

Carleton Moot Team Constitution

Amended August 9th 2024 in Alignment with CUSA Clubs Governance Standards

Section I: Name and Foundation

There is established a Club, known as the Carleton Moot Team, that hereinafter shall be referred to as the “Organization” The Organization shall adopt such logos or other identifying marks as the executives of the Organization shall from time to time approve and disseminate.

Section II: Purpose of the Organization

2. The goal of the Organization is to:

1. Enable members in developing their oral advocacy and legal argumentation skills by preparing for and participating in mooting tournaments.
2. Bring together students who have a common interest in law and provide them assistance and an avenue to express their concerns, goals, and interests in the pursuit of a career or education in the legal field.
3. Promote the understanding of the legal profession, the rule of law, the legal process, court procedures, court etiquette and the justice system.
4. Maintain and enhance the reputation and integrity of competitions and to excel at competitions related to law, and to prepare and select students or external competitions and establish selection criteria thereof.

2.1. The Organization continues this tradition of excellence in order to best prepare our members for further legal education and employment, as well as represent our school throughout the country in undergraduate tournaments.

Section III: Structure

3.1 The General Membership shall be the legislative body of the Organization and shall be composed of all members.

3.2 The Executive shall be the administrative body of the organization and shall be composed of members elected by the General Membership according to the election procedure outlined in Section VIII.

Section IV: Membership

4.1 Membership in the Organization shall be open to all full, part-time, or Special undergraduate students registered in any program at Carleton University. The club’s membership cannot be exclusive towards any group of students at Carleton University.

4.2 A term of membership shall be from 1 September of the current academic year to 31 August of the following year.

4.3 Membership in the Organization shall be administered by the Executives of the Organization (as defined in Section V below) and shall be subject to the provisions of subsections 4.3-4 below.

Membership in the Organization shall include, but not be limited to, the following classes:

4.3.1. General Membership: A General Member shall be any Carleton undergraduate student who pays a fee to the Organization. Moreover, General members must have paid the necessary fees to CUSA. All General Members have voting rights, provided they are Members in Good Standing (Subsection 4.4). The General membership class shall consist of three groups of participants;

1. Competitive Team Member: A competitive team member shall compete in at least, but not limited to two (2) undergraduate moot competitions. This member is subject to a selection process outlined within Section VII, and;
2. Casual Team Member: A casual team member observes general meetings without any obligation to compete in competitive undergraduate moot tournaments. This includes, but is not limited to any general member not appointed to the competitive team, and;
3. Executive Member: Members of the Executive of the Organization (elected) shall be Members of the Organization. Executive members must have paid necessary fees to Carleton University Students' Association (CUSA).

4.4. A Member shall be deemed to be a "Member in Good Standing", provided that the Member:

- (i) Pays any annual membership fee as set out by the Executive;
- (ii) Upholds and observes the rules, policies and procedures appearing in this Constitution;
- (iii) Upholds and observes the Policies, Bylaws and Constitution of the Carleton University Students Association;
- (iv) Has attended at least three (3) general meetings per term, or at least six (6) general meetings per year, barring any extraneous circumstances. Alternatively, assisting with the operation of designated tournaments, social events, or team development opportunities on at least one (1) occasion during the academic year may satisfy this requirement.
 - a. In instances where an election, by-election, constitutional amendment, or any other Club function limited to Members in Good Standing must take place before three (3) practices are held, and before volunteer opportunities are reasonably made available, it suffices to have satisfied the requirements of subsections (i-iii) in obtaining eligibility for that function.

Section V: The Executive

5.1 The general management of the Organization shall be vested in the Executive.

5.2 Members of the Executive shall be elected and shall consist of one Head Captain, one Vice-President Finance, and not more than three Co-Captains.

