



**THE 2008 PHILIP C. JESSUP INTERNATIONAL LAW
MOOT COURT COMPETITION**

OFFICIAL RULES

**THE OFFICIAL RULES
OF
THE 2008 PHILIP C. JESSUP INTERNATIONAL LAW
MOOT COURT COMPETITION**

Official Sponsor of the International Rounds and Jessup Cup
SHEARMAN & STERLING LLP



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OFFICIAL RULE 0.0 DEFINITIONS

The following terms have the corresponding meanings.

"Administrator" means, with respect to any Tournament, the person appointed to administer that Tournament.

"Advanced Rounds" means, with respect to any Tournament, all of the applicable Championship Rounds, Semifinal Rounds, Quarterfinal Rounds, Octafinal Rounds, and Run-Off Rounds conducted at that Tournament.

"Applicant" means the side of the Team which argues on behalf of the Applicant state at any given point in the Competition.

"Bench Memorandum" means the memorandum of laws and authorities concerning the Competition Problem prepared by the ILSA Executive Office for the exclusive use of Competition judges, as described in Rule 5.5.

"Coach" means an individual who at any time during the competition year has responsibility for organizing or training a Team.

"Competition" means the 2008 Philip C. Jessup International Law Moot Court Competition.

"Competition Problem" means the official Compromis of the Competition as supplemented, clarified, or corrected by the ILSA Executive Office.

"Executive Director" means the Executive Director of the International Law Students Association.

"Faculty Advisor" means a faculty member of a participant school who at any time during the competition year advises a Team.

"ILSA Executive Office" means the executive office of the International Law Students Association.

"International Tournament" means the Shearman & Sterling International Rounds, the final stage of the Competition, held among the Representatives from each nation.

"Memorial" means the written pleadings of each Team, written and submitted pursuant to these Rules.

"National Rules Supplement" means additional rules or clarifications applicable to the Teams from one nation, which must be approved by the Executive Director and made available to all Teams from that nation. (If a Team is unsure whether any National Rules Supplement is applicable to it, the

Team should contact the Administrator or the Executive Director.) All Teams are advised that National Rules Supplements may exist for their Qualifying Tournament.

"Official Schedule" means the official timetable of the Competition, setting forth all relevant events and deadlines associated with the Competition.

"Oral Round" means a single match of oral presentation between two Teams, one representing Applicant and one representing Respondent, as described in Rule 7.0.

"Penalty" means the consequence of a rule violation, whether disqualification or the deduction of raw points pursuant to Rule 11.0.

"Problem Clarifications and Corrections" means the official clarifications and corrections to the Official Compromis, as published pursuant to Rule 2.7.

"Qualifying Tournament" means any Tournament administered with the approval of the ILSA Executive Office through which a nation determines the Teams that will advance to the International Tournament.

"Representative," "National Representative," or "Regional Representative" means a Team selected to represent their nation at the International Tournament, whether by Qualifying Tournaments or by other means.

"Respondent" means the side of the Team which argues on behalf of the Respondent state at any given point in the Competition.

"Rules" means these Official Rules of the Competition and any applicable National Rules Supplements.

"Team" means a team of eligible students recognized by the ILSA Executive Office which competes in the Competition, pursuant to Rule 2.0.

"Team Member" means any eligible student who is or will be registered as a competitor of a Team by the deadline provided in the Official Schedule.

"Tournament" means a competitive level of the Competition.

OFFICIAL RULE 1.0 ORGANIZATION OF THE COMPETITION

1.1 Administration

The Competition is presented annually by the International Law Students Association (ILSA). The Competition is administered by the Executive Director of ILSA. The ILSA Executive Office is located at 25 East Jackson Boulevard, Suite 518, Chicago, IL, 60604, U.S.A., tel: +1 (312) 362-5025, fax: +1 (312) 362-5073, email: ilsa@ilsa.org.

All materials developed by ILSA for the Competition, including, without limitation, the Official Rules, the Competition Problem, and the Problem Clarifications, are the sole property of ILSA, and may not be reproduced for any purpose other than participation in or administration of the Competition without the express and prior written consent of the ILSA Executive Director. In addition, all Memorials become the sole property of ILSA, and may not be republished without its express consent.

1.2 Structure of Competition

(a) The Competition consists of two levels of competitions: (1) Qualifying Tournaments, and (2) the International Tournament. Qualifying Tournaments are held in each nation where more than one Team wishes to participate in the Competition. The International Tournament represents the final level of the Competition, designated as the Shearman & Sterling International Rounds, and includes Preliminary Rounds, Advanced Rounds, and the World Championship Shearman & Sterling Jessup Cup Round. Each Tournament consists of written pleadings and oral pleadings.

(b) The Executive Director will determine the exact number of Teams participating in the International Tournament and the manner in which they are chosen, provided that each participating nation is permitted to enter at least one (1) Team in the International Tournament of the Competition for every ten (10) Teams participating in that nation's Qualifying Tournament(s). In nations where only one Team registers, that Team is the National Representative to the International Tournament.

1.3 Establishment of Qualifying Tournaments

If more than one Team registers from a particular nation or jurisdiction, the Executive Director will inform all such Teams of the name and contact information of the Administrator of their Qualifying

Tournament. The Team that wins the Qualifying Tournament is the National Representative to the International Tournament.

1.4 Administrators

The Executive Director will appoint an Administrator for each Qualifying Tournament. The Administrator will designate the date and location for the Qualifying Tournament and must conduct the Qualifying Tournament consistent with these Rules and in consultation with the Executive Director.

An Administrator may not serve as coach or in any other way assist a Team registered in his or her Qualifying Tournament. An Administrator may not act as a judge in actual or exhibition Rounds of his or her Qualifying Tournament.

1.5 Interpretation of Rules

The Executive Director shall serve as final arbiter of implementation and interpretation of these Rules and of any National Rules Supplement.

OFFICIAL RULE 2.0 PARTICIPATION AND ELIGIBILITY

2.1 Team Eligibility

(a) All law schools, law faculties, and institutions with international law-related degree programs are eligible to participate in the Competition. All determinations of eligibility are in the discretion of the Executive Director. In certain exceptional cases, the Executive Director, in consultation with the relevant National Administrator, may grant eligibility to institutions with degree programs in international relations, provided that adequate instruction in international law will be available to the Team.

(b) Each school may enter one Team. In extenuating circumstances, an Administrator may petition the Executive Director, in writing, to allow multiple Teams from a single school. Such representation may be allowed if it is established that each Team fulfills the participation and registration requirements of these Rules and one of the following conditions is met: 1) a local competition would be difficult or impossible to hold due to school regulations, calendars or other circumstances beyond the control of the

Administrator or Teams participating; or 2) the Teams represent different colleges, faculties, branches, departments, or campuses of the same school and will be participating independently of each other.

(c) Teams which have outstanding debts for fees or other Competition obligations (including the United States hosting obligation as described in the United States National Supplement) are not eligible to compete in the following year's Competition until such fees have been paid or obligations have been met.

(d) Any Team which utilizes an ineligible Team Member (Official Rule 2.2), improper outside assistance (Official Rule 2.4), the Bench Memorandum (Official Rule 2.5), or another Team's Memorial without authorization under these Rules (Official Rule 2.6) will be disqualified from the Competition.

2.2 Team Composition and Selection

A Team may be composed of two (2) to five (5) members. No more than 5 individuals may contribute to the work product of the Team over the course of the competition year. The competition year begins on the date of the release of the Competition Problem and ends at the conclusion of the Shearman & Sterling International Rounds. Substitutions are not permitted after the release of the Competition Problem except in extenuating circumstances and only with the permission of the Executive Director.

