

AMTA Rulebook

Last Revised August 8, 2015

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Introduction

The rules in this document were created by the AMTA Board of Directors from 1985 to the present. The rulebook itself was drafted by David Nelmark, adopted by the AMTA Board at the June 2006 Board Meeting, and is edited as needed by the Rules Committee.

This rulebook does not replace the following documents:

AMTA Representatives Handbook
Midlands Rules of Criminal Procedure
Midlands Rules of Evidence
Tabulation Manual (a/k/a Step-by-Step Guidelines)
Tournament Hosts' Handbook

Chapter 1: Definitions; Applicability; The Philosophy of AMTA

Rule 1.1. Applicability. These rules shall apply to all sanctioned tournaments. Invitational tournaments are not sanctioned tournaments. Although invitational tournaments often follow some or all of these rules, they are not obligated to do so. Participants are cautioned that the absence of enforcement of any rule at an invitational tournament does not mean the rule will not be enforced at a sanctioned tournament. Notwithstanding any provision in AMTA's bylaws to the contrary, in the event of a conflict between these Rules and any other materials published or made available by AMTA *other than* the Midlands Rules of Evidence and the AMTA Tabulation Manual, these rules shall govern *unless* the AMTA published materials expressly state that they contradict these Rules and that the contradiction is intentional.

Rule 1.2. Definitions. Unless given a different meaning in a particular Rule, the following words and phrases shall have the following meaning:

- a. "School" means any post-secondary institution of higher learning. If a school has multiple campuses, branches, or centers that grant separate degrees, each degree-granting branch shall be considered a separate school. If multiple campuses, branches, or centers do not grant separate degrees, the multiple locations shall collectively be considered one school.
- b. "Team" means a group of eligible students who constitute a roster for the purpose of competition.
- c. "Sanctioned tournament" means any regional, opening round championship, or national championship tournament.
- d. "Championship series tournament" means any opening round championship or national championship tournament.
- e. "Invitational tournament" means any tournament that is not a sanctioned tournament.
- f. "Round" means a group of trials scheduled to occur at the same time.
- g. "Trial" means a single competitive match between two teams. A trial begins when a judge enters the trial room. A trial ends when the scoring sheets depart the trial room.
- h. "Board" means the American Mock Trial Association Board of Directors.
- i. "Demonstrative aid" means any of the following:
 - a. Any enlargement of any portion of the case packet;
 - b. Any object that combines, omits, or otherwise alters any material included in the case packet;
 - c. Any tangible physical object or collection of objects that any attorney and/or witness intends to show to the jury during trial, regardless of whether the object is referenced in, or contemplated by, the case packet.

Notwithstanding the foregoing, "demonstrative aid" does not include any of the following:

- a. Easels, pointers, or similar objects used solely for the purpose of facilitating the use or display of a demonstrative aid;
- b. Furniture, fixtures, or other objects present in the trial room prior to the start of the tournament.

Rule 1.3. Interpretation and enforcement. Interpretation and enforcement of these Rules during the course of a sanctioned tournament shall be done by the AMTA Representatives at that tournament, in accordance with Chapter 9 of these Rules. Interpretation and enforcement of these Rules at any other time shall be done in the manner prescribed by these Rules, or, if no manner is prescribed, by the Executive Committee or its designee.

Rule 1.4. Expectations of participants, coaches, hosts, and volunteers; inappropriate behavior. All participants, coaches, hosts, and volunteers should strive to emulate the finest practitioners in the legal profession. Professional, ethical and collegial behavior is expected at all times. AMTA does not permit or condone any form of discrimination, retaliation, or harassment by any individual or organization affiliated with AMTA based on race, ancestral origin, color, political belief, religion, age, sex, gender, or sexual orientation. Inappropriate behavior includes but is not limited to the following:

- disparaging comments based upon race, gender, national origin, sexual orientation, disability, age, class, religion or political beliefs;
- failing to treat fellow participants with respect;
- engaging in dishonesty in any matter related to mock trial;
- violating the rules outlined in the AMTA fact situation and rules, including all rules related to courtesy;
- engaging in irresponsible behavior that puts oneself or others at risk, including being intoxicated at any time during tournaments;
- illegal conduct of any sort, including underage drinking, either during a tournament (between the beginning of registration and the conclusion of the awards ceremony), or in any other circumstance where the conduct is likely to be attributed to or connected with AMTA and/or the tournament host.

Rule 1.5 Ideals of mock trial. The ideals of fair play, civility, and friendship shall guide the conduct of all participants throughout all mock trial activities including, but not limited to, tournament rounds, breaks between rounds, organizational meetings, and team practices.

Comment to Rule 1.5. Teams, individual participants and coaches who disregard the rules of competition, or who participate in or encourage others to participate in unprofessional conduct, may be subject to penalties or sanctions pursuant to Chapter 9.

ALL PARTICIPANTS

Rule 1.6 Integrity. Participants shall strive to exemplify the highest ideals of the legal profession, to maintain the highest standards of ethical conduct and to strive for competence and integrity.

Rule 1.7 Courtesy. Courtesy toward opposing team members, judges, tournament officials, coaches and one's own team members is expected of all participants.

Rule 1.8 Abiding by rules. Participants—whether attorneys, coaches, witnesses, or alternates—are expected to abide by the rules. Failure to conform behavior to the rules may lead to a tournament penalty and/or sanction under Chapter 9.

Rule 1.9 Demeaning, harassing, or embarrassing behavior. Participants shall eschew any behavior designed to demean, harass or embarrass any other participant or solely to garner notoriety or publicity for themselves or their school.

Rule 1.10 Damage to property. No participant shall intentionally take, move, or cause damage to any property of any school, courthouse, or facility hosting any part of a sanctioned tournament or belonging to the members of any other team. In the case of accidental damage or loss of any property, participants are required to report the event and circumstances immediately to appropriate officials. Failure to comply with this rule may lead to a tournament penalty and/or sanction under Chapter 9.

COACHES

Rule 1.11 Requirement of a coach. Every team may have one officially designated Educator Coach and one officially designated Attorney Coach. Notwithstanding the limit on officially designated coaches, a team may use the coaching services of any number of educators, attorneys or others before, during or after sanctioned tournaments, except during a trial as set out in Rule 7.1.

Rule 1.12 Coaching goals. Coaches are reminded that the purpose of mock trial is to instill respect for the legal system and its ideals of justice, equality, and truth. Coaches are expected to promote and champion these ideals above winning.

Rule 1.13 Coaches' responsibility to AMTA objectives. Every coach has the responsibility to instill in every student, by word and example, the highest ideals of the American legal system, including fairness, professional integrity, and respect for judges, officials and other members of the mock trial community.

HOSTS AND VOLUNTEERS

Rule 1.14 Requirement of hosts. All hosts of sanctioned tournaments must be approved by AMTA. Hosts may recruit volunteers to assist them with running the event; however, the host assumes responsibility for these volunteers subject to the host's written agreement with AMTA.

Rule 1.15 Hosting goals. Hosts are reminded that the purpose of mock trial is to instill respect for the legal system and its ideals of justice, equity, and truth. Hosts and their volunteers are expected to promote and champion these ideals above winning, even if they do not have a team competing at the tournament.

Rule 1.16 Hosts' and volunteers' responsibility to AMTA objectives. Every host, including every volunteer, has the responsibility to instill in every student, by word and example, the highest ideals of the American legal system, including fairness, professional integrity, and respect for judges, officials, other members of the mock trial community.

Chapter 2: Registration, Case Access, and Withdrawal

Rule 2.1 Registration information. Registration information shall be available on the AMTA web site. Registration shall be completed online.

COACHES, PRIMARY CONTACTS, AND SCHOOL APPROVAL

Rule 2.2 Primary contact person required.

- (1) **REQUIREMENT, ROLE.** Each school registering with AMTA shall designate a primary contact person. The primary contact person shall be a person with general day-to-day responsibility for all the school's mock trial teams. AMTA will only send official communications to and accept official communications from a school's primary contact person.
- (2) **CURRENT CONTACT INFORMATION REQUIRED.** Each school has the affirmative obligation to provide AMTA with the primary contact person's current e-mail address, telephone number(s), mailing address, and, if applicable, fax number.
- (3) **NO INTERVENTION IN LOCAL DISPUTES.** AMTA shall not intervene in local disputes and thus shall recognize only one primary contact person per school, even if the school has multiple teams operating under the auspices of different organizations, groups, or leaders. AMTA shall recognize as primary contact the person named as such on the first registration submitted by a school accompanied by full payment and authorization as set forth in Rule 2.3.

Rule 2.3 School authorization letter required.

- (1) **REQUIREMENT.** Each school shall have on file an authorization letter as described in this rule. No school shall be deemed registered for sanctioned competition unless the school has a valid authorization letter on file.
- (2) **CONTENT AND FORM OF LETTER.** The letter shall be printed on the letterhead of the school. The letter shall indicate the school's authorization for mock trial team(s) to register and participate in sanctioned tournaments. The letter shall indicate the signer's willingness to serve as a point of contact for major violations or grievances involving the school's mock trial program. The letter shall indicate the school's assumption of responsibility for the conduct of the school's mock trial program and its participants, including any fees and penalties incurred. The letter shall have a handwritten signature of the signer, and an electronic signature shall not be accepted (a scanned copy of a letter with a handwritten signature is acceptable). The letter shall have a date indicating when the letter was signed, which must be within 30 days of receipt by AMTA.
- (3) **PERSONS WHO MAY SIGN LETTER.** The letter shall be signed by a person holding any of the following positions or titles:
 - (a) An administrator of the school or an academic unit or office thereof, including but not limited to titles of president, vice president, chancellor, provost, dean, department chair, and assistants and deputies thereof;
 - (b) A full-time faculty member of the school;
 - (c) A pre-law advisor of the school;

- (d) A professional staff member of a school's student affairs or student organization office;
 - (e) An employee of the school holding a position or title substantially equivalent to any of subs. (a) through (d).
- (4) PERSONS WHO MAY NOT SIGN LETTER.** A school authorization letter is not sufficiently signed by any of the following:
- (a) A person holding the title or rank of part-time faculty, adjunct faculty, instructor, lecturer, or other equivalent titles;
 - (b) A person not employed by the school or not permitted by the school to act on behalf of the school;
 - (c) A person who is an undergraduate student or law student at the school and does not meet any of the credentials in sub. (3).
- (5) FILING, DURATION.** Each school shall annually file its letter with the AMTA office by mail, facsimile, or by sending a scanned copy of the original via e-mail.
- (6) INTERPRETATION.** AMTA's Executive Committee is empowered to interpret and determine compliance with the provisions of this rule and grant such relief as it may deem necessary.

REGISTRATION FEES, REFUNDS, AND PENALTIES

Rule 2.4 Registration fees.

(1) ANNUAL MEMBERSHIP FEE PER SCHOOL. Each school shall pay an annual membership fee of \$450. Any school hosting an AMTA-sanctioned tournament shall have this fee waived for the academic year in which the school hosts.

(2) REGIONAL TOURNAMENT FEE PER TEAM.

(A) The first team from each school shall pay a regional tournament registration fee of \$125. Each additional team shall pay a registration fee which increases by \$25, so that the second team's fee is \$150, the third team's fee is \$175, etc.

(B) A school new to AMTA shall pay no regional tournament registration fee for the first team it registers for Regionals. Additional teams from that school shall pay regional tournament fees consistent with the schedule in subsection 2(A) above; for example, a new school's second team would pay a regional registration fee of \$150. If a school has not registered in the previous five seasons (or longer), it is eligible to obtain the aforementioned new school discount. For example, a school registering for the 2012-13 season is eligible for the reduced fee if it has not registered since the 2006-07 season. Once a new school registers for a regional tournament, it is no longer treated as a new school under this rule (for at least five seasons) and is no longer eligible for the aforementioned new school discount.

(3) OPENING ROUND CHAMPIONSHIP FEE PER TEAM. Each team participating in an opening round championship tournament shall pay a registration fee of \$250. If, after the tournament's field had been filled, and within 72 hours of a tournament's start time a team drops out for any reason and a replacement team is added, the newly added team is exempt from paying the registration fee for said tournament.

(4) NATIONAL CHAMPIONSHIP FEE PER TEAM. Each team participating in the national championship tournament shall pay a registration fee of \$300. If, after the tournament's field had been filled, and within 72 hours of a tournament's start time a team drops out for any reason and

a replacement team is added, the newly added team is exempt from paying the registration fee for said tournament.

(5) LATE REGISTRATION FEE PER TEAM. Each team that registers after October 15 shall pay a nonrefundable late fee of \$75.

(6) RULE FOR MULTIPLE CAMPUSES. If two campuses are treated as separate schools, as defined in Rule 1.2, each campus must pay a separate school membership fee.

Rule 2.5 Refunds and credits.

(1) WITHDRAWAL FROM REGIONAL COMPETITION. A school that withdraws one or more teams from regional competition after October 15 shall not receive any credit or refund. A school that withdraws one or more teams from regional competition on or before October 15 shall receive a refund equal to the regional registration fee paid for the team(s) withdrawn.

(2) NON-QUALIFICATION TO THE CHAMPIONSHIP SERIES. If a school competes at a regional tournament, has paid championship series registration fees, but fails to qualify to part or all of the championship series, the school shall receive a credit for the unqualified fees. The credit shall be applied to the school's registration the following year. Any school that does not use its credit the year following the acquisition date of the credit shall forfeit the credit. No refunds will be given.

(3) EXCEPTION FOR NEW PROGRAMS. A new school, as defined in Rule 2.4(2)(B) that has paid fees of any kind but does not compete at a regional tournament may roll any fees paid over to the next year. This does not apply if the school withdraws from regional competition within 30 days of the start of the tournament.

(4) SCHOOLS THAT HAVE NOT COMPETED FOR FIVE OR MORE SEASONS. If a school has not registered in the previous five seasons (or longer), any fines or penalties owed by the program to AMTA are voided and the school can begin with a clean slate.

Rule 2.6 Withdrawal penalties for regional tournaments.

(1) PENALTY STRUCTURE. Late cancellation and/or failure to appear at a regional tournament will subject a school to the following penalties:

\$75 for teams that drop within 28 days of the start of the tournament, but more than 14 days before the start of the tournament;

\$125 for teams that drop within 14 days of the start of the tournament, but more than 7 days before the start of the tournament;

\$175 for teams that drop within 7 days of the start of the tournament, but more than 48 hours before the start of the tournament;

\$225 for teams that drop within 48 hours of the start of the tournament, but more than 24 hours before the start of the tournament;

\$350 for teams that drop within 24 hours of the start of the tournament, but before the start of the tournament;

\$500 for teams that drop after the start of the tournament, that fail to show for the tournament, or that leave the tournament early without permission of the AMTA Representative.

(2) DEFINITION OF "START TIME." For the purposes of assessing penalties under this Rule, the start time of a tournament is deemed to be the start of the check-in/registration period. For example, if a regional tournament's check-in period begins at 2:00 p.m. Pacific time on February 14, a team would have to cancel by 2:00 p.m. Pacific time on January 14 to avoid any penalty.

(3) APPEAL OF PENALTY. The Executive Committee may consider appeals of penalty assessments and may waive or reduce fines if it determines that extraordinary circumstances are

shown as to the school's failure to timely communicate withdrawal of its team(s) and/or that sufficient steps have been taken by the school to prevent the actions that resulted in the fine being incurred from re-occurring. Extraordinary circumstances are a determination to be made at the discretion of the Executive Committee.

Rule 2.7 Coaches' responsibility to AMTA tournaments. Every coach, as a leader of mock trial, has the responsibility to promote fair and efficient operation of AMTA events, including notifying AMTA of changes in participation. At the earliest possible moment, the coach shall notify AMTA and the tournament host of any changes regarding the school's participation and any special needs of the school's team members.

REGIONAL REGISTRATION AND ASSIGNMENT

Rule 2.8 Regional registration, deadline.

(1) DEADLINE. The priority registration deadline for regional competition is October 15. Teams registering after October 15 will be assigned to a regional tournament only on a space-available basis at the discretion of the Tournament Administration Committee Chair. No team shall be permitted to compete at a regional tournament if its registration is not final and complete by 4:30 p.m. Central time on the first business day after January 15 absent a waiver from the Executive Committee. "Business day" is defined as a day that the AMTA administrative office is staffed and open for business. "Final and complete" registration means that the AMTA office has all of the following items in hand and/or the following items are received by the AMTA office with a postmark date on or before the above-referenced deadlines:

- (a) Payment of the current year school membership and team registration fees;
- (b) Payment of any prior year penalties;
- (c) Payment of any current year late fees or penalties;
- (d) Submission of a valid letter pursuant to Rule 2.3; and
- (e) Submission of the online AMTA School Registration form.

(2) NUMBER OF TEAMS PERMITTED. A member school may register an unlimited number of teams for regional competition. If a school registers more than two teams, no more than two teams may compete at any single regional tournament site.

(3) EXCEPTION TO TWO-TEAM LIMIT. The Tournament Administration Committee, in its discretion, may waive the two team per regional limit in Rule 2.8(2) if a school is located more than 900 miles from the next closest regional site where the school's additional teams would be assigned.

Rule 2.9 Regional assignment criteria and procedures.

(1) ASSIGNMENT CRITERIA. The Tournament Administration Committee will assign every member school's registered team(s) to one or more regional tournaments. Assignment of schools and teams to regional tournaments will be made after the close of registration, using the following criteria:

- (a) assigning schools to a location within three hours of driving distance (according to Mapquest) when possible (not necessarily the closest geographic region). A school may voluntarily waive this provision; however, waiver may result in the school's teams being assigned to any regional tournament or opening round championship tournament, regardless of distance and expense, even if there are tournaments closer to the school

which do not conflict;

(b) implementing Board policy to equalize the number of teams at all regional tournament sites;

(c) assigning AMTA Representatives in such a fashion as to ensure that teams of the AMTA Representatives are not competing on the same weekend as their AMTA Representative assignments;

(d) considering requests for specific dates made prior to the registration deadline;

(e) assigning specific teams from a school (i.e. A team, B team, etc.) to better balance power among regional tournament sites;

(f) minimizing travel for schools new to AMTA; and

(g) accommodating schools who wish to move outside their region, only if doing so assists AMTA's Tournament Administration Committee Chair in implementing the criteria in subs. (a)-(f).

(2) SPLITTING TEAMS BETWEEN REGIONALS. A school may request that its teams be split among two or more regional tournaments, regardless of the number of teams fielded. The request may be granted when such a split meets AMTA's needs.

(3) POLICY ON CONFLICTS AND SCHOOL BREAKS. AMTA does not recognize winter, spring, quarter, or other breaks, recesses, and exam periods as conflict dates. A school with a written policy that prohibits the school's participation in a sanctioned tournament during such a recess or exam period shall provide a copy of the full school policy to the Tournament Administration Committee Chair. AMTA may accommodate a conflict if such a written policy applies.