5.3 Members of the Executive shall serve a one-year term beginning May 1st of the given year.

5.4 Powers and Duties of the Executive

1. The Organization delegates its authority therein to the executive member class to manage and conduct meetings of the general members, including but not limited to; organizing and conducting mock court proceedings, ensuring preparation of competitive members for upcoming tournaments to continue the excellence of oral advocacy of the Organization's members.
2. The Executive shall conduct communication with the Organization members electronically and orally via platforms and methods, including but not limited to; email, social media platforms, posters, online-meeting platforms and in-person communication.
3. The Executive shall determine which outside competitions to send teams.
4. The Executive shall organize all internal selection for competitive team members.
5. The Executive is responsible for conducting scheduled competitions or events, standardization of rules and scoring systems, setting up of criteria for selection of teams, and funding and/or training of teams.
6. The Executive Members shall manage the day to day operations of the organization. The Executive shall conduct business, address matters, and decide issues consistent with this article.
7. The Executive may collaborate with external organizations to conduct competitions and events.

5.5. Power and Duties of the Captains

1. Each Captain must serve as a judge or facilitator in any intramural or mock tournaments run by the Executive as necessary.
2. In each full academic year of membership on the executive, each Captain member must:
 - a. Compete in at least one approved competitive tournament,
 - or;
 - b. Serve in some other position designated by the Executive as sufficient to fulfill the member's duties to the Organization.
3. Executive members shall at all times maintain absolute confidentiality regarding the status and scores of competitors and the proceedings of the election meeting. Furthermore, Executive members shall not violate any trust given them in their capacity as Executive members.

5.5.1. The Head Captain

1. As the chief of the Organization, the Head Captain shall preside at all meetings of the Organization and its Executive Committee and has ultimate responsibility for all Organization functions.
2. The Head Captain shall oversee the preparation of all teams representing Carleton University and the Organization in interscholastic moot court tournaments.

3. The Head Captain shall provide any support necessary to Co-Captains and members; this duty includes, but is not limited to, assisting in or overseeing the preparation of teams' briefing and moot schedules; and reviewing tournament rules to determine how teams can most effectively compete in their respective competitions.
4. The position of the Head Captain is elected by the voting procedures outlined in Section VIII.
5. This position may be held by only one (1) person.

5.5.2. The Co-Captain (s)

1. The Co-Captain (s) are responsible for upholding the duties outlined in section 5.4.
2. The Co-Captain (s) shall oversee the preparation of all teams representing Carleton University and the Organization in interscholastic moot court tournaments.
3. The Co-Captains shall provide any support necessary to members; this duty includes, but is not limited to, assisting in or overseeing the preparation of teams' briefing and moot schedules; and reviewing tournament rules to determine how teams can most effectively compete
4. The Co-Captain(s) duties include, but are not limited to, notifying the membership of all general and Executive Committee meetings, maintaining and updating the Organization's means of communication and outreach.
5. A Co-Captain shall serve as the Finance Officer if there is a vacancy that is not yet filled.
6. This position may be held by a total of (3) persons or less.

5.5.3. Finance Officer

1. The Finance Officer shall oversee all financial matters relating to the Organization, including, but not limited to, arranging the funding of social events and competitions of the Organization.
2. The Finance Officer shall verify the collection of membership fees from General Members.
3. The Finance Officer shall prepare a budget for the Organization each year, or more frequently as events require, and keep records of the financial transactions of the Organization.
4. The Financial Officer shall have signing authority for the Organization.

Section VI: Meetings

The Organization conducts three types of meetings: general, competitor, and executive. Elections and constitutional amendments will take place during a General Meeting held during the winter term, or when called in accordance to subsection 6.1.

General Meetings

6.1 Meetings of the General Membership can be called:

- a. At the request of the Head Captain, for a meeting to be held not less than one week from the date of publication of the notice;
- b. At the request of the Executive, for a meeting to be held not less than one week from the date of publication of the notice; or
- c. At the request of any five members of the Organization.

6.1.1. Quorum of the General Membership: The presence of at least five members or the majority of members, whichever is less, shall be necessary to constitute a meeting of General Membership for the exercise of its powers.

