

The Official Rules of the 2022 Comparative Law in Action Competition

These Rules are the rules for the 2022 Comparative Law in Action Competition. The Rules of the Competition are reviewed annually and are, therefore, subject to change each year. Reliance on any past rules or practice will not be a valid excuse for the failure to comply with rules of the current Competition

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INTRODUCTION

I. The Comparative Law in Action Competition

a. The Comparative Law in Action Competition (the “Competition”) is an annual competition of Teams representing top law schools around the World. It is intended to challenge students to work on a multimedia case in a largely virtual environment. Mirroring the methods of tomorrow’s legal teams, students have to apply a comparative legal mindset to reach an innovative, all-encompassing solution.

b. The goal of the Competition is to foster collaboration and innovation among students towards providing a solution of a case that encompasses technology, law and policy.

c. As the Competition progresses, participants will be provided with new case facts and learning information extracts affecting the case, mimicking the dynamic reality of everyday life.

d. The Competition is designed with an educational purpose. While it has many facets of a competitive nature, its rules and procedures must be interpreted in line with this goal.

II. Organization of the Comparative Law in Action Competition

a. Organizer. The Competition is organized by “IE University – Law School” (“IE Law School or Organizer”). While the organization of daily tasks involving the Competition will be carried by appointed staff members of IE Law School, all grading

and judging responsibilities will be in charge of independent parties. In order to ensure impartiality, all participating Teams will be given an Identification Number before the start of the Competition. Teams will identify their Memoranda with this number so they can be graded anonymously. Only the coach of each participating university and a member of IE Law School not responsible in any way for the grading of the written reports will know the ID number.

b. The Competition consists of the preparation of one Memorandum per Team and the oral rounds. Teams are expected to participate in both parts of the Competition to receive a certificate of participation.

c. Venue. The Oral Rounds will be held in-person in Madrid, Spain, on May 7th - 8th 2022. The preliminary rounds will take place on Saturday, May 7th. The Semifinals and Final will take place on Sunday May 8th. Specific times assigned to each university will be communicated through the Competition’s platform.

d. Language. The Competition will be conducted in English.

PRIVACY AND DATA REGULATION

I. The Competition makes it necessary to collect certain personal data for the functioning of the event. As per the General Data Protection Regulation (GDPR), IE Law School will not disclose any personal data to third parties unless we obtain prior permission from the affected individuals. In case of any concerns or queries about the treatment of personal data, please contact your IE Law School person of contact.

COMMUNICATIONS AND ONLINE PLATFORM

I. All email communications must be sent to the Competition's official email account: comparativelawinaction@ie.edu. Email will be the main communication means with coaches when particular information concerning the Team needs to be communicated. This will also be the way for Team Members to contact the Organizer in case of particular concerns.

II. The online platform to be used for general information, rules, calendar, announcements, and submission of Memoranda, among others, will be Canvas, accessible through the following link: <https://impactonline.ie.edu/courses/313>. The Organizer will send an invitation email to all participants upon receipt of the list of Team Members. This email will be sent directly from Canvas.

REGISTRATION

I. Registration in the Competition will be complete after the payment of the registration fee. The registration fee for the 2022 Competition is €900 (nine hundred Euros). The Registration fee must be paid by November 14th 2021 in order to participate in the Competition, unless express authorization has been granted by the Organizer to pay at a later date. Payment of the registration fee of €900 can be made by bank transfer to the following account:

- Account Holder: IE Universidad
- Address: Calle Diego de León, 16 1o 28006 - MADRID España
- Account No: 01822329910201509494

- International account number (IBAN): ES3201822329910201509494
- International routing code (SWIFT): BBVAESMMXXX

In order to request an invoice prior to the registration fee payment, please send an email to the Competition's email address (comparativelawinaction@ie.edu) with the following information:

- University name;
- Postal address;
- VAT Registration Number;
- Email to which the invoice should be sent to;
- Any additional instructions.

