

Writing a Constitution

What follows are definitions and a suggested constitution outline. A constitution essentially states who you are as an organization, how you function, how you operate and how you make decisions. You should keep a copy of your organization's constitution on file in the Dean of Students as well as with your organization's files and with your organization advisor.

- Constitution: A document of fundamental laws & principals that prescribes the nature, functions, and limits of your organization.
- By-Laws: Secondary set of laws or rules governing internal affairs of an organization, not included in the Constitution, which are of such importance that they cannot be changed without using formal procedure but are more easily amended than the Constitution. By-laws may detail member responsibilities, meeting times, location, attendance requirements, etc.
- Amendments: A formal statement of a revision or change to the constitution or by-laws

Helpful Hints:

To create a constitution, follow these 4 easy steps:

- 1) Draft it with 2 or 3 club members Keep it simple; avoid confusing, "legalistic" terms.
- 2) Show the draft to the rest of the group and welcome comments. It's easier for a group to edit, rather than create it together.
- 3) Show the revised copy to the Dean of Students (or your organization advisor) for feedback. We read many constitutions and will have ideas on how you can best meet your group's needs.
- 4) Give a final copy to Dean of Students, your organization advisor, and club board members.

Constitution Outline

Date (date created or revised)

ARTICLE I - Name, Purpose, and Affiliation

- Section 1 Name of organization
- Section 2 Purpose of organization (objective/s)
- Section 3 Organization affiliation (local, state, national, or international organizations)

ARTICLE II- Adhere to University Policies

- Section 1 Statement that organization adheres to University rules, regulations, and policies
- Section 2 Statement that organization will adhere to all national laws

ARTICLE III - Membership

- Section 1 Membership requirements (state who may be a member—ASHESI UNIVERSITY students, faculty, staff, etc.)
- Section 2 Membership privileges
- Section 3 Requirements and privileges of active membership in organization
- Section 4 Organization does not discriminate based on race, ethnicity, color, national origin, religion, disability or gender.

ARTICLE IV - Officers

- Section 1 Titles of officers
- Section 2 Qualifications of officers (must be matriculated ASHESI UNIVERSITY Students in good academic standing)
- Section 3 Duties of officer

ARTICLE V - Advisor

- Section 1 How the advisor is chosen
- Section 2 Expectations of Advisor (how often advisor will meet with org., expected assistance for org, etc.)

ARTICLE VI - Election and Removal of Officers

- Section 1 Time of election
- Section 2 Election procedures
- Section 3 Procedure for removal of officers

ARTICLE VII - Meetings

- Section 1 Frequency of regular meetings
- Section 2 Provision for special meetings

ARTICLE VIII - Quorum

- Section 1 Definition of a quorum (i.e., 2/3 majority, 50% + 1, etc.)
- Section 2 When a quorum is necessary

ARTICLE IX- Amendments and By-Laws

- Section 1 Provision for By-laws of the Organizations
- Section 2 Provision for amendments to the constitution and by-laws

ARTICLE X - Committees

- Section 1 Outline any standing committees
- Section 2 Outline procedures for creating new or short term committees

Sample Constitution

Constitution of the ASHESI UNIVERSITY Mock Trial Association

Created on 4/25/2002

Article I.

Section I. This organization shall be called "The Ashesi University Mock Trial Association" herein after referred to as "the Association".

Section II. The objectives of the Association are to educate members of Ghana's legal systems

Section III. The Association is affiliated with the Ghanaian Mock Trial Association.

Article II.

Section I.

a.) the Association shall comply with the Ashesi University Code of Conduct and all University policy specifications thereof.

b.) The Association shall adhere to all regulations as specified in the Ashesi University Student Handbook.

Article III.

Section I. Membership requirements are as follows:

- a.) The individual is an Ashesi University student
- (b.) Participation at tournaments and compliance with tournament rules and regulations.
- c.) Membership is contingent on attendance of general meetings and team practices which are mandatory.

Section II Membership privileges are as follows:

- a.) Expenses for tournaments are paid from the Treasury of The Association;
- b.) Members receive training/guidance in the following areas, to mention a few:
 1. Researching
 2. Oral argumentation
 3. Analytical thought and expression
 4. Reasoning skills

Section III. The Association will not discriminate on the basis of race, ethnicity, color, national origin, religion, disability, gender, or sexual orientation.

