

**2017 INTER-AMERICAN HUMAN RIGHTS**

**Contents**

DEFINITIONS.....	7
RULE 1: ORGANIZATION OF THE COMPETITION .....	8
1.1 General.....	8
1.2 Date and Location of the Competition.....	8
1.3 Technical Committee.....	8
1.4 Competition Calendar.....	8
1.5 Competition Fees .....	8
1.6 Visa .....	8
RULE 2: PARTICIPATION AND ELIGIBILITY.....	9
2.1 Team Composition.....	9
2.1.1 Exceptions to One Team per University.....	9
2.2 Participant Teams.....	9
2.3 Team Selection.....	9
2.4 Eligible Law Schools.....	9
2.5 Team Member Eligibility.....	9
2.5.1 Student Status .....	10
2.5.2 LL.M. Students .....	10

3.5 Liability Waiver .....	13
3.6 Housing.....	13
RULE 4: OBSERVERS.....	13
4.1 General.....	13
4.2 Eligibility .....	14
4.2.1 Limit to Number of Observers per Participating Institution .....	14
4.3 Participation in Future Competitions.....	14
4.4 Registration.....	14
4.4.1 Registration Fee for Current Year .....	14
4.4.2 Non-Refundability of Observer Registration Fee .....	14
RULE 5: JUDGES .....	15
5.1 Eligibility & Selection.....	15
5.1.1. Selection Criteria.....	15
5.2 Confidentiality.....	15
5.3 Disclosure of Association Outside of Competition (Conflict of Interest) .....	15
5.3.1 Socializing with Participants .....	16
5.4 Scheduling.....	16
5.4.1 Observation of Rounds .....	16
5.5 Number of Judges .....	16
5.5.1 Memorials.....	16
5.5.2 Oral Rounds.....	16
5.6 Bench Memorandum .....	17
RULE 6: BAILIFFS.....	17
6.1 Eligibility & Registration .....	17
6.1.1. Selection Criteria.....	17
6.2 Responsibilities .....	17
6.3 Confidentiality.....	17
RULE 7: THE MOOT COURT HYPOTHETICAL CASE (THE PROBLEM) .....	18
7.1 Case Subject Area and Author/s.....	18
7.2 Translation and Revision of the Case.....	-0.02(ti8(tiC 0.4)

7.3.1 Submission Procedure for Clarification Questions .....	18
7.3.2 Eligible Issues for Clarification .....	18
7.3.3 Notice.....	19
RULE 8: MEMORIAL.....	19
8.1 Number of Memorials .....	19
8.2 Team Identification on Memorials .....	19
8.3 Constituent Parts .....	19
8.3.1 Title Page.....	19
8.3.2 Table of Contents.....	19
8.3.3 Index of Authorities.....	20
8.3.4 Statement of Facts.....	20
8.3.5 Legal Analysis.....	20
8.3.6 Request for Relief.....	20
8.4 Length of Memorial .....	20
8.5 Format of Memorial.....	20
8.5.1 Footnotes.....	21
8.6 Submission of Memorial.....	21ft..

9.3 Preliminary Round.....24

- 11.3 Scoring of the Preliminary Round .....30
  - 11.3.1 The Value of the Memorials and the Oral Argument Sessions in the Preliminary Round Scoring.....30
  - 11.3.2 Selection for the Semi-Final Round .....30
  - 11.3.3 Tie-Breaking Procedures.....30
- 11.4 Scoring of the Semi-Final Round.....31
  - 11.4.1 Tie-Breaking Procedures for Semi-Final Round .....31
  - 11.4.2 Selection for the Final Round.....31
- 11.5 Final Round.....31
- 11.6 Scoring of Individual Orators & Selection of Best Individual Orator .....31









Competition as Competitors (see Definitions).



Initially, Teams will be able to register without providing the names of the Competitors that will participate in the Competition. Nevertheless, the deadline to submit Competitors' names shall be on the same date as the deadline to register Teams for the Competition according to the Competition Calendar.