6.2 General members shall meet, not less than once every month, to discuss with the Executives the plans and recommendations for the Organization.

6.2.1. The Executive shall meet with the general members from time to time to conduct business such as: discuss upcoming competitions, the expectations of the general members, learning and training opportunities, mock moot panels and/or try-outs.

6.2.2. The Executive shall conduct a separate selection meeting in the Fall and Winter semesters to discuss the available interscholastic competitions, the process for selecting the Competitive teams, and the expectations of members selected for the Competitive team.

6.2.3. The Executive shall conduct an election meeting following the final round of the final interscholastic moot competition of the year.

Competitor Meetings

6.3. General Members who are Competitive Team Members meet at least once before every competition.

6.3.1. The Competitive Team Members shall meet to discuss the imminent competition and any required information in order to prepare for that competition.

Executive Meetings

6.4. The Executive shall meet from time to time to carry out the business of the Organization and discuss proposals for general operations of the Organization.

6.5. The Head-Captain shall preside over these meetings.

6.6. Meetings of the Executive are closed to General members, except where the Executive members may invite a General member to discuss relevant matters.

Section VII: Competitive Teams

7.1. Selection

7.1.1. Any interested member of the organization may seek to represent the Organization and Carleton University as a participant within an interscholastic moot court competition. Participation is open to all members.

7.1.2. If more members are interested in participating in a given competition than there are positions available, the Executive shall prescribe procedures for selecting teams from

among the interested members. The Executives shall choose a procedure that is both fair and appropriate for ensuring that the most qualified members are selected.

7.1.3. The selection of competitive team members shall be extended to certain members of the General membership class by the Executive based upon a cumulative examination of various criteria such as but not limited to; tryout performance, participation in general member meetings, membership standing, and oral advocacy skills.

7.2. Faculty and Alumni: To the extent that neutral and fair judging of written and/or oral skills is necessary, panels of faculty and/or alumni may be enlisted to advise the Executive.

Section VIII: Election Procedures

The Organization has chosen to run elections for its Leadership Succession. The following are the steps necessary to be taken to run elections.

8. The Club executives will appoint a Succession Officer to run elections for the Club.
 1. A Succession Officer may be any one (1) of the following individuals:
 - a. A neutral party to all elections being held within the club.
 - b. A member of the Clubs Oversight Committee.
 - c. A member of the CUSA Clubs Office.
 - d. A club member or an external student non-member.
 2. All efforts should be made for a Succession Officer to be appointed on a consensus basis in the Executive Committee. When that is not possible, a recorded vote in a plurality vote winner will be appointed Succession Officer.
 3. The Organization will work with the Succession Officer to set the date of final voting membership purchase, campaign start, campaign end, voting start, and voting end.
 4. Students-at-large will have the opportunity to join the club before the start of voting.
 5. Every voter has the right to cast their ballot in private.
 6. During counting, candidates may select an individual who is not a candidate to be present for counting and scrutinizing.
 7. Appeals, complaints, or conflict may be made to the Clubs Oversight Committee by way of emailing the Student Groups Administrator.
 8. Timeline:
 - a. Day 1 - Announcement of campaign, voting, and results announcement dates
 - b. Day 7 - Start of campaign
 - c. Day 10 - last day to buy voting memberships for the club
 - d. Day 14 - end of campaign
 - e. Day 15 - start of voting
 - f. Day 16 - end of voting
 - g. Day 17 - Results announced

9. The Club will run a first past the post-style election to elect the executive positions of Head Captain, Vice-President Finance, and Co-Captain.
 - a. Candidates on the ballot shall be organized alphabetically by last name, with a box to be filled, marked, or checked for a single option/candidate.
 - b. A final “no-confidence” option will be offered at the bottom of the ballot.
 - c. Any ballot with multiple boxes clearly marked will be discarded as “spoiled.”
 - d. Upon counting of the vote, the candidate with the most votes will be considered elected to the position.

