

**AMTA Rulebook**  
**2008-2009 Edition (Updated 08.15.08)**

**Table of Contents**

Introduction & History

Chapter 1: The Philosophy of AMTA (Ideals and General Conduct)  
Student Participants  
Coaches

Chapter 2: Registration  
Requirements  
Fees and Refund Policies  
Regional Deadlines  
Postseason Deadlines and Procedures

Chapter 3: Eligibility, Rosters & Trial Roles  
Team Eligibility  
Student Eligibility  
Tournament Rosters & Roster Changes  
Trial Roles & Substitutions

Chapter 4: General Tournament Rules  
Awards  
Ballots  
ByeBuster Teams  
Captains' Meetings  
Case Materials  
Facilities  
Hosts  
Judges  
Opening Meetings  
Results  
Schedule  
Scoring  
Scouting  
Structure  
Time Limits  
Visual Aids  
Videotaping / Recording

Chapter 5: Tournament Specific Rules  
Invitationals  
Regionals  
Postseason Tournaments

- Chapter 6: Postseason Bid Allocation Procedures
- Chapter 7: Roles and Duties of Participants
  - All Participants
  - Attorneys
  - Witnesses
  - Timekeepers
  - All Judges
  - Presiding Judges
  - Scoring Judges
  - Coaches
- Chapter 8: Trial Procedures
  - Arrangement of the Courtroom
  - Authenticity of Documents
  - Demonstratives and Exhibits
  - Bench Conferences and Sidebars
  - Format of the Trial
  - Invention of Fact
  - Manner of Examination
  - Motions
  - Objections
  - Presumptions
  - Pretrial Activities
  - Voir Dire
- Chapter 9: Rules Violations and Sanctions
- Chapter 10: Policies of the AMTA Board of Directors
  - Board Membership
  - Board Meetings
  - Board Committees
  - Fundraising
  - Halls of Fame
  - Mock Mediation
  - Publicity
  - Website
  - Proposals for Hosting a National Tournament

## **Introduction**

These rules shall apply to AMTA-sanctioned tournaments. Invitational tournaments are not AMTA-sanctioned tournaments.

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 edited by the Rules Committee.

This rulebook incorporates and replaces the following documents:

Midlands Rules of Procedure  
AMTA Rules of Professional Conduct and Decorum  
AMTA Policies  
Rules of Judicial Conduct  
Tournament Rules  
Policy for AMTA Representatives (Interventions)

This rulebook does not replace the following documents:

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

Although invitational tournaments will generally follow these rules and procedures, they are not obligated to. Participants are cautioned that the absence of enforcement of any rule at an invitational tournament does not mean that the rule will not be enforced at a regional or postseason tournament.

Rule application questions that arise during regional or national tournaments will be resolved by the Tabulation Director, who may choose to consult with the Rules Committee if that seems appropriate. The Tabulation Director's decision is final. Any such matter would be subject to review and rule revision at the following Board meeting. The purpose is to ensure prompt resolution of questions and consistent decisions relating thereto.

## Chapter 1: The Philosophy of AMTA

All participants should strive to emulate the finest practitioners in the legal profession. Professional, ethical and collegial behavior is expected at all times. Inappropriate behaviors include but are 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 during tournaments, including underage drinking, from the arrival at registration until departure from the site following the awards ceremony

**Rule 1.1 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 1.1. 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 sanctions including, but not limited to, point deductions, award forfeitures, and exclusion from further participation in AMTA- sponsored events.*

### *Student Participants*

**Rule 1.2 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 1.3 Courtesy.** Courtesy toward opposing team members, judges, tournament officials, coaches and one's own team members is expected of all participants.

**Rule 1.4 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 loss of points or sanctions under Chapter 9.

**Rule 1.5 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 1.6 Damage to property.** No participant shall intentionally take or cause damage to any property of any institution hosting any part of an AMTA-sponsored event 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 sanctions under Chapter 9.

### *Coaches*

**Rule 1.7 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 tournament competitions except during a round as set out in Rule 7.1.

**Rule 1.8 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 1.9 Coaches' responsibility to AMTA objectives.** Every coach has the responsibility to instill in every student by word and by 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.

Coaches also have specific responsibilities during registration, see Rule 2.5, and during AMTA tournaments. See Rules 4.29 and 7.31.

## Chapter 2: Registration/Withdrawal

**Rule 2.1 Registration information.** Registration forms and other information (including policies, rules, and the pairings manual) may be downloaded from the AMTA web site.

### *Registration Requirements*

**Rule 2.2 Requirement of an “official contact person.”** AMTA does not intervene in local disputes and thus recognizes a single primary contact person per school, even if the institution has multiple teams operating under the auspices of different organizations. AMTA will always recognize the Educator Coach/faculty member/ administrator as the primary contact person. In the case of student-run organizations, the primary contact person for the group is the first such individual who pays the school’s registration fee. (6-02) and presents evidence of official institutional sponsorship. Note: A University check is not sufficient to constitute evidence of sponsorship for the purposes of this rule 11-06).

**Rule 2.3 Requirement of a coach or official institutional recognition.** No school may register as an AMTA member or attend an AMTA tournament without an Educator-Coach or official school sanction. (4-93) Each team must have an Educator Coach who shall be the official contact person for that team. If an institutional member has more than one team, the same person (may) must function as Educator Coach for all teams from that institution. Exception: A school may enter teams without an official Educator Coach if evidence of official institutional sanction is presented. Beginning in 07-08, the letter must be written and signed by an administrator at the institution and express that administrator's willingness to assume responsibility for fees incurred by the program and to serve as the point of contact for redress of grievances or complaints regarding the program. Any letter that fails to explicitly take responsibility for the conduct of its program and participants will not meet the requirements of this rule.

**Rule 2.4 Name and address of educator coach.** Name and address of educator coach. Each member team must supply the name and address of its Educator Coach. All materials and correspondence will be sent to the designated Educator Coach only. A team without an Educator Coach must supply the name and address of only one contact person who will be responsible for receipt of all materials and correspondence. AMTA regards the primary contact as the official agent of the program and will accept registrations, bid reservations forms, requests for regional assignment or reassignment and any other correspondence only from the official contact person.

**Rule 2.5 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 notification of changes in participation. At the earliest possible moment, the coach should notify tournament officials of any changes in his/her entry and any special needs of his/her team members.

**Rule 2.6 Team roster required.** Prior to or during registration at an AMTA tournament, each team will submit two copies of team roster. One copy will be retained at the information desk, and the other will be forwarded to the tab room. (6-97)

**Rule 2.7 Number of teams that can be registered.** Institutions may register an unlimited number of teams for regional competition, but only two may compete in any single Regional Tournament. (06-07) Additional teams (above 2) will be assigned to a different regional. (6-07)

### ***Registration Fees and Refund Policies***

**Rule 2.8 Registration fees.** Annual membership fees are \$325 per school (\$175 for new programs). Teams will be charged \$200 per team to register for Opening Round Championship Sites and the National Championship Tournament. (6-02) Teams that participate in a National Tournament and in the National Championship Tournament must pay two postseason fees. The regional registration fee for the first team from each program shall be \$100. The regional registration fees for subsequent teams shall increase by \$25 per team, so that the second team is \$125 the third team is \$150 etc. (06-06)

Teams that withdraw from regionals after October 15 will not be given any credits or refunds. Teams that do not advance to the postseason will receive a credit to be used the following year. No refunds will be given. (6-06)

Beginning in the 2009-2010 season, the Annual Membership fees will be set at \$350 per school (\$200 for new programs) and \$225 per team to register for the National Championship Tournament. (07-08)

**Rule 2.8.1 Multiple campuses.** If two campuses are treated as separate institutions for the purposes of power pairing and postseason bid eligibility, each campus must pay a separate institutional registration fee.

**Rule 2.9 No refunds.** No refunds will be given, but a new program that has paid the fee and is unable to compete may roll the fee over to the next year. This applies to the first registration only and the fee may be rolled over only once. (5-94) Refunds are not given to programs that cancel their participation in an invitational, Regional, National or Championship Tournament, but schools that do not qualify for a National or Championship Tournament will have that portion of their fees applied against the next year's entry fees.

**Rule 2.10 Withdrawal penalties for regional tournaments.** Late cancellation and/or failure to appear will subject a school to the following penalties:

\$50 for teams that drop within 30 days of the start of the tournament, but more than 14 days in advance of the start of regional tournament;

\$100 for teams that drop with 14 days but more than 48 hours before the regional tournament;

\$200 for teams that drop within 48 hours of the start of the tournament but more than 24 hours before the start of the regional tournament;

\$350 for teams that drop within 24 hours of the start of the tournament, but provide proper notice before the registration period for the tournament begins.

