

**The Sidley-IIEL
WTO Moot Court Competition
Official Rules 2005**

**INSTITUTE OF INTERNATIONAL ECONOMIC LAW
Georgetown University Law Center
600 New Jersey Avenue, N.W.
Washington, DC 20001**

**SIDLEY AUSTIN BROWN & WOOD LLP
1501 K Street, N.W.
Washington, DC 20005**

THE SIDLEY-IIEL WTO MOOT COURT COMPETITION

OFFICIAL RULES 2005

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OFFICIAL RULE 1.0 ORGANIZATION OF THE COMPETITION

1.1 Administration

The Sidley-IIEL WTO Moot Court Competition (“Competition”) is co-sponsored by the law firm Sidley Austin Brown & Wood LLP and the Institute of International Economic Law (IIEL) at Georgetown University. The Competition is administered by a Sidley-IIEL joint Steering Committee (“Steering Committee”) through a Competition Office located at Georgetown University Law Center, Room 461, 600 New Jersey Avenue N.W., Washington, D.C. 20001, email: inquiries@wtomootcourt.org.

1.1.1 Competition Procedure

The Competition consists of Rounds in which students compete as part of teams duly registered at the Competition Office (see Official Rule 1.1).

1.1.2 Implementation and Interpretation of Official Rules

The Steering Committee shall serve as final arbiter regarding implementation and interpretation of these Official Rules. The Steering Committee shall have discretion in the implementation and interpretation of these Official Rules and may modify them to deal with unforeseen circumstances, in which case it shall notify the participants within a reasonable period of time.

1.1.3 Address for Correspondence

Every communication, request, or submission to the Steering Committee pursuant to these rules shall be made to the Competition Office (see Official Rule 1.1).

1.2 Team Representative

As part of its registration for the Competition, each team shall designate one person to act as team representative (for example, this person may be the team captain or faculty advisor). Written communications by email, fax, or letter to the team representative shall constitute communications to all team members. Each team representative shall: (i) ensure that the Steering Committee has the appropriate team contact information; (ii) check the mail regularly; and (iii) become thoroughly familiar with the Official Rules and with any Problem Clarifications that may be issued.

OFFICIAL RULE 2.0 PARTICIPATION AND ELIGIBILITY

2.1 Team Eligibility

All law schools and graduate degree programs related to international law shall be eligible to participate in the Competition, upon formal acceptance by the Steering Committee. Two institutions that offer a Joint Degree Program may field one team for the Competition, provided the Joint Degree is related to international law.

Graduate programs that are not related to international law may petition the Steering Committee for a ruling regarding eligibility for participation. The Steering Committee shall consider such petitions at its discretion, on a case-by-case basis.

The number of participating institutions is currently limited. Each year, the competition organizers decide on the number of participant institutions and select interested institutions accordingly. Institutions interested in participating in the future are invited to contact the Steering Committee.

2.2 Team Member Eligibility

Students currently enrolled in a J.D., LL.M, or other degree program at a participating law school, or in a graduate degree program related to international law, shall be eligible to participate in the Competition. Where institutions offering a Joint Degree Program are not sponsoring a combined team, students enrolled in the Joint Degree Program may represent any one of the institutions that is part of the Joint Degree Program.

Students affiliated with an institutional unit of a university other than the institutional unit fielding the team shall be permitted to participate on that team on a case-by-case basis at the discretion of the Steering Committee. (For example, a graduate student attending a university that is fielding a law school team, if not enrolled in a Joint Degree Program with the law school, may be permitted to participate on the law school team at the discretion of the Steering Committee.)

2.3 Team Composition and Selection

A team shall be composed of a minimum of three and a maximum of six student members. All team members may be oralists (*i.e.*, team members making oral submissions on behalf of the team) in the Competition. However, in any given session of oral arguments, only two team members may make oral submissions on behalf of the team.

2.3.1 Internal Team Selection

Each participating school or program shall be responsible for the internal selection of its Competition team. The participating school or program may select the team by any method approved by the responsible authority within the participating school. The selection process shall be organized to comply with the registration deadlines for teams and submission of names of team members (see Official Rules 3.1 and 3.2).

2.3.2 Prohibition of Academic Screening

Participating schools shall provide all students with an equal opportunity to apply for the Competition team. In no instance may grade-point average, class rank, or any other academic ranking factor be used to disqualify a student from applying to participate or participating in a Competition team, unless a student is subject to academic probation at the participating school.

2.4 Outside Assistance to Teams

All research, writing, and editing shall be solely the product of team members.

