

CLIENT SKILLS BOARD

BY-LAWS

The Members of the Marquette University Law School Client Skills Board (“Board”) have adopted the following By-Laws. The purpose of the Board is to increase awareness of the dispute resolution process. The Board also encourages and facilitates the development of arbitration, client counseling, mediation and negotiation skills by administering competitions in conjunction with the American Bar Association (hereinafter “ABA”) and other organizations.

I. DEFINITIONS

- a) Marquette University Law School Client Skills Board: All students invited to join the Board pursuant to § II.
- b) Executive Board: The Executive Board is selected in accordance with § II (a)-(e) from the members of the Board. The Executive Board consists of :
 - i. A President
 - ii. Three (3) Vice Presidents
- c) General Board Members: The members of the Board not selected to serve as a member of the Executive Board are members of the General Board.
- d) Faculty Advisor: The Dean will appoint at least one (1) faculty or staff member for each academic year to oversee the operations of the Board.
- e) Membership-At-Large: The general membership shall consist of:
 - i. Executive Board Members; and
 - ii. General Board Members.
- f) Quorum: A majority of the Membership-At-Large constitutes a quorum.
- g) Executive Board Decisions: Decisions requiring the vote of a majority of Executive Board members.
- h) Team Member: Assistant Coaches or Competitors on a Team.
- i) Notification by Reasonable Means: Reasonable notification consists of emailing the Membership-at-Large, placing a notification in the mail folders of the Membership-at-Large, or telephoning the Membership-at-Large.

II. MEMBERSHIP

a) Eligibility Requirements for Joining the Board

- i. General Board Members shall consist of any law student who previously competed in any of the Board competitions or those competing in the Board competitions in the current academic year.
- ii. Any other student is eligible for membership in the Board, but they must apply to be admitted. An application consisting of a letter of interest and resume should be submitted to the Faculty Advisor(s). Membership for non-competing students is at the discretion of the Faculty Advisor(s).

b) Bona Fide Membership

- i. In order to confirm inquiries as to current membership on the Board, all Board Members shall enroll in Client Skills with the Registrar of Marquette University Law School.
- ii. No Member shall state orally or in writing that he/she is a current member of the Board, for purposes of completing resumes, employment applications, scholarship applications, elective course applications, or for other similar purposes, unless he/she is currently enrolled in Client Skills with the Registrar of Marquette University. TO DO OTHERWISE WILL CONSTITUTE A VIOLATION OF THE MARQUETTE UNIVERSITY LAW SCHOOL CODE OF ETHICS and the student will be subject to all penalties associated with such a violation.

c) Duties and Obligations of Members

- i. Each Member is expected to attend and contribute at every meeting of the Board. A Member's regular failure to attend and contribute to meetings without prior approval from the President or Faculty Advisor(s) may be cause for dismissal.
- ii. Each Member is expected to participate during either the fall or spring semester, performing assigned duties as an active member, competitor, or coach in the selected competitions, which may include intramural competitions, the ABA Law Student Division's Arbitration Competition, the ABA Law Student Division's Negotiation Competition, the ABA Law Student Division's Client Counseling Competition, the ABA Section of Dispute Resolution Representation in Mediation Competition, the International Competition for Online Dispute Resolution, the ICC

International Commercial Mediation Competition, or any other competition approved by the Faculty Advisor(s).

- iii. Members may compete in more than one competition subject to approval by the Faculty Advisor(s) and provided they have notified the Vice-President of Competitions and the Competition Chair of their intent to compete.
- iv. Each Member must perform duties assigned by the Executive Board or Faculty Advisor(s) to satisfy their credit hour requirements, including, but not limited to:
 - 1. Acting as bailiffs and assisting with other duties associated with any competitions;
 - 2. Serving in appropriate capacities for other Board activities, according to the Executive Board's direction.

d) Dismissal from the Board

- i. A Member of the Board may be dismissed from the Board for good cause. Good cause shall include, but is not limited to, violations of the Law School Code of Ethics, violation of these By-Laws, refusal to participate in normal Board-sponsored Competitions, failure to respond to written requests from the Executive Board and/or Faculty Advisor(s), failure to attend regularly scheduled meetings without notification, falsifying hours on reporting forms and other actions adverse to the goals of the Board.
- ii. The removal process is triggered when a Board Member's alleged non-compliance or misconduct is reported to the Executive Board in writing.
- iii. Prior to dismissal, the student shall be entitled to a hearing before the Executive Board and the Faculty Advisor(s), to discuss the reasons for the dismissal action.
- iv. After the hearing, the Executive Board, in consultation with the Faculty Advisor(s), shall inform the Member, in writing, of its decision within two (2) weeks of the date of the hearing.
- v. Procedures for dismissal of an Executive Board Member are outlined in Section III (j).

