

**BY-LAWS OF  
THE INTERNATIONAL LAW MOOT COURT HONOR SOCIETY  
CHICAGO-KENT COLLEGE OF LAW**

(Last Updated and Approved: 9/01/2016)

The following By-Laws have been adopted by the Members of the International Law Moot Court Honor Society of the Chicago-Kent College of Law (“the Society”) as the Governing Rules and Regulations of the Society. The Society has promulgated and adopted these By-Laws in order to ensure the continual development of an exemplary scholastic organization devoted to written and oral international advocacy.

**ARTICLE I -- DEFINITIONS**

1. Executive Board: The Executive Board shall consist of one (1) President and one (1) Treasurer. The Society may, at the discretion of the Executive Board, have additional officers including, but not limited to, one (1) Vice President.
2. General Board Members: General Board Members shall consist of:
  - a. Team Captain Board Members : There shall be one (1) appointed Team Captain for every team attending an ILMCHS competition each scholastic year. The Team Captain for each team will be chosen after Fall Candidacy and selected by the faculty advisors and the Executive Board.
3. International Moot Court Honor Society Faculty Advisors (“The Faculty Advisors”): A committee of International Law faculty advisors.
4. General Membership (for voting purposes): The General Membership shall consist of:
  - a. Executive Board Members;
  - b. General Board Members;
  - c. Members who have been invited to join ILMCHS through the Fall Candidacy process.
5. Quorum: A majority of the Society's membership constitutes a quorum.
6. Decisions Called for by the Executive Board: Such decisions shall require the vote of a majority of the Board Members.
7. Notification by Reasonable Means: Reasonable notification shall consist of sending an email to the membership.

## **ARTICLE II -- GOVERNMENT**

### **SECTION 1 – EXECUTIVE AND GENERAL BOARDS**

The Society shall be governed by an Executive Board consisting of the President and Treasurer. The Society may, at the discretion of the Executive Board, have additional officers including, but not limited to, one (1) Vice President.

### **SECTION 2 -- ELIGIBILITY FOR EXECUTIVE BOARD**

To be eligible for a position on the Executive Board, a student:

1. Must have successfully participated as a Member of an international interscholastic competition;
2. Must participate as a Member of an international interscholastic competition during the year the Executive Board member hold office;
3. If employed or engaged in other outside activities within or outside of the College of Law, must restrict the number of hours so engaged so that the duties as an Executive Board Member are not impaired by other commitments, except as otherwise provided.

### **SECTION 3 -- APPLICATIONS FOR PRESIDENT**

Each spring semester, the President, in conjunction with the faculty advisors, shall administer the appointment of the following year's President under the following guidelines:

1. The application and appointment process shall begin no earlier than after the completion of the last Interscholastic Spring Competition and end no later than the fourteenth (14th) week of the spring semester;
2. The President shall notify Members of the Society, by reasonable and sufficient means, that applications for President will be accepted. The President shall make available to all interested parties copies of Article II of the Society's By-Laws
3. Any eligible Member of the Society may apply for President by notifying the current President via email;
4. If during the nomination period fewer than two applications are received for President, the President shall post a notice to the Society and allow at least an additional five (5) school days for applications;
5. After the application period is closed, the President shall post a list via email to the Society of those who have applied and are eligible;

6. Applicants may submit to the Executive Board resumes or personal statements, as required by the Executive Board;
7. If after this process no Member who meets the qualifications to serve as President has applied, the Executive Board, in consultation with the Faculty Advisors, shall determine a reasonable expedient method of selecting the new President.

#### SECTION 4 -- APPOINTMENT OF THE PRESIDENT

1. The President shall be appointed from among those who applied for and are eligible for the position of President. Prior to the interviews, the Executive Board shall contact Team Captains and Faculty Members who have coached or otherwise worked with the Members who applied for President. The outgoing Executive and General Boards shall interview each applicant individually and shall then meet in closed session. **The President shall be appointed by a majority vote (2/3) of the full, outgoing Executive and General Boards.** The General and Executive Boards must be present in their entirety for the interviews of prospective candidates and for the balloting. The outgoing President shall be responsible for supervising the interview process and conducting the vote by supplying, distributing, retrieving, and counting the ballots, and announcing the results of each ballot. Any ties in the voting process will be broken by the outgoing President;
2. If at the conclusion of the application process there is only one applicant for the office of President, election of such applicant must be affirmed by a vote of confidence by a majority (2/3) of the Executive and General Boards. Any ties in the voting process will be broken by the outgoing President.

