

OFFICIAL FINAL
1969 RULES
FOR THE
PHILIP C. JESSUP INTERNATIONAL LAW MOOT COURT COMPETITION

I. ORGANIZATION

A. General: The Philip C. Jessup International Law Moot Court Competition is an annual inter-law school appellate moot tribunal competition sponsored by the Association of Student International Law Societies (ASILS) for its members and other invited law schools. The competition consists of three rounds of arguments: the regional rounds, semi-final rounds and final round. Within each region a member law school will sponsor the competition and serve as Regional Administrator. The semi-finals and finals will be held in conjunction with the Annual Meeting of the American Society of International Law.

B. Administration: The competition is administered by the National Administrator.

II. FACT PROBLEM

The hypothetical fact problem has been written by a scholar selected by the ASILS in cooperation with the Executive Vice President of the American Society of International Law.

III. ELIGIBILITY

All ASILS member schools are eligible. All other law schools may be if they are approved by the National Administrator and the Executive Committee of the ASILS. Approval shall be based on a demonstration by the applicant law school of sufficient interest in international law as evidenced by the existence of a student international law society, adequate international law curricula and library facilities.

IV. TEAMS

A. Number: Each eligible law school may enter one team in the competition.

B. Composition: A team shall be composed of not less than two nor more than five students studying for the LL.B. or its equivalent, of whom the same two will sit as oralists throughout the entire competition. A third member of a team may sit as a counsel's table and assist during the argument, and this third member, sitting as counsels table and not functioning as an oralist, need not be the same throughout the entire competition.

V. REGIONAL COMPETITION

A. Time and Place of Argument: All regional rounds shall be held during the last weekend of March, unless the round conflicts with a school's examination period, in which case any change will be made through the written approval of each participating school within that region and of the National Administrator. The National Administrator shall designate and notify the regional sponsors by December 1, 1968, of the regional groupings. No later than February 1, the Regional Administrators shall notify each law school participating in the region of the pairings and of the exact time and place of the meeting.

B. Regions: Each region shall be comprised of an equal number of teams if at all possible. The regional groupings of the previous year should be generally followed.

C. Rounds: There will be at least two rounds at the regional level, and each team will argue both sides of the case. There will be three judges for each oral argument. Representative of a region of six teams, by number, the pairings would be as follows:

| | | | |
|--------------------|----|---------------------|----------------|
| Team 1 (Applicant) | v. | Team 2 (Respondent) | FIRST ROUND |
| Team 3 (Applicant) | v. | Team 4 (Respondent) | |
| Team 5 (Applicant) | v. | Team 6 (Respondent) | |

| | | | |
|--------------------|----|---------------------|-----------------|
| Team 6 (Applicant) | v. | Team 1 (Respondent) | SECOND ROUND |
| Team 2 (Applicant) | v. | Team 3 (Respondent) | |
| Team 4 (Applicant) | v. | Team 5 (Respondent) | |

NOTE: A region composed of an unequal number of teams will be required to hold an additional "pairing of the byes" round.

All oral judges and the three judges of the Memorial Scoring Panel (see below) shall be attorneys, except where use could be made of the specialized talents of a non-lawyer.

Memorial Scoring Panel: A panel of three judges, separate from those judging the oral arguments, will grade all memorials in the following manner: the memorial from each participating school will have been designated by number only and each judge of the Memorial Panel will, independently and without reference to the opinions of his colleagues, assign numerical grades subject to Annex C infra. Each Memorial Panel judge will submit his grading sheet of the memorials to the Regional Administrator prior to the first round of oral arguments.

D. Scoring of Oral Arguments and Memorials in All Rounds: (refer to Section VI on page 6)

E. Run-Off Round: Winners of each round will be determined by following the scoring procedure set out in Section VI, page 6. If by utilizing the procedures of Section VI, only one team has won both its rounds, that team will be designated regional winner. If two teams have each won an equal number of rounds, a run-off argument must be held to determine the regional winner. If three teams have each won an equal number of rounds, a run-off argument will be held after one team has been eliminated in the following manner: The team to be eliminated will be the one which has the lowest aggregate point score on both its memorial and its two rounds of oral argument. Such aggregate score shall be comprised of the total scores given the team by all six oral judges and the points given the team by virtue of the rating of the Memorial Scoring Panel. In the unlikely event that three (3) teams have each won an equal number of rounds and have identical aggregate scores, two (2) run-off rounds will be necessitated in order to determine a regional winner. (For Scoring of Oral Arguments and Memorials in all Rounds, SEE, Section VI, page 6.)

