

**THE 2017 PHILIP C. JESSUP INTERNATIONAL LAW
MOOT COURT COMPETITION**

OFFICIAL RULES

**THE OFFICIAL RULES
OF
THE 2017 PHILIP C. JESSUP INTERNATIONAL LAW
MOOT COURT COMPETITION**



WHITE & CASE

JESSUP CUP

PREAMBLE

The International Law Students Association,
Seeking to educate students and lawyers around the world about the principles and significance of international law,

Encouraging the development of professional skills in written and oral advocacy,
Promoting the social responsibility of law students and lawyers,
Striving to foster international understanding and cooperation,
Being committed to achieving these goals in an environment of mutual respect among all of the individuals and teams involved;

Celebrating the diversity of the nations and cultures brought together in the global event that is the Jessup Competition;

Calling upon everyone engaged in the Jessup Competition to abide by its Official Rules, the rules of any institution hosting a Competition event, and the laws of the host jurisdiction,

Adopts the following Official Rules for the 2017 Competition by resolution of the Board of Directors:

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DEFINITIONS

The following terms as used in these Rules have the corresponding meanings.

"Administrator" means, with respect to any Qualifying or International competition, the person appointed to administer that competition.

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

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

"Bench Memorandum" means the memorandum of law and authorities concerning the Competition Problem prepared by the ILSA Executive Office for the exclusive use of Competition judges, as described in Rules 2.14 and 5.7.

"Competition" means the 2017 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.

"Competition Year" means the period starting on the date of the release of the official *Compromis* and ending at the conclusion of the International Rounds.

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

"Exhibition Team" means a Team that is invited to participate in the International Rounds, but that is not eligible to win the Jessup Cup or the other awards associated with the International Rounds.

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

"International Rounds" means the White & Case International Rounds, the final stage of the Competition, held each year in Washington D.C.

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

"National Round" means any competition administered with the approval of the Executive Office through which a country determines the Team(s) that will advance to the International Rounds.

"National Rules Supplement" means a set of rules promulgated by an Administrator to supplement or modify the Official Rules for purposes of a Qualifying competition in a particular country.

"Official Team Contact" means the individual identified by the Team during the registration process for receipt of official team correspondence.

"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, pursuant to Rule 11.0.

"Problem Clarifications and Corrections" means the official clarifications and corrections to the *Compromis*, as published pursuant to Rule 2.16.

"Qualifying Round" means any competition administered with the approval of the ILSA Executive Office through which a nation or geographic region determines the Team(s) that will advance to the International Rounds.

"Regional Round" means any competition administered with the approval of the Executive Office through which a geographic region determines the Team(s) that will advance to the International Rounds.

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

"Representative", "National Representative," or "Regional Representative" means a Team selected to represent its nation or region at the International Rounds, whether by Qualifying Rounds or by other means.

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

"Team" means a team of eligible students recognized by the Executive Office that registers to compete in the Competition, pursuant to Rule 2.0.

"Team Advisor" means an individual, such as a coach or advisor, who at any time during the Competition Year has responsibility for organizing, advising, or training a Team, whether or not a member of the faculty of the institution represented by the Team.

"Team Homepage" means the personalized homepage available to each Team at <http://www.ilsa.org>. To access the Team Homepage, Team Members must login to www.ilsa.org and select the "MyILSA" link on the main menu.

"Team Number" means the official 3-digit number assigned by the Executive Office to each fully registered Team in accordance with Rule 3.5.

"Team Member" means any eligible student who is registered as a competitor on behalf of a Team.

OFFICIAL RULE 1.0: ORGANIZATION OF THE COMPETITION

1.1 Administration

The Competition is presented annually by the International Law Students Association (ILSA), and is administered by the Executive Director of ILSA. The ILSA Executive Office is located at 701 13th Street NW, Washington, DC 20005, U.S.A., tel: +1 (202) 729-2470, fax: +1 (202) 639-9355, email: jessup@ilsa.org. All materials developed by ILSA for the Competition, including, without limitation, the Official Rules and the Competition Problem, are the sole property of ILSA. These materials 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 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 the Competition

(a) The Competition consists of two levels: (1) Qualifying Rounds, and (2) the International Rounds. Qualifying Rounds are held in each nation or region where more than one Team participates in the Competition. The International Rounds, designated as the White & Case International Rounds, represent the final level of the Competition, and includes Preliminary Rounds, Advanced Rounds, and the World Championship Jessup Cup Round. Each level of the Competition consists of written pleadings (Memorials) and oral pleadings (Oral Rounds).

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

1.3 Establishment of Qualifying Rounds

If more than one Team registers from a particular nation or jurisdiction, the Executive Director will inform all such Teams that a Qualifying Round will be necessary to determine which Team(s) will advance to the International Rounds. The National Representative(s) to the International Rounds will be designated subject to Rule 1.2(b).

1.4 Administrators

(a) The Executive Director will appoint an Administrator for each Qualifying Round and will inform Teams of the name and contact information of the Administrator of their Qualifying Round as soon as

practicable. The Administrator will designate the date and location for the Qualifying Round and will conduct the Qualifying Round in a manner consistent with these Rules and in consultation with the Executive Director. Administrators will consult the Official Jessup Schedule and choose a date that allows advancing teams adequate opportunity to organize travel to the International Rounds.

(b) An Administrator may not serve as a Team Advisor or in any other way assist a Team registered in his or her Qualifying Round. An Administrator may not act as a judge in his or her Qualifying Round, unless necessary to satisfy Official Rule 7.2, provided that Teams to be judged by the Administrator provide their consent.

1.5 Rules Supplements

(a) The Executive Office encourages all Administrators to formulate a Rules Supplement for their Qualifying Rounds.

(b) Rules Supplements must be submitted to and approved by the Executive Office before they may be adopted and enforced by an Administrator. An Administrator shall submit a Rules Supplement to the Executive Office for approval as soon as practicable but no later than two weeks prior to the commencement of the Qualifying competition. If the Rules Supplement modifies the memorial submission procedure, it must be submitted for approval no later than two weeks prior to the memorial submission deadline indicated in the Official Schedule.

(c) Upon approval of a Rules Supplement, the Executive Office shall post it on the Jessup website, and the Administrator shall immediately notify every affected team that a Rules Supplement has been approved and adopted.

1.6 Power to Promulgate Additional Measures

The Executive Director may promulgate any other measures for the orderly conduct of the Competition or to correct deficiencies in the Competition. After the Executive Office has approved a Rules Supplement pursuant to Official Rule 1.5, Administrators may, in consultation with and upon prior approval of the Executive Director, promulgate additional rules, modifications, or other measures for the orderly conduct of the Qualifying competition. Any such proposed additional rules, modifications, or other measures shall not violate the spirit of these Rules or the best interests of the Competition. Any proposed additional rules, modifications or other measures shall be submitted to the Executive Office as soon as practicable for approval in accordance with Official Rule 1.5, and once approved, codified by the Administrator in the Rules Supplement and posted to the Jessup website.

1.7 Interpretation of Rules

The Executive Director shall serve as final arbiter of implementation and interpretation of these Rules and of all Rules Supplements.

OFFICIAL RULE 2.0: PARTICIPATION AND ELIGIBILITY

2.1 Institutional/Team Eligibility

- (a) All educational institutions offering a degree in law or in a field related to international law are eligible to participate in the Competition. All determinations of eligibility are in the discretion of the Executive Director. In exceptional cases, the Executive Director, in consultation with the relevant Administrator, may grant eligibility to institutions with degree programs in international relations, provided that adequate instruction in international law will be available to all members of the Team.
- (b) Each institution may enter one Team, regardless of the number of colleges, departments, faculties, or schools within that institution, and the Team may include students from one or more of its colleges, departments, faculties, or schools (for example, by allowing a student in an international relations program to compete on the Team with students from its law faculty). However, a duly authorized officer of an institution may petition the Executive Director, in writing and prior to the start of the Competition Year, to allow the participation of more than one Team from that institution. Additional Teams may be allowed if it is established that each such Team fulfills the participation and registration requirements of these Rules, and one of the following conditions is met: (i) an intramural competition or other Team selection process would be difficult or impossible to hold due to the institution's regulations, calendar, geographic location(s), or other circumstances beyond the control of the institution or participating Teams; or (ii) the Teams represent different colleges, faculties, branches, departments, or campuses of the same institution and will be participating independently of each other.
- (c) An institution located in one jurisdiction (the "home jurisdiction") that has a permanent physical campus in another jurisdiction (the "foreign jurisdiction"), and that wishes to register a Team in the foreign jurisdiction, must petition the Executive Director in writing. The Executive Director may consult with the Administrator in the home and foreign jurisdictions, request additional information from the petitioning school, and conduct an independent investigation. The Executive Director may then grant or withhold permission to enter such Team in the best interests of the Competition. Permission may be subject to such conditions as the Executive Director may determine, including, in particular, limitations on the composition of the Team (for example, a requirement that all Team members be enrolled full time at the foreign campus).

