



**Organizational Charter No. 351
Issue Date August 27, 2001**

**The Delaware Bankruptcy American Inn of Court
in
Wilmington, DE**

***PROPER APPLICATION HAVING BEEN MADE** to the Board of Trustees of the American Inns of Court Foundation for a Charter to establish, organize and operate a participating Inn of the American Inns of Court Foundation; and*

***THE BOARD OF TRUSTEES HAVING DETERMINED** that the existence of such an American Inn of Court would serve the best interests of the legal profession and advance the cause of the American Inns of Court throughout the nation;*

***NOW, THEREFORE,** the above named American Inn of Court is hereby chartered and granted authority to establish, organize and operate an American Inn of Court as follows:*

To adopt local American Inn of Court Bylaws, policies and procedures consistent with this Charter, and with Foundation Articles of Incorporation, Bylaws and other guidelines provided by the Board of Trustees of the Foundation;

To use the American Inn of Court and the Foundation name, service mark, seal and copyrighted materials as long as the American Inn of Court is in good standing and the use is in accordance with conditions established from time to time by the Foundation;

To advance the cause and pursue the objectives of the American Inns of Court as hereinafter set forth.





Article I

Objectives

The objectives of this American Inn of Court are as follows:

1. To establish a society of judges, lawyers, legal educators, law students and others, to promote excellence in legal advocacy in accordance with the Professional Creed of the American Inns of Court;
2. To foster greater understanding of and appreciation for the adversary system of dispute resolution in American law, with particular emphasis on ethics, civility, professionalism and legal skills;
3. To provide significant educational experiences that will improve and enhance the abilities of lawyers as counselors and advocates and of judges as adjudicators and judicial administrators;
4. To promote interaction and collegiality among all legal professionals in order to minimize misapprehensions, misconceptions and failures of communication that obstruct the effective practice of law;
5. To facilitate the development of law students, recent law school graduates, and less experienced lawyers as skilled participants in the American court system;
6. To preserve and transmit ethical values from one generation of legal professionals to the next; and
7. To build upon the genius and strengths of the common law and the English Inns of Court and to renew and inspire joy and zest in legal advocacy as a service worthy of constant effort and learning.

Article II

Organization

1. **Nature of Organization.** This American Inn of Court shall be and remain chartered and affiliated with the American Inns of Court Foundation and shall be an unincorporated association composed of judges, practicing lawyers, law school educators, recent law school graduates, and law students who accept an invitation to membership, as hereinafter described.



2. **Governing Body and Officers.** The officers of this American Inn of Court shall be a President, a Counselor, a Secretary/Treasurer or Secretary and Treasurer and such other officers as the Masters of the Bench (“Benchers”), by majority vote of those present at a meeting duly called for that purpose, may deem necessary. The President and Counselor must be selected from among the Masters of the Bench and shall be elected by vote of a majority of the Benchers present at a meeting called for that purpose. All other officers may be selected from any category of membership and shall be elected by majority vote of all members present at a meeting called for that purpose. Whenever possible, either the President or the Counselor should be a judge. The officers, and such other members as may be selected by majority vote of those present at a meeting duly called for that purpose, shall constitute an Executive Committee.

- a. **Terms of Office.** The term of each office shall be established by this American Inn of Court. Officers may succeed themselves.
- b. **Duties of the Officers.** The Officers shall be responsible for the general operation of the American Inn of Court in accordance with this Charter, any Bylaws adopted by this American Inn of Court and by the Articles of Incorporation, Bylaws, Policies and Directives of the American Inns of Court Foundation, including the *Officer Manual*.
- c. **Duties and Authority of the Executive Committee.** The Executive Committee, acting by majority vote of its members, shall:
 - (1) Take such action as may be necessary to carry out or assist the officers in carrying out the responsibilities imposed by this Charter, any Bylaws adopted by this American Inn of Court and by the Articles of Incorporation, Bylaws, Policies and Directives of the American Inns of Court Foundation;
 - (2) Determine the size of each membership category in the American Inn of Court;
 - (3) Establish, collect and remit local and national membership dues assessments as described hereinafter;
 - (4) Appoint a representative to attend the national leadership conference of the American Inns of Court Foundation;

