

**The Philip C. Jessup
International Law Moot Court Competition**

**Official Rules
Of The
1996 Competition**

For Use by All Teams Participating in the Competition

These rules apply to all teams participating in the 1996 Philip C. Jessup International Law Moot Court Competition. These are to be read in conjunction with applicable Regional/National Rules of the Jessup Competition, and shall not be read as a complete rendering of all Rules at the Regional/National Levels of the Competition.

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The 1996 Philip C. Jessup International Law Moot Court Competition**International Competition Timetable**

- 7 August 1995 Distribution of the Jessup Problem, 1996 Official Rules, International Registration Form, Jessup Competition Poster, and other relevant Competition materials.
- 27 October 1995 **DEADLINE** for Requests for Clarifications. Requests must be made in writing, and may be sent to the Jessup Administrative Office via mail or fax.
- 24 November 1995 Clarifications mailed to registered teams.
- Date of the National Competition; or date set by the National Administrator (e.g. 1 November for the U.S.); or 1 January 1996, 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 16 January 1996, 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.
- 23 February 1996 **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 for 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.
- 1 March 1996 **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.
- 23-24 March 1996 Early Registration at the Jessup Headquarters at the ANA Hotel in Washington, D.C.

- 24 March 1996 Registration -- 9:00 a.m. - 12:00 p.m.
Orientation and Exchange of Memorials for teams participating in the International Competition
-- beginning at 4:30 p.m.
- 25-27 March 1996 International Preliminary Rounds.
- 27 March 1996 Announcement of the Top Eight Teams advancing to the International Quarterfinal Rounds.
- 28 March 1996 International Quarterfinals; morning and afternoon.
ILSA Spring Congress (Jessup participants welcome).
Annual Meeting of the ASIL (Jessup participants welcome).
Jessup Formal - Presentation of International Preliminary Round Awards.
- 29 March 1996 International Semifinals.
ILSA Spring Congress (Jessup participants welcome).
ILSA Conference of International Law Journals (Jessup participants welcome).
Annual Meeting of the ASIL (Jessup participants welcome).
Jessup/ILSA Party! (informal)
- 30 March 1996 World Championship Jessup Cup Round; afternoon.
ILSA Congress; morning (Jessup participants welcome).
ILSA Ball (formal -- ILSA & Jessup participants).

OFFICIAL RULE 1.0**1.1 *Organization of the Competition***

The Philip C. Jessup International Law Moot Court Competition is co-sponsored annually by the International Law Students Association (ILSA) and the American Society of International Law (ASIL), for students enrolled in ILSA member schools and other invited international law and international law-related graduate degree programs from around the world.

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

The Competition consists of two levels of oral pleadings: Regional or National Rounds, 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 represent the final stage of the Competition and include the International Preliminary Rounds, Quarterfinal and Semifinal Rounds, and the World Championship Jessup Cup Round.

Each nation is permitted to enter one (1) team in the International Rounds of the Competition for every ten (10) teams participating at the National level, to a maximum of twelve (12) teams from any one 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 Executive Director in consultation with the various National Administrators, in conformity with the provisions of these Official Rules. Teams selected as National Representatives shall advance directly to the International Rounds of the Competition and shall jointly represent their respective Nations. In extenuating circumstances, the Executive Director 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.

1.2 *Selection of Regional/National Administrators*

Regional/National Administrators shall be approved by the Executive Director, upon consultation with representatives from each region or nation respectively. See Official Rules 5.0 *et seq.* and 6.0 *et seq.*

1.3 *Location of Regional/National Competitions*

The Regional/National Competitions shall be held at locations designated by the appointed Regional/National Administrators, in consultation with the Executive Director. See Official Rules 5.0 *et seq.* and 6.0 *et seq.*

1.4 *Location of International Rounds of the Competition*

The International Rounds of each year's Competition shall be held at a site determined by the Executive Director and ILSA Board of Directors. This year's competition shall be held 24-30 March 1996, at the ANA Hotel in Washington, D.C., in conjunction with the annual meeting of the ASIL.

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

The hypothetical case, and bench memorandum for competition judges, is drafted each year by international scholars and practitioners, and is based upon a timely subject of international law.

2.2 *Clarification Procedure*

Participants may submit written requests for clarifications of the 1996 Jessup Problem or Rules. Requests for clarifications of the Problem must be received by 27 October 1995. The Jessup Office will not acknowledge receipt of requests for clarifications unless a self-addressed stamped post card is included with the request.

2.3 *Distribution of Clarifications*

All clarifications to legitimate requests will be summarized, reproduced and mailed to all participating teams on 24 November 1995. It is the responsibility of each team to ensure that their copy of the clarifications are received and noted in preparation for the Competition.

OFFICIAL RULE 3.0

Participation and Eligibility

3.1 *Team Eligibility*

3.1.1 *Law Schools*

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

3.1.2 *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 Executive Director.

3.1.3 *Settlement of Past Competition Debts*

Teams which have outstanding payments for 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.

3.1.4 *Dual Representation by a Single University in National Competitions*

In extenuating circumstances, a National Administrator may petition the Executive Director, in writing, to allow dual representation from a single University in a Regional/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 independently of each other; and 3) each team independently fulfills the participation and registration requirements of Official Rule 4.0.

3.2 *Team Member Eligibility*

3.2.1 *Law Student Status*

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. 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 3.2.4 *et seq.*

3.2.2 *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 Executive Director 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 Executive Director; and 2) they otherwise meet the requirements of these Official Rules.

3.2.3 University Affiliation

Team members must be enrolled as students at only one institution during the academic year of the Competition, subject to the exceptions of Official Rule 3.2.4 *et seq.*

3.2.4 Special Circumstances

3.2.4.1 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 Executive Director, to participate in the Competition 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 Executive Director may review extended externships or apprenticeship programs beyond one year in length.

3.2.4.2 Participation by Joint Program Students

The Executive Director may, upon written request, allow the participation of teams composed of a visiting student studying in a joint program between schools or on a special one-semester program at a school fielding a Jessup team.