OFFICIAL RULE 1.0 - PARTICIPATION AND ELIGIBILITY

1.1. Composition. All educational institutions offering a degree in law are eligible to participate in the Competition. Each institution may only participate with one Team, regardless of the number of colleges, departments, faculties, or schools within that institution. Students may be registered either for a first or an advanced degree from one or more of its departments, faculties, or schools (e.g. allowing a student enrolled in a science program of the competing institution to compete on this institution's Team alongside students from its law faculty). A Team is composed of three or more Team Members. Teams may include former participants. All Team Members will subscribe their Team's Memorandum. However, a maximum of five Team Members can participate in the Oral Rounds. Team Members and students participating in the Oral Rounds may be chosen by any method approved by the responsible authority within the institution.

Outside Assistance to Teams is strictly forbidden and would be penalized. This conduct might even result in a disqualification from the Competition. Team Advisors or Coaches may provide advice to a Team, provided that such advice is limited to:(a) general instruction on the basic principles of law; (b) general advice on research sources and methods; (c) general advice on report and legal document writing techniques; (d) general advice on oral advocacy techniques; (e) general advice on the organization and structure of arguments in the Team's written and oral reports; (f) general commentary on the quality of the Team's legal and factual arguments. Each Team must research, write, edit, and develop its own legal and factual arguments without the assistance of persons who are not Team Members.

1.2. List of Team Members. The list of Team Members must be finalized by January 28th 2022, except for express approval from the Organizer to submit them at a later date. The list of Team Members representing their Team during the Oral Rounds must be informed to the Organizers by April 20th 2022.

1.3. Certificates of Participation. Certificates for participating Team Members will be prepared based on the lists submitted by each Team, showing the name of each Team Member exactly as they have been submitted. They will be sent via email through the Competition's official email account.

1.4. Coaches Letters of Recognition. Letters of recognition for the coaches of each Team will be prepared and sent via email

through the Competition's official email account.

1.5. Problem Corrections and Clarifications. Teams may request clarifications and corrections to the Competition Problem by submitting a written request to the Competition's official email. Corrections and clarifications will be made available on the Competition's platform.

OFFICIAL RULE 2.0 - WRITTEN MEMORANDA

2.1 Content. The report must contain the following parts in the following order: (i) Cover Page; (ii) Table of Contents; (iii) Index of Authorities;(iv) Questions Presented; (v) Statement of Facts; (vi) Executive Summary; (vii) main content with analysis and Suggestion/s. There must be no mention to the University's name on the Memorandum. Memoranda must remain anonymous, identified solely with the identification number provided by the Organizer.

2.1.1. Cover Page. The front cover of each Memorandum must have the following information: (a) the Team's Identification Number ; (b) the name of the Committee/Agency, etc. before which the report is submitted and presented (e.g., "UN Committee"); (c) the year of the Competition; (d) the name of the case; and (e) the title of the document (i.e. "Memorandum").

2.1.2. Index of Authorities. The Index of Authorities must list all legal authorities cited in any part of the Memorandum and must indicate the page number(s) of the Memorandum on which each is cited.

2.1.3. Statement of Facts. A well-formed Statement of Facts should be limited to the stipulated facts and necessary inferences from the Competition Problem. The Statement of Facts should not include unsupported statements, distortions of the facts provided, argumentation, or legal conclusions.

2.1.4. Executive Summary. A well-formed Executive Summary of the Memorandum should consist of a substantive summary of the Memorandum, rather than a simple reproduction of the headings contained therein.

2.1.5. Citation Requirements. Footnotes must be used to identify the source of statements or propositions made in the body of the Memorandum. Endnotes are not permitted. Footnotes may include substantive information in addition to the text of the citation itself. Footnotes are included in the word limit of the Memorandum.

2.2. Formatting and Length. All submitted Memoranda must meet the following formatting provisions in order to be considered for an award.

2.2.1. Paragraphs must be numbered.

2.2.2. Citations. All citations and references must follow the Harvard Format.

2.2.3. Formal English style is required from all Memoranda. For instance, slang or contractions (e.g. aren't, didn't) should not be used.

2.2.4. The minimum type style permitted is 12 point. The Memorandum should be typed at 1 1/2 line spacing. All margins must be at least one inch or 2.5 cm.