2.4.1 Assistance from Faculty Members or Any Other Persons

Outside assistance rendered to a team in the preparation of its case by faculty members or any other persons shall be limited to a general discussion of the issues, suggestions as to research sources, consultations regarding oral advocacy technique, and decision-making as to pleading option. Assistance on Written Submissions shall be limited to general commentary on the organization, structure, and format of each Submission.

A team may receive outside assistance pursuant to this subsection from a maximum of three persons, including its faculty advisor(s).

2.4.2 Assistance from Librarians and Other Research Professionals

Assistance from librarians, computer research advisors, and other legal resource specialists in preparing Competition materials shall be limited to answering specific questions regarding the location of legal sources and general methods of legal research.

2.4.3 Elimination from Competition

Teams found to have received inappropriate outside assistance (*e.g.*, use of non-team members as student researchers or plagiarism) shall be eliminated from the Competition.

2.5 Use of Opposing Team's Submissions

No team shall view or otherwise become privy to any Submission other than the respective Complainant and Respondent Submissions of opposing teams in the course of Competition Rounds.

2.6 Ethical Violations

All allegations of ethical violations shall be referred to the Steering Committee. All decisions regarding ethical violations shall be made by the Steering Committee after careful deliberation. All teams involved in an alleged ethical

violation under consideration by the Steering Committee shall have the right to be heard (in person or in writing, at the discretion of the Steering Committee) before the Steering Committee makes its final decision.

2.7 License Agreement and Audio/Video Recording Release

Participation in the Competition is conditional on the agreement of each team member to grant to the Steering Committee the licenses and authorizations provided in Official Rules 2.7.1 and 2.7.2. By choosing to participate in the Competition, a team member expresses his/her knowledge of, and consent to, these licenses and authorizations. No separate consent shall be solicited or required to render these provisions effective.

2.7.1 License Agreement

Each team member grants to the Steering Committee a royalty-free, non-exclusive license to publish, on the internet, in print, or in any other form, all Written Submissions or other documents presented by the team, or by any members thereof, in the course of the Competition. This license shall be effective as of the deadline for team registration posted in the Official Timetable (which shall be available on the Competition website, at www.wtomootcourt.org), and shall be of unlimited duration.

2.7.2 Audio/Video Recording Release

Each team member authorizes the Steering Committee, and those acting within its authority, at no charge: (i) to record his/her appearance and participation in the Competition on video tape, audio tape, film, photograph, or any other medium; (ii) to copy, distribute, and present these recordings, in whole or in part, as deemed appropriate by the Steering Committee, in any and all media existing or hereafter developed; and (iii) to use the team member's name, likeness, voice and biographical material in connection with these recordings. This authorization shall be effective as of the deadline for team registration posted in the Official Timetable (which shall be available on the Competition website, at www.wtomootcourt.org), and shall be of unlimited duration.

OFFICIAL RULE 3.0 REGISTRATION OF TEAMS

3.1 Registration for Participating Law Schools and Teams

Each school participating in the Competition shall submit written confirmation of its participation in the Competition at the earliest possible time, but no later than the date posted in the Official Timetable, which shall be available on the Competition website, at www.wtomootcourt.org. Submission of details about team members and team selection is not required by this date. This deadline requires only that each participating school shall confirm that it will field a team for the Competition.

3.2 Team Member Registration Form

Once a participating school has selected the team that will represent it at the Competition (see Official Rule 2.3), the team shall complete the Competition Registration Form and submit this form to the Competition Office by the date posted in the Official Timetable, which shall be available on the Competition website, at www.wtomootcourt.org. The Registration Form will require information about each team member. After submission of the Registration Form, any changes to the constitution of a team will require the express permission of the Steering Committee. Registration Forms will be made available to the relevant authorities in each participating institution and also will be available on the Competition website, at www.wtomootcourt.org.

3.3 Team Number as Identification

Each team shall be assigned an official team number selected by the Steering Committee.

3.3.1 Team Number as Identification on Submissions

Names of participant schools or names of team members may not appear on or within Written Submissions. Teams shall ensure that no references to team member or school names appear in the Written Submissions prior to their presentation to panelists.

OFFICIAL RULE 4.0 PANEL MEMBERS

4.1 Three Member Panels

Panels shall be composed of three individuals. Students shall not serve as members of any panel.

4.1.1 Oral Argument Panelists

Oral Argument Panelists are encouraged to provide direct feedback to teams regarding their performance at the completion of each Round. Panelists shall not engage in any commentary that may reveal either the content of the Bench Memorandum or the winner of a Round.

