

**RULES OF THE CNMI MOCK TRIAL CHAMPIONSHIP**  
**Update 12/2008**

**I. RULES OF THE CHAMPIONSHIP**

**A. ADMINISTRATION**

Rule 1.1 Rules

All trials will be governed by these Rules of the CNMI Mock Trial Championship and the National High School Mock Trial Rules of Evidence.

Interpretations of these rules are within the discretion of the CNMI Bar Association,, Mock Trial Subcommittee, or tournament coordinator/committee, whose decision is final.

Rule 1.2. Code of Conduct

The Rules of the Championship, as well as proper rules of courthouse and courtroom decorum and security, must be followed. The Mock Trial Committee has the discretion to impose sanctions, including but not limited to disqualification, immediate eviction from the Championship, and forfeiture of all fees and awards (if applicable) for any misconduct occurring while a team is present for the Championship, for flagrant rule violations, and for breaches of decorum which affect the conduct of a trial or which impugn the reputation or integrity of any team, school, participant, court officer, judge or the mock trial program.

Rule 1.3. Emergencies

During a trial, the presiding judge shall have discretion to declare an emergency and adjourn the trial for a short period of time to address the emergency.

In the event of an emergency that would cause a team to be unable to continue a trial or to participate with less than six members, the team must notify the Mock Trial Coordinator as soon as is reasonably practical. If the Coordinator, or its designee(s), in its sole discretion, agrees that an emergency exists, the Coordinator, or its designee(s), shall declare an emergency and will decide whether the team will forfeit or may direct that the team take appropriate measures to continue any trial round with less than six members. A penalty may be assessed.

A forfeiting team will receive a loss and points totaling the average number of the ballots and points received by the losing teams in that round. The non-forfeiting team will receive a win and an average number of ballots and points received by the winning teams in that round.

Final determination of emergency, forfeiture, reduction of points, or advancement, will be made by the Coordinator or the Mock Trial Committee.

Rule 1.4. Student Timekeepers

(a) Each team attending the competition is responsible for providing one student as an official timekeeper equipped with two stopwatches. The official timekeeper may be a student who is not one of the official eight team members. In trial, each team is to use a set of "Time Remaining" cards with the following designations to signal time: 20:00, 15:00, 10:00, 5:00, 4:00, 3:00, 2:00, 1:00, 0:40, 0:20, and "STOP". Modification of intervals is not permitted.

(b) If a team does not designate a timekeeper, the team must defer to their opponent's official timekeeper in all rounds of the competition. The team's official student timekeeper will keep time for both sides during all competition rounds.

## **B. THE PROBLEM**

### Rule 2.1 The Problem

The problem will be a fact pattern that may contain any or all of the following: statement of facts, information, stipulations, witness statements/affidavits, jury charges, exhibits, etc. Stipulations may not be disputed at trial. Witness statements may not be altered. The problem shall consist of three witnesses per side, all of whom shall have names and characteristics which would allow them to be played by either males or females. All three of the witnesses must be called.

### Rule 2.2. Witness Bound by

Each witness is bound by the facts contained in his/her own witness statement, the Statement of Facts, if present, and/or any necessary documentation relevant to his/her testimony. Fair extrapolations may be allowed, provided reasonable inference may be made from the witness' statement. If, in direct examination, an attorney asks a question which calls for extrapolated information pivotal to the facts at issue, the information is subject to objection under Unfair Extrapolation. ,

If, in cross-examination, an attorney asks for unknown information, the witness may or may not respond, so long as any response is consistent with the witness' statement or affidavit and does not materially affect the witness' testimony.

A witness is not bound by facts contained in other witness statements. However, it shall not be considered unfair extrapolation if a witness testifies that s/he either agrees or disagrees with what other witness' statements claim the testifying witness may have said or done.

### Rule 2.3 Unfair Extrapolation

A fair extrapolation is one that is neutral. Unfair extrapolations are best attacked through impeachment and closing arguments and are to be dealt with in the course of the trial.