2.2.5. The word count for each Memorandum shall be done using the standard "Word Count" feature in Microsoft Word and must not exceed 4,100 words, divided between the following manner: (i) The Statement of Facts section including the section title must be no longer than 600 words. (ii) The Summary section, including the section title, must be no longer than 500 words. (iii) The total length of the Memorandum section, including the section title, any section headings, section sub-headings, associated footnotes, must be no longer than 3,000 words. Manipulation of the word count is prohibited and will be subject to a discretionary penalty of up to five (5) points.

2.3. Submission of Memoranda. The Memoranda must be submitted in Word Format so that the Judges can review the word count. Each Team must submit a Memorandum to the Organizer's by 23:00 (Madrid time) on Wednesday, April 20th, 2022. The Memorandum must be submitted through the appropriate section of the Competition's Canvas Platform. Access to the submission area will be granted exclusively to the Team's Coach(s) who will be responsible for the submission. Only one submission attempt will be permitted and the uploaded document will be considered final by the Organizer. Submissions made after the deadline will be penalized as indicated in Official Rule.

2.4. Additionally, at the same time the Memorandum is submitted, the final list of Team Members representing the Team in the oral rounds must be sent to the Competition's official email address.

OFFICIAL RULE 3.0 - ORAL ROUNDS

3.1. Format. The Oral Rounds will be held in Madrid, face-to-face. Exceptionally, the Organizer might authorize for a Team to participate on line. In the latter case, details of the platform and specific rules of conduct will be communicated at a date prior to hearings.

3.2. Rounds. The Oral Rounds consist of three distinct phases: Preliminary Rounds, Semifinals and Final. Each Team will argue once per round. At least three Members of the Team must participate in each round. Winning Teams on each of the Preliminary Rounds shall advance to the Semifinals. Only two Teams will reach the final. Observers are not allowed during Preliminary Rounds and Semifinals, unless they are members of the presenting Teams. All Teams will be permitted to attend the Final Round.

3.3. Pairings. The pairing of Teams for Preliminary Rounds and Semifinals shall be done, by a random draw. Pairings will be distributed to Teams on or prior to the first day of the Round. The Organizer may modify the pairings to account for absent Teams or other eventualities. In this case, the Organizer will provide the new pairings to the affected Teams as soon as possible.

3.4. Order of presentations. Once the pairings are done, the order of each Team's

presentation will be decided randomly through a draw right before the start of each round.

3.5. Duration. Each Team will deliver a presentation of 30 minutes per round, including the questions asked by the judges. Prior to the beginning of the presentation, each Team must indicate to the panel how it wishes to allocate its 30 minutes among Members. All Members of the Team must participate during each round. The Team may not allocate more than 15 minutes to one Member, although in extenuating circumstances, the Organizer has discretion to permit a single Counsel to argue beyond the 15-minute limit. Such permission must be requested, where possible, at least seven days prior to the start of the Oral Rounds. Time allocated but not used by one orator may not be used by any other during that round. Judges may, at their discretion, extend the time allotted for a Team beyond the 30-minute individual limit.

3.6. Judging Panel. The Organizer shall provide a panel of minimum two judges whenever possible during the Preliminary Rounds and the Semifinals. The panel for the Final Round will be formed by four judges. Exceptionally and as a last resort, a three-judge panel could be employed for the Final Round. Judging panels will be composed of independent members not linked to the Organizer in order to ensure transparency.

3.7. Arguments. Teams are not restricted to the arguments in their Memoranda. Teams should rely on the arguments given in Memoranda or be prepared to justify why they abandoned that position during the

Preliminary Rounds. In subsequent rounds, judges may be less demanding on this issue as it is expected that Teams will improve their arguments as they progress.

3.8. Questions by judges. Judges might have different styles. Some Judges may interrupt a presentation with continuing questioning. Other Judges may listen to an entire presentation before asking any questions. Hence, Teams should be prepared for both styles of oral presentation.

3.9. Audio and Video Recording. No audio or video recording during the Oral Rounds is permitted without the prior permission of the entire panel of Judges, the Teams and the Organizer. Under no circumstances may participating Teams view or listen to any recording until after the completion of the Round in which the recording took place.