4.1.2 Submission Panelists

Submission Panelists should not provide feedback to teams regarding their performance other than the official, written feedback provided through the scoring process.

4.2 Persons Excluded from Service as Panelists

Faculty advisors or other persons providing outside assistance to teams pursuant to Official Rule 2.4.1 shall not serve as panelists in any Competition Round.

Other persons having a significant professional or personal relationship with a school, a team member, or a team advisor shall not serve as panelists in Competition Rounds in which the affiliated parties participate.

The Steering Committee shall determine, on a case-by-case basis, whether it is appropriate for persons, other than faculty advisors, having significant professional or personal relationships with participating schools, team members, or team advisors to serve as panelists in Competition Rounds in which these affiliated parties do not participate.

A person who is an alumnus of a participating school/program shall not be deemed to have a significant professional or personal relationship with the team representing that school/program merely due to his/her prior attendance.

4.3 Bench Memorandum

A Bench Memorandum shall be distributed to the Panelists for the purpose of briefing them on the legal issues raised by the Competition Problem. The Bench Memorandum is strictly confidential and may not be viewed by any person other than panelists, Steering Committee members, and other Competition Organizers. Any team found making use of the Bench Memorandum shall be eliminated from the Competition. Teams discovering a copy of the Bench Memorandum should immediately return it, without examining the contents, to the Competition Office.

OFFICIAL RULE 5.0 CLARIFICATIONS OF THE COMPETITION PROBLEM OR RULES

Teams, acting through their team representative, may submit written requests for clarifications of the Competition Problem or the Official Rules. A team is responsible for ensuring that the Competition Office receives its request in either paper or electronic form.

In the event that the Steering Committee issues a clarification pursuant to such a request, it shall notify all team representatives of the clarification simultaneously. The Steering Committee will also make available any clarifications on the Competition website, at www.wtomootcourt.org.

All requests for clarification of the Competition Problem or the Official Rules shall be made on or before Monday, January 17, 2005. The Steering Committee shall not issue clarifications after this date.

OFFICIAL RULE 6.0 SUBMISSIONS

6.1 Written Submissions

Each team shall prepare Written Submissions on behalf of both the Complainant and the Respondent. All Written Submissions shall be submitted via electronic mail to the Competition Office no later than the time and date listed in the Official Timetable on the Competition website, at www.wtomootcourt.org.

Each Written Submission shall be formatted either as a Word for Windows or a Word Perfect document. No other formats shall be accepted without express prior consent from the Steering Committee. All electronic documents shall be virus-free.

Teams that fail to submit a Written Submission on time shall be penalized in accordance with Official Rule 10. Equipment failure and/or other logistical problems shall not be accepted as an excuse for improper formatting or late filing.

Once presented to the Competition Office, Written Submissions shall not be altered.

6.2 Format of Written Submissions

Submissions shall be typed on U.S. letter size paper (8.5 by 11 inches). The font and size of the text of all parts of the Submission, including footnotes, shall be Times New Roman, 12 point. The text of all parts of each Submission, except for footnotes and quotations of fifty words or more shall be double-spaced. The text of footnotes and quotations of fifty words or more may be single-spaced, but double-spacing shall be used between separate footnotes, quotations, and the texts of the arguments. Each page of a Submission (regardless of content) shall have margins of at least one inch or 2.6 centimeters on all sides, excluding text that appears in headers and footers (*e.g.*, page numbers).

6.3 Parts of the Written Submission

Notwithstanding any WTO procedural rules, Written Submissions shall comply with the following provisions:

6.3.1 Statement of Facts

Each Submission shall include a full Statement of Facts. The Statement of Facts shall be limited to the stipulated facts and necessary inferences from the problem. The Statement of Facts shall not include unsupported facts, distortions of stated facts, argumentative statements, or legal conclusions. A mere narration of facts as presented in the Problem is not sufficient and may negatively impact the scoring of the Written Submission.

6.3.2 Executive Summary of the Arguments

Each Written Submission shall include an Executive Summary of the Arguments. The Summary shall consist of a substantive summation of the arguments presented. The Summary shall be no more than two pages in length.

6.3.3 Respondent's Submission

The Respondent's Submission shall be drafted in rebuttal form and shall contain a presentation of the facts and the pertinent legal argumentation as well as any applicable affirmative defense.

6.4 Length

Each Submission, excluding the cover page and the index/table of contents, shall be no longer than twenty-five pages in length on U.S. letter-size paper measuring 8.5 x 11 inches.

