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I. CONTACT INFORMATION

A. 2016-2017 Executive Committee

Executive Director: Matthew McCarthy
barristers.executive@gmail.com

Managing Director: James Ferguson
barristers.managing@gmail.com

Finance Director: Jonathan Rauch
jmr312@georgetown.edu

Alumni Relations Director: Sara Rafferty
sk82@georgetown.edu

Director of ADR: Katherine Dearing
barristers.adr@gmail.com

Director of Trial Advocacy: Matthew Covert
barristers.trial@gmail.com

Co-Directors of Appellate Advocacy: Jeffrey Thalhofer &
Kyle Crawford
barristers.moot@gmail.com

B. Web Presence

The Barristers’ Council will primarily communicate with members and the rest of the GULC community through the Barrister’s Council Facebook page at www.facebook.com/gulcbc. All members should “like” the page in order to receive relevant and vital news, even information, tournament updates, and schedules.

II. PURPOSE

The Barristers’ Council is Georgetown University Law Center’s intramural and interscholastic advocacy competition organization. It qualifies, coaches, and fields the teams that represent Georgetown at national and international appellate advocacy, mock trial, and alternative dispute resolution competitions.
III. HISTORY

The Barristers' Council is a student organization originally chartered to run the legal research and writing program at the Law Center and to represent the school at interscholastic moot court (appellate advocacy) competitions. In the early to mid-1980s, when the school created a legal research and writing department, the Council shifted its focus to fielding all of the Law Center's moot court teams. In the early 1990s, the Council responded to an increased interest in trial advocacy skills and created the trial advocacy (mock trial) division. In 2001, the Barristers' Council added a third advocacy division, the alternative dispute resolution (ADR) division, by merging with the ADR Society's Competition Board. At present, the Barristers' Council qualifies, coaches, and fields all of the Law Center's interscholastic appellate, trial, and ADR advocacy teams.

IV. MEMBERSHIP

A. Eligibility

Students currently enrolled in the J.D. program at the Law Center are eligible to compete in the qualifying competitions and, if invited, to join the Barristers' Council. LL.M.s may compete in a non-graduating semester for a chance to participate in the appellate advocacy or ADR division if Georgetown is invited to attend competitions that allow LL.M. participation. Non-Barristers' Council members are permitted to attend and participate in events that are open to the full student body or to the general public. However, they are not permitted to attend or participate in events exclusively for Barristers' Council members.

B. Qualifying Competitions

Entrance to Barristers' Council is only available by competing in one of several annual qualifying competitions. These intramural competitions include the William W. Greenhalgh mock trial competition, the Robert J. Beaudry moot court competition, the Everett Bellamy ADR Negotiation competition, and the William E. Leahy combined moot court and ADR arbitration section competition.

C. Invitations

Invitations to join the Barristers' Council are extended to competitors based solely on their skills in oral and written advocacy as demonstrated during the qualifying competition. Grades are not considered. Acceptance makes a competitor a member of one of the three divisions, and after accepting, members may only compete on behalf of a different division in a substitute capacity, with express permission from the Executive Director.

D. Acceptance of Invitation and Deferral Policy

Individuals invited to join the Barrister’s Council in any division must accept
within the time specified in the invitation. First-year day and evening students are typically given the option of deferring acceptance until the end of the last qualifying tournament of their first year to allow them to explore which division is the best fit. In the interest of fairness to others and to division managers, acceptance of an invitation is final with no exceptions. Students who have accepted an invitation may no longer compete in qualifying tournaments.

E. Two-Year Commitment and Penalties

Membership in the Barristers’ Council requires a two-year commitment. The only exception to this rule is for students who join the Council immediately before or during their last year of school. Members must compete on an interscholastic team as an alternate or an advocate at least once during their membership. In addition, during both years of membership, members are encouraged to take a staff position (either within their division or on the Executive Committee), and must assist with all of the qualifying competitions that their advocacy division runs and all of the interscholastic competitions that their division hosts. This two-year commitment ensures that the Barristers’ Council, an entirely student-run organization, continues to produce exciting competitions and excellent advocates.

Penalty: Students who fail to meet these requirements will be dismissed from Barristers’ Council and be required to remove membership from their resume as well as notify anyone who has received a previous errant resume.

F. Privileges and Responsibilities

Representing Georgetown at moot court, mock trial, and ADR competitions is an honor that is unique to the Barristers’ Council -- no other student organization is allowed to field interscholastic advocacy teams. Non-Barristers’ Council students or faculty members who wish to participate in a competition must confirm that (a) their participation is not funded by the Georgetown University Law Center, (b) the competition is not one attended by a Barristers’ Council team, (c) their participation is not detrimental to the Barristers’ Council organization, and must (d) clear their participation with Barristers’ Council prior to competing.

