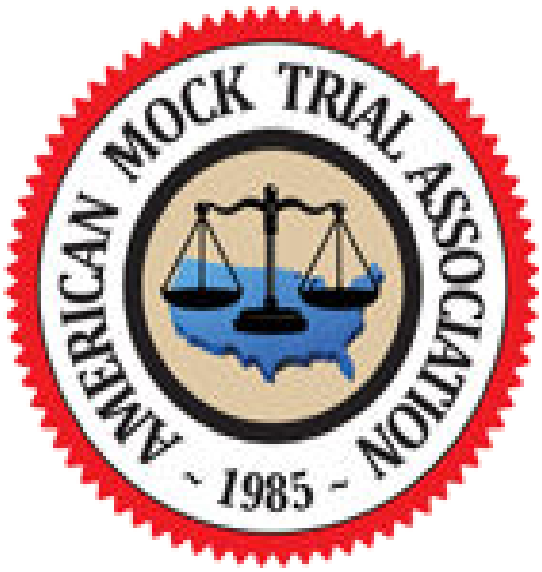

2025 Board Meeting Minutes
Austin, Texas
July 12-13, 2025

American Mock Trial Association
Meeting of Board of Directors
Austin, Texas
July 12-13, 2025
Minutes

I. Call to Order and Roll Call

Members Present: Ben-Merre, Bernstein, Cannon, D'Ippolito, Detsky, Gelfand, Halva-Neubauer, Harper, Haughey, Hauser, Henry, Heytens, Hogan, Holstad, Jahangir, Langford, Leapheart, Leckrone, Michalak, Olson, Ouambo, Parker, Pickerill, Randels Schuette, Schuett, Smiley, Sohi, Thomason, Walsh, Warihay, Watt, Wilson, Woodward, Yeomelakis, Zarzycki (35)
Members Not Present: Garson (1)
Candidate Members Present: Kerwin, LaPrade, Nolte, Selcov (4)
Candidate Members Not Present: None
Staff: Doss
Guests: Haspel, Haughey

II. Welcome and Remarks (Sohi)

III. Approval of Agenda

See Appendix A for an explanation of the Agenda.
Motion by D'Ippolito to approve the Agenda. Seconded.
Agenda approved.

IV. Approval of 2024 Mid-Year Meeting Minutes

Motion by D'Ippolito to approve the Mid-Year Minutes. Seconded.
Minutes approved.

V. Committee Reports

Most committees delivered their reports to the Board via email prior to the meeting.

A. Academics Committee (Leapheart): Written report.
B. Accommodations Committee (Olson): Written report.
C. Analysis Committee (Jahangir): Oral report.
D. Audit Committee (Halva-Neubauer): Written report, Oral report presented during Executive Session.
E. Budget Committee (Warihay): Written report, Oral report presented during Executive Session.
F. Civil Case Committee (Jahangir): Oral report.
G. Competition Integrity Committee (Randels Schuette): Written report.
H. Content and Campaigns Committee (Selcov): Written report.
I. Creative and Design Committee (Smiley): Written report.

J. Criminal Case Committee (Schuett): Written report.
K. Content and Campaigns Committee (Selcov): Written report.
L. Development Committee (Bernstein): Written report.
M. Disciplinary Committee (Woodward): Written report.
N. Diversity and Inclusion Committee (Watt): Written report.
O. Human Resources Committee (D'Ippolito): Written report.
P. NCT Case Committee (Haughey): Written report.
Q. New School Recruitment and Mentorship Committee (Olson): Written report.
R. Onboarding & Mentorship Committee (Wilson): No report.
S. Operational Excellence Committee (Kerwin): No report.
T. Rookie Rumble Committee (Selcov): Written report.
U. Rules, IP, and Ethics Committee (Smiley): Oral report.
V. Strategic Planning Committee (Walsh): Written report.
W. Student Advisory Board Committee (Wilson): Written report.
X. Tabulation Advisory Committee (Michalak): Written report.
Y. Tournament Administration Committee (Yeomelakis): Written report.

VI. Tabled Motions

See Appendix A for an explanation of tabled motions.
See Appendix D for a list of motions tabled by committee.

VII. Approval of Consent Calendar

See Appendix C for the motions on the Consent Calendar.

Motion by Holstad (with Walsh and Olson) to remove RULES-08 from the Consent Calendar. RULES-08 removed from Consent Calendar.

Motion by Woodward to approve balance of the Consent Calendar.
Seconded.**Consent Calendar approved.**

VIII. Elections and Appointments

A. Presidential Election.

D'Ippolito, Jahangir, and Smiley nominated for President-Elect.
D'Ippolito elected.

B. Presidential Appointments and Special Board Elections.

1. **Disciplinary Committee Appointment.**
   Sohi appoints Langford to Disciplinary Committee.
2. **Disciplinary Committee Member-at-large Election.**
   Thomason nominated by Warihay.
   Thomason elected to Disciplinary Committee.

3. **Human Resources Committee Appointment.**
   Sohi appoints Olson to Human Resources Committee.
4. **Human Resources Committee Member-at-large Election.**
   Halva-Neubauer nominated by Warihay.
   Halva-Neubauer elected to Human Resources Committee.

IX. Motions

The full text of motions advanced for debate appears in Appendix B of the Agenda and below. Designations in **green** were advanced by the committee with a positive recommendation. Designations in ***blue italic*** were advanced by the committee with no recommendation. Designations in **red with underlying** were tabled by the committee.

In cases where existing rules are being amended, rule language to be deleted is shown ~~struck through~~ and new language to be created is shown in red.

Overview of Motions

All motions are hyperlinked by number (*e.g.*, CIC-01) to their full text, Board discussion, and outcome.

Motion	Description	Outcome
AUDIT-01	Acknowledges AMTA Board Members' receipt and review of preliminary FY2024 audit documents.	**Passed**
ACC-01	Imposes November 10 application deadline for religious accommodation requests; January 15 application deadline for all other accommodation requests.	**Passed as amended**
CIC-01	Requires video or audio recording of the round as support for improper invention allegation.	**Passed**
CIC-02	Prohibits the CIC from imposing point deductions as penalty.	**Passed as amended**
CIC-03	Permits the CIC to impose individual award forfeiture as penalty.	**Passed as amended**
CIC-04	Permits CIC in-tournament investigation at 2026 NCT.	**Passed as amended**
EC-01	Requires that each witness who may be called must have one or more affidavits or reports governed by Rules 7.17 and 7.21.	**Passed as amended**
EC-06	Adds to "Category Three Judge" definition unaffiliated individuals who review tabulation cards or ballots during the tournament.	**Passed**
EC-09	Introduces rule codifying the Glen Halva-Neubauer Judges Hall of Fame.	**Passed unanimously**

EC-10	Amends available penalties that an AMTA Representative may impose for a coach's failure to comply with volunteer judge requirement.	**Passed**
EC-11	Amends 2026 Rookie Rumble competitor eligibility requirements.	**Referred to ad hoc as amended**
RULES-01	Closes loophole on "planting" objects in tournament venue for "prop" use during round; excludes from definition of "demonstrative aid" witness costume objects not referenced during trial.	Divided into two motions: **RULES-01(a) - Passed as amended** **RULES-01(b) - Passed as amended**
RULES-02	Prohibits making or placing markings on trial room floor.	**Passed**
RULES-03	Clarifies that roster substitutions in case of illness or emergency may take place only after the tournament begins.	**Passed**
RULES-05	Permits use of exhibit binder for presiding judge and witnesses.	**Passed**
RULES-06	Introduces "Swing Time" for Direct and Cross Examination.	**Failed**
RULES-08	Amends MRE 106 to conform to corresponding FRE, with additional comment.	**Passed as amended**
RULES-10	Clarifies that MRE 801(d)(2) will not be updated to conform to the corresponding update to FRE counterpart.	**Passed**
TAB-01	Requires for consistent scoring judge numbers across all opening round championship series tournaments.	**Failed**
TAB-02	Swaps OCS and PD as tiebreakers within Tab Manual.	**Referred to Analytics**
TAB-03	Increases the number of ORCS bid allocations for Regional tournaments with at least 18 but fewer than 22 bid-eligible teams.	**Failed as amended**
TAB-04	Amends Round Four Regionals pairings to require resolution of Secondary Bracket impermissibles prior to resolving uneven brackets.	**Passed**

AUDIT-01:
Motion by Halva-Neubauer (on behalf of Audit Committee) as follows:

Whereas Board Members are in receipt of the preliminary audit for FY2024 (five documents shared with the Secretary (Michael D'Ippolito) on June 30, 2025: (1) Audited Financial Statement; (2) Communication with those charged with governance during communication letter; (3) Management Representation letter; (4) Recommendation letter; and (5) Significant Deficiencies letter prepared by Nichols Accounting Group, Nampa, Idaho, the Audit Committee moves that AMTA Board members acknowledge receipt and review of these documents.

Additionally, the President (Jacinth Sohi) and Treasurer (Will Warihay) are authorized and directed to sign the management letter, and the executive team to take steps to continue to remove the significant deficiencies identified in the audit.

Upon adoption of this motion, Director Halva-Neubauer, in his capacity as Audit Committee Chair, will direct the auditors at Nichols Accounting Group to remove the watermark from the draft report and issue a final report to the Board.

Motion by Woodward to enter Executive Session with Directors and Candidate Members. Seconded. **On Sunday at 9:12 a.m. CDT, the Board entered Executive Session.**

AUDIT-01 approved during Executive Session.

ACCOMMODATIONS-01:

Motion by Olson (as amended by Committee) to amend Rule 10.14 of the AMTA Rulebook as follows:

Rule 10.14 Reasonable Accommodations

. . . .

(1) REQUEST FOR ACCOMMODATIONS. To be eligible for review by the committee, an application must contain:

- **(a)** The name of the school or student, the student's school, and the name of the competition at which the accommodation is sought;
- **(b)** Contact information for the school representative or student. If the accommodation is submitted by a student and the student is unable or unwilling to communicate directly with the committee, the student may authorize in writing a personal representative (such as a parent, teammate, or coach) to communicate with the committee regarding the accommodation;
- **(c)** The application should include at least two valid means of communication (for example, a telephone number and an email address). The more means of communication provided to the committee, the more fluid the process can be;
- **(d)** The circumstances requiring the accommodation (such information need not include medical documentation); and
- **(e)** The requested accommodation.

Applications for religious accommodations are due to the committee on November 10, and all other ~~A~~applications for accommodations are due to the committee on January 15 preceding the spring qualifier season. Requests should be submitted with the Team Registration Form or by writing the Accommodations Committee directly. Host accommodations should go to the hosting institution as AMTA does not have authority to change premises rules.

(2) LATE REQUESTS. Requests for accommodation not made by the applicable deadline~~January 15~~ should be directed to the Accommodations Committee at the earliest possible date. If the Accommodations Committee is unable to reach a decision before the start of the tournament at issue, or if the request was never brought to the Accommodations Committee, the student, coach, or person making the request shall bring the request to the tournament's AMTA Representatives, who shall have the authority to grant or deny the request. If denied, requests for accommodation handled by a tournament's AMTA Representatives may be appealed to the Tabulation Director, who shall decide in consultation with the President, whether to overturn the AMTA Representatives' decision. In the event that the Tabulation Director cannot be reached, or is one of the AMTA Representatives, the party may appeal to a member of the Executive Committee in the order described in Rule 9.4(3).

Rationale: *Religious accommodations typically require assignment to a particular regional or regionals so it is helpful for the assignment folks to know of the request before assigning teams, so as to avoid moving teams around later.*

Motion by Woodward to lay ACC-01 on the table for the Committee's further review and revision. Seconded. **Motion passes. ACC-01 put on the table.**

Motion by Woodward to take ACC-01 off the table. Seconded. **Motion passes. ACC-01 taken off the table.**

ACC-01 revised by Committee as follows:

Rule 10.14 Reasonable Accommodations

. . . .

(2) REQUEST FOR ACCOMMODATIONS. To be eligible for review by the committee, an application must contain:

(a) The name of the school or student, the student's school, and the name of the competition at which the accommodation is sought;

(b) Contact information for the school representative or student. If the accommodation is submitted by a student and the student is unable or unwilling to communicate directly with the committee, the student may authorize in writing a personal representative (such as a parent, teammate, or coach) to communicate with the committee regarding the accommodation;

(c) The application should include at least two valid means of communication (for example, a telephone number and an email address). The more means of communication provided to the committee, the more fluid the process can be;

(d) The circumstances requiring the accommodation (such information need not include medical documentation); and

(e) The requested accommodation.

Applications for accommodations arising from a team's inability to compete on a given day of the week or at given time(s) (including, by way of example, accommodations arising from religious practices, but not including conflicts with School schedules and other scheduling conflicts) are due to the committee on November 10, and all other ~~A~~applications for accommodations are due to the committee on January 15 preceding the spring qualifier season. Requests should be submitted with the Team Registration Form or by writing the Accommodations Committee directly. Host accommodations should go to the hosting institution as AMTA does not have authority to change premises rules.

Motion by Warihay to amend as follows:

Rule 10.14 Reasonable Accommodations

. . . .

(3) REQUEST FOR ACCOMMODATIONS.

. . . .

Applications for accommodations arising from a team's inability to compete on a given day of the week or at given time(s) (including, by way of example, accommodations arising from religious practices, but not including conflicts with School schedules and other scheduling conflicts) are due to the committee on October 15, and all other ~~A~~applications for accommodations are due to the committee on January 15 preceding the spring qualifier season. Requests should be submitted with the Team Registration Form or by writing the Accommodations Committee directly. Host accommodations should go to the hosting institution as AMTA does not have authority to change premises rules.

Seconded. **Motion to amend passes.**

ACC-01 passes as amended.

CIC-01:

Motion by Randels Schuette and Yeomelakis to amend Rule 7.21(6)(b) of the AMTA Rulebook as follows:

Rule 7.21 Invention of fact.

. . . .

(6) POST-TOURNAMENT REMEDY FOR VIOLATIONS.

. . . .

(b) Procedures for Filing and Responding to Improper Invention Complaints.

i. **Video or Audio Required.** Any allegation of egregious Improper Invention must be supported by an audio or video recording of the round.

ii. **Deadline for Submission of Complaints.** Any allegations of an egregious Improper Invention must be brought to the attention of the Competition Integrity Committee by submitting the Competition Integrity Committee Form on the AMTA website by 4:00 p.m. Central time on the Monday immediately following the tournament. The Competition Integrity Committee may create a separate form for complainants to provide notice of intent to seek certain relief and may refuse to consider certain forms of relief if such is not submitted by the deadline prescribed on the form.

iii. **Review of Complaints**. If the allegation is raised timely, the Competition Integrity Committee shall investigate the allegation upon its collection of a complete investigative file. A complete investigative file shall include (i) the Complaint filed through the online Competition Integrity Committee Form; (ii) the Response filed through the online Competition Integrity Committee Form (and submitted no more than 48 hours after request, which may be extended upon request and for good cause); and (iii) any supplemental materials requested of the parties by the Committee Chair or the Chair's designee. The Chair or the Chair's designee shall have discretion to receive additional supplemental materials, including, but not limited to, trial recordings, ballots and comment sheets, statements from others including the AMTA Representatives, and amicus briefs. The parties shall work in good faith to provide any requested supplemental materials. Any amicus briefs must be received by the relevant party's filing deadline and must total no more than 500 words. The Chair or the Chair's designee shall also have discretion to set word or page limits for any additional supplemental materials.

iv. **Conclusion of Investigation.** If, after investigation, the Committee concludes that an egregious improper invention of fact did occur, the Committee will issue penalties pursuant to Rule 9.10. If the CIC finds that a team committed an improper invention of fact, but the invention was not egregious, the CIC may issue a warning. Warnings may be considered by the CIC in determining whether future conduct by the same school constitutes an egregious invention of fact under Rule 7.21. The CIC may create a public version of the warning or penalty but shall not identify the warned or penalized school or individual by name.

v. **Ethical Violations Not Determined.** While violations of the invention of fact rules can also be considered ethical violations under these rules, the Competition Integrity Committee does not make conclusions regarding such rules during its investigation. The Competition Integrity Committee may refer potential ethical violations under Rule 1.5, 1.6, 6.1 and/or 6.9 to the Executive Committee for adjudication.

vi. **Appeals of Penalties.** Any team that has penalties issued against it under Rule 9.10 pursuant to the conclusion of the CIC investigation has the ability to appeal that determination to the Executive Committee. Warnings are not appealable. A decision of the Committee that an egregious invention of fact did not occur is not appealable by the complainant.

***Rationale**: Audio or video has basically become a requirement for the CIC to impose any penalties. By formalizing this requirement in the rule, we put teams on notice that it is required. This will likely cut down on CIC work because we will no longer have to wade through he said / she said complaints.*

Motion by Randels Schuette to amend as follows:

(6) POST-TOURNAMENT REMEDY FOR VIOLATIONS.

. . . .

(b) Procedures for Filing and Responding to Improper Invention Complaints.

i. Video or Audio Required. Any allegation of egregious Improper Invention must be supported by an audio or video recording of the round unless recording is prohibited by the venue.

Seconded. **Motion to amend adopted by unanimous consent.**

CIC-01 passes.

CIC-02:

Motion by Randels Schuette and Yeomelakis to amend Rule 9.10(2) of the AMTA Rulebook as follows:

> **Rule 9.10 Penalties for Invention of Fact.**
>
> . . . .
>
> **(2) AVAILABLE PENALTIES**. Penalties for invention of fact violations may include the following, in order of severity: verbal or written warning, ~~point deduction on ballots~~, forfeiture of ballots, forfeiture of individual awards[1], team or individual probation, or loss of bids. In rare cases, generally limited to repeated or flagrant violations of this rule, penalties may include suspension of an individual, team, or program from future competitions. ~~Point deductions, f~~Forfeiture of individual awards[2], forfeiture of ballots, and loss of bids may be issued either mid-tournament or post-tournament. Probation and suspensions for invention may only be issued post-tournament.

***Rationale**: The ability to impose a point deduction has led to the misuse of the CIC complaint process. Often, when rounds are close and there is even a borderline invention, teams will bring a complaint, even if the invention was not handled in round. That is not what the CIC was designed to combat. Instead, the CIC should be hearing complaints of case-breaking inventions. By limiting ballot-altering penalties to those that take away the whole ballot, the hope is the complaints made will be limited and for serious violations.*

Additionally, point deductions are challenging to impose because each individual may have different thoughts on the value of a single point, and judges certainly have differing views on the value of a point. Trying to impose such penalties post-round is nearly impossible

Motion by Smiley to lay CIC-02 on the table. Seconded. **Motion to lay CIC-02 on the table fails.**

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1 As modified by CIC-03 (passed prior to the Board addressing CIC-02).

2 *See supra* note 1.

Motion by Haughey to amend as follows:

Rule 9.10 Penalties for Invention of Fact.

. . . .

(2) AVAILABLE PENALTIES. Penalties for invention of fact violations may include the following, in order of severity: verbal or written warning, ~~point deduction on ballots~~, forfeiture of ballots (ballots that are forfeited shall be awarded to the other team with a +1, +1 point differential), forfeiture of individual awards, team or individual probation, or loss of bids. In rare cases, generally limited to repeated or flagrant violations of this rule, penalties may include suspension of an individual, team, or program from future competitions. ~~Point deductions, f~~Forfeiture of individual awards, forfeiture of ballots (ballots that are forfeited shall be awarded to the other team with a +1, +1 point differential), and loss of bids may be issued either mid-tournament or post-tournament. Probation and suspensions for invention may only be issued post-tournament.

Motion by Olson to amend the Haughey amendment as follows:

Rule 9.10 Penalties for Invention of Fact.

. . . .

(2) AVAILABLE PENALTIES. Penalties for invention of fact violations may include the following, in order of severity: verbal or written warning, ~~point deduction on ballots~~, forfeiture of ballots (any forfeited ballot shall be awarded to the other team with a +1 point differential), forfeiture of individual awards, team or individual probation, or loss of bids. In rare cases, generally limited to repeated or flagrant violations of this rule, penalties may include suspension of an individual, team, or program from future competitions. ~~Point deductions, f~~Forfeiture of individual awards, forfeiture of ballots (any forfeited ballot shall be awarded to the other team with a +1 point differential), and loss of bids may be issued either mid-tournament or post-tournament. Probation and suspensions for invention may only be issued post-tournament.

Seconded. **Olson amendment passes.**

Haughey amendment as amended passes.

CIC-02 passes as amended.

CIC-03:
Motion by Randels Schuette and Yeomelakis to amend Rule 9.10(2) of the AMTA Rulebook as follows:

> **Rule 9.10 Penalties for Invention of Fact.**
>
> . . . .
>
> **(2) AVAILABLE PENALTIES**. Penalties for invention of fact violations may include the following, in order of severity: verbal or written warning, point deduction on ballots, forfeiture of ballots, forfeiture of individual awards, team or individual probation, or loss of bids. In rare cases, generally limited to repeated or flagrant violations of this rule, penalties may include suspension of an individual, team, or program from future competitions. Point deductions, forfeiture of ballots, and loss of bids may be issued either mid-tournament or post-tournament. Forfeiture of individual awards, ~~P~~probation and suspensions for invention may only be issued post-tournament.

Rationale: *The current penalty structure does not allow the CIC to strip individual awards. It is possible a witness or attorney who engaged in egregious improper inventions could have awards. We should allow the CIC, after investigation, to forfeit those awards if the behavior warrants such forfeiture. In past years, the CIC has discussed this as a penalty but noted it was not available. It would also be inconsistent in many cases to forfeit ballots but allow individual awards to stand.*

Motion by Randels Schuette to amend as follows:

> **Rule 9.10 Penalties for Invention of Fact.**
>
> . . . .
>
> **(2) AVAILABLE PENALTIES**. Penalties for invention of fact violations may include the following, in order of severity: verbal or written warning, point deduction on ballots, forfeiture of ballots, forfeiture of individual awards, team or individual probation, or loss of bids. In rare cases, generally limited to repeated or flagrant violations of this rule, penalties may include suspension of an individual, team, or program from future competitions. Point deductions, forfeiture of ballots, forfeiture of individual awards, and loss of bids may be issued either mid-tournament or post-tournament. Probation and suspensions for invention may only be issued post-tournament.

Seconded. **Motion to amend adopted by unanimous consent.**

CIC-03 passes as amended.

CIC-04:

Motion by Randels Schuette and Yeomelakis (as amended by Committee) to amend Rule 9.11 of the AMTA Rulebook as follows:

> **Rule 9.11 In-Tournament Investigation.**
> For the ~~2024-2025~~ 2025-2026 season, the Competition Integrity Committee may in its discretion investigate allegations of violations of Rule 6.11(2) and 6.11(3) during the National Championship Tournament and, where appropriate, issue penalties in accordance with Rule 9.10. The committee need not be physically present at a tournament to issue an in-tournament finding and/or penalty. In-tournament investigations and penalties require participation from at least three committee members. Committee members are not disqualified from this process by serving as an AMTA Representative at the tournament in question. The Competition Integrity Committee may establish deadlines and procedures for submitting requests for in-tournament review, which must be publicly posted on AMTA's website no later than the date on which the National Championship Tournament Case is released. The Competition Integrity Committee may impose sanctions, including refusal to consider future requests, if it determines that a request for in-tournament review was frivolous. See Rule 9.28. Nothing in this rule shall preclude other processes for investigating allegations of violations of Rule 611(2) and 6.11(3) that exist in the AMTA Rulebook. In-tournament investigation will not be utilized to review allegations of invention of fact not contemplated under Rule 6.11. All invention of fact complaints under Rule 7.21 must follow the procedures set forth under the rule and will be adjudicated post-tournament.

Rationale: *The National Championship should be final. This rule change brings back full in tournament review for egregious improper invention of fact and largely removes post-tournament review. It is meant to work in tandem with the motion to eliminate the ability to impose point penalties. By having expanded review, but limiting penalties, we provide a mechanism to review serious allegations, but hopefully reduce the number of allegations brought.*

Motion by Gelfand to amend as follows:

> **Rule 9.11 In-Tournament Investigation.**
> For the ~~2024-2025~~ 2025-2026 season, the Competition Integrity Committee may in its discretion investigate allegations of violations of Rules 6.11 and 7.21 ~~Rule 6.11(2) and 6.11(3)~~ during the National Championship Tournament and, where appropriate, issue penalties in accordance with Rule 9.10. The committee need not be physically present at a tournament to issue an in-tournament finding and/or penalty. In-tournament investigations and penalties require participation from at least three committee members. Committee members are not disqualified from this process by serving as an AMTA Representative at the tournament in question. The Competition Integrity Committee may establish deadlines and procedures for submitting requests for in-tournament review, which must be publicly posted on AMTA's website no later than the date on which the National Championship Tournament Case is released. The Competition Integrity Committee may impose sanctions, including refusal to consider future requests, if it determines that a request for in-tournament review was frivolous. See Rule 9.28. The Competition Integrity Committee may defer

complaints raised in-tournament to post-tournament review. Other than complaints raised in-tournament and deferred to post-tournament review, there shall be no post-tournament review for violations of Rules 6.11 or 7.21. ~~Nothing in this rule shall preclude other processes for investigating allegations of violations of Rule 611(2) and 6.11(3) that exist in the AMTA Rulebook. In-tournament investigation will not be utilized to review allegations of invention of fact not contemplated under Rule 6.11. All invention of fact complaints under Rule 7.21 must follow the procedures set forth under the rule and will be adjudicated post-tournament.~~

Seconded. **Motion to amend passes.**

CIC-04 passes as amended.

EC-01:

Motion by Thomason to impose requirement that each witness who may be called have one or more affidavits or reports governed by Rules 7.17 and 7.21 of the AMTA Rulebook.

