

The Philip C. Jessup International Law Moot Court Competition

Official Rules Of The 1994 Competition

For Use by All Teams Participating in the Competition

These rules apply to all teams participating in the Jessup Competition, and are to be read in conjunction with applicable National or Regional Supplemental Rules. They are the primary Rules only, and may not a complete rendering of the Rules of the Jessup Competition for each team which participates.

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National or Regional Rules Supplement (if applicable)

Teams shall also follow any National or Regional-specific Rules Supplements which may have been promulgated for their National or Regional Competitions.

15 March 1994

Memorials received after this date will not be judged for the purposes of the International Rounds of the Dillard Competition.

Memorials for International Competition received after this date will be assigned the minimum score of 25.

4 April 1994

Check in at the Jessup Headquarters at the ANA-Westin Hotel in Washington, DC. Exchange of memorials with opposing teams. Welcome reception for teams participating in the International Rounds.

4 April 1994

Orientation for teams participating in the International Rounds.

5-7 April 1994

International Preliminary Rounds.

7 April 1994

Announcement of Top Eight teams advancing to the International Quarterfinal Rounds. Presentation of all International Preliminary Round Awards.

8 April 1994

International Quarterfinal Rounds (morning); International Semifinal Rounds (afternoon).

9 April 1994

World Championship Jessup Cup Round, 2:00 p.m.

Post Competition reception. Presentation of Jessup Cup to winning team and Jessup Cup Round Awards. Jessup Cup Round will be videotaped.

OFFICIAL RULE 1.0

Organization of the Competition

1.1 General

The Philip C. Jessup International Law Moot Court Competition is sponsored annually by the International Law Students Association for students enrolled in ILSA member schools and other invited international law and international law-related graduate degree programs.

The Competition, administered by the Executive Director of ILSA in the capacity of International Administrator, consists of two levels of oral pleadings: National or Regional and International Rounds. The International Rounds include the International Quarterfinal, the International Semifinal, and the World Championship Jessup Cup Round. National or Regional Competitions are held in each country where more than one team wishes to participate in the Jessup Competition.

1.2 Location of International Rounds

The International Rounds of each year's Competition, including the Quarterfinal, the Semifinal and the World Championship Jessup Cup Rounds, shall be held at a site determined by the International Administrator.

1.3 Location of National and Regional Competitions

The various National and Regional Competitions shall be held at locations designated by the appointed National Administrator in each nation.

OFFICIAL RULE 2.0

The Jessup Competition Problem

2.1 Subject Area and Author Selection

The hypothetical fact problem upon which the Competition is based will be drafted each year by international scholars and practitioners, and will be based upon a subject of timely interest.

2.2 Author Selection

The author(s) and reviewer(s) of the problem shall be selected by the International Administrator.

OFFICIAL RULE 3.0

Participation and Eligibility

3.1 National Representation in the International Rounds

3.1.1 Total Representation

Each country with properly registered teams participating in the Competition is permitted to enter one (1) team in the International Rounds of the Competition for every ten (10) teams participating at the National level, to a maximum of twelve (12) teams from any one country. The exact number of teams and the manner in which they are chosen (whether through separate Regional Competitions or a single National Competition) shall be determined by the

International Administrator in consultation with the various National Administrators, and in conformity with the provisions of these Rules. The teams determined to be national representatives from a country shall advance directly to the International Rounds of the Competition and shall jointly represent their respective countries. In extenuating circumstances, the International Administrator may allow additional teams from a nation to participate in the International Rounds if it is determined to be in the overall interests of the Competition.

3.1.2 Special Jurisdictions

At the discretion of the International Administrator, special jurisdictions may enter teams in the Competition. For this purpose, special jurisdictions may include colonies, trust territories, and similar distinct geographic regions, with or without complete national sovereignty. For the purposes of these rules, the term "country" shall include special jurisdictions and the term "National Administrator" the administrators of special jurisdictions.

3.1.3 Definition of "Participating Teams"

For purposes of this rule, the number of participating teams in each country shall be the number of teams which fulfill the official eligibility and registration requirements outlined in Official Rules 3.2, 3.3, and 3.4.

3.2 School Eligibility

3.2.1 Law Schools

All law schools shall be eligible to participate in the Competition upon the formal invitation of the International Administrator.

3.2.2 Non-Law Schools

Teams of students from international-law related advanced degree programs (graduate level or equivalent) may participate in the Competition with the written consent of the International Administrator.

3.3 Team Member Eligibility

3.3.1 General

3.3.1.1 Law Students

All students enrolled on a full-time or part-time basis in a program of study which leads to the equivalent of a U.S. Juris Doctor degree are eligible to compete in the Competition, subject to the further requirements of this Official Rule.

3.3.1.2 Non-law Schools and Special Degree Programs

All students enrolled on a full-time or part-time basis in an international law-related advanced degree program approved by the International Administrator shall be eligible to participate in the Competition if: a) they have completed studies equivalent to a U.S. four-year bachelor's degree; and b) they otherwise meet the requirements of this Rule.

3.3.1.3 University Affiliation

Team members must be an enrolled student at only one institution during the academic year of the Competition, subject to the exceptions allowed by Official Rule 3.3.2.2.

3.3.1.4 Student Status

Only students who have not completed studies, exams or apprenticeships sufficient to enable them to *practice* law in any jurisdiction will be allowed to participate.

3.3.2 Special Circumstances

3.3.2.1 Required Externships and Apprenticeships

Students who complete their primary legal studies after the receipt of the Competition Problem in any year and are enrolled in externship or apprenticeship programs shall be allowed, with the written approval of the International Administrator, to participate in the Competition, despite the fact that the completion of their studies may entitle them to practice law in their home jurisdiction, if: 1) the externship or apprenticeship is *required* as a part of their legal education; and 2) the externship or apprenticeship does not involve work of a nature which would provide the student a significant or unfair advantage over other students participating in the Competition.

3.3.2.2 Participation by Individual Students; Joint Program Students

The International Administrator may, upon written request, allow the participation of teams composed of an individual student, students studying in a joint program between schools, or students studying on a special one-semester program at a school fielding a Jessup team if, and only if, the spirit of these Official Rules would not be violated by such participation.

3.3.2.3 LL.M. Students

Students enrolled in a full-time program leading to a U.S. Master of Laws Degree or its equivalent may, with the written approval of the International Administrator, participate in the Competition if: 1) they entered the LL.M. or equivalent program within 8 months after completing their primary legal education; 2) they did not, during the interim, engage in the practice of law or any work of a nature which would provide the student a significant or unfair advantage over other students participating in the Competition; 3) they otherwise meet the requirements of the Official Rules of the Competition; and 4) their participation will not otherwise violate the spirit or intent of the Official Rules of the Competition.

3.3.2.4 "Returning" Students

Students who have enrolled full or part-time in a program of study leading to a U.S. Juris Doctorate or an international law-related advanced degree more than one year after the completion of studies leading to a U.S. bachelor's degree or its equivalent may participate in the Competition if: 1) they did not, during the period they were not enrolled full or part-time in classes, engage in the practice of law or any work of a nature which would provide the student a significant or unfair advantage over other students participating in the Competition; 2) they otherwise meet the requirements of the Official Rules of the Competition; and 3) their participation will not otherwise violate the spirit or intent of the Official Rules of the Competition.

3.4 Team Selection

3.4.1 Team Composition

A team shall be composed of two (2) to five (5) student members from a *single* school, subject to the exception provided for teams comprised of individual students under the provisions of Official Rule 3.3.2.2. Team members may be chosen by any method approved by the responsible authority within the school, subject to the further provisions of this Official Rule and any applicable provisions of approved National Rules Supplements.

3.4.2 Intramural Competitions

If more than five (5) students overall, or more than one (1) complete team of students, from a single University, whether in the same or different departments, desires to participate in the Competition, an intramural competition administered by the responsible authority at the school shall be held between the students or teams to determine which will represent the University. The current or past Jessup Problems shall be used for intramural competitions whenever possible. Intramural Competitions shall be conducted in accordance with the provisions of these Official Rules, as well as the provisions of approved National Rules Supplements.

3.4.3 Nationality Requirements

National Administrators may, with the written approval of the International Administrator, set nationality requirements with regard to the composition of teams representing their country. Requests for such approval should clearly state, in writing, the reasons such a requirement is desired or required on their part, and must be incorporated in approved National Rules Supplements. In the absence of such approval, all eligible students at a participating school shall be allowed to participate on a Competition team.

3.4.4 Prohibition of Academic Screening

In no instance may a grade-point average, class rank, or other academic ranking factor disqualify a student from trying out for, or participating on, the Jessup Competition team from any University, unless such a ranking determination places the student on an overall academic probationary status at the participating school. All students at the school must be given an equal opportunity to try-out for the Jessup team, subject to the provisions of approved National Supplementary Rules.

3.4.5 Team Member Registration

Once the selection process at each participating University is complete, all team members shall be reported to and registered with the Jessup Office. All team members must be registered with the Jessup Office prior to the date for submission of the written memorials as required by Official Rule 8.5, and no changes in team composition will be allowed after that date.

3.5 Outside Assistance to Teams

3.5.1 General

All work completed with respect to the Competition, including the written and oral aspects of participation, shall be completed solely by registered team members. ***ALL research and writing must be the solely the product of team members.***

3.5.2 Assistance from Faculty Members, Coaches and Advisors

Outside assistance rendered to a team in the preparation of its case by faculty members, coaches, or team advisors shall be limited to a general discussion of the issues, suggestions as to research sources, consultations regarding oral advocacy technique, and decision-making in Competition elimination rounds. Outside assistance which would interfere with the final work product being the exclusive work of the team members is prohibited.

3.5.3 Assistance from Writing Centers and Writing Advisors

Students may seek the help of legal writing advisors, including coaches and faculty members, in the preparation of their team memorials. However, such assistance shall be limited to *general* commentary on memorial organization and structure, the flow of arguments, and format. *Specific* commentary as to arguments to be pursued, issues to be raised, sub-arguments, etc., is prohibited. Outside assistance of this type which would interfere with the final work product being the exclusive work of the team members is prohibited.

3.5.4 Assistance from Librarians and Other Research Professionals

Students may seek the help of librarians, computer research advisors, and other legal resource specialists in preparing Competition materials. Assistance shall be limited to answering specific questions regarding the location of legal sources or general legal research methods. Such advisors and specialists may not suggest alternative terminology or resources to a student who has not discovered such terminology or resources themselves, but may aid the student in making use of or locating them once identified. Outside assistance of this type which would interfere with the final work product being the exclusive work of the team members is prohibited.

3.5.5 Grounds for Elimination

Teams found by the International Administrator to have received inappropriate outside assistance, including teams employing non-team members as "student researchers", shall be eliminated from the Competition.

OFFICIAL RULE 4.0

Team Registration and Identification

4.1 International Registration

4.1.1 International Registration and Fees

All schools participating in the Competition from outside the United States must submit an International Registration Form, along with the appropriate fee, to the Jessup Office in Washington, D.C. prior to the date noted on the International Competition Timeline, appended to these Official Rules. Schools located in countries which are listed in Category 2 on the Jessup Fee Schedule may request, in writing, a waiver of the registration fee for extenuating circumstances. Only Registration Forms with the required faculty advisor's signature will be considered valid. All teams must register their individual team members on their registration form, or submit to the International Administrator their team member's names within the time limit specified in Official Rule 3.4.5. Team member's names should be clearly printed or typed on the form, with due attention being given to the spelling of each team member's name and the arrangement of first, middle and last names.

4.1.2 U.S. Registration and Fees

All schools participating in the Competition from the United States must submit the U.S. International Registration Form, along with the appropriate fee, directly to the International Administrator, who also serves as U.S. National Administrator. (See the United States National Supplement to the Official Rules.)

4.1.3 Registrations Required for Each Team

Each team competing in a National or Regional Competition, or as sole representative of a nation, *must* submit the appropriate registration form and applicable fee (or written request for waiver) to the International Administrator prior to the date noted on the Official Competition Timeline, which is appended to these Official Rules. Winning teams from National or Regional Competitions in which all teams have not met this requirement may be prohibited by the International Administrator from competing in the International Rounds of the Competition.

4.2 Acknowledgment of Registration and Issuance of Team Numbers

As soon as International Registration Forms are received and approved by the International Administrator, participating teams will be officially entered in the Competition and assigned their Jessup Competition team number. Teams shall use their team numbers for identification purposes in all instances required by these Official Rules.

4.2.1 Team Numbers as Identification

Each team in the Competition will be assigned, upon receipt of registration fee and registration forms, an official team number selected at random by the International Administrator for use in all levels of the Competition to ensure a lack of bias in Competition judging. The team number shall be used to identify team memorials, as per Official Rule 4.2.2, and for all other team identification purposes. Neither the school name nor the name of the country which a team represents may be used, at any time during the course of the Competition, for purposes of identifying teams or team members (for example, on a name tag or Regional schedule).

4.2.2 Identification of Team Memorials

The official team number, followed by an A or an R (to designate Applicant or Respondent), *must be placed on the upper right hand corner of the outside front covers of the appropriate team memorials*. Neither the school name nor the name of the country which they represent may appear anywhere on the team memorials.

