

The Philip C. Jessup International Law Moot Court Competition

Official Rules Of The 1995 Competition

For Use by All Teams Participating in the Competition

These rules apply to all teams participating in the 1995 Philip C. Jessup International Law Moot Court Competition. These are to be read in conjunction with applicable Regional and National Rules of the Jessup Competition, and shall not read as a complete rendering of all Rules at the Regional and National Levels of the Competition.

TABLE OF CONTENTS

International Timetable

Official Rule 1.0 - Organization of the Competition

1.1 General.....1
 1.2 Selection of Regional or National Administrators.....1
 1.3 Location of Regional or National Competitions.....1
 1.4 Location of International Competition.....1

Official Rule 2.0 - The Jessup Competition Problem

2.1 Subject Area.....1
 2.2 Author Selection.....2
 2.3 Clarification Procedure.....2
 2.4 Distribution of Clarifications.....2

Official Rule 3.0 - Participation and Eligibility

3.1 National Representation in International Rounds.....2
 3.2 Special Jurisdictions.....2
 3.3 Team Eligibility.....3
 3.3.1 Law Schools.....3
 3.3.2 Non-Law Schools.....3
 3.3.3 Settlement of Past Competition Debts.....3
 3.3.4 Dual Representation by a Single University in National Competitions.....3
 3.4 Team Member Eligibility.....3
 3.4.1 Student Status.....3
 3.4.2 Law Students.....3
 3.4.3 Students at Non-Law Schools and Special Degree Programs.....3
 3.4.4 University Affiliation.....4
 3.4.5 Special Circumstances.....4
 3.4.5.1 Required Externships and Apprenticeships.....4
 3.4.5.2 Participation by Joint Program Students.....4
 3.4.5.3 LL.M. Students.....4
 3.4.5.4 Returning Students.....4
 3.5 Team Composition and Selection.....5
 3.5.1 Selection by Intramural Competitions.....5
 3.5.2 Nationality Requirements.....5
 3.5.3 Prohibition of Academic Screening.....5
 3.6 Team Member Registration.....5
 3.7 Definition of Team Notification.....5
 3.8 Outside Assistance to Teams.....6
 3.8.1 Assistance from Faculty Members, Coaches and Advisors.....6
 3.8.2 Assistance from Writing Centers and Writing Advisors.....6
 3.8.3 Assistance from Librarians and Other Research Professionals.....6
 3.8.4 Elimination for Use of Judges' Bench Memoranda.....6

Official Rule 4.0 - Team Registration and Identification

4.1 International Registration.....7
 4.1.1 Registration Requirement.....7
 4.1.2 International Registration and Fees.....7
 4.2 Acknowledgment of Registration, and Issuance of Team Numbers.....7

Index to the Official Rules

4.2.1	Team Numbers as Identification.....	7
4.2.2	Team Identification on Memorials.....	8
Official Rule 5.0 - Regional and National Competitions		
5.1	National Representation.....	8
5.2	Establishment and Administration of National Competitions	8
5.3	Appointment of National Administrator.....	8
5.3.1	National Administrator Qualifications.....	8
5.3.2	National Administrator Disqualifications.....	9
5.3.3	Responsibilities.....	9
5.3.4	Powers.....	9
5.4	Regional Representation.....	9
5.5	Establishment and Administration of Regional Competitions.....	9
5.6	Appointment of Regional Administrator.....	10
5.6.1	Regional Administrator Qualifications.....	10
5.6.2	Regional Administrator Disqualifications.....	10
5.6.3	Responsibilities.....	10
5.6.4	Powers.....	10
5.7	General Procedures for Regional and National Competitions.....	11
5.7.1	Preliminary Rounds.....	11
5.7.1.1	Pairings.....	11
5.7.1.2	Scheduling of Preliminary Rounds.....	11
5.7.1.3	Oralists' Round Designations.....	11
5.7.1.4	Penalties Affecting Composition of Quarterfinal, Semifinal or Championship Rounds.....	12
5.7.2	Quarterfinal Rounds.....	12
5.7.3	Semifinal Rounds.....	12
5.7.4	Championship Rounds.....	12
5.7.5	Sudden Death Rounds.....	12
5.7.6	Pleading Options.....	12
5.7.6.1	Exercise of Pleading Options.....	12
5.7.6.2	Automatic Pleading Designation.....	13
5.7.6.3	Exchange of Memorials.....	13
5.8	Judges in Regional and National Competitions.....	13
5.8.1	Disqualification of Regional or National Administrator from Judging.....	13
5.9	Scoring.....	13
Official Rule 6.0 - International Rounds of the Competition		
6.1	General.....	13
6.2	Date and Location.....	14
6.2.1	Religious Scheduling Conflicts.....	14
6.3	Structure of International Competition.....	14
6.3.1	Preliminary Rounds.....	14
6.3.1.1	Pairings for the Preliminary Rounds.....	14
6.3.1.2	Scheduling of Preliminary Rounds.....	15
6.3.2	Oralist Round Designations.....	15
6.4	International Quarterfinal Rounds.....	15
6.4.1	Pairings for the International Quarterfinals.....	15
6.4.1.1	National Pair-Off Qualification.....	15
6.4.1.2	Previous Meeting Qualification.....	15
6.5	International Semifinal Rounds.....	16
6.5.1	Pairings for the International Semifinal Rounds.....	16
6.5.1.1	Previous Meeting Qualification.....	16
6.5.1.2	International Semifinal Rounds Pleading Options.....	16

6.6 Pleading Options - Quarterfinals, Semifinals and World Championship Jessup Cup Round.....16
 6.6.1 Exchange of Memorials.....16

Official Rule 7.0 - Competition Judges in Regional, National and International Rounds

7.1 General.....17
 7.2 Faculty Advisors, Coaches and Affiliated Persons as Judges.....17
 7.3 Judges Affiliated With Teams.....17
 7.4 Prior Viewing of Teams.....17
 7.5 Notification to Administrator of Incompatible Judges or Teams.....17
 7.6 Bench Memorandum.....18
 7.6.1 Distribution of Judges' Bench Memorandum.....18
 7.6.2 Confidentiality of Judges' Bench Memorandum.....18
 7.7 Commentary by Competition Judges.....18

Official Rule 8.0 - Memorials

8.1 Required Memorials.....18
 8.2 Format of Memorials.....18
 8.2.1 Length.....18
 8.2.2 Line Spacing.....19
 8.2.3 Lines per Page.....19
 8.2.4 Type Size and Style.....19
 8.2.5 Citations and Footnotes/Endnotes.....19
 8.2.6 Margins.....19
 8.2.7 Form.....19
 8.2.8 Covers.....20
 8.2.9 Binding.....20
 8.3 Constituent Parts.....20
 8.3.1 Statement of the Facts.....20
 8.3.2 Summary of the Pleadings.....20
 8.3.3 Additional Parts.....20
 8.4 Introduction of Arguments Outside Scope of Pleadings.....20
 8.5 Submission of Memorials.....20
 8.5.1 Memorials for Regional and National Rounds.....21
 8.5.2 Memorials for International Competitions.....21
 8.5.3 Submission of Memorials to the Hardy C. Dillard Competition.....21
 8.6 Translation Guidelines.....21
 8.6.1 Submission of Document in Original Language.....21
 8.7 Equipment Failure.....22
 8.8 Revision of Memorials.....22
 8.9 Use of Opposing Teams' Memorials.....22

Official Rule 9.0 - Oral Pleading Procedures

9.1 General Procedures.....22
 9.1.1 Extension of Time at Judges' Discretion.....23
 9.2 Of Counsel.....23
 9.3 Pleadings.....23
 9.3.1 Rebuttal and Surrebuttal.....23
 9.3.2 Scope of Pleadings.....23
 9.4 *Ex Parte* Procedure.....23
 9.5 Competition Communications.....24
 9.5.1 Oral Courtroom Communication between Counsel Table and Bench.....24
 9.5.2 Oral Courtroom Communication and Activity at Counsel Table.....24

