executive Board position if such positions were selected as a preference. The preference form shall clarify that Section VIII.C.7 of the Constitution grants the Election Committee the power to assign Members-Elect to positions on Committees once all Executive Board positions have been filled. The preference form shall also include a section where any conflicts of interests known to the Member-Elect be disclosed in writing. If the conflict arises between the time the preference form is submitted and the interview is conducted, the Member-Elect will notify the Election Committee as soon as practicable.

3. The Election Committee will interview each Member-Elect that ranks an Executive Board position individually to determine their interest in the available positions and to determine those best suited for the available positions.
4. In each interview the following Executive Board Members shall be present:
 1. The Election Committee
 2. Any Executive Board member whose position was ranked by the Member Elect. If there are two such Board members (e.g. Fall Competition Chair), then only one Board member should be present at the interview.
5. If any of the Board Members listed above in Section (4) are unable to attend the interview because of a conflict of interest, or a time scheduling issue, a Myerowitz Chairperson may take his or her spot.
6. The Election Committee will then recommend to the Executive Board Members, based on the interviews conducted, a maximum of two (2) candidates for each Executive Officer and Committee Chairperson position for election.
7. Each Executive Board Member will be given the opportunity to vote for a single candidate for each Executive Officer and Committee Chairperson recommended by the Election Committee, except where a conflict of interest exists. The Executive Board retains the right, upon motion by a Member and upon a vote by the majority of the Executive Board, to reject the recommendations for one or more of the Executive Officer or Committee Chairperson positions submitted by the Election Committee. In the absence of a majority vote by the Executive Board to reject all the recommendations by the Election Committee for a position, the candidate receiving the most votes for that position will be presented to the Board in its entirety, as part of a slate, for a vote of approval.
8. After the Executive Board approves a slate of candidates, the slate will be submitted to the entire Board for approval by a majority vote. If a Board member is not able to attend the voting session, the Board member may submit a proxy vote by a deadline established by the President, or the Board members vote will not count. Even if a Board member has a conflict, he

or she is permitted to vote to approve the slate as a whole. If the slate is rejected, the Election Committee will determine with the faculty advisor the best way to proceed.

9. Once the Executive Officers and Committee Chairpersons have been chosen, the Election Committee will then have the power to place each remaining Member-Elect onto one of the committees listed under section X.

D. Replacement of Officers and Committee Chairpersons

1. Executive Officers and Committee Chairpersons who resign or are dismissed after taking office shall be replaced through a general vote of the current Board. Nominations for replacements will be received by the highest ranking Executive Board Member still in office. Nominees will be given the opportunity to decline the nomination before being considered for election. The remaining nominations will be presented to the entire Board for a general vote. The nominee receiving the most votes for his or her position will become the new Executive Officer or Committee Chairperson.

VII. Conflicts of Interest

A. Definition

A conflict of interest is defined as a conflict that arises in Board activities due to a close personal relationship between current Board members and members-elect that may affect the current Board member's judgment. The extent of a conflict of interest shall cover familial relations and significant other relationships. Due to the nature of law student interactions and requirements, the conflict of interest does not extend to those students that have had interaction through course work or other co-curricular activities.

B. Conduct During Fall Competition and Myerowitz Competition

If a conflict of interest exists during either competition, the individual involved in the conflict must disclose the details of the conflict to the respective competition committee and to the faculty sponsor prior to grading of briefs. If the conflict involves a member of the Competition Committee, then a double-blind grading system for brief grading shall be implemented. The double-blind system would operate such that a non-conflicted Competition Committee member would assign a new numbering system to the briefs once they are submitted. Only the nonconflicted Competition Committee members would review scores and match to competitor names.

If a conflict of interest exists, then the conflicted Member shall not be present for any oral arguments that the conflicted competitor participates. If the conflicted member is a Competition Committee member, then a member of the Election Committee will replace the Competition Committee member in grading any oral argument.

C. Conflicts Implicating Multiple Members

If a conflict of interest implicates an entire Committee, then the issue shall be taken to the faculty advisor to discuss the best of course of action to re-assign responsibilities.

D. Conflicts of Interest in the Election Procedure

If there is a conflict of interest in the interview procedure, a Myerowitz Chairperson will take the place of the conflicted member. If any conflict of interest exists with an Election Committee member, that member will not recommend candidates for the position(s) that the conflicted Member-Elect has listed as his or her preference. Any Executive Board Member with a conflict of interest shall not vote for any position(s) that the conflicted Member-Elect has listed as their preference. Once a slate is approved by the Executive Board, all Board members, even if conflicted, have the ability to vote to approve or reject the slate in its entirety.