With this unique honor come significant responsibilities. The Council recognizes that it must run excellent qualifying competitions to find those advocates with the greatest potential. It must train and coach its new members so they can represent Georgetown to the best of their abilities. To be successful, the Council must be administratively effective and efficient.

In order to meet these significant responsibilities, the dedication and hard work of every member is required. In short, membership in the Barristers’ Council is a privilege premised on the satisfactory fulfillment of certain obligations. In recognition of these obligations, every new member of the Barristers’ Council must sign a Commitment Form. This handbook and the Commitment Form detail the obligations of Barristers’ Council members.
Failure to abide by the policies described in this handbook may result in disciplinary actions as described in Section (XI), up to and including loss of one’s membership in Barristers’ Council.

V. EXECUTIVE COMMITTEE

The Executive Committee is the governing body of the Barristers’ Council. It consists of administrative directors -- the Executive Director, and the Director of Finance -- and advocacy directors -- the Director of ADR, the Director of Trial Advocacy, and the Director of Appellate Advocacy. The Executive Committee sits for one year and is selected each April by the outgoing Executive Committee and the incoming Executive Director from interested Council members in good standing.

A. Administrative Directors

- Executive Director: The Executive Director has ultimate responsibility for all of the activities of the Barristers’ Council. To meet this obligation, the Executive Director calls and chairs Executive Committee meetings, allocates responsibilities among the directors, and keeps the Barristers’ Council advisor apprised of Council activities. In addition, the Executive Director is ultimately responsible for enforcing the obligations of membership. The outgoing Executive Committee chooses the Executive Director.

- Managing Director: The Managing Director is responsible for the efficient administration of the Barristers’ Council. In consultation with the Executive Director, and in addition to other duties, the Managing Director regularly communicates information from the Executive Committee to Council members, keeps track of Council membership and the fulfillment of membership obligations, and ensures that the Council office is fully operational. The incoming and outgoing Executive Directors, as well as the outgoing Managing Director, choose the Managing Director.

- Finance Director: The Finance Director is responsible for the fiscal health of the Barristers’ Council. Along with the Executive Director, the Finance Director prepares the Barristers’ Council budget for the following academic year, tracks and controls expenditures, alerts the Executive Committee to potential deficits in a timely manner, develops policies and procedures to minimize costs, ensures division directors stay on top of the financial aspects of their programs, including by ensuring timely purchase of travel arrangements, and ensures timely reimbursement of eligible expenses. The incoming and outgoing Executive Directors, as well as the outgoing Director of Finance, choose the Finance Director.
• **Alumni Relations Director:** The Alumni Relations Director is a liaison between the current members of Barristers’ Council and alumni previously involved in any of the three divisions while students on campus. The Alumni Relations Director fosters alumni involvement by maintaining and updating a cohesive database of alumni, organizing informal social and networking events, coordinating with the Office of Alumni Affairs and other on-campus groups, communicating through e-newsletters the progress of the groups, and inviting alumni practitioners to speak about their experience at informal or formal events.

B. **Advocacy Directors**

• **Director of ADR:** The Director of ADR runs the ADR Division. In consultation with the Executive Director, and in addition to other duties, the Director of ADR administers the division's qualifying competition: the Everett Bellamy negotiation competition (held in the spring semester and open to all non-graduating students) and the William E. Leahy competition, which is coordinated with the Director of Appellate Advocacy (held in the fall semester and open to 2Ls, 2Es, 3Es and LLMs). The Director also selects and prepares teams for interscholastic competitions and hosts any interscholastic ADR competitions. Additionally, the Director of ADR is responsible for ensuring that division members fulfill their administrative obligations, for tracking this information, and for communicating it in a timely and regular fashion to the Managing Director. The incoming and outgoing Executive Directors, as well as the outgoing Director of ADR, choose the Director of ADR.

• **Director of Trial Advocacy:** The Director of Trial Advocacy runs the Trial Advocacy Division. In consultation with the Executive Director, and in addition to other duties, the Director of Trial Advocacy administers the division's qualifying competition: the William W. Greenhalgh mock trial competition. The Director also assigns and prepares teams for interscholastic competitions, and hosts the annual National White Collar Crime Mock Trial Invitational. Additionally, the Director of Trial Advocacy is responsible for ensuring that division members fulfill their administrative obligations, for tracking this information, and for communicating it in a timely and regular fashion to the Managing Director. The incoming and outgoing Executive Directors, as well as the outgoing Director of Trial Advocacy, choose the Director of Trial Advocacy.