Index to the Official Rules

9.5.3	Written Courtroom Communication.....	24
9.5.4	Oral or Written Communication Between Judges and Participants.....	24
9.5.5	Exhibits.....	24
9.6	Spectators and Scouting.....	25
9.6.1	Rounds Open to the Public.....	25
9.6.2	Non-Affiliated Persons.....	25
9.6.3	Affiliated Persons.....	25
9.6.4	Scouting.....	25
9.7	Interpreters.....	25
9.7.1	Regional and National Competitions.....	25
9.7.2	International Competition.....	26
9.7.3	Team Members as Interpreters.....	26
9.7.4	Non-Embellishment by Interpreters.....	26
9.8	Audio and Videotaping.....	26
9.9	Anonymity of Teams in Courtrooms.....	26
Official Rule 10.0 - Competition Scoring		
10.1	Preliminary Rounds - General.....	27
10.1.1	Memorial Scoring.....	27
10.1.1.1	Team Identity in Regional and National Competitions.....	27
10.1.1.2	Team Identity in International Competition.....	27
10.1.2	Oral Scoring.....	27
10.2	Calculation of Scoring Points.....	28
10.2.1	Calculation of Raw Scores.....	28
10.2.1.1	Memorial Raw Scores.....	28
10.2.1.2	Oral Raw Scores.....	28
10.2.1.3	Total Raw Scores.....	28
10.2.2	Calculation of Round Points.....	28
10.2.2.1	Memorial Round Points.....	28
10.2.2.2	Oral Round Points.....	28
10.2.2.3	Total Round Points.....	29
10.3	Scoring for Two (2) Judge Panels.....	29
10.3.1	Memorial Scoring for Two (2) Judge Panels.....	29
10.3.2	Oral Pleading Scoring for Two (2) Judge Panels.....	29
10.4	Determination of Winners of the Competition.....	29
10.4.1	Scoring Procedure for Preliminary Rounds.....	29
10.4.1.1	Determination of Winner of an Individual Round.....	29
10.4.1.2	Win-loss Record.....	29
10.4.1.3	Total Competition Round Points.....	30
10.4.1.4	Total Competition Raw Score.....	30
10.4.1.5	Tie-Breaking Procedure.....	30
10.5	Scoring Procedures for Quarterfinal, Semifinal, Run-off and Championship Rounds.....	31
10.5.1	Method of Scoring.....	31
10.5.2	Access to Preliminary Round Scores.....	31
10.5.3	Judge's Comments.....	31
10.6	Ranking of Teams.....	31
10.6.1	Regional and National Competitions.....	31
10.6.2	International Competition.....	32
10.7	Ranking of Oralists.....	32
10.8	Ranking of Memorials.....	32
10.9	Reporting of Results.....	32

Official Rule 11.0 - Penalties

11.1	General Procedure.....	33
11.2	Types of Penalties.....	33
11.3	Non-Discretionary Penalties.....	33
11.3.1	Non-Discretionary Memorial Penalties.....	33
11.3.1.1	Tardiness in Mailing Memorials.....	34
11.3.1.2	Extreme Tardiness in Mailing Memorials.....	34
11.3.1.3	Unacceptable Tardiness in Submitting Any Memorial.....	34
11.3.1.4	Excessive Memorial Length.....	34
11.3.1.5	Failure to Include a Statement of Facts or a Summary of the Pleadings.....	35
11.3.1.6	Failure to Differentiate APPLICANT and RESPONDENT Memorials.....	35
11.3.1.7	Displaying Names of Team Members on Memorials.....	35
11.3.1.8	Inclusion of School Name.....	35
11.3.1.9	Failure to Include Team Number on Cover of Memorial.....	35
11.3.1.10	Failure to Designate Proper Memorial Type.....	35
11.3.1.11	Failure to Double-Space Pleadings Section.....	35
11.3.1.12	Failure to Double-space Between Footnotes and Headings.....	35
11.3.1.13	Improper Number of Lines Per Page.....	36
11.3.1.14	Improper Type Size.....	36
11.3.1.15	Margins.....	36
11.3.1.16	Binding.....	36
11.3.2	Non-Discretionary Oral Pleading Penalties.....	36
11.3.2.1	Procedure.....	36
11.3.2.2	Power to Impose Non-discretionary Penalties.....	36
11.3.2.3	Notice to Teams.....	37
11.3.2.4	Deduction of Penalties by Judges Prohibited.....	37
11.3.2.5	Consultation with Bailiffs.....	37
11.3.3	Activity Subject to Non-Discretionary Penalties.....	37
11.3.3.1	Communication Between Counsel Table and Spectators.....	37
11.3.3.2	Submission of Written or Other Materials to Judges.....	37
11.3.3.3	Scouting.....	38
11.3.3.4	Identification of Team by School Name or Nation.....	38
11.4	Discretionary Penalties.....	38
11.4.1	General Violations.....	38
11.4.1.1	Calculation of Discretionary Penalties.....	38
11.4.1.2	Initiation and Imposition of Discretionary Penalties.....	38
11.4.1.3	Special Consideration for Oral Rounds.....	39
11.4.1.4	Additional Comments.....	39
11.4.2	Activity Subject to Discretionary Penalties.....	39
11.4.2.1	Unsportsmanlike Behavior on the Part of Team Members.....	39
11.4.2.2	Unsportsmanlike Behavior on the Part of Affiliated Persons.....	40
11.4.2.3	Penalties for Unsportsmanlike Behavior.....	40
11.4.2.4	Activity of Affiliated Persons.....	40
11.5	Notice to Teams.....	40
11.6	Right of Reply and Appeal of Penalties.....	41
11.7	Minimum Scores.....	41
11.8	<i>De Minimus</i> Rule.....	41

Official Rule 12.0 - Interpretation of Rules

12.1	General.....	41
12.2	Power to Promulgate Additional Measures.....	41

Index to the Official Rules

Official Rule 13.0 - Awards

13.1	General.....	42
13.2	Memorial Awards.....	42
13.2.1	Regional and National Competitions.....	42
13.2.2	International Competition.....	42
13.2.2.1	The Alona E. Evans Award.....	42
13.2.2.2	The Hardy C. Dillard Award.....	42
13.2.2.3	The Richard Baxter Award.....	43
13.2.2.4	The Brunson MacChesney Award.....	43
13.2.2.5	The U.S. Rutgers Award.....	43
13.3	Oralist Awards in Regional National and International Competitions.....	43
13.3.1	Best Oralist.....	43
13.3.2	Best Oralist in the World Championship Jessup Cup Round.....	44
13.3.3	Sudden Death Rounds.....	44
13.4	Team Awards.....	44
13.4.1	Regional and National Competitions.....	44
13.4.1.1	Regional and National Runners-up.....	44
13.4.1.2	Regional and National Champions.....	44
13.4.1.3	Other Awards.....	45
13.4.2	International Competition.....	45
13.4.2.1	International Quarterfinal Rounds - Top Eight Teams.....	45
13.4.2.2	International Semifinal Rounds - Top Four Teams.....	45
13.4.2.3	World Championship Jessup Cup Round Runner-up.....	45
13.4.2.4	World Championship Jessup Cup Round.....	45

The 1995 Philip C. Jessup International Law Moot Court Competition

International Competition Timetable

- September 1994 Distribution of the Jessup Problem, 1995 Official Rules, International Registration Form, Jessup Competition Poster, and other relevant Competition materials.
- 2 November 1994 **DEADLINE** for Requests for Clarifications. Requests must be made in writing, and made be sent to the Jessup Administrative Office via mail or fax.
- 23 November 1994 Clarifications mailed to registered teams.
- Date of the National Competition; or date set by the National Administrator; or 2 January 1995, whichever is first. **DEADLINE FOR REGISTRATION**
International Registration Forms received after the applicable date shall not be accepted. All teams participating in the Competition shall submit a registration form and fee or, in the alternative, if eligible, a registration form and request for waiver. Team numbers shall be issued upon receipt of registration forms and fee payments at the ILSA/Jessup Administrative Office.
- Date of the National Competition; or 17 January 1995, whichever is first. **DEADLINE** for all participating team to mail one (1) copy of its completed **APPLICANT** memorial and one (1) copy of its completed **RESPONDENT** memorial to the International Administrator, as required under the provision of Official Rule 8.5. Failure to mail memorials in accordance with this Official Rule may result in rendering a team ineligible to compete in the Competition. All mailings from abroad shall be done by **AIR MAIL**. Mailings from the United States or Canada shall be done by **REGISTERED** or **CERTIFIED MAIL**. All mailing packages must be clearly marked on the outside with the name of the school.
- 27 February 1995 **DEADLINE** for schools representing their respective Nations in the International Rounds of the Competition to mail thirty (30) copies of their **APPLICANT** memorial and thirty (30) copies of their **RESPONDENT** memorial to the International Administrator. Memorials must be prepared in English by teams representing their nations in the International Rounds.
- DEADLINE** for schools receiving Best Memorial Awards in Regional or National Competitions, and Dillard Award entries pursuant to Official Rule 8.5.3, to mail five (5) copies of the **APPLICANT** memorial and five (5) copies of the **RESPONDENT** memorial to the International Administrator. Memorials must be prepared in English.
- All mailings from abroad shall be done by **AIR MAIL**. Mailings from the United States or Canada shall be done by **REGISTERED** or **CERTIFIED MAIL**. All mailing packages must be clearly marked on the outside with the name of the school.
- 15 March 1995 **DEADLINE** to submit memorials for the Dillard Competition. Memorials shall be ineligible for consideration in the International Rounds of the Dillard Competition if received after this date.
- 1-2 April 1995 Check in to the Jessup Headquarters at the Warwick Hotel in Philadelphia, Pennsylvania.
- 2 April 1995 Orientation and Exchange of Memorials for teams participating in the International Competition.
- 3-5 April 1995 International Preliminary Rounds.

