

BYLAWS OF THE 2010 "WE THE STUDENTS" NATIONAL HIGH SCHOOL MOOT COURT COMPETITION

I. Competition Committee: The officers of the Competition will form the competition committee, which shall perform the duties as assigned by the Moot Court Honor Society Constitution, these Bylaws, and be the General Instructions of the Competition.

A. Directors: Ultimately responsible to the Moot Court Honor Society for the proper planning, preparation and conduct of the Competition. The Directors shall enforce the regulations of the Competition as set forth below. The Directors for the 2010 Competition will be Anna Bercaw and Joe Schlingbaum.

B. Problem Drafters: Responsible to the Directors for all research and writing associated with producing the problems to be used during the Competition. This includes, but is not limited to, the production of the joint appendix and the bench memorandum (including suggested questions for use by Competition judges) for the problem. The Problem Drafters for the 2010 Competition are Bryan Dunning, Matt Carney and Greg Kowalski.

C. Assistant Directors: The Directors shall have as many assistants as necessary. The Assistants shall assist the Directors during all phases of planning, preparing and executing the Competition. The Assistants perform duties as assigned by the Directors, which may include, but are not limited to assisting the Problem Drafters with any tasks.

II. Eligibility of Competitors

All high school students in good standing at their schools are eligible to compete in this Competition. All high schools in the United States and abroad are invited to participate. Schools are invited to send up to twelve (12) students, although the Directors and the Assistants should encourage as many schools as possible to participate. It is preferable for schools to send an even number of participants, but we will accept any number of participants up to twelve (12) students. The number of participants is subject to change at the discretion of the Directors.

A school shall officially be called a participant once the Directors and/or the Assistants have received the team registration form and the competitor registration form and registration fee and have sent a confirmation e-mail. Payment in the form of either a check or money order must be received to register your team. Therefore, preference for registration will be given to teams that have sent in *both* the registration fee *and* completed the registration forms available online.

III. Preparation for the Competition

A. Problem:

1. Bryan Dunning, Matt Carney and Greg Kowalski created the problem for the National High School Moot Court Competition. The problem was edited by WCL Faculty, the Competition Directors, and the President of the Moot Court Honor Society.

2. Participants are responsible for any or all of the cases cited the materials they receive. In addition, they may consult other general reference materials such as legal encyclopedias and Black's Law Dictionary. Participants may not rely on additional case law or statutes that are not included in the materials provided for the Competition.

3. Participants MAY NOT read any actual court documents filed for the case upon which the problem is based, including, but not limited to, court decisions, pleadings, and briefs (participants are limited to reading ONLY those cases actually cited in the materials they receive).
4. Participants may receive assistance from anyone willing to help them improve their oral argument skills, especially teachers and coaches, but arguments must reflect original work completed by each student.
5. Once the problem for the Competition has been released, schools that are registered to participate in our Competition are permitted to use our problem to determine which students to send to our Competition.
6. Violations of these standards may subject the participant to sanctions under Section V of these bylaws.

IV. Judging the Competition

The following guidelines are a general statement of the judging procedures to be used in the 2010 National High School Competition. All judges are volunteers. Prior to each round of the competition, judges will be given information regarding the criteria to be used in evaluating participants. Moot Court Honor Society Members may serve as judges in any round. Due to the large number of judges required, the Directors may alter or amend the following guidelines as they deem appropriate.

A. Preliminary Rounds

1. Generally, the judges will be second and third year law students who have either competed in or judged past competitions. Preference will be given to those students with the most experience. The Directors reserve final judgment as to the judges used in these rounds.
2. To avoid conflicts, judges will not evaluate any competitor where reason exists which would make it difficult for that judge to be impartial or which, in the Director's sole discretion, would give the appearance of impropriety. Any violation of these standards may subject the judge to sanctions under Section V of these bylaws.
3. No fewer than (2) and no more than three (3) judges will sit and evaluate each oral argument in these first rounds.
4. Spectators will be allowed to observe the first rounds of arguments, subject to the permission of all competitors and judges in respective courtroom. The term "spectators" shall not be construed to include the Bailiff assigned to that courtroom or members of the Moot Court Executive Board. (Competitors are prohibited from attending first round arguments other than those in their assigned courtroom).
5. Judges' feedback will be given orally, but students and/or coaches may take notes on the oral feedback.

B. Quarterfinal Round

1. Generally, judges for this round will consist of alumni and faculty of the Washington College of Law, as well as practitioners. Preference will be given to those who have past experience with moot court judging, with the Moot Court Board, or as moot court competitors. The Directors reserve final judgment as to the judges used in this round.
2. No fewer than two (2) judges and no more than four (4) judges will sit to evaluate the oral arguments presented during the quarterfinal round.
3. Spectators will be allowed to observe the quarterfinal round arguments subject to the permission of all competitors and judges in the respective courtroom. The term “spectators” shall not be construed to include the Bailiff assigned to that courtroom or members of the Moot Court Board. (Quarterfinalists are prohibited from attending quarterfinal arguments other than those in their assigned courtroom).
4. Judges’ feedback will be given orally, but students and/or coaches may take notes on the oral feedback.