VIII. Board Membership

A. Definitions

1. The Board – The Board refers to those who are full fledged Members. Members-Elects do not become Members until the semester following their proficient participation in the Myerowitz Competition.
2. Member – The Membership of the Board consists of those individuals who performed with sufficient proficiency in the Fall Competition and/or the Myerowitz Competition.
3. Member-Elect – The Members-Elect consist of up to fourteen (14) of the top participants in the Moot Court Competition in the Fall Semester and up to sixteen (16) of the top participants in the Myerowitz Competition. Being a Member-Elect does not automatically entitle one to Member status on the Board, but a Member-Elect may become a full Member of the Board by fulfilling the requirements outlined below.
4. Notice – In order to provide “adequate notice,” any Member or

Member-Elect must provide oral or written notice to the Vice President twenty-four (24) hours in advance of a meeting or event. Electronic communication is one accepted form of written notice.

5. Good Cause – “Good cause” will be determined on a case by case basis by the President, Vice President, the appropriate Chairperson and the Board’s faculty advisor.

B. Requirements for Members

1. Every Board Member, shall be entitled to receive one (1) credit upon satisfactory completion of the following, unless the Faculty advisor approves otherwise prior to the beginning of the academic year:
 - a. Serve on a committee;
 - b. Attend each weekly class session/meeting, as required, unless adequate notice is given and good cause is shown;
 - c. Attend all mandatory training sessions for brief grading and oral argument judging unless adequate notice is given and good cause is shown;
 - d. Bailiff or judge competition oral arguments, and grade briefs for the Fall Competition as needed and requested by the Members of the Executive Board;
 - e. Compete in an outside competition or bailiff or judge practice oral arguments for other Board Members in preparation for an outside competition.
 - f. Assist in judging or serving as bailiff for the Myerowitz Competition, and grade briefs for the Myerowitz Competition;
 - g. Assist Advocacy students in preparing their practice oral arguments, assist Advocacy faculty in teaching oral arguments based on their needs, and fulfill any responsibilities he or she is delegated by the Advocacy chairperson pursuant to VIII(D); and
 - h. Attend all Board events unless adequate notice is given and good cause is shown.

2. If a Board Member is excused from a meeting or event because he or she has given adequate notice and has shown good cause, the President or Vice President may request that the Board Member make up for the absence by either reviewing a video recording of the meeting or missed event, meeting individually with a Member of the Board, or in any other way that the President or Vice President deems appropriate.

C. Requirements for Members-Elect

1. Every Member-Elect must meet the following requirements in order to become a Member of the Moot Court Board:
 - a. Prepare and deliver, with proficiency, an appellate brief and an oral argument for the Myerowitz Competition. In order to qualify as proficient the combined score of the appellate brief and oral argument must not score in the bottom third of all competitors.
 - b. Assist Advocacy students in preparing their practice oral arguments, assist Advocacy faculty in teaching oral arguments based on their needs, and fulfill any responsibilities he or she is delegated by the Advocacy chairperson pursuant to VIII(D); and
 - c. Attend all Board events unless adequate notice is given and good cause is shown.
2. If a Member-Elect is excused from a meeting or event because he or she has given adequate notice and has shown good cause, the President or Vice President may request that the Member-Elect make up for the absence by either reviewing a video recording of the meeting or missed event, meeting individually with a Member of the Board, or in any other way that the President or Vice President deems appropriate.

IX. Committees

All Committee members will report to and be accountable to their Committee Chairs and in a chair's absence, the Vice President. The Committee Chairs and/or the Vice President will coordinate with the Committee members their respective responsibilities. The Vice President, with guidance from the applicable Committee Chair, if any, and after consulting with the Board's faculty advisor, has the authority to determine whether a Committee member has fulfilled his or her duties.

A. Fall Competition Committee

There shall be a Fall Competition Committee, which shall be responsible for assisting the Fall Competition Chairpersons in the organization and coordination of the various aspects of the Fall Competition. The Fall Competition Committee's responsibilities may include but are in no way limited to advertising the competition and meeting with the prospective competitors, gathering and recording incoming intent-to-competit forms, assigning competitor numbers, distributing briefs to Members for grading, recording scores, and assigning and serving as judges and bailiffs for both rounds of oral argument.