Index to the Official Rules

- 5 April 1995** **Announcement of the Top Eight Teams advancing to the International Quarterfinal Rounds.
Presentation of all International Preliminary Round Awards.**
- 6 April 1995** **International Quarterfinals in the morning; International Semifinals in the afternoon.**
- 7 or 8 April 1995** **World Championship Jessup Cup Round (if the United Nations is not available on Saturday).**
- 9 April 1995** **Social Day in New York / World Championship Jessup Cup Round at the U.N. (if available).**

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, and co-sponsored by the American Society of International Law, for students enrolled in International Law Students Association (ILSA) member schools and other invited international law and international law-related graduate degree programs.

The Competition is administered by the Executive Director of ILSA and the Associate Director of the Jessup Competition. The Associate Director shall serve as the U.S. National and International Administrator. The Executive Director of ILSA shall serve as the final arbiter of all implementation and interpretation of these Official Rules.

The Competition consists of two levels of oral pleadings: Regional or National, and International Rounds. Regional or National Competitions are held in each nation where more than one team wishes to participate in the Jessup Competition. The International Rounds are the final rounds of the Competition and include the International Preliminary, Quarterfinal and Semifinal Rounds, and the World Championship Jessup Cup Round.

1.2 Selection of Regional or National Administrators

National Administrators are chosen by the International Administrator, upon consultation with representatives from each nation or region respectively. *See* Official Rule 5.3.

1.3 Location of Regional or National Competitions

The various National Competitions shall be held at locations designated by the appointed National Administrators in each nation, in consultation with the Associate Director of the Jessup Competition. *See* Official Rule 5.4 *et seq.*

1.4 Location of International Competition

The International Rounds of each year's Competition shall be held at a site determined by the International Administrator, in consultation with the Executive Director of ILSA, and with the approval of the ILSA Board of Directors. *See* Official Rule 6.2.

OFFICIAL RULE 2.0**The Jessup Competition Problem****2.1 Subject Area**

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

2.2 *Author Selection*

The author(s) and reviewer(s) of the 1995 Jessup Problem have been selected by the prior International Administrator, in cooperation with the present Executive Director of ILSA Competition.

2.3 *Clarification Procedure*

Participants may submit written requests for clarifications of points of fact in the Competition Problem. Requests for clarifications must be received by the date indicated on the International Timetable, which is appended to these Official Rules. The Jessup Office will not acknowledge receipt of requests for clarifications unless a self-addressed stamped post card is attached to the request. Requests for clarifications shall be made only in good faith. Requests evidencing a lack of good faith may be subject to discretionary penalties under Rule 11.4.

2.4 *Distribution of Clarifications*

All clarifications to legitimate requests will be summarized, reproduced and mailed to all teams on the date noted on the International Timetable.

OFFICIAL RULE 3.0

Participation and Eligibility

3.1 *National Representation in the International Rounds*

Each nation 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 fourteen (14) teams from any one nation. 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 Official Rules.

The teams determined to be National representatives from a nation shall advance directly to the International Rounds of the Competition and shall jointly represent their respective Nations in accordance with approved National Rules Supplements. In extenuating circumstances, the International Administrator may allow additional teams from a nation to participate in the International Rounds if it is determined not to violate the spirit of these Official Rules and to be in the best interests of the Competition.

3.2 *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 Official Rules, the term "nation" shall include special jurisdictions and the term "National Administrator" the administrators of special jurisdictions.

3.3 Team Eligibility

3.3.1 Law Schools

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

3.3.2 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.

3.3.3 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.

3.3.4 Dual Representation by 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 Regional or National Competition. Such representation may be allowed if it is established that: 1) 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; 2) the teams represent different University colleges or departments and will be participating absolutely independent of each other; 3) each team independently fulfills the participation and registration requirements of Official Rule 3.0; and 4) such participation will not violate the spirit of these Official Rules or the best interests of the Competition.

3.4 Team Member Eligibility

3.4.1 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, with the exception of the provisions under Official Rule 3.4.5.3 and 3.4.5.4.

3.4.2 Law Students

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

3.4.3 Students at 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: 1) they have completed studies equivalent to a U.S. four-year bachelor's degree, or studies

otherwise approved by the International Administrator; and 2) they otherwise meet the requirements of this Official Rule.

3.4.4 University Affiliation

Team members must be enrolled as students at only one institution during the academic year of the Competition, subject to the exceptions allowed by Official Rule 3.5.5.1. and 3.5.5.2.

3.4.5 Special Circumstances

3.4.5.1 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. In exceptional circumstances the International Administrator may review extended externships or apprenticeship programs beyond one year in length, so long as this does not offend the spirit of these Official Rules and the best interests of the Competition.

3.4.5.2 Participation by Joint Program Students

The International Administrator may, upon written request, allow the participation of teams composed of an individual student studying in a joint program between schools or 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.

3.4.5.3 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 of these Official Rules or the best interests of the Competition.

3.4.5.4 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 of these Official Rules or the best interests of the Competition.

3.5 *Team Composition and Selection*

A team shall be composed of two (2) to five (5) student members from a single school, subject to the exception provided in Official Rule 3.4.5.2. Team members may be chosen by any method approved by the responsible authority within the school, subject to the provisions of these Official Rules and any applicable provisions of approved National Rules Supplements.

3.5.1 *Selection by 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 team will represent the University. If Jessup Problems are used in the Intramural Competition, then past problems should be used in lieu of the present problem. Intramural Competitions shall be conducted in accordance with the provisions of these Official Rules, including the exception provided under Official Rule 3.3.4, including the provisions in approved National Rules Supplements.

3.5.2 *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 nation. Requests for such approval should clearly state, in writing, the reasons for such a requirement, 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.

3.5.3 *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 Rules Supplements.

3.6 *Team Member Registration*

Once the selection process at each participating University is complete, all team members shall be registered with the Jessup Office. All team members must be registered with the Jessup Office, as required under Official Rule 4.1.1. and 4.1.2., prior to the submission date of the written memorials as noted on the International Competition Timetable for submission of memorials, and no changes in team composition will be allowed after that date.

3.7 *Definition of Team Notification*

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.

3.8 *Outside Assistance to Teams*

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, writing and editing must be solely the product of team members.* Teams found by the International Administrator to have received inappropriate outside assistance, i.e. including teams employing non-team members as student researchers, shall be eliminated from the Competition.

3.8.1 *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.

3.8.2 *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, and other such substantive matters, is prohibited. Outside assistance of this latter type, which would interfere with the final work product being the exclusive work of the team members, is strictly prohibited.

3.8.3 *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 to a student who has not discovered such terminology him or herself, but may aid the student in making use of or locating them once identified. Outside assistance of this latter type which would interfere with the final work product being the exclusive work of the team members is prohibited.

3.8.4 *Elimination for Use of Judges' Bench Memoranda*

Any team found to be using a Judge's Memorandum, otherwise called the 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 relevant National, Regional or International Administrator.

OFFICIAL RULE 4.0**Team Registration and Identification****4.1 *International Registration*****4.1.1 *Registration Requirement***

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

4.1.2 *International Registration and Fees*

All schools participating in the competition 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 Timetable, which is appended to these Official Rules. In exceptional circumstances, schools 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 the Registration Form or submit to the International Administrator their team members' names prior to the submission date, as noted on the International Competition Timetable, which is appended to these Official Rules. Team members' names should be clearly printed or typed on the form, with due attention given to the spelling of each team member's name. The names should appear in the manner that individual team members wish it to appear on their Jessup participation certificates.

4.2 *Acknowledgment of Registration, and Issuance of Team Numbers*

Once International Registration Forms are received and approved by the International Administrator, participating teams will be officially entered in the Competition and assigned a Jessup Competition team number.