#### SECTION 5 -- APPLICATIONS FOR VICE PRESIDENTS

1. Concurrently with taking applications for President, the outgoing President shall request via email to the Society for application for the Vice President and Treasurer positions, to remain open for at least five (5) school days. All applicants may apply for both President and Vice President. Any applicant for President who has not been appointed to that position will be considered for Vice President, provided that applicant has applied for both positions. All applicants for President not so appointed who would like to be considered for the position of Vice President must participate in a second interview. Treasurer positions must be applied to separately;
2. Any eligible Member of the Society may apply for Vice President or Treasurer by emailing the President;
3. After the application period is closed, the President shall post a list via email to the Society of those who have applied for Vice President and Treasurer;

5. If after this process no Members who meet the qualifications to serve as Vice President have applied, the Executive and General Boards, in consultation with the Faculty Advisors, shall determine a reasonable and expedient method of selecting the new Vice President and Treasurer.

#### SECTION 6 -- APPOINTMENT OF VICE PRESIDENT and TREASURER

1. As soon as is practicable after the election of the new President, the outgoing President shall call a meeting of the outgoing Executive and General Boards and the newly elected President for the purpose of interviewing and selecting a Vice President and Treasurer from among those Members who have applied. The outgoing President shall chair the interviews and supervise the interview process. The Faculty Advisors may also interview each applicant and consult with the outgoing Executive and General Boards prior to the vote. The Executive Board shall contact, prior to interviews, Members, General Board Members and Faculty Advisors who have coached or otherwise worked with the Members who have applied for Vice President and Treasurer;
2. Each Member of the outgoing Executive and General Boards, as well as the incoming President, shall vote in the selection of the new Vice President and Treasurer. The voting shall occur in the following manner:
  - a. Each of the six (6) Executive and General Board Members who are eligible to vote shall receive one (1) ballot for vote of Vice President, and one (1) ballot for vote of Treasurer;
  - b. The outgoing President shall collect and count the ballots. The person who receives a majority of the votes for Vice President is elected to the Executive Board as Vice President, and the person who receives a majority of votes for Treasurer is elected to the Executive Board as Treasurer. The outgoing President shall have the deciding vote in the event of a tie;
  - c. In the event there are no suitable applicants for Treasurer, the Treasurer duties will be assumed by the President and Vice President. Under these circumstances, the incoming Executive Board may select a Treasurer from the incoming Society members following the next Fall Candidacy.

#### SECTION 7 -- TERM OF OFFICE

1. Each Executive Board Member shall serve one (1) term, from the expiration of the spring semester final exam period immediately following the election to the expiration of the spring semester final exam period in the following year. At no

time will more than one (1) person occupy the office of the President, no more than one (1) person occupy the office of the Vice-President, and no more than one (1) person serve as Treasurer;

2. In the event that the Vice President or Treasurer is unable to complete the full term in office, the remaining Executive and General Boards may select a replacement from among the remaining eligible Members;
3. In the event that the President is unable to complete the full term in office, the Treasurer shall fill the role of the vacant President. The Executive and General Boards may then select a replacement to fill the vacant Treasurer position.

#### SECTION 8 -- REMOVAL FROM OFFICE

1. The President, Vice President or Treasurer may be removed from office pursuant to the following conditions:
  - a. A written petition requesting and explaining the grounds for such dismissal and documenting the reasons for such request is submitted to the Faculty Advisors and signed by at least two-third (2/3) of the Members of the Society or a consensus of the Executive and General Boards;
  - b. Upon receipt of the petition, the Faculty Advisors will call a meeting of the Executive and General Boards for the purpose of conducting a hearing; The Faculty Advisors may call others to the meeting as he/she feels necessary to conduct a full investigation into the matter. The individual who is the subject of the petition is entitled to attend the meeting.
  - c. A written decision including findings of fact shall be submitted to the Society by the Faculty Advisors within a reasonable time after the hearing. The Faculty Advisors and the Executive and General Boards shall consult with each other in reaching a final determination to which both agree;
  - d. The individual dismissed from his/her position may request a review of the Society's decision. After such a request, the Faculty Advisors shall convene a panel consisting of the Members of the Committee of International Moot Court Faculty Advisors and the Associate or Assistant Dean for Academic Affairs to consider the request. This panel shall conduct its investigation in whatever manner it sees fit, and its decision shall be final.