In any case, according to Rule 7.3 of these Rules, those Teams that do not register the names of the Competitors by the deadline shall not be able to submit clarification questions concerning the hypothetical case.

### **3.1.1 Team Language**

As part of the registration process, Teams must choose the language in which they will participate (English, Spanish or Portuguese). Teams must stay within their chosen language for all parts of the

Competition, including the oral proceedings. Teams must also provide the names of all team members in the chosen language.



**However, throughout the Competition, Observers who attend the same school as a participating Team will be treated as extensions of the Team and are subject to the same scouting rules as their school's Team Members as outlined in Rule 10.5.**

## **4.2 Eligibility**

Interested persons who are affiliated with a law school or other legal entity (law firm, government agency, etc.) are eligible to attend the Competition as an Observer as long as they demonstrate a legitimate interest in the Competition. The legitimacy of such interest will be evaluated by the Technical Committee on an individual basis. Proof of affiliation is required, and must be submitted as part of the online registration.

### **4.2.1 Limit to Number of Observers per Participating Institution**

Participating institutions may bring the number of observers necessary for education purposes. The Technical Committee reserves the right to limit the number of Observers from any individual institution due to limited space in the Competition venue or other considerations in the best interest of the Competition.

## **4.3 Participation in Future Competitions**

Students that attend the Competition as an Observer may compete as a Team Member in a future Competition so long as they fulfill the other eligibility requirements for a Team Member pursuant to Rule 2.5.

## **4.4 Registration**

Observers must pay the registration fee (see Appendix B) for Observers by the deadline indicated in the calendar. Observers must complete the waiver form and meet the insurance requirements noted in Rules 3.4 and 3.5 before they can attend the Competition. Observers are eligible for housing at the American University dormitories as noted in Rule 3.6.

### **4.4.1 Registration Fee for Current Year**

The Observer Registration fee for the current Competition is listed in Appendix B.

### **4.4.2 Non-Refundability of Observer Registration Fee**

No refunds will be issued once an Observer pays the Registration Fee. Should an Observer that has paid the Registration Fee decide to withdraw from the Competition, the Registration Fee will not be applied to the individual's registration fee for the following year of the Competition, or the registration fee of a different individual representing the same institution. Given that obtaining any necessary visa for travel to the U.S. in order to participate in the Competition is the sole



### **5.3.1 Socializing with Participants**

Judges may not socialize with any Coach, observer, or student Competitor at any time until the semi-final rounds have finished.

### **5.4 Scheduling**

The Technical Committee will not, to the extent possible, schedule Judges to view a Team which they have already judged in a previous oral round, nor a Team with which there is an association outside the scope of the Competition.

#### **5.4.1 Observation of Rounds**

Unless expressly stated otherwise by a member of the Technical Committee, Judges should recuse themselves if they are scheduled to judge the round of a Team they have observed in a previous round. **Due to this rule, judges are discouraged from observing rounds they are not scheduled to judge.**

### **5.5 Number of Judges**

The number of Judges assigned to evaluate each Memorial and oral round will be determined by the rules below.

#### **5.5.1 Memorials**

All Memorials shall be graded by a minimum of three (3) Judges. More than three (3) Judges may score a Memorial at the discretion of the Technical Committee.

If the Judge panel for a Memorial is comprised of five (5) or more Judges, the scoring of the round shall be calculated by eliminating the highest and lowest scores and averaging the remaining scores.

#### **5.5.2 Oral Rounds**

During all Oral Rounds, a panel of at least three (3) Judges shall score the Oral Argument Sessions whenever possible, subject to the exceptions provided by these Rules or by the Technical Committee. More than three (3) Judges may be assigned to score a session at the discretion of the Technical Committee.