• **Director of Appellate Advocacy:** The Director of Appellate Advocacy runs the Appellate Advocacy Division. In consultation with the Executive Director, and, in addition to other duties, the Director of Appellate Advocacy administers the division's qualifying competitions: the Robert J. Beaudry moot court competition (held in the spring semester and open to 1Ls and 1Es) and the William E. Leahy competition, which is coordinated with the Director of ADR (held in the fall semester and open to
2Ls, 2Es, 3Es and LLMs). The Director also selects and prepares teams for interscholastic competitions and hosts the annual Space Law moot court competition. Additionally, the Director of Appellate Advocacy is responsible for ensuring that division members fulfill their administrative obligations, for tracking this information, and for communicating it in a timely and regular fashion to the Managing Director. The Director of Appellate Advocacy is chosen by the incoming Executive Director and the outgoing Director of Appellate Advocacy.
VI. ADR DIVISION

Alternative Dispute Resolution (ADR) spans all fields of law and has become an essential component of any attorney's toolkit. Negotiation, in particular, is integral to the legal profession. This skill is not merely for corporate attorneys; the successful litigator is also a skilled negotiator, considering the high settlement rate for contentious disputes. Many U.S. courts have formally adopted mandatory mediation requirements and multi-door systems, encouraging disputants to engage in good faith negotiations, facilitation, or mediation before they can see the inside of a courtroom. Similarly, many commercial contracts include binding pre-dispute arbitration clauses that commit parties to using ADR for contractual disputes. Coupled with rising litigation costs, these trends have resulted in a much smaller proportion of cases reaching trial, making the field and techniques of ADR more relevant today than ever before.

The ADR Division of Barristers' Council offers students a unique opportunity to develop sophisticated techniques necessary for competent and ethical representation in ADR proceedings. The ADR Division's record of success is outstanding and reflects our exceptional commitment to training and preparation. The students in our division work closely with an impressive network of highly regarded ADR scholars and practitioners as they prepare to represent Georgetown at regional, national, and international competitions focused on arbitration, mediation, client counseling, and negotiation.

Those students interested in joining the ADR Division must participate in the Leahy Competition (held each fall, open to LL.M. and upper-class JD students) or the Bellamy Negotiation Competition (held each spring, open to all non-graduating students). In the Bellamy Competition, students demonstrate their skillful handling of a legal negotiation in settlement discussions with their peers. These simulated negotiations are designed to challenge the students’ ability and skills in ethical advocacy, active listening, focusing on interests over positions, separating the people from the problem, and inventing creative solutions for mutual gain. Competitors who make the semi-final round, as well as additional successful candidates as space permits, are invited to join the Barristers' Council and to represent the Law Center on one of its interscholastic ADR teams.

Membership in the ADR Division generally requires a two-year commitment. In addition to representing the Law Center at interscholastic competitions, each member generally must serve on one of the several committees that comprise the ADR Division and help with practice moots. Additionally, all members are required to help run the qualifying competitions and any interscholastic competitions hosted by the ADR Division.

VII. TRIAL ADVOCACY DIVISION

The Trial Advocacy Division is the mock trial division of the Barristers’ Council. It is responsible for qualifying and fielding the Law Center’s interscholastic mock trial teams. Trial teams are coached by experienced trial
attorneys who volunteer their time to the Barristers' Council.

Students join the Trial Advocacy Division by competing in the William W. Greenhalgh intramural qualifying competition held each spring. The Greenhalgh competition is open to all J.D. students who will return for both semesters of the following school year. This includes 1Ls, 1Es, 2Ls, 2Es, and 3Es. Greenhalgh emphasizes those oral advocacy skills particular to a trial setting. There is no writing requirement in Greenhalgh. Competitors who advance to the trial rounds of Greenhalgh are invited to join the Barristers' Council as advocates. Additional competitors may be invited to join the Barristers' Council depending on the number of positions available and the quality of the competitors. The exact number of advocate positions varies from year to year and depends upon factors such as the number of existing trial members who plan to compete for a second year and the number of invitations to national trial competitions that Georgetown anticipates receiving for the next school year.

Membership in the Trial Division generally requires a two-year commitment. Trial Division members must compete once while they are a member. Members also have the option of competing more than once during their membership, depending on competition availability. Members may also join the Executive Committee, head a committee, or serve in some other leadership capacity. In each year of membership, members are required to help run the Greenhalgh Competition as a judge or other volunteer position as arranged with the Trial Advocacy Director and Greenhalgh Director. Members must also help run the annual National White Collar Crime Competition.

VIII. APPELLATE ADVOCACY DIVISION

The Appellate Advocacy Division is the oldest and largest division of the Barristers' Council. It is responsible for qualifying, coaching, and fielding the Law Center's interscholastic moot court teams. Appellate Division advocates are considered to be the best moot court competitors that Georgetown has to offer.