#### SECTION 9 -- DUTIES OF THE EXECUTIVE BOARD

##### Subsection A -- Duties of the President

The President shall:

1. Supervise, in conjunction with the Faculty Advisors, the Vice President and Treasurer, and assist the Vice President and Treasurer in the furtherance of their duties;
2. Participate during either the fall or spring semester as a Member of an international interscholastic competition team;
3. Arrange and preside over all meetings of the Society or, in exceptional circumstances, appoint another individual to preside over such meetings;
4. Prepare with the Faculty Advisors and Treasurer an annual budget for the Society for the fiscal year beginning the upcoming June first (1st) to be submitted to the Assistant Dean for Administration and Finance;
5. Monitor, in conjunction with the Faculty Advisors, Treasurer and Team Captains, all income and expenditures of the Society during the academic year to ensure that the Society stays within its stated budget;
6. Monitor, in conjunction with Team Captains, and as necessary, maintain records of each Member's completion of assignments;
7. Serve as liaison with the Faculty Advisors and the College Administration;
8. Register the Society, unless so delegated to a Team Captain or Faculty Advisor, on a timely basis for all interscholastic competitions selected by the Executive and General Boards and Faculty Advisors;
9. Attend all Chicago-Kent meetings, when necessary, as the student representative of the Society or designate a replacement;
10. Keep the Society's files and awards collection updated;
11. Present a list of all current Members of the Society to the College Placement Office at the beginning of each semester;
12. Serve as the host/hostess of all ILMCHS sponsored functions;
13. Create/maintain a database of alumni who desire who take an active role in ILMCHS (ie. Team Coaches, attending Team practices). This database shall be available to all Team Captains and Members;
14. Organize Society social events and encourage Team Members to be available to offer advice and critiques to each other;

15. Assist in the performance of those functions described under Subsection B of this section;

Subsection B -- Duties of President and Vice President

The President and Vice President of the Society, with the consent and under the direction of the Faculty Advisors, shall divide among themselves the following duties and responsibilities:

- a. Participate during either the fall or spring semester as a Member of an Interscholastic Competition Team;
- b. Organize and administer a Fall Candidacy Competition each year;
- c. In consultation with the Faculty Advisors and Treasurer, select the Interscholastic Competitions, Team Members and Team Coaches and Team Captains;
- d. Judge the Fall Candidacy Competition;
- e. Attend all plenary, Executive Board, General Board, and special meetings as required;
- f. Grade briefs in the Fall Candidacy Competition;
- g. Assist in the selection of subsequent Executive and General Board Members;
- h. Select and prepare the Fall Candidacy problem and bench brief with the assistance of the Faculty Advisors;
- i. Carry out such other reasonable duties as assigned by the President in consultation with the Faculty Advisors;
- j. Orientate and prepare the incoming Executive Board to take office and perform all specified duties for the upcoming scholastic year;
- k. Submit ILMCHS articles to the *Commentator* on a regular basis;
- l. monitor/delegate an information table at the fall and spring student organization fairs;
- m. extensively recruit for FallCandidacy;
- n. generally promote acknowledgement of the Society's accomplishments.

### Subsection C -- Duties of the Treasurer

- a. Prepare, in conjunction with the Faculty Advisors and President, an annual budget for the Society for the fiscal year beginning the upcoming June first (1st) to be submitted to the Assistant Dean for Administration and Finance;
- b. Monitor, in conjunction with the President, Vice President and Team Captains, all income and expenditures of the Society during the academic year to ensure that the Society stays within its stated budget;
- c. In consultation with the Faculty Advisors, President and Vice President, select the Interscholastic Competitions, Team Members, Team Captains, and Team Coaches;
- d. Judge the Fall Candidacy Competition;
- e. Attend all plenary, Executive Board and special meetings as required;
- f. Grade briefs in the Fall Candidacy Competition;
- g. Assist in the selection of subsequent Executive and General Board Members;
- h. Carry out such other reasonable duties as assigned by the President in consultation with the Faculty Advisors.