(4) DEADLINE FOR ANNOUNCING ASSIGNMENTS. Regional assignments for teams registered by October 15 shall be posted on the AMTA web page by Thanksgiving.

(5) TEAM DESIGNATIONS. If a school registers only one team for regionals, that team shall be the school's "A" team. If a school registers multiple teams, the additional teams shall be referred to as "B," "C," and so forth. A school's best team shall be its "A" team, the "B" team shall be the school's second best team, and so forth. A school shall determine the rank order of its teams in accord with Rule 2.9(8) and (9).

(6) COMMITTEE ASSIGNMENTS ARE FINAL. The Tournament Administration Committee shall assign each properly registered team to a regional tournament by its letter designation. Each team shall only attend the regional tournament to which it is assigned. Any team attending to compete at a tournament to which it was not assigned shall be presumed to be an attempt to manipulate the competitive balance of the tournament assignments and an egregious violation of these Rules subject to sanction under Chapter 9. If a team attends a regional tournament to which it was not assigned, it shall be ineligible for bids, trophies, individual awards, and all other forms of recognition. The team may compete as a bye-buster team in the discretion of the AMTA Representatives.

(7) CHANGING REGIONAL ASSIGNMENTS. No team may move out of its assigned regional tournament except under extraordinary circumstances AND with the permission of the Tournament Administration Committee Chair. **Schools and teams may not "region shop."**

(8) FACTORS TO CONSIDER FOR TEAM DESIGNATIONS. When a school designates its teams (e.g. "A", "B", "C", etc.) for regional or championship team assignment purposes, factors the program and AMTA may consider include but are not limited to the following, which are not necessarily listed in order of importance:

(a) Student leadership on the teams (including the number of internal officers (e.g., team president, number of juniors and seniors, if applicable);

- (b) Student experience on the teams (including experience at the opening round championship and/or national championship levels);
- (c) Student award winners;
- (d) Performance at tournaments and/or scrimmages (including both sanctioned and invitational tournaments).

(9) TEAMS OF RELATIVE EQUAL STRENGTH. Under these Rules, each school shall designate its teams in rank order ("A", "B", "C" etc.) for team assignment purposes. In certain circumstances, a school may assert that two or more of its teams are of equal strength, or that the above factors do not adequately address the school's system of team selection and assignment. In such cases, the school's primary contact person shall contact the Tournament Administration Committee ("TAC") Chair before submitting final regional rosters to AMTA online to obtain a ruling. The request must be in writing and shall include all information that the requesting school believes pertinent to allow AMTA to fully evaluate the issue presented and make a ruling. The writing should include, but is not limited to, the factors enumerated in rule 2.9. The TAC chair shall forward the inquiry to the Tournament Assignments sub-committee ("TAS") and TAS shall issue a ruling. Unless the school can show extraordinary circumstances exist, a school's primary contact shall initiate contact with the Tournament Administration Committee Chair at least three weeks prior to the first tournament that the school is assigned to attend.

Rule 2.10 Waitlist. Due to factors beyond AMTA's control, teams may be placed on a waitlist for a regional assignment. Teams that register after the expiration of the annual registration deadline as defined by rule 2.8, will be placed on a waitlist. They will be removed off of the wait list as spots become available using the criteria listed herein:

- (a) The "A" team from any new schools that register by the priority registration deadline;
- (b) Any team that registers on or before the priority registration deadline that was placed on the waitlist pursuant to Rule 3.3.
- (c) All remaining teams on the waitlist shall be divided into whether the waitlisted team would be the first, second, third, fourth, etc. team from that school. Priority shall be given in that order; in other words, Alaska A has priority over Hawaii B, which has priority over Montana C.

(1) PRIORITY OF TEAMS WITHIN TIERS:

- (a) As between teams in the "tiers" described above, priority will be given based upon the date when registration is complete, with earlier dates taking precedence.
- (b) As between any teams still tied based on the above criteria, priority will be given based on geographic factors. In other words, if California A and New York A are both on the waitlist, and both payments were received on the same date, California A has priority for available regional slots on the west coast; New York A has priority for available regional slots on the east coast.
- (c) As between any teams still tied based on the above criteria, the TAC chair shall make open regional tournament slots available simultaneously. The first team to accept a slot is the recipient.

(2) WAITLIST ADMINISTRATION:

- (a) The waitlist shall be administered at the discretion of TAC Chair.
- (b) The first team on the wait list will be offered its choice of any open regional tournament slot, regardless of geography. Remaining slot(s) will be offered to the next team on the waitlist until available slots are exhausted. However, the standard

- rule that no more than two teams from a school may attend a single regional tournament remains in effect.
- (c) If a team declines all available regional tournament slots, the team shall remain on the waitlist in its present position, and remains “first in line” for new slots as they become available.
 - (d) All teams accepting a regional assignment under this procedure do so understanding that, if they accept a geographically distant regional assignment, their bid to the opening round championship site may also be geographically distant, based on the current feeder assignments.
 - (e) An offer of a regional tournament slot shall expire if acceptance is not received within 48 hours after the offer is made.

Rule 2.10.1 Team Registration Required After Assignment.

(1) **TEAM REGISTRATION FORMS.** The Tournament Administration Committee in conjunction with the Technology Committee shall create online “Team Registration Forms” for each regional tournament, which shall be posted online no later than Thanksgiving.

(2) **COMPLETION OF TEAM REGISTRATION FORM.** Within 30 days of assignment to a regional tournament, whether via the original assignments (Rule 2.9(4)) or assigned from the waitlist (Rule 2.10), each school must complete the “Team Registration Form” for each team at each regional to which the school is assigned to verify its attendance at each regional tournament.

(3) **FAILURE TO COMPLETE TEAM REGISTRATION FORM.** Failure to complete the “Team Registration Form” within 30 days of assignment may result in administrative removal of the school from each regional tournament to which it has not registered.

- (a) The Tournament Administration Committee Chair will communicate a warning and reminder to register five business days prior to administrative removal from a regional tournament to the “Official Contact” for the school.
- (b) Failure to register after warning will result in the removal of the team from its regional tournament.
- (c) Under no circumstances will any team receive any refund or credit for any registration fees following an administrative removal.
- (d) If a team is administratively removed within the penalty periods outlined in Rule 2.6(1), the school will be responsible for the appropriate penalties under that rule.
- (e) If a team that has been administratively removed requests to be reassigned to a regional, that team will be added to the waitlist pursuant to rule 2.10 with the date of requesting reassignment serving as the registration date for the purposes of Rule 2.10.

CASE ACCESS AND USE

Rule 2.11 Case access.

(1) **LICENSE TO USE CASE.** By remitting payment for school registration, the school purchases a license to use the current AMTA case for educational purposes, including participation in mock trial competition.

(2) **PRIMARY CONTACT’S OBLIGATION.** Each school’s primary contact is responsible for controlling access to the case and ensuring that access information is held secure. Access information may not be posted in any publicly accessible forum, including but not limited to web

sites. Each school's Primary Contact has an affirmative obligation to monitor case access and case use at his/her school and to inform AMTA of any violations.

(3) WHEN ACCESS IS REVOKED. If the primary contact or any other individual who has obtained case access discontinues their affiliation with the member school, his/her case access is revoked.

(4) ACCESS CONTINGENT ON PAYMENT. No school shall receive access to the case materials until its payment for registration has been received by the AMTA office and until the school has paid any outstanding penalties or fines.

Rule 2.12 Case use in subsequent years.

(1) WHEN PERMITTED. Current faculty members or current primary contacts at a member school may use old cases for educational purposes, if both of the following are true:

- (a) the school was an AMTA member in good standing during the year the case was issued;
- (b) the school is an AMTA member in good standing at the time of use.

(2) EDUCATIONAL PURPOSES DEFINED. "Educational purposes" include, but are not limited to, use for exhibition rounds, course instruction, auditions, or academic research. "Educational purposes" shall not include any purpose for which a fee is charged, including but not limited to fee-based instruction (outside normal institutional course fees) or summer camps.

(3) LICENSE REQUIRED FOR OTHER PURPOSES. A school wishing to use an old AMTA case for fee-based instruction, summer camps, etc. may purchase a license to do so. AMTA's website will include a fee schedule showing current pricing. Absent an agreement to the contrary, each license shall last for one year from the date of purchase.

Rule 2.13 Sanctions for violation. Engaging in, providing, or facilitating unauthorized case access or case use is egregious conduct and is sanctionable under Rule 9.5.

Chapter 3: Eligibility

SCHOOL ELIGIBILITY

Rule 3.1 School registration required. Only teams from schools that annually register with the American Mock Trial Association pursuant to Rule 2.8(1) may compete in sanctioned tournaments.

Rule 3.2 School registration. Any School, as defined in Rule 1.2(a), may register to compete in AMTA sanctioned tournaments. Timely AMTA registration, along with payment of team registration fees under Chapter 2, guarantees that there will be space in Regional Tournament(s) for at least three teams from a participating school, unless the school's participation has been limited under Rule 9.5. A school shall not be allowed to participate in any sanctioned tournament if the school has any unpaid fines, penalties, or fees, unless written permission for an alternative deadline is received from the Tournament Administration Committee Chair, who should consult with the Treasurer on such decisions.

Rule 3.3 Number of teams eligible for regional competition. Each school may register an unlimited number of teams for regional tournaments. However, no more than three teams from a program will be guaranteed a space in a regional tournament. All additional teams from a program will be placed on the waitlist pursuant to rule 2.10. No more than two teams from any given school may compete at any single regional tournament.

Rule 3.4 Number of teams eligible for championship series competition. No more than two teams per school may participate in the championship series. Bye-buster teams are exempt from the limitation.

STUDENT ELIGIBILITY

Rule 3.5 Student membership required. All student participants in sanctioned tournaments must be registered participants of AMTA. Each student must complete an online registration form on or before the Monday preceding the first AMTA-sanctioned tournament for that year. Each student must register with AMTA once per academic year. Individual information about students will not be released to any organization outside AMTA pursuant to AMTA's Privacy Policy. The Development Committee shall create the registration form and enforce this rule.

Rule 3.6 Student eligibility requirements.

(1) GENERAL RULE. A student is eligible to compete at sanctioned tournaments if and only if s/he:

- (a) is a qualified student,
- (b) has not taken and is not enrolled in classes at a law school (other than those for which only undergraduate credit is received), and
- (c) has not already participated in sanctioned tournaments in five separate years.

(2) QUALIFIED STUDENT DEFINED. "Qualified students" include and are limited to the following:

- (a) **Current undergraduate.** This includes an individual who
 - i. has not received a Bachelor's degree or equivalent,
 - ii. is enrolled at a registered school, and
 - iii. is enrolled at least on a part-time basis.
- (b) **Early graduate.** This includes an individual who
 - i. was a "current undergraduate" as of October 15 in a given season,
 - ii. has ceased enrollment in the undergraduate division because they have completed the coursework necessary for obtaining their undergraduate degree,
 - iii. competes for a school that permits such continued participation, and
 - iv. the student has not matriculated in a graduate or professional school.
- (d) **Accelerated program students.** This includes an individual who
 - i. has ceased enrollment in the undergraduate division because they have completed the coursework necessary for obtaining their undergraduate degree; and
 - ii. competes for a school that permits such continued participation; and
 - iii. is enrolled in a graduate or professional program, other than law school, that permits the student to complete the requirements of a master's or professional degree during the student's fourth academic year of college.
- (e) **Current undergraduate on medical or financial leave.** This includes an individual who
 - i. produces a letter from an administrator other than the school's Educator or Attorney Coach certifying the student has taken a leave for financial or medical reasons and that the school permits the student's participation,
 - ii. would be a "current undergraduate" but for the financial or medical leave, and
 - iii. has not already competed as a "current undergraduate on medical or financial leave" at sanctioned tournaments in any previous season.
- (f) **Candidate for additional undergraduate degree.** This includes an individual who
 - i. holds a baccalaureate degree or the equivalent,
 - ii. is currently enrolled in either (a) another baccalaureate program or (b) a targeted program designed for working and/or non-traditional students, provided that the coursework is at the undergraduate level and permits the student to receive a degree or certification,
 - iii. has never enrolled in or taken classes at any graduate or professional school, and
 - iv. competes for a school that permits such participation.

(3) ENROLLMENT AT MULTIPLE INSTITUTIONS. If an individual is a qualified student at multiple schools, she or he will be eligible to compete for the school where she or he is enrolled for the most credits or, in the case of equal credits, she or he may compete for either institution. If an individual is a qualified student at multiple schools and only one of the schools where she or he is enrolled is registered with AMTA, the student may compete for the school registered with AMTA even if the student is enrolled for fewer credits at that school. In no event, however, may an individual compete at sanctioned tournaments for more than one school during the same season.

(4) INTERPRETATION AND ENFORCEMENT OF THIS RULE. The Executive Committee is empowered to interpret the rules of student eligibility and grant exceptions when, in its judgment, extraordinary circumstances make an exception appropriate. Competitive advantage shall not be considered an extraordinary circumstance.

Rule 3.6.1 Team Composition.

(1) **GENERAL RULE.** Each team may consist only of eligible students from a single member school.

(2) **EXCEPTION FOR COMBINING SCHOOLS.**

(a) **Generally.** A team may be composed of students from more than one school if the Executive Committee grants permission to do so. Permission from the Executive Committee must be requested in writing and must be received by the Executive Committee no later than October 15th. This exception is intended to accommodate new schools that cannot generate sufficient participation to field a team. It is not intended to allow schools to combine teams for competitive purposes. A student may compete for a maximum of two years for a school in which she or he is not enrolled.

(b) **Subsequent registration of program.** In the event that the Executive Committee grants an exception under Rule 3.6.1(2), that exception becomes void if the school in which that exempted student is actually enrolled registers to compete before the expiration of the registration deadline. If the school registers after the expiration of the deadline, then the exception may remain in effect.

Rule 3.7 Obligation to verify eligibility. The Primary Contact has an affirmative obligation to verify each competitor's eligibility. Submission of a roster at a sanctioned tournament constitutes certification that the eligibility of each participant has been verified.

Rule 3.8 Use of ineligible team members. Any team that knowingly uses an ineligible person as a member will be subject to sanctions. Challenges alleging ineligibility of a competitor must be made to an AMTA Representative before or after a round, but not to a judge, and not during a trial.

ROSTERS

Rule 3.9 Number of members on a team. A team shall consist of no less than six members and no more than ten members. No one may sit at the attorney table in the role of plaintiff or defendant unless that person is on the team's six to ten person roster. Any team fielding more than ten scoring team members will be disqualified from eligibility for team awards, individual awards and bid consideration. The record of the disqualified team will remain as initially recorded for tabulation and pairing purposes. No student may compete on more than one team for his/her school, unless the student is given permission to do so under rule 3.15 by the AMTA Representatives at the tournament.

Rule 3.10 Submission of roster. Each team shall submit its roster through the AMTA website as follows:

- (a) Not later than 21 days prior to the starting date of the team's assigned regional tournament;
 - (b) Not later than 10 days prior to the starting date of the team's assigned opening round championship tournament;
 - (c) In accordance with Rule 5.28(3) with respect to the national championship tournament.
- The roster shall designate a team captain, and shall include the cell phone numbers of the team captain and a coach (or official contact person if the team is student run). The roster will be

presented to the teams at on-site registration so the teams may add roles of the participants and note any changes.

Rule 3.11 One regional per student. No student may compete in more than one regional tournament per year, except as a member of a bye-buster team.

Rule 3.12 One opening round championship per student. No student may compete in more than one opening round championship tournament per year, except as a member of a bye-buster team.

Rule 3.13 Changing composition between sanctioned tournament levels. Subject to the other Rules in this chapter, each school may freely adjust the composition of its team rosters between regional tournaments and the opening round championship tournaments, and between the opening round championship tournaments and the national championship tournament.

TRIAL ROLES AND SUBSTITUTIONS

Rule 3.14 Allocation of roles to team members. There is no requirement that a student play a witness on one side of the case and an attorney on the other. However, there must be three witnesses and three student attorneys on each side of the case in each trial. There must be six separate students competing for each team in each trial, i.e., a student who plays an attorney in a trial may not also play a witness in that same trial. Subject to time limitations, each student attorney must conduct one direct examination and one cross examination per trial. No attorney may give both the opening statement and closing argument in the same trial.

Rule 3.15 Substitutions in case of illness.

(1) GENERAL RULE. If a participant becomes too ill to compete, the affected team may use a permissible substitute. If no permissible substitute is available, or the team chooses to not use a permissible substitute, the judges shall enter a zero for the role(s) and the trial will proceed.

(2) PERMISSIBLE SUBSTITUTES DEFINED. Permissible substitutes are:

- (a) other persons on the roster of the affected team who are not competing in that trial;
- (b) a person on the roster of the opponent's team who is not already competing in that trial;
- (c) any other person on the roster of any team competing in the tournament but not in that particular round.

Chapter 4: Rules Applicable To All Sanctioned Tournaments

AMTA REPRESENTATIVES

Rule 4.1 AMTA Representatives at sanctioned tournaments. Two AMTA Representatives shall be assigned to each sanctioned tournament. If a tournament has divisions, two AMTA Representatives shall be assigned to each division. Each Representative shall be an AMTA director or officer, candidate director, or other individual approved by the Tournament Administration Committee. No Representative may have a team in competition at the tournament to which s/he is assigned. The AMTA Representatives shall oversee the tabulation room, resolve disputes, and insure compliance with all AMTA rules and procedures. A tournament may proceed with one AMTA Representative if necessary.

AWARDS

Rule 4.2 Non-AMTA awards. If any outside group wants to present an award at a sanctioned tournament, members of the AMTA board shall be included on the selection committee for the award.

Rule 4.3 Author awards. The author of a case selected for use in sanctioned competition shall receive a \$500 cash prize. If there are multiple authors, the authors shall collectively receive \$500.

BALLOTS

Rule 4.4 Official ballots, requirements. Official AMTA ballots shall be used for all trials at all sanctioned tournaments, including the final championship round. AMTA will use two-part, pressure-sensitive ballots for pages one through four, with a three-part page five. Each team will receive one copy of each page of the ballot, with the first copy of page five retained by an AMTA Representative.

Rule 4.5 Ballot distribution. Ballots shall not be removed from the tab room prior to the end of a tournament. A pair of participants, consisting of a representative from each team, should bring these sheets to the tab room and wait while tab room officials review the ballots for completeness and legibility of scores, character names, and P/D markings.

Rule 4.6 Ballot retention. AMTA shall maintain the original set of blue scoring ballots from all sanctioned tournaments in a given year until at least 30 days after the conclusion of that year's national championship tournament.