6.5 Covers

The cover of each Submission shall include: (a) the team number; (b) the name "Sidley-IIEL WTO Moot Court Panel"; (c) the year of the Competition; (d) the name of the case; and (e) the document title (*i.e.*, "Complainant's Submission" or "Respondent's Submission").

OFFICIAL RULE 7.0 COMPETITION ROUNDS

7.1 Structure of the Rounds

The Competition shall be divided into Preliminary Rounds and the Championship Round. During the Preliminary Rounds, each team shall participate in three oral argument sessions. Each session shall consist of the oral argument of the moot court problem between two participating teams, with one team representing the Complainant and the other team representing the Respondent. Each team shall represent the Complainant and Respondent at least once in the course of the three oral argument sessions of the Preliminary Rounds. Based on the results of Preliminary Rounds and in accordance with Official Rule 9.5, two teams shall be selected to participate in the Championship Round.

7.2 Team Members as Oralists

As specified in Official Rule 2.3, in any given session of oral arguments, only two team members may make oral submissions on behalf of the team.

7.3 Teams Divided into Three Groups of Four

Twelve teams shall participate in the Competition in 2005. The day before the Competition, these teams shall be divided into three groups of four. The Competition organizers shall “seed” six teams, based on their Written Submission scores. The object of the seeding is to ensure that the Competition Rounds are evenly balanced. Teams seeded first, second, and third shall be in different groups. Teams seeded fourth, fifth, and sixth shall be in different groups. The Competition Organizers shall not reveal seedings. All other determinations regarding these groupings shall be by lot.

Within each group of four teams, every team shall argue against every other team during the Preliminary Rounds.

7.4 The Rounds

Preliminary Rounds shall consist of three sessions of oral arguments for each team. Each session shall consist of the oral argument of the moot court problem between two participating teams, with one team representing the Complainant and the other team representing the Respondent. Each team shall argue at least once as Complainant and once as Respondent. The Rounds shall be scheduled over a period of two days. Preliminary Rounds shall be held on the first day and the morning of the second day. The Championship Round shall be held on the afternoon of the second day.

Each session of oral arguments shall last ninety minutes. Each side shall be allotted forty-five minutes. The forty-five minute allotment of time shall include oral arguments, rebuttal or surrebuttal, and answers to questions posed by panelists. Each oralist shall argue for a minimum of twenty minutes and a maximum of twenty-five minutes, including rebuttal or surrebuttal, except as provided in Official Rule 7.4.1.

7.4.1 Extension of Time at Panelists' Discretion

Panelists, at their discretion, may extend total team oral argument time beyond forty-five minutes, up to an additional ten minutes per team. Such time shall not be counted against the twenty-five minute maximum for each oralist.

7.5 Pleadings

The order of the oral arguments in each Competition Round shall be as follows:

Complainant 1 (first oralist)
Complainant 2 (second oralist)

Respondent 1 (first oralist)
Respondent 2 (second oralist)

Rebuttal (Complainant oralist 1 or 2)
Surrebuttal (Respondent oralist 1 or 2)

7.5.1 Rebuttal and Surrebuttal

Each team may reserve up to ten minutes at the start of a Round for rebuttal or surrebuttal. Only one oralist may deliver the rebuttal or surrebuttal. A reservation of up to ten minutes for rebuttal or surrebuttal counts as part of the total time allotment for each team (*i.e.*, maximum forty-five minutes) and for each team member (*i.e.*, maximum twenty-five minutes).

7.5.2 Scope of Pleadings

The scope of the oral arguments is limited to the scope of the Written Submissions.

7.6 Ex Parte Procedure

In extreme circumstances, such as when a team fails to appear for a scheduled Round, the Steering Committee may allow the Round to proceed *ex parte*. In an *ex parte* proceeding, the attending team presents its oral pleading, which the panelists shall score as if the team had appeared against the opposing team. In such a case, the team that failed to appear for the scheduled Round shall forfeit all of the Round's oral argument Round Points.

The Steering Committee may schedule an additional *ex parte* proceeding for the absent team later in the Competition, if time and administrative concerns permit. In this case, the scores from the absent team's *ex parte* proceeding shall not affect the scoring of the original Round and shall be used only for purposes of calculating individual oral pleading scores.

7.7 Decorum During Oral Arguments

7.7.1 Communication between Oralists and Panelists

Only the panelists and the oralists may communicate orally during the oral arguments. During the oral arguments, team members present at the team table may communicate with each other or with any of their team members making oral submissions only through the exchange of written notes.