2.2.1 Minimum requirements for Team Member eligibility

A person may be a member of a Team if he or she:

- (a) is pursuing a law degree or an international law-related degree; and
- (b) is enrolled at an eligible institution as a full-time or part-time student during the relevant academic year and plans to participate in the Competition on behalf of that institution; and
- (c) has not engaged in the practice of law in any jurisdiction after graduating from any type of law degree program.

2.2.2 Executive Director's written permission required in certain cases

In addition to satisfying Rule 2.2.1, a person must additionally obtain the written permission of the Executive Director to be a member of the Team, if the person:

- (a) is enrolled as a visiting or exchange student rather than as a degree candidate, or is otherwise enrolled at more than one institution;
- (b) is serving as an extern or apprentice; or
- (c) is enrolled in a program of study leading to a Masters of Law degree (LL.M.), a Doctor of Laws degree (e.g., Ph.D., D.Phil.), or a similar advanced law degree.

2.2.3 Executive Director's Discretion

The Executive Director shall have the discretion to grant or deny eligibility in certain exceptional circumstances notwithstanding the provisions of Rule 2.2, but shall do so only in accord with the spirit of these Rules and in the best interests of the Competition.

2.3 Team Selection Process

Team Members may be chosen by any method approved by the responsible authority within the school, subject to the following provisions:

2.3.1 Selection by Intramural Competitions

If a school wishes to hold an intramural competition to determine the composition of its Team, the current Competition Problem may not be used unless approved in writing by the Executive Director.

2.3.2 Nationality Requirements

Administrators may not, without the written approval of the Executive Director, set nationality requirements with regard to the composition of Teams. Requests for such approval must state clearly in writing the reasons for such a requirement and must be incorporated in the approved National Rules Supplement, in accordance with these Rules.

2.4 Outside Assistance to Teams

2.4.1 General Rule

Each Team must research, write, edit, and develop its own legal and factual arguments without the assistance of persons who are not members of the Team.

2.4.2 Penalty for Receiving Outside Assistance

Any Team which receives outside assistance will be disqualified from the Competition.

2.4.3 Assistance from Faculty Advisors and Coaches

As a general principle, a Team shall have no greater number of coaches and/or faculty advisors than is necessary to adequately prepare the Team for fair competition.

Notwithstanding the provisions of Rule 2.4.1, faculty advisors and coaches may provide advice to a Team, provided such advice is limited to:

- (a) general instruction on the basic principles of international law;
- (b) general advice on research sources and methods;
- (c) general advice on memorial writing techniques;
- (d) general advice on oral advocacy technique;
- (e) general advice on the organization and structure of arguments in the Team's written and oral pleadings;
- (f) general commentary on the quality of the Team's legal and factual arguments;
- (g) advice on the interpretation and enforcement of these Rules; and
- (h) advice as to pleading option or similar strategy.

2.4.4 Assistance from Other Teams

Teams, coaches, and faculty advisors from any Team, including Teams that have been eliminated from the Competition, may not provide assistance in any way to any other Team. Assistance hereby prohibited includes, but is not limited to, giving the Team's notes or Memorials to an advancing Team, engaging in practice moots against an advancing Team, and providing video or audio tapes of previous rounds, either practice rounds or competitive tournament rounds, to an advancing Team. In certain circumstances, the Executive Director may allow for assistance if deemed to be in the best interests of the Competition.

2.4.5 Jessup Courses

Unless prior approval is granted in writing by the Executive Director, Team Members may not participate or be enrolled in a class or course which uses the current year's Competition Problem as a subject matter of instruction, as a teaching tool, or as a means for selecting Team Members. No approval

is necessary if student enrolment in the course is limited to Team Members. In any case, even when approval is unnecessary or has been granted by the Executive Director, Team Members must comply with the other provisions of Official Rule 2.4 regarding Outside Assistance.

2.4.6 Practice Rounds

(a) Teams may organize "practice rounds" of oral pleadings involving the Competition Problem to prepare the Team for competition. In practice rounds, the persons presenting arguments for the applicants and respondents must be from the same Team.

(b) Outside persons may serve as judges in practice rounds provided that they:

- (1) do so only after the submission of Memorials;
- (2) are not formally affiliated with any other Team in the Competition;
- (3) abide by the provisions of Rule 2.5 with respect to the confidentiality of the bench memorandum;
- (4) confine their comments and feedback to general commentary on the advocacy style and technique of the speakers, and to commentary respecting the general rules of international law; and
- (5) refrain from making commentary or suggestions about specific substantive arguments.

2.5 Confidentiality of the Bench Memorandum

(a) The Bench Memorandum is strictly confidential. The Executive Director will disqualify any Team which makes use of the Bench Memorandum. Teams who obtain a copy of the Bench Memorandum should immediately return it to the Executive Director without examining the contents.

(b) The Bench Memorandum may not be used at practice rounds or any other event that is not an official Qualifying Tournament or the International Tournament.

(c) Individuals who have obtained access to the Bench Memorandum may not judge practice rounds.

2.6 Use of Opposing Team's Memorials and Arguments

A Team may not view or otherwise become privy to any Memorial other than the applicable Applicant or Respondent Memorials of each of its scheduled opponents. A team may incorporate arguments and other information from Memorials and from oral arguments of other Teams which the Team is authorized to view under this Rule.

2.7 Problem Clarifications and Corrections

Teams may request clarification and correction to the Competition Problem by submitting a written request to the ILSA Executive Office by the date in the Official Schedule. Based upon the requests received from all Teams, the ILSA Executive Office will publish Problem Clarifications and Corrections on the date in the Official Schedule. Each Team must ensure that it receives and adequately notes the Problem Clarifications and Corrections in preparation for the Competition.

2.8 Anonymity of Teams

Teams must not reveal their school or country of origin to judges at any time during a Tournament. The Administrator may disqualify or impose a Penalty against any Team that intentionally or inadvertently discloses its school or country of origin to a judge, whether or not such disclosure occurs during an Oral Round.

OFFICIAL RULE 3.0 TEAM REGISTRATION

3.1 Team Registration Form and Team Contact

Each Team must register with the ILSA Executive Office by completing a registration form and paying the appropriate registration fee by the registration deadline in the Official Schedule. Each Team must designate a Team contact. Notice to the Team contact constitutes notice to all Team Members.

3.2 Waiver of Registration Fee

Teams unable to pay the registration fee may apply for a waiver from the Executive Director. The Executive Director will grant waivers in exceptional circumstances only.

3.3 Team Member Registration

Each Team must submit all Team Members' names and the degree program in which each Team Member is enrolled to the ILSA Executive Office by the deadline in the Official Schedule.

3.4 Coach and Faculty Advisor Registration

The name of each Coach and Faculty Advisor for a Team must be registered with the ILSA Executive Office by the registration deadline in the Official Schedule.

3.5 Team Number as Identification

Once a Team has completed registration, the Executive Director will assign the Team a team number.

3.6 Changes to Registration Information

Teams must promptly notify the ILSA Executive Office of any changes or additions to registration information. This includes changes Team Members, coaches or faculty advisors, or changes to contact or mailing information. This reporting obligation continues throughout the course of the competition year until the Team has been eliminated from the Competition.

NOTE: In accordance with Rule 2.2, no more than 5 individuals may contribute to the work product of the Team over the course of the competition year. The competition year begins on the date of the release of the Competition Problem and ends at the conclusion of the Shearman & Sterling International Rounds. Additional Team Members may be added before the registration deadline in the Official Schedule if the maximum of 5 Team Members has not yet been reached. Team Members may not be substituted at any time after the release of the Competition Problem except in extenuating circumstances and only with the permission of the Executive Director.

OFFICIAL RULE 4.0 [RESERVED]

OFFICIAL RULE 5.0 JUDGES

5.1 Eligibility of Persons to Judge

The Executive Director, or the Administrator in consultation with the Executive Director, will determine persons who are eligible to serve as judges in any Tournament, subject to the following provisions.