4.3 Team Notification for Competition Purposes

For purposes of the Competition, notice to one designated team member, the team's coach, or the team's faculty advisor shall constitute notice to all team members. *Each team member must be thoroughly familiar with the Official Rules of the Competition, applicable National Rules, the Jessup Problem, and any Problem Clarifications which may be issued.*

4.4 Settlement of Past Competition Debts

Teams which, for extenuating or unavoidable circumstances, were granted extensions of time by the International Administrator in the payment of fees or other incurred Competition debts shall not be eligible to compete in the following year's Competition until such fees or debts have been paid in full.

OFFICIAL RULE 5.0

National Representation; National and Regional Competitions

5.1 *National Representation*

Where only one (1) interested University or University faculty in a country expresses an interest to compete in the Competition and submits the proper registration fee and Registration Form for a duly selected team prior to the deadline for registration noted on the International Competition Timeline appended to these Official Rules, that team shall be designated as the national representative of that country for Competition purposes.

5.2 *Establishment and Administration of National and Regional Competitions*

If more than one (1) team in any country registers for the Competition prior to the deadline for registration noted on the International Competition Timeline, appended to these Official Rules, a National Administrator shall be appointed as per the provisions of Official Rule 5.3 to hold one or more National or Regional Competitions to determine which team(s) will represent the country as “national representatives” at the International Rounds. Such Competitions shall utilize the current Jessup Competition Problem, pursuant to the provisions of these Official Rules.

5.3 *Appointment of National Administrator*

In the event that qualifying Competitions at the National level are necessary, the International Administrator shall designate a National Administrator to administer the Competition in that country pursuant to the guidelines established by these Official Rules.

5.3.1 *Qualifications*

The National Administrator shall be a student, faculty member, practicing lawyer, or other interested party. In the event that the National Administrator is a student, a designated Faculty Advisor must be appointed to oversee the work of the student and must be available, present, and able to provide assistance at all stages of the organization and administration of the National Competition, including the National event and the oral arguments themselves. In such an instance, all powers conferred by these Official Rules involving Competition scoring, eligibility and Rules interpretation shall be designated to the Faculty Advisor.

5.3.2 *Responsibilities*

The National Administrator shall act as the International Administrator’s on-site representative in his or her nation. The National Administrator’s responsibilities shall include, but not be limited to, promoting the Competition and recruiting participants, coordinating and assisting teams in the registration process, ensuring all required registration materials and fees are submitted for each participating team in the nation, ensuring Competition materials are available to all participating teams, maintaining appropriate contact with the International Administrator, and planning and administering the National Competition event in accordance with the provisions outlined in these Official Rules.

5.3.3 *Powers*

National Administrators shall have the authority necessary to act as the on-site representative of the Competition, including: 1) the power to interpret and administer these Official Rules as such power is conferred herein; 2) the power to draft specific National Supplemental Rules, eligibility requirements, and procedures necessary to conduct National or Regional Competitions and to submit them for approval to the International Administrator;

3) the power to implement and interpret approved National Supplemental Rules; 4) the power to choose Competition sites or host schools according to the provisions of approved National Supplemental Rules; 5) in the event that participating schools are chosen to host the Competition, the power to establish a selection process and to impose requirements and obligations necessary to ensure that the host obligation is fulfilled, if such processes, requirements and obligations are formally included in approved National Supplemental Rules; 6) the power to establish and administer one (1) or more Regional Competitions as part of the National Competition; 7) the power to appoint assistants and Regional Administrators to assist in the administration of National and/or Regional Competitions; and 8) such other powers as are necessary to the functioning of the Competition and approved by the International Administrator.

5.3.4 Disqualification of National Administrator for Judging and Coaching

In no case shall a National Administrator, or one acting on his or her behalf as a Regional Administrator under Rule 5.3.1, act as a judge in actual or exhibition Rounds of the Competition for which the Administrator is responsible. Nor may such an individual serve in the role of a coach, or in any other way be affiliated with, a registered team in the Competition generally. In extenuating circumstances, the International Administrator, at his or her discretion and only in conformity with the spirit and purpose of these Official Rules, may waive this rule if it is in the interest of the overall Competition.

5.4 National and Regional Competition Procedure

National and Regional Competitions shall be conducted in accordance with the following general provisions unless approved National Rules to the contrary apply.

5.4.1 General Procedures

Each team competing in a National or Regional Competition shall plead four (4) times in the Preliminary Rounds of the Competition, twice as Applicant and twice as Respondent, in front of qualified panels of judges. Three (3) judge panels shall be utilized whenever possible. The scheduling of Competition dates, pairing of teams in Rounds and selection of judges shall be determined by the National Administrator. Teams shall, to the degree possible and in conformity with the provisions of these Official Rules, face any opposing team only once in the Preliminary Rounds of a National or Regional Competition. In the event that teams must face each other in two (2) Preliminary Rounds, each team should represent the Applicant in one Round and the Respondent in the other Round.

5.4.2 Structure of National and Regional Competitions

5.4.2.1 General

National and Regional Competitions shall consist of four (4) Rounds of preliminary oral pleadings, and a Championship Round between the two (2) highest ranking teams.

5.4.2.2 Preliminary Rounds

In the initial four (4) preliminary rounds of a National or Regional Competition, the Regional or National Competition shall be structured according to the provisions of Official Rule 6.0 governing the International Rounds of the Competition, subject to the provisions of approved National Rules Supplements.

5.4.2.3 Semifinal Rounds

In National or Regional Competitions of eight (8) or more teams, the National or Regional Administrator may hold Semifinal Run-off Rounds among the four (4) highest-

ranking teams from the Preliminary Rounds in order to determine which teams will advance to the Championship Round. The structure of Semifinal Rounds in National and Regional Competitions shall be in accordance with the provisions of Official Rule 6.0 governing the International Rounds of the Competition, subject to the provisions of approved National Rules Supplements. If no Quarterfinal Rounds are held under the provisions of Official Rule 5.4.2.4, the pleading option in the Semifinal Rounds should be determined based upon the team ranks from the Preliminary Rounds, as per the provisions of Official Rule 6.2.3.3, subject to the provisions of approved National Rules Supplements.

5.4.2.4 *Quarterfinal Rounds*

If more than sixteen (16) teams are participating in a National or Regional Competition, the National or Regional Administrator may hold Quarterfinal Run-off Rounds among the eight (8) highest-ranking teams from the Preliminary Rounds in order to determine which teams will advance to the Semifinal Rounds. The structure of Quarterfinal Rounds in National and Regional Competitions shall be in accordance with the provisions of Official Rule 6.0 governing the International Rounds of the Competition, subject to the provisions of approved National Rules Supplements. The pleading option in Quarterfinal Rounds should be determined based upon the team ranks from the Preliminary Rounds, as per the provisions of Official Rule 6.2.3.3, subject to the provisions of approved National Rules Supplements.

5.4.2.5 *Championship Rounds*

Championship Rounds shall be conducted in accordance with the provisions of Official Rule 6.0 governing the International Rounds of the Competition, subject to the provisions of approved National Rules Supplements. If no Quarterfinal or Semifinal Rounds are held, the pleading option in the Championship Round should be determined based upon the team ranks from the Preliminary Rounds, as per Official Rule 6.2.3.3, subject to the provisions of approved National Rules Supplements.

5.4.3 *"Sudden Death" Rounds*

If only two (2) teams are competing in a National or Regional Competition, both teams may agree, in writing, to hold "sudden death" elimination Rounds. In such Rounds, each team argues only once as Applicant and once as Respondent to determine the winning team. In "sudden death" Rounds, the Competition scoring system shall be adapted accordingly by the Regional or National Administrator, in consultation with the International Administrator.

5.4.4 *Scoring*

Scoring of National and Regional Competitions shall be conducted as outlined in Official Rule 10.0, unless approved National Rules to the contrary apply.

5.4.5 *Dual Representation at a Single University in National Competitions*

In extenuating circumstances, a National Administrator may petition the International Administrator, in writing, to allow dual representation from a single University in a National or Regional Competition. Such representation may be allowed if it is established that: a) a local competition would be otherwise difficult or impossible to hold due to University regulations, calendars or other circumstances beyond the control of the Administrator or participating teams; b) the teams represent different University colleges or departments and will be participating absolutely independent of each other; c) each team independently fulfills the participation and registration requirements of Official Rule 3.0; and d) such participation will not violate the spirit of the Competition Rules or the Competition generally.

5.5 *Judges in Regional and National Competitions*

The provisions of Official Rule 6.5 shall apply to the qualifications of judges in Regional and National Competitions, unless approved National Rules Supplements provide alternate guidelines.

OFFICIAL RULE 6.0

International Rounds of the Competition

6.1 *Date and Location*

The International Rounds of the Jessup Competition shall be held on a date selected by, and at a location determined by, the International Administrator. The dates and location of the International Rounds for the current year's Competition are noted on the Official Competition Timeline, which is appended to these Official Rules. The International Administrator shall preside over the International Rounds.

6.2 *Structure of International Competition*

The International Rounds of the Competition shall consist of the Preliminary Rounds, the International Quarterfinals, the International Semifinals and the World Championship Jessup Cup Round.

6.2.1 *General*

The International Rounds of the Competition shall be comprised of all teams who have earned the title of National Representative as per the provisions of these Official Rules and approved National Rules Supplements.

6.2.2 *Preliminary Rounds*

The Preliminary Rounds of the International Competition shall consist multiple Rounds of oral pleadings, with each team arguing in four (4) such Rounds, twice as Applicant and twice as Respondent.

6.2.2.1 *Pairings for the Preliminary Rounds*

The pairing of teams for the International Rounds of the Competition shall be done, in the first instance, by random draw. To assure international balance, the initial draw shall be modified as follows to the extent possible:

- a) No team shall argue against more than one team from any other single nation.
- b) No team shall argue against more than two teams from its immediate geographic region (as determined by the International Administrator, after reviewing the geographic representation of the teams participating in the Competition).

Pairings for the International Rounds and memorials of opposing teams will be made available to teams which attending the International Rounds at the Orientation on the first day of the event. Provisions regarding the availability of opposing team memorials and the method and time of distribution for National and Regional Competitions shall be left to National and Regional Administrators.

Official pairings of teams once completed by the International Administrator shall be final, except as may be modified by the International Administrator to account for teams which do not appear on the date of the start of the International Rounds of the

Competition, team transportation problems, or scheduling problems due to communication difficulties. The International Administrator shall have the power in such circumstances to adapt the pairings in order to maintain the interests of the Competition.

6.2.2.2 *Scheduling of Preliminary Rounds*

The Preliminary Rounds shall be scheduled over as many days as is necessary to arrange all oral arguments. Every effort shall be made by the International Administrator in scheduling teams to ensure that no team is scheduled to argue in consecutive Rounds. If it is necessary for a team to argue in consecutive Rounds, the team shall argue on opposite sides of the dispute in such Rounds.

6.2.2.3 *Oralist Round Designations*

Oralists who will be arguing in more than two (2) Preliminary Rounds, and who wish to be considered for Best Oralist Awards, shall designate before the start of the first Round of the Competition which two (2) Rounds in which they will argue shall be used for purposes of Best Oralist Determinations. Oralist Round designations should be provided to the Competition Administrator in writing, and should identify the team member by name and team number.

6.2.3 *International Quarterfinal Rounds*

The International Quarterfinal Rounds shall consist of the eight (8) highest-ranked teams from the International Preliminary Rounds. The four (4) teams which advance from these Rounds will proceed to the International Semifinals.

6.2.3.1 *Pairings for the International Quarterfinals*

Pairings of teams for the International Quarterfinal Rounds will follow the pattern of highest-ranked against lowest-ranked team, the second-highest ranked against the second-lowest ranked, etc., of the "Top Eight" teams, based upon their Official Ranking in the Preliminary Rounds.

6.2.3.1.1 *National Pair-off Qualification*

No more than two (2) teams from the same country may qualify for positions in the International Quarterfinals. If two (2) teams from the same country qualify for positions in the top eight (8) highest-ranked teams from the Preliminary Rounds, they will be paired-off in the Quarterfinal Rounds to determine the National Representative of their country for the remaining Final Rounds. If more than two (2) teams from the same nation appear in the "Top Eight" teams from the Preliminary Rounds, the additional teams from that nation shall be dropped and the next qualified team on the list shall advance to the Quarterfinal Rounds.

6.2.3.1.2 *Previous Meeting Qualification*

If the initial pairing of the International Quarterfinal Rounds matches two (2) teams which have previously faced each other in the Preliminary Rounds, the International Administrator shall attempt to adapt the pairings in a manner consistent with the general spirit of this Official Rule so that such a match is avoided. If no suitable re-pairing can be achieved, the International Administrator shall use the original pairings and disregard this qualification.

6.2.3.2 *International Quarterfinal Pleading Options*

The team having the higher Official Rank in the Preliminary Rounds shall have the pleading option in each paired match of the Quarterfinal Rounds. In the event that any teams paired in Quarterfinal Rounds possess equal rank and identical scores after the Preliminary Rounds, a coin toss shall be used to determine the pleading option. Exercise of the pleading option in the Quarterfinal Rounds shall be in accordance with Official Rule 6.4.

6.2.3.3 *Review of Scores*

All teams entering the International Quarterfinal Rounds shall have the opportunity to review their completed master team scoresheets from the Preliminary Rounds (but *not* individual judge's scoresheets or notes) during the initial thirty (30) minute period allotted in Official Rule 6.4. Teams shall be allowed a full thirty (30) minutes for review purposes, regardless of whether the full time period is used by the opposing team in exercising the pleading option. Teams not possessing the pleading option will not be informed of the opposing team's pleading choice until the review of scores is completed.