BYE-BUSTER TEAMS

Rule 4.7 Service on tournament bye teams. Everyone accompanying a team to a tournament, including alternate team members not competing in the immediate round, timekeepers, spectators, and, as a last resort, coaches, may be required to serve on a bye-buster team at the discretion of the AMTA Representatives. When practical, teams should not be allowed to

provide members to a bye-buster team that is facing another team from the same school. Should a school with alternates or coaches refuse to supply personnel for a bye-buster team upon the request of the AMTA Representative, the AMTA Representative may remove that school's teams from the tournament. If the school has more than one team, the team with the best record at the time will be removed. All team members who serve on a bye-buster team are prohibited from disclosing any school affiliation to any judge before, during, or after the round in which they are serving on the bye-buster team.

Comment to rule 4.7: A bye-buster team may be recognized for its final placement. However, it never receives a team award or a bid to subsequent tournaments. Students volunteering to serve on a bye-buster team are eligible for individual awards based upon bye-buster team participation.

Comment to rule 4.7: The Tabulation Manual has a number of specific provisions regarding the constitution of bye-buster teams, their eligibility for awards, etc.

CAPTAINS' MEETINGS

Rule 4.8 Opening meeting required. There shall be informational meetings for all participants at the beginning of each sanctioned tournament.

Rule 4.9 Necessity of a captain. Each team must have a captain. The captain shall represent the team at captains' meetings.

Rule 4.9.1 Role of coaches in captains' meeting. Coaches may not participate in or represent a team at captains' meetings. Once a captains' meeting has begun and until it is complete, coaches may not communicate directly or indirectly with their students attending the captains' meeting. However, nothing in this rule shall prohibit a coach from attending or observing a captains' meeting, nor shall it limit communication between coaches and students who are not attending the captains' meeting.

Rule 4.10 Captains' meetings required, timing. A captains' meeting shall be held at least thirty minutes prior to each round at each sanctioned tournament. If a tournament has divisions, there shall be a separate captains' meeting for each division.

Rule 4.11 Prompt arrival required, penalties. The captain for each team shall arrive promptly for all captains' meetings and perform all functions required by the AMTA Representative presiding over the captains' meeting. Any team whose captain does not appear on time for a scheduled captains' meeting may receive a tournament penalty pursuant to Chapter 9. If a team's failure to have a captain present at the scheduled start time for a captains' meeting delays the start of any trial, that team shall automatically lose any tie-breaker at that tournament.

Rule 4.12 Required functions at the captains' meetings. Captains shall complete the following tasks at the captains' meetings:

(1) WITNESS SELECTION. Captains shall select witnesses in the order dictated by the case materials. Each captain shall inform the opponent's captain of the sex of the witnesses who will

be called. No team may call a witness who has already been called by its opponent.

(2) SEX OF OTHER PARTIES. If not already called as witnesses, each captain shall inform the opposing captain of the sex of the named parties or named party representatives of the case, where the sex of a party is not dictated by special rule.

(3) DEMONSTRATIVE AIDS. Each captain shall show their opponent each demonstrative aid intended to be used during trial. Any disputes shall be brought to the AMTA Representative at the captains' meeting for resolution prior to trial. The AMTA Representative shall make a determination pursuant to Rule 8.5. Failure to show an opponent any demonstrative aid during the captains' meeting shall prohibit the use of said demonstrative aid during the round. This Rule does not apply to any unaltered materials that are part of the case packet (i.e. affidavits and exhibits supplied with the case do not need to be shown to opposing counsel if neither their size nor their content have been altered in any fashion).

(4) BALLOT PREPARATION. At or shortly after each captains' meeting, the captains shall neatly complete the non-judges' portions of the sets of ballots required for the trial, including student names, team numbers, and the round number. The ballots to be completed will be those distributed to the captains by tournament officials. If more than two sets of ballots are returned for any trial, the two most unfavorable to the plaintiff/prosecution will be used.

(5) TOURNAMENT ANNOUNCEMENTS. It shall be the responsibility of each captain to report to their team members, coaches, and observers any tournament announcements made at the captains' meetings.

Rule 4.13 Updates. Teams must obtain all case materials and updates via the AMTA web site. Case changes for any post-regional competition will only be posted after the completion of the last regional tournament.

HOSTS AND FACILITIES

Rule 4.14 Tournament host required. Every tournament shall have a host. The host may recruit such other officials as are needed to assist with the smooth operation of the tournament.

Rule 4.15 Hosts' judge recruitment duties. Hosts shall recruit for three attorneys to act as judges per round, exclusive of coaches. Tournament hosts may recruit judges from local bar associations, institutional mock trial and law school alumni, or any other reasonable source.

Rule 4.16 Information for hosts. Hosts will receive contact information on assigned teams and are responsible for contacting assigned teams and confirming date, time, place, number of teams, and other tournament details. AMTA will make available to hosts of all sanctioned tournaments a standardized set of forms, signs, materials, and a "how-to" manual. Hosts shall not gather additional information regarding student rosters not contained on the AMTA roster form.

Rule 4.17 Tournament facilities. The host will provide facilities that are adequate for the tournament. Each trial should have a separate room. The tournament host is not responsible for providing lecterns, podiums, easels or other special props and equipment. Each team should bring the equipment it needs.

Rule 4.18 Accessibility and accommodations. The host shall consider and accommodate the needs of physically challenged participants, judges, and spectators to the fullest extent possible. Schools with any student requiring accommodations should notify the host as early as possible.

ASSIGNMENT OF JUDGES

Rule 4.19 Categorization of judges prior to assignment. Using information from tournament hosts and/or the judges themselves, AMTA Representatives shall categorize volunteer judges as follows:

(1) **CATEGORY ONE.** Category One shall generally consist of sitting judges, trial attorneys, litigators and other attorneys with indicia of mock trial experience.

(2) **CATEGORY TWO.** Category Two shall generally consist of non-coach attorneys who do not fall within Category One.

(3) **CATEGORY THREE.** Category Three shall generally consist of coaches, law students, other non-attorneys, and anyone who would otherwise fall within another category but who the AMTA Representative feels is unfit to judge a top round.

(a) At tournaments at which their program is not competing, coaches who volunteer to judge should be categorized without regard to their status as a coach.

(4) **NO RELIEF.** No team may claim relief of any sort on the grounds that a judge was miscategorized.

Rule 4.20 Assignment of judges.

(1) **WHO ASSIGNS.** AMTA Representatives are ultimately responsible for assigning judges to rounds. AMTA Representatives may designate tournament staff or coaches to assist with the draft panel assignments or may create the panels themselves. AMTA Representatives are strongly encouraged to consult with the tournament staff.

(2) **RECOMMENDED ASSIGNMENT PROCEDURE IN ROUND 1.** The assignment of judges to Round 1 trials shall be random.

(3) **RECOMMENDED ASSIGNMENT PROCEDURE IN ROUNDS 2 AND 3.**

(a) First, assign one Category One judge to each trial, beginning with the top pairing and working down.

(b) If every trial has at least one Category One judge, add a second Category One judge to each trial, beginning with the top pairing and working down. If there are fewer Category One judges than trials, proceed to sub. (c).

(c) After all Category One judges are assigned, assign one Category Two judge to each trial, beginning with the highest available pairing and working down.

(d) If any trial does not have two judges assigned, assign Category Three judges until every trial has two judges.

(e) If there are enough judges for every trial to have a third judge, assign the judges from the top of the pairings, working down.

(f) If there are enough judges for only some trials to have a third judge, assign the third judges from the bottom of the pairings, working up, leaving the top trials with two judges. Judges should likewise be assigned from the bottom up, so that the highest ranked third judge is closest to the top of the pairings.

(g) The following example diagrams may be helpful in visualizing the judge assignment process:

EXAMPLE 1

Teams	Judge 1	Judge 2	Judge 3
4 v. 4	Cat. 1	Cat. 1	
4 v. 4	Cat. 1	Cat. 1	
3.5 v. 4	Cat. 1	Cat. 2	
3 v. 3.5	Cat. 1	Cat. 2	
3 v. 2.5	Cat. 1	Cat. 2	
2 v. 2	Cat. 1	Cat. 2	Cat. 2
2 v. 2	Cat. 1	Cat. 2	Cat. 2
1 v. 1.5	Cat. 1	Cat. 2	Cat. 3
0 v. 1.5	Cat. 1	Cat. 2	Cat. 3
0 v. 1	Cat. 1	Cat. 2	Cat. 3
0 v. 0.5	Cat. 1	Cat. 2	Cat. 3
0 v. 0	Cat. 1	Cat. 2	Cat. 3

EXAMPLE 2

Teams	Judge 1	Judge 2	Judge 3
4 v. 4	Cat. 1	Cat. 2	
4 v. 4	Cat. 1	Cat. 2	
3.5 v. 4	Cat. 1	Cat. 2	
3 v. 3.5	Cat. 1	Cat. 2	
3 v. 2.5	Cat. 1	Cat. 2	
2 v. 2	Cat. 1	Cat. 2	
2 v. 2	Cat. 1	Cat. 3	
1 v. 1.5	Cat. 1	Cat. 3	
0 v. 1.5	Cat. 1	Cat. 3	
0 v. 1	Cat. 2	Cat. 3	Cat. 3
0 v. 0.5	Cat. 2	Cat. 3	Cat. 3
0 v. 0	Cat. 2	Cat. 3	Cat. 3

(4) RECOMMENDED ASSIGNMENT PROCEDURE IN ROUND 4 AT REGIONAL AND OPENING ROUND CHAMPIONSHIP TOURNAMENTS.

- No Category One or Category Two judge should be assigned to a non-bid determinative round, unless all bid-determinative rounds already have two judges assigned.
- No Category Three judge should be assigned to a bid-determinative round, unless there is insufficient room for all Category Three judges in the non-bid determinative rounds, or there are insufficient Category One and Category Two judges to complete two judge panels in the bid determinative rounds.
- Generally speaking, the best judges should be assigned to the rounds most likely to be bid-determinative.
- The following example diagrams may be helpful in visualizing the assignment process:

EXAMPLE 1

Teams	Judge 1	Judge 2	Judge 3
Non Bid Determinative Rounds			
6 v. 0	Cat. 2	Cat. 3	Cat. 3
5.5 v.0	Cat. 2	Cat. 3	Cat. 3
1 v. 1	Cat. 3	Cat. 3	Cat. 3
Bid Determinative Rounds			
1.5 v. 5	Cat. 1	Cat. 2	Cat. 2
2 v. 4.5	Cat. 1	Cat. 2	
2 v. 3.5	Cat. 1	Cat. 1	
2 v. 3	Cat. 1	Cat. 1	
3.5 v. 2	Cat. 1	Cat. 1	
4 v. 1.5	Cat. 1	Cat. 2	
4 v. 1.5	Cat. 1	Cat. 2	
4 v. 1	Cat. 1	Cat. 2	
5 v. 0.5	Cat. 1	Cat. 2	Cat. 2

EXAMPLE 2

Teams	Judge 1	Judge 2	Judge 3
Non Bid Determinative Rounds			
6 v. 0	Cat. 3	Cat. 3	
5.5 v.0	Cat. 3	Cat. 3	
1 v. 1	Cat. 3	Cat. 3	
Bid Determinative Rounds			
1.5 v. 5	Cat. 2	Cat. 3	
2 v. 4.5	Cat. 1	Cat. 3	
2 v. 3.5	Cat. 1	Cat. 2	
2 v. 3	Cat. 1	Cat. 2	
3.5 v. 2	Cat. 1	Cat. 2	
4 v. 1.5	Cat. 1	Cat. 2	
4 v. 1.5	Cat. 1	Cat. 2	
4 v. 1	Cat. 1	Cat. 3	
5 v. 0.5	Cat. 2	Cat. 3	

(5) RECOMMENDED ASSIGNMENT PROCEDURE IN ROUND 4 AT THE NATIONAL CHAMPIONSHIP TOURNAMENT. Judges should be assigned in the same manner as Rounds 2 and 3.

(6) NO RELIEF. No team may claim relief of any sort on the grounds that a judge was not assigned in accordance with these guidelines.

Rule 4.20.1 Judging Conflicts.

(1) Absent extraordinary circumstances, a judge shall not be assigned to judge a trial in which:

- (a) the judge has judged either team during the same tournament,
- (b) the judge has a current affiliation, including as a coach or through a family relationship, with either team,

- (c) the judge has a past affiliation with either team that is reasonably likely to create a conflict of interest, or
- (d) the judge feels that s/he cannot be impartial
- (2) Except in circumstances outlined in Rule 4.20.1(1), a judge may be assigned to judge a trial in which:
 - (a) the judge has judged either team in a tournament other than the current tournament,
 - (b) the judge recognizes participants, including coaches and spectators, from either team, or
 - (c) the judge is aware of the identity of either team
- (3) Before or during registration, each judge shall be asked to disclose any teams with which s/he has a conflict under these Rules.
- (4) A judge may judge the same student as a member of a Bye Buster team and a competitive team.
- (5) A judge may judge a Bye Buster team notwithstanding the restrictions of Rule 4.20.1(1)(a)-(c).
- (6) No team shall have a claim for relief based on deviations from this Rule.

Rule 4.21 Information for judges. All handouts to be given to judges at sanctioned tournaments must be approved by the Board or the Executive Committee. In advance of the tournament, the tournament host may provide (in hard copy or electronically) access to the PowerPoint presentation, Midlands Rules of Evidence, and the ballot. Upon request, a host may provide the Executive Summary, the case summary, the Rulebook (in whole or in part), and/or access to the case in accordance with case access procedures.

Rule 4.22 Judges' meetings. The Board will create a standard presentation for judges and make the presentation available on the AMTA web site. Coaches may observe the judges' meeting. Teams and coaches may have access to all material distributed to judges on the AMTA website.

Rule 4.22.1 Contacting judges after a round. AMTA Representatives should not attempt to contact a judge after the judge has left the tournament site, except in the following circumstances:

- (a) To obtain a missing numerical score or to clarify an illegible numerical score.
- (b) To discuss a highly unusual or extraordinary situation occurring during the trial. Matters concerning scoring (other than obtaining missing scores or clarifying illegible scores) or improper invention shall not be considered "highly unusual or extraordinary."
- (c) To discuss matters unrelated to the trial the judge evaluated.

TABULATION

Rule 4.23 Tabulation manual.

(1) **MANUAL ADOPTED.** Tabulation of all sanctioned tournaments shall be done in accordance with the AMTA Tabulation Manual, which is hereby adopted by reference.

(2) **TABULATION DIRECTOR'S AUTHORITY.** The Tabulation Director has final authority to interpret any matter contained within the Tabulation Manual.

(3) AMENDMENTS TO THE TABULATION MANUAL. No later than September 1 of each year, the Tabulation Director shall amend the Tabulation Manual to reflect all actions of the Board at its summer meeting which affect the Tabulation Manual.

Rule 4.24 Review period.

(1) AFTER ROUNDS 1, 2, AND 3. After rounds one, two, and three, there shall be a review period, which begins immediately upon the conclusion of pairing the next-occurring round. The review period shall last 30 minutes. If the next-occurring round starts the following morning, the AMTA Representatives may hold the review period on the following morning during the 30 minutes immediately prior to the captains' meeting.

(2) AFTER ROUND 4. The review period after round four shall begin immediately upon conclusion of the awards ceremony. The review period shall last 30 minutes.

(3) TEAM RESPONSIBILITY DURING REVIEW PERIOD. During each review period, each team's tabroom representative may review scoring ballots and the official pairing cards. If any error in the tabulation of the preceding round or pairing of the following round is suspected, regardless of whether it affects the reporting team, it shall be reported prior to the expiration of the review period.

(4) LEGIBLE SCORE PRESUMED ACCURATE. A legible numerical score, properly placed upon the scoring ballot, shall be conclusive evidence of the judge's intended score. No team shall have any claim for relief on the grounds that the judge's comments or individual rankings suggest the legible score was intended for another function of the trial or otherwise improperly given.

(5) AMTA REPRESENTATIVES TO RECEIVE REPORTS. Errors may only be reported to an AMTA Representative. Tournament hosts or other Board members have no ability to receive such reports.

(6) CORRECTION OF RECORD OR PLACEMENT ERRORS. The AMTA Representatives shall correct any timely reported error in win/loss record, combined strength, point differential, ranking, recording of results, or final placement.

(7) CORRECTION OF PAIRING ERRORS. The AMTA Representatives shall correct any timely reported error in the pairing of the following round, if the correction can be made without undue disruption of the tournament schedule.

(8) UNTIMELY REPORTS. Any error not timely discovered or reported is deemed waived. The AMTA Representatives may correct any error not timely discovered or reported, but only if the subsequent round can be repaired without undue tournament schedule disruption.

Rule 4.25 Tab summaries. Each sanctioned tournament shall produce a tabulation summary, which shall be distributed to participating teams and forwarded to the AMTA office for posting on the AMTA web site. Whenever possible, distribution of the tab summaries to participating teams shall be by e-mail to all coach(es) and captain(s) at each tournament, to be sent immediately upon the conclusion of the awards ceremony. In such cases, printed copies of the tab summary need not be provided. When the tab summary is distributed electronically, the AMTA Representatives shall make the original tab summary file available for viewing during the 30-minute review period. No tabulation summary may include the trademark of any school or business unless AMTA receives appropriate proof of its license to use the trademark.

SCOUTING, VIDEOTAPING, AND RECORDING

Rule 4.26 Open and public trials. All trials shall be open and public. No one, whether family, friend, press, or opponent, shall ever be excluded from any trial, except that the court may clear the court room during its deliberations at the end of a trial. Witnesses shall not be sequestered except pursuant to the Midlands Rules of Evidence. In circumstances where there are insufficient seats to accommodate all spectators, the AMTA Representatives shall have the authority to establish reasonable rules for determining who may remain. The Representatives should give special weight to teammates, coaches, and family members of the competing teams, but need not reserve all available seats for such persons.

Rule 4.27 Videotaping or recording by AMTA, permission granted. AMTA may record any trial at any sanctioned tournament. By competing in a sanctioned tournament, each participant grants AMTA the right to record the participant's likeness and performance and use the recording for any purpose.

Rule 4.28 Videotaping or recording by other parties.

(1) BY NEWS MEDIA. The news media may videotape, record, or photograph any trial at any sanctioned tournament. By competing in a sanctioned tournament, each participant grants the right to have the participant's likeness and recording used for media purposes.

(2) BY A SCHOOL COMPETING IN A TRIAL. A school may videotape or record any trial in which the school is competing, so long as the recording does not interfere with the conduct of the trial. The use of any such recording is limited to the educational use of the school making the recording. Commercial use is prohibited without the permission of AMTA and all involved participants.