5.1.1 Students

Students may not act as judges, except LL.M. and other post-graduate degree candidates who are not directly affiliated with any Team participating in the Tournament at which they are judging.

5.1.2 Faculty Advisors and Coaches

Team faculty advisors or coaches, or other persons directly affiliated with a Team, may not act as judges in any Tournament until the Team has been eliminated from the Competition.

5.2 Anonymity of Teams

Judges should not attempt to ascertain the school or country of origin of any Team during a Tournament. However, in circumstances where the judge believes his or her evaluation of a particular Memorial would be affected by knowledge of whether or not the native language of the Team is English, the judge may request the Executive Director to reveal whether English is the native language of the Team.

5.3 Judges Affiliated With Schools in the Competition

No judge should sit on a panel of any Oral Round involving a Team from a school with which the judge has an affiliation, acquaintance or other role which would create an appearance of impropriety, except in situations disclosed to and approved by the Executive Director. Merely being an alumnus of a host school does not constitute a violation.

Judges should disqualify themselves from judging a Team if they have a personal or professional relationship with the school or someone affiliated with that Team, and if that relationship might jeopardize their impartiality or create an appearance of impropriety. However, judges should not disqualify themselves from judging a round merely because they have an acquaintance with a Team Member or other affiliation or relationship with the school.

If a Team competing in an Oral Round wishes to inform the Administrator that a judge assigned to that Oral Round might be disqualified under this Rule 5.3, it must inform the bailiff prior to the beginning of that Oral Round. The fact that a Team Member recognizes a judge is not itself sufficient to disqualify the judge.

5.4 Prior Viewing of Teams

(a) Subject to Section 5.4(b), judges should not view a Team which they have viewed in a previous Oral Round. If a judge must view a Team twice, the Administrator should strive to ensure that the judge views the Team's opposite side.

(b) In the Advanced Rounds of the International Tournament, the Executive Director may permit judges to view one or more Teams which they have previously judged, if such viewing serves the best interests of the Competition.

5.5 Bench Memorandum

Judges must keep the contents of the Bench Memorandum strictly confidential from Teams.

5.6 Commentary by Judges

Judges are encouraged to provide direct feedback to Teams regarding the Teams' performance at the completion of an Oral Round. In providing such feedback, judges are admonished to give due regard to the time limitations and schedule of the Tournament. With the exception of the Advanced Rounds of any Tournament, judges must not reveal to any Team the results of their individual determinations or the Team's Raw Scores, nor may they provide any substantive feedback that would reveal their individual determinations or the contents of the Bench Memorandum.

OFFICIAL RULE 6.0 MEMORIALS

6.1 Submission of Memorials

Each Team participating in the Competition must prepare one Applicant and one Respondent Memorial. Unless otherwise specified in an applicable National Supplement, the Team must send its Applicant and Respondent Memorials via e-mail to the ILSA Executive Office at jessup@ilsa.org, and to the Administrator, if any, at the address provided by the Administrator, no later than 11:59 p.m., university's local time, on the date specified in the Official Schedule. Submission must occur in a single e-mail message addressed to the ILSA Executive Office and the Administrator with both Memorials attached. If one of the Memorials will be submitted late, a Team may separately send the timely Memorial before the deadline without penalty.

If a Team is unable to send its Memorials by electronic mail in the manner described above due to technological limitations, the Team must notify the ILSA Executive Office as soon as possible before the deadline. The ILSA Executive Office may impose different requirements for the delivery of that Team's Memorials.

All electronic and paper copy versions (if any) submitted to the ILSA Executive Office, the Administrator, or any other person must be identical. Once submitted to the ILSA Executive Office, Memorials may not be resubmitted or altered.

Equipment failure or problems will not be considered an excuse for improper formatting or late mailing of Memorials.

6.1.1 Memorials Submitted in Languages Other Than English

If permitted by an applicable National Rules Supplement, Teams may submit Memorials for Qualifying Tournaments in languages other than English. Teams must send such Memorials to the ILSA Executive Office in the original language via electronic mail on or before the deadline indicated in the Official Schedule. Memorials of such Teams advancing to the International Tournament must be translated to English, and must otherwise conform to the required format outlined in these Rules, prior to submission to the International Tournament. The ILSA Executive Office will set the deadline for submission of the English translations of any such Team's Memorials.

The translation of Memorials must be, to the greatest extent possible, verbatim translations of the Memorials submitted in connection with the Qualifying Tournament. The contents of Memorials may not be revised, updated or otherwise altered in the translation process. The Executive Director may disqualify any Team that alters the substantive content of its Memorial(s) during translation.

6.2 Memorial Format

6.2.1 Document Format

All parts of each Memorial must be contained in a single file. Memorials must be in Microsoft Word 2003 or Microsoft Word 2007 format.

6.2.2 Paper Size and Margins

All pages of the Memorial must be Letter size, 8.5 x 11 inches (21.6 x 27.9 cm), with equal margins of at least one inch (2.54 cm) on all four sides. The ILSA Executive Office and Administrator may reformat a Memorial that does not comply with this rule. Teams are advised that such reformatting may result in changes to pagination and layout.

6.2.3 Printing

Administrators in jurisdictions where Letter is the standard paper size must print Memorials on Letter size paper. Administrators in jurisdictions where A4 is the standard paper size may print Memorials on Letter size or A4 size paper for their Qualifying Tournament. However, the document settings in Rule 6.2.2 for paper size and margins must not change.

6.2.4 Font Size

The font and size of the text of all parts of the Memorial, excluding the Cover Page but including the footnotes, must be the same and must be in either Times New Roman 12-point or Courier 10-point, or larger type.

6.2.5 Line Spacing

The text of all parts of the Memorial, excluding the Cover Page, Table of Contents, and Table of Authorities, must be double-spaced. The text of footnotes may be single-spaced, but there must be double-spacing between separate footnotes. The text of headings may be single-spaced, but there must be double spacing between each heading and the body-text of the Memorial. Quotations to sources outside of the Memorial of 50 words or more in any part of the Memorial may be block quoted (i.e. right and left indented) and may be single-spaced.

6.3 Memorial Content

6.3.1 Parts of the Memorial

The Memorial must contain the following parts, and only the following parts:

- (a) Cover;
- (b) Table of Contents;
- (c) Index of Authorities;
- (d) Statement of Jurisdiction;
- (e) Questions Presented;
- (f) Statement of Facts;
- (g) Summary of Pleadings; and
- (h) Pleadings (including Conclusion/Prayer for Relief).

6.3.2 Cover

The front cover of each Memorial must have the following information:

- (a) the team number in the upper right-hand corner followed by “A” if an Applicant Memorial or “R” if a Respondent Memorial (e.g., Team Number 123 would put “123A” in the top right hand corner of the front cover of its Applicant Memorial);
- (b) the name of the court (i.e., “International Court of Justice”);
- (c) the year of the Competition;
- (d) the name of the case; and
- (e) the title of the document (i.e., "Memorial for Respondent" or "Memorial for Applicant").

6.3.3 Index of Authorities

The Index of Authorities must list all legal authorities cited in any part of the Memorial and must indicate the page number(s) of the Memorial on which each authority is cited.

6.3.4 Statement of the Facts

Teams are advised that judges will take the following into account in evaluating the Statement of Facts. A well-formed Statement of the Facts should be limited to the stipulated facts and necessary inferences from the Compromis and any clarifications or corrections to the Compromis. The Statement of the Facts

should not include unsupported facts, distortions of stated facts, argumentative statements, or legal conclusions. The Compromis typically omits certain facts which might be relevant or dispositive to the outcome of the case. Participants will be judged on their ability to conform the facts to their arguments without creating new facts or drawing unreasonable inferences from the Competition Problem.