6.3 *Structure of the International Semifinal Rounds*

The International Semifinal Rounds shall consist of the four (4) teams which advance from the International Quarterfinal Rounds. The two (2) teams which advance from this Round shall proceed to the World Championship Jessup Cup Round.

6.3.1 *Pairings for the International Semifinals*

The pairings for the International Semifinals shall be determined in the same manner as the pairings for the International Quarterfinal Rounds.

6.3.2 *Previous Meeting Qualification*

The fact that two teams may have met previously in the International Preliminary or Quarterfinal Rounds shall be irrelevant in determining the pairings for the International Semifinal Rounds.

6.3.3 *Pleading Options in the International Semifinal Rounds*

The pleading option in the International Semifinal Rounds shall be determined by coin toss, with the higher-ranked team possessing the right to "call the toss". Exercise of the pleading option in the Semifinal Rounds shall be in accordance with Official Rule 6.4.

6.4 *Exercise of Pleading Options*

Each team earning the right to a pleading option shall be given thirty (30) minutes after notification of their right to exercise the pleading option and determine which side they wish to plead in the upcoming Round. If a team fails to declare its pleading option within a thirty (30) minute period, it shall forfeit the pleading option to its opposing team. The opposing team is then given thirty (30) minutes to exercise its option under the same conditions. Should both teams fail to exercise the pleading option, or if the Round is a Run-Off Round in which neither team has the pleading option, the International Administrator shall determine the pleading option by a toss of the coin.

Once the pleading option has been exercised, the opposing team should be notified immediately of the position they will be taking in the next Round, subject to the provisions of Official Rule 6.2.3.3. Both teams should then be allowed a reasonable time to prepare for the Quarterfinal Round.

6.5 Competition Judges

6.5.1 General

Judges for the Regional, National and International Rounds of the Jessup Competition shall be chosen from the ranks of attorneys, former Competition participants, and international law specialists world-wide. No specific or advanced knowledge of international law is required of judges, though all Competition judges should have a minimal working knowledge of international law. Students should not serve as judges, though LL.M. and other post-graduate degree candidates not affiliated with any team participating in the Competition may serve as judges at the invitation of the Competition Administrator.

Judges shall be briefed prior to the start of the first Round they will judge as to Competition procedures and judge's responsibilities, including their responsibilities under these Official Rules.

6.5.2 Faculty Advisors, Coaches and Affiliated Persons as Judges

No faculty advisors, team coaches, or other persons directly affiliated with a team participating in the Competition may act as judges in any level of the Competition. Exceptions may be made in Rounds in which the advisor, coach or other affiliated person's own school is not participating and in which neither of the two (2) teams in the Round is scheduled against the advisor, coach or other affiliated person's school later in the Competition. Faculty advisors, coaches and other directly affiliated parties who act as judges shall be prohibited from disclosing the contents of the Judge's Memorandum to any Competition participant.

6.5.3 Team Affiliations

No judge shall sit on a panel at any level of the Competition involving a team from a University with which the judge has an affiliation as an alumni, lecturer, coach, advisor, professor or other role.

6.5.4 Prior Viewing of Teams

Judges should, to the greatest extent possible, not view a team which they have viewed in a previous Round of the Competition. In instances where such occurrences are required, the Administrator shall attempt to ensure that the judge views the opposite side of the team's argument in each Round.

The decision as to whether to schedule the judges and teams in the same Round in such an instance shall rest solely with the Competition Administrator, and the determination of the Competition Administrator shall be final.

6.5.5 Notification of Administrator of Incompatible Judges or Teams

Teams may bring to the attention of the Competition Administrator the names of judges to whom team members are known or with whom team members have a relationship beyond the scope of the Competition, and may request that these judges not view the team. Judges may bring to the attention of the Competition Administrator the teams on which team members are known or with whom the judge has a relationship beyond the scope of the Competition, and may request that he or she not view these teams.

The decision as to whether to schedule the judges and teams in the same Round in such an instance shall rest solely with the Competition Administrator, subject to the provisions of these Official Rules, after determining the nature of the relationship between the team and the judges. The determination of the Competition Administrator shall be final.

6.5.6 Bench Memorandum

The author of the Competition shall provide a Memorandum of Law and Authority on the legal issues addressed in the Competition Problem (hereinafter the "Bench Memorandum") for purposes of briefing the Competition judges.

6.5.6.1 Distribution of Bench Memorandum

The Bench Memorandum shall not be released by the International Administrator prior to the date on which memorials must be submitted by teams in accordance with the provisions of Official Rule 8.5. The International Administrator may, upon written request by a National Administrator, release the Bench Memorandum to the National Administrator for the purpose of any National Competition which occurs prior to that date.

6.5.6.2 Confidentiality of Bench Memorandum

The contents of the Bench Memorandum shall be held in the strictest confidence by all Competition judges and Administrators. In no instance shall a Bench Memorandum be provided, directly or indirectly, to a team participating in the Competition.

6.5.6.3 Elimination for Use of Bench Memorandum

Any team found to be using a Bench Memorandum for purposes of preparing for any phase of the Jessup Competition shall be eliminated from the Competition. Teams encountering Bench Memoranda should immediately return them, without examining the contents, to the Competition Administrator. Failure to do so will result in elimination from the Competition.

6.6 Religious Scheduling Conflicts

The International Administrator shall make every effort to accommodate the legitimate religious interests of teams in selecting dates for scheduled oral Rounds of a team when such teams provide at least four (4) weeks notice of such interests prior to the start of the Preliminary Rounds of the International Competition. However, if it proves impossible to accommodate a team's religious interests in the scheduling of Competition Rounds, teams will be expected to argue at scheduled times.

OFFICIAL RULE 7.0

Clarifications of the Problem

7.1 Procedure

Participants may submit written requests for clarifications of points of fact in the Competition Problem which are manifestly unclear and which must be clarified in order for the participants to develop their pleadings. Requests for clarifications must be received by the date indicated on the International Timetable, appended to these Official Rules. The Jessup Office will not acknowledge receipt of requests for clarifications. Requests for clarifications will be answered selectively, at the discretion of the International Administrator and the authors of the Problem. Submission of ill-conceived requests for clarifications to the problem, illustrating either a lack of understanding of the legal issues presented by the Problem or of the clearly stated conditions under which the Competition is conducted, may be subject to discretionary penalties pursuant to Official Rule 11.4.

7.2 Distribution

All clarifications for which responses are provided will be reproduced or summarized and mailed to all teams on the date noted on the International Timetable.

OFFICIAL RULE 8.0

Memorials

8.1 Required Memorials

Each team participating in the Competition shall prepare an APPLICANT and a RESPONDENT memorial.

8.2 Format of Memorials

All memorials submitted in the International Competition must conform to the following general requirements. Teams will be penalized for failure to keep within these limitations.

8.2.1 Length

The Body of the each individual memorial, consisting of the legal pleadings, conclusion, annexes, appendices and footnotes, shall be no more than twenty-five (25) pages in length. The Table of Contents, Index of Authorities, Statement of Jurisdiction, Statement of the Facts, Questions Presented, Summary of the Pleadings, Title Page and Front and Back Covers are excluded from the twenty-five (25) page limitation.

8.2.2 Spacing

The Body of the memorials must be double-spaced. Individual footnotes and titles or sub-titles that are more than one (1) line in length may be single-spaced. Double-spacing *between* footnotes and *before and after* headings is, however, required. Quotes of more than fifty (50) words may be single-spaced. Single-spaced quotes of less than fifty (50) words, footnotes which are not double-spaced between notes, and headings not preceded and followed by double spacing will be penalized. All portions of the memorial other than the twenty-five (25) page Body may be single-spaced.

8.2.3 Margins

Each page of the memorials (regardless of content) shall have margins of at least one inch, or two point six (2.6) centimeters, on all sides.

8.2.4 Form

Memorials must be type-written and reproduced by mimeograph, photocopying, letter quality computer printout, or offset. White 21 x 29 3/4 centimeter or 8 1/2 by 11 inch paper must be used for memorials.

8.2.5 Covers

Applicant and Respondent memorials must be differentiated by different non-white colored covers. (It does not matter what colors, as long as neither is white and they are not the same.)

8.2.6 *Binding*

Memorials must be fastened by two or three staples along the left side of the memorial. *No other type of fastening device (such as ring binding or tape) is permitted.*

8.2.7 *Type Size and Style*

Any type style (type-face) is permissible, except that no type smaller than standard elite (twelve (12) characters or spaces to the inch or two point six (2.6) cm) shall be used at any time. This includes computer letter-quality printouts. This rule applies to all material included within the twenty-five (25) page limit delineated in Official Rule 8.2.1, including footnotes and the conclusion.

Courier ten (10) point *non-proportional* type is recommended for Competition purposes. If *proportional* type styles are used, type size should be **at least twelve (12) points**. Any type style chosen should be measured at random points in the memorial to ensure type size requirements are met, as each type style differs. If more than twelve (12) characters (including spaces) appear within an inch of type (this includes situations where the thirteenth character touches the one-inch line), the type size is too small and should be increased. It is the responsibility of each team to ensure that the type size chosen is large enough to satisfy the requirements of this Official Rule.

8.2.8 *Citations and Footnotes/Endnotes*

Footnotes and endnotes may be placed either at the bottom of the page, within the body of the pleadings, or at the end of the memorial. Footnotes may not include substantive pleadings insofar as they are purely illustrative of the pleadings presented in the Pleadings proper. Footnotes are to be used primarily to cite authority. All rules governing footnotes shall also apply to endnotes.

Footnote and endnote format should follow generally recognized formats for legal briefs and memorials.

8.3 *Constituent Parts*

In addition to the Body, each memorial shall contain the following parts:

8.3.1 *Statement of the Facts*

Each memorial shall include a full Statement of the Facts, and not a mere stipulation to the facts. The Statement of the Facts shall be limited to the stipulated facts and necessary inferences. The Statement of the Facts should not include unsupported facts, distortions of stated facts, or legal conclusions.

The fact pattern of the Jessup Problem is intentionally left somewhat vague. For judging purposes, participants will be evaluated on their ability to make the facts conform to their arguments *without* changing in any way the circumstances outlined in the Problem.

8.3.2 *Summary of the Pleadings*

Each memorial shall include a Summary of the Pleadings. The Summary of the Pleadings shall consist of a substantive summary of the pleadings presented in the memorial, rather than a simple reproduction of the pleading headings.

8.3.3 *Additional Parts*

Memorials shall also contain a Table of Contents, an Index of Authorities, a Statement of Jurisdiction and a statement of Questions Presented.

8.3.4 Introduction of Arguments Outside Scope of Pleadings

Issues or pleadings not discussed within the body of the memorial shall not be included in any other section of the memorial. Memorials found to introduce, in other sections of the memorial, arguments or materials not included within the Body (pleadings proper) will be penalized.

8.4 Team Identification

Each Memorial must carry the official Jessup Team Number, as directly issued by the International Administrator. This number must be placed on the upper right-hand corner of the front cover of each memorial, followed by an "A" for the Applicant memorial and an "R" for the Respondent memorial (i.e., 000A or 000R). No names of individual participants, their countries, or schools, may appear anywhere on the memorials. No signature pages are allowed.

8.5 Submission of Memorials

Each team registered in the Competition must supply the International Administrator with one (1) copy of each memorial that is identical to those sent to the National or Regional Administrator for purposes of National or Regional Competitions, at the same time that such memorials are mailed to the National or Regional Administrator for that Competition, or the date noted on the International Competition Timeline for submission of memorials, whichever is earlier. Teams which fail to do so will not be allowed to compete in the International Rounds of the Competition. Submission of memorials shall be by AIR MAIL. The International Administrator may, upon written request from a Regional or National Administrator, waive this provision in extenuating circumstances if he or she determines it is in the interest of the overall Competition.

Once submitted to the International Administrator, memorials may not be altered in any way, unless in accordance with the provisions of Official Rule 8.8.

8.5.1 Memorials for International Rounds

Memorials must be prepared in English by the teams representing their countries in the International Rounds of the Competition and by teams submitting their memorials to the Hardy C. Dillard Award Competition.

8.5.2 Memorials for National Competitions

Memorials for National Competitions, if National Rules Supplements so provide, may be prepared in languages other than English. Memorials of teams advancing to the International Rounds of the Competition, or teams submitting their memorials for consideration in the Hardy C. Dillard Award Competition, must be translated to English, and must otherwise conform to the required format outlined in these Official Rules, prior to submission for the International Competition.

8.5.3 Translation and Translation Services

All teams which prepare memorials for National or Regional Competitions in languages other than English must supply the International Administrator with a copy of the original memorial on the date noted in Official Rule 8.5. Teams advancing to the International Competition must provide translated copies of the memorials for purposes of International Competition Mailings, as outlined in these Official Rule 8.6. The translation of memorials shall be, to the greatest extent possible, verbatim. ***The contents of memorials may not be revised, updated or otherwise altered in the translation process.*** Alteration of the legal content memorials during translation shall result in elimination from the Competition.