(d) Institutions that have outstanding debts for fees or other Competition obligations are not eligible to compete in the Competition until such fees have been paid or obligations have been satisfied.

(e) Any Team composed of more than five Team Members (Official Rule 2.2), or which utilizes improper outside assistance (Official Rule 2.8), the Bench Memorandum (Official Rule 2.14), or another Team's Memorial without authorization under these Rules (Official Rule 2.15), may be disqualified from the Competition.

2.2 Team Composition

(a) A Team may be composed of two to five Team Members, who shall be the only individuals contributing to the work product of the Team over the course of the Competition Year. Substitutions of Team Members are not permitted after the registration deadline in the Official Schedule except in extenuating circumstances and only with the written permission of the Executive Office.

(b) Participating institutions and individuals must obtain special permission from the Executive Director to use the current Competition Year's competition materials (including the *Compromis*) for any purpose other than participating in the Jessup Competition, including, but not limited to, conducting an internal moot court competition and/or Jessup Team try-outs. Teams and/or individuals associated with institutions that violate this Rule may be disqualified from the Competition, and institutions violating it may be deemed ineligible to participate in future years.

2.3 Team Member Eligibility

A person may be a Team Member if he or she:

(a) is pursuing a law degree, an international law-related degree, or an international relations-related degree where the Executive Director has given permission in accordance with Official Rule 2.1(a); and

(b) intends to compete on behalf of an eligible institution at which he or she is enrolled as a full-time or part-time student as of (i) the Team Member registration deadline, (ii) the institution's Qualifying Rounds, or (iii) the International Rounds; and

(c) has not engaged in the practice of law, as determined in the discretion of the Executive Director, in any jurisdiction after having graduated from any type of law degree program; and

(d) has never participated as judge, either of Memorials or in any Oral Round, at any level of the Jessup Competition.

2.4 Executive Director's written permission required in certain cases

In addition to satisfying Rule 2.3, a person must request and obtain the written permission of the Executive Director to be a Team Member 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 in lieu of attending class; or
- (c) has already received a graduate degree or post-graduate degree in a legal field (e.g., LL.M., J.D., Canadian LL.B., M.Phil. (International Law), Juris Master, J.S.D., Ph.D.); or
- (d) is enrolled in a program of study leading to a post-graduate degree in a legal field (e.g., Ph.D., D.Phil. J.S.D.).

Note that most LL.B. degrees are considered undergraduate degrees. Students who are currently pursuing an undergraduate degree in a legal field are not required to obtain special permission under Rule 2.4 (c). In addition, students who are currently pursuing, but have not yet completed, their first graduate degree in a legal field are not required to obtain special permission under Rule 2.4(c).

2.5 Executive Director's Discretion

Notwithstanding the provisions of Rules 2.3 and 2.4, the Executive Director shall have the discretion to grant or deny eligibility in certain exceptional circumstances, but shall do so only in accord with the spirit of these Rules and in the best interests of the Competition.

2.6 Team Selection Process

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

- (a) Selection by Intramural Competitions: If an institution 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. See Rule 2.2(b).
- (b) Institutions that receive permission to use the current Competition Problem may not make publicly available (or otherwise available to another school's Team or advisors) any work created or research conducted during its selection process until after the International Rounds have concluded. An institution's Team may be penalized even if the student who violates this rule was not selected for its Team. Violation of this Rule shall be penalized according to Rule 2.8.

2.7 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 relevant Rules Supplement, approved in accordance with these Rules.

2.8 Outside Assistance to Teams

Each Team must research, write, edit, and develop its own legal and factual arguments without the assistance of persons who are not Team Members. Any Team that receives outside assistance may be penalized and may be disqualified from the Competition.

2.9 Assistance from Team Advisors

As a general principle, a Team shall have a number of Team Advisors no larger than is necessary to adequately prepare the Team to participate fairly in the Competition. Notwithstanding the provisions of Rule 2.8, Team Advisors 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 techniques;
- (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 options or similar strategic decisions.

2.10 Assistance from Other Teams

Team Members and Team Advisors from any Team, including Teams that have been eliminated from the Competition, may not provide assistance in any way to any other Team. Prohibited assistance includes, but is not limited to, the following: giving the Team's notes or Memorials to an advancing Team; posting the Team's Memorials online so that a person who is not a registered Team Member or registered Team Advisor may access them; engaging in practice moots against a participating Team; and providing video or audio tapes of previous rounds, whether practice rounds or Competition rounds, to an advancing Team. The Executive Director may allow for otherwise prohibited assistance if deemed to be in the best interests of the Competition.

2.11 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 2.8 regarding outside assistance. Students enrolled in a Jessup course who are not selected to be Team Members may not share or discuss their work with Team Members.

2.12 Draft Memorials

Before Memorials are submitted, Teams may not distribute their memorials to anyone who is not a registered Team Member or a registered Team Advisor. Registered Team Advisors may provide feedback on memorials at any time provided they abide by the provisions of Rule 2.9 with respect to the permissible advice that can be given to the Team.

2.13 Practice Rounds

- (a) Teams may organize "practice rounds" of oral pleadings involving the Competition Problem to prepare for the Competition. In practice rounds, the persons presenting arguments for the Applicant and Respondent must be from the same Team.
- (b) Registered Team Advisors may serve as judges in practice rounds held at any time provided they abide by the provisions of Rule 2.9.
- (c) No one who is not a registered Team Member or registered Team Advisor may serve as a judge in a Team's practice rounds unless he or she:
 - (i) does so only after the submission of Memorials;
 - (ii) is not formally affiliated with any other Team in the Competition;
 - (iii) has not obtained access to the Bench Memorandum, and/or abides by the provisions of Rule 2.14 with respect to the confidentiality of the Bench Memorandum;
 - (iv) confines his or her feedback to general commentary on the advocacy style and technique of the speakers, and to commentary respecting the general rules of international law; and
 - (v) refrains from offering commentary or suggestions about specific substantive arguments.

2.14 Confidentiality of the Bench Memorandum

- (a) The Bench Memorandum is strictly confidential. The Executive Director will disqualify any Team that 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 Competition or the International Rounds.
- (c) Individuals who have obtained access to the Bench Memorandum may not judge practice rounds.

2.15 Use of Opposing Team's Memorials and Arguments

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

2.16 Problem Corrections and Clarifications

Teams may request clarifications and corrections to the *Compromis* by submitting a written request to the Executive Office through the online system provided for that purpose at www.ilsa.org by the date in the Official Schedule. Based upon the requests received from all Teams, the Executive Office will publish Problem Corrections and Clarifications by the date in the Official Schedule. Each Team must ensure that it receives and adequately notes the Problem Corrections and Clarifications in preparation for the Competition.

2.17 Anonymity of Teams

Teams must not reveal the identity of their institution or country of origin to judges at any time during a competition. 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. All instances of disclosure during a competition shall be reported to the Executive Office. For the sake of clarification, merely posting pictures of a Jessup Team or Team Member(s) on social media or a publicly available website, absent other facts, does not constitute a *per se* violation of this Rule.

OFFICIAL RULE 3.0: TEAM REGISTRATION

3.1 Team Registration

(a) Each Team must register with the Executive Office by completing a registration form online at www.ilsa.org and paying the appropriate registration fee by the deadline in the Official Schedule. Each Team must provide a valid email address at registration. Notice sent to the registered email address constitutes notice to all Team Members.

(b) ILSA may promulgate additional rules and procedures as dictated by the best interests of the competition. All Team Members and Team Advisors are expected to regularly check their Team Homepage for updates and announcements and are assumed to have done so. A Team may not validly complain that it was not given proper notice of a rule change or update, when that change or update was made available on the Team Homepage.

(c) As a condition of participating in a Qualifying Competition, the Qualifying Competition Administrator may, with the consent of the Executive Director, levy a reasonable fee to defray the costs of organizing that Competition.

3.2 Waiver of Registration Fee

(a) Teams unable to pay in full the registration fee levied pursuant to Rule 3.1(a) may apply for a waiver or discount from the Executive Office, which the Executive Office may grant in exceptional circumstances. Qualifying Round Administrators do not have authority to grant waivers or discounts of registration fees levied pursuant to Rule 3.1(a). Requests for waivers must be submitted to the Executive Office by the deadline noted in the Official Schedule.

