



American Mock Trial Association
2008 Annual Board Meeting Agenda
July 12-13, 2008

I. Call to order

- A. Welcome and remarks – President Sara Zeigler
- B. Introductions – Members and Guests
- C. Format of Agenda – Secretary Gonzalo Freixes

All Motions are referenced numerically by the initials of the AMTA Committee responsible for review (e.g. EC-2 or RTC-3). All motions submitted were referred to the corresponding AMTA Committee pursuant to the policy adopted by the Board in 2007. Following each Motion, highlighted in RED, is the recommendation of the Committee to either Adopt or Reject the Motion (in some cases, with amendments). Some motions were submitted to the Board with No Recommendation and the Board is free to act on those motions.

II. Election of Board Members

- A. **EC-1:** Nomination and Motion by Neuhaus to elect David Nelmark as the President-Elect.
- B. **EC-2:** Motion by Pohlmann to elect Board Members.

NOTE: Roberta Flowers, Bill Ravenell and Katie Pridemore have tendered their resignations and will not appear on the list of Board Members.

- C. **TABLED MOTIONS:** *The Executive Committee voted to table the nominations of all new Board members, until such time as the Strategic Planning Committee reports back to the Board on its work in developing criteria by which nominated candidates are to be evaluated by the EC (which serves as the nominating committee).*

III. Approval of Agenda.

IV. Approval of Mid-Year Minutes (attached)

V. Consent Calendar [*attached*]

A. Removal of Items from Consent Calendar

B. Approval of Consent Calendar

VI. Motions

A. Amendment of By-Laws and Governance Matters (*Reviewed by Executive Committee*):

1. **EC 3:** Motion by Bloch (with amendments suggested by the EC): In determining the implementation or “effective” date for Board actions, the Board should consider the financial implications of said action upon its members. Under normal circumstances, the Board should adopt an implementation timetable that allows sufficient time for member institutions to submit a budget that incorporates the significant additional costs incident to the new policy (approximately one academic year). This guideline shall not apply to regional and national site selection decisions, including the choice of dates upon which tournaments may be scheduled.

Recommend Adoption, as amended.

Rationale: The Board once met very shortly after the Championship—maybe March. It now routinely schedules the Annual Meeting in the Summer and, perhaps, later and later in the Summer. This motion aims to protect member programs from the Board's sudden creation of additional financial needs AFTER member institutions complete their academic year budgets in the Spring.

The motion is response to our experience this last year. The Board passed the two-team cap at qualifiers and dumped on coaches the news that they will need more budget for additional qualifiers and sometimes distant travel. Through lengthy series of contentious e-mails, the Board eventually created an exception to the two team cap so that the Idaho/Washington border schools did not either have to deliver third/fourth teams to a 1,000 mile away next closest qualifier or drop third and fourth teams from their squads and their mock trial teams.

The motion, however, is specifically aimed at recognizing that the vast majority of AMTA coaches or program leaders must finalize budgets with their institutions in Spring months - well before there is even a Board agenda. (Brad's program's first application for 2008-2009 from the first of its five allocating entities had a drop dead deadline of April 4.) AMTA and its campus leaders look incompetent to their administrators when they have to say "Oops, we need more budget"

only because the AMTA Board meets later and disseminates its minutes much later. Unless the Board radically changes its own schedule, actions with significant financial implication require phase-in.

2. **EC4:** Motion by Zeigler to Amend the By-Laws, specifically to alter Section 5.01 in the following manner (additions appear in bold and are underlined; deletions are shown with a strike):

ARTICLE 5. OFFICERS AND REPRESENTATIVES

Section 5.01. **Elected Officers.** The Board shall elect a President and President-elect who shall serve two-year, non–successive terms. The Past President will serve as a member of the Executive Committee. The President will appoint a Secretary, a Treasurer, a National Tournaments Committee Chair, a Regional Tournaments Committee Chair, an AMTA Tabulation Director, **a Rules Committee Chair** and a Development Officer. The Board of Directors must ratify the appointments in order for them to take effect. The Board of Directors may refuse to confirm a Presidential appointment and request that the President submit other nominees for consideration. These ~~ten~~ **nine** officers constitute the Executive Committee. The Executive Administrative Assistant, appointed by the Board, will be an ex officio nonvoting member of the Executive Committee. **The President shall vote on Executive Committee matters only when necessary to break a tied vote.**

Recommend Adoption.

3. **EC5:** Motion by Cross that AMTA shall purchase liability insurance for the organization and its officers and directors within 60 days of approval of this motion.

Recommend Adoption.

Rationale: Our increasing size across the United States and increasing use of our case materials at dozens of tournaments across the country and the availability -- proper or improper -- of those materials on public resources, such as the Internet, has dramatically increased AMTA's visibility. This is good for the growth of AMTA and its mission to educate, engage and entertain undergraduates around the nation. At the same time, however, it has increased AMTA's risk for liability, which in turn has increased the risk of liability for each individual Board member and officer. This year we saw outrage -- justified or not -- over the use of names of actual persons in the case materials and the way the case seemingly portrayed those individuals. We must confine our case materials to fictitious people and places to ensure that we do not inadvertently offend or defame anyone in such a way as to subject AMTA and its officers and directors to legal claims. Even frivolous

claims put the organization and its officers and directors at risk and can drain AMTA's resources. We can, and should, provide our members with engaging, challenging, educational cases based upon and using fictitious persons and events while confronting them with real, thought-provoking legal and social issues.

4. **EC6:** Motion by Lyons to post in clear language on the AMTA website the following statement:

Beginning with the 2008-2009 season, all member institutions should be aware that AMTA has adopted a unified national system. Said system will, by its nature, necessitate that teams competing at the National Championship Tournament will have to compete at both Regionals and an Opening Round Championship Site.

Recommend Adoption.

5. **EC7:** Motion by Zeigler to Amend the Rulebook as follows (additions appear in bold and are underlined):

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

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

Students enrolled in targeted programs designed for working and/or non-traditional students, provided that the coursework is at the undergraduate level and permits the student to receive a degree or certification

The following exceptions apply:

a. Graduation within one hundred and twenty days of the tournament. Students who graduated less than one hundred and twenty days before a tournament and have not matriculated in a graduate school may compete, if their member school permits such competition.

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

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

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

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

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

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

Recommend Adoption, as amended by Executive Committee (to add part “g”)

6. **EC8:** Motion by Zeigler to modify the Competition Response Committee as follows (additions are in bold and are underlined):

The Competition Response Committee is charged with responding to in-season questions and problems and with issuing timely rule interpretations during the season. All interpretations and rulings made by the CRC are effective only until the next annual Board meeting. The CRC will also receive and adjudicate Act of AMTA bid requests. **The CRC shall consist of the NTC Chair, the RTC Chair, the Tabulation Director, the Rules Committee Chair, the Case Committee co-chairs for the current case problem, the Ombudsperson and the President.**

The Competition Response Committee will be co-chaired by the NTC and RTC Chairs. The NTC Chair shall serve as Chair for the purpose of managing Act of AMTA bids.