4.2.1 *Team Numbers as Identification*

Each team in the Competition will be assigned, upon receipt of registration fee and registration form, an official team number selected at random by the International Administrator for use in all levels of the Competition. Teams shall use their team numbers for identification purposes in all instances required by these Official Rules to ensure anonymity in Competition judging. The team number shall be used to identify team memorials, *see* Official Rule 4.2.2, and for all other team identification purposes. Neither the school name nor the name of the nation which a team represents may be used or revealed at any time during the course of the Competition to identify teams or team members. *See* Official Rule 9.9.

4.2.2 Team Identification on Memorials

Each Memorial must carry the official Jessup Team Number, as directly issued by the International Administrator. This number must be placed in the upper right-hand corner of the outside front cover of the appropriate memorial, followed by an A for the APPLICANT memorial and an R for the RESPONDENT memorial (For example, 000A or 000R would appear on the upper right hand corner of the outside front cover of the APPLICANT or RESPONDENT Memorial respectively, of team number 000.). No names of participants, Nations or schools may appear anywhere on or within the memorials. Signature pages are prohibited.

OFFICIAL RULE 5.0

Regional and National Competitions

5.1 National Representation

Where only one (1) interested University or School in a nation expresses an interest in competing in the Competition, and submits the proper registration fee and Registration Form for a duly selected team prior to the deadline for registration, which is noted on the International Competition Timetable, appended to these Official Rules, that team shall be designated, with the approval of the International Administrator, as the National representative of that nation for Competition purposes.

5.2 Establishment and Administration of National Competitions

If more than one (1) team in any nation registers for the Competition prior to the deadline for registration noted on the International Competition Timetable, which is appended to these Official Rules, a National Administrator shall be appointed according to the provisions of Official Rule 5.3 to hold one or more Regional or National Competitions to determine which team(s) will represent the nation as National representative(s) at the International Rounds. *See* Official Rule 3.1. 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 nation pursuant to the guidelines established by these Official Rules.

5.3.1 National Administrator Qualifications

The National Administrator shall be a student, faculty member, or lawyer or interested party upon approval of the International Administrator. In the event 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 National Administrator Disqualifications

In no circumstance may a National Administrator serve as coach, or in any other way assist a team registered in the National Competition. In exceptional circumstances, the International Administrator, at his or her discretion, in conformity with the spirit of these Official Rules and the best interests of the Competition, may waive this rule.

5.3.3 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 are not to be limited to, the following duties: 1) promoting the Competition and recruiting participants; 2) coordinating and assisting teams in the registration process; 3) ensuring that all required registration materials and fees are submitted for each participating team in the nation; 4) ensuring that Competition materials are available to all participating teams; 5) maintaining appropriate contact with the International Administrator; 6) briefing judges prior to the start of the Round they will judge as to Competition procedures and judge's responsibilities; 7) monitoring the exchange of memorials between competing teams; and 8) planning and administering the National Competition in accordance with the provisions outlined in these Official Rules.

5.3.4 Powers

The National Administrator is authorized to act as the International Administrator's on-site representative of the Competition. The National Administrator's powers include: 1) interpreting and administering these Official Rules as such power is conferred herein; 2) drafting, or amending where existing Rules where necessary, specific National Rules Supplements, i.e. eligibility and procedural requirements necessary to conduct Regional or National Competitions, and to submit them for approval to the International Administrator; 3) implementing and interpreting approved National Rules Supplements; 4) choosing Competition sites or host schools according to the provisions of approved National Rules Supplements; 5) establishing a selection process and imposing requirements and obligations necessary to ensure that the host obligation is fulfilled, in accordance with requirements and obligations formally included in approved National Rules Supplements, in the event that participating schools are chosen to host the Competition; 6) establishing and administering one or more Regional Competitions as part of the National Competition; 7) appointing 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.

5.4 Regional Representation

Where a nation is represented by more than one team at the International Competition under Official Rule 3.1, its representatives may be selected by Regional Competitions.

5.5 Establishment and Administration of Regional Competitions

Each Regional Competition shall be subject to all registration requirements noted on the International Competition Timetable, which is appended to these Official Rules. See Official Rules 3.0 and 4.1. Such Competitions shall utilize the current Jessup Competition Problem, pursuant to the provisions of these Official Rules.

5.6 *Appointment of Regional Administrator*

In the event that Regional Competitions are necessary and permissible under these Official Rules, the National Administrator shall designate a Regional Administrator, according to the provisions of approved National Rules Supplements, to administer the Competition.

5.6.1 *Regional Administrator Qualifications*

The Regional Administrator shall be a student or faculty member, or lawyer or interested party upon approval of the International Administrator. In the event the Regional Administrator is a student, a designated Faculty Advisor should 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 Regional Competition, including the Regional Competition event and the oral arguments themselves. All powers conferred by these Official Rules involving Competition scoring, eligibility and Rules interpretation should be designated to the Faculty Advisor, unless approved National Rules Supplements provide otherwise.

5.6.2 *Regional Administrator Disqualifications*

In no circumstance may a Regional Administrator serve as coach, or in any other way assist a team registered in the Regional Competition. In exceptional circumstances, the National or International Administrator, at his or her discretion, and in conformity with the spirit and purpose of these Official Rules, may waive this rule if in the spirit of these Official Rules and the best interests of the Competition.

5.6.3 *Responsibilities*

The Regional Administrator shall act as the National Administrator's on-site representative in his or her region. The Regional Administrator's responsibilities shall include the following duties: 1) promoting the Competition and recruiting participants; 2) coordinating and assisting teams in the registration process; 3) ensuring that Competition materials are available to all participating teams; 4) maintaining appropriate contact with the National Administrator; 5) briefing judges prior to the start of the first Round they will judge as to Competition procedures and judge's responsibilities; 6) monitoring the exchange of memorials between competing teams; and 7) planning and administering the Regional Competition in accordance with the provisions outlined in these Official Rules, and approved National Rules Supplements.

5.6.4 *Powers*

Regional Administrators are authorized to act as the on-site representatives of the Competition. Their powers include: 1) interpreting and administering these Official Rules as such power is conferred herein; 2) implementing and interpreting approved National Rules Supplements; 3) choosing the Competition site according to the provisions of approved National Rules Supplements; 4) establishing and administering one or more Regional Competitions as part of the National Competition; 5) appointing persons to assist in the administration of the Regional Competitions; and 6) such other powers as are necessary to the functioning of the Competition and approved by the National or International Administrator.

5.7 General Procedures for Regional and National Competitions

The scheduling of Competition dates, pairings of teams and selection of judges shall be determined by the Regional or National Administrator, in their respective Competitions. Regional and National Competitions shall be conducted in accordance with the following general provisions, unless provided otherwise by the approved National Rules Supplements.

5.7.1 Preliminary Rounds

Regional and National Competitions shall consist of four (4) Rounds of preliminary oral pleadings. Each team competing in a Regional or National Competition shall plead twice as APPLICANT and twice as RESPONDENT, pursuant to these Official Rules and approved National Rules Supplements. Pleadings shall be in front of qualified panels of judges, pursuant to the provisions of Official Rule 7.0. 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 Regional or National Competition. In the event that teams must face each other in two (2) Preliminary Rounds, each team shall represent the APPLICANT in one Round and the RESPONDENT in the other Round.

5.7.1.1 PAIRINGS

The pairing of teams for Preliminary Rounds of the Competition shall be done, in the first instance, by a random draw witnessed by two independent observers. Official pairings of teams once completed by the Competition Administrator shall be final, except as may be modified by the Competition Administrator to account for teams which do not appear on the date of the start of the Competition, team transportation problems, or scheduling problems due to communication difficulties. The Competition Administrator shall have the power in such circumstances to adapt the pairings in order to maintain the interests of the Competition.

If teams must be newly paired, they must be provided appropriate memorials as soon as reasonably possible, but in no event less than fifteen (15) minutes prior to the start of the newly paired round.

5.7.1.2 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 Competition Administrator, in scheduling teams, to ensure that no one side if any one team is scheduled to argue in consecutive Rounds.

5.7.1.3 Oralists' 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 shall be used for purposes of determining Best Oralist Determinations. Oralist Round designations should be provided to the Competition Administrator on the form provided at orientation or otherwise provided in writing, and should identify the team member by name and team number.

5.7.1.4 Penalties Affecting Composition of Quarterfinal, Semifinal or Championship 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 his or her 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 gross misinterpretation of these Official Rules.

5.7.2 *Quarterfinal Rounds*

If more than sixteen (16) teams are participating in a Regional or National Competition, the Regional or National Administrator shall hold Quarterfinal Rounds among the eight (8) highest-ranking teams from the Preliminary Rounds in order to determine which teams will advance to the Semifinal Rounds.