(3) BY A SCHOOL NOT COMPETING IN A TRIAL OR OTHER PARTY. Any videotaping or recording of a trial not otherwise permitted by these Rules is prohibited, unless permission is granted in advance by both teams in the trial to be recorded. The use of any such recording is limited to the educational use of the party making the recording. Commercial use is prohibited without the permission of AMTA and all participants.

Comment to rule 4.28: Recording can serve many educational purposes. Recording for such purposes is encouraged. Recording for "scouting" purposes is not permitted by the rule. No tournament host is ever required to provide recording equipment, a space convenient for videotaping, or even access to an electrical outlet. No one is entitled to record, and a tournament should never be delayed to accommodate recording.

SCHEDULE

Rule 4.29 Accommodation of religious practices. AMTA will attempt to accommodate the religious practices of all participants so that they may participate in sanctioned tournaments, unless the accommodation requires fundamental changes in the format of the tournament. The Tournament Administration Committee chair and the tournament host(s) will make the determination as to whether accommodations are possible.

STRUCTURE

Rule 4.30 Rounds. Each sanctioned tournament shall consist of four regular rounds of competition in which all teams compete. Each team shall perform twice as the plaintiff/prosecution and twice as the defense.

TIME LIMITS

Rule 4.31 Time limits. Time limits for all trials in sanctioned tournaments shall be strictly observed.

(1) TIME LIMITS GENERALLY. Time limits for each side shall be as follows:

Opening statements - 5 minutes per side

Direct examinations of all three witnesses (combined) - 25 minutes per side

Cross examination of all three witnesses (combined) - 25 minutes per side

Closing arguments - 9 minutes per side

(2) REBUTTAL. The plaintiff/prosecution may give a rebuttal after the defense closing argument. The length of time for plaintiff/prosecution's rebuttal (i) shall be the amount of time not used during the plaintiff/prosecution's closing argument, but (ii) may not, in any event, exceed five minutes. The plaintiff need not expressly reserve time (e.g., state that "all remaining time is reserved for rebuttal") and does not waive its right to rebuttal by failing to expressly reserve time. The defense shall not give a rebuttal.

(3) UNTIMED ACTIVITIES. Time spent in arguing objections or comments of judges shall not be assessed against either side, but shall be included in all calculations under Rule 4.32.

(4) EXPIRATION OF DIRECT EXAMINATION TIME. If a team runs out of time for direct examination before all of its witnesses are called to the stand, the attorney who was slated to direct any uncalled witness shall receive no points for the direct examination. The witness shall receive no points for direct examination. The opponent may choose to have the witness take the stand for cross examination. If the opponent exercises this option, the witness will receive a cross examination score and the crossing attorney will receive a score. No re-direct examination is allowed. If the crossing attorney declines to have the witness take the stand, the witness will not receive a cross examination score and the crossing attorney will not receive a score.

(5) EXPIRATION OF CROSS EXAMINATION TIME If a team runs out of time for cross examination before it begins the cross examination of any witness, the attorney(s) who do not conduct any cross examination shall each receive a cross examination score of zero. Any witness who does not face a cross examination shall receive a cross examination score identical to the score the witness received for his or her direct examination performance.

(6) READING EXHIBITS. Should a team wish to read aloud for the jury an exhibit (or part of any exhibit) or stipulation, any such reading must be deducted from the team's time to present arguments and evidence. The time spent reading the exhibit aloud shall be deducted from that team's total 5 minutes for opening statement, 25 minutes for direct examination, 25 minutes for cross examination, or 9 minutes for closing argument, depending on whether the reading occurs before the conclusion of the second opening statement, after opening statements but before the plaintiff has rested, after the plaintiff has rested but before the defense has rested, or during the reading team's closing argument, respectively. This rule addresses only issues of timing, not issues of evidence or admissibility.

Rule 4.32 *Removed.*

Rule 4.33 All-loss rule.

(1) DEFINITIONS. For the purposes of this Rule,

- (a) “Start time” means the time when all judges have arrived to their proper trial rooms at the beginning of a round. If one or more judges must be reassigned after arriving to their initially assigned trial room, the start time does not occur until all judges have arrived to their subsequently assigned trial rooms.
- (b) “All-loss time” means 180 minutes after the start time.

(2) RULE. All trials in a round must be completed by that round’s all-loss time, or a penalty will be imposed under this Rule, except as otherwise provided within this Rule.

(3) WHEN TRIAL IS DEEMED COMPLETED. A trial is deemed completed upon the conclusion of closing arguments (including any rebuttal argument). The trial shall be deemed completed even if any ballot must be returned to a judge due to error, incompleteness, or illegibility.

(4) PENALTY. If the all-loss time occurs prior to the completion of a trial, each team competing in the uncompleted trial shall have one ballot subtracted from its final total of ballots won, except as provided in section 6(c) of this Rule. The actual record of each team prior to the imposition of the penalty shall be used for the purposes of pairing and tiebreakers.

(5) DUTIES OF AMTA REPRESENTATIVES AND TEAMS.

- (a) The AMTA Representatives shall determine the start time of each round and prominently post the resulting all-loss time.
- (b) It is the duty of each team to ascertain the all-loss time for each round, and to seek AMTA Representative intervention if it appears that their trial will not be completed in time. Merely advising the AMTA Representatives that the trial is running long is not an intervention request and does not entitle the teams to any relief from the operation of this rule.

(6) REQUEST FOR INTERVENTION.

- (a) A rostered member of either team must make a timely request for intervention to the AMTA Representatives who will observe the trial and determine whether the team requesting intervention is entitled to relief.
- (b) When requested, the AMTA Representatives or their designee may intervene to get a delayed trial back on schedule.
- (c) The AMTA Representatives may allow adjustment to the operation of this rule on those rare occasions where delay in a trial occurs without any contribution from either team. The decision of the AMTA Representatives is final.
- (d) When an intervention has been requested, approximately 5 minutes before the all-loss time, an AMTA Representative or a designee shall go to each uncompleted trial to ascertain the status of the trial. If the AMTA Representative or designee determines that all functions of the trial have been completed by the all-loss time, the judges shall have a 5-minute grace period in which to complete the ballots. If all functions of the trial have not been completed by the all-loss time, no grace period is permitted, and the penalty set forth in section 4 shall be imposed.

(7) NO RELIEF FROM JUDGES. No presiding judge or scoring judge may grant relief from the operation of this rule.

(8) RIGHT TO APPEAL. The imposition of an all-loss penalty may be appealed to the Competition Response Committee in compliance with the deadlines set forth in Rule 6.10. The

decision of the AMTA Representatives will be reviewed under an abuse of discretion standard. The decision of the Competition Response Committee is final.

SAFETY IN SEVERE WEATHER CONDITIONS

Rule 4.34 Severe weather rules.

(1) PARTICIPANT SAFETY PARAMOUNT. All participants should always make their personal safety their first priority in determining whether to travel to or from a tournament during severe weather. If a team determines it cannot safely travel to a tournament, it should notify the tournament host and/or the AMTA Representatives at the earliest safe opportunity.

(2) HANDLING OF TOURNAMENT FEES. A team that is unable to travel to a tournament due to inclement weather and that communicates this decision in advance to the applicable tournament officials should normally have its tournament registration fees rolled forward to the following year. The Executive Committee shall have final authority to determine whether a team's tournament registration fees should be rolled forward. For purposes of this section, "tournament registration fees" means the amount paid to compete at the level of tournament that the school withdraws from, but does not include the annual School Registration fees.

(3) CANCELLING OR CHANGING TOURNAMENTS. Tournaments shall take place as scheduled, except in extraordinary circumstances. When faced with extraordinary circumstances, including but not limited to inclement weather, the AMTA Representatives, the tournament host, and the Tournament Administration Chair should make recommendations to the AMTA President as to whether and how a particular tournament shall be held. The AMTA President, or his or her designate, shall have final authority to determine whether a tournament shall be held or whether its schedule shall be altered.

(4) SUPPLEMENTAL TOURNAMENTS. The AMTA President, in consultation with the Tabulation Director and Tournament Administration Committee Chair (or their designees,) may authorize make-up or supplemental tournaments, but only in extraordinary circumstances. The amount of bids to be awarded at each such tournament shall be determined by the Competition Response Committee.

Rule 4.35 Site-specific sponsorship agreements. The Development Committee shall have the authority, with consultation of the Tournament Administration Committee and the host, to enter into site-specific sponsorship agreements. Funds from such agreements shall be paid directly to AMTA. On or before January 15 of each competition season, funds then collected from each site-specific sponsorship agreement (less estimated taxes) shall be distributed as follows: 40% shall be retained by AMTA; 25% shall be distributed to the host to which the site-specific sponsorship agreement applies; and 35% shall be allocated to a pool to be divided equally among all hosts of AMTA-sanctioned tournaments. Funds received by AMTA after January 15 shall be carried over to the next academic year, but in no event will a host which does not host the following year be entitled to any funds from any site-specific sponsorship agreement.

Nothing in this Rule is designed to prohibit hosts of AMTA-sponsored tournaments from negotiating and executing sponsorship agreements, provided such agreements do not violate exclusivity provisions in pre-existing contracts between AMTA and any person or entity. Hosts shall consult with the Tournament Administration Committee to determine if any contemplated agreements are in compliance with this Rule.

Chapter 5: Tournament Specific Rules

INVITATIONAL TOURNAMENTS

Rule 5.1 Independence from AMTA. AMTA hosts regional tournaments, opening round championship tournaments, and a national championship tournament. These are the only AMTA-sanctioned and sponsored events. All other events not reflected above shall be deemed invitational tournaments. AMTA does not host, organize, fund or endorse any invitational tournament. These tournaments are exclusively hosted, organized and administered by their respective hosts, and are completely independent of AMTA.

Rule 5.2 Involvement of board members. AMTA directors and officers may volunteer to help the hosts and/or organizers of an invitational tournament. However, said involvement is strictly voluntary, on their own accord, and is in no way an endorsement or sanctioning of the tournament by AMTA.

Rule 5.3 Rules and policies. Invitational tournaments are not sanctioned tournaments; therefore, all aspects of each invitational tournament are at the discretion of the host and shall not be made in consult with AMTA. The host school may determine all aspects of the tournament or event including: a) when the tournament is held, b) where the tournament is held, c) whether the tournament is open to all schools and programs, d) the time of rounds, e) the length of rounds, f) whether the AMTA case problem for that year is used, g) the number of rounds, and h) whether AMTA materials, rules, pairing and tabulation systems are used.

Rule 5.4 Advertising on AMTA website. Hosts of invitational tournaments may request to advertise the tournament or event on the AMTA website. Such a request shall be in writing, and must indicate the host's acknowledgment that AMTA is not sponsoring, organizing or hosting the event.

Rule 5.5 Recommendation of general liability insurance. AMTA strongly encourages hosts to obtain general liability insurance for their events, if the event is not already covered by the host institution's policies.

REGIONAL TOURNAMENTS

Rule 5.6 Regional tournaments defined. Regional tournaments are those tournaments selected by the Tournament Administration Committee to serve as qualifying tournaments to the opening round championship. A minimum of six teams from at least three schools is required to hold a regional tournament, provided that there is no other regional tournament scheduled within a six-hour drive.

Rule 5.7 Regional tournament dates. Regional tournaments may be held on the last weekend in January or on any weekend in February. Hosts should avoid the LSAT weekend.

Rule 5.8 Regional host eligibility. Any member school or other qualified organization that meets the criteria laid out by the Tournament Administration Committee and the criteria

established in these rules may be a regional tournament host.

Rule 5.9 Regional host selection. Regional tournament hosts are selected through a process determined by the Tournament Administration Committee. Nothing in this rule shall be interpreted to require current regional tournament hosts to go through a bid process.

Rule 5.10 Regional tournament host manual. All regional tournament hosts will receive an updated hosting manual and information on evaluation procedures prior to the start of the academic year.

Rule 5.11 Compensation for regional tournament host. Absent other arrangements, AMTA shall provide each regional tournament host with a minimum of \$40 times the number of teams assigned as of December 15 of the competition season. No regional host may charge teams additional fees (above those paid to AMTA) to participate in a regional tournament. Regional hosts shall receive their stipend, in full, at least one month prior to the commencement of the regional tournament. The Development Committee and Tournament Administration Committee may also enter into alternative hosting arrangements where a host would receive promotional or other consideration in addition to or in lieu of a direct subsidy from AMTA.

Rule 5.12 Regional tournament evaluations. Each regional tournament will undergo a site evaluation process that includes (a) a report from the AMTA Representatives and (b) evaluations from all teams at that site. This information will be provided to the Tournament Administration Committee Chair, who, in consultation with the Tournament Administration Committee, will make a recommendation about the quality of all sites. The reports will be shared with each regional tournament host. If a site has significant problems, the host shall be informed in writing by the Tournament Administration Committee about the nature of the deficiencies and given one year to remove them. If the host fails to remove the deficiencies for two years in row, the Tournament Administration Committee chair, in consultation with the Tournament Administration Committee, may remove that school as a regional site.

Rule 5.13 Regional tournament team awards.

(1) **TEAM TROPHIES.** Each team who earns a bid to an opening round championship series tournament shall receive a trophy. The trophies will not differentiate in size or place, and shall state "Championship Series Qualifier" along with the appropriate year.

(2) **SPIRIT OF AMTA AWARD.** At least one team at each regional tournament shall receive a Spirit of AMTA plaque in accordance with the rules set forth in the Tabulation Manual.

Rule 5.14 Regional tournament individual awards. Each regional tournament shall award at least ten All-Region attorney and ten All-Region witness awards. Additional awards shall be given to students tied for tenth place. If ties create the need for additional individual plaques, the AMTA Representatives shall contact the AMTA office within one week of the regional tournament with the name, address, and award needed. When distributing the available plaques at the tournament, AMTA Representatives should withhold plaques from students whose teams are advancing to the championship series or from students whose teams are coached by an AMTA director.

OPENING ROUND CHAMPIONSHIP TOURNAMENTS

Rule 5.15 Opening round championship sites. AMTA will sponsor at least two opening round championship tournaments.

Rule 5.16 Location of opening round championship tournaments. The Board will determine the location of the sites for opening round championship tournaments.

Rule 5.17 Schedule of opening round championship tournaments. The Tournament Administration Committee will establish the schedule for all opening round championship tournaments.

Rule 5.18 Dates of opening round championship tournaments. If possible, the Board will schedule tournaments to allow a minimum of two weeks between the last regional tournament and the first opening round championship tournament

Rule 5.19 Eligibility for opening round championship tournaments. Every team that competes in an opening round championship tournament must be from an AMTA member school and must qualify by earning a bid under Chapter 6.

Rule 5.20 First round pairings. Public drawings shall be held at a predetermined time and place for the first round pairings at each opening round championship tournament.

Rule 5.21 Opening round championship tournament team awards.

(1) **TEAM TROPHIES.** Trophies will be awarded to each team that qualifies to the national championship tournament from the opening round championship. The trophies shall not differentiate in size or place, and shall state “National Championship Tournament Qualifier” along with the appropriate year.

(2) **SPIRIT OF AMTA AWARD.** At least one team shall receive a Spirit of AMTA plaque in accordance with the rules set forth in the Tabulation Manual.

Rule 5.22 Opening round championship tournament individual awards. Each opening round championship tournament shall award at least ten outstanding attorney and ten outstanding witness awards. Additional awards shall be given to students tied for tenth place. If ties create the need for additional individual plaques, the AMTA Representatives shall contact the AMTA office within one week of the tournament with the name, address, and award needed. When distributing the available plaques at the tournament, AMTA Representatives should withhold plaques from students whose teams are advancing to the national championship tournament or from students whose teams are coached by an AMTA director or officer.

NATIONAL CHAMPIONSHIP TOURNAMENT

Rule 5.23 National championship tournament. AMTA will sponsor one National Intercollegiate Championship Mock Trial Tournament.

Rule 5.24 Location of national championship tournament. In each year, the location of the National Championship Tournament will be determined by an open bid system akin to what is utilized for ORCS and Regionals. The committee making the determination may consider a preference that Des Moines host in years marking AMTA milestones. (e.g., 2015 as the 30 year anniversary).

Rule 5.24.1 National championship tournament host reimbursement. The stipend for the National Championship Tournament host shall be \$25,000.

Rule 5.25 Dates of the national championship tournament. If possible, the Board will schedule tournaments to allow at least two weeks between the final opening round championship tournament and the national championship tournament. The dates of the national championship tournament will be set two years in advance by the Board.

Rule 5.25.1 Judges for the national championship tournament. The host of the national championship tournament shall be authorized, but not required, to recruit sufficient judges so as to permit the use of three scoring judges in every non-final round trial at that tournament. The AMTA Tabulation Director shall make the final decision as to whether three ballots per round will be used. The decision will be made prior to the start of the tournament's opening ceremony. Should the AMTA Tabulation Director make such a decision, s/he will modify the rules as necessary to adapt to a tournament with three scoring judges per round.

Rule 5.26 Eligibility for the national championship tournament. Every team that competes in the national championship tournament must be from an AMTA member school in good standing, and must earn a bid to the national championship tournament under Chapter 6 of these Rules.

Rule 5.27 First round pairings. Public drawings shall be held at a predetermined time and place for the first round pairings at the national championship tournament.

Rule 5.28 Divisions at the national championship tournament.

(1) **DIVISIONS.** The national championship tournament will be run in two divisions.

(a) **Distribution of bonus bid ranks.** Teams will be divided into twelve (12) groups of four teams based on each team's Bonus Bid Ranking. (Group A will consist of the 1st to 4th highest BBR ranking among the qualifying teams, Group B will consist of the 5th to 8th highest BBR ranking among the qualifying teams, etc.) Two teams from each group shall be placed in each division.

(b) **Schools earning multiple bids.** If two teams from a single school compete, they shall not be assigned to the same division.

(2) **RANDOM DRAW REQUIRED.** Division draws shall be done at random, taking steps as needed to implement the above rules. The division draw shall occur no sooner than the second Tuesday following the completion of the final ORC and, in any event, after the preliminary roster deadline.

(3) **ROSTER SUBMISSION.**

(a) Teams must submit rosters to AMTA no later than 4:00 pm CST on the second Monday following the completion of the final ORC ("preliminary roster deadline").

If two teams from a single school compete, the school must identify by the preliminary roster deadline which team is the superior ("A") team. If the school believes its two teams to be of equal strength, it can assign the "A" designation at its discretion.

- (b) Teams from schools that qualify a single team to the championship may change their rosters after the preliminary roster deadline without review by AMTA (except for issues regarding eligibility of individual students, *see* Rules 3.5 to 3.8).
- (c) Teams from schools that qualify two teams to the national championship tournament may change their rosters after the preliminary roster deadline but doing so gives authority to the Competition Response Committee to change the school's "A" designation.