III. GOVERNMENT

- a) Structure of the Executive Board: The Board shall be headed by an Executive Board. The Executive Board shall consist of the following officers:

- i. A President;
- ii. A Vice-President of Administration and Membership;
- iii. A Vice-President of Competitions;
- iv. A Vice-President of Coaching.

b) Eligibility for Executive Board:

- i. To be eligible for a position on the Executive Board, a student shall:
 1. Have competed in the ABA Law Student Division's Arbitration Competition, the ABA Law Student Division's Negotiation Competition, the ABA Law Student Division's Client Counseling Competition, the ABA Section of Dispute Resolution Representation in Mediation Competition, the International Competition for Online Dispute Resolution, the ICC International Commercial Mediation Competition or any other competition approved by the Faculty Advisor(s).
 2. Be in good academic standing, as of the date nominated for a position, and maintain that good standing throughout the term of office; and
 3. Not permit other commitments and responsibilities to impair their duties as an Executive Board Member.
- ii. All candidates for the Executive Board shall:
 1. Submit a letter of interest stating qualifications and interest (including which positions they are interested in);
 2. Be interviewed by the outgoing Client Skills Board Executive Board;
 3. Be interviewed by the Faculty Advisor(s); and
 4. Fulfill any other criteria determined by the outgoing Executive Board in consultation with the Faculty Advisor(s).

c) Nominations for President

- i. Within a month before the end of each spring semester, the outgoing President shall administer the nominations for the following year's President in accordance with the following guidelines:
 1. Following all candidate interviews, the Executive Board Members and Faculty Advisor(s) shall nominate a minimum of two (2) people for the position of President by a majority vote.

2. Executive Board Members can vote once for each candidate (e.g., if there are four qualified candidates an Executive Board Member can vote to nominate all 4 candidates).
 3. Faculty Advisor(s) can vote once for each candidate in a 1:2 ratio (e.g., if the Faculty Advisor(s) vote to nominate a candidate that vote counts twice).
- ii. Individual Executive Board Members and Faculty Advisor(s) are prohibited from publicly endorsing a particular nominee.
 - iii. After the nomination period is closed, the outgoing President shall post a list of those who have been nominated.
 - iv. If anyone declines a nomination, the outgoing President shall remove his/her name from the list.
 - v. If, after this process, no member who meets the qualifications to serve as President has accepted a nomination, the outgoing Executive Board in consultation with the Faculty Advisor(s) shall determine a reasonable method of selecting a new President.
 - vi. The outgoing Executive Board will hold an election meeting where individuals running for the position of President will provide an oral statement as to why they should be elected.

d) Election of the President

- i. The President shall be elected from those nominated for the position of President.
- ii. The President shall be elected by a majority vote of the Membership-at-Large.
- iii. At least five (5) school days prior to the election (or some other reasonable period of time), the outgoing President shall notify all of the Membership-At-Large and current competitors that the election will occur.
- iv. The outgoing Executive Board shall vote and shall administer the election process.
- v. If, at the conclusion of the balloting, no single nominee has received the necessary majority, a run-off election shall be held between the two nominees receiving the most votes.

- vi. Membership-at-Large and current competitors can fill out an absentee ballot if they cannot attend the election and may vote by proxy for any run-off elections that may be held.

e) Nominations for Vice President

- i. Following all candidate interviews, the outgoing Executive Board and Faculty Advisor(s) shall conduct nominations for the three Vice President positions following same procedures as the nomination of the President (§ III(c)).
- ii. If anyone declines a nomination, the outgoing President shall remove his/her name from the list.
- iii. At the election meeting, under § III(c) (vi), each nominated individual should state their interest and qualifications to the Membership-at-Large and current competitors.
- iv. An individual may be nominated for any or all Vice President positions.
- v. If, after the process, less than three (3) members who meet the qualification to serve as Vice Presidents have accepted nominations, the outgoing Executive Board in consultation with the Faculty Advisor(s) shall determine a reasonable method of selecting the new Vice Presidents.