3.2.4.3 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 Executive Director, participate in the Competition if: 1) they entered the LL.M. or equivalent program within eight (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; and 3) they otherwise meet the requirements of these Official Rules.

3.2.4.4 Returning Students

Students who have enrolled full or part-time in a program of study leading to a U.S. Juris Doctor 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; and 2) they otherwise meet the requirements of the Official Rules of the Competition;

3.3 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 for visiting students in Official Rule 3.2.4.2. Team members may be chosen by any method approved by the responsible authority within the school, subject to these Official Rules and approved National Rules Supplements.

3.3.1 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. Intramural Competitions shall be conducted in accordance with

the provisions of these Official Rules. If Jessup Problems are used in the Intramural Competition, then past problems should be used in lieu of the present problem.

3.3.2 *Nationality Requirements*

National Administrators may not, without the written approval of the Executive Director, 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.

3.3.3 *Prohibition of Academic Screening*

All students at the school must be given an equal opportunity to try-out for the Jessup team, subject to approved National Rules Supplements. 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, a Jessup Team from any University, unless a student has an academic probationary status at the participating school.

3.4 *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 Executive Director to have received inappropriate outside assistance, i.e. use of non-team members as student researchers or plagiarism, shall be eliminated from the Competition.

3.4.1 *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.

3.4.2 *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. 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, i.e. commentary as to arguments to be pursued, issues to be raised, sub-arguments, and other such substantive matters.

3.4.3 *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, but such 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 interfere with the final work product being the exclusive work of the team members.

3.4.4 *Elimination for Use of Judges' Bench Memoranda*

Any team found to be using the current Bench Memorandum to prepare for the Jessup Competition shall be eliminated from the Competition. Teams encountering a Bench Memoranda should immediately return them, without examining the contents, to the relevant Regional/National Administrator or Executive Director.

3.4.5 Ethical Violations

All incidents or allegations of ethical violations shall be referred to the Executive Director. The Executive Director shall refer the evidence to an independent committee from Friends of the Jessup, whose recommendations shall be implemented by the Executive Director.

OFFICIAL RULE 4.0

Team Registration and Identification

4.1 Registration

Each team competing in the 1996 Jessup Competition shall submit a completed registration form. 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 send to the Executive Director their team members' names prior to 15 January 1996.

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 Registration Fees

All schools participating in the competition shall submit an International Registration Form, along with the appropriate fee, to the Jessup Office in Washington, D.C. U.S. schools shall register by 1 September 1995. All other schools shall register by 1 January 1996, unless otherwise provided under approved National Rules Supplements. In exceptional circumstances, schools may request in writing a waiver of the registration fee for extenuating circumstances.

4.3 Team Number as Identification

Each team shall be assigned, upon receipt of registration fee and registration form, an official team number selected at random by the Executive Director for use at all levels of the Competition. Teams shall use their team numbers for identification purposes in all instances to ensure anonymity in Competition judging. *See* Official Rules 4.3.1 and 9.9.

4.3.1 Team Number as Identification on Memorials

Each Memorial must carry the official Jessup Team Number, as directly issued by the Executive Director. 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, for team number 000, the identification of 000 A or 000 R would appear at the upper right hand corner of the outside front cover of the APPLICANT or RESPONDENT Memorials respectively.).

No names of participants, Nations or schools may appear anywhere on or within the memorials. Signature pages are prohibited.

4.4 Team Responsibilities

Notice to one designated team representative, i.e. the team captain, coach, or Faculty Advisor shall constitute notice to all team members. Each team representative shall be conscientious in checking the law school mails regularly and shall become thoroughly familiar with the Official Rules and Procedures of the Competition, applicable National Rules, the Jessup Problem, and any Problem Clarifications which shall be issued.

OFFICIAL RULE 5.0**National Administration****5.1 Representation**

Any nation in the world may organize a National Competition, the winners of which would advance to the International Rounds.

5.1.2 Special Jurisdictions

At the discretion of the Executive Director, 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 such special jurisdictions.

5.2 National Administrator

If more than one (1) team in any nation registers for the Competition, a National Administrator shall be appointed pursuant to Official Rule 1.1 to hold Regional/National Competitions to determine which team(s) shall represent the nation as National representative(s) at the International Rounds. National Competitions shall utilize the current Jessup Problem and be governed by the Official Rules.

The National Administrator shall be a student, faculty member, or lawyer or interested party upon approval of the Executive Director. In the event the National Administrator is a student, a designated Faculty Advisor must be appointed to oversee the work of the student and to be available to provide assistance at all stages of the organization and administration of the National Competition. All powers conferred by these Official Rules involving eligibility, Competition scoring, and rules interpretation shall be designated equally to the Faculty Advisor.

5.2.1 Responsibilities

The National Administrator shall act as the Executive Director'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: 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 Executive Director; 6) briefing judges prior to the start of Rounds on Competition procedures and judge responsibilities; 7) monitoring pleading options and the exchange of memorials between competing teams; 8) planning and administering the National Competition in accordance with the provisions outlined in these Official Rules; and 9) otherwise upholding his or her fiduciary duties to the Competition.

5.2.2 Powers

The National Administrator is authorized to act as the Executive Director'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 existing Rules and specific National Rules Supplements, i.e. eligibility and procedural requirements, for approval by the Executive Director; 3) implementing and interpreting approved National Rules Supplements; 4) selecting 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; 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 Regional/National Competitions; and 8) such other powers as are necessary for the efficient functioning of the Competition.

5.2.3 National Administrator Disqualifications

A National Administrator may not serve as coach, or in any other way assist a team registered in the National Competition.

OFFICIAL RULE 6.0

Regional Administration

6.1 Representation

Where a nation may be represented by more than one team at the International Competition under Official Rule 1.0, the National Representatives may be selected by Regional Competitions. Each Regional Competition shall be subject to all registration requirements. *See* Official Rules 3.0 and 4.0 *et seq.* Such Competitions shall utilize the current Jessup Competition Problem and Official Rules.

6.2 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.