7.7.2 Oral Communication

Courtesy shall be accorded to oralists during oral argument. Teams shall be subject to penalties for unnecessary noise or any other inappropriate behavior that distracts from oral argument.

7.7.3 Written Communication

No written communication shall take place between the oralist and spectators or team members, except those present at the team table, while oral argument is in progress.

7.7.4 Ex Parte Communications between Panelists and Participants

There shall be no *ex parte* communication between participants and panelists at any time during the Competition.

In the event that a team or team member discovers, during the course of the Competition, that they have inadvertently communicated with a panelist, it is the obligation of that team or team member to notify the Steering Committee, in writing, to ensure that the panelist does not judge the team in oral arguments.

7.7.5 Exhibits

The use of exhibits is prohibited. No written or other prepared material (*e.g.*, maps or diagrams) shall be shown or otherwise transmitted to panelists during the Competition.

7.8 Spectators

Subject to Official Rule 7.8.1, all Rounds shall be open to the public.

7.8.1 Scouting

No team member or person directly affiliated with any team may attend a session of oral argument in which a prospective opposing team is participating, or any other Preliminary Round session of oral argument other than those in which their team is competing, except as waived by the Steering Committee in the interests of the Competition. Violation of this Rule shall be considered impermissible scouting. Scouting is the observation of competitors, or the receipt of information regarding competitors, and/or communication of that information to other competitors. Participants shall immediately alert the Steering Committee of scouting.

7.9 Audio and Videotaping

No audio or videotaping of oral pleadings shall be permitted without the advance permission of the Steering Committee and the affected panelists. Under no circumstances shall participating teams review videotapes or audiotapes of Competition Rounds until after the completion of the Competition. The IIEL and Sidley Austin Brown & Wood LLP reserve all rights with regard to audiotaping, videotaping, and any other form of reproduction of any Competition Rounds.

7.10 Anonymity of Teams during Rounds

During Competition Rounds, teams shall be identified only by the names of the team members and the side of the dispute that they represent (*i.e.*, Complainant or Respondent). Participants shall not reveal the identity of their team, directly or indirectly, through questioning by panelists, name tags, or any other means including, but not limited to, the placement of folders or other materials bearing the name or logo of the school on the team table.

OFFICIAL RULE 8.0 COMPETITION PAIRING PROCEDURE

8.1 Determination of Complainants and Respondents

Once the three groups of four teams have been established for the Preliminary Rounds, the order of arguments and the determination of which team shall serve as Complainant and Respondent in each session shall be determined by lot. Pursuant to these determinations, each team shall receive copies of the Written Submissions for the teams that they will oppose in each Preliminary Round.

For the Championship Round, the order of arguments and the determination of sides shall be determined by lot.

OFFICIAL RULE 9.0 COMPETITION SCORING

9.1 Preliminary Rounds

Scoring of the Preliminary Rounds shall consist of two parts: (1) the scoring of the Written Submissions and (2) the scoring of the oral arguments.

Three Submission panelists shall review and score each Submission on a scale of fifty to one hundred points.

Three oral argument panelists shall review and score each oral argument on a scale of fifty to one hundred points.

9.2 Calculation of Scoring Points

Two categories of points shall be awarded in each stage of the Competition: (1) Raw Score and (2) Round Points.

9.2.1 Raw Scores

Raw Scores shall be subject to the deduction of Penalty Points.

9.2.1.1 Written Submission Raw Scores

In the Preliminary Rounds, the Total Submission Raw Score for each team in each session of oral argument shall be determined by adding the scores assigned by the three

Submission panelists for the side (*i.e.*, Complainant or Respondent) that the team argued in the respective Round.

The Total Competition Submission Raw Score shall be determined by adding all six scores assigned for the Complainant and Respondent Submissions.

9.2.1.2 Oral Raw Scores

In the Preliminary Rounds, the Oral Raw Score for each team in each session of oral argument shall be determined by adding the scores assigned by the three panelists for each oralist. A total of six scores shall be assigned for each team in each Round of oral argument (*i.e.*, three scores x two oralists).

9.2.1.3 Total Raw Scores

In the Preliminary Rounds, the Total Raw Score for each team in each session of oral argument shall be the sum of the team's Total Written Submission Raw Scores (for either the Complainant or Respondent Submission, depending on which side the team is arguing in the particular session) and the team's Total Oral Raw Score in the session.

The Total Competition Raw Score is determined by adding the Total Raw Scores from all of the sessions (the Preliminary Rounds) in which the team has participated.

