



AMERICAN **BAR** ASSOCIATION™

**CLIENT COUNSELING
COMPETITION**

**2019-2020
COMPETITION RULES**

TABLE OF CONTENTS

1. INTRODUCTION	6
2. ADMINISTRATION	6
RULE 3. NATIONAL STUDENT DIRECTOR	7
RULE 4. REGISTRATION AND ELIGIBILITY	7
A. Registration Process	7
B. Cancellation	7
C. Student Eligibility	7
RULE 5. COMPETITION TEAMS	8
A. Team Name-Submission Form	8
B. Team Letter Designations/Pairings	8
C. Team Anonymity	8
D. Alternates	8
E. Substitutions After the Regional Competition	9
F. Additional Teams	9
RULE 6. FACULTY COACHES/ADVISORS	9
RULE 7. REGIONAL ASSIGNMENTS	10
RULE 8: HOST SCHOOLS.....	10
A. Hosting Expectations for Regional Competitions.....	10
B. ABA Law Student Division Assistance to Host Schools.....	10
C. Location and Timing of Host School Team(s) to Compete	10
D. Host School Administrator	10
E. Communicating with Regional Teams	11
9. CONFIDENTIAL CLIENT PROFILE.....	11
A. Release of Problems for Preliminary and National Rounds	11
B. Facts and Controlling Law for the Client Counseling Problems	11
C. ABA Ownership of Client Counseling Problems	11
D. Past Problems and Championship Round Recordings	11
10. COMPETITION SCHEDULE	12
11. COMPETITION FORMAT	12

A. Required Events at Regional and National Competitions	13
1. Team Orientation Session.....	13
2. Judges’ Orientation Session.....	13
3. Conflicts Check.....	13
4. Tabulation Sheet.....	13
5. Announcement of Preliminary Round Results	13
6. 5-Minute Tally Sheet Review Period	14
7. Announcement of Advanced Round Results	14
12. THE CLIENT COUNSELING CONSULTATION	14
A. The Consultation	14
1. Applicable Law.....	14
2. Discussion of Fees.....	14
3. Division of Work.	14
B. The Post-Consultation.	15
C. Permissible Team Supplies During Rounds	15
D. Timekeeping.....	16
E. Observers’ Attendance During Round.....	16
13: TEAM IDENTIFICATION AND PRELIMINARY ROUND PAIRINGS	16
A. Team Identification	16
B. Concerns About Identity of Host School’s Team(s).....	17
C. Team Pairings	17
14. COMPETITION JUDGES	17
A. Number of Judges	17
B. Three-Judge Panels.....	17
C. Judge Eligibility	17
D. Judges’ Role.....	18
E. Judges’ Feedback.....	18
F. Note Taking and Evaluation Sheets.	18
G Judges’ Role in Anonymity	18
H. Application of Standards.....	18
15. COMPETITION CLIENTS.....	18
16. SCORING, ADVANCING, AND JUDGING STANDARDS	19

A. Scoring the Preliminary Round.....	19
B. Qualifying for the Semifinal Round.	19
C Order of Performance in the Semifinal Round.....	19
D. Tie-Breaking Protocols	20
1. First Tie-Breaking Protocol.	20
2. Second Tie-Breaking Protocol.....	20
3. Third Tie-Breaking Protocol.....	20
E. Scoring the Semifinal Round.....	21
F. Order of Performance in the Final Round.	21
G. Judging the Final Round.....	21
17. CRITIQUES.....	22
18: MATERIALS HOST MUST SEND TO ABA	22
19. RESOLVING COMPLAINTS, VIOLATIONS, AND DISPUTES	22
A. Process for Filing a Complaint at the Competition	23
B. Scope of Violations CCC Subcommittee May Consider	23
C. Team Disqualification	23
D. CCC Subcommittee Decisions Final.....	23
E. Time for Filing Complaints to ABA.....	23
F. Ghost Teams	24
20. INTERNATIONAL COMPETITION	24
21. ASSISTANCE	24
22. PROHIBITED COMMUNICATION AND ATTENDANCE.....	25
A. Communication	25
1. Prohibited Communication During a Round	25
2. Consequences of Engaging in Prohibited Communication.....	25
B. Attendance	25
1. Attending Rounds	25
2. Scouting Prohibited	26
3. Attending Rounds After Elimination.....	26
23. PROFESSIONAL CONDUCT	27
24. RULES INTERPRETATION.....	27
25. VIDEO RECORDING	27

26. AWARDS 27

27. EXPENSES 27

28. ADDITIONAL TERMS AND CONDITIONS..... 28

29. INFORMATION..... 28

APPENDICES..... 29

 CLIENT COUNSELING COMPETITION FEE SCHEDULE..... 29

 CLIENT COUNSELING COMPETITION STANDARDS FOR JUDGING 30



This work by American Bar Association is licensed under a [Creative Commons Attribution-NonCommercial 4.0 International License](https://creativecommons.org/licenses/by-nc/4.0/)

CLIENT COUNSELING COMPETITION RULES

1. INTRODUCTION

The ABA Law Student Division has administered the competition since 1973. Each year, approximately 100 U.S. schools participate in the competition.

The purpose of the competition is to promote greater knowledge and interest among law students in the preventive law and counseling functions of law practice and to encourage students to develop interviewing, planning, and analytical skills in the lawyer-client relationship in the law office.

The competition simulates a law office consultation in which law students, acting as attorneys, are presented with a client matter. They conduct an interview with a person playing the role of the client. This includes eliciting facts, advising about the relevant law, providing options for proceeding, and assisting the client to make an informed choice. Following the interview, the student attorneys consult each other regarding how the interview proceeded and their intended plan of action.

2. ADMINISTRATION

The ABA Law Student Division and the Client Counseling Competition (CCC) Subcommittee of the Competitions Committee for the ABA Law Student Division conducts this competition.

The Client Counseling Subcommittee, together with Regional Host School Administrators, administers the competition at the regional level. A Subcommittee member will attend or be available by telephone for each Regional Competition.

The ABA Law Student Division and Client Counseling Competition subcommittee will work with the school designated to host the competition in a particular region in the fall preceding the regional competition (which is held in February) to ensure that administrative tasks are understood. The school, firm, or other organization assuming administrative responsibility will be provided with Client Counseling Competition Regional Host School Instructions and other information about running a Regional Client Counseling Competition. In addition, each administrator will be assigned a Client Counseling Competition Subcommittee member who will act as a consultant and advisor to the competition administrator.

The ABA Law Student Division and the Client Counseling Competition Subcommittee directly administers this competition at the national level.

The ABA maintains competition Rules, Host School Instructions, and other helpful links on this [webpage](#).

RULE 3. NATIONAL STUDENT DIRECTOR

The Law Student Division Chair may appoint a law student as the National Student Director, who will assist the Chicago Office and the CCC Subcommittee with the competition. If appointed, the National Student Director is responsible for keeping the Competitions Committee informed as to the progress of the CCC Subcommittee and for attending the national competition. The term of an appointed National Student Director will run from June 1 to May 31.

RULE 4. REGISTRATION AND ELIGIBILITY

A. Registration Process

To enter the competition, a team must obtain approval from the law school's dean and find a faculty member to serve as an advisor. Teams must submit entry forms no later than the announced deadline. **If a law student is listed as the faculty contact on the entry form, the team may be disqualified.** It is the expectation that faculty advisors will fully participate in the competition with the school's team at every level and, when called upon, serve as arbiters of disputes, advocate on behalf of their own team and develop their own hosting abilities.