The Regional Administrator shall be a student or faculty member, lawyer or other interested party. 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 to provide assistance at all stages of administration of the Regional Competition. All powers conferred by these Official Rules shall be designated equally to the Faculty Advisor, unless otherwise provided by approved National Rules Supplements.

6.2.1 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 pleading options the exchange of memorials between competing teams; 7) planning and administering the Regional Competition in accordance with the provisions outlined in these Official Rules, and approved National Rules Supplements; and 8) otherwise upholding his or her fiduciary duties to the Competition.

6.2.2 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 for the functioning of the Competition as approved by the National Administrator.

6.2.3 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 Executive Director may waive this rule if in the spirit of these Official Rules and the best interests of the Competition.

OFFICIAL RULE 7.0

Judges (Regional, National and International Rounds)

7.1 Three Judge Panels

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, although all Competition judges should have a minimal working knowledge of international law and at least one judge on each panel should have international law-related experience.

Students shall not serve as judges, except LL.M. and other post-graduate degree candidates not affiliated with any team participating in the Competition.

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 at the International Rounds when the advisor, coach or other affiliated person's own school is not participating or 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 acting as judges shall not disclose the contents of the Judge's Memorandum or other oralists' arguments to any Competition participant.

7.3 Judges Affiliated With Teams

No judge should 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, acquaintance or other role which would create an appearance of impropriety (merely being an alumnus does not constitute a violation), except in situations disclosed and approved by the Executive Director.

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. If a judge must view a team twice, the Administrator shall strive to ensure that the judge views the opposite side of the team's argument in each Round. 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 names of judges who know team members or with whom team members have a relationship beyond the scope of the Competition (Note: Mere recognition of a judge is insufficient grounds for elimination from the panel; the judge must be able to recognize a competitor and to connect that competitor with a particular school.). It is the responsibility of the team members aware of a conflict to bring the conflict to the attention of the bailiff and/or Competition Administrator prior to the beginning of the round. Conflicts not raised before the rounds begin shall be waived.

7.6 *Bench Memorandum*

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

7.6.1 *Distribution of Bench Memorandum*

The Bench Memorandum shall not be released prior to the date on which memorials must be submitted by teams pursuant to Official Rule 8.5, and approved National Rules Supplements.

7.6.2 *Confidentiality of Bench Memorandum*

Contents of the Bench Memorandum shall be held strictly confidential by all Judges and Administrators. In no instance shall any portion of the Bench Memorandum be provided, directly or indirectly, to a team participating in the Competition. Teams discovered using the Bench Memorandum shall be disqualified.

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 the teams' Raw Scores, nor shall they provide any substantive feedback that would reveal their individual determinations or contents of the Bench Memorandum.

7.8 *Disqualification of Regional/National Administrators From Judging*

In no case shall a Regional/National Administrator act as a judge in actual or exhibition Rounds of the Competition for which the Administrator is responsible, or in any other way assist a registered team in the Competition, unless approved by the Executive Director.

OFFICIAL RULE 8.0

Memorials

8.1 *Submission of Memorials*

Each team participating in the Competition shall prepare an APPLICANT and a RESPONDENT memorial, and provide the Executive Director with one (1) copy of each memorial, identical to those sent to the Regional/National Administrator for the Regional/National Competitions. These memorials must be mailed on the same date as those mailed for the Regional/National Competitions or the date noted on the International Competition Timetable, whichever is earlier.

Teams which fail to mail memorials on time will be penalized. Submission of memorials shall be by AIR MAIL from teams outside North America and by CERTIFIED OR REGISTERED MAIL from teams in the United States or Canada. The Executive Director may, upon written request from a Regional/National Administrator, waive this provision in extenuating circumstances if he or she determines it does not violate the spirit of these Official Rules. Once submitted to the Executive Director, memorials may not be altered in any way, except in accordance with Official Rules 8.5 or 8.7.

8.1.1 *Memorials for Regional/National Competitions*

Memorials for Regional/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 to the International Competition.

8.1.2 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 Executive Director for use by judges and opposing teams in the International Rounds. 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 selected for publication.

The deadline for submission of memorials for the International Rounds of the Competition shall be 23 February 1996. Mailing of memorials must be done by AIR MAIL, for teams outside the United States or Canada, and CERTIFIED or REGISTERED MAIL if in the United States or Canada.

8.1.3 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 15.2.2. 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 Executive Director.

8.2 Format of Memorials

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

8.2.1 Length

The body of the Memorial shall be no more than twenty-five (25) pages in length. The Body of each individual memorial consists of legal pleadings, conclusion, annexes, appendices and footnotes. See Official Rule 13.3.1.4.

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 *et seq.*

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. Quotes of more than fifty (50) words may be single-spaced. All portions of the memorial other than the twenty-five (25) page Body may be single-spaced. See Official Rules 13.3.1.11 and 13.3.1.12.

8.2.3 Lines per Page

There shall be a maximum number of twenty-seven (27) double-spaced lines per page permitted in the body of the memorial. Footnotes and headings are included in the 27-line maximum. However, two or more single-spaced lines per footnote or heading shall count as one-half of a line each, i.e. three (3) lines in a single footnote shall equal one and one-half (1.5) lines, but one (1) line in a single footnote shall equal (1) line. Each page of the body of the memorial with more than twenty-seven (27) lines shall be penalized. See Official Rule 13.3.1.13.

8.2.4 Type Size and Style

Any type style (or type face) is permissible, except no type size smaller than 12 characters per inch shall be permitted at any time. Every type style 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 should be increased. Each team must ensure that the type-size chosen and the number of lines entered per page satisfy the requirements of this Official Rule. See Official Rule 13.3.1.14.

Judges may take appearance of the memorial into consideration when evaluating the written effort. However, they are instructed *not* to include the choice of type-face in the written pleadings as part of this consideration. The provisions of this rule apply equally to footnotes and endnotes.

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 or examples. A footnote or endnote may only support material that is already stated and analyzed in the body of the memorial.

8.2.6 Margins

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

8.2.7 Form

Memorials must be typed. 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.