Judges for the run-off argument may be drawn from panels of the first two rounds. No more than one judge may be drawn from any one previous panel if such panel has already judged one of the run-off teams.

F. Memorials:

1. Identification: No school names or addresses of any kind shall appear on the memorials at any place.
2. Assignment: Each team in the regionals shall prepare two memorials, one for each side of the argument.
3. Length: Memorials shall not exceed 4,500 words in length, (including any and all footnotes, appendices, and exhibits but exclusive of the index, list of citations, and maps). In determining the number of words in a memorial, only actual words (including "a," "an," and "the") shall be counted; each citation shall be counted as one word. Each citation within a string of citations should be counted as one word.

Each team shall include as a separate appendix to each copy of its memorial a certificate as to the precise number of words contained in its memorial, as follows:

Certificate as to Length

We have counted the number of words in our memorial, and we certify that our memorial contains fewer than the maximum allowable number of words as defined in Section V-F-3 of the 1969 Rules of the Philip C. Jessup International Law Moot Court Competition.

No memorial will be accepted for the regional rounds without at least one such certificate as to length signed by all members of the team.

4. Form: See Annex "A", appended. As to the form of citations, see, A Uniform System of Citation, Harvard (11th ed., 1967). Memorials may be printed, multilithed, xeroxed, mimeographed, or typewritten on 8 1/2"x 11" white bond paper. A certification as to length must be appended to each memorial (SEE, Section V-F-3 supra).

5. Submission of Memorials: Each team entering the regionals shall send by air mail one (1) copy of each memorial to the National Administrator, twelve (12) copies of each memorial to the Regional Administrator, and three (3) copies of the appropriate memorials directly to the teams each is paired against, postmarked no later than 12:00 midnight of the deadline set by the National Administrator. Thus, sixteen (16) memorials of each side of the problem are needed for the use in the regional competition by other than team members. It shall be the responsibility of the winning team of each region to obtain the return of its twelve copies of each memorial from the Regional Administrator and to immediately mail nine (9) copies of each memorial to:

Mrs. Jan Woodring
American Society of International Law
2223 Massachusetts Avenue, N.W.
Washington, D. C. 20008

The remaining three (3) copies of each memorial are to be retained and mailed directly to the teams each is paired against in the semi-final rounds.

6. Revision of Memorials: No team may revise, reprint or in any manner whatsoever alter the form or the content of its memorials after the deadline for its submission for the regional competition.

7. Penalties: Only the National Administrator may penalize memorials for lateness or excessive length; and, in the event of length penalties only upon written complaint by an opposing team to the National Administrator with copies of said complaint mailed to the violating team and the Regional Administrator

(SEE, Section V-F-3 as to certification of length).

a) Penalty for lateness: Lateness penalty shall be automatically assessed by the National Administrator on the following basis:

- (1) If the memorial is postmarked no later than 24 hours (1 day) after the deadline -- 5 point penalty.
- (2) If the memorial is postmarked more than 24 hours (1 day) but no more than 48 hours (2 days) after the deadline -- 10 point penalty.
- (3) If the memorial is postmarked more than 48 hours (2 days) after the deadline -- 15 point penalty.

b) Penalty for Excessive Length: Penalty for excessive length, subject to the requirements for a written complaint, by an opposing team, shall be assessed in the following manner:

- (1) If the length is excessive by from 1-300 words -- 5 point penalty.
- (2) If the length is excessive by from 301-600 words -- 10 point penalty.
- (3) If the length is excessive by 601 words or more -- 15 point penalty.

Penalties as to excessive length and penalties as to lateness of postmarking shall be deducted from the final score of the memorials as determined by the Memorial Scoring Panel. (For the procedures to be utilized in grading the memorials and the weight to be attached to such grading, SEE Section VI infra).

G. Time Allowed for Argument: Oral argument shall be limited to forty-five (45) minutes per team. Teams may divide their time between main argument and rebuttal or sur-rebuttal as the case may be. No more than ten minutes may be reserved for rebuttal or sur-rebuttal. No team member shall speak for longer than twenty-five minutes in total. Conclusions and summaries must be made within the 45 minute time limit.