5.7.3 *Semifinal Rounds*

In Regional or National Competitions of eight (8) or more teams, the Regional or National Administrator shall 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.

5.7.4 *Championship Rounds*

Championship Rounds shall be conducted pursuant to the procedures outlined in Official Rule 6.6, or the approved National Rules Supplements.

5.7.5 *Sudden Death Rounds*

If only two (2) teams are competing in a Regional or National 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, for a total of only two rounds, 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.

5.7.6 *Pleading Options*

The pleading options in the Quarterfinal, Semifinal and Championship Rounds shall be determined based upon the team rankings in the Preliminary Rounds, with the higher-ranked team receiving the pleading option, unless otherwise determined pursuant to an approved National Rules Supplement.

5.7.6.1 *Exercise of Pleading Options*

Each team earning the right to a pleading option shall be allotted thirty (30) minutes after notification of its right to exercise the pleading option to determine which side it wishes 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 the opposing team. The opposing team is then given thirty (30) minutes to exercise its option. If this opposing team then fails to exercise its pleading option within a thirty (30) minute period, it also shall forfeit its pleading option.

Both teams shall have the opportunity to review their completed master team scoresheets from the Preliminary Rounds, *but not individual judges' scoresheets or notes*, during the initial allotted thirty (30) minute period. Once the pleading option has been exercised, the opposing team shall be notified immediately of the side it shall argue in the next Round. If the Competition Administrator has had to employ an Automatic Pleading Designation pursuant to Official Rule 5.7.6.2, he or she shall notify each team of the side it shall argue in the next Round. Both teams shall then be allowed a reasonable time to prepare for the next Round.

5.7.6.2 *Automatic Pleading Designation*

Should both teams fail to exercise the pleading option, or if the teams are tied in round points and raw score, the Regional or National Administrator shall determine the pleading option by a toss of a coin. The Competition Administrator shall call the toss.

5.7.6.3 *Exchange of Memorials*

Memorials shall be exchanged immediately upon the exercise of the pleading option or Automatic Pleading Designation.

5.8 *Judges in Regional and National Competitions*

The provisions of Official Rule 7.0 shall apply to the qualifications of judges in Regional and National Competitions, unless approved National Rules Supplements provide otherwise.

5.8.1 *Disqualification of Regional or National Administrator From Judging*

In no case shall a Regional or National Administrator act as a judge in actual or exhibition Rounds of the Competition for which the Administrator is responsible, nor may such an individual in any other way assist a registered team in the Competition. In exceptional circumstances, the International Administrator, at his or her discretion, and in conformity with the spirit of these Official Rules and the best interests of the Competition, may waive this rule.

5.9 *Scoring*

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

OFFICIAL RULE 6.0

International Rounds of the Competition

6.1 *General*

The International Rounds of the Competition shall be comprised of all teams who have earned the title of National Representative, or Regional Representative if applicable, under the provisions of these Official Rules and approved National Rules Supplements.

6.2 *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, in consultation with the Executive Director of ILSA, and with the approval of the ILSA Board of Directors. The dates and location of the International Rounds for the current year's Competition are noted on the Official Competition Timetable, which is appended to these Official Rules. The International Administrator shall preside over the International Rounds.

6.2.1 *Religious Scheduling Conflicts*

The International Administrator shall make every effort to accommodate legitimate religious interests of teams in scheduling oral Rounds of a team when such team provides written notice at least four (4) weeks prior to the start of the Preliminary Rounds of the International Competition. If rescheduling proves impossible to accommodate a team's religious interest, the team will be asked to argue at the scheduled times, pursuant to the Official Rules.

6.3 *Structure of International Competition*

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

6.3.1 *Preliminary Rounds*

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

6.3.1.1 *Pairings for the Preliminary Rounds*

The pairing of teams for the International Rounds of the Competition shall be done, in the first instance, by a random draw witnessed by at least two independent observers. 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 attending the orientation of the International Rounds on the first day of the event.

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.

If teams must be newly paired, they must be provided appropriate memorials as soon as reasonably possible, but in no event less than fifteen (15) minutes prior to the start of the newly paired round.

6.3.1.2 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.

6.3.2 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 shall be used for purposes of determining Best Oralist Determinations. Oralist Round designations should be provided to the Competition Administrator on the form provided at orientation or otherwise provided in writing, and should identify the team member by name and team number.

6.4 International Quarterfinal Rounds

The International Quarterfinal Rounds shall consist of the eight (8) highest-ranked teams from the International Preliminary Rounds, subject to Official Rule 6.4.1.1. The four (4) teams which advance from these Rounds will proceed to the International Semifinals.

6.4.1 Pairings for the International Quarterfinals

Pairings of the top eight (8) teams in the International Quarterfinal Rounds shall be based upon the official ranking in the preliminary rounds and will follow the pattern of highest-ranked against lowest-ranked team, the second-highest ranked against the second-lowest ranked, etc., until all teams are matched.

6.4.1.1 National Pair-off Qualification

No more than two (2) teams from the same nation may qualify for positions in the International Quarterfinals. If two (2) teams from the same nation 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 nation for the remaining World Championship Jessup Cup Round. If more than two (2) teams from the same nation appear in the Top Eight teams from the Preliminary Rounds, only the top two teams shall advance to the Quarterfinals. Any additional teams from that nation shall not qualify, and the next qualifying team(s) in the rankings shall advance to the Quarterfinal Rounds.

6.4.1.2 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 adapt, in an equitable manner, the pairings so that such match is avoided. If no suitable re-pairing can be achieved, the International Administrator shall use the original pairings and disregard this qualification in the best interest of the Competition.

6.5 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.

6.5.1 Pairings for the International Semifinals

The pairings for the International Semifinals shall be determined by rank from the preliminary rounds, in the same manner as the pairings for the International Quarterfinal Rounds. See Official Rule 6.4.1.

6.5.1.1 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.

6.5.1.2 International Semifinal Rounds Pleading Options

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. In the event that any teams paired in Semifinal Rounds possess equal round points and raw scores after the Preliminary Rounds, a coin toss shall be used to determine the pleading option. The International Administrator shall call the toss. Exercise of the pleading option in the Semifinal Rounds shall be in accordance with Official Rule 6.6. This provision applies only to the International Semifinal Rounds and not to Regional and National Competitions, unless otherwise provided in the approved National Supplementary Rules.

6.6 Pleading Options - Quarterfinal, Semifinal and World Championship Jessup Cup Rounds

Each team earning the right to a pleading option shall be allotted thirty (30) minutes after notification of its right to exercise the pleading option to determine which side it wishes 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 the 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, a coin toss shall be used to determine the pleading option. The International Administrator shall call the toss.

Both teams 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 allotted thirty (30) minute period. Once the pleading option has been exercised, the opposing team shall be notified immediately of the side it shall argue in the next Round. Both teams shall then be allowed a reasonable time to prepare for the next round.

6.6.1 Exchange of Memorials

Memorials shall be exchanged immediately upon the exercise of the pleading option or Automatic Pleading Designation.

OFFICIAL RULE 7.0**Competition Judges in Regional, National and International Rounds****7.1 General**

Three (3) judge panels shall be utilized whenever possible. 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, although 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.

7.2 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 a judge in any level of the Competition. Exceptions may be made when the advisor, coach or other affiliated person's own school is not participating, and 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.

7.3 Judges Affiliated With Teams

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

7.4 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 ensure that the judge views the opposite side of the team's argument in each Round. The decision whether to schedule the judges and teams in the same Round in such an instance shall rest solely with the Competition Administrator. The determination of the Competition Administrator shall be final.

7.5 Notification to 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.

7.6 *Bench Memorandum*

The author of the Problem 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.

7.6.1 *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.

7.6.2 *Confidentiality of Bench Memorandum*

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

7.7 *Commentary by Competition Judges*

Judges in any Round of the Competition should provide direct feedback to teams regarding the teams' performance at the completion of the Round. Judges 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.

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 general requirements which follow. Teams will be penalized for failure to keep within these limitations.

8.2.1 *Length*

The Body of each individual memorial consists of legal pleadings, conclusion, annexes, appendices and footnotes. The body 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. See Official Rule 8.3.

8.2.2 *Line 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; however, double-spacing between footnotes and *before and after* headings is required. *Measurement is the individual team's responsibility.*

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 *Lines per Page*

There shall be a maximum number of twenty-seven (27) lines per page permitted in the body of the memorial. Each page of the body of the memorial with more than twenty-seven (27) lines shall be penalized.