8.6 Submission of Memorials for the International Rounds

Each team advancing to the International Rounds shall mail an additional thirty (30) copies of its Applicant memorial and an additional thirty (30) copies of its Respondent memorial to the International Administrator for use by judges and opposing teams in the International Rounds. Each team that wins a Best Memorial Award in a National or Regional Competition or otherwise earns the right to submit its memorial to the Dillard Competition (*see* Official Rule 13.6.2.4), shall mail an additional five (5) copies of its Applicant memorial and an additional five (5) copies of its Respondent memorial to the International Administrator for use by the judges. The deadline for submission of memorials is indicated in the International Timetable, appended to these Official Rules. Mailing of memorials under the provisions of this Official Rule must be done by AIR MAIL.

8.7 Equipment Failure

Equipment failure or problems, including computer disk failure, will not be considered an excuse for improper formatting or late mailing of memorials.

8.8 Revision of Memorials

No team may revise, substitute, add, or delete material, or in any other manner alter its memorials, after the deadline for submission of memorials noted in Official Rule 8.5. However, if pages are inadvertently left out in the collating process, either in the substantive or non-substantive sections of the memorial, the International Administrator, after assessing the facts, may allow a team to correct the deficiency and may assess appropriate discretionary penalties. The act of word processing or producing a computer printout, and any attendant failure in computer systems, is not considered part of a collating process for the purposes of these Rules.

Re-typing the pleadings section to correct footnote numbers or typographical errors, or to change footnote format (*e.g.*, put them at the end rather than in the body), is subject to a revision penalty. Revising a memorial and taking the subsequent penalty may not be used to avoid the imposition of a greater penalty for another infraction. In such a case, both penalties will be assessed. (For example, a team with a six (6) point length penalty may not revise the memorial to conform to the length requirements and take a lesser five (5) point maximum discretionary revision penalty—the team will be subject to both).

8.9 Use of Opposing Team's Memorials

No team shall be allowed to view or otherwise become privy to memorials of any other team participating in the Competition, until the conclusion of the World Championship Jessup Cup Round. Exceptions are made only for the respective Applicant and Respondent memorials used by opposing teams in the course of Regional, National and International Semifinals and Finals Competition as required under the provisions of these Official Rules.

OFFICIAL RULE 9.0

Oral Pleading Procedures

9.1 General Procedures

The Oral Rounds of the Competition shall consist of ninety (90) minutes of pleadings, each side being allotted forty-five (45) minutes. The forty-five (45) minute allotment of time shall include the pleadings of both oralists from a team, as well as their rebuttal or surrebuttal.

Any team member may act as an oralist during any round of the Competition. Only two oralists may plead on behalf of a team during any Round. No single oralist shall plead more than twenty-five (25) minutes of the forty-five (45) minutes allotted to each team for each Round

(including time allotted for rebuttal or surrebuttal), subject to the exceptions provided by the participation of a team composed of one individual as per the provisions of Official Rule 3.3.2.3. Teams using interpreters shall be allowed extra allotted time pursuant to Official Rule 9.7.2.

All teams, except those composed of one individual as per the provisions of Official Rule 3.3.2.2, **must** employ two oralists in each Round of the Competition. Each team member should be prepared to argue either side of the dispute. Teams which do not field two oralists in a Round will be subject to loss of the individual Round.

Each team shall be allowed to reserve up to ten (10) minutes at the start of the Round for rebuttal or surrebuttal. Team members should notify the courtroom bailiff prior to the start of the Round if they intend to reserve time for this purpose, and should announce this fact to the judges during their introductions at the beginning of the oral pleadings for the Round. Only one team member may deliver the rebuttal or surrebuttal.

The order of the pleadings in each Round at all levels of the Competition shall be:

Applicant 1
Applicant 2
Respondent 1
Respondent 2
Rebuttal
Surrebuttal

9.2 *Scope of Pleadings*

The scope of the participant's oral pleadings is not limited to the scope of his or her written pleadings (submitted memorials). The scope of the Applicant's rebuttal is limited to the scope of the Respondent's pleading proper, and the scope of the Respondent's surrebuttal is limited to the scope of the Applicant's rebuttal. No legal issues which were not addressed in the primary pleadings may be raised in the rebuttal or surrebuttal. Oral pleadings judges will penalize participants for failure to keep within these limitations.

9.3 *Of Counsel*

During each Round of the Competition, one (1) other team member may sit at the counsel table with the two (2) oralists, as counsel. The person acting as counsel **must** be one of the five (5) team members. However, the person acting as counsel need not be the same person in each Round.

9.4 *Competition Communications*

9.4.1 *Oral Courtroom Communication between Counsel Table and Bench*

Only the judges, the two (2) oralists and the team member designated as counsel may communicate during the oral pleadings. There shall be no oral communication between the counsel table and any other individual during the Round.

9.4.2 *Oral Courtroom Communications and Activity at Counsel Table*

Communications between team members while seated at the counsel table shall be conducted in an orderly and professional fashion. Every courtesy shall be presented to oralists in the process of oral argument, including, if necessary, complete silence. Teams may be subject to discretionary penalties for unnecessary noise, outbursts, or other inappropriate behavior which the judges feel distracts from the argument in process. In such an instance, penalties imposed shall be deducted from the oral pleading scores of BOTH oralists on the offending team.

9.4.3 Written Courtroom Communications

No written communication may take place between the counsel table and any spectators or team members not present at the counsel table while the Round is in progress. This does not preclude, however, a team member from taking or being handed a treaty or other documents from the counsel table when the team member has been questioned about such documents during the course of his or her argument. Team members in the midst of their oral presentations may not, however, receive written notes or advice from the counsel table.

9.4.4 Communications Between Judges and Participants

No oral or written communication may take place between judges and participants or directly affiliated parties during any stage of the Competition, except for the courtroom pleadings and official judge's critiques, as well as those materials distributed to the parties by the Competition Administrator. In the event that a team or team member discovers during the course of the Competition events that they have inadvertently communicated with a judge, it is the obligation of that team or team member to notify the Competition Administrator in writing of this fact to ensure that the judge does not view the team in oral arguments, subject to the provisions of Official Rule 6.5.

9.5 Scouting and Spectators

9.5.1 Team Members and Directly-Affiliated Persons

No team member or persons directly affiliated with any team may attend a Preliminary Round in which a prospective opposing team is participating, or any other Preliminary Round other than those in which their team is competing.

Team members wishing to observe a single Round of the Preliminary Competition in order to become familiar with Competition oral argument procedures may do so with the permission of the Competition Administrator, provided that the neither of the teams observed will be faced by the team of the observing participant in the Preliminary Rounds of the Competition and both teams being observed consent to the activity.

9.5.2 Non-Affiliated Persons

Any non-affiliated person, including friends and relatives of team members, who wish to attend any Round must obtain advance permission from the two (2) arguing teams and either: 1) the National Administrator or the Regional Administrator (in the National and Regional Competitions); or 2) the International Administrator (in the International Rounds of Competitions).

9.5.3 Championship Rounds

All Quarterfinal, Semifinal, and Championship Rounds in Regional, National, and International Competition shall be open to the public. Organized scouting of teams by other teams still in the Competition is, however, nevertheless prohibited ("organized scouting" would consist of taking notes on competitor's argument format, specific arguments, etc., or anything which would go beyond general observation of their performance).

9.6 Exhibits

The use of exhibits is not permitted in the Jessup Competition. No written or other prepared material (such as maps, diagrams, etc.) shall be passed or showed to judges before, during or after the pleadings.

9.7 *Special Circumstances*

9.7.1 *Extensions of Time at Judge's Discretion*

Judges may, at their discretion, extend total team oral argument time beyond the forty-five (45) minute allocation, up to an additional ten (10) minutes per team. Oralists asked to further expand upon arguments may, in this instance, appear for more than the twenty-five (25) minute individual limit. Further exception to this rule shall be allowed only in extenuating circumstances, and special concerns which may result are to be addressed by the Competition Administrator.

9.7.2 *Interpreters*

9.7.2.1 *International Rounds*

Teams that wish to present their oral pleadings in the International Rounds in a language other than English may arrange for interpreters to translate their oral pleadings during the International Rounds. Arrangements for and costs incurred in hiring interpreters and renting interpreter equipment are the responsibility of the team utilizing the interpreter. A team that wishes to use interpreters shall so inform the International Administrator no later than two (2) weeks prior to the start of the International Preliminary Rounds. Such teams may request permission from the International Administrator to extend total team time beyond the forty-five (45) minutes normally allotted for oral pleadings. The maximum extension of time will be twenty (20) minutes per Round.

If interpreters are used by a team, they must be used by **both** team members for *both* the oral pleadings given by team members *and* for the receipt and delivery of responses to questions from judging panels in the Round where the interpreter is engaged. The use of an interpreter in one Round, however, does not commit the team to using an interpreter in every Round.

9.7.2.2 *National and Regional Competitions*

Regional and National Administrators may follow this basic format and formulate Supplemental National or Regional Rules concerning the use of interpreters in their National or Regional Competitions, making appropriate modifications where necessary in light of local conditions. Such additional Rules must be approved in writing by the International Administrator.

9.7.2.3 *Team Members as Interpreters*

A team member may serve as an interpreter for his or her teammates if:

- (a) He or she does not act as an oralist in the same Round in which he or she is an interpreter; and
- (b) He or she does not sit at the counsel table during a Round in which he or she is an interpreter; and
- (c) He or she does not communicate with his or her teammates in any way during the Round, except to translate their oral pleadings, their questions and responses to judges, and questions and responses to them from the judging panels.

9.7.2.4 *Non-embellishment by Interpreters*

When a team employs an interpreter, the interpreter may *only* engage in a literal interpretation of the oralist's pleadings and responses. No "embellishment" on the part of

the interpreter to enhance or clarify the oralist's arguments or responses is allowed. Teams engaging interpreters are subject to loss of the Round if the interpreter is found to have "aided" the team in the process of translation.

9.7.3 *Ex Parte Procedure*

In the case of extreme circumstances where one (1) of two (2) teams fails to arrive for a scheduled Round, the Competition Administrator, after waiting thirty (30) minutes, may allow the Round to proceed as *ex parte*. In an *ex parte* proceeding, the attending team presents its oral pleading, which is scored by the judges as if they appeared against the opposing team. In such a case, the team that fails to arrive for the scheduled Round shall forfeit all six (6) of the Round's oral pleading Round Points. The National Administrator, or the Regional Administrator, may arrange for an additional *ex parte* proceeding for the absent team later in the Competition, if time and administrative concerns permit. The scores from the absent team's *ex parte* proceeding will not affect the scoring of the original Round, and shall be used *only for purposes of calculating individual oral pleading scores*.

9.7.4 *Audio and Videotaping*

No audio or video taping of oral pleadings will be allowed, except in the World Championship Jessup Cup Round, without the advance permission of the two (2) participating teams and either: 1) the National or Regional Administrator (in the National and Regional Competitions); or 2) the International Administrator (in the International Rounds of the Competition). In no circumstances will participating teams be allowed to view any such videotapes, or listen to any such audio tapes, *until after the completion* of the National or Regional Competition in which the taped Round(s) occurs(ed). The International Law Students Association reserves all rights to the audio and video taping, or any other form of aural or visual reproduction, of any Jessup Competition Round. All teams participating in the World Championship Jessup Cup Round will be deemed to have consented to such taping of that Round.

9.8 *Commentary by Competition Judges*

9.8.1 *Judge's Comments in Preliminary Rounds*

Judges in the Preliminary Rounds of the Competition shall not reveal to teams the results of their individual determinations or their individual Round scores, nor shall they provide any substantive feedback to the teams of a nature which would otherwise reveal their individual determinations or the contents of the Judge's Memorandum.

9.8.2 *Judge's Comments in Quarterfinal, Semifinal, Run-Off and Final Rounds*

Comments and feedback by judges in the Quarterfinal, Semifinal, Run-Off and Final Rounds shall be governed by the provisions of Official Rules 10.6.3.

9.9 *Anonymity of Teams in Courtrooms*

The anonymity of all teams shall be maintained in the oral Rounds of the Competition. Teams shall be identified by team number, or by the side of the dispute which they represent in that Round, only. Team members may provide their individual names to judges for purposes of conducting courtroom discussions.

Team members may not expose the identity of their team through direct or indirect questioning by judges, name tags or other signifiers, or other means, including, but not limited to, the placement of folders or files, library books or other materials bearing the name or logo of the school, or flag of their nation, on the counsel table, and the wearing of pins or clothing revealing the identity of their nation or University. Teams using materials prepared in languages

other than English shall take care to use such materials in a manner which ensures that judges may not easily deduct a team's identity or nationality due to the uniqueness of written script or printed matter.

OFFICIAL RULE 10.0

Competition Scoring

10.1 Preliminary Rounds - General

Scoring of the Preliminary Rounds of the Jessup Competition shall consist of two parts: the scoring of the written memorials, and the scoring of the oral arguments.

10.1.1 Memorial Scoring

Each team memorial shall be submitted to a panel of memorial judges. The memorials shall be reviewed and scored by each judge on a scale of twenty-five (25) to forty (40) points, forty (40) points being the highest possible score.

Three (3) judge panels should be used for purposes of scoring memorials whenever possible, subject to the exceptions provided by these Official Rules.

10.1.1.1 Team Identity in Regional and National Competitions

The identity of the teams whose memorials a judge is reviewing shall be kept confidential in all Regional and National Competitions.