6.3.5 Summary of the Pleadings

A well-formed Summary of the Pleadings should consist of a substantive summary of the Pleadings of the Memorial, rather than a simple reproduction of the headings contained in the Pleadings.

6.3.6 Legal Argument Limited to Pleadings

Substantive, affirmative legal argument or legal interpretation of the facts of the Competition Problem may only be presented in the "Pleadings" part of the Memorial. Summaries of such arguments may be included in the Questions Presented and the Summary of Pleadings.

6.4 Length

The word count shall be conducted using the standard "Word Count" feature in Microsoft Word 2003 or Microsoft Word 2007.

- (a) The total length of the Pleadings, including the Conclusion/Prayer for Relief and any associated footnotes, must be no longer than 9,000 words.
- (b) The Summary of Pleadings must be no longer than 700 words.
- (c) The Statement of Facts must be no longer than 1,200 words.

6.5 Citation Requirement

Footnotes must be used to identify the source of statements or propositions made in the body of the Memorial. Endnotes are not permitted. Footnotes may not include substantive pleadings, examples, or any text other than the citation itself. Footnotes are included in the word limit of Rule 6.4.

Inclusion of text other than the actual citation in a footnote is a violation of Rule 6.3.6.

Example of a proper footnote: Certain Norwegian Loans (Fr. v. Nor.), 1957 I.C.J. 9, 23-24 (July 6) [hereinafter Norwegian Loans].

Example of a footnote in violation of the Official Rules: Certain Norwegian Loans (Fr. v. Nor.), 1957 I.C.J. 9, 23-24 (July 6) [hereinafter Norwegian Loans] (holding that France's reservation in its declaration denying the Court jurisdiction over issues essentially within the national jurisdiction as understood by France could be utilized reciprocally by Norway).

6.6 Citation Form

Citations appearing in the Index of Authorities and Footnotes of the Memorial must include a description of each authority adequate to allow a reasonable reader to identify and locate the authority in a publication of general circulation.

6.7 Anonymity in Memorials

Names of participants, nations or schools may not appear on or within the Memorials. Signature pages are prohibited. The Administrators shall strike all references to Team Member or school names from Memorials before submitting them to judges.

OFFICIAL RULE 7.0 ORAL PLEADING PROCEDURES

7.1 General Procedures

Each Oral Round of each Tournament consists of ninety (90) minutes of oral pleadings. Applicant and Respondent are each allotted forty-five (45) minutes. Two (2) members, and no more than two (2) members, from each Team shall make oral presentations during the round. Prior to the beginning of the Oral Round, each Team must indicate to the bailiff how it wishes to allocate its 45 minutes among (a) its first oralist, (b) its second oralist, and (c) rebuttal (for Applicant) or surrebuttal (for Respondent). The Team may not allocate more than twenty-five (25) minutes, including rebuttal or surrebuttal, to either oralist. Time allocated for but not used by one oralist may not be used by another oralist, or in the rebuttal or surrebuttal. Any Team Member may act as an oralist during any round of the Competition. In extenuating circumstances, the Executive Director has discretion to permit a single oralist to argue beyond the twenty-five (25) minute limit. Teams using interpreters shall be allotted additional time pursuant to Rule 7.8.

7.1.1 Extension of Time at Judges' Discretion

Judges may, at their discretion, extend total Team oral argument time beyond the forty-five (45) minute allocation. Oralists asked to further expand upon arguments may, in this instance, argue for more than the twenty-five (25) minute individual limit.

7.2 Three Judge Panels

In each Oral Round, the Administrator shall employ three (3) judges whenever possible. The Administrator may employ more than three (3) judges in Advanced Rounds. In extenuating circumstances, the Administrator may authorize panels of two (2) judges, but this should be done only as a last resort. In no case should an Administrator authorize a panel of one (1) judge.

7.3 Pleadings

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

Applicant 1 --> Applicant 2 --> Respondent 1 --> Respondent 2 --> Rebuttal (Applicant 1 or 2) --> Surrebuttal (Respondent 1 or 2). Once an oralist has completed his or her main pleading, that oralist may not make any additional argument except for rebuttal or surrebuttal. This applies irrespective of whether the pleading Team uses all of the time it has allocated for the main pleading. Further, any time that is not used in the main pleading may not be used to extend the time allocated to rebuttal or surrebuttal.

7.3.1 Rebuttal and Surrebuttal

Each Team may reserve up to ten (10) minutes for rebuttal or surrebuttal. As a courtesy to the judges, Teams should announce whether they intend to reserve time for rebuttal or surrebuttal at the beginning of their oral argument, and how much time they intend to reserve. Failure to announce will not waive the right to rebuttal or surrebuttal. Only one Team Member may deliver the rebuttal or surrebuttal. The Team need not indicate prior to rebuttal or surrebuttal which of its two eligible Team Members will deliver rebuttal or surrebuttal.

7.3.2 Scope of Pleadings

A Team's oral pleadings are not in any way limited to the scope of the Team's Memorial. The scope of the Applicant's rebuttal is limited to responding to the Respondent's primary oral pleadings, and the scope of the Respondent's surrebuttal is limited to responding to the Applicant's rebuttal. If the Applicant

waives rebuttal, Respondent may not appear for surrebuttal. Although judges are admonished to enforce the limits on the scope of rebuttal and surrebuttal, and may take a violation of this Rule into account in evaluating an oralist's performance, there is no discretionary or non-discretionary Penalty for exceeding scope of rebuttal or surrebuttal.

7.4 Ex Parte Procedure

In extreme circumstances, such as when a Team fails to appear for a scheduled Oral Round, the Administrator, after waiting thirty (30) minutes, may allow the Oral Round to proceed ex parte. In an ex parte proceeding, the attending Team presents its oral pleading, which is scored by the judges to the extent possible as if the absent Team had been present and arguing. In such a case, the Team that fails to appear for the scheduled Round forfeits all six (6) of the Round's Oral Round Points.

The Administrator may schedule an additional ex parte proceeding for the absent Team later in the Tournament, if time and administrative concerns permit. The scores from the absent Team's ex parte proceeding does not affect the scoring of the original Oral Round and are used only for purposes of calculating individual oral pleading scores.

7.5 Of Counsel

During each Oral Round, one (1) additional Team Member may sit at the counsel table with the two (2) oralists as counsel. The person acting as counsel must be one of the Team Members registered pursuant to Rule 3.2. The person acting as counsel need not be the same person in each Oral Round.

7.6 Competition Communications

Only oral communications described in this Rule 7.6 are permitted. In particular, no written communication or exhibits may be delivered by any Team Member to any judge.

7.6.1 Oral Courtroom Communication between Counsel and Judges

Each oralist may communicate with the judges, and the judges may communicate with that oralist, during the oralist's allotted time. In addition, in extraordinary circumstances, the judges may communicate directly with either Team's counsel table (for example, to clarify the spelling of an oralist's name or to request that a Team remain quiet during its opponent's oral presentation).

7.6.2 Oral Courtroom Communication and Activity at Counsel Table

Communication at the counsel table shall be in writing to prevent disruption, and Teams shall avoid all unnecessary noise, outbursts, or other inappropriate behavior which distracts from the argument in progress.

7.6.3 Written Courtroom Communication

Written communication during the Oral Round shall be limited to written communication among Team Members seated at the counsel table. No other written communication may take place among the oralist, Team Members seated at counsel table, spectators or Team Members not present at the counsel table.

7.7 Spectators

All Preliminary Rounds should be open to the public. Teams may agree in advance, and after consultation with the Administrator, to limit the number of spectators in a room during Preliminary Rounds. Presence of coaches, advisors, or other spectators affiliated with the Team are permitted in the courtroom during an Oral Round involving the Team

7.7.1 Scouting

Team Members or persons directly affiliated with any Team may only attend Preliminary Rounds in which their Team is competing. The Executive Director may in the interests of the Competition waive this Rule. Violation of this Rule should be brought to the attention of the Administrator immediately, without disturbing the Oral Round, or immediately after the Oral Round has finished.