Questions from the panel may be submitted only within the 45 minutes allotted each team for argument. Extension of time beyond the 45 minutes will be at the discretion of the judges, but in no case shall such extension exceed 10 minutes beyond the allotted 45 minutes per team. School identities in all rounds will remain anonymous to the judges to the greatest extent possible. The Regional Administrators and final round hosts will endeavor to maintain such anonymity at all times.

H. Best Memorial and Best Oralist: At both the regional and national level, a best memorial award shall be given to the team graded the highest by the three judge Memorial Scoring Panel (after the imposition of any penalties). At the regional level, a best oralist award shall be given to the individual receiving the most votes as Outstanding Individual Oralist by the oral judges, before whom he argued, during all of the regional rounds.

VI. SCORING OF ORAL ARGUMENTS AND MEMORIALS IN ALL ROUNDS

In determining the winner of all rounds, the memorial will count one-third and the oral argument, two-thirds.

One memorial for each team, one judging ballot (Annex B), and one Outstanding Individual Oralist ballot (Annex B) shall be given to each oral judge as far in advance of oral argument as possible.

A. Scoring and Procedures of Memorial Scoring Panel: A Memorial Scoring Panel composed of three judges separate from those judging the oral arguments will receive memorials designated by number representing each participating law school (the number reference herein is used in lieu of the name, address, or other reference to a participating school). Each panelist will then, independently and without reference to the opinion of his colleagues, grade the memorials on each side of the problem. The numerical grades will be submitted by each judge to the Regional Administrator prior to the first round of oral arguments.

The one-third value to be ascribed to the memorials shall be determined by the Regional Administrator after the inclusion of any penalties as to lateness or excessive length. The ultimate value to be assigned in determining the winner of a round will be upon one point score for each grading sheet, of the three grading sheets, which depicts one team to be ranked higher than its opponent.

B. Scoring and Procedures for the Oral Argument: Each of the three judges sitting for an oral round will cast a vote equal to 2 points. Each of the three judges sitting for an oral round will cast both of his 2 points for the team determined by him to have won the round (refer to Annex B for factors to be utilized in this determination). Each oral judge will, in addition to the above, submit the name of the oralist that he considers to be the Outstanding Individual Oralist for that round (based upon the considerations related in Annex B).

C. Ultimate Winner of Each Round: The ultimate winner of each round will be determined by the team which has received the highest aggregate point score of a possible 9 points. Viz. - one point for

each of the three possible times that a team's memorial has a higher numerical value than the memorial of its opponent and two points for each winning vote by each of the three oral panelists. The winners of the morning arguments will not be announced until the conclusion of the afternoon rounds.

The above procedures will be utilized in all preliminary rounds, all run-off rounds and both the Semi-final and Final Rounds.

D. Notification of Memorial Grading: The Regional Administrator shall send a copy of each Memorial Scoring Panelists' grading sheets to each participating school in the Region.

VII. FINAL ROUNDS IN WASHINGTON, D. C.

The Final Rounds of the Competition will be held during the Annual Meeting of the ASIIS in Washington, D. C. Regional winners from the various Regions will compete for the championship. Administrative and scoring procedures will be the same as for the Regional Rounds with the following exceptions:

1. If two teams win both their rounds, those two teams will argue in the Final Round. If only one team wins both its rounds or if all teams win only one round, the other team or teams advancing to the Final Round will be determined by the highest aggregate score of each team's memorial and oral argument scores in all previous rounds. For the purpose of determining a runner-up team, aggregate scores will be considered only of those teams that have won one Semi-final Round and lost the other. Ties at this level will necessitate run-offs.
2. Where the teams competing in the Final Round have each compiled identical won-loss records during the Semi-final Rounds, the winner of the Final Round will be declared the over-all winner of the Competition. In the event that one of the competitors for the Final Round was chosen on the basis of its aggregate point score (by reference to Subsection 1 above -- from among a number of teams that each had the same won-loss record on the Semi-final Rounds) -- i.e., where one Final Round participant has a record of all wins and no losses and the other participant has lost one Semi-final Round -- then a Final Round win by the latter team (the one that had lost one Semi-final Round) will necessitate a second Final Round wherein the participants argue the opposing side from that which they argued in the first Final Round.
3. Regional winners may not revise their memorials for the purposes of the Final Rounds in Washington, D. C.
4. The best oralist award shall be given to a member of a team arguing in the Final Round, and it shall be determined by a simple vote of the Final Round judges.

