

## **NPTC 2021 Clarification Questions and Answers**

**Q: After reading the problem I realized a few inconsistencies with the dates provided. For example, the competition problem identifies the indictment as being dated January 19, 2021[,] but the actual indictment is dated [September 21, 2021]. Same thing with the initial appearance transcript and the order on the initial appearance[,] where they were both identified as being dated January 21, 2021[,] but are actually dated within themselves [as September 23, 2021]. I didn't see anything in the rules that led me to believe we can just assume one date over the other.**

A: The dates on the court documents are correct, and table of contents will be amended to reflect these dates.

**Q: Are competitors expected to conduct independent legal research and incorporate relevant case law into their legal memorandum? Or[] are they limited to the materials in the course packet, as in a “closed universe” memorandum?**

A: The legal issues the teams must address in their memoranda are not “closed universe.” Please consult the Competition Rules for more information on the memoranda.

**Q: For oral arguments: are competitors strictly limited to the content and arguments they included in their memo? More specifically, will they be penalized for omitting a particular point that was contained in the memo, or for presenting additional arguments or facts that were not contained in the written portion?**

A: Teams are scored separately for their memoranda and oral presentations. Teams' oral presentations must be limited to the issues stated in the Competition Problem, but they are not limited to the arguments or cases discussed in their memoranda. Please consult the Competition Rules for more information on how teams are scored.

**Q: Are the photos of the money, marijuana packet, and Argentinian identification information (pages 54-56)[,] the items found when searching Wanda's residence? If so, which witnesses, if any, can attest to the authenticity of the images on pages 54-56?**

A: The photos of money, marijuana, and Argentinian identification card are photos of the items found when searching Wanda Maximoff's residence as referenced in Special Agent Woo's Supplemental Declaration.

**Q: Which witness, if any, can attest to the authenticity of the Summary of Wanda Maximoff's International Travel Records beginning on page 49?**

A: The competition materials speak for themselves, and all exhibits are authentic. Please consult the materials in the Competition Problem to the extent they address admissibility.

**Q: Which witnesses, if any, can attest to the authenticity of the Toxicology Lab Urinalysis Report on page 57?**

A: The competition materials speak for themselves, and all exhibits are authentic. Please consult the materials in the Competition Problem to the extent they address admissibility.

**Q: Can Dr. Darcy Lewis attest to the hemodialysis process on page 58?**

A: The materials available to the teams are limited to the Competition Problem. Dr. Lewis can attest to the information contained in his/her/their statement along with the demonstrative and real-world image referred to in his/her/their statement.

**Q: Why was the first indictment dismissed?**

A: The materials available to the teams are limited to the Competition Problem.

**Q: Will we receive copies of Administrative [O]rders No. 20-019 and No. 21-008?**

A: The materials available to the teams are limited to the Competition Problem.

**Q: When is the exact birthdate of Maximoff's sons?**

A: The materials available to the teams are limited to the Competition Problem.

**Q: Does Ty Hayward have a supervisor? Is he the one who determines the healthcare plans of the jail? Does he have a more official title than just "Jail Corrections Officer"?**

A: The materials available to the teams are limited to the Competition Problem.

**Q: Does the COVID-19 vaccine prevent transmission of the Theta strain? In other words, can the Theta strain of Covid-19 still be transmitted by a vaccinated person? How deadly is the Theta strain of Covid-19?**

A: The materials available to the teams are limited to the Competition Problem.

**Q: Are the (4) team members required to maintain their roles as either a witness or an advocate throughout the competition, or are they able to alternate each round?**

**For example, if a team is composed of members A, B, C, and D, may A and B compete as advocates in preliminary round 1 and C and D compete as advocates in preliminary round 2? Or, are A and B required to compete as advocates in every round?**

A: Page 2 of the NPTC Rules states under Section II TEAM COMPOSITION and subsection A. Team Defined:

1. A team consists of four persons, each of whom satisfies the criteria listed in section (B) below. Teams may have one additional student on their roster to serve solely and exclusively as a team technician responsible for technology needs, such as display of exhibits. This team member may not play the role of advocate or witness during the competition. Teams may also assign those responsibilities to one or more of the other rostered members.
2. No person may be a member of more than one team.
3. During the Evidentiary Presentation, two team members will serve as advocates and present the evidence, and two team members will serve as witnesses.
4. The same two advocates presenting the evidence will also argue during the Motion Hearing.

Based on the language from the NPTC Rules above and using your example in your question, A, B, C & D must maintain their roles in the round in which they are competing. For example, if A & B were advocates and C & D were witnesses in the Evidentiary presentation for Preliminary Round 1, then in the Motion hearing for Preliminary Round 1, A & B must continue to be the advocates.

Most teams rotate team roles depending on the side they are presenting. For example, when presenting as defense a team might assign A & B as advocates and C & D as witnesses, but when presenting as prosecution, a team might assign C & D as advocates and A & B as witnesses. This type of rotation divides up the workload.

However, nothing in the rules stops a team from assigning A & B as advocates and C & D as witnesses no matter what side is being presented. This is a matter of personal team preference.