Rationale: *To start, I'm not sure that our rules permit "deposition" or "no affidavit" witnesses. For example, Rule 7.21(1)'s description of a "closed universe" case suggests that they do not. So I think that we should have clarity on this point. While I'm torn, I think we should truly have a "closed universe" fact pattern and require all witnesses to be bound by an affidavit or equivalent. First, we already have a hard enough time getting judges to follow instructions, and having two different species of witnesses for our invention rules often leads to unnecessary confusion--and requires background knowledge of how depositions actually work. Second, I've observed that "no affidavit" witnesses are especially challenging for new or emerging programs who already have to work through our ever-expanding cases, only to learn that certain witnesses get to create new facts that aren't even in the closed universe case packet. Finally, as a past member of the CRC and CIC, I think that many of our "invention" issues are created by issues stemming from the existence of "no affidavit" witnesses.*

Motion by Holstad to amend to include exception for criminal defendants. Seconded.

Motion by Randels Schuette to move into Committee of the Whole. Seconded.
The Board entered Committee of the Whole on Saturday at 1:19 p.m. CDT.

Motion by Woodward to exit Committee of the Whole. Seconded.
The Board exited Committee of the Whole on Saturday at 1:36 p.m. CDT.

Motion to amend passes.

Motion by Olson to amend EC-01 as amended to take effect beginning with the 2026 National Championship Tournament. Seconded. **Motion to amend fails.**

EC-01 passes as amended.

EC-06:

Motion by Harper, Thomason, Yeomelakis to amend Rule 10.18 of the AMTA Rulebook as follows:

> **Rule 10.18 Categorization of judges prior to assignment.**
> Using information from tournament hosts and/or the judges themselves, AMTA Representatives shall categorize volunteer judges as follows:
>
> **(1) CATEGORY ONE.** Category One shall generally consist of sitting judges, trial attorneys, litigators and other attorneys with indicia of mock trial experience.
>
> **(2) CATEGORY TWO.** Category Two shall generally consist of non-coach attorneys who do not fall within Category One.
>
> **(3) CATEGORY THREE.** Category Three shall generally consist of coaches, law students, other non-attorneys, and anyone who would otherwise fall within another category but who the AMTA Representative feels is unfit to judge a top round.
>
> **(a)** At tournaments at which their program is not competing, coaches who volunteer to judge should be categorized without regard to their status as a coach.
>
> **(b)** Unaffiliated individuals, including coaches whose teams are competing at other AMTA tournaments, who review tabulation cards or ballots during the tournament shall be treated as Category Three judges.
>
> **(4) NO RELIEF.** No team may claim relief of any sort on the grounds that a judge was mis-categorized.

Rationale: *We have seen a proliferation of unaffiliated individuals perusing tabulation cards and then serving as judges, sometimes in consequential rounds because of their unaffiliated/Category I or II status. But no person who has seen a team's record or knows the team they are judging should be prioritized over someone who does not. We cannot easily police judges reviewing tab cards or watching AMTA Representatives tabulate ballots, but we can put those who do at the lowest level of judging priority to maintain the integrity of our judge assignments.*

EC-06 passes.

EC-09:

Motion by Harper and Warihay to (1) introduce the following AMTA Rule codifying the Glen Halva-Neubauer Judges Hall of Fame; and (2) amend Rule 15.19(1) and (3) of the AMTA Rulebook to include the Glen Halva-Neubauer Judges Hall of Fame, with a notation of eligible for renaming no sooner than 2035, per Rule 15.19(2):

Rule 15.XX The Glen Halva-Neubauer Judges Hall of Fame.

(1) PURPOSE. AMTA will annually recognize up to three individuals in recognition of their commitment, support, quality, tenure, and efforts in serving as or supporting volunteer judging in AMTA-sanctioned events. The winner(s) of the Annual Glen Halva-Neubauer Judges Hall of Fame Award have made outstanding and exemplary contributions to serving as or supporting volunteer judging in AMTA.

(2) ELIGIBILITY. Winners of the Annual Glen Halva-Neubauer Judges Hall of Fame Award must meet the following criteria:

a. Winners must have demonstrated outstanding and exemplary contributions to service as or supporting volunteer judging at AMTA-sanctioned tournaments.
b. Winners may not be current members of the AMTA Board of Directors.
c. Winners may not have received any AMTA sanctions for their conduct as an AMTA competitor, coach, or volunteer.

(3) NOMINATIONS. Nominations shall be open and announced publicly no later than January 15 annually, and nominations shall have a deadline of March 25 annually. Any person may submit a nomination. Voting members as defined under this rule are ineligible to receive the award.

(4) VOTING MEMBERS. The voting members shall consist of the previous award winners who have participated in the previous two Annual Glen Halva-Neubauer Judges Hall of Fame Award elections, the winners of the Annual Glen Halva-Neubauer Judges Hall of Fame Award during the prior two years, the Academics Committee Chair, the Development Committee Chair, the Diversity and Inclusion Committee Chair, and the Tournament Administration Committee Chair. The President may also appoint two additional voting members in their discretion. The Development Committee Chair shall serve as the organizer annually. During the first year after enactment only, the President shall appoint four additional AMTA Directors as at large voting members.

(5) PROCESS. Any winner of the Annual Glen Halva-Neubauer Judges Hall of Fame Award must receive at least two-thirds of the votes of the voting members. If more than three individuals receive two-thirds of the votes of the voting members, the three individuals receiving the three highest percentages of votes shall be deemed winners. Individuals who do not win may be considered in subsequent years.

***Rationale**: We revived the Judges HOF in 2016 at the Greenville, SC National Championship Tournament in honor of then Tournament Director and Host, Past President Glen Halva-Neubauer. We ought to codify this honor and provide a process for its availability to the community.*

EC-09 passes unanimously.

EC-10:

Motion by Wilson (as amended by Committee)[3] to amend Rule 6.21 of the AMTA Rulebook as follows:

> **Rule 6.21 Coaches required to judge, penalty for failure to comply.**
> Whenever there is an insufficient number of volunteer judges, coaches must agree to judge. Coaches who act as judges shall set aside partisan interests and be fair and reasonable in presiding and scoring. If a coach refuses the request of an AMTA Representative to judge, all teams affiliated with that coach at that tournament shall be disqualified from earning bids or other team awards. If any student or coach makes a false statement in connection with an AMTA Representative's request to supply coaches as judges, or if a coach's actions after being requested to judge by an AMTA Representative delays the start of a trial, the AMTA Representatives may impose a tournament penalty under Rule 9.3(2). Additionally, violations of this rule may be referred to the Executive Committee for sanctions under Rule 9.6. ~~The team(s) of any coach who refuses an AMTA Representative's request to judge will be removed from the competition. If the school has more than one team, the team with the best record at the time will be removed.~~

***Rationale**: This amendment gives reps more tools to respond to a problem that has become increasingly common in recent years. Judge recruitment has been harder post-pandemic, but coaches are frequently unwilling to judge if asked. From (literally) hiding in bathrooms, to having their students deny that they have coaches, to waiting until after the round start time to report to the judging room, to arguing with AMTA reps about being asked to judge, coaches' refusals to judge delays rounds. And, when rounds are delayed, the delay makes it harder for hosts to convince non-coach judges to return in future years, perpetuating the problem.*

This motion does two things to help the problem. First, it lets reps impose lesser penalties as opposed to just removing teams from the tournament. Right now, we only have one tool to deal with this problem, and it is a sanction so severe that no one actually wants to impose it (especially when the problem is the coaches and not necessarily their students). When lesser penalties than disqualification are on the table, it will hopefully incentivize reps to enforce this rule and coaches to obey it. Second, it broadens the circumstances where a rep can impose penalties to include not only a

[3] As originally submitted, EC-10 moved to amend Rule 6.21 as follows:

> **Rule 6.21 Coaches required to judge, penalty for failure to comply.**
> Whenever there is an insufficient number of volunteer judges, coaches must agree to judge. Coaches who act as judges shall set aside partisan interests and be fair and reasonable in presiding and scoring. An AMTA Representative may impose any penalty listed in Rule 9.3(2) if a coach refuses an AMTA Representative's request to judge, if a coach or competitor makes a false statement in connection with an AMTA Representative's request to supply coaches as judges, or if a coach delays agreeing to judge after a request by an AMTA Representative in a manner that delays the start of any round of competition. ~~The team(s) of any coach who refuses an AMTA Representative's request to judge will be removed from the competition. If the school has more than one team, the team with the best record at the time will be removed.~~

coach's actual refusal to judge, but also if a participant makes a false statement to an AMTA rep in response to a request for coaches to judge or if a coach delays agreeing to judge in a manner that causes the tournament to run behind. This directly responds to the ways in which coaches tend to attempt to get around their obligation to judge.

EC-10 passes.

EC-11:

Motion by Wilson (on behalf of herself and Kerwin) (as amended by Committee)[4] to amend 2026 Rookie Rumble eligibility rules as follows:

> Rookie Rumble is open to any student whose first AMTA-sanctioned competition was this calendar year.

Rationale: *This proposal suggests that students who have competed in a round of mock trial at the National Championship Tournament should not get to also compete in Rookie Rumble.*

Rookie Rumble is an extremely popular tournament with students, and it consistently has more interested competitors/teams than can realistically be accommodated. In 2023, Rookie Rumble had more teams on the waitlist than teams competing, and in 2024, more than a dozen teams were still waitlisted, even though we expanded the field from 48 to 64 teams, and required students to field teams of 6-12 instead of 4-5. Since all interested students are not consistently able to compete, there is a question of who should be prioritized in this limited-eligibility tournament for the opportunity to compete an additional time, and who this tournament is really for.

Students who have had the opportunity to compete at NCT have already gotten the some of the same kind of additional advocacy experience that Rumble offers – both use a case prepared exclusively for use at that tournament, require a shortened preparation schedule, and have a two-division tournament and a final round. However, competing at the National Championship Tournament is, in basically every way, a better experience than Rumble – NCT is in-person, almost always takes place in a courthouse, is generally judged by more qualified individuals (while Rumble is usually judged primarily by college seniors), and offers the best teams in the country as competition. AMTA invests time, money, and energy in NCT because it is extremely important, and the students who compete there feel the benefit of that investment every year. Students who have already had that benefit should not get to also compete at a tournament designed for 'rookies' who are inexperienced and still developing their skills – especially when there are inexperienced competitors who have to be denied the benefit of an extra competition for these NCT veterans to compete.

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[4] As originally submitted, EC-11 moved to amend the 2026 Rookie Rumble eligibility rules as follows:

> A competitor is only eligible to compete at the Rookie Rumble Tournament if the competitor:
> - Has previously competed in at least one, but no more than two AMTA seasons;
> - Was listed on an AMTA roster in the 2026 competitive season;
> - Has never competed in a round of mock trial at the National Championship Tournament; and
> - Has not graduated or will not be graduating from their undergraduate course of study in 2026.

Motion by Warihay to refer this idea, along with the overall ideas of supplemental tournaments *(i.e.*, Rookie Rumble and the Community College Clash) to an ad hoc committee to do the following:

(1) Evaluate the data from the past five years of summer/supplemental events, participation rates, etc. and come back to the Board by mid-year with responses to:
(a) Whether these tournaments should continue to exist, and if yes:
(i) When they should occur;
(ii) Their defined missions;
(iii) Eligibility and registration rules;
(iv) Costs (if any); and
(v) How these tournaments fit into AMTA's mission and goals.

The ad hoc committee shall be comprised of:
(1) One member of the Tabulation Advisory Committee;
(2) One member of the Tournament Administration Committee;
(3) The Treasurer; and
(4) Two additional members of the President's choosing.

Motion by Wilson to enter Committee of the Whole. Seconded. **The Board entered Committee of the Whole on Sunday at 10:52 a.m. CDT.**

Motion by Woodward to exit Committee of the Whole. Seconded**. The Board exited Committee of the Whole at 11:24 a.m. CDT.**

Motion by Woodward to amend by adding the following to composition of ad hoc committee:

(1) One Co-Chair of Diversity & Inclusion; and
(2) One current or former Rookie Rumble Chair.

Seconded. **Motion to amend passes.**

Motion to refer as amended passes.

RULES-01:
Motion by Woodward to amend Rule 7.20(1) of the AMTA Rulebook as follows:

Rule 7.20 Demonstrative aids.

(1) DEFINITION OF DEMONSTRATIVE AID. "Demonstrative aid" means:

(a) Any enlargement of any portion of the case packet;

(b) Any object that combines, omits, or otherwise alters any material included in the case packet;

(c) Any tangible physical object or collection of objects that any attorney and/or witness intends to show to the jury during trial, regardless of whether the object is referenced in, or contemplated by, the case packet. This includes any object that is brought into the ~~courtroom~~ tournament venue to be used as a "prop," even if the attorney or witness does not physically handle the object.

Notwithstanding the foregoing, "demonstrative aid" does not include:

(d) Easels, pointers, or similar objects used solely to facilitate the use or display of a demonstrative aid;

(e) Furniture, fixtures, or other objects present in a ~~trial room~~ tournament venue before the start of the tournament.

(f) Objects that are worn, carried, or held by a witness solely as a part of the witness' costume or character portrayal. Any such object may not be used in any way to advance any argument, theory, or material fact. If a team wishes to use an item to advance any argument, theory, or material fact, the item is treated as a demonstrative for purposes of this Rule.

Rationale: *The first change addresses a prior rule change that prohibited "planting" items in the courtroom that would later be referenced by a witness and/or an attorney during trial. I have learned that at least one team did an end-run around this rule by "planting" an item in the hallway outside the courtroom. This change would simply provide that "planting" items is not allowed anywhere at the tournament, not just in the courtroom.*

The second change would exclude from the definition of "demonstrative aid" any object that is part of a witness' costume. This change would only exclude these items so long as they are solely being used for costume/character reasons and not to advance any material fact or argument. As an example, a witness portrayed as a grandma who walks with a cane would not need to disclose the cane. However, if anything about the cane is going to be referenced in the trial, then it would have to be disclosed like any other demonstrative.

Motion by Randels-Schuette to divide RULES-01 into two motions. Seconded.
RULES-01 Divided.

RULES-01(a):
Motion by Woodward to amend Rule 7.20(1) as follows:

> **Rule 7.20 Demonstrative aids.**
>
> **(1) DEFINITION OF DEMONSTRATIVE AID**. "Demonstrative aid" means:
>
> (a) Any enlargement of any portion of the case packet;
>
> (b) Any object that combines, omits, or otherwise alters any material included in the case packet;
>
> (c) Any tangible physical object or collection of objects that any attorney and/or witness intends to show to the jury during trial, regardless of whether the object is referenced in, or contemplated by, the case packet. This includes any object that is brought into the ~~courtroom~~ tournament venue to be used as a "prop," even if the attorney or witness does not physically handle the object.
>
> Notwithstanding the foregoing, "demonstrative aid" does not include:
>
> (d) Easels, pointers, or similar objects used solely to facilitate the use or display of a demonstrative aid;
>
> (e) Furniture, fixtures, or other objects present in a ~~trial room~~ tournament venue before the start of the tournament.

Seconded.

RULES-01(a) passes.

RULES-01(b):
Motion by Woodward to add Rule 7.20(f) as provided above. Seconded.

> **Rule 7.20 Demonstrative aids.**
>
> **(1) DEFINITION OF DEMONSTRATIVE AID**. "Demonstrative aid" means:
>
> . . . .
>
> (f) Objects that are worn, carried, or held by a witness solely as a part of the witness' costume or character portrayal. Any such object may not be used in any way to advance any argument, theory, or material fact. If a team wishes to use an item to advance any argument, theory, or material fact, the item is treated as a demonstrative for purposes of this Rule.

Seconded.

RULES-01(b) passes.

RULES-02:
Motion by Woodward to create Rule 6.51 of the AMTA Rulebook as follows:

> **Rule 6.51 Floor markings prohibited.**
> No participant, coach, or other person shall make or place any writing, tape, stickers, or any markings of any kind on the floor of any trial room.

Rationale: *I have been made aware of some teams that use tape, stickers, labels, or other like items to make stage markings prior to trial. Participants are free to decide where they wish to stand for their examinations or place demonstratives, but those decisions should not be memorialized with stage markings. Placing tape or other markings on the floor of a venue (particularly in a courthouse) could cause damage to the host facility, or could be upsetting to venue staff even if the marking is capable of being removed without damage.*

RULES-02 passes.

RULES-03:
Motion by Michalak to amend Rule 3.16(3) of the AMTA Rulebook as follows:

Rule 3.16 Substitutions in case of illness or emergency.

. . . .

(3) APPLICABILITY OF RULE. This rule applies only after a tournament has begun. Whether this rule applies and whether a rostered team member's particular situation qualifies as an illness, injury, or personal emergency shall be left to the sound discretion of the AMTA Representatives. The AMTA Representatives may confer with the Tabulation Director or other members of the Executive Committee in the order described in Rule 9.4(3). A party dissatisfied with the determination of the AMTA Representatives may appeal to the Tabulation Director using the procedure outlined in Rule 9.5.

Rationale: *The rule should be clear that you cannot show up to the tournament with 5 students and get a fill-in student for the tournament. Rule 3.7 says that a team shall consist of no fewer than six members.*

RULES-03 passes.

RULES-05:

Motion by Smiley (on behalf of Rules Committee) to amend Rule 7.19 of the AMTA Rulebook as follows:

Rule 7.19 Benchbooks and Exhibit Binders.

(1) **BENCHBOOKS.** A team may present a benchbook to the presiding judge only in strict compliance with the following:

(a) ~~**(1)**~~ The benchbook is to be a standard plastic 3-ring binder, no wider than 1.5 inches, and only solid white, solid black, or solid blue in color. The front and back of the binder shall be blank; no logo or cover page is permissible. No logo or insignia shall be visible except for that of the binder manufacturer or retailer.

(b) ~~**(2)**~~ Unless otherwise specified in the Special Instructions of the case materials, the benchbook shall include each of the following items found in the most recent case release or revision in the following order:

i. ~~**(a)**~~ The pleadings (e.g., complaint and answer; criminal complaint or indictment;)
ii. ~~**(b)**~~Stipulations;
iii. ~~**(c)**~~Pre-trial orders;
iv. ~~**(d)**~~Midlands case law;
v. ~~**(e)**~~Statutory law;
vi. ~~**(f)**~~Jury instructions and/or verdict forms;
vii. ~~**(g)**~~Midlands Rules of Evidence;
viii. ~~**(h)**~~Special Instructions.

The benchbook may include labeled tabbed dividers for the purpose of separating and identifying the various sections.

(c) ~~**(3)**~~ Other than the material listed in subsection (2) or authorized by special instruction, the benchbook may—but is not required to—contain the character evidence notification form (if completed). If contained in the benchbook, the completed character evidence notification form shall be placed after the Special Instructions, unless otherwise specified in the Special Instructions of the case materials. The benchbook shall not contain any other material.

(d) ~~**(4)** Any team intending to present the presiding judge with a benchbook shall show its opponent the benchbook in captain in s' meeting. A benchbook not shown during captains' meeting may not be used. Any objection regarding the compliance of a benchbook with this Rule must be raised with the AMTA Representative at the captains' meeting.~~ If both teams desire to use a compliant benchbook, the plaintiff/prosecution team shall use its benchbook.

(2) **EXHIBIT BINDERS.** Teams may, but are not required to, use exhibit binders during the trial. Teams may provide an exhibit binder to the presiding judge and/or for all of the witnesses. The choice to use an exhibit binder is up to each team. In the same round, one team may choose to use an exhibit binder while the other team does not. Exhibit binders may be left on the witness stand for use with any of the witnesses called at trial, and/or may be given to the presiding judge before the trial begins.

(a) If a team chooses to provide an exhibit binder for either the presiding judge or the witnesses, then the exhibit binder must contain one copy of all of the

paper exhibits provided in the case packet. If a team intends to use a physical exhibit permitted by the Special Instructions, then a paper copy of the physical exhibit does not need to be included in the binder. Providing either the judge or the witness with an incomplete exhibit binder is not permitted.

(b) Any exhibit binder must also comply with the standards identified in section (1)(a) of this rule. The binder may contain labeled tab dividers for the purpose of separating and identifying the various exhibits by number. No other information can be listed on any tab dividers except for the exhibit numbers.

(c) If a team chooses to provide an exhibit binder for the judge, the judge's exhibits can be included in the above described benchbook after the Special Instructions. A team may also provide an exhibit binder for the judge separate from the above described benchbook.

(d) If both teams intend to use exhibit binders, the plaintiff/prosecution team shall give its exhibit binder to the presiding judge during pretrial matters and the defense shall place its exhibit binder at the witness stand before the judges arrive. If only one team elects to use the witness binder, then that team is responsible for supplying any exhibit binder(s).

(3) CAPTAINS MEETINGS. Any team intending to present the presiding judge with a benchbook or the presider and/or witnesses with an exhibit binder shall show its opponent the benchbook and/or exhibit binder in captains' meeting. A benchbook or exhibit binder not shown during captains' meeting may not be used. Any objection regarding the compliance of a benchbook or exhibit binder with this Rule must be raised with the AMTA Representative at the captains' meeting.

Rationale: *During the mid-year motion submissions, Devon put forward a similar motion to add exhibits to the benchbook. The Committee voted to table that motion to consider it for the July Board Meeting because adding any sort of exhibit binder could have a large impact on the procedure students use when entering evidence. After considering the pros and cons of making any possible change to how exhibits are handled during trial, the Rules Committee has put forward this proposed rule change.*

The Committee thought carefully about what changes this rule modification could bring to the competition as well as the state of current trial practice. We determined that making the use of exhibit binders optional is the most optimal change here. First, it can severely reduce the amount of time for walking around the courtroom to enter exhibits. Second, many trials these days use exhibit binders for both the witness and the judge, so providing this option brings the competition in line with current practice. Third, it still allows teams to continue to use the formal procedure for entering exhibits, which gives students an opportunity to show off their knowledge of courtroom procedure. We are excited to discuss this potential change with the Board.

RULES-05 passes.

RULES-06:

Motion by Smiley (on behalf of Rules Committee) to amend Rule 5.4 of the AMTA Rulebook as follows:

Rule 5.4 Time limits.

Time limits for all trials in sanctioned tournaments shall be strictly observed.

(1) **TIME LIMITS GENERALLY.** Except as provided for in subsection (2) of this rule or as adjusted downward in a special instruction, time limits for each side shall be as follows:

Opening statement and closing argument (combined) – 14 total per side
Direct examinations of all three witnesses (combined) – 25 minutes per side
Cross examination of all three witnesses (combined) – 25 minutes per side

(2) **SWING TIME.** Each team may elect to use up to 5 minutes as "swing time" when performing their direct or cross examinations. This does not change the total examination time for each team, which is 50 minutes per side. Instead, this allows each team to pull time from their cross time and add to their direct time or to pull from their direct time to add to their cross time. The precise amount of time added from one examination set must be subtracted from the other examination set. Teams do not need to declare before the round how much time they intend to use for direct or crosses before the round starts and may decide during the round how much time they will use.

Comment: For example, if the plaintiff team wants to use 28 minutes for their directs, they are permitted to do that. However, the 3 additional minutes added to their direct time comes out of their cross time. So, plaintiff team's directs would now be 28 minutes total and their crosses would now be limited to 22 minutes total. Alternatively, suppose the defense team decides to use 27 minutes and 33 seconds on cross; they would then have only 22 minutes and 27 seconds for their direct examinations.

. . . .

(7) READING EXHIBITS. Should a team wish to read aloud for the jury an exhibit (or part of any exhibit) or stipulation, any such reading must be deducted from the team's time to present arguments and evidence. The time spent reading the exhibit aloud shall be deducted from that team's total 14 minutes for opening statement and closing argument (combined), ~~25 minutes for~~ direct examination time, or ~~25 minutes for~~ cross examination time, depending on whether the reading occurs before the conclusion of the second opening statement, after opening statements but before the plaintiff/prosecution has rested, after the plaintiff/prosecution has rested but before the defense has rested, or during the reading team's closing argument, respectively. This rule addresses only issues of timing, not issues of evidence or admissibility.

***Rationale**: This motion implements the "swing time" system tested this past fall at several invitationals in order to allow teams some flexibility in how they use their time. Attached is the FAQ we sent teams who experimented with this system to give a bit more context of how it works.*

Last year, the Rules Committee received a proposal to change the time limits so that directs received 28 minutes and crosses were reduced to 22 minutes. In considering this proposed change, the Committee began questioning (1) whether a change in the time allotment was necessary at all and (2) if there was a change, how much would be appropriate. In order to answer this question, we set up an experiment that was run through the Tournament Innovation Program with all of our invitationals and a few experimental invitational host sites. The fundamental question was what time would be appropriate to make any changes (if necessary) to the current time allotment rules.

In order to assess whether this was necessary or useful, we created an experiment and used 5 test locations for invitational hosts through the Tournament Innovation Program. We also collected data from all invitational hosts to look at the amount of time generally used by teams. For the test locations, we implemented the Swing Time system proposed above. Originally, it was chosen as the system to help us figure out a number of minutes that would make sense to add to directs or crosses. However, there was very positive feedback on the Swing Time system itself, so when evaluating the results of the experiment, the Rules Committee felt that the Swing Time system was the most appropriate method for allowing additional time for direct or cross as needed by teams. We also formed a partnership with the student who created the Mock Trial Timer App, Matan Kotler-Berkowitz, and he created a version of the Mock Trial Timer App that works with the swing time system and was used by students at the test invitationals.

After testing out the Swing Time system, the Rules Committee has determined that it is the optimal system for time keeping. While from a competition standpoint, it makes sense for each side to have equal direct and cross examination time, that simply does not take into account the burdens of proof for each side, nor the strategic needs of each side. Allowing the teams to be able to choose how they use their time gives them more ability to think critically about what is most needed to prove their respective cases. The Committee expressly decided not to combine all the examination time for teams to use as they see fit. This was a deliberate choice in order to provide some guard rails against each side's witnesses running out the clock on the other teams. Limiting the swing time to a maximum of 5 minutes protects (from each other and themselves) the students' time to complete the needed examinations. That way each side always has at least 20 minutes for the 2nd case-in-chief scores. We again look forward to discussing this as a Board.

Seconded.