The CRC shall develop guidelines for in-season rule interpretations and the co-chairs shall report those guidelines to the Board of Directors at the midyear meeting.

Recommend Adoption, as amended by the Executive Committee (to add the last paragraph).

7. **EC9:** Motion by Zeigler to modify the rules governing invitational tournaments as follows:

Replace the existing rules 5.1-5.9 with the following:

AMTA hosts 24 regional tournaments, 6 intermediate national tournaments, 1 national championship tournament, 1 Division II tournament and 1 mediation tournament. These are the only AMTA-sanctioned and sponsored events. All other events not reflected above shall be deemed "Invitational Tournaments."

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

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

Rule 5.3 - As an Invitational Tournament is not an AMTA sanctioned event, all rules and policies are subject to the host institutions discretion. All aspects of the tournament are at the discretion of host and shall not be made in consult with AMTA. The host school may determine all aspects of the tournament or event including: a) when the tournament is held, b) where the tournament is held, c) whether the

tournament is open to all schools and programs, d) the time of rounds, e) the length of rounds, f) whether the AMTA case problem for that year is used, g) the number of rounds, and h) whether AMTA materials, rules, pairing and tabulation systems are used

Rule 5.4 - Hosts of Invitational Tournaments may request to advertise the tournament or event on the AMTA website. However, they must make that request in writing. Any such request in writing must indicate that host school, program or institution acknowledges that the AMTA is neither sponsoring, organizing or hosting the event.

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

Recommend Adoption, as amended by the Executive Committee (to add “and 1 mediation tournament” to the opening paragraph).

8. **EC10:** Motion by Zeigler to Amend Rule 6.7 as follows (additions are in bold and underlined; deletions have a strike):

Rule 6.7 Act of AMTA Bids.

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

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

Two Act of AMTA Bids shall be reserved for the Championship tournament. These bids shall not be awarded until (at the earliest) the Monday after the last National tournament is concluded. If these bids are not awarded for Acts of AMTA, they shall be awarded on a wildcard basis to the teams that perform the best at the National Tournaments regardless of division. There will no longer be “wildcard” bids awarded to the Championship prior to the National Tournaments.

Recommend Adoption, as amended by the Executive Committee (to substitute the language “Regional or National tournaments occurring on the last weekend of regional or national competition” for “the last National Tournament which”).

B. Budget and Fiscal Matters (*reviewed and/or submitted by Budget Committee*):

1. Presentation of Treasurer’s Report.
2. **BC1:** Motion to adopt the Fiscal Year 2008 budget (Halva-Neubauer)
3. **BC2:** Motion by Bloch to have the AMTA Mediation Board set its budget for all purposes, including the National Intercollegiate Mediation Tournament, rather than have its budget dictated by the AMTA Board, Treasurer or Executive Committee.

Rationale: AMTA's Mediation account continues to grow (as of 4/13/08 a balance of \$13,967.13) as a result of the Mediation Board making all arrangements for mediation programming. Since the Board of Directors, Treasurer and Executive Committee of AMTA are not active in mediation planning, use of the mediation account ought to be determined by those who deliver the service.

Recommend rejection.

(Rationale for Recommendation to Reject: This would allow the Mediation Board to set the budget without consultation with the AMTA Treasurer or Budget Committee. In essence, there would be no oversight by or accountability to the AMTA Board.)

4. **BC3:** Motion by Bloch to split the AMTA registration fee for programs that register for both mock trial and mediation equally with half deposited in the AMTA Mediation account, while depositing the entire registration fee in the Mediation account for institutions that only do mediation and not mock trial.

Rationale: AMTA's institutional registration fee is required of institutions that do mock trial only, do mock trial and mediation or do mediation only. No one on the Mediation Board is aware of how registration fees are handled. Members of the Mediation Board are aware of programs that are very interested in intercollegiate mediation but who are "cool" to mock trial.

Recommend rejection. *(Rationale: Mediation would receive half the fees, without contributing to AMTA or program costs. Members tend to participate with greater involvement in Mock Trial than Mediation.*

Mock Trial is costlier to administer. For the stated reasons, this division of fees seems inappropriate).

C. National Tournament Matters (*Reviewed by the National Tournaments Committee*).

1. **NTC1:** Motion by Lyons to Amend Rule 4.2 to read:

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

Recommend Adoption (language amended by National Tournaments Committee).

2. **NTC2:** Motion by Lyons to Amend Rule 5.25 to read:

Rule 5.25 Divisions. The Championship Tournament will be run in two divisions. If two teams from a single member institution compete they will be assigned to the same division. The divisions for the National Championship tournaments will be drawn by hand, using the following parameters:

- Assign the Opening Round Championship winners between the two divisions equally
- Assign the two highest-placing programs from each super regional to different divisions
- Assign each champion from an Opening Round Championship site to a different division than the runner-up from the same Opening Round Championship site.
- Assign teams from a single program to the same division
- Divide the remaining top 20 teams in the nation between the divisions
- Randomly draw and assign the remaining teams between the divisions

Recommend Adoption (unanimous).

3. **NTC3:** Motion by Nelmark to Amend the Rules so that:

National Tournaments shall be referred to as Opening Round Championship Sites.

Recommend Adoption (unanimous).

Rationale: Super-Regionals do not sound prestigious enough, but the use of the term “Nationals” is confusing. It is tough for teams to raise money for Nationals and then raise more money when they advance to the next National. Donors and deans alike understand the concept of a Championship tournament that has multiple sites as teams advance.

4. **NTC4:** Motion by Nelmark to Amend the Rules so that:

For the purposes of awarding and announcing bids, all teams shall be treated as eligible. Nothing in this rule alters any cap that may be in place on the number of postseason bids that can be *accepted* by a particular program. Bids that are declined for any reason or which cannot be accepted due to a cap on the number of postseason teams from a program shall enter a national pool and be awarded in accordance with Open Bid procedures. All contrary rules shall be amended to conform with this rule.

Recommend Adoption (unanimous).

Rationale: The current manner of determining which teams get which bids is complicated and it has resulted in errors in some bid announcements. Additionally, with the new set-up of approximately eight bids per region, it is not desirable to have bids automatically stay in the region.

5. **NTC5:** Motion by Nelmark to Amend the Rules so that:

Open Bids shall all be awarded on a national basis, i.e. no bids will be reserved for teams from a particular region.

Recommend Adoption.

Rationale: The rule that certain open bids stay in a region unnecessarily complicates the open bid process. Additionally, with the new set-up of approximately eight bids per region, it is not desirable to have bids automatically stay in the region.

6. **NTC6:** Motion by Nelmark to Amend the Rules so that:

Bids to the Championship Tournament shall be allocated to Opening Round Championship Sites (aka National Tournaments aka Super-Regionals) on the basis of one bid for every 4.5 teams assigned to an Opening Round Championship Site (e.g. 5 bids at a 24-team site and 7

bids at a 32-team site). Notwithstanding the foregoing, every Opening Round Championship Site shall have a minimum of 5 bids to the Championship Tournament. Remaining bids not assigned and not needed for Acts of AMTA shall be awarded in accordance with open bid procedures.