B. Myerowitz Competition Committee

There shall be a Myerowitz Competition Committee which shall be responsible for assisting the Myerowitz Competition Chairpersons in the organization and coordination of the various aspects of the Myerowitz Competition. The Myerowitz Competition Committee's responsibilities are the same as those described in section X(A).

C. Written and Oral Advocacy Committee

There shall be a Written and Oral Advocacy Committee which shall be responsible for assisting the Written and Oral Advocacy Chairperson(s) in the organization and coordination of various aspects of the Written and Oral Advocacy Program. Duties may include assisting with the problem vetting in the fall semester, and assisting with administrative tasks in the spring semester.

D. Myerowitz Best Brief Committee

There shall be a Best Brief Committee, which shall consist of the Myerowitz Competition Chairpersons, any Board members the Myerowitz Competition Chairpersons deem necessary, and the Faculty Advisor. They shall determine who receives the Myerowitz awards for Best Brief and Runner-Up Best Brief. At a minimum, the Best Brief Committee must review the three (3) briefs that received the highest scores based on the Board's brief review during the Myerowitz Competition. The Best Brief Committee may review additional briefs if they determine such a review is warranted.

F. Membership Committee

There shall be a Membership Committee which shall consist of the Myerowitz Competition Chairperson, Fall Competition Chairpersons, the President, and the Vice President, who shall determine whether any Member or Member-Elect has failed to meet the minimum requirements for Board Membership. This Committee will be responsible for preparing a list of Members-Elect to be presented to the Board for full Membership in April of the Spring Term.

1. Denial of Credit to Board Members and/or removal from the Board.

The Membership Committee shall also be responsible for determining if a Board Member or Member-Elect has failed to meet the requirements provided for in sections IX(B) and IX(C), respectively. Any Board Member who does not adhere to the requirements of IX(B), and any Member-Elect who does not adhere to the requirements of IX(C) shall be referred to the Membership Committee by any Chairperson or Executive Officer. The Committee shall notify the Member or Member-Elect in writing that the requirements for Board Membership have not been met and allow the Member or Member-Elect an opportunity to respond. The Committee shall then determine if the Member or Member-Elect should be denied credit and/or removed from the Board. Members may appeal decisions of the Membership Committee to the Grievance Committee, established in X(H). For membership purposes, a Grievance Committee decision is appealable to the faculty advisor whose decision is final.

2. Denial of Credit to Competitors

The Membership Committee shall also be responsible for reviewing the scores of the competitors to determine whether any have failed to meet the minimum scoring requirement for receiving credit. The Membership Committee may deny credit to any Myerowitz competitor whose average brief score is less than the threshold set by the Myerowitz Competition Rules (after the lowest and highest scores or dropped) or whose average oral argument score is less than the threshold set by the Myerowitz Competition Rules (after the lowest and highest scores or dropped). Competitors may appeal adverse decisions first to the Moot Court faculty advisor and, as a last resort, to the Associate Dean for Student Affairs.

G. Grievance Committee

There shall be a Grievance Committee which consists of the Treasurer, Outside Competition Chairpersons, and the Advocacy Chairperson(s).

1. Grievance by Board Member

Any Board Member or Member-Elect wishing to air a grievance shall promptly present the grievance in writing to the President of the Board who shall seek to immediately resolve the grievance. If a resolution cannot be reached, or if the aggrieved party is not satisfied with the resolution reached, the President must refer the grievance to the Committee for final resolution. The Committee shall have the authority to render a final decision to take appropriate action on behalf of the Board. If the grievance directly implicates the actions of a particular committee chairperson, that person shall not hear the grievance, but will instead be replaced by the Vice President for purposes of hearing that grievance only.

2. Grievance by Competitor

Any competitor wishing to air a grievance concerning the conduct of the Fall or Myerowitz Competition in which s/he has competed must detail the complaint in writing and submit it to the Chairperson for that committee. The grievance Committee will discuss the complaint with at least two judges from the competition and review the videotape or brief in question. The Committee will apply a clearly erroneous standard of review to determine if a grievance is valid. Selection of the National Moot Court Team Members will be conducted by the then current National Moot Court Team, the President and the Faculty Advisor whose decisions are final and will not be subject to review.