3.10. Electronic devices. During the Oral Rounds, orators and other Team Members may not operate mobile phones, laptops or any other electronic devices, including but not limited to those which are internet-enabled or data-capable, or have instant messaging capabilities. All devices must be turned off and be kept out of sight before the start of the Team's presentation.

3.11. Exhibits. Exhibits are permitted during each Team's presentation, including exhibits coming directly from the Problem or any other designed by the Teams.

OFFICIAL RULE 4.0 - SCORING AND RANKING OF ORAL ROUNDS

4.1. Scoring and Ranking of Memoranda. Each Memorandum will be scored on a

scale of 1-100 points, divided between the following criteria:

4.1.1. Command of the subject and quality of research: 40 points.

4.1.2. Quality of argument, prose, structure and formal aspects: 30 points.

4.1.3. Knowledge of the facts and accurate interpretation of the facts: 30 points.

4.2. Penalties to Memoranda. Memoranda penalties may be imposed by the Organizer and shall be deducted from each of the Team's scores. Penalties shall be assessed for violations of the Rules concerning Memoranda by reference to the following:

4.2.1. Tardiness in submitting Memoranda: 5 points for up to the first day, 3 points per day thereafter. Memoranda that have not been submitted 7 days after the deadline, will not be considered for Memorandum awards. If the Memoranda has not been submitted 7 days prior to the commencement of the Oral Rounds, the Team will be withdrawn from the Competition.

4.2.2. Resubmission of Memorandum after deadline: 2 points.

4.2.3. Failure to remove Tracked Changes or Comments: Up to 5 points (one-time penalty).

4.2.4. Failure to include all parts of the Memorandum, or inclusion of an un-enumerated part: 2 points for each part.

4.2.5. Failure to comply with formatting: (i) Line spacing, margins and font size: 5 points; (ii) Citations and referencing: Up to 10 points.

4.2.6. Failure to include necessary and correct information on Memorandum Cover Page: 2 points (one-time penalty).

4.2.7. Excessive length: (i) Memoranda 1-100 words over the word count limit: 3 points; (ii) Memoranda 101-200 words over the word count limit: 6 points; (iii) Memoranda 201-300 words over the word count limit: 9 points; (iv) Memoranda 301-400 words over word count limit: 12 points; (v) Memoranda 401+ words over word count limit: 15 points.

4.2.8. Excessive length: Executive Summary: 2 points (one-time penalty).

4.2.9. Excessive length: Statement of Facts: 2 points (one-time penalty).

4.2.10. Plagiarism (including lack of or scarce citations): 1 to 50 points.

4.3. Scoring and Ranking of Oral Rounds. Each Judge will score each of the orators on a scale of 1-100 points on each round. The individual score given to an orator by a Judge is entirely within the discretion of that Judge. While the Judging Panel is strongly encouraged to discuss scoring before submitting the scores to the Organizer, there is no requirement for the Judging Panel to agree on scores. While the scores are discretionary, the criteria to be regarded in the evaluation of the orators are:

4.3.1. Organization and Preparation: Includes aspects such as a proper and clear introduction of the orator, the issues and relevant facts. It also encompasses the strength of the orator's opening, logical sequence and conclusion. Finally, it comprises the orator's familiarity with the authorities on which the arguments rely.

4.3.2. Presentation: It relates to whether the presentation appropriately paced, free of mannerisms and loud enough. Does the orator use inflection to avoid monotone presentations and make eye contact? Is the presentation convincing, regardless of the merits of the case?

4.3.3. Team coordination: It relates to whether the presentation is well-coordinated. Are all orators well-coordinated? Has the team put thought to the flow of the entire presentation including the coordination between all orators? Are oralists complementing each other in their presentations?

4.3.4. Knowledge of the facts and the law: This criterion delves into whether the orator knows the facts and applicable law comprehensively. It further includes whether the orator is able to connect the facts to the law in order to present a strong case.

4.3.5. Handling questions: Does the orator answer questions directly and use them for his or her advantage? In order to determine the Team's overall score in the Oral rounds, the Organizer will calculate the average of the individual scores given to its orators by

the Judges. The average of each round will be added to the Team's overall score in the Oral Rounds. The Memoranda scores will not be taken into account when scoring a Team's performance during Oral Rounds, except to break a tie as per Rule 4.4. The four Teams with the highest scores during the Preliminary Round will advance to the Semifinals. Only the two Teams with the highest scores after the Semifinals will move forward to the Final Round.