In addition, payment must be received by the entry deadline. If payment is not received, the school's registration may be canceled. Acceptance of entry forms received after the announced deadline is at the discretion of the CCC Subcommittee, and if accepted, a late registration fee of \$50 may be imposed.

B. Cancellation

If a law school that has entered the competition decides not to compete, that law school must notify the Law Student Division Chicago Office as soon as possible. The entry fee for cancellations received by email no later than the competition entry deadline will receive a refund less a \$50 administrative service charge. Teams that cancel after the registration deadline will not receive a refund.

C. Student Eligibility

Participation in the Law Student Division competitions is limited to American Bar Association *premium* members. Competitors must be pursuing a JD at an ABA accredited law school and enrolled at the time of the Regional Competition. Students pursuing an LLM or students already licensed in the US are not eligible to compete. Thus, all law students registered to compete in this competition, including alternate team members, must be *premium* members of the ABA Law Student Division. The annual fee to be a premium member of the ABA Law Student Division is \$25.00. To join, please call the ABA Service Center at 800.285.2221 or visit the ABA website at www.ambar.org/join. Failure to comply with this requirement may result in disqualification from this competition. Further, law schools must provide the names and premium membership numbers of their competitors and alternates by the deadline posted on the Dates & Locations webpage for this year.

Although they may compete at the regional level, students who graduate or visiting students who return to their degree-granting institution in between the Regional Competition and National Competition cannot be substituted at the National Competition. These students are encouraged to confirm eligibility and reimbursement with their schools.

RULE 5. COMPETITION TEAMS

A team consists of two law students attending the same ABA-approved law school. Each school may select its team(s) in any way it chooses. However, an intra-school competition is highly recommended.

Each law school may register up to two teams and may request a third team. Team fees for each year are available on the competition webpage.

A. Team Name-Submission Form

Each school must submit a complete list of team members by the Team Name Submission deadline posted on the Dates & Locations webpage. This list should include all team members and all alternates. Schools will not assign students to a specific team pairing when submitting this name-submission form.

In the event a competitor becomes ill after the beginning of the regional competition, the remaining team member may not continue in competition alone.

Due to life's uncertainties, schools are urged to register at least one student to serve as an alternate. Schools will not be allowed to register an alternate after the posted deadline, even if an unavoidable circumstance, such as death in the family, birth of a child, emergency surgery, etc. occurs after the deadline.

B. Team Letter Designations/Pairings

Team letter designations for each school will be made on each school's sign-in sheet at the Regional Competition. The sign-in sheet will list the team letter designation(s) assigned to that school, and the school must indicate which registered team members will compete as a team pairing under each assigned letter designation. This method will be the sole method of identifying the team to all competition judges and clients during the competition.

If a school has entered three competition teams into the regional competition, the team coach has the right to elect which of the school's two teams will meet each other in the regional competition and the team designations will be assigned accordingly.

C. Team Anonymity

Anyone affiliated with a team, including team members, coaches, and observers, may not directly or indirectly divulge their law school's identity to the judges or clients. Violation of this rule shall result in a penalty, up to and including disqualification.

Additionally, team members and others associated with a team shall not in any way inform the judges or clients from what state or law school they originate. References to the applicable law should be to the law "in this state". No materials given to the judges or clients, such as letterheads or business cards, should indicate any **ACTUAL CITY, STATE, OR LAW SCHOOL**.

D. Alternates

All registered students not assigned to a team on the Regional Competition sign-in sheet will be considered alternates. If a team member is unable to compete in the Regional Competition due to an unavoidable circumstance (See rule E below), an alternate may be designated to substitute, with the

approval of the CCC Subcommittee. Once a substitute is designated, however, the substitute must compete in all future regional and national competition rounds. The original team member cannot rejoin the team that designated an alternate or serve as an alternate for another team.

Alternates who attend a Regional Competition may only observe the teams from their school, and they are subject to the scouting rule set forth in these competition rules.

E. Substitutions After the Regional Competition

No team member substitutions will be allowed after the Regional Competition begins, except for an unavoidable circumstance or any other reason that may be deemed an unavoidable circumstance by the CCC Subcommittee. Unavoidable circumstances do not include graduating early or a visiting student returning to his or her degree-granting institution. The CCC Subcommittee must approve any substitutions.

F. Additional Teams

The Chicago office of the ABA Law Student Division, in consultation with the CCC Subcommittee, may permit additional eligible teams to participate in the competition. Schools seeking to enter a third team into the competition must indicate this on their competition entry form and may be required to pay a \$50 deposit. Such additional teams may represent any school participating in the competition, including the host school. If additional teams are possible, a host school that indicates its desire to enter a third team into the competition shall have the first opportunity to provide an additional team. If additional teams are still needed, a random drawing will be conducted to select the additional team(s) from schools requesting a third team on the registration.

If a school is allowed to enter three teams, all three teams will be allowed to compete in the preliminary round and advance to the next round if all three teams achieve sufficient points for advancement. Under no circumstances will a fourth team from the same school be permitted to participate in the regional competition whether as a paying team or a ghost team despite any vacancies in the regional pairings. The Law Student Division is unable to determine which schools may send multiple teams until after the competition entry deadline. The communication about multiple teams will be made at the same time that the school's regional assignment is made – generally in November or early December.

RULE 6. FACULTY COACHES/ADVISORS

Each team is encouraged to have one or more coaches. A coach may be a full or part-time faculty member, law student, or a lawyer approved by a law school to coach the students.

If possible, a coach or faculty advisor should accompany the team to the regional and national competitions, and more than one coach may attend the competitions. The same or a different coach may attend the regional and national competitions.

Faculty coaches, advisors, alumni, or any attorneys who assist in preparing a competing team for the competition, including guest judging, are prohibited from judging or assisting in the administration of competitions in which their teams are competing. In addition, competition administrators may not be coaches or competitors in the competition. It is the team's responsibility to ensure that anyone who provides assistance to the teams knows they cannot volunteer to judge. They are also prohibited from attending the competition judges' briefing. Violation of this rule may result in a penalty at the

discretion of the CCC Subcommittee.

RULE 7. REGIONAL ASSIGNMENTS

Regional Competitions generally occur in February. The ABA Law Student Division assigns each school to a regional site. Each school is required to complete the Regional Preference Form by the deadline listed on the Dates & Locations webpage. No travel arrangements should be made until the school has received written confirmation of its regional assignment from the Chicago office AND final confirmation of the schedule from the host school. Once regional sites are assigned, a request to change regions must show good cause and must be submitted via email to the Chicago office within three days of the notification of regional assignments.

RULE 8: HOST SCHOOLS

A. Hosting Expectations for Regional Competitions

The ABA Law Student Division will divide participating schools into regions for the Regional Competitions. The success of the Regional Competitions depends on the willingness of schools to host, either alone or in cooperation with a local bar association, law firm, or other sponsoring organization. The Law Student Division will publish a hosting schedule for each region. Any school that cannot host when scheduled is responsible for finding another host for that year. The Law Student Division reserves the right to disqualify a school from participating in the competition for up to two years if it fails to host as scheduled and does not find a replacement host.

If a host school for a particular region cannot be identified, there will be no regional competition for that region in that year. Schools registered to compete in that region will be assigned to other regions with space permitting.

B. ABA Law Student Division Assistance to Host Schools

The Law Student Division will work with the school designated to host the competition in a particular region to ensure that administrative tasks are understood. The school, firm, or other organization assuming administrative responsibility will be provided with a Regional Competition Administrative Guide.

