

Moot Court Bylaws, last updated Sept. 5, 2013.

I. The Executive Board.

A. Officers. The Executive Board of the Moot Court Board (the “Executive Board”) shall consist of the following officers:

1. President. The President shall:

- (A)** Be the senior representative and spokesperson for the Moot Court Board (the “Board”);
- (B)** Serve as a point of contact between the Board and the University of Richmond School of Law (the “Law School”);
- (C)** Schedule and preside over all general Board meetings;
- (D)** Schedule and preside over all Executive Board meetings;
- (E)** Supervise all committees;
- (F)** Recommend all committee chairs, to be approved by the majority of the Executive Board;
- (G)** Administer, or delegate the authority to administer, strikes to Board members who fail to complete any of their obligations;
- (H)** Perform all functions necessary and proper to the Board that are not otherwise provided for herein.
- (I)** Invite, or delegate the authority to invite, all final round competition judges.

2. Vice President. The Vice President shall:

- (A)** Act for the President either when called to do so or when the President is unable to fulfill such duties;
- (B)** Write or select the problem for each intra-scholastic competition; and
- (C)** Oversee the Strike Appeals Board.

3. Secretary. The Secretary shall:

- (A)** Maintain all personnel records for the Board, including member standing and new member invitations;
- (B)** Maintain all correspondence within the Board;

(C) Maintain the Moot Court website, email account, Blackboard account, netfiles account, and any other electronic information;

(D) Publicize Board events;

(E) Act as prosecutor on behalf of the Board in any strike appeal hearing; and

(F) Place members in any committee of the Secretary's choosing if that member does not volunteer for a committee or if the needs of the committee warrant.

4. Treasurer. The Treasurer shall;

(A) Maintain all financial records for the Board;

(B) Handle the distribution of all funds, including reimbursements for Board expenditures;

(C) Submit a budget plan at the beginning of each term;

(D) Submit regular financial statements to the President;

(E) Coordinate catering for oral argument rounds of intra-scholastic competitions, including each round's judges' reception and the final round reception; and

(F) Maintain all necessary communications with the Dean's Office to ensure eligibility for Law School funding if the Board seeks it.

5. Intra-Scholastic Competitions Chair (Oral). The Intra-Scholastic Competitions Chair (Oral) shall:

(A) Assist the Intra-Scholastic Competitions Chair (Written) in scheduling dates and times for the Barnett and Carrico competitions;

(B) Supervise all aspects of the oral argument portions of the Barnett and Carrico competitions;

(C) Assist the Intra-Scholastic Competitions Chair (Written) in overseeing all committees involved in the Barnett and Carrico competitions; and

(D) Invite and schedule all competition judges except the final round judges, whom the President shall invite.

6. Intra-Scholastic Competitions Chair (Written). The Intra-Scholastic Competitions Chair (Written) shall:

(A) Assist the Intra-Scholastic Competitions Chair (Oral) in scheduling dates and times for the Barnett and Carrico competitions;

(B) Supervise all aspects of the written portions of the Barnett and Carrico competitions;

(C) Write the “Bench Brief” for all intra-scholastic competitions;

(D) Oversee the Brief Grading Committee; and

(E) Assist the Intra-Scholastic Competitions Chair (Oral) in overseeing all committees involved in the Barnett and Carrico competitions.

7. Inter-Scholastic Competitions Chair. The Inter-Scholastic Competitions Chair shall:

(A) Select competitors to compete in inter-scholastic competitions;

(B) Notify Board members of competitions;

(C) Maintain communication with schools or outside organizations hosting inter-scholastic competitions;

(D) Coordinate possible Richmond invitational competitions;

(E) Organize mootings for competing teams and submit a list of members earning academic credit to the Dean’s Office; and

(F) Obtain coaches for all inter-scholastic teams.

B. Election of Executive Board Members. The Board will hold elections for the Executive Board during the Board’s November meeting.

1. Declarations of Candidacy. Prior to the election, all members who wish to run for any office must express their intent to the Executive Board and write a short summary of why they seek specific offices. These declarations will be distributed to all Board members prior to the election.

2. Voting Process.

(A) Speeches. All candidates shall be allowed to speak for up to five (5) minutes.

(B) Ballots. Voting shall be by secret ballot, to be counted by the outgoing Executive Board. Winners of each office shall be officially announced by the outgoing Secretary.

