



# REGIONAL HOST HANDBOOK

*Virtual*

*Regional Competition*

*2020-2021*

Prepared by the Texas Young Lawyers Association

In Partnership with:

Professor A.J. Bellido de Luna of the St. Mary's School of Law  
and  
Professor Justin Bernstein of the UCLA School of Law

# **INTRODUCTION**

Thank you for hosting the first VIRTUAL National Trial Competition (NTC) regional competition this year. The NTC Committee of the Texas Young Lawyers Association (TYLA) and the American College of Trial Lawyers (ACTL) appreciates your dedication and are here to help you succeed in planning the regional competition. To administer these competitions, TYLA and ACTL are partnering with Professor A.J. Bellido de Luna of the St. Mary's School of Law and Professor Justin Bernstein of the UCLA School of Law.

We provide this Regional Host Handbook as a guide to planning a successful regional competition, from securing judges to understanding the standardized scoring method. It is intended to serve as a resource material and not as a rigid set of rules. Thus, you may follow your region's customs and practices so long as they remain consistent with the NTC Rules, which have also been provided to you.

TYLA is pleased to work with you in this endeavor, and we sincerely hope this handbook assists you in the task of administering your regional competition. Please do not hesitate to contact us if you have any questions.

Sincerely,

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## **REGIONAL HOST INFORMATION: IN GENERAL**

### **Regional Host Contact:**

As a regional host, you should designate one individual as the primary contact for the administration of the competition. All inquiries concerning the regional competition should be directed to that individual. The contact should be prepared to answer questions pertaining to the regional competition. Once you receive the participating schools list from the NTC Coordinator, please provide them the individual's contact information. (Information about the initial email to participating law schools is addressed below.)

Up to the conclusion of the regional competition, the NTC Coordinator will email the regional host (and the participating schools in the region) various updates, modifications, and clarifications. If a participating school asks the regional host to interpret any of the information or has a substantive question, please have the law school email the NTC Coordinator, Bree Trevino, at [btrevino@texasbar.com](mailto:btrevino@texasbar.com).

### **Virtual Competition Advisors:**

We know that for many of our hosts, this will be their first time hosting a virtual trial competition. To that end, we have enlisted help from two trial advocacy directors with substantial experience in this arena: Professor A.J. Bellido de Luna (St. Mary's School of Law) and Professor Justin Bernstein (UCLA School of Law). They will reach out to each Regional Host to answer questions, ensure you have sufficient resources, and provide any necessary training. They will provide you with the virtual ballot; the virtual tabulation system; and a spreadsheet for tracking conflicts for teams, judges, witnesses, and bailiffs (and they will provide training and assistance for operating these resources). Professor Bellido de Luna can be reached at [abellidodeluna@stmarytx.edu](mailto:abellidodeluna@stmarytx.edu), and Professor Bernstein can be reached at [bernstein@law.ucla.edu](mailto:bernstein@law.ucla.edu).

### **Rules for the Regional Competition:**

You have been provided a copy of the updated virtual competition rules and they are posted online at <http://www.tyla.org/ntc>. You should read the rules and be familiar with them prior to the regional competition. To the extent that anything in this handbook seems inconsistent with the competition rules, the competition rules preempt this handbook. In this regard, the NTC Committee serves as the final authority concerning the competition rules, the regional competitions, and the national competition.

### **Contact with Law Schools in your Region:**

The NTC Coordinator will send an invitation via email to all ABA-accredited schools in late September. The NTC Coordinator will collect registration forms and entry fees, and after the registration form deadline, each regional will receive a list of the participating schools and contact information.

*NOTE: On occasion, the NTC committee allows a law school to participate even though the school missed the registration form deadline, and therefore the number of participating schools may change slightly after the regional host receives the initial list of participating schools.*

**Contact all regional law schools:** Prior to the registration form deadline, the regional host should contact the law schools that have not participated in the regional competition in recent years to explain the competition and the benefits of participating. The NTC Coordinator will inform the regional host of which schools fall into this category. Inevitably, this personal contact will reveal law schools in the region

that have never received the announcement or materials from the NTC Committee and have never heard of the competition. The NTC committee would love full participation in your region!

**Foil team, if necessary:** Once the registration form deadline has passed, if an odd number of teams are registered, the NTC committee recommends that the regional host law school create a “foil” team (a/k/a “ghost” team). The regional host can create a foil team using law students from the host law school or the regional host may contact the other participating schools to recruit a foil team. In any event, the foil team must be made up of current law students who will be familiar with the mock trial problem. The foil team will participate in the preliminary rounds just like every other team, but it cannot qualify for the break rounds. If you do not create a foil team, then one team will be a bye during each preliminary round. The “bye” process/scoring is discussed on page 17.

### **Contact with Participating Law Schools about the Competition:**

The regional host should maintain contact with all the participating law schools in the region. In this regard, please copy the NTC Coordinator, Bree Trevino, on all email communication with participating law schools in your region.

**Initial Email:** As soon as you receive the list of participating law schools after the registration form deadline closes, you need to send an email to the participating law schools, thanking them for entering this year’s National Trial Competition. The email should also inform them of the following: (1) the dates of the regional competition, and (2) the date the regional problem is expected to be posted on the TYLA website (the NTC Coordinator will let you know the anticipated release date).

**Informational Email:** By December 21, the Regional Host needs to email the participating law schools to provide some basic information about the regional competition. The following information should be included:

- (1) The format of the regional competition, e.g., number of teams participating, preliminary rounds and break rounds and a reminder about providing witnesses
- (2) Use of learned treatises (NOTE: Use of these during a round are up to the regional host and he/she should consider the region’s tradition.);
- (3) The time and location of the coaches’ meeting; and
- (4) A reminder that all questions about the competition rules and the regional problem must be submitted in writing to the NTC Coordinator, along with the deadline to submit questions about the problem.