There are two types of scouting, both of which are prohibited. "Direct Scouting" occurs when a Team attends an Oral Round involving one or more Teams against which it will compete in a future Oral Round. "Indirect Scouting" occurs when a Team attends an Oral Round involving two Teams against which it is not scheduled to compete in the Preliminary Rounds.

A Team which commits Direct Scouting forfeits all six Oral Round Points in the Preliminary Round (or Rounds) in which it competes against the Team (or Teams) which it scouted.

A Team which commits Indirect Scouting shall forfeit one Preliminary Round. For example, if the Team won four Preliminary Rounds, its total number of wins shall be reduced to three, without other adjustment to its Total Raw Points or Total Round Points. (If a Team which commits Indirect Scouting wins no Preliminary Rounds, there shall be no such adjustment.) This adjustment shall occur prior to the determination of final Preliminary Round rankings described in Rule 10.4.

7.8 Interpreters and the Use of Interpreters

7.8.1 Qualifying Tournaments

Each Administrator may allow Teams and/or judges to use languages other than English during Oral Rounds in a Qualifying Tournament, and/or may provide procedures whereby interpreters may be used, by including Rules to this effect in the National Rules Supplements

7.8.2 International Tournament

A Team wishing to present its oral pleadings at the International Tournament in a language other than English must arrange to have their oral pleadings interpreted during the International Tournament. Arrangements for and costs incurred in hiring interpreters and equipment are the responsibility of the Team. A Team wishing to use interpreters must 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 oral argument time beyond the forty-five (45) minutes allotted under Rule 7.1. The maximum extension of time will be twenty (20) minutes per Oral Round. The use of an interpreter in one Oral Round does not commit the Team to using an interpreter in every Oral Round.

Given that interpreters will be translating all arguments in a given Oral Round, any extension of time granted to a Team shall also be granted to its opponents. All judges and oralists in an Oral Round involving an interpreter should take the professional needs of the translator (for example, the need for clear enunciation of speech) into account during the Oral Round.

7.8.3 Team Members as Interpreters

A member of a Team may serve as an interpreter for other members of the Team if: (a) he or she does not act as an oralist in the same Oral Round in which he or she is an interpreter; and (b) he or she does not sit at the counsel table during the Oral Round in which he or she is an interpreter; and (c) he or she does not communicate with his or her Team in any way during the Oral Round, except to interpret the oral pleadings.

7.8.4 Non-Embellishment by Interpreters

When a Team employs an interpreter, the interpreter may only engage in a literal interpretation of the oralists' pleadings and the judges' responses. No embellishment on the part of the interpreter to enhance or clarify the oralists' arguments or the judges' responses is allowed. A Team which violates this Rule is subject to forfeit all six (6) of the Oral Round Points for that Oral Round.

7.9 Audio and Videotaping

No audio or videotaping of oral pleadings is permitted without the advance permission of the entire panel of judges, the two (2) participating Teams and either: 1) the Administrator; or 2) the Executive Director. In no circumstances are participating Teams permitted to view or listen to any such audio tape until after the completion of the Tournament in which the taped Oral Round occurs. ILSA reserves all rights to the audio and videotaping, or any other form of audio or visual reproduction, of any Oral Round or part thereof. All Teams participating in the World Championship Shearman & Sterling Jessup Cup Round will be deemed to have consented to the taping and broadcasting of that Oral Round.

7.10 Anonymity of Teams in Courtrooms

During an Oral Round, participants may not indicate their country or school of origin to the judges, bailiff, or timekeeper. Participants must not reveal their school or country of origin through direct or indirect means, including statements to judges, name tags or other signifiers, the placement of folders, files, library books or other materials bearing the name or logo of the school on the counsel table, and the wearing of pins or clothing revealing the identity of their country or school. For the purposes of this rule, the term “participants” includes Team Members, Coaches, Faculty Advisors, and observers affiliated with the Team.

7.11 Computers and Laptops in Courtrooms

During an Oral Round, oralists at the podium and participants seated at counsel table may not operate laptop, handheld or desktop computers or any other computing device for any purpose. A Team whose member violates this Rule forfeits all six (6) Oral Round Points.

OFFICIAL RULE 8.0 QUALIFYING TOURNAMENT PROCEDURES

8.1 Preliminary Rounds

Each Team participating in a Qualifying Tournament shall participate in Preliminary Rounds consisting of four (4) Oral Rounds, twice as Applicant and twice as Respondent. If four (4) or fewer Teams are participating in a Qualifying Tournament, the Executive Director may permit fewer rounds, and the Administrator shall work with the Executive Director to decide an appropriate scoring system.

Each Team shall, to the degree possible, face any opposing Team only once in the Preliminary Rounds of a Qualifying Tournament. In the event that Teams must face each other in two (2) Preliminary Rounds, each Team shall plead as Applicant in one Round and Respondent in the other Round.

8.1.1 Pairings

The pairing of Teams for Preliminary Rounds shall be done, in the first instance, by a random draw. The Administrator may modify the pairings to account for absent Teams or other contingencies. If Teams must be newly paired, they must be provided their new opponents' Memorials as soon as reasonably possible, but at the very least fifteen (15) minutes prior to the start of the newly paired round.

8.2 Quarterfinal Rounds

If sixteen (16) or more Teams are participating in a Qualifying Tournament, the Administrator may hold Quarterfinal Rounds consisting of four (4) matches among the eight (8) highest-ranking Teams from the Preliminary Rounds. In such Quarterfinal Rounds, the pairings shall be as follows: the eighth-ranked Team versus the first-ranked Team ("Match One"); the seventh-ranked Team versus the second-ranked Team ("Match Two"); the sixth-ranked Team versus the third-ranked Team ("Match Three"); and the fifth-ranked Team versus the fourth-ranked Team ("Match Four").

8.3 Semifinal Rounds

In Qualifying Tournaments of sixteen (16) or more Teams, the winning Team in each of the four Quarterfinal Rounds shall advance to the Semifinal Rounds. In such Semifinal Rounds, the pairings shall be as follows, with reference to the match numbers described in Rule 8.2: the winner of Match One versus the winner of Match Four; and the winner of Match Two versus the winner of Match Three.

In other Qualifying Tournaments of eight (8) or more Teams, the Administrator may hold Semifinal Rounds among the four (4) highest-ranking Teams from the Preliminary Rounds. In such Semifinal Rounds, the pairings shall be as follows: the fourth-ranked Team versus the first-ranked Team; and the second-ranked Team versus the third-ranked Team.

8.4 Championship Rounds

If Semifinal Rounds have been held, the winning Team in each of the two Semifinal Rounds shall advance to the Championship Round. If Semifinal Rounds have not been held, then the top two Teams from the Preliminary Rounds shall compete against one another in a single Championship Round. In either case, the winner of the Championship Round is the National Champion.

8.5 Pleading option

Before each Advanced Round, each competing Team will be given its completed master Team scoresheet from the Preliminary Rounds, but not individual judges' scoresheets or notes.

In the Quarterfinal and Semifinal Rounds, the higher-ranking Team from the Preliminary Rounds shall have the right to choose which side it will argue. This right is called the "pleading option."

The pleading option for a Championship Round shall be determined by a coin toss. The higher-ranking Team from the Preliminary Rounds calls the toss. The Team that wins the toss has twenty (20) minutes to select which side it wishes to plead. If that Team fails to select, then the opposing Team has ten (10) minutes to select a side. If this opposing Team then fails to exercise its pleading option within a ten (10) minute period, it also shall forfeit its pleading option. Should both Teams fail to select, then the higher-ranked Team will argue Applicant and the lower-ranked Team will argue Respondent.