4.4. Tie-breaking Procedure in Oral Rounds.

If two or more Teams are tied, the following rules will be applied to break the tie among them, starting with the first and working down only if the previous option does not break the tie:

4.4.1. If only two Teams are tied and they faced each other during that Round, the Team advancing to the next round will be the winner of that oral match.

4.4.2. If two or more Teams are tied and they have not faced each other on that Round, or if a tie occurs during the Final Round and the previous method doesn't solve the tie, the Organizer shall break the tie applying the following methods:

4.4.2.1. The Team with the higher total score during Oral Rounds and Memorandum score wins, calculated by adding the Team's total average score in each of the Oral Rounds to the total score obtained in their Memorandum.

4.4.2.2. The Team with the higher orator score average wins.

4.4.2.3. The Organizer determines a method to break the tie, taking into consideration the interests of the Teams and the Competition as a whole.

4.5. Penalties during Oral Rounds. Judges shall impose penalties during Oral Rounds after consulting with the rest of the Judges from that panel. The penalty total shall be discounted from the individual orator's total score for that Round. The penalties in place are the following:

4.5.1. Improper communications to the judges: Up to 20 points.

4.5.2. Scouting: Indirect scouting will lead to a forfeiture of that Oral Round. Direct scouting will result in the forfeiture of all Oral Rounds. In case an orator is subject to this penalty, he or she will add 0 points to his or her Team's total score and will be counted on the average when calculating the Team's total. If it is discovered that more than one orator from a Team did the scouting, disqualification will be considered.

4.5.3. Discretionary Penalties: In addition to the Penalties listed previously, the Judges or Organizer may deduct up to 20 points for other violations. Discretionary Penalties might be imposed upon a Team for conduct from its orators or of persons affiliated with the Team. These penalties are:

4.5.3.1. Submitting multiple complaints against other Teams without grounds.

4.5.3.2. Inappropriate behavior during oral rounds between Team Members or affiliated persons.

4.6. Notice and Appeals. The Organizer shall notify Teams of the decision to impose Penalties to the Memoranda or to Oral Rounds as soon as possible, together with a reasonable deadline to appeal. A Team may appeal any penalty imposed by sending an email to the Competition's official email address with the grounds for appeal. The Organizer shall decide upon the validity of any appeal promptly. No further appeal is available from this decision.

4.7. Scoring of the Winning Team of the Competition. The Judging Panel of the Final Round shall make an independent review of the Teams' Memoranda scores and oral arguments, taking both into account, although they do not need to give any particular fixed weight to either Memoranda or oral arguments. The decision regarding the Winning Team of the Competition shall be by majority vote of the Judges. No ties are allowed.

4.8. Scoring of the Best Orator. This award will be given to the Team Member who obtained the highest score during Oral Rounds. An Orator's average score is the average of the scores awarded to that individual by each Judge. This will total the

sum of all the scores divided by the number of judges granting those scores. In case of a tie, the Organizer shall break it by comparing average oral scores deducting the single lowest score from each tied Orator.

OFFICIAL RULE 5.0 - AWARDS

The following awards will be granted upon completion of the Oral Rounds:

5.1. Best Orator: This award will be won by the person with the highest average score during the Oral Rounds. For an orator to be considered for this award, he or she must have participated in at least two rounds.

5.2. Best Team in Oral Rounds: This award will be presented to the winning Team of the Final Round of the oral proceedings.

5.3. Best Memorandum: This award will be won by the Team with highest score for its Memorandum.

5.4. Winning Team of the Competition: This award will be presented to the Team with the best overall performance, taking into consideration both the Memorandum and the performance in the Oral Rounds.

OFFICIAL RULE 6.0 - INTERPRETATION OF THE RULES

6.1. Requests. For interpretation of the Rules must be submitted to the Organizer of the Competition. All interpretations, consents or waivers are at the discretion of the Organizer.