8.2.8.1 Team Number as Identification on Memorial Cover

Each Memorial must carry the official Jessup Team Number, as directly issued by the Executive Director. 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, for team number 000, the identification of 000 A or 000 R would appear at the upper right hand corner of the outside front cover of the APPLICANT or RESPONDENT Memorials respectively.).

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 pleadings proper of the body of the memorial shall not be included in the Constituent Parts of the memorial, *see* Official Rule 8.3. Memorials found to introduce in the Constituent Parts arguments or materials not included within the pleadings proper of the body of the memorial shall be penalized.

8.5 Translation Guidelines

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

8.5.1 Submission of Document in Original Language

All teams preparing memorials for Regional/National Competitions in languages other than English must supply the Executive Director with a copy of the original memorial. Teams advancing to the International Competition must provide translated copies (English) of the memorials. 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.

8.6 Equipment Failure

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

8.7 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, the Executive Director 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.

8.8 Use of Opposing Team's Memorials

No team shall be allowed to view or otherwise become privy to any memorial other than the respective APPLICANT and RESPONDENT memorials used by opposing teams in the course of National/Regional and International Rounds until the conclusion of the World Championship Jessup Cup Round.

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 shall be allotted forty-five (45) minutes. The forty-five (45) minute allotment of time shall include the pleadings of both oralists from one team and rebuttal or surrebuttal.

No single oralist shall plead more than twenty-five (25) minutes, including 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 one 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. In extenuating circumstances the Executive Director 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 *et seq.*

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. Exceptions to this rule shall be permitted only in extenuating circumstances.

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 shall be one of the five (5) team members. The person acting as of-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 (Applicant 1 or 2) --> Surrebuttal (Respondent 1 or 2).

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 shall 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 during 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 may penalize participants for failure to keep within these limitations.

9.4 Ex Parte Procedure

In extreme circumstances, when one team fails to appear for a scheduled Round, the Competition Administrator, after waiting thirty (30) minutes, may allow the Round to proceed *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 appear for the scheduled Round shall forfeit all six (6) of the Round's oral pleading Round Points.

The Administrator may schedule 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 shall be in writing to prevent disruption.

9.5.3 Written Courtroom Communication

No written communication may take place between the oralist, 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. 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.

9.5.5 Exhibits

The use of exhibits is prohibited 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 any one time.

9.6.2 Non-Affiliated Persons

Non-affiliated persons, 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 risk disclosing their team's 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 coaches. See Official Rule 13.4.2.4.

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, except by consent of both teams. Violation of this Rule shall be considered *scouting*. *Scouting* is the observation of competitors or receipt of information regarding competitors' arguments from anyone 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/National Competitions

National Administrators may formulate 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 by the Executive Director.

9.7.2 International Competition

Teams wishing 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 wishing to use interpreters shall inform the Executive Director no later than two (2) weeks prior to the start of the International Preliminary Rounds. Such teams may request permission from the Executive Director 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. 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 is permitted, except in the World Championship Jessup Cup Round, without the advance permission of the two (2) participating teams and either: 1) the Regional/National Administrator at their respective competition; or 2) the Executive Director 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 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 and side of the dispute they represent only. However, 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

Regional/National Pairing Procedures

10.1 Preliminary Rounds

Regional/National Competitions shall consist of four (4) Rounds of preliminary oral pleadings. Each team competing in a Regional/National Competition shall plead twice as APPLICANT and twice as RESPONDENT, pursuant to these Official Rules and approved National Rules Supplements.

Teams shall, to the degree possible, face any opposing team only once in the Preliminary Rounds of a Regional/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.

10.1.1 Oralists' Round Designations

Oralists who will argue 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. Oralists failing to designate two (2) rounds will be judged on the first two (2) rounds in which they argue.

10.1.2 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 Regional/National Administrator shall be final, except as may be modified by the Regional/National Administrator to account for teams which do not appear at the start of the Competition.

The Administrator shall have the power in such circumstances to adapt the pairings. 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.

10.2 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 shall advance to the Semifinal Rounds.

10.3 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 shall advance to the Championship Round.

10.4 Championship Rounds

Championship Rounds shall be conducted pursuant to the procedures outlined in Official Rule 10.5 and 11.5 *et seq.*

10.4.1 Sudden Death Rounds

If only two (2) teams are competing in a Regional or National Competition, both teams may agree in advance to hold Sudden Death Elimination Rounds. In such Rounds, each team argues only once as APPLICANT and once as RESPONDENT (for a total of 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 Executive Director.

10.5 Pleading Options in the Regional/National Competition

The pleading options in the Quarterfinal and Semifinal 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.

The pleading option for the Championship Round shall be determined by a coin toss, the highest ranking team from the Preliminary Rounds having the right to call the toss. The Regional/National Administrator shall appoint the party to toss the coin.

10.5.1 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, for the Quarterfinal and Semifinal Rounds only, 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. *See* Official Rule 10.5.2.

If the Administrator has had to employ an Automatic Pleading Designation under Official Rule 10.5.2, he or she shall notify each team of the side it shall argue in the next Round. Both teams shall then be granted a reasonable time to prepare for the next Round.

10.5.2 Automatic Pleading Designation

Should both teams fail to exercise the pleading option, or a tie cannot be broken under the provisions of Official Rule 12.4.1.5, the Regional/National Administrator shall determine the pleading option by a toss of a coin. The Competition Administrator shall call the toss.

10.5.3 Exchange of Memorials

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

OFFICIAL RULE 11.0

International Pairing Procedures

11.1 Representation

The International Rounds of the Competition shall be comprised of all teams who have earned the title of National or Regional Champion.

11.2 Preliminary Rounds

The International Rounds shall consist of four (4) Rounds of preliminary oral pleadings. Each team shall plead twice as APPLICANT and twice as RESPONDENT. The Preliminary Rounds shall be scheduled over a period of three days. Every effort shall be made by the Executive Director 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.