### **Date for Your Regional Competition:**

The 2020-2021 virtual regional competitions must be held during the days of February 5-7, February 12-14, and February 19-21, 2021. Each regional host has the discretion to decide on the specific dates of the regional competition.

In choosing the dates for your regional competition, please take into account any national holidays (ex: Valentine’s Day), any bar conventions or meetings, any other advocacy competitions, and any other events that may be scheduled during the same time frame. Conflicts of this nature will immediately reduce your supply of potential judges and witnesses.

Keep in mind that it is practically impossible to schedule a date satisfactory to all schools in the region desiring to participate. A school that is unable to participate on the selected date may submit a special request to the NTC Coordinator to be placed in another region, and the request will be reviewed by the NTC committee. The request may or may not be granted, depending on the circumstances.

*NOTE: The finals will be held virtually April 7-11, 2021. All teams advancing to the finals will receive information and logistics about the competition as soon as ALL of the regional competitions are completed.*

### **Format of Regional Competitions:**

The regional competition rounds shall be conducted in a virtual format and take place on a Thursday, Friday, Saturday, and/or Sunday. **The regional host, however, is required to have at least three preliminary rounds.** If any host requires an exception to this requirement, such exception must be approved by the TYLA NTC Committee Chair(s).

The NTC Committee suggests using the national format for the regional competition (see the competition rules posted online at [www.tyla.org/ntc](http://www.tyla.org/ntc)). The national format consists of three preliminary rounds, a quarterfinal round, a semifinal round, and a final round. The regional champion and second place team from each region will advance to the national competition. (Some regions do not have a final round and simply send the winners of the semifinal round to the national competition.)

*NOTE: If more than 18 teams participate in the regional competition, a quarterfinal round will avoid having a severe cut and will allow more participation by the teams.*

In 2021, all Regional Competitions will be conducted by Zoom. You may decide which Zoom format to use: (a) each trial in a separate Zoom meeting; (b) all trials in breakout rooms from the main room of a Zoom meeting; or (c) all trials in a separate Zoom *webinar* room. Each has its own advantages, and Professors Bellido de Luna and Bernstein are available to help you decide which format is best for your Regional Competition.

### **Social Events during the Regional Competition:**

The regional host may have a virtual reception, awards ceremony, or any other special, social event during the regional competition. The regional host is not required to have any such virtual events; they are purely optional.

*NOTE: The TYLA does not provide trophies/plaques for the regional competition. The regional winner and runner-up will receive plaques during an awards banquet at the national competition.*

### **Sponsors for the Regional Competition:**

We anticipate that with a virtual competition, host expenses will be vastly reduced, if not completely eliminated. But to offset the amount of any expenses incurred by the host law school, the regional host may solicit sponsorships from third parties, e.g., law firms. You should acknowledge sponsors in written materials, etc.

### **Competition Program:**

A program is optional for your regional competition. If you choose to prepare a program, you may want to list all participating schools, team members and coaches, and the volunteer judges. You should also acknowledge any sponsors of the regional competition. Because the list of judges will change up to the last minute with dropouts and add-ins, you may want to list all backup people in the roster even though they might not actually judge.

### **Regional Problem:**

The regional problem will be posted on the TYLA website, [www.tyla.org/ntc](http://www.tyla.org/ntc). Each participating school will be notified via email when the problem is posted. Thus, all participating schools will have access to the regional problem at the same time. The regional problem is usually posted on the website in early to mid-December.

Participating schools will receive additional information about the deadline for questions about the regional problem. The NTC “problem” sub-committee will review all questions submitted before the deadline and all schools will receive answers to the questions. If a school poses a question about the problem to the regional host, the regional host should email the question(s) to the NTC Coordinator.

**Other information on the website:** In addition to the regional problem, the following information will be posted on the TYLA website ([www.tyla.org/ntc](http://www.tyla.org/ntc)):

- Registration Form
- Rules of National Trial Competition (the “competition rules”)
- Regional Host Information (contact information and dates)
- Witness, Bailiff, and Judge Instruction Videos
- Score Tabulation Spreadsheet
- Important Dates to Remember

*NOTE: Problems from previous competitions are also available on the website and can be used as the current year’s intra-school competitions.*

### **Neutrality for Regional Competition:**

The regional host should strive to maintain neutrality throughout the regional competition. This is because one problem that occurs related to the administration of the regional competition arises in the context of one school or another feeling that it has received unfair or unequal treatment. The regional host may be perceived as having an unfair advantage over the other participating schools, and thus there is often a "bias and prejudice" issue. While this feeling cannot be eliminated, steps should be taken to alleviate the problem.

**Neutral administrator:** The regional competition should be administered by someone not directly affiliated with the host school, e.g., a coach or team advisor from the host school should not conduct or administer the competition.

**Anonymity rule:** The anonymity rule should be strictly enforced. Witnesses and judges must be instructed not to inquire into the school affiliation of the participating law schools. In addition, every effort should be made to ensure that no one affiliated with a participating law school serves as a judge or witness in a trial in which that law school is competing. Participants should be instructed that no name, insignia, or logo that could identify their school (including sports and city references) should appear anywhere on either their screen or in their screen name during the competition.

## **RECRUITING JUDGES**

Recruiting judges for the regional competition is vital to a successful competition. As the regional host, you need to use your resources to start recruiting early and you need to keep your information organized. Since the competition is virtual, the potential pool of judges is far wider.

