



## SUPPLEMENTAL RULES FOR THE NORTH AMERICAN REGION OF THE SPACE LAW MOOT COURT COMPETITION

### A. Role of Faculty Advisor

1. Each team shall have a Faculty Advisor. *See* Official Rules Article 3(7). The role of the Faculty Advisor is important, but it must not be allowed to extend past a supporting role. “The Faculty Advisor shall confine herself or himself to a supporting role, limited to a *general* discussion of issues and suggestions as to research sources, and shall guarantee that the briefs in their final versions are *solely the work of the students* comprising the team.” *Id.* 3(9) (emphasis added). Importantly, “only the two registered students on the team, and the alternate member if applicable, may participate in preparing the Memorials, including both the *research, drafting and editing* of the Memorials.” *Id.* 5(7) (emphasis added). The role of the Faculty Advisor must be limited by these rules. The Faculty Advisor may not conduct research, but may generally guide research. The Faculty Advisor may not draft or edit the Memorials in either a draft or final format. The Faculty Advisor may read drafts of the Memorials and discuss them with the students in a general manner. The Faculty Advisor, however, should not provide specific written edits on the drafts. Otherwise, the drafting of the Memorials will not be “solely the work of the students.” This is a fine line. By way of example, a Faculty Advisor could read a Memorial and comment that a certain section could use some changes and additional support; the Faculty Advisor may generally discuss the issues that should be revised or expanded and may suggest cases that the students should review. The Advisor should not, however, make specific editing suggestions, or provide analysis of cases. When in doubt about the limits of their role, the Faculty Advisor should contact the Regional Organizer. This rule also applies to Assistant Faculty Advisors (coaches), if any.

## **B. Competition Divisions**

1. After the close of Registration, registered teams will be placed in two Divisions by the Regional Organizer: Division A and Division B. Separate panels of judges will grade the Memorials and Orals for each Division. The goal is to have the same number of teams in each Division. If an uneven number of teams have registered, however, one Division will have one more team than the other Division. This will be determined by a coin toss by the Regional Organizer.

## **C. Rules for Memorials**

1. Each Memorial is graded by at least two space law experts who grade separately. Thus, each team's applicant Memorial will be graded by multiple graders, and each team's respondent Memorial will be graded by multiple graders. These Memorial scores will be averaged to reach the final score for each Memorial. If any grader's score is 4 or more points lower than the next lowest grade for that Memorial, that judge will be asked to reevaluate the score. Then penalty points, if any, are assessed.
2. Format of Memorials shall be in accord with the Uniform System of Citation ("Bluebook").
3. Penalty points: Penalty points are addressed in the Annex on Penalties to the Official Rules. In the North American Region, however, not all potential penalty points will be enforced. Specifically, violations of Article A-3, paragraph 2 (following the Uniform System of Citation), will not result in the assessment of penalty points. Other provisions of the Annex will be enforced in accordance with the Official Rules, which provides the Regional Organizer with discretion regarding the imposition of penalty points. Article 10 (2).
4. Article 5(2) relates to compliance with the Uniform System of Citation. Although penalty points will not be enforced for each specific violation, failure to comply with these rules will likely lead graders to be more critical of the content and lower the overall score. Teams should strive to comply with these rules even if specific penalty points will not be assessed.
5. Do a word count on your Argument section to ensure you don't exceed the Rule 5(4) 9,000 word maximum. Exceeding that limit warrants an assessment of penalty points. When you do the word count, ensure that you count the Footnote words as well. In WORD, go to Tools and select "Word Count." Then be sure to check the box to include footnotes.

6. E-Mailing of Memorials. Memorials need to be submitted in hard copy by overnight mail and also by email. Ensure they are emailed not later than the due date. The subject of your email should be: "Team XX Memorials". Insert your team number for the "XX." The Regional Organizer will provide an email address to whom the Memorials are to be emailed. Attach your Memorials to the email with the following names for the files: "TeamXX-applicant.doc" and "TeamXX-respondent.doc" Please do not break your Memorials into parts -- Do not send applicant Memorial part 1, 2 and 3, etc. One document should be the applicant Memorial and another document the respondent Memorial. Attach both to the same email.
7. Absent advance approval, Memorials must be emailed as WORD documents. Do not send PDFs or versions in some other software format.

#### **D. Rules for Oral Arguments**

1. If a team is not arguing during a round, it shall *not* sit in on any other oral arguments.
2. Students shall avoid talking to the judges during the competition about substantive matters related to the competition. Post-competition discussions with the judges are encouraged.
3. In the Preliminary Rounds, each team argues twice, one argument for each side of the Problem. Each side will argue 30 minutes in total, including questions from the bench. Each agent must argue for at least 12 minutes, with two to six minutes reserved for rebuttal or surrebuttal. The final scores for the Preliminary Rounds will be based upon the oral and written grades. Memorials count 50%, and oral arguments count 50%.
5. During the oral arguments, each argument will be held before a panel of at least two judges. Usually, three are used. Since each team will argue twice, a total of four to six judges will grade each team's oral argument. Those oral grades will be averaged, and this will be the score for the orals. Judges grading the oral arguments will *not* grade Memorials. They are directed to grade the students *solely* on the oral advocacy skills.