(b) Any request for a waiver or discount of a fee levied pursuant to Rule 3.1(c) should be addressed to the Qualifying Competition Administrator in the first instance. Any appeal from a decision taken by the Qualifying Competition Administrator should be addressed to the Executive Director.

3.3 Team Member Registration

(a) Every student who contributes to the work product of the Team, at any point in the Competition Year, must be registered as a Team Member and counted toward the maximum of five Team Members that constitute that Team. Conducting research for a Team's oral and/or written arguments, writing any part of a Team's Memorial, and presenting any of a Team's oral arguments are examples of activities that contribute to a Team's work product. Students designated by a school or by a Team as alternate or back-up team members may not be registered as Team Members and may not contribute to the Team's work product.

(b) Each registered Team Member may serve any Team Member role, such as researcher, writer, oralist for the Applicant, and oralist for the Respondent, and may serve multiple or all Team Member roles, at any time during the Competition Year. Team Members do not need to register or otherwise designate with ILSA their particular role(s) on the team.

(c) It is the responsibility of the Team to ensure that students are eligible under the provisions of Rule 2.3, or have submitted a request for special permission as required under Rule 2.4, prior to contributing to the Team's work product.

(d) Registered Team Members with pending requests for special permission may contribute to the Team's work product while awaiting ILSA's decision regarding such requests. If the Executive Director denies a request, the requesting Team Member must immediately cease contributing to the Team's work product and the Team must discard all work produced by the ineligible Team Member.

(e) The name of each Team Member and the degree program in which he or she is enrolled must be registered with the Executive Office, via the online registration form located under the “Profile” link on the Team’s Homepage, by the registration deadline in the Official Schedule.

3.4 Team Advisor Registration

The name of each Team Advisor for a Team must be registered with the Executive Office by the Team registration deadline in the Official Schedule. Team Advisors must be registered by completing the online registration form located under the “Profile” link on each Team’s Team Homepage. An individual sitting only as a practice round judge pursuant to Rule 2.13, whether or not a member of the faculty of the institution represented by the Team, need not register as a Team Advisor.

3.5 Team Number as Identification

Once a Team has completed registration, including paying in full the appropriate registration fee, the Executive Office will assign the Team an official Team Number.

3.6 Changes to Registration Information

Once Team Members and Team Advisors are registered, Teams may not make any changes, including to contact and mailing information, without permission from the Executive Director. Any request to make a change must be submitted to jessup@ilsa.org with an explanation of the reason for the proposed change. Substitution of a Team Member is not permitted after the registration deadline except in extenuating circumstances and only with the written permission of the Executive Office. The Executive Office will record approved Team Member substitutions in the registration system. These registration obligations continue 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 five individuals may contribute to the work product of the Team over the course of the Competition Year.

OFFICIAL RULE 4.0: [RESERVED]

OFFICIAL RULE 5.0: JUDGES AND ELIGIBILITY TO JUDGE

5.1 Determinations of Eligibility

The Executive Director, or the Administrator in consultation with the Executive Director, will determine the eligibility of persons to serve as judges in any part of the Competition, subject to the provisions of this Rule.

5.2 Students

Students may act as Competition judges only if they (a) hold a degree in law in any jurisdiction, or a degree in an international law-related field, and (b) are not directly affiliated with any Team participating in the competition at which they are judging.

5.3 Team Advisors

Unless expressly permitted by an approved Rules Supplement or otherwise approved by the Executive Director, Team Advisors, or others directly affiliated with a Team, may not act as judges at the oral or memorial stages of any competition until the Team they advise has been eliminated from the Competition. Team Advisors or others directly affiliated with a Team who are permitted to act as judges pursuant to this Rule shall not, in any case, be provided with access to the Bench Memorandum and shall not, in any case, disclose anything to the Team they advise concerning the written or oral submissions of Team(s) they judge, in violation of Rule 7.13(a).

5.4 Anonymity of Teams

Judges should not attempt to ascertain the school or country of origin of any Team during a competition. 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 primary language used by the Team Members in their legal studies is English, the judge may request the Executive Office to reveal this information.

5.5 Oral Round Conflicts of Interest

(a) Definitions. For the purpose of this Rule 5.5, the following definitions shall apply:

- (1) an "Affiliation" means a personal or professional relationship between a judge and a school, coach, or Team member participating in the competition in which the judge is to serve.
- (2) a "Conflict of Interest" means an Affiliation that would, in the eyes of a reasonable observer, create an inference that the judge would be unable to be impartial as to the conduct or result of the

Oral Round. Reference should be had to Rule 5.5(f), which lists certain Affiliations which do not per se constitute a Conflict of Interest.

(b) Prohibition and Mitigation of Conflict of Interest. The Administrator should avoid placing a judge into an oral round in which he or she has a Conflict of Interest. In the event that the Administrator is unable to avoid a Conflict of Interest, the Administrator should take reasonable steps to mitigate the effects of the Conflict on the Oral Round. Such steps might include: obtaining a waiver of the Conflict from both Teams; informing the other members of the panel of the judge's Affiliation; adding to the panel a judge with a proportional Affiliation with the opposing Team; and assigning a neutral official to observe the Oral Round and the subsequent deliberations to determine whether the Conflict of Interest affected the outcome of the Oral Round.

(c) Waiver by Consent of Both Teams. Any Conflict of Interest may be cured by the express oral or written waiver, either before or after the Oral Round, of both Teams. In this event, neither Team may later file an appeal or other complaint on the basis of the Conflict of Interest. In addition:

(1) If a Team is aware of an Affiliation before the commencement of an Oral Round and fails to report it, as required under Rule 5.5(e), before the Oral Round begins, it shall be deemed to have waived any alleged Conflict of Interest.

(2) If a Team becomes aware of an Affiliation after the completion of an Oral Round and fails to report as required under Rule 5.5(e), it shall be deemed to have waived any Conflict of Interest.

(d) Prophylactic Avoidance of Conflicts. It is the duty of a judge to report any Affiliations at the time he or she registers to judge or subsequently, directly to the Administrator in advance of the Competition. The Administrator shall investigate any reported Affiliation (whether self-reported by a judge or otherwise) and shall determine whether such Affiliation constitutes a Conflict of Interest.

(e) Reporting Obligation of Teams. If a Team believes that an Affiliation exists which may constitute a Conflict of Interest, it shall promptly inform the Administrator or the bailiff of the affected Oral Round. The bailiff will report any alleged Affiliations to the Administrator, who shall take appropriate steps to investigate and, if he or she determines that a Conflict of Interest exists, to eliminate or mitigate it. A Team's failure to timely inform the Administrator of an Affiliation of which it is aware will constitute waiver under Rule 5.5(c).

(f) Affiliations Which Do Not Constitute Conflicts of Interest. The difference between a mere Affiliation and a Conflict of Interest is the reasonable inference of partiality. Absent additional facts supporting an inference of partiality, the following frequently occurring Affiliations do not constitute Conflicts of Interest:

(1) the judge knows a Team member by reason of the Member's participation in previous moot court competitions;

- (2) the judge knows one or both coaches, either because of professional or personal affiliation, prior participation in moot court competitions, or other reasons;
- (3) the judge is an alumnus of one of the schools participating in the Oral Round; and
- (4) the judge is an employee of one of the schools participating in the Oral Round where such employment is sufficiently remote from the activities of the Team as to dispel any reasonable suspicion of partiality.

5.6 Prior Viewing of Teams

- (a) Subject to Section 5.5(b), judges should not view a Team that they have viewed in a previous Oral Round. If a judge must view a Team twice, the Administrator should strive to ensure that he or she views the Team's opposite side.
- (b) In the Advanced Rounds of the International Rounds, the Executive Director may permit judges to view one or more Teams that they have previously judged, if such viewing serves the best interests of the Competition.

5.7 Bench Memorandum

Judges must keep the contents of the Bench Memorandum strictly confidential, and may not disclose it to Teams or Team Members.

5.8 Commentary by Judges

Judges are encouraged to provide direct feedback to Teams regarding their 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 Competition, and must abide by the following:

- (a) In the Preliminary Rounds of any competition, Judges may not provide any feedback that would reveal the contents of the Bench Memorandum, the scores given to individual Oralists, or the results of the Round.
- (b) In the Advanced Rounds of any competition, Judges may not provide any feedback that would reveal the contents of the Bench Memorandum or scores given to individual Oralists. The results of the Round may be revealed only if the judges are authorized to do so by the Administrator.