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

The Executive Committee may consider appeals of penalty assessments and may waive fines if the reasons for failing to comply with the policy are compelling. (6-04)

If a program has any unpaid fines, no team from that program shall be allowed to participate in an AMTA-sanctioned tournament. (6-06)

For the purposes of assessing withdrawal penalties, the start time of a tournament is deemed to be the start of the check-in/registration period. Accordingly, if a regional tournament's check-in period begins at 2pm pacific time on February 14<sup>th</sup>, a team would have to cancel by 2pm pacific time on February 7<sup>th</sup> to avoid any penalty. (6-06)

No team shall be given the password to the case materials until their payment for registration has been received by the AMTA office and until the team has paid any outstanding penalties. (06-07)

### ***Regional Registration Deadlines***

**Rule 2.11 Timely registration.** The registration for priority placement at a regional is October 15. Teams may register after that time only with the permission of the Regional Tournaments Committee Chair. Regional assignments for teams registered by October 15 shall be posted on the AMTA web page by Thanksgiving. Late registrants will be assigned to regional tournaments on a space-available basis. (6-00)

### ***Postseason Registration Procedures and Deadlines***

**Rule 2.12 Postseason bid acceptance procedures.** Bids to the Opening Round Championship Sites and National Championship Tournament will be posted along with an acceptance form on the AMTA web site no later than the Tuesday following the last Regional. Teams that qualify for bids to an Opening Round Championship Site and the National Championship Tournament must download the mandatory reservation form from the AMTA web site and follow the directions to complete and return by the specified deadline. Any team that does not complete and return its reservation form on time forfeits its slot. (6-98)

The deadline for accepting a postseason bid be deemed noon central time on the first Tuesday following the tournament at which the bid was earned. Additional time for accepting the bid may be provided at the discretion of the Tabulation Director or the President. (6-06)

**Rule 2.13 Penalties for declining postseason bids.** If a team cannot attend an Opening Round Championship Site or the Championship Tournament after accepting a bid, it must notify the AMTA office and the host immediately. The following penalties will be assessed for teams that drop out of an Opening Round Championship Site or the National Championship Tournament in an untimely fashion.

- \$100 for teams that drop more than one week in advance of the tournament to which they accepted a bid;
- \$250 for teams that drop less than one week but more than 72 hours in advance;
- \$350 for teams that drop less than 72 hours but more than 48 hours in advance;
- \$500 for teams that drop less than 48 hours but more than 24 hours in advance;
- \$750 for teams that fail to show for the tournament or that leave the tournament early without permission of the AMTA Representative.

The Executive Committee may consider appeals of penalty assessments and may waive fines if the reasons for failing to comply with the policy are compelling. (6-04)

To properly withdraw a bid, a team must notify both the tournament host and the Regional Tournaments Committee Chair. The time of notification of withdrawal does not occur until both parties are notified. (6-06)

## Chapter 3: Eligibility

### *Team Eligibility*

**Rule 3.1 School membership required.** Only teams from schools that belong to the American Mock Trial Association may compete in regional and national tournaments. Invitational tournament hosts may determine qualification.

**Rule 3.2 Membership qualification.** Any post secondary institution of higher education may apply for AMTA institutional membership. AMTA membership guarantees an invitation to participate in a Regional Tournament unless an institution's participation has been limited under Rule 9.2.1.

**Rule 3.3 Number of teams eligible for regionals.** Programs may register an unlimited number of teams for Tournaments (6-04), but a maximum of two teams may compete at any one Regional Tournament (6-07).

**Rule 3.4 Number of teams eligible for the postseason.** There is a limit of two teams per school for advancement beyond regionals. Bye-buster teams are exempt from the limitation. (4-93)

### *Student Eligibility*

**Rule 3.5 Student membership required.** All student participants in AMTA-sanctioned tournaments must be student members of AMTA. The Board of Directors will set the membership fee and may change it at its discretion. Each student must, in addition to paying any required dues (initially set at \$0), complete an application form that will allow AMTA to track its participants and better communicate with alumni. Individual information about students will not be released to any organization outside AMTA. (6-03)

**Rule 3.6 Student eligibility requirements.** Each team must be composed of undergraduate students enrolled at a member school. The term "undergraduate student" includes students enrolled at an institution under the following conditions:

Full and part-time degree-seeking students at an institution, provided the student is not enrolled as a full-time student at another institution with a mock trial program.

Students enrolled in targeted programs 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.

The following exceptions apply:

**a. Graduation within one hundred and twenty days of the tournament.** Students who graduated less than one hundred and twenty days before a tournament and have not

matriculated in a graduate school may compete, if their member school permits such competition.

**b. Students working on additional undergraduate degrees.** Students with a baccalaureate degree who are enrolled in other baccalaureate programs but who are not seeking and have not earned a professional or graduate degree may continue to compete in mock trial competitions, if their school permits such participation.

**c. Members from more than one institution.** If prior permission of the Executive Committee is obtained in writing, a team may be composed of students from more than one institution. This exception is intended to accommodate new institutions that cannot generate sufficient participation to field a team. It is not intended to allow institutions to combine teams for competitive purposes. If an institution has multiple campuses or “centers” that share registration and administrative functions, where the branches do not grant separate degrees, students at the branch campuses may participate on the same team as students from the main campus. Degree-granting branches are considered separate institutions.

**d. Total number of years.** Students will be allowed to participate in Regional, National and Championship Tournaments for no more than five academic years.

**e. Students on financial or medical leave.** Students who have taken a leave from the institution for financial or medical reasons may compete in Regional, National or Championship tournaments for a maximum of one semester provided that they are in good academic standing with the institution. The program must produce a letter from an administrator other than the program’s Educator or Attorney-Coach certifying that the student is eligible under Part E.

**f. Obligation to verify student status.** The Educator-Coach or Primary Contact has an affirmative obligation to verify each competitor’s eligibility. Submission of a roster at a Regional, National or Championship competition constitutes certification that the status of each participant has been verified.

**g.** The Executive Committee is empowered to interpret these rules and grant exceptions when, in its judgment, extraordinary circumstances make an exception appropriate. Competitive advantage shall not be considered an “extraordinary circumstance.”

### ***Tournament Rosters & Roster Changes***

**Rule 3.7 Number of members on a team.** A team shall consist of no less than six members. Generally, a team may not have more than eight members on it; however, each program is entitled to have one team that has up to ten members on it. (06-07) 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. Teams 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 individual member may compete on more than one team for his/her institution, unless said member is given permission to do so under rule 3.13, by the AMTA Representative, at that Regional or National Tournament.

**Rule 3.7.1 Tournament rosters.** The Regional Tournaments Committee shall create a standardized registration form to be used at all regional and post-season tournaments. The roster shall include a place to indicate which students are available to compete on ByeBuster teams on each side of the case. The roster shall also include the cell phone number for the coach and captain of the team.

**Rule 3.8 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. (6-96)

**Rule 3.9 Changing composition from regionals to the postseason.** Schools may adjust composition of a team between regional and national tournaments. (6-92)

**Rule 3.10 Changing composition in the postseason.** Schools may adjust composition of a team between the Opening Round Championship Sites and the Championship Tournament. (7-08)

**Rule 3.11 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 the AMTA Representative before or after a round, but not to a judge, and not during a round.

### *Trial Roles and Substitutions*

**Rule 3.12 Allocation of roles to team members.** The roles to be played by team members are left to the discretion of the coaches. There is no requirement that a team member play a witness on one side and an attorney on the other. However, there must be three witnesses and three student attorneys in each round. Furthermore each student attorney must conduct at least one direct and one cross-examination per round, and no attorney may give both the opening and closing remarks.

**Rule 3.13 Substitutions in case of illness.** If a participant becomes too ill to compete, other students may substitute for the ill participant. Permissible substitutes include other members of the affected team who are not competing during that round, a student timekeeper, a member of the opponent's team who is not already competing in the round, or any other student member of any team competing in the tournament but not in that particular round. If no one is available or the team chooses not to use one of these options, the judges will enter a zero for the role(s) and the round will proceed.

## Chapter 4: General Tournament Rules

### *Awards*

**Rule 4.1 Regional team awards.** The following awards will be presented at Regional Tournaments: Team Trophies for the top 8 finishing teams and 1 Spirit of AMTA plaque. (07/08). The trophies will not differentiate in size or in place, and shall state on them “Championship Series Qualifier” along with the appropriate year.

**Rule 4.2 Postseason team awards.** Trophies will be awarded to each team that qualifies to the Championship Tournament from the Opening Round Sites. The trophies will be uniform in size and the plate on each trophy will indicate that said team is a qualifier to the Championship Tournament versus identifying a particular finish, e.g., 'first place', 'second place', and so on. (7-08) Team trophies will be awarded for places 1-10 in each division of the Championship Tournament, with five honorable mention plaques. (6-99) The announcement of team awards shall begin (not end) with the presentation of honorable mention awards. (6-02) A minimum record of 4-4 or its equivalent is required for Opening Round Championship Site or National Championship team award recognition. (11-04)

**Rule 4.3 Individual awards.** A minimum of 10 individual attorney and witness awards shall be given in each regional and each division of a postseason tournament. Additional awards shall be given to students tied for 10<sup>th</sup> place. (6-05) Ideally, the number of individual plaques awarded should be limited to ten per category. If, however, ties create the need for additional individual plaques, AMTA Representatives should contact the AMTA office within two weeks of the tournament, giving 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 a national tournament or those whose teams are coached by an AMTA board member. (6-97) Individual award winners at regional tournaments shall be designated All-Region Attorneys and Witnesses. (6-07)

**Rule 4.4 All-American awards.** All-American designation is limited to the National Championship Tournament. (6-04) Outstanding Attorneys and Witnesses will be recognized at the Regional Tournaments and at the Opening Round Championship Sites. Students receiving 18 or more ranks on one side of the case at the Championship Tournament will be designated as Intercollegiate All-American Witnesses or Intercollegiate All-American Attorneys. Should the number of students receiving 18 ranks or more be less than 10, those students who place among the top ten in individual rankings will receive All-American Status. (6-04) Students performing in both attorney and witness roles may earn All-American designation in both categories. (6-98) All students participating in the National Championship final will be given All-American Awards.