(C) Order. Voting shall be conducted for one position at a time, with the winner being announced prior to voting for the next position. The order of the voting shall be

i. President

- ii. Vice President
- iii. Secretary
- iv. Treasurer
- v. Intra-Scholastic Competitions Chair (Oral)
- vi. Intra-Scholastic Competitions Chair (Written)
- vii. Inter-Scholastic Competitions Chair

(D) Plurality Necessary. The winner for each office shall be determined by a plurality of the Board's votes.

(E) Ties. In the event of a tie, there will be a runoff election between only those candidates who tied. The winner shall be determined by a majority of the votes. In the event of a further tie, the Executive Board will vote to break the tie. If the Executive Board ties, the President shall choose the winner.

(F) Running for Multiple Offices. Any candidate, upon losing the election for the original office sought, may proclaim himself or herself a candidate for any remaining office.

3. Term. The newly-elected officers will take office at the first Board meeting in January.

4. Vacant Offices

(A) In the event the President is removed from or resigns his or her position, the Vice-President shall thereafter serve as President.

(B) In the event any other Executive Board member is removed from or resigns his or her position, the President shall call a special meeting of the Board to fill the vacant position. When filling a vacant position, the Executive Board shall use its discretion in developing an election procedure analogous to the election procedure for a regular election. Notwithstanding the foregoing, a vacant Executive Board position can only be filled by a plurality of the Board's votes.

C. Resignation of Executive Board Members.

1. Resignation in General. In the event an Executive Board member resigns for any reason, that member shall submit his or her resignation to the remainder of the Executive Board in writing as soon as practicable.

2. Prohibition Against Membership on Law Review Executive Board. Executive Board members shall not accept a position on the Law Review Executive Board. Any Executive Board member violating this provision shall resign from the Executive Board.

D. Removal of Executive Board Members. Any member of the Executive Board may be removed from the Executive Board for failure to execute his or her obligations defined in these by-laws. Removal requires a unanimous vote of all the other Executive Board members. In the event the initial motion was made against the President, the Vice-President shall oversee the removal proceedings.

II. Committees and Internal Boards. The Committees and Boards shall consist of, but not be limited to, the following:

A. Strike Appeals Board. The Strike Appeals Board shall be constructed on an *ad hoc* basis whenever there is a strike appeal.

1. Structure. The Strike Appeals Board shall:

(A) Consist of three (3) members selected by the President, but the President, or the person to whom the President delegates the authority to administer strikes, and the Secretary shall not be among the three (3) members selected;

(B) Hear appeals from Board members who have received strikes against them within fifteen (15) days of notification that a Board member seeks an appeal; and

(C) Determine whether there was good cause for not attending a Board Meeting or performing an assigned Moot Court duty.

2. Appeals Procedure.

(A) The Board member seeking an appeal must notify the Strike Appeals Board within five (5) days of receiving a strike, and shall act either pro se or with the aid of another Board member. The Secretary shall act as the prosecutor on behalf of the Board.

(B) The decision of the Strike Appeals Board may be appealed to the Board by either the Secretary or the Board member, and may be overturned by a two-thirds (2/3) vote of the entire Board at its next meeting.

(C) The decision of the Strike Appeals Board, unless appealed to the entire Board, shall be confidential.

B. Brief Re-Grading Committee. The Brief Re-Grading Committee shall be constructed on an *ad hoc* basis whenever needed. It shall:

1. Be comprised of the Vice President and both Intra-Scholastic Competition Chairs.

2. Re-grade briefs with substantial grading disparity submitted for competitions and all potential bad-faith efforts.

3. Make all final determinations of bad faith efforts.

C. Editing Committee. The Editing Committee shall:

1. Be comprised of at least three (3) Board members as appointed by the Executive Board. Executive Board members are not eligible to serve on the Editing Committee.
2. Revise these Bylaws upon a request of a majority of the Executive Board or a request by one-third (1/3) of the Board. Revisions must first be accepted by two-thirds (2/3) of the Executive Board, and then ratified by two-thirds (2/3) of all Board members.
3. Assist the Vice President with writing or selecting the problem for each intra-scholastic competition; and
4. Assist the Intra-Scholastic Competition Chairs with writing the "Bench Brief" for each intra-scholastic competition.