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- (5) Confer and terminate memberships in this American Inn of Court; and perform such other duties as may facilitate proper operation of the organization.
3. **Relationships with Courts.** This American Inn of Court shall be and remain outside the jurisdiction of the courts but shall endeavor to work in close cooperation with the trial and appellate courts. Federal, state, and local trial and appellate judges will enjoy full participation in the organization.

Article III

Membership

1. **National Membership in the American Inns of Court Foundation.** Each person who is an active member of this American Inn of Court is also a member of the American Inns of Court Foundation. An inactive or former member of this American Inn of Court may, upon application and payment of dues, be granted national membership in the American Inns of Court Foundation.
2. **Invitations to Membership.** Membership in this American Inn of Court shall be conferred upon those accepting invitations extended by the Executive Committee. The Executive Committee's discretion in extending invitations to membership is absolute and non-reviewable. Invitations may be extended on the basis of recommendations made to the Executive Committee by any member of the American Inn of Court or in response to written application filed with any officer. Membership shall not be denied to any person on account of race, creed, religion, sex, age, disability, or national origin.
3. **Maximum size of this American Inn of Court.** Total active membership should not exceed the number of people who can participate regularly in programming, discussions and other activities of the Inn. Local conditions vary, but experience has shown that active membership of more than about eighty (80) often detracts from the active participation that is crucial to the Inn experience. Members shall be given suitable certificates of their membership in this American Inn of Court. Membership in any category may be terminated in the sole discretion of the Executive Committee.
4. **Designation of Categories of Active Membership.** There are four categories of active membership in an American Inn of Court: (1) Masters of the Bench (“Benchers”); (2) Barristers; (3) Associates; and (4) Pupils. Membership in this American Inn of Court shall consist of Benchers,



Barristers and either Associates or Pupils or a combination of Associates and Pupils, as determined by the Executive Committee.

- a. **Masters of the Bench (Benchers).** Membership as Masters of the Bench or "Benchers" may be held by judges, lawyers and law teachers who have demonstrated superior character, ability, and competence as advocates. Retention of status as a Master of the Bench is contingent upon reasonable active participation in the American Inn of Court, periodically reviewed by the Executive Committee. Benchers may serve indefinitely but must serve continuously for at least five (5) years before being eligible for election to emeritus status. Any Bencher granted emeritus status may be invited to serve again in an active capacity.
 - b. **Barristers.** Active membership as Barristers may be held by attorneys who have some experience but who do not yet qualify as Masters of the Bench and who have demonstrated good character and a desire to improve and refine their skills as advocates.
 - c. **Associates.** Membership as Associates shall be held by lawyers who are recent law school graduates but who do not yet meet the American Inn of Court's minimum experience requirement for Barristers.
 - d. **Pupils.** Membership as Pupils shall be held by persons who are law students.
5. **Designation of Categories of Inactive Membership.** The Executive Committee may confer Emeritus and Honorary memberships as follows:
- a. **Emeritus Members.** Emeritus membership may be conferred upon active Masters of the Bench on the basis of long and distinguished service to the American Inn of Court.
 - b. **Honorary Members.** Honorary membership may be conferred upon individuals, whether they are lawyers or not, on the basis of distinguished service to the bench or bar, furtherance of American Inn of Court objectives or other noteworthy achievements.
 - c. Honorary and Emeritus Masters of the Bench shall be under no obligation to pay dues, attend meetings or participate in other programs of this American Inn of Court but shall enjoy all privileges of active membership except the right to vote.