Students join the Appellate Division by competing in one of two annual qualifying competitions. First-year law students compete in the Beaudry Cup during the spring semester, and upper-class students compete in the Leahy Competition during the fall semester. Both competitions require students to write an appellate brief and to argue at least once for both the petitioner and respondent. Competitors who advance to the quarter-final round of the Beaudry Cup or the semi-final round of the Leahy Competition are eligible for an invitation to join the Barristers' Council and represent the Law Center on one of its interscholastic moot court teams. The ultimate decision of how many offers to extend resides with the Director of Appellate Advocacy. Eligible candidates who do not receive offers to join the Appellate Division may be offered a position as an alternate.
Membership in the Appellate Division generally requires a two-year commitment. In the first year, members represent the Law Center at an interscholastic moot court competition. Second-year members coach the interscholastic teams, join the Executive Committee, head a committee, and/or serve in some other leadership capacity. With few exceptions, each member serves on one of the several committees that comprise the Appellate Division. Additionally, members are required to help run the qualifying competitions and any interscholastic competitions that the Appellate Division may host.

A select number of competitions are available for members in their second year in the Appellate Division. Members who compete in their second year must do so in addition to their coaching and leadership responsibilities.

IX. FINANCE POLICIES

If you have questions about the following policies or procedures, please contact either your Advocacy Director or the Finance Director, Jonathan Rauch, at jmr312@georgetown.edu.

A. Travel Expenses & Reimbursement Policy

The Council will pay for all essential travel and related charges as defined below for Council Members participating in various advocacy competitions. Airfare, hotel, and other major charges for travel arranged through the Barristers’ Council division director or division coordinator will be pre-paid. **Students who book travel on their own, without the express permission of both the Finance Director AND their Advocacy Director, will NOT be reimbursed for their expenses.**

1. Approved Expenses

   The following costs will be covered by Barristers’ Council:

   a. **Essential Travel and Related Charges**

      i. Costs to attend competition

         1) **Competitions within 250 miles**

            a) Train (unless the cost of airfare is lower); or

            b) Rental Car (with pre-approval of Finance Director); or

            c) Personal Car – (reimbursed at the current Georgetown per-mile rate, which is, as of January 2015, 57.5 cents per mile, based on documented starting and ending mileage).

NOTE: Competitions held at GULC (and nearby Washington, DC facilities including, but not limited to, the Moultrie and Prettyman Courthouses) are not
subject to reimbursable travel expenses. Please check with the Finance Director if you are unclear whether your competition falls into this category.

2) Competitions beyond 250-mile radius
   a) Coach Airfare; and
   b) Public transit to Dulles, BWI, or Reagan National.
   c) Barristers will **not** reimburse taxi fares to Dulles, BWI, or Reagan airport unless public transit was not running when the competitor needed to travel to the airport.

ii. Hotel Room Costs excluding incidentals
   1) Only room charges are reimbursed. Incidental room costs such as room service, movies and items from the mini-bar will **not** be reimbursed. Participants will be required to secure their own lines of credit with the hotels via credit card or cash deposit.
   2) Hotel room charges will be not be reimbursed for competitions within 60 miles without express prior Executive Committee approval. Most notably, hotel rooms for competitions occurring in Baltimore will not, unless there are special extenuating circumstances, be reimbursed.

iii. Taxis, subways and other mass transportation costs in the tournament city will be reimbursed up to $50 per team member for the entire competition (additional expenses may be reimbursed on an individualized basis)

iv. Rental cars (with the pre-approval of the Finance Director)

v. Tolls and other such facility usage charges.

NOTE: Regarding gas purchases, Council members will only be reimbursed for gas purchased for a rental car and not for personal car usage. The per mile reimbursement rate for personal-car use factors in gas and vehicle wear and tear. Please provide the Reimbursement Coordinator with starting and ending locations. The Reimbursement Coordinator will calculate the mileage and reimbursement amounts.

b. Process for Securing Travel

i. Each division’s travel coordinator will come up with an overall travel plan and submit it to the Finance Director. This plan will include the overall number of competitions requiring travel, the number of flights or other journeys needed, and an estimate of the total cost. The plan will also include a deadline for submission of all flight details to the Office of Student Life. All individuals’
requests must be submitted through a Travel Request Form to Maura Hayes in the Office of Student Life.

ii. **Please note:** OSL may choose to not book travel submitted after the below cutoff deadlines:

1) All Division Directors wishing to book travel to a domestic competition must submit all Travel Request Forms no less than four (4) weeks prior to competition. Exceptions to this requirement must be approved by the Finance Director in advance.