### **Number of Judges:**

You should have at least one presiding judge and two additional judges to evaluate the teams' performances in each mock trial round. Therefore, if you have 24 teams competing in the regional competition, you will have 12 trials per preliminary round, which means you will need a minimum of 36 judges per preliminary round. However, some judges will cancel last minute, and some judges will be no-shows. **Therefore, to be safe you should recruit four judges per round.**

The presiding judge conducts the trial, including ruling on objections. The other judges observe the teams from the jury box (or a simulated jury box). It is preferable for all judges to have a minimum of four years trial experience, but this is not a requirement. When assigning judges to each trial, "real" judges and more experienced trial attorneys should act as presiding judges.

### **Start Recruiting Early:**

You should start recruiting judges as early as three months before the regional competition. Consider recruiting beyond just your local community, as the competition shall occur virtually.

### **Use Recruiting Resources:**

Consider all your resources when it comes to recruiting judges for the regional competition. You must reach out to attorneys by any means possible, e.g., emails, telephone calls, etc.

**ACTL:** The American College of Trial Lawyers (ACTL), which co-sponsors the NTC, has supported the competition from its inception and stands ready to provide whatever assistance it can when recruiting judges. Early in the planning, an ACTL member should be assigned to your region, e.g., the State Committee Chair of the ACTL, and he or she can request a current list of the local members of the ACTL. This list should be kept confidential and not be used for purposes other than recruiting judges for the regional competition.

The list of local ACTL members should be updated by checking each name in the most recent edition of your local law directory. It is amazing the number of people who retire, change firms, change professions, or change office locations during one year.

**Local bar associations:** Contact your local bar associations (including specialty bar associations, such as the trial lawyers' association, the criminal defense bar association, etc.) to assist you with recruiting judges. In this regard, your local bar association may be willing to include a "recruitment advertisement" in the local bar association newsletter and may be willing to send blast emails. Consider reaching out to bar organizations in other cities, since the competition will occur virtually.

*NOTE: If a local judge is willing to send a letter to attorneys urging them to judge, this is a great way to recruit judges for the competition!*



### **Benefits of Judging:**

When recruiting judges, you may want to stress that hosting the regional competition is an honor and local support is a vitally important to a successful competition. You can also emphasize the recruiting potential of the competition. A firm desiring to hire law school graduates for a litigation practice can, by judging one or more rounds of the competition, learn far more about potential litigators than by conducting a traditional interview. In addition, check to see if your state's continuing education requirements allow judging an advocacy competition to count as CLE self-study hours.

### **Judge Registration:**

When recruiting judges, you should collect the following information from the attorney: employer, work phone, cell phone number, law school attended, law school graduation year, and any affiliations with the schools participating in your Regional Competition (the law school information will help you avoid any "conflict of interest" when assigning judges to panels).

To help with this effort, Professors Bellido de Luna and Bernstein will provide an online judge registration form that you are free to use or modify.

### **Confirm Judges:**

When an individual has volunteered to participate as a judge, you should send an email (or send a letter) confirming the details. The confirmation email should include the following information and documents (if the documents are available at the time attorney initially volunteers):

- \* Detailed information about the date, time (check-in time 30 minutes before the round begins), location, and parking;
- \* Guidelines for NTC Judges (included in the Appendix);
- \* Regional Problem;
- \* Regional Bench Brief (if it is not available at the time of the confirmation email, you will need to send it in a follow-up email); and
- \* Any Regional Stipulations.

You should also send copies of the problem, the bench brief, and any stipulations available for judges on the days of the regional competition.

*NOTE: Please stress the importance of keeping the contents of the bench brief from the participants and coaches.*

### **Judges – Staying Organized:**

To stay organized when recruiting judges, you should create a spreadsheet that includes the name and other information for each volunteer attorney. This spreadsheet will also help you keep track of the number of attorneys who have volunteered for each mock trial round. In addition, including the dates of communication in the spreadsheet is helpful, e.g., when you emailed the judge documents mentioned above, so that you know when each attorney has been provided with the necessary information.

### **Email Reminder:**

Shortly before the regional competition, you should send each attorney a reminder email (or call each attorney) and again thank him or her for agreeing to judge the competition. This reminder email also

gives the attorneys another opportunity to ask questions about the regional competition. You should also consider sending the judges a calendar invite containing instructions and the link to join the virtual competition

### **Guidelines for NTC Judges:**

The regional host should provide the judges with written guidelines prior to the regional competition. The “Guidelines for NTC Judges” are included in the Appendix to this handbook. They cover important points about judging the competition, including some of the important competition rules. If the regional host chooses to use different judges’ guidelines, the host must submit the modified guidelines to the NTC Coordinator for approval at least three (3) weeks before the regional competition. The Judges Instruction Video can also be found on the TYLA website at [www.tyla.org/ntc](http://www.tyla.org/ntc). You can send a link to the video to judge’s in advance in addition to playing the video for judges before each round.

### **Tentative Panel Assignments:**

As part of preparing for the regional competition, the regional host should choose tentative courtroom panels (one presiding judge and two additional judges) a week or two before the regional competition. Please try to include a combination of attorneys with a variety of backgrounds and diversity in each courtroom, and the presiding judge should be a real judge or an experienced trial attorney, if possible. Panel assignments are always subject to change as people cancel and people are added.

When assigning judges to rounds, you should avoid having alumni judge their own law school team(s). This will help bypass a “conflict of interest” in the rounds.