**Rule 4.5 Non-AMTA awards.** If outside groups want to present awards at AMTA events members of the AMTA board will be included on the selection committees for the

awards. (6-96)

**Rule 4.6 Author awards.** The case authors will receive a plaque. (6-97)

### ***Ballots***

**Rule 4.7 Official ballots.** Official AMTA ballots shall be used for all rounds including the final round at AMTA tournaments. (5-92)

**Rule 4.8 Ballot requirements.** 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 the AMTA Representative or tournament host. (6-97)

**Rule 4.9 Ballot distribution.** Ballots shall not be distributed prior to the end of a tournament. (6-98) Tournament hosts should provide each team captain with an envelope into which judges can insert the blue sheets of their ballots. 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 in terms of scores, character names, and P/D markings. (6-01)

**Rule 4.10 Ballot retention.** AMTA shall maintain a set of tournament blues from all regional and postseason tournaments in a given year until at least 30 days after the conclusion of the National Championship tournament.

### ***ByeBuster Teams***

**4.11 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 tournament administrators. When practical, teams should not be allowed to provide members to a bye-buster team that is facing another team from the same institution. Should a school with alternates or coaches refuse to supply personnel for a bye-buster team upon the request of the AMTA Representative, that program's teams may be removed from the tournament by the AMTA Representative. If the school has more than one team, the team with the best record at the time will be removed.

*Comment to rule 1.7. A bye-buster team may be recognized for its final placement. However, it never receives a team award or a bid to National or Championship Tournaments. Students volunteering to serve on a bye-buster team are eligible for individual awards based upon bye-buster team participation.*

Note that the Tabroom Manual has a number of specific provisions regarding the constitution of ByeBuster teams, their eligibility for awards, etc.

### *Captains' Meetings*

**Rule 4.12 Necessity of one captain.** Each team must have a Captain. The Captain shall represent the team at Captains' Meetings.

**Rule 4.13 Captains' Meetings required.** Captains' Meetings shall be held at AMTA tournaments. (5-92)

**Rule 4.14 Captains' Meeting start times.** Captains' Meetings shall be scheduled to begin at least 45 minutes prior to the start of Round One and at least 20 minutes prior to the start of subsequent rounds in AMTA tournaments. (6-96)

**Rule 4.15 Prompt arrival required.** The Captain for each team shall arrive promptly for all scheduled meetings of team captains and perform all functions required by the tournament official presiding over the Captains' Meeting. Any team whose Captain does not appear on time for a scheduled Captains' Meeting may be sanctioned pursuant to Chapter 9.

**Rule 4.16 Penalties for failing to timely arrive.** If a team's failure to have a representative present at the scheduled start time for the Captains' Meeting delays the start of any trial, that team shall automatically lose any tie-breaker at that tournament. (6-97)

**Rule 4.17 Required functions at the Captains' Meetings.** Captains shall complete the following tasks at the Captains' Meetings.

(a) **Witness selection.** Witnesses shall be selected 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.

(b) **Ballot preparation.** At the Captains' Meeting, the opposing Captains shall neatly complete the non-judges' portions of the sets of ballots required for the trial. 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 one round, the two most unfavorable to the plaintiff/prosecution will be used. Ballots shall be pre-marked by Captains to show team and round numbers. (4-93)

(c) **Tournament announcements.** It shall be the responsibility of the team Captain to report to all team members, coaches and observers any tournament announcements made at the Captains' Meetings.

### *Case Materials*

**Rule 4.18 Affidavits.** All affidavits shall be treated as sworn to and signed by the

witness. All affidavits are assumed to have been reviewed and updated by each witness immediately prior to trial. Each witness is assumed to have affirmed that no changes to the affidavit are necessary. (6-97)

**Rule 4.19 Updates.** Teams must obtain all case materials and updates via the AMTA web site. (6-00) Case changes for any post-regional competition will only be posted after the completion of the last Regional Tournament. (06-07)

**Rule 4.20 Extrinsic Materials.** 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 at use in that competition. (06-07)

### *Facilities*

**Rule 4.21. Tournament facilities.** The host will provide facilities that are adequate for the mock trial tournament. Each pair of competing teams 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 4.22 Accessibility and accommodations.** The host shall consider and accommodate the needs of physically challenged participants, judges, and spectators to the fullest extent possible. Member institutions sending any students requiring accommodations should notify the host as early as possible.

### *Hosts*

**Rule 4.23 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 4.24 Hosts' judge recruitment duties.** Hosts will recruit for three judges per round exclusive of coaches. (6-97)

**Rule 4.25 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. (6-97) AMTA will make available to hosts of all sanctioned tournaments a standardized set of forms, signs, materials, and a "how-to" manual. (6-96)

### *Judges*

**Rule 4.26 Recruitment of judges.** Tournament hosts may recruit judges from local bar

associations, institutional mock trial and law school alumni or any other reasonable source. A Regional, National or Championship Tournament host shall make every effort to recruit three attorneys per round to act as judges.

**Rule 4.27 Assignment of judges.** At least two individuals shall assign judges to rounds at AMTA-sanctioned tournaments. At National and Championship Tournaments, the AMTA Representative (a Board member who does not have a team in competition at that tournament) shall assign or assist in assigning judges to rounds. (6-00) Judges of the National Championship Round shall be assigned by the Tournament Host in consultation with the National Tournaments Committee Chair. The National Championship Round shall be judged round shall be scored (6-06) by an odd number of at least three and no more than nine judges. If possible, the presiding judge should not score. (6-05)

**Rule 4.28 Information for judges.** A case summary and a copy of the AMTA rules will be provided to judges in AMTA-sanctioned tournaments. All handouts to be given to judges at AMTA-sanctioned tournaments must be approved by the Board or the Executive Committee. (6-98) Judges will be provided with a password to the AMTA website so that they can access case materials prior to coming to a tournament. (6-01)

**Rule 4.29 Judges' meetings.** The Board will create a standard presentation for judges and make the presentation available on the AMTA web site. (6-02) Educator and Attorney Coaches may observe Judges' Meetings held prior to rounds. (4-93) A Judges' Instruction Summary sheet will be distributed along with a paper copy of the ballots to judges to review during the judges' orientation session. A copy of the summary sheet should be made available to each team. (6-96)

**Rule 4.30 Judges' critique.** Judges must complete the scoring sheet and send it to the tab room before declaring a recess or providing an oral critique given at the end of an AMTA trial. (4-93)

**Rule 4.31 Coaches as judges.** If insufficient numbers of outside judges are available to judge at a Regional, National or Championship Tournament, attorney-coaches may be used. If the numbers are still insufficient to cover the rounds, experienced Educator-Coaches may then be used. (6-96). The AMTA Representative(s) shall distribute Coach-Judges evenly through the field, avoiding assignment of more than one Coach-Judge to any trial. (6-05)

### *Opening Meetings*

**Rule 4.32 Opening meeting required.** There will be all-team informational meetings for members at the beginning of tournaments. (4-93)

### *Results*

**Rule 4.33 Distribution of ballots.** Ballots shall not be distributed prior to the end of a tournament. (6-98)

**Rule 4.34 Review period.** Results shall be distributed at the conclusion of a tournament, and teams shall have 30 minutes to submit claims of error—after that, results will be final. (5-94) Because of the open tab room policy, team representatives must review results and report errors within 30 minutes of the end of a round or forfeit the right to make corrections. (6-03)

AMTA Representatives have the discretion to correct errors, including those in pairing, tabulation or recording provided that such errors can be corrected without undue tournament schedule disruption. Record errors shall be corrected if discovered within the 30-minute review period for each round. Pairing errors discovered within the 30-minute review period shall be corrected if such correction can be made without undue tournament schedule disruption. The AMTA Representative(s) shall not correct any errors discovered after the expiration of the 30-minute review period unless pairings can be redone without undue tournament schedule disruption. (06-07)

**Rule 4.35 Tab summaries.** AMTA-sanctioned tournaments will produce a tabulation summary, (4-93) which shall be distributed to participating teams and forwarded to the AMTA office for posting on the AMTA web site. (6-02)

### *Scoring*

The vast majority of “rules” regarding scoring/tabulation have been moved to the AMTA Tabulation Manual. Comments regarding how to evaluate teams are in Rules 7.22-30. The Tabulation Director has the final say over interpretation of any issues contained within the Tabulation Manual. (06-07) Any rule or policy changes that affect pairings or tiebreakers will be added to the Step by Step Pairing Guidelines no later than the first day of September following the annual summer Board meeting. These changes and additional amendments shall be incorporated into the Pairings Guidelines by the designate of the President and shall be ratified by the Board via an email vote conducted no later than September 15. (6-04).

### *Scouting*

**Rule 4.36 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 proceeding except that the court may clear the court room during its deliberations at the end of a round. Witnesses shall not be sequestered except pursuant to the Midlands Rules of Evidence.

See also Rules 4.43-44 regarding videotaping.

### *Schedule*

**Rule 4.37 Accommodation of Religious Practices.** AMTA will attempt to accommodate the religious practices of all participants so that they may participate in Regional, National and Championship Tournaments, unless the accommodation requires

fundamental changes in the format of the tournament. The Regional Tournaments Committee Chair and regional host(s) and the National Tournaments Committee Chair and national hosts will make the determination as to whether accommodations are possible. (6-00)

### *Structure*

**Rule 4.38 Rounds.** Regional, National and Championship Tournaments shall consist of four regular rounds of competition in which all teams compete. Each competing team shall represent each side of the case twice. Teams are required to perform twice as plaintiff/prosecution and twice as defense in four-round tournaments. (6-03)

The Championship Tournament shall have a Championship Round to determine the National Champion. The winner of each Championship Tournament division will compete in the Championship Round.