If a witness is asked information not contained in the witness' statement, the answer must be consistent with the statement and may not materially affect the witness' testimony or any substantive issue of the case.

Attorneys for the opposing team may refer to Rule 2.3 in a special objection, such as "unfair extrapolation" or "This information is beyond the scope of the statement of facts."

Possible rulings by a judge include:

- a) No extrapolation has occurred;

- b) An unfair extrapolation has occurred;
- c) The extrapolation was fair; or
- d) Ruling is taken under advisement.

The decision of the presiding judge regarding extrapolations or evidentiary matters is final.

When an attorney objects to an extrapolation, the judge will rule in open court to clarify the course of further proceedings.

Judges may consider any unfair extrapolation and effective impeachment in their scoring.

#### Rule 2.4. Gender of Witnesses

All witnesses are gender neutral. Personal pronoun changes in witness statements indicating gender of the characters may be made. Any student may portray the role of any witness of either gender.

Care has been taken to present cases that are balanced and neutral in terms of gender and race. However, there may be times in which the specific gender or race of a witness is important. Teams are encouraged, staying within these rules of the Championship, to role-play and perform to the best of their abilities. Student bodies composed of students of one gender are allowed and encouraged to participate. Witness gender problems will be addressed on a case-by-case basis.

#### Rule 2.5. Voir Dire

Voir dire examination of a witness is not permitted.

### **C. TEAMS**

#### Rule 3.1 Student Eligibility

Students must be currently enrolled as full-time students in order to participate as a team member.

#### Rule 3.2. Team Composition

Teams consist of a **minimum of 6 to a maximum of 8 participating members**. Only six members may participate in any given round. Only eight members total may participate during all rounds of the Championship. At no time will a non-team member or more than 8 team members be allowed to participate. The teams should provide timekeepers. These persons may be considered "official timekeepers" only in the tournament. The team roster will become official at the time of the event and shall remain fixed **throughout the Championship and national tournaments**, unless an exception is made by the coordinator. Observers and timekeepers are allowed but are not members of the official team. Observers and timekeepers may not alternate with or replace members of the official team.

It is recommended that **all** team members be prepared to present either the prosecution/plaintiff or defense sides of the case.

#### Rule 3.3. Team Presentation

Teams must present both the Prosecution/Plaintiff and Defense/Defendant sides of the case, using six team members in each trial round. For each trial round, teams shall use three students as attorneys and three students as witnesses. Only the six members presenting the case plus their timekeeper may sit in front of the bar. No other member of the team (attorney or teacher coach or non-participating team member) may sit in front of the bar. The **ONLY** exception to this rule is that a non-participating team member may act as the timekeeper. Violations of this rule will result in forfeiture of the trial round.

#### Rule 3.4. Team Duties

Team members are to evenly divide their duties. Each of the three attorneys will conduct one direct examination and one cross-examination; in addition, one will present the opening statements and another will present the closing arguments. In other words, the eight attorney duties for each team will be divided as follows:

1. Opening Statements
2. Direct Examination of Witness #1
3. Direct Examination of Witness #2
4. Direct Examination of Witness #3
5. Cross Examination of Witness #1
6. Cross Examination of Witness #2
7. Cross Examination of Witness #3
8. Closing Argument (including Rebuttal) [See Rule 4.5]

Opening Statements must be given by both sides at the beginning of the trial. The attorney who presents closing arguments is the only person who may offer rebuttal. The attorney who examines a particular witness on direct examination is the only person who may make the objections to the opposing attorney's questions of that witness' cross-examination, and the attorney who cross-examines a witness will be the only one permitted to make objections during the direct examination of that witness. Each team must call three witnesses. Witnesses must be called only by their own team during their case-in-chief and examined by both sides. Witnesses may not be recalled by either side.