Article I V. Officers

Section I. Titles of Officers are as follows:

- a.) President(s) (maximum of 2): The position of President/co-President includes a range of responsibilities not confined to chairing general and executive board meetings, making arrangements for tournaments, being a liaison between The Association and the American Mock Trial Association as well as other member schools, and being captain of the team (addressing issues of concern and bringing them to the attention)

The Association.

Qualifications: The President(s) must have at least 2 semesters of membership with The Association and must be a matriculated Ashesi University student. She must possess a sincere dedication and interest in Mock Trial and its continuation. Furthermore, she must be able to commit her time to attending meetings, engage all members of The Association, and compete in tournaments.

- b.) **Treasurer:** The position of Treasurer entails the keeping of all of The Association's monies and includes the responsibility of executing the audit in a timely and organized manner. The Treasurer is also in charge of paying The Association's dues and tournament fees.

Qualifications: The Treasurer must be a matriculated ASHESI UNIVERSITY student who is organized and responsible. (S)he must insure that the financial well-being of The Association is dealt with in a timely manner and (s)he is also responsible to bring up issues of finance to the Executive Board. Additionally, the Treasurer is expected to meet all SGA requirements.

- c.) **Secretary:** The Secretary keeps the e-mail/contact list of The Association. Furthermore, she is in charge of monitoring the attendance of members and of informing inactive members of the membership ineligibility if such behaviors continue. Additionally, (s)he is in charge of publicity and raising awareness of the Association.

Qualifications: The Secretary must be a matriculated Ashesi University student. Required of him/her is enthusiasm and an active willingness to communicate with members of the Association. (S)he must be organized and reliable.

Article V. Advisor

Section I. The Advisor is chosen under the following criteria:

- a.) The Advisor must be associated in some way to the legal field.
- b.) She/he must have pertinent connections to the Ghanaian community
- c.) She/he must be willing to dedicate time to attending executive board meetings every five weeks.
- d.) The Advisor may also act in a coaching capacity guiding with the formulation of arguments and methods.

Article VI. Election and Removal of Officers

Section I: Elections will be held in September of each academic year.

Section II. Election Procedures are as follows:

- a.) All those running must first be nominated by someone with The Association. this may include self-nomination.
- b.) Those running for office must submit a typed candidate statement two weeks prior to elections so that it may be distributed to all active members.
- c.) Candidates must make speeches not to exceed five minutes at a general election meeting.
- d.) Candidates are elected through a majority vote. If a candidate for a certain position does not win, she or he may run for a lower office at that time if nominated.
- e.) Votes will be taken via a secret ballot and counted by a member of The Association who is not running for a position.

Section III. Procedure for removal of officers is as follows:

- a.) The removal of an Executive Board member from office is brought to the organization by board consensus (excluding the member in question). The member is asked to withdraw from the Executive Board if there is a 2/3 organization majority in favor thereof. The member has the opportunity to present her case to the organization at large prior to the vote.

Article VII. Meetings

Section I. Frequency of regular meetings

- a.) Regular meetings will occur on at least a weekly basis.
- b.) Regular Executive Board meetings will occur on a monthly basis.

Section II. Provisions for Special Meetings

- a.) Special Meetings will be held for the removal of officers arranged by any active members who feel the need for such an event.

Article VIII. Quorum

Section I. Definition of a Quorum

- a.) Quorum for The Association is defined as a 2/3 majority
- b.) Section II. When A Quorum is Necessary

- c.) a.) Quorum is necessary for the removal of officers within the Association

Article IX. Amendments and Bylaws

Section I. Provision for Amendments and By-laws

- a.) An amendment or by-law may be presented by any member of The Association and requires a 2/3 majority in favor to be instituted. Alternately, an amendment or by-law may be brought forward by an Executive Board member and be voted on by the whole membership, requiring a 2/3 majority to take effect.

Article X. Committees

Section I. Outline of any standing committees

- a.) If the organization decides to sponsor a conference or special event, the Executive Board shall establish a standing committee.