Rule 5.29 Swing teams.

(1) DESIGNATION. The Tabulation Director may designate one team in each division as a swing team. The swing team will switch divisions if it is necessary to move a team to comply with Rule 5.32(1). The swing team(s) shall be selected at random, with the caveat that they must be teams from programs with only a single team in that tournament.

(2) IMPLEMENTATION WHEN TEAMS DO NOT ARRIVE. If at least one team in each division will not be arriving, the Tabulation Director may move a swing team from one division to the other to prevent the need for a bye-buster in both divisions. The swing team should move into the division that had the higher ranked no-show. Ranking shall be based on bonus bid rankings, or, if neither team has a bonus bid ranking, the team's performance at regionals. This procedure ensures that the division that loses a higher ranked team at least stays at its full size.

(3) OPPONENTS. If pairings have already been conducted:

- (a) In the division receiving the swing team, the swing team shall face the team initially scheduled to face the team that is not arriving.
- (b) In the division the swing team departed, the team initially paired against the team not arriving shall face the team initially paired against the swing team.
- (c) If necessary, the AMTA Representatives shall conduct a coin flip to determine side assignments for the trials affected by the movement of the swing team.

(4) IMPLEMENTATION WHEN TEAMS WILL ARRIVE LATE. If a team is scheduled to arrive late, but is planning to participate, the AMTA Representatives shall field a bye-buster team in each division rather than move teams from one division to another.

Rule 5.30 National championship tournament team awards.

(1) TEAM TROPHIES. Team trophies will be awarded to the first through tenth place teams in each division, plus five honorable mention trophies in each division. The announcement of team awards shall begin with the presentation of honorable mention awards. A minimum record of 4-4 or its equivalent is required for team award recognition at the national championship tournament.

(2) SPIRIT OF AMTA AWARD. At least one team in each division shall receive a Spirit of AMTA plaque in accordance with the rules set forth in the Tabulation Manual.

Rule 5.31 National championship tournament individual awards.

(1) ALL-AMERICAN AWARDS BASED ON RANK POINTS. Each student who receives at least an average of 4.5 individual award points per ballot on one side of the case at the National Championship Tournament shall be designated an Intercollegiate All-American Witness or

Intercollegiate All-American Attorney. If less than ten students in a division earn at least 4.5 individual award points per ballot, all students who receive at least as many award points as the student with the tenth-highest number of individual points will receive All-American status. A student may receive All-American designation as both an attorney and a witness.

(2) ALL-AMERICAN AWARDS BASED ON REACHING FINAL ROUND. Each student portraying an attorney or witness in the championship round shall be designated an All-American attorney or witness, respectively. Each other student on the roster of either team in the championship round shall also be designated an All-American Attorney or All-American Witness, so long as the student actually scored points as an attorney or witness during any of Rounds 1 through 4 of the national championship tournament.

Rule 5.32 National championship trial. The first place team from each division will meet in the national championship trial. Teams from the same school will not be assigned to the same division. The winner of the national championship trial shall be the national champion.

Rule 5.33 Judging of the national championship trial. Judges of the National Championship Round shall be assigned by the tournament host in consultation with the Tournament Administration Committee Chair. The national championship trial shall be scored by an odd number of at least three and no more than nine judges. The presiding judge should not score if possible.

Rule 5.34 Trophies at the national championship trial. AMTA shall make the Richard Calkins Award traveling trophy available to each year's national champion. AMTA shall make the Eleanor Berres Hinrichs Award traveling trophy available to each year's national runner-up. If a school chooses to take custody of a traveling trophy, the school is responsible for returning the traveling trophy to the location designated by AMTA at or in advance of the following year's national championship tournament. The school shall return the trophy in the same condition as when the school received the trophy. A school that takes custody of a traveling trophy must insure the trophy against loss or damage during shipment by a third party. AMTA shall inform the school of the minimum insurance amount. If a trophy is returned to AMTA with damage that was not pre-existing, AMTA may charge the school that had custody of the trophy with the cost of any necessary repairs. Such charge shall be treated as a penalty that must be satisfied prior to registration in subsequent years. The trophy will be shipped at AMTA's expense.

Chapter 6: Championship Series Bids

GENERAL RULES

Rule 6.1 Bid limitation. No school may accept more than two bids to the championship series. The Tabulation Director may designate a “Stand By” team for each Opening Round Championship Site, and the National Championship Tournament. The Tabulation Director will use such factors as Open Bid Ranking, Geographic Proximity, Regional Strength of the Team, and overall fitness of a team to participate in deciding which teams shall be offered “Stand By” status. If a “Stand By” team participates in the first round of the applicable tournament, the team it is standing in for is still eligible to compete in rounds 2, 3, and 4. If a “Stand By” team participates in the first and second round of the tournament, it assumes the spot of the team it is standing in for, and is eligible for any wins or bids exactly as any other team that had earned a bid is eligible.

Rule 6.2 Types of bids, how earned. There are three types of championship series bids:

(1) **REGULAR BIDS.** Regular bids to the opening round championship are strictly determined and earned by the final placement results at regional tournaments. Regular bids to the national championship are strictly determined and earned by the final placement results at opening round championship tournaments.

(2) **OPEN BIDS.** Open bids consist of regular bids that have been declined or unreserved, and extra bids not allocated to a tournament as a regular bid. When available, open bids are awarded pursuant to Rule 6.9.

(3) **ACT OF AMTA BIDS.** Act of AMTA bids are awarded, when necessary, pursuant to Rule 6.10.

Rule 6.3 Reservation of bids. Each school that earns a bid shall promptly visit the AMTA web site to follow the bid reservation process pertaining to the tournament to which the bid was earned. Each bid shall be reserved in the precise manner indicated no later than 12:00 noon, Central time, on the first Tuesday following the tournament at which the school earned the bid. Additional time for accepting a bid may be granted at the discretion of the Tabulation Director or the President. Any bid not timely reserved, or not reserved in the precise manner indicated, shall be deemed forfeited.

Rule 6.4 Withdrawal penalties for the championship series.

(1) **PENALTY STRUCTURE.** The following penalties shall be assessed to each school that returns a previously accepted bid, fails to appear at a championship series tournament, or leaves a championship series tournament early:

\$100 for each team that drops 7 or more days before the start of the tournament to which it accepted a bid;

\$250 for each team that drops less than 7 days but at least 72 hours before the start of the tournament;

\$350 for each team that drops less than 72 hours but at least 48 hours before the start of the tournament;

\$500 for each team that drops less than 48 hours but at least 24 hours before the start of the tournament;

\$750 for each team that drops less than 24 hours before the start of the tournament, or fails to appear at the tournament, or leaves the tournament early without permission of the AMTA Representative.

(2) DEFINITION OF “START TIME”. For the purposes of assessing penalties under this Rule, the start time of a tournament is deemed to be the start of the check-in/registration period. For example, if a tournament’s check-in period begins at 2:00 p.m. Pacific time on March 14, a team would have to cancel by 2:00 p.m. Pacific time on March 7 to receive the lowest penalty.

(3) APPEAL OF PENALTY. The Executive Committee may consider appeals of penalty assessments and may waive fines if the reasons for failing to comply with this Rule are compelling.

(4) PROCEDURE FOR DROPS. To properly withdraw a bid after acceptance, a team must notify both the tournament host and the Tournament Administration Committee Chair. The time of notification of withdrawal does not occur until both parties are notified.

BIDS TO THE OPENING ROUND CHAMPIONSHIP

Rule 6.5 Announcing bids at regional tournaments. For the purposes of award announcements at regional tournaments, all teams shall be treated as eligible for bids to the opening round championship. The award of a bid in no way affects the operation of Rule 6.1.

Rule 6.6 Opening round championship bids.

(1) NUMBER OF BIDS. There shall be at least 192 bids to the opening round championship series, but no more than 216 bids. The Tournament Administration Committee shall announce the number of bids to the Opening Round Championship Series no later than the beginning of the first Regional tournament, which shall be decided by the Tournament Administration Committee Chair in consultation with the National Tabulation Director.

(2) ALLOCATION OF BIDS TO REGIONALS. Bids to the opening round championship shall be allocated equally to all regions. Should the number of regionals not allow for equal distribution of the bids, each region shall receive the same number of bids, and the remainder shall be distributed jointly by the National Tabulation Director and the Tournament Administration Committee Chair according to the following:

Regional tournaments will be ranked according to the number of teams registered 48 hours prior to the start of the first regional tournament, from largest to smallest. The unassigned bids will be allocated beginning with the largest regional tournament. If not all regional tournaments with the same number of teams can be accommodated, those bids will remain open bids. The actual number of bids allocated to each regional will be confirmed at the time of each regional tournament's registration based upon the number of teams that actually check-in. If the number of registered teams falls below the number required to receive an additional bid, that bid will return to the open bid pool. If any bid is declined for any reason, including any bid unaccepted due to Rule 6.1, the declined bid shall become an open bid.

(3) FEEDER ASSIGNMENTS TO THE OPENING ROUND. The number of teams assigned to each opening round championship tournament, and the designations of which regions feed into each opening round championship tournament, shall be established by the Tournament Administration Committee in consultation with the Tabulation Director. Regular bids from a regional tournament may be assigned to feed in to more than one opening round championship tournament, provided that such assignments are made prior to the first regional tournament.

Rule 6.7 Bids to multiple opening round locations.

(1) **DIFFERENT OPENING ROUND SITES PERMITTED.** A school with two bids to the opening round championship may send its two teams to different opening round tournament sites.

(2) **RULE FOR DETERMINING WHICH BIDS ARE ACTIVE.** If a school earns more than two bids to the opening round championship, the Tabulation Director shall deem as active the bids to the opening round championship site to which the school has earned the most bids. If a school earns an equal number of bids to more than one opening round championship site, the school may submit a request to the Tabulation Director to have its bids reassigned to a single tournament site. The Tabulation Director shall grant this request when reasonably possible, but shall not necessarily grant a request to reassign bids to the particular site requested by the school.

(3) **TEAM NUMBERS.** Each school shall use its two lowest team numbers during the championship series, regardless of the team number(s) associated with a bid earned at a regional tournament.

(4) **BID REASSIGNMENT.** After consultation with the chair of the Tournament Administration Committee, the Tabulation Director shall have the authority to reassign any bid to a different opening round site, taking into account both the competitive balance of the opening round championship sites, and schedule conflicts approved by the Tournament Administration Committee. No team's regular bid shall be reassigned to a different tournament site without the consent of the team.

BIDS TO THE NATIONAL CHAMPIONSHIP

Rule 6.8 National championship bids.

(1) **NUMBER.** There shall be at least 48 bids to the national championship tournament, but no more than 56 bids. The number of bids to the national championship tournament shall be announced by the Tournament Administration Committee no later than the beginning of the first Opening Round Championship Series Tournament, which shall be decided by the Tournament Administration Committee Chair in consultation with the National Tabulation Director and the National Championship Tournament Host.

(2) **ALLOCATION OF BIDS TO THE OPENING ROUND SITES.** Regular bids to the National Championship Tournament shall be allocated evenly to each of the opening round championship tournament sites, with any remaining bids becoming Open Bids and awarded based on Rule 6.9.

OPEN BIDS AND ACT OF AMTA BIDS

Rule 6.9 Open bids.

(1) **CRITERIA FOR OPEN BIDS TO THE OPENING ROUND CHAMPIONSHIP.** The following series of tiebreakers shall control the open bid list to the opening round championship:

- (a) Ballots won at the regional tournament;
- (b) Whether the school already has a team in the championship series, with those schools without a team in the championship series taking precedence;
- (c) Combined strength at the regional tournament;
- (d) The number of teams in the team's regional tournament, with the larger number taking precedence;
- (e) Bonus bid ranking, with the better ranking taking precedence.

(2) CRITERIA FOR OPEN BIDS TO THE NATIONAL CHAMPIONSHIP. The following series of tiebreakers shall control the open bid list to the national championship:

- (a) Ballots won at the opening round championship;
- (b) Whether the school already has a team in the national championship tournament, with those schools without a team in the national championship tournament taking precedence;
- (c) Combined strength at the opening round championship tournament;
- (d) The number of teams in the team's opening round championship tournament, with the larger number taking precedence;
- (e) Bonus bid ranking, with the better ranking taking precedence.

(3) OPEN BID LIST. The Tabulation Director shall maintain a running total of the rankings of teams eligible for open bids, updated after the completion of each regional tournament and each opening round championship tournament. This list shall be posted online. Any errors reported to the Tabulation Director after 48 hours shall be corrected but will not result in the reversal of any bid awards already made.

(4) AWARD OF OPEN BIDS. Open bids shall be awarded on a national basis, meaning no declined bids will be reserved for teams from a particular regional.

Rule 6.10 Act of AMTA Relief.

(1) ACT OF AMTA DEFINED. An Act of AMTA is an error, beyond a team's control, that appears to have prevented that team from earning a bid or placement on the Open Bid list that the team otherwise would have earned. Allegations of "bad judging" shall not be deemed acts of AMTA. Acts of God which are beyond the control of the teams, AMTA, and tournament hosts shall also be considered, but shall result in the awarding of bids only in rare circumstances.

(2) HOW TO REQUEST; DEADLINE. A request for Act of AMTA relief must be made by email to the Competition Response Committee Chair. The request must be received by the Competition Response Committee Chair by 12:00 noon Central time on the Tuesday following the completion of the tournament where the alleged error occurred.

(3) SHORTENED DEADLINE. Notwithstanding the deadline in (1), if the alleged error occurred on the last weekend of regional tournaments or on the final weekend of opening round championship tournaments, a request for an Act of AMTA bid must be received by the Competition Response Committee Chair by 4:00 p.m. Central time the day after the tournament where the alleged error occurred ended.

(4) INVESTIGATION AND REPORT. The Tabulation Director shall investigate the complaints and report to the Competition Response Committee no later than two business days after the submission of the request.

(5) FAST-TRACK RESPONSE. If a request for Act of AMTA relief relates to a tournament occurring on the last weekend of regional tournaments or the last weekend of opening round championship tournaments, the Competition Response Committee chair may issue an official ruling on the request after obtaining support for the ruling from at least two other members of the Competition Response Committee.

(6) RELIEF. The possible relief consists of:

- (a) Awarding the aggrieved school an "Act of AMTA" bid to the subsequent stage of competition; or
- (b) Modifying the official result of the aggrieved team, which modified result shall be reflected on the Open Bid List to the subsequent round of competition.

TEAM POWER RANKINGS

Rule 6.11 Team Power Rankings.

(1) METHOD OF CALCULATING. Team Power Rankings will be compiled by taking the number of ballots won in the most recent National Championship Tournament multiplied by 5, the year previous multiplied by 3, and two years previous multiplied by 1. The Opening Round Championship Site ballots win-count shall be worth half the weight as that respective year's National Championship Tournament. If a team competes at both an Opening Round Championship Site and the Championship Tournament, it will be credited for the win-total of the tournament in which the team would receive the most team power ranking credit.

(2) BREAKING TIES BETWEEN RANKS. Ties in the Team Power Rankings shall be broken by eliminating the oldest year's points, with the team with the highest remaining total receiving the higher ranking. If the tie is still not broken, the second oldest year's points shall be eliminated.

Chapter 7: Roles and Duties of Participants

ALL PARTICIPANTS

Rule 7.1 Communication during a round.

(1) GENERAL RULE. From the time a trial begins until it ends, each student participant in the trial may communicate only with the following:

- (a) other students on the roster of either team competing in that trial;
- (b) judges and tournament officials.

If anyone else, including any coach or spectator, attempts to communicate with a student participant during a trial, it is the duty of the student to terminate the communication.

(2) WIRELESS DEVICES TO BE TURNED OFF. All student participants shall turn the power off on all pagers, cell phones, wireless communication devices, or computers during each trial.

(3) EMERGENCY EXCEPTIONS. Exceptions to this Rule may be granted by an AMTA Representative for emergency communication not related to the trial. Normally, advance permission should be obtained.

Rule 7.2 Team identification. Participants shall identify themselves to judges only by assigned team numbers. Clothing and other materials visible to the judges during a trial shall not identify any school. After scoring sheets have been submitted to the tournament officials, both teams may identify their school affiliations to the judges.

Rule 7.3 Courtesy. Courtesy toward the court, opposing counsel, witnesses, and the law is expected throughout all sanctioned tournaments.

Rule 7.4 Dress. Appropriate dress shall be worn by all participants. Derogatory comments about the appearance of any participants are prohibited.

ATTORNEYS

Rule 7.5 Diligent preparation. All student attorneys shall strive diligently to undertake the study, preparation, and practice required to present their clients' cases with integrity and competence.

Rule 7.6 Zealous representation. Attorneys shall represent their clients zealously but within the bounds of the AMTA Rules. Specifically:

(1) REASONABLE INFERENCES. If the facts of the case can lead to more than one inference or the law can reasonably be interpreted in more than one way, the attorneys may argue the inferences, conclusions and interpretations most favorable to their client(s); however,

(2) NO MISREPRESENTATION. Student attorneys shall refrain from all offensive behavior, shall not attempt to circumvent any rule, nor commit any dishonesty, deceit, or misrepresentation, nor engage in any conduct that is unfair or prejudicial to the administration of justice.

Rule 7.7 Role of each attorney. Each attorney shall conduct one direct examination and one cross examination in each trial. An attorney who chooses not to ask one or more questions of a witness upon cross examination will receive a zero for that examination, and the witness will receive the same score as s/he received on direct examination. Only the attorney handling the examination of a witness may interject an objection during the testimony offered by that witness. An attorney may give either the opening statement or the closing argument but not both during any single trial. Nothing in this rule prohibits an attorney from requesting permission to consult with co-counsel. This rule may be suspended for a bye-buster team.

WITNESSES

Rule 7.8 Learning and adhering to the role. Each student witness shall endeavor, to the best of the student's ability, to learn and adhere to the role of that witness.

Rule 7.9 Testimony of witnesses. All witnesses shall remain faithful to their affidavits.

Rule 7.10. Presumption regarding witnesses. Unless otherwise specified in the case materials, all witnesses were able to see, hear, and perform all acts described in the case materials at the time of the events in question. Witnesses must so acknowledge if asked.

Rule 7.11. Reasonable accommodations for students with disabilities. AMTA is committed to inclusiveness and educational opportunity and supports the efforts of eligible students with disabilities to compete in AMTA-sanctioned competitions. It is AMTA's policy to provide reasonable accommodations for its eligible students with physical impairments. A reasonable accommodation is a change in the competitive environment or a change in the process or rules that normally govern AMTA-sanctioned competitions that enables an eligible student to perform the essential functions required of mock trial competitors, without creating undue hardship to the organization or fundamentally altering the educational aspects of the mock trial activity.