OFFICIAL RULE 6.0: MEMORIALS

6.1 Submission of Memorials

- (a) Each Team participating in the Competition must prepare one Applicant and one Respondent Memorial.
- (b) Each Team must submit its Applicant and Respondent Memorials to the Executive Office via its Team Homepage (available through www.ilsa.org), and send its Applicant and Respondent Memorials to the relevant Administrator, if any, at the email address provided by the Administrator, no later than 17:00 (5:00 p.m.) Eastern Standard Time (EST) (UTC/GST – 5), on the date specified in the Official Schedule. Submission to the Administrator must occur in a single email message, addressed to the Administrator, with both Applicant and Respondent Memorials attached as separate files titled “###A” and “###R”, respectively (where “###” is the Team’s official Team Number assigned in accordance with Rule 3.5). If one of the Memorials will be submitted late, a Team may separately submit the timely memorial online through its Team Homepage and send the timely Memorial to the Administrator before the deadline without penalty. The official time of submission for the purpose of calculating late penalties is the time each individual Memorial is uploaded to a Team’s Homepage. Administrators may assess a discretionary penalty of no more than 5 points (unless a Rules Supplement provides otherwise) if a Team fails to timely email its memorials to the Administrator.
- (c) In exceptional situations and upon approval of the Executive Director pursuant to Official Rule 1.5, an Administrator may modify the Memorial submission guidelines via a Rules Supplement in the following ways:
- (i) by establishing a deadline which is earlier, but not later, than the time and date specified in the Official Schedule. If an earlier deadline is set, the Memorials must be uploaded via the Team Homepage and emailed to the Administrator by this earlier deadline. Memorials received by the Executive Office after the earlier deadline will be subject to late penalties;
 - (ii) by requiring electronic copies to be mailed to opponent Teams by the deadline and in a manner and form specified by the Administrator; or
 - (iii) by requiring paper copies to be mailed to the Administrator and/or opponent Teams by the deadline and in a manner and form specified by the Administrator. If the Administrator requests paper copies, he or she may specify a later postmark or courier deadline for the paper copies than for the electronic submission, provided that an electronic copy is sent to ILSA and the Administrator by the designated deadline for electronic copies.
- (d) All electronic and paper copy versions (if any) of Memorials submitted to the Executive Office, the Administrator, or any other person must be identical.

(e) Teams may resubmit their Memorials without penalty until the Memorial deadline has passed. After the Memorial submission deadline, resubmitted Memorials will be subject to a two-point penalty, as well as any applicable late penalties.

(f) Equipment failure or problems will not be considered justification for improper formatting or late submission of Memorials.

6.2 Disqualification Deadline

Unless otherwise agreed in advance and in writing by the Executive Office, a Team will be disqualified from the Competition if it does not submit both its Applicant and Respondent Memorials by 17:00 (5:00 p.m.) Eastern Standard Time (EST) (UTC/GST – 5) on the Disqualification Deadline for Memorial submission specified in the Official Schedule. Any Memorial submitted after the deadline for Submission of Memorials as defined by Official Rule 6.1(b), but prior to the Disqualification Deadline, will be subject to applicable late penalties.

6.3 Memorials Submitted in Languages Other Than English

If permitted by an applicable Rules Supplement, Teams may submit Memorials for Qualifying Rounds in languages other than English. Teams must upload such Memorials in the original language via their Team homepage on or before the deadline indicated in the Official Schedule. Memorials of such Teams advancing to the International Rounds must be translated into English and submitted to the Executive Office at jessup@ilsa.org no later than three weeks prior to the start of the International Rounds. Unless otherwise approved in advance and in writing by the Executive Office, failure to send translations by this date will result in disqualification of the Team. Such Memorials must otherwise conform to the required format outlined in these Rules, and must be, to the greatest extent possible, verbatim translations of the originally submitted Memorials. Translated Memorials must be accompanied by a certificate from the translators stating that the contents of the Memorials were not 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.

6.4 Memorial Formatting

(a) File Type: All parts of each Memorial must be contained in a single file. Memorials must be in Microsoft Word format and have a .doc or .docx file extension. Memorials that do not conform to this Rule, such as memorials in PDF format or memorials using a .dat file extension, will not be accepted. If a Team submits its memorials in an unacceptable format it may resubmit conforming Memorials, but will be subject to resubmission penalties under Rule 6.1(e).

(b) **Paper Size/Margins:** All pages of the Memorial must be letter size, 8.5 x 11 inches (21.6 x 27.9 cm), with margins of at least one inch (2.54 cm) on all four sides. The 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.

(c) **Printing:** Administrators in jurisdictions where letter-size or A4 size paper is the standard must print Memorials on letter-size or A4 size paper for their Qualifying Rounds. However, the document settings in Rule 6.4(b) for paper size and margins must not change.

(d) **Font and Font Size:** The font and size of the text of all parts of the Memorial, excluding the Cover Page and page numbers but including the footnotes, must be in Times New Roman 12-point.

(e) **Line Spacing:** The text of all parts of the Memorial must be double-spaced, except for the Cover Page, Table of Contents, Index of Authorities, headings, and footnotes. A quotation to sources outside of the Memorial may be block quoted (i.e. right and left indented) and single-spaced only if the quotation (excluding footnotes) has at least 50 words.

6.5 Advanced Features of Microsoft Word

Teams that take advantage of advanced features of Microsoft Word – including Track Changes and Comments - while drafting their Memorials are responsible for understanding how those advanced features work. A Memorial with tracked changes that have not been properly accepted or comments that have not been properly removed prior to submission will be assessed up to a five-point Penalty. Administrators shall remove all tracked changes and comments found in an affected Memorial before submitting it to judges.

6.6 Memorial Content

(a) The Memorial must contain the following parts in the following order:

- (i) Cover Page;
- (ii) Table of Contents;
- (iii) Index of Authorities;
- (iv) Statement of Jurisdiction;
- (v) Questions Presented;
- (vi) Statement of Facts;
- (vii) Summary of Pleadings;
- (viii) Pleadings; and
- (ix) Conclusion/Prayer for Relief.

(b) Parts not enumerated in paragraph (a), for example, a Table of Abbreviations, are prohibited.

6.7 Cover Page

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 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 (the year during which the relevant International Rounds take place);
- (d) the name of the case; and
- (e) the title of the document (i.e., "Memorial for Applicant" or "Memorial for Respondent").

6.8 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 is cited.

6.9 Statement of Facts

A well-formed Statement of Facts should be limited to the stipulated facts and necessary inferences from the Competition Problem. The Statement of Facts should not include unsupported statements, distortions of the facts provided, argumentation, or legal conclusions.

6.10 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.

6.11 Legal Argument Limited to Pleadings

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

6.12 Length

The word count for each Memorial shall be conducted using the standard "Word Count" feature in Microsoft Word 2003, Microsoft Word 2007, Microsoft Word 2010, or Microsoft Word 2013.

- (a) The Statement of Facts section, including the section title, any section headings or sub-headings, conclusion, associated footnotes, and any other language a team might elect to include, must be no longer than 1,200 words.
- (b) The Summary of Pleadings section, including the section title, any section headings or sub-headings, conclusion, associated footnotes, and other language a team might elect to include, must be no longer than 700 words.
- (c) The total length of the Pleadings section, including the section title, any section headings, section sub-headings, the required Conclusion/Prayer for Relief, associated footnotes, signature block, and other language a team might elect to include, must be no longer than 9,500 words.
- (d) Manipulation of the word count is prohibited, and will be subject to appropriate Penalties pursuant to Rules 11.1(e) and 11.8(a). For example, a Team may not, in order to reduce word count, remove spaces between words or abbreviations in citations where a space would normally occur in standard citation formats, or use hyphens inappropriately, non-breaking white spaces, or macros, or otherwise modify the word processor dictionary.

6.13 Citation Requirement

- (a) 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 include substantive pleadings in addition to the text of the citation itself. Footnotes are included in the word limit of Rule 6.12.

Examples of proper footnotes:

Certain Norwegian Loans (Fr. v. Nor.), 1957 I.C.J. 9, 23-24 (July 6) [hereinafter Norwegian Loans].
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).

6.14 Citation Form

Citations appearing in the Index of Authorities and text or footnotes of the Memorial must include a description of each authority adequate to allow a reasonable reader to identify and locate it in a publication or other source of general availability.

6.15 Anonymity in Memorials

Names of participants, and the nations or school name of Teams, may not appear on or within the Memorials, and Team Members should not sign their Memorials. Administrators shall strike all references to Team Members, and countries or school names of Teams, from Memorials before submitting them to judges.