VIII. FACULTY OR OTHER SUPERVISION OR ASSISTANCE

No team shall receive any substantive assistance in the writing of its memorial or in preparation of its oral argument. This rule shall not be construed to prevent general discussion, general critiques, or intramural eliminations, provided that such activities are not designed to provide or change the substance of a team's memorial or oral argument

Discussion or research of the problem as class room activities in an International Law class or in any other class is strictly forbidden. Any school violating this prohibition shall be automatically disqualified from being regional winner. In interpreting this rule, it should be emphasized that the purpose of the Competition is to develop an appreciation and understanding of International Law through the individual's and team's own work.

This rule shall be broadly construed so as to exclude any faculty participation or assistance going to the substantive nature of either the memorials or the oral argument, except that faculty are permitted to sit as judges in intramural competition. In the case that a faculty member does sit as judge in intramural competitions, he must be cautioned that his comments are to be general only, and that he may not suggest specific sources or areas of further research.

IX. LOCAL REGULATIONS

The Regional Administrators and the Final Rounds sponsor may, after written consultation with the National Administrator, make other rules, not inconsistent with these rules and other rulings of the National Administrator, deemed advisable for the orderly conduct of the Regional Rounds.

X. SCOUTING

There shall be no scouting by any representatives of potential opponents at any time.

1. A "representative" is any member of a team, faculty advisor, or any party acting as an agent for a team.

2. Any indication of scouting by such representatives shall be considered in bad faith and such infringement shall be dealt with in the following manner:

- a) When a violation is brought to the attention of a Regional Administrator or at the Semi-final or Final Rounds, the National Administrator, an investigation of the charge shall be made by the Administrator. Upon substantiation of the charge, the Administrator shall:

(1) For gross violation, that is, a willful violation solicited by a team member, disqualify the team from winning the round -- the round, immediately past, or the round soon to begin, whichever was or would be more closely affected by the violation.

b) Any violation amounting to "scouting," as defined above, shall be tendered in writing to both the Regional and National Administrators. A written report by the Regional Administrator of his actions pursuant to such violation must be submitted without delay to the National Administrator.

3. Any information received from a person not a "scout" is to be disregarded by the recipient team. The recipient team must report any such incident to the Regional and National Administrators.

XI. INTRAMURAL COMPETITION

Intramural eliminations are permitted. The 1969 Jessup hypothetical problem may be used in such arguments. (SEE Rules IV-B and IX supra.)

XII. DISPUTES

Any disputes as to interpretation of the above rules shall be communicated to the National Administrator immediately. The National Administrator shall decide all disputes.

XIII. AMENDMENTS TO THE RULES

Members of ASILS may suggest changes in the rules at the annual meeting to be acted upon then. No other change may be made except through the following procedure: A member must make a written objection to the National Administrator, gain approval of a majority of the Executive Committee of ASILS and send written notifications of any suggested rules changes to all ASILS member societies; then after a reasonable time, the National Administrator will act appropriately upon the objection or suggestion.

XIV. NOTICE OF WITHDRAWAL

Any withdrawal by any team after notification of its intent to participate shall act as a forfeiture of the entrance fee.

A school which fails to withdraw before the withdrawal deadline (set by the National Administrator) and then fails to participate in the competition without good cause shall be considered for probationary review at the annual meeting.

The reason for this rule is to assure that each geographical region (as finally determined by the National Administrator at the withdrawal deadline date) will have an equal number of participants. This is essential for reasons of administration and fairness.

XV. ANNUAL REPORT

After the annual meeting in Washington, D. C., the National Administrator shall send a report of the Moot Court Competition to all teams who participated in all Regional Rounds that year. The report shall indicate all of the Regional winners, the best memorial and best oralist awards for all Regions, the National Championship team, the national runner-up team, and the best memorial and best oralist awards in Washington.

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NOTE: The general form above is not to be considered binding. Teams may alter the form to fit their preference. Citations must, however, conform to A UNIFORM SYSTEM OF CITATION (the "White Book") (11th ed. 1967).

ANNEX B. JUDGING BALLOT

(Please Review Prior to Oral Argument)

Procedures: Each team has 45 minutes to argue, and each team may reserve up to 10 minutes of its time for rebuttal or sur-rebuttal. Please feel free to ask questions to test counsel's knowledge of the law and their ability to think on their feet. Remember that the teams have no choice of which side to argue or which side to brief; therefore, the Court's decision should not be controlled by the merits of the case.