10.1.1.2 Team Identity in International Competition

The identity of the teams whose memorials a judge is reviewing shall be kept confidential in the International Competition, except in circumstances where the judge's final score for the memorial would be determined by knowledge of whether or not the native language of the team is English. In such instances, at the initiation of such a request by the judge, the International Administrator may reveal to the judge any knowledge he or she has regarding the native language of the team. The International Administrator may only reveal, to the best of his or her knowledge, whether English is the native language of the team and the extent to which professional translators were used by the team, but may not reveal the actual native language or team nationality.

10.1.2 Oral Scoring

Each oral argument will be scored by a panel of judges. Each judge will score each individual oralist on each team on a scale of twenty-five (25) to forty (40) points, forty (40) points being the highest possible score.

Three (3) judge panels should be used for purposes of scoring oral arguments whenever possible, subject to the exceptions provided by these Official Rules. The Competition Administrator may employ more than three (3) judges per Round in Quarterfinal, Semifinal, Run-Off and Final Rounds of the Competition.

10.2 Calculation of Scoring Points

Two (2) categories of points shall be awarded to teams in each stage of the Competition: Raw Points (Raw Score) and Judge's Points. Awarding of points and calculation of scores shall be subject to the possible deduction of penalty points according to the provisions of Official Rule 11.0.

10.2.1 Calculation of Raw Scores

10.2.1.1 Memorial Scores

The calculation of Total Memorial Raw Scores for the memorials of each team in each Round shall be determined by adding together the individual memorial judge's scores for the memorial representing the side which the team is arguing in the Round.

10.2.1.2 Oral Points

The calculation of Total Oral Raw Scores for each team in the Round shall be determined by first adding the individual scores of each judge for each oralist. These totals shall constitute the total scores of the individual oralists for the Round, and shall be used in the determination of Best Oralist Awards. The individual scores of the two oralists for each team shall then be added together to determine the team's Total Oral Raw Score for the Round.

10.2.1.3 Total Raw Points

The Total Raw Score for each Round shall be the sum of the team's Total Memorial Raw Score and Total Oral Raw Score for the Round.

10.2.2 Calculation of Judge's Points

10.2.2.1 Memorial Judge's Points

A total of three (3) Judge's Points shall be awarded for memorial scores in each Round.

The individual memorial judge's scores for each team participating in a Round are compared to those of the opposing team. The highest score granted by a memorial judge for each team will be compared against the highest score granted the opposing team, then the next highest, and finally the lowest. For each comparison, the team with the higher score will be awarded one (1) Judge's Point for the Round.

In the event that the scores match at any level of the comparison, the points are split, with each team receiving one-half (.5) Judge's Point.

10.2.2.2 Oral Judge's Points

A total of six (6) Judge's Points shall be awarded for oral argument scores in each Round.

The individual scores which each oral judge gives to each oralist on a team will be added together and compared to the total scores which that judge gave to the oralists on the opposing team. Two (2) Judge's Points are given for each oral pleading judge who scores a team higher than its opponents.

If a judge rates the teams equally, the points for that judge are split, with each team receiving one (1) Judge's Point.

10.2.2.3 Total Judge's Points

The Total Judge's Points for each Round shall be the sum of the team's Memorial Judge's Points and Oral Judge's Points for the Round.

10.3 Scoring for Two Judge Panels

A one (1) judge panel may never be used at any level of the Jessup Competition. However, in some extraordinary instances a two (2) judge panel for the scoring of memorials or oral

arguments may be necessary. In such instances, a two (2) judge panel may be used with the permission of the National or Regional Administrator (in National and Regional Competitions), or with the permission of the International Administrator in the International levels of the Competition, if such a panel will not detract from the spirit of the Competition as a whole or the provisions of these Official Rules.

When a two (2) judge panel is used, the following adaptations shall be made to the scoring process.

10.3.1 Memorial Scoring for Two Judge Panels

Memorials scored by two (2) judge panels shall have a third “hypothetical” score added to their totals. This hypothetical score shall be figured by averaging the scores of the other two (2) judges. The average of those two (2) scores shall constitute the hypothetical score.

Once determined, the hypothetical score shall be calculated as any other judge’s score, and will figure as the “middle” score for that team for purposes of figuring all memorial points in a Round.

10.3.2 Oral Pleading Scoring for Two Judge Panels

When a two (2) judge panels is required for purposes of scoring oral pleadings, the Round Points for each judge’s score shall be three (3), instead of two (2). The Oral Judge’s Points for each Round will be determined upon the basis of the actual scores given to the individual oralists. However, when comparisons are undertaken in accordance with the provisions of Official Rule 10.2.2.2, teams which win all of the points from a single judge shall receive three (3) Judge’s Points, and in cases of matching scores, each team shall receive one and one-half (1.5) Judge’s Points.

For purposes of determining the Raw Scores for the Round, a “hypothetical” third score will be created by averaging the judge’s scores for each team from that Round and creating a third score. *This hypothetical scores is to be used for purposes of determining Raw Scores for the Round only.*

10.4 Determination of Winning Teams

The winner of the Round will be determined by the team receiving the greatest number of the nine (9) available Judge’s Points. In the event that teams have an equal number of Judge’s Points, the team with the highest Total Raw Score shall be declared the winner of the Round.

10.5 Winner of Preliminary Rounds of a Competition

10.5.1 Determination of Rankings

Teams shall be ranked according to the following guidelines.

10.5.1.1 Win-loss Record

Teams which acquire more Judge’s Points in any one (1) Round than their opposing team will be declared the winner of that Round. The overall win-loss record for the Preliminary Rounds will be used for primary team ranking purposes. A team with a win-loss record of 4-0 (4 wins, 0 losses) is automatically ranked higher than a team with a win-loss record of 3-1 (3 wins, 1 loss), which is then ranked higher than a team with a win-loss record of 2-2, etc.

10.5.1.2 Total Competition Judge’s Points

If two (2) or more teams remain tied after comparing the win-loss records, the team with the highest number of Total Competition Judge’s Point for the preliminary Rounds

shall be ranked first. There are thirty-six (36) possible Judge's Points to be acquired during the Preliminary Rounds of the Competition (nine (9) points per Round—six (6) oral and three (3) memorial—multiplied by the two (2) Applicant and two (2) Respondent Rounds).

10.5.1.3 Total Competition Raw Score

If two (2) teams remain tied after comparison of the win-loss records and the Total Competition Judge's Points, the team with the highest Total Competition Raw Score for the preliminary Rounds of the Competition shall be ranked higher.

Total Competition Raw Scores are calculated by adding the Total Raw Scores of each of the four (4) Rounds in which the team argued.

The Total Competition Raw Score will be used to determine the overall ranking for the Preliminary Rounds of the Competition regardless of the fact that two (2) teams which are tied with the same win-loss record and Total Judge's Points may have faced each other during the Preliminary Rounds. In such an instance, even if the team with the higher Total Competition Raw Score was not declared the winner of the Round in which the two (2) teams faced each other, the team with the higher Total Competition Raw Score shall be ranked above the team that won the particular Round for *overall* Competition purposes.

10.5.1.4 Other

If teams are still tied after the comparison of win/loss records, Total Competition Judge's Points, and Total Competition Raw Scores, three (3) options are open to the Administrator.

If the teams faced each other in the Preliminary Rounds, the winner of that Round may be ranked higher for purposes of Final Rankings (but only if the tie exists after all other ranking provisions have failed to break the tie).

If time permits and the teams have not faced each other in earlier Rounds, a special Run-Off Round may be scheduled. The pleading option for such a Round should be determined by coin toss.

If the outcome of the determination does not affect either team's qualification for entry into the Quarterfinal, Semifinal, or Championship Rounds of the Competition, the Administrator may declare an official tie for purposes of the Final Rankings.

If the ranking determination is necessary for one of the teams to advance to the Quarterfinal, Semifinal, or Championship Rounds of the Regional or National Competition and none of the methods described herein settles the tie, the Regional or National Administrator should attempt to immediately contact the International Administrator to determine the proper method of establishing official rankings. If the International Administrator can not be contacted on short notice, the Regional or National Administrator may proceed at their discretion, taking into consideration the interests of the teams and the Competition as a whole. The National Administrator's decision in such an instance may only be appealed to the International Administrator on grounds of severe impropriety.

10.5.2 Winners of National and Regional Competitions - General

At the end of the Preliminary Rounds in a Regional or National Competition teams shall be ranked according to overall Competition performance. In National and Regional Competitions, the two (2) highest-ranked teams (if only a single Final Round is used to determine a National or Regional Winner), or the four (4) highest-ranked teams (if a Semifinal Round is used prior to the Final Round), shall advance to the Final Rounds of the National or Regional Competition. The National or Regional Winner shall be the winner of the Final Round, the Runner-up shall be the other participating team.

10.5.3 International Rounds - General

In the International Rounds of the Competition, the same system of ranking teams shall be used. The Top Eight teams, as determined by team rank and the provisions of Official Rules 10.5.1.1 through 10.5.1.4, and 6.2.3.1, shall advance to the International Quarterfinal Rounds.

10.6 Special Procedures for Quarterfinal, Semifinal, Run-off and Final Rounds

Special scoring procedures and guidelines shall apply to the Quarterfinal, Semifinal and Run-off (*i.e.*, tie-breaking), and Final Rounds of Regional, National, and International Competitions. These Rules may be modified for Regional and National Competitions upon written request of Regional or National Administrators and the application of an approved National Supplemental Rule.

10.6.1 Scoring

Judges in the Quarterfinal, Semifinal, Run-off, and Final Rounds at all levels of the International Competition shall, upon an independent review of the team memorials and oral arguments, make a joint determination of the winner of the Round. As a general principle, judges will be instructed to treat the Round as a "courtroom encounter", giving no particular fixed weight to either memorials or arguments, but judging on the overall performance of each team, the memorials and oral arguments each consisting of a part of that performance. Judge's may, at their discretion, employ a "point" scoring system of their individual choice to aid them in making their individual determinations, including the use of the scoring system for the Preliminary Rounds. The decision regarding the winner of the Round shall be by the consensus of the judges on the panel, and no ties are allowed.

The judges in such Rounds shall deliver their decision at the conclusion of the Round, and may take necessary leave to deliberate.

10.6.2 Access to Preliminary Round Scores

The judges in Quarterfinal, Semifinal, Run-off, and Final Rounds at all levels of the Competition shall **not** be informed of the numerical scores assigned to team memorials or oral pleadings in the Preliminary Rounds. All Penalties assessed in the Preliminary Rounds of the Competition, or which applied in the International Rounds of the Competition, shall not apply to scoring decisions in the Quarterfinal, Semifinal, Run-Off, and Final Rounds at each level of the Competition.

10.6.3 Judge's Comments

Judges in the Quarterfinal, Semifinal, Run-Off and Final Rounds of the Competition shall be allowed to provide direct feedback to teams regarding their performance at the completion of the Round and announcement of their decision. Judges may not, however, engage in any commentary which may reveal the contents of the Judge's Memorandum.

10.7 Ranking of Oralists

The Total Scores for each individual oralist in the Competition shall be determined by adding the total of the six (6) individual judge's scores achieved in the Preliminary Rounds by that oralist.

If an oralist argues in only two (2) Rounds, the scores from those two (2) Rounds shall be used in determining the oralist's ranking. If the oralist argues in more than two (2) Rounds, the Rounds which the oralist designated prior to the start of the Competition as per the provisions of Official Rule 10.2.2.3 will be employed. In the event that no designation was submitted, the first two (2) Rounds in which the oralist appeared shall be used.

If an oralist argued only one (1) Round, no ranking is necessary.

For purposes of determining Total Individual Oral Scores, the judge's scores used in the Preliminary Rounds of the Competition (i.e., scores which include penalty adjustments as per the provisions of Official Rule 11.0) shall be used.

Individual oralists shall be ranked from the highest Total Individual Oral Score to the lowest. Ties are permitted in the ranking of oralists.

10.8 Ranking of Memorials

Total Memorial Scores for each team shall be determined by adding the Total Raw Score of a team's Applicant Memorial and the Total Raw Score of the Respondent Memorial (six (6) total judges for a possible two hundred-forty (240) points).

For purposes of determining Total Memorial Scores, the memorial scores used in the Preliminary Rounds of the Competition (i.e., scores which include penalty adjustments as per the provisions of Official Rule 11.0) shall be used.

Team memorials shall be ranked from the highest Total Memorial Score to the lowest. Ties are permitted in the ranking of memorials.

10.9 Reporting of Results

Regional and National Administrators, and the International Administrator, shall, as soon as possible after the completion of the Regional, National or International Competition, provide each participating team with the following:

- a) A copy of their individual memorial judge's scoresheets and penalty descriptions (if any), with attendant comments (if any), from Preliminary Rounds of the Competition;
- b) A copy of their individual oral judge's scoresheets and penalty descriptions (if any), with attendant comments (if any), from Preliminary Rounds of the Competition;
- c) A copy of the Overall Rankings of the Preliminary Rounds of the Competition, with the Total accumulated win-loss records, Total Judge's Points, and Overall Raw Scores reflected.
- d) A copy of the Oralist Rankings for the Preliminary Rounds of the Competition, including all Total Individual Oral Scores;
- e) A copy of the Memorial Rankings from the Preliminary Rounds of the Competition, including all Total Memorial Scores; and
- f) A copy of the Summary of the Quarterfinal, Semifinal, Run-Off and/or Final Rounds of the Competition, noting which teams progressed through the Final Round.