- (1) REQUESTS FOR ACCOMMODATIONS.** Unless it is not feasible, requests for accommodation must be made in writing by the January 1 preceding the AMTA-sanctioned tournaments for which the accommodation is sought. The request may be made on the Team Registration Form or to the AMTA Accommodations Committee. The student who requires accommodation or any coach or official contact person of the student's school may make the request for accommodation. Requests should identify the basis for the accommodation, the specific accommodation sought, verification of the disability, and any other information the requesting individual deems appropriate. Such verification need not include medical documentation.
- (2) CONSENT.** By submitting a request for accommodation, the individual requesting same consents to the sharing with officials from the courthouse or other venue, the tournament host, members of the Accommodations Committee, members of the AMTA Board of Directors and other teams and coaches participating in the AMTA-sanctioned competition the information necessary to identify the disability, impairment or religious belief that prompted the request for an accommodation. The requestor may, but need not, offer a proposed accommodation. Those persons provided with the request for an accommodation will avoid revealing information

- unnecessary to providing the accommodation and will conduct such discussions with respect for the requesting individual's privacy and dignity.
- (3) **RESPONDING TO REQUESTS.** The Accommodations Committee will respond to the request for accommodation in a timely fashion. The Accommodations Committee may ask the requesting student, coach, or school for more information, including additional verification of the disability. The Accommodations Committee may offer the requested accommodation; deny the requested accommodation; offer accommodations other than those requested; or take any other actions consistent with AMTA Rules. The Accommodation Committee will inform the host, the AMTA Representatives, the courthouse or university official responsible for the use of the facilities and any other person the Accommodations Committee determines is a necessary recipient of any approved accommodations.
 - (4) **APPEALS.** Decisions of the Accommodation Committee may be appealed to the AMTA Executive Committee.
 - (5) **MULTIPLE REQUESTS.** Students and teams seeking an accommodation must submit separate requests for each tournament for which the student seeks an accommodation. Said request may be submitted in the same fashion and to the same persons as described in subsection (1) of this Rule and should be submitted along with the submission of bid reservation forms for ORCS and for the National Championship Tournament. However, due to variations in schedules, formats, and facilities, AMTA reserves the right to offer different accommodations to the same student/team in other/later AMTA-sanctioned competitions than that/those offered at the first tournament at which the student is accommodated AMTA reserves the right to share information received in conjunction with an earlier request for an accommodation with AMTA Representatives officiating subsequent AMTA-sanctioned competitions in which that student/team participate, the host of subsequent AMTA-sanctioned tournaments and officials responsible for the courthouse or university campus on which the competition takes place.
 - (6) **COSTS ASSOCIATED WITH ACCOMMODATIONS.** AMTA is not responsible for providing, or the costs of providing, any accommodations granted under these rules. For example, if a visually impaired student is granted the use of assistive technology, AMTA will neither provide nor pay the costs of such technology.
 - (7) **NOTICE.** Teams whose students have been granted accommodations must notify opposing teams, and may notify judges, of the accommodation before the trials in which the accommodated student is competing.

Rule 7.12. Materials accessible to all students. All AMTA materials, to the extent possible, including but not limited to, websites, case materials, and forms, should be text enabled and accessible by screen reading software. When not possible (e.g. a map or other images), effort should be taken to identify and/or describe images.

Rule 7.13 Use of notes during a round. A witness, other than one summoned for a bye-buster team, may not use notes while giving testimony. However, the recollection of a witness may be refreshed, where appropriate, pursuant to Midlands Rules of Evidence 612.

Rule 7.14 Characterizations. Witnesses may develop the persona of their character. Any dress, demeanor, and appearance consistent with Rules 1.4 through 1.10 may be used.

Rule 7.15 Non-testifying witnesses. No one may sit at the attorney table in the role of plaintiff or defendant unless that person is on the team's six to ten person roster.

Rule 7.15.1 Formal Certification of Experts Not Permitted. Unless otherwise provided in the case materials, formal certification of a witness as an expert in a specific field of expertise is not required nor permitted. Attorneys and witnesses should develop expertise and lay foundation through appropriate questioning based on the case materials provided. Judges may entertain any appropriate objections to expert witness qualifications and opinions under the Midlands Rules of Evidence.

TIMEKEEPERS

Rule 7.16 Timekeeper required. Each team is expected to supply a timekeeper for each trial. The timekeeper is an officer of the court while keeping time during a trial. The timekeeper shall be a person who is named on the team roster. It is a violation of this rule to use a coach, a non-rostered spectator, or a person from the same school who is not on the roster of the team competing in that trial.

Rule 7.17 Duties of timekeepers. Each timekeeper shall accurately monitor the time elapsed. In order to assist his/her team in complying with Rules 4.31 through 4.33, the timekeeper may unobtrusively indicate to her/his team the amount of used or remaining time. The timekeeper shall announce aloud to the court when the time for any part of the trial has expired. Timekeepers for opposing teams shall cooperate with and assist each other to insure accurate timekeeping and to eliminate any interruption of the trial due to errors in timekeeping.

Rule 7.18 Record of time used. Each timekeeper shall keep a written record of the time, using the official timekeeping sheet, which may be downloaded from the AMTA web site. Teams are responsible for bringing sufficient copies of the timekeeping sheet to each tournament. The completed timekeeping sheet need not be returned to the tab room unless there is a dispute regarding timing.

Rule 7.19 Communication during a trial. Timekeepers, as rostered team members, may communicate only with other persons on their roster, persons on their opponent's roster, judges, and tournament officials during a trial.

ALL JUDGES

Rule 7.20 Fairness and impartiality. Every mock trial judge shall strive to be absolutely fair and impartial in all evidentiary rulings, in scoring and in all other judging activities. In order to assure impartiality, school names shall not be used nor disclosed in any manner during a round. However, a judge or spectator, after submitting the scoring ballot, may inquire about the identity of the schools represented by the teams competing in any round.

PRESIDING JUDGES

Rule 7.21 Presiding judge required. In each trial, one and only one judge shall act as presiding judge. If there are three judges, the presiding judge will not score the round. If there are fewer than three judges, the presiding judge will score as well as preside.

Rule 7.22 Role of the presiding judge. It is the role of the presiding judge to control all proceedings, to rule on objections and to carry out all other functions of a trial court judge for the mock trial over which he or she presides. The court should refrain from questioning witnesses or preempting the role of student attorneys.

Rule 7.23 Argument on objections. The court, at its discretion, may allow limited argument on objections and may question counsel concerning objections.

Rule 7.24 Ruling on objections. After receiving such argument on an objection as the court deems necessary, the judge should rule on objections without discussion or comment. However, in stating its ruling, the court may indicate the reason for the ruling.

SCORING JUDGES

Rule 7.25 Scoring judges. There should be two scoring judges in each trial (other than the national championship trial). The role of the scoring judge is to evaluate the performance of the witnesses and attorneys in the trial.

Rule 7.26 Ballots. In scoring the trial, judges shall use the ballots provided by the captains. Regulation AMTA ballots are impression ballots. Each page consists of a form in duplicate or triplicate. Judges should take care to write on one page at a time only, setting the other pages aside. Judges should press firmly on the top sheet. The white ballots are designed to be used by the judges to record comments and critique. The blue ballots are used to record numerical scores for each performance by a student attorney or witness.

Rule 7.27 Scoring shall be on performance, not outcome. Scoring shall be based on the performance of the student witnesses and attorneys. Scores should not be based on the merits or outcome of the case as it would be judged in an actual trial.

Rule 7.28 Importance of comments. The comments of the judges are very important to the students who participate. Students are likely to take such comments to heart. Being mindful that the participants are undergraduate rather than law students and that mock trial is a law-related education function, judges should strive to educate and inform participants as well as to give them advice on improving their performances.

Rule 7.29 Scoring performance of the participants.

(1) NUMERICAL SCORES GENERALLY. Judges shall issue only whole number scores between 1 and 10. In selecting the numerical score for any student's performance, 10 shall represent excellent performance, 5 shall represent average performance, and 1 shall represent poor performance. The score of zero shall not be issued except when a performance is not attempted.

(2) SCORING WITNESSES. The scores of students playing witness roles should be based on the student's knowledge of the part, faithfulness to the part, believability of the character, ability to handle cross-examination, and credibility. Witnesses are limited to the information in their sworn affidavits and reasonable inferences. Egregious invention of facts by witnesses on direct and redirect examination is prohibited. It is a decision of each scoring judge whether testimony offered by a witness is reasonable inference or outrageous invention. A scoring judge should deduct points from the score of a witness who engages in outrageous fact invention. *See Rule 8.9.*

(3) SCORING ATTORNEYS. The scores of students acting as attorneys should be based on the student's mastery of trial techniques, understanding of the legal issues, understanding of the role of counsel, oratorical and advocacy skills, and demeanor. Judges should not consider whether the party being represented would prevail on the merits of the case. However, the judge may consider the effectiveness of the student attorney's representation for the party the student attorney represents, taking into consideration the restrictions on time and materials available to counsel inherent in mock trials.

Rule 7.30 Deductions from scores. At the discretion of each scoring judge, points may be deducted for:

- (a) Unreasonable invention of facts by a witness, in violation of Rule 8.9;
- (b) Violation of these rules;
- (c) Any act that would constitute contempt of court or unprofessional conduct on the part of a student attorney.

Rule 7.31 Complete blue ballots quickly. Judges should enter numerical scores on the blue ballot as the trial progresses. Completing the blue ballot immediately after the last closing argument will greatly facilitate the operation of the tournament.

Rule 7.32 Ruling on the merits. After the scoring judges have completed their blue scoring sheets, the court may render a verdict on the merits. The judges need not agree. Each may offer an explanation of his or her decision. The decision on the merits of the case should not affect the outcome of a trial or the tournament.

Rule 7.33 Comment and critique by the court. Judges' comments and critiques are important to student participants both to improve performance in subsequent rounds and to educate students. Judges are urged to share their insights and coaching tips in the following two ways:

(1) WRITTEN COMMENTS. To offer critique or comment to an individual student, judges are encouraged to write down their ideas in the section of the ballot below the student's name. It is a good idea to write such comments as the trial progresses, but judges should feel free to add to their comments after the trial, too. Each team will get one copy of the ballot.

(2) ORAL CRITIQUE. At the end of the trial, after the blue scoring ballot has been completed and submitted to a tournament official, the judging panel may offer oral comment to the participants and answer questions. Students are generally eager to get the impressions of the judges who have watched their trial. Each mock trial judge becomes a law-related educator for the participants he or she is judging. AMTA stresses that the competitors are not law students, and harsh criticism is usually not appropriate. Positive observations, specific tips on improving performance in subsequent trials, and sharing insights and experiences are beneficial to the

students. Time is important at mock trial events, so judges are urged to keep oral critiques short as well as positive in tone. Comments should never exceed ten minutes per judge.

COACHES

Rule 7.34 Coaches required to judge, penalty for failure to comply. Whenever there is an insufficient number of volunteer judges, coaches must agree to judge. Coaches who act as judges shall set aside partisan interests and be fair and reasonable in presiding and scoring. The team(s) of any coach who refuses to judge will be removed from the competition. If the school has more than one team, the team with the best record at the time will be removed.

Chapter 8: Trial Procedures

Rule 8.1 Arrangement of the courtroom. Counsel tables should be marked with placards indicating which team is plaintiff/prosecution and which team is defense. In rooms with a jury box, the plaintiff/prosecution shall use the table closest to the jury box. In rooms without a jury box, when the judges are facing counsel tables, the plaintiff/prosecution shall be to the judges' left. Teams shall not move furniture where such rearrangement is prohibited. Teams must provide their own placards.

Rule 8.2 Authenticity of documents. No witness may deny the authenticity of documents supplied by AMTA. Proper foundation must be laid, and to the extent that the authenticity standard promulgated by Midlands Rule of Evidence 901 requires testimony sufficient to show that evidence is what it purports to be, such is still required. There are no restrictions as to how evidence is to be used in a trial beyond the requirement that participants acknowledge the legitimacy of the documents provided by AMTA. Arguing for hyper-technical interpretations of the rules shall be avoided. Witness affidavits cannot reasonably identify documents in a degree of detail sufficient to prevent witnesses from denying central case components clearly within their knowledge bases. Manipulating this reality in an effort to argue that AMTA-supplied documents are or are possibly not the real documents is being hyper-technical.

Rule 8.3 Signatures.

(1) AFFIDAVITS. All affidavits shall be treated as sworn to and signed by the witness. All affidavits are assumed to have been reviewed by each witness immediately prior to trial. Each witness is assumed to have affirmed that no changes to the affidavit are necessary.

(2) OTHER DOCUMENTS WITH SIGNATURE BLOCKS. Each document with a signature block has been signed unless expressly stated otherwise by the case problem. No attorney or witness may assert that a document with a signature block has not been signed by the individual who is purported to have signed the document in the case materials. This does not relieve the party offering the document from its obligation to establish authenticity.

Rule 8.4 Extrinsic legal authority prohibited. Notwithstanding any explicit or implicit reference to the U.S. Constitution or any other federal, state or local law within the Midlands Rules, no statute, code, regulation, ordinance, rule, treaty, doctrine or opinion of any judicial, legislative or administrative authority may be invoked, asserted, cited, referenced, relied upon, or otherwise mentioned or observed in competition unless expressly included among the relevant legal authorities set forth in the case materials in use at the tournament.

Rule 8.5 Demonstrative aids.

(1) GENERAL RULE REGARDING DEMONSTRATIVE AIDS. The use of demonstrative aids is permitted, subject to the other provisions of these Rules, and so long as such demonstrative aids are not hazardous or potentially damaging to persons or property. If used, a demonstrative aid must be made available to the opposing attorneys for subsequent use during examination of witnesses and closing argument.

(2) ELECTRONIC DEMONSTRATIVE AIDS. The use of electronic or light projected demonstrative aids is prohibited.

(3) EVIDENCE RESTRICTED TO CASE PACKET. Only materials provided in the case packet may be offered into evidence during trial. Exhibits and documents provided in the case packet, and demonstrative aids deemed allowable under this Rule and Rule 4.12(3), are not automatically admissible at trial. Unless the admissibility of an item has been stipulated, all items remain subject to objection on evidentiary grounds including, but not limited to, improper foundation.

(4) RESTRICTION ON MATERIALS NOT INCLUDED IN CASE PACKET. No team may introduce material facts through a demonstrative aid that it would not be permitted to introduce through testimony or AMTA-provided documents. The fact that a demonstrative aid is not excluded by an AMTA Representative does not render it admissible at trial. Evidentiary objections may be made. Restrictions imposed on the use of a demonstrative aid by an AMTA Representative must be honored and the failure to honor such restrictions may be grounds for a tournament penalty or sanctions.

(5) DEFACING PROHIBITED. Permanently defacing an opponent's demonstrative aid is not permitted.

Comment to rule 8.5(4): No demonstrative aid—whether created ahead of time or by a witness during testimony—may purport to depict a particular person, particular place, or particular thing unless it has been provided with or is specifically permitted by the case materials. By way of example, "a skull" is not a "particular thing," but "the victim's skull" is. Similarly, a photo of a station wagon is not a particular thing, but it would be if described as a photo of the defendant's vehicle or the particular make and/or model of the defendant's vehicle. Lists, charts, graphs, phrases, etc. are not considered "drawings" for the purposes of this rule, and may be used to summarize, combine or illustrate facts that are already present in the case packet.

Rule 8.5.1 Trial order. All trials shall proceed in the following manner:

- (1) PRE-TRIAL MATTERS.** Within the confines of these Rules and any instructions expressly stated within the case packet, teams are permitted to conduct pre-trial matters, including but not limited to making appearances, introducing case materials for judicial reference, and asking the judge's preference on courtroom etiquette and procedure.
- (2) OPENING STATEMENTS.** Both plaintiff/prosecution and defense opening statements must occur at the beginning of the trial, with the plaintiff-prosecution team going first followed by the defense team. A defense team shall not forego or defer its opening statement until the beginning of its case-in-chief.
- (3) PLAINTIFF/PROSECUTION CASE-IN-CHIEF.** The plaintiff/prosecution team shall conduct each direct examination (and any redirect examination(s)) of its three witnesses, with the defense team conducting its three cross examinations (and any recross examination(s)) of the plaintiff/prosecution witnesses. The plaintiff/prosecution team may present all other evidence as permitted by the case materials. No plaintiff/prosecution witness may be recalled later in the trial. No plaintiff/prosecution witness may be deferred until during or after the defense case-in-chief.

- (4) **BREAK.** Within the discretion of the judge and within the confines of Rule 4.33, teams may take a brief recess or break between the plaintiff/prosecution case-in-chief and the defense case-in-chief.
- (5) **DEFENSE CASE-IN-CHIEF.** The defense team shall conduct each direct examination (and any re-direct examination(s)) of its three witnesses, with the plaintiff/prosecution team conducting their three cross examinations (and any recross examination(s)) of the defense witnesses. The defense team may present all other evidence as permitted by the case materials. No defense witness may be re-called later in the trial. No defense witness may be called prior to the conclusion of the plaintiff case-in-chief.
- (6) **BREAK.** Within the discretion of the judge and within the confines of Rule 4.33, teams may take a brief recess or break between the defense case-in-chief and the closing arguments.
- (7) **CLOSING ARGUMENTS.** Both plaintiff/prosecution and defense closing arguments must occur at the end of the trial, with the plaintiff-prosecution team going first followed by the defense team. The plaintiff/prosecution team may give a rebuttal if permitted in accordance with Rule 4.31(2).

Rule 8.6 Bench conferences and side-bars. Bench conferences and side-bars are not permitted. Judges should handle all matters that might be the subject of a side bar or bench conference in open court so that all participants may learn from the exchanges. The court may call a brief conference to clarify an objection or a rule. Counsel will remain at counsel table unless specifically instructed by the court to approach the bench.

Rule 8.7 Jury trials—Role and procedures regarding jury members. All trials in sanctioned tournaments are to be treated as jury trials, unless expressly stated otherwise within the case. In the event that the host impanels an actual jury to observe a trial, the following rules shall apply:

(1) To save time, a timely motion to strike excluded evidence shall be automatically interpreted as both a motion to strike and a request to admonish the jury to disregard the stricken evidence. If a jury is actually impaneled, attorneys may specifically request, and judges may give such admonitions.

(2) Attorneys may request limiting instructions when testimony or evidence is admitted on limited grounds.

(3) Discussions and arguments on evidentiary matters and other issues normally held outside the presence of the jury shall be conducted in open court, but shall be considered constructively outside the presence of the jury. In the interest of time, no special request to "meet constructively at sidebar" or the equivalent is required. Judges shall not entertain any objection that improper discussion has occurred in the presence of the jury, even if an actual jury is impaneled.