2) All Division Directors wishing to book travel to an international competition must submit all Travel Request Forms no less than six (6) weeks prior to competition. Exceptions to this requirement must be approved by the Finance Director in advance.

iii. The division travel coordinator should send the Travel Request Form directly to the Finance Director (jmr312@georgetown.edu). Once approved, the Finance Director will forward the completed request form to the Council’s administrative liaison for disbursement and travel booking. The liaison will then forward proposed travel arrangements to the team members requesting travel.

iv. Team members shall review the arrangements and notify the administrative liaison (with the Finance Director in copy) of approval or proposed changes **within 24 hours.** If they have not responded within 72 hours, the administrative liaison will book the flight. Competitors will be expected to reimburse the Council for any tickets that competitors are not able to use.

v. If a division travel coordinator does not submit a Travel Request Form or obtain an approved extension from the Finance Director within the appropriate time period as outlined above, Barristers’ Council may make reservations that it, in its sole judgment, believes are appropriate. The individual team members shall be responsible for complying with these arrangements or making any changes at the members’ personal expense.

vi. After confirming the travel arrangements, team members will **not** be allowed to change their reservations except in emergency situations. Emergency situations do not include rescheduled classes, job interviews, clinical commitments, journal deadlines, other foreseeable academic issues, an inability to work with one’s teammate, tournament prep requiring an unexceptionally large time commitment, or the reassignment of roles or positions within a team. Please consider possible time conflicts before agreeing to a reservation. If the team member chooses to change flight reservations or other travel arrangements and such a change results in a charge to the Barristers’ Council, the team member
will be required to reimburse the Council for the cost of the change. This means that if the cost of a plane ticket was $200 and the cost of the new ticket requested by the Barristers’ member is $400, the member will reimburse Barristers’ Council $200 via check within four (4) weeks of the ticket purchase.

vii. Per Georgetown policy, all students traveling internationally must purchase travel insurance in the amount of $75. The travel coordinator will forward a list of names to the Office of Student Life, who will handle both the purchase and the subsequent reimbursement.

2. Non-Approved Expenses

Some expenses incurred during a tournament-related trip will NOT be reimbursed by Barristers’ Council, including:

a. Meals are not reimbursed.

b. Tournament clothing is not reimbursed, regardless of necessity.

c. Travel arrangements made outside of the proscribed procedures are not reimbursed.

3. Reimbursement Process

Approved expenses may be reimbursed by submitting:


b. If the purchase to be reimbursed was made with a credit card, a credit card statement or transaction record showing the expense must be included.

Members are required to submit all reimbursement requests to the appropriate Division Director. Once approved, the request must be placed in an envelope in the Finance Director’s mailbox in the Barristers’ Council office, Hotung 1010. The door code is 9701#. **It is strongly recommended that Council Members make a copy of all receipts before submitting their reimbursement requests.** Reimbursements will be issued within 60 days of submission.

**B. Miscellaneous Expenses & Reimbursement Policy**

The Council will pay for and reimburse all essential expenses and costs as delineated below that Council members incur in the preparation for various advocacy competitions and the administration of the Council. Any costs exceeding $20 must be **pre-approved** by the Council member’s Division Director; failure to secure pre-approval may result in a denial of reimbursement. Whenever possible, postage and printing services should be obtained from recognized Georgetown Law vendors. Original receipts must be submitted
for reimbursement along with the reimbursement form located on the Barristers’ Council website.

1. Included Expenses

   a. Photo-reproduction including enlargement, matting and binding (pre-approved by Division Director)

   b. Office Supplies & Presentation Equipment (pre-approved by Division Director)

   c. Postage & related expenses (pre-approved by Division Director)

   d. Banquet Events (subject to prior Executive Committee Approval)

      i. This includes meals, beer & wine, entertainment, awards, presents and food for judges.

      ii. [Note: GULC expressly prohibits reimbursement for all hard-alcohol purchases]

   e. Pizza for Division-wide meetings (subject to prior Executive Committee Approval)

2. Misc. Expenses Reimbursement Process

   Council members may purchase Included Expenses (see above) and certain travel-related expenses from non-established vendors. Council members must pay for such goods and services with their own funds and submit a request for reimbursement per the instructions below. Therefore, it is highly recommended that Council members take advantage of the direct billing option provided. Reimbursement process for non-established vendors:

   i. Complete the Reimbursement Request Form available on the Barristers’ Council website.
   ii. Provide an original, itemized receipt;
   iii. If the purchase was made by credit card, provide the credit card statement with the purchase to be reimbursed highlighted. Please redact all personal information.
   iv. For reimbursements in excess of $75.00:

       Reimbursements for non-Georgetown employees amounts greater than $75 will be made by check and mailed to the address provided. The processing time is approximately 60 days; these reimbursements are handled by Main Campus and the Finance Director cannot make emergency reimbursements.

       Reimbursements for amounts less than $75 will be made via petty cash. The processing time is approximately 5-7 business days due to checks required with
Main Campus. This option is preferred.

Please submit all reimbursement requests (with all required attachments) to the Finance Director mailbox in the Barristers’ Council office, Hotung 1010 or directly to Maura Hayes in the Office of Student Life.