8.2.4 *Type Size and Style*

Any type style (type face) is permissible, except *no type size smaller than 12 characters per inch shall be permitted at any time.* 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 one inch of type, including situations where the thirteenth character touches the one-inch line, the type size is too small and should be increased.

Judges are instructed to take appearance of the memorial into consideration when evaluating the written effort; however, they are also instructed *not* to include the choice of type-face in the written pleadings as part of this consideration. *Each team must ensure that the type-size chosen and the number of lines entered per page satisfy the requirements of this Official Rule.*

8.2.5 *Citations and Footnotes/Endnotes*

Footnotes or endnotes may be used. The footnotes or endnotes are to be used *to cite authority only.* Neither footnotes nor endnotes may include substantive pleadings, insofar as they are merely illustrative of the pleadings presented in the Pleadings Proper. Official Rule 8.2.4 applies to footnotes and endnotes.

8.2.6 *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.

8.2.7 *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.

8.2.8 Covers

Applicant memorials must be distinguished from Respondent memorials by differentiating the two sides by two different-colored, non-white covers. The colors chosen by the teams to distinguish Applicant and Respondent memorials are at the teams' discretion so long as neither cover is white.

8.2.9 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.*

8.3 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. A mere stipulation to the facts is prohibited. The Statement of the Facts shall be limited to the stipulated facts and necessary inferences from the problem. The Statement of the Facts must not include unsupported facts, distortions of stated facts, or legal conclusions.

The fact pattern of the Jessup Problem is intentionally somewhat vague. Participants will be judged on their ability to make the facts conform to their arguments without changing the circumstances.

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: 1) Table of Contents; 2) Index of Authorities; 3) Statement of Jurisdiction; and 4) Statement of Questions Presented.

8.4 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 pleadings proper of the body of the memorial will be penalized.

8.5 Submission of Memorials

Each team registered in the Competition *must* provide the International Administrator with one (1) copy of each memorial, identical to those sent to the Regional or National Administrator for the Regional or National Competitions. These memorials must be mailed on the same date as those mailed for the Regional or National Competitions or on the date noted on the International Competition Timetable 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 from teams outside North America and by CERTIFIED

MAIL from teams within North America. 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 does not violate the spirit of these Official Rules and is in the best 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 Regional and National Competitions

Memorials for Regional and 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 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.

8.5.2 Memorials for International Competition

Each team advancing to the International Rounds shall mail an additional thirty (30) copies of both its APPLICANT memorial and 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 8.5.3.

Teams submitting memorials to the International Competition should retain their memorials on computer disk or diskette in the event their memorial is recognized as Best Memorial and is required for publication.

The deadline for submission of memorials is indicated in the International Timetable, which is appended to these Official Rules. Mailing of memorials under the provisions of this Official Rule must be done by AIR MAIL, if outside the United States or Canada, and CERTIFIED or REGISTERED MAIL if in the United States or Canada.

8.5.3 Submission of Memorials to the Hardy C. Dillard Competition

Memorials for the Dillard Competition must be prepared in English by the teams earning the right to submit memorials to the Hardy C. Dillard Award Competition. See Official Rule 8.5.2. Those teams earning such right to submit memorials to the Hardy C. Dillard Award Competition shall mail an additional five (5) copies of both its APPLICANT memorial and RESPONDENT memorial to the International Administrator for use by the judges. Teams submitting memorials to the Hardy C. Dillard Competition should retain their memorials on a computer disk or diskette in the event their memorial is awarded First Place and needed for publication.

8.6 Translation Guidelines

Translation must be accomplished in accordance with approved National Rules Supplements.

8.6.1 Submission of Document in Original Language

All teams preparing memorials for Regional or National 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 of the memorials during translation shall result in elimination from the Competition.

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 the International Competition Timetable. 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, i.e. 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 National, Regional and International Competitions 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. 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. 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.

All teams must employ at least 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, subject to the exception in extenuating circumstances where, in the best interest of the competition and spirit of these rules, the International Administrator has discretion to permit a sole oralist to argue beyond the twenty-five (25) minute limit.

Teams using interpreters shall be allotted additional time pursuant to the provisions of Official Rule 9.7.

9.1.1 Extension of Time at Judges' 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.

9.2 Of Counsel

During each Round of the Competition, one (1) additional 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. The person acting as counsel need not be the same person in each Round.

9.3 Pleadings

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

9.3.1 Rebuttal and Surrebuttal

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.

9.3.2 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.

9.4 Ex Parte Procedure

In the case of extreme circumstances where one team 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 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*.

9.5 Competition Communications

9.5.1 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.

9.5.2 Oral Courtroom Communication and Activity at Counsel Table

Every courtesy shall be given to oralists in the process of oral argument. Teams may be subject to discretionary penalties for unnecessary noise, outbursts, or other inappropriate behavior which distracts from the argument in progress. Penalties imposed shall be deducted from the oral pleading scores of both oralists of the offending team. Communication at the counsel table should always be in writing, so as to prevent disruption.

9.5.3 Written Courtroom Communication

No written communication may take place between the counsel table and spectators or team members not present at the counsel table while the Round is in progress. This rule 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 receive written notes or advice from the counsel table. Written communication may take place at the counsel table itself.

9.5.4 Oral or Written Communication 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 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 to ensure that the judge does not view the team in oral arguments, subject to the provisions of Official Rule 6.5.

9.5.5 Exhibits

The use of exhibits is not permitted in the Jessup Competition. No written or other prepared material, i.e. maps and diagrams, shall be passed or showed to judges before, during or after the pleadings.

9.6 *Spectators and Scouting*

9.6.1 *Rounds Open to the Public*

All Quarterfinal, Semifinal, and Championship Rounds in Regional, National, and International Competition shall be open to the public. Preliminary Rounds should be open to the public. Teams may agree in advance, and upon consultation with the Administrator, to place a cap on the number of spectators in a room at one time.

9.6.2 *Non-Affiliated Persons*

Any non-affiliated person, including friends and relatives of team members, may attend any Round.

9.6.3 *Affiliated Persons*

Presence of coaches, advisors, or other spectators affiliated with the team in the courtroom during the oral pleadings is permitted, so long as it is in conformity with the provisions of these Official Rules. Such persons should not sit behind their team members so as to prejudice the team identity. Coaches, advisors, or other affiliated persons should take precautions to ensure that the identity of their teams are not revealed through outside relationships with potential courtroom judges. *The ultimate responsibility for the actions of such affiliated persons falls upon the team members coaches. See Official Rule 11.4.2 and 11.4.3.*

9.6.4 *Scouting*

No team member or person 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. Violation of this Rule would be considered *scouting*. *Scouting* consists of observation of competitors or receipt of information from anyone regarding competitors' arguments and/or communication of that information to other competitors.

Team members wishing to observe a single Round of the Preliminary Competition, for the purpose of becoming familiar with Competition oral argument procedures, may do so with the express permission of the Competition Administrator, *provided* that neither of the teams observed will be faced by the team of the observer in the Preliminary Rounds of the Competition, and *provided* both teams that are to be observed consent to the activity.

9.7 *Interpreters*

9.7.1 *Regional and National Competitions*

Regional and National Administrators may formulate Regional or National Rules Supplements concerning the use of interpreters in their Regional or National Competitions, making provisions where necessary in light of local conditions. Such additional Rules must be approved in writing by the International Administrator.

9.7.2 International Competition

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.

9.7.3 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.

9.7.4 Non-Embellishment by Interpreters

When a team employs an interpreter, the interpreter may only engage in a literal interpretation of the oralists' pleadings and responses. No embellishment on the part of the interpreter to enhance or clarify the oralists' 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.

9.8 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 Regional or National Administrator at their respective competitions; or 2) the International Administrator at the International Competition. In no circumstances will participating teams be allowed to view any such videotape, or listen to any such audio tape, until after the completion of the Regional or National Competition in which the taped Round occurs.

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.

9.9 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, 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 fifty (50) to one hundred (100) points, one hundred (100) points being the highest possible score.

Three (3) judge panels shall 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, the International Administrator may 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. The Administrator 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 fifty (50) to one hundred (100) points, one hundred (100) points being the highest possible score.

Three (3) judge panels shall be used to score oral arguments whenever possible, subject to the exceptions provided by these Official Rules. The Administrator may employ more than three (3) judges per Round in Quarterfinal, Semifinal 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 Score, and Round Points. The awarding of points and calculation of scores shall be subject to the 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 Raw Scores

The calculation of the 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 the team argued in the relevant Round.