(4) If an actual jury is impaneled, the scoring ballots must be completed and sent to the tab room before the jury gives a verdict or any other feedback.

Rule 8.8. Cross, redirect, and recross examinations.

(1) **SCOPE OF INITIAL CROSS EXAMINATION.** The scope of the initial cross examination is not limited to matters raised in the initial direct examination.

(2) SCOPE OF REDIRECT AND RECROSS EXAMINATIONS. The scope of each re-examination is limited to matters raised in the immediately preceding examination.

(3) NUMBER OF REDIRECT AND RECROSS EXAMINATIONS. An unlimited number of redirect and recross examinations are permitted, subject only to sub. (2) of this Rule and all applicable time limits.

Rule 8.9 Invention of fact. In lieu of discovery, this rule shall govern the testimony of all witnesses.

(1) CLOSED UNIVERSE. Mock trial competitors are to advocate as persuasively as possible *based on the facts provided*. Thus, teams must rely on the facts stated in the Case Problem rather than creating new facts or denying existing facts in order to advantage their parties (an “Improper Invention”).

(2) JUDGES’ SCORING. If a team demonstrates through impeachment that its opponent has made an Improper Invention, judges should reflect that violation in their scores by penalizing the violating team, rewarding the impeaching team, or both.

(3) STUDENTS’ OBLIGATIONS UNDER RULES 1.4, 1.5, 1.6, AND 7.6. Students should note that while the exclusive trial remedy for violating this rule (impeachment) is explained below, an opponent’s inability to successfully impeach a witness does not necessarily mean the witness has complied with this rule. Teams have independent professional and ethical obligations under Rules 1.4, 1.5, 1.6, and 7.6. An Improper Invention is cheating regardless of whether an opponent is successful in demonstrating the violation.

(4) IMPROPER INVENTION.

(a) Definition. There are exactly two types of Improper Invention:

- i. Any instance (on direct, cross, re-direct, or re-cross examination) in which a witness introduces testimony that contradicts the witness’s affidavit.
- ii. Any instance on direct or re-direct examination in which an attorney offers, via the testimony of a witness, material facts not included in the witness’s affidavit.

(b) Clarification concerning cross-examination. On cross-examination, a witness commits no violation or Improper Invention when she or he testifies to material facts not included in her or his affidavit—as long as the witness’s answer is responsive to the question posed. In other words, a witness is allowed to invent material facts on cross-examination as long as the witness remains responsive to the question posed. Attorneys who ask questions to which the witness’s affidavit does not provide an answer risk receiving an unfavorable answer in trial. Notwithstanding the aforementioned rules, however, nothing in this section is intended to prevent attorneys from attempting to challenge a witness’s credibility by demonstrating an omission through use of the witness’s affidavit.

(c) Ancillary Terms.

- i. **Material facts.** Facts are “material” if they affect the merits of the case. Facts are not “material” if they merely provide background information or develop the character of a witness. One test that judges and competitors can use to assess materiality is whether the facts at issue are of the type that could reasonably be expected to be included in the party’s closing argument.
- ii. **Reasonable inference.** A witness’s answer does not qualify as a “reasonable inference” merely because it is consistent with (*i.e.*, does not contradict) statements in the witness’s affidavit. Rather, a reasonable inference must be a

conclusion that a reasonable person would draw from a particular fact or set of facts contained in the affidavit.

- iii. **Affidavit.** For the purposes of Rule 8.9, an “affidavit” includes not only a witness’s sworn statement, but also any document in which the witness has stated her or his beliefs, knowledge, opinions or conclusions (such as a deposition or an expert’s written report). This definition does not include affidavits or documents produced by other witnesses, except to the extent that a witness has relied on such affidavits or documents in forming her or his own conclusions.

(5) TRIAL REMEDY FOR VIOLATIONS. If the cross-examiner believes the witness has made an Improper Invention, the only available remedy is to impeach the witness using the witness's affidavit. Impeachment may take the form of demonstrating either (i) an inconsistency between the witness’s affidavit and trial testimony (“impeachment by contradiction”) or (ii) that the witness introduced material facts on direct or redirect examination that are not stated in or reasonably inferred from the witness’s affidavit (“impeachment by omission”). The cross-examiner is not permitted to raise an objection to the judge on the basis of “invention of fact.”

(6) POST-TOURNAMENT REVIEW.

- (a) **Role of AMTA Representative.** Notwithstanding Rule 9.2(1), an AMTA Representative may not impose any tournament penalty for an alleged violation of this rule. However, if a team or AMTA Representative believes that a team has made an egregious Improper Invention, it may report that allegation to the Competition Response Committee.
- (b) **Role of Competition Response Committee.** In determining whether an Improper Invention is egregious, the Competition Response Committee shall consider whether, based on the totality of the evidence, the Improper Invention additionally constitutes an ethical violation under Rule 1.4, 1.5, 1.6, and/or 7.6. Factors that may be considered include, but are not limited to, the significance of the invented material fact(s) to the case at hand; use of the material fact(s) elicited through the Improper Invention in closing arguments; repeated use of the same or similar Improper Invention in multiple trials; and any other evidence of prior planning or premeditation by the attorney(s) and/or witness(es) to knowingly engage in an Improper Invention and use the material fact(s) introduced thereby to gain an unfair advantage at trial.
- (c) **Review Procedure.** Any allegations of an egregious Improper Invention must be brought to the attention of the Competition Response Committee by 12:00 noon Central time on the Tuesday immediately following the tournament, unless the matter occurred on the final weekend of regionals or the final weekend of ORCS, in which case the deadline is 4:00 p.m. Central time on the Monday immediately following the tournament. If the allegation is raised timely, the Competition Response Committee shall investigate the allegation and report its findings and recommendation to the Executive Committee. The Executive Committee shall review the report of the Competition Response Committee and, upon the Executive Committee’s determination of egregious wrongdoing, may issue sanctions against the violating program, team, and/or its individual members. Sanctions may include any sanctions permitted under this AMTA Rulebook.

Rule 8.10 Manner of examination. Whenever possible, counsel will stand when speaking to the court, to opposing counsel, or to a witness, and shall maintain a respectful demeanor. Participants should address a jury if there is a jury present and address the bench if there is no jury. Unless directed otherwise by the court, counsel will ask permission to approach the court or a witness or to use an exhibit or demonstrative aid.

Comment to Rule 8.10: Mock trials have elements that resemble both a jury trial and a bench trial. Students should adapt their presentations to the situation they confront in individual rounds.

Rule 8.11 Motions. No motions, except a motion to strike pursuant to Midlands Rule of Evidence 102 or a motion to exclude witnesses pursuant to Midlands Rule of Evidence 615, are permitted. The motion to strike is not permitted for the purpose of raising alleged violations of Rule 8.9.

Rule 8.12 Objections. Objections to evidence are subject to the following limitations:

(1) **WHEN OBJECTIONS ARE PERMITTED AND PROHIBITED.** Objections are permitted during the examinations of witnesses but not to opening statements or closing arguments.

(2) **WHICH OBJECTIONS ARE PERMITTED AND PROHIBITED.** The only objections that may be made are those that are consistent with the Midlands Rules of Evidence or which have been recognized by a case provided with the case materials.

(3) **WHO MAY OBJECT.** Only the attorney who conducts the direct or cross examination of the witness may advance objections during the questioning or testimony of a witness.

Rule 8.13 Burdens of proof.

(1) **CIVIL CASES.** Unless otherwise provided within the case materials, in all civil cases the plaintiff shall have the burden of proof, which shall be by a preponderance of the evidence.

(2) **CRIMINAL CASES.** Unless otherwise provided within the case materials, in all criminal trials the prosecution shall have the burden of proof, which shall be beyond a reasonable doubt.

Rule 8.14 Bench notebooks prohibited. No team is permitted to present judges with any materials not included in the case materials, nor “bench notebooks,” nor any other compilation of case materials.

Rule 8.15 Voir dire. Voir dire is allowed and shall count against the cross examination time of the team employing it.

Rule 8.16 Final versions. Unless expressly stated otherwise in the case packet, all of the exhibits contained in the case packet (including, but not limited to, curriculum vitae and expert reports) constitute the final or most recent version of the document in question. No attorney or witness may assert anything to the contrary, but witnesses who are unfamiliar with a particular document may testify that they do not know.

Rule 8.17 Affidavits not admissible. Unless expressly stated otherwise in the case packet, no affidavit or portion thereof may be admitted into evidence regardless of whether the person who gave the affidavit is called as a witness at trial and regardless of whether the party offering the

affidavit can satisfy evidentiary standards for admissibility. This rule, however, does not bar a testifying witness who has read an affidavit from drawing conclusions based on that affidavit, testifying to the contents of that affidavit, or being cross-examined on information or statements contained in that affidavit (subject, as always, to the rules of evidence). Nor does this rule affect the use of affidavits for impeachment purposes.

Chapter 9: Rules Violations, Penalties, and Sanctions

Rule 9.1 Reporting a rule violation at a tournament.

(1) WHO MAY RECEIVE REPORTS. Protests or complaints concerning any violation of these rules, or concerning the acts or comments of any participant, coach, official, judge or observer of a sanctioned tournament, must be brought to the attention of an AMTA Representative. Protests and complaints shall not be brought to anyone else, including tournament hosts, tournament volunteers, or the judge of any round.

(2) DEADLINE FOR REPORTING VIOLATIONS. A violation occurring during a trial shall be reported no later than the end of the first break in the trial after the violation occurs or is discovered or, if a violation occurs during a break, no later than the earlier of the end of the next break after the violation occurs or the expiration of the applicable review period, as defined in Rule 4.24. A violation occurring at any other time during a sanctioned tournament shall be reported prior to the expiration of the applicable review period, as defined in Rule 4.24, of the round in which the violation occurs or is discovered.

(3) AMTA REPRESENTATIVES MAY INITIATE PENALTY PROCEDURE. Nothing in this chapter shall prevent imposition of a penalty for a rule violation personally observed by an AMTA Representative, even if no complaint is filed by another party.

TOURNAMENT PENALTIES

Rule 9.2 Tournament penalties.

(1) GENERAL RULE. The AMTA Representatives may impose a penalty for any violation of any rule occurring at a sanctioned tournament. The AMTA Representatives are permitted, but not required, to impose a penalty for conduct described in Rule 9.5(2).

(2) AVAILABLE PENALTIES. Unless another Rule provides the AMTA Representatives with a different or additional available penalty, the available penalties are limited to:

- (a) warning, verbal or written;
- (b) loss of time from any timed portion of a trial;
- (c) loss of opportunity to select witnesses according to the witness selection order;
- (d) loss of individual or team awards;
- (e) loss of points;
- (f) exclusion of an individual, team, coach or observer from further attendance at, or participation in, the current tournament.

(3) FACTORS TO CONSIDER. AMTA Representatives are encouraged to resolve disputes in a manner that does not unfairly impact the competitive balance of a tournament. AMTA should consider both the intent of the conduct and its impact on the aggrieved team.

Rule 9.3 Tournament penalty procedure.

(1) INITIAL PROCEDURE. Upon receiving a timely complaint under Rule 9.1, or if an AMTA Representative observes a violation, one of the AMTA Representatives shall immediately notify the affected parties. If the affected parties include one or more teams, the AMTA Representatives shall notify the respective team captain(s) or coach(es). The AMTA Representatives will consult the affected parties, the complainant, and any third party the AMTA Representatives believe may have material information regarding the conduct complained of or observed.

(2) DETERMINATION OF PENALTY. After following the procedure in sub. (1), the AMTA Representatives shall confer and determine whether a penalty under Rule 9.2 should be imposed. Once a determination is made, the AMTA Representatives shall immediately notify the affected parties of the determination.

(3) DISAGREEMENT BETWEEN THE REPRESENTATIVES. If the AMTA Representatives cannot agree on whether a penalty is appropriate, or what the appropriate penalty should be, the AMTA Representatives shall immediately consult the Tabulation Director, and the determination will be made by a simple majority of the three officials. If the Tabulation Director is unavailable for immediate consultation, or is one of the AMTA Representatives involved, the AMTA Representatives shall consult a member of the Executive Committee according to the following order: President, President-Elect, Secretary, Treasurer, Tournament Administration Committee Chair, Rules Committee Chair, Development Director, and Past-President. Once a determination is made, the AMTA Representatives shall immediately notify the affected parties of the determination.

Rule 9.4 Appeal of tournament penalty. A party dissatisfied with the determination of the AMTA Representatives may appeal to the Tabulation Director. In the event that the Tabulation Director cannot be reached, or is one of the AMTA Representatives, the party may appeal to a member of the Executive Committee in the order described in Rule 9.3(3). The Tabulation Director (or other Executive Committee member) may affirm, modify, or set aside an appealable determination of the AMTA Representatives with the agreement of at least one of the AMTA Representatives. If the person hearing the appeal disagrees with the decision of the two AMTA Representatives, and neither Representative chooses to change his/her position, the person hearing the appeal shall contact the next Executive Member in line pursuant to Rule 9.3(3). That person shall serve as the tiebreaker in choosing between the decision of the person initially hearing the appeal and the decision of the two AMTA Representatives. This decision is final.

SANCTIONS

Rule 9.5 Sanctions.

(1) GENERAL RULE AND PROCEDURE. The AMTA Representatives may request sanctions due to any violation of any rule occurring at a sanctioned tournament. Such request shall be made to the Executive Committee. The Executive Committee may initiate the sanction procedure due to any violation of any rule occurring outside the bounds of a sanctioned tournament.

(2) SANCTIONABLE CONDUCT DEFINED. Sanctionable conduct includes, but is not limited to:

- (a) Coaching during a round;
- (b) Physical or verbal abuse of any participant;
- (c) Intentionally destroying or defacing property, including an opponent's exhibit or demonstrative aid;
- (d) Intentionally engaging in inaccurate time keeping;
- (e) Intentionally using an ineligible person as a team member;
- (f) Arriving late to a scheduled event such that the start of a competitive round or draw for pairings is delayed;
- (g) Violation of the rules regarding case access and case use;
- (h) Violating the terms of use or rules of any facility where a sanctioned tournament is

held;

(i) Any conduct proscribed by law.

(3) AVAILABLE SANCTIONS. Sanctions are limited to:

(a) written warning or reprimad;

(b) probation;

(c) loss of bid eligibility;

(d) fines and/or restitution;

(e) suspension of a coach or team member;

(f) suspension of school membership.

(4) FACTORS TO CONSIDER. In determining whether sanctions are appropriate and, if so, which sanctions are appropriate, the Executive Committee shall consider the severity of the conduct and the severity of the possible sanctions. The Executive Committee shall endeavor to impose a sanction no more severe than the conduct warrants. The Executive Committee should also consider the impact any sanction may have on individuals or teams not directly responsible for the conduct, and shall avoid or minimize such impact as appropriate and wherever possible.

Rule 9.6 Appeal of sanction. Imposition of a sanction by the Executive Committee in Rule 9.5 may be appealed to the full Board. The Board's decision is final.

Rule 9.6.1 Publishing sanctions. After the appeal process is complete in regards to a sanction, if the sanction is upheld, the sanctions will be published publicly on the AMTA website on the Sanctions page, but the name of the school will be kept private.

RULE INTERPRETATION

Rule 9.7 Rule interpretation during a tournament.

(1) DURING A TRIAL. Except as otherwise provided in this chapter or in these Rules, the interpretation of any of these rules during the course of a trial shall be left solely to the discretion of the presiding judge. As noted in the section on rules for scoring judges, a judge may dock points if the judge perceives a rules violation.

(2) DURING A TOURNAMENT, BUT NOT DURING A TRIAL. The interpretation of any of these rules during a sanctioned tournament, but not during a trial, shall be addressed to the AMTA Representatives. If the AMTA Representatives cannot agree on the rule interpretation, or desire additional guidance, the Representatives shall contact the Tabulation Director. If the Tabulation Director cannot be reached, or is one of the AMTA Representatives involved, the AMTA Representatives shall contact a member of the Executive Committee as described in Rule 9.3(3).

Comment to Rule 9.7: Tournament hosts and volunteers are able to answer hospitality questions, but they are not empowered to receive complaints or interpret rules. Whenever possible, concerns and questions regarding these rules should be brought to the attention of the AMTA Representatives or other appropriate AMTA officials prior to the competition so that they can be resolved in advance.

Rule 9.8 Rule interpretation standard. These rules are designed to introduce the procedures of law to the participants and to foster professional collegiality in all AMTA activities. Interpretations of the rules should be guided by American legal traditions and common sense.

Arguing for hyper-technical interpretations of the rules, especially when designed to embarrass others, is to be avoided. The legal tradition of “harmless error” will apply: when no harm is suffered, there is no error.

Rule 9.9 Interventions.

(1) INTERVENTION DEFINED. An intervention occurs when an AMTA Representative acts in a manner which alters or affects the progress of the trial in a substantive way. Routine administrative tasks such as responding to problems regarding the facilities (temperature, furniture) shall not be considered intervention.

(2) WHEN INTERVENTIONS ARE PERMITTED. Interventions are permissible in the following circumstances:

- (a) to prevent the application of the all-loss penalty under Rule 4.33;
- (b) to provide clarification of rules upon request of the judges;
- (c) to address a major and flagrant violation of AMTA rules (for example, if a judge decided a witness could not take the stand because he/she is irrelevant; or, that there is no need for a defense close because the plaintiff has not begun to meet its burden).

(3) NO INTERVENTION ON EVIDENTIARY MATTERS. Disagreements regarding evidentiary matters shall be resolved by the presiding judge during the trial.

(4) PROCEDURE FOR REQUESTING INTERVENTION.

- (a) **Intervention Requests Generally Limited to Students.** Any student on the roster of a team competing in a trial may request intervention from the AMTA Representatives. Before requesting the intervention, the team seeking the intervention must first notify a student on the roster of the other team that it is about to seek the intervention. The purpose of this requirement is to give the other team an opportunity to be present when the intervention is first requested.
- (b) **When Others May Request Intervention.** People other than the students competing in the trial may seek interventions only where it would be impossible or extraordinarily impractical for those students to seek the intervention. Inconvenience does not suffice for such impossibility or impracticality. Examples of when it would be impossible or extraordinarily impractical for students to seek an intervention include: (i) if a spectator observes during a break when all students have left the courtroom that one judge is physically changing the other judge’s scores, the spectator may request an intervention; and (ii) if a coach overhears—outside the presence of any students—judges remarking about the school identity of the teams they are observing (e.g., “The Prosecution team is Midlands University and they are known for cheating. Make sure to score them low.”), the coach may request an intervention.
- (c) **Opportunity to be heard.** The AMTA Representatives need not consult with both teams before *denying* an intervention request. However, before intervening in any way or imposing sanctions of any kind, the AMTA Representatives must give both teams an opportunity to be heard. If an AMTA Representative requests that a team meet with the AMTA Representative to discuss the intervention request, and that team refuses the AMTA Representative’s request, that team waives the aforementioned opportunity to be heard.