If the Judge panel for an oral round is comprised of three (3) or four (4) Judges, the scoring for that round shall be calculated by adding each score and obtaining an average.

If the Judge panel for an oral round is comprised of five (5) or more Judges, the scoring of the



scores.

### **5.6 Bench Memorandum**

The author(s) of the Problem shall provide a Memorandum of Law and Authority (“Bench Memorandum”) on the legal issues addressed in the Competition’s Problem for the purposes of briefing the Competition Judges. The content of the Bench Memorandum is strictly confidential and will not be made available to Participant Teams Members, Coaches or Observers during the course of the current Competition. Team Members, Coaches and Observers, if confronted with the Bench Memorandum, must refuse to examine, read or use any information deriving from it. Violation of this rule, or the mere grounds for suspicion of violation of this rule, by any Team Member will lead to the dismissal of the respective Team from the Competition.

### **RULE 6: BAILIFFS**



### **7.3.3 Notice**

All clarifications to legitimate requests made pursuant to this section will be available to Participant Teams within the time established in the Calendar and will be posted on the Competition website. It is the responsibility of each Participant Team to ensure that it receives and adequately integrates these Problem Clarifications.

## **RULE 8: MEMORIAL**

### **8.1 Number of Memorials**

Each Team will prepare one (1) legal brief representing either the VICTIMS/PETITIONERS/COMMISSION or the STATE as assigned upon registration. Teams will not prepare a Memorial for both sides.

### **8.2 Team Identification on Memorials**

The Team Memorial must display the official Team Number in the upper right-hand corner. This number must appear on every page of the Memorial including the cover page. Failure to include the official Team Number on every page of the Memorial including the cover page will result in a penalty (see Rule 8.8). No names of participants, nations or schools may appear anywhere on or within the Memorials. The Technical Committee will maintain the confidentiality of the official Team Number. Signature pages are prohibited except as expressly required by the Technical Committee in Rule 8.6.

### **8.3 Constituent Parts**

All Memorials must contain the following sections, as listed, in the following order: 1) Title Page; 2) Table of Contents; 3) Index of Authorities; 4) Statement of Facts; 5) Legal Analysis; 6) Request for Relief. Failure to include any section, to properly label any section or to submit the Memorial in the correct order will result in a penalty pursuant to Rule 8.8.

#### **8.3.1 Title Page**

The Title Page of the Memorial should include the case name, official Team Number in the upper right-hand



font, double-spaced, have one-inch margins, and be set to U.S. letter size paper (8 ½" x 11"). The character spacing should be set to normal (condensed or expanded text will not be accepted). Failure to submit the Memorial in proper format will result in a penalty pursuant to rule 8.8.; additionally, Competition organizers will change the format to meet requirements.

### **8.5.1 Footnotes**

electronic copy of the Memorial, which may result in the overall submission of the Memorial being considered late. Each Team should contact the Competition staff immediately if it does not receive a confirmation receipt within 1 business day of submitting the Memorial. The electronic copy is the only copy of the Memorial that needs to be submitted. **The first copy received by email will be considered the official submission of the memorial. The Technical Committee will not accept subsequent versions of the memorial, even if the deadline has not passed.**

### **8.7 Scoring of Memorials**

Each Participant Team's Memorial shall be submitted by the Technical Committee to a panel of at least three (3) Judges for grading. Each Memorial shall be scored on a scale of one (1) to one hundred (100) points; one hundred (100) being the highest possible score. Points will be allocated for the ability of the Participant Team to identify issues, to research issues, for the use of authority, and for the persuasiveness of analytical reasoning and argumentation. The scores of all the Judges grading the Memorial will be averaged. Individual Judges' scores and comments will not be published.