After oral arguments are concluded, the judges will retire to deliberate, exchange opinions, and mark their ballots. Each judge will cast his vote for the team that he feels won the round. The winner as to the oral aspect of the round will be the team receiving a 3-0 or 2-1 vote of the judges.

Oral judges will indicate, in each round, the individual which they feel is the Outstanding Individual Oralist for that round.

The completed ballots, comprising each judge's vote for a winning team and his vote for Outstanding Individual Oralist, will be tendered to the bailiff and by him to the Regional Administrator at the conclusion of each oral round.

Factors to consider in determination both of the winner of the oral round and of the outstanding oralist:

As a guideline in judging oral arguments, some of the more important criteria are:

- | | |
|----------------------------------|--------------------|
| (1) Correct analysis of issues | (5) Clarity |
| (2) Familiarity with authorities | (6) Ingenuity |
| (3) Response to questions | (7) Organization |
| (4) Poise | (8) Persuasiveness |

* * * * *

BALLOT FOR ORAL JUDGES

I cast my vote for _____ as the winning team;
Applicant or Respondent

I cast my vote for _____ as Outstanding Individual Oralist.

Judge's Signature _____

ANNEX C. MEMORIAL SCORING SHEET

(Please grade memorials by assignment of a numerical grade.)

Pursuant to the rules of the International Law Moot Court Competition, each of the three judges comprising the Memorial Scoring Panel has been provided one applicant memorial and one respondent memorial from each participating law school. The list of numerical grades assigned, by each judge individually, shall be tendered to the Regional Administrator at some time prior to the first oral round of the regional competition. Each memorial should be graded individually by each of the Memorial Scoring Panelists, independent of the opinions of his colleagues, by assignment of a grade between 60 - 100. Excellent is 85-100; good is 75-85; average is 65-75; and poor is 60-65. Keep in mind that 70 is the usual law school average.

As an aid in grading the memorials, some of the more important factors are listed below not necessarily in their order of importance

1. Appearance and neatness
2. Proper Analysis of the issues involved
3. Use of authorities and extent of research
4. Logic and reasoning
5. Ingenuity
6. Clarity and organization
7. Persuasiveness
8. Prose and grammar
9. Correctness of brief format and citations
10. Thoroughness

Grades should definitely not be based on the merits of the case since the teams have no choice of which side to argue or which side to brief.

The Association of Student International Law Societies wishes to express again our appreciation for your interest and to thank you for all of the time and effort you have expended in judging this competition.

CLARIFICATION ADDENDUM FOR THE

OFFICIAL FINAL

1969 RULES

FOR THE

PHILIP C. JESSUP INTERNATIONAL LAW MOOT COURT COMPETITION

I. IN GENERAL

The Revision appended hereto has been thought necessary to correct the many problems that have arisen in past Jessup Competitions. It will be noted that major changes, from past rules of this competition, rules of other Moot Court Competitions and from the Tentative Proposal of the Official Final 1969 Rules (as discussed at the Annual Meeting of April 27, 1968) have been made. A cognizance of the problems sought to be eliminated by this suggested Revision will aid in both its interpretation and an appreciation for it. The following problems were thought to be so severe as to necessitate an entirely new approach.

(1) There are often major discrepancies in the grading systems utilized by judges and this regardless of their objectivity or the fact that grading guidelines were made available to them. That is, one judge often feels that an excellent performance fully warrants a grade in the 90's whereas, another may feel the same performance falls in the 70's. Under the old procedures, there is no way that this type of discrepancy can be corrected.

(2) The difficulty, well known and appreciated by past Regional Administrators, of acquiring local attorneys suitable for regional judges, for the time required. It should be noted that under the Tentative Proposal for this year's Rules, judges were not only required to give an entire day of their time for oral arguments but, also, had imposed upon them the additional requirement of reading and grading the memorials prior to the oral argument. This procedure was thought impractical, if not impossible.

(3) Oral judges should be primarily concerned with judging the oral aspect of the competition. They should not be concerned with, nor should they be asked to, scrutinize the form of a memorial as required by the so called "White Book."

In an attempt to clarify and explain the reasons behind this "major re-write" of the Tentative Proposal we will, below, go through each section and subsection of the Revised Proposal indicating corrections and substitutions.