D. Mooting Committee. The Mooting Committee shall:

1. Be comprised of the Inter-Scholastic Competitions Chair, who will serve as the committee's chair, and eight (8) to twelve (12) other members of the Board, selected by the Inter-Scholastics Competitions Chair; and
2. Serve as practice judges for mooting sessions, to be organized as the Inter-Scholastic Chair sees fit;

E. Training and Development Committee. The Training and Development Committee shall:

1. Be comprised of at least three (3) but no more than five (5) board members. The Executive Board will appoint, by majority vote, the Chair of the Training and Development Committee from the Training and Development Committee members.
2. Coordinate, plan, and execute at least one (1) training session per year; and
3. Keep Board members abreast of training and development opportunities available to students throughout the greater Richmond community.

F. Intra-Scholastic Committee. The Intra-Scholastic Committee shall:

1. Be composed of the Intra-Scholastic Oral Argument Chair, who will serve as the committee's chair, and between three (3) to five (5) other members of the Board as appointed by the Executive Board.
2. The Committee shall perform all duties as assigned by the Chair as long as such assignments are reasonably related to the carrying out of the Chair's duties. These duties may include, but are not limited to:

- (A) Assisting the Chair in scheduling rooms for the competition;
- (B) Supervising all aspects of the oral argument portions of the Barnett and Carrico competitions;
- (C) Purchasing a gift for the judges; and
- (D) Creating any documents or spreadsheets reasonably necessary for the organization and implementation of the oral argument portions of the Barnett and Carrico competitions.

3. At least one member of the Committee shall be present and assist the Chair at each round of oral argument during the Barnett and Carrico competitions.

4. Any grievances over the Chair's use of members of the Committee shall be brought before the President of the Board. Any misuse by the Chair of the members of the committee shall be punishable by a single strike.

III. Board Eligibility

A. First-Year Students. Every year the Board shall accept at least eight (8) first-year students who compete in the Barnett Competition.

1. **Automatic Invites.** The eight (8) first-year students reaching the Barnett Board Round shall be extended an invitation to join the Board.

2. **Discretionary Invites.** The Executive Board, at its discretion, may invite any number of additional competitors by unanimous vote. Competitors eliminated in the round prior to the Barnett Board Round shall be considered for a discretionary invite before other competitors are considered.

3. **Invitations.** The Secretary shall write a letter to those students inviting them to join the Board. The Secretary shall confer with the Executive Board in determining a reasonable period of time for responding and accepting the invitation. Failure to timely respond constitutes declining the invitation, which shall be reflected in the invitation letter. If a student declines an automatic invitation, an invitation shall be extended to the competitor with the next highest combined brief and oral argument score from the round directly preceding the Barnett Board Round.

B. Second-Year Students. Every year the Board shall accept at least ten (10) second-year students who compete in the Carrico Competition.

1. **Definition.** For the purposes of this section, a second-year student is a student who has completed at least two (2) semesters of law school, whether at the Law School or another accredited institution, not including summer school.

2. Automatic Invites. Invitations shall be extended to the ten (10) students reaching the Carrico Board Round.

3. Discretionary Invites. The Executive Board, at its discretion, may invite any number of additional competitors by unanimous vote. Competitors eliminated in the round prior to the Carrico Board Round shall be considered for a discretionary invite before other competitors are considered.

4. Invitations. The Secretary shall write a letter to those students inviting them to join the Board. The Secretary shall confer with the Executive Board in determining a reasonable period of time for responding and accepting the invitation. Failure to timely respond constitutes declining the invitation, which shall be reflected in the invitation letter. If a student declines an automatic invitation, an invitation shall be extended to the competitor with the next highest combined brief and oral argument score from the round directly preceding the Carrico Board Round.

C. Inter-Scholastic Entry. The Board may accept students who perform exceptionally in inter-scholastic competitions. See Article 5.F. for details.

IV. Membership Requirements.

A. Academic Standing. All Board members shall maintain good academic standing.

B. Board Activities. All Board members shall:

1. Be present for all Board meetings;
2. Serve as bailiffs when required by the Executive Board;
3. Suggest judges to the Intra-Scholastic Competitions Chair (Oral);
4. Serve on committees; and
5. Participate in inter-scholastic competitions if requested by the Executive Board.

C. Strike Policy. In the event a Board member fails to perform a Board Activity as required, that member will receive a strike. The President shall be responsible for informing a Board member that he or she has received a strike. Any member receiving a total of two (2) strikes throughout his or her membership on the Board will be removed from the Board for a lack of interest in its activities and welfare.