#### Rule 3.5 Team Roster Form

Copies of the Team Roster Form must be completed and duplicated by each team prior to arrival at the courtroom for each round of competition. Teams must be identified by the code assigned at registration. No information identifying team origin should appear on the form. Before beginning a trial, the teams must exchange copies of the Team Roster Form. The Form should identify the gender of each witness so that references to such parties will be made in the proper gender. Copies of the Team Roster Form should also be made available to the judging panel and presiding judge before each round. Teams shall not knowingly disclose their school to any member of the judging panel or to the presiding judge.

Rule 3.6. Eligibility for Tournament

Teams must be properly registered with the Championship coordinator. Teams must be comprised of students from the sponsoring high school. Any exceptions must be approved in advance by the Championship coordinator.

Rule 3.7 Eligibility for the National High School Mock Trial Championship

The team competing in the National High School Mock Trial Championship ***shall*** be comprised ***only of participating members*** of the CNMI Championship team. The CNMI coordinator may designate an alternate team should the CNMI championship team be unable to participate, so long as all students on the team are from the same original team. **A MAXIMUM OF 8 STUDENTS SHALL COMPRISE THE CNMI ENTRY IN THE NATIONAL CHAMPIONSHIP.**

**D. THE TRIAL**

Rule 4.1. Courtroom Setting

The Plaintiff/Prosecution team shall be seated closest to the jury box. No team shall rearrange the courtroom without prior permission of the judge.

Rule 4.2. Stipulations

Stipulations shall be considered part of the record and already admitted into evidence.

Rule 4.3. Reading Into The Record Not Permitted

Stipulations, the indictment, or the Charge to the Jury will not be read into the record.

Rule 4.4 Swearing of Witnesses

The following oath shall be used before questioning begins:

*"Do you promise that the testimony you are about to give will faithfully and truthfully conform to the facts and rules of the mock trial Championship?"*

The swearing of witnesses will occur in one of two ways. Either the presiding judge, or designated clerk or bailiff, will administer the oath to all witnesses at the start of testimony or will administer the oath to each individual witness when called. Witnesses must stand during the oath unless physically impaired.

Rule 4.5. Trial Sequence, Segments and Time Limits

The trial sequence, segments and time limits are as follows:

1. Opening Statement (5 minutes per side)
2. Direct and Redirect (optional) Examination. (25 minutes per side)
3. Cross and Recross (optional) Examination. (20 minutes per side)
4. Closing Argument (5 minutes per side)

The Prosecution/Plaintiff gives the opening statement first. The Prosecution/Plaintiff gives the closing argument first; the Prosecution/Plaintiff may reserve a portion of its closing time for a rebuttal. The Prosecution/Plaintiff's rebuttal is limited to the scope of the Defense's closing argument. Attorneys are not required to use the entire time allotted to each part of the trial. However, time remaining in one segment of the trial **may not** be transferred to another segment of the trial.

#### Rule 4.6. Timekeeping

Time limits are mandatory and will be enforced. Each team shall have its own timekeeper and timekeeping aids. Timekeeping aids are limited to no larger than 8 1/2 X 11" signs showing time remaining and a stopwatch or similar timing device.

a) Time for objections, extensive questioning from the judge, or administering the oath will not be counted as part of the allotted time during examination of witnesses and opening and closing statements. Time does not stop for introduction of exhibits.

(b) At the end of each task during the trial presentation (i.e. at the end of each opening, at the end each witness examination, at the end of each cross examination and at the end of each closing argument) if there is more than a 15 second discrepancy between the teams' timekeepers, the timekeepers must notify the presiding judge of the discrepancy. The presiding judge will then rule on the discrepancy, the timekeepers will synchronize their stopwatches accordingly and the trial will continue. No time disputes will be entertained after the trial concludes. The decisions of the presiding judge regarding the resolution of time disputes are final.

In displaying time remaining, the timekeeper must **prominently** show the time remaining to both the performer and the presiding judge. **When time runs out the timekeeper shall STAND, and say, "STOP" in a voice loud enough to be heard by the presiding judge, scoring panel and the performing student.**

#### Rule 4.7 Time Extensions and Scoring

The presiding judge has sole discretion to grant time extensions. If time has expired and an attorney continues without permission from the Court, the scoring judge may determine that whether or not performance points maybe affected. If a student chooses to continue after the stop signal, the opposing team should make an objection to be ruled on by the presiding judge. Performance scores may be affected. If the opposing team does not object, there will be no penalty nor will a dispute be allowed nor considered after conclusion of the trial round.