Once the sides have been selected, the Administrator will immediately notify both Teams. The Administrator will give to both Teams the appropriate Memorial of their opponent. The Teams will then be granted a reasonable time to prepare for the Oral Round.

OFFICIAL RULE 9.0 INTERNATIONAL PAIRING PROCEDURES

9.1 Representation

All National Representatives and all other Teams approved for that purpose by the Executive Director are eligible to compete in the International Tournament.

9.2 Preliminary Rounds

The Preliminary Rounds of the International Tournament consist of four (4) Oral Rounds. Each Team pleads twice as Applicant and twice as Respondent.

9.2.1 Pairings for the Preliminary Rounds

The Executive Director shall establish the pairings for the Preliminary Rounds, in the first instance, by a random draw. The Executive Director may modify this random draw to ensure geographic and competitive diversity and balance.

Pairings for the International Tournament and the Memorials of opposing Teams will be distributed to Teams on or prior to the first day of the International Tournament.

The Executive Director may subsequently modify the pairings to account for absent Teams. In such case, the Executive Director will notify affected Teams and deliver their opponents' Memorials as soon as possible.

9.2.2 Religious Scheduling Conflicts

No later than four (4) weeks prior to the Preliminary Rounds, Teams must notify the Executive Director in writing of any potential schedule conflicts owing to religious observances. The Executive Director will make every effort to accommodate the religious observances of Teams.

9.3 International Run-off, Octafinal and Quarterfinal Rounds

The Advanced Rounds of the International Tournament consist of the International Run-Off Rounds, the International Octafinal Rounds, the International Quarterfinal Rounds, the International Semifinal Rounds, and the World Championship Shearman & Sterling Jessup Cup Round. Subject to Rule 9.3.4, the twenty-four (24) highest-ranked Teams from the Preliminary Rounds shall participate in the Advanced Rounds.

9.3.1 International Run-Off Rounds

The International Run-Off Rounds consist of eight (8) pairings of the sixteen (16) Teams ranked ninth (9th) through twenty-fourth (24th) from the Preliminary Rounds, subject to Rule 9.3.4.

9.3.2 International Octafinal Rounds

The International Octafinal Rounds consist of eight (8) pairings of the eight (8) Teams ranked first (1st) through eighth (8th) from the Preliminary Rounds (subject to Rule 9.3.4), and the eight (8) Teams that win a match in the International Run-Off Rounds.

9.3.3 International Quarterfinal Rounds, Semifinal Rounds, and World Championship Shearman & Sterling Jessup Cup Round

The International Quarterfinal Rounds consist of four (4) pairings of each of the eight (8) Teams that win a match in the International Octafinal Rounds. The International Semifinal Rounds consist of two (2) pairings of each of the four (4) Teams that win a match in the International Quarterfinal Rounds. The two (2) winning Teams from the International Semifinal Rounds advance to the World Championship Shearman & Sterling Jessup Cup Round.

9.3.4 National Representation Limitation

No more than six (6) Teams from one nation may advance to the Advanced Rounds of the International Tournament. If more than six (6) Teams from one nation place among the twenty-four (24) highest-ranked Teams from the Preliminary Rounds, only the six highest-ranked Teams from such nation may advance to the Advanced Rounds. If after the application of this rule, there are fewer than twenty-four (24) Teams eligible for the Advanced Rounds, the next highest-ranked Team(s) that did not otherwise

qualify for the Advanced Rounds shall be added until the number of Teams equals twenty-four. This subsequent addition shall also be subject to this Rule 9.3.4.

Example: If seven Teams from the nation of Erewhon qualify for the International Run-Off Rounds, the seventh-ranked Team from Erewhon shall not advance to the Advanced Rounds. The twenty-fifth (25th) ranked Team from the Preliminary Rounds shall be added to the Advanced Rounds, unless the 25th-ranked Team is also from Erewhon; in such a case, the next-highest-ranked Team that is not disqualified by this rule would advance.

9.3.5 Pairings for the International Advanced Rounds

9.3.5.1 General Pairing Rule – Power-Seeding

The pairings in the International Run-Off, Octafinal, Quarterfinal, and Semifinal Rounds shall be determined by use of "power-seeding," i.e. the highest-ranked Team shall compete against the lowest-ranked Team; the second-highest-ranked Team shall compete against the second-lowest-ranked Team, etc. For purposes of this Rule, all rankings shall be determined by the final standings of the Preliminary Rounds.

Example: Under this rule, and unless one of the qualifications in this Rule applies, the pairings in the International Run-Off Rounds would be as follows: 9 vs. 24, 10 vs. 23, 11 vs. 22, 12 vs. 21; 13 vs. 20; 14 vs. 19; 15 vs. 18; 16 vs. 17.

9.3.5.2 Previous Meeting Qualification

If application of the General Pairing Rule would result in one or more pairings in which a Team would face an opponent that it faced in the International Preliminary Rounds, the Executive Director must adjust the pairings in an equitable manner in order that such pairing is avoided. If the Executive Director determines that, with respect to a given pairing, no adjustment is possible, the Executive Director may disregard this qualification with respect to such pairing.

9.3.5.3 National Pair-off Qualification

(a) If two (2) Teams from a given nation advance to the Semifinal Rounds, those two Teams shall be paired against one another. All Teams not affected by this qualification shall then be paired according to the General Pairing Rule, discounting those two Teams.

(b) If four (4) Teams from a given nation advance to the Quarterfinal Rounds, the first-ranked Team from such nation shall be paired against the fourth-ranked Team from such nation, and the second-ranked Team from such nation shall be paired against the third-ranked Team. All Teams not affected by this qualification shall then be paired according to the General Pairing Rule, discounting those two Teams.

(c) If three (3) Teams from a given nation advance to the Quarterfinal Rounds, the second-ranked Team from such nation shall be paired against the third-ranked Team from such nation. All Teams not affected by this qualification, including the first-ranked Team from such nation, shall then be paired according to the General Pairing Rule.

(d) If six (6) Teams from a given nation advance to the Octafinal Rounds, the third-ranked Team from such nation shall be paired against the sixth-ranked Team, and the fourth-ranked Team shall be paired against the fifth-ranked Team. All Teams not affected by this qualification, including the first- and second-ranked Teams from such nation, shall then be paired according to the General Pairing Rule.

(e) If five (5) Teams from a given nation advance to (or qualify for) the Octafinal Rounds, then the fourth-ranked Team from such nation shall be paired against the fifth-ranked Team. All Teams not affected by this qualification, including the first-, second- and third-ranked Teams from such nation, shall then be paired according to the General Pairing Rule.

9.4 Pleading Option in the International Tournament

Prior to each of the International Advanced Rounds, the Executive Director will give each competing Team a copy of its completed Team master scoresheet. For each pairing, the Executive Director will toss a coin, and the higher-ranked Team in that pairing will call the toss. The Team winning the toss must select which side it will argue within twenty (20) minutes. If that Team fails to make a selection, the

other Team must select which side it will argue within (10) minutes. If that Team fails to make a selection, then the higher-ranked Team shall argue Applicant and the lower-ranked Team shall argue Respondent.

The Executive Director will then notify each Team which side it will be arguing and will deliver to each Team one copy of its opponent's Memorial. Both Teams shall then have a reasonable amount of time to prepare for the Oral Round.

OFFICIAL RULE 10.0 COMPETITION SCORING

10.0 Basis for Scores

Judges should judge the Teams on the overall quality of their performances, not on the underlying merits of the case.

10.1 Preliminary Rounds

Scoring of the Preliminary Rounds shall consist of two parts: the scoring of the written Memorials, and the scoring of the Oral Rounds.

Each Team Memorial shall be submitted to three (3) Memorial judges. Each judge will score each Memorial on a scale of fifty (50) to one hundred (100) points.