9.2.2 Round Points

9.2.2.1 Written Submission Round Points

Three Round Points shall be awarded to Written Submissions in each session of oral argument. The individual scores assigned by panelists judging the Written Submissions for each team participating in an oral argument shall be compared to those of the opposing team. The highest score assigned for each team shall be compared to the highest score given to the opposing team in a particular Round. The team with the higher score shall receive one Round Point. A similar comparison and assignment of one Round Point shall take place for the next highest and, finally, the lowest score assigned to each Written Submission. If the highest, middle or lowest Written Submission score of two teams opposing each other is identical, then both teams shall receive 0.5 Round Points.

9.2.2.2 Oral Argument Round Points

Six Round Points shall be awarded in each session of oral argument. A team shall receive two Round Points for each panelist that assigns it a higher score than its opposing team (for a possible total of six Round Points, *i.e.*, two points x three panelists). If a panelist assigns identical scores to opposing teams, then each team shall receive one Round Point.

9.2.2.3 Total Round Points

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

9.3 Two-Member Panels

In exceptional instances, a two-member panel for the scoring of Written Submissions or oral arguments shall be permissible. A one-member panel shall not be permissible. In the case of a two-member panel, the following adaptations shall be made to the scoring process:

9.3.1 Submission Scoring for Two-Member Panels

Submissions scored by two-member panels shall have a third averaged score added to their total. The third score shall be an average of the scores of the two Submission panelists. The third score shall be treated as a third panelist's score for purposes of calculating Submission Round Points.

9.3.2 Oral Argument Scoring for Two-Member Panels

Oral arguments scored by two-member panels shall have a third averaged score added to their total. The third score shall be an average of the scores of the two oral panelists. The averaged third score shall be treated as the third panelist's score.

The third averaged score may not be used for purposes of determining the Best Oralist Award. In such a case, only the two "real" scores may be averaged with the oralist's scores in other Rounds.

9.4 Determination of Winner of an Individual Round

The winner of each session of oral argument shall be determined by Round Points. The team receiving the greatest number of the nine available Round Points (six for oral arguments and three for Written Submissions) shall be the winner of the Round. If teams have an equal number of Round Points, then the team with the highest Total Raw Score shall be the winner of the Round. Round Points control over Raw Score in the Preliminary Rounds.

9.5 Determination of Winners of Preliminary Rounds

9.5.1 Win-loss Record, Team Ranking, and Championship Finalists

The overall win-loss record for the Preliminary Rounds shall govern team rankings. A winner shall be designated within each group of four teams that compete against each other in the Preliminary Rounds based on the win-loss record. Thus, three teams shall be designated winners of the Preliminary Rounds.

Of these three Preliminary Round winners, the two teams with the best win-loss records shall compete as the finalists in the Championship Round. A team with a win-loss record of 3-0 (three wins, zero losses) shall rank higher than a team with a win-loss record of 2-1 (two wins, one loss), and so forth.

9.5.2 Total Competition Raw Scores

If two or more teams are tied after comparing win-loss records, then the Total Competition Raw Score shall control and the team with the highest Total Competition Raw Score in the Preliminary Rounds shall be ranked higher. The Total Competition Raw Score shall be calculated by adding the Raw Scores from every Round in which a team has participated.

After the win-loss record, the Total Competition Raw Score shall govern even when two or more teams that are tied with the same win-loss record faced each other during the Preliminary Rounds and the team with the higher Raw Score was not the winner of the Round where the two teams opposed each other.

9.5.3 Total Competition Round Points

If two or more teams remain tied after comparing both win-loss records and Total Competition Raw Scores, then the team with the highest Total Competition Round Points in the Preliminary Rounds shall be ranked higher.

Total Competition Round Points shall be calculated by adding the Total Round Points from each Round in which a team has participated.

9.5.4 Result of the Oral Arguments Session of the Two Teams Involved in a Tie

If two or more teams remain tied after the application of Official Rules 9.5.1, 9.5.2, and 9.5.3, then the team that won the session of oral arguments in which such teams opposed each other shall be the team that advances to the Championship Round.

9.5.5 Tie Breaking Procedure to be Determined by the Steering Committee

If two or more teams remain tied after the application of Rule 9.5.4, then the Steering Committee shall devise a procedure, at its discretion, to break the tie and determine which team shall advance to the Championship Round.

9.6 Scoring in the Championship Round

Special scoring procedures shall apply in the Championship Round.