D. Honor Code. The Executive Board may sanction students convicted of an Honor Code offense.

E. Inter-Scholastic Competitions. All Board members are eligible and encouraged to represent the Law School by competing in inter-scholastic competitions.

1. All Board members shall volunteer at least once per year for an inter-scholastic competition with the full intention of accepting an invitation to compete on behalf of the Board. Any member who has competed in an inter-scholastic competition shall be relieved of this requirement.
2. If requested by the Executive Board, a Board member must compete in an inter-scholastic competition. Failure to compete, without a good cause excuse approved by the President and the Inter-Scholastic Competitions Chair, will result in the Board member's removal from the Board.
3. Any member who has competed in an inter-scholastic competition may compete in additional inter-scholastic competitions.

V. Inter-Scholastic Competitions

A. Selection of Competitors. Competitors shall be selected by the Inter-Scholastic Competitions Chair with the advice and consent of the Executive Board and the Board faculty advisor.

1. At the end of the spring semester, the Inter-Scholastic Competitions Chair shall ask Board members to submit statements of interest to compete in Inter-Scholastic competitions in the upcoming school year.
2. Board members who wish to compete shall submit a timely and complete application to the Inter-Scholastic Competitions Chair.
3. Non-Board members may compete, and may apply to the Inter-Scholastic Competitions Chair in the same manner as Board members.

B. Requirements for Competitors. Any team selected to compete in an inter-scholastic competition sponsored by the Board shall:

1. Complete at least four (4) mootings, at least two (2) of which should be before faculty or practitioners, or ten (10) hours of practice;
2. Have at least one (1) mooting observed by a member of the Executive Board; and
3. Have a member of the faculty or a member of the Executive Board review the brief prior to submission, unless the rules of the competition forbid such practice. The Executive Board reserves the right to withdraw a team from competition if the brief is not of reasonably high quality.

C. Coaches. All inter-scholastic competition competitors shall, in coordination with the Inter-Scholastic Competitions Chair and Mooting Committee Chairperson, seek a faculty coach to aid in their preparation within the guidelines of the particular competition, including mootings and brief reviews.

D. Expenses. The Inter-Scholastic Chair shall make all arrangements for inter-scholastic competition expenses, and shall discuss the arrangements with the Treasurer in advance of competitions.

E. Academic Credit. Receiving academic credit is always at the discretion of the Dean's Office. Competitors in inter-scholastic competitions shall receive one (1) academic credit if they complete the following requirements:

1. Participate in at least four (4) mootings or ten (10) hours of practice, whichever is greater; and
2. Complete any requirements as set forth by the Dean's Office.

F. Admission of Competing Non-Board Members.

1. Any non-Board member who competes in a Board-approved inter-scholastic competition, shall be eligible for Board membership if:

(A) The competitor emails the President of his or her intention of competing in a Board-approved inter-scholastic competition as a means of obtaining admission to the Board;

(B) The competitor seeking membership substantially contributed to both the written and oral portions of his case;

(C) At least one member of the executive board viewed the competitor's performance in a practice mooting or in a round of the competition;

(D) The competitor submits to the Executive Board a summary of his or her involvement, effort, and achievements;

(E) The competitor performed exceptionally well in the Inter-Scholastic competition. Offers of membership should only be extended for outstanding performance in inter-scholastic competitions; and

(F) The Executive Board unanimously votes to offer membership.

2. If provided by the inter-scholastic competition, the non-Board member shall also submit to the Executive Board, for consideration, his or her score sheets from the competition.

3. While the non-Board member is competing in a Board-approved inter-scholastic competition, the non-Board member shall communicate with the Executive Board through the President.

VI. Carrico Moot Court Competition

A. Executive Board Authority. The Executive Board may alter the rules or requirements of the Carrico Competition before it starts. In the absence of such changes, the competition will be structured according to these rules.

B. Nature of the Competition

1. The Carrico Moot Court Competition (“Carrico”) shall be an appellate style oral argument consisting of two (2) legal issues.
2. Carrico shall be administered by the Intra-Scholastic Competitions Chair (Oral) and the Intra-Scholastic Competitions Chair (Written) (collectively, the “Intra-Scholastic Competitions Chairs”).
3. The Board shall hold Carrico every year in the fall semester.
4. Only second-year law students may compete in Carrico.
5. All Board members shall attend the final round of the competition.