6. Immediately after each oral argument, if requested, each team will have no more than 30 seconds to state whether the opposing team has violated any rules applicable to oral argument. If such a challenge is made, the opposing team will have no longer than 30 seconds to respond. The judges will resolve each such challenge during deliberation and, if appropriate, will assess any penalty points. The decision of the judges is final and may not be appealed at any time.
7. **Prior Viewing of Teams:** To the extent reasonably possible, judges should not view a team that they have viewed in a previous Oral Round. If a judge views a team twice, the Organizer should strive to ensure that the judge views the team's opposite side.

### **E. The Semi-Final Rounds**

1. At the end of the Preliminary rounds, the top four teams in each Division are selected to argue against each other in the Semi-Final rounds. This selection will be based on the total of the combined average Memorial and oral argument scores. If there is a tie, the team with the best *oral* score will be declared the winner. If a tie remains, and the tied teams argued against each other in a Preliminary Round, the team with the higher oral score in that argument will advance. If a tie still remains, the Regional Organizer will confer with the judges who graded the oral arguments of the tied teams and, with the assistance of those judges, the Regional Organizer will identify the team that will advance to the Semi-Final Rounds.
2. In the Semi-Final Rounds, each team argues twice, one argument for each side of the Problem. Teams will face a different opponent each argument. Each side will argue 30 minutes in total, including questions from the bench. Each agent must argue for at least 12 minutes, with two to six minutes reserved for rebuttal or surrebuttal. The final scores for the Semi-Final rounds will be based upon the oral and written grades. Memorials count 50%, and oral arguments count 50%. Oral argument grades from Preliminary Rounds will not be considered in the Semi-Final grades. If there is a tie for the top team, the team with the best *oral* score will be declared the winner. If a tie remains, the “top team” will be selected by the judges who graded the oral arguments in that Division Semi-Final Rounds, with the objective being to select the team with the best oral argument skills as the top team. The Semi-Final Rounds will determine the top team for each Division and this team will advance to the Final Argument
3. The other Rules for Oral Arguments apply to the Semi-Final Rounds.

## **F. The Final Argument**

1. The top team in each Division will argue against each other in the Final round. After the Division winners have been identified, a coin toss will be conducted to determine which team argues as Applicant and which team as Respondent in the Final. The Regional Organizer will flip a coin. If it is “heads,” the Division A winner will be the Applicant. If it is “tails,” the Division B team will be the Applicant.
2. In judging the Final Round, the bench will consider and give equal weight to the Memorials and the Final Round oral arguments. They will not give specific scores to the Memorials or the oral arguments, but will determine an overall winner. Oral argument grades from Preliminary and Semi-Final Rounds will not be considered in the Final Round. The judges will be informed of the Memorial scores received from the Judges who graded the Memorials.
3. The judges for the Final Round will also select, from among the top two teams, the student who will receive the award for the Best Oralist.

## **G. Awards**

- 1 The following awards will be presented at the Saturday night dinner: Best Team; Second Place; Best Oralist; Best Brief; Second Place Division A; Second Place Division B; and Best New Team. The Best New Team is the team with the highest combined Memorial and Oral scores in the Preliminary Rounds that has not participated in this competition within the last five years. The Best Brief will be selected by a panel of three judges established by the Regional Organizer for this purpose. The team from each Division with the highest Memorial scores in that Division will have their Memorials submitted to this panel. If there is a tie within a Division for the best Memorial scores, the Memorials from the tied teams will be submitted to the panel. Each of these three judges will read the submitted Applicant and Respondent Memorials and select the team with the best Memorials.

## **H. General Schedule**

- 1 Preliminary Rounds will be held on the Friday of the competition, with Registration at 8:30. Teams will be advised at the end of these rounds whether they will advance to the Semi-Final Rounds. The Semi-Final Rounds will be held Saturday morning. The Final Argument will be held late Saturday afternoon, followed by an Awards dinner Saturday evening. All registered teams are expected to attend the Awards dinner.

## **I. Support of the Winning Team**

1. Travel and expenses of the winning team are provided for the International Competition. This support, however, is limited to the amount of \$7,500. In the past, if additional funding is required, the school has provided funding or another source of funding has been found by the school. The Regional Organizer will also seek additional funds for travel if necessary. Usually, the amount of \$7,500 has been sufficient for team expenses, but this will depend on the location of the International Competition, whether the team has an Alternate and whether the Faculty Advisor is traveling with the team. Funding above \$7,500 is not guaranteed and, if needed, will be the responsibility of the school and/or the team and Faculty Advisor.

## **J. Invitation of Teams from Other Regions**

1. Until and unless a Latin American Regional Competition is established, the Regional Organizer may invite interested teams from Latin America to participate in the North American Regional Competition. Interested schools should contact the Regional Organizer well before the applicable Registration Deadline.