#### Rule 4.8 Prohibited Motions

No motions may be made except as outlined below. A motion for directed verdict, acquittal or dismissal of the case at the end of the Prosecution's case may not be used.

A motion for a recess may be used only in the event of a health emergency. To the greatest extent possible, team members are to remain in place. Should a recess be called,

teams are not to communicate with any observers, teacher sponsors, or coaches regarding the trial.

Rule 4.9 Sequestration

Teams may not invoke the rule of sequestration.

Rule 4.10 Bench Conferences

Bench conferences may be granted at the discretion of the presiding judge, but should be made from the counsel table in the educational interest of handling all matters in open court.

Rule 4.11 Supplemental Material/Illustrative Aids (PROPS AND/OR COSTUMES)

Teams may refer only to materials included in the trial packet. **No illustrative aids** of any kind may be used, unless provided in the case packet. No enlargements, modifications or laminations of the case materials will be permitted unless allowed in the case materials. **ABSOLUTELY NO PROPS OR COSTUMES ARE PERMITTED** unless authorized specifically in the case materials.

In the event a team member appears at trial in costume, at the coordinator/committee's discretion, the team may be disqualified or the trial may be postponed for a change of clothing. In the event changing clothes is not an option, the presiding judge may allow the trial to proceed. The coordinator/ committee will meet in sidebar with the presiding judge and his/her fellow panelists with the intent to consider the penalty of the witness. The penalty for use of costumes or props is **TWO BALLOT POINTS**.

Costuming is defined as hairstyles, clothing, accessories, and make-up which are case-specific. Students are not required to wear suits.

Rule 4.12. Trial Communication

Teachers, attorney coaches, non-performing team members and observers shall not talk to, signal, communicate with, or coach their teams during trial. This rule remains in force during any recess time that may occur. Team members may, among themselves, communicate during the trial; however, no disruptive communication is allowed. Signaling of time by official timekeepers shall not be considered a violation of this rule. Non-team members, alternate team members, teachers, and coaches must remain behind the bar in the gallery section of the courtroom. Only team members participating in this round may sit inside the bar. In the event the jury box is opened by the presiding judge for seating, no teacher, coach or alternate team member shall sit in the jury box.

Rule 4.13 Viewing a Trial

Team members, alternates, attorney coaches, teacher sponsors, or any other persons directly associated with a mock trial team **are not allowed to view other teams** in the tournament with the exception of viewing the Championship round.

Rule 4.14 Videotaping/Photography

Any team has the option to refuse participation in videotaping by the opposing team. However, videotaping, tape recording, or still photography, by the media will be allowed. Commercial media coverage (TV, radio and/or newspaper) will be allowed.

Rule 4.15. Jury Trial

The case will be tried to a jury; arguments are to be made to judge and jury. Teams may address the scoring judges as the jury.

Rule 4.16. Standing During Trial

Unless excused by the judge, attorneys will stand while giving opening and closing statements, during direct and cross examinations, and for all objections. ATTORNEYS SHOULD RECEIVE PERMISSION FROM THE PRESIDING JUDGE PRIOR TO APPROACHING THE WITNESS, THE JURY OR MOVING FROM THE LECTERN OR COUNSELS' TABLE INTO THE WELL AREA OF THE COURTROOM

Rule 4.17. Objections During Opening Statement/Closing Statement

No objections may be raised during opening statements or during closing arguments. If a team believes an objection would have been proper during the opposing team's opening statement or closing argument, one of its attorneys may, following the opening statement or closing argument, stand to be recognized by the judge and may say, "If I had been permitted to object during closing arguments, I would have objected to the opposing team's statement that \_\_\_\_\_." The presiding judge will not rule on this "objection." Presiding and scoring judges will weigh the "objection" individually. No rebuttal by opposing team will be heard.