Also, to prevent a tie score, there must be an odd number of scoring judges on each panel, i.e., one presiding judge and two additional judges or one presiding judge and four additional judges. The size of the panels (three or five) largely depends on the number of affirmative responses received but having three total judges per trial is sufficient. *NOTE: If sufficient attorneys are available for a four-person panel (or panels), you may have a presiding judge and three evaluators, but the presiding judge will not score the round. In any event, each mock trial must contain the same number of scored ballots.*

### **Judges’ Meeting Before Each Round:**

Traditionally, hosts instruct judges right before each round. However, given the virtual format, we strongly recommend scheduling the judge instruction a few days before the competition begins. This has several benefits: You will have one fewer responsibility during the competition. Judges participating in multiple rounds can avoid attending multiple judge orientations. You will have more certainty about their judge headcount (those who take the time to attend an orientation days beforehand are unlikely to “no show”). You may want to schedule two orientations to accommodate different schedules and, in any event, you should record the orientation and make it available to judges unable to attend live and/or direct such judges to the videos on the TYLA website.

The judges’ meeting should be brief (approximately 15 minutes). The administrator should play the Judges Instruction Video provided on the TYLA website at [www.tyla.org/ntc](http://www.tyla.org/ntc). TYLA will also prepare a supplemental video that explains key Zoom functions. The administrator should be prepared to answer questions after the video is played. The administrator giving the instructions should be thoroughly versed with the regional problem and competition rules, and all answers must be consistent with the competition rules.

When instructing judges, emphasize the things listed under the “Important, Basic Guidelines” section, e.g., neither the merits nor the demonstrative evidence should sway their decision, the ability of a witness to reply to answers should not be considered, the necessary inference rule applies, and the judges should not leave after the round until the bailiff indicates that the ballots have been received in the virtual tabulation system.

If your region traditionally announces the winner of each preliminary round after the commenting session, then let the judges know that they can make an announcement. Otherwise, please make it clear that the winners of the preliminary rounds should not be announced after the round, as coaches will be able to review the ballots before the first advanced round.

Before each round, you will need to direct each judge to their Zoom courtroom. You can do that by sending a judge a web link to their courtroom. Or you can opt to have all judges sign in to a Zoom meeting to “take roll” before sending judges to their respective courtrooms. This allows you to remind the judges of any important instructions or provide them updates based on what has occurred at the tournament. Professors Bellido de Luna and Bernstein are available to discuss the benefits of each approach.

### **Judges’ Scoring Ballots**

We are providing virtual ballots for judges to complete. The virtual ballots will mirror the traditional hard copy ballots.

You should provide each judge with the link to their scoring ballot. Each judge in your Regional Competition will receive the same link. You will be able to identify which ballot belongs to which judge because they will include their names and the team numbers. The bailiff should have the web link to the ballot, as well, so s/he can provide it to any judge that has difficulties. Before sending the panel of judges or a bailiff to a courtroom, remind each of them that judges should stay until the judges’ ballots have been cleared by a scoring administrator. In the event of a scoring error or a protest, the judges may be needed to ensure that the round is correctly scored.

Once a judge submits their ballot, you will be able to see their scores and result. The Administrator and bailiffs should be in communication about when all ballots from a trial are received.

# WITNESSES

## Providing Witnesses:

Schools **must** supply **two witnesses** for **each team** they have competing. Each team must prepare its witnesses to play two roles, i.e., both plaintiff witnesses or both defense witnesses. Hosts should work with the teams/witnesses in deciding which roles each witness will prepare (to ensure, for example, that an equal number of witnesses prepare each role). **The witnesses shall be available for all preliminary and playoff rounds.** You should assign those witnesses to teams for each round, except no witness may (a) witness in a trial involving the school that provided them or (b) perform the same role for the same team in multiple rounds. You should secure a few backup witnesses in case witnesses provided by the competing teams become unavailable.

## Number of Witnesses:

Each side must use two witnesses during a trial; thus, four (4) witnesses are required for each mock trial. Thus, if you have 24 teams participating in the regional competition, you will have twelve (12) mock trials per preliminary round and in turn will need a **minimum of forty-eight (48) witnesses** for each preliminary round.\*

*\* While **competing schools** are required to supply two witnesses per team, some teams may arrive to compete with no witnesses or fewer witnesses than required. The **host school** should prepare for such situation and have **two to four** individuals prepared to serve as witnesses for the duration of the competition.*

## Resources for Recruiting Witnesses:

The **competing school** may recruit volunteer witnesses from a variety of sources, including from their law school, undergraduate/graduate schools, paralegal programs, sororities/fraternities, attorneys, law firm staff, retirement/senior living facilities, friends, family, etc. The competing schools should avoid using high school students as witnesses. The pool of witnesses should be large as the competition is taking place virtually.

The **host school** should create a spreadsheet prior to the competition that includes each person's contact information, the witness assigned to the person, and the round(s) assigned. It is also helpful to keep track of when you emailed the person the witness statement/deposition and the "Guidelines for Witnesses" informational sheet. Professors Bellido de Luna and Bernstein will provide a spreadsheet that makes it easier to track this information.

## Confirm Witnesses:

You should email each witness volunteer and include the details of the competition (check-in thirty (30) minutes before the round, etc.). You should also ask for the person's cell phone number. In addition, you should provide the person with the individual witness's statement or deposition, exhibits pertaining to the witness, and the "Guidelines for Witnesses" informational sheet. You can also send a link to the Witness Instruction Video in advance. You do not need to provide witnesses with a copy of the entire mock trial problem.

## Guidelines for Witnesses:

You need to provide each volunteer witness with the "Guidelines for Witnesses" and/or the Witness Instruction Video prior to the regional competition. Suggested "guidelines" are included in the

Appendix to this handbook. If you choose to use different guidelines, the guidelines must be submitted to the NTC Coordinator for approval at least three (3) weeks before the regional competition.