A subsidy of \$75 per participating team will be provided by the ABA Law Student Division to help the host school defray the costs of holding the competition. Additionally, the entry fee for the host school's first team will be waived. Host schools must provide lunch during the day and schedule an informal gathering after the preliminary rounds at which the advancing teams are announced. Host schools are encouraged to serve beverages and snacks during the latter event.

C. Location and Timing of Host School Team(s) to Compete

Any school hosting the competition has the option to send its team(s) to another Regional Competition instead of participating at the host school's site. This option is subject to space availability.

D. Host School Administrator

The host school should designate a faculty or staff member to act as competition administrator, although a student-run board may attend to the actual operation of the competition. In addition, each

administrator will be assigned a CCC Subcommittee member who will be available during the Regional Competition as a consultant and advisor.

Faculty coaches, advisors, alumni, or any attorneys who assist in preparing a competing team for the competition, including guest judging, are prohibited from assisting in the administration of competitions in which their teams are competing. In addition, competition administrators are not allowed to be coaches or competitors in the competition.

E. Communicating with Regional Teams

Host Schools must provide details about their regional competition by December 1. Hosts are responsible for providing each school in the region with information concerning schedule, specific location of competition facilities, and lodging arrangements or alternatives, and meal arrangements including the lunch that the host school is expected to provide to all competition participants. Questions concerning these matters should be directed to the regional host school administrator.

9. CONFIDENTIAL CLIENT PROFILE

A. Release of Problems for Preliminary and National Rounds

Approximately two weeks before the regional competition and the national competition, each participating school will receive the confidential client profiles.

B. Facts and Controlling Law for the Client Counseling Problems

Although the problems may refer to actual places, for purposes of the competition, assume that there is no mandatory authority. Any exceptions will be explicitly stated in the problem.

The persons and events depicted in the problems are purely fictional and are prepared solely for the educational exercise being conducted in the competition. Any resemblance to actual persons, living or deceased, is unintentional and purely coincidental.

C. ABA Ownership of Client Counseling Problems

The Client Counseling Competition Subcommittee is responsible for developing the Confidential client profile for the Regional and National Finals Competitions. The confidential client profiles will contain information similar to that which a law office secretary might be given when a client calls to make an appointment. After a school has submitted its entry form and entry fee to the ABA Law Student Division's Chicago office, the intraschool confidential client profiles will be emailed (but not before October 1) to the contact person listed on the school's entry form.

The copyright to all client counseling confidential client profiles is held by the ABA and copyright protected under United States copyright laws. Audio, visual, or written versions may NOT be posted online or distributed in any manner or format without express written permission from the ABA Law Student Division. Failure to comply with this requirement may result in immediate disqualification from the competition and notice to your law school administration.

D. Past Problems and Championship Round Recordings

Video links containing the national competition championship round from previous years are available as well as PDFs of selected regional and national confidential client profiles, including the

confidential client profiles. Please visit <http://ambar.org/lscdcompvideos> for more information and to download your copy.

10. COMPETITION SCHEDULE

The regional competition will take place either during one day or over two days, at the election of the host school, and must include a team orientation at which a representative from each team must be present to confirm competition procedures. Since the specific schedule of the preliminary, semifinal, and final rounds depends upon elections made by the regional host school, such schedules will be communicated by each host school administrator directly to the team contacts for the schools competing in his/her region. Host school administrators have been instructed to send these communications by December 1. **For additional information about possible competition schedules, please see the Regional Host School Instructions posted at the Client Counseling Competition Competitors Page.**

11. COMPETITION FORMAT

This competition format applies to the regional and national finals competitions.

Rounds. Each competition consists of three preliminary rounds, a semifinal round, and a final round. All teams will compete in the first three preliminary rounds, which will be conducted simultaneously. Six teams will qualify for the semifinal round based on the number of points (lowest points win) accumulated in the preliminary rounds. Three teams will advance to the final round. In the event a region is hosting a 6-team competition, the competition schedule will be modified so that all six teams will compete in the first three preliminary rounds, conducted simultaneously. Three teams will qualify to advance to the *final* round based on the number of points (lowest points win); no semi-final round or confidential client profile will be used.

Preliminary Rounds. The three preliminary rounds will be conducted simultaneously, i.e. every team will conduct three different interviews, based on the three confidential client profiles during each of the three preliminary rounds. After each preliminary round, the judges and clients remain in the same room while the competition teams travel from room to room to interview three different clients, each with a different client profile. It is the responsibility of each team to confirm that the competition room for each preliminary round corresponds to the confidential client profile identified on their pairing schedule. The client name will be posted on the exterior of each competition room. The host school must use the pairing schedule that is provided by the ABA based on the number of teams competing in the preliminary rounds. If the number of teams competing changes prior to competition day, the ABA will provide a revised pairing schedule. Each school will be pre-assigned a letter designation(s) (A, B, C, etc.) by the Chicago office on a random basis, except that the office will make every effort to prevent two teams from the same law school from competing against each other in the preliminary rounds. Host schools will use the "point qualification" format in which the six teams accumulating the lowest number of points during the three preliminary rounds will qualify for the semifinal round.

Semifinal Round. The semifinal round, which takes place in three rooms, will be a head-to-head power-seeded competition (i.e. the lowest scoring team from the preliminary rounds competes against the highest scoring team from the preliminary rounds). This may result in two teams from the same

school competing against each other in the semifinal round. The winner of each semifinal round room will advance to the final round.

Final Round. The three teams advancing from the semifinal round will compete head-to-head against each other. After the last team in the Final Round competes, the judges will meet to decide the winner of the regional competition. After the judges have agreed on the winners, they will be announced and the judges will provide a brief critique of each of the finalists.

A. Required Events at Regional and National Competitions

The following events must take place at each regional competition and at the national competition:

1. Team Orientation Session

The competition administrator must organize one team orientation session prior to Preliminary Round One. No one other than the student competitors, alternates, coaches, and person(s) conducting the orientation session may attend. The administrator must review the competition schedule, room locations, and procedure for the day.

2. Judges' Orientation Session

Judges must be oriented before each competition round in conformity with the Client Counseling Competition Judges Orientation (located in the Regional Competition Host School Instructions, which is posted to the Law Student Division website).

3. Conflicts Check

Before each competition round, the Host School Administrator shall conduct a judge/competitor conflicts check by providing a list of judges and clients to the coaches and competitors either (i) at the time the competition teams sign-in to the competition if finalized and available or (ii) at the orientation before each round. In addition, host schools may (but need not) also provide a list of the competitors' names to the judges for the same purpose of ensuring the absence of a conflict.

4. Tabulation Sheet

A Tabulation Sheet to compute the scores from the preliminary round is provided in the Regional Host School Instructions. The regional host school administrator should make two independent tabulations of the Judges Score Sheet. The independent tabulations shall be made by two teams consisting of at least (i) one representative of the host school and (i) one team judge who is not affiliated with the host school. Any discrepancy between the two tabulation teams should be resolved before the tabulation sheet is distributed to the competitors and coaches.

5. Announcement of Preliminary Round Results

A reception or informal gathering must be held following the conclusion of the Preliminary Rounds. At that time, the six teams advancing to the semifinal round will be announced. **After the announcement, the competition administrator must distribute a copy of the tally sheet indicating all teams' win/loss record, the number of winning/losing ballots, and any necessary tie-breaking procedures.** Administrators must also distribute a copy of the judges' written feedback and Evaluation Form directly to the teams at this time.