f) Election of Vice Presidents

- i. Vice Presidents shall be elected from those nominated for the positions of Vice Presidents.
- ii. The Vice Presidents shall be elected by a majority vote of the Membership-At-Large.
- iii. At least five (5) school days prior to the election (or some other reasonable period of time), the outgoing President shall notify by any reasonable means all of the Membership-At-Large and competitors that the election will occur.
- iv. The outgoing Executive Board shall vote and shall administer the election process.
- v. If, at the conclusion of the balloting, any of the Vice President positions are not filled because the nominee failed to receive the necessary majority, a run-off election shall be held between the two nominees receiving the most votes.
- vi. Membership-At-Large and competitors can fill out an absentee ballot if they cannot attend the election and may vote by proxy for any run-off elections that may be held.

g) Term of Office

- i. Each Executive Board Member is expected to serve one (1) term, from the date of his/her election until the end of the spring semester in the following academic year.
- ii. In the event the President is unable to complete his/her full term in office, the replacement President shall be selected from the existing three (3) Vice Presidents, by the vote of the Membership-At-Large.

h) Duties of the Executive Board

i. Duties of the President

1. Supervise, in conjunction with the Faculty Advisor(s), the Vice Presidents and assist them in the furtherance of their duties;
2. Participate during either the fall or spring semester as a member of one of the Client Skills Competition Teams as a competitor or coach;
3. Preside over all meetings of the Executive Board or meetings of the General Board or, in exceptional circumstances, appoint another individual to preside over such meetings;
4. Assist the Vice Presidents in determining, organizing, coordinating, scheduling and hosting all Client Skills Competitions, including any intramural competitions, held during the term of office;
5. Serve as liaison between the Faculty Advisor(s), the faculty members teaching any associated courses, the Law School Administration, and the Board;
6. Attend faculty, staff, and organizational meetings as the student representative of the Board or designate a replacement when appropriate;
7. Serve as the host/hostess of all Board sponsored functions;
8. Coordinate the selection of the following year's general membership and Executive Board Members;
9. Evaluate and propose changes to the program and by-laws in consultation with Board Members and the Faculty Advisor(s).

10. Any other tasks necessary to successfully fulfill the duties and responsibilities associated with the office of President and the Client Skills Board.

ii. Duties of Vice Presidents

1. The duties of the Vice Presidents will be divided into three areas:

- a. Administration and Membership,
- b. Competitions,
- c. Coaching.

2. Duties of the Vice President of Administration and Membership:

- a. Organizing membership drives in fall and spring.
- b. Enforcing Board obligations, including meeting attendance and competition attendance.
- c. Responsible for ensuring each team is registered and receives competition materials for intramural, regional, national or international competitions.
- d. The general administration of the Board, including but not limited to making sure that all obligations are paid, coordinating travel and hotel accommodations for all Teams, and emptying mailbox.
- e. Taking minutes of meetings of the Executive Board and distributing those minutes within seven (7) days of the meeting.
- f. Assigning a Board member to take minutes at a Board meeting, and ensuring minutes are distributed within seven (7) days of the meeting.
- g. Preparing an Annual Budget with the Faculty Advisor by the end of September, overseeing payment for purchases and maintaining an accurate accounting of Board funds.
- h. Additionally, the Vice President of Administration and Membership is responsible for any other duties as determined by the Faculty Advisor(s) and the Executive Board.

3. Duties of the Vice Presidents of Competitions

- a. In conjunction with the Faculty Advisor(s), acting as the Board contact to the ABA and the Wisconsin State Bar for the intramural and Regional competitions and acting as the contact for the National competitions as necessary.
- b. Scheduling, planning and administering all intramural competitions.
- c. Appointing an Intramural Competition Chair and any other competition chair(s) as needed for other competitions.
- d. Informing the Membership-at-Large of ABA sponsored competitions and other competitions and coordinating dissemination of this information to the school.
- e. Forwarding problem packets and communications from the Faculty Advisor(s) and the ABA or the Wisconsin State Bar to coaches and competitors.
- f. Appointing and delegating responsibilities for the ABA Law Student Division's Arbitration Competition, the ABA Law Student Division's Negotiation Competition, the ABA Law Student Division's Client Counseling Competition, the ABA Section of Dispute Resolution Representation in Mediation Competition, the International Competition for Online Dispute Resolution, the ICC International Commercial Mediation Competition, any intramural competitions, or any other competition approved by the Faculty Advisor(s), and overseeing Competition Chairs to ensure that tasks for competitions are proceeding appropriately and in a timely manner.
- g. Additionally, the Vice Presidents of Competitions is responsible for any other duties as determined by the Faculty Advisor(s) and the Executive Board.