OFFICIAL RULE 11.0

Penalties

11.1 Procedure - General

The following is an exclusive list of Penalties which may be imposed upon teams in International Semifinals and Finals Competition. For purposes of Regional or National Competition, Regional or National Rules Supplements shall adopt this procedure, while allowing for modifications due to local customs and conditions.

Penalties imposed for violations of Regional or National Rules, or in conjunction with provisions which apply only to Regional or National Competitions, will be imposed only in those Competitions and will not carry over to the International Rounds of the Competition.

It is extremely important that each team has a thorough understanding of the contents of this section of the Official Rules.

11.2 Types of Penalties

The power of the Competition Administrator to assess Penalties is divided into two (2) categories: Non-discretionary and Discretionary.

11.3 Non-discretionary Penalties

For the following violations of the Official Rules, the Competition Administrator, acting on his or her own motion or as a result of a team complaint, will determine the facts of the situation as they apply to the alleged infraction. If he or she determines that the facts constitute a violation, the penalty will be assessed mechanically; that is, the Administrator will have no discretion in the matter. This means that there can be no ameliorative attempts by the competitors, nor equitable remedies or waiver of this Official Rule by the Competition Administrator, except pursuant to Official Rules 11.9 and 12.0.

11.3.1 Non-discretionary Memorial Penalties

The following penalties, when imposed, shall be deducted from **each** of the individual judge's scores for a team's memorial. Penalty calculations shall be made prior to using the individual judge's memorial scores for Round calculations under the provisions of Official Rule 10.1, and shall be deducted from each individual judge's score. In the event that a memorial is scored by only two (2) judges under the provisions of Official Rule 10.3.1, the penalties shall be deducted from each of the two (2) judge's scores prior to calculating the "hypothetical" third score.

These penalties may be imposed only by the Competition Administrators. Teams wishing to bring the following violations of memorial mailing or format requirements to the attention of the Regional, National or International Administrator(s) must do so **in writing** at least twenty-four (48) hours prior to the beginning of the first Preliminary Round of the Regional and National Competition. The Competition Administrator shall have the power to modify this deadline in approved Regional and National Rules supplements. For purposes of the International Competition, teams will be provided a deadline and procedure for filing of complaints upon receipt of their opposing team memorials at the Competition orientation.

Written complaints should contain a copy of the postmark, page or other format item upon which the complaint is based, with the alleged violation clearly marked. Complaints filed without supporting material will not be addressed. If the violation is overlooked by the Administrator or the teams and is not imposed prior to the applicable deadline for filing of complaints, it shall not be imposed.

The Competition Administrator shall have the power to modify these deadlines and procedures to conform with special Competition circumstances, such as in situations where teams are presented memorials after applicable complaint deadlines have passed due to the withdrawal of scheduled opponents from the Competition, instances in which a scheduled team fails to appear for the Competition, or instances in which teams fail to properly fulfill any applicable mailing deadlines under the provisions of approved Regional or National Rules Supplements. In such instances, affected teams shall be provided a reasonable additional period of time to address potential violations of memorials provided due to such rescheduling, but such extensions of time shall apply to the *affected* memorials only.

In the instance of the imposition of a non-discretionary penalty, the Competition Administrator will notify all affected teams of the penalties imposed prior to the start of the first Round of the Preliminary Competition, except in instances covered by the previous paragraph of this Official Rule, in which case the Administrator shall provide notice to affected teams at the earliest possible time.

Unless otherwise noted, the following penalties shall, in instances where only one memorial is in violation of the Rule, be deducted from only the scores of the offending memorial.

11.3.1.1 Memorial Mailing Penalties

11.3.1.1.1 Tardiness in Submitting Memorials

Memorials postmarked after the date required by Regional or National Administrators for National Competitions, or noted on the International Competition Timeline for teams advancing to the International Rounds of the Competition, shall be penalized five (5) points.

11.3.1.1.2 Extreme Tardiness in Submitting Any Memorial

Teams which fail to submit memorials postmarked on or prior to the date required by Regional or National Administrators for National Competitions, or noted on the International Competition Timeline for teams advancing to the International Rounds of the Competition, shall be penalized one (1) point per day, in addition to the initial five (5) point penalty for tardiness imposed under Official Rule 11.3.1.1.1, for up to an additional five (5) days.

11.3.1.1.3 Unacceptable Tardiness in Submitting Any Memorial

Teams which have not submitted either an Applicant or Respondent Memorial postmarked within six (6) days of the date required by Regional or National Administrators for National Competitions, or noted on the International Competition Timeline for teams advancing to the International Rounds of the Competition, shall be eliminated from the Competition. Regional or National Administrators may also impose such a penalty in instances where a team fails to correct an improper memorial mailing to an opposing team in a reasonable period of time under the provisions of approved Regional or National Rules Supplements.

If the Regional, National, or International Administrator determines that, if the team were to remain in the Competition, such an action would not prejudice the interests of the Competition as a whole, the team may be assigned a score of twenty-five (25) on either or both of the offending memorials and allowed to proceed to the Preliminary Rounds. The score of twenty-five (25) shall supersede any other judge's scores or penalties which may be given to the memorial(s) in question for purposes of that Competition.

11.3.1.2 Memorial Format Penalties

11.3.1.2.1 Excessive Memorial Length

Teams submitting memorials which exceed the twenty-five (25) page limit for the Body of the memorial pursuant to the provisions of Official Rule 8.2.1 shall be penalized two (2) points for each page that the memorial exceeds the page limit.

11.3.1.2.2 Failure to Include a Statement of Facts or a Summary of Pleadings

Memorials which do not include a Statement of the Facts, Summary of the Pleadings or other additional required parts pursuant to the provisions of Official Rule 8.3 shall be penalized two (2) points for each missing constituent part.

11.3.1.2.3 Failure to Differentiate Applicant and Respondent Memorials

Teams which fail to differentiate Applicant and Respondent memorial covers pursuant to the provisions of Official Rule 8.2.5 will be penalized one (1) point for each memorial.

11.3.1.2.4 Displaying Names of Team Members on Memorials

Teams which print or otherwise display the names of team members in their memorial, be it on the front cover, in the Body or other parts, or in the form of a signature page, will be penalized one (1) point for the offending memorial. Competition Administrators shall strike all such occurrences from the memorials prior to submitting the memorials to judges.

11.3.1.2.5 Inclusion of School Name

Teams which include the name of the school, nation or team which they represent *anywhere* in memorial will be penalized five (5) points on the offending memorial. Competition Administrators shall strike all such occurrences from the memorials prior to submitting the memorials to judges.

11.3.1.2.6 Failure to Include Team Number on Cover of Memorial

Teams which fail to include the team number on the cover of their memorials pursuant to the provisions of Official Rule 8.4 will be penalized three (3) points on the offending memorial. The Competition Administrator should properly note the team number in the correct manner on all such memorials prior to submitting them to judges or opposing teams.

11.3.1.2.7 Failure to Designate Proper Memorial Type

Teams which fail to designate the proper memorial type (A or R) on the cover of the memorials pursuant to the provisions of Official Rule 8.4 will be penalized one (1) point on the offending memorial.

11.3.1.2.8 Failure to Double-space Pleadings Section

Teams which fail to double-space the Body of the memorial pursuant to the provisions of Official Rule 8.2.2 will be penalized two (2) points per offending page, to a maximum of ten (10) points.

11.3.1.2.9 Failure to Double-space Between Footnotes

Teams which fail to double-space between footnotes in the Body of their memorials pursuant to the provisions of Official Rule 8.2.2 will be penalized one (1) point for every page on which the violation occurs, to a maximum of five (5) points.

11.3.1.2.10 Improper Type Size

Teams which violate the provisions of Official Rule 8.2.7 regarding the appropriate type size for memorials will be penalized one (1) point per page for each page on which the violation occurs, to a maximum of five (5) points.

11.3.1.2.11 Margins

Teams which violate the provisions of Official Rule 8.2.3 regarding the margins for memorials shall be subject to a one (1) point penalty per violating page, to a maximum of five (5) points.

11.3.1.2.12 Binding

Teams which violate the provisions of Official Rule 8.2.6 regarding the proper binding of team memorials will be subject to a three (3) point penalty for the offending memorial.

11.3.2 Non-discretionary Oral Pleading Penalties

The following penalties, when imposed, shall be deducted from team oral scores as noted for each violation. Penalty calculations shall be deducted as noted for each violation.

11.3.2.1 Procedure

These penalties may be imposed only upon action by the Competition Administrators. If a team feels a violation of a nature which would incur a discretionary penalty has occurred, the team may bring the alleged violation to the attention of the courtroom bailiff in **writing** within five (5) minutes of the completion of the Round. Written complaints shall clearly identify the violation and the parties involved in the violation. The teams shall in no case directly approach the judges regarding a potential penalty or violation of these Official Rules. Complaints brought directly to judges will be disregarded.

The bailiff shall then inform the judges of the alleged violation. Judges shall consult with the Competition Administrator regarding the verification of penalties. If the Administrator can not be located, the judges shall summarize the alleged complaint and their impressions of it briefly on paper for the benefit of the Administrator.

11.3.2.2 Power to Impose Non-discretionary Penalties

The Competition Administrator is empowered to impose non-discretionary Oral Pleading Penalties based upon consultation with the judges only, if appropriate. If, after consultations with the courtroom judges, the Administrator can confirm the occurrence of an event subject to imposition of non-discretionary penalties, the penalty may be applied. The Administrator shall, in instances where the judges cannot personally confirm the occurrence, or when judges have provided only written commentary on the occurrence, consult with the affected teams and/or courtroom bailiff prior to imposing the penalty.

11.3.2.3 Notice to Teams

If a non-discretionary Oral Pleading Penalty is imposed, a notation to that effect shall be attached to the team's oral judge's scoresheets for the Round, explaining the reason for the penalty and the number of points deducted, and the team should be notified verbally of the fact that the penalty was imposed and the nature and effects of its imposition, prior to their next scheduled Round on the same side of the dispute.

11.3.2.4 Deduction of Penalties by Judges

In no instance shall judges deduct from the scores of the oralists any penalty points. Penalty points should be deducted only by the Competition Administrator. The judges shall score the Round as if no violation occurred.

11.3.2.5 Consultation with Bailiffs

The judges or Administrator may consult with the courtroom bailiff if necessary to verify or otherwise confirm a penalty. Courtroom bailiffs may not confirm a ruling or interpret these Rules, but may only provide assistance in verifying the occurrence of an event or circumstance.

11.3.3 Activity Subject to Non-Discretionary Penalties

11.3.3.1 Communication Between Counsel Table and Spectators

Teams which violate the provisions of Official Rules 9.0 regarding the communication between team members at the counsel table and any other person (other than judges) in the courtroom during the oral pleadings will be penalized a total of fifteen (15) points. Five (5) points shall be deducted from the total team scores for each individual judge, but shall not apply to the scores of the individual oralists. In two (2) judge situations, the penalty shall be applied to the total team scores of each individual judge, with seven point five (7.5) points being deducted from each judge's total team score. The score is not, then, deducted from the third "hypothetical" score.

11.3.3.2 Submission of Written or Other Materials to Judges

Teams which violate the provisions of Official Rule 9.0 regarding the submission of written or other materials to judges will be penalized a total of fifteen (15) points. Five (5) points shall be deducted from the total team scores for each individual judge, but shall not apply to the scores of the individual oralists. In two (2) judge situations, the penalty shall be applied to the total team scores of each individual judge, with seven point five (7.5) points being deducted from each judge's total team score. The score is not, then, deducted from the third "hypothetical" score.

11.3.3.3 Scouting

Teams which violate the scouting provisions of Official Rule 9.5 will be subject to loss of the individual Round against the team scouted. The Round shall be scored as if no violation occurred, except that the scouted team will automatically receive all six (6) oral judge's points for the Round (memorial points for the Round shall be calculated as if no violation occurred).

Teams engaged in unacceptable scouting during the Preliminary Rounds of the Competition of teams against which they do not appear shall be subject to disqualification of eligibility to advance to the Quarterfinal, Semifinal, Run-Off and Final Rounds of the Competition.

11.3.3.4 Identification of Team by School Name or Country

Teams which violate the provisions of Official Rule 9.9 regarding the anonymity of teams in the courtroom will be penalized a total of fifteen (15) points. Five (5) points shall be deducted from the total team scores for each individual judge, but shall not apply to the scores of the individual oralists. In two (2) judge situations, the penalty shall be applied to the total team scores of each individual judge, with seven point five (7.5) points being deducted from each judge's total team score. The score is not, then, deducted from the third "hypothetical" score.

11.4 Discretionary Penalties

11.4.1 General Violations

The Competition Administrator may assess 1, 2, 3, 4, or 5-point penalties for violations of these Official Rules not specifically listed under non-discretionary Penalties, including, but not limited to, violations as to revisions and form of memorials and inappropriate behavior on the part of team members or affiliated parties during the Competition. The size of the penalty shall correspond to the degree of the violation in the judgment of the Administrator.