Students should receive copies of their evaluation forms on site. However, the originals or scanned Tally Sheet must be returned to the Chicago office at the conclusion of the competition. The Chicago Office does not need the comment sheets.

6. 5-Minute Tally Sheet Review Period

Following the distribution of the tally sheet, there will be a 5-minute Tally Sheet Review Period so that teams may contest any mathematical or scrivener errors that may appear. If a mathematical or scrivener error is identified during the Tally Sheet Review Period, corrections shall be made during an open process, before beginning the semifinal round. If the computational errors cannot be resolved, the CCC Subcommittee representative must be contacted. No other objections or complaints about the competition can be raised during the Tally Sheet Review Period. Once the Tally Sheet Review period expires, all other computational protests are waived.

7. Announcement of Advanced Round Results

a. Announcement of Semifinal Round Results

The winners of the head-to-head semifinal rounds sessions will be announced immediately following the round.

b. Announcement of Final Round Results

The regional competition Champion will be announced following the completion of the final round.

12. THE CLIENT COUNSELING CONSULTATION

A. The Consultation.

Each team must conduct a consultation with the client during which the students are expected to elicit the relevant information, outline the problem, identify issues (both legal and non-legal), and propose a solution or other means to resolve the problem. (See “*Client Counseling Competition Standards for Judging*,” found at the end of these Rules, for more specific direction.)

1. **Applicable Law.** The law to be applied in the competition is the law of each team's respective state unless otherwise indicated in the confidential client profile. The teams, however, should not identify from which state or law school they originate. See Section 5.C. above.

2. **Discussion of Fees.** The discussion of fees is an integral part of any first consultation between a lawyer and a client and is required during this competition. Students should be judged on how and when they approach this problem, but not on the dollar amount used. Therefore, all participants in the competition must use the Fee Schedule found at the end of these Rules. The participants may discuss fees at any appropriate point in the consultation.

3. **Division of Work.** Team members are entirely free to decide how they will divide their work, but both students must consult with the client as a team and their plan is subject to judging. Students may wish to discuss why they worked together in the way that they did in the presence of the judges in the post-consultation discussion.

B. The Post-Consultation.

Each team *must* also conduct a meaningful post-consultation discussion between the student attorneys after the client has left the room. The failure to conduct a post-consultation discussion *shall* result in disqualification. The teams may not leave the interview room between the consultation and the post-consultation. During the post-consultation, the students may either talk to each other loudly enough to be overheard by the judges or dictate a file memorandum on the interview or both. The post-consultation performance may summarize the interview, indicate the scope of the legal work to be undertaken, and state the legal issues that should be researched. Explanation of the position or attitude taken by the students may be useful, including jurisdictional differences in the law.

The students may also feel that documentation is appropriate. For example, they may want to write a letter to the client confirming their retention as attorneys, the fee arrangement, etc. It also may be appropriate for the students at the conclusion of this consultation to write a letter to opposing counsel or to the party with whom the client is having legal problems. Such a document may be dictated at this time.

C. Permissible Team Supplies During Rounds

Use of notes and props. During the consultation and post-consultation, the following items are permitted/prohibited in the competition room or on counsel table as part of their interview:

Permitted Items:

- Legal or letter sized writing pads
- Folder or binder with the lawyer's notes (materials or outlines must represent personal work product)
- Business cards
- Engagement letter
- Water bottles
- Tissues
- Smart Watches in Airplane Mode

Prohibited Items:

- Commercial outlines
- Treatises
- Nutshells
- Photos
- Plants
- Whiteboards (both portable and fixtures)
- Blackboards
- Candy dishes
- Mobile phones
- Smart phones
- Tablets
- Laptops
- Any other electronic communication devices

The team may only distribute the following items directly to the client:

Notes taken during the interview by the attorneys

Notes taken during the interview by the client (whether on their own paper or paper provided by the attorneys)

Business cards

Engagement letter

Water bottles

Tissue

The team may reference other materials or brochures but may not distribute anything else to the client including any marketing materials or firm brochures. If a team decides to use business cards, engagement letters or similar permitted business supplies, those supplies can in **NO WAY INDICATE ANY ACTUAL CITY, STATE, JURISDICTION, LAW SCHOOL, ETC.** (Ex. Use “Any town, Any state, USA, 12345” OR “(123) 456-7890,” **NOT** “New York, NY, 10001” OR “(212) 555-1212.”

Violation of these restrictions is subject to competition sanctions in Section 16.

D. Timekeeping.

Timekeepers are not provided in the competition; competitors are responsible for keeping track of their time. The competitors are not allowed to use their cell phones to time the competition; smart watches in airplane mode are permitted for timekeeping purposes. Additionally, one of the judges on each panel should be selected to keep track of the time for the judges. **Under no circumstance will a team be allowed more than forty-five (45) minutes to complete the session including BOTH the consultation and the post-consultation.** The 45 minutes begin when the attorneys speak *to* the client or *about* the client or the case. The timekeeper judge shall stop students after forty-five (45) minutes regardless of where students are in the consultation or post-consultation process. The decision of the timekeeper judge as to when the round should end is final. The timekeeper judge should use the Judges’ Timekeeping Sheet (see the Host School Instructions) to record the time each session begins and ends to assure that the timekeeping was accurate. In determining a team's score, the judges shall consider the way the team allocated its time between the client interview and the mandatory post-interview consultation.

E. Observers’ Attendance During Round

See Rule 22 Prohibited Communication and Attendance for full details.

Observers, including coaches, faculty advisors, and guests must avoid all communication with competitors until the end of the completed round. See Rule 22(A).

Because of the potential for disruption of the competition, all observers of a session are discouraged from leaving the room during the session. Permitted observers who unavoidably must enter the room late, leave early, or temporarily excuse themselves should do so discreetly and without disruption.

After the completion of the post-consultation, judges may provide oral feedback to the teams outside the presence of the client.

13: TEAM IDENTIFICATION AND PRELIMINARY ROUND PAIRINGS

A. Team Identification

The Law Student Division will assign each team a random designation and provide each Host School with the team designations via the sign-in sheet. This method will be the sole method of identifying the team to all competition judges during the competition. Anyone affiliated with a team, including team members, coaches, and observers, may not directly or indirectly divulge, imply, or project an affiliation with any law school. This means no one associated with a team shall have with them pens, portfolios, folders, class rings, etc. with the school’s name and/or logo on them. Violation of this rule shall result in a penalty, up to and including disqualification.

B. Concerns About Identity of Host School's Team(s)

The seriousness of this violation is increased if the disclosure is by a team from the Host School. A Host School should endeavor to avoid any appearance of unfairness resulting from hosting the regional competition. For example, seemingly innocent remarks regarding the campus or town may imply affiliation with the school. In addition, a Host School faculty advisor who would be readily identifiable by the judges should avoid letting the judges know to which team the faculty advisor is connected. An appropriate course of action may be to appoint a student coach or faculty or staff member who would not be identifiable to accompany teams from the Host School during the competition.

C. Team Pairings

The Chicago Office will pair the teams for the preliminary rounds of the Regional and National competitions and provide each Host School with the pairings for the regional competition.

Team pairings have been set by the CCC Subcommittee for each regional depending on the number of teams competing. Host schools must follow the team pairing schedule provided.

Please refer to the pairing schedules in the Appendix.