Article IV

Finances

1. Financial matters for this American Inn of Court shall be managed and controlled in accordance with policies and directives established by the American Inns of Court Foundation and this Charter.
2. The Executive Committee is empowered to levy and collect assessments in the form of dues in amounts which it may deem appropriate in order to conduct its meetings and otherwise meet its operating needs. It shall also collect from each of its active members, such amount as is assessed by the American Inns of Court Foundation as national membership dues. Failure to pay assessments and dues within a reasonable time and after reasonable notice may be considered by the Executive Committee as a ground to terminate membership of the person in default.
3. The Executive Committee shall remit annually to the American Inns of Court Foundation that portion of dues which corresponds to the number of active members of the American Inn of Court.
4. The fiscal year of the American Inn of Court, for financial reporting purposes, shall be the same as the fiscal year of the American Inns of Court Foundation.

Article V

Meetings and Activities

1. **Schedule for Meetings.** The Executive Committee shall designate the dates for the commencement and termination of the operative year. Meetings shall be held at least six times per year at such times as the Executive Committee may determine.
2. **Content of Meetings.** The main themes and subject matter of regular meetings shall be practical legal skills, with emphasis on ethics, civility, professionalism and excellence in the practice of the profession. Programs should present, demonstrate, teach, and explain the principles, skills, techniques, and relationships involved in the courtroom and in activities preliminary to courtroom appearances and should involve critique and questions from the membership of the American Inn of Court. These meetings shall be designed to assist members in better discharging their duties to clients and society. Programs should ordinarily be presented by previously assigned pupillage groups.





Article VI

Pupillage Groups

As an American adaptation of the pupillage system, which is basic to the English Inns of Court, each Barrister, Associate and Pupil will be assigned to work with a Master of the Bench (who is a practicing attorney) during meetings and at other times throughout the year. At least one (1) Active Bencher who is a practicing attorney, one (1) Barrister, one (1) Associate, and one (1) Pupil, appropriate to the membership composition of the American Inn of Court, shall comprise the pupillage group. Each pupillage group shall be assigned to a Master of the Bench who is a judge, who shall exercise general supervision over the group assigned to him or her and shall monitor the group's attendance at meetings, encourage its meaningful participation at meetings and at scheduled pupillage events, and oversee presentation of assigned meeting topics. All Active Benchers should strive to make contact with Barristers, Associates and Pupils between scheduled American Inn of Court meetings to advise them about the practice of the profession.

Article VII

Other American Inns of Court

This American Inn of Court shall promote or cooperate in the establishment of similar American Inns of Court in the same or different localities of the state or elsewhere to more widely achieve the objectives of the American Inns of Court Foundation.

Article VIII

Adoption of Local American Inn of Court Bylaws and Amendment and Interpretation of Charter

This American Inn of Court is authorized to adopt Bylaws that are not inconsistent with this Charter. Any such Bylaws must be submitted to and approved, in writing, by the Board of Trustees of the American Inns of Court Foundation. This Charter may be amended only with the written approval of the Board of Trustees of the American Inns of Court Foundation following a two-thirds vote of the American Inn of Court members present at a meeting called and reasonably noticed for such purpose, or upon written consent of at least two-thirds of such membership. Any question as to the interpretation of this Charter or the meaning of any of its terms shall be resolved by the Board of Trustees of the American Inns of Court Foundation.





Article IX

Revocation of Charter

This Charter may be revoked by the Board of Trustees of the American Inns of Court Foundation upon the occurrence of any one or more of the following events: (1) the American Inn of Court does not become organized and operational within one year of the issuance of said Charter; (2) conduct on the part of the American Inn of Court which jeopardizes the tax exempt status of the American Inns of Court Foundation; (3) violation of the provisions of this Charter; (4) conduct on the part of the American Inn of Court which subjects the American Inns of Court to public ridicule, scorn or opprobrium; or (5) violation of the Articles of Incorporation, Bylaws, or Policies of the American Inns of Court Foundation.