### *Time Limits*

**Rule 4.39 Time limits.** Time limits for all trials in Midlands shall be strictly observed.

**a) 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

**b) Plaintiff's/Prosecutor's rebuttal.** The plaintiff's attorney in a civil case or prosecutor in a criminal case may reserve up to five minutes of closing time for rebuttal provided the attorney requests reservation of remaining time for rebuttal prior to commencing the closing argument proper.

**c) 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.

**d) Expiration of Time.** If a team runs out of time for direct examination before all of its witnesses are called to the stand, that attorney who was slated to direct that 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 chooses to exercise this option the witness will receive a cross examination score and the crossing attorney will also 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 receive no score.

**Rule 4.40 Running-Clock Guideline and All-Loss Rule.** The running clock guideline

and the All-Loss rule will be used at all AMTA-sanctioned tournaments.

**a) Running-clock guideline defined.** The running-clock guideline suggests that the case-in-chief of each party be conducted in one hour or less. The case-in-chief includes the direct and cross examinations of three witnesses, objections, arguments on objections and all other matters presented to the court in connection with the testimony of the three witnesses for each side. It does not include the opening and closing statements. The running clock guideline does not serve as the basis for “all-loss” or other penalties.

**b). All-Loss rule defined.** The All-Loss Rule requires that trial rounds be completed within three hours of the official “start time,” which is defined as the time the last judging panel arrives at its assigned room. To implement this rule a tournament official at each competition site shall take note of the start time. The tournament official shall immediately calculate the All-Loss time by adding 180 minutes respectively to the start time. The official shall post the All-Loss time. It is the responsibility of the teams to ascertain the All-Loss time. Teams involved in a round that passes the All-Loss time shall each have one ballot subtracted from their final total. The actual record of each team (before the penalty is imposed) shall be used for the purposes of pairing and tiebreakers. (06-07)

**1. Round defined.** A round begins when the judges enter the room and ends when the blue scoring sheets are submitted to a tournament official.

**2. All-Loss time explained.** The All-Loss time is the time when the All-Loss penalty goes into effect.

**3. Request for intervention by the tournament officials.** The AMTA Representative or his/her designee may intervene to get a delayed trial back on schedule and may allow adjustment to the operation of this rule to prevent unfairness on those rare occasions where delay in a trial occurs without any contribution from team participants. A representative of either team must make a timely request to the AMTA Representative who will observe the trial and determine whether the team requesting intervention is entitled to assistance or relief. Decisions of the AMTA Representative are final. No relief from the operation of Rule 4 may be granted by a Presiding or Scoring Judge.

**4. Returning a ballot to a judge.** If a ballot is returned to a judge after submission it cannot result in an All Loss penalty as long as closing arguments have been completed and the ballot was in the hands of a tournament official prior to the All Loss time.

See also Rules 7.13-16 regarding timekeepers.

**Visual Aids - Rule 4.41 and 4.42 have been incorporated into rule 8.3 (7-08)**

### *Videotaping*

**Rule 4.43 Videotaping and Recording.** The Championship round of the Championship

Tournament will be recorded. All participants agree to permit recording and distribution of these recordings by AMTA as a condition of participation. Institutions hosting AMTA-sanctioned mock trial tournaments are encouraged, but not required, to accommodate recording by member schools or to provide videotaping equipment and facilities. Recording of mock trial rounds by participating teams is permitted if:

(a) the person recording the round is affiliated with one of the schools competing in the round,

AND

(b) the recording does not interfere with the conduct of the round.

*Comment to rule 4.42. Recording can serve many educational purposes. Recording for such purposes is encouraged. Recording for “scouting” purposes is not permitted by the rule. No host institution is ever obliged 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.*

**Rule 4.44 Use of videotapes and recordings.** AMTA tournament events may be recorded by AMTA for promotional purposes or by the media for news purposes. Member institutions may also videotape any round in which one of their teams is participating. Taping of teams in other circumstances is allowed only with their permission. The use of recordings made during mock trial competitions is restricted to the educational use of the institution making the tape. No commercial use is allowed without permission from AMTA and the participants. AMTA officials may record any trial in an AMTA tournament. Member institutions may record any round in which their teams are participating. (6-98) By competing in an AMTA-sanctioned event, each participant grants AMTA the right to record the participant’s likeness and performance and use the recording for any purpose. (6-06)

## Chapter 5: Tournament Specific Rules

### *Invitational Tournaments*

AMTA hosts regional tournaments, intermediate national tournaments, a national championship tournament, a Division II tournament and a mediation tournament. These are the only AMTA-sanctioned and sponsored events. All other events not reflected above shall be deemed "Invitational Tournaments."

**Rule 5.1 Independence from AMTA.** AMTA does not host, organize, fund or endorse any invitational tournament. These tournaments are being exclusively hosted, organized and administered by the host programs and completely independent of AMTA

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

**Rule 5.3 Rules and policies.** As an Invitational Tournament is not an AMTA sanctioned event, all rules and policies are subject to the host institutions discretion. All aspects of the tournament are at the discretion of 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. However, they must make that request in writing. Any such request in writing must indicate that host school, program or institution acknowledges that the AMTA is neither sponsoring, organizing or hosting the event.

**Rule 5.5 Recommendation of general liability insurance.** Hosts are strongly encouraged by AMTA to obtain general liability insurance for the event if they choose to host. Often times the tournament or event would be covered under the host institutions policies or may involve the purchase of an umbrella policy.

### *Regional Tournaments*

**Rule 5.10 Regional tournaments defined.** Regional Tournaments are those tournaments selected by the Regional Tournaments Committee to serve as qualifying tournaments for postseason AMTA events. (6-06)

**Rule 5.11 Regional tournament dates.** Regional Tournaments may be held on the last weekend in January or on any weekend in February. (6-99). Hosts should avoid the

LSAT weekend.

**Rule 5.12 Regional host eligibility.** Regional Tournament hosts can be any member school or other qualified organization that meets the criteria laid out by the Regional Tournament committee and the criteria established in these rules. (06-07)

**Rule 5.13 Regional host selection.** Regional Tournament hosts are selected through a bid process. Regional Tournament hosts must submit a regional proposal as outlined by the Regional Tournament Committee in order to be eligible to host a Regional Tournament. Nothing in this rule shall be interpreted to require current Regional Tournament hosts from going through the bid process. (06-07)

**Rule 5.14 Regional AMTA representatives.** At least one AMTA Representative shall be assigned to each Regional Tournament. An Representative shall be a Board member, candidate-member or other individual approved by the Regional Tournaments Committee Chair who does not have a team in competition at the Regional Tournament to which s/he is assigned. The AMTA Representative shall oversee the tabulation room, resolve disputes and insure compliance with all AMTA rules and procedures. (5-94) If possible, two AMTA Representatives should be assigned to each Regional Tournament. (6-04)

AMTA Representatives have the discretion to correct errors, including those in pairing, tabulation or recording provided that such errors can be corrected without undue tournament schedule disruption. Record errors shall be corrected if discovered within the 30-minute review period for each round. Pairing errors discovered within the 30-minute review period shall be corrected if such correction can be made without undue tournament schedule disruption. The AMTA Representative(s) shall not correct any errors discovered after the expiration of the 30-minute review period unless pairings can be redone without undue tournament schedule disruption. (06-07)

**Rule 5.15 Regional registration and assignments.** A member school may register an unlimited number of teams for regional competition. If a member institution registers more than two teams, a maximum of two teams may be sent to one regional competition. (6-04) Additional teams will be assigned to different regional sites. (6-03) Programs may request that their teams be split among two or more regionals, regardless of the number of teams fielded. The requests will be accommodated when accommodation meets the needs of AMTA. (6-05) If a school is assigned to more than one Regional Tournament site, the Regional Tournaments Committee (not the program in question) will determine all site assignments. (6-03) Only two teams from any institution will be eligible to advance to the National or Championship Tournaments. Regional assignments for teams registered by October 15 shall be posted on the AMTA web page by Thanksgiving. Late registrants will be assigned to regional tournaments on a space-available basis. (6-00)

**Rule 5.16 Regional assignment criteria and procedures.** The Regional Tournaments Committee Chair, in consultation with the Regional Tournaments Committee, will assign every member institution to one or more Regional Tournaments. Assignment of schools 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);
- (b) implementing Board policy to equalize the number of teams at all Regionals;
- (c) assigning teams of 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 program (i.e. A team, B team, etc.) to better balance power among regionals; and
- (f) accommodating schools who wish to move outside their region only if doing so assists AMTA's Regional Tournaments Committee Chair in implementing criteria a-e.

The Regional Tournaments Committee may dictate where a program's teams are assigned. Programs are expected to follow this designation and a failure to do so may result in sanctions under Chapter 9.