Rule 4.18. Objections

- 1. Argumentative Questions:** An attorney shall not ask argumentative questions.
  - 2. Lack of Proper Predicate/Foundation:** Attorneys shall lay a proper foundation prior to moving the admission of evidence. After the exhibit has been offered into evidence, the exhibit may still be objected to on other grounds.
  - 3. Assuming Facts Not in Evidence:** Attorneys may not ask a question that assumes unproved facts. However, an expert witness may be asked a question based upon stated assumptions, the truth of which is reasonably supported by evidence (sometimes called a "hypothetical question").
  - 4. Questions Calling for Narrative or General Answer:** Questions must be stated so as to call for a specific answer. (Example of improper question: "Tell us what you know about this case.")
  - 5. Non-Responsive Answer:** A witness' answer is objectionable if it fails to respond to the question asked.
  - 6. Repetition:** Questions designed to elicit the same testimony or evidence previously presented in its entirety are improper if merely offered as a repetition of the same testimony or evidence from the same or similar source.
- Teams are not precluded from raising additional objections which are available under the *High School Mock Trial Rules of Evidence*.

**Rule 4.19. Reserved**

Rule 4.20. Procedure for Introduction of Exhibits

- (a) All evidence will be pre-marked as exhibit.
- (b) Ask for permission to approach the witness. "Your Honor, may I approach the witness with what has been marked for identification purposes as Exhibit No. \_\_\_\_\_?"
- (c) Show the exhibit to opposing counsel.
- (d) Ask the witness to identify the exhibit. "I now hand you what has been marked for identification as Exhibit No. \_\_\_\_\_. Would you identify it please?" Witness should answer to identify only.
- (e) Ask the witness a series of questions that are offered for proof of the admissibility of the exhibit. These questions lay the foundation or predicate for admissibility, including questions of the relevance and materiality of the exhibit.
- (f) Offer the exhibit into evidence. "Your Honor, we offer Exhibit No. \_\_\_\_ into evidence."
- (g) Court: "Is there an objection?" (If opposing counsel believes a proper foundation has not been laid, the attorney should be prepared to object at this time.)
- (h) Opposing Counsel: "No, Your Honor" or "Yes, Your Honor". If the response is "yes", the objection will be stated for the record. Court: "Is there any response to the objection?"
- (i) Court: "Exhibit No. \_\_\_\_\_(is/is not) admitted." If admitted, questions on content may be asked.

*Commentary on Rule 4.20 change Amended to delete the requirement of showing an exhibit to the Presiding Judge prior to its introduction.*

Rule 4.21. Use of Notes

Attorneys may use notes in presenting their cases. Witnesses are not permitted to use notes while testifying during the trial. Attorneys may consult with each other at counsel table verbally or through the use of notes.

Rule 4.22. Redirect/Recross

Redirect and Recross examinations are permitted, provided they conform to the restrictions in High School Mock Trial Rules of Evidence.

Rule 4.23. Scope of Closing Arguments

Closing Arguments must be based on the actual evidence and testimony presented during the trial.

Rule 4.24. The Critique

The judging panel is allowed 8 minutes for debriefing. The timekeeper will monitor the critique following the trial. Presiding judges are to limit critique sessions to a combined total of eight minutes. There is no critique in the fourth round. Judges shall not make a ruling on the legal merits of the trial. Judges may not inform the students of score sheet results.

Rule 4.25. Offers of Proof

No offers of proof may be requested or tendered.

## **E. JUDGING AND SCORING**

### Rule 5.1 Decisions

All decisions of the presiding judge and judging panel are FINAL.

### Rule 5.2 Composition of Judging Panel

The judging panel will consist of a minimum of three individuals, which may or may not include the presiding judge. The composition of the scoring panel and the role of the presiding judge will be at the discretion of the tournament coordinator/committee.