Recommend Adoption (language amended by National Tournaments Committee).

Rationale: We cannot award a set number of bids to each Opening Round Championship Site because of their varying size. The 4.5 to 1 bid ration will leave over 6 to 8 bids to be used for Acts of AMTA. Dropping the ration to 4 to 1 would not leave any extra bids.

7. **NTC7:** Motion by Bernstein and Halva-Neubauer to Amend the Rules so that:

Beginning with the 2010 National Championship Tournament, each trial at the National Championship Tournament will include exactly three scoring judges and, thus, three blue ballots. If a fourth judge is available for a particular trial, one judge will preside but not score, and the other three will score. If only three judges are available for a particular trial, all three will score the round but the presiding judge will not be given the responsibility of completing comment sheets. If fewer than three judges are available for a particular trial, coaches will fill the judging panel. Where possible, coaches will be used in trials that do not affect the determination of the Division champion. Where possible, Coaches will not be allowed to judge the Division in which their team is competing. At the end of the tournament, each team will have been scored by 12 different judges, thereby making a perfect record twelve wins and zero losses.

Recommend Adoption (as amended by National Tournaments Committee to add the words “Where possible” to sentence disallowing Coaches from judging in their own Division).

Rationale for Motion: The presiding judge is often the most experienced trial attorney and by virtue of his or her knowledge of the rules of evidence is put in the presiding position. By putting a blue ballot in the hands of the presiding judge, you increase the feedback and help even out the impact of an outlier judge.

(Rationale for Amendment relates to the logistics of certain sites – like St. Petersburg – where the two divisions are far apart in distance so the prohibition of judging should be a guideline and not a absolute requirement).

8. **NTC8:** Motion by Halva-Neubauer to adjust the appropriate Rules so that the Reynoldson award is given to a single recipient from each of the winning programs.

Recommend Adoption (unanimous).

Rationale: In 2008, we awarded nine plaques, recognizing four Virginia coaches and five coaches from Harvard. These plaques are very nice, and, as a result expensive. While understanding that a program will often have multiple coaches, the Reynoldson plaque should recognize the effort of one person, who can accept it on behalf of the program.

9. **NTC9:** Motion by Seelau to Amend the Rules to require the National Tournaments Committee (or whichever committee holds the relevant power in the future) to indicate what National Tournaments (i.e. Opening Round Championship Sites) a given Regional Tournament is going to filter into by December 20.

Recommend Adoption (As amended by the National Tournaments Committee to change “by Thanksgiving” to “by December 20”).

Rationale: Travel arrangements are expensive on short notice, and while nothing can be done to curtail the costs of some (like flights), steps can be taken so that programs can tentatively organize transportation, lodging, etc. early in the season in the event that they advance. This motion helps ensure that by Thanksgiving (changed to December 20 by NTC), all institutions have a nearly finalized idea of what AMTA tournaments they may be attending in the future.

D. Rules & Sanctions (*Reviewed by the Rules/Sanctions Committee*):

1. **RS1:** Motion by Lyons to Amend Rule 7.1 to read:

Rule 7.1 Communication during a round. From the time a round begins until it ends, student participants may communicate only with other student participants, judges and tournament officials. If anyone else, including coaches and spectators, attempts to communicate with a student participant during a round, it is the duty of the student to terminate the communication. This prohibition shall include the requirement that all student participants turn the power off on all pagers, cell phones, wireless communication devices, or computers during a round. A round begins when the judges enter the room and ends when the blue scoring sheets are handed over to a tournament official.

Recommend Adoption.

2. **RS2:** Motion by Lyons to Amend Rule 7.13 to read:

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

No Committee Recommendation.

3. **RS3:** Motion by Lyons to Authorize the National Tabulation Director, along with the Chairperson of the Rules Committee to amend and reform the AMTA rulebook, to reflect the changeover to a unified national system. Said new edition of the rulebook would not be final until affirmed by the Executive Committee of the Board of Directors. Any objections to the changes shall be made as agenda items at the midyear board meeting, to take place in the fall of 2008.

Recommend Adoption.

4. **RS4:** Motion by Herron and Pohlmann to Amend the rules so that as far as is reasonably possible and utilizing due diligence, AMTA representatives shall utilize common sense and assign judges at regional and national tournaments with the following constraints:
 - (1) when three judge panels are not available for the entire field, three judge panels shall be assigned to rounds from top-down, except in the first round, which shall be random;
 - (2) experienced mock trial judges, litigation attorneys, and other indicia of mock trial judging experience shall be assigned to rounds top-down, except in the first round, which shall be random;
 - (3) law students, recently graduated law students, mock trial coaches, non-lawyer judges shall be assigned only after those more "experienced" judges are assigned in the top-down manner, except in the first round, which shall be random;
 - (4) in assigning rooms, AMTA Representatives should make every reasonable effort to assign the preferable rooms to the top rounds in the power pairings.

No Committee Recommendation.

5. **RS5:** Motion by Halva-Neubauer to Amend the Rules such that:

At regional and national tournaments (opening-round events and the championship tournament), the following **guideline** should be adopted: Beginning in the second round, the top five trials should be staffed with seasoned litigators (those having 10 or more years of experience) who practice either as civil litigators (in civil case years) or as criminal defense attorneys or prosecutors (in criminal case years). AMTA Representatives are responsible for indicating the top trials to the person assigning the judges. The specialties of the attorneys should be determined through the use of a standardized judge card. **See Appendix A.**

Rationale: This codifies what has been the practice at many tournaments, but is not applied uniformly. It is adopted as a guideline because it would be difficult for all tournament hosts to meet this standard, but it is a benchmark to which all tournament hosts should aspire.

No Committee Recommendation.

6. **RS6:** Motion by Halva-Neubauer to establish the following guidelines for operating judges' meeting and judge selection:
- (a) AMTA Representatives will both operate the judges' orientation meeting and also assign judges. No host can have any role in the assignment of judges.
 - (b) Judge assignments shall be guided by the following principles:
 1. No alum from a school can judge their alma mater's team.
 2. No husband and wife teams can judge together.
 3. No requests to judge together will be honored.
 4. Presiding judges should be those with the least experience.
 5. If law students are used, they should always be paired with an attorney.

Recommend Rejection.

Rationale: There are a variety of methods currently in practice; this proposal standardizes the judge selection process.

7. **RS7:** Motion by Halva-Neubauer to require that every judge announce themselves at the beginning of the trial and inform the court of the type of law that they practice.

No recommendation.

Rationale: This would give students a bit more information about the judging panel that is assessing their trial, and it might introduce an element that they could adjust to in making their argument. In a real

courtroom, attorneys have to make adjustments to the judge in which they are making their appearances; it makes sense to introduce this element of reality into our exercise.

8. **RS8:** Motion by Halva-Neubauer to Amend the Rules such that it is permitted to recruit laypersons to serve as scoring judges.

