

**Proposed Suspension and Temporary Amendment to Rule 10(g)
of the CNMI High School Mock Trial Rules of Competition**

January 16, 2026

Dear Competitors and Coaches,

The team here at the U.S. District Court for the NMI, in partnership with the NMI Bar Association and the CNMI Public School System, looks forward to hosting you at the 2026 CNMI High School Mock Trial Competition! Now that the final number of teams has been confirmed, I write to inform you that with seven participating teams, we must use byes. Upon review of the current Rule 10(g), addressing byes, and in an attempt to improve fairness when calculating scores and determining advancement, I write to give notice of a possible suspension of Rule 10(g) of the CNMI High School Mock Trial Rules of Competition and invite comments from you before a final decision is made.

Based on the number of teams this year, some teams will compete in all four rounds; others will receive one bye and compete in three rounds. The use of byes raises issues for scoring and ranking teams because teams will not share the same total number of actual rounds in which they could compete for ballots and earn scores against a live opponent. Rule 10(g) currently provides:

A team receiving a bye will be awarded a win and three [b]allots for that round. The team may temporarily be given total points equal to the average number of points for all round one winning Mock Trial Teams. The total will be adjusted at the end of each round to reflect the average points earned by that Mock Trial Team.

CNMI HIGH SCH. MOCK TRIAL RULES 10(g).

This Rule, as presently written, may unfairly reward teams receiving byes and significantly increases the difficulty in timely and accurately calculating scores. A team receiving a bye will receive boosts to the first three criteria for advancement set forth in Rule 10(e) (record, ballots, points) without having to compete, simply by virtue of their random, arbitrary assignment in the schedule. And current Rule 10(g)'s prescription for potentially assigning a point total that needs to be readjusted between rounds complicates the entire score calculation process.

There is an alternative means of accounting for byes that may be fairer to all competitors and less technically demanding on the calculation process. The new procedure would be for all teams to have only three rounds of scores that will count toward the determination of rank and advancement—*i.e.*, teams that compete four times will have one round dropped and not counted toward their rank and advancement calculation, while teams that compete three times will have all three rounds' scores counted. Practically, the calculation and determination would be as follows:

- (1) Once the fourth round is completed for all competitors, all teams' ballots and score sheets will be tabulated.
- (2) Teams that competed four times (*i.e.*, no byes) will have the ballots and scores from the single round in which they performed the weakest excluded (“dropped”). The determination of which round is “weakest” will generally follow the order of the criteria set forth in Rule 10(e).
 - a) Teams that only have a single loss (3-1) will have the loss excluded.
 - b) Teams that have multiple losses (2-2, 1-3, 0-4) will have the round with the lowest number of ballots excluded. Should multiple lost rounds have the same number of ballots, the round with the lowest total accumulated points will be excluded. Should multiple lost rounds still remain tied, the round that has the least point spread will be excluded.
- (3) Teams that competed three times (*i.e.*, one bye) will not have any rounds excluded.
- (4) Once “drops” are complete, Rule 10(e) governs the determination of which teams will advance to the championship round as if the “dropped” rounds (including ballots and scores from the “dropped” rounds) do not exist.

We hope the above method will be a significant improvement over the procedures set forth in current Rule 10(g). First, the dropping of rounds would normalize the total number of counted rounds across all teams, thus permitting the application of Rule 10(e)’s advancement criteria on actual rounds of competition. Second, teams will be put on fairer footing in terms of spreading out

the advantages and disadvantages of using byes. And third, all involved in the Competition will have clarity on how teams are ranked.

The proposal is to suspend Rule 10(g) for this year's Competition, with the following substitute language governing the procedure for determining team ranking and advancement:

(g) Procedure When Byes are Necessary.

- i. Where the number of teams and rounds will not permit all teams to compete in all rounds, a team that is not scheduled to compete against an opposing team in a round will receive a bye for that round.
 1. All teams, regardless of whether they receive a bye, will be judged and scored in all rounds in which they are scheduled to compete against an opposing team.
 2. A bye shall not count toward any of the criteria for ranking and advancement as set forth in Rule 10(e).
- ii. Where the use of byes is necessary, the determination of team ranking and advancement is modified as follows:
 1. The number of judged and scored rounds for all teams, regardless of whether they receive a bye, that will count toward the criteria for ranking and advancement as set forth in Rule 10(e) will be equal to the lowest number of rounds, among the teams receiving byes, with a scheduled opposing team.
 2. For teams competing in more rounds than will count toward ranking and advancement, the team's lowest-performing excess rounds (and results, ballots, and scores therefrom) will be excluded from counting toward ranking and advancement, with "lowest-performing" determined first by the overall result, then number of ballots, then total score accumulated, then point spread (total points earned less total points earned by the opposing team).
 3. Once excess rounds have been excluded, determination of team ranking and advancement will follow the criteria as set forth in Rule 10(e).

All teams are invited to submit comments on the above proposal by January 26, 2026. Comments can be submitted via email to qcclerks@nmid.uscourts.gov. A final decision on the proposal, taking into consideration all comments, will be made by February 2, 2026.

Sincerely,



Heather L. Kennedy
Clerk of Court / Magistrate Judge
Mock Trial Coordinator