### SECTION 11 -- MEETINGS

1. A meeting of the Executive or General Boards, or of the Society may be called for any reasonable time by:
  - a. The President;
  - b. The Faculty Advisors;
  - c. A unanimous vote of the General Board; or
  - d. 2/3 of the Members-at-large.
2. The President shall notify, by any reasonable means, all Members of the Society or the Executive and General Boards, as appropriate, of a meeting;
3. The President or Vice President so designated shall preside over all meetings;



4. Votes on all matters not otherwise discussed in these By-Laws shall require a simple majority of a quorum of all Members present and voting to pass.

## **ARTICLE III -- MEMBERSHIP**

### SECTION 1 -- ELIGIBILITY REQUIREMENTS FOR JOINING THE SOCIETY

#### Subsection A – Criteria

- a. 1L students are prohibited from joining the Society. However, the Society shall encourage interested 1L students to observe practices and competitions, if permitted to do so;
- b. Be currently enrolled in or have previously taken any of the four core classes required by Chicago-Kent College of Law to earn a Certificate in International and Comparative Law (ie. International Law, International Business Transactions, International Trade, Comparative Law) (the “Four Core Classes”) OR the equivalent of one of the aforementioned classes either taken during a summer session abroad through or at an accredited University, or at any accredited university, if taken during Law school;
  1. Whether or not a particular International Law class qualifies as sufficient is up to the discretion of the Executive and General Boards and the Faculty Advisors;
  2. In exceptional circumstances, the Executive Board and Faculty Advisors may take other international legal experience in lieu of enrollment in the Four Core Classes.

### SECTION 2 – ELIGIBILITY PREFERENCES FOR JOINING THE SOCIETY

1. Have a cumulative Grade Point Average of at least 3.000 after the spring semester of the first year of law school;
2. Have received at least a B in Legal Writing II.
3. Remain a student for at least a full academic year beginning from Fall Candidacy.

### SECTION 3 -- BONA FIDE MEMBERSHIP

1. Each Member must have been offered membership in the Society by the current Executive Board and Faculty Advisors following the Fall Candidacy Competition;
2. The teams and positions of Members within each team are chosen for a given academic year by the Executive Board and the Faculty Advisors following Fall Candidacy.
3. A 3L or 4L returning ILMCHS Member, who has previously competed in an international interscholastic competition, may choose to retain membership status in the Society, without competing their 3rd or 4th year, as long as they continue to attend Society meetings and actively participate in the Society, including but

not limited to, as a research assistant or Team Coach, as long as their participation doesn't violate individual team rules.

4. Though 1L's cannot obtain bona fide membership in the Society, 1L's may participate as a research assistant, attend team practices for an individual team, and, if possible, attend competitions at the discretion of the Executive and General Boards and Faculty Members.

#### Subsection A -- Attendance

1. Each Member is expected to attend every meeting of the Society. A Member's regular failure to attend meetings may affect that Member's semester grade and/or their membership in the Society or participation in an ILMCHS interscholastic competition.
2. Any Member who is participating in an interscholastic competition and withdraws at a point four (4) weeks prior to the date when competition briefs are due will receive a grade of "Failing" (F) or "Withdraw Failing" (WF) and Membership in the Society will be revoked.

#### SECTION 4 -- DISMISSAL FROM THE SOCIETY

1. A Member of the Society may be dismissed from the Society for good cause. Good cause shall include, but is not limited to, violation of the College Code of Ethics, violation of these By-Laws, refusal to participate in normal Society-sponsored Competitions, failure to respond to written requests from the Executive and General Boards and/or Faculty Advisors, and other actions adverse to the goals of the Society. Any Member who receives an "F" or "WF" under Subsection A above is automatically dismissed from the Society.
2. Prior to dismissal, the student shall be entitled to a hearing before the Executive Board, General Board and the Faculty Advisors to discuss the reasons for the dismissal action. The student shall be entitled to bring one other person to such a hearing. After the hearing, the Executive and General Boards, and Faculty Advisors shall deliberate and shall inform the Member, in writing, of his/her decision within (1) week of the date of the hearing.