Recommend Rejection.

Rationale: Our trials are jury proceedings, and we ask our judges to assess them as jury trials. Why not take the next step and have laypersons serve as the jurors and score the trial, while having the presiding judge is a lawyer? We would have a measure of which team actually persuaded jurors, and it would make it far easier to recruit the requisite number of judges.

9. **RS9:** Motion by Halva-Neubauer to make judging instructions available on the Web site in audio format so that judges can burn them to a CD and play them on the way to the tournament.

Recommend Adoption.

Rationale: This method of instructing judges is employed by the Georgia high school mock trial tournaments. It seems to be a method that might make our judging meetings more effective.

E. Tabulation Matters (*Reviewed by Tabulation Committee*):

1. **TC1:** Motion by Nelmark to adjust the Rules such that pairings at Regional Tournaments and Opening Round Championship Sites (aka National Tournaments aka Super-Regionals) shall be done in the following manner (while still complying with existing rules regarding side constraints and impermissible matches):

Round 1: Random Draw.

Round 2: High-High

Round 3: High-High

Round 4: High-Low within two brackets.

Bracket One is those teams eligible **in the running** to advance to the postseason and Bracket Two are those teams that are not eligible to advance to the postseason **or whose record already guarantees that they will advance to the postseason.** All teams that are within two ballots of the record of the team slated to receive the last bid heading into round 4 are in Bracket One (that is to say within two

ballots of the 8th place team if the tournament has 8 bids), along with any additional teams needed to comply with side constraints. **For example, in an 8-bid tournament, if the 8th place team heading into Round 4 is 3-3, those teams that range between 5-1 and 1-5 will be in Bracket One; those higher or lower would be in Bracket Two. If Bracket One has an uneven number of teams, teams shall be bumped up from Bracket Two to even the field. When possible, ineligible teams will be bumped up rather than teams that are guaranteed to advance.** It is possible, but unlikely, that the entire field could be contained within a single bracket.

Recommend Adoption, as amended by the Tabulation Committee (amended language of Tabulation Committee is highlighted in boldface).

Rationale: The current pairing system is an attempt to determine both the top two teams (the Championship bid winners) and the top group of teams (the National bid winners). These are competing goals. Because the new system of advancement requires only a determination of one group of bid winners, a new pairing system is necessary. Although Round 4 is not a “win and you’re in” scenario, it will result in those teams that are “on the bubble” battling each other instead of facing teams that have already proven they are worthy of advancement.

2. **TC2:** Motion by Nelmark to adjust the Rules such that pairings at the Championship Tournaments shall be done in the following manner (while still complying with existing rules regarding side constraints and impermissible matches):

Round 1: Random Draw.

Round 2: High-High

Round 3: High-High

Round 4: High-High

Rationale: The current pairing system is an attempt to determine both the top two teams (the Championship bid winners) and the top group of teams (the National bid winners). These are competing goals. Because the only goal at the Championship is to determine the division winner, a different pairing system should be used. At the Championship, strength of schedule often determines the team that advances to the Championship Trial. Therefore, the top ranked teams should get the benefit of hitting each other (and improving their strength of schedule) rather than being paired in brackets. Also, pairing without brackets is significantly quicker and easier.

3. **TC3:** Motion by Zeigler to modify the tabulation procedures to eliminate “Frank’s Rule.” The text of the rule appears below:

The first priority, when more than one comparison has the closest record difference is to ask which trade, if any, among the teams with identical record differences, will produce no new impermissible matches. If, for example in a second round pairing, P4 (1-1, +23) is unable to hit D5, then one must compare P4 with P3 and P5 and D5 with D4 and D6 to see which potential swap involves teams with the closest record. Assume P3 and P5 have identical records with P4 at 1-1. You notice that P3 is 1-1, +10 and P5 is 1-1, +22. It certainly makes sense to trade P4 and P5 inasmuch as they have the same record with but a single point difference (as is described below). However, you notice that P5 v. D5 will produce a same-school match whereas swapping P3 with P4 cleans up the original impermissible match and produces no further impermissible meetings. Make the trade swapping P3 with P4.

Recommend Adoption.

4. **TC4:** Motion by Freixes (on behalf of R. Wagoner) to set sides in Round 3 as follows:

Round three pairings shall be done in accordance with the Tabulation Manual. **After the pairings are completed, the AMTA Representative(s) shall flip a coin. If the result is heads, all teams on the left side of the pairings shall be plaintiff/prosecution. If the result is tails, all teams on the left side of the pairings shall be defense.**

*Rationale: The current system, which allows the winner of the Side 3 coin flip to choose a side, arbitrarily advantages one half the field based on a coin flip. There is no reason to give one half of the field an advantage based on a random event. Having a fixed system, without side choice, may be less fun, but it is a fairer system. **This method also allows Reps to assign sides before pairings are posted.***

Recommend Adoption, as amended by Tabulation Committee (Committee amendments and committee rationale reflected in boldface type).

5. **TC5:** Motion by Hawley to Amend the Rules such that each witness **shall be given only a single score (on a 1 to 10 basis)** rather than separate scores for direct examination and cross examination.

Rationale: Since I started coaching 10 years ago, I've been perplexed by the number of points given to witnesses. This is a trial advocacy

competition, not a drama competition. While I appreciate the need to have witnesses be scored (for a variety of reasons), I believe that we take much of the emphasis away from trial advocacy strategy, skill, critical thinking etc., when we make students focus so much time and effort on their acting skills.

Recommend Adoption.

6. **TC6:** Motion by Halva-Neubauer to Amend the Rules as follows (additions appear in bold and underlined; deletions have a strike):

Rule 4.3 Individual awards. **Ideally, 10 individual attorney and witness awards are given in each regional and opening round national tournament. However, a minimum of nine and a maximum of 12 individual attorney and witness awards shall be given at each regional and opening round national tournament. If in awarding the ninth winner, one must exceed the maximum of 12, the limited is exceeded rather than awarding a number smaller than nine.** ~~A minimum of 10 individual attorney and witness awards shall be given in each regional and each division of a postseason tournament. Additional awards shall be given to students tied for 10th place. (6-05) Ideally, the number of individual plaques awarded should be limited to ten per category. If, however, ties create the need for additional individual plaques, AMTA Representatives should contact the AMTA office within two weeks of the tournament, giving the name, address, and award needed. When distributing the available plaques at the tournament, AMTA Representatives should withhold plaques from students whose teams are advancing to a national tournament or those whose teams are coached by an AMTA board member. (6-97) Individual award winners at regional tournaments shall be designated All-Region Attorneys and Witnesses-, **while those winners at the opening round national tournament shall be designated Outstanding Attorneys and Witnesses.**~~

Recommend Rejection.

Rationale: We provide 12 plaques with the hope that we can award ten, but by setting a minimum of 9 and a maximum of 12, we provide the AMTA Representatives with some discretion in terms of the number of individual awards given. Sometimes to award the 10th place trophy, it is necessary to recognize students with 14 ranks; it would be nice to cut off the awards at nine if this were the case, but by the same token, award to 12 if in so doing, you were awarding students who earned 16 ranks.