Motion by Randels Schuette to amend to provide that teams are afforded a block of 60 minutes to present all content. Seconded. **Motion to amend fails.**

RULES-06 fails.

RULES-08:

Motion by Smiley (on behalf of Rules Committee) to update Rule 106 of the Midlands Rules of Evidence to conform to the corresponding current Federal Rule of Evidence, but with additional language in the comment:

Note: proposed language to conform to the updated FRE is purple; proposed language from the Rules Committee is red.

> **Rule 106. Remainder of or Related Writings or Recorded Statements**
> If a party introduces all or part of a ~~writing or recorded~~ statement, an adverse party may require the introduction, at that time, of any other part – or any other ~~writing or recorded~~ statement – that in fairness ought to be considered at the same time. The adverse party may do so over a hearsay objection.
>
> > *Comment*: This rule of completeness applies only to material provided in the case packet. This rule does not reference any material not provided in the case packet. An attorney may object under this rule to require the proponent of a statement to introduce omitted words or clauses of a sentence. However, if additional sentences ought to be considered in fairness, the opponent may only introduce those additional sentences during the opponent's subsequent examination. By not objecting, an attorney does not waive the right to introduce additional sentences, omitted words, or omitted clauses that ought in fairness be considered. This rule is intended to be a rule of inclusion, not exclusion.
> >
> > Note regarding the update to the Federal Rule: Federal Rule of Evidence 106 was amended to cover all statements, including unrecorded oral statements, and to provide that if the existing fairness standard requires completion, then that completing statement is admissible over a hearsay objection. The commentary accompanying the Rule explains that courts had reached different conclusions as to whether completing evidence properly required for completion under the Rule could be admitted over a hearsay objection.

Rationale: *The Rules Committee believes that it is important that the students learn the Federal Rules as much as is practical for the competition. Therefore, we support making the change to the rule. However, the students are on a time clock and while it's important for the students to be able to use this rule, we are concerned about students abusing this rule to require potentially long winded quotes to be said on their opponent's time. The Rules Committee believes that the additional comment helps strike the competitive balance. It allows teams to hold each other accountable for omitting key words from quotations while also not letting the students get to play time games with each other. If they want to introduce additional sentences of the quote, they can do that on their own time.*

Motion by Olson to amend as follows:

> **Rule 106. Remainder of or Related Writings or Recorded Statements**
> If a party introduces all or part of a ~~writing or recorded~~ statement, an adverse party may require the introduction, ~~at that time,~~ of any other part – or any other ~~writing or recorded~~ statement – that in fairness ought to be considered ~~at the same time.~~ The adverse party may do so over a hearsay objection.

Seconded. **Motion to amend passes.**

Motion by Ouambo to amend as follows:

> . . . .
>
> *Comment*: This rule of completeness applies only to material provided in the case packet. This rule does not reference any material not provided in the case packet. ~~An attorney may object under this rule to require the proponent of a statement to introduce omitted words or clauses of a sentence. However, if additional sentences ought to be considered in fairness, the opponent may only introduce those additional sentences during the opponent's subsequent examination. By not objecting, an attorney does not waive the right to introduce additional sentences, omitted words, or omitted clauses that ought in fairness be considered. This rule is intended to be a rule of inclusion, not exclusion.~~

Seconded. **Motion to amend fails.**

Motion by Holstad to amend as follows:

> . . . .
>
> *Comment*: This rule of completeness applies only to material provided in the case packet. This rule does not reference any material not provided in the case packet. An attorney may object under this rule to require the proponent of a statement to introduce omitted words or clauses of a sentence. However, if additional sentences ought to be considered in fairness, the opponent may ~~only~~ introduce those additional sentences during the opponent's subsequent examination. By not objecting, an attorney does not waive the right to introduce additional sentences, omitted words, or omitted clauses that ought in fairness be considered. This rule is intended to be a rule of inclusion, not exclusion.

Seconded. **Motion to amend fails.**

RULES-08 passes as amended.

RULES-10:

Motion by Smiley (on behalf of Rules Committee) to not update Rule 801(d)(2) of the Midlands Rules of Evidence to conform with its updated Federal Rules of Evidence counterpart.

> **(2) An Opposing Party's Statement.** The statement is offered against an opposing party and:
>
> **(A) w**as made by the party in an individual or representative capacity;
> **(B)** is one the party manifested that it adopted or believed to be true;
> **(C)** was made by a person whom the party authorized to make a statement on the subject;
> **(D)** was made by the party's agent or employee on a matter within the scope of that relationship and while it existed; or
> **(E)** was made by the party's coconspirator during and in furtherance of the conspiracy**.**
>
> The statement must be considered but does not by itself establish the declarant's authority under (C); the existence or scope of the relationship under (D); or the existence of the conspiracy or participation in it under (E).
>
> ~~If a party's claim, defense, or potential liability is directly derived from a declarant or the declarant's principal, a statement that would be admissible against the declarant or the principal under this rule is also admissible against the party.~~

Note regarding the update to the Federal Rule: Resolves another circuit split about the admissibility of statements by the predecessor-in-interest of a party-opponent, providing that a hearsay statement is admissible against the declarant's successor-in-interest.

Rationale: *This one sentence added to the Federal Rule could have many unintended readings and consequences in the competition. While the comments to the Federal Rules explain that this change is made to deal with successor-in-interest issues, our cases rarely if ever have dealt with this. Further, we should not have to expect the Case Committee to include case law in each case to clarify the very narrow situation in which this additional language applies. Therefore, the Rules Committee determined that this new language should not be added to the rule.*

RULES-10 passes.

TAB-01:

Motion by Cannon to amend Rule 13.8 of the AMTA Rulebook as follows:

> **Rule 13.8 Judges for the opening round championship tournament.**
> The hosts of the opening round championship series tournaments shall be authorized, but not required, to recruit sufficient judges so as to permit the use of ~~two, three, four, or five scoring judges~~ two or three ballots in every trial at the tournament. All opening round championship series tournaments must, however, have the same number of scoring judges. The AMTA Tabulation Director, in consultation with the AMTA Tournament Administration Chairperson, shall make the final decision as to whether two or three ~~three, four, or five~~ ballots per round will be used at ~~any particular~~ all opening round championship series tournaments. ~~When possible, the decision will be made prior to the start of the tournament's opening ceremony, but in all events it must be made prior to the start of the first round.~~ The AMTA Tabulation Director will make this decision no later than noon central time on the Friday of the first opening round championship tournament. Should the AMTA Tabulation Director ~~make such a decision~~ decide to use three ballots per round, they will modify the rules as necessary to adapt to a tournament with three ballots ~~, four, or five scoring judges~~ per round.

Rationale: *This year one ORCS tournament had three scoring judges per round, and a team at that tournament earned 8 wins. Normalizing that record to a traditional 2-ballot-per-round tournament created a result of 5.33 wins. This created a discrepancy on the Open Bid List for the National Championship Tournament: every other team on the Open Bid List earned 5 wins, but none of these teams could possibly have earned 5.33 wins. Consistency across all ORCS tournaments is necessary to ensure that the Open Bid List operates fairly and does not provide teams with a competitive advantage or disadvantage depending entirely on which ORCS they are assigned to.*

The change from "two, three, four, or five scoring judges" to "two or three ballots" is logistical common sense. AMTA has not in recent memory had four or five scoring judges at an ORCS tournament, and it is not feasible to expect all ORCS tournaments to recruit enough judges to guarantee four or five scoring judges per round (after no-shows, etc.). And using the term "ballots" instead of "scoring judges" avoids any potential confusion where sometimes "scoring judges" is interpreted to mean "non-presiding scoring judges."

Motion by Holstad to divide TAB-01 into two motions:

TAB-01(a):
Motion by Cannon to amend Rule 13.8 of the AMTA Rulebook as follows:

> **Rule 13.8 Judges for the opening round championship tournament.**
> The hosts of the opening round championship series tournaments shall be authorized, but not required, to recruit sufficient judges so as to permit the use of ~~two, three, four, or five scoring judges~~ two or three ballots in every trial at the tournament. . . .

TAB-01(b):
Motion by Cannon to amend Rule 13.8 of the AMTA Rulebook as follows:

> **Rule 13.8 Judges for the opening round championship tournament.**
> . . . . All opening round championship series tournaments must, however, have the same number of scoring judges. The AMTA Tabulation Director, in consultation with the AMTA Tournament Administration Chairperson, shall make the final decision as to whether two or three ~~three, four, or five~~ ballots per round will be used at ~~any particular~~ all opening round championship series tournaments. ~~When possible, the decision will be made prior to the start of the tournament's opening ceremony, but in all events it must be made prior to the start of the first round.~~ The AMTA Tabulation Director will make this decision no later than noon central time on the Friday of the first opening round championship tournament. Should the AMTA Tabulation Director ~~make such a decision~~ decide to use three ballots per round, they will modify the rules as necessary to adapt to a tournament with three ballots ~~, four, or five scoring judges~~ per round.

Motion fails for lack of a second.

TAB-01 fails.

TAB-02:

Motion by Cannon (on behalf of Selcov) to amend the AMTA Tabulation Manual as follows:

The tiebreakers, in order of application, are:

1. Head-to-Head victory (see above)
2. Combined Strength ("CS") (greater sum is better)
3. ~~Opponents' Combined Strength ("OCS") (greater sum is better)~~ Total point differential ("PD") (greater positive differential is better)
4. ~~Total point differential ("PD") (greater positive differential is better)~~ Opponents' Combined Strength ("OCS") (greater sum is better)
5. Total PD after dropping each team's most favorable and least favorable ballot differentials
6. Total PD after dropping each team's two most and two least favorable ballot differentials.
7. Total PD after dropping each team's three most and three least favorable ballot differentials.
8. (In a 3-ballot tournament only) Total PD after dropping each team's four most and four least favorable ballot differentials.
9. (In a 3-ballot tournament only) Total PD after dropping each team's five most and five least favorable ballot differentials.
10. Total raw points earned (140 points x 8 ballots = 1120 points maximum; 1680 points in a 3-ballot-per-round tournament)
11. Total raw points after dropping each team's highest and lowest raw point ballots.
12. Total raw points after dropping each team's two highest and two lowest raw point ballots.
13. Total raw points after dropping each team's three highest and three lowest raw point ballots.
14. (In a 3-ballot tournament only) Total raw points after dropping each team's four highest and four lowest raw point ballots.
15. (In a 3-ballot tournament only) Total raw points after dropping each team's five highest and five lowest raw point ballots.
16. Flip of a United States coin: "heads" results in the team with the greater team number winning; "tails" results in the team with the smaller team number winning.

Rationale:

1. Once normalized for strength of schedule, point differential means something. *If one team has a PD of +75 and another has a PD of +40 and they have the same strength of schedule, the team with the higher PD actually did perform better against teams of comparative strength. (By contrast, if one team has a PD of +75 and a CS of 12, and the other has a PD of +40 and a CS of 17, it would be impossible to use PD to meaningfully differentiate those teams--that's why this proposal keeps CS as a second tiebreaker.) Using PD as a tiebreaker only when teams have the same record and*

strength of schedule limits the use of PD to situations where it means something. Indeed, this is consistent with how running PD is used when pairing Rounds 3 and 4; it is a secondary tiebreaker after running CS.

2. Point differential is more intuitive on several levels. *For one, students (and coaches) understand what PD is, while many are unfamiliar with OCS. As a follow-on to that, students' performance in-round directly contributes to their PD: if they score one point higher on their direct examination or closing argument, their PD is one point higher. OCS, by contrast, is not tied at all to students' actual performance in-round. This is one reason why students may get frustrated at the use of OCS as a tiebreaker; they have effectively no control over their OCS. (Though the same argument is arguably true of CS, students at least know that if they perform better in early rounds, they hit teams with better records in later rounds, and thus end up with a higher CS. OCS does not work that way, and even if it did, it's too remote to follow.) Finally, OCS has little if any competitive value even in isolation: OCS is a combination of sixteen teams' records, and given that most tournaments have around twenty-four teams, there is usually lots of overlap in which teams' records factor into the OCS math. It is not clear why Team A should outperform Team B just because Team A's R1 opponent faced a 6-win team in R3 while Team B's fourth-round opponent faced a 4-win team in R2.*

3. Point differential is a better metric for future success. *An analysis was done of teams that tied at CS where one had a better OCS and the other had a better PD to find which team did better at the next level of competition. Overwhelmingly the team who had a better PD did better at the next level of competition. The whole point of a tiebreaker is to determine which team should advance to the next level of competition, and this analysis tells us that PD is a better indicator of success. If it was leaning towards OCS or even close, there might be some wiggle room to say OCS is still a better indicator, but teams who would have won a PD tiebreaker overwhelmingly did better at future competitions. This especially matters because each of the last five years has had an NCT bid come down to this tiebreaker where the team who got the bid had a better OCS and the team who lost the bid had a better PD.*

Seconded.

Motion by Jahangir to refer to Analysis Committee for further analysis and to prepare a report. Seconded.

Motion to refer passes.

TAB-03:

Motion by Michalak to amend Rule 12.5 of the AMTA Rulebook as follows:

Rule 12.5 Opening round championship bids.

. . . .

(a) Allocation of bids to Regionals with ~~20~~ 22 or more bid-eligible teams. Should the number of Regionals not allow for equal distribution of the bids, each Regional shall receive the same number of bids, as outlined in Rule 12.5(2) above, and the remainder shall be distributed jointly by the National Tabulation Director and the Tournament Administration Committee Chair as follows: Regionals with 20 or more bid-eligible teams will be ranked according to the number of teams registered 48 hours prior to the start of the first Regional, from largest to smallest. The unassigned bids will be allocated beginning with the largest Regional tournament. If not all Regional tournaments with the same number of teams can be logistically accommodated, those bids will remain open bids. The number of bids allocated to each Regional will be confirmed at the time of each Regional tournament's registration based upon the number of teams that actually begin in Round 1. If the number of registered teams necessitates a change in the number of ORCS bids assigned, the AMTA Representatives, in consultation with the National Tabulation Director, will announce such at the Opening Ceremony. If team(s) withdraw from a Regional tournament during or after Round 1 begins, the number of bids will not be affected. If a bid is removed from a Regional, that bid shall become an Open Bid. If the National Tabulation Director has good reason to believe a team that will be unable to compete in Round 1 will still compete in the remaining rounds of the Regional tournament, then the National Tabulation Director has discretion to consider that team to be present at the Regional for purposes of assigning Opening Round Championship Series bids.

(b) Allocation of bids to regionals with fewer than ~~20~~ 22 bid-eligible teams. For Regional tournaments with fewer than ~~20~~ 22 bid-eligible teams, Opening Round Championship Series bids shall be allocated as follows:

No. of Bid-Eligible Teams	ORCS Bids Allocated
At least 6, but fewer than 9	"Baseline' minus 5
At least 9, but fewer than 12	"Baseline' minus 4
At least 12, but fewer than 15	"Baseline' minus 3
At least 15, but fewer than 18	"Baseline' minus 2
At least 18, but fewer than ~~20~~ 22	"Baseline' minus 1

Rationale: *We have been adding more and more teams to regionals and the larger regionals are getting larger so one way to compensate and hopefully have some additional bids to add to the very large regionals is to up the baseline from 20 to 22 until a better solution is found.*

Motion by Ben-Merre to amend as follows:

> **Rule 12.5 Opening round championship bids.**
>
> . . . .
>
> **(c) Allocation of bids to Regionals with ~~20~~ 22 or more bid-eligible teams.** Should the number of Regionals not allow for equal distribution of the bids, each Regional shall receive the same number of bids, as outlined in Rule 12.5(2) above, and the remainder shall be distributed jointly by the National Tabulation Director and the Tournament Administration Committee Chair as follows: Regionals with ~~20~~ 22 or more bid-eligible teams will be ranked according to the number of teams registered 48 hours prior to the start of the first Regional, from largest to smallest. . . .

Seconded. **Motion to amend passes.**

TAB-10 fails as amended.

TAB-04:

Motion by Michalak to amend the Tab Manual for Round 4 Regional pairings to indicate that ... after you pull down all eligible teams for the Secondary Bracket, you should resolve any impermissibles affecting complete pairings in the Secondary Bracket, even if the sides are uneven, and only then, if uneven, pull remaining teams back up to the Primary Bracket and continue by high-lowing the defense and pairing the Primary Bracket as usual.

Rationale: *The purpose of the 2 bracket Regional pairing system is to have teams fighting for those final spots facing each other to move on. We should be trying to keep the 2 separate brackets intact as often as possible. If the team would have been eligible to be in the Secondary bracket, they should be eligible to keep the Secondary bracket viable.*

Example: Colorado Springs was a 20 team tournament. They had 6 bids. They had a very big side bias in round 3, which made round 4 pairings lopsided…

P1 - 5 D1 - 5
P2 - 5 D2 - 4
P3 - 4 D3 - 4
P4 - 3.5 D4 - 4

P5 - 2 D5 - 4
P6 - 2 D6 - 4
P7 - 2 D7 - 3
P8 - 1 D8 - 3

P9 - .5 D9 - 2
P10 - 0 D10 - 2

As you can see, last in and first out were at 4, so the 2s and lower go down, but the 3's are within 1 so they have to stay up so we end up with 2 rounds in the Secondary bracket.

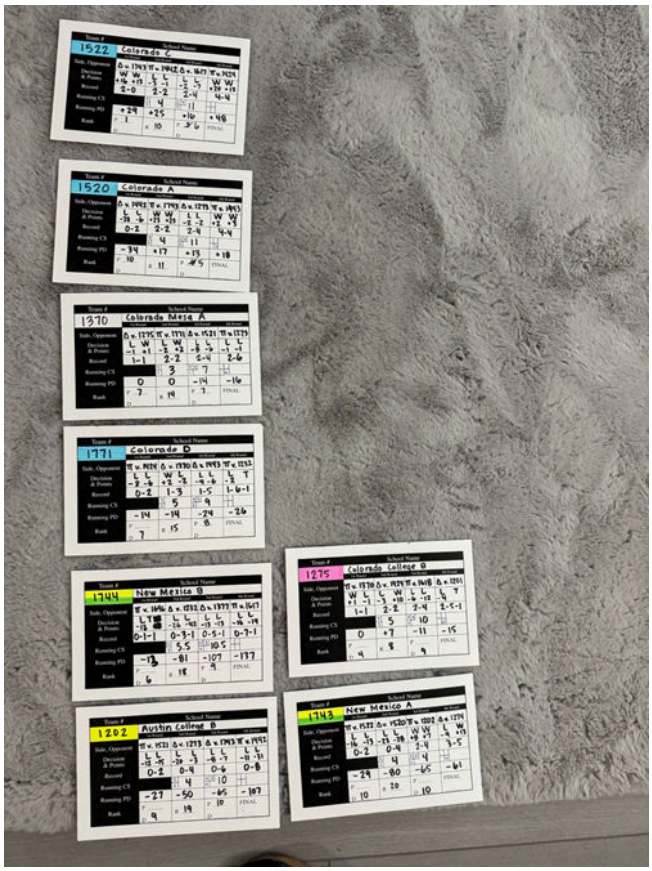
The next problem was that P10 and D10 had faced each other and P9 and D10 were same school so the Secondary bracket couldn't be paired and had to be blown up.

That resulted in the following records facing one another:
5v2
5v2
4v3
3.5v4
2v3
2v4
2v4
1v4
.5v5
0v5

If you invade the Primary bracket for any team that WOULD have been eligible for the Secondary bracket after caveat (meaning all the 2s are eligible to be swapped into the Secondary bracket, but the 3s are off limits) to try and preserve the Secondary bracket. In this case, after swapping both left and right in the Secondary bracket, swapping P9 with P8 resolves the Secondary bracket and then after high-lowing the primary bracket and solving impermissibles, you end up with the following matchups in the primary bracket instead:

5v3
5v3
4v4
3.5v4
2v4
2v4
2v5
0v4

So, your Secondary – pre-resolved bracket would look like this, and P side can swap with any card available, using the existing rules to resolve impermissibles, and then you would pull back up the remaining 4 cards not in the Secondary bracket and pair the Primary as usual:



TAB-04 passes

X. Report of Treasurer/Budget Committee (Warihay)
Warihay presented report during Executive Session on Sunday morning.

XI. Approval of 2025-26 Budget
The Board approved the 2025-26 Budget during Executive Session on Sunday morning.

XII. Update to AMTA History Project (Halva-Neubauer)
Halva-Neubauer presented AMTA History Project on Saturday afternoon.

XIII. Unfinished/New Business

A. Sohi proposed for approval 2025-26 Executive Committee:

Sohi (President)
D'Ippolito (President-Elect)
Cannon (Secretary)
Woodward (Assistant Secretary)
Randels Schuette (Treasurer)
Warihay (Assistant Treasurer)
Bernstein (Development Committee Chair)
Leapheart (Academics Committee Chair)
Michalak (Tabulation Director)
Harper (Diversity & Inclusion Co-Chair)
Watt (Diversity & Inclusion Co-Chair)
Smiley (Rules Committee Chair)
Yeomelakis (Tournament Administration Committee Chair)

Motion by Warihay to approve Executive Committee proposed by Sohi. Seconded. **2025-26 Executive Committee approved**.

B. The Board commended Woodward by applause for service as AMTA's 11th President and 16 years of service to the Executive Committee.

C. Yeomelakis provided update on 2027 National Championship Tournament Host.

D. **Motion by Smiley to propose Toronto, Canada as the 2026 Board Meeting location.** Seconded. **2026 Board Meeting location selected.**

E. The Board commended by applause Haspel, Randels Schuette, and students from the University of Texas at Austin for hosting excellent July 2025 Board Meeting.

XIV. Adjournment

Motion by Olson to adjourn. Seconded. **The Board adjourned on Sunday at 11:41 a.m. CDT.**

Appendix A

Agenda Explanation

American Mock Trial Association
Meeting of Board of Directors
Austin, Texas
July 12-13, 2025
Appendix A: Explanation of Agenda

Pursuant to Rule 15.7 of the AMTA Rulebook, the Executive Committee referred each motion to a Board committee based on the subject matter of the motion. All motions are referenced numerically by the abbreviation of the committee to which the motion was referred (*e.g.*, EC-02, TAB-03.)

Each committee had the option of (1) advancing the motion to the Board with a positive recommendation; (2) advancing the motion to the Board with no recommendation; or (3) tabling the motion. Further, each committee had the option to make amendments to each motion prior to advancing it to the Board.

Advanced Motions (Appendix B)
Motions advanced by committee with a positive recommendation do not require a second. These motions are indicated by a designation in green, *e.g.*, **TAB-02**. Motions advanced by committee with no recommendation do require a second. These motions are indicated by a designation in blue italics, e.g., ***TAC-01.***

Consent Calendar (Appendix C)
The Consent Calendar comprises motions advanced by committee that, in the determination of the Executive Committee, are of a technical or non-controversial nature such that they may be adopted by the Board without further debate. Three Board members may ask that a motion be removed from the consent calendar; such a motion would then be subject to separate debate and action.

Tabled Motions (Appendix D)
These motions are designated in red with underlining, *e.g.*, **TAC-09**. No action will be taken on any tabled motion unless five Board members ask that that a vote be held to untable the motion and the Board subsequently votes to untable. If the vote to untable the motion is successful, the untabled motion would then be subject to debate on its merits and action.

Voting Standards
For a motion to be adopted, it must receive a majority of the votes cast at a meeting where quorum is present. AMTA Bylaw 4.10. Motions to amend the Bylaws require an affirmative vote of two-thirds of the Voting Directors. AMTA Bylaw 8.02.

Appendix B

Full Text of Motions

American Mock Trial Association
Meeting of Board of Directors
Austin, Texas
July 12-13, 2025
Appendix B: Full Text of Advanced Motions

SUMMARY OF ADVANCED MOTIONS

The full text of motions advanced are provided below. The shortened descriptions here are for reference only. Designations in **green** were advanced by the committee with a positive recommendation. Designations in ***blue italic*** were advanced by the committee with no recommendation.

In cases where existing rules are being amended, rule language to be deleted is shown ~~struck through~~ and new language to be created is shown in red.

RULES-01	Closes loophole on "planting" objects in tournament venue for "prop" use during round; excludes from definition of "demonstrative aid" witness costume objects not referenced during trial.	16
RULES-02	Prohibits making or placing markings on trial room floor.	17
RULES-03	Clarifies that roster substitutions in case of illness or emergency may take place only after the tournament begins.	18
RULES-05	Permits use of exhibit binder for presiding judge and witnesses.	19
RULES-06	Introduces “Swing Time” for Direct and Cross Examination.	21
RULES-10	Clarifies that MRE 801(d)(2) will not be updated to conform to the corresponding update to FRE counterpart.	23
TAB-01	Requires for consistent scoring judge numbers across all opening round championship series tournaments.	24
TAB-02	Swaps OCS and PD as tiebreakers within Tab Manual.	25
TAB-03	Increases the number of ORCS bid allocations for Regional tournaments with at least 18 but fewer than 22 bid-eligible teams.	27
TAB-04	Amends Round Four Regionals pairings to require resolution of Secondary Bracket impermissibles prior to resolving uneven brackets.	29

AUDIT-01:
Motion by Halva-Neubauer (on behalf of Audit Committee) as follows:

Whereas Board Members are in receipt of the preliminary audit for FY2024 (five documents shared with the Secretary (Michael D'Ippolito) on June 30, 2025: (1) Audited Financial Statement; (2) Communication with those charged with governance during communication letter; (3) Management Representation letter; (4) Recommendation letter; and (5) Significant Deficiencies letter prepared by Nichols Accounting Group, Nampa, Idaho, the Audit Committee moves that AMTA Board members acknowledge re ceipt and review of these documents.

Additionally, the President (Jacinth Sohi) and Treasurer (Will Warihay) are authorized and directed to sign the management letter, and the executive team to take steps to continue to remove the significant deficiencies identified in the audit.

Upon adoption of this motion, Director Halva-Neubauer, in his capacity as Audit Committee Chair, will direct the auditors at Nichols Accounting Group to remove the watermark from the draft report and issue a final report to the Board.