11.2.1 Pairings for the Preliminary Rounds

The pairing of teams for the International Rounds of the Competition shall be done, in the first instance, by 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 except United States representative teams 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 Executive Director 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 Executive Director shall be final, except as may be modified by the Executive Director to account for teams which do not appear at the start of the International Rounds of the Competition. The Executive Director shall have the power in such circumstances to adapt the pairings.

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.

11.2.2 Religious Scheduling Conflicts

The Executive Director 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.

11.2.3 Oralist Round Designations

Oralists who will argue 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. Oralists failing to designate two (2) rounds will be judged on the first two (2) rounds in which they argue.

11.3 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 11.3.1 *et seq.* The four (4) highest-ranked teams from the Preliminary Rounds will advance to the International Semifinal Rounds.

11.3.1 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.

11.3.1.1 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) or more teams from the same nation qualify for positions in the top eight (8) highest-ranked teams from the Preliminary Rounds, the two (2) highest ranked teams only shall advance and be paired-off in the Quarterfinal Rounds to determine the sole National Representative to the Semifinal Rounds.

11.3.1.2 Previous Meeting Qualification

If the initial pairing of the International Quarterfinal Rounds matches two (2) teams which have previously faced each other in the Preliminary Rounds, the Executive Director shall adapt, in an equitable manner, the pairings so that such match is avoided. If no suitable re-pairing can be achieved, the Executive Director shall use the original pairings and disregard this qualification.

11.3.1.3 International Quarterfinal Rounds Pleading Options

The pleading option in the International Quarterfinal Rounds shall be determined by coin toss. The Executive Director shall appoint a party to toss the coin and the highest-ranked team shall call the toss. This provision applies only to the International Quarterfinal Rounds and not to Regional/National Competitions. *See* Official Rule 10.5 *et seq.*

11.4 International Semifinal Rounds

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

11.4.1 *Pairings for the International Semifinals*

The pairings for the International Semifinals shall be determined by rank from the preliminary rounds, in the same pattern as the pairings for the International Quarterfinal Rounds. *See* Official Rule 11.3.1. The pleading option shall be accordance with Official Rule 11.4.1.2.

11.4.1.1 *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.

11.4.1.2 *International Semifinal Rounds Pleading Options*

The pleading option in the International Semifinal Rounds shall be determined by coin toss. The Executive Director shall appoint the party to toss the coin and shall call the toss. This provision applies only to the International Semifinal Rounds and not to Regional/National Competitions. *See* Official Rule 10.5 *et seq.*

11.5 *World Championship Jessup Cup Round*

The pleading option for the World Championship Jessup Cup Round shall be determined by a coin toss. The Executive Director shall appoint the party to toss the coin and shall call the toss.

11.6 *Pleading Options in the International Rounds of the Competition*

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.

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, for the Quarterfinal Round only, 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.

11.6.1 *Automatic Pleading Designation*

Should both teams fail to exercise the pleading option, the Executive Director shall determine the pleading option by a toss of a coin. The Competition Administrator shall call the toss.

11.6.2 *Exchange of Memorials*

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

OFFICIAL RULE 12.0

Competition Scoring

12.1 *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.

12.1.1 Memorial Scoring

Each team memorial shall be submitted to a panel of three (3) 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 to be given by a single judge.

12.1.1.1 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/National Competitions.

12.1.1.2 Team Identity in International Competition

The identity of a team 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 affected by knowledge of whether or not the native language of the team is English. In such instances, the Executive Director may reveal 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.

12.1.2 Oral Scoring

Each oral argument will be scored by a panel of three (3) judges. Each judge shall score each oralist on a scale of fifty (50) to one hundred (100) points, one hundred (100) points being the highest possible score to be given by a single judge per oralist.

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.

12.2 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 calculation of scores shall be subject to the deduction of Penalty Points under the provisions of Official Rule 13.0 *et seq.*

12.2.1 Raw Scores

12.2.1.1 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 respective Round.

12.2.1.2 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 for each team shall be combined to determine the Total Oral Raw Score for the team for the Round.

12.2.1.3 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.

12.2.2 Round Points

12.2.2.1 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 given by a memorial judge for each team will be compared against the highest score given 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 may be awarded to memorials in each Round. One (1) Point per judge shall be awarded to the team scoring higher than its opponent. If a judge rates the teams equally, the point from that judge shall be split, each team receiving one-half (.5) of a Judge's Point.

12.2.2.2 Oral Round Points

The individual scores given to each oralist on a team shall be combined and compared to the total scores of 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, each team receiving one (1) Judge's Point.

12.2.2.3 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.

12.3 Two (2) Judge Panels

In exceptional instances, a two (2) judge panel for the scoring of memorials or oral arguments is permissible. A one (1) judge panel is never permissible. When a two (2) judge panel is used, the following adaptations shall be made to the scoring process:

12.3.1 Memorial Scoring for Two (2) Judge Panels

Memorials scored by two (2) judge panels shall have a third hypothetical score added to their total. This hypothetical score shall be determined by averaging the scores of the other two (2) judges. The hypothetical score shall be recorded as the third judge's score, and will be figured as the middle score for purposes of calculating Memorial Round Points.

12.3.2 Oral Pleading Scoring for Two (2) Judge Panels

If a two (2) judge panel is utilized to score oral pleadings, the Round Points available from each judge shall be three (3) points instead of two (2). Teams winning the most points from a single judge shall receive three (3) Round Points. In cases of tied scores, each team shall receive one and one-half (1.5) of a Round Point.

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.

12.4 Determination of Winners of the Competition

12.4.1 Scoring Procedure for Preliminary Rounds

12.4.1.1 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 per round. 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.

12.4.1.2 *Win-loss Record*

The overall win-loss record for the Preliminary Rounds shall govern team rankings. A team with a win-loss record of 4-0 (4 wins, 0 losses) will 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.

12.4.1.3 *Total Competition Raw Score*

If two (2) teams are tied after comparing win-loss records, the team having the highest Total Competition Raw Score from the Preliminary Rounds of the Competition shall be ranked higher. Total Competition Raw Scores are calculated by adding the Total Raw Scores from the team's four (4) Rounds. There are thirty-six hundred (3,600) possible raw score points.