VII. Committee Reports

VIII. 2009 Annual Meeting

IX. Adjournment

Appendix A: Standardized Judge Card

Please indicate your preference:

- Presiding Judge – make rulings on evidentiary issues and keep trial moving toward completion; presiding judges do not score
(One attorney per trial fills this role)

- Scoring Judge – score all aspects of trial; write comments about students' performances on ballot; score determines outcome of the round; sit in jury box
(Two attorneys per trial fill this role)

- Commenting Judge – write comments regarding students’ performance; commenting judges do not score; sit in jury box (One attorney per trial)
- No Preference

Preference comments:

Additional information:

I have practiced law for:

- less than one year
- more than 1 but less than 5 years
- more than 5 years but less than 10 years
- more than 10 years

This is my first time judging at this regional tournament:

- yes
- no

My area of practice is:

- Civil Litigator (plaintiff)
- Civil Litigator (defense)
- Prosecutor
- Criminal Defense Attorney
- Judge
- Other: _____



**American Mock Trial Association
2008 Annual Board Meeting Agenda
July 12-13, 2008**

CONSENT CALENDAR

The Executive Committee recommends all Consent Calendar Motions for Adoption.

Con1: Motion by Zeigler to create the position of "Web Manager." The Web Manager would serve as the liaison with the Web Master (currently Scott Ebling). The Web Manger receives all requests for postings on the web site, consults the Board as needed to approve postings and submits programming requests to the Web Master. The Web Manager is not responsible for tabulation-related postings (managed by the AMTA Tabulation Director), Case Committee postings (managed by the Case Committee) or Invitational listings (managed by the Administrative Assistant). The Web Manager may instruct the Administrative Assistant to post materials once they have been approved by the Web Manager.

Con2: Motion by Zeigler to create the position of "Counsel." AMTA's Counsel will provide legal representation to AMTA as needed and will be included in Executive Committee deliberations. Counsel will serve as the spokesperson for AMTA on legal matters and will be prohibited from articulating personal opinions on AMTA policies in any public context.

Con3: Motion by Zeigler to add the following to the consent calendar:

AMTA Officers:

Sara Zeigler, President
???, President-Elect
Marcus Pohlmann, Past President
Gonzalo Freixes, Secretary
Ryan Seelau, Assistant Secretary
Johnny Pryor, Treasurer
Matthew Eslick, Assistant Treasurer

Directors:

Kristofer Lyons, AMTA Tabulation Director
Brad Bloch, National Tabulation Director for Mediation

Executive Committee (also serves as Nominating Committee):

See By-Laws for jurisdiction and duties

Sara Zeigler (President)
??? (President-Elect)
Marcus Pohlmann (Past-President)
Johnny Pryor (Treasurer)
Gonzalo Freixes (Secretary)
Mary Lynn Neuhaus (Development Director)
Frank Guliuzza (National Tournaments Chair)
Glen Halva-Neubauer (Regional Tournaments Chair)
Kristofer Lyons (AMTA Tabulation Director)
Jim Wagoner (Rules)

Academics Committee:

To provide resources for AMTA members who wish to create mock trial courses and curricula, to conduct research on mock trial, and to serve as a liaison to academic institutions.

Ruth Wagoner (Chair)

Matt Eslick

Mike Johnson

Jo Ann Scott

Felicia Stewart

John Vile

Audit Committee:

Jim Wagoner (Chair)

Jo Ann Scott

Gina Vessels

Budget Committee:

To prepare and monitor the budget

Johnny Pryor (Chair)

Matthew Eslick

Gonzalo Freixes

Glen Halva-Neubauer

Sara Zeigler

Case and Evidentiary:

Review case proposals and select the case for use in competition, offer clarifications as necessary, respond to queries regarding the case and make revisions as necessary

Civil Case Committee

Dan Haughey (Chair)

David Cross (Co-Chair)

Justin Bernstein (Case posting)

Gonzalo Freixes

Tom Parker

Don Racheter

John Vile

Jim Wagoner

Johnathan Woodward

Criminal Case Committee:

Jason Butler (Chair)

Johnathan Woodward (Co-Chair)

Justin Bernstein (Case posting)

Brad Bloch

Don Donelson

Oscar Holt

Casey McGinley

Felicia Stewart
Tom Parker

Competition Response Committee:

To make timely, in-season rule interpretations, subject to Board review at the annual meeting. Note that individuals serve on the Committee by virtue of office and membership changes as the person holding the offices changes.

AMTA Tabulation Director: Kristofer Lyons
Chair, Rules Committee: Jim Wagoner
Chairs, Case Committee :Dan Haughey and David Cross
Ombudsperson, Barry Langford
Chair, National Tournaments Committee (Frank Guliuzza)
Chair, Regional Tournaments Committee (Glen Halva-Neubauer)
President: Sara Zeigler

Development Committee:

To raise money, build external relationships, and increase the number of schools participating

Mary Lynn Neuhaus (Chair)
Gonzalo Freixes
Faith O'Reilly
Don Donelson
Brad Bloch
Adam Detsky

Divison II Implementation:

Marcus Pohlmann, Chair
Barry Langford
Derek Morehead

Human Resources Committee:

Gonzalo Freixes, Secretary
_____, President-Elect
_____, Member-at-large

Mediation Committee:

To foster and develop mediation activities

Ken Frank (Chair)
Brad Bloch (Tabulation Director for Mediation)
Dick Calkins
Mary Lynn Neuhaus
John Rink

National Tournaments Committee:

To oversee post-season tournaments and the bid allocation structure

Frank Guliuzza (Chair)
Glen Halva-Neubauer
Alicia Hawley

Jim Houlihan
David Nelmark
Mary Lynn Neuhaus
Faith O'Reilly
Ryan Seelau
Marcus Pohlmann
Kristofer Lyons

Regional Tournaments Committee:

Glen Halva-Neubauer (Chair, Host management)
Adam Detsky (Assignments)
Kristofer Lyons (Assignments)
Mike Kelly (power balance and feeder assignments)
Jo Ann Scott (AMTA Reps)
Georgie Weatherby
Sara Zeigler

Rules/Sanctions Committee:

To oversee and develop rules of competition, evidence and procedure

Jim Wagoner (Chair)
Jason Butler (Rules of Evidence Focus)
Mike Kelly (Tournaments Rules/Rulebook focus)
David Nelmark
Felicia Stewart
John Vile
Jo Ann Scott
Bill Dwyer
Justin Bernstein

Spirit of AMTA Committee:

To encourage professional behavior and coordinate the "Guest of Honor" process

Jim Houlihan (Chair)
Dick Calkins
John Rink

Strategic Planning:

Marcus Pohlmann (Chair)
Glen Halva-Neubauer
Sara Zeigler
Jason Butler
David Nelmark

Tabulation Advisory Committee:

To assist the AMTA Tabulation Director in developing and implementing tabulation methods, oversee bid allocation structure

Kristofer Lyons (Chair)
Frank Guliuzza

Alicia Hawley
Mike Kelly
David Nelmark
Neal Schuett

Historian:

Brad Bloch

Parliamentarian:

Frank Guliuzza

Ombudsperson:

Barry Langford

Web Site Manager:

Matthew Eslick

Web Site Manager for Case Posting and Case Announcements:

Justin Bernstein

Counsel:

Dan Herron

Con4: Motion by Nelmark to Amend the Rules as follows (Additions appear in bold and are underlined; deletions have a strike):

Rule 2.7 Number of teams that can be registered. Institutions may register an unlimited number of teams for regional competition, but only two may compete in any single Regional Tournament. (06-07) Additional teams (above 2) will be assigned to a different regional. (6-07) **The Regional Tournaments Committee may waive the two-team per regional restriction for any program which is located more than 900 miles away from the second closest regional tournament to which that program's additional teams would be assigned.**

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

I. Rule 4.40

b). All-Loss rule defined. The All-Loss Rule requires that trial rounds be completed within three hours of the official “start time,” which is defined as the time the last judging panel arrives at its assigned room. To implement this rule a tournament official at each competition site shall take note of the start time. The tournament official shall immediately calculate the ~~Warning time and the All-Loss~~ time by adding ~~150 and 180~~ minutes respectively to the start time. The official shall post the ~~Warning and All-Loss times~~time. It is the responsibility of the teams to ascertain the ~~Warning and All-Loss times~~time. Teams involved in a round that passes the All-Loss time shall each have one ballot subtracted from their final total. The actual record of each team (before the penalty is imposed) shall be used for the purposes of pairing and tiebreakers. (06-07)

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

~~**2. Warning and All-Loss times explained.** The Warning time is the time all trials should be concluded. The All-Loss time is the time when the All-Loss penalty goes into effect. When the Warning time is reached, the two competing teams need to adjust their performance to assure that the trial is concluded and the ballots received before the All-Loss time is reached.~~

Rule 5.16 Regional assignment criteria and procedures. The Regional Tournaments Committee Chair, in consultation with the Regional Tournaments Committee, will assign every member institution to one or more Regional Tournaments. Assignment of schools to Regional Tournaments will be made after the close of registration, using the following criteria:

- (a) assigning schools to a location within three hours of driving distance (according to Mapquest) when possible (not necessarily the closest geographic region);
- ~~(b) distributing power teams according to Bonus Bid rankings among the regions;~~
- ~~(c) implementing Board policy to equalize the number of teams at all Regionals— setting the ideal size of Regional Tournaments at 20 teams (6-99);~~
- ~~(d) accommodating requests from tournament hosts to limit the number of teams at their tournaments due to space availability, as long as this does not result in a Regional with less than 20 teams;~~
- ~~(e) honoring requests of schools who desire assignments to multiple Regional Tournaments and who make such requests in writing to the Regional Tournaments Committee Chair by October 15;~~
- ~~(f) assigning teams of AMTA Representatives in such a fashion as to ensure that teams of the AMTA Representatives are not competing on the same weekend as their AMTA Representative assignments;~~
- ~~(g) considering requests for specific dates made prior to the registration deadline;~~
- (e) assigning specific teams from a program (i.e. A team, B team, etc.) to better balance power among regionals;** and

(hf) accommodating schools who wish to move outside their region only if doing so assists AMTA's Regional Tournaments Committee Chair in implementing criteria a-g.

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

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

Rule 6.1 Special national tournament bid limitations. Member institutions that were offered and have accepted only one bid for the Championship Tournament may qualify one additional team to a National Tournament.

~~A program may send teams to more than one National Tournament, but if a program directly qualifies a team to more than one National tournament, the Chair of the National Tournaments Committee shall determine to which National the program will send both teams. (06-07).~~

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

~~**Rule 6.3 Bonus bids.** Where a program is key ranked for Bonus Bid purposes, and where the program has teams assigned to more than one region, the AMTA Tabulation Director may allocate bids to any regional to which a program carrying bonus bids has been assigned.~~

Rule 6.3 Bonus bid rankings.

Bonus bids **bid rankings** will be compiled by taking the number of ballots won in the most recent National Championship Tournament multiplied by 5, the year

previous shall be multiplied by 3, and two years previous should be multiplied by 1. The National Tournaments ballots won-count shall be worth half the weight as that respective year's National Championship Tournament.

Ties in the Bonus Bid Rankings shall be broken by eliminating the oldest year's points, with the team with the highest remaining total receiving the higher ranking. If the tie is still not broken, the second oldest year's points shall be eliminated. (06-07)

Beginning in 2008-09, no bonus bids will be awarded to regionals.

Rule 6.4 National tournament bids: number and allocation. There will be a total of at least 160 bids to the National and Championship Tournaments: 64 bids to the Championship Tournament and 48 or more bids to each of

The number of teams assigned to each National Tournament and the designations of which regions feed into which Nationals shall be established by the National Tournaments Committee, in consultation with the Tabulation Director.

Rule 6.5 National tournament bid criteria. Qualification for the Championship and the National Tournaments shall be based strictly on the order of finish in Regional Tournaments with the top finishing teams receiving bids to the Championship Tournament and the teams finishing immediately below them qualifying for National Tournaments subject to the limitations of any other applicable rules except under special resolutions of the Board of Directors.

Beginning in ~~06-07~~, **09**, National Tournament bids shall be allocated **equally** to regions using each region's prior year postseason bid allocations as a baseline and re-distributing bids based on each region's previous year postseason winning percentage as follows: **all regions. Should the number of regionals not allow for equal distribution of the bids, each region shall receive the same number of bids and the remainder shall be handed out via the open bid process.**

There shall be 48 bids to each National Tournament (96 bids total). Three bids to the National Tournaments (combined) shall be reserved as Act of AMTA/Open Bids. Each region shall initially receive the same number of bids it was assigned in the prior year. Each newly created region shall initially receive 2 National Tournament bids. Note that if a region switches locations but a majority of its teams remain the same, it is not a "new" region. Regions which have no team in the prior year National pool shall be treated as new regions and will remain at the two National bid minimum.