Note: If you are a GULC employee or work study, your reimbursement may be processed via the GMS system. Please notify the finance director that you are an employee when submitting your request. This status will significantly speed up your reimbursement.

C. Tax Exempt Status

GULC is exempt from paying the following States’ sales tax. This exemption only applies to goods purchased (e.g. paper, pens, etc.) and does not include services (e.g. meals, hotel’s occupancy tax, airline taxes, etc.). If students use their own money to purchase reimbursable expenses and incur sales tax, GULC will reimburse them. However, GULC will use a tax exempt form whenever using a GULC credit card.

States wherein Georgetown University is not required to pay sales tax:

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<thead>
<tr>
<th>District of Columbia</th>
<th>Virginia</th>
<th>Maryland</th>
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<td>Pennsylvania</td>
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If you are competing in one of the above states, you may request a copy of Georgetown University’s sales tax exemption documents from the Finance Director in advance of your departure. Do not relinquish your copy of the certificate.

When making purchases on behalf of approved Council activities, you should present a copy of the certificate of exemption to the retail vendor at the time of the purchase. The vendor is required to deduct the sales tax from the cost of goods purchased.

D. Prizes Obtained from Barristers’ Council Funded Competitions

1. All Monetary Prizes Property of Barristers’ Council: Any monetary prize awarded as a result of participation in a competition funded, in whole or in part, by Barristers’ Council or the Law Center is the property of the Barristers’ Council. Individual students may not keep any monetary prize—regardless of how it is described by the awarding entity, including but not limited to prizes designated as “scholarships” or “for the student”—awarded as the result of the participation in a Barristers’ Council funded competition; any such prize must be turned over to the Finance Director immediately after return from a competition. This rule also applies if the student winning such an award has already graduated from Georgetown Law at the time she participates in the tournament, provided Barristers’ Council or the Law Center paid for the student’s participation in whole
2. **Non-Acceptance of Instruments Payable to Individual Member:** No Barristers’ Council member shall accept a check or other instrument made payable to the individual member. If offered such an instrument, the member must refuse the payment and request that institution offering the prize contact the Finance Director to make arrangement to pay any prize over to Barristers’ Council. If the institution offering the prize refuses to pay the prize over to Barristers’ Council, the prize may be forfeited.

3. **Non-Monetary Prizes:** Members may keep non-monetary prizes and mementos, such as clothing, certificates, and other commemorative items obtained as a result of Barristers’ Council funded competitions. Plaques and trophies commemorating team awards are kept by the Barristers’ Council and, to the extent possible, displayed at the Law Center. However, before keeping any non-monetary prize with a cash value of more than $250.00, a member must obtain approval from the Executive Director and Barristers’ Council faculty advisor.

**E. Barristers’ Council Finance Policy and Honor Code**

Any intentional abuse or violation of the Council’s Finance Policy can subject Council member to disciplinary actions taken by the Council and by the Law Center, including (but not limited to) Council probation or expulsion and other disciplinary charges listed in § 204 of the Student Disciplinary code.

**X. APPLICABILITY AND ENFORCEMENT OF POLICIES**

A. **Professionalism and Responsibility Required:** In addition to the specific policies set forth in this handbook, all Barristers’ Council members are expected to behave with the utmost integrity and professionalism while participating in Barristers’ Council functions.

B. **Law Center Code of Conduct Incorporated:** The Barristers’ Council incorporates the Student Disciplinary Code of Georgetown University Law Center. Members are expected to abide by the Law Center’s Student Disciplinary Code while participating in events or team practices, during travel, and at competitions.

C. **Applicability of Policies:** The policies and rules described in this handbook apply during all Barristers’ Council functions including, but not limited to, external and internal competitions, trainings, practices, and social functions.

D. **Investigation and Resolution of Policy Violations:** Any violation of the policies contained in this handbook shall be investigated and resolved pursuant to the dispute resolution policy set forth in Section (XI).

**XI. DISPUTE RESOLUTION POLICY**

A. **Purpose**
1. The purpose of this policy is to provide for fair and efficient resolution of any disputes or conflicts that may arise in connection with Barristers’ Council activities.

**B. Dispute Resolution Mechanism**

1. **Right to Be Heard:** Any person who believes that a Barristers’ Council member has violated the policies contained in this handbook or who believes that a decision or action of a Barristers’ Council member or leader does not comport with the standards of integrity and professionalism expected of Council Members has a right to be heard by the Executive Director.

2. **Disputes With the Executive Director:** Any person who believes that the Executive Director has violated the policies contained in this handbook or who believes that a decision or action of the Executive Director does not comport with the standards of professionalism and integrity expected of Barristers’ Council members has a right to be heard by the Executive Committee, meeting without the Executive Director.