9.6.1 Method of Scoring

Panelists for the Championship Round shall make an independent review of each team's Written Submissions and oral arguments. Panelists may employ a point scoring system of their own choice, including the use of the scoring system from the Preliminary Rounds. A Preliminary Round Oral Scoresheet shall be provided to each of the panelists to use at their discretion. The decision regarding the winner of the Round shall be by majority of the panelists. No ties shall be allowed.

Panelists shall not decide the case on the merits. Rather, panelists shall judge the teams on their overall performance considering—but giving no particular fixed weight to—both Written Submissions and oral arguments.

9.6.2 Preliminary Round Scores and Penalties

The panelists in the Championship Round shall not be informed of any scores assigned in the Preliminary Rounds. Penalties from the Preliminary Rounds shall not apply in the Championship Round.

9.7 Ranking of Teams

The winner of the Championship Round shall be recognized as the Competition Champion and the opposing team shall be recognized as the Runner Up. All other teams shall be ranked according to their place in the Preliminary Rounds.

9.8 Ranking of Oralists

Total Oralist Scores shall be determined by adding the raw scores assigned by the panelists in the Preliminary Rounds. The Total Score in the Preliminary Rounds shall be averaged to determine the ranking of each oralist. Scores shall include a deduction for any penalties assessed against the oralist.

9.9 Ranking of Written Submissions

Total Submission Scores for each team shall be determined by adding the Total Raw Score of a team's Complainant Submission and the Total Raw Score of the Respondent Submission (six total Panelists' scores, for a possible total of six hundred points). Team Submissions shall be ranked from the highest Total Submission Score to the lowest. Ties are permitted in the ranking of Submissions. Scores shall include a deduction for any penalties assessed. The team with the second highest score shall be recognized as the Runner Up.

OFFICIAL RULE 10.0 PENALTIES

10.1 Right to Be Heard

Before assessing a penalty, the Steering Committee shall give the relevant team or team member an opportunity to respond to the allegations raised. The Steering Committee may request that such responses be in writing only. The Steering Committee may set a time for a hearing or a deadline for receipt of a written response. The Steering Committee may protect the anonymity of a complaining team.

10.2 Types of Penalties

The power of the Steering Committee to assess Penalties is divided into two categories: Non-discretionary (Official Rule 10.6), and Discretionary (Official Rule 10.7).

Penalties shall be applied against a team either on a general or specific basis. General penalties apply against a team in all of its Rounds (*e.g.*, for missing a deadline for a Written Submission). Specific penalties apply against a team only in a specific Round (*e.g.*, for disruptive behavior during an oral argument by an opposing team).

10.3 Application of Penalties

All penalties in a Round apply against each panelist's score, *i.e.*, a penalty of fifteen points shall have a cumulative effect of forty-five total penalty points from the combined score of three panelists.

10.4 Reporting of Violations

Oral argument panelists, Written Submission panelists, and the panel secretary should report any potential violation of these Official Rules to the Steering Committee, which shall review the alleged violation and decide whether to assess a penalty.

Team members have a limited right to report violations that occur in the context of oral argument. If a team or team member believes that a violation subject to a penalty has occurred, that team or team member may alert the panel secretary or the Steering Committee only if (i) the alleged violation occurred outside the actual oral proceedings; (ii) panelists or the panel secretary could not reasonably have been aware of the actions leading to the alleged violation; or (iii) panelists clearly ignored their obligations. In such cases, a team or team member shall notify the panel secretary or the Steering Committee, in writing, within a reasonable period of time after the completion of the Round, which generally shall be no more than fifteen minutes.

10.5 Minimum Scores

The minimum score for any team, per panelist, is fifty points. No further reduction may be made after the minimum score is reached, regardless of penalty points.

10.6 Non-Discretionary Penalties

For the following violations, penalties will be assessed automatically:

10.6.1 Non-Discretionary Penalties on Written Submission

The penalties provided in this subsection shall be imposed by the Steering Committee and shall be deducted from each of the individual panelists' scores on a team's Submission.

In the event that a Submission is scored by only two panelists, penalties shall be deducted from the two panelists' scores prior to calculating the third score. In instances where only one Submission is in violation of the Rule, penalties shall be deducted from the scores for the offending Submission only. The Competition Administrator shall notify all affected teams of penalties imposed prior to the first Preliminary Round.

10.6.1.1 Tardiness in Delivering Submissions

Submissions delivered after the deadline shall be penalized fifteen points. In addition, Submissions shall be penalized three points per day, up to an additional five days. Submissions not delivered within six days of the deadline shall not be accepted.

10.6.1.2 Failure to Include a Required Section

Submissions which do not include a required section pursuant to Official Rule 6.3 shall be penalized five points for each missing section.