C. Format of the Competition

1. The Brief

(A) Competition Numbers. Competitors shall be assigned a competition number and shall use only this number to identify themselves on their briefs. The Executive Board may disqualify any competitor who fails to use his or her competition number to identify himself or herself on his or her brief.

(B) Composition of Teams. Competitors shall create teams consisting of two (2) students. In the event that a student does not have a partner, another competitor who does not have a partner may be assigned to that student.

(C) Contents of the Brief. Each team shall write a brief that addresses both legal issues. Each competitor on a team shall write one (1) of the two (2) issues and annotate on the cover of the brief which issue was written by which competitor. The remaining portions of the brief may be co-authored. If there is a single competitor on a team, that competitor may write a brief addressing only one (1) of the two (2) issues.

(D) Conformity. All briefs must conform to the Rules of the United States Court of Appeals for the Fourth Circuit.

(E) Once the briefs are submitted, each competitor is graded individually and shall proceed through Carrico individually and not necessarily with his or her original brief-writing partner.

(F) If a competitor requests to see his or her Carrico brief score, the Secretary shall disclose to the competitor his or her brief score by a reasonable means after the competition has ended.

2. Oral Argument

(A) Which Competitors Advance. The competitors with the top fifty-six (56) brief scores shall advance to the oral argument portion of Carrico.

(B) Issue for Argument. During each round of oral argument, competitors shall be assigned one (1) of the two (2) issues and one (1) of the two (2) sides to argue. No effort shall be made to allow any competitor to argue the issue upon which that competitor wrote his or her brief, except in the initial round. Once assigned an issue, competitors may not switch issues with another competitor.

(C) Composition of Rooms. Each room during oral argument shall consist of four (4) competitors from the same bracket, with two (2) competitors arguing opposing sides of the first issue and the other two (2) competitors arguing opposing sides of the second issue.

(D) Judges. Where possible, each round shall be graded by at least two (2) judges. In the event that there is a shortage of judges, available faculty or a smaller panel shall grade the round.

(E) Rounds.

i. First Round. All competitors argue in the first round. The top twenty-eight (28) scorers from the First Round are placed in the A Bracket and the bottom twenty-eight (28) scorers from the First Round are placed in the B Bracket.

ii. Second Round. The twenty-eight (28) competitors in the A Bracket argue and the twenty-eight (28) competitors in the B Bracket argue. The top fourteen (14) competitors in the A Bracket remain in the A Bracket for the Third Round. The bottom fourteen (14) competitors in the A Bracket move to the B Bracket for the Third Round. The top fourteen (14) competitors in the B Bracket remain in the B Bracket for the Third Round. The bottom fourteen (14) competitors in the B Bracket are eliminated.

iii. Third Round. The fourteen (14) competitors in the A Bracket argue and the twenty-eight (28) competitors in the B Bracket argue. The top eight (8) competitors in the A Bracket remain in the A Bracket for the Fourth Round. The bottom six (6) competitors in the A Bracket move to the B Bracket for the Fourth Round. The top fourteen (14) competitors

in the B Bracket remain in the B Bracket for the Fourth Round. The bottom fourteen (14) competitors in the B Bracket are eliminated.

iv. Fourth Round. The eight (8) competitors in the A Bracket argue and the twenty (20) competitors in the B Bracket argue. The top four (4) competitors in the A Bracket remain in the A Bracket for the Fifth Round. The bottom four (4) competitors in the A Bracket move to the B Bracket for the Fifth Round. The top ten (10) competitors in the B Bracket remain in the B Bracket for the Fifth Round. The bottom ten (10) competitors in the B Bracket are eliminated.

v. Fifth Round. The four (4) competitors in the A Bracket argue and the fourteen (14) competitors in the B Bracket argue. The top two (2) competitors in the A Bracket advance directly to the Final Round. The bottom two (2) competitors in the A Bracket advance to the Board Round. The top six (6) competitors in the B Bracket advance to the Board Round. The bottom eight (8) competitors in the B Bracket are eliminated.

vi. Carrico Board Round. The round with ten (10) competitors remaining, two (2) in the A Bracket and eight (8) in the B Bracket, constitutes the Carrico Board Round. These ten (10) competitors shall automatically receive an invitation to join the Board. During the Board Round, only the eight (8) competitors in the B Bracket argue. The top four (4) competitors in the B Bracket advance to the Semi-Final Round. The bottom four (4) competitors in the B Bracket are eliminated.

vii. Semi-Final Round. The four (4) competitors in the B Bracket argue. The top two (2) competitors in the B Bracket advance to the Final Round. The bottom two (2) competitors in the B Bracket are eliminated.

viii. Final Round. The top two (2) competitors in the A Bracket argue against the top two (2) competitors in the B Bracket. The top competitor from the Final Round is the winner. All Board members must attend the final round.