1. One presiding judge and two scoring judges (all three of whom complete score sheets);  
or
2. One presiding judge and three scoring judges (scoring judges only complete score sheets); or,
3. One presiding judge and two scoring judges (scoring judges only complete score sheets and presiding judge completes a form which selects only the winner and does not assign point totals for either team).

Each scoring panel shall include at least one attorney. The presiding judge shall be an attorney.

The championship round may have a larger scoring panel.

### Rule 5.3 Score Sheets/Ballots

The term "score sheet" is used in reference to the form on which speaker and team points are recorded. Score sheets are to be completed individually by the scorers. Scoring panelists are not bound by the rulings of the presiding judge. The team that earns the highest points on an individual scorer's score sheet is the winner of that ballot (or the round win) on that score sheet. The team that receives the majority of the ballots wins the round. Ballots determine the win/loss record of the team, and along with the performance points earned in each round, are used for power-matching, tie breaking, and ranking purposes. The scoring panel should not deliberate on individual attorney or witness scores, nor should they deliberate on the award of ballots. . While the judging panel may deliberate on any special awards (i.e., Outstanding Attorney/Witness) the judging panel should not deliberate on individual scores.

### Rule 5.4 Completion of Score Sheets

Score sheets are to be completed in four steps:

1. Individual Points - Record a number of speaker points (1-10) for each segment of the trial.
2. Sub-Total - Total the sum of each team's individual (segment) points and place this sum in the Sub-Total box.

3. Final Point Total - Add the attorney and witness sub-total boxes to achieve a final point total for each team. **NO TIE IS ALLOWED IN THE FINAL POINT TOTAL BOX.**
4. BALLOT - Based on the team with the highest number of points in the Final Point Total, circle Plaintiff/Prosecution or Defense. In the event of a mathematical error this selection will also be used as a **tiebreaker**, i.e., a mathematical error which, when corrected, results in a tie, this selection will establish the winning team.

#### Rule 5.5 Team Advancement

Teams will be ranked based on the following criteria in the order listed:

1. Win/Loss Record - equals the number of rounds won or lost by a team;
2. Total Number of Ballots - equals the number of scoring judges' votes a team earned in preceding rounds;
3. Total Number of Points Accumulated in Each Round;
4. Point Spread Against Opponents - The point spread is the difference between the total points earned by the team whose tie is being broken less the total points of that team's opponent in each previous round. The greatest sum of these point spreads will break the tie in favor of the team with the largest cumulative point spread.

#### Rule 5.6. Power Matching

A random draw will determine opponents in the first round of the tournament. A power-match system will determine opponents for all subsequent rounds.

Power Matching will provide for:

1. Random pairing in the first round;
2. All teams will be guaranteed to present each side of the case at least once;
3. Brackets will be determined by win/loss record. Sorting within the brackets may be determined using the following:
  - a. Win/Loss Record - equals the number of rounds won or lost by a team;
  - b. Total Number of Ballots - equals the number of win ballots a team earned in preceding rounds;
  - c. Total Number of Points Accumulated in Each Round;
  - d. Point Spread Against Opponents - The point spread is the difference between the total points earned by the team whose tie is being broken less the total points of that team's opponent in each previous round. The greatest sum of these point spreads will break the tie in favor of the team with the largest cumulative point spread.

#### Rule 5.7. Selection of Sides For Championship Round

In determining which team will represent which side in the CNMI Championship Round, the following procedure shall be used:

1. The team with the letter/numerical code which comes first alphabetically or numerically will be considered the “Designated Team.”
2. The coin will be tossed by a designee of the coordinator.
3. If the coin comes up heads, the Designated Team shall represent the plaintiff/prosecution in the Championship Round. If the coin comes up tails, the Designated Team shall represent the defendant.

Rule 5.8. Odd Number of Teams Participating in Championship

A “bye” becomes necessary when an odd number of teams are present for any given round of the tournament. It is the intent of the Competition to avoid byes where possible. In the event of a circumstance resulting in an odd number of competing teams, the following procedure will apply:

- a. The team drawing the “bye” (no opponent for a single trial round) in rounds two through four will, by default, receive a win and three ballots for that round. For the purpose of power-matching, the team will temporarily be given points equal to the average of its own points earned in its preceding trials. At the end of the fourth round, the average from all three actual trial rounds participated in by the team will be used for the final points given for that team's bye round.