6.16 Teams with Technological Limitations

If a Team is unable to comply with any portion of Official Rule 6.0 due to technological limitations, it may request alternative arrangements with the Executive Office. Any such request must be made as soon as possible and, at a minimum, two weeks before the Memorial deadline.

6.17 Four-Judge Panels at the International Rounds

At the International Rounds, the Administrator shall employ four judges to grade each Memorial. The Administrator shall identify the score that is furthest from the mean of all four scores, and that score and the scoresheet on which it appears shall be disregarded. The three remaining scores shall be utilized for the purpose of determining Round outcomes and Team Memorial rankings.

6.18 Three-Judge Panels at Qualifying Competitions

At Qualifying competitions, the Administrator shall employ three judges whenever possible to grade each Memorial. In extenuating circumstances, the Administrator may authorize panels of two judges, but this should be done only as a last resort. Administrators should minimize the number of times that a Team is evaluated by a two-judge panel. In no case may an Administrator authorize a panel of a single judge. Administrators may use the four-judge panel International Rounds evaluation method described in Rule 6.17 if adopted in a corresponding Rules Supplement.

OFFICIAL RULE 7.0: ORAL ROUND PROCEDURES

7.0 General Procedures

Each Oral Round of each competition consists of 90 minutes of oral pleadings. Applicant and Respondent are each allotted 45 minutes. Oral presentations during the Round must be made by two, and only two Members, from each Team. 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 sur-rebuttal (for Respondent). The Team may not allocate more than 25 minutes,

including rebuttal or sur-rebuttal, to either Oralist, although in extenuating circumstances, the Executive Director has discretion to permit a single Oralist to argue beyond the 25-minute limit. Time allocated for but not used by one Oralist may not be used by the other Oralist or saved for rebuttal or sur-rebuttal. Any Team Member may act as an Oralist during any round of the Competition, and need not always argue the same side. Teams using interpreters may be allotted additional time pursuant to Rule 7.14.

7.1 Extension of Time at Judges' Discretion

Judges may, at their discretion, extend total Team oral argument time beyond the 45-minute allocation, and Oralists asked by the judges to expand upon arguments may, in this instance, exceed the 25-minute individual limit.

7.2 Three Judge Panels

In each Oral Round, the Administrator shall employ three judges whenever possible, and may employ more than three judges in Advanced Rounds. In extenuating circumstances, the Administrator may authorize panels of two judges, but this should be done only as a last resort. The Administrator should minimize the number of times that a Team is evaluated by a two-judge panel. In no case may an Administrator authorize that an Oral Round be presided over by a single judge.

7.3 Oral Rounds

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

Applicant 1 --> Applicant 2 --> Respondent 1 --> Respondent 2 --> Rebuttal (Applicant 1 or 2) --> Sur-rebuttal (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 sur-rebuttal. This applies irrespective of whether the pleading Team uses all of the time it has allocated for its main pleadings. Time not used in the main pleading may not extend the time allocated to rebuttal or sur-rebuttal.

7.4 Rebuttal and Sur-rebuttal

Each Team may reserve up to ten minutes for rebuttal or sur-rebuttal. As a courtesy to the judges, Teams should announce at the beginning of their oral argument whether they intend to reserve time for rebuttal or sur-rebuttal and how much time they intend to reserve, although a failure to do so will not entail waiver of the right to rebuttal or sur-rebuttal. Only one of the two oralists participating in the Oral Round may deliver the rebuttal or sur-rebuttal, but the Team need not indicate in advance which of the pleading Team Members will do so. The rebuttal shall immediately follow Respondent 2, and the sur-rebuttal shall immediately follow the rebuttal. Teams may waive their rebuttal or sur-rebuttal.

7.5 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 sur-rebuttal is limited to responding to the Applicant's rebuttal. If the Applicant waives rebuttal, Respondent's sur-rebuttal is automatically waived as well. Although judges are admonished to enforce the limits on the scope of rebuttal and sur-rebuttal, 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 the scope of rebuttal or sur-rebuttal.

7.6 Ex Parte Procedure

- (a) In extreme circumstances, such as when a Team fails to appear for a scheduled Oral Round, the Administrator, after waiting 30 minutes, may allow the Oral Round to proceed ex parte. In an ex parte proceeding, the attending Team presents its oral pleadings, which are 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 its scheduled Round forfeits all six of the Round's Oral Round Points.
- (b) 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 do not affect the scoring of the original Oral Round and are used only for purposes of calculating individual oral pleading scores.
- (c) Team will be deemed to have failed to appear if only one Member from a given Team appears for the Oral Round. In such an event, the absent Team's single Oralist shall be allowed to plead and receive an individual score for purposes of calculating individual oral pleading scores, even though his/her team forfeits all six Oral Round points.

7.7 Of Counsel

During each Oral Round, one additional Team Member registered pursuant to Rule 3.3 may sit at the counsel table with the two Oralists, as counsel. The person acting as counsel need not be the same person in each Oral Round.

7.8 Competition Communications

Only the oral communications with the judges described in Rule 7.9, 7.10, and 7.11 are permitted. In particular, no written communication or exhibits may be presented or delivered by any Team Member to any judge.

7.9 Oral Courtroom Communication between Counsel and Judges

Each Oralist may communicate with the judges, and the judges may communicate with that Oralist, only during his or her allotted time. 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).

7.10 Oral Courtroom Communication and Activity at Counsel Table

To prevent disruption, communication at the counsel table between Team Members may be in writing only. Teams and team-affiliated spectators shall avoid all unnecessary noise, outbursts, or other inappropriate behavior that distracts from the argument in progress.

7.11 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 between any combination of the following parties: judges, the oralist, Team Members seated at the counsel table, or spectators (including Team Members seated in the audience).

7.12 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 the Preliminary Rounds. The presence of Team Advisors or other spectators affiliated with the Team is permitted in the courtroom during an Oral Round in which the Team is competing. Teams are responsible for ensuring that their spectators do not engage in any disruptive behavior, and shall ensure that spectators do not disclose to judges the identity of their institution or country.

7.13 Scouting

(a) Team Members or persons directly affiliated with any Team may attend only Preliminary Rounds in which that Team is competing. The Executive Director may, in the interests of the Competition, (1) waive this Rule, or (2) allow Team Advisors to judge, provided such Team Advisors offer no advice to the Team they advise about the Team(s) they judge. Violation of this Rule should be brought to the attention of the bailiff and/or Administrator immediately, without disturbing the Oral Round, or immediately after the Oral Round has finished.

(b) 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.

(c) A Team that commits Direct Scouting forfeits all six Oral Round Points in each future Preliminary Round in which it competes against a Team it scouted.

(d) A Team that 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 that 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 10.8.

(e) During the Advanced Rounds of any Competition, any Team still in contention is forbidden from attending any Advanced Round matches not involving that Team. Any Team which commits scouting during the Advanced Rounds will forfeit the Round in which the scouting occurred and, as a consequence, any subsequent Round in that competition in which the Team competes. In the event that scouting is discovered only after the subsequent Rounds have been held, the resulting forfeit(s) shall not retroactively affect the seeding of subsequent Rounds.

7.14 Interpreters and the Use of Interpreters

Teams may use interpreters, subject to the following provisions:

a) In Qualifying Rounds: Each Administrator may allow Teams and/or judges to use languages other than English during Oral Rounds in a Qualifying competition, and/or may provide procedures whereby interpreters may be used, by including Rules to this effect in their Rules Supplements.

(b) In International Rounds: A Team wishing to present its oral pleadings at the International Rounds in a language other than English must arrange to have its oral pleadings interpreted during the International Rounds. Arrangements for and costs incurred in hiring interpreters and providing required equipment are the responsibility of the Team. A Team wishing to use interpreters must inform the Executive Office as soon as it knows it has advanced to the International Rounds and, in any event, no later than four weeks prior to the start of the International Rounds. Teams using interpreters may request permission from the Executive Director to extend total Team oral argument time beyond the 45 minutes allotted under Rule 7.1. The maximum extension permitted will be 20 minutes per Oral Round. The use of an interpreter in one Oral Round does not commit the Team to using an interpreter in later Oral Rounds. 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 opponent. All judges and Oralists in an Oral Round involving an interpreter should take the professional needs of the interpreter (for example, the need for clear enunciation) into account during the Oral Round.

c) Use of 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 counsel table during the Oral Round in which he or she is an interpreter; and (c) he or she does not communicate with the Team in any way during the Oral Round, except to interpret the oral pleadings.

d) Non-Embellishment by Interpreters: When a Team employs an interpreter, he or she may render only a literal interpretation of the Oralists' pleadings and the judges' comments. No embellishment, enhancement, or clarification on the part of the interpreter is allowed. A Team that violates this Rule is subject to forfeiture of all six Oral Round Points for that Oral Round.