(5) GENERAL POLICY REGARDING INTERVENTIONS. AMTA Representatives should minimize their use of interventions, allowing the trial to proceed under the direction of the judges, absent a fundamental abrogation of the letter and spirit of AMTA rules and policies.

(6) PROCEDURE FOR DETERMINING WHETHER TO INTERVENE. The decision to intervene shall be made by the AMTA Representative(s) present at the time the request for intervention is brought to the tab room. The AMTA Representatives should be guided by a “no harm, no foul” logic. In other words, does the violation stand to negatively affect one team more than the other (and thus affect the outcome of the trial)? For example, in the case of a presiding judge asking questions to witnesses, it is a clear violation of an AMTA rule; but it is not clear that it will hurt one team more than the other if such questions are being asked to both sides. Should the AMTA Representatives disagree as to the propriety and necessity for intervention, they shall not intervene in the trial.

(7) EFFECT ON ALL-LOSS CLOCK. When an intervention request is sought, the AMTA Representatives may (but are not required to) extend the all-loss time for the trial for which the intervention was sought.

(8) PENALTY AVAILABLE FOR FRIVOLOUS REQUEST. The AMTA Representatives may issue a tournament penalty under Rule 9.2 if they determine a request for intervention was frivolous.

(9) NO APPEAL. A team that seeks an intervention from the AMTA Representatives during trial waives its right to an appeal of the AMTA Representatives’ decision.

Chapter 10: Policies of the AMTA Board of Directors

Rule 10.1 Board membership and nomination. Nomination and election of board members shall be in accordance with the Bylaws.

Rule 10.1.2 Compensation and reimbursement. Board membership is uncompensated. Board members are expected to work in the tab room of any AMTA Tournament they attend and will not receive reimbursement for serving as an AMTA Representative at any sanctioned tournament to which one or more of their school’s teams is assigned. While AMTA Representatives may be reimbursed for expenses in accordance with the policies set forth in the AMTA Representative Handbook, under no circumstance may they be reimbursed for the purchase of alcoholic beverages.

Rule 10.1.3 Duties of board members. Board members who are not officers are expected to:

- (a) serve as AMTA Representatives at sanctioned tournaments;
- (b) host tournaments when possible, recruit and/or mentor new coaches and schools, and otherwise engage in outreach activities on AMTA’s behalf;
- (c) contribute time and expenses for AMTA-related duties, attend board meetings, and serve without salary;
- (d) put the goals of the organization first, even at the expense of their own team(s); and
- (e) discuss vigorously and advocate forcefully in Board meetings, but act as part of a unified team in implementing decisions adopted by the Board.

Rule 10.1.4 Limitation on members from a single institution. No school may have more than one voting member on the Board. A second individual from the same school may serve as a nonvoting officer, or, a school may have two persons who share or alternate votes. Individuals sharing votes may serve and vote separately on committees. There are no meetings of the membership of the association for business purposes.

MEETINGS

Rule 10.2 Board meetings. The Board shall have two annual meetings. Those meetings will include a summer in-person meeting at a pre-determined location (open to guests) and a mid-year conference call, to be limited to Board members and candidate-members.

Rule 10.2.1 Meeting agendas. The Executive Committee will establish the agenda for the mid-year meeting and set a date and time for the conference call. An agenda for the annual summer meeting will be distributed no less than 30 days prior to the meeting and will include a consent calendar established by the Executive Committee. The Board will adopt the consent calendar unless at least 3 Board members object and request that a specific item be moved to the full calendar. The agenda for the Annual Meeting will be posted on the AMTA website at least 15 days in advance of the meeting. The agenda for meetings of the Executive Board shall be published. All motions for the Annual Board Meeting shall be submitted to the Secretary by April 21 prior to the meeting. The Executive Committee shall refer each motion to an appropriate committee for review, recommendation, and preparation for the agenda. The committee will have the right to table the proposal, return to the author for additional work or recommended changes by the committee. The Agenda for the Annual Board Meeting shall be accompanied by a list of tabled motions. The Board shall take up consideration of a tabled motion upon the request of five members of the Board other than the author or authors of the proposal. After discussion, a motion to overturn the committee's recommendation to table must be passed by a majority vote. Each item that is not tabled by committee shall appear on the agenda accompanied by a notice that the committee recommends adoption or takes no position.

Rule 10.2.2 Meeting schedules. The Board will set the time and place of the annual summer meeting at the preceding summer meeting. Board committees shall meet on the morning prior to the annual summer Board meeting.

Rule 10.2.3 Meeting minutes. The minutes from AMTA Board Meetings shall be posted on the AMTA website within 60 days following the meeting. The minutes of meetings of the Executive Board shall be published.

Rule 10.2.4 Updating Bylaws, Rules, and Policies. All changes to AMTA Bylaws, rules, and/or policies that are made by the Directors at either the Annual Board Meeting or the Mid-Year Board Meeting will go into effect immediately unless otherwise indicated at the time of passage. Updates to AMTA's written Bylaws, rules, and/or policies shall take place within sixty days of the Board Meeting at which the changes were made. The Secretary shall be responsible for all updates *unless* such power has been delegated to an existing Committee.

COMMITTEES

Rule 10.3.1 Committee membership.

(1) **LIMITATIONS ON CHAIRS.** No Board member may chair more than one of the following committees: Rules, Tournament Administration, and Case.

(2) **LIMITATIONS ON MEMBERSHIP.** No Board member may serve on more than two of the following committees: Rules, Tournament Administration, and Case. No competing school may have a representative on both the criminal and civil case committees in consecutive years

(3) **NON-BOARD MEMBERS.** Non-board members shall be permitted to serve on committees and exercise full voting rights within the committee. Per the bylaws, they are not permitted to vote on motions before the full Board.

Rule 10.3.2 Case Committee duties and procedures.

(1) The case committee will not “contract” with anyone to write a given year’s case. The case committee may solicit entire cases or portions thereof, outlines, précis, synopses, summaries, topics, or ideas by an announcement on the AMTA web site. In the event that the committee solicits entire cases and selects a fully drafted case from those submitted, the Case Committee will give a cash award of \$500 to the individual whose case is used.

(2) **CASE RELEASE DEADLINE.** Each year's case will be made publicly available no later than August 15.

(a) **Procedure for Approving Subject Matter of Principal Case.** The Case Committee will inform the Executive Committee of the subject matter of the principal case it proposes to use the following year no later than seven (7) days prior the date that the Case Committee wishes to release the Case Summary, but may submit same at any point during the year. For purposes of this subsection, "Principal Case" is defined as the case problem that is to be released on or before August 15 each year and used for Regional and Opening Round Championship Series tournaments. Should the Executive Committee determine that the subject matter of the case should be discussed by the Board of Directors, it may make arrangements for the Board of Directors to discuss same. Any such discussion by the Board of Directors will take place in executive session. Should the Board of Directors not approve the subject matter of the case, it will inform the Case Committee of its decision immediately. Should the Board of Directors determine that more information and/or a more complete description of the case is required before it can approve the subject matter of the case, the Case Committee shall provide the Executive Committee with the information and/or description by a date determine by the Executive Committee. Within seven (7) days of its receipt of the description/information from the Case Committee, the Executive Committee, keeping in mind whatever concern(s) were raised by the Board of Directors, will give final approval to the subject matter of the case, or it will inform the Case Committee that the subject matter is not approved.

(b) **Procedure for Approving Subject Matter of National Championship Case.** If a Case Committee or any subcommittee of a Case Committee intends to release an entirely new case for use at the National Championship, the President shall appoint an ad hoc review committee consisting of five members to review the subject matter of the case. Each person appointed to the ad hoc review committee

shall both (a) not be affiliated with AMTA member school and (b) not be a member of that year's Case Committee or any of its subcommittees. The members of the committee may be current members of the Board of Directors, former members of the Board of Directors in good standing, directors emeriti, candidate members, or other persons who serve on another AMTA committee. Should the ad hoc review committee determine that the subject matter of the case be discussed by a larger audience, it may make arrangements for all members of the Board of Directors who are not affiliated with an AMTA member school, as defined by Section 4.13.01 of the AMTA Bylaws, to discuss same. Any such discussion by this subset of the Board shall take place in executive session. Should the subset of the Board of Directors not approve the subject matter of the case, it will inform the Case Committee of its decision immediately. Should the subset of the Board determine that more information and/or a more complete description of the case is required before it can approve the subject matter of the case, the Case Committee shall provide the ad hoc review committee with the information and/or description by a date determined by the ad hoc review committee. Within seven days of receiving the description or information from the Case Committee, the ad hoc review committee, keeping in mind whatever concern(s) were raised by the subset of the Board of Directors, will give final approval to the subject matter of the case, or it will inform the Case Committee that the subject matter is not approved.

(3) CORRECTION OF ERRORS. The Case Committee will carefully proofread each case to eliminate all errors before it is distributed. Once the case is distributed, it is the duty of all AMTA participants to call any suspected errors to the attention of the Case Committee Chair immediately upon detection. The Case Committee will correct or clarify the case as necessary by posting updates and corrections on the AMTA web site. No one else, including sanctioned tournament hosts, may issue changes to the case without the approval of the relevant case committee.

(4) CASE CHANGES FOR THE CHAMPIONSHIP SERIES. The Case Committee is authorized, but not required, to release changes to the case at any point between the case's initial release and two weeks before the first regional tournament. The Case Committee shall release at least one set of changes between the conclusion of regionals and the start of the National Championship Tournament, but no post-regionals changes shall be made until after the conclusion of the final regional tournament and no post-ORCS changes may be made until after the conclusion of the final ORCS tournament. When the Case Committee determines that doing so is feasible, the Case Committee shall release substantial changes between regionals and ORCS.

(5) The Case Committee will choose and adapt the case so that it conforms to the following requirements:

- (a) Cases will alternate between civil and criminal disputes, with civil matters being tried during seasons in which sanctioned tournaments are held in an odd-numbered year.
- (b) The order of witnesses and witness restrictions will be specified in the case and approved by the Case Committee.
- (c) The Case Committee is responsible for clarifying the burden of proof to be used in cases involving an affirmative defense. The Committee will also specify the order of witness selection and will insure that affidavits contain the statement in Rule 8.3 under affidavits. The Committee will pay close attention to matters involving

authentication of documents.

- (d) All witnesses must be gender-neutral as characterized in the affidavits. This rule requires case authors and the Committee to avoid all forms of gender stereotyping, in addition to assigning gender-neutral names to witnesses.
- (e) Lines of testimony in each affidavit shall be numbered.
- (f) The Case Committee will include the law governing the case, which may take the form of jury instructions, precedent, or summaries of precedent, statutes, judicial orders, or any combination thereof.
- (g) Jury instructions to be used at National and Championship Tournaments will be made available to all participants.

Rule 10.3.3 Executive Committee duties and procedures.

(1) **COMPOSITION.** The Executive Committee shall consist of the President, the Past-President, the President-Elect, the Secretary, the Treasurer, the Tournament Administration Committee Chair, the AMTA Tabulation Director, the Rules Committee Chair, the Competition Response Committee Chair, and a Development Officer. The President shall chair the committee and vote on matters before it only when necessary to break a tie.

(2) **CHARGE.** The charge of the Executive Committee is to:

- (a) establish and charge such committees as authorized by the Board and such ad hoc committees as become necessary;
- (b) appoint people to these committees;
- (c) monitor the work of those committees throughout the year, making such adjustments to the charge and composition as are needed to facilitate the goals of the committee;
- (e) compile the agenda for the annual Board meeting;
- (f) propose the budget to the Board;
- (g) establish relationships with internal and external constituencies;
- (h) handle issues not heretofore specified in the By-Laws.

(3) **PETITION FOR VOTE OF THE EXECUTIVE COMMITTEE.** Any Board member may petition the Executive Committee to conduct an ad hoc Board vote. Such a vote will be conducted upon the recommendation of at least half of the Executive Committee members. In the event of such a vote, Board members will have at least three business days to respond. For action to occur, at least one half of the current Board members must respond in the affirmative.

Rule 10.3.4 Strategic Planning Committee duties and procedures. AMTA shall formulate a mission statement, identify core values, and establish a five-year strategic plan. The Strategic Planning Committee will guide this process, with input from all Board members.

Rule 10.3.5 Competition Response Committee duties and procedures.

(1) **COMPOSITION.** The Competition Response Committee ("CRC") shall consist of a chair, the Tournament Administration Committee Chair, the Rules Committee Chair, the Case Committee Chair for the current case problem, the Ombudsperson and the President.

(2) **CHARGE.** The CRC is charged with responding to in-season questions and problems and with issuing timely rule interpretations during the season. All interpretations and rulings made by the CRC are effective only until the next annual Board meeting. The CRC will also receive and adjudicate Act of AMTA bid requests. The CRC shall develop guidelines for in-season rule interpretations and the co-chairs shall report those guidelines to the Board of Directors at the

mid-year meeting. If the size of a tournament's field is significantly altered due to adverse weather or other unusual circumstances, the Competition Response Committee may adjust the bids awarded to a region or a supplemental region.

Rule 10.4 Halls of Fame. AMTA will recognize outstanding coaches by inducting them into a Coaches' Hall of Fame, with inductees to be selected by the membership of the Hall of Fame. Judges' Hall of Fame Awards will be presented at the awards ceremony at the Championship Tournament.

Rule 10.5 Publicity. Publicity about AMTA National and Championship Tournaments will note that AMTA is the primary sponsor.

WEBSITE

Rule 10.6.1 Website content.

- (1) **DOCUMENTS TO POST.** The following shall be posted to the AMTA website:
 - a. Tabulation manual
 - b. Bid allocation information
 - c. Tabulation summaries from AMTA Invitational, Regional, and National Tournaments
 - d. Documents containing rules
 - e. Power Point presentation for judges created by the Board
- (2) **SENDING DOCUMENTS TO AMTA.** AMTA-sanctioned tournaments will produce a tabulation summary, which shall be distributed to participating teams and forwarded to the AMTA office for posting on the AMTA web site.

Rule 10.6.2 Online discussion forum. The Administrative Assistant will arrange for the Web Master to create an online forum for discussion of AMTA policies and proposals. Access will be limited to members of the Board of Directors.

Rule 10.6.3 Interactive components. AMTA shall have an interactive site so that the National Tabulation Director, the National Tournaments Director(s), and the Executive Committee can address student concerns quickly in a manner that is available to all. The site shall also contain Q&A from Rules Committee with official responses to questions raised throughout the season. Answers posted on the site are the only official answers.

HOSTING PROPOSALS

Rule 10.7 Proposal to host a sanctioned tournament.

Requirement to submit proposal: Proposals must be submitted by any institution seeking to host a sanctioned tournament for the first time. Current hosts must submit a proposal if the tournament received an unfavorable AMTA Representative evaluation during the prior academic year or upon the request of the Tournament Administration Committee (TAC).

Selection Procedures: The TAC shall review the proposals and present formal recommendation(s) to the Board at its annual meeting. The TAC will notify prospective hosts of the TAC's decision. The TAC shall employ the following criteria, in no particular order, in evaluating the requests:

- Overall quality of the proposal
- Cost-effectiveness for participants
- Location
- Experience and reliability of organizers

Eligibility to Host: any member institution, other institution of higher learning or non-profit organization, may submit Proposals. Non-member institutions should have a contact person or organizer who holds individual membership in the American Mock Trial Association.

Proposal Requirements: Proposals must be submitted typewritten and include a cover letter summarizing the proposal. Essential requirements include:

Facilities: Please demonstrate that the host can secure the following rooms. The proposal should include the proposed site and should list any costs associated with the site. If using a courthouse site, the proposal should review any special requirements imposed by the courthouse for security and insurance. The proposal should list any costs associated with the facilities with the understanding that AMTA National Hosts receive a fixed budget, regardless of costs.

Photographs of the facility should accompany the proposal.

- Trial rooms sufficient to host at least 48 teams (24 rooms appropriate for trials, with tables and chairs. Student desks are not acceptable)
- A room that can safely seat all participants and is appropriate for an opening assembly and awards ceremony.
- A meeting room in each division for judges, equipped with a power point projector and screen, with appropriate space for refreshments
- A meeting room in each division appropriate for captains' meetings (it is acceptable to use the same room as is used for the opening assembly and awards ceremony)
- Wheelchair access

Judges: The proposal should address the need to recruit at least three individuals per trial per round to serve as judges. These individuals should be actual judges, attorneys or advanced law students. The proposal should contain the following information.

- A recruitment plan for judges, including a timeline
- Information regarding the judging pool (size, resources, contacts made by the organizers, access to Bar Association electronic mailing lists, etc)
- Information on past recruitment efforts (judge turnout at invitational tournaments, past regional tournaments, or prior national tournaments)
- Amenities provided for judges and approximate costs

Proposed Dates: The proposal should indicate the probable dates of the tournament and provide confirmation of the availability of facilities, if possible. Too, the proposal should indicate if there are any dates in March that would be problematic. If formal confirmation is not available, the proposal should indicate when such confirmation would become available.

Organizers: The organizers should have experience in organizing a tournament or conference and should list such experience in the proposal. Proposals from tournament organizers that are experienced will receive preference.

Lodging and food: List the local lodging and restaurant accommodations to meet the needs of your estimated number of participants.

Transportation: List the transportation (airport, trains, buses, trolleys, taxis, etc.) that is available in the area. Include distance and available transportation from the nearest international airport.

Institutional Support: A letter from a faculty member or administrator of the affiliated institution or organization should accompany the proposal, confirming institutional support for the tournament. The letter should be written on official letterhead and signed.

Budget: Although the budget is fixed, AMTA must verify that the prospective host is prepared to meet all of the financial obligations. The proposal should identify other financial resources the prospective host has beyond what AMTA will be providing. This may include commercial and private donations in cash or in kind. Describe how the prospective will secure these resources in a timely manner. Include a budget outlining the costs associated with the event.

Proposed Schedule: The proposal should include a preliminary schedule of events.

AMTA Assistance: The American Mock Trial Association will provide the following:

- The on-site assistance of two AMTA Representatives per division during the tournament to conduct meetings, to perform tabulation, to verify results, to award national tournament bids and to insure compliance with AMTA rules and policies. AMTA will cover the expenses associated with providing AMTA Representative assistance.
- Ballots, tabulation cards and trophies
- Contact Information for all participants
- A stipend to the host based upon the budget for the tournament passed at the annual meeting of the AMTA Board of Directors.

Deadlines and Submission Procedures: The proposals should be submitted in electronic format to AMTA. The Tournament Administration Committee shall provide and announce the deadlines and instructions for submitting proposals for tournaments to be held in a given year.