The determination of whether a regional is "new" or is a "transplanted regional" from another site will be made by the Regional Tournaments Committee, considering the composition of the teams in the region and especially the presence or absence of teams that earned bids in the prior year. A regional in a

~~pre-existing location may be deemed “new” if its composition and strength substantially changes. A pre-existing regional may also be deemed a “transplanted regional” if its composition and strength substantially changes making the field similar to a pre-existing regional in another location.~~

Calculating PPP

~~The prior year National records of the teams competing in each regional are used to calculate each region’s “Projected Postseason Performance” (PPP). The maximum PPP is 8 (for 8 ballots) and the minimum is 0. Each region’s PPP is formed by calculating the average record for all of the teams in the region that participated in a National the previous year. If a region is awarded fewer Championship bids than it has teams that won bids directly to the prior year’s Championship (i.e., those teams that competed in the Championship, but not in a National), a number of teams equal to that difference shall also be added to the pool of teams in that region that competed in a prior year National. For the purposes of computing the region’s PPP, each of these teams shall be given a fictitious National record of 7 ballots. (6-07) These teams replace the previous season’s National qualifying teams with the lowest records, if their addition would result in a region having more postseason qualifiers than National bids initially assigned.~~

~~For the purposes of calculating a region’s PPP, any team which competed in the Championship Tournament, but not a National Tournament, will receive a “fictional 7” for the purposes of the National PPP ranking, unless that team is predicted to earn a Championship spot in the following season. (6-07)~~

~~When a region has more National bids than it has prior year National competitors, the lowest prior year competitor’s record shall be duplicated and halved to fill up the slot. So, if the lowest team remaining has a record of four, a record of two is added to fill a slot. If a second duplication is necessary, the record is halved again (from two to one in the example).~~

~~The Regional Tournaments Committee may dictate where the PPP credit for a program’s A & B teams end up. Programs are strongly encouraged to send their A & B teams to the regions bearing those credits as it will help create the most balanced regionals. If a date conflict prevents an A or B team from following its designated assignment, the program should notify the Tabulation Director as soon as possible.~~

~~If the Regional Tournaments Committee chooses to dictate which regionals a program’s A and B teams attends, the respective regions shall earn the PPP credit attributed to those A and B teams (rather than the average of the two team’s results).~~

Redistributing Bids

~~9 bids will be redistributed from regions with the lowest PPPs to regions with the highest PPPs. (If less bids are available for assignment to existing regionals than in prior years, it is possible that not all of these 9 bids will be re-assigned. In the unlikely event that extra bids are available after the 9 redistributions—likely due to the disbanding of an existing region—those bids shall be distributed in accordance with these after the 9 initial redistributions.)~~

~~Ties in PPP will be broken by comparing the lowest ranked team in each region's PPP analysis. The region whose team is ranked lower loses the tiebreaker. If the tie is not broken, the second lowest ranked teams will be considered, and so on. If the tie cannot be broken in this fashion the region whose city comes first in the alphabet wins the tiebreak in even numbered years and loses in odd years.~~

~~If two regions have identical PPPs and two teams' records are being compared to break the tie as to who gains or loses a bid, any actual record automatically wins over a duplicate record. If both teams have actual records, or both teams have duplicate records, the higher record prevails.~~

~~Under this system, no region shall fall below two National Tournament bids. Each region may only lose or gain a single bid through redistribution, unless the region is "short" bids when compared to the number of prior year National competitors or unless it has "extra" bids based on the same comparison. In such cases, a region may gain or lose the number of bids necessary so that its number of bids matches its number of prior year competitors, plus one additional bid.~~

~~A region may both gain and lose a bid through reallocation procedures. However, once a region both gains and loses a bid, it may no longer be considered for reallocation. If a region gains (or loses) multiple bids before it loses (or gains) a bid, it is possible to be involved in more than two reallocations.~~

~~**There shall be 192 postseason bids.**~~

~~Although nine bids are re-allocated, some of these bids may not go to higher-performing regions as they may be needed to serve as base bids for new regions. If at least 5 bids are not redistributed beyond providing base bids, additional re-allocations will occur so that at least 5 such bids are gained by high-performing regions.~~

~~**Open Bids shall be awarded using the following series of tiebreakers:**~~

~~Notwithstanding the foregoing procedures, no regional tournament may have less than five (5) total postseason bids or more than eight (8) total postseason bids. (6-07)~~

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

5. Bonus bid ranking (with the higher ranking taking precedence).

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

~~50 bids to top teams from Regionals;~~

~~2 bids reserved for Acts of AMTA and distributed on a "wildcard" basis if no Acts of AMTA are needed by the conclusion of the last regional.~~

~~12 bids (3 from each of four National divisions) from the top placing teams at the National Tournaments.(11-04)~~

There shall be 48 bids to the National Championship. The manner in which bids are allocated shall be determined by the Tabulation Committee.

~~AMTA sponsors two National Tournaments, held after the Regional Tournaments and before the Championship Tournament. Each of the two National Tournaments will host fields of up to 48 teams. Institutions will receive bid offers for the National and Championship Tournaments based upon their teams' performance at Regional Tournaments. The National Tournaments Committee will determine the procedure for assigning teams to national sites, as well as the criteria and procedures by which declined bids will be allocated. (6-04) Fifty-two teams will earn direct bids to the Championship Tournament, based upon their records at the Regional Tournaments. The top six teams from each of the two National Tournaments will earn bids to the Championship Tournament.~~

In 2008-09, there shall be a total of 192 bids at National Tournaments.

~~Bids to the Championship Tournament that become open after the completion of the National Tournaments shall go to the team from a National Tournament that had the best record but did not advance to the Championship.~~

Rule 6.7 Act of AMTA Bids.

Any requests for Act of AMTA bids must be received via email by the National Tournaments Committee Chair by noon (central time) on Tuesday following the completion of the tournament where the alleged error occurred, with the exception of Act of AMTA requests related to the last **Regional or last** National Tournament which must be submitted by 4 pm (central time) the day after the tournament ends.

For Act of AMTA requests that relate to the last regional **Regional** tournament or the last National tournament, the NTC Chair may immediately issue an official ruling on the request upon obtaining support for his/her recommendation from at least two other members of the NTC. ~~Two Act of AMTA Bids shall be reserved for the Championship tournament. These bids shall not be awarded until (at the earliest) the Monday after the last National tournament is concluded. If these bids are not awarded for Acts of AMTA, they shall be awarded on a wildcard basis to the teams that perform the best at the National Tournaments regardless~~

~~of division. There will no longer be “wildcard” bids awarded to the Championship prior to the National Tournaments.~~

Rule 6.8 Open Bids.

~~If a program has accepted a bid to a National tournament no team from that program is eligible to receive an open bid to any other National tournament.~~

The NTD shall maintain a running total of the rankings of teams eligible for such bids, updated after the completion of each regional tournament. This list shall be posted online ~~and shall be used to award bids if no errors are reported within 48 hours of the final update posted upon completion of the final regional tournament.~~ Any errors discovered after 48 hours shall be corrected but will not result in the reversal of any bid awards already made.