11.4.1.1 Calculation of Discretionary Penalties

Discretionary penalty calculations shall be made prior to using the individual judge's oral scores or memorial scores for Round calculations under the provisions of Official Rule 10.2, and shall apply to the individual scores of **each** individual judge. In the event that an Oral Round or memorial is scored by only two judges under the provisions of Official Rule 10.3, the penalties shall be deducted from each of the two judge's scores prior to calculating the team's oral or memorial scores for the Round.

11.4.1.2 Initiation and Imposition of Discretionary Penalties

Discretionary penalties shall, generally, be initiated and imposed only by the Competition Administrator. Teams may, in instances in which the Competition Administrator would otherwise not possess knowledge of a potential violation, submit such notice in writing to the Administrator, regardless of whether the violating team is a scheduled "opposing" team.

11.4.1.3 Special Consideration for Oral Rounds

In the Oral Rounds of the Competition, judges will be briefed as to the situations which could lead to the imposition of discretionary penalties during the oral proceedings. Only judges shall be empowered to bring potential violations which occur *during* the actual oral proceedings to the attention of the Administrator. Exceptions shall be made in circumstances involving violations: which occur prior to, or after, the actual oral proceedings, or outside of the courtroom generally where the judges would not otherwise be privy to the circumstances; or in situations where the courtroom judges clearly ignore their obligations. In such instances, teams may submit written notice of potential violations to the Competition Administrator. In circumstances involving time allotments, only the courtroom bailiff shall bring such violations to the attention of the Administrator.

11.4.1.4 Additional Comments

As a general rule, to protect the individual interests of all teams in the Competition, teams should not involve themselves in the initiation of complaints regarding discretionary penalties unless the circumstances clearly demonstrate that the Competition Administrator is not aware of a potential violation. Violations regarding the procedures addressed by this Official Rule are taken very seriously by the Competition Administrator, and it should be assumed that circumstances involving activities in the Courtroom, memorial mailings or mailing procedures, and other team activity which occurs during the "official" aspects of the Competition are being monitored by the Administrator. In no instance may a team "request" the imposition of a discretionary penalty. Teams are limited to the act of bringing potential violations to the attention of the Administrator in writing.

11.4.2 Activity Subject to Discretionary Penalties

11.4.2.1 Unsportsmanlike Behavior on the Part of Team Members

The Administrator may, at his or her own motion or after consultation with judges, impose 1, 2, 3, 4, or 5-point penalties against a team for behavior which substantively prejudices the conduct of the Competition, including, but not limited to:

- a) Engaging in poor sportsmanship;
- b) Submitting petty and verbose complaints against other teams, including excessive abuse of the provisions of this Official Rule;

- c) Submitting substantively ill-conceived requests for clarifications to the Problem, illustrating either a lack of understanding of the legal issues presented by the problem or of the clearly stated conditions under which the Competition is conducted;
- d) Inappropriate behavior at the counsel table during the Oral Rounds;
- e) Discussion with oral pleading judges before their submission of scores at the end of a Round;
- f) Blatant disregard for the procedures or requirements outlined in the Official Rules of the Competition.

Penalties for unsportsmanlike behavior may be imposed in addition to any other penalties which may have been imposed under the provisions of these Official Rules from the same violation.

11.4.2.2 Unsportsmanlike Behavior on the Part of Affiliated Persons

The Administrator may, at his or her own motion or after consultation with judges, impose 1, 2, 3, 4, or 5-point penalties against a team for behavior on the part of persons affiliated with a team which substantively prejudices the conduct of the Competition, including, but not limited to:

- a) Engaging in poor sportsmanship;
- b) Engaging in activity which prejudices the confidentiality of the team identity;
- c) Inappropriate assistance to team members;
- d) Inappropriate behavior as a spectator during the Oral Rounds;
- e) Discussion with oral pleading judges before their submission of scores at the end of a Round;
- f) Blatant disregard for the procedures or requirements outlined in the Official Rules of the Competition.

Penalties for unsportsmanlike behavior may be imposed in addition to any other penalties which may have been imposed under the provisions of these Official Rules from the same violation.

11.4.2.3 Additional Comments on the Activity of Affiliated Persons

It is the responsibility of coaches, spectators and other affiliated persons to conduct themselves in accordance with the provisions of these Official Rules, and to give due consideration to the spirit and intent of these Official Rules in the fulfillment of supporting roles for the team. During the Oral Rounds of the Competition, affiliated persons should be fully aware of the effect of their presence on the Competition proceedings. This includes team coaches and advisors. While the presence of coaches and advisors in the courtroom during the oral pleadings is allowed, it is the responsibility of coaches and advisors to exercise that presence in conformity with the provisions of the Official Rules. This includes the responsibility to ensure that their presence in itself will not prejudice the team identity. Coaches are advised not to sit directly behind team members, and to take precautions to ensure that the identity of their teams will not be revealed through outside relationships with potential courtroom judges.

The ultimate responsibility for the actions of such affiliated persons falls upon the team members. Teams should ensure that such persons are fully aware of the considerations which are required by these Official Rules. This applies to all spectators for which the team requests approval under the provisions of these Official Rules, as well as coaches and advisors. Teams should ensure that judgments as to the appropriate role of coaches and advisors conform to the provisions of these Official Rules.

The imposition of penalties under the provisions of this Official Rule shall only occur, however, when the activity of the affiliated person falls within the conduct and general intent of these Official Rules, and only in situations where the team can reasonably be charged with responsibility for the actions of the affiliated persons. Administrators should take into account the relationship between the affiliated person and the team in reviewing potential violations, with greater responsibility being placed upon the more direct affiliation of coaches and advisors than upon those not involved with the team's general Competition activity.

11.4.3 Imposition of Penalties for Unsportsmanlike Behavior

Penalties for unsportsmanlike behavior arising from violations which occur during the Oral Rounds of the Competition will be imposed against the individual judge's scores of *both* oralists appearing in the Round. Penalties for unsportsmanlike behavior arising from violations of memorial format or mailing will be imposed against the individual judge's scores of *both* memorials of the team. Penalties for unsportsmanlike behavior arising from violations which can be attributed to the team as a whole (such as submitting petty complaints or violation of team assistance Rules) may be deducted from the individual judge's scores of all team oralists in each Round, or from the individual judge's scores of team memorials, whichever way the Competition Administrator sees fit.

11.4.4 Clarifications of Activity

Teams concerned about the potential effect of Competition-related team activities not explicitly covered by these Official Rules, or the specific activity of coaches, advisors, or affiliated persons in the exercise of their supporting roles for the team in preparing for the Competition, which they feel could or may potentially result in the imposition of discretionary penalties, may request in writing a ruling from the Competition Administrator on the potential effect of the activities giving rise to the concern. The Competition Administrator shall provide a response or interpretation of the situation, or his or her determination, to the requesting team. Teams may request such responses in writing. Such responses and rulings shall shield the team from the imposition of discretionary penalties only to the extent that the activity conforms with the **exact** description of activity upon which the ruling was based.

Requests for clarifications of this nature which may apply generally to all teams, either through unique national circumstances or inconsistencies or lack of clarity within the Official Rules of the Competition, shall be mailed to all participating teams at the time the requesting team is provided with the response.

11.5 Additional Comments on Penalty Procedures

11.5.1 Necessity for Procedural Propriety

When the issue of Penalties arises, the Competition Administrator must ascertain the facts of the situation in order to determine if an infraction has occurred. The team initiating the complaint must give proper notice to the Competition Administrator within the time limits, and in the manner, proscribed in these Official Rules. If, on his or her own motion, the Competition Administrator assesses a penalty, notice will be provided to teams according to the provisions of these Official Rules.

Penalty complaints not initiated or submitted in accordance with the provisions of the applicable Official Rule(s) will be disregarded.

11.5.2 Right of Reply to Discretionary Penalties

In the case of discretionary penalties, the accused team shall be allowed to reply to complaints made by both opposing teams and/or the Competition Administrator prior to the Administrator's final ruling. The Competition Administrator may, if appropriate, maintain the anonymity of the complaining team.

11.5.3 Penalties Affecting Composition of Final Rounds

If the imposition of a penalty in the Preliminary Round of any Competition affects the potential composition of a Quarterfinal, Semifinal, Run-Off or Final Round of the Competition, the Regional or National Administrator shall immediately attempt to consult with the International Administrator prior the start of the next Round, unless the penalty involves an approved Regional or National Supplemental Rule over which the Regional or National Administrator has jurisdiction. If the International Administrator cannot be contacted in a timely fashion, the Regional or National Administrator shall proceed with the determination according to their best judgment. In such cases, the decision of the Regional or National Administrator can only be overturned by the International Administrator upon showing of severe impropriety or misinterpretation of these Official Rules.

11.5.4 Notice to Teams

In instances where discretionary penalties have been imposed by the Competition Administrator, teams shall be notified of the imposition of such penalties at the earliest possible time after the final ruling of the Administrator has been made.

11.6 Minimum Scores

The minimum score any team may receive for any individual judge's memorial score, or which any oralist may receive for an individual judge's oral score, in any Round is twenty-five (25) points, and no further reduction will be made to individual judge's scores after that score is reached, regardless of unallocated penalty points which may still exist.

11.7 De Minimus Rule

When the impact of an alleged violation of these Official Rules is so insignificant as to be determined to be *de minimus* by the Competition Administrator, he or she may waive any assessed Penalty. When circumstances arise which are not the fault of the participants and which preclude any reasonable means of avoiding a violation of the Official Rules, the International Administrator shall evaluate the facts and determine whether a penalty shall be assessed. However, this power shall not be used to bypass the stringent guidelines established by the Official Rules. This Rule shall not be applied to non-discretionary Penalties, except under extreme circumstances.

11.8 Penalties in National and Regional Competitions

National or Regional Administrators may assess Penalties in National or Regional Competitions based upon these Official Rules, and may modify Penalties in National Supplements to the Official Rules with the approval of the International Administrator. Notice of penalties shall always be given to allegedly violating teams. National Supplements should, without violating the spirit of these Official Rules, take into account the unique conditions within each country. Penalties assessed in National or Regional Competitions will not be carried into International Semifinals or Finals Competition.

11.9 Appeals

Appeals may be made for penalties assessed under these Official Rules in accordance with the provisions set forth in Official Rule 12.2. The International Administrator's decisions on all penalties are final.

OFFICIAL RULE 12.0

Interpretation of Rules

12.1 General

Any questions that arise during the International Rounds of the Competition that concern the interpretation of these Official Rules must be asked of the International Administrator. Any questions that arise concerning the interpretation of these Rules during the National and Regional Competitions, or involving specific Regional or National Supplemental Rules, must be asked of the National or Regional Administrator. The International Administrator, however, retains the right of review of all decisions of Regional and National Administrators involving the provisions of these Official Rules.

Bailiffs (timekeepers), administrative assistants and judges have *no* power to interpret these rules; they may only be used as witnesses to circumstances giving rise to a requested interpretation of these Rules, or, in the case of judges, may inform the Regional, National or International Administrator of potential Oral Round Rules violations giving rise to penalties. Any detrimental reliance by a team member on an interpretation made by a bailiff, administrative assistant or a judge will not prevent the imposition of penalties if the International, National or Regional Administrator interprets the Rules differently than the bailiff, administrative assistant or judge.

12.2 Appeals and Additional Measures

12.2.1 Finality of Appeals

All decisions of the International Administrator, and those made by the National or Regional Administrator during the course of a National or Regional Competition in consultation with the International Administrator, are final and dispositive. Decisions by National and Regional Administrators which were not made in consultation with the International Administrator may be appealed to the International Administrator, whose decision is final and dispositive.

12.2.2 Notification of Intention to Appeal

The intention of a team to appeal a discretionary penalty decision or Rules interpretation of a Regional or National Administrator should be provided to the Regional or National Administrator in writing within one (1) hour after the conclusion of the Regional or National Competition, and to the International Administrator within twenty-four (24) hours after the conclusion of the Regional or National Competition. Upon appeal, the comments and replies of all involved parties must be delivered in a timely fashion to the International Administrator. Upon receipt of a complaint and replies, the International Administrator shall make a prompt decision about the imposition of the penalties in question.

12.3 Additional Powers of International Administrator

The International Administrator, in interpreting these Official Rules, may promulgate such other measures as may be deemed advisable for the orderly conduct of the Competition or to correct deficiencies in these Official Rules, provided that these measures do not violate

the spirit of these Official Rules. Regional or National Administrators may also, in consultation with and upon approval of the International Administrator, promulgate such other measures as may be deemed advisable for the orderly conduct of the Regional or National Competition, provided that such measures do not violate the spirit of the Official Rules.

OFFICIAL RULE 13.0

Awards

13.1 General

The determination of Awards to be given to teams participating at the National level is delegated to the National Administrator in each participating nation. Recognition, when granted, must follow the scoring and determination guidelines which apply to the International Competition, as noted in the following sections of this Official Rule.

13.2 Memorial Awards

13.2.1 National and Regional Competitions

The winner of the Best Memorial Award in National and Regional Competitions shall be based upon the highest Total memorial Scored as computed under the provisions of Official Rule 10.8. The highest possible score is 240 (120 for each memorial). The team with the highest point total is the winner, the team with the second highest point total is the Runner-up.

13.2.2 International Competition

The Alona E. Evans Award is presented yearly to the Best Team Memorials in the International Competition. The top ranked memorials at conclusion of the International Preliminary Rounds of the Competition, as computed under the provisions of Official Rule 10.8, shall receive the Evans Award.