After win-loss, the Total Competition Raw Score will determine overall ranking from the Preliminary Rounds of the Competition, regardless of whether two (2) teams tied with the same win-loss record faced each other during the Preliminary Rounds or the team with the higher raw score was not the winner of the Round where the two (2) teams faced each other.

12.4.1.4 *Total Competition Round Points*

If two (2) or more teams remain tied after comparing win-loss records and Total Competition Raw Score, the team with the highest Total Competition Round Points for the preliminary Rounds shall be ranked first. There are thirty-six (36) possible Round Points from 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.

Round Points in any one (1) Round of the Preliminary Rounds will govern for purposes of determining the winner of that individual Round, and hence the win-loss record.

12.4.1.5 *Tie-Breaking Procedure*

If teams are still tied after the comparison of win/loss records, Total Raw Score, and Total Round Points, 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/National Competition and none of the methods described herein settles the tie, the Administrator shall attempt to immediately contact the Executive Director to determine the proper method for establishing official rankings. If the Executive Director can not be contacted on short notice, the Regional/National Administrator may proceed at their discretion, taking into consideration the interests of the teams and the Competition as a whole. The Administrator's decision may only be overturned by the Executive Director on grounds of clearly erroneous error.

12.5 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.

12.5.1 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 majority decision of the judges on the panel. No ties are allowed.

The judges may take necessary leave to deliberate.

12.5.2 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.

12.5.3 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.

Judges may not engage in any commentary which may reveal the content of the Bench Memorandum. Judges may not announce the winner of the round unless instructed by the Administrator.

12.6 Ranking of Teams

12.6.1 Regional and National Competitions

At the end of the Preliminary Rounds at a Regional/National Competition, teams shall be ranked according to overall Competition performance. In Regional/National Competitions, the two (2) highest-ranked teams, or the four (4) highest-ranked teams if a Semifinal Round is required, shall advance to the Final Rounds of the Regional/National Competition. Pairings shall be accordance with Official Rule 10.0 *et seq.* The Regional/National Champion shall be the winner from the Championship Round, the second place team shall be the runner-up.

12.6.2 International Competition

In the International Rounds of the Competition, the same system of ranking teams as the Regional/National Competition shall be used. The Top Eight teams, as determined by team rank and the provisions of Official Rules 12.4 *et seq.*, shall advance to the International Quarterfinal Rounds. Pairings shall be in accordance with Official Rule 11.0 *et seq.*

12.7 Ranking of Oralists

Total Scores for each oralist in the Competition shall be determined by adding the six (6) judges' scores from two (2) Preliminary Rounds. The total score 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. Individual oralists shall be ranked from the highest Total Individual Oral Score to the lowest. Ties are permitted in the ranking of oralists. If an oralist argued only one (1) Round, no ranking is necessary.

Scores shall include penalty deductions per the provisions of Official Rule 13.0 *et seq.*

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

Scores shall include penalty deductions per the provisions of Official Rule 13.0 *et seq.*

12.9 Reporting of Results

The 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 individual memorial judges' scoresheets and penalty descriptions, if any, with attendant comments, if any;
- (b) a copy of 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, Overall Raw Scores, and Overall Round Points reflected.
- (d) a copy of the Oralist Rankings from 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 advanced to the Championship Round.

The Administrator has the discretion to limit publication of rankings to a select number of places, i.e. top ten, but shall make all rankings available upon request.

OFFICIAL RULE 13.0

Penalties

13.1 General Procedure

The following is an exclusive list of Penalties which may be imposed upon teams in the International Competition. Regional/National Administrators may model approved National Rules Supplements after the International procedure. Penalties imposed for violations of Regional/National Rules will be imposed only in those respective Competitions and will not carry over to the International Rounds of the Competition.

13.2 Types of Penalties

The power of the Competition Administrator to assess Penalties is divided into two (2) categories: Non-discretionary, *see* Official Rule 13.3 *et seq.*, and Discretionary, *see* Official Rule 13.4 *et seq.*

Non-discretionary and Discretionary Penalties shall be applied against a team in one of two manners, as a Generic or Specific Penalty.

13.2.1 Generic Penalty

Generic Penalties are a general violation, and shall apply against a team in all of its rounds, i.e. mailing a memorial late to the Administrator.

13.2.2 Specific Penalty

A Specific Penalty is a specific violation, and shall apply against a team in only a specific round, i.e. mailing a memorial late to one particular team or being penalized for unsportsmanlike conduct against one particular team.

13.3 Non-Discretionary Penalties

For the following violations of the Official Rules, the Competition Administrator 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.

13.3.1 Non-Discretionary Memorial Penalties

The following penalties may be imposed only by the Competition Administrator and shall be deducted from *each* of the individual judges' scores on a team's memorial. In the event that a memorial is scored by only two (2) judges under the provisions of Official Rule 12.3 *et seq.*, the penalties shall be deducted from each of the two (2) judge's scores prior to calculating the hypothetical third score.

The Competition Administrator shall notify all affected teams of imposed penalties prior to the first Round of the Preliminary Competition. In instances where only one memorial is in violation of the Rule, memorial penalties may be deducted from the scores of the offending memorial only.

13.3.1.1 Tardiness in Mailing Memorials

Memorials postmarked after the deadline for Regional/National Competitions, or as noted on the International Competition Timetable shall be penalized fifteen (15) points, unless waived by the Executive Director.

13.3.1.2 Extreme Tardiness in Mailing Memorials

Memorials shall be penalized three (3) points per day, in addition to the initial fifteen (15) points penalty for tardiness under Official Rule 13.3.1.1, up to an additional five (5) days, unless waived by the Executive Director.

13.3.1.3 Unacceptable Tardiness in Submitting Any Memorial

Memorials for either the APPLICANT or RESPONDENT not postmarked within six (6) days of the Regional/National deadline, or as noted on the International Competition Timetable, shall be eliminated from the Competition.