14. COMPETITION JUDGES

A. Number of Judges

At the regional and national competitions, host school administrators are responsible for selecting judges for each competition room for each round. The host school should make every effort to have three judges on each panel. Ideally, two shall be attorneys who have had prior experience with, or who are familiar with, the ideals of the Client Counseling Competition and one person **SHOULD** have a strong background in one of the counseling professions (i.e. counselor, psychologist, minister, etc.). Preferably, at least one of the two attorneys on the panel should be familiar with the area of law that is the subject of the competition.

B. Three-Judge Panels

Each room should have three-judge panels.

In the event there is an insufficient number of judges on the day of competition, and there are fewer than three judges in any room, the scores of the two judges must be averaged to create a third score for that room. Averaging means adding together the scores given by the two judges and dividing by two. The result shall be rounded up or down to the hundredth decimal. For example, an average score of 1.3333 would be 1.33 and a score of 1.6667 would be rounded to 1.67.

C. Judge Eligibility

No member of the faculty (full, part-time, or adjunct), administration, or staff of the Host School shall act as a judge for a team from that person's law school. And because there is no way to know whether a Host School's teams will advance to the Final Round, to avoid any potential conflicts of interest, no member of the faculty (full, part-time, or adjunct), administration, or staff of the Host School shall act as a judge for the Final Round.

No one who judged a team in a qualifying round should judge that team in a semifinal or final round, unless there are no other judges available. In which case, the faculty adviser / coaches for all participating teams must be informed in advance.

D. Judges' Role

Judges shall not interact with the teams during the consultations; however, they may give feedback or ask teams questions about the consultation after that team's post-consultation discussion and during the judges' feedback period.

E. Judges' Feedback

Judges will be encouraged to provide constructive feedback to help promote an inclusive, educational, and positive experience for all competitors and coaches. See the Judging Standards in Appendix A for the full instructions provided to the judges about the content of appropriate feedback.

F. Note Taking and Evaluation Sheets.

Judges may take notes as they observe each team's performance and base their critiques on specific observations from their notes. Each judge must complete an evaluation form for each team he or she observes.

G Judges' Role in Anonymity.

Judges should be told not to ask the students the name of their law schools until the competition ends in its entirety (in the event that judges must judge multiple rounds of competition).

The judges should be instructed not to communicate with anyone associated with a team outside the interview room until the judges have finished judging and scoring all the interviews in the room.

H. Application of Standards.

All judges, as well as students, receive a copy of "Client Counseling Competition Standards for Judging." All judges will also be supplied with a copy of the confidential client profile for the round they will be judging, including detail about the client's background and concerns, along with judge instructions, which are posted to the Client Counseling Competition Competitors Page. Judges are instructed that the Standards for Judging are to be used as guidelines in scoring the competition. Considering the nature of the competition, it would be impossible for judges to adhere strictly to totally objective guidelines.

Students and faculty advisors should realize that inequities may occur and that the Client Counseling Subcommittee wants to be informed about problems; however, the scoring decisions of the judges must be considered final.

15. COMPETITION CLIENTS

At both the regional and national competitions, host school administrators are responsible for selecting persons to play the role of the client for each of the sessions. Under no circumstances shall a student from the host school act as a client in a room in which a team from the host school is competing. If a

student from the host school acts as a client during a preliminary round in a room in which a host school team is competing, that host team must automatically be awarded the maximum score of 9 points for that round. If this occurs during a semifinal or final round, that host team must forfeit that round. In addition, host schools should take all reasonable steps to ensure that clients do not know the law students who are interviewing them.

Each client will be supplied a packet containing the instructions for clients, the confidential client profile, and a detailed confidential memorandum concerning the client's background and concerns.

16. SCORING, ADVANCING, AND JUDGING STANDARDS

A. Scoring the Preliminary Round.

Judges in the first three rounds score the rounds by awarding points. After the round has been completed, the judges, outside the presence of any observers, may discuss each team's performance among themselves. Judges are encouraged to consult with the client, but only after **ALL** of the interviews in the room have been conducted. Although the judges should together discuss the teams, the judges should *individually* rank the teams. Judging independently, each judge must give one (1) point **ONLY** to the one (1) team that in the judge's opinion performed the best in light of the judging standards.

Then, based on the relative performance of each of the remaining teams, each judge should give two (2) points to the second place team, and three (3) points to the third place team. Judges may not award half points. There cannot be a tie for any place.

If a competition room only has two teams competing, then each judge must give one (1) point to the (1) team that, in his or her opinion, performed the best in light of the judging standards. Then, each just must give two (2) points to the other team competing in that room. Judges cannot award three (3) points in a competition room that only observes two teams.

B. Qualifying for the Semifinal Round.

At the end of the preliminary rounds, the total scores for each team will be computed (the best possible score is 9 points, i.e., 1 point from each of the three judges [3 points] in each of the three rounds, $3 \times 3 = 9$ points). Adjustments shall be made if fewer than three judges scored a round (e.g., if only two judges scored a round, their scores should be averaged to provide a third score for the round, which may result in a score of 1.5 or 2.5). The six teams with the lowest scores will compete in the semifinal round. Schools entering three teams will be limited to advancing two teams to the semi-final round; therefore, if all three teams from one school qualify to advance to the semi-final round, only the two top-seeded teams will be permitted to advance to the semi-final round and the team originally ranked as the seventh team will advance to the semi-final round instead of the lowest-seeded team from school entering three teams.

C Order of Performance in the Semifinal Round.

The semifinal round shall be power-seeded head-to-head competition (i.e. the lowest scoring team from the preliminary rounds competes against the highest scoring team from the preliminary rounds). The team with the lowest score after the preliminary rounds is allowed to choose when it performs in the semifinal round. In case of a tie, the order will be made by a draw. This may result in two teams from the same school competing against each other in the semifinal round.

Semifinal Round teams must check in with the host school administrator prior to the beginning of the Semifinal Round at the time and place designated by the host school administrator. Failure of a team to check in at the required time shall be a defense to any subsequent protest against any administrative decisions made by the host administrator at the beginning of the Semifinal Round.

If a school has two or more teams advancing to the semifinal round of the competition, the coach may observe each team but may not communicate with any team that has not yet competed in the semifinal round.

D. Tie-Breaking Protocols

If more than six teams, or the rankings of the teams, are tied for the semifinals, the ties shall be broken using the following protocols:

1. First Tie-Breaking Protocol.

The host school administrator, meeting with the available faculty advisors, shall determine the teams for the semifinal round, eliminating all teams (among the tied teams) that had lost in head-to-head competition; e.g., assume that teams A, B, C, and D are tied for fifth and sixth place. If teams A and B have met in a round in which team A received a lower score among the judges than team B, team B would be eliminated from the semifinal round; and if teams C and D have met in a round in which team C received a lower score among the judges than team D, team D would be eliminated from the semifinal round. Thus, teams A and C would advance to the semifinal round. Use this same protocol for a three-way tie: e.g., assume A, B, and C are tied for sixth place. If head-to-head comparison between A and B eliminates B, but there is no head-to-head comparison to break the tie between A and C, then B is eliminated and A and C move onto the second tie-breaking protocol.

2. Second Tie-Breaking Protocol.

If a head-to-head comparison does not produce a clear semifinal team(s), the regional administrator shall determine the other semifinal round participant(s) by counting the number of “1’s” each team received from the judges in the preliminary rounds. The team(s) with the greatest number of “1’s” shall advance. For example, if Team A is ranked fifth after the preliminary rounds, and Teams B, C, and D are tied, and none of the tied teams competed head-to-head, and Team B received four “1’s” and Teams C and D received three “1’s”, Team B would advance.