3. Scoring

(A) Brief Scores. All Board members must grade briefs as assigned by the Intra-Scholastic Chairs. The score shall be based upon, but not limited to, format, citations, persuasiveness, and clarity.

(B) Oral Argument Scores. Oral argument shall be graded by the judges of each round and a competitor's oral argument score for any given round is the average of all the scores that competitor received from judges for that round.

(C) Calculating Round Scores. The following methods are used to determine a competitor's combined score for each round of Carrico:

i. Scoring Rounds One Through Five. Scoring during the First Round through the Fifth Round shall be done by combining seventy percent (70%) of the competitor's oral argument score for that round with thirty percent (30%) of his brief score.

ii. Fifth Round Exception. During the Fifth Round, the four (4) competitors in the A Bracket shall be scored based solely upon that round's oral argument score.

iii. Scoring The Board Round Through the Final Round. Scoring during the Carrico Board Round through the Final Round shall be based solely upon that round's oral argument score.

D. Agreement to Compete. Each student wishing to compete in Carrico must sign a Competition Agreement to Compete form (the "Competition Agreement"). The form requires the competitor to submit a good faith brief and to compete, in good faith, in all rounds of the oral argument for which he or she is selected to compete.

1. Failure to Comply. Failure to comply with the terms of the Competition Agreement will result in disqualification from the competition and from competing in future Moot Court competitions. The President shall notify the presidents of all other Richmond competition boards, including the Trial Advocacy Board, the Alternative Dispute Resolution Board, and the Client Counseling and Negotiations Board of the student's violation of the Competition Agreement. The response to the violation is within the discretion of each of the other competition boards.

2. Determination of Good Faith Effort. The determination of whether or not a brief is considered a good faith effort shall be made as follows:

(A) The initial graders of the brief shall make a determination as to whether the grader considers the brief a good faith effort. Regardless of whether the grader believes the brief is a good faith effort or not, the grader shall complete the brief score.

(B) Where one or more graders of a brief make a determination that a brief was not a good faith effort, the Brief Re-Grading Committee shall determine whether the brief is a good faith effort.

(C) If the Brief Re-Grading Committee determines the brief is not a good faith effort, then the President shall notify the student, as well as the faculty advisor of the Board, of the determination. The President shall then make all notices as required by Section VI.D.1.

E. Failure to Complete. Any competitor who drops out of Carrico after briefs are turned in shall not be eligible to compete in any future Moot Court competitions, either inter- or intra-scholastic. This disqualification may be appealed to the Strike Appeals Board under extenuating circumstances. It is within the discretion of the Inter-Scholastic Competitions Chair (Oral) to invite the competitor with the highest combined brief and oral argument score eliminated in the previous round, or the highest brief score that failed to qualify for the First Round of oral argument, to compete. Students who decline to compete after being extended this invitation are still eligible to compete in future Moot Court competitions.

VII. Barnett Moot Court Competition

A. Executive Board Authority. The Executive Board may alter the rules or requirements of Barnett in advance of the competition. In the absence of such changes, the competition will be structured according to these rules.

B. Nature of the Competition

1. The Barnett Moot Court Competition ("Barnett") shall be a pre-trial motion or appellate style oral argument
2. Barnett shall be administered by the Intra-Scholastic Competitions Chairs.
3. The Board shall hold Barnett every year in the spring semester.
4. Only first-year law students may compete in Barnett.
5. All Board members shall attend the final round of the competition.

C. Format of the Competition. Competitors shall participate by both writing a brief and making oral arguments.

1. The Brief

(A) Competition Numbers. Competitors shall be assigned a competition number and shall use only this number to identify themselves on their briefs. The Executive Board may disqualify any competitor who fails to use his or her competition number to identify himself or herself on his or her brief.

(B) Assignment of Sides. Each competitor shall randomly be assigned one side of the issue to write his or her brief in support of. Once assigned a side, competitors may not switch sides with another competitor. Each competitor

shall write his or her own brief in support of the side the competitor has been assigned.