### **ARTICLE IV -- INTERSCHOLASTIC COMPETITIONS**

#### SECTION 1 -- SELECTION OF INTERSCHOLASTIC COMPETITIONS

1. After being named, the new Executive Board, in consultation with the Faculty Advisors shall be responsible for selecting the Interscholastic Competitions for the upcoming Fall. Selection of these competitions shall be based on the following factors:

- a. Past participation and success in the competition;
  - b. Quality of the organization of the competition;
  - c. Topic of the competition;
  - d. Cost of preparation and attendance;
  - e. Availability of faculty and attorney advisors in the area of law that is the subject of the competition;
  - f. Number of qualified Members of the Society available to be appointed to teams.
2. The goal of the selection process shall be to achieve maximum exposure of qualified Members of the Society to international law, to utilize the available expertise of Society and attorney advisors, to remain within budgetary guidelines and to promote the reputation of the Chicago-Kent College of Law;
  3. Once the selections have been made, the President will announce the selections to the Society and to the Administration of the College, arrange for payment of application fees, initiate the selection of team participants and Faculty Advisors for each competition and will forward the names of team participants and Faculty contacts to the appropriate competition coordinator;
  4. Each fall, the Executive Board shall follow the same procedure to select teams for the following spring.

## SECTION 2 -- ELIGIBILITY REQUIREMENTS FOR INTERSCHOLASTIC TEAM PARTICIPATION

1. To be eligible for selection to an Interscholastic Competition Team, a Member of the Society must:
  - a. Achieve the academic criteria for selection as a Society Member;
  - b. Not have been removed or have withdrawn from a prior Interscholastic Competition Team;
  - c. Be registered with the College as a student;
  - d. Meet all other requirements for the individual team they are selected to participate on (i.e Jessup Requirements; Niagara Requirements; or Vienna Requirements).

SECTION 3 -- SELECTION OF INTERSCHOLASTIC COMPETITION  
TEAM MEMBERS

1. The Executive Board, in consultation with the Faculty Advisors, shall select Members from among the qualified Members of the Society to fill available positions on Interscholastic Competition Teams and select one student from each team as Team Captain. While the final selections shall be made at the sole discretion of the Executive Board and the Faculty Advisers, the following shall guide the Executive Board and Faculty Advisors in the selection process:
  - a. Prior experience of a Member through participation in another Interscholastic Competition Team or on the Executive Board;
  - b. Quality of prior performance as a Team Member and Executive or General Board Member;
  - c. Quality of written and oral participation in Fall Candidacy;
  - d. Knowledge in a particular area of law gained through scholastic or work experience;
  - e. Perceived ability to participate as a Member of a "team" and cooperate with other Members of a team;
  - f. Any time restraints and/or conflicts that may restrict one's ability to devote the significant amount of time it takes to prepare the brief and arguments for interscholastic competitions.
2. The Executive Board and Faculty Advisors shall place the selected Members on a specific interscholastic competition team and subsequently select a Team Captain in order to best serve the interests of the Society. Once the selections are made, the President or his/her appointee shall contact the students and invite them to join the interscholastic competition team. Once the invitation is made, the Society Member shall have a reasonable time to accept or decline the invitation. If no response is received from the Member it will be assumed to signal a decline of the invitation;
3. If the student is unable to participate on the particular Interscholastic Competition Team to which he/she was selected, the Executive and General Board and Faculty Advisors shall meet in an attempt to either:
  - a. Select a replacement;
  - b. Rearrange students to accommodate the schedules of all students;

- c. Agree to allow the Interscholastic Competition Team to participate with less than the maximum number of team Members;
  - d. Withdraw from the Competition;
4. Such determination shall be made at the sole discretion of the Executive and General Board, in consultation with the Faculty Advisors.