**Witnesses' Meeting Before Each Round:**

A competition administrator should conduct a brief meeting for the witnesses. Like the judge orientations, we recommend scheduling these witness instruction meetings a few days before the competition begins. The administrator should play the Witness Instruction Video provided on the TYLA website at [www.tyla.org/ntc](http://www.tyla.org/ntc). The competition administrator going over the guidelines should be thoroughly versed with the problem and competition, and all answers must be consistent with the competition rules. (You may want to provide the "Guidelines for Witnesses" to the coaches to avoid some of their questions on this matter.)

*NOTE: It is important to go over the necessary inference rule and impeachment by omission with the witnesses. These concepts can be confusing to a lay person.*

# **BAILIFFS**

## **Purpose for Having Bailiffs:**

In the virtual format, bailiffs' responsibilities increase. Bailiffs must be proficient in using Zoom. During trial, bailiffs will:

- Keep time for both teams
- Ensure that only the appropriate persons are present in the Zoom meeting and that the appropriate persons are displayed on screen
- Answer any technology questions posed by the judges
- Communicate with the Administrator to determine when the ballots have been received and when the judges may begin post-trial feedback
- Communicate with participants who request a time check during closing arguments (i.e., at 5 minutes, 1 minute, etc.)
- Confirm with the Administrator that judges may be released from the round upon completion of any comments

Bailiffs' Guidelines & Instructions and an optional Bailiffs' Timekeeping Sheet are included in the Appendix to this handbook.

## **Number of Bailiffs:**

The regional host must recruit a bailiff for each mock trial during the regional competition. Thus, if twenty-four (24) teams are participating in the regional competition, there will be twelve (12) mock trials per preliminary round, and you will need twelve (12) bailiffs per preliminary round. To be safe, you should recruit extra bailiffs – someone will cancel or be a no-show.

## **Recruiting Bailiffs:**

Any adult may volunteer to be a bailiff. Law students from the host law school are a great source for bailiffs.

*NOTE: Some law school advocacy organizations may give students advocacy points for participating as a bailiff. This will provide an incentive for volunteering to be a bailiff.*

## **Confirm Bailiffs:**

You should email each bailiff and include details of the competition (time to check-in, etc.). You should also inform them of their duties as bailiff. Attach the Bailiffs' Instructions to the email so that he/she will be familiar with the responsibilities. You may also include a link to the Bailiff Instruction Video, which can be found on the TYLA website at [www.tyla.org/ntc](http://www.tyla.org/ntc). In addition, have copies of the instructions available during the competition.

Furthermore, as you recruit bailiffs you should maintain a spreadsheet that includes each person's contact information and availability for rounds. Professors Bellido de Luna and Bernstein will provide a spreadsheet that makes it easier to track this information.

**Reminder Email:** As with judges and witnesses, you need to send the bailiffs a reminder email.

### **Bailiffs' Meeting Before Each Round:**

Before each round, or before the competition, a competition administrator should meet briefly with the bailiffs (approximately 15 minutes) to go over the Bailiffs' Instructions and to answer any questions. The administrator can play the Bailiff Instruction Video provided on the TYLA website at [www.tyla.org/ntc](http://www.tyla.org/ntc) or, if video technology is not available, the administrator can give verbal instructions. Stress the importance of keeping accurate time, stopping the timer when student advocates object to testimony (and then starting the timer after the presiding judge rules on the objection), the ballot procedure after the mock trial, and keeping a five (5)-minute timer from end of the round—the time when the judges release the competitors—until the deadline for protests.

## TEAM PAIRINGS

### Team pairings, In General:

You may determine team pairings for the regional competition before the coaches' meeting or you may determine them during the coaches' meeting. Determining the team pairings before the coaches' meeting will obviously save you time during the meeting. Other items that need to be addressed during the coaches' meeting are explained below.

*NOTE: For the national competition, the pairings are completed before the coaches' meeting. When deciding which approach to take in your region, you should consider the region's tradition.*

### Team Pairings for the Preliminary Rounds:

*NOTE: For the 2021 Regional Competitions, each team will have a unique three-digit number ("team number"). [BdLA1][b2] Teams will give their team numbers to the judges, and judges will use those team numbers when completing the ballots.*

Below is the method of determining team pairings for the preliminary rounds:

List all participating schools in sequential order as assigned, e.g., Chicago-Kent Team 121, Chicago-Kent Team 132, DePaul Team 113, DePaul Team 114, etc. Write the team name and number of each participating team on a slip of paper and place them in something to draw random pairings for the preliminary rounds.

Each team must present both cases (plaintiff and defense) during the preliminary rounds. Thus, if the first slip of paper pulled is DePaul Team 113, then DePaul Team 113 is assigned the plaintiff for the first preliminary round. If the next slip of paper pulled is Chicago-Kent Team 132, then Chicago-Kent Team 132 is assigned the defense against DePaul Team 3. As the teams are pulled, place the plaintiff and defense teams in separate stacks.

The stack of Preliminary Round One plaintiff teams will be used as the pool of Preliminary Round Two defense teams (thus, the stack of Preliminary Round One defense teams will be used as the pool of Preliminary Round Two plaintiff teams). The pairings for Preliminary Round Two are then made by randomly pulling slips of paper from each of the new stacks.

Finally, two special rules must be followed in the regional competition concerning team pairings:

- Teams from the same school must never oppose each other in any round of the regional competition (unless the regional competition has a true final round).
- No team may meet the same opposing team during Preliminary Round One and Preliminary Round Two.

Thus, if the pulling of slips of paper pairs Loyola plaintiff against Loyola defense, pull another slip of paper for the defense team. Also, if DePaul Team 1 (plaintiff) met Chicago-Kent Team 2 (defense) in Preliminary Round One, then Chicago-Kent Team 2 (plaintiff) cannot meet DePaul Team 1 (defense) in Preliminary Round Two.