Section I Organization:
No changes from Tentative Proposal.

Section II Fact Problem:
No changes from Tentative Proposal.

Section III Eligibility:
No changes from Tentative Proposal.

Section IV Teams:
No changes from Tentative Proposal, however, an additional sentence has been added in clarification of "counsel's table."

Section V Regional Competition:

A. Time and Place of Argument: (addition) First sentence is changed to reflect that a change in the date of a Regional Competition necessitates written approval from each participating school within that region as well as of the National Administrator.

(substitution) The date has been altered to correct the typographical error.

B. Regions: No changes from Tentative Proposal.

C. Rounds: (substitution) The last sentence of the first paragraph was changed to reflect that what follows is representative of a region composed of six (6) teams. The note that follows the representation was added to insure that the Regional Administrator would not be confused into thinking that that representation applies to all situations. The note further states the requirement that all judges on the Regional level be attorneys except, where use could be made of the specialized talents of a non-lawyer.

It should be especially noted that a Memorial Scoring Panel has been reimposed by this Revision. The reasons for this are almost too numerous to list but certainly the most important of them are:

(1) It is deemed crucial that all judging situations be as objective as possible and it is felt that if grades are assigned to the memorials by the oral judges this objectivity could be destroyed.

(2) The fact that a select panel can better evaluate both the content and the form required for memorials if this is their sole function. In this respect, the Regional Administrator will be expected to provide each Regional Memorial Scoring Panelist with the book A Uniform System of Citation, Harvard (11th ed., 1967), the so-called "White Book."

(3) The time required if the oral judges are expected to take the additional time to grade the memorials.

(4) The act of grading of the memorials by the oralist judges did not, in the Tentative Proposal, effectively aid them in evaluating an oral performance for the reason that they will have ample time to read the memorial prior to the round anyway.

D. Scoring of Oral Arguments and Memorials in All Rounds: Refers only to Section VI following it.

E. Run-Off Round: The major run-off procedure has been retained from the Tentative Proposal and the only changes have been made to reflect the completely different scoring procedure outlined in Section VI. One slight addition is the mandatory additional run-off round required in the unlikely event that 3 teams have not only won an equal number of rounds but also have identical aggregate scores for those rounds. It is expected that this requirement for an additional run-off round may impose a time factor hardship upon the Regional Administrator, but its anticipation underscores the objectivity attained under the new scoring procedures.

F. Memorials:

1. Identification: No changes from Tentative Proposal.

2. Assignment: No changes from Tentative Proposal.

3. Length: (substitution) The length has been increased to 4,500 words to correlate with the 5 minute increase in time allowed each team in oral arguments. A further reason for this change is that under the Tentative Proposal 4,250 words were actually allowed without penalty. As will be seen infra, this was deemed arbitrary and any excessive words are now in violation and subject to penalty.

(addition) A requirement of certification of length signed by each member of the team was added to this section to further emphasize that penalties for excessive length will be automatically imposed upon written complaint by an opposing team. Let me again stress that there is no "grace-length" in which memorials will not be penalized. That is, any excessive length, after a written complaint, will be penalized on the basis of Section V-F-7.

4. Form: No changes from Tentative Proposal.

5. Submission of Memorials: (substitution and addition) This section has been changed and added to by requiring that a sufficient number of memorials be sent to the Regional Administrator in the very likely event that more than six (6) oral judges will be required for the regional competition. As a past Regional Administrator, I am quite aware of the difficulty in acquiring six (6) oral judges that will sit for each of the Regional rounds and this addition should insure sufficient copies of the memorials for distribution to the appropriate judges. The further responsibility is imposed upon the winning regional team to obtain the return of their memorials from the Regional Administrator and to mail these copies as required by the rules. The only other alternative would be to require the Regional Administrator to so mail these memorials and, of course, there is no assurance that he will; nor can there be a penalty if he does not. It should be stressed at this point that no revision is allowed upon the memorials after the original submission on the regional level and that the nine (9) copies of each memorial mailed to Mrs. Jan Woodring will be utilized for the semi-final round. This was deemed advisable to eliminate any possibility that memorials would be revised between the Regional and semi-final rounds to reflect the collective thinking of the region. This requirement is, of course, in keeping with the spirit of the rules and the realization that the benefit derived by participating students is, and should be, the direct result of their own research.