4. Duties of the Vice Presidents of Coaching:

- a. Managing the Competition Teams, ensuring all Teams have members and that they have all necessary resources.

- b. Assisting the Vice President of Competitions with the intramural competitions by providing judges, mediators, bailiffs, time keepers and other necessary volunteers.
- c. Recruiting team coaches, coordinating and supervising all coaches, scheduling practices and scheduling opportunities for Teams to practice before Faculty Advisor(s), faculty members and alumni.
- d. Convening meetings to go over competition tips, simulations and other practical preparations.
- e. Maintaining an alumni list.
- f. Additionally, the Vice Presidents of Coaching is responsible for any other duties as determined by the Faculty Advisor(s) and the Executive Board.

iii. Other duties assigned to all Vice Presidents include the following:

- 1. Participate as a member of a competition Team or coach during either the fall or spring semester;
- 2. Attend all Executive Board and special meetings as required;
- 3. Assist the President in selecting the following year's general membership and Executive Board Members;
- 4. Provide critical evaluation to the Team members during practice sessions and tip sessions;
- 5. Carry out such other reasonable duties as assigned by the President or by the Faculty Advisor(s).

i) Meetings

i. A meeting of the Board may be called by:

- 1. The Faculty Advisor(s); or
- 2. The President; or
- 3. A majority of the Executive Board; or
- 4. 33% of the General Board Membership.

- ii. The President shall notify all the Membership-at-Large, by any reasonable means, of a meeting at least five (5) school days before the meeting.
- iii. The President shall establish an agenda for all meetings.
- iv. The President or designee of the President shall preside over all meetings.
- v. Votes on all matters not otherwise discussed in these By-Laws shall require a simple majority of all Members present and voting to pass.
- vi. A member of the Board shall take minutes of each Board meeting and shall distribute copies of the minutes to the Board Membership-At-Large within seven (7) days of the meeting.

j) Removal from Office

- i. A Member of the Executive Board may be dismissed from the Board for good cause. Good cause shall include, but is not limited to, violations of the Law School Code of Ethics, violation of these By-Laws, refusal to participate in normal Board-sponsored Competitions, failure to respond to written requests from the Executive Board and/or Faculty Advisor(s), failure to attend regularly scheduled meetings without notification, falsifying hours on reporting forms and other actions adverse to the goals of the Board.
- ii. The following procedures shall be followed to remove an Executive Board Member from office:
 - 1. A written petition requesting and explaining the grounds for such dismissal and documenting the reasons for such request is submitted to the Faculty Advisor(s) and signed by at least two (2) of the four (4) Executive Board members.
 - 2. Upon receipt of the petition, the Faculty Advisor(s) shall call a meeting of the Executive Board for the purpose of conducting a hearing. The Faculty Advisor(s) 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 meetings.
 - 3. The Executive Board shall provide a written decision including findings of fact which shall be submitted to the Faculty Advisor(s) within a reasonable time after the hearing.
 - 4. The Faculty Advisor(s) shall consider the views of the Executive Board, but shall have full authority to make the final decision.

5. An individual dismissed from his/her position may request a review of the decision. After such a request, the Faculty Advisor(s) and the Associate Dean for Academic Affairs shall meet to consider the request. The Advisor(s) and Associate Dean shall conduct an investigation in whatever manner deemed appropriate and their decision shall be final.