3. Removal of Officers

Executive Officers shall be subject to removal from office for gross or willful neglect of duties of the office. All complaints must be presented to the President and must detail the acts or failure to act complained of. The complainant must be a full Board Member and must sign the complaint. In the event that the complaint is against the President, the complaint shall be presented to the Vice President. In the event that the complaint is against all of the Executive Officers, the complaint must be presented to the National Moot Court Team. The President shall review the complaint and assign the complaint to the Grievance Committee for investigation. The Committee shall allow the party complained of the opportunity to defend his/her actions by means of an informal hearing in front of the Membership Committee. Upon completion of the investigation, the Committee shall call a meeting of the general body and present its findings provided a meeting quorum is present. The accused officer shall be given an opportunity to speak on his/her behalf at this meeting. The Committee will then conduct a vote of the Board Members in attendance, outside the presence of the complainant. A majority vote of all Board Members shall determine whether or not the Officer shall be removed from office.

Any Officer removed from office will remain a Member of the Board, barring action taken by the Membership Committee, and will be assigned to another Committee chosen by the Grievance Committee.

4. Confidentiality

All hearings shall be confidential. The Confidentiality Statement in the Student Honor Code is hereby adopted in its entirety:

Student Honor Code Section IV(F)(1):

1. All proceedings conducted under this Code shall be closed to the public, except in the circumstances described in section IV(C)(1). No participant in these proceedings shall disclose anything, which

transpired therein, except if a public hearing under section IV(C)(1) is held.

5. Appeals

Any decision of the Grievance Committee is subject to appeal. The individual that submitted the grievance shall have the right to appeal an adverse verdict by the Grievance Committee within one week of the final decision from the Grievance Committee. An appeal can be made to the faculty advisor, who will then convene a faculty committee that consists of 3 administrators and/or faculty members. The Grievance Committee's decision shall not be reversed unless it is found to be arbitrary, capricious, or lacking a substantial factual basis.

X. Intra-School Competitions

A. Fall Competition

2D and 3E students who have already taken Written and Oral Advocacy and have at least two full semesters of remaining coursework to be eligible to graduate, excluding summer semester, are eligible to participate in the Fall Competition.

The Fall Competition will be held in the fall semester and consists of two rounds of oral argument. Competitors are required to draft a one-issue appellate brief based on a hypothetical case created by the Fall Competition Chairpersons. Brief grading will be anonymous and performed by Board Members. The competitors will present their appellate arguments before a panel of judges composed of Board Members. It is at the discretion of the student judges as to whether they shall ask faculty Members or practitioners to participate in judging the Fall Competition. The number of Board Members utilized will be determined by the Fall Competition Committee and may include all Board Members, although the National Team may be excused from participating.

Competitors will be invited to join the Moot Court Board, and will attain Member-Elect status, based on a composite of their first and second round oral argument scores and their written brief score. The number of students invited to the Board must be greater than one-quarter ($1/4$) of the total competitors in the Fall Competition, but never more than 14. If the number of competitors exceeds fifty-six (56), no more than fourteen (14) may be invited to join the Board. If the number of competitors total fewer than twenty-eight (28), fewer than one quarter ($1/4$), seven (7) competitors, may be invited to join the Moot Court Board. The Fall Competition Chairpersons, in conjunction with the Membership Committee, will have the discretion to determine exactly how many competitors will be invited to join the Moot Court Board.

B. Myerowitz Competition

2D and 3E students who have already taken Written and Oral Advocacy and have at least one full semester of remaining coursework to be eligible to graduate, excluding summer semester, are eligible to participate in the Myerowitz Competition.

The Myerowitz Competition is sponsored by the Moot Court Board and the University of Maryland Francis King Carey School of Law and will be held in the spring semester, before the semester spring break. Competitors are required to draft a two-issue brief based on a hypothetical case created by the Myerowitz Competition Chairpersons. The Myerowitz Competition is composed of four rounds of oral argument. Each competitor argues one of the positions and if the participant advances to the next round, he/she will usually argue a different position than in the previous round. Brief grading will be anonymous and performed by Board Members. Each round of oral argument will be videotaped. The Members of the National Team shall be among the five (5) student judges of all the preliminary rounds of the Myerowitz Competition in order to provide consistency in judgment, and to anticipate the needs of the school for the National Moot Court Team. It is at the discretion of the student judges as to whether they shall ask faculty Members or practitioners to participate in judging the Myerowitz Moot Court Competition.