6. Revision of Memorials: While this subsection has not been changed it nevertheless is to be construed as not only forbidding revision or alteration after submission on the regional level but also emphasizes that the memorials so submitted will be utilized for the entire competition.

7. Penalties: (additions and alterations) This section has essentially retained the penalties imposed by the Tentative Proposal. The penalties for lateness are made automatic and mandatory of the National Administrator and are to be assessed by reference to the postmark of the copy received by him. A major substitution has been thought necessary as to the penalties for excessive length. That is, while the requirement that a length penalty may only be imposed after written complaint by an opposing team is retained, the point at which length becomes excessive has been changed. The point of application of the penalty under the Tentative Proposal is deemed arbitrary for it allows a memorial to be 250 words (over two typewritten pages) over the length requirement without any penalty at all. A sophisticated team, then, would, and could, under the Tentative Proposal, extend the length requirement with impunity. The mandatory nature of this penalty has been further emphasized by the requirement, under a prior section, of a certification of length.

The last paragraph merely stipulates that these penalties will affect the numerical grades assigned each team's memorial by the Memorial Scoring Panel.

- G. Time Allowed for Argument: The discretionary extension of time by the oralist judges - necessitated by the length of judicial questioning - has been limited to 10 minutes per team.
- H. Best Memorial and Best Oralist: The designation, on both the regional and national level, of an award for best memorial and best oralist has been retained from the Tentative Proposal. The only changes reflect the new scoring procedures required under this Revision.

Section VI Scoring of Oral Arguments and Memorials in All Rounds:

The relative values ascribed to the memorials and to the oral arguments have been retained - that is, the memorial will count 1/3 and the oral argument 2/3 of each round.

The scoring and procedures that will be utilized during the course of competition have been completely changed in an effort toward greater objectivity.

As an attempt to clarification of these new procedural requirements, I will, at this time, go through an entire scoring procedure for a given representative round of a region of six (6) teams. A Memorial Scoring Panel comprised of three (3) judges, not oral judges, will assign a numerical grade to each of the six (6) teams' memorials (in our hypothetical region) for each

side of the problem. To retain the objectivity required under these rules, the memorials of each participating school will be designated by a number assigned to them upon receipt of them by the Regional Administrator. The Memorial Scoring Panelists will individually, and without reference to the opinions of their colleagues, nor with any indication of which school has submitted which memorial, assign numerical grades to the memorials. A representative scoring sheet may look like this:

| | Applicant | | Respondent |
|--------|-----------|--------|------------|
| Team 1 | 89 | Team 1 | 93 |
| 2 | 78 | 2 | 85 |
| 3 | 83 | 3 | 87 |
| 4 | 90 | 4 | 78 |
| 5 | 92 | 5 | 86 |
| 6 | 85 | 6 | 91 |

These numerical grades will be assigned on the basis of the criteria outlined in Annex C. Each panelist will, after completion of his grade list, submit such list to the Regional Administrator whereupon the Regional Administrator will subtract any penalties required under the penalties section.

For the purposes of determining the one-third value to be given memorials in a given round, one point will be granted for each of the grading lists which indicates that the grade, of one of two opposing teams, is, after the assessment of any penalties, numerically greater than the grade of its opponent. Visually, if we take the representative scoring sheet depicted above, remembering that it is merely one of three such memorial scoring sheets, and assuming a round wherein team 2 is applicant and team 3 is respondent and further assuming that team 3's memorial grade has been decreased by a 5 point penalty for lateness of postmarking, then, team 2's numerical grade is still 78 and team 3's numerical grade becomes 82. Since team 3's numerical grade is higher, on this one list, team 3 receives 1 point for the purpose of determining the ultimate winner of that round.

It can be seen that the maximum number of points that a team can receive, for the memorial aspect, in a given round, is 3 points and that only if it has the higher numerical grade, of the 2 competing teams, upon all 3 Memorial Panelists' lists.

For the purposes of assigning the 2/3 weight attaching to the oral segment of a round, the following procedure is utilized.

There are, of course, 3 oral judges sitting for each oral round and each judge is merely required to designate a winner for that round. A winning vote for a team, by any one of the three oral judges, has 2 points attaching to it. Hence, if a team were to win by a 3-0 vote of the oral judges, that team would receive 6 points for the oral segment of that round. A 2-1 split by the judges would be reflected by a 4-2 point spread.