10.2.1.2 Oral Raw Scores

The calculation of Total Oral Raw Scores for each team in each Round shall be determined by adding the individual scores of each judge for each oralist. The Total Score of the judges for each oralist shall be used for the determination of Best Oralist Awards. The individual scores of the two oralists for each team shall then be combined to determine the Total Oral Raw Score for the team for the Round.

10.2.1.3 Total Raw Scores

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 Round Points

10.2.2.1 Memorial Round Points

The individual memorial judges' 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.

A total of three (3) Round Points shall be awarded for memorial scores in each Round. One (1) Judge's Point per judge shall be awarded to the team scoring higher than its opponent. If a judge rates the teams equally, the point for that judge is split, with each team receiving one-half (.5) Judge's Point.

10.2.2.2 Oral Round Points

The individual scores awarded by judges to each oralist on a team will be combined and compared to the total scores awarded by the judges to oralists on the opposing team. A total of six (6) Round Points shall be awarded for oral argument scores in each Round. Two (2) Round Points per judge shall be awarded when a team scores higher than its opponent. If a judge scores the teams equally, the points from that judge are split, with each team receiving one (1) Judge's Point.

10.2.2.3 Total Round Points

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

10.3 Scoring for Two (2) Judge Panels

A one (1) judge panel may never be used at any level of the Jessup Competition. In exceptional instances, a two (2) judge panel for the scoring of memorials or oral arguments is permissible, if such a panel will not violate from the spirit of these Official Rules or the best interests of the Competition. 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 (2) Judge Panels

Memorials scored by two (2) judge panels shall have a third hypothetical score added to their totals. This hypothetical score shall be determined by averaging the scores of the other two (2) judges. The average of the two (2) scores shall constitute the third hypothetical score. Once determined, the hypothetical score shall be recorded as the third judge's score, and will figure as the middle score for the relevant team for purposes of figuring all memorial points in a Round.

10.3.2 Oral Pleading Scoring for Two (2) Judge Panels

When a two (2) judge panel 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 Round 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) Round Points. In cases of matching scores, each team shall receive one and one-half (1.5) Round Points.

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

10.4 Determination of Winners of the Competition

10.4.1 Scoring Procedure for Preliminary Rounds

10.4.1.1 Determination of Winner of an Individual Round

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

10.4.1.2 Win-loss Record

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) will automatically rank higher than a team with a win-loss record of 3-1 (3 wins, 1 loss), which will rank higher than a team with a win-loss record of 2-2, etc.

10.4.1.3 Total Competition Round Points

If two (2) or more teams remain tied after comparing win-loss records, the team with the highest number of Total Competition Round Points for the preliminary Rounds shall be ranked first. There are thirty-six (36) possible Round 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. Teams winning more Round Points in any one (1) Round than their opposing team will be declared the winner of that Round.

10.4.1.4 Total Competition Raw Score

If two (2) teams remain tied after comparing win-loss records and the Total Competition Round Points, the team having 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 whether the two (2) teams that are tied with the same win-loss record and Total Round 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 winner of the Round where the two (2) teams faced each other, the team with the higher Total Competition Raw Score shall be ranked higher than the team that won the particular Round for *overall* Competition purposes.

10.4.1.5 Tie-Breaking Procedure

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

- (a) 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.
- (b) If teams have not faced each other in earlier Rounds, and time permits, a special Run-Off Round may be scheduled. The pleading option for such a Round should be determined by coin toss. The coin toss shall be called by the Competition Administrator.
- (c) 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 shall attempt to immediately contact the International Administrator to determine the proper method for 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 Scoring Procedures for Quarterfinal, Semifinal, Run-off and Championship Rounds

Special scoring procedures and guidelines shall apply to the Quarterfinal, Semifinal, Run-off and Championship Rounds of National, Regional 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 approved National Rules Supplements.

10.5.1 Method of Scoring

Judges in the Quarterfinal, Semifinal, Run-off and Championship 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 majority of the judges on the panel. 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.

10.5.2 Access to Preliminary Round Scores

The judges in Quarterfinal, Semifinal, Run-off and Championship 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 are applied in the International Rounds of the Competition, shall not apply to scoring decisions in the Quarterfinal, Semifinal, Run-Off or Championship Rounds at any level of the Competition.

10.5.3 Judges' Comments

Judges in the Quarterfinal, Semifinal, Run-Off and Championship Rounds of the Competition should 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 content of the Judges' Memorandum.

10.6 Ranking of Teams

10.6.1 Regional and National Competitions

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

10.6.2 International Competition

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.

10.7 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 judges' scores from two (2) Preliminary Rounds for that oralist. 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 argued shall be used. If an oralist argued only one (1) Round, no ranking is necessary.

For purposes of determining Total Individual Oral Scores, the judges' 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 scores, for a possible total score of six hundred (600) 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, according to 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

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

- (a) a copy of their individual memorial judges' 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 Round 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, Semi-final, Run-Off and Championship Rounds of the Competition, noting which teams progressed through the Championship Round.

OFFICIAL RULE 11.0**Penalties****11.1 General Procedure**

The following is an exclusive list of Penalties which may be imposed upon teams in the International Competition. Regional and National Administrators shall model respective, proposed National Rules Supplements after the International procedure, while allowing for modifications due to local customs and conditions. *Each team shall have a thorough understanding of the provisions of this section of the Official Rules.*

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 respective Competitions and will not carry over to the International Rounds of the Competition.

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. 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 judges' scores for a team's memorial. Penalty calculations shall be made prior to using the individual judges' 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 National, Regional or International Administrator must do so *in writing* at least twenty-four (48) hours prior to the beginning of the first Preliminary Round of the Regional or National Competition. The Competition Administrator shall have the power to modify this deadline in approved National Rules supplements. For purposes of the International Competition, teams will be provided a deadline and procedure for filing of complaints upon receipt of opposing team memorials at the Competition orientation.

Written complaints shall 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 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 National Rules Supplements. In such instances, affected teams shall be provided a reasonable additional period of time to address potential violations of memorials provided by opposing teams due to such rescheduling. 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 Tardiness in Mailing Memorials

Memorials postmarked after the date required by Regional or National Administrators for National Competitions, or noted on the International Competition Timetable for teams advancing to the International Rounds of the Competition, shall be penalized fifteen (15) points.

11.3.1.2 Extreme Tardiness in Mailing Memorials

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 Timetable for teams advancing to the International Rounds of the Competition, shall be penalized three (3) points per day, in addition to the initial fifteen (15) points penalty for tardiness imposed under Official Rule 11.3.1.1, for up to an additional five (5) days.

11.3.1.3 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 Timetable 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 fifty (50) on either or both of the offending memorials and allowed to proceed to the Preliminary Rounds. The score of fifty (50) shall supersede any other judge's scores or penalties which may be given to the memorial(s) in question for purposes of that Competition.

11.3.1.4 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 five (5) points for each page that the memorial exceeds the page limit.

11.3.1.5 ***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 five (5) points for each missing constituent part.

11.3.1.6 ***Failure to Differentiate Applicant and Respondent Memorials***

Teams which fail to differentiate APPLICANT and RESPONDENT memorial covers pursuant to the provisions of Official Rule 8.2.8 will be penalized five (5) points for each memorial.

11.3.1.7 ***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 three (3) points for the offending memorial. Competition Administrators shall strike all such occurrences from the memorials prior to submitting the memorials to judges.

11.3.1.8 ***Inclusion of School Name***

Teams which include the name of the school, nation or team which they represent anywhere in memorial will be penalized fifteen (15) points on the offending memorial. Competition Administrators shall strike all such occurrences from the memorials prior to submitting the memorials to judges.

11.3.1.9 ***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 4.2.2 will be penalized ten (10) 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.

11.3.1.10 ***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 4.2.2 will be penalized three (3) points on the offending memorial.

11.3.1.11 ***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 five (5) points per offending page, to a maximum of thirty (30) points.

11.3.1.12 ***Failure to Double-Space Between Footnotes and Headings***

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 three (3) points for every page on which the violation occurs, to a maximum of fifteen (15) points.

11.3.1.13 *Improper Number of Lines Per Page*

Memorials containing pages in the Body of the memorial exceeding twenty-seven (27) lines per page, pursuant to the provisions of Official Rule 8.2.3, shall be penalized three (3) points per offending line to a maximum of thirty (30) points.

11.3.1.14 *Improper Type Size*

Teams which violate the provisions of Official Rule 8.2.4 regarding the appropriate type size for memorials will be penalized three (3) points per page for each page on which the violation occurs, to a maximum of fifteen (15) points.