3. Third Tie-Breaking Protocol.

If a comparison of the number of “1’s” does not produce a clear semifinal team(s), the regional administrator shall determine the other semifinal participant(s) by comparing each team’s scores on each profile. For example, if Team A is ahead after the preliminary rounds, and Teams B, C, and D are tied and the first two tie-breakers have not produced an appropriate number of teams for the semifinal round, the team(s) that won the highest number of rounds determined by comparing the total score of each team in each round, will advance to the semifinals.

If six semifinal teams or the rankings of the semifinal teams cannot be determined by the above-described procedures, then the host school administrator shall determine by lot (among the tied teams) the teams that will compete in the semifinal round.

E. Scoring the Semifinal Round.

After seeing both of their assigned teams perform, the judges, outside the presence of any observers, should consult with the client and together discuss each team's performance. Thereafter, the judges shall by a majority vote decide which team performed the best in light of the judging standards. If there is not a majority, the judges shall continue to confer until a winning team is selected. After a decision has been reached, the judges should record their decision on the Judges' Semifinal Round Results Sheet. The Judges' Semifinal Round Results Sheet should be given to the host school administrator who will publicly announce the three teams advancing to the final round.

F. Order of Performance in the Final Round.

The team with the lowest cumulative score from the preliminary round is allowed to choose when it performs in the final round. The team with the second lowest cumulative score from the preliminary round is then allowed to choose when it performs in the final round. In case of a tie, the order will be made by a draw.

Final Round teams must check in with the host school administrator prior to the beginning of the Final Round at the time and place designated by the host school administrator. Failure of a team to check in at the required time shall be a defense to any subsequent protest against any administrative decisions made by the host administrator at the beginning of the Final Round.

Prior to the final round, all three teams will be sequestered in a location(s) determined by the host school administrator. The teams will remain in this room, other than to use the restroom facilities, until it is their turn to perform in the final round. The host school administrator will escort each team to the final round room when it is their turn to perform. Once a team competes in the final round, they may not return to the sequestration room pending the completion of the final round at which time the host school administrator will direct them for the final critiques. The sequestration room(s) are off limits to anyone other than the team members and their coaches. If a coach prefers to watch any part of the final round, they may do so, but relinquish the right to return to the sequestration room. Further, they may not communicate with their team until the critique period has concluded once they have entered the final round room.

After a final round team has finished its interview in the final round, it may not observe any remaining final round teams conduct their interview(s) and must avoid contact with any teams who have yet to perform.

G. Judging the Final Round.

The final round will be in one room with one panel of judges. After the judges have seen all three teams perform, the judges, outside the presence of any observers, should consult with the client and together discuss each team's performance. Thereafter, the judges **shall** by a majority vote decide which team performed the best in light of the judging standards. If there is not a majority, the judges shall continue to confer until a winning team is selected. The judges shall also select a second place team. After a decision has been reached, the judges should record their decision on the Judges' Final Round Results Sheet. The Judges' Final Round Results Sheet should be given to the host school administrator who will publicly announce the winning team.

H. Advancing to the National Finals

The top ranked team from each regional will advance to the national competition. If the top ranked team in a regional chooses not to participate in the national competition, the second ranked team will be invited. If both the first and second ranked teams choose not to participate, the third ranked team in the final round will be invited. Otherwise, the Client Counseling Competition Subcommittee, in its discretion, may choose to invite another team from that region to compete in the national competition. The choice of which team to invite, if any, will be based on the order of finish in the regional competition. The Client Counseling Competition Subcommittee, in its discretion, may invite additional teams to compete in the national competition. Barring special circumstances, this will be done by a random draw among the teams that finished second (or possibly third) in their region.

17. CRITIQUES

In both the preliminary rounds and the semifinal round (but not the final round), immediately following each team's post-consultation presentation, the judges should provide the team with a critique of the team's handling of the consultation and post-consultation. The entire critique period should last no more than 15 minutes. Clients should **NOT** be present during the post-consultation period or the critique. For the Final Round, the critique shall occur only after the last team competes. At that time, critiques should be given to all three teams together. Each judge should take no more than 5 minutes to ensure each has a chance to speak.

Judges will be encouraged to provide constructive feedback to help promote an inclusive, educational, and positive experience for all competitors and coaches. See the Judging Standards in appendix to these Rules for the instructions provided to the judges.

18: MATERIALS HOST MUST SEND TO ABA

The competition administrator shall scan and email the following documents to the Chicago within five days of the end of the competition:

- Scoring Sheets from every consultation session in every round;
- Tally Sheet showing the scoring/ranking from the two preliminary rounds; and
- Team sign-in sheets.

These documents should be retained by the host administrator for 30 days and at the Chicago Office for up to 90 days. The judges' written Evaluation Sheets do not need to be sent to the Chicago Office.

19. RESOLVING COMPLAINTS, VIOLATIONS, AND DISPUTES

A violation of these rules governing the Client Counseling Competition may subject a violator to a sanction as determined by the Client Counseling Competition Subcommittee. Sanctions may include a loss instead of a win, a lowering of the team score, disqualification from the competition, or any other appropriate sanction. Any sanction shall be commensurate with the violation, and the Client Counseling Competition Subcommittee will determine the degree of prejudice incurred by an opposing team or benefit gained by the violating team. A decision need not be made if the violation did not affect the result of a round or the outcome of the competition.

A violation of a rule by anyone affiliated with a team (a coach, observer, or other member of a law school) may subject the team from the law school to a sanction depending on the severity of the

violation.

A. Process for Filing a Complaint at the Competition

Any violation that may affect the results should be resolved on the day of the competition by the CCC Subcommittee. Complaints must be filed as soon as practicable with the host administrator after the completion of the round that is the subject of the complaint. Competitors and faculty advisors/coaches waive the right to appeal any matter arising in the course of a competition round by failing to file a timely objection with the competition administrator. Every effort should be made to file a complaint while the judges are still available for consultation.

Anyone (competitor, coach or Competition Judge) may notify the Host School Administrator of a purported violation.

B. Scope of Violations CCC Subcommittee May Consider

In general, the CCC Subcommittee will not hear any appeal relating to an alleged violation that is within the discretion of the judges.

Rules violations other than those within the judges' discretion. With respect to complaints not related to an alleged ethics violation identified by the judges (including ethical violations discovered later, but not identified by judges), the CCC Subcommittee has full discretion to determine appropriate sanctions. In assessing the severity of the penalty, the CCC Subcommittee should consider whether the complained of conduct was purposeful or inadvertent and whether it resulted in substantial prejudice affecting the result. Possible dispositions for valid complaints range from reprimands to assessment of penalty points to disqualification.

Potential ethical violations. In the event a judge observes a potential ethical violation, the judge must briefly explain the unethical conduct on the judge's Scoring Ballot, and the competition administrator must contact a member of the CCC Subcommittee to discuss the conduct before any sanction can be imposed on a team.

C. Team Disqualification

If the CCC Subcommittee disqualifies a team, all teams below the disqualified team shall move up one place in the standings. In the event that the CCC Subcommittee assesses a team with penalty points, the penalty points will be subtracted from the affected team's overall score.

A disqualification would occur *after* the scores have been tabulated in accordance with the rules herein.

D. CCC Subcommittee Decisions Final

The decision of the CCC Subcommittee will be final. The Host School Administrator must provide the Chicago Office of any complaint, violation, or disputes and their resolution in a post-competition report.

E. Time for Filing Complaints to ABA

Any complaint affecting the final results of a regional competition must be received in writing by the Chicago Office no later than 5:00 p.m. CST on the Tuesday following the end of the competition.