ACCOMMODATIONS-01:

Motion by Olson (as amended by Committee) to amend Rule 10.14 of the AMTA Rulebook as follows:

Rule 10.14 Reasonable Accommodations

. . . .

(1) REQUEST FOR ACCOMMODATIONS. To be eligible for review by the committee, an application must contain:

(a) The name of the school or student, the student's school, and the name of the competition at which the accommodation is sought;

(b) Contact information for the school representative or student. If the accommodation is submitted by a student and the student is unable or unwilling to communicate directly with the committee, the student may authorize in writing a personal representative (such as a parent, teammate, or coach) to communicate with the committee regarding the accommodation;

(c) The application should include at least two valid means of communication (for example, a telephone number and an email address). The more means of communication provided to the committee, the more fluid the process can be;

(d) The circumstances requiring the accommodation (such information need not include medical documentation); and

(e) The requested accommodation.

Applications for religious accommodations are due to the committee on November 10, and all other ~~A~~applications for accommodations are due to the committee on January 15 preceding the spring qualifier season. Requests should be submitted with the Team Registration Form or by writing the Accommodations Committee directly. Host accommodations should go to the hosting institution as AMTA does not have authority to change premises rules.

(2) LATE REQUESTS. Requests for accommodation not made by the applicable deadline~~January 15~~ should be directed to the Accommodations Committee at the earliest possible date. If the Accommodations Committee is unable to reach a decision before the start of the tournament at issue, or if the request was never brought to the Accommodations Committee, the student, coach, or person making the request shall bring the request to the tournament's AMTA Representatives, who shall have the authority to grant or deny the request. If denied, requests for accommodation handled by a tournament's AMTA Representatives may be appealed to the Tabulation Director, who shall decide in consultation with the President, whether to overturn the AMTA Representatives' decision. In the event that the Tabulation Director cannot be reached, or is one of the AMTA Representatives, the party may appeal to a member of the Executive Committee in the order described in Rule 9.4(3).

Rationale: *Religious accommodations typically require assignment to a particular regional or regionals so it is helpful for the assignment folks to know of the request before assigning teams, so as to avoid moving teams around later.*

CIC-01:

Motion by Randels Schuette and Yeomelakis to amend Rule 7.21(6)(b) of the AMTA Rulebook as follows:

Rule 7.21 Invention of fact.

. . . .

(6) POST-TOURNAMENT REMEDY FOR VIOLATIONS.

. . . .

(b) Procedures for Filing and Responding to Improper Invention Complaints.

i. **Video or Audio Required.** Any allegation of egregious Improper Invention must be supported by an audio or video recording of the round.

ii. **Deadline for Submission of Complaints.** Any allegations of an egregious Improper Invention must be brought to the attention of the Competition Integrity Committee by submitting the Competition Integrity Committee Form on the AMTA website by 4:00 p.m. Central time on the Monday immediately following the tournament. The Competition Integrity Committee may create a separate form for complainants to provide notice of intent to seek certain relief and may refuse to consider certain forms of relief if such is not submitted by the deadline prescribed on the form.

iii. **Review of Complaints**. If the allegation is raised timely, the Competition Integrity Committee shall investigate the allegation upon its collection of a complete investigative file. A complete investigative file shall include (i) the Complaint filed through the online Competition Integrity Committee Form; (ii) the Response filed through the online Competition Integrity Committee Form (and submitted no more than 48 hours after request, which may be extended upon request and for good cause); and (iii) any supplemental materials requested of the parties by the Committee Chair or the Chair's designee. The Chair or the Chair's designee shall have discretion to receive additional supplemental materials, including, but not limited to, trial recordings, ballots and comment sheets, statements from others including the AMTA Representatives, and amicus briefs. The parties shall work in good faith to provide any requested supplemental materials. Any amicus briefs must be received by the relevant party's filing deadline and must total no more than 500 words. The Chair or the Chair's designee shall also have discretion to set word or page limits for any additional supplemental materials.

iv. **Conclusion of Investigation.** If, after investigation, the Committee concludes that an egregious improper invention of fact did occur, the Committee will issue penalties pursuant to Rule 9.10. If the CIC finds that a team committed an improper invention of fact, but the invention was not egregious, the CIC may issue a warning. Warnings may be considered by the CIC in determining whether future conduct by the same school constitutes an egregious invention of fact under Rule 7.21. The CIC may create a public version of the warning or penalty but shall not identify the warned or penalized school or individual by name.

v. **Ethical Violations Not Determined.** While violations of the invention of fact rules can also be considered ethical violations under these rules, the Competition Integrity Committee does not make conclusions regarding such rules during its investigation. The Competition Integrity Committee may refer potential ethical violations under Rule 1.5, 1.6, 6.1 and/or 6.9 to the Executive Committee for adjudication.

vi. **Appeals of Penalties.** Any team that has penalties issued against it under Rule 9.10 pursuant to the conclusion of the CIC investigation has the ability to appeal that determination to the Executive Committee. Warnings are not appealable. A decision of the Committee that an egregious invention of fact did not occur is not appealable by the complainant.

***Rationale**: Audio or video has basically become a requirement for the CIC to impose any penalties. By formalizing this requirement in the rule, we put teams on notice that it is required. This will likely cut down on CIC work because we will no longer have to wade through he said / she said complaints.*

CIC-02:

Motion by Randels Schuette and Yeomelakis to amend Rule 9.10(2) of the AMTA Rulebook as follows:

> **Rule 9.10 Penalties for Invention of Fact.**
>
> . . . .
>
> **(2) AVAILABLE PENALTIES**. Penalties for invention of fact violations may include the following, in order of severity: verbal or written warning, ~~point deduction on ballots~~, forfeiture of ballots, team or individual probation, or loss of bids. In rare cases, generally limited to repeated or flagrant violations of this rule, penalties may include suspension of an individual, team, or program from future competitions. ~~Point deductions, f~~Forfeiture of ballots, and loss of bids may be issued either mid-tournament or post-tournament. Probation and suspensions for invention may only be issued post-tournament.

***Rationale**: The ability to impose a point deduction has led to the misuse of the CIC complaint process. Often, when rounds are close and there is even a borderline invention, teams will bring a complaint, even if the invention was not handled in round. That is not what the CIC was designed to combat. Instead, the CIC should be hearing complaints of case-breaking inventions. By limiting ballot-altering penalties to those that take away the whole ballot, the hope is the complaints made will be limited and for serious violations.*

Additionally, point deductions are challenging to impose because each individual may have different thoughts on the value of a single point, and judges certainly have differing views on the value of a point. Trying to impose such penalties post-round is nearly impossible

CIC-03:

Motion by Randels Schuette and Yeomelakis to amend Rule 9.10(2) of the AMTA Rulebook as follows:

> **Rule 9.10 Penalties for Invention of Fact.**
>
> . . . .
>
> **(2) AVAILABLE PENALTIES**. Penalties for invention of fact violations may include the following, in order of severity: verbal or written warning, point deduction on ballots, forfeiture of ballots, forfeiture of individual awards, team or individual probation, or loss of bids. In rare cases, generally limited to repeated or flagrant violations of this rule, penalties may include suspension of an individual, team, or program from future competitions. Point deductions, forfeiture of ballots, and loss of bids may be issued either mid-tournament or post-tournament. Forfeiture of individual awards, ~~P~~probation and suspensions for invention may only be issued post-tournament.

Rationale: *The current penalty structure does not allow the CIC to strip individual awards. It is possible a witness or attorney who engaged in egregious improper inventions could have awards. We should allow the CIC, after investigation, to forfeit those awards if the behavior warrants such forfeiture. In past years, the CIC has discussed this as a penalty but noted it was not available. It would also be inconsistent in many cases to forfeit ballots but allow individual awards to stand.*

CIC-04:

Motion by Randels Schuette and Yeomelakis (as amended by Committee) to amend Rule 9.11 of the AMTA Rulebook as follows:

> **Rule 9.11 In-Tournament Investigation.**
> For the ~~2024-2025~~ 2025-2026 season, the Competition Integrity Committee may in its discretion investigate allegations of violations of Rule 6.11(2) and 6.11(3) during the National Championship Tournament and, where appropriate, issue penalties in accordance with Rule 9.10. The committee need not be physically present at a tournament to issue an in-tournament finding and/or penalty. In-tournament investigations and penalties require participation from at least three committee members. Committee members are not disqualified from this process by serving as an AMTA Representative at the tournament in question. The Competition Integrity Committee may establish deadlines and procedures for submitting requests for in-tournament review, which must be publicly posted on AMTA's website no later than the date on which the National Championship Tournament Case is released. The Competition Integrity Committee may impose sanctions, including refusal to consider future requests, if it determines that a request for in-tournament review was frivolous. See Rule 9.28. Nothing in this rule shall preclude other processes for investigating allegations of violations of Rule 611(2) and 6.11(3) that exist in the AMTA Rulebook. In-tournament investigation will not be utilized to review allegations of invention of fact not contemplated under Rule 6.11. All invention of fact complaints under Rule 7.21 must follow the procedures set forth under the rule and will be adjudicated post-tournament.

Rationale: *The National Championship should be final. This rule change brings back full in tournament review for egregious improper invention of fact and largely removes post-tournament review. It is meant to work in tandem with the motion to eliminate the ability to impose point penalties. By having expanded review, but limiting penalties, we provide a mechanism to review serious allegations, but hopefully reduce the number of allegations brought.*

EC-01:

Motion by Thomason to impose requirement that each witness who may be called have one or more affidavits or reports governed by Rules 7.17 and 7.21 of the AMTA Rulebook.

Rationale: *To start, I'm not sure that our rules permit "deposition" or "no affidavit" witnesses. For example, Rule 7.21(1)'s description of a "closed universe" case suggests that they do not. So I think that we should have clarity on this point. While I'm torn, I think we should truly have a "closed universe" fact pattern and require all witnesses to be bound by an affidavit or equivalent. First, we already have a hard enough time getting judges to follow instructions, and having two different species of witnesses for our invention rules often leads to unnecessary confusion--and requires background knowledge of how depositions actually work. Second, I've observed that "no affidavit" witnesses are especially challenging for new or emerging programs who already have to work through our ever-expanding cases, only to learn that certain witnesses get to create new facts that aren't even in the closed universe case packet. Finally, as a past member of the CRC and CIC, I think that many of our "invention" issues are created by issues stemming from the existence of "no affidavit" witnesses.*

EC-06:

Motion by Harper, Thomason, Yeomelakis to amend Rule 10.18 of the AMTA Rulebook as follows:

> **Rule 10.18 Categorization of judges prior to assignment.**
> Using information from tournament hosts and/or the judges themselves, AMTA Representatives shall categorize volunteer judges as follows:
>
> **(1) CATEGORY ONE.** Category One shall generally consist of sitting judges, trial attorneys, litigators and other attorneys with indicia of mock trial experience.
>
> **(2) CATEGORY TWO.** Category Two shall generally consist of non-coach attorneys who do not fall within Category One.
>
> **(3) CATEGORY THREE.** Category Three shall generally consist of coaches, law students, other non-attorneys, and anyone who would otherwise fall within another category but who the AMTA Representative feels is unfit to judge a top round.
>
> **(a)** At tournaments at which their program is not competing, coaches who volunteer to judge should be categorized without regard to their status as a coach.
>
> **(b)** Unaffiliated individuals, including coaches whose teams are competing at other AMTA tournaments, who review tabulation cards or ballots during the tournament shall be treated as Category Three judges.
>
> **(4) NO RELIEF.** No team may claim relief of any sort on the grounds that a judge was mis-categorized.

Rationale: *We have seen a proliferation of unaffiliated individuals perusing tabulation cards and then serving as judges, sometimes in consequential rounds because of their unaffiliated/Category I or II status. But no person who has seen a team's record or knows the team they are judging should be prioritized over someone who does not. We cannot easily police judges reviewing tab cards or watching AMTA Representatives tabulate ballots, but we can put those who do at the lowest level of judging priority to maintain the integrity of our judge assignments.*

EC-09:

Motion by Harper and Warihay to (1) introduce the following AMTA Rule codifying the Glen Halva-Neubauer Judges Hall of Fame; and (2) amend Rule 15.19(1) and (3) of the AMTA Rulebook to include the Glen Halva-Neubauer Judges Hall of Fame, with a notation of eligible for renaming no sooner than 2035, per Rule 15.19(2):

Rule 15.XX The Glen Halva-Neubauer Judges Hall of Fame.

(1) PURPOSE. AMTA will annually recognize up to three individuals in recognition of their commitment, support, quality, tenure, and efforts in serving as or supporting volunteer judging in AMTA-sanctioned events. The winner(s) of the Annual Glen Halva-Neubauer Judges Hall of Fame Award have made outstanding and exemplary contributions to serving as or supporting volunteer judging in AMTA.

(2) ELIGIBILITY. Winners of the Annual Glen Halva-Neubauer Judges Hall of Fame Award must meet the following criteria:

a. Winners must have demonstrated outstanding and exemplary contributions to service as or supporting volunteer judging at AMTA-sanctioned tournaments.
b. Winners may not be current members of the AMTA Board of Directors.
c. Winners may not have received any AMTA sanctions for their conduct as an AMTA competitor, coach, or volunteer.

(3) NOMINATIONS. Nominations shall be open and announced publicly no later than January 15 annually, and nominations shall have a deadline of March 25 annually. Any person may submit a nomination. Voting members as defined under this rule are ineligible to receive the award.

(4) VOTING MEMBERS. The voting members shall consist of the previous award winners who have participated in the previous two Annual Glen Halva-Neubauer Judges Hall of Fame Award elections, the winners of the Annual Glen Halva-Neubauer Judges Hall of Fame Award during the prior two years, the Academics Committee Chair, the Development Committee Chair, the Diversity and Inclusion Committee Chair, and the Tournament Administration Committee Chair. The President may also appoint two additional voting members in their discretion. The Development Committee Chair shall serve as the organizer annually. During the first year after enactment only, the President shall appoint four additional AMTA Directors as at large voting members.

(5) PROCESS. Any winner of the Annual Glen Halva-Neubauer Judges Hall of Fame Award must receive at least two-thirds of the votes of the voting members. If more than three individuals receive two-thirds of the votes of the voting members, the three individuals receiving the three highest percentages of votes shall be deemed winners. Individuals who do not win may be considered in subsequent years.

***Rationale**: We revived the Judges HOF in 2016 at the Greenville, SC National Championship Tournament in honor of then Tournament Director and Host, Past President Glen Halva-Neubauer. We ought to codify this honor and provide a process for its availability to the community.*

EC-10:

Motion by Wilson (as amended by Committee)[1] to amend Rule 6.21 of the AMTA Rulebook as follows:

> **Rule 6.21 Coaches required to judge, penalty for failure to comply.**
> Whenever there is an insufficient number of volunteer judges, coaches must agree to judge. Coaches who act as judges shall set aside partisan interests and be fair and reasonable in presiding and scoring. If a coach refuses the request of an AMTA Representative to judge, all teams affiliated with that coach at that tournament shall be disqualified from earning bids or other team awards. If any student or coach makes a false statement in connection with an AMTA Representative's request to supply coaches as judges, or if a coach's actions after being requested to judge by an AMTA Representative delays the start of a trial, the AMTA Representatives may impose a tournament penalty under Rule 9.3(2). Additionally, violations of this rule may be referred to the Executive Committee for sanctions under Rule 9.6. ~~The team(s) of any coach who refuses an AMTA Representative's request to judge will be removed from the competition. If the school has more than one team, the team with the best record at the time will be removed.~~

***Rationale**: This amendment gives reps more tools to respond to a problem that has become increasingly common in recent years. Judge recruitment has been harder post-pandemic, but coaches are frequently unwilling to judge if asked. From (literally) hiding in bathrooms, to having their students deny that they have coaches, to waiting until after the round start time to report to the judging room, to arguing with AMTA reps about being asked to judge, coaches' refusals to judge delays rounds. And, when rounds are delayed, the delay makes it harder for hosts to convince non-coach judges to return in future years, perpetuating the problem.*

This motion does two things to help the problem. First, it lets reps impose lesser penalties as opposed to just removing teams from the tournament. Right now, we only have one tool to deal with this problem, and it is a sanction so severe that no one actually wants to impose it (especially when the problem is the coaches and not necessarily their students). When lesser penalties than disqualification are on the table, it will hopefully incentivize reps to enforce this rule and coaches to obey it. Second, it broadens the circumstances where a rep can impose penalties to include not only a

[1] As originally submitted, EC-10 moved to amend Rule 6.21 as follows:

> **Rule 6.21 Coaches required to judge, penalty for failure to comply.**
> Whenever there is an insufficient number of volunteer judges, coaches must agree to judge. Coaches who act as judges shall set aside partisan interests and be fair and reasonable in presiding and scoring. An AMTA Representative may impose any penalty listed in Rule 9.3(2) if a coach refuses an AMTA Representative's request to judge, if a coach or competitor makes a false statement in connection with an AMTA Representative's request to supply coaches as judges, or if a coach delays agreeing to judge after a request by an AMTA Representative in a manner that delays the start of any round of competition. ~~The team(s) of any coach who refuses an AMTA Representative's request to judge will be removed from the competition. If the school has more than one team, the team with the best record at the time will be removed.~~

coach's actual refusal to judge, but also if a participant makes a false statement to an AMTA rep in response to a request for coaches to judge or if a coach delays agreeing to judge in a manner that causes the tournament to run behind. This directly responds to the ways in which coaches tend to attempt to get around their obligation to judge.

EC-11:

Motion by Wilson (on behalf of herself and Kerwin) (as amended by Committee)[2] to amend 2026 Rookie Rumble eligibility rules as follows:

> Rookie Rumble is open to any student whose first AMTA-sanctioned competition was this calendar year.

Rationale: *This proposal suggests that students who have competed in a round of mock trial at the National Championship Tournament should not get to also compete in Rookie Rumble.*

Rookie Rumble is an extremely popular tournament with students, and it consistently has more interested competitors/teams than can realistically be accommodated. In 2023, Rookie Rumble had more teams on the waitlist than teams competing, and in 2024, more than a dozen teams were still waitlisted, even though we expanded the field from 48 to 64 teams, and required students to field teams of 6-12 instead of 4-5. Since all interested students are not consistently able to compete, there is a question of who should be prioritized in this limited-eligibility tournament for the opportunity to compete an additional time, and who this tournament is really for.

Students who have had the opportunity to compete at NCT have already gotten the some of the same kind of additional advocacy experience that Rumble offers – both use a case prepared exclusively for use at that tournament, require a shortened preparation schedule, and have a two-division tournament and a final round. However, competing at the National Championship Tournament is, in basically every way, a better experience than Rumble – NCT is in-person, almost always takes place in a courthouse, is generally judged by more qualified individuals (while Rumble is usually judged primarily by college seniors), and offers the best teams in the country as competition. AMTA invests time, money, and energy in NCT because it is extremely important, and the students who compete there feel the benefit of that investment every year. Students who have already had that benefit should not get to also compete at a tournament designed for 'rookies' who are inexperienced and still developing their skills – especially when there are inexperienced competitors who have to be denied the benefit of an extra competition for these NCT veterans to compete.

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[2] As originally submitted, EC-11 moved to amend the 2026 Rookie Rumble eligibility rules as follows:

> A competitor is only eligible to compete at the Rookie Rumble Tournament if the competitor:
> - Has previously competed in at least one, but no more than two AMTA seasons;
> - Was listed on an AMTA roster in the 2026 competitive season;
> - Has never competed in a round of mock trial at the National Championship Tournament; and
> - Has not graduated or will not be graduating from their undergraduate course of study in 2026.

RULES-01:

Motion by Woodward to amend Rule 7.20(1) of the AMTA Rulebook as follows:

Rule 7.20 Demonstrative aids.

(1) DEFINITION OF DEMONSTRATIVE AID. "Demonstrative aid" means:

(a) Any enlargement of any portion of the case packet;

(b) Any object that combines, omits, or otherwise alters any material included in the case packet;

(c) Any tangible physical object or collection of objects that any attorney and/or witness intends to show to the jury during trial, regardless of whether the object is referenced in, or contemplated by, the case packet. This includes any object that is brought into the ~~courtroom~~ tournament venue to be used as a "prop," even if the attorney or witness does not physically handle the object.

Notwithstanding the foregoing, "demonstrative aid" does not include:

(d) Easels, pointers, or similar objects used solely to facilitate the use or display of a demonstrative aid;

(e) Furniture, fixtures, or other objects present in a ~~trial room~~ tournament venue before the start of the tournament.

(f) Objects that are worn, carried, or held by a witness solely as a part of the witness' costume or character portrayal. Any such object may not be used in any way to advance any argument, theory, or material fact. If a team wishes to use an item to advance any argument, theory, or material fact, the item is treated as a demonstrative for purposes of this Rule.

Rationale: *The first change addresses a prior rule change that prohibited "planting" items in the courtroom that would later be referenced by a witness and/or an attorney during trial. I have learned that at least one team did an end-run around this rule by "planting" an item in the hallway outside the courtroom. This change would simply provide that "planting" items is not allowed anywhere at the tournament, not just in the courtroom.*

The second change would exclude from the definition of "demonstrative aid" any object that is part of a witness' costume. This change would only exclude these items so long as they are solely being used for costume/character reasons and not to advance any material fact or argument. As an example, a witness portrayed as a grandma who walks with a cane would not need to disclose the cane. However, if anything about the cane is going to be referenced in the trial, then it would have to be disclosed like any other demonstrative.

RULES-02:
Motion by Woodward to create Rule 6.51 of the AMTA Rulebook as follows:

> **Rule 6.51 Floor markings prohibited.**
> No participant, coach, or other person shall make or place any writing, tape, stickers, or any markings of any kind on the floor of any trial room.

Rationale: *I have been made aware of some teams that use tape, stickers, labels, or other like items to make stage markings prior to trial. Participants are free to decide where they wish to stand for their examinations or place demonstratives, but those decisions should not be memorialized with stage markings. Placing tape or other markings on the floor of a venue (particularly in a courthouse) could cause damage to the host facility, or could be upsetting to venue staff even if the marking is capable of being removed without damage.*

RULES-03:
Motion by Michalak to amend Rule 3.16(3) of the AMTA Rulebook as follows:

> **Rule 3.16 Substitutions in case of illness or emergency.**
>
> . . . .
>
> **(3) APPLICABILITY OF RULE**. This rule applies only after a tournament has begun. Whether this rule applies and whether a rostered team member's particular situation qualifies as an illness, injury, or personal emergency shall be left to the sound discretion of the AMTA Representatives. The AMTA Representatives may confer with the Tabulation Director or other members of the Executive Committee in the order described in Rule 9.4(3). A party dissatisfied with the determination of the AMTA Representatives may appeal to the Tabulation Director using the procedure outlined in Rule 9.5.

Rationale: *The rule should be clear that you cannot show up to the tournament with 5 students and get a fill-in student for the tournament. Rule 3.7 says that a team shall consist of no fewer than six members.*

RULES-05:

Motion by Smiley (on behalf of Rules Committee) to amend Rule 7.19 of the AMTA Rulebook as follows:

Rule 7.19 Benchbooks and Exhibit Binders.

(1) **BENCHBOOKS.** A team may present a benchbook to the presiding judge only in strict compliance with the following:

(a) ~~**(1)**~~ The benchbook is to be a standard plastic 3-ring binder, no wider than 1.5 inches, and only solid white, solid black, or solid blue in color. The front and back of the binder shall be blank; no logo or cover page is permissible. No logo or insignia shall be visible except for that of the binder manufacturer or retailer.

(b) ~~**(2)**~~ Unless otherwise specified in the Special Instructions of the case materials, the benchbook shall include each of the following items found in the most recent case release or revision in the following order:

i. ~~**(a)**~~ The pleadings (e.g., complaint and answer; criminal complaint or indictment;)
ii. ~~**(b)**~~Stipulations;
iii. ~~**(c)**~~Pre-trial orders;
iv. ~~**(d)**~~Midlands case law;
v. ~~**(e)**~~Statutory law;
vi. ~~**(f)**~~Jury instructions and/or verdict forms;
vii. ~~**(g)**~~Midlands Rules of Evidence;
viii. ~~**(h)**~~Special Instructions.

The benchbook may include labeled tabbed dividers for the purpose of separating and identifying the various sections.

(c) ~~**(3)**~~ Other than the material listed in subsection (2) or authorized by special instruction, the benchbook may—but is not required to—contain the character evidence notification form (if completed). If contained in the benchbook, the completed character evidence notification form shall be placed after the Special Instructions, unless otherwise specified in the Special Instructions of the case materials. The benchbook shall not contain any other material.

(d) ~~**(4)** Any team intending to present the presiding judge with a benchbook shall show its opponent the benchbook in captains' meeting. A benchbook not shown during captains' meeting may not be used. Any objection regarding the compliance of a benchbook with this Rule must be raised with the AMTA Representative at the captains' meeting.~~ If both teams desire to use a compliant benchbook, the plaintiff/prosecution team shall use its benchbook.

(2) **EXHIBIT BINDERS.** Teams may, but are not required to, use exhibit binders during the trial. Teams may provide an exhibit binder to the presiding judge and/or for all of the witnesses. The choice to use an exhibit binder is up to each team. In the same round, one team may choose to use an exhibit binder while the other team does not. Exhibit binders may be left on the witness stand for use with any of the witnesses called at trial, and/or may be given to the presiding judge before the trial begins.

(a) If a team chooses to provide an exhibit binder for either the presiding judge or the witnesses, then the exhibit binder must contain one copy of all of the

paper exhibits provided in the case packet. If a team intends to use a physical exhibit permitted by the Special Instructions, then a paper copy of the physical exhibit does not need to be included in the binder. Providing either the judge or the witness with an incomplete exhibit binder is not permitted.

(b) Any exhibit binder must also comply with the standards identified in section (1)(a) of this rule. The binder may contain labeled tab dividers for the purpose of separating and identifying the various exhibits by number. No other information can be listed on any tab dividers except for the exhibit numbers.