Late registrations will be accepted, but assignments to Regional Tournaments will be made on a space-available basis. No one may overrule assignments of the Regional Tournaments Committee. **Teams may not "region shop."** If a team appears at a regional where it was not assigned, it will not be allowed to compete, except as the byebuster team, and shall be ineligible for bids, trophies, individual awards, and all other forms of recognition. (6-97) A minimum of six teams from at least three schools is required to hold a Regional provided that there is no other Regional Tournament scheduled within a six-hour drive. (6-98) Newer teams should have to travel the least. Teams may not move out of their assigned Regional Tournament *except under extraordinary circumstances AND with the permission of the Regional Tournaments Committee Chair.* (6-99)

**Rule 5.17 Regional host manual.** All regional hosts will receive an updated hosting manual and information on evaluation procedures prior to the start of the academic year. (6-04)

**Rule 5.18 Regional host reimbursement.** Regional Tournament hosts will be provided with a minimum of \$40 times the number of teams assigned. (6-97) Regional hosts are not permitted to charge teams additional fees (above those paid to AMTA) to participate in a regional qualifier. (6-01)

**Rule 5.19 Regional evaluations.** Each Regional Tournament will undergo a site evaluation process that includes (a) a report from the AMTA Representative and (b) evaluations from all teams at that site. This information will be provided to the Regional Tournaments Committee Chair, who in consultation with the Regional Tournaments Committee will make a recommendation about the quality of all sites. These reports will be shared with the Regional Tournament hosts. If a site has significant problems, the host shall be informed in writing by the Regional Tournaments Committee about the

nature of the deficiencies and be given one year to remove them. If the host fails to remove the deficiencies for two years in row, the Regional Tournaments Committee Chair, in consultation with the Regional Tournaments Committee, may remove that college or university as a Regional site. (6-04)

### *Postseason Tournaments*

**Rule 5.18 Opening Round Championship Sites.** AMTA will sponsor two (or more) Opening Round Championship Sites (7-08)

**Rule 5.19 Location of Opening Round Championship Sites.** The Board of Directors will determine the location of the sites for post-regional tournaments. (06-07)

**Rule 5.20 Schedule of Opening Round Championship Sites.** The National Tournaments Committee will establish the schedule for all post-regional tournaments. (6-04)

**Rule 5.21 Dates of Opening Round Championship Sites.** If possible, the Board will schedule tournaments so that there is a minimum of two weeks between the last Regional and the first Opening Round Championship Site and between the final Opening Round Championship Site and the Championship Tournament.

**Rule 5.22 Eligibility for Opening Round Championship Sites.** Every team that competes in a National Tournament must be from an affiliated AMTA member institution and must qualify for an Opening Round Championship Site at a Regional Tournament sanctioned by AMTA. Only two teams from a single institution may qualify for a post-regional tournament. Bye-buster teams are exempt from the limitation. (4-93)

**Rule 5.23 AMTA representatives at Opening Round Championship Sites.** At least one AMTA Representative, defined as a Board member, candidate-member or other individual approved by the National Tournaments Committee who does not have a team in competition at the tournament to which he or she is assigned, shall be assigned to each division at the Opening Round Championship Sites. (6-04) The AMTA Representative shall oversee the tabulation room, resolve disputes and insure compliance with all AMTA rules and procedures. (5-94)

AMTA Representatives have the discretion to correct errors, including those in pairing, tabulation or recording provided that such errors can be corrected without undue tournament schedule disruption. Record errors shall be corrected if discovered within the 30-minute review period for each round. Pairing errors discovered within the 30-minute review period shall be corrected if such correction can be made without undue tournament schedule disruption. The AMTA Representative(s) shall not correct any errors discovered after the expiration of the 30-minute review period unless pairings can be redone without undue tournament schedule disruption. (06-07)

**Rule 5.24 Pairings at National Tournaments.** Public drawings shall be held at a

predetermined time and place for the first round pairings at the Opening Round Championship Sites. (6-02)

**Rule 5.25 National Championship Tournaments.** AMTA will sponsor one National Intercollegiate Championship Mock Trial Tournament (hereinafter referred to as the “Championship Tournament”). (06-07)

**Rule 5.26 Location of Championship Tournament.** The location of the Championship Tournament will rotate among host sites, with Des Moines, Iowa to be the location every other year. Board of Directors will determine the location of the sites for post-regional tournaments. (06-07)

**Rule 5.27 Dates of Championship Tournament.** If possible, the Board will schedule tournaments so that there is a minimum of two weeks between the final National Tournament and the Championship Tournament. The dates of the Championship Tournament will be set two years in advance by the Board of Directors.

**Rule 5.29 Eligibility for Championship Tournaments.** Every team that competes in a Championship Tournament must be from an affiliated AMTA member institution and must qualify for a National Tournament at a Regional Tournament sanctioned by AMTA. Only two teams from a single institution may qualify for National and/or Championship Tournament competition. Bye-buster teams are exempt from the limitation. (4-93) No student who is listed on a National Tournament roster may compete in the National Championship Tournament unless the student’s institution has a team competing in a National Tournament which then receives a bid to the National Championship Tournament. (06-07)

**Rule 5.30 AMTA representatives at Championship Tournaments.** At least one AMTA Representative, defined as a Board member, candidate-member or other individual approved by the National Tournaments Committee who does not have a team in competition at the tournament to which he or she is assigned, shall be assigned to each division at the Championship Tournaments. (6-04) The AMTA Representative shall oversee the tabulation room, resolve disputes and insure compliance with all AMTA rules and procedures. (5-94)

AMTA Representatives have the discretion to correct errors, including those in pairing, tabulation or recording provided that such errors can be corrected without undue tournament schedule disruption. Record errors shall be corrected if discovered within the 30-minute review period for each round. Pairing errors discovered within the 30-minute review period shall be corrected if such correction can be made without undue tournament schedule disruption. The AMTA Representative(s) shall not correct any errors discovered after the expiration of the 30-minute review period unless pairings can be redone without undue tournament schedule disruption. (06-07)

**Rule 5.31 Pairings at Championship Tournaments.** Public drawings shall be held at a predetermined time and place for the first round pairings at the Championship

Tournaments. (6-02)

**Rule 5.32 Divisions at the Championship Tournament.** The Championship Tournament will be run in two divisions. If two teams from a single member institution compete they will be assigned to the same division. The divisions for all postseason tournaments will be drawn by hand, using the following parameters: (7-08)

- Assign the Opening Round Championship winners between the two divisions equally.
- Assign each champion from an Opening Round Championship Site to a different division than the next highest placing program from the same Opening Round Championship Site.
- Divide the top 20 teams in the Bonus Bid Rankings equally between the divisions.
- Randomly draw and assign the remaining teams between the divisions.

**Rule 5.33 Swing teams.** The AMTA Tabulation Director may assign one team in each division at each post-regional tournament as a “swing” team that will switch divisions if, when a new team is added to the field, it is necessary to move a team to comply with the rule that no program may have teams in two different divisions. 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. (6-05)

If at least one team in both divisions of a post-season tournament will not be arriving, a swing team may be moved from one division to the other to prevent the need for a ByeBuster in both divisions. The swing team should move into the division that had the higher ranked no-show (based on bonus bid rankings, or, if neither team has a bonus bid ranking, its performance at regionals). This procedure ensures that the division that loses a higher ranked team at least stays at its full size. The opponents for the no-show would be swapped to face the swing team (if in the division the swing team moves into) or the swing team's initially scheduled opponent (if in the division the swing team moves out of). If a team is scheduled to arrive late, but is planning to participate, do not move teams from one division to another. Simply field a ByeBuster in each. (6-06).

**Rule 5.34 Championship rounds at Championship Tournament.** The top teams from the two divisions will meet in the Championship round. Teams from the same school will be assigned to the same division and will not meet. (6-98)

## **Chapter 6: Postseason Bid Allocation Procedures**

**Rule 6.1 Special national tournament bid limitations.** Member institutions may qualify two teams, in total, to the many Opening Round Championship Sites. (7-08)

A program may send teams to more than one Opening Round Championship Site. (7-08)

**Rule 6.2 Receipt and return of tournament bids.** Teams that qualify for post-regional bids must download the mandatory reservation form from the AMTA web site and follow the directions to complete and return by the specified deadline (or register online by the specified deadline). Any team that does not complete and return its reservation form may forfeit its slot.

**Rule 6.3 Bonus bid rankings.** Bonus bid rankings will be compiled by taking the number of ballots won in the most recent National Championship Tournament multiplied by 5, the year previous shall be multiplied by 3, and two years previous should be 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 bonus bid credit.

Ties in the Bonus Bid 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. (06-07)

Beginning in 2008-2009, no bonus bids will be awarded to regionals. (7-08)

**Rule 6.4 Opening Round Championship bids: number and allocation.** The number of teams assigned to each Opening Round Championship Site and the designations of which regions feed into which Opening Round Championship Site shall be established by the National Tournaments Committee, in consultation with the Tabulation Director. (7-08)

**Rule 6.5 Opening Round Championship Site bid criteria.** Qualification for the Opening Round Championship Sites shall be based strictly on the order of finish in Regional Tournaments.

For the purposes of award announcements at Regional Tournaments, all teams shall be treated as eligible for post-regional bids. The awarding of a bid in no way alters the two team per program post-regional cap. If a program earns more than two bids, the program shall internally determine which students shall be on the rosters of the post-regional teams. If a program earns more than two bids, the two lowest team numbers shall be used to designate the advancing teams, regardless of which students are on the rosters.

Beginning in 08-09, Opening Round Championship Site bids 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 handed out via the open bid process. (7-08) Should any bid be declined for any reason, including when a bid cannot be accepted because it would exceed the cap on the number of postseason teams from a particular program, the declined bid shall enter a national pool and awarded in accordance with the Open Bid procedures. (7-08)

There shall be 192 postseason bids. (7-08)

Open bids shall be awarded the following series of tiebreakers: (7-08)

1. Regional Win-Loss Record.
2. Whether the program already has a team in the postseason (with those programs without a team in the postseason winning the tiebreaker).
3. Combined strength.
4. The number of teams in the team's regional (with the higher number taking precedence).
5. Bonus bid ranking (with the higher ranking taking precedence).

**Rule 6.6 National Championship bid criteria.** Bids to the Championship Tournament will be allocated as follows:

There shall be 48 bids to the National Championship. Each Opening Round Championship site shall be awarded six (6) automatic bids to the Championship Tournament. (7-08)

In 2008-2009, there shall be a total of 192 bids at the Opening Round Championship Sites.