The ultimate winner for a given round will be the team with the highest aggregate number of points for that round. The aggregate score being composed of both the points from the oral segment and from the memorial segment.

Please note, with reference to this method of scoring, the objectivity that is acquired. Consider, if you will, the following examples: a 2-1 split by the oral judges (a 4-2 point spread) for a given round would seem to indicate a very close oral round and one in which the memorial grade may be determinative. Should the team that only received 2 points, by virtue of one judge's winning vote, have a decidedly better memorial it should be reflected by the fact that all 3 of the memorial judges assigned to it a higher numerical grade. If, in fact, all 3 Memorial Panelists graded its memorial higher than the memorial of the team receiving 4 oral points, then, it is deemed the winner of that round by a score of 5 points to 4. If, on the other hand, the Memorial Scoring Panel also split, then, one could think, as in fact is true under this procedure, that the memorials were very close in quality and, hence, that the memorial would not be determinative. In our above oral example, if the team with the oral score of 2 points was only given a numerically higher grade by 2 of the 3 Memorial Panelists then the team that had received the 4 oral points would be deemed the winner again by a score of 5-4.

A team which has received 6 points from the oral judges, by virtue of each oral judge's winning vote, is deemed to be clearly superior and one would doubt that the memorial grades could affect this display of superiority. Under these procedures, in fact, it could not and, even if a team were to lose all 3 memorial points, it would still be declared the winner on the basis of a 6-3 score.

Appreciation for the results of the innovations imposed by these new procedures should be enhanced by the consideration of two factors. The first of these is that under no circumstances can a tie develop in any round. The second is that

the judges of this competition are being asked to do what judges traditionally do, that is, determine a winner. It is felt that, on the basis of these two factors and the additional ones of simplicity and the elimination of unobjective discrepancies, these revised procedures should aid in the efficacy of the competition.

Section VII Final Rounds in Washington, D. C.:

(substitution) In most cases the word "final" has been substituted for the term "championship."

An addition has been made to subsection 1 of this section to cover the unlikely situation wherein all teams but one have won an equal number of rounds and that other one team has won both of its rounds. As that one team must have an opponent for the final round, and it would appear arbitrary to pick one of the remaining teams as its opponent for that final round without some form of elimination procedure, run-offs at this level will be required to determine an opponent.

Section VIII Faculty or Other Supervision or Assistance:

(Addition) The word substantive has been added as a qualification of the term assistance in the first sentence.

The term "class work" has been changed in the first sentence of the second paragraph to read "class room activities" to clearly denote that any activity connected to a class, whether or not carried on in a class situation, is forbidden.

The term "participation" in the first sentence of the third paragraph has been expanded to clearly forbid any substantive assistance by any faculty member to a team in preparation of either its memorials or its oral arguments.

Section IX Local Regulations:

No changes from Tentative Proposal.

Section X Scouting:

(deletion) This section has been changed to reflect that the Regional Administrator, upon the substantiation of a willful and solicited violation amounting to scouting as prohibited under these rules, may disqualify the violating team from winning that round. The reference to the deduction of points for a minor violation has been eliminated because of the near impossibility of determining the extent of such violation by the Regional Administrator.

Section XI Intramural Competition:

The date 1969 has been substituted for the date 1968 to properly reflect the judgment of the ASILS at their October, 1966 meeting upon this identical question.

Section XII Disputes:

No changes from Tentative Proposal.

Section XIII Amendments to the Rules:

No changes from Tentative Proposal.

Section XIV Notice of Withdrawal:

(addition) The first paragraph is an addition to this section and specifically represents a forfeiture of the entrance fee for withdrawal by any team at any time after notification of its intent to participate in the competition. This same statement is incorporated within the form entitled "INTENT TO PARTICIPATE" which each participating school will have signed.

Section XV Annual Report:

No changes from Tentative Proposal.

Annex A Table of Contents (Form of Memorial)

No changes from Tentative Proposal.

Annex B Judging Ballot

Changed to clearly indicate the new scoring procedures wherein oral judges merely indicate a winner and vote for an Outstanding Individual Oralist.

Annex C Memorial Scoring Sheet

Changed to indicate the duties of each member of the Memorial Scoring Panel in assigning numerical grades and tendering same to the Regional Administrator. A copy of this Annex C should be tendered to each Memorial Panelist.