**Odd Number of Teams (No Foil Team):**

If you have an odd number of teams registered and were not able to recruit a foil team, a bye can be used. You must inform the coaches at the coaches’ meeting of the bye procedures before any of the preliminary round pairings are announced. The teams receiving a bye for the first two preliminary rounds should be determined by a random draw. Once a team is selected to receive a bye round, they shall receive a score of 1 Win, 2 Ballots, and Zero-point differential. Since the third preliminary round is power-matched, the last place team shall receive the bye in the third preliminary round. When determining which teams qualify for the break rounds, if a team with a bye gets to the fourth tie-breaker of point differential, point differential is not used, and a coin flip shall be the fourth tie breaker in such a situation and shall determine the team to advance.

**Team Pairings for Preliminary Round Three (Optional):**

All regions are required to provide a third preliminary round unless extreme circumstances prevent a third preliminary round. To identify the pairings for the third preliminary round, you must utilize the procedures discussed below for selection of teams for the quarterfinal round. You must use win/loss record, ballots won, point differential, and then total points to rank all teams. The third preliminary round is power-matched. So, the top ranked team competes against the second ranked team, the third ranked team competes against the fourth ranked team, and so on, until the last two teams are paired against each other.

*NOTE: These rankings must be adjusted to avoid two teams from the same school competing against each other and to avoid two teams that have already competed against each other from competing again.*

**Pairings for Break Rounds:**

Team pairings for the quarterfinal round and the semifinal round are addressed below.

**Team Pairings published Electronically:** The regional host should display the team pairings and courtroom assignments in a convenient, accessible manner. We recommend distributing such information by email or website. Below is a sample:

**Thursday – Preliminary Round One**

<b>Courtroom</b>	<b>Plaintiff</b>	<b>Defense</b>
99th Dist. Court (3 <sup>rd</sup> floor)	Team 101	Team 501
351 <sup>st</sup> Dist. Court (2 <sup>nd</sup> floor)	Team 201	Team 601
107 <sup>th</sup> Dist. Court (2 <sup>nd</sup> floor)	Team 301	Team 701
County Court at Law # 1 (3 <sup>rd</sup> floor)	Team 401	Team 801

## **COACHES' MEETING: BEFORE THE COMPETITION**

The regional host must conduct a coaches' meeting prior to the start of the regional competition. Attendance by at least one coach or representative from every team is mandatory. The "local rules" of the region should be discussed, if any. **However, the rules regarding ballots, scoring, and tie-breakers MUST mirror the competition rules.** This assures that every team advancing from a regional competition arrived as a result of the same scoring and tie-breaking procedures.

The meeting will also give the coaches an opportunity to clarify any competition-related questions they may have and ensure that everyone has received all pertinent information and updates regarding the problem, rules, etc. The Regional Host should also go over the competition schedule and important announcements. Specifically, the following topics should be addressed during the coaches' meeting:

Regional Competition "Protest" Committee: The competition rules require the formation of a protest committee for the regional competition. Please refer to the rules for specific information regarding the regional competition protest committee.

Next Year's Regional Host: The Regional Host **must have** the participating schools discuss a regional host for the following year's regional competition. If a law school does not volunteer to serve as a regional host for 2021-2022, then the NTC committee may appoint a school to serve as the regional host, or the law schools in the region may not be able to compete in next year's competition. *NOTE: After the regional competition, you must submit the Regional Results and Host Form to the NTC Coordinator.*

Scouting by Coaches Prohibited: Coaches are prohibited from talking to team members once witness preparation commences and may not attend any part of a round unless one of their teams is competing in that round. (Please refer to the competition rules for more specific rules governing scouting.) Coaches shall be advised to have their video and audio off and to change their name so that only their role and team number appears, e.g., "Coach 132".

Necessary Inference Rule and Impeachment by Omission: These are addressed in the competition rules, and coaches may have questions about them. Unlike some other mock trial competitions, the NTC allows only for necessary inferences and the NTC committee permits impeachment by omission, i.e., cross examination that focuses on things that an expert did not do.

Team Pairings: If you have not previously paired teams by using a random assignment method, then you should do so at the coaches' meeting. You must also inform the coaches of any bye procedures. If you choose to determine the team pairings at the coaches' meeting, then announce the team number designations at the meeting. Have each coach write the number of each of their teams on a slip of paper (one slip of paper per team) and place them in a bowl to draw pairings for the preliminary rounds. As the teams are paired, the school name and team number should be marked on the appropriate sections and sides of the poster boards.

Virtual Ballot Room: Beginning with the 2018-2019 competition year, it is a NTC Rule that each team's preliminary round ballots be made available to it and the tabulation of the score of the lowest ranking team to break ("break score") be announced to all teams in the competition a reasonable time prior to the start of any post-break rounds. In the coaches meeting, you should provide the coaches with the location when and how a team's ballots will be available for review and where the announcement of the break score will be made.

# SCORING BALLOTS

## Scoring Ballots:

The regional host must use the virtual ballots provided by TYLA. Once the ballots are submitted, their results should appear in the virtual tabulation system provided to each host by TYLA. The host should check the ballots for accuracy. This precaution is necessary to avoid the announcement of an incorrect decision. Once the scores have been verified, an administrator will inform the bailiff that he or she may direct the judges to begin feedback. The student advocates and judges should remain in the online courtroom until the bailiff confirms the ballots have been received.

Administrators must check each ballot. If there are any errors, the Administrator or bailiff can contact the judge and/or ask the judge to resubmit a ballot. If the ballots contain no errors, tell the bailiff that the judges may be released. In regions where decisions are announced immediately, instruct the bailiff to notify the judge of the result in the Zoom chat function. (At the national competition, the winners of the preliminary rounds are not announced; the only announcements made are the teams advancing to the break rounds.)