7.15 Audio and Videotaping

No audiotaping or videotaping of oral pleadings is permitted without the advance permission of the entire panel of judges, the two participating Teams, and either the Administrator or the Executive Director. In no circumstances may participating Teams view or listen to any video or audiotape of an Oral Round until after the completion of the Competition in which the taped Oral Round took place. ILSA reserves all rights to the audiotaping 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 Jessup Cup Round will be deemed to have consented to the taping and broadcasting of that Oral Round.

7.16 Anonymity of Teams in Courtrooms

During an Oral Round, participants may not directly or indirectly indicate their country or school of origin to the judges or bailiff, including through the wearing of name tags, pins, logos, or other signifiers, or the placement of folders, files, library books, or other materials identifying their school on counsel table. For the purposes of this Rule, the term "participants" includes Team Members, Team Advisors, and spectators affiliated with the Team.

7.17 Computers, Mobile Phones, and other Electronic Devices in Courtrooms

During an Oral Round, Oralists at the podium and participants seated at counsel table may not operate, for any purpose, mobile phones, laptop computers, PDAs, or any other computing or electronic devices, including but not limited to those which are internet-enabled or data-capable, or have instant messaging capabilities. All such devices must be turned off and removed from sight as soon as the bailiff first enters the courtroom, and must remain off and out of sight until the conclusion of the Oral Round. A Team that violates this Rule may forfeit up to six Oral Round Points; the Administrator shall determine a Penalty that corresponds to the severity of the violation.

7.18 Timekeeping Devices in the Courtroom

The official time of the match shall be indicated by the bailiff. No one other than the bailiff may display timecards or otherwise signal to the Oralist how much time is left. Teams may use silent digital or analog watches at the podium or at counsel table. However, the use of any such device which, in addition to keeping time, is capable of either (a) sending or receiving data to another person or to the Internet, or (b) storing text data, shall be prohibited at counsel table and at the podium as a violation of Rule 7.17, even if such functionality is turned off.

OFFICIAL RULE 8.0: QUALIFYING COMPETITION PROCEDURES

8.1 Preliminary Rounds

Each Team participating in a Qualifying competition shall participate in Preliminary Rounds consisting of four Oral Rounds, twice as Applicant and twice as Respondent. If four or fewer Teams are participating in a Qualifying competition, the Executive Director may permit fewer rounds, and the Administrator shall work with the Executive Director to decide an appropriate match schedule, pairing procedure, and scoring system. Each Team shall, to the degree possible, face any opposing Team only once in the Preliminary Rounds of a Qualifying competition. In the event that Teams must face each other in two Preliminary Rounds, each Team shall plead as Applicant in one Round and Respondent in the other Round.

8.2 Pairings

The pairing of Teams for Preliminary Rounds shall be done, in the first instance, by a random draw. Pairings and Memorials of opposing Teams will be distributed to Teams on or prior to the first day of the Qualifying competition. 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 15 minutes prior to the start of the newly-paired round.

8.3 Quarterfinal Rounds

If 16 or more Teams are participating in a Qualifying competition, the Administrator may hold Quarterfinal Rounds consisting of four matches among the eight highest-ranking Teams from the Preliminary Rounds. In such Quarterfinal Rounds, the pairings shall be determined by "power-seeding" as follows: the eighth-ranked Team versus the first-ranked Team, the seventh-ranked Team versus the second-ranked Team, the sixth-ranked Team versus the third-ranked Team, and the fifth-ranked Team versus the fourth-ranked Team.

8.4 Semifinal Rounds

(a) If Quarterfinal Rounds have been held, the winning Team in each of the four Quarterfinal Rounds shall advance to the Semifinal Rounds. In Semifinal Rounds, the pairings shall be determined by use of "power-seeding," i.e., the highest-ranked remaining Team shall compete against the lowest-ranked Team. The rankings to be used will be the final rankings from the Preliminary Rounds.

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

8.5 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.

8.6 Pleading Option

(a) Prior to the commencement of the Advanced Rounds, each competing Team will be given its completed master Team scoresheet from the Preliminary Rounds, but not individual judges' scoresheets or notes.

(b) 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."

(c) The Administrator shall choose a means of random decision in determining the pleading option for a Championship Round. Possible methods include, but are not limited to, the following:

(i) Coin toss: A designated Team Member of the higher-ranking Team from the Preliminary Rounds will call the toss, and the Administrator will toss the coin. If the Team Member correctly calls the toss, then his or her Team will have the pleading option. If that Team Member does not correctly call the toss, then the opposing Team will have the pleading option.

(ii) Rolling a Die: A designated Team Member of the higher ranking Team from the Preliminary Rounds will roll a 6-sided die. If the Team Member rolls an even number, then his or her Team will have the pleading option. If the number rolled is odd, then the opposing Team will have the pleading option.

- (iii) Drawing Lots: A designated Team Member of the higher ranking Team from the Preliminary Rounds will select a piece of paper from a container (e.g., a hat, bag, or box). The pieces of paper will say either “Yes” or “No”, and there shall be an equal number of pieces marked “Yes” and “No.” If the Team Member selects a piece of paper saying “Yes,” his or her Team will have the pleading option. If the piece of paper says “No,” then the opposing Team will have the pleading option.

Administrators may also use any reasonable alternate random method to determine pleading option in a Championship Round.

(d) The Team with the pleading option has ten minutes to decide which side it wishes to plead. If that Team fails to select, then the opposing Team has five minutes to do so. If the opposing Team fails to exercise its pleading option within a five-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.

(e) Once the sides have been determined, the Administrator will immediately notify both Teams. The Administrator will give each Team the appropriate Memorial of its opponent. The Teams will then be granted a reasonable time to prepare for the Oral Round.

8.7 Complaints Regarding Conduct of a Qualifying Round

(a) General Procedure. A Team may submit a complaint to the Executive Director concerning one or more violations of the Official Rules that it alleges materially deprived it of an opportunity to advance to the International Rounds. Such complaint must be submitted to the Executive Director and the Administrator via electronic mail no later than 48 hours after the conclusion of the Qualifying Round. A Team’s allegation, however well supported, that the judges in a given Oral Round reached the wrong conclusion cannot be the basis for a complaint.

(b) Required Contents of a Complaint. A complaint must include the following information:

- (i) the Team number, school, and contact information of the complaining Team;
- (ii) the specific facts constituting the alleged violation(s);
- (iii) a description of how the violation(s) materially deprived the team of an opportunity to advance to the International Rounds; and
- (iv) the identities and contact information of any witnesses to the violation(s).

(c) Prohibition on Discussion of Complaint. Unless directed to do so by the Executive Director, a Team shall not discuss its complaint with any judges or other witnesses to the alleged violation(s) until after the final decision on the complaint is delivered by the Executive Director.

- (d) **Exhaustion of Local Remedies.** If, at the time a violation occurs, a Team that is aware of the violation fails to bring it to the attention of the Administrator, and if such violation could have been remedied by prompt action of the Administrator, the Team shall have waived any complaint based upon that violation.
- (e) **Standing.** Only a Team claiming that, as a result of a violation, it was materially deprived of an opportunity to advance to the International Rounds shall have standing to file a complaint based upon that violation. Any other allegations of violations shall be treated as comments or suggestions under Rule 8.7(h).
- (f) **Investigation of Complaints.** The Executive Director will promptly investigate a complaint. Such investigation will focus on whether the alleged violation actually occurred and, if so, whether the violation materially deprived the Team of an opportunity to advance to the International Rounds. Such investigation may entail discussions with the Administrator, judges, other Teams, and interested and disinterested observers. Even when it is determined that a violation occurred, the Executive Director may conclude that the violation did not materially deprive the Team of an opportunity to advance to the International Rounds.
- (g) **Remedy.** If the Executive Director concludes that a violation occurred and materially deprived the complaining Team of an opportunity to advance to the International Rounds, he or she shall impose an appropriate remedy, including but not limited to: overruling the results of one or more Advanced Rounds; changing the Team declared as the winner of the Round; inviting one or more additional Teams to attend the International Rounds as additional representatives of the country or region in question; or issuing a formal apology to the complaining Team(s).
- (h) **No Prohibition on Constructive Suggestions.** Teams are encouraged to offer suggestions to the Administrator or the Executive Director for the improvement of the Competition. Such suggestions shall be promptly acknowledged, although for reasons of expediency, they may not be addressed until after the conclusion of the International Rounds.