F. Ghost Teams

If a regional host has entered a ghost team into the competition, the ghost team is held to the all of the rules of the competition herein contained as if the ghost team was a registered team. In the event the ghost team violates the rules of the competition, the penalty can be imputed to the other competition teams from the host school resulting in disqualification of some or all of the competition teams from the school in the discretion of the Client Counseling Competition Subcommittee.

20. INTERNATIONAL COMPETITION

The top team from the national competition will advance to the International Client Consultation Competition. If the highest-placing team chooses not to participate, the next higher placed team will be invited to compete in the International Competition. If both the first and second highest placing teams choose not to participate in the International Competition, the third highest placing team shall be invited to participate. Otherwise, the Client Counseling Competition Subcommittee, in its discretion will choose which team shall compete in the International Competition.

The ABA Law Student Division has a close liaison with the International Client Consultation Competition Committee, an independent body that sponsors the Louis M. Brown International Competition. The Louis M. Brown International Client Consultation Competition is affiliated with the International Bar Association, a worldwide organization of lawyers, law societies, and bar associations representing more than 2.5 million lawyers. Teams from more than 20 countries, including Australia, Canada, England, Wales, Ireland, Scotland, Northern Ireland, India, New Zealand, South Africa, and Sri Lanka have competed in the past. (The rules are similar to those used in the ABA competition.)

Immediately after the national competition, the International Client Consultation Competition contact will send regional winners information about the International Competition. (The ABA Law Student Division is not involved with the administration of the International Client Consultation Competition.) Further information about the International Client Consultation Competition can be obtained from Professor Larry L. Teply, Creighton Law School, 2133 California Street, Omaha, Nebraska, 68178; 402.280.3164. The Executive Director of the International Client Consultation Competition is Forrest S. Mosten, Mosten and Wasserstrom, 10990 Wilshire Boulevard, Suite 940, Los Angeles, California 90024; 310.475.7611.

21. ASSISTANCE

Before the competition rounds, the coach can work with, assist, and direct the students, critique mock preparations, arrange for the students to consult with others for assistance, and provide any other educational assistance. Once the host school administrator distributes the confidential client profiles to regional competition judges, no contact may be made with any consultants or other coaching assistants who have been recruited to serve as judges in the regional competition. Coaches are responsible for ensuring that no one on their coaching staff (whether primary or ancillary coaches) has received any confidential client profiles.

During the competition, coaches may advise, communicate with, and observe their teams as provided in these rules.

22. PROHIBITED COMMUNICATION AND ATTENDANCE

A. Communication

1. Prohibited Communication During a Round

Communications with competitors. Communications between team members and third parties (including team coaches, supervisory personnel, alternate team members, friends, associates and observers) is prohibited once a client consultation has begun until the conclusion of the post-consultation and judge's critique period. Communication between consultations in the Preliminary Round is permitted.

No participant, team coach, or any other person connected with a participating school with more than one team may communicate with another of its school's teams until all of the school's teams have completed the round.

Mobile phones, smart phones, personal digital assistants and other electronic communication devices are prohibited at counsel table.

Communications with judges. Team coaches, competitors, and other persons identified with a team or competitor may not speak to a judge from the commencement of the round until after the round scores have been collected.

Communications in the case of multiple teams from the same school. A coach, faculty advisor, or any other person associated with a team who observes a team may communicate with the team immediately after the consultation session has concluded, i.e., after the judges have provided feedback to the competing teams. If a school has multiple teams competing, once each round has started the coach cannot communicate with each team until after that team has completed the round.

2. Consequences of Engaging in Prohibited Communication

The mere act of communication or receipt of information proscribed by this Rule will constitute a violation, regardless of the substance thereof and regardless of whether initiated by a competitor or by any other person affiliated with a competitor. Violation of this Rule may result in disqualification by the CCC Subcommittee (See Rule 19 for procedures). Harmless error will not be a defense to a complaint based on violation of this rule because of the appearance of impropriety occasioned, even by casual exchanges unrelated to the substance of the negotiation.

B. Attendance

1. Attending Rounds

Competitors may attend only their scheduled consultation sessions. No person associated with a competitor, such as coaches, family members, or close friends, may attend a consultation session other than a session in which that school's teams are involved, until both teams from the school have been eliminated from the competition. Mere membership in a student body does not constitute association with a competitor. If a school has multiple teams participating in the competition, persons identified with those teams (other than the competitors themselves), such as coaches, family members, or others, may attend any of the consultation sessions in which that school's teams are involved. At all times, it is the competitor's responsibility to comply with Rule 22 and to refuse any attempts at prohibited communication.

Attendance proscribed by this rule will constitute a violation, which may result in disqualification. Please see Rule 19 for procedures.

2. Scouting Prohibited

Scouting in any form is strictly prohibited. Scouting is the observation and sharing of information with a competitor about another team in the competition, during the competition, whether intentional or inadvertent. The responsibility rests on the team to refuse any attempted prohibited communication.

3. Attending Rounds After Elimination

Teams that have already been eliminated may attend the subsequent rounds. If there is another team from the same school in the final round, communication between the eliminated team and the participating team is prohibited until the round is completed.

If the Final Round at a regional competition consists of having one round with two head-to-head consultation sessions (like the preliminary rounds), teams competing in the first consultation session cannot watch the teams competing in the second consultation session.

Observation of Rounds. Under no conditions may a team that is still alive in the competition observe others. A team is “alive” until it has been eliminated from the competition.

Preliminary and Semifinal Round: Faculty advisors, team coaches, and team alternates, and other observers permitted by these rules, may observe their own teams (subject to space availability). The team, its alternate(s), and its faculty advisor/team coach may not observe other teams competing in any round while their team is still alive in the competition. Teams that are eliminated may observe other teams compete in subsequent rounds, except in the case of two teams from one school. In that instance, an eliminated team may observe their school’s team compete in the semifinal round, if space is available, but no other. A coach with multiple teams in competition may either 1) observe one team throughout an entire round and communicate with the team between interviews or 2) split his/her time between the multiple teams but will be prohibited from communicating with any of the teams between interviews.

Final Round: Anyone may observe the final round except any team member that has participated or will participate in the final round. Observers, including coaches and schoolmates of the final round teams, must comply with the following conditions: 1) observers must enter prior to the commencement of any interview and may not leave until a break in between teams, 2) **observers may not communicate with any of the final round competitors until after the results are announced;** 3) cell phones and other electronic devices must be off and may not be used for any purpose.

At the discretion of the host school, and if space permits, family members and other observers may observe the round. All observers are subject to the rules listed in this section.

Communications and observations in violation of this rule can result in disqualification.

23. PROFESSIONAL CONDUCT

The ABA Model Rules of Professional Conduct govern the conduct of all participants including students, faculty advisers, team coaches, administrators, and observers. Everyone who participates is expected to act professionally at all competition-related events. . In the event of violations of an egregious nature, the ABA Law Student Division in consultation with the Client Counseling Competition Subcommittee may notify the competitors' dean of the violations for further disciplinary action at the school's discretion.

24. RULES INTERPRETATION

The Client Counseling Competition Subcommittee, in its sole discretion, shall interpret these rules and may create additional rules to govern situations not covered by these rules or to ensure fairness in the competition. Its decisions are final.