**Rule 6.7 Act of AMTA Bids.**

Any requests for Act of AMTA bids must be received via email by the National Competition Response Committee Chair by noon (central time) on Tuesday following the completion of the tournament where the alleged error occurred, with the exception of Act of AMTA requests related to the last National Tournament which must be submitted by 4 pm (central time) the day after the tournament ends. The Tabulation Director shall investigate the complaints and report to the CRC within two business days of the submission of the request. (7-08)

For Act of AMTA requests that relate to the last regional tournament or the last National tournament, the CRC Chair may immediately issue an official ruling on the request upon obtaining support for his/her recommendation from at least two other members of the CRC. (7-08)

**Rule 6.8 Open Bids.**

The NTD shall maintain a running total of the rankings of teams eligible for such bids,

updated after the completion of each regional tournament. Open bids shall be awarded on a national basis, meaning no declined bids will be reserved for teams from a particular regional. This list shall be posted online. Any errors discovered after 48 hours shall be corrected but will not result in the reversal of any bid awards already made.

## Chapter 7: Roles and Duties of Participants

### *All Participants*

**Rule 7.1 Communication during a round.** From the time a round begins until it ends, student participants may communicate only with other student participants on the roster of a team competing in that specific trial, judges and tournament officials. If anyone else, including coaches and spectators, attempts to communicate with a student participant during a round, it is the duty of the student to terminate the communication. This prohibition shall include the requirement that all student participants turn the power off on all pagers, cell phones, wireless communication devices, or computers during a round. (7-08) A round begins when the judges enter the room and ends when the blue scoring sheets are handed over to a tournament official. For non-trial related communications exceptions to this Rule may be granted by an AMTA Representative. Normally, advance permission should be obtained.

See also rule 7.16 re: communication with timekeepers.

**Rule 7.2 Team identification.** Participants shall identify themselves to the judges only by assigned team numbers. Clothing and other materials visible to the judges during a trial shall not identify any institution of higher education. 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 trials and breaks.

**Rule 7.4 Dress.** Appropriate dress shall be worn by all participants. Derogatory comments about the appearance of opposing counsel are prohibited under this rule.

### *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 law. Specifically:

(a) 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,

(b) 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.

**(a) Supplementary rules for visually impaired student participants:**

1. Witnesses are presumed to have been sighted at the time of the events described in their affidavit.
2. When direct examination or cross examination of a visually impaired witness involves use of exhibits, affidavits, or other written material, the witness may be assisted as necessary by another team member, including but not limited to identifying for the witness an exhibit or affidavit for which authentication has been requested and reading aloud to the witness from the portion of written material that the examining attorney has made the subject of a question. The assisting team member may not otherwise address the witness, examining attorney, or the court.

**(b) Supplementary rule for hearing impaired student participants.** Witnesses are presumed to have been able to hear at the time of the events described in their affidavit.

**(c) Supplementary rule for students with any physical limitations other than visual or hearing impairments:**

Any students with a physical impairment who perform a witness role shall be deemed to have not had the physical impairment at the time his or her witness statement was created if the physical impairment would have significantly impeded the ability of the character to perform actions attributed to him or her by the case materials.

**Rule 7.10 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 MRE 612.

**Rule 7.11 Characterizations.** Witnesses may develop the persona of their character. Any dress, demeanor, and appearance consistent with Article 1 and Rule 4.4 of these rules may be used.

**Rule 7.12 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.

### *Timekeepers*

**Rule 7.13 Necessity of a timekeeper.** Each party is expected to supply a timekeeper for each trial. The timekeeper is an officer of the court while keeping time during a round. Although it is preferable for a team to supply a timekeeper other than those who are serving as witnesses or attorneys, a team does not violate this rule by using its witnesses or a rostered team member of the team in that round as a timekeeper. A team *does* violate this rule by using a coach, another spectator, or a team member from the same institution, but who is not a member on the roster of the team competing in that round. (7-08)

**Rule 7.14 Duties of timekeepers.** Each timekeeper shall accurately monitor the time elapsed. In order to assist his/her team in complying with Midlands Rules of Civil Procedure 3 and 4, 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 the 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.

AMTA will post timekeeper sheets on the AMTA web site, (4-93) and teams are responsible for downloading and bringing at least four copies (one per round) to tournaments. (6-02)

**Rule 7.15 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.

**Rule 7.16 Communication during a round.** Timekeepers, if they are student members on the roster of a team competing in that specific trial, may communicate only with other student participants, judges, and tournament officials once a round begins.

### *All Judges*

**Rule 7.17 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, team 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 7.18 Presiding Judge required.** In each round, 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 7.19 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 7.20 Argument on objections.** The court, at its discretion, may allow limited argument on objections and may question counsel concerning objections.

**Rule 7.21 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 7.22 Scoring Judges.** There should be two Scoring Judges in each round. The role of the Scoring Judge is to evaluate the performance of the witnesses and attorneys in the round.

**Rule 7.23 Ballots.** In scoring the round, 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 7.24 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 7.25 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 7.26. Scoring performance of the participants.** [Criteria will be updated with the next printing of the ballots, expected in 2005].

**(a) Scoring witnesses.** The scores of students playing witness roles should be based on 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 the Scoring Judge whether testimony offered by a witness is reasonable inference or outrageous invention. The Scoring Judge should deduct points from the score of a witness who engages in outrageous fact invention. See rules 3.4 and 3.5, AMTA Rules of Professional Conduct and Decorum.

The following guidelines should be used in selecting the numerical score to be given for a student's performance as a witness:

**Points**  
**Description**

10  
Excellent  
5  
Average  
1  
Poor

**(b) Scoring student attorneys.** In scoring student attorneys, judges may consider the student's mastery of trial techniques, understanding of the legal issues and 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 that are inherent in mock trials.

**(c) Scoring guidelines.** The following guidelines should be used in selecting the numerical score for a student's performance as an attorney:

**Points**  
**Description**

10  
Excellent  
5  
Average  
1  
Poor

**Rule 7.27 Deductions from scores.** At the discretion of the Scoring Judges, points may be deducted for:

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

**Rule 7.28 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 final argument will greatly facilitate the operation of the tournament.

**Rule 7.29 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 round or the tournament.

**Rule 7.30 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:

(a) **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 usually a good idea to write such comments as the trial progresses while they are fresh, but judges should feel free to add to their comments after the trial, too. Each team will get one copy of the ballot.

(b) **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 rounds. 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 rounds and sharing insights and experiences are beneficial to the students. Time is important. Time is always a factor 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 7.31 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:

(a) **Notification of changes in participation.** At the earliest possible moment, the coach

should notify tournament officials of any changes in his/her entry and any special needs of his/her team members. Late cancellation and/or failure to appear may subject a school to fines. Refunds are not given to programs that cancel their participation in an invitational, Regional, National or Championship Tournament, but schools that do not qualify for a National or Championship Tournament will have that portion of their fees applied against the next year's entry fees.

Fines may be assessed if a team's withdrawal is not timely. See Rules 2.10 and 2.12.

**(b) Participation as an official or judge.** All coaches are expected to assist the tournament administrators by making themselves available to help as needed.

**(c) Avoid contact during a round.** Coaches must not contact or attempt to contact by any means, whether personally or through another, directly or indirectly, verbally or nonverbally, any member of a team during a round. This limitation includes breaks or recesses permitted by the court.

**Rule 7.32 Coaches as Judges.** Whenever there are insufficient Judges to provide two Judges for each round of competition, Attorney and experienced Educator Coaches who have come to the tournament with their teams must agree to judge. When Coaches are used as Judges, they will be assigned from the bottom of the bracket up. Coaches who act as Judges shall set aside partisan interests and be fair and reasonable in presiding and scoring as Judges. AMTA Representative shall distribute Coach-Judges evenly through the field, avoiding assignment of more than one Coach-Judge to any trial. All Attorney-Coaches and Educator-Coaches are expected to serve as Judges upon the request of the AMTA Representative. 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 competition rooms that have a jury box, the table closest to the jury shall be given to the plaintiff/prosecution. 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 MRE 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. Rule 8.4 makes clear that arguing for hyper-technical interpretations of the rules is to 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 Demonstratives and exhibits.** No photographs, pre-made maps, or pre-made drawings of particular people or places may be used as demonstratives unless they have been provided with or are specifically permitted by the case materials. Nothing in this rule prevents a witness from creating a demonstrative illustration during the course of his or her examination. Lists, charts, graphs, phrases, etc. are not considered "drawings" for the purposes of this rule. All other items may be used as demonstrative aids provided that they do not violate any other tournament rules or the Midlands Rules of Evidence. (7-08)

Only materials provided in the case packet may be offered into evidence during trial. Exhibits and documents provided in the case packet and demonstratives deemed allowable under this section and pursuant to Rule 8.11 are not automatically admissible at the time of trial. Unless the admissibility of an item has been stipulated, materials remain subject to objection for grounds including, but not limited to, improper foundation. (7-08)

The use of visual aids is permitted so long as such aids are not hazardous or potentially damaging to persons or property. If used, a visual aid must be made available to the opposing attorneys for subsequent use during examination of witnesses and closing argument. The use of electronic or light projected aids is prohibited.

If one team uses posters or enlargements, it must make them available for use by the other team in the round. (4-93) Permanently defacing an opponent's visual aids is not permitted.

**Rule 8.4 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 8.5 Format of the trial.** All trials in Midlands courts are to be treated as jury trials, unless expressly stated otherwise by the case author(s) with the approval of the Case Committee. In the event that the host impanels a jury, the following rules shall apply:

(a) 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.