13.3 Oralist Awards in Regional National and International Competitions

13.3.1 Best Oralist

The winner of the Best Oralist Award in Regional, National and International Competitions shall be the highest ranked oralist from the Preliminary Rounds as computed under the provisions of Official Rule 10.7. The highest possible score is 240. The oralist with the highest point total is the winner.

13.3.2 Best Oralist in the Final Round

The determination of the Best Oralist in the Final Round of a National or Regional Competition may be made by a consensus vote of the judges for that Round. The judge's decision shall be announced at the end of the Round with their primary decision.

13.3.3 "Sudden Death" Rounds

The determination of the Best Oralist in any National or Regional Competition in which "sudden death" Rounds are employed shall be carried out according to the applicable provisions of approved National Rules Supplements.

13.4 Competition Champions

13.4.1 National and Regional

The Champion of Regional or National Competitions shall be the team which is successful in the Final Round of the Competition.

The National Champion shall automatically earn the right to the applicable National position to the International Rounds of the Competition. Regional Champions may earn the right to proceed to the National Competition, or may earn additional applicable positions in the International Rounds to which the nation may be entitled under the provisions of Official Rule 3.1. Such decisions shall be governed by the provisions of approved National Rules Supplements.

Awards to be issued to National and Regional Champions and Runners-up shall be determined by the National or Regional Administrator.

13.4.2 International

The winner of the World Championship Jessup Cup Round will be declared the Jessup Cup World Champion of the Philip C. Jessup International Law Moot Court Competition for the relevant year. The Jessup Cup World Championship team will receive two (2) awards—one (1) to keep, and one (1) to hold in trust. The award which they may hold in trust is the Jessup Cup, which the team may display for one (1) year at their University. The Championship team will, however, take full responsibility for the safety of the Jessup Cup while it is in their custody. Furthermore, the Championship team is fully responsible for returning the Jessup Cup, *in polished condition*, to the International Administrator or his or her representative prior to the commencement of the succeeding year's International Rounds.

Engraved on the appropriate plate on the base of the Cup will be: the year which the team won the title, the names of each member of the championship team, the name of the team's school, and the name of the country they team represented. The International Administrator shall be responsible for engraving of the plate.

Each Individual team member of the World Championship team shall also receive an "ILM Award," featuring a one (1) year free subscription to International Legal Materials, published by the American Society of International Law.

13.5 Competition Runners-up

13.5.1 National and Regional

National or Regional Runners-up shall be considered the second best team in the National or Regional Competition, as determined by their performance in the Final Round of the Competition. If a National or Regional Champion is unable to attend the International Semifinals, the International Administrator, at his or her discretion, may recognize the National or Regional Runner-up as the legitimate representative of that Nation or Region. The International Administrator may then invite that representative to the International Semifinals. (The application of this Rule is subject to the provisions of Official Rule 3.1).

If no Regional Competitions are employed, the National Runner-up shall earn the first additional National position available under the provisions of Official Rule 3.1 in the International Rounds. Determinations of teams which will fill any additional available National positions under the provisions of Official Rule 3.1 shall be determined by the provisions of approved National Rules Supplements.

13.5.2 International Competition

The Jessup Cup World Championship Runner-up shall be considered the unsuccessful team in the Final Round of the International Competition.

13.6 Other Awards

13.6.1 National and Regional Competition

Other awards to be issued to National and Regional Champions shall be determined by the National or Regional Administrator.

13.6.2 International Competition

In addition to the general awards outlined above, the following awards will be issued at the International Semifinal and Final Competition.

13.6.2.1 International Quarterfinal Rounds - Top Eight Teams

Those teams which qualify for the International Quarterfinal Rounds and who are eliminated in the first Round shall receive an award recognizing them as being an "International Quarterfinalist".

13.6.2.2 International Semifinal Rounds - Top Four Teams

Those teams which qualify for the International Semifinal Rounds and who are eliminated in the second Run-off Round shall receive an award recognizing them as being an "International Semifinalist".

13.6.2.3 Best Oralist in the World Championship Jessup Cup Round

The participant selected by the judges in the World Championship Jessup Cup Round as the Best Oralist shall receive an award recognizing him or her as the "Best Oral Advocate in the World Championship Jessup Cup Round".

13.6.2.4 The Hardy C. Dillard Award

Every team which receives a "Best Memorial Award" in a National or Regional Competition throughout the world is invited to submit both its Applicant and Respondent memorials to the Hardy C. Dillard Award Competition. Only those memorials which are duly submitted and received by the International Administrator, pursuant to the Official Rules, shall be entered in the Hardy C. Dillard Award Competition. Each Country may enter one (1) set of memorials (one (1) Applicant and one (1) Respondent) in the Dillard Competition for each ten (10) teams competing in the National or Regional Competitions.

Entries in the Dillard Award Competition shall be judged by a panel of three (3) judges, and each judge shall assign each memorial a score of twenty-five (25) to forty (40) points. The team memorials with the highest total judge's points shall be declared the winner of the award. Penalties applied to Memorials in the Preliminary Rounds of Regional, National or International Competition shall not carry over to the Dillard Award Competition.

The Hardy C. Dillard Award Competition winning memorials shall be declared the "Best Memorial in a World National or Regional Competition" for the relevant Competition year.

13.6.2.5 *The Richard Baxter Award*

The five (5) highest-scored Applicant and five (5) highest-scored Respondent memorials from the Alona E. Evans Award Competition, and the five (5) highest-scored sets of memorials from the Hardy C. Dillard Award Competition shall be entered in the Richard Baxter Award Competition. There shall be two (2) Baxter Awards for the Competition—one (1) for the Best Overall Applicant and one (1) for the Best Overall Respondent Memorials—selected from among these ten (10) sets of memorials. If a memorial is entered twice in this manner, the memorial from the Hardy C. Dillard Award Competition shall be eliminated and the sixth-highest memorial in that Competition shall replace the duplicate memorial.

Entries in the Baxter Award Competition shall be judged by a panel of three (3) judges, and each judge shall assign each memorial a score of twenty-five (25) to forty (40) points. The individual Applicant and Respondent memorials with the highest total judge's points shall be declared the winner of the award. Penalties applied to Memorials in the Preliminary Rounds of regional, National or International Competition shall not carry over to the Dillard Award Competition.

The winner of the Baxter Award for Applicant Memorial shall be declared the "Best Applicant Memorial in the Philip C. Jessup International Law Moot Court Competition" for the relevant Competition year. The winner of the Baxter Award for Respondent Memorial shall be declared the "Best Respondent Memorial in the 1993 Philip C. Jessup International Law Moot Court Competition" for the relevant Competition year. Baxter Award-winning memorials shall be published with the Competition materials in the corresponding year's issue of the *ILSA Journal of International Law*.

13.6.2.6 *The Brunson MacChesney Award*

The highest-ranked United States team in the International Rounds of the Competition, as determined by a U.S. Run-off Round in the first Round of the International Semifinals, or by team rankings under Official Rule 10.5 if no such Round is held, shall be declared the U.S. National Champion and shall receive the Brunson MacChesney Award. Individual members of the U.S. National Championship team shall receive a one (1) year free membership in the American Society of International Law.

13.6.2.7 *U.S. Rutgers Award*

The highest-ranked memorials of a team from the United States in the Hardy C. Dillard Award Competition shall be declared the Best Memorial in the U.S. National Competition and shall receive the Rutgers Award for the relevant Competition year.

OFFICIAL RULE 14.0

Results of the International Competition

Following the conclusion of the International Semifinals and Final Competitions, the International Administrator shall send a full accounting of the results of the International Rounds of the Competition to all teams that participated in the Competition worldwide. This report shall, at a minimum, indicate the winners of the International Competition itself, team rankings for the International Competition, and the winners of the various International Competition Awards.

ANNEX A

ORAL PLEADING SCORING INSTRUCTIONS

(Please Review Prior to Oral Pleadings)

Each team is given 45 minutes to plead, of which no more than 10 minutes may be reserved for rebuttal or surrebuttal. No single oralist shall argue longer than 25 minutes, unless there is only one oralist pleading for the team or if interpreters will be used during the round. Extensions of team time beyond 45 minutes, which in no case shall exceed 10 minutes (with the above-mentioned exceptions) beyond the total time allocated for the presentation, shall be within the discretion of the judges. Strict anonymity of school identities shall be ensured as far as possible. Teams shall be identified throughout the rounds only by number, not by names of schools or countries.

During the pleadings, each oral judge should tentatively score each oralist at the conclusion of his or her presentation. Following the pleadings, the judges shall retire to deliberate. They shall then individually mark their scoring summaries without comparisons to the scoring summaries of their fellow judges.

Team scores shall be the total of the two individual oralists' scores. The team with the greatest total wins that judge's ballot. If a tie in team scores occur, a judge may break the tie by indicating a winner, by checking/ticking the appropriate box on the face of the judicial ballot. This box shall be considered the official record of the judge's decision and shall supercede any narrative commentary to the contrary.

Judges shall evaluate each advocate independently, rather than in comparison to the other advocates in the round or in comparison to other rounds the judge may have judged. A score between 25 and 40, inclusive, should be assigned to each advocate. An average score for the Jessup Competition is 33. Please note that this "personal 33 point scoring average" for judges is only a general guideline. It should not be so strictly adhered to as to adversely affect what a judge feels is a fair and proper individual evaluation.

Factors to be considered in assessing points without regard to order of importance include, but are not limited to:

- 1) Correct and articulate analysis of the issues
- 2) Familiarity with international authorities
- 3) Response to questions
- 4) General knowledge of the substance and process of international law
- 5) Clarity

- 6) Ingenuity
- 7) Organization
- 8) Persuasiveness
- 9) Ability to plead by analogy from related aspects of international law
- 10) Knowledge of the facts
- 11) Knowledge of legal principles directly applicable to the facts

Judges should be familiar with the Problem, the Judges' Bench Memorandum, and the teams' memorials prior to the start of the round(s) they will judge. The Judges' Bench Memorandum outlines most of the issues in the case and should be read carefully. However, the Bench Memo is not the only solution to the problem and should not be regarded as such.

Judges should penalize participants for failure to keep within the scope of the pleadings. That is, the Applicant's rebuttal should be limited to the scope of the Respondent's pleadings proper, and the Respondent's surrebuttal should be limited to the scope of the Applicant's rebuttal. Participants are not, however, limited in the presentation of their oral pleadings to the scope of their written pleadings.

Since a team has no choice as to which side of the dispute it must plead in a given round, scoring must not reflect the merits of the case but only the advocacy skills and legal analysis of the participants.

Judges should feel free to question oralists at any point in the pleadings, but should also bear in mind the importance of affording oralists the opportunity to "make their case." Narrative commentary by the judges should be kept to a minimum. The primary intention of oral pleadings is to allow judges to ask relevant questions to expose the knowledge and capabilities of the advocates.

Pursuant to Official Rule VII(G)(3), no oral or written communication may take place between judges and participants or directly-affiliated parties during the Competition except for pleadings and official judges' critiques.

Please Note: Judges shall not compromise the competition by sharing the material contained in the Judges Memorandum with participants or their directly-affiliated parties. Critiques shall be limited to oral advocacy skills and shall not touch upon substantive matters.

ANNEX B

MEMORIAL SCORING INSTRUCTIONS

Memorials shall be scored individually by each Memorial Judge, independently of his colleagues. Participants shall be assigned a grade between 25 and 40, inclusive. An average memorial score for the Jessup Competition is 33. Please note that this "personal 33 point scoring average" for judges is only a general guideline. It should not be so strictly adhered to as to adversely affect what a judge feels is a fair and proper evaluation of a team's memorial.

The factors to be considered in scoring (without regard to their order of importance) include, but are not limited to:

1. Knowledge of the facts and the legal principles directly applicable to the facts
2. Proper and articulate analysis of the issues involved
3. Use of authorities and extent of research
4. Logic and reasoning
5. Ingenuity
6. Ability to plead by analogy from related aspects of international law
7. Clarity and organization
8. Persuasiveness
9. Correctness of format and citations
10. Thoroughness
11. Grammar and style

Judges should be familiar with the Problem before reading the memorials. The Judges' Bench Memo outlines most of the issues in the case and should be read carefully. However, the Bench Memo does not represent an absolute resolution of the case and a sound presentation of creative ideas should be viewed favorably.

Since a team has no choice as to which side of the dispute it must plead, the substantive merits of the case shall not be considered in judging the memorials. Memorials shall be judged by the criteria enumerated above.

Memorials shall not be judged on their appearance, unless a penalties are warranted for infractions of specific Competition Rules (i.e. form), or because of general carelessness in preparation. However, judges must penalize teams for persistent and flagrant violations in citation form, for the usage of argumentative footnotes, and for a Statement of Facts which materially distorts the applicable fact pattern.

For purposes of the International Rounds of the Competition, judges should be sensitive to limitations in language ability in teams who are non-native English speakers.

In National and Regional Competitions, scores shall be tendered to the National or Regional Administrator prior to the first round of oral pleadings. In the International Rounds of Competition, the scores must be tendered to the Executive Director, prior to the first round of oral pleadings.

ANNEX C

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NOTE: This form is only an example, and may be altered as teams see fit. Citations should, however, conform to the latest edition of A Uniform System of Citation, to the greatest degree practicable.