### **8.8 Penalties**

The following penalties will be deducted after the Memorial has been graded and the average score has been determined:

#### **8.8.1 Late Submission of Memorial**

Any Memorial received after the submission deadline on the Competition Calendar will be subject to a deduction of points for lateness. Memorials received at any point within twenty-four (24) hours after the submission deadline will receive a five (5) point deduction from the Team's total average Memorial score. One (1) additional point will be deducted from the Team's total average Memorial score for each additional twenty-four (24) hour period (or portion thereof) until the final deadline. No Memorial will be accepted after the final deadline (please see Appendix A). Failure to submit a Memorial by the final deadline converts the Team registration to Observers, and the original Team participants will not be allowed to present oral arguments, except in exceptional circumstances. For a submission to be considered complete the electronic version must be received by the deadline on the Competition Calendar. Failure to send the electronic version of the Memorial by the deadline will result in the Memorial being considered incomplete and may result in penalties for lateness (See Rule 8.6).

#### **8.8.2 Length**

Memorials that exceed twelve thousand (12,000) words in length will be penalized 10 points. All sections, including footnotes are included in the twelve thousand (12,000) word limitation. (See Rule 8.4).



their preliminary rounds, and may be disqualified from semifinals.

## **9.2 Basic Structure**

The oral phase of the Competition shall consist of a Preliminary Round, a Semi-Final Round and a Final Round.

## **9.3 Preliminary Round**







Participating Team, it must also be extended for the other Participating Team. Scoring will be based on the same criteria as earlier Rounds.

### **10.3 Order of Pleadings**

The order of the pleadings in each round of the Competition shall be:

1. VICTIMS and/or PETITIONERS and/or COMMISSION 1
2. VICTIMS and/or PETITIONERS and/or COMMISSION 2
3. STATE 1
4. STATE 2
5. VICTIMS and/or PETITIONERS and/or COMMISSION Rebuttal
6. STATE Surrebuttal

#### **10.3.1 Rebuttal and Surrebuttal**

Each Participating Team shall be allowed to reserve up to ten (10) minutes at the start of the Oral Argument Session for rebuttal or surrebuttal, which is to be announced by each Participant Team to the Judges at the beginning of the oral pleadings of the session. Only one (1) Participating Team

#### **10.4.1 Rescheduling of Oral Rounds**

If the Technical Committee determines that the absent Team missed its scheduled oral round through no fault of its own and that the absence could not have been avoided by the Team



## **RULE 11: ORAL ARGUMENT SESSION SCORING**

### **11.1 General**

Judging of the Oral Argument Sessions will be based on the organization of the presentation, quality and clarity of legal arguments and the ability to respond to opponent's arguments and questions from the Judges. Judges should complete all score sheets at the conclusion of each round prior to deliberating with each other. After all scores sheets have been delivered to the Bailiff, the Oral Argument Session will be over and judges should leave the room.

### **11.2 Point Scale**

Each Oral Argument Session will be scored by a panel of at least three (3) Judges. Each Judge will score each orator on a scale of one (1) to one hundred points (100), one hundred (100) being the highest possible score. For the purpose of calculating the Participant Team score for that session, the average of both Participant Competitors' individual oral scores will be combined.

### **11.4 Scoring of the Semi-Final Round**

The scoring of the Semi-

## **12.2 Unpublished Results**

Those Teams who do not find their Memorial, overall, or individual scores published on the Competition Website may e-mail the Competition staff at [iamoot@wcl.american.edu](mailto:iamoot@wcl.american.edu) and their scores will be sent in a response e-mail. Teams will have ninety (90) days after the Competition to request their results. After this, the scores will no longer be available.

## **RULE 13: AWARDS**

All Participating Competitors, Coaches, Observers and Judges will receive a Cer.396 Trophies and JTW



## **APPENDIX A: 2017 COMPETITION CALENDAR**

Registration Opens, Official Rules Available

Hypothetical Case Available

Period of Review for Hypothetical Case  
translation

Publication of Official Version of Hypothetical  
Case

Clarification Questions on Hypothetical Case  
due

Answers to Clarification Questions on  
Hypothetical Case Available