If the Executive Director determines that a team's remaining in the Competition would not prejudice the best interests of the Competition, the team may be assigned a score of fifty (50) on the offending memorial(s) and allowed to participate. The score of fifty (50) shall supersede any other judge's memorial scores or penalties.

Regional/National Administrators may also impose a penalty in instances when a team fails to correct an improper memorial mailing to an opposing team within a reasonable period of time.

13.3.1.4 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 fifteen (15) points per page exceeding the memorial page limit.

13.3.1.5 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.

13.3.1.6 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 three (3) points for each memorial.

13.3.1.7 Displaying Names of Team Members on Memorials

Teams which print or otherwise display the names of team members in their memorial (i.e. on the front cover, a signature page, or in the Body or other parts) shall be penalized five (5) points on the offending memorial. Competition Administrators shall strike all references from the memorials prior to submitting the memorials to judges.

13.3.1.8 Inclusion of School Name

Teams which include the name of their school, nation or team, per Official Rule 8.3 *et seq.*, anywhere in memorial, will be penalized fifteen (15) points per offending memorial. Competition Administrators shall strike all such references from the memorials prior to submitting them to judges.

13.3.1.9 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 8.3.1 shall be penalized five (5) points per 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.

13.3.1.10 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 8.3.1 will be penalized three (2) points per offending memorial.

13.3.1.11 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 three (3) points per offending page, to a maximum of fifteen (15) points.

13.3.1.12 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 two (2) points for every page on which the violation occurs, to a maximum of ten (10) points.

13.3.1.13 Improper Number of Lines Per Page

Memorials containing pages in the Body of the memorial exceeding twenty-seven (27) double-spaced lines per page, pursuant to the provisions of Official Rule 8.2.3, shall be penalized one (1) point per offending line to a maximum of fifteen (15) points. For this rule, the Administrator has the discretion to exercise the *de minimus* exception of Official Rule 14.0 *et seq.*

13.3.1.14 Improper Type Size

Teams which violate Official Rule 8.2.4 (type size for memorials) shall be penalized three (3) points per page for each page on which the violation occurs, to a maximum of fifteen (15) points. For this rule, the Administrator has the discretion to exercise the *de minimus* exception of Official Rule 14.0 *et seq.*

13.3.1.15 Margins

Teams which violate the provisions of Official Rule 8.2.6 regarding the margins for memorials shall be subject to a two (2) point penalty per violating page, to a maximum of ten (10) points. For this rule, the Administrator has the discretion to exercise the *de minimus* exception of Official Rule 14.0 *et seq.*

13.3.1.16 Binding

Teams which violate the provisions of Official Rule 8.3.2 regarding the proper binding of team memorials will be subject to a five (5) point penalty per offending memorial.

13.3.2 Non-discretionary Oral Pleading Penalties

The following penalties, when imposed, shall be deducted from team Oral Raw Scores as noted for each violation. Penalties shall be deducted for each violation.

13.3.2.1 Procedure

These penalties may be imposed only by the Competition Administrator. If a team believes that 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.

13.3.2.2 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 the Administrator confirms the occurrence of an event subject to imposition of non-discretionary penalties, the penalty may be applied. In instances where the judges cannot confirm the occurrence, or the judges have provided only written commentary on the occurrence, the Administrator shall consult with the affected teams and courtroom bailiff prior to imposing the penalty.

13.3.2.3 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. The team should be notified of the penalty and the effects on the team prior to their next scheduled Round on the same side of the dispute.

13.3.2.4 Deduction of Penalties by Judges Prohibited

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

13.3.2.5 Consultation with Bailiffs

The judges or Administrator may consult with the courtroom bailiff, if necessary, to verify or otherwise confirm a penalty. The bailiff shall inform the Administrator of the alleged violation. The Administrator shall consult with the judges in investigating the alleged violation. If the Administrator can not be located, the bailiff shall assist the judges to summarize the complaint and their impressions briefly on paper for the benefit of the Administrator. 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.

13.3.3 Activity Subject to Non-Discretionary Penalties

13.3.3.1 Communication Between Counsel Table and Spectators

Teams which violate the provisions of Official Rule 9.5 *et seq.* (communication between team members at the counsel table and any other person other than judges in the courtroom during the oral pleadings) shall be penalized a total of thirty (30) points. Ten (10) 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 fifteen (15) points deducted from each judge's total team score. The score is not deducted from the third hypothetical score.

13.3.3.2 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.

13.3.3.3 Scouting

Teams which violate the scouting provisions of Official Rule 9.6.4 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 unapproved scouting 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.

13.3.3.4 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 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.

13.4 *Discretionary Penalties*

13.4.1 *General Violations*

The Competition Administrator may assess from three (3) to fifteen (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.

13.4.1.1 *Initiation and Imposition of Discretionary Penalties*

Discretionary penalties shall be initiated and imposed only by the Competition Administrator. Teams are limited to bringing potential violations to the attention of the Administrator in writing.

13.4.1.2 *Calculation of Discretionary Penalties*

Discretionary penalty determinations shall be made prior to calculating the individual judge's oral scores or memorial scores for Round calculations under the provisions of Official Rule 12.2, 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 12.3, the penalties shall be deducted from each of the two judges' scores prior to calculating the teams' oral or memorial scores for the Round.

13.4.1.3 *Special Consideration for Oral Rounds*

Only judges, or bailiffs, shall be empowered to bring potential violations from the 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 proceeding outside the courtroom where judges or bailiffs 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 timely written notification of potential violations to the Administrator.

13.4.2 *Activity Subject to Discretionary Penalties*

13.4.2.1 *Unsportsmanlike Behavior on the Part of Team Members*

The Administrator may, at his or her own motion or after consultation with judges, impose up to a fifteen (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;
- (c) inappropriate behavior at the counsel table during the Oral Rounds;
- (d) inappropriate discussion with oral pleading judges before their submission of scores at the end of a Round;
- (e) blatant disregard for the procedures or requirements outlined in the Official Rules of the Competition.