For example, a team receiving a bye in round three would receive three ballots and an average of its points earned in rounds one and two. At the end of the fourth round, however, the points actually awarded to the team for the bye round will be adjusted to take into consideration the fourth round performance of the team.

- b. A team receiving a bye in round one will be awarded a win, three ballots and the average number of points for all round one winners, which total will be adjusted at the end of each round to reflect the actual average earned by that team.

Rule 5.9 Merit Decisions & Score Sheet Release

Judges should not make a ruling on the legal merits of the trial. **Judges and panelists shall NOT inform the students of score sheet results.** Score sheets, however, will be released, on request within a week after the conclusion of the Championship.

## **F. DISPUTE SETTLEMENT**

Rule 6.1 Reporting a Rules Violation/Inside the Bar

Disputes which (a) involve students competing in a Championship round and (b) occur within the bar, must be filed immediately following the conclusion of that trial round. Disputes must be brought to the immediate attention of the presiding judge at the conclusion of the trial.

If any team believes that a rules violation has occurred, one of its student attorneys must indicate to the presiding judge that the team intends to file a dispute. The scoring panel will be excused from the courtroom, and the presiding judge will provide the student attorney with a dispute form, on which the student will record in writing the nature of the dispute. The student may communicate with teammates inside the bar before lodging the notice of dispute or in preparing the form.

At no time in this process may the student attorneys communicate or consult with teammates, team sponsors or coaches outside the bar. Only student attorneys may invoke this (inside the bar) dispute procedure. **Teachers or attorney coaches are barred from reporting inside the bar violations.**

#### Rule 6.2 Dispute Resolution Procedure

The presiding judge will review the written dispute and determine whether the dispute should be heard or denied. If the dispute is denied, the judge will record the reasons for this, announce her/his decision to the Court, complete his/her score sheet (if applicable), and turn the dispute form in with the score sheets. If the judge feels the grounds for the dispute merit a hearing, the form will be shown to opposing counsel for their written response. After the team has recorded its response and transmitted it to the judge, the judge will ask each team to designate a spokesperson. After the spokespersons have had time (not to exceed three minutes) to prepare their arguments, the judge will conduct a hearing on the dispute, providing each team's spokesperson three minutes for a presentation. The judge may question the spokespersons. At no time in this process may team sponsors or coaches communicate or consult with the student attorneys. After the hearing, the presiding judge will adjourn the court and retire to consider her/his ruling on the dispute. The judge may consult with the tournament coordinator/committee regarding rules interpretation. The judge's decision will be recorded in writing on the dispute form, *with no further announcement.*

#### Rule 6.3. Effect of Violation on Score

If the presiding judge rules that a violation has occurred, the judge will inform the scoring judges of the dispute and provide a summary of each team's argument. The scoring judges will consider the dispute before reaching their final decisions. The dispute may or may not affect the final decision, but the matter will be left to the discretion of the scoring judges.

#### Rule 6.4. Reporting of Rules Violation/Outside the Bar

Disputes which (a) involve people other than student team members and/or (b) involve non-participating student team members and (b) occur outside the bar *during a trial round*, may be brought by teacher sponsors or attorney-coaches exclusively. Such disputes must be made promptly (within 10 minutes of the conclusion of the match) to the tournament coordinator/committee, who will ask the complaining party to complete a dispute form. The form shall be taken to the tournament's communication's center, whereupon a dispute resolution panel will (a) notify all pertinent parties; (b) allow time for a response, if appropriate; (c) conduct a hearing; and (d) rule on the charge. The dispute resolution panel may notify the scoring panel of the affected courtroom of the ruling on the charge.

The dispute resolution panel will be composed of the tournament coordinator and/or committee members.