C. Semifinal Round

1. Generally, judges for this round will be alumni and members of the faculty of the Washington College of Law, as well as practitioners. The Director reserves final judgment as to the judges used in this round.
2. No fewer than two (2) judges and no more than four (4) judges will sit to evaluate the oral arguments presented during the semifinal round.
3. Spectators will be allowed to observe the quarterfinal round arguments subject to the permission of all competitors and judges in the respective courtroom. The term “spectators” shall not be construed to include the Bailiff assigned to that courtroom or members of the Moot Court Executive Board. (Semifinalists are prohibited from attending semifinal arguments other than those in their assigned courtroom).
4. Judges’ feedback will be given orally, but students and/or coaches may take notes on the oral feedback.

D. Final Round

1. Generally, the final round will be judged by sitting and/or retired judges, or active members of the District of Columbia bar or any state bar. The Directors reserve final judgment as to the judges used in this round.
2. The final round will be held in the Ceremonial Court Room at the Washington College of Law or at a local courthouse.
3. No fewer than three (3) judges and no more than six (6) judges will sit to evaluate the oral arguments presented during the final round.
4. Spectators are encouraged to attend the final round. The Directors shall resolve any dispute involving spectators.

5. Judges' feedback will be given orally, but students and/or coaches may take notes on the oral feedback.

V. Conduct of the Competition

A. General Guidelines

1. All participants will conduct themselves in a professional manner throughout the Competition.
2. **By accepting the competition packet, each participant shall be responsible for strict adherence to ALL rules, bylaws, and prohibitions contained in any portion of the packet. Failure to comply with these provisions can result in expulsion from the Competition.**
3. When the directors or assistants receive the registration packet and fee, they will send a confirmation e-mail that will assign each participant as petitioner or respondent. This assignment is not subject to change, except at the discretion of the Directors.
4. Any complaint that arises during the course of the Competition regarding any aspect of these bylaws, the general instructions, or any other material, or the actions of any competitor in connection with this competition **must be in writing and filed with the Directors within 24 hours** of the action that gives rise to the complaint, or first knowledge of the action. The complaint will then be referred to the Moot Court Executive Board for a decision on how to proceed.
5. **After registering, teams must notify the Co-Directors by March 1, 2010 if any registered team members will not be able to attend. Teams that fail to meet this deadline will not be permitted to register for the 2010 tournament. (Exceptions made only for emergencies or serious illness).**

B. Advancement of Competitors By Round

Preliminary Rounds: At the conclusion of the four (4) preliminary rounds, the highest three (3) scores per competitor will be used to determine those competitors advancing to the Quarterfinal Round. The fourth round score will be reserved and used to break any ties that may exist. Between sixteen (16) and twenty-four (24) competitors will advance to the Quarterfinal Round.

Quarterfinal Round: Competitors will be ranked against those arguing the same side of the case. The highest scoring Petitioners and Respondents will advance on the basis of the Quarterfinal Round score alone. Between four (4) and six (6) Petitioners, and between four (4) and six (6) Respondents, will advance to the Semifinal Round.

Semifinal Round: Competitors will be ranked against those arguing the same side of the case. The highest scoring Petitioners and Respondents will advance on the basis of the Semifinal Round score alone. Two (2) Petitioners, and two (2) Respondents, will advance to the Final Round.

C. Sanctions

1. Failure to comply with the by-laws will result in expulsion from the Competition.
2. Changes to teams shall not be permitted after **March 1st, 2010**.
3. Competitors and teams that register for the Competition are required and expected to attend, arrive promptly, and arrive prepared to compete. **Failure to attend, arrive promptly, or arrive prepared to compete seriously impacts the quality of the Competition for all competitors.** As a result, the following sanctions apply:
 - a. If a competitor(s) fails to attend the Competition, *that competitor(s) will not be permitted to attend future Competitions.*
 - b. If an entire team fails to attend the Competition, *that team will not be permitted to attend future Competitions.*
 - c. The Directors, at their discretion, may choose to apply the above-mentioned sanctions, or others, to those competitors and teams who fail to arrive promptly or fail to arrive prepared to compete.
5. In the event of an emergency, and to prevent the above-mentioned sanctions, **CONTACT THE DIRECTORS IMMEDIATELY.** The Directors, at their discretion, may choose not to implement the above-mentioned sanctions.

VI. Awards

Individual and team awards will be given at both the banquet at the conclusion of the first day's rounds, and at the conclusion of the final round on the second day. To be considered for a team award, a team must comprise at least four (4) competitors.

VII. Amendment

These bylaws are subject to amendment by the Competition Directors and Moot Court Honor Society Executive Board. The Directors may, when necessary, temporarily amend these Bylaws until the next regularly scheduled meeting of the Moot Court Executive Board.