Each Oral Round will be scored by a panel of three (3) judges. Each judge will score each oralist on a scale of fifty (50) to one hundred (100) points.

10.2 Calculation of Scoring Points

Two (2) categories of points shall be awarded to Teams in each match: Raw Score and Round Points.

10.2.1 Raw Scores

The calculation of Raw Scores shall be subject to the deduction of Penalty points under the provisions of Rule 11.0.

10.2.1.1 Memorial Raw Scores

In each match, the Total Memorial Raw Score for each Team is the sum of the three (3) Memorial judges' scores for the side the Team argued in that Oral Round.

A Team's Total Competition Memorial Raw Score is the sum of the six (6) scores for its Applicant and Respondent Memorials. This score shall be used to determine Best Memorial Awards.

10.2.1.2 Oral Raw Scores

In each match, a Team's Total Oral Raw Score is the sum of the scores of the three (3) judges for each of its two oralists.

10.2.1.3 Total Raw Scores

In each match, a Team's Total Raw Score for that match is the sum of the Team's Total Memorial Raw Score for that match and the Team's Total Oral Raw Score for that match. A Team's Total Competition Raw Score is the sum of the Total Raw Scores from each of its matches.

10.2.2 Round Points

10.2.2.1 Memorial Round Points

In each match, a total of three (3) Round Points will be awarded based on a comparison of the highest, middle, and lowest scores on Memorials. The memorials to be compared should correspond to the side that the Teams argued in that match. In other words, the scores of the Applicant Team's Applicant Memorials should be compared against the scores of the Respondent Team's Respondent Memorials. For each comparison, the Team with the higher score is awarded one (1) Round Point. Hence, the highest score given by a memorial judge for one Team is compared to the highest score given the other Team, and then one round point is awarded to the Team with the higher of these two scores. In a similar fashion, the two middle scores, and then the two lowest scores, are compared to determine which Team receives the second and third round points. If in any such comparison the two Teams' scores are equal, each Team is awarded one-half (0.5) Round Point.

10.2.2.2 Oral Round Points

In each match, a total of six (6) Round Points will be awarded based on a comparison of combined oral argument scores. For each judge, the sum of the judge's score for Applicant Oralist 1 and Applicant Oralist 2 is compared to the sum of the judge's scores for Respondent Oralist 1 and Respondent Oralist 2. For each judge, the Team with the highest combined oralist score is awarded two (2) Round Points. If in any such comparison, the two Teams' scores are equal, each Team is awarded one (1) Round Point.

10.2.2.3 Total Round Points

In each Round, a Team's Total Round Points is the sum of the Team's Memorial Round Points and Oral Round Points.

10.3 Two (2) Judge Panels

If only two judges score a given Memorial or a given Oral Round, the Administrator shall create a third score by averaging the scores of the two judges.

10.4 Determination of Winners and Rankings from Preliminary Rounds

10.4.1 Determining the Winner of a Match

In any given match, the Team receiving the greater of the nine (9) available Round Points wins the match. If the two Teams each receive 4.5 Round Points, the Team with the higher Total Raw Score wins the match. If the two Teams have an equal number of Round Points and an equal Total Raw Score, the match is a draw.

10.4.2 Preliminary Round Rankings

- (a) Teams shall be ranked by number of wins in the Preliminary Rounds, from highest to lowest.
- (b) If two or more Teams have the same number of wins, the Team having the higher Total Competition Raw Score from the Preliminary Rounds shall be ranked higher.
- (c) If two or more Teams have the same number of wins and the same Total Competition Raw Score, the Team with the higher Total Competition Round Points from the Preliminary Rounds shall be ranked higher.

10.4.3 Tie-Breaking Procedure

If two or more Teams are tied after application of Rule 10.4.2, and the outcome of the determination does not affect (a) any Team's entry into the Advanced Rounds, or (b) the pairing of any Teams in the Advanced Rounds of the Tournament, the Teams shall be ranked equally.

If, however, further determination is necessary (under either (a) or (b) above), the rankings shall be accomplished as follows:

- (a) If only two Teams are tied and if the tied Teams have faced each other in the Preliminary Rounds, the winner of that match shall be ranked higher.
- (b) If only two Teams are tied and the Teams have not faced each other in earlier Rounds, and time permits, the Administrator may schedule a match between the two Teams, with the Team with the lower Team number pleading Applicant. The match shall be conducted according to the scoring Rules for Preliminary Rounds. The winner of such a Round shall be ranked higher.

If neither of these methods breaks the tie, the Executive Director shall determine the method for breaking the tie. If the Executive Director cannot be timely contacted, the Administrator may break the tie, taking into consideration the interests of the Teams and the Competition as a whole.

10.5 Scoring Procedures for Advanced Rounds

The following scoring procedures and guidelines shall apply to the Advanced Rounds of applicable Tournaments.

10.5.1 Method of Scoring – Qualifying Tournaments

Judges of Advanced Rounds at each Qualifying Tournament shall make an independent review of the Team Memorials and oral arguments. Judges may employ a point scoring system of their individual choice in making their determinations, including the use of the scoring system from the Preliminary Rounds. The Administrator should provide a Preliminary Round Oral Scoresheet to the judges to use at their discretion. The decision regarding the winner of the Round shall be by majority vote of the judges. No ties are allowed.

Judges need not give any particular fixed weight to either Memorials or oral arguments, but should take into account the Memorials and oral arguments as part of each Team's performance.

10.5.2 Method of Scoring – International Run-Off, Octafinal, Quarterfinal and Semifinal Rounds

In each match in the International Run-Off, Octafinal, Quarterfinal and Semifinal Rounds, scoring procedures for each pairing shall be conducted according to this Rule. Judges must keep secret from all Teams the exact score in each pairing, and each judge's determination in the pairing; only the identity of the winning Team shall be revealed.

(a) Three (3) judges shall read the Applicant Memorial of the Team arguing Applicant and the Respondent Memorial of the Team arguing Respondent. The Team whose Memorial each judge determines is superior will receive one (1) point. If a judge determines that the two Memorials are of equal quality, each Team will receive one-half (0.5) point. Thus, three (3) points are allocated by the Memorials judges. Penalties from the Preliminary Rounds shall not apply in the Advanced Rounds.

(b) Three (3) judges shall sit for the Oral Round. The Team whose presentation each judge determines is superior will receive two (2) points. If a judge determines that the two oral presentations were of equal quality, each Team judge will receive one (1) point. Thus, six (6) points are allocated by the oral-round judges.

(c) The winner of the match is the Team with the greater of the nine (9) points allocated by Memorials and Oral Round judges.

10.5.3 Method of Scoring – World Championship Shearman & Sterling Jessup Cup Round

Judges of the World Championship Shearman & Sterling Jessup Cup Round shall follow the guidelines set out in Rule 10.5.1 for determining the winner of the Shearman & Sterling Jessup Cup.

10.6 Ranking of Oralists

Total scores for each oralist in the Tournament shall be determined by adding the raw scores awarded to that oralist in each Preliminary Round in which the oralist argued, adjusted for any Penalties assessed

against the oralist, and dividing this sum by the number of Preliminary Rounds in which the oralist argued.

Oralists shall be ranked from highest to lowest total score. Ties are permitted. If an oralist argued in only one (1) Preliminary Round, he or she is ineligible for ranking.

10.7 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, for a total of six (6) judges' scores. Team Memorials shall be ranked from the highest Total Memorial score to the lowest. Ties are permitted. Scores shall be adjusted for Penalties per Rule 11.0.