8.1. Eligibility

1. All members in Good Standing of the Organization as outlined in Subsection 4.4 shall be eligible to stand for election and be considered for the position.

Section VIII: Vacancies

9. The office of a member of the Executive shall be automatically vacated if a member of the Executive resigns his or her office by delivering a written resignation to the remaining Executive members of the Organization (resignation of a position is not effective until communicated to the appropriate officer).

9.1 Within 30 days of a vacancy, the Organization will run a by-election according to the Organization’s elections process, or as otherwise directed by the CUSA Clubs Oversight Commission.

Section X: Impeachment

10. To remove a member, the Organization, or any General Member, will first consult the CUSA Clubs Membership Removal Committee (MRC). The CUSA Clubs Membership Removal Committee (MRC) will advise on the next steps for the Organization. Should the CUSA Clubs Membership Removal Committee (MRC) advise that the club proceed with membership removal, the following steps will take place:

10.1 Impeachment for Removing an Executive Role:

- a. Grounds for impeachment of a club member include any violation of the constitution, the governing documents of CUSA, committing an act (or acts) which negatively affects and/or harms the interests of the clubs and its members, and/or failure to fulfill executive duties.
- b. Any member can bring forward a request for impeachment to any executive. Within 10 days of receiving this request, the executive will host a meeting with the general membership. At this meeting, the complaint will be reviewed. The member bringing forward the complaint and the accused executive shall be given time to speak.
- c. A vote for impeachment with the general membership will be conducted. The accused executive shall not be permitted to vote. A simple majority will be needed

to impeach the executive. Impeachment of an executive results in their removal from office and as a member of the club.

10.2 Membership Impeachment:

- a. Grounds for impeachment of a club member include any violation of the constitution, the governing documents of CUSA, and committing an act (or acts) which negatively affects and/or harms the interests of the clubs and its members.
- b. Any member can bring forward a request for impeachment to any executive. Within 10 days of receiving this request, the executive will host a meeting. At this meeting, the complaint will be reviewed. The individual bringing forward the complaint and the person accused shall be given time to speak.
- c. A vote for impeachment within the executive will be conducted. A simple majority of executives will be needed to impeach the member. Impeachment of a member results in their removal as a member of the club.

Section XI: Internal Conflict Dispute Resolution

11. Any conflict or dispute that arises among General Members or Executive Members of the Organization shall be resolved internally within the Executive Committee or in a closed meeting, formal or informal, between the affected Member and any member(s) of the Executive.

11.1 A Member who is in direct conflict with an Executive Member(s) shall then attempt to resolve the issue with an uninvolved/impartial Executive Member

11.2 Any resolution of the Executive shall be recorded and submitted.

Section XII: Amending the Constitution

12. Any member can propose an amendment to the constitution. This amendment will be presented at the annual general meeting, or a general meeting otherwise called pursuant to section 6.1. A vote will take place with the general membership to adopt the new amendment.

12.1 A simple majority will be required to adopt the new amendment

12.2 Any amendment effected pursuant to subsection 12.1 above shall take effect on the conclusion of the general meeting at which it was passed.

12.3 Proposed amendments to this Constitution shall be announced to all Members of the Organization and circulated upon request, by electronic means or otherwise, not less than one week prior to the Meeting at which such amendments will be considered.

12.4 No amendments to this Constitution shall be considered which, in the sole determinations of the Executive, would constitute a violation of CUSA or Carleton University rules, policies, by-laws or constitutions.

Section XIII: Dissolution

13.1. Upon dissolution of the organization, all permanent assets will be sold or given to CUSA and the proceeds from the sale, combined with the treasury of the Organization, shall be used to pay, in order:

13.1.1. all outstanding debts to third parties;

13.1.2. all outstanding debts to Executives and General Members who have not been reimbursed by the Organization;

13.1.3. all General Members' membership fees from the same year, or an amount proportionately more