3. **Independent Initiation of Investigation:** The Executive Director, or Managing Director, in the case of an alleged violation of policy by the Executive Director, may initiate a dispute resolution investigation pursuant to this section if he or she has reasonable cause to believe that any member of Barristers’ Council has violated the standards and policies described in this handbook. Notwithstanding any other provision of this section, an investigation initiated pursuant to this sub-part shall be subject to a hearing before the entire Executive Committee (excluding the Executive Director, if he or she is subject of the investigation).

4. **Power to Resolve Disputes:** The Executive Director, or the Executive Committee in the case of a dispute related to the Executive Director, may hear and decide all disputes brought pursuant to this policy and may order any appropriate remedy consistent with this Handbook and Law Center policy, provided that no member shall be removed from Barristers’ Council except by a majority vote of the entire Executive Committee (excluding the Executive Director, if he or she is subject of the investigation) following a hearing before the Committee.

5. **Requirement for Exhaustion of Division Remedies:** Before being heard by the Executive Director, any person challenging the actions or decisions of Barristers’ Council related to a particular Advocacy Division must exhaust all remedies provided by that Division, including appeal to the relevant Advocacy Director. The requirement for exhaustion may be excused only upon a showing of good cause and prejudice. The requirement of exhaustion does not apply to disputes related to the operations of the Executive Committee or the Barristers’ Council generally.
6. **Notice of Dispute**: Any person wishing to have a dispute heard shall email the Executive Director (or the Managing Director, in the case of a dispute with the Executive Director) a description of the dispute, a statement describing the reasons why the person should prevail and the requested remedy, the approximate date on which the dispute occurred, and the names of the Barristers’ Council members involved. A notice of dispute must be filed during the same academic semester in which the dispute occurred, the Division Remedies were exhausted, or mediation pursuant to Section (D) concluded, whichever is later. The requirement of timely filing may be excused only upon a showing of good cause and prejudice.

7. **Notice to Subject of Dispute**: Following the filing of dispute or initiation of an investigation pursuant to Section (B)(3), the Executive Director (or the Managing Director, in the case of a dispute with the Executive Director) shall notify, via email, any Barristers’ Council member named as a subject of the dispute, including a copy of the notice of dispute, within five days of receipt of the notice of dispute. The notice shall also inform the subject of the dispute of the right to reply pursuant to this policy.

8. **Right to Reply**: Any Barristers’ Council member who is named as the subject of a dispute shall have a right to reply to any charges made against him or her. Any reply shall be filed via email with the Executive Director (or the Managing Director, in the case of a dispute with the Executive Director) within five days of the notice provided under Section (B)(7).

9. **Hearing**: The Executive Director (or the Executive Committee, in the case of a dispute with the Executive Director) may, in his or her discretion, hold a hearing in any manner he or she chooses in order to decide the dispute. However, no hearing is required and any dispute may be resolved solely on the basis of the information filed by the parties. If a hearing is held, each party to the dispute shall be given notice at least five days before the hearing is held and reasonable accommodations shall be made to ensure that all parties have the opportunity to be present.

10. **Notice of Decision**: The Executive Director (or the Managing Director, in the case of a dispute with the Executive Director) shall notify all parties, via email, of the resolution of any dispute, including a statement of reasons for the decision and any remedy ordered, within five days of a hearing or receipt of a reply under Section (B)(8) if no hearing is held.

11. **Remedies**: In resolving disputes pursuant to this section, the Executive Director or Executive Committee may impose any remedy not inconsistent with this Handbook, Law Center policies, and any applicable law or regulations. Remedies include, but are not limited to:

   i. Request that the member appear before the Executive Committee to explain specific failures. This procedure will be required primarily of members who drop from competitive teams.

iii. Requirement of remedial training.

iv. Requirement that the member provide a specified number of hours of uncompensated service to the Council, such as aiding with a Barristers’ Council competition.

v. Repayment of funds wrongfully obtained from Barristers’ Council.

vi. Limitation of the type and location of competitions the member may participate in.

vii. Suspension from Barristers’ Council for a specified period of time.

viii. Removal from Barristers’ Council

   a. A member may be removed from the Barristers’ Council following a hearing before the Executive Committee and a majority vote of the Executive Committee.

   b. If a member is removed, that member must redact his or her resume to reflect that he or she is no longer in good standing with Barristers’ Council. In addition, a removed member must notify anyone who is currently in possession of his or her resume, including, but not limited to, potential employers, of the member’s change in status.

   c. Barristers’ Council reserves the right to notify the member’s employer or potential employer as to the removal of a Barristers’ Council member.

C. Decisions Committed to the Discretion of the Advocacy Directors

1. General Policy: In order to ensure the efficient operations of the Advocacy Divisions and provide Advocacy Directors with the ability to make the best decisions about competitions possible, certain decisions are committed to the discretion of the Advocacy Directors and are not generally subject to review or modification under this Policy.