11.3.1.15 *Margins*

Teams which violate the provisions of Official Rule 8.2.6 regarding the margins for memorials shall be subject to a three (3) point penalty per violating page, to a maximum of fifteen (15) points.

11.3.1.16 *Binding*

Teams which violate the provisions of Official Rule 8.2.9 regarding the proper binding of team memorials will be subject to a ten (10) 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 Raw 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. Teams shall approach the bailiff in the first instance, or the Competition Administrator if there is no bailiff.

The bailiff shall 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 judges' 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 Prohibited

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, in accordance with Official Rule 11.3.2.1, 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 Rule 9.5 *et seq* 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 forty-five (45) points. Fifteen (15) 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-judge situations, the penalty shall be applied to the total team scores of each individual judge, with twenty-two and five-tenths (22.5) points being deducted from each judge's total team score. The score is not 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 9.5 *et seq.* regarding the submission of written or other materials to judges will be penalized a total of forty-five (45) points. Fifteen (15) 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-judge situations, the penalty shall be applied to the total team scores of each individual judge, with twenty-two and five-tenths (22.5) points being deducted from each judge's total team score. The score is not deducted from the third hypothetical score.

11.3.3.3 Scouting

Teams which violate the scouting provisions of Official Rule 9.6.3 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 judges' 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 Championship Rounds of the Competition.

11.3.3.4 Identification of Team by School Name or Nation

Teams which violate the provisions of Official Rule 9.9 regarding the anonymity of teams in the courtroom will be penalized points a total of forty-five (45) points. Fifteen (15) 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-judge situations, the penalty shall be applied to the total team scores of each individual judge, with twenty-two and five-tenths (22.5) points being deducted from each judge's total team score. The score is not deducted from the third hypothetical score.

11.4 Discretionary Penalties

11.4.1 General Violations

The Competition Administrator may assess 3, 5, 10 or 15 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 judges' scores prior to calculating the teams' 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, or bailiffs, 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 a 3, 5, 10, or 15 point penalty 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 a 3, 5, 10, or 15 point penalty 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 *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 attributed to the team in respect to either memorials or oral rounds, shall 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, respectively.

11.4.2.4 *Activity of Affiliated Persons*

In exceptional circumstances, the Administrator has the discretion to impose a 3, 5, 10, or 15 point penalty where a coach, advisor or other person affiliated with the team has flagrantly disregarded the spirit and best interests of the Competition by his or her behavior, resulting in disclosure of their team's identity to one or more judges before whom their team shall compete. Concerns may be alleviated in almost every circumstance for such persons by avoiding sitting near or directly behind either team, and not communicating with their team during, or immediately before or after, the Round.

11.5 *Notice to Teams*

The Competition Administrator shall notify teams of the imposition of such penalties at the earliest possible time after the final ruling of the Administrator has been made.

11.6 Right of Reply and Appeal of Penalties

The accused team shall be allowed an opportunity 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.

Appeals may be made for penalties assessed under these Official Rules, in accordance with the provisions set forth in Official Rule 12.2. The appeal of a penalty decision or Rules interpretation of a Regional or National Administrator shall 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. Comments and replies from all involved parties must be delivered in a timely fashion to the International Administrator. Upon receipt of the complaint and replies, the International Administrator shall make a prompt decision about the penalties in question. The International Administrator's decision on all penalties is final.

11.7 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 fifty (50) 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 remain.

11.8 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. This Rule shall not be applied to Non-Discretionary Penalties, except under extreme circumstances.

OFFICIAL RULE 12.0

Interpretation of Rules

12.1 General

Any questions that arise concerning the interpretation of these Rules during the Regional and National Competitions, or involving specific Regional or National Supplemental Rules, must be submitted to the Regional or National Administrator. Any questions that arise during the International Rounds of the Competition concerning the interpretation of these Official Rules must be submitted to the International Administrator. The International Administrator retains the right to review all decisions of Regional and National Administrators involving the provisions of these Official Rules. The Executive Director of ILSA shall serve as the final arbiter of all implementation and interpretation of these Official Rules.

Bailiffs, administrative assistants and judges *are not authorized* to interpret these rules, but may be used as witnesses to inform the Regional, National or International Administrator of alleged violations of these Official Rules.

12.2 Power to Promulgate Additional Measures

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 the Competition,

provided that these measures do not violate the spirit of these Official Rules or the best interests of the Competition. Regional or National Administrators may, 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 also do not violate the spirit of these Official Rules or the best interests of the Competition.

OFFICIAL RULE 13.0

Awards

13.1 General

The National Administrator shall determine the awards to be given pursuant to guidelines contained within these Official Rules.

13.2 Memorial Awards

13.2.1 Regional and National Competitions

The winner of the Best Memorial Award in Regional and National Competitions shall be based upon the highest Memorial Score, as tabulated under the provisions of Official Rule 10.8. The highest possible score is six hundred (600), or three hundred (300) for each memorial. The team with the highest point total shall be the Winner, the team with the second highest point total is the Runner-up.

13.2.2 International Competition

13.2.2.1 The Alona E. Evans Award

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

13.2.2.2 The Hardy C. Dillard Award

Every team which receives a Best Memorial Award in a Regional or National Competition shall be invited to submit its APPLICANT and RESPONDENT memorials to the Hardy C. Dillard Award Competition. Memorials must be duly submitted and received by the International Administrator to be entered in the Competition. Each Nation may enter one (1) set of memorials, one APPLICANT and one RESPONDENT, in the Dillard Competition for each ten (10) teams competing in the Regional or National 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 fifty (50) to one hundred (100) points. The team memorials with the highest total judges' points shall be declared the winner of the award. Penalties applied to Memorials in the Preliminary Rounds of Regional, National or International Competitions shall not apply to the Dillard Award Competition.

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

13.2.2.3 *The Richard Baxter Award*

The five (5) highest-scored APPLICANT and RESPONDENT memorials from the Alona E. Evans Award Competition, and the five (5) highest-scored APPLICANT and RESPONDENT 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 those 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 fifty (50) to one hundred (100) points. The individual APPLICANT and RESPONDENT memorials with the highest total judges' points shall be declared the winner of the award. Penalties applied to Memorials in the Preliminary Rounds of regional, National or International Competitions shall not apply to the Dillard Award Competition.

The winner of the Baxter Award for the 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 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 & Comparative Law*.

13.2.2.4 *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.

13.2.2.5 *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.

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 600. 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 Championship Round of a Regional, National or International Competition shall be made by a majority vote of the judges. The judges' decision shall be announced at the end of the Championship Round.

13.3.3 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.

13.3.3 Sudden Death Rounds

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

13.4 Team Awards

13.4.1 Regional and National Competitions

13.4.1.1 Regional and National Runners-up

Regional or National Runners-up shall be considered the second place team in the Regional or National Competition, respectively, as determined by their performance in the Championship Round of the Competition. If a Regional or National Champion is unable to attend the International Semifinals, the International Administrator, at his or her discretion, may recognize the Regional or National Runner-up as the legitimate representative of that Nation or Region, subject to the provisions under 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 to fill additional, available National positions under the provisions of Official Rule 3.1 shall be determined by the provisions of approved National Rules Supplements.

13.4.1.2 Regional and National Champions

The Champion of Regional or National Competitions shall be the winning team in the Championship Round of the Competition. The National Champion shall automatically proceed to the International Rounds of the Competition. Regional Champions may earn the right to proceed to the National Competition or additional 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 these Official Rules and approved National Rules Supplements.

13.4.1.3 Other Awards

Other awards to be issued in Regional and National Competitions shall be determined by the Regional or National Administrator and awarded in accordance with these Official Rules and approved National Rules Supplements.

13.4.2 International Competition

13.4.2.1 International Quarterfinal Rounds - Top Eight Teams

Teams qualifying for the International Quarterfinal Rounds shall receive an award in recognition of being an International Quarterfinalist.

13.4.2.2 International Semifinal Rounds - Top Four Teams

Teams qualifying for the International Semifinal Rounds shall receive an award in recognition of being an International Semifinalist.

13.4.2.3 World Championship Jessup Cup Round Runner-up

The second place team in the Championship Round of the International Competition shall be the Jessup Cup World Championship Runner-up.

13.4.2.4 World Championship Jessup Cup Round

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 to keep, and the Jessup Cup to hold in trust for one year to display at their University. The Championship team shall take full responsibility for the safety of the Jessup Cup while it is in their custody. The Championship team is 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.

The International Administrator shall engrave the name of the Championship Team, nation, name of school and its team members on the base of the Jessup Cup. 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.