~~Criteria for Awarding of Open Bids on a National Basis (amended 6-07)~~

- ~~1. Win-loss record.~~
- ~~2. Whether or not the programs involved have another team in the National Championship Tournament, with programs that do not have any such a bid taking precedence.~~
- ~~3. Whether or not the programs involved have another team in a National Tournament, with programs that do not have any such a bid taking precedence. (Note also that a team currently competing on one National Tournament cannot be awarded an open bid to compete in the other National Tournament.)~~
- ~~4. The number of ballots won at the regional tournament by each team’s opponents. (CS)~~
- ~~5. The bid percentage ratio of each region (defined as the number of teams that actually competed in a region, including bye teams, divided by the total number of bids, including bonus bids) with the team with the higher bid percentage ratio getting preference.~~
- ~~6. A team’s total margin of victory, with a larger margin getting precedence.~~
- ~~7. A team’s total points earned, with the higher point total getting precedence.~~
- ~~8. A team’s national “bonus bid ranking” with the higher ranking getting precedence.~~

~~A program may send teams to more than one National Tournament, but that if a team directly qualifies a team to more than one National Tournament, the program may elect to send both teams to a single National Tournament. The Chair of the National Tournaments Committee shall determine to which National the program will send both teams.~~

~~In the event that a Championship bid is awarded on a wildcard or open bid basis prior to the start of the National Tournaments, the National bid previously held by the team receiving the bid shall be reallocated on a nationwide basis according to the open bid rankings. This bid does not necessarily stay in the region.~~

~~In awarding “wildcard” bids, the following criteria will be used in order of importance.~~

- ~~1. Win Loss Record~~
- ~~2. Whether the program has another team in the Championship tournament with programs without a Championship bid taking precedence.~~
- ~~3. Combined strength~~
- ~~4. The number of Championship bids in the region divided by the number of teams competing in the region (including ByeBuster teams) with the lower number taking precedence.~~
- ~~5. A team’s placement in its regional tournament with the higher placement getting precedence.~~

~~A Championship bid that is awarded after the start of a National tournament will be awarded (using the criteria numbered 1-3 above) to the team that performs best in any division of any National tournament but did not receive a bid to the Championship. Criteria 1 and 3 refer to the team’s performance at that national rather than at its regional. The fourth criterion will be the team’s record at regionals followed by its combined strength at regionals.~~

~~*Manner of Determining Which of a Program’s Teams Earn Postseason Bids*~~

~~The following criteria are listed in order of importance:~~

- ~~1. Provisional bids to the National Championship take precedence over bids to a National.~~
- ~~2. If a bonus bid was awarded to a regional based on the program at issue’s presence, that regional takes precedence if and only if a team from that program has not yet earned a bid from that region. If a region was awarded two bids based on a program’s presence, that region takes precedence if the program has not yet earned two bids from that region.~~
- ~~3. If “PPP credit” was awarded to a regional based on the program at issue’s presence, that regional takes precedence if and only if a team from that program has not yet earned a bid from that region. If a region was awarded “PPP credit” for two teams based on a program’s presence, that region takes precedence if the program has not yet earned two bids from that region. If two different regions involved in this comparison both received PPP credit, the region that received more credit takes precedence. For the purposes of this analysis, a team that~~

~~brought in a “Championship pool entry” takes precedence over a team that was a “National pool entry.”~~

~~4. If one provisional bid awarded to a team competing in a given Regional Tournament has already evolved into a postseason bid, the team that competed in a different Regional Tournament takes precedence.*~~

~~5. Regional Winners take precedence over non-regional winners.~~

~~6. The region where a program sent more teams takes precedence.~~

~~7. The team with the better win-loss record takes precedence.~~

~~8. If win-loss records are identical the team with the better placement in the tournament (first place, second place, etc.) takes precedence.~~

~~9. If none of the above seven criteria determine the award, ties shall be broken using the procedures designated for the awarding of open bids on a national basis.~~

~~* This criterion is meant to address the type of situation that occurs when Example Univ. sends multiple teams to Region A, where it places first and second and Region B where it places third and fourth. Example now has four “provisional bids.” Presuming that Example’s first place team has its provisional bid converted to an official postseason bid, there must be a choice between Example’s second place team in Region A and its third place team in Region B. This criterion would award the bid to the team from Region B. Otherwise, both postseason bids would likely come from Region A—resulting in two bids dropping down to lesser ranked teams in Region B and unfairly penalizing the remaining teams in Region A.~~

Con 5: (From Executive Committee) Motion by Seelau to have the Assistant Secretary produce an e-mail newsletter on the first Monday of the month to be sent out (by the AMTA Administrator) that informs the institutions of any recent AMTA developments (such as case changes, board decisions, etc.) and informs them of any important future deadlines (registration deadlines, dates to drop, etc.). The brief newsletter will be drafted by the Assistant Secretary and approved by the President, or in the event the President is absent, by the Executive Committee, before being sent out.

Rationale: I think there is a somewhat false assumption that institutions are regularly checking the AMTA website for information. Additionally, some important information (for instance board motions) doesn't always appear in a timely fashion on the website. A monthly newsletter allows better communication between AMTA and schools and increases AMTA's professionalism.

Recommend Adoption – Moved to Consent Calendar by Executive Committee.

Con 6: (From Tabulation Committee)

Motion by Nelmark to alter the Rules such that each team that registers for regional competition shall be given a team number, assigned consecutively, beginning with number **1001**. These numbers shall remain the same throughout the season, but shall change from year to year.

Recommend Adoption, as amended by Tabulation Committee (to correct the Rule Number to 1001) – Moved to Consent Calendar by Tabulation Committee.

Rationale: Static team numbers will eliminate the need to use letters to identify teams in competition. The consecutive numbering will allow us to easily see how many teams are registered. Although some teams are attached to their “traditional” numbers, nothing prevents the team from referring to itself as “ABC Team 123.” But, on ballots they would use their new number.

Con 7: (From Tabulation Committee)

Motion by Nelmark to adjust the rules so that ByeBuster teams that substantially change composition shall be treated as having a record of “-1” for the purposes of bracketing, pairing, and resolving impermissible. The ByeBuster’s actual record is still used for calculating the CS of its opponents.

Recommend Adoption – Move to Consent Calendar by Tabulation Committee.

Rationale: This rule makes pairing and bracketing procedures correspond with the policy that a “changing composition ByeBuster” is to be treated as the “lowest ranked team” and clarifies an ambiguous section of the Tabulation Manual.

Con 8: (From Tabulation Committee)

Motion by Nelmark to grant the Tabulation Director authority to amend the Tabulation Manual without approval of the AMTA Board provided that such amendments do not contradict any existing Board rule or policy. **The Tabulation Director shall post a notice on the AMTA website indicating where any changes can be found in the Manual.**

Rationale: The Tabulation Manual often needs changes during the season to provide illustrations or clarify new rules. This motion gives the Tabulation Director the authority to amend the Manual without a full Board vote. In the unlikely event that the Tabulation Director acted against the will of the Board, the Board could undo any changes via an ad hoc vote.

Recommend Adoption, as amended by Tabulation Committee (amended language in boldface type) – moved to Consent Calendar by Tabulation Committee.

Con 9: (From Tabulation Committee)

Motion by Freixes (on behalf of R. Wagoner) that all tabulation summaries include the result of the coin flip used in the tab room to determine pairings when 2 or more teams have identical records, point differential, and combined strength. This is the flip described on page 21 of the current Tab Manual.

Recommend Adoption – moved to Consent Calendar by Tabulation Committee.

Rationale: This information is helpful in recreating the tabulating process used in the tournament.