SECTION 4 -- DUTIES OF AN INTERSCHOLASTIC COMPETITION TEAM MEMBER and  
TEAM CAPTAIN

1. A student who accepts an invitation to join an Interscholastic Competition Team shall:
- a. Attend all meetings called by the Executive and General Boards, Team Captain, Team Coach, and Faculty Advisor(s);
  - b. Complete all work by the deadlines set forth by the Team Captain, Team Coach or the Faculty Advisor(s);
  - c. Perform all duties pertaining to the assigned competition, including but not limited to, brief writing, oral arguments, team practices, and actual competition, as designated by the Team Captain, Team Coach, or Faculty Advisor;
  - d. Attend all Team practices;
  - e. Attend the Team's designated competition;
  - f. Meet any and all filing deadlines set by the host of the competition;
  - g. Perform all duties as a regular Society Member, including, but not limited to, attendance at all Society Workshops and general meetings;
  - h. Adhere to all guidelines for travel arrangements set forth by Chicago-Kent College of Law;
  - i. Complete all post-competition work as required;
  - j. Prepare an individual expense report and place all receipts in an envelope to be delivered to the team captain no later than two (2) after completion of the competition.
2. A student selected as TEAM CAPTAIN shall meet the above criteria as well as:
- a. Arrange research sessions w/ librarian;

- b. Work with the Team Faculty Advisor to establish deadlines for Team Members to have work completed to ensure that all Competition deadlines are met;
  - c. Schedule and publish practice sessions with Faculty Advisors, alumni, and other Society members;
  - d. Maintain contact with appropriate alumni;
  - e. Maintain contact with the Executive Board regarding the progress of the team;
  - f. Ensure the teams stay within its predetermined budget;
  - g. Collect and turn in all budget forms and receipts of each team member;
  - h. Make travel and hotel arrangements for Team Members, Team Faculty Advisor, and Team Coach when required for out-of-town competitions;
  - i. Assist Team Members during initial preparation for the Competition when such assistance is allowed under the rules of the Competition;
  - j. Serve as liaison between the Team and the Host of the Competition;
  - k. Provide necessary materials, including the competition rules, competition problem and competition briefs, to all who are scheduled to practice with the team;
3. Should an Interscholastic Competition Team Member fail in his/her duties at any time during preparation and competition, the Executive and General Boards and Faculty Advisors shall meet to consider appropriate action. Among the possible actions that the Executive and General Boards and Faculty Advisors can take are:
  - a. Remove the Member from the Interscholastic Competition Team;
  - b. Dismiss the Member from the Society with a grade of "Withdraw Passing," "Withdraw Failing," or "Failing";
  - c. Replace the Member with a substitute Society Member;
  - d. Continue the Interscholastic Competition Team with less than the maximum number of Team Members;
  - e. Remove the entire Team from the Competition.

3. Such action shall be at the sole discretion of the Board in consultation with the Faculty Advisors.

## **ARTICLE V -- BY-LAWS**

### SECTION 1 -- DISTRIBUTION

1. A copy of these By-Laws shall be made available by the Executive Board to every Member of the Society;
2. A copy of all amendments and/or revisions to these By-Laws will be distributed to every Member of the Society within a reasonable time after adoption by the Society;
3. A copy of the current By-Laws shall always be available in the office of the Society.

### SECTION 2 -- ADOPTION

1. Any Member of the Society may propose an amendment to these By-Laws. Such a proposal must be announced submitted in writing to the President at least five (5) school days before a General Board meeting at which the proposal will be discussed. The President shall announce to the General Board at least three (3) school days before the meeting that a By-Laws amendment has been proposed. and the President shall make available to all Members copies of the proposed amendment;
2. The proposed amendment and any other proposed changes suggested at the Executive Board's next meeting shall be discussed by the General Board. The President shall allow reasonable debate on any proposed amendment. Any such amendment shall require a majority of the General Board with the concurrence of the Faculty Advisors to pass. The General Board shall then make the proposed amended By-Laws available for review by all members of the Society by placing a copy of the changes in the Society Office;
3. After the proposed amended By-Laws have been made available to all members of the Society for at least three (3) school days, the Board shall meet, in a meeting open to all members of the Society, to consider any issues raised by the proposed changes. The proposed amended By-Laws will then be approved upon a vote of a majority of the General Board with the concurrence of the Faculty Advisors.