OFFICIAL RULE 9.0: INTERNATIONAL PAIRING PROCEDURES

9.1 Representation

All Representatives approved for that purpose by the Executive Director are eligible to compete in the International Rounds.

9.2 Preliminary Rounds

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

9.3 Pairings for the Preliminary Rounds

- (a) The Executive Director shall establish the pairings for the Preliminary Rounds, in the first instance, with reference to the total International Rounds Memorial scores (unadjusted for penalties) of the competing Teams. The Executive Director may modify the draw in the best interests of the Competition.
- (b) Pairings for the International Rounds and the Memorials of opposing Teams will be distributed to Teams on or prior to the first day of the International Rounds.
- (c) The Executive Director may subsequently modify the pairings to account for absent Teams or other unforeseeable contingencies. In such case, the Executive Director will notify affected Teams and deliver their opponents' Memorials as soon as possible.

9.4 Religious Scheduling Conflicts

No later than four weeks prior to the Preliminary Rounds, Teams must notify the Executive Director in writing of any potential schedule conflicts owing to religious observances or similar concerns. The Executive Director will make every effort to make appropriate accommodations.

9.5 International Run-Off, Octafinal, and Quarterfinal Rounds

The Advanced Rounds of the International Rounds consist of the International Run-Off Rounds, the International Octafinal Rounds, the International Quarterfinal Rounds, the International Semifinal Rounds, and the World Championship Round. Subject to Rule 9.8, the 32 highest-ranked Teams from the Preliminary Rounds shall participate in the Advanced Rounds.

9.6 International Run-Off Rounds

The International Run-Off Rounds consist of 16 pairings of the 32 highest-ranked Teams from the Preliminary Rounds, subject to Rule 9.8.

9.7 International Octafinal Rounds, Quarterfinal Rounds, Semifinal Rounds, and World Championship Jessup Cup Round

The International Octafinal Rounds consist of eight pairings of each of the 16 Teams that win a match in the International Run-Off Rounds. The International Quarterfinal Rounds consist of four pairings of each of the eight Teams that win a match in the International Octafinal Rounds. The International Semifinal Rounds consist of two pairings of each of the four Teams that win a match in the International Quarterfinal Rounds. The two winning Teams from the International Semifinal Rounds advance to the World Championship Jessup Cup Round.

9.8 National Representation Limitation

No more than eight Teams from one nation may advance to the Advanced Rounds of the International Rounds. If more than eight Teams from one nation place among the 32 highest-ranked Teams from the Preliminary Rounds, only the eight highest-ranked Teams from that nation may advance. If after the application of this Rule, there are fewer than 32 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 32. This subsequent addition shall also be subject to this Rule 9.8.

Example: If nine Teams from the nation of Erewhon qualify for the International Run-Off Rounds, the ninth-ranked Erewhon Team shall not advance to the Advanced Rounds. The 33rd ranked Team from the Preliminary Rounds shall be added to the Advanced Rounds, unless that Team is also from Erewhon. In such a case, the next-highest-ranked Team not disqualified by this Rule would advance.

9.9 Pairings for the International Advanced Rounds

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.

9.10 Previous Meeting Qualification

If application of the pairing protocols would result in a Team facing an opponent that it faced in the International Preliminary Rounds, the Executive Director will 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.

9.11 National Pair-Off Qualification

(a) If eight Teams from a given nation advance to the Octafinal Rounds, the first-ranked Team shall be paired against the eighth-ranked Team, the second-ranked Team against the seventh-ranked Team, the third-ranked Team against the sixth-ranked Team, and the fourth-ranked Team against the fifth-ranked Team. All Teams not affected by this qualification shall then be paired according to the general pairing Rules.

(b) If seven Teams from a given nation advance to the Octafinal Rounds, the second-ranked Team shall be paired against the seventh-ranked Team, the third-ranked Team against the sixth-ranked Team, and the

fourth-ranked Team against the fifth-ranked Team. All Teams not affected by this qualification shall then be paired according to the general pairing Rules.

(c) If six Teams from a given nation advance to the Octafinal Rounds, the third-ranked Team shall be paired against the sixth-ranked Team, and the fourth-ranked Team against the fifth-ranked Team. All Teams not affected by this qualification shall then be paired according to the general pairing Rules.

(d) If five Teams from a given nation advance to the Octafinal Rounds, then the fourth-ranked Team shall be paired against the fifth-ranked Team. All Teams not affected by this qualification shall then be paired according to the general pairing Rules.

(e) If three 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. All Teams not affected by this qualification shall then be paired according to the general pairing Rules.

(f) If four 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 shall be paired against the third-ranked Team. All Teams not affected by this qualification shall then be paired according to the general pairing Rules.

(g) If two Teams from a given nation advance to the Semifinal Rounds, those two Teams shall be paired against one another. The other two Teams will also be paired against one another.

9.12 Pleading Option in the International Rounds

(a) Prior to the commencement of the International Advanced Rounds, the Executive Director will give each competing Team a copy of its completed Team master scoresheet.

(b) The Executive Director shall choose a means of random decision in determining the pleading option for the Advanced Rounds. Possible methods include, but are not limited to, those listed in Rule 8.6(c).

(c) The Team with the pleading option must select which side it will argue within ten minutes. If that Team fails to make a selection, the other Team must select which side it will argue within five 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.

(d) Once the sides have been determined, the Executive Director will 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

10.1 Basis for Scores

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

10.2 Preliminary Rounds

- (a) Scoring of the Preliminary Rounds shall consist of two parts: the written Memorials and the Oral Rounds.
- (b) Each judge will score each Memorial on a scale of 50 to 100 points.
- (c) Each judge will score each Oralist on a scale of 50 to 100 points.

10.3 Calculation of Scoring Points

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

10.4 Raw Scores

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

- (a) Memorial Raw Scores: In each match, the Total Memorial Raw Score for each Team is the sum of the three 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 scores for its Applicant and Respondent Memorials. This score shall be used to determine Best Memorial Awards.
- (b) Oral Raw Score: In each match, a Team's Total Oral Raw Score is the sum of the scores of the three judges for each of its two Oralists.
- (c) Total Raw Scores: In each match, a Team's Total Raw Score is the sum of the Team's Total Memorial Raw Score 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.

10.5 Round Points

- (a) Memorial Round Points: In each match, a total of three Round Points will be awarded based on a comparison of the highest, middle, and lowest scores on Memorials. If four-judge panels are used to evaluate Memorials, the score furthest from the mean will be discarded and the three remaining scores will be used as the Memorial's highest, middle, and lowest scores. The Memorials to be compared correspond to the side that the Team argued in that match (in other words, the scores of the Applicant Team's Applicant

Memorials are compared with the scores of the Respondent Team's Respondent Memorials). For each comparison, the Team with the higher score is awarded one 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 one round point is awarded to the Team with the higher of these scores. Similarly, 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 of a Round Point.

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

(c) 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.

10.6 Two-Judge Panels

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

10.7 Determining the Winner of a Preliminary Round Match

In any given match, the Team receiving more of the nine 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.

10.8 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 number of draws shall be ranked higher.

(c) If two or more Teams have the same number of wins and the same number of draws, the Team having the higher Total Competition Raw Score from the Preliminary Rounds shall be ranked higher.

(d) If two or more Teams have the same number of wins, the same number of draws and the same Total Competition Raw Score, the Team with the higher Total Competition Round Points from the Preliminary Rounds shall be ranked higher.

10.9 Tie-Breaking Procedure

If two or more Teams are tied after application of Rule 10.8, 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 competition, the Teams shall be ranked equally. If, however, further determination is necessary to determine advancement or pairings, 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 the Preliminary Rounds, the Administrator shall break the tie according to the following methods, starting with the first and working down only if the prior method does not break the tie:
 - (i) the Team with the higher total Oralist and Memorial score average wins, calculated by adding the Team's Total Competition Oral Raw Score divided by 24 and the Team's Total Competition Memorial Raw Score divided by six;
 - (ii) the Team whose opponents won more matches wins, calculated by adding the number of wins of the Teams' opponents and for this purpose only, counting a draw as one-half of a win;
 - (iii) the Team wins whose opponents scored higher, calculated by adding the Total Raw Scores of the Teams' opponents;
 - (iv) the Team with the higher total oralist score average wins, calculated by dividing the Total Competition Oral Raw Score by 24; or
 - (v) the Administrator determines a method to break the tie, taking into account the interests of the Teams and the Competition as a whole.

10.10 Scoring Procedures for Advanced Rounds

The following scoring procedures and guidelines shall apply to Advanced Rounds of Qualifying or International competitions.