IV. INTERSCHOLASTIC COMPETITIONS

a) Selection of Interscholastic Competitions

- i. Each spring, the outgoing Executive Board shall consult with the Faculty Advisor(s) to select the Competitions for the full upcoming academic year. Selection of these competitions shall be based on the following factors:
 1. Past participation and success in the competition;
 2. Quality of the organization of the competition;
 3. Cost of preparation and attendance;
 4. Availability of faculty and attorney Advisors in the area of law that is the subject of the competition;
 5. Faculty and administration input;
 6. Applicant's preferences and qualifications available to be appointed to teams.
- ii. The objective of the selection process shall be to achieve maximum exposure to skills building opportunities for qualified Marquette University Law School upper-classmen. Further, the Board Members shall seek to utilize the expertise of the outgoing Board, faculty and attorney Advisors, to remain within budgetary guidelines and to promote the reputation of the Marquette University Law School.

b) Competition Chair

- i. The Vice President of Competitions is responsible for appointing and delegating responsibilities for any selected competitions, which may include intramural competitions related to the ABA Law Student Division's Arbitration Competition, the ABA Law Student Division's Negotiation Competition, the ABA Law Student Division's Client Counseling Competition, the ABA Section of Dispute Resolution Representation in Mediation Competition, the International Competition for Online Dispute

Resolution, the ICC International Commercial Mediation Competition or any other competition approved by the Faculty Advisor(s).

- ii. Intramural Chairs are responsible for finding time keepers and bailiffs, making room reservations, food, parking, name tags, signage, contacting local attorneys, counselors, mediators and client-volunteers as needed, and any other tasks necessary for a competition.

c) Competition Team Participation

- i. Members may compete in all in-house competitions provided that such members have the approval of the Faculty Advisor(s) and have notified the Vice President of Competitions of their intention to compete.
- ii. To ensure that no conflict of interest arises, members who have received approval to compete in an intramural competition may assist in preparation for the competition except that:
 - a. No competitor may solicit judges for a competition in which s/he is competing. Every effort shall be made to avoid solicitation of judges who are related to or in an otherwise close personal relationship with a competing member; and
 - b. No competitor may procure, prepare, or otherwise come in contact with the problems of the particular competition.

iii. Contact with Judges at Competition

1. Team members should not speak with or have any communication with the judges before the judges enter the room.
2. Team members shall not identify school name, logo or any insignia to judges during the competition.

iv. Conflicts of Interest

1. Team members or coaches that are aware of a conflict of interest regarding a judge who will score their argument or the argument of the opposing team shall report such a conflict to the competition host as soon as possible.

- v. Team members should conduct themselves in an ethical, civil, and professional manner at all times during the competition.

d) Duties of Client Skills Competitions Team Member

- i. A student who accepts an invitation to join a Client Skills Competition Team shall:
 1. Attend all meetings and practices called by the Board, the Faculty Advisor(s) or coach;
 2. Complete all work by the deadlines set forth by the Executive Board, the Faculty Advisor(s), or coach;
 3. Meet any and all filing deadlines set by the host of the competition;
 4. Adhere to all guidelines for travel arrangements set forth by Marquette University Law School;
 5. Complete all post-competition work as required.
- ii. Should a Client Skills Competition Team Member fail in his/her duties at any time during preparation and competition, the Executive Board and Faculty Advisor(s) shall meet to consider appropriate action. Possible actions that the Executive Board and Faculty Advisor can take include:
 1. Removal of the Member from the Competition Team;
 2. Replacement of the Member with a substitute Member;
 3. Removal of the entire Team from the Competition.
- iii. The final determination shall be left to the sole discretion of the Faculty Advisor(s).

e) Selection of Team Coaches

- i. In conjunction with the Faculty Advisor(s) and the President, the Vice President of Coaching shall appoint students to serve as Assistant Coaches for each Team.

f) Duties of Team Coaches

- i. Work together to establish deadlines for Teams to ensure that all competition deadlines are met;
- ii. Provide critical evaluation to the Team members regarding performance;
- iii. Know the rules of the competition and ensure that they are adhered to;

- iv. Assist Team members during initial preparation for the competition when such assistance is allowed under the rules of the competition;
- v. Schedule practices for the Team with professors and/or outside attorneys and/or students when such assistance is allowed under the rules of the competition;
- vi. Preside over all Team practices;
- vii. Serve as liaison between the Team and the Board and the Administration.