(c) If a team chooses to provide an exhibit binder for the judge, the judge's exhibits can be included in the above described benchbook after the Special Instructions. A team may also provide an exhibit binder for the judge separate from the above described benchbook.

(d) If both teams intend to use exhibit binders, the plaintiff/prosecution team shall give its exhibit binder to the presiding judge during pretrial matters and the defense shall place its exhibit binder at the witness stand before the judges arrive. If only one team elects to use the witness binder, then that team is responsible for supplying any exhibit binder(s).

(3) CAPTAINS MEETINGS. Any team intending to present the presiding judge with a benchbook or the presider and/or witnesses with an exhibit binder shall show its opponent the benchbook and/or exhibit binder in captains' meeting. A benchbook or exhibit binder not shown during captains' meeting may not be used. Any objection regarding the compliance of a benchbook or exhibit binder with this Rule must be raised with the AMTA Representative at the captains' meeting.

Rationale: *During the mid-year motion submissions, Devon put forward a similar motion to add exhibits to the benchbook. The Committee voted to table that motion to consider it for the July Board Meeting because adding any sort of exhibit binder could have a large impact on the procedure students use when entering evidence. After considering the pros and cons of making any possible change to how exhibits are handled during trial, the Rules Committee has put forward this proposed rule change.*

The Committee thought carefully about what changes this rule modification could bring to the competition as well as the state of current trial practice. We determined that making the use of exhibit binders optional is the most optimal change here. First, it can severely reduce the amount of time for walking around the courtroom to enter exhibits. Second, many trials these days use exhibit binders for both the witness and the judge, so providing this option brings the competition in line with current practice. Third, it still allows teams to continue to use the formal procedure for entering exhibits, which gives students an opportunity to show off their knowledge of courtroom procedure. We are excited to discuss this potential change with the Board.

RULES-06:

Motion by Smiley (on behalf of Rules Committee) to amend Rule 5.4 of the AMTA Rulebook as follows:

Rule 5.4 Time limits.

Time limits for all trials in sanctioned tournaments shall be strictly observed.

(1) **TIME LIMITS GENERALLY.** Except as provided for in subsection (2) of this rule or as adjusted downward in a special instruction, time limits for each side shall be as follows:

Opening statement and closing argument (combined) – 14 total per side
Direct examinations of all three witnesses (combined) – 25 minutes per side
Cross examination of all three witnesses (combined) – 25 minutes per side

(2) **SWING TIME.** Each team may elect to use up to 5 minutes as "swing time" when performing their direct or cross examinations. This does not change the total examination time for each team, which is 50 minutes per side. Instead, this allows each team to pull time from their cross time and add to their direct time or to pull from their direct time to add to their cross time. The precise amount of time added from one examination set must be subtracted from the other examination set. Teams do not need to declare before the round how much time they intend to use for direct or crosses before the round starts and may decide during the round how much time they will use.

Comment: For example, if the plaintiff team wants to use 28 minutes for their directs, they are permitted to do that. However, the 3 additional minutes added to their direct time comes out of their cross time. So, plaintiff team's directs would now be 28 minutes total and their crosses would now be limited to 22 minutes total. Alternatively, suppose the defense team decides to use 27 minutes and 33 seconds on cross; they would then have only 22 minutes and 27 seconds for their direct examinations.

. . . .

(7) READING EXHIBITS. Should a team wish to read aloud for the jury an exhibit (or part of any exhibit) or stipulation, any such reading must be deducted from the team's time to present arguments and evidence. The time spent reading the exhibit aloud shall be deducted from that team's total 14 minutes for opening statement and closing argument (combined), ~~25 minutes for~~ direct examination time, or ~~25 minutes for~~ cross examination time, depending on whether the reading occurs before the conclusion of the second opening statement, after opening statements but before the plaintiff/prosecution has rested, after the plaintiff/prosecution has rested but before the defense has rested, or during the reading team's closing argument, respectively. This rule addresses only issues of timing, not issues of evidence or admissibility.

***Rationale**: This motion implements the "swing time" system tested this past fall at several invitationals in order to allow teams some flexibility in how they use their time. Attached is the FAQ we sent teams who experimented with this system to give a bit more context of how it works.*

Last year, the Rules Committee received a proposal to change the time limits so that directs received 28 minutes and crosses were reduced to 22 minutes. In considering this proposed change, the Committee began questioning (1) whether a change in the time allotment was necessary at all and (2) if there was a change, how much would be appropriate. In order to answer this question, we set up an experiment that was run through the Tournament Innovation Program with all of our invitationals and a few experimental invitational host sites. The fundamental question was what time would be appropriate to make any changes (if necessary) to the current time allotment rules.

In order to assess whether this was necessary or useful, we created an experiment and used 5 test locations for invitational hosts through the Tournament Innovation Program. We also collected data from all invitational hosts to look at the amount of time generally used by teams. For the test locations, we implemented the Swing Time system proposed above. Originally, it was chosen as the system to help us figure out a number of minutes that would make sense to add to directs or crosses. However, there was very positive feedback on the Swing Time system itself, so when evaluating the results of the experiment, the Rules Committee felt that the Swing Time system was the most appropriate method for allowing additional time for direct or cross as needed by teams. We also formed a partnership with the student who created the Mock Trial Timer App, Matan Kotler-Berkowitz, and he created a version of the Mock Trial Timer App that works with the swing time system and was used by students at the test invitationals.

After testing out the Swing Time system, the Rules Committee has determined that it is the optimal system for time keeping. While from a competition standpoint, it makes sense for each side to have equal direct and cross examination time, that simply does not take into account the burdens of proof for each side, nor the strategic needs of each side. Allowing the teams to be able to choose how they use their time gives them more ability to think critically about what is most needed to prove their respective cases. The Committee expressly decided not to combine all the examination time for teams to use as they see fit. This was a deliberate choice in order to provide some guard rails against each side's witnesses running out the clock on the other teams. Limiting the swing time to a maximum of 5 minutes protects (from each other and themselves) the students' time to complete the needed examinations. That way each side always has at least 20 minutes for the 2nd case-in-chief scores. We again look forward to discussing this as a Board.

RULES-10:

Motion by Smiley (on behalf of Rules Committee) to not update Rule 801(d)(2) of the Midlands Rules of Evidence to conform with its updated Federal Rules of Evidence counterpart.

> **(2) An Opposing Party's Statement.** The statement is offered against an opposing party and:
>
> > **(A) w**as made by the party in an individual or representative capacity;
> > **(B)** is one the party manifested that it adopted or believed to be true;
> > **(C)** was made by a person whom the party authorized to make a statement on the subject;
> > **(D)** was made by the party's agent or employee on a matter within the scope of that relationship and while it existed; or
> > **(E)** was made by the party's coconspirator during and in furtherance of the conspiracy**.**
> >
> > The statement must be considered but does not by itself establish the declarant's authority under (C); the existence or scope of the relationship under (D); or the existence of the conspiracy or participation in it under (E).
> >
> > ~~If a party's claim, defense, or potential liability is directly derived from a declarant or the declarant's principal, a statement that would be admissible against the declarant or the principal under this rule is also admissible against the party.~~
>
> Note regarding the update to the Federal Rule: Resolves another circuit split about the admissibility of statements by the predecessor-in-interest of a party-opponent, providing that a hearsay statement is admissible against the declarant's successor-in-interest.

Rationale: *This one sentence added to the Federal Rule could have many unintended readings and consequences in the competition. While the comments to the Federal Rules explain that this change is made to deal with successor-in-interest issues, our cases rarely if ever have dealt with this. Further, we should not have to expect the Case Committee to include case law in each case to clarify the very narrow situation in which this additional language applies. Therefore, the Rules Committee determined that this new language should not be added to the rule.*

TAB-01:
Motion by Cannon to amend Rule 13.8 of the AMTA Rulebook as follows:

> **Rule 13.8 Judges for the opening round championship tournament.**
> The hosts of the opening round championship series tournaments shall be authorized, but not required, to recruit sufficient judges so as to permit the use of ~~two, three, four, or five scoring judges~~ two or three ballots in every trial at the tournament. All opening round championship series tournaments must, however, have the same number of scoring judges. The AMTA Tabulation Director, in consultation with the AMTA Tournament Administration Chairperson, shall make the final decision as to whether two or three ~~three, four, or five~~ ballots per round will be used at ~~any particular~~ all opening round championship series tournaments. ~~When possible, the decision will be made prior to the start of the tournament's opening ceremony, but in all events it must be made prior to the start of the first round.~~ The AMTA Tabulation Director will make this decision no later than noon central time on the Friday of the first opening round championship tournament. Should the AMTA Tabulation Director ~~make such a decision~~ decide to use three ballots per round, they will modify the rules as necessary to adapt to a tournament with three ballots ~~, four, or five scoring judges~~ per round.

Rationale: *This year one ORCS tournament had three scoring judges per round, and a team at that tournament earned 8 wins. Normalizing that record to a traditional 2-ballot-per-round tournament created a result of 5.33 wins. This created a discrepancy on the Open Bid List for the National Championship Tournament: every other team on the Open Bid List earned 5 wins, but none of these teams could possibly have earned 5.33 wins. Consistency across all ORCS tournaments is necessary to ensure that the Open Bid List operates fairly and does not provide teams with a competitive advantage or disadvantage depending entirely on which ORCS they are assigned to.*

The change from "two, three, four, or five scoring judges" to "two or three ballots" is logistical common sense. AMTA has not in recent memory had four or five scoring judges at an ORCS tournament, and it is not feasible to expect all ORCS tournaments to recruit enough judges to guarantee four or five scoring judges per round (after no-shows, etc.). And using the term "ballots" instead of "scoring judges" avoids any potential confusion where sometimes "scoring judges" is interpreted to mean "non-presiding scoring judges."

TAB-02:

Motion by Cannon (on behalf of Selcov) to amend the AMTA Tabulation Manual as follows:

The tiebreakers, in order of application, are:

1. Head-to-Head victory (see above)
2. Combined Strength ("CS") (greater sum is better)
3. ~~Opponents' Combined Strength ("OCS") (greater sum is better)~~ Total point differential ("PD") (greater positive differential is better)
4. ~~Total point differential ("PD") (greater positive differential is better)~~ Opponents' Combined Strength ("OCS") (greater sum is better)
5. Total PD after dropping each team's most favorable and least favorable ballot differentials
6. Total PD after dropping each team's two most and two least favorable ballot differentials.
7. Total PD after dropping each team's three most and three least favorable ballot differentials.
8. (In a 3-ballot tournament only) Total PD after dropping each team's four most and four least favorable ballot differentials.
9. (In a 3-ballot tournament only) Total PD after dropping each team's five most and five least favorable ballot differentials.
10. Total raw points earned (140 points x 8 ballots = 1120 points maximum; 1680 points in a 3-ballot-per-round tournament)
11. Total raw points after dropping each team's highest and lowest raw point ballots.
12. Total raw points after dropping each team's two highest and two lowest raw point ballots.
13. Total raw points after dropping each team's three highest and three lowest raw point ballots.
14. (In a 3-ballot tournament only) Total raw points after dropping each team's four highest and four lowest raw point ballots.
15. (In a 3-ballot tournament only) Total raw points after dropping each team's five highest and five lowest raw point ballots.
16. Flip of a United States coin: "heads" results in the team with the greater team number winning; "tails" results in the team with the smaller team number winning.

Rationale:

1. Once normalized for strength of schedule, point differential means something. *If one team has a PD of +75 and another has a PD of +40 and they have the same strength of schedule, the team with the higher PD actually did perform better against teams of comparative strength. (By contrast, if one team has a PD of +75 and a CS of 12, and the other has a PD of +40 and a CS of 17, it would be impossible to use PD to meaningfully differentiate those teams--that's why this proposal keeps CS as a second tiebreaker.) Using PD as a tiebreaker only when teams have the same record and*

strength of schedule limits the use of PD to situations where it means something. Indeed, this is consistent with how running PD is used when pairing Rounds 3 and 4; it is a secondary tiebreaker after running CS.

2. Point differential is more intuitive on several levels. *For one, students (and coaches) understand what PD is, while many are unfamiliar with OCS. As a follow-on to that, students' performance in-round directly contributes to their PD: if they score one point higher on their direct examination or closing argument, their PD is one point higher. OCS, by contrast, is not tied at all to students' actual performance in-round. This is one reason why students may get frustrated at the use of OCS as a tiebreaker; they have effectively no control over their OCS. (Though the same argument is arguably true of CS, students at least know that if they perform better in early rounds, they hit teams with better records in later rounds, and thus end up with a higher CS. OCS does not work that way, and even if it did, it's too remote to follow.) Finally, OCS has little if any competitive value even in isolation: OCS is a combination of sixteen teams' records, and given that most tournaments have around twenty-four teams, there is usually lots of overlap in which teams' records factor into the OCS math. It is not clear why Team A should outperform Team B just because Team A's R1 opponent faced a 6-win team in R3 while Team B's fourth-round opponent faced a 4-win team in R2.*

3. Point differential is a better metric for future success. *An analysis was done of teams that tied at CS where one had a better OCS and the other had a better PD to find which team did better at the next level of competition. Overwhelmingly the team who had a better PD did better at the next level of competition. The whole point of a tiebreaker is to determine which team should advance to the next level of competition, and this analysis tells us that PD is a better indicator of success. If it was leaning towards OCS or even close, there might be some wiggle room to say OCS is still a better indicator, but teams who would have won a PD tiebreaker overwhelmingly did better at future competitions. This especially matters because each of the last five years has had an NCT bid come down to this tiebreaker where the team who got the bid had a better OCS and the team who lost the bid had a better PD.*

TAB-03:
Motion by Michalak to amend Rule 12.5 of the AMTA Rulebook as follows:

Rule 12.5 Opening round championship bids.

. . . .

(a) Allocation of bids to Regionals with ~~20~~ 22 or more bid-eligible teams. Should the number of Regionals not allow for equal distribution of the bids, each Regional shall receive the same number of bids, as outlined in Rule 12.5(2) above, and the remainder shall be distributed jointly by the National Tabulation Director and the Tournament Administration Committee Chair as follows: Regionals with 20 or more bid-eligible teams will be ranked according to the number of teams registered 48 hours prior to the start of the first Regional, from largest to smallest. The unassigned bids will be allocated beginning with the largest Regional tournament. If not all Regional tournaments with the same number of teams can be logistically accommodated, those bids will remain open bids. The number of bids allocated to each Regional will be confirmed at the time of each Regional tournament's registration based upon the number of teams that actually begin in Round 1. If the number of registered teams necessitates a change in the number of ORCS bids assigned, the AMTA Representatives, in consultation with the National Tabulation Director, will announce such at the Opening Ceremony. If team(s) withdraw from a Regional tournament during or after Round 1 begins, the number of bids will not be affected. If a bid is removed from a Regional, that bid shall become an Open Bid. If the National Tabulation Director has good reason to believe a team that will be unable to compete in Round 1 will still compete in the remaining rounds of the Regional tournament, then the National Tabulation Director has discretion to consider that team to be present at the Regional for purposes of assigning Opening Round Championship Series bids.

(b) Allocation of bids to regionals with fewer than ~~20~~ 22 bid-eligible teams. For Regional tournaments with fewer than ~~20~~ 22 bid-eligible teams, Opening Round Championship Series bids shall be allocated as follows:

No. of Bid-Eligible Teams	ORCS Bids Allocated
At least 6, but fewer than 9	"Baseline' minus 5
At least 9, but fewer than 12	"Baseline' minus 4
At least 12, but fewer than 15	"Baseline' minus 3
At least 15, but fewer than 18	"Baseline' minus 2
At least 18, but fewer than ~~20~~ 22	"Baseline' minus 1

Rationale: *We have been adding more and more teams to regionals and the larger regionals are getting larger so one way to compensate and hopefully have some additional bids to add to the very large regionals is to up the baseline from 20 to 22 until a better solution is found.*

TAB-04:

Motion by Michalak to amend the Tab Manual for Round 4 Regional pairings to indicate that ... after you pull down all eligible teams for the Secondary Bracket, you should resolve any impermissibles affecting complete pairings in the Secondary Bracket, even if the sides are uneven, and only then, if uneven, pull remaining teams back up to the Primary Bracket and continue by high-lowing the defense and pairing the Primary Bracket as usual.

Rationale: *The purpose of the 2 bracket Regional pairing system is to have teams fighting for those final spots facing each other to move on. We should be trying to keep the 2 separate brackets intact as often as possible. If the team would have been eligible to be in the Secondary bracket, they should be eligible to keep the Secondary bracket viable.*

Example: Colorado Springs was a 20 team tournament. They had 6 bids. They had a very big side bias in round 3, which made round 4 pairings lopsided…

P1 - 5 D1 - 5
P2 - 5 D2 - 4
P3 - 4 D3 - 4
P4 - 3.5 D4 - 4

P5 - 2 D5 - 4
P6 - 2 D6 - 4
P7 - 2 D7 - 3
P8 - 1 D8 - 3

P9 - .5 D9 - 2
P10 - 0 D10 - 2

As you can see, last in and first out were at 4, so the 2s and lower go down, but the 3's are within 1 so they have to stay up so we end up with 2 rounds in the Secondary bracket.

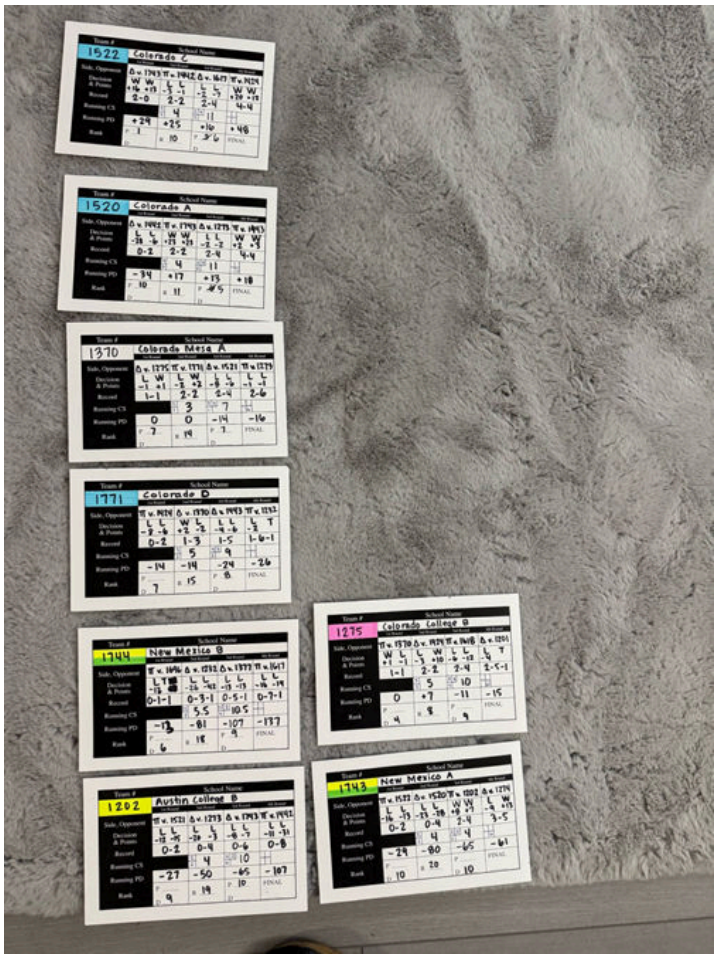
The next problem was that P10 and D10 had faced each other and P9 and D10 were same school so the Secondary bracket couldn't be paired and had to be blown up.

That resulted in the following records facing one another:
5v2
5v2
4v3
3.5v4
2v3
2v4
2v4
1v4
.5v5
0v5

If you invade the Primary bracket for any team that WOULD have been eligible for the Secondary bracket after caveat (meaning all the 2s are eligible to be swapped into the Secondary bracket, but the 3s are off limits) to try and preserve the Secondary bracket. In this case, after swapping both left and right in the Secondary bracket, swapping P9 with P8 resolves the Secondary bracket and then after high-lowing the primary bracket and solving impermissibles, you end up with the following matchups in the primary bracket instead:

5v3
5v3
4v4
3.5v4
2v4
2v4
2v5
0v4

So, your Secondary – pre-resolved bracket would look like this, and P side can swap with any card available, using the existing rules to resolve impermissibles, and then you would pull back up the remaining 4 cards not in the Secondary bracket and pair the Primary as usual:



Appendix C

Consent Calendar

American Mock Trial Association
Meeting of Board of Directors
Austin, Texas
July 12-13, 2025
Appendix C: Consent Calendar

SUMMARY OF CONSENT CALENDAR MOTIONS

The full text of motions advanced are provided below. The shortened descriptions here are for reference only.

In cases where existing rules are being amended, rule language to be deleted is shown ~~struck through~~ and new language to be created is shown in red.

EC-07:

Motion by Harper to amend Rule 15.19 of the AMTA Rulebook as follows:

Rule 15.19 High Honors.

(1) AMTA recognizes individuals who have made outstanding contributions to AMTA and its mission through a variety of mechanisms, including the honorific naming of High Honors. These High Honors include:

- The National Championship 1st Place Trophy
- The National Championship 2nd Place Trophy
- The Annual Mission Award
- The Annual Coaching Award
- The Annual Outstanding Alumni Achievement Award
- The Coaches Hall of Fame
- The National Championship Senior Salute
- The National Championship Spirit of AMTA Award

(2) Any High Honor listed under 15.19(1) shall be eligible to be named after an individual upon majority vote by the Board. Motions of this sort, if passed, shall create a minimum 10-year honorific naming distinction; any motion to rename within that 10-year period is subject to a higher 2/3rds majority override vote; after the 10-year period the High Honor shall retain the naming distinction until a renaming motion passes. The naming and timing of High Honor distinctions shall be documented in the Rulebook under 15.19(3).

(3) CURRENT HIGH HONORS AND NAMING ELIGIBILITY.

- The National Championship 1st Place Trophy: Calkins Trophy (renaming subject to 15.19(4))
- The National Championship 2nd Place Trophy: Eleanor Berres Henrichs Trophy (eligible for renaming in 2025)
- The Annual Mission Award: Neal Smith Award (eligible for renaming in 2025)
- The Annual Coaching Award: W. Ward Reynoldson Award (eligible for renaming in 2025)
- The Annual Outstanding Alumni Achievement Award (eligible for naming upon motion)
- The Coaches Hall of Fame: Unnamed (eligible for naming upon motion)
- The National Championship Senior Salute: Unnamed (eligible for naming upon motion)
- The National Championship Spirit of AMTA Award: Unnamed (eligible for naming upon motion)

. . . .

Rationale: *Codifies the new Annual Outstanding Alumni Achievement Award and our prior decision to name the Coaches Hall of Fame after Glen Halva-Neubauer.*

EC-08:

Motion by Harper to introduce the following AMTA Rule codifying the Annual Outstanding Alumni Achievement Award:

Rule 15.XX The Annual Outstanding Alumni Achievement Award.

(1) PURPOSE. AMTA will annually recognize up to three individuals in recognition of their academic, professional, or community-related achievement unrelated to any continued commitment to AMTA. The winners of the Annual Outstanding Alumni Achievement Award have made outstanding and exemplary contributions to their community, profession, or chosen field of study.

(2) ELIGIBILITY. Winners of the Annual Outstanding Alumni Achievement Award must meet the following criteria:

(a) Winners must have participated as a rostered competitor during at least one AMTA Regional Tournament.

(b) Winners must have graduated from an undergraduate institution at least five years prior to receiving the Annual Outstanding Achievement Award.

(c) Winners may not be current members of the AMTA Board of Directors.

(d) Winners may not have received any AMTA sanctions for their conduct as an AMTA competitor, coach, or volunteer.

(3) NOMINATIONS. Nominations shall be open and announced publicly no later than January 15 annually, and nominations shall have a deadline of March 25 annually. Any person may submit a nomination. Voting members as defined under this rule are ineligible to receive the award.

(4) VOTING MEMBERS. The voting members shall consist of the previous award winners who have participated in the previous two Annual Outstanding Alumni Achievement Award elections, the winners of the Annual Outstanding Alumni Achievement Award during the prior two years, the Academics Committee Chair, the Development Committee Chair, the Diversity and Inclusion Committee Chair, and the Rules Committee Chair. The President shall also appoint two unaffiliated non-Board member AMTA alumni to serve as voting members. The Development Committee Chair shall serve as the organizer annually. During the first year after enactment only, the President shall appoint four additional AMTA Directors as at large voting members.

(5) PROCESS. Any winner of the Annual Outstanding Alumni Achievement Award must receive at least two-thirds of the votes of the voting members. If more than three individuals receive two-thirds of the votes of the voting members, the three individuals receiving the three highest percentages of votes shall be deemed winners. Individuals who do not win may be considered in subsequent years.

Rationale: *We should honor our outstanding alumni. We have awards for competitive success, coaching success, even judging. But we have no award that celebrates the success of our students after they leave AMTA. We should. This proposal attempts to honor those individuals.*

RULES-07:
Motion by Smiley (on behalf of Rules Committee) to update the following Rules of the Midlands Rules of Evidence to conform to the corresponding current Federal Rules of Evidence:

- 404(b);
- 613;
- 615;
- 702;
- 803(6);
- 803(7);
- 803(8);
- 803(16); and
- 1006

Attached as Appendix F is a copy of the Midlands Rules of Evidence with proposed edits to the above-mentioned Rules in redline.

Rationale: *The Rules Committee has done a thorough review of the updates to these rules and has determined that changes to these rules are appropriate for AMTA competitions. Many of these rule changes are rewordings or clarifications of circuit splits or case law. The attached redlined appendix includes explanations of any more extensive rule changes if anyone would like to see those comments.*

RULES-08:

Motion by Smiley (on behalf of Rules Committee) to update Rule 106 of the Midlands Rules of Evidence to conform to the corresponding current Federal Rule of Evidence, but with additional language in the comment:

Note: proposed language to conform to the updated FRE is purple; proposed language from Rules Committee is red.