The final round of the Myerowitz Competition shall be judged by a total of three judges from among federal or state court judges or a practitioner with substantial appellate experience. At the conclusion of the Myerowitz Competition, the judges of the final round will award the title of Best Oral Advocate, and Runner-Up Best Oral Advocate to two of the four participants in the final round. In addition, the awards of Best Brief and Runner-Up Best Brief shall be presented at the final round based on the determination of the Best Brief Committee.

The National Moot Court Team of the University of Maryland Francis King Carey School of Law shall be selected from the participants of the Myerowitz Competition by the Myerowitz Chairpersons, the President and the faculty advisor. Advancement in the Myerowitz Competition shall be based on a combination of oral and written advocacy skills.

No one participating in the Myerowitz Competition shall be obligated to participate on the National Moot Court Team. However, anyone not participating in the Myerowitz Competition is not eligible to be selected for the National Moot Court Team.

In order to become full Members of the Moot Court Board, both Members-Elect and non-Members-Elect participants must display proficiency in both oral advocacy and brief writing in the Myerowitz Competition. If a Member-Elect who was provisionally invited to join the Board based on his or her performance in the Fall Competition fails to display proficiency in these respects, by receiving a combined brief and oral argument score that scored in the lowest third, inclusive, of all competitors, a recommendation to deny Membership shall be made to the Membership Committee.

A non-Moot Court Board Member-Elect may be invited to join the Moot Court Board based upon his or her proficient performance in the Myerowitz Competition. Those competitors who are named the Best Brief writer, Runner-Up Best Brief writer, Best Oral Advocate, and Runner-Up Best Oral Advocate, shall merit an automatic invitation to the Board. Otherwise, it is within the discretion of the Membership Committee to invite no more than sixteen (16) non-Member-Elect competitors to the Moot Court Board from the Myerowitz Competition.

C. Training Sessions

Mandatory grading and oral argument judging sessions will be attended by all Board Members prior to grading briefs or judging arguments. Any Board Member who attends the training sessions offered in the spring, summer or fall will be qualified for the entire school year, and will not have to attend training sessions subsequently offered, providing that the subsequent training sessions are not meant to provide additional information.

XI. Outside Competitions

To qualify for Board sponsorship, an individual must be a Board Member, or otherwise recommended by faculty or administration.

A. National Moot Court Team

There shall be a National Moot Court Team that will consist of three (3) Members selected from the participants of the Myerowitz Moot Court Competition. The participants selected for the National Team will be selected by the President, Myerowitz Chairpersons of the preceding year, and the faculty advisor. The National Team shall participate in the National Moot Court Competition beginning in the fall and will also serve as the Myerowitz Chairpersons for the Myerowitz Competition in the spring.

B. Other Outside Competitions

Subject to available funding, Moot Court Board members are expected to participate in an outside competition. Those members who do not compete in an outside competition will have other important responsibilities to the Moot Court Board and the intra-school moot court competition. Moot court board members who elect not to participate in an outside competition will be assigned to assist and prepare a team who has elected to compete in an outside competition. This includes, but is not limited, to attending moot sessions held to prepare for the competition.

It is expected that all members participating in an outside competition will put forth his or her best effort in preparing for the competition.

All members participating in an outside competition will be assigned a coach who is either a practitioner or law school faculty member.

It is expected that all members participating in an outside competition will meet with their coach to create a preparation plan that will ensure board members are adequately prepared to represent the law school in an outside competition. While there is no minimum requirement for the number of moots that must occur for each outside competition team, it is expected that Board members will follow the recommendations of the assigned coach and the faculty advisor to the Board on how best to prepare for outside competitions. At least one moot will be conducted during class time.

C. Required Competitions

If the law school receives donor funding for students to participate in a specific outside competition, for example, the Mercer University School of Law Legal Ethics and Professionalism Competition, the Board must form a team of 2-3 members to participate in these outside competitions.

XII. Amending the Constitution

A. Proposing a Constitutional Amendment

The Constitution may be amended upon the request of any member of the Moot Court Board. The member proposing an amendment shall email the proposed change to the entire Moot Court Board, and establish a meeting time for any interested member to be heard, or submit written comments.

B. Submitting the Constitutional Amendment to a Vote

After the open meeting, the member proposing the amendment will submit the final language to the Executive Board. The Executive Board may choose to either adopt the amendment, or deny the amendment, by a 2/3 majority vote.

Date of Last Amendment: April 18, 2016

Approved by a unanimous vote of the Executive Committee pursuant to Art. XII (B) of the Moot Court Constitution.

MCB faculty advisor-Dawna Cobb