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

(c) 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.

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

**Rule 8.6 Invention of fact.** In lieu of discovery, this rule shall govern the testimony of all witnesses:

**(a) Content of direct and redirect examination testimony:** During direct and redirect examination, a witness may testify only to facts that are either stated in or which could be reasonably inferred from the witness's affidavit. Such inferred testimony may fill in details of the witness's answer, provide background information or develop the character of a witness as long as it does not introduce substantive new facts.

**(b) Content of cross and recross examination testimony:** During cross and recross examination, a witness's answers to questions posed by the cross examiner must (1) be responsive to the question, and (2) not be contradictory to that witness's affidavit. An unlimited number of redirects and recrosses are permitted subject only to a) time limits and b) the limitation that all crosses and redirects other than the first cross of each witness are limited to issues raised in the prior cross, redirect, or recross.

*Comment to Rule 8.6 (b): Under cross examination and recross examination, witnesses may invent facts as long as they are responsive to the question asked and do not contradict their affidavits.*

**(c) Remedy for violation of Rule 8.6(b):** If the cross-examiner believes that the witness has exceeded the limitations of this rule, the only remedy available to him or her during the trial is to impeach the witness using the witness's affidavit or any other written statement of the witness. No other remedy for "invention of facts" is permitted under these rules.

*Comment to Rule 8.6(c) The cross-examiner is not permitted to make an objection to the judge on the basis of "invention of fact."*

**Rule 8.7 Manner of examination.** Whenever possible counsel will stand when speaking to the court, opposing counsel, or a witness and shall maintain a respectful demeanor. Team members should address a jury if there is a jury present and address the bench if there is no jury. *Note: 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.* Unless directed otherwise by the court, counsel will ask permission to approach the court or a witness or to use an exhibit.

**Rule 8.8 Motions.** No motions, except a motion to strike pursuant to Midlands Rule of Evidence 102 and 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 3.4 of the Rules of Professional Conduct and Decorum.

**Rule 8.9 Objections.** Objections to evidence are subject to the following limitations:

(a). When objections are permitted and prohibited. Objections are permitted during the examinations of witnesses but not during opening statements or closing arguments.

(b). 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 Midlands appellate court in a published case provided with the case materials. Beyond-the-scope objection begins after the first cross-examination. (5-94)

(c). 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 8.10 Presumptions.**

(a) Civil cases. In all civil cases the plaintiff shall have the burden of proof, which shall be by a preponderance of the evidence.

(b) Criminal cases. In all criminal trials the prosecution shall have the burden of proof, which shall be beyond a reasonable doubt.

**Rule 8.11 Pretrial activities.** Witnesses will be selected during Captains' Meetings in the order specified in the case. In addition, pretrial meetings of the Captains should be used

to mark exhibits, indicate the sex of witnesses, indicate the sex of named parties or named party representatives of the case where the sex of a party is not dictated by special rule, show opposing Captain(s) demonstrative exhibits that will be used during trial, and fill in team numbers and student names on ballots.

Any problems that arise over exhibits or demonstrative evidence should be taken up with an AMTA Representative. 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. (6-06)

**Rule 8.12 Voir Dire.** Voir dire will be allowed and will count against the time of the team employing it. (5-92)

## Chapter 9: Rules Violations and Sanctions

**Rule 9.1 Policy regarding complaints and sanctions.** It is the policy of this organization that protests and complaints concerning acts or comments of any participant, coach, official, judge or observer of a tournament will not be accepted or processed by tournament or AMTA officials and are not appropriate during the course of a tournament, with one exception. Complaints that the AMTA Representative deems to be egregious (defined in the comment to 9.2.1, below) will be entertained pursuant to this article. All written comments including complaints of any sort are welcome at the conclusion of a tournament and should be submitted to the AMTA Representative.

**Rule 9.2 Policy regarding rule violations occurring at tournaments.** It is the policy of this organization that protests and complaints concerning acts or comments of any participant, coach, official, judge or observer of a tournament occurring at an AMTA-sanctioned tournament must be brought to the attention of an official AMTA Representative at the first break in the trial after the incident occurs or is discovered. The AMTA Representative(s), in consultation with the National Tabulation Director (or Designee), shall determine the manner in which protest will be heard.

**Rule 9.3 Tournament Sanctions.** Any violation of any rule occurring at a tournament may result in imposition of sanctions by the AMTA Representatives. Sanctions are limited to the following: (a) warning, verbal or written; (b) loss of time from any timed portion of a round; (c) loss of opportunity to select witnesses according to the witness selection order; (d) loss of individual or team awards; (e) loss of points; or (f) exclusion of an individual, team, coach or observer from further attendance at, or participation in, the current tournament. The AMTA Representatives are permitted but not required by this rule to impose sanctions for conduct described in Rule 9.4. AMTA Representatives are encouraged to resolve disputes in a manner that does not unfairly impact the competitive balance of a tournament and should consider both the intent of the conduct and impact on the aggrieved team.

**Rule 9.4 Program Sanctions** Any violation of any rule occurring at a tournament may result in the request for consideration of program sanctions for the offending team by the AMTA Representatives. Requests for Program Sanctions shall be made to the Executive Committee of the Board of Directors. Program Sanctions are limited to (a) probation; (b) loss of bid eligibility for the national tournaments; (c) suspension of the coach or team member; or (d) suspension of school membership.

**Rule 9.5 Sanctionable conduct.** Sanctionable conduct includes, but is not limited to, the following:

- (a) Coaching during a round;
- (b) Physical or verbal abuse of any participant;
- (c) Intentionally destroying or defacing property, including an opponent's exhibits;
- (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; and
- (g) Any conduct proscribed by law.

In determining whether sanctions are appropriate and, if so, what sanctions are appropriate, the official AMTA Representatives (and the member of the Executive Committee, if consulted pursuant to Rule 9.5) shall consider the severity of the conduct complained of or observed and the severity of the possible sanctions, and shall endeavor to ensure that the sanctions are no more severe than the conduct warrants. The official AMTA Representatives (and the member of the Executive Committee, if consulted pursuant to Rule 9.5) should also consider the impact any sanctions may have on individuals or teams not directly responsible for the conduct, and shall avoid or at least minimize such impact as appropriate and wherever possible.

**Rule 9.6 Sanction procedures.** Upon receiving a timely complaint involving conduct occurring at a tournament or upon observation by an official AMTA Representative of sanctionable conduct occurring at a tournament, one of the official AMTA Representatives assigned to the tournament, or to the division of a national tournament, shall immediately notify the affected parties. If the affected parties include one or more teams, the official AMTA Representatives shall notify the respective team captain or coach. The official AMTA Representatives will consult the affected parties as well as the complainant, and any third party the official AMTA Representatives believe may have material information regarding the conduct complained of or observed. If the official AMTA Representatives cannot agree on whether sanctions are appropriate or what the appropriate sanctions should be, the official AMTA Representatives shall immediately consult the National Tabulation Director, and the determination will be made by a simple majority of the three officials. If the National Tabulation Director is unavailable for immediate consultation, or is one of the official AMTA Representatives involved, the official AMTA Representatives shall consult a member of the Executive Committee according to the following order: President, President-Elect, Secretary, Treasurer, National Tournaments Chair, Regional Tournaments Chair, Development Director, and Past-President. Once a determination is made, the official AMTA Representative shall immediately notify the affected parties of the determination.

#### **Rule 9.6 Tournament Sanctions- Appeal**

A party dissatisfied with the determination regarding conduct complained of or observed occurring at an AMTA-sanctioned tournament may appeal to the Tabulation Director or, in the event that the Tabulation Director cannot be reached or is one of the two AMTA Representatives, another member of the Executive Committee in the order described in Rule 9.5. The Tabulation Director (or other Executive Committee member) may affirm, modify, or set aside an appealable determination of the official AMTA Representatives with the agreement of at least one of the official 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 9.5. 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.

### **Rule 9.7 Program Sanctions- Appeal**

Imposition of Program Sanctions by the Executive Committee in Rule 9.3 may be appealed to the full Board of Directors. This decision is final.

**Rule 9.8 Persons who can receive complaints.** At all Regional and National Tournaments the AMTA Representative is the only person to whom complaints under this article may be submitted. The AMTA Representative may impose sanctions if s/he receives a complaint that s/he deems meritorious or if s/he observes sanctionable conduct, regardless of whether or not a complaint has been filed. At invitational tournaments, the host will notify participants as to whom complaints are to be submitted. Rule violation complaints may not be submitted to anyone else including any judge of any round.

**Rule 9.9 Rule interpretations by whom.** Except as provided in this chapter, the interpretation of any of these rules during the course of an actual round of competition at any AMTA-sanctioned tournament shall be left solely to the discretion of the Presiding Judge. As noted in the section on rules for scoring judges, judges may dock points if they perceive a rules violation. All other interpretations will be made by the AMTA Representative in consultation with available AMTA Board members.

**Rule 9.10 Rule interpretations how.** During the course of a tournament, but not during a round, complaints or requests for interpretations of a rule should be addressed to the Regional or National Tournaments Committee Chair or designated AMTA Representative.

*Comment: Tournament volunteers are able to answer hospitality questions, but they are not prepared to receive complaints or interpret rules. Whenever possible, concerns and questions arising under these rules should be brought to the attention of officials prior to the competition so that they can be resolved in advance.*

**Rule 9.11. 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 9.12 Policy on interventions**

An intervention occurs when the designated AMTA Representative acts in a manner so as to alter or affect 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. 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. Disagreements regarding evidentiary matters are to be resolved by the judges during the trial.