> **Rule 106. Remainder of or Related Writings or Recorded Statements**
> If a party introduces all or part of a ~~writing or recorded~~ statement, an adverse party may require the introduction, at that time, of any other part – or any other ~~writing or recorded~~ statement – that in fairness ought to be considered at the same time. The adverse party may do so over a hearsay objection. The adverse party may do so over a hearsay objection.
>
> > *Comment*: This rule of completeness applies only to material provided in the case packet. This rule does not reference any material not provided in the case packet. An attorney may object under this rule to require the proponent of a statement to introduce omitted words or clauses of a sentence. However, if additional sentences ought to be considered in fairness, the opponent may only introduce those additional sentences during the opponent's subsequent examination. By not objecting, an attorney does not waive the right to introduce additional sentences, omitted words, or omitted clauses that ought in fairness be considered. This rule is intended to be a rule of inclusion, not exclusion.
> >
> > Note regarding the update to the Federal Rule: Federal Rule of Evidence 106 was amended to cover all statements, including unrecorded oral statements, and to provide that if the existing fairness standard requires completion, then that completing statement is admissible over a hearsay objection. The commentary accompanying the Rule explains that courts had reached different conclusions as to whether completing evidence properly required for completion under the Rule could be admitted over a hearsay objection.

Rationale: *The Rules Committee believes that it is important that the students learn the Federal Rules as much as is practical for the competition. Therefore, we support making the change to the rule. However, the students are on a time clock and while it's important for the students to be able to use this rule, we are concerned about students abusing this rule to require potentially long winded quotes to be said on their opponent's time. The Rules Committee believes that the additional comment helps strike the competitive balance. It allows teams to hold each other accountable for omitting key words from quotations while also not letting the students get to play time games with each other. If they want to introduce additional sentences of the quote, they can do that on their own time.*

RULES-09:

Motion by Smiley (on behalf of Rules Committee) to add new Rule 107 of the Midlands Rules of Evidence to conform to the corresponding current new Federal Rule of Evidence, but with modifications:

Note: Proposed modifications to FRE 107 are red.

> **Rule 107. Illustrative Aids**
> (a) **Permitted Uses.** The court may allow a party to present an illustrative aid to help the trier of fact understand the evidence or argument if the aid's utility in assisting comprehension is not substantially outweighed by the danger of unfair prejudice, confusing the issues, misleading the jury, undue delay, or wasting time.
> (b) **Omitted. ~~Use in Jury Deliberations~~**. ~~An illustrative aid is not evidence and must not be provided to the jury during deliberations unless:~~
> ~~(1) all parties consent; or~~
> ~~(2) the court, for good cause, orders otherwise.~~
> (c) **Omitted. ~~Record~~**. ~~When practicable, an illustrative aid used at trial must be entered into the record.~~
> (d) **Summaries of Voluminous Materials Admitted as Evidence**. ~~A summary, chart, or calculation,~~ When a document is admitted as evidence to prove the content of voluminous admissible evidence, such summaries are ~~is~~ governed by Rule 1006.
>
> Note regarding the update to the Federal Rule: This new rule distinguishes illustrative aids from demonstrative evidence and allows them to be used at trial after the court balances the utility of the aid against the risk of unfair prejudice, confusion, and delay. The illustrative aid is not provided to the jury during deliberations unless all parties agree or the court, for good cause, orders otherwise. An illustrative aid must be entered into the record when practicable.

Rationale: *The Rules Committee determined that this rule is simply the codification of the application of Rule 403 to "illustrative" aids. This is something students already are dealing with and it gives them an actual rule to cite regarding what we call demonstrative aids. The Rules Committee felt that section (b) should be omitted because it cannot apply at our competitions since there is no jury. Section (c) was omitted because it is not something that the students can practically apply. There is no court clerk that can mark the demonstrative and add it to the record. Therefore, leaving this section in causes unnecessary confusion for the participants. The Rules Committee felt it was necessary to modify section (d) because of the way participants utilize things like charts or other demonstratives. The purpose of section (d) is to simply say that 1006 Summaries are not affected by Rule 107. However, participants reading this rule without specific knowledge that 1006 Summaries are not the same thing as an expert's demonstrative checkmark chart could cause unnecessary confusion.*

RULES-11:

Motion by Smiley (on behalf of Rules Committee) to amend new Rule 804(b)(3) of the Midlands Rules of Evidence to conform to the corresponding Federal Rule of Evidence, with additional comment:

Note: proposed language to conform to the updated FRE is purple; proposed language from the Rules Committee is red.

> **(3) Statement Against Interest.** A statement that:
>
> > **(A)** a reasonable person in the declarant's position would have made only if the person believed it to be true because, when made, it was so contrary to the declarant's proprietary or pecuniary interest or had so great a tendency to invalidate the declarant's claim against someone else or to expose the declarant to civil or criminal liability; and
> >
> > **(B)** if offered in a criminal case as one that tends to expose the declarant to criminal liability, is supported by corroborating circumstances that clearly indicate its trustworthiness after considering the totality of circumstances under which it was made and any evidence that supports or undermines it. ~~if it is offered in a criminal case as one that tends to expose the declarant to criminal liability.~~
> >
> > *Comment:* A court, considering the totality of the circumstances, may conditionally admit such statements pursuant to Rule 104.

Rationale: *The Rules Committee felt that adding the comment would aid both students and judges in understanding this new formulation of 804(b)(3)(B).*

Appendix D

Tabled Motions

American Mock Trial Association
Meeting of Board of Directors
Austin, Texas
July 12-13, 2025
Appendix D: Tabled Motions

SUMMARY OF TABLED MOTIONS

The full text of motions advanced are provided below. The shortened descriptions here are for reference only.

In cases where existing rules are being amended, rule language to be deleted is shown ~~struck through~~ and new language to be created is shown in red.

CIC-05:
Motion by Randels Schuette to amend Rule 7.21 of the AMTA Rulebook to address negative inferences.

[text to come]

CIC-06:
Motion by Holstad to amend Rule 7.21(2)(a) of the AMTA Rulebook as follows:

Rule 7.21 Invention of fact.

. . . .

(2) DEFINITIONS.
(a) Improper Invention. There are exactly two types of Improper Invention:
i. Any instance (on direct, cross, re-direct, or re-cross examination) in which a witness introduces testimony or portrays/characterizes the witness in a way that contradicts the witness's affidavit.
ii. Any instance on direct or re-direct examination in which an attorney offers, via the testimony of a witness, material facts not included in or permissibly inferred from the witness's affidavit as defined in Rule 7.21(4)(c)(ii).
iii. It shall not be an improper invention if a witness acknowledges that they are unaware of a specific fact if that fact is not mentioned in their affidavit, as long as the answer is consistent with the witness's affidavit. This rule shall not allow any witness to claim that the absence of a specific fact in their affidavit means that such fact does not exist.

Rationale: *Revised from a proposal submitted last year to include the requirement that any denial of knowledge must be "consistent with the witness's affidavit." If an affidavit is silent on a fact, it should not be an improper invention for a witness to say they are not aware of that fact. An answer that is consistent with the material in the affidavit regarding lack of awareness - particularly where a witness states that they have included all relevant information - should not be penalized as an improper invention.*\

CIC-07:
Motion by Wilson to amend Rule 7.21(2)(c) of the AMTA Rulebook as follows:

> **Rule 7.21 Invention of fact.**
>
> . . . .
>
> **(2) DEFINITIONS.**
>
> . . . .
>
> **(c) Permissible inference**. A permissible inference must be a conclusion that a reasonable person ~~would~~ could reasonably draw from a particular fact or set of facts contained in the affidavit when assuming that the facts in the affidavit are true. A witness's answer does not qualify as a "permissible inference" merely because it is consistent with (*i.e.,* does not contradict) statements in the witness's affidavit.

***Rationale**: This organization has spent a huge amount of time and energy over the past few years attempting to draw lines and enforce its fact invention rules, but students are still not clear on where the line is. As a result, students frequently have to deal with time-consuming and stressful CIC complaints, even when they are trying in good faith to follow the rules. This amendment proposes that we slightly increase the number of permissible inferences in the hopes of alleviating some of the burden on the CIC and on our students. The amendment keeps the 'reasonable person' language while permitting inferences that a reasonable person 'could reasonably' draw, as opposed to our current standard requiring that a reasonable person 'would' necessarily draw that inference. The amendment also adds the requirement that the reasonable person be assuming that the facts in the affidavit are true, to make 100% clear that things like recantations are not permitted by this rule. The amendment increases permissible testimony while still providing a meaningful restriction on testimony: not only must the person making the inference must be reasonable; the inference, itself, must be reasonable.*

EC-02:

Motion by Randels Schuette and Yeomelakis to amend Rule 15.15(1) of the AMTA Rulebook as follows:

> **Rule 15.15 Competition Integrity Committee duties and procedures.**
>
> **(1) COMPOSITION.** The Competition Integrity Committee ("CIC") shall consist of the Chair, as appointed by the President, the currently applicable Case Chair (including any and all co-chairs), the Tournament Administration Committee Chair, the Rules Committee Chair, and at least ~~three or more individuals~~ one at-large member appointed by the President to ensure an uneven number of people on the committee.

Rationale: It has become increasingly difficult to find people willing to serve on the CIC. At the same time, it is important to have certain stakeholders involved in the decisions regarding interpretation of our invention of fact rules. This motion attempts to 1) guarantee a full CIC and 2) ensure that decisions of the CIC are consistent with the board's interpretation of the rules.

EC-03:

Motion by Randels Schuette to create Rule 15.14 of the AMTA Rulebook as follows:

> **Rule 15.14. Rules Committee duties and procedures: publication of rule interpretations.**
>
> In addition to its other duties as specified within these Rules, the Rules Committee is charged with responding to in-season questions and problems and with issuing timely rule interpretations during the season, except for Rules 6.11 and 7.21. The Rules Committee shall create a process for teams to submit rules questions and problems. The Rules Committee shall also maintain on the AMTA website of other public forum a list of frequently asked questions. The Rules Committee may publish any rule interpretations issued during the year. Publication of opinions should remove any identifying information.

Rationale: *The Rules Committee often receives questions from students via email. This process should be formalized so students know how to submit questions. Ideally, this would cut down on one-off emails to Rules, TAC, and CIC.*

This rule change also fills a gap that was left when we changed from the CRC to the CIC. The CRC was charged with in-season interpretation of all rules, but the CIC only handles invention of fact. By adding this rule, we designate which committee should handle interpretation of other Rules in-season.

EC-04:
Motion by Holstad to direct implementation of mobile balloting.

> The Executive Committee, or a committee or persons appointed by the Executive Committee, shall be directed to develop a mobile version of the AMTA balloting procedure which may be used for in-person AMTA tournaments. The Executive Committee shall have the goal of having development complete by the beginning of the 2026-2027 AMTA season.

Rationale: *Mobile scoring is possible. Many other forensics activities have already implemented mobile balloting. The burdens are minimal. Judges will be expected to have mobile devices (certainly almost all do), and hosts will be expected to have tournaments in locations with wi-fi. Mobile scoring can even require judges to "score as you go". AMTA can retain the ballot system as a back-up for those instances where mobile scoring cannot be implemented for one reason or another.*

EC-05:
Motion by Holstad to amend Rule 12.9(1) of the AMTA Rulebook as follows:

> **Rule 12.9 Act of AMTA Relief.**
>
> **(1) ACT OF AMTA DEFINED.** An Act of AMTA is an error, beyond a team's control, that appears to have prevented that team from earning a bid or placement on the Open Bid list that the team otherwise would have earned. Allegations of "bad judging" shall not be deemed acts of AMTA. However, conduct of a judge which goes beyond "bad judging" and constitutes egregious conduct that prevents a team from fairly participating in a trial may constitute an act of AMTA for purposes of this rule. Acts of God which are beyond the control of the teams, AMTA, and tournament hosts shall also be considered, but shall result in the awarding of bids only in rare circumstances.

Rationale: *This amendment would give teams that feel they are the recipient of egregiously unfair judge conduct a limited path to request relief. For example, if a team feels that they were the target of a judge's bias for any particular reason, they could request relief under this rule. Given the limits of Act of AMTA relief, and the limitation of relief related to judge conduct to "egregious conduct that prevents a team from fairly participating in a trial," the actual use of this rule would likely be scarce.*

EC-12:
Motion by Halva-Neubauer (on behalf of Guilfoile) to incorporate voir dire component into competition.

Proposal from Director Halva-Neubauer on behalf of Russell Guilfoile, volunteer judge at several Bell Tower Tournaments. For the record, while Mr. Guilfoile is a Furman alum, he always seems to score against his alma mater!
Guilfoile's proposal centers on voir dire.

I spoke with several volunteers about a suggestion I have, and got overwhelmingly positive reactions to it. The suggestion is to add a voir dire component to the Mock Trial. I created a scoring sheet (attached as **Appendix G**). Here's the proposal:

- Voir Dire would add no time to the current time limitations for mock trial
- Voir Dire would add de minimus additional administration
- Voir Dire would be completely optional
- Voir Dire would be a way for teams to discover perspectives and preferences
- from scorers to tailor their case

The process would look like this:

1. Teams could choose to submit 1 – 3 voir dire questions on a form like the attached .

2. Submission would be of 4 physical copies paperclipped together to the person doing the judge/scorers/runner assignments.

3. That person would hand the runner the voir dire questions who would then hand them to the judge.

4. Judge distributes them to the scorers and decides if there are any voir dire questions that should not be answered.

5. When the Judge/Scorers arrive at the mock trial location, they answer the questions and hand the completed voir dire forms back to the judge.

6. During the preliminary matters, a team may motion to voir dire the jury, in which case the judge will read the answers to the voir dire submitted by that team.

RULES-04:
Motion by Holstad to amend Rule 7.19 of the AMTA Rulebook as follows:

Rule 7.19 Benchbooks.

(1) A team may present ~~a~~ benchbooks to the presiding judge and witnesses only in strict compliance with the following:

~~**(1)**~~ The benchbooks ~~is~~ are to be a standard plastic 3-ring binder, no wider than 1.5 inches, and only solid white, solid black, or solid blue in color. The front and back of the binder shall be blank; no logo or cover page is permissible. No logo or insignia shall be visible except for that of the binder manufacturer or retailer.

(2) Unless otherwise specified in the Special Instructions of the case materials, the benchbook for the presiding judge shall include each of the following items found in the most recent case release or revision in the following order:

(a) The pleadings (e.g., complaint and answer; criminal complaint or indictment;)
(b) Stipulations;
(c) Pre-trial orders;
(d) Midlands case law;
(e) Statutory law;
(f) Jury instructions and/or verdict forms;
(g) Midlands Rules of Evidence;
(h) Special Instructions.
(i) Exhibits. Exhibits – except for any specific physical exhibits allowed by the Special Instructions – must be in numerical order based on their assigned number in the case packet with numerical tabs. Teams may, but are not required to, provide exhibits to the presiding judge in a separate benchbook than the one containing the materials identified in (a)-(h) above.

The benchbook may include labeled tabbed dividers for the purpose of separating and identifying the various sections.

(3) Unless otherwise specified in the Special Instructions of the case materials, the benchbook for the witnesses shall include only the exhibits found in the most recent case release or revision. Exhibits – except for any specific physical exhibits allowed byt he Special Instructions – must be in numerical order based on their assigned number in the case packet with numerical tabs.

(4) Other than the material listed in subsection (2) or authorized by special instruction, the benchbook for the presiding judge may—but is not required to—contain the character evidence notification form (if completed). If contained in the benchbook, the completed character evidence notification form shall be placed after the Special Instructions, unless otherwise specified in the Special Instructions of the case materials. The benchbook shall not contain any other material.

(5) Any team intending to present the presiding judge or witnesses with a benchbook shall show its opponent the benchbook in captains' meeting. A benchbook not shown during captains' meeting may not be used. Any objection regarding the compliance of a

benchbook with this Rule must be raised with the AMTA Representative at the captains' meeting. If both teams desire to use a compliant benchbook, the plaintiff/prosecution team shall use its benchbook.

(6) The benchbook for witnesses may be left on or near the witness stand for ease of access by witnesses if there is appropriate space for the benchbook to be placed when not in use and if presiding judge allows for such placement.

Rationale: *If AMTA is looking for ways to speed up trials (or, at least to prevent obnoxiously long trials), one way to do so is to allow for benchbooks to be placed on the witness stand. This is a common practice in most jurisdictions (in addition to electronic exhibits). The process of requiring students to handle exhibits one by one is a burdensome, clunky process that is detached from the way such things are handled in professional trial practice.*

TAB-05:

Motion by Holstad to amend Rule 14.9 of the AMTA Rulebook as follows:

Rule 14.9 Divisions at the national championship tournament.

(1) DIVISIONS. The national championship tournament will be run in two divisions.

(a) Distribution of team power ranks. Teams shall be ranked in order of Team Power Rankings. Teams shall be distributed in a "snake" format as shown (with the TPR number reflecting the rank of the TPR among all teams, not necessarily the actual TPR): ~~Teams will be divided into twelve (12) groups of four teams based on each team's Team Power Ranking. (Group A will consist of the 1st to 4th highest TPR ranking among the qualifying teams, Group B will consist of the 5th to 8th highest TPR ranking among the qualifying teams, etc.) In the event of a tie for the final spot in any group, the Tabulation Director will break the tie on the basis of the following tiebreakers, in order: ORCS wins, ORCS CS, ORCS OCS, ORCS point differential. Two teams from each group shall be placed in each division. If there is an uneven number of teams, a coin flip shall be conducted prior to the beginning of the draw to determine which division the lowest two ranked teams will be placed into.~~

Division 1	Division 2
TPR 1	TPR 2
TPR 4	TPR 3
TPR 5	TPR 6
TPR 8	TPR 7
… and so on.	

(b) Schools earning multiple bids. If two teams from a single school compete, they shall not be assigned to the same division. To the extent the distribution under Rule 14.9(1)(a) results in teams from the same school being assigned to the same division, the lower ranked team shall be swapped to the other division with the other team on its line of the "snake" (i.**e.** TPR 1 shall swap with TPR 2, TPR 4 shall swap with TPR 3, etc.).

(c) Distribution of teams from each ORCS. At least two teams from each ORCS shall be distributed to each division. To the extent the distribution under Rule 14.9(1)(a) results in less than two teams from a specific ORCS in one division, the lowest ranked team from said ORCS in the other division shall be swapped. Any swaps shall be of teams on the same line of the "snake" (i.**e.** TPR 1 shall swap with TPR 2, TPR 4 shall swap with TPR 3, etc.). If multiple ORCS have less than two teams distributed to any particular division, the Tabulation Director shall resolve the distribution issue for each ORCS before resolving the distribution issue for the next ORCS. The Tabulation Director shall start by resolving the distribution issue for the ORCS that has

the lowest ranked team in the National Championship Tournament, and proceed to the ORCS with the next-lowest ranked team, etc.

~~**(2) RANDOM DRAW REQUIRED.** Division draws shall be done at random, taking steps as needed to implement the above rules. The division draw shall occur no sooner than the second Tuesday following the completion of the final ORC and, in any event, after the preliminary roster deadline.~~

Rationale: *This rule will increase the fairness of the distribution of teams to divisions at NCT and avoid any scuttlebutt that one division is "easier" than the other based on the random draw. It will also lessen the burden on the Tabulation Director to conduct a draw – divisions can be determined and released as soon as all NCT teams have accepted their bids. This will allow teams to better coordinate scrimmages and NCT scheduling accordingly, easing logistical issues for AMTA and teams alike.*

Appendix E

2024 Mid-Year Meeting Minutes

American Mock Trial Association
Mid-Year Meeting of Board of Directors
Via Zoom
December 14, 2024 at 1:00 p.m. EST.
Minutes

I. Call to Order and Roll Call

Members Present: Ben-Merre, D'Ippolito, Detsky, Garson, Gelfand, Halva-Neubauer, Harper, Haughey, Heytens, Hogan, Holstad, Jahangir, Langford, Leapheart, Leckrone, Michalak, Minor, Olson, Parker, Pickerill, Randels Schuette, Schuett, Smiley, Sohi, Thomason, Walsh, Warihay, Watt, Wilson, Woodward, Zarzycki (31)
Members Not Present: Bernstein, Henry (2)
Candidate Members Present: Cannon, Hauser, Kerwin, LaPrade, Ouambo, Selcov, Yeomelakis (7)

II. Welcome and Remarks (Sohi)

III. Approval of Agenda

See Appendix A for an explanation of the agenda.
Motion by D'Ippolito to approve the agenda. Seconded. **Agenda approved.**

IV. Committee Reports

Most committees will deliver their reports to the Board via email prior to the meeting.

A. Academics Committee (Leapheart): Written report.
B. Accommodations Committee (Olson): Written report.
C. Analysis Committee (Jahangir): Oral report.
D. Alumni Engagement Committee: No report.
E. Audit Committee (Halva-Neubauer): Report during Executive Session.
F. Budget Committee (Warihay): Oral report.
G. Civil Case Committee (Jahangir): Oral report.
H. Competition Integrity Committee (Randels Schuette): Written report.
I. Content and Campaigns Committee (Selcov): Written report.
J. Creative and Design Committee: No report.
K. Development Committee (Bernstein): Written report.
L. Disciplinary Committee: No report.
M. Diversity and Inclusion Committee (Harper/Watt): Written report.
N. Human Resources Committee (D'Ippolito): Written report.
O. NCT Case Committee (Haughey): Written report.
P. New School Success Committee (Olson): Written report.
Q. Onboarding and Mentorship Committee (Wilson): Written report.
R. Operational Excellence Committee (Kerwin): Written report.

S. Rookie Rumble Tournament Committee: No report.
T. Rules, IP, and Ethics Committee (Smiley): Oral report.
U. Strategic Planning Committee: No report.
V. Student Advisory Board Committee (Wilson): Written and oral report.
W. Tabulation Advisory Committee (Michalak): Written report.
X. Tournament Administration Committee (Yeomelakis): Written report.
Y. Web Committee: No report.

V. Tabled Motions

See Appendix A for an explanation of tabled motions.
See Appendix D for a list of motions tabled by committee.

VI. Approval of Consent Calendar

See Appendix C for the motions on the consent calendar.
Motion by Woodward to approve Consent calendar. Seconded.
Consent Calendar approved.

VII. Motions

The full text of motions advanced for debate appears in Appendix B. The shortened titles here are for reference only. Designations in **green** were advanced by the committee with a positive recommendation.

Overview of Motions

Motion	Description	Outcome
CIC-01	Introduces rule addressing stipulations, contradictions to stipulations, and procedure for adjudicating contradictions.	**Referred to CIC**
CIC-02	Redefines scope of NCT in-tournament investigation to encompass allegations solely brought under Rule 6.11 (recantation and guilty portrayal).	**Passed as amended**
EC-02	Modifies AMTA external communications rule.	**Passed**
RULES-02	Introduces rule concerning AMTA Special Instructions and enforcement of the same.	**Passed**

CIC-01: Advanced with a positive recommendation

Motion by Randels Schuette (as amended by committee) to introduce Rule 7.23 of the AMTA Rulebook:

Rule 7.23 Stipulations.

(a) DEFINITION. Stipulations may be included in any case packet by the Case Committee. Stipulations are pre-trial agreements among the parties that certain matters cannot be disputed at trial. Stipulations may be procedural (e.g., pre-numbering of exhibits) or substantive (e.g., agreement to a particular fact in the case). For example, if a stipulation states that the light was red, neither party may argue or proffer witness testimony asserting that the light was green.

(b) CONTRADICTIONS.

(i) if a stipulation is contradicted, the opposing team may raise an objection to that effect (except that any objections to opening statements and/or closing statements based on contradiction of a stipulation cannot be made until after the statement is completed). Almost all contradictions of stipulations should be adjudicated in the round by the presiding judge.

(ii) PROCEDURE FOR ADJUDICATING CONTRADICTIONS. If a team believes that a stipulation has been contradicted, and the presiding judge has failed to provide appropriate relief, the contradiction should be adjudicated based upon the nature of the stipulation.

(A) The Case Committee may include a Special Instruction for certain Stipulations stating: "Contradiction of Stipulations [insert numbers] may constitute an improper invention of material fact and is subject to review by the Competition Integrity Committee." For any Stipulation listed in such Special Instruction, contradiction of that Stipulation can only be adjudicated by the Competition Integrity Committee following the procedures set forth under Rule 7.21. Any Stipulation listed in such Special Instruction cannot be decided by the AMTA Representatives in their capacity as such.

(B) Contradictions of all other Stipulations during a tournament are investigated and resolved by the AMTA Representatives under the procedures set forth in Chapter 9, unless the contradiction creates an improper invention.

(iii) Prerequisite to complaint. In order to bring a complaint under section (b)(ii), a team must show it raised the Stipulation contradiction in round and that the presiding judge failed to provide appropriate relief.

Motion by D'Ippolito to amend as follows:

Rule 7.23 Stipulations.

. . . .

(b) CONTRADICTIONS.

(i) if a stipulation is contradicted, the opposing team may raise an objection to that effect ~~(except that any objections to opening statements and/or closing statements based on contradiction of a stipulation cannot be made until after the statement is completed)~~. Almost all contradictions of stipulations should be adjudicated in the round by the presiding judge.

. . . .

(iii) Prerequisite to complaint. In order to bring a complaint under section (b)(ii), a team must show it raised the Stipulation contradiction in round, unless the contradiction occurred during an opening statement or closing argument when objections are not permitted, and that the presiding judge failed to provide appropriate relief.

Seconded.

Motion by Zarzycki to refer CIC-01 back to Committee. Seconded. **Motion to refer passes.**

CIC-01 referred back to Committee.