10.6.1.3 Displaying Names of Team Members or School

Teams that display the names of team members or the name of their school in their Submission shall be penalized ten points per offending Submission.

10.6.1.4 Length of Submission

Teams exceeding the twenty-five-page limit set forth in Official Rule 6.4 shall be penalized fifteen points per offending Submission.

10.6.1.5 Failure to Meet Other Formatting Requirements

Teams that fail to meet any other formatting requirements (e.g., failure to double space) shall be penalized two points per offending page, to a maximum of ten points.

10.6.2 Non-discretionary Oral Pleading Penalties

The following penalties shall be imposed by the Steering Committee and shall be deducted from each of the panelists' scores in an oral argument session. Deductions may be taken from the scores of either one or both oralists of an offending team, as appropriate. In no instance shall the panelists themselves deduct penalty points from the scores of the oralists.

10.6.2.1 Communication Between Team Table and Spectators

Team members who communicate with any persons, other than panelists, in the courtroom during oral arguments shall be penalized ten points.

10.6.2.2 Submission of Written or Other Materials to Panelists

Teams violating Official Rule 7.7.5, regarding the submission of written or other material to panelists shall be penalized fifteen points.

10.6.2.3 Scouting

Teams found to have scouted shall be penalized all six oral Round Points for the Round in which they compete against the team that they scouted. At the discretion of the Steering Committee, such teams also may be ineligible to participate in subsequent Preliminary Rounds or to advance to the Championship Round.

10.6.2.4 Identification of Team by School Name

Teams that violate the requirements of anonymity in the courtroom shall be penalized fifteen points.

10.7 Discretionary Penalties

10.7.1 General Violations

The Steering Committee may assess penalties of up to fifteen points for violations of these Official Rules not specifically listed under Non-Discretionary Penalties, including engaging in inappropriate or unsportsmanlike behavior or displaying a blatant disregard for the requirements set forth in these Official Rules.

The size of the penalty shall be proportionate to the size of the violation. Discretionary penalties may be imposed only by the Steering Committee.

10.7.2 Unsportsmanlike Conduct

A penalty for unsportsmanlike conduct during oral arguments must be witnessed by at least one panelist or the panel secretary assigned to a particular oral argument. Penalties for unsportsmanlike behavior may be imposed in addition to any other penalties imposed under these Official Rules.

10.7.3 Activity of Affiliated Persons

In exceptional circumstances, the Steering Committee has the discretion to impose penalties up to fifteen points when a coach or other person affiliated with a team has disclosed his or her team's identity to one or more panelists before whom their team shall compete.

Coaches who fear being recognized by panelists should avoid talking to, sitting near or directly behind, or otherwise communicating with either team in the presence of the panelists.

10.8 De Minimis Rule

When the impact of an alleged violation of these Official Rules is so insignificant as to be determined by the Steering Committee to be *de minimis*, the Steering Committee may modify or waive the penalty. Any *de minimis* exception shall be applied evenly to all teams.

10.9 Notice to Teams

The Steering Committee shall notify teams of the imposition of penalties prior to the beginning of the Preliminary Rounds of a Competition, if possible, or as soon as practicable if such penalties are incurred after the beginning of the Rounds.

10.10 Appeals

Appeals of a penalty assessment by the Steering Committee shall be provided to the Steering Committee in writing within two hours of notice of imposition of the penalty. Steering Committee decisions on all appeals are final.

OFFICIAL RULE 11.0 INTERPRETATION OF RULES

11.1 General

Questions that arise during the Competition concerning interpretation of the Official Rules shall be submitted to the Steering Committee.

11.2 Power to Promulgate Additional Measures

The Steering Committee may promulgate such other measures as may be deemed advisable to govern the Competition.

OFFICIAL RULE 12.0 AWARDS

12.1 Submission Awards

The Team with the highest overall ranking for Written Submission (see Official Rule 9.9) shall receive the award for "Best Written Submission." The team with the second highest overall ranking for Written Submission (see Official Rule 9.9) shall receive the award for "Runner Up Written Submission."

12.2 Best Oralist Awards

The oralist with the highest rank in the Preliminary Rounds (see Official Rule 9.8) shall receive the award for "Best Oralist." The oralist with the second highest rank in the Preliminary Rounds (see Official Rule 9.8) shall receive the award for "Runner Up Oralist."

12.3 Team Awards

The team that wins the Championship Round shall receive the award for "Winning Team." The team that loses the Championship Round shall receive the award for the "Runner Up Team" (see Official Rule 9.7).