## Scoring an Odd Number of Teams and Bye Rounds:

A team that has a bye round must receive a score of 1 Win, 2 Ballots, and Zero-point differentials. If there is a third preliminary round where the teams are power-matched before the break rounds, the last place team shall receive the bye. When determining which teams qualify for the break rounds, if a team with a bye gets to the tie-breaker of point differential, the teams flip a coin.

## Selection of Teams for Quarterfinal Round:

***The following section describes how to rank teams for an in-person competition.** However, the tabulation system provided for the 2021 Regional Competition will perform most of the calculations below, including team rankings. It remains the host school's responsibility to check the data, identify the top eight teams, and determine quarterfinal pairings.*

To determine the top eight (8) teams for the quarterfinal round, prepare the following spreadsheet for use during the regional competition. A score tabulation spreadsheet is available for download on the TYLA website at [www.tyla.org/ntc](http://www.tyla.org/ntc). After the scoring administrators verify ballots, the scores may be entered into the spreadsheet. In other words, fill in the information available from each preliminary rounds as it becomes available.

Team	Wins	Losses	1 <sup>st</sup> Rd Ballots	1 <sup>st</sup> Rd Points	1 <sup>st</sup> Rd Diff. Points	2 <sup>nd</sup> Rd Ballots	2 <sup>nd</sup> Rd Points	2 <sup>nd</sup> Rd Diff.	Total Pt. Diff.	Total
1										
2										
3										
4										
...										

Regardless of how you set up the spreadsheet, all teams must be ranked based on (1) wins/losses, (2) ballots won, (3) point differential, and then (4) total points. The regional host must use this ranking system, which is consistent with the system used during the national competition. To ensure proper rankings, Regional Hosts may use the score tabulation spreadsheet provided by the TYLA on their website at [www.tyla.org/ntc](http://www.tyla.org/ntc). The top eight (8) teams will advance to the quarterfinals, and the teams will be power-protected in the quarterfinals.

If any two teams are tied after those four categories, a coin flip will decide seeding. The team ranked number one will meet the eighth ranked team; the second ranked team will meet the seventh ranked team, etc. Now, prepare a bracket that is power-protected:

1 v 8          2 v 7  
4 v 5          3 v 6

So, the winner of 1 v 8 will play the winner of 4 v 5 in the semifinal round, and the winner of 2 v 7 will play the 3 v 6 winner in the semifinal round. From the quarterfinal round on, teams advance based on winning the round. The team with the most total ballots is declared the winner.

**Example of How to Apply the Scoring Rules:**

Assume the results after Preliminary Round Two are as follows:

Team	Point Differential (1 <sup>st</sup> Rd & 2 <sup>nd</sup> Rd)	1 <sup>st</sup> Rd Ballots	2 <sup>nd</sup> Rd Ballots	Total Ballots	Wins	Losses	Total Points
1	+12	3	3	6	2	0	371
2	+10	1	2	3	1	1	368
3	+8	3	0	3	1	1	362
4	+15	2	1	3	1	1	359
5	-12	0	0	0	0	2	340
6	-5	0	3	3	1	1	359
7	-8	0	0	0	0	2	321
8	+6	1	3	4	1	1	335
9	+20	2	3	5	2	0	370
10	+18	3	2	5	2	0	368
11	+17	3	3	6	2	0	373
12	-9	0	1	1	0	2	328
13	+6	3	1	4	1	1	330
14	+4	3	1	4	1	1	356
15	-10	0	0	0	0	2	320
16	-1	0	3	3	1	1	325

The following teams would advance to the semifinal round: Team Nos. 1, 4, 8, 9, 10, 11, 13, and 14. Four of these teams (1, 9, 10 and 11) have two wins and no losses. These four teams are ranked number one through four based on ballots and then point differential. Thus, the ranking of these four teams is as follows:

Rank	Team	
1	11	(Six total ballots, +17 point differential)
2	1	(Six total ballots, +12 point differential)
3	9	(Five total ballots, +20 point differential)
4	10	(Five total ballots, +18 point differential)

The remaining four teams (4, 8, 13 and 14) are the one-one teams with the most ballots as a result of a split decision loss. These remaining teams are then ranked in slots five through eight based on total ballots and then point differential. If there is a tie in the number of total judges' and evaluators' votes and point differential, you will need to calculate total points. Thus, the top four teams are as follows:

Rank	Team	
5	8	(Four total ballots, +6 point differential, 335 total points)
6	13	(Four total ballots, +6 point differential, 330 total points)
7	14	(Four total ballots, +4 point differential)
8	4	(Three total ballots, +15 point differential)

If two teams were tied all the way through total points, the Regional Host will need to gather the coaches for a coin flip. The Regional Host shall assign one team heads and the other tails and flip the coin in the presence of the coaches.

Finally, the teams would be paired based on their rank: Team No. 11 (ranked first) meets Team No. 4 (ranked eighth), Team No. 1 (ranked second) meets Team No 14 (ranked seventh), Team No. 9 (ranked third) meets Team No. 13 (ranked sixth), and Team No. 10 (ranked fourth) meets Team No. 8 (ranked fifth).