- (a) *Qualifying Rounds.*

Judges of Advanced Rounds of each Qualifying competition shall make an independent review of the Team Memorials and oral arguments, taking both into account, although they need not give any particular fixed weight to either Memorials or oral arguments. The Administrator shall 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.

(b) *International Run-Off, Octafinal, Quarterfinal and Semifinal Rounds*

In each match in the International Run-Off, Octafinal, Quarterfinal and Semifinal Rounds, scoring 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; only the identity of the winning Team shall be revealed.

(i) Three 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 point. If a judge determines that the two Memorials are of equal quality, each Team will receive one-half point. Thus, three points are allocated by the Memorials judges. Penalties from the Preliminary Rounds shall not apply in the Advanced Rounds.

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

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

10.11 Method of Scoring – World Championship Jessup Cup Round

Judges of the World Championship Jessup Cup Round shall follow the guidelines set out in Rule 10.10(a) for determining the winner of the Jessup Cup.

10.12 Ranking of Oralists

Individual Oralists shall be ranked from highest to lowest average oral score by the Administrator. An Oralist's average oral score is the average of the scores awarded to that individual by each judge during the Preliminary Rounds, excluding the single lowest score awarded to the Oralist. If an oralist argued in only one Preliminary Round, he or she is not eligible for ranking.

Example: Lucy argued in two Preliminary Rounds. In her first appearance, the three judges awarded her a 90, an 85, and an 81. In her second appearance, the three judges awarded her an 89, an 85, and an 80. In determining her average oral score, the Administrator would disregard the 80 she received in the second Round (her lowest mark). So her score would be the sum of her other five scores (430), divided by the number of judges whose scores were counted (5), for an average oral score of 86.0.

10.13 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 judges' scores. Team Memorials shall be ranked by the Administrator from the highest Total Memorial score to the lowest. Ties are permitted. Scores shall be adjusted for Penalties per Rule 11.0.

10.14 Reporting of Results

After the conclusion of each competition, each participating Team shall receive the following:

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

OFFICIAL RULE 11.0: PENALTIES

11.1 Memorial Penalties

- (a) Memorial 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 judges under Rule 10.6, penalties shall be deducted from each of the two judges' scores prior to calculating the third score.
 - (b) The minimum adjusted raw score that any Team may receive from any individual Memorial judge is 50 points. No further reduction may be made to scores after the minimum score is reached, regardless of unallocated Penalty points remaining.
 - (c) In instances where only one Memorial is in violation of a Rule, Memorial Penalties may be deducted from the scores of the offending Memorial only.
 - (d) 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 decision of the Executive Director.
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(e) Penalties shall be assessed for violations of the Rules concerning Memorials by reference to the following table:

Rule	Summary	Penalty	
6.1, 6.2	Tardiness in submitting Memorial to ILSA	5 points for first day, 3 points per day thereafter If neither Memorial has been submitted by the Disqualification Deadline, the Team will be withdrawn from the Competition.	
6.1(e)	Resubmission of Memorial	2 points	
6.4	Formatting Violations: <ul style="list-style-type: none"> • Use of incorrect font • Use of incorrect font-size • Use of improper line spacing • Use of improper block quote (less than 50 words) • Use of endnotes 	1 point per type of violation, up to a maximum of 5 points	
6.5	Failure to remove Tracked Changes or Comments	Up to 5 points (one-time penalty)	
6.6	Failure to include all parts of Memorial, or inclusion of an un-enumerated part	2 points for each part	
6.7	Failure to include necessary and correct information on Memorial Cover Page	2 points (one-time penalty)	
6.12	Excessive length: Pleadings	1-100 words over	3 points
		101-200 words over	6 points
		201-300 words over	9 points
		301-400 words over	12 points
		401+ words over	15 points
6.12	Excessive length: Summary of Pleadings	2 points (one-time penalty)	
6.12	Excessive length: Statement of Facts	2 points (one-time penalty)	
6.15, 2.17	Violation of anonymity in Memorial	Disqualification or up to 10 points (one-time penalty)	
11.2	Plagiarism	1 to 50 points	

11.2 Plagiarism

Teams shall not commit plagiarism. “Plagiarism” means the act of appropriating the literary composition of another, or parts or passages of another’s writings, or the ideas or language of another, and passing them off as the product of one’s own mind. After investigation and review, in a verified case of plagiarism, an Administrator shall assess a Penalty between one and 50 points to each offending Memorial, with the Penalty corresponding to the degree of the violation in the judgment of the Administrator. Administrators shall refer all allegations of plagiarism to the Executive Office. After investigation and review, the Executive

Director may do one or both of the following: (1) disqualify the Team; (2) notify the Team’s dean and/or other university official(s) of the results of the Executive Office’s investigation.

11.3 Oral Round Penalties

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

11.4 Complaint Procedure

(a) 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 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 alleged violation and the parties involved. Teams shall not directly approach the judges regarding a violation of these Rules. When possible, the matter should be raised with the bailiff outside the presence 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.

(b) If a judge believes that an infraction has occurred during an Oral Round, he or she shall notify the bailiff orally or in writing within five minutes after the completion of the Oral Round. When possible, the matter should be raised with the bailiff outside the presence of the other judges.

11.5 Deduction of Penalties by Judges Prohibited

Penalty points may be deducted only by the Administrator. In no instance shall judges themselves deduct any Penalty points from the scores of the oralists. Judges shall score the Oral Round as if no violation occurred, and may take an infraction into account only if so instructed by the Administrator.

11.6 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) before determining the Oral Round Points.

Rule	Summary	Penalty
7.10, 7.11	Improper courtroom communications	Up to 10 points
7.13	Scouting	Forfeiture of one preliminary Round if indirect; forfeiture of all six oral Round Points if direct scouting, to be deducted in the Round

		against the Team that was scouted. Forfeiture of Advanced Round in which scouting and forfeiture of prior Advanced Round victories with no retroactive effect on seeding. (See Rule 7.13)
7.16, 2.17	Violation of anonymity in courtroom	Disqualification or up to 15 points

11.7 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 to the Executive Director. If an appeal is submitted, the Administrator shall consult with the Executive Director in resolving it. The Executive Director's decision on all appeals is final.

11.8 Discretionary Penalties

(a) In addition to the Penalties listed in Rule 11.6, the Administrator may assess up to 15-point Discretionary 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 may be imposed upon a Team for conduct of its Team Members or of persons affiliated with the Team. Such violations may include:

- (i) poor sportsmanship;
- (ii) submitting multiple frivolous complaints against other Teams;
- (iii) inappropriate behavior at the counsel table during the Oral Rounds;
- (iv) blatant disregard for the procedures or requirements outlined in the Rules.

(b) Serious breaches of sportsmanship, for example, inappropriate ex parte communications with competition judges either before or after a match, may, at the sole discretion of the Executive Director, result in a Team being disqualified from the Competition.

11.9 De Minimis Rule

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

OFFICIAL RULE 12.0: AWARDS

12.1 The World Championship

The Team that wins the World Championship will receive two awards: a trophy to keep, and the 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 the Team's custody, and is responsible for returning the Jessup Cup in good condition to the Executive Director before the next year's International Rounds. The World Championship Team is responsible for engraving its school name on the Jessup Cup.

12.2 The Hardy C. Dillard Award

The Hardy C. Dillard Award is presented to Teams for excellence in Memorial writing. The Memorials of the Team with the highest Total Raw Score in any Qualifying Competition, and the Memorials of the Teams that scored in the Top 20 for Total Scores in the International Rounds, shall be entered, without further action by the Team, to compete for the Hardy C. Dillard Award. Each entry for the Dillard Award shall be scored by a panel of three or four judges. If three-judge panels are used, all three scores will be used to determine raw Memorial scores. If four-judge panels are used, the score that is furthest from the mean will be discarded and the three remaining scores will be used to calculate raw Memorial scores. Awards will be presented to the top five Teams, based on raw Memorial scores, unadjusted for penalties. The Executive Office shall assign new Team Numbers to be used on the covers of Memorials in order to preserve anonymity.

12.3 The Alona E. Evans Award

The Alona E. Evans Award is presented to Teams for excellence in Memorial writing at the International Rounds. Awards will be presented to the top ten Teams based on Total Memorial Raw Score in the International Rounds.

12.4 The Richard Baxter Awards

The Richard Baxter Awards are 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 competition for the Baxter Awards. There are two Baxter Awards: one for the Best Overall Applicant Memorial and one for the Best Overall Respondent Memorial. 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 Rounds.

12.6 Other Awards

In each Competition, 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. The Board of Directors may by resolution provide for other awards, such as Best Oralist at the Final Rounds, Best National Administrator, and other categories as the Board may from time to time see fit.