(D) Conformity. Each brief must conform to the Rules of the United States Court of Appeals for the Fourth Circuit.

2. Oral Argument

(A) Which Competitors Advance. The competitors with the top sixty-four (64) brief scores shall advance to the oral argument portion of Barnett. If there is an odd number of competitors, the Executive Board may ask a Board member to argue for that round, or it may choose to eliminate the competitor with the lowest brief score.

(B) Issue for Argument. During each round of Barnett, each competitor shall be assigned one side of the issue to argue. No effort shall be made to allow any competitor to argue the side upon which that competitor wrote, except in the first round. Once assigned a side to argue, competitors may not switch sides with another competitor.

(C) Composition of Rooms. Each room during oral argument shall consist of two (2) competitors arguing opposing sides of the issue, a bailiff to keep time, and judges.

(D) Judges. Where possible, each round shall be graded by at least two (2) judges. In the event that there is a shortage of judges, available faculty or a smaller panel shall grade the round.

(E) Rounds.

i. First Round. All sixty-four (64) competitors argue. The competitors with the highest thirty-two (32) First Round scores advance to the Second Round. The remaining competitors are eliminated.

ii. Second Round. The remaining thirty-two (32) competitors argue. The competitors with the sixteen (16) highest Second Round scores advance to the Third Round. The remaining competitors are eliminated.

iii. Third Round. The remaining sixteen (16) competitors argue. The competitors with the eight (8) highest Third Round scores advance to the Barnett Board Round. The remaining competitors are eliminated.

iv. Barnett Board Round. When only eight (8) competitors remain, that is the Barnett Board Round. These eight (8) competitors shall receive an automatic invitation to join the Board. The remaining eight (8)

competitors argue. The competitors from each room with the highest score advances to the Semi-Final Round. The remaining competitors are eliminated.

v. Semi-Final Round. The remaining four (4) competitors argue. The competitors from each room with the highest score advances to the Final Round. The remaining competitors are eliminated.

vi. Final Round. The final two (2) competitors argue. The competitor with the highest Final Round score is the winner. All Board members must attend the final round.

3. Scoring

(A) Brief Scores. All Board members must grade briefs as assigned by the Intra-Scholastic Chairs. The score shall be based upon, but not limited to, format, citations, persuasiveness, and clarity.

(B) Oral Argument Scores. Oral argument shall be graded by the judges of each round and a competitor's oral argument score for any given round is the average of all the scores that competitor received from judges for that round.

(C) Calculating Round Scores. The following methods are used to determine a competitor's combined score for each round of Barnett:

i. Scoring Rounds One Through Three. Scoring during the First Round through the Third Round shall be done by combining seventy percent (70%) of the competitor's oral argument score for that round with thirty percent (30%) of his brief score.

ii. Scoring the Board Round Through the Final Round. Scoring during the Barnett Board Round through the Final Round shall be based solely upon that round's oral argument score.

D. Agreement to Compete Each student wishing to compete in Barnett must sign a Competition Agreement to Compete form (the "Competition Agreement"). The form requires the competitor to submit a good faith brief and to compete, in good faith, in all rounds of the oral argument for which he or she is selected to compete.

1. Failure to Comply. Failure to comply with the terms of the Competition Agreement will result in disqualification from the competition and from competing in future Moot Court competitions. The President shall notify the presidents of all other Richmond competition boards, including the Trial Advocacy Board, the Alternative Dispute Resolution Board, and the Client Counseling and Negotiations Board of the student's

violation of the Competition Agreement. The response to the violation is within the discretion of each of the other competition boards.

2. Determination of Good Faith Effort. The determination of whether or not a brief is considered a good faith effort shall be made as follows:

(A) The initial graders of the brief shall make a determination as to whether the grader considers the brief a good faith effort. Regardless of whether the grader believes the brief is a good faith effort or not, the grader shall complete the brief score.

(B) Where one or more graders of a brief make a determination that a brief was not a good faith effort, the Brief Re-Grading Committee shall determine whether the brief is a good faith effort.

(C) If the Brief Re-Grading Committee determines the brief is not a good faith effort, then the President shall notify the student, as well as the faculty advisor of the Board, of the determination. The President shall then make all notices as required by Section VII.D.1.