### **Effect of Successful Protest on Team Rankings**

In the event the protest committee renders a decision pertaining to a protest that affects the wins, ballots, or points in a round, the decision affects team ranking as follows:

1. Disqualification from the tournament in a round: The disqualified team is removed from the rankings. Prior round wins, ballots and point differential for the disqualified team and opposing teams remain the same. The opposing team in the round in which the violation resulting in disqualification occurred is unaffected if such team would have won the round regardless of the protest. If such team would have lost the round in which the violation resulting in disqualification occurred, such team shall be ranked as having a win, two ballots, the same points as awarded by the Judges to them and zero-point differential from that round.
2. Forfeiture of the round: If the team who forfeits the round would have won the round, the team is given a loss, zero ballots, and a zero-point differential. If the team who forfeits the round would have lost the round regardless of the protest, the team is given a loss, zero ballots and its actual point differential, unless its point differential is positive, in which case the forfeiting team is given a zero-point differential. The opposing team in the round in which the violation resulting in forfeiture occurred is unaffected if such team would have won the round regardless of the protest. If such team would have lost the round in which the violation resulting in forfeiture occurred, such team shall be ranked as having a win, the same ballots and points as awarded by the judges to them and the same point differential as dictated by the scoring ballots.
3. Deduction of points on one or more ballots: Points are deducted in the matter determined by the protest. The wins, ballots, points and point differential of both teams in the round are ranked normally following the point deduction.
4. Forfeiture of a ballot: The team who forfeits a ballot shall be ranked as having one less ballot. No other adjustments are made to either team in the round.

5. General Deduction of Points: The team who has points deducted shall have their point total from the round reduced from their total points. The point differential of both teams in the round is determined by the point differential following the general deduction of points. No other adjustments are made to either team in the round

### **Team Pairings for the Quarterfinal Round:**

The choice of sides for the quarterfinal round is determined by coin toss with the following caveats: (1) no teams from the same school should face each other; (2) if the pairing is a re-match of a preliminary round, the schools must present opposite sides of the case from the previous preliminary round match-up; and (3) teams should not face the second team from a school where the first team saw the same side of the case. Here are illustrations of these last two caveats:

If team 1 and 5 played each other in the preliminary rounds and 1 was the plaintiff and 5 was the defense, then the two teams must present the opposite case in the break rounds. Thus, in the break rounds Team 1 will be the defense and Team 5 will be the plaintiff.

If Team 3 was the plaintiff playing Team 4 as the defense in the preliminary round and in the advanced round Team 3 is facing Team 8, from the same school as Team 4, then Team 3 cannot be the plaintiff again. Since Team 8 and Team 4 are from the same school, Team 3 will play the defense and Team 8 will play the plaintiff.

For the quarterfinal round, follow all other procedures as used in the preliminary rounds.

**Team Pairings for Semifinal Round:**The winners from the quarterfinal round advance to the semifinal round as noted above. Apply the same caveats mentioned above when pairing the teams: (1) no two teams from the same school can face each other, (2) if the pairing is a re-match of a preliminary round, the schools must present opposite sides of the case from the previous preliminary round match-up; and (3) teams should not face the second team from a school where the first team saw the same side of the case.

### **Final Round at the Regional Competition:**

A final championship round is optional; not all regions provide a championship round. If a championship round is conducted, the team winning the most ballots in the championship round, no matter what the total points are, is declared the regional champion. The team losing the championship round is declared the runner-up.

### **Determination of "Winning" School if No Final Round is Conducted:**

The NTC Committee requires that a "winning" school and a "runner-up" school be designated in each region. If the regional competition does not have a championship round, the "winning" team for NTC purposes is determined based on total ballots from the two winners of the semifinal rounds. The "winning" team from the region is the team that has the highest total ballots from all the rounds during the regional competition.

## **Ballot and Tabulation Transparency**

### **Preliminary Rounds**

The regional host must make ballots for all preliminary rounds available a reasonable time prior to the commencement of any post-break rounds. A reasonable time requires time for coaches to review the ballots for each of their own school's teams and check the ballots for tabulation errors. The regional host may make all ballots for all preliminary rounds available at the same time, but is not required to make them available following the completion of each round.

In addition, the regional host must announce the following for the lowest ranking team to qualify for post-break rounds: (1) round wins; (2) ballot wins; (3) point differential; and (4) total points.

*The tabulation system provided for the 2021 Regional Competition includes a summary of the information above that may easily be provided to the coaches for review.*

### **Post-break Rounds**

For post-break rounds, the regional host must make available copies of each team's ballots to the respective teams a reasonable time prior to the start of any subsequent round. The ballots from the final round must be made available to each respective team promptly after the conclusion of the of the final round of the regional competition.

*The tabulation system provided for the 2021 Regional Competition includes a summary of the information above that may easily be provided to the coaches for review.*

### **Additional Information Regarding Ballot and Tabulation Transparency**

Additionally, the regional host is only required to provide ballots of a participating law school to that law school. As an example, if "Team 1" requests copies of ballots, the regional host will provide Team 1 copies of the ballots for rounds in which Team 1 participated. The regional host is not required to provide copies of any other teams' ballots to "Team 1."

The regional host should announce at the coaches meeting at the beginning of the regional competition when and where the ballots will be made available. The regional host must make available copies of ballots available for inspection and may make such copies available in any reasonable format in the discretion of the regional host.

## **AFTER THE COMPETITION**

After the completion of the regional competition, the regional host should address the following:

### **Completion of the Results and Regional Host Form:**

Within three (3) business days after the regional competition, the Regional Host must complete the Results and Regional Host Form and send the form via email to Bree Trevino, the NTC Coordinator. The form is included in the Appendix to this handbook.

### **Protest Report:**

Within three (3) business days after the regional competition, the Regional Host must send a report of any protests, to include the protest committee coaches, the teams involved, the issues addressed, and the resolution, to Bree Trevino, the NTC Coordinator.

### **Send Thank You Notes:**

Send a thank you note or a thank you email to all judges, court personnel, witnesses, bailiffs, and others who assisted with the regional competition.

# **THANK YOU FOR HOSTING!**