2. Decisions Committed to the Discretion of Advocacy Directors: The following types of decisions are committed to the discretion of the Advocacy Directors:

   i. Decision about which competitions to attend
ii. Decision about the composition of teams, including the assignment of specific roles on a team

iii. Decisions about which individuals or teams will attend which competitions

iv. Decisions about who will run Division-sponsored competitions

v. Decision about the leadership or organizational structure of the Division

vi. Decision about membership in Barristers’ Council that result from the equal application of a scoring system during an intra-school competition.

3. Limited Review of Decisions Committed to Discretion: Decisions committed to the discretion of the Advocacy Directors are not subject to review under this policy unless the decision results in the complete exclusion of a current Barristers’ Council member from competition (e.g. an Appellate Division member who is willing and able to compete is not assigned to any competitions in her first year of membership) or is the result of intentional discrimination on the basis of race, gender, gender-identity, religion, sexual orientation, disability, national origin, veteran-status, political affiliation, or any other protected classification.

D. Mediation of Conflicts:

1. Availability of Mediation: The Executive Director (or Managing Director, in the case of a dispute with the Executive Director) shall provide mediation for any dispute with a member of Barristers’ Council, even if that dispute would otherwise be exempt from review as a decision committed to the discretion of the Advocacy Director.

2. Request for Mediation: Any person may request mediation of a dispute with a Barristers’ Council member by emailing the Executive Director (or Managing Director, in the case of a dispute with the Executive Director) with a description of the dispute, the approximate date on which the dispute occurred, and the names of the Barristers’ Council members involved. Additionally, either party to a dispute resolution proceeding commenced pursuant to Section (ii) may request mediation via email prior to a hearing or the issuance of a decision, if not hearing is held.

3. Preference for Mediation: Mediation is the preferred method of dispute resolution and the Executive Director (or Managing Director, in the case of a dispute with the Executive Director) shall notify all parties to a dispute of the availability (and desirability) of Mediation.
4. **Voluntariness of Mediation:** Participation in mediation under this Policy is voluntary and failure to participate shall not affect any rights otherwise available under this Policy.

5. **Form of Mediation:** Mediation shall take whatever form the Executive Director (or Managing Director, in the case of a dispute with the Executive Director) deems expedient.

6. **Timing of Mediation:** Mediation pursuant to this section shall be held as soon as possible after a request for mediation is made, generally within ten days of the request for mediation.

7. **Results of Mediation:** Results of mediation under this Policy may be binding if agreed to by all parties.

8. **Effect of Medication on Dispute Resolution Proceedings:** Any dispute resolution proceedings shall be stayed during the pendency of mediation under this Policy.
Georgetown University Law Center
Barristers’ Council

Member Commitment Agreement

2016-2017

Barristers’ Council membership is an exceptional educational and professional opportunity. As current members of Barristers’ Council can attest, being part of Georgetown’s mock trial, moot court and ADR program is one of the most rewarding extracurricular activities at the Law Center. Membership will improve your already excellent advocacy skills, give you the opportunity to represent Georgetown in national competitions, and enhance your marketability with employers.

Sending well-prepared teams to competitions under each of our three divisions involves substantial commitment and hard work by each of us. Following are the obligations members agree to by joining Barristers’ Council:

- Barristers’ Council is a commitment of the shorter of two years OR until graduation.
- Each member is expected to participate in at least one competition during his or her two-year membership. Competitors must attend team meetings, prepare adequately for the competition and ultimately partake in the competition. Members should plan for at least one intensive month of practicing prior to the competition.
- Each member must abide by the policies and procedures embedded in the Barristers’ Council handbook (including the Financial Policies).
- Each member must comply with division-specific requirements laid out by their Division Director.

When members fail to live up to Barristers’ Council obligations, the Executive Committee can take various disciplinary measures. The hope and expectation is that these remedial actions will not be necessary. However, if a member fails to live up to the above expectations, sanctions include, but are not limited to, the following:

1. Request that the member appear before the Executive Committee to explain specific failures. This procedure will be required primarily of members who drop from competitive teams.
3. Removal from Barristers’ Council. If a member is removed, that member must redact his or her resume to reflect that he or she is no longer in good standing with Barristers’ Council. In addition, a removed member must notify anyone who is currently in possession of his or her resume, including, but not limited to, potential employers, of the member’s change in status.
4. Barristers’ Council reserves the right to notify the member’s employer or potential employer as to the removal of a Barristers’ Council member.

Much of the above can be avoided by timely and honest communication among Barristers’ Council members. Do not hesitate to ask questions or speak with any of the Executive Committee members regarding any of these requirements.

By affixing my signature below, I agree to abide by the responsibilities stated herein, as a member of Barristers’ Council for the 2016-2017 academic year.

Name: ___________________________ Signature: ___________________________ Date: ___________________________