25. VIDEO RECORDING

The Final Round at regional competitions and the national competition may be video recorded. A student's decision to enter and participate in the competition constitutes consent to video recording. As a condition of publication and for no monetary compensation, this consent grants the ABA the nonexclusive worldwide rights to reproduce, distribute, and sell any visual material in connection with the student's participation, in whole or in part, in any media, as part of a course book or any other publication published under the auspices of the ABA and to license these rights to others. Consent also grants the ABA the right to use student's name, voice, and image in connection with the published competition materials.

No video or audio recording by teams or spectators is permitted.

26. AWARDS

Each participant in the regional competition will receive a certificate to be awarded at the regional competition as long as the team member names and ABA member identification names are submitted by the stated deadline. Each first place team in the regional competitions will receive a trophy for the school, as well as individual certificates for the team members. These awards will be distributed during the national competition at the National Competition Awards Banquet. (NOTE: IT IS MANDATORY THAT ALL NATIONAL FINALIST TEAM MEMBERS AND COACHES ATTEND THE NATIONAL COMPETITION AWARDS BANQUET TO RECEIVE THEIR AWARDS.) The first place team in the national competition will receive a trophy for its school and individual certificates for the team members. The second and third place teams in the national competition will receive a plaque for the school as well as individual certificates for the team members.

Any monetary awards provided by corporate sponsor(s) may be presented to the individual student competitor(s) of the national competition championship team pursuant to the Law Student Division document entitled "Corporate Sponsor/Award Policy" as amended from time to time. (This is subject to change without notice.)

27. EXPENSES

All competition expenses, including lodging, travel, and incidental costs, are the responsibility of the competitors and will not be reimbursed by the ABA Law Student Division.

28. ADDITIONAL TERMS AND CONDITIONS

This Competition is governed by United States law and all relevant federal, state and local laws and regulations apply. By entering, all participants agree that the Competition shall be governed by the laws of the State of Illinois, that the courts of Illinois shall have exclusive jurisdiction, and that Cook County, Illinois shall be the venue for any dispute or litigation arising to or arising from the Competition. This Competition is void where prohibited by law.

By participating, each entrant agrees with these Competition Rules and the decisions of the ABA, and releases and discharges the ABA, subsidiary and affiliated entities, and each of their respective officers, directors, members, employees, independent contractors, agents, representatives, successors and assigns (collectively, "Sponsor") from any and all liability whatsoever in connection with this Competition, including without limitation, legal claims, costs, injuries, losses or damages, demands or actions of any kind (including without limitation personal injuries, death damage to, loss or destruction of property, rights of publicity or privacy, defamation, or portrayal in a false light) (collectively, "Claims"). Except where prohibited, acceptance of a prize constitutes a release by any winner of the Sponsor of any and all Claims in connection with the administration of this Competition and the use, misuse or possession of any prize. Sponsor is not responsible for errors or for lost, late, or misdirected mail or email, or telecommunication or hardware or software failures, including by reason of any bug or computer virus or other failure. Sponsor may cancel, modify or terminate the Competition if it is not capable of completion as planned, including by reason of infection by computer virus, tampering, unauthorized intervention, force majeure or technical difficulties of any kind.

29. INFORMATION

Questions concerning schedules, facilities, and accommodations for the Regional Competitions should be directed to the Regional Host School Administrators. Questions about the Client Counseling Competition in general, rules interpretation, and the National Finals Competition may be directed to:

American Bar Association
Law Student Division
Attn: Client Counseling Competition
321 North Clark Street
Chicago, Illinois 60654
312-988-5621 competitions@americanbar.org.

Competition information is available on the competition's web site at www.ambar.org/lsdcompetition

APPENDICES

CLIENT COUNSELING COMPETITION FEE SCHEDULE

We have decided to adopt a uniform fee schedule for all contestants so that no team will suffer because a judge disagrees with its decision as to how much to charge. All judges and competitors will be given this schedule:

1. The initial interview with both counsel will be billed a flat rate of \$100 total. Further work will be billed at \$200 per hour of either lawyer's time.
2. Fees will be waived or suitably reduced in cases of financial hardship, either for persons of low income or for persons of ordinary income faced with very large fees.
3. Work will be done on a contingency basis in appropriate cases. If it is not apparent that the case in question is one in which there is a good chance of recovery, the office may require a preliminary investigation at hourly rates before entering into a contingent fee arrangement.
4. The office may require the client to pay a retainer prior to commencing any further legal services. [The amount of retainer requested, if any, will not be considered for judging purposes, as standard amounts may vary significantly across regions. However, if a retainer is requested, the attorneys should be able to explain how it will be applied against the fees incurred.]

CLIENT COUNSELING COMPETITION STANDARDS FOR JUDGING

1. *Working Atmosphere:* Established the beginning of an effective professional relationship and working atmosphere and, if and when appropriate, oriented the client to the special nature of the relationship, including confidentiality, explanation of fees, responded to client's concerns, discussed mutual obligations and rights, after-hours availability, duration and plan of the consultation etc. in a courteous, sensitive and professional manner.
2. *Description of the Problem:* Learned how the client viewed his or her situation, using a combination of listening and questioning, drawing out both information and feelings, as appropriate, to develop a reasonably complete and reliable description of the problem.
3. *Client's Goals and Expectations:* Learned the client's goals and initial expectations, modified or developed these as necessary.
4. *Problem Analysis:* Analyzed the client's problem with creativity and from both legal and non-legal perspectives, resulting in a clear and useful formulation of the problem.
5. *Substantive Law:* Accurately articulated the applicable substantive law from their jurisdiction or identified legal issues that required more research before legal advice could be given.
6. *Moral and Ethical Issues:* Recognized, clarified, and responded to any moral or ethical issues that may have arisen, without being prejudicial or judgmental.
7. *Alternative Courses of Action:* Consistent with the analysis of the client's problem, developed a set of potentially effective and feasible alternatives, both legal and non-legal.
8. *Client's Informed Choice:* As appropriate, assisted the client in his or her understanding of problems and solutions and in making an informed choice, taking potential legal, economic, social, and psychological consequences into account.
9. *Effective Conclusion:* Concluded the interview skillfully and left the client with a feeling of reasonable confidence and understanding, with appropriate reassurance, and with a clear sense of specific expectations and mutual obligations to follow.
10. *Teamwork:* As collaborating counselors, worked together as a team, with flexibility and an appropriate balance of participation.
11. *Post-Interview Reflection:* During the follow-up phase, gave evidence of having recognized their own and the client's feelings, the strengths and limitations of their interviewing and counseling skills, their handling of the substantive aspects of the client's problems (legal and non-legal), and provided for an effective follow-up.
12. *Overall Rating:* Synthesizing the above criteria, including how effectively the team used its time, how do you rate the client counseling team?

Judges will use the following scale to assess the performance of the team on each of the standards above. At their option, judges may provide additional written feedback.

a = highly effective **b** = effective **c** = somewhat effective **d** = ineffective **e** = very ineffective

Oral feedback during the preliminary round should be limited to about 2 minutes/judge and should highlight one compliment and two areas of improvement.

Oral feedback to competitors should be confined to those areas that are properly the basis of the judging criteria indicated above. As further guidelines, we provide the following:

Types of Oral Feedback Encouraged

- How the competitors discussed the relevant substantive law (despite jurisdictional differences)

Types of Oral Feedback Prohibited

- Appearance (clothing, facial features, hair, makeup, grooming, suit fit)
- Speech impediment and accents
- Race and ethnicity – including names or surnames
- Gender, gender identity or gender expression
- Religious clothing or jewelry
- Other things that a competitor cannot change for the next round
- Jurisdictional differences in the substantive law