10.8 Reporting of Results

After the conclusion of each Tournament, each Team participating in such Tournament shall receive the following:

- (a) a copy of individual Memorial judges' scoresheets and Penalties, if any, with attendant comments, if any;
- (b) a copy of individual oral judge's scoresheets and Penalties, if any, with attendant comments, if any, from Preliminary Rounds of the Tournament;
- (c) a copy of the Overall Rankings of the Preliminary Rounds of the Tournament, with the Total accumulated Win-Loss records, Overall Raw Scores, and Overall Round Points;
- (d) a copy of the Oralist Rankings from the Preliminary Rounds of the Tournament;
- (e) a copy of the Memorial Rankings from the Preliminary Rounds of the Tournament; and
- (f) a summary of the Advanced Rounds of the Tournament.

OFFICIAL RULE 11.0 PENALTIES

11.1 Memorials Penalties

Memorials Penalties may be imposed by the 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 Rule 10.3, penalties shall be deducted from each of the two (2) judge's scores prior to calculating the third score.

The minimum adjusted raw score that any Team may receive from any individual Memorial judge is fifty (50) points. No further reduction may be made to scores after the minimum score is reached, regardless of unallocated Penalty points remaining.

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.

The Administrator shall notify all affected Teams of imposed Penalties prior to the first Preliminary Round, and shall include with such notification a reasonable deadline for any appeals from the decision to impose Penalties. A Team may appeal any Penalty imposed against its Memorials in writing to the Administrator. The Executive Director shall decide upon the validity of any appeal from the imposition of a Penalty by the Administrator. No further appeal is available from this appellate decision of the Executive Director.

Penalties shall be assessed for violations of other Rules concerning the Memorials by reference to the following table:

Rule	Summary	Penalty
6.1	Tardiness in submitting Memorials	5 points for first day, 3 points per day thereafter
6.2.4, 6.2.5	Use of incorrect font or font-size, use of font of inconsistent size, or improper line spacing	1 point per violation, up to a maximum of 5 points

6.3.1	Failure to include all parts of Memorial, or inclusion of an unenumerated part	2 points for each part
6.3.2	Failure to include necessary information on Memorial Cover Page	2 points (one-time penalty)
6.3.6	Substantive legal argument outside of approved parts of Memorial	2 points (one-time penalty)
6.4(a)	Excessive length: Pleadings	5 points per 100 words over the limit
6.4(b)	Excessive length: Summary of Pleadings	2 points (one-time penalty)
6.4(c)	Excessive length: Statement of Facts	2 points (one-time penalty)
6.7, 2.8	Violation of anonymity in Memorial	Disqualification or up to 10 points (one-time penalty)

11.2 Oral Round Penalties

The Administrator shall impose an Oral Round Penalty only when he is satisfied that an event subject to such Penalty has occurred, if necessary after consultation with the judges, bailiff, Teams and spectators.

11.2.1 Complaint Procedure

If a Team believes that an infraction of the Rules has occurred during an Oral Round, the Team may notify the bailiff in writing within five (5) minutes of the conclusion of that Oral Round. If there is no bailiff, Teams must approach the Administrator with complaints. Written notification shall clearly describe the violation and the parties involved in the violation. The Team shall not directly approach the judges regarding a violation of these Rules. When possible, the matter should be raised with the bailiff outside the attention of the judges. Failure by any Team to follow the procedures described in this paragraph shall result in a waiver of the Team's complaint.

If one or more judges believe an infraction has occurred during an Oral Round, he or she shall notify the bailiff orally or in writing within five (5) minutes of the completion of the Oral Round. When possible, the matter should be raised with the bailiff outside the attention of the other judges.

11.2.2 Deduction of Penalties by Judges Prohibited

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

11.2.3 Activity Subject to Oral-Round Penalties

Penalties may be assessed for violations during an Oral Round by reference to the following table. The Administrator shall deduct the Penalty amount from each judge’s combined score (the sum of the judge’s score for Oralist 1 and Oralist 2) prior to determining the Oral Round Points.

Rule	Summary	Penalty
7.6	Improper courtroom communications	Up to 10 points
7.7.1	Scouting	Forfeiture of one preliminary round if indirect scouting. Forfeiture of all six oral round points if direct scouting in round against team which was scouted. See Rule 7.7.1 for description of penalty
7.10, 2.8	Violation of anonymity in courtroom	Up to 15 points

11.2.4 Discretionary Penalties

In addition to the Penalties listed in Rule 11.2.3, the Administrator may assess up to fifteen (15) point Penalties for other violations of the letter or spirit of these Rules. The size of the Penalty shall correspond to the degree of the violation in the judgment of the Administrator. Discretionary Penalties shall be imposed only by the Administrator.

Such violations may include:

- (a) engaging in poor sportsmanship;
- (b) submitting multiple frivolous complaints against other Teams;
- (c) engaging in inappropriate behavior at the counsel table during the Oral Rounds;
- (d) exhibiting blatant disregard for the procedures or requirements outlined in the Rules.

11.2.5 Notice and Appeals

The Administrator shall notify Teams of his or her decision regarding imposition of any Oral Round Penalty as soon as practicable. Along with the decision, the Administrator shall set a reasonable deadline by which either Team may appeal the decision. If an appeal is submitted, the Administrator shall consult with the Executive Director in resolving the appeal. The Executive Director's decision, if any, on all appeals is final.

11.3 De Minimis Rule

The Administrator may waive or reduce the penalty for a de minimis Rule violation.

11.4 Power to Promulgate Additional Measures

The Executive Director may promulgate such other measures 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 for the orderly conduct of the Qualifying Tournament. Modifications shall not violate the spirit of these Rules or the best interests of the Competition.

OFFICIAL RULE 12.0 AWARDS

12.1 The World Championship

The Team that wins the World Championship will receive two (2) awards: a trophy to keep, and the Shearman & Sterling Jessup Cup to hold in trust for one year at its school. Such Team shall take full responsibility for the safety and condition of the Jessup Cup while it is in their custody and is responsible for returning the Jessup Cup in good condition to the Executive Director prior to the next year's International Tournament.

12.2 The Hardy C. Dillard Award

The Hardy C. Dillard Award is presented to Teams for excellence in Memorial writing by comparing top Memorials across jurisdictions. The Memorials of the Team with the highest Total Memorial Raw Score in any Qualifying Tournament, and the Memorials of the Teams that scored in the Top 25 for Total Memorial Scores in the International Tournament, shall be entered, without further action by the Team, to compete in the Hardy C. Dillard Award Competition.

Each entry in the Dillard Competition shall be scored by a new panel of three (3) judges. Awards will be presented to the top five (5) scoring Teams, based on raw Memorial scores, unadjusted for penalties.

12.3 The Alona E. Evans Award

The Alona E. Evans Award is presented to Teams for excellence in Memorial writing at the International Tournament. Awards will be presented to the top five (5) scoring Teams based on Total Memorials Scores in the International Tournament.

12.4 The Richard Baxter Award

The Richard Baxter Award is presented to Teams for excellence in Memorial writing by comparing individual Applicant and Respondent Memorials. The Applicant and Respondent Memorials of Teams that receive an Alona E. Evans Award or a Hardy C. Dillard Award are entered into the Richard Baxter Award Competition.

There are two (2) Baxter Awards: one (1) for the Best Overall Applicant Memorial and one (1) for the Best Overall Respondent Memorial. Applicant and Respondent Memorials will be ranked by two separate panels of judges. The Best Applicant and Best Respondent Memorials shall be published in the corresponding year's issue of the *ILSA Journal of International & Comparative Law*.

12.5 The Spirit of the Jessup Award

The Spirit of the Jessup Award was created in 1996 to recognize the Team that best exemplifies the Jessup spirit of camaraderie, academic excellence, competitiveness, and appreciation of fellow competitors. The winner is selected by vote of the Teams at the International Tournament.

12.6 Other Awards

In each Tournament, the Administrator shall make arrangement for appropriate recognition of the following: Teams that receive the top Total Memorial Scores, highest ranked oralists, and Teams that advance to the Advanced Rounds.