CIC-02: Advanced with a positive recommendation

Motion by Rules Committee and Competition Integrity Committee to amend Rule 9.11 of the AMTA Rulebook as follows:

> **Rule 9.11 In-Tournament Investigation.**
> For the ~~2023-~~2024-2025 season, the Competition Integrity Committee may in its discretion investigate allegations of violations of Rule 6.11 ~~invention of fact~~ during the National Championship Tournament and, where appropriate, issue penalties in accordance with Rule 9.10. The committee need not be physically present at a tournament to issue an in-tournament finding and/or penalty. In-tournament investigations and penalties require participation from at least three committee members. Committee members are not disqualified from this process by serving as an AMTA Representative at the tournament in question. The Competition Integrity Committee may establish deadlines and procedures for submitting requests for in-tournament review, which must be publicly posted on AMTA's website no later than the date on which the National Championship Tournament Case is released. The Competition Integrity Committee may impose sanctions, including refusal to consider future requests, if it determines that a request for in-tournament review was frivolous. See Rule 9.28. Nothing in this rule shall preclude other processes for investigating allegations of ~~invention of fact~~ violations of Rule 6.11 that exist in the AMTA Rulebook. In-tournament investigation will not be utilized to review allegations of invention of fact not contemplated under Rule 6.11. All invention of fact complaints under Rule 7.21 must follow the procedures set forth under the rule and will be adjudicated post-tournament.

***Rationale**: At the direction of the Board following the July Board meeting, the Rules Committee and CIC formed a joint task force to evaluate the future of in-tournament review at the national championship. There was much deliberation and the consideration of many factors such as load on AMTA in terms of the sheer volume of complaints issued at the 2024 NCT, mental load on the competitors to make and defend against such high volume of complaints, the high number of non-actionable complaints, and how to still enable action for highly egregious invention violations, etc. In examining these factors, the task force determined that allowing in-tournament review for only Rule 6.11 violations–recantation and guilty portrayal–was most appropriate. The conduct prohibited under Rule 6.11 is generally more easily identifiable than invention of fact for students and on-site CIC members. Further, the conduct under Rule 6.11 is conduct that is generally not something that can be remedied by in-trial methods, such as impeachment. The task force struggled to find any sort of bright-line rule to cover egregious invention of fact in a way that did not open up the process to a high volume of potential complaints that surfaced at the 2024 NCT.*

Motion by Woodward to amend as follows:

Rule 9.11 In-Tournament Investigation.
For the ~~2023-~~2024-2025 season, the Competition Integrity Committee may in its discretion investigate allegations of violations of Rule 6.11(2) or (3) i~~nvention of fact~~ during the National Championship Tournament and, where appropriate, issue penalties in accordance with Rule 9.10. The committee need not be physically present at a tournament to issue an in-tournament finding and/or penalty. In-tournament investigations and penalties require participation from at least three committee members. Committee members are not disqualified from this process by serving as an AMTA Representative at the tournament in question. The Competition Integrity Committee may establish deadlines and procedures for submitting requests for in-tournament review, which must be publicly posted on AMTA's website no later than the date on which the National Championship Tournament Case is released. The Competition Integrity Committee may impose sanctions, including refusal to consider future requests, if it determines that a request for in-tournament review was frivolous. See Rule 9.28. Nothing in this rule shall preclude other processes for investigating allegations of ~~invention of fact~~ violations of Rule 6.11(2) or (3) that exist in the AMTA Rulebook. In-tournament investigation will not be utilized to review allegations of invention of fact not contemplated under Rule 6.11(2) or (3). All invention of fact complaints under Rule 7.21 must follow the procedures set forth under the rule and will be adjudicated post-tournament

Seconded. **Motion to amend passes.**

CIC-02 passes as amended.

EC-02: Advanced with a positive recommendation

Motion by Sohi to amend Rule 15.5 of the AMTA Rulebook as follows:

> **Rule 15.5 External Communications~~Communication with external media~~**
>
> **(1) GENERAL RULE:** Directors and Candidate Directors should notify the President or the President's designee whenever they are asked to speak to the press, a traditional media outlet, or to influencers on behalf of AMTA and should only respond to said request with specific permission from the President or the President's designee.
>
> **(2) SOCIAL MEDIA AND WEBSITES:** Directors and Candidate Directors shall refrain from posting or commenting in a representative capacity on social media platforms and websites without express permission from the President or the President's designee.
>
> **(3) STATEMENTS ON BEHALF OF AMTA:** In line with Bylaw 4.06, when authorized to speak externally on behalf of AMTA, Directors and Candidate Directors are required to act as part of a unified team in implementing decisions adopted by the Board. Speaking about activities conducted on behalf of the Board are inherently representative speech.
>
> **(4) NON-REPRESENTATIVE SPEECH:** Nothing in this policy is intended to restrict the freedom of Directors and Candidate Directors from discussing their personal involvement in mock trial. When doing so, individuals should make every reasonable effort to indicate that they are not speaking in a representative capacity on behalf of AMTA.
>
> **(5) CONTENT REVIEW:** The President, with approval from the Executive Committee, may implement a review process for any content published externally on behalf of AMTA to ensure brand and strategic consistency.

Rationale: *This looks at external communications more holistically than the prior rule. As social media has evolved, this explicitly references the concept of "influencers" and how communication with an influencer can have the same impact as a traditional media outlet. This also provides flexibility to supplement our rules with a thoughtful content review policy as we work on expanding communications with our community and recognize the importance of a second set of eyes / being consistent with our voice to elevate our brand.*

EC-02 passes.

RULES-02: Advanced with a positive recommendation
Motion by Smiley to add Rule 7.22 to the AMTA Rulebook:

Rule 7.22 Special Instructions.

(a) **DEFINITION.** Special Instructions may be included in any case packet by the Case Committee. Special Instructions are rules specific to that particular case and have the same effect as an AMTA Rule for the time that the case is operative during the AMTA season.

(b) **VIOLATIONS.**

(i) Violations of Special Instructions during a tournament are investigated and resolved by the AMTA Representatives under the procedures set forth in Chapter 9, unless the violation creates an improper invention.

(ii) If a Special Instruction contains the language "Violation of this special instruction may constitute an improper invention of material fact and are subject to review by the Competition Integrity Committee," then violation of that Special Instruction can only be adjudicated by the Competition Integrity Committee following the procedures set forth under Rule 7.21. Any Special Instruction containing this language cannot be decided by the AMTA Representatives in their capacity as such.

Rationale: *This issue came before the Board at the July 2024 Meeting and was referred to the Rules Committee for creation of a fulsome rule on this issue. The proposal at the July Meeting involved only the CIC's role related to Special Instructions. The above adopts language from the previous proposal but now also includes direction that the AMTA Reps are responsible for enforcing Special Instructions that do not relate to invention of fact.*

RULES-02 passes.

VIII. Report by Halva-Neubauer (on behalf of Audit Committee).
Motion by Woodward to enter Executive Session. Seconded. **Motion passes.**
The Board entered Executive Session at 2:23 p.m. EST.

Motion by Audit Committee to acknowledge receipt of the preliminary audit for FY2023 and directing President Sohi and Treasurer Warihay to sign the pertinent Management Representation Letter. Seconded. **Motion passes.**

Motion by Woodward to exit Executive Session. Seconded. **Motion passes.**
The Board exited Executive Session at 2:48 p.m. EST.

IX. Presentation of AMTA History Project (Halva-Neubauer)

X. Unfinished/New Business

Update by Selcov on compilation of favorite AMTA memories to be released in advance of AMTA's 40th Anniversary.

Update by TAC on recommendations for received 2026 National Championship Tournament host bids.

XI. Adjournment
Motion by Warihay to adjourn. Seconded. **Motion passes.**
The Board adjourned at 3:14 p.m. EST.

Appendix F

Proposed MRE Amendments

Last Updated: July 2025

Deleted: September 2, 2021

American Mock Trial Association
MIDLANDS RULES OF EVIDENCE

Article I.

Rule 101. Scope; Definitions

(a) Scope. These rules apply to proceedings in the courts of the State of Midlands. The specific courts and proceedings to which the rules apply, along with exceptions, are set out in Rule 1101. No bureaucratic organizations whose edicts govern conduct in Midlands are considered to exist unless specified within the case problem.

Comment: Midlands is recognized as being in the United States and governed by the U.S. Constitution.

(b) Definitions. In these rules

(1) "civil case" means a civil action or proceeding;
(2) "criminal case" includes a criminal proceeding;
(3) "public office" includes a public agency;
(4) "record" includes a memorandum, report, or data compilation;
(5) a "rule prescribed by the Midlands Supreme Court" means a rule adopted by the Midlands Supreme Court under statutory authority; and
(6) a reference to any kind of written material or any other medium includes electronically stored information.

Rule 102. Purpose

These rules should be construed so as to administer every proceeding fairly, eliminate unjustifiable expense and delay, and promote the development of evidence law, to the end of ascertaining the truth and securing a just determination.

Rule 103. Rulings on Evidence

(a) Preserving a Claim of Error. A party may claim error in a ruling to admit or exclude evidence only if the error affects a substantial right of the party and:

(1) if the ruling admits evidence, a party, on the record:
(A) timely objects or moves to strike; and
(B) states the specific ground, unless it was apparent from the context; or
(2) if the ruling excludes evidence, a party informs the court of its substance by an offer of proof, unless the substance was apparent from the context.

(b) Not Needing to Renew an Objection or Offer of Proof. Once the court rules definitively on the record – either before or at trial – a party need not renew an objection or offer of proof to preserve a claim of error for appeal.

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(c) *Omitted*.

(d) Preventing the Jury from Hearing Inadmissible Evidence. To the extent practicable, the court must conduct a jury trial so that inadmissible evidence is not suggested to the jury by any means.

(e) Taking Notice of Plain Error. A court may take notice of a plain error affecting a substantial right, even if the claim of error was not properly preserved.

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Last Updated: July 2025

Rule 104. Preliminary Questions
(a) In General. The court must decide any preliminary question about whether a witness is qualified, a privilege exists, or evidence is admissible. In so deciding, the court is not bound by evidence rules, except those on privilege.
(b) Relevance That Depends on a Fact. When the relevance of evidence depends on whether a fact exists, proof must be introduced sufficient to support a finding that the fact does exist. The court may admit the proposed evidence on the condition that the proof be introduced later.
(c) ***Omitted*****.**
(d) ***Omitted*****.**
(e) Evidence Relevant to Weight and Credibility. This rule does not limit a party's right to introduce before the jury evidence that is relevant to the weight or credibility of other evidence.

Rule 105. ***Omitted***

Rule 106. Remainder of or Related Writings or Recorded Statements
If a party introduces all or part of a statement, an adverse party may require the introduction, at that time, of any other part – or any other statement – that in fairness ought to be considered at the same time. The adverse party may do so over a hearsay objection.

Comment: This rule of completeness applies only to material provided in the case packet. This rule does not reference any material not provided in the case packet. An attorney may object under this rule to require the proponent of a statement to introduce omitted words or clauses of a sentence. However, if additional sentences ought to be considered in fairness, the opponent may only introduce those additional sentences during the opponent's subsequent examination. By not objecting, an attorney does not waive the right to introduce additional sentences, omitted words, or omitted clauses that ought in fairness be considered. This rule is intended to be a rule of inclusion, not exclusion.

Rule 107. Illustrative Aids
(a) Permitted Uses. The court may allow a party to present an illustrative aid to help the trier of fact understand the evidence or argument if the aid's utility in assisting comprehension is not substantially outweighed by the danger of unfair prejudice, confusing the issues, misleading the jury, undue delay, or wasting time.
(b) Omitted. Use in Jury Deliberations. An illustrative aid is not evidence and must not be provided to the jury during deliberations unless:
(1) all parties consent; or
(2) the court, for good cause, orders otherwise.
(c) Omitted.Record. When practicable, an illustrative aid used at trial must be entered into the record.
(d) Summaries of Voluminous Materials Admitted as Evidence. When a document is admitted as evidence to prove the content of voluminous admissible evidence, such summaries are governed by Rule 1006.

Article II.

Rule 201. Judicial Notice of Adjudicative Facts
(a) Scope. This rule governs judicial notice of an adjudicative fact only, not a legislative fact.

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(b) Kinds of Facts That May Be Judicially Noticed. The court may judicially notice a fact that is not subject to reasonable dispute because it:

(1) is generally known within the trial court's territorial jurisdiction; or

(2) can be accurately and readily determined from sources whose accuracy cannot reasonably be questioned.

(c) Taking Notice. The court:

(1) *omitted*;

(2) must take judicial notice if a party requests it and the court is supplied with the necessary information.

(d) Timing. The court may take judicial notice at any stage of the proceeding.

(e) Opportunity to Be Heard. On timely request, a party is entitled to be heard on the propriety of taking judicial notice and the nature of the fact to be noticed. If the court takes judicial notice before notifying a party, the party, on request, is still entitled to be heard.

(f) Instructing the Jury. In a civil case, the court must instruct the jury to accept the noticed fact as conclusive. In a criminal case, the court must instruct the jury that it may or may not accept the noticed fact as conclusive.

Article III.

Rule 301. Presumptions in Civil Actions Generally

In a civil case, unless a Midlands statute or these rules provide otherwise, the party against whom a presumption is directed has the burden of producing evidence to rebut the presumption. But this rule does not shift the burden of persuasion, which remains on the party who had it originally.

Rule 302. ***Omitted***

Article IV.

Rule 401. Test for Relevant Evidence

Evidence is relevant if:

(a) it has any tendency to make a fact more or less probable than it would be without the evidence; and

(b) the fact is of consequence in determining the action.

Rule 402. General Admissibility of Relevant Evidence

Relevant evidence is admissible unless any of the following provides otherwise:

- the United States Constitution;
- these rules; or
- other rules prescribed in Midlands.

Irrelevant evidence is not admissible.

Comment: Relevant evidence is limited to the information supplied by or reasonably inferred from the case materials supplied by AMTA. For further explanation see Rule 7.21 of the AMTA Rulebook.

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Rule 403. Excluding Relevant Evidence for Prejudice, Confusion, Waste of Time, or Other Reasons

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The court may exclude relevant evidence if its probative value is substantially outweighed by a danger of one or more of the following: unfair prejudice, confusing the issues, misleading the jury, undue delay, wasting time, or needlessly presenting cumulative evidence.

Rule 404. Character Evidence; Crimes or Other Acts

(a) Character Evidence.

(1) Prohibited Uses. Evidence of a person's character or character trait is not admissible to prove that on a particular occasion the person acted in accordance with the character or trait.

(2) Exceptions for a Defendant or Victim in a Criminal Case. The following exceptions apply in a criminal case:

(A) A defendant may offer evidence of the defendant's pertinent trait, and if the evidence is admitted, the prosecutor may offer evidence to rebut it. In lieu of rebuttal witness availability, a defendant must first notify the court and opposing counsel in writing at the Captains' Meeting of the intention to offer such evidence. If such notice is given, the form included with these Rules of Evidence should be completed and presented to the judges with the ballots, and the prosecution may also offer such character evidence during its case-in-chief.

(B) A defendant may offer evidence of an alleged victim's pertinent trait, and if the evidence is admitted, the prosecutor may:

(i) offer evidence to rebut it; and

(ii) offer evidence of the defendant's same trait.

In lieu of rebuttal witness availability, a defendant must first notify opposing counsel in writing at the Captains' Meeting of the intention to offer such evidence. If such notice is given, the form included with these Rules of Evidence should be completed and presented to the judges with the ballots, and the prosecution may also offer such character evidence during its case-in-chief.

(C) In a homicide case, the prosecutor may offer evidence of the alleged victim's trait of peacefulness to rebut evidence that the victim was the first aggressor.

(3) Exceptions for a Witness. Evidence of a witness's character may be admitted under Rules 607, 608, and 609.

(b) Crimes, Wrongs, or Other Acts.

(1) Prohibited Uses. Evidence of a crime, wrong, or other act is not admissible to prove a person's character in order to show that on a particular occasion the person acted in accordance with the character.

(2) Permitted Uses. This evidence may be admissible for another purpose, such as proving motive, opportunity, intent, preparation, plan, knowledge, identity, absence of mistake, or lack of accident.

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(3) Notice in a Criminal Case. The prosecution in a criminal case shall provide written notice of such intent prior to witness selection in the Captains' Meeting.

Rule 405. Methods of Proving Character

(a) By Reputation or Opinion. When evidence of a person's character or character trait is admissible, it may be proved by testimony about the person's reputation or by testimony in the form of an opinion. On cross-examination of the character witness, the court may allow inquiry into relevant specific instances of the person's conduct.

(b) By Specific Instances of Conduct. When a person's character or character trait is an essential element of a charge, claim, or defense, the character or trait may also be proved by relevant specific instances of the person's conduct.

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Rule 406. Habit; Routine Practice
Evidence of a person's habit or an organization's routine practice may be admitted to prove that on a particular occasion the person or organization acted in accordance with the habit or routine practice. The court may admit this evidence regardless of whether it is corroborated or whether there was an eyewitness.

Rule 407. Subsequent Remedial Measures
When measures are taken that would have made an earlier injury or harm less likely to occur, evidence of the subsequent measures is not admissible to prove:

- negligence;
- culpable conduct;
- a defect in a product or its design; or
- a need for a warning or instruction.

But the court may admit this evidence for another purpose, such as impeachment or – if disputed – proving ownership, control, or the feasibility of precautionary measures.

Rule 408. Compromise Offers and Negotiations
(a) Prohibited Uses. Evidence of the following is not admissible – on behalf of any party – either to prove or disprove the validity or amount of a disputed claim or to impeach by a prior inconsistent statement or a contradiction:

(1) furnishing, promising, or offering – or accepting, promising to accept, or offering to accept – a valuable consideration in compromising or attempting to compromise the claim; and

(2) conduct or a statement made during compromise negotiations about the claim – except when offered in a criminal case and when the negotiations related to a claim by a public office in the exercise of its regulatory, investigative, or enforcement authority.

(b) Exceptions. The court may admit this evidence for another purpose, such as proving a witness's bias or prejudice, negating a contention of undue delay, or proving an effort to obstruct a criminal investigation or prosecution.

Rule 409. Offers to Pay Medical and Similar Expenses
Evidence of furnishing, promising to pay, or offering to pay medical, hospital, or similar expenses resulting from an injury is not admissible to prove liability for the injury.

Rule 410. Pleas, Plea Discussions, and Related Statements
(a) Prohibited Uses. In a civil or criminal case, evidence of the following is not admissible against the defendant who made the plea or participated in the plea discussions:

(1) a guilty plea that was later withdrawn;

(2) a nolo contendere plea;

(3) *omitted*; or

(4) a statement made during plea discussions with an attorney for the prosecuting authority if the discussions did not result in a guilty plea or they resulted in a later-withdrawn guilty plea.

(b) Exceptions. The court may admit a statement described in Rule 410(a)(3) or (4):

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(1) in any proceeding in which another statement made during the same plea or plea discussions has been introduced, if in fairness the statements ought to be considered together; or
(2) in a criminal proceeding for perjury or false statement, if the defendant made the statement under oath, on the record and with counsel present.

Rule 411. Liability Insurance
Evidence that a person was or was not insured against liability is not admissible to prove whether the person acted negligently or otherwise wrongfully. But the court may admit this evidence for another purpose, such as proving a witness's bias or prejudice or proving agency, ownership, or control.

Rule 412. ***Omitted***

Rule 413. ***Omitted***

Rule 414. ***Omitted***

Rule 415. ***Omitted***

Article V.

Rule 501. Privileges in General
Only privileges granted by a statute of the state of Midlands or by Midlands case law shall be recognized.

Rule 502. ***Omitted***
Article VI.

Rule 601. Competency to Testify in General
Every person is competent to be a witness unless these rules provide otherwise.

Rule 602. Need for Personal Knowledge
A witness may not testify to a matter unless evidence is introduced sufficient to support a finding that the witness has personal knowledge of the matter. Evidence to prove personal knowledge may, but need not, consist of the witness's own testimony. This rule is subject to the provisions of Rule 703, relating to opinion testimony by expert witnesses.

Rule 603. Oath or Affirmation to Testify Truthfully
Before testifying, a witness shall be presumed to have been sworn in, by an oath or affirmation to testify truthfully administered in a form designed to impress that duty on the witness's conscience.

Rule 604. ***Omitted***

Rule 605. Judge's Competency as a Witness
The presiding judge may not testify as a witness at the trial. A party need not object to preserve the issue.

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Rule 606. ***Omitted***

Rule 607. Who May Impeach a Witness
Any party, including the party that called the witness, may attack the witness's credibility.

Rule 608. A Witness's Character for Truthfulness or Untruthfulness
(a) Reputation or Opinion Evidence. A witness's credibility may be attacked or supported by testimony about the witness's reputation for having a character for truthfulness or untruthfulness, or by testimony in the form of an opinion about that character. But evidence of truthful character is admissible only after the witness's character for truthfulness has been attacked.

Comment: Written notice is required in civil and criminal cases. In lieu of rebuttal witness availability, if the party attacking the character of the witness for truthfulness is the defense and the witness is a plaintiff/prosecution witness, the defense must first notify opposing counsel in writing at the Captains' Meeting of the intention to offer such evidence. If such notice is given, the form included with these Rules of Evidence should be completed and presented to the judges with the ballots, and the plaintiff/prosecution may offer evidence of truthful character during its case-in-chief.

(b) Specific Instances of Conduct. Except for a criminal conviction under Rule 609, extrinsic evidence is not admissible to prove specific instances of a witness's conduct in order to attack or support the witness's character for truthfulness. But the court may, on cross-examination, allow them to be inquired into if they are probative of the character for truthfulness or untruthfulness of:

(1) the witness; or

(2) another witness whose character the witness being cross-examined has testified about.

Rule 609. Impeachment by Evidence of a Criminal Conviction
(a) In General. The following rules apply to attacking a witness's character for truthfulness by evidence of a criminal conviction:

(1) for a crime that, in the convicting jurisdiction, was punishable by death or by imprisonment for more than one year, the evidence:

(A) must be admitted, subject to Rule 403, in a civil case or in a criminal case in which the witness is not a defendant; and

(B) must be admitted in a criminal case in which the witness is a defendant, if the probative value of the evidence outweighs its prejudicial effect to that defendant; and

(2) for any crime regardless of the punishment, the evidence must be admitted if the court can determine that establishing the elements of the crime required proving – or the witness's admitting – a dishonest act or false statement.

(b) Limit on Using the Evidence After 10 Years. This subdivision (b) applies if more than 10 years have passed since the witness's conviction or release from confinement for it, whichever is later. Evidence of the conviction is admissible only if:

(1) its probative value, supported by specific facts and circumstances, substantially outweighs its prejudicial effect; and

(2) the proponent gives an adverse party reasonable written notice of the intent to use it so that the party has a fair opportunity to contest its use.

(c) Effect of a Pardon, Annulment, or Certificate of Rehabilitation. Evidence of a conviction is not admissible if:

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(1) the conviction has been the subject of a pardon, annulment, certificate of rehabilitation, or other equivalent procedure based on a finding that the person has been rehabilitated, and the person has not been convicted of a later crime punishable by death or by imprisonment for more than one year; or

(2) the conviction has been the subject of a pardon, annulment, or other equivalent procedure based on a finding of innocence.

(d) Juvenile Adjudications. Evidence of a juvenile adjudication is admissible under this rule only if:

(1) it is offered in a criminal case;

(2) the adjudication was of a witness other than the defendant;

(3) an adult's conviction for that offense would be admissible to attack the adult's credibility; and

(4) admitting the evidence is necessary to fairly determine guilt or innocence.

(e) Pendency of an Appeal. A conviction that satisfies this rule is admissible even if an appeal is pending. Evidence of the pendency is also admissible.

Rule 610. Religious Beliefs or Opinions

Evidence of a witness's religious beliefs or opinions is not admissible to attack or support the witness's credibility.

Rule 611. Mode and Order of Examining Witnesses and Presenting Evidence

(a) Control by the Court; Purposes. The court should exercise reasonable control over the mode and order of examining witnesses and presenting evidence so as to:

(1) make those procedures effective for determining the truth;

(2) avoid wasting time; and

(3) protect witnesses from harassment or undue embarrassment.

(b) Scope of Examinations. The initial cross examination is not limited to matters discussed on direct examination. Re-direct and re-cross examination are permitted. But any re-direct or re-cross examination may not go beyond the subject matter of the examination immediately preceding it and matters affecting the witness's credibility.

(c) Leading Questions. Leading questions should not be used on direct examination except as necessary to develop the witness's testimony. Ordinarily the court should allow leading questions:

(1) on cross- examination; and

(2) when a party calls a hostile witness, an adverse party, or a witness identified with an adverse party.

Rule 612. Writing Used to Refresh a Witness's Memory

A witness may use any material provided by AMTA to refresh memory either during or prior to giving testimony.

Rule 613. Witness's Prior Statement

(a) Showing or Disclosing the Statement During Examination. When examining a witness about the witness's prior statement, a party need not show it or disclose its contents to the witness. But the party must, on request, show it or disclose its contents to an adverse party's attorney.

(b) Extrinsic Evidence of a Prior Inconsistent Statement. Unless the court orders otherwise, extrinsic evidence of a witness's prior inconsistent statement may not be admitted until after the witness is given an opportunity to explain or deny the statement and an adverse party is given an

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opportunity to examine the witness about it. This subdivision (b) does not apply to an opposing party's statement under Rule 801(d)(2).

Deleted: Extrinsic evidence of a witness's prior inconsistent statement is admissible only if the witness is given an opportunity to explain or deny the statement and an adverse party is given an opportunity to examine the witness about it, or if justice so requires. This subdivision (b) does not apply to an opposing party's statement under Rule 801(d)(2).

Rule 614. Court's Calling or Examining a Witness
Calling and/or examining of a witness by the court is not allowed.

Rule 615. Excluding Witnesses from the Courtroom; Preventing an Excluded Witness's Access to Trial Testimony.
(a) Excluding Witnesses. At a party's request, the court must order witnesses constructively excluded so that they cannot hear other witnesses' testimony. But this rule does not authorize constructively excluding:

(1) a party who is a natural person;
(2) an officer or employee of a party that is not a natural person, after being designated as the party's representative;
(3) *omitted*; or
(4) a person authorized by a statute provided in the case materials to be present.