The decision to intervene should be made by the AMTA Representative(s) present at the time the complaint is brought to the tab room. Representatives from both teams must be present and must be permitted to speak. There also must be convincing evidence that the students made a concerted effort to have the matter resolved prior to coming to the tabroom. Should two or more AMTA Representatives disagree as to the propriety and necessity for intervention, they shall not intervene in the trial.

The Representatives should be guided by a “no harm, no foul” logic. In other words, does the violation really stand to negatively effect one team more than the other (and thus effect the outcome of the trial)? In the case of a presiding judge asking questions to witnesses, for example, 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.

Interventions are permissible in the following circumstances:

1. to prevent the application of the all-loss penalty;
2. to provide clarification of rules upon request of the judges
3. to address a major and flagrant violation of AMTA rules or policies (for example, were a judge to decide that a particular witness cannot 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 their burden).

All other complaints regarding rules violations shall be directed to the AMTA Representative after the conclusion of the trial but prior to the completion of pairings for the subsequent round or the end of the 30-minute protest period. Teams that seek an intervention from the AMTA Representative(s) during trial waive their right to an appeal of the AMTA Representative(s)'s decision.

Lastly, the Representative(s) retain the right to issue sanctions under Chapter 9 should the Representative(s) determine that the request for intervention was frivolous.

## **Chapter 10: Policies of the AMTA Board of Directors**

**Rule 10.1 Board membership.** As the size of the association grows, the membership on the board should be expanded so there are more people to do the necessary work.

**Rule 10.1.1 Candidates.** Board member candidates shall be nominated at the meeting the year preceding their anticipated election and should be in attendance at the nomination meeting. The deadline for submitting names of potential candidate-members to the Executive Committee for consideration is June 1. (6-04)

**Rule 10.1.2 Compensation and reimbursement.** Board membership is uncompensated. (3-94) 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 Championship, National or Regional Tournament to which one or more of their institution's teams is assigned (6-02).

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

- a. serve as AMTA Representatives at Regional tournaments and at National and Championship tournaments (administering captains' and judges' meetings, performing tabulation room tasks in accordance with established AMTA rules and policies);
- b. host invitational and Regional tournaments when possible, recruit and/or mentor new coaches/programs, 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. (6-00)

**Rule 10.1.4 Limitations on members from a single institution.** Institutions may have no more than one voting member on the AMTA Board. A second individual from the same program may serve as a nonvoting officer, or institutions may have two persons who share or alternate votes. (6-02) Individuals sharing votes may serve and vote separately on committees. (6-04) There are no meetings of the membership of the association for business purposes. (6-97)

**Rule 10.2 Board meetings.** The Board of Directors 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. (6-04) 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. (6-04) The agenda for the Annual Meeting will be posted on the AMTA website at least 15 days in advance of the meeting (6-06) The agenda for meetings of the Executive Board shall be published. (6-06) 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. (6-07) 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, recommends rejection, or takes no position. (6-07)

**Rule 10.2.2 Meeting schedules.** The Board will set the time and place of the annual summer meeting at the preceding summer meeting. (6-97) Board committees shall meet on the morning prior to the annual summer Board meeting. (6-02)

**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. (6-06) The minutes of meetings of the Executive Board shall be published. (6-06)

### **Rule 10.3 Board committees.**

#### **Rule 10.3.1 Committee membership.**

- a) No Board member may chair more than one of the following committees: Rules, Regional Tournaments, National Tournaments and Case. (6-04)
- b) No Board member may serve on more than two of the following committees: Rules, Regional Tournaments, National Tournaments and Case (6-04).
- c) The AMTA Administrative Assistant will serve as an ex-officio member of the Invitational Tournaments Committee and assist the Chair in coordinating tournament dates (6-02).
- d) Non-board members shall be permitted to serve on committees and exercise full voting rights within the committee. Per the bylaws, they will not be permitted to vote on motions before the Board of Directors. (06-07)

### **Rule 10.3.2 Case Committee duties and procedures**

- a) The case committee will not "contract" with anyone to write a given year's case but will solicit entire cases (not an outline, précis, or topic) by an announcement on the AMTA web site. Case solicitations will be open to anyone who wishes to submit a case for consideration. The Case Committee will select the case from those submitted. (6-96) Effective in 2006, the Case Committee will give cash awards of \$500 to individuals who win advertised case-writing competitions. (6-05)
- b) Each year's case will be made available no later than 15 August. (6-96)
- c) 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 Regional, National or Championship tournament hosts, may issue changes to the case without the approval of the relevant case committee. (6-98)
- d) Significant changes in the case are authorized for use at National and Championship Tournaments and will be posted to the AMTA web site no later than the Monday after the last Regional Tournament. (6-00)
- e) The Case Committee will choose/adapt the case so that it conforms with the following requirements:
1. Cases will alternate between civil and criminal disputes with civil matters being tried during seasons in which the national tournaments are held in odd-numbered years. (5-94)
  2. The order of witnesses and witness restrictions will be specified in the case and approved by the Case Committee. (6-01)
  3. 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 Policy 1 under affidavits. The Committee will pay close attention to matters involving authentication of documents. (6-01)
  4. All witnesses must be gender-neutral, as characterized in the affidavits. This rule requires case authors to avoid all forms of gender stereotyping, in addition to assigning gender-neutral names to witnesses (6-04).
  5. Lines of testimony in each affidavit will be numbered. (5-95)
  6. Jury instructions, including instruction with regard to the burden of proof, will be

prepared and used in all jury trials. (5-94)

7. Jury instructions to be used at National and Championship Tournaments will be made available to all participants. (6-99)

### **Rule 10.3.3 Executive Committee duties and procedures**

**a) Executive Committee composition.** The Executive Committee shall consist of the President (Chair), the Past-President, the President-Elect, the Secretary, the Treasurer, the Regional Tournaments Committee Chair, the National Tournaments Committee Chair, the AMTA Tabulation Director, the Rules Committee Chair, and a Development Officer. (7-08) The President shall vote on Executive Committee matters only when necessary to break a tied vote. (7-08)

**b) Charge of the Executive Committee.** The charge of the Executive Committee is to:

1. establish and charge such committees as authorized by the Board and such ad hoc committees as become necessary;
2. appoint people to these committees;
3. 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;
4. compile the agenda for the annual Board meeting;
5. propose the budget to the Board;
6. establish relationships with internal and external constituencies;
7. handle issues not heretofore specified in the By-Laws. (6-04)
8. The Executive Committee shall establish and charge such committees as authorized by the Board and such ad hoc committees as become necessary. The Executive Committee shall appoint people to these committees and monitor the work of committees throughout the year, making such adjustments to the charge and composition as are needed to facilitate the goals of the committee (6-04).

**c) Petitions 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. (6-04)

**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. The Committee will consider, among other issues, whether to add moot court to the scope of AMTA's current activities. (6-02)

**Rule 10.3.5 Competition Response Committee duties and procedures.**

**a) Competition Response Committee composition.** The Competition Response Committee (hereinafter referred to as the "CRC") shall consist of the National Tournaments Committee Chair, the Regional Tournaments Committee Chair, the Rules Committee Chair, the Case Committee co-chairs for the current case problem, the Ombudsperson and the President. The CRC will be co-chaired by the NTC Chair and the RTC Chair. The NTC Chair shall serve as Chair for the purpose of managing Act of AMTA bids. (7-08)

**b) Charge of the Competition Response Committee.** 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.

**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. (7-08)

**Rule 10.5 Mock Mediation.** AMTA agrees to form a committee to deal with hosting mock mediation training sessions and tournaments. AMTA will not assume any significant financial responsibilities for this new program. (6-00) Mediation fees are \$100 per team. (6-04) The Reifsnyder and Stamatelos traveling trophies previously awarded to the mock trial National Tournament champions shall be awarded to participants in the National Mediation Tournament. (6-07).

**Rule 10.6 Publicity.** Publicity about AMTA National and Championship Tournaments will note that AMTA is the primary sponsor. (4-93)

**Rule 10.7 Website.**

**Rule 10.7.1 Content.**

a) The pairings manual, bid allocation information, and tab summaries for all AMTA Invitational, Regional, and National Tournaments shall be posted on the AMTA web site. (6-02)

b) Separate documents containing tournament rules, judges' rules, tabulation rules, and

team rules shall be made available to members. (6-96)

c) The Board will create a Power Point presentation for judges and make the presentation available on the AMTA web site. (6-02)

d) AMTA-sanctioned tournaments will produce a tabulation summary, (4-93) which shall be distributed to participating teams and forwarded to the AMTA office for posting on the AMTA web site. (6-02)

**Rule 10.7.2 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. (6-04)

**Rule 10.7.3 Interactive components.** AMTA shall have an interactive site so that the National Tabulation Director, the National Tournaments Director(s), and the Executive Committee could address student concerns quickly in a manner that is available to all. The site shall also contain Q and A from Rules Committee with official responses to questions raised throughout the season. Answers posted on the site would be the only official answers.

**Rule 10.8 Instructions and Procedures for Submitting a Proposal to Host an American Mock Trial Association National Mock Trial Competition.**

Requirement to submit proposal: Proposals must be submitted by any institution seeking to host an official AMTA 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 National Tournament Committee (NTC).

Selection Procedures: The NTC shall review the proposals and present formal recommendation(s) to the AMTA Board of Directors at its annual meeting. The Committee will notify prospective hosts of the Committee's decision. The Committee 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 NTC is currently considering sites for the 2010 National Tournaments. The deadline for submission of proposals is April 1, 2007. The proposals should be submitted in electronic format and in hard copy to the AMTA main office.

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