V. BY-LAWS

a) Distribution

- i. A copy of these By-Laws shall be distributed by the Executive Board to every Member of the Board, Faculty Advisor(s), and Coaches.
- ii. A copy of all amendments and/or revisions to these By-Laws will be distributed to every Member of the Board within a reasonable time after adoption by the Board.
- iii. A copy of the current By-Laws shall always be available in the office of the Board and also on the Marquette Law website.

b) Adoption

- i. These By-Laws have been adopted by the Executive Board with the concurrence of the Faculty Advisor(s).
- ii. A Members Handbook of procedures has been established for efficient and consistent execution of these By-Laws with the concurrence of the Faculty Advisor(s). The Faculty Advisor(s) may modify the Handbook as necessary after consultation with the Executive Board. Should provisions in the Handbook contradict these By-Laws, the By-Laws shall control.

c) Amendments

- i. Any Member of the Board may propose an amendment to these By-Laws.
- ii. Such a proposal must be submitted in writing to the President at least five (5) school days before an Executive Board meeting at which the proposal will be discussed.

- iii. The President shall announce to the Executive Board at least three (3) school days before the meeting that a By-Laws amendment has been proposed, and the President shall make copies of the proposed amendment available.
- iv. The President shall allow reasonable debate among the Executive Board on any proposed amendment. Any such proposal shall require three (3) of the five (5) Executive Board members to send the proposal to the General Membership-At-Large.
- v. The President shall call a meeting of the Board and announce to the Executive Board at least three (3) school days before the meeting that a By-Laws amendment has been proposed, and the President shall make copies of the proposed amendment available.
- vi. The proposed amendment will become an addendum to these By-Laws upon a vote of the Quorum and approval by the Faculty Advisor(s).

VI. ACADEMIC CREDIT

- a) Student Board Members who complete the requirements outlined in these By-Laws and the academic service hour component shall receive academic credit as identified herein. Students who do not will receive an award of zero (0) academic credit on the Student's transcript.
- b) The Faculty Advisor shall make recommendations for credit upon the successful completion of the requirements set forth herein or such additional reasonable requirements as set forth by the Curriculum Committee, Faculty Advisor(s), or the Executive Board from time to time.
- c) The Faculty Advisor(s) may request recommendations from the President and other members of the Executive Board, as he/she deems appropriate.
- d) Executive Board: Executive Board members are eligible for two (2) academic credits, upon the successful completion of all requirements set forth herein. These academic credits will accrue during the course of the academic year and will be awarded upon qualified academic service of a minimum of one hundred twenty (120) hours to the Client Skills Board.
- e) Board Members: Board Members are eligible for one (1) academic credit, upon the successful completion of all requirements set forth herein or as assigned by the Faculty Advisor(s), or the Executive Board from time to time. This academic credit will accrue during the course of the academic year and will be awarded in the spring semester upon qualified academic service of a minimum of sixty (60) hours to the Client Skills Board. Students competing at the intramural level who do not advance to Regionals may count preparation and competition hours for the intramural competition toward the sixty (60) hour requirement.

- f) Client Skills Competition Team Competitors: Team Members are eligible for academic credit for participating in competitions above the intramural level. One (1) academic credit will be awarded for each competition above the intramural level. If completely new problems are assigned at each level of competition (i.e. Regionals and Nationals), students may be eligible to receive additional credit for competing at each level. Credit will be granted upon the successful completion of all requirements set forth herein or as assigned by the Faculty Advisor(s), the coach, or the Executive Board. This academic credit will be in addition to the academic credit of any Members who concurrently serve as a Member of the Board or Executive Board. Academic credit will be awarded upon qualified academic service of a minimum of sixty (60) hours of competition preparation, competition participation, attendance at Board Meetings, and volunteering for other Client Skills Boards Competitions.
- g) Client Skills Competition Team Coaches: Coaches are eligible for one (1) academic credit per academic year upon the successful completion of all requirements set forth herein or as assigned by the Faculty Advisor(s), the Coach, or the Executive Board. This academic credit can be in addition to the academic credit of any Members who currently serve as a Member-At-Large or Executive Board Member.

VII. ANNUAL AWARDS

- a) General Information
 - i. The Faculty Advisor(s) may choose to honor Marquette University Law School students who participate in the various intra-scholastic advocacy competitions.
 - ii. Awards for any advocacy competitions sponsored by the Board shall be determined by the Executive Board and Faculty Advisor(s), as appropriate.