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(b) Additional Orders to Prevent Disclosing and Accessing Testimony. An order under (a) operates only to exclude witnesses from the courtroom. But the court may also, by order:

(1) prohibit disclosure of trial testimony to witnesses who are excluded from the courtroom; and
(2) prohibit excluded witnesses from accessing trial testimony.

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Comment: This rule does not permit the actual exclusion of students portraying witnesses. Rather, it allows for the constructive exclusion of some witnesses.

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Article VII.

Rule 701. Opinion Testimony by Lay Witnesses
If a witness is not testifying as an expert, testimony in the form of an opinion is limited to one that is:

(a) rationally based on the witness's perception;
(b) helpful to clearly understanding the witness's testimony or to determining a fact in issue; and
(c) not based on scientific, technical, or other specialized knowledge within the scope of Rule 702.

Rule 702. Testimony by Expert Witnesses
A witness who is qualified as an expert by knowledge, skill, experience, training, or education may testify in the form of an opinion or otherwise if the proponent demonstrates to the court that it is more likely than not that:

(a) the expert's scientific, technical, or other specialized knowledge will help the trier of fact to understand the evidence or to determine a fact in issue;
(b) the testimony is based on sufficient facts or data;
(c) the testimony is the product of reliable principles and methods; and
(d) the expert's opinion reflects a reliable application of the principles and methods to the facts of the case.

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Comment: **Formal Certification of Experts Not Permitted**. Unless otherwise provided in the case materials, formal certification of a witness as an expert in a specific field of expertise is not required nor permitted. Attorneys and witnesses should develop expertise and lay foundation through appropriate questioning based on the case materials provided. Judges may entertain any appropriate objections to expert witness qualifications and opinions under the Midlands Rules of Evidence.

Rule 703. Bases of an Expert's Opinion Testimony
An expert may base an opinion on facts or data in the case that the expert has been made aware of or personally observed. If experts in the particular field would reasonably rely on those kinds of facts or data in forming an opinion on the subject, they need not be admissible for the opinion to be admitted. But if the facts or data would otherwise be inadmissible, the proponent of the opinion may disclose them to the jury only if their probative value in helping the jury evaluate the opinion substantially outweighs their prejudicial effect.

Rule 704. Opinion on an Ultimate Issue
(a) In General – Not Automatically Objectionable. An opinion is not objectionable just because it embraces an ultimate issue.
(b) Exception. In a criminal case, an expert witness must not state an opinion about whether the defendant did or did not have a mental state or condition that constitutes an element of the crime charged or of a defense. Those matters are for the trier of fact alone.

Rule 705. Disclosing the Facts or Data Underlying an Expert's Opinion
Unless the court orders otherwise, an expert may state an opinion – and give the reasons for it – without first testifying to the underlying facts or data. But the expert may be required to disclose those facts or data on cross-examination.

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Last Updated: July 2025 Deleted: September 2, 2021

Rule 706. ***Omitted***
Article VIII.

Rule 801. Definitions That Apply to This Article; Exclusions from Hearsay
(a) Statement. "Statement" means a person's oral assertion, written assertion, or nonverbal conduct, if the person intended it as an assertion.
(b) Declarant. "Declarant" means the person who made the statement.
(c) Hearsay. "Hearsay" means a statement that:
(1) the declarant does not make while testifying at the current trial or hearing; and
(2) a party offers in evidence to prove the truth of the matter asserted in the statement.
(d) Statements That Are Not Hearsay. A statement that meets the following conditions is not hearsay:
(1) A Declarant-Witness's Prior Statement. The declarant testifies and is subject to cross-examination about a prior statement, and the statement:
(A) is inconsistent with the declarant's testimony and was given under penalty of perjury at a trial, hearing, or other proceeding or in a deposition;
(B) is consistent with the declarant's testimony and is offered to rebut an express or implied charge that the declarant recently fabricated it or acted from a recent improper influence or motive in so testifying; or
(C) identifies a person as someone the declarant perceived earlier.
(2) An Opposing Party's Statement. The statement is offered against an opposing party and:
(A) was made by the party in an individual or representative capacity;
(B) is one the party manifested that it adopted or believed to be true;
(C) was made by a person whom the party authorized to make a statement on the subject;
(D) was made by the party's agent or employee on a matter within the scope of that relationship and while it existed; or
(E) was made by the party's coconspirator during and in furtherance of the conspiracy.
The statement must be considered but does not by itself establish the declarant's authority under (C); the existence or scope of the relationship under (D); or the existence of the conspiracy or participation in it under (E).
If a party's claim, defense, or potential liability is directly derived from a declarant or the declarant's principal, a statement that would be admissible against the declarant or the principal under this rule is also admissible against the party.

Rule 802. The Rule Against Hearsay
Hearsay is not admissible unless any of the following provides otherwise:
- these rules; or
- other rules prescribed by the Midlands Supreme Court.

Rule 803. Exceptions to the Rule Against Hearsay – Regardless of Whether the Declarant Is Available as a Witness

Last Updated: July 2025

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The following are not excluded by the rule against hearsay, regardless of whether the declarant is available as a witness:

(1) Present Sense Impression. A statement describing or explaining an event or condition, made while or immediately after the declarant perceived it.

(2) Excited Utterance. A statement relating to a startling event or condition, made while the declarant was under the stress of excitement that it caused.

(3) Then-Existing Mental, Emotional, or Physical Condition. A statement of the declarant's then-existing state of mind (such as motive, intent, or plan) or emotional, sensory, or physical condition (such as mental feeling, pain, or bodily health), but not including a statement of memory or belief to prove the fact remembered or believed unless it relates to the validity or terms of the declarant's will.

(4) Statement Made for Medical Diagnosis or Treatment. A statement that:

(A) is made for – and is reasonably pertinent to – medical diagnosis or treatment; and

(B) describes medical history; past or present symptoms or sensations; their inception; or their general cause.

(5) Recorded Recollection. A record that:

(A) is on a matter the witness once knew about but now cannot recall well enough to testify fully and accurately;

(B) was made or adopted by the witness when the matter was fresh in the witness's memory; and

(C) accurately reflects the witness's knowledge.

If admitted, the record may be read into evidence but may be received as an exhibit only if offered by an adverse party.

(6) Records of a Regularly Conducted Activity. A record of an act, event, condition, opinion, or diagnosis if:

(A) the record was made at or near the time by – or from information transmitted by – someone with knowledge;

(B) the record was kept in the course of a regularly conducted activity of a business, organization, occupation, or calling, whether or not for profit;

(C) making the record was a regular practice of that activity;

(D) all these conditions are shown by the testimony of the custodian or another qualified witness, or by a certification that complies with Rule 902(11) or (12) or with a statute permitting certification; and

(E) the opponent does not show that the source of information or the method or circumstances of preparation indicate a lack of trustworthiness.

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(7) Absence of a Record of Regularly Conducted Activity. Evidence that a matter is not included in a record described in paragraph (6) if:

(A) the evidence is admitted to prove that the matter did not occur or exist;

(B) a record was regularly kept for a matter of that kind; and

(C) the opponent does not show that the source of information or the method or circumstances of preparation indicate a lack of trustworthiness.

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(8) Public Records. A record or statement of a public office if:

(A) it sets out:

(i) the office's activities;

(ii) a matter observed while under a legal duty to report, but not including, in a criminal case, a matter observed by law-enforcement personnel; or

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(iii) in a civil case or against the government in a criminal case, factual findings from a legally authorized investigation; and

(B) the opponent does not show that the source of information or the method or circumstances of preparation indicate a lack of trustworthiness.

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(9) Public Records of Vital Statistics. A record of a birth, death, or marriage, if reported to a public office in accordance with a legal duty.

(10) Absence of a Public Record. Testimony – or a certification under Rule 902 – that a diligent search failed to disclose a public record or statement if the testimony or certification is admitted to prove that:

(A) the record or statement does not exist; or

(B) a matter did not occur or exist, if a public office regularly kept a record or statement for a matter of that kind.

(11) Records of Religious Organizations Concerning Personal or Family History. A statement of birth, legitimacy, ancestry, marriage, divorce, death, relationship by blood or marriage, or similar facts of personal or family history, contained in a regularly kept record of a religious organization.

(12) Certificates of Marriage, Baptism, and Similar Ceremonies. A statement of fact contained in a certificate:

(A) made by a person who is authorized by a religious organization or by law to perform the act certified;

(B) attesting that the person performed a marriage or similar ceremony or administered a sacrament; and

(C) purporting to have been issued at the time of the act or within a reasonable time after it.

(13) Family Records. A statement of fact about personal or family history contained in a family record, such as a Bible, genealogy, chart, engraving on a ring, inscription on a portrait, or engraving on an urn or burial marker.

(14) Records of Documents That Affect an Interest in Property. The record of a document that purports to establish or affect an interest in property if:

(A) the record is admitted to prove the content of the original recorded document, along with its signing and its delivery by each person who purports to have signed it;

(B) the record is kept in a public office; and

(C) a statute authorizes recording documents of that kind in that office.

(15) Statements in Documents That Affect an Interest in Property. A statement contained in a document that purports to establish or affect an interest in property if the matter stated was relevant to the document's purpose – unless later dealings with the property are inconsistent with the truth of the statement or the purport of the document.

(16) Statements in Ancient Documents. A statement in a document that was prepared before January 1, 1998, and whose authenticity is established.

Deleted: A statement in a document that is at least 20 years and whose authenticity is established.

(17) Market Reports and Similar Commercial Publications. Market quotations, lists, directories, or other compilations that are generally relied on by the public or by persons in particular occupations.

(18) Statements in Learned Treatises, Periodicals, or Pamphlets. A statement contained in a treatise, periodical, or pamphlet if:

(A) the statement is called to the attention of an expert witness on cross-examination or relied on by the expert on direct examination; and

(B) the publication is established as a reliable authority by the expert's admission or testimony, by another expert's testimony, or by judicial notice.

If admitted, the statement may be read into evidence but not received as an exhibit.

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Comment: This rule concerns published treatises, periodicals, or pamphlets that have been provided in the case packet. Mere reference to a title in the packet is insufficient; the entirety of the item must be provided in the case packet for this rule to be applicable.

(19) Reputation Concerning Personal or Family History. A reputation among a person's family by blood, adoption, or marriage – or among a person's associates or in the community – concerning the person's birth, adoption, legitimacy, ancestry, marriage, divorce, death, relationship by blood, adoption, or marriage, or similar facts of personal or family history.

(20) Reputation Concerning Boundaries or General History. A reputation in a community – arising before the controversy – concerning boundaries of land in the community or customs that affect the land, or concerning general historical events important to that community, state, or nation.

(21) Reputation Concerning Character. A reputation among a person's associates or in the community concerning the person's character.

(22) Judgment of a Previous Conviction. Evidence of a final judgment of conviction if:

(A) the judgment was entered after a trial or guilty plea, but not a nolo contendere plea;

(B) the conviction was for a crime punishable by death or by imprisonment for more than a year;

(C) the evidence is admitted to prove any fact essential to the judgment; and

(D) when offered by the prosecutor in a criminal case for a purpose other than impeachment, the judgment was against the defendant.

The pendency of an appeal may be shown but does not affect admissibility.

(23) Judgments Involving Personal, Family, or General History, or a Boundary. A judgment that is admitted to prove a matter of personal, family, or general history, or boundaries, if the matter:

(A) was essential to the judgment; and

(B) could be proved by evidence of reputation.

(24) *Omitted*.

Rule 804. Exceptions to the Rule Against Hearsay –When the Declarant Is Unavailable as a Witness

(a) Criteria for Being Unavailable. A declarant is considered to be unavailable as a witness if the declarant:

(1) is exempted from testifying about the subject matter of the declarant's statement because the court rules that a privilege applies;

(2) refuses to testify about the subject matter despite a court order to do so;

(3) testifies to not remembering the subject matter;

(4) cannot be present or testify at the trial or hearing because of death or a then-existing infirmity, physical illness, or mental illness; or

(5) is absent from the trial or hearing and the statement's proponent has not been able, by process or other reasonable means, to procure:

(A) the declarant's attendance, in the case of a hearsay exception under Rule 804(b)(1) or (6); or

(B) the declarant's attendance or testimony, in the case of a hearsay exception under Rule 804(b)(2), (3), or (4).

But this subdivision (a) does not apply if the statement's proponent procured or wrongfully caused the declarant's unavailability as a witness in order to prevent the declarant from attending or testifying.

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Comment: This rule may not be used at trial to assert that a team has "procured" the unavailability of a witness by choosing not to call that witness.

(b) The Exceptions. The following are not excluded by the rule against hearsay if the declarant is unavailable as a witness:

(1) Former testimony. Testimony that:

(A) was given as a witness at a trial, hearing, or lawful deposition, whether given during the current proceeding or a different one; and

(B) is now offered against a party who had – or, in a civil case, whose predecessor in interest had – an opportunity and similar motive to develop it by direct, cross-, or redirect examination.

(2) Statement Under the Belief of Imminent Death. In a prosecution for homicide or in a civil case, a statement that the declarant, while believing the declarant's death to be imminent, made about its cause or circumstances.

(3) Statement Against Interest. A statement that:

(A) a reasonable person in the declarant's position would have made only if the person believed it to be true because, when made, it was so contrary to the declarant's proprietary or pecuniary interest or had so great a tendency to invalidate the declarant's claim against someone else or to expose the declarant to civil or criminal liability; and

(B) if offered in a criminal case as one that tends to expose the declarant to criminal liability, is supported by corroborating circumstances that clearly indicate its trustworthiness after considering the totality of circumstances under which it was made and any evidence that supports or undermines it.

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Comment: A court, considering the totality of the circumstances, may conditionally admit such statements pursuant to Rule 104.

(4) Statement of Personal or Family History. A statement about:

(A) the declarant's own birth, adoption, legitimacy, ancestry, marriage, divorce, relationship by blood, adoption, or marriage, or similar facts of personal or family history, even though the declarant had no way of acquiring personal knowledge about that fact; or

(B) another person concerning any of these facts, as well as death, if the declarant was related to the person by blood, adoption, or marriage or was so intimately associated with the person's family that the declarant's information is likely to be accurate.

(5) *Omitted*.

(6) Statement Offered Against a Party That Wrongfully Caused the Declarant's Unavailability. A statement offered against a party that wrongfully caused – or acquiesced in wrongfully causing – the declarant's unavailability as a witness, and did so intending that result.

Rule 805. Hearsay Within Hearsay

Hearsay within hearsay is not excluded by the rule against hearsay if each part of the combined statements conforms with an exception to the rule.

Rule 806. Attacking and Supporting the Declarant's Credibility

When a hearsay statement – or a statement described in Rule 801(d)(2)(C), (D), or (E) – has been admitted in evidence, the declarant's credibility may be attacked, and then supported, by any

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evidence that would be admissible for those purposes if the declarant had testified as a witness. The court may admit evidence of the declarant's inconsistent statement or conduct, regardless of when it occurred or whether the declarant had an opportunity to explain or deny it. If the party against whom the statement was admitted calls the declarant as a witness, the party may examine the declarant on the statement as if on cross-examination.

Rule 807. ***Omitted***

Article IX.

Rule 901. Authenticating or Identifying Evidence

(a) In General. To satisfy the requirement of authenticating or identifying an item of evidence, the proponent must produce evidence sufficient to support a finding that the item is what the proponent claims it is.

(b) Examples. The following are examples only – not a complete list – of evidence that satisfies the requirement:

(1) Testimony of a Witness with Knowledge. Testimony that an item is what it is claimed to be.

(2) Nonexpert Opinion About Handwriting. A nonexpert's opinion that handwriting is genuine, based on a familiarity with it that was not acquired for the current litigation.

(3) Comparison by an Expert Witness or the Trier of Fact. A comparison with an authenticated specimen by an expert witness or the trier of fact.

(4) Distinctive Characteristics and the Like. The appearance, contents, substance, internal patterns, or other distinctive characteristics of the item, taken together with all the circumstances.

(5) Opinion About a Voice. An opinion identifying a person's voice – whether heard firsthand or through mechanical or electronic transmission or recording – based on hearing the voice at any time under circumstances that connect it with the alleged speaker.

(6) Evidence About a Telephone Conversation. For a telephone conversation, evidence that a call was made to the number assigned at the time to:

(A) a particular person, if circumstances, including self-identification, show that the person answering was the one called; or

(B) a particular business, if the call was made to a business and the call related to business reasonably transacted over the telephone.

(7) Evidence About Public Records. Evidence that:

(A) a document was recorded or filed in a public office as authorized by law; or

(B) a purported public record or statement is from the office where items of this kind are kept.

(8) Evidence About Ancient Documents or Data Compilations. For a document or data compilation, evidence that it:

(A) is in a condition that creates no suspicion about its authenticity;

(B) was in a place where, if authentic, it would likely be; and

(C) is at least 20 years old when offered.

(9) Evidence About a Process or System. Evidence describing a process or system and showing it produces an accurate result.

(10) Methods Provided by a Statute or Rule. Any method of authentication or identification allowed by a Midlands statute or a rule prescribed by the Midlands Supreme Court.

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Rule 902. Evidence That Is Self-Authenticating

The following items of evidence are self-authenticating; they require no extrinsic evidence of authenticity in order to be admitted:

(1) Domestic Public Documents That Are Sealed and Signed. A document that bears:

(A) a seal purporting to be that of the United States; any state, district, commonwealth, territory, or insular possession of the United States; the former Panama Canal Zone; the Trust Territory of the Pacific Islands; a political subdivision of any of these entities; or a department, agency, or officer of any entity named above; and

(B) a signature purporting to be an execution or attestation.

(2) Domestic Public Documents That Are Not Sealed but Are Signed and Certified. A document that bears no seal if:

(A) it bears the signature of an officer or employee of an entity named in Rule 902(1)(A); and

(B) another public officer who has a seal and official duties within that same entity certifies under seal – or its equivalent – that the signer has the official capacity and that the signature is genuine.

(3) Foreign Public Documents. A document that purports to be signed or attested by a person who is authorized by a foreign country's laws to do so. The document must be accompanied by a final certification that certifies the genuineness of the signature and official position of the signer or attester – or of any foreign official whose certificate of genuineness relates to the signature or attestation or is in a chain of certificates of genuineness relating to the signature or attestation. The certification may be made by a secretary of a United States embassy or legation; by a consul general, vice consul, or consular agent of the United States; or by a diplomatic or consular official of the foreign country assigned or accredited to the United States. If all parties have been given a reasonable opportunity to investigate the document's authenticity and accuracy, the court may, for good cause, either:

(A) order that it be treated as presumptively authentic without final certification; or

(B) allow it to be evidenced by an attested summary with or without final certification.

(4) Certified Copies of Public Records. A copy of an official record – or a copy of a document that was recorded or filed in a public office as authorized by law – if the copy is certified as correct by:

(A) the custodian or another person authorized to make the certification; or

(B) a certificate that complies with Rule 902(1), (2), or (3) or a rule prescribed by the Midlands Supreme Court.

(5) Official Publications. A book, pamphlet, or other publication purporting to be issued by a public authority.

(6) Newspapers and Periodicals. Printed material purporting to be a newspaper or periodical.

(7) Trade Inscriptions and the Like. An inscription, sign, tag, or label purporting to have been affixed in the course of business and indicating origin, ownership, or control.

(8) Acknowledged Documents. A document accompanied by a certificate of acknowledgment that is lawfully executed by a notary public or another officer who is authorized to take acknowledgments.

(9) Commercial Paper and Related Documents. Commercial paper, a signature on it, and related documents, to the extent allowed by general commercial law.

(10) *Omitted*.

(11) Certified Domestic Records of a Regularly Conducted Activity. The original or a copy of a domestic record that meets the requirements of Rule 803(6)(A)-(C), as shown by a certification of

the custodian or another qualified person that complies with a rule prescribed by the Midlands Supreme Court. Before the trial or hearing, the proponent must give an adverse party reasonable written notice of the intent to offer the record – and must make the record and certification available for inspection – so that the party has a fair opportunity to challenge them.

Comment: The reasonableness requirement of this rule is satisfied if the aforementioned notice, record, and certification are affirmatively made available at the Captains' Meeting.

(12) Certified Foreign Records of a Regularly Conducted Activity. In a civil case, the original or a copy of a foreign record that meets the requirements of Rule 902(11), modified as follows: the certification, rather than complying with a Midlands Supreme Court rule, must be signed in a manner that, if falsely made, would subject the maker to a criminal penalty in the country where the certification is signed. The proponent must also meet the notice requirements of Rule 902(11).

Comment: If no foreign law is provided in the case materials, the presumption will be that no legal infraction occurred with respect to the requirement of subdivision 12 that the certification "must be signed in a manner that, if falsely made, would subject the maker to a criminal penalty in the country where the certification is signed."

Rule 903. Subscribing Witness's Testimony

A subscribing witness's testimony is not necessary to authenticate a writing.

Article X.

Rule 1001. Definitions That Apply to This Article

In this article:

(a) A "writing" consists of letters, words, numbers, or their equivalent set down in any form.

(b) A "recording" consists of letters, words, numbers, or their equivalent recorded in any manner.

(c) A "photograph" means a photographic image or its equivalent stored in any form.

(d) An "original" of a writing or recording means the writing or recording itself or any counterpart intended to have the same effect by the person who executed or issued it. For electronically stored information, "original" means any printout – or other output readable by sight – if it accurately reflects the information. An "original" of a photograph includes the negative or a print from it.

(e) A "duplicate" means a counterpart produced by a mechanical, photographic, chemical, electronic, or other equivalent process or technique that accurately reproduces the original.

Rule 1002. Requirement of the Original

An original writing, recording, or photograph is required in order to prove its content unless these rules or a Midlands statute provide otherwise.

Comment: No attorney may object under this Rule that the "original writing, recording, or photograph" in question is not among the documents contained in the case packet.

Rule 1003. Admissibility of Duplicates

A duplicate is admissible to the same extent as the original unless a genuine question is raised about the original's authenticity or the circumstances make it unfair to admit the duplicate.

Rule 1004. Admissibility of Other Evidence of Content

An original is not required and other evidence of the content of a writing, recording, or photograph is admissible if:

(a) all the originals are lost or destroyed, and not by the proponent acting in bad faith;

(b) an original cannot be obtained by any available judicial process;

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(c) the party against whom the original would be offered had control of the original; was at that time put on notice, by pleadings or otherwise, that the original would be a subject of proof at the trial or hearing; and fails to produce it at the trial or hearing; or
(d) the writing, recording, or photograph is not closely related to a controlling issue.

Rule 1005. Copies of Public Records to Prove Content
The proponent may use a copy to prove the content of an official record – or of a document that was recorded or filed in a public office as authorized by law – if these conditions are met: the record or document is otherwise admissible; and the copy is certified as correct in accordance with Rule 902(4) or is testified to be correct by a witness who has compared it with the original. If no such copy can be obtained by reasonable diligence, then the proponent may use other evidence to prove the content.

Rule 1006. Summaries to Prove Content
(a) Summaries of Voluminous Materials Admissible as Evidence. The court may admit as evidence a summary, chart, or calculation offered to prove the content of voluminous admissible writings, recordings, or photographs that cannot be conveniently examined in court, whether or not they have been introduced into evidence.
(b) Procedures. The proponent must make the underlying originals or duplicates available for examination or copying, or both, by other parties at a reasonable time and place. And the court may order the proponent to produce them in court.
(c) Illustrative Aids Not Covered. A summary, chart, or calculation that functions only as an illustrative aid is governed by Rule 107.

Deleted: The proponent may use a summary, chart, or calculation to prove the content of voluminous writings, recordings, or photographs that cannot be conveniently examined in court. The proponent must make the originals or duplicates available for examination or copying, or both, by other parties at a reasonable time and place. And the court may order the proponent to produce them in court.

Rule 1007. Testimony or Statement of a Party to Prove Content
The proponent may prove the content of a writing, recording, or photograph by the testimony, deposition, or written statement of the party against whom the evidence is offered. The proponent need not account for the original.

Rule 1008. Functions of the Court and Jury
Ordinarily, the court determines whether the proponent has fulfilled the factual conditions for admitting other evidence of the content of a writing, recording, or photograph under Rule 1004 or 1005. But in a jury trial, the jury determines – in accordance with Rule 104(b) – any issue about whether:

(a) an asserted writing, recording, or photograph ever existed;
(b) another one produced at the trial or hearing is the original; or
(c) other evidence of content accurately reflects the content.

Article XI.

Rule 1101. Applicability of the Rules
(a) To Courts and Judges. These rules apply to proceedings before all courts in the State of Midlands.
(b) To Cases and Proceedings. These rules apply in:

- civil cases and proceedings; and
- criminal cases and proceedings.

(c) Rules on Privilege. The rules on privilege apply to all stages of a case or proceeding.

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(d) Exceptions. These rules – except for those on privilege – do not apply to the following:
(1) the court's determination, under Rule 104(a), on a preliminary question of fact governing admissibility;
(2) *omitted*; and
(3) *omitted*.
(e) ***Omitted*.**

Rule 1102. Amendments
Amendments to the Midlands Rules of Evidence may be made at the annual AMTA Board Meeting or by special vote convened by the Board.
Rule 1103. Title
These rules shall be cited as the Midlands Rules of Evidence.

Appendix G

Proposed Voir Dire Form

Team #_____

National Mock Trial Association

Voir Dire For Scorers

1. *Voir Dire questions are not mandatory. No more than 3 questions.*
2. *Scorers will not answer questions that call for: school affiliations, gender, sexual orientation, criminal record, or any other question deemed inappropriate or unfair by the Mock Trial Judge.*
3. *Put Team # in top right*
4. *Make 4 copies.*
5. *Give the 4 physical copies to _____ by _____.*
6. *The Mock Trial Judge will, upon party's motion, read the answers to that party's questions in open court.*

Voir Dire – Question #1:

_____

_____

Voir Dire – Answer #1:

_____

_____

Voir Dire – Question #2:

_____

_____

Voir Dire – Answer #2:

_____

_____

Voir Dire – Question #3:

_____

_____

Voir Dire – Answer #3:

_____

_____