A penalty for unsportsmanlike conduct in the court room must be witnessed by at least the bailiff or one judge in the court room. In all cases, the Administrator shall hear from both teams, the accuser and the accused, and consult with the bailiff, judges, and Executive Director before making a final determination.

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.

13.4.2.2 *Unsportsmanlike Behavior on the Part of Affiliated Persons*

The Administrator may, at his or her own motion or after consultation with judges, impose up to a fifteen (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 of a team's spectator(s) 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.

13.4.2.3 *Penalties for Unsportsmanlike Behavior*

Penalties for unsportsmanlike conduct shall be imposed against individual judges' scores of *both* oralists appearing in the Round. Penalties for unsportsmanlike behavior arising from violations of memorial format or mailing will be imposed against individual judges' scores of *both* memorials of the team.

Penalties for unsportsmanlike conduct outside of the round shall be in Administrator's discretion.

13.4.2.4 *Activity of Affiliated Persons*

In exceptional circumstances, the Administrator has the discretion to impose from three (3) to fifteen (15) point penalties when a coach, advisor or other person affiliated with the team has disclosed his or her team's identity to one or more judges before whom their team shall compete.

For coaches or advisors who fear being possibly recognized by judges, concerns may be alleviated in almost every circumstance by avoiding talking to, sitting near or directly behind either team, and not communicating with either team in the presence of the judges.

13.5 *Notice to Teams*

The Administrator shall notify teams of the imposition of such penalties at the earliest possible moment.

13.6 *Appeals*

Any penalized team shall be granted an opportunity to reply to complaints by opposing teams or penalties assessed by the Administrator prior to a final ruling. The Competition Administrator may protect the anonymity of a complaining team.

Appeals of a penalty assessment or Rules interpretation of the Administrator shall be provided to the Administrator in writing within one (1) hour of notice of the penalty, and to the Executive Director within twenty-four (24) hours of the conclusion of the Regional/National Competition.

The Executive Director's decision on all penalties is final.

13.7 *Minimum Scores*

The minimum score any team may receive for either Oral or Memorials Scores, in any Round, is fifty (50) points. No further reduction may be made to scores after the minimum score is reached, regardless of unallocated penalty points remaining.

OFFICIAL RULE 14.0**Interpretation of Rules****14.1 General**

Any questions concerning the interpretation of these Rules during the Regional/National Competitions, or involving specific National Supplemental Rules, must be submitted to the Regional/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 Executive Director.

Bailiffs, administrative assistants and judges are not authorized to interpret these rules, but may witness alleged violations of these Official Rules.

14.2 De Minimus Rule

When the impact of an alleged violation of these Official Rules is so insignificant as to be determined by the Administrator to be *de minimus*, he or she may modify or waive an assessed Penalty. Any *de minimus* exception shall be applied evenly to all teams. Exercise of this rule shall be done fairly and in a manner not to violate the spirit of these Official Rules or the best interests of the Competition.

14.3 Power to Promulgate Additional Measures

The Executive Director, 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. Administrators may, in consultation with and upon approval of the Executive Director, promulgate such other measures as may be deemed advisable for the orderly conduct of the Regional/National Competition. Modifications shall not violate the spirit of these Official Rules or the best interests of the Competition.

OFFICIAL RULE 15.0**Awards****15.1 General**

The National Administrator shall determine awards pursuant to guidelines contained herein:

15.2 Memorial Awards

All award-winning memorials in the Jessup Competition become the property of the International Law Students Association, and shall not be republished without its express consent.

15.2.1 Regional and National Competitions

The winner of the Best Memorial Award in Regional/National Competitions shall be based upon the highest Memorial Score, as tabulated under the provisions of Official Rule 12.8. 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.

15.2.2 International Competition

15.2.2.1 The Alona E. Evans Award

The Alona E. Evans Award is presented yearly to the five (5) Best Team Memorials in the Preliminary Rounds of the International Competition.

15.2.2.2 The Hardy C. Dillard Award

Every team receiving a Best Memorial Award in Regional/National Competition shall be invited to submit its APPLICANT and RESPONDENT memorials to the Hardy C. Dillard Award Competition. Memorials must be timely submitted and received by the Executive Director 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.

Each team eligible for the award shall send five (5) copies of its APPLICANT and RESPONDENT memorials by the date noted in the Official Timeline. 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 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 from among the world's Regional/National Competitions for the Competition year.

15.2.2.3 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 the ten (10) sets of memorials. If a memorial is entered twice as one of the top five (5) memorials in the Dillard and Evans Competitions, the memorial from the Hardy C. Dillard Award Competition shall be eliminated and the next highest-ranking 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 Baxter 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 in the corresponding year's issue of the *ILSA Journal of International & Comparative Law*.

15.2.2.4 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 shall be declared the U.S. National Champion and shall receive the Brunson MacChesney Award.

15.2.2.5 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.

15.3 Oralist Awards in Regional National and International Competitions

15.3.1 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 12.7. The highest possible score is 600. The oralist with the highest point total is the winner.

15.3.2 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 majority vote of the judges. The judges' decision shall be announced at the end of the Championship Round.

15.3.3 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.

15.3.4 Sudden Death Rounds

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

15.4 Team Awards

15.4.1 Regional and National Competitions

15.4.1.1 Regional and National Runners-up

Regional/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/National Champion is unable to attend the International Semifinals, the Executive Director, at his or her discretion, may recognize the Regional/National Runner-up as the legitimate representative of that Region or Nation.

15.4.1.2 Regional and National Champions

Champions of Regional/National Competitions shall be the winning team from the Championship Round of the Competition. The National Champion shall automatically proceed to the International Rounds of the Competition. Regional Champions may advance to the National Competition if provided for in the National Rules Supplement.

15.4.1.3 Other Awards

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

15.4.2 International Competition**15.4.2.1 International Quarterfinal Rounds - Top Eight Teams**

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

15.4.2.2 International Semifinal Rounds - Top Four Teams

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

15.4.2.3 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.

15.4.2.4 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. 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 Executive Director prior to the commencement of the succeeding year's International Rounds.

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