E. Failure to Complete. Any competitor who drops out of Barnett after briefs are turned in shall not be eligible to compete in any future Moot Court competitions, either inter- or intra-scholastic. This disqualification may be appealed to the Strike Appeals Board under extenuating circumstances. It is within the discretion of the Inter-Scholastic Competitions Chair (Oral) to invite the competitor with the highest combined brief and oral argument score eliminated in the previous round, or the highest brief score that failed to qualify for the First Round of oral argument, to compete. Students who decline to compete after being extended this invitation are still eligible to compete in future Moot Court competitions.

VIII. Reimbursement Policy.

A. Anything done on behalf of the Moot Court Board and authorized by the President or Treasurer shall be paid for using Moot Court funds.

B. All reimbursements are subject to the rules of the Law School regarding reimbursement.

C. Authority of the Treasurer. The Treasurer shall make all distributions of funds at his or her discretion.

1. Approval. Board members seeking funds, except Executive Board members making necessary Board expenditures, shall obtain approval from the Treasurer at least forty-eight (48) hours before incurring any expense.

2. Presidential Veto. The President reserves the right to veto any expense that the President finds is not in the best interest of the Board. This decision may be overridden by a two-thirds (2/3) vote of the Executive Board.

D. Reimbursement Procedure. Any Board member seeking reimbursement for a Moot Court expense must submit:

1. Receipts for each cost incurred; and
2. A Law School Check Request or the appropriate reimbursement form, to include (1) Name, (2) Address, (3) Student Identification Number, (4) Explanation of the expense, and (5) Total of the expense.

E. Inter-Scholastic Competition Reimbursement. Board members participating in inter-scholastic competitions shall be reimbursed as follows:

1. Fees. The Board will reimburse (1) competition entry fees, and (2) reasonable postage and photocopying costs. The Board will not reimburse research and writing expenses.

2. Accommodation. Each team shall be reimbursed one hundred percent (100%) of the cost of one (1) double-occupancy hotel room.

(A) Hotel accommodations for the night prior to the beginning of a competition shall not be reimbursed if the competition rounds begin after 1:59 p.m. and the competition is within 120 miles of Richmond, VA.

(B) If a team is co-ed and competitors are more comfortable staying in separate rooms, then the Board shall reimburse at 100% of the cost of both rooms, not to exceed three hundred dollars (\$300.00).

(C) The Board shall reimburse the total cost of one (1) hotel room reserved for any coach who travels with an inter-scholastic competition team to an out-of-town competition with the same restrictions that apply to competitors.

3. Transportation.

(A) If the competition is within 250 miles of Richmond, VA, the team will only be reimbursed for driving expenses subject to the following limitations:

- i. Only one (1) car may be used per four (4) team members;
- ii. Each team driver shall be reimbursed at the minimum per mile rate allowed by law; and
- iii. Each team driver shall be reimbursed in full for all tolls.

(B) If the competition is farther than 250 miles from Richmond, air, train, and bus fare shall be reimbursed 100% not to exceed \$375 per competitor. The fare must be reasonable, purchased well in advance, and coach class.

4. Per Diem. Each competitor shall be reimbursed \$25 per day. Receipts are required.

5. Expenses Not Covered. Board members are expected to cover the costs of any expense not covered by the Board. Board members shall cover the remaining expenses by means of fund-raising, loans, donations, scholarships, the use of personal funds, or any other method available to them.

IX. Order of the Barristers.

A. The Secretary shall maintain membership with the Order of the Barristers immediately upon assuming the responsibilities of office.

B. Each year, the Executive Board shall submit a list of not more than ten names for consideration in admission to the Order of the Barristers. The Dean's Office and faculty shall have final approval of membership in the Order of the Barristers.

X. Bylaws Amendments

A. Amendments may be proposed by:

1. A two-thirds vote of the Executive Board; or
2. A petition of one-third of the membership of the Board.

B. Proposed amendments shall:

1. Be in writing;
2. State with specificity the language of the bylaws to be amended;
3. State with specificity the changes to be made;
4. Be delivered to the President, who will present the proposal at the earliest meeting of the Board; and
5. Be made available to the Board at the earliest convenience.

C. Voting

1. Voting shall take place within three (3) weeks of presenting the proposal.
2. All members of the Board may vote.
3. The Secretary shall administer the voting.

4. Absentee voting is allowed prior to the Board vote.

5. A proposal shall be adopted upon a vote in favor by two-thirds of the total membership of the Board.