

Jessup Competition 2011

Memorandum: Prohibition of Plagiarism

November 8, 2010

MEMORANDUM

From: ILSA Executive Office and Russian National Administration of the Jessup Competition

To: 2011 Jessup Participants

Re: Prohibition of Plagiarism

This memorandum has been prepared in order to explain the definition of plagiarism in more detail to the Jessup participants and to provide them with some helpful tips on how to avoid plagiarism in your work product. This memorandum shall serve as an official interpretation of the Official Rules of the Jessup Competition and will be relied upon by the Jessup Administration when assessing teams' compliance with Official Rule 11.1.1.

According to the 2011 Official Rules, "plagiarism means the act of appropriating the literary composition of another, or parts or passages of another's writings, or the ideas or language of another, and passing them off as the product of one's own mind, either through exact duplication of another's work or by lifting substantial portions without attribution".

In compliance with the existing internationally recognized standards of legal writing, plagiarism is prohibited and severely punished at the Jessup Competition. The widespread tolerance of plagiarism in some educational institutions in a particular nation does not extend to the Jessup Competition.

Each written Memorial will be thoroughly checked for plagiarism. Any occurrence of plagiarism will be penalized in accordance with Official Rule 11.1.1. Upon recommendation from the Russian national administration, the ILSA Executive Director may take a decision to disqualify the team(-s) engaged in plagiarism. Such decisions will be communicated to the team(-s) no later than 5 (five) calendar days before the start of the 2011 Russian Rounds of the Jessup Competition.

Teams and/or team members that engage in plagiarism take full responsibility for the cancellation of their travel to and from Moscow and the associated expenses and possible financial losses.

What exactly is prohibited and punishable in accordance with the Official Rules:

- Direct copying of one or several sentences or a part of a sentence verbatim from the original source without a footnote, or with a footnote but without quotation marks (or indents per Official Rule 6.2.5);
- Direct copying of several sentences or a sentence and a part of another sentence verbatim from the original source without quotation marks and with only one footnote at the end of the last sentence;
- Simple rewording (paraphrasing) of a sentence (for example, adding one or several words of your own in the source text or change of order of words in the source text), unless accompanied with a footnote and quotation marks for the reproduced original text;
- Incorporation into the memorial of a translation of the original text from any language into English verbatim, unless accompanied with a footnote and quotation marks;
- Using another person's work as the work of the team.

TIPS HOW TO AVOID PLAGIARISM:

Tip 1 (general). Research and write, do not copy and paste Research in order to collect the maximum of useful information. As you are researching, read and digest information and think of how it may be relevant to the facts of the Compromis. Take notes. Discuss with the other team members. Analyze the collected information, apply it to the Compromis and then put the result on paper (screen).

The Jessup Competition requires months of preparation, and the above is the very reason why.

Do not start researching and drafting your Memorials in December. Start now.

Tip 2. Express original sources in your own words, do not copy and paste

The only way to prepare a good Memorial is to use original sources without copying them. Read one or several sources, analyze them and then put together your own sentence or passage. Then put a footnote referring to all the sources you have read and analyzed while drafting this particular sentence or passage. The more sources you have analyzed to reach your own conclusion, the better impression it will make upon a judge.

Tip 3. If you are especially keen on a particular passage, quote it and put a footnote OR express such passage in your own words

If you have come across a passage that you believe must be in your Memorial, use quotation marks (or indent, see Official Rule 6.2.5) and put a footnote.

However, if you have come across many passages that you think must be in your Memorial, remember that extensive quotation is hazardous and does not produce good impression. The only available solution here is to write the passages you desire in your own words (remember that simple rewording is also plagiarism) and put one or more footnotes, as appropriate (see Tip 2 above).

Tip 4. Never translate any official document from your native language (or any other language) into English, unless you have checked that no official English version is available

In order to perform such a basic check, you may simply use Google or any other internationally recognized search engine (using any Russian search engines for this purpose may not be as effective).

Normally, all international documents (including conventions, UN documents, such as GA and SC Resolutions, declarations, etc.) will have an official English version.

Remember to quote the selected section of the official document in your Memorial and put a footnote.

If you chose to translate a passage from any document or any other text, take the translated text in quotation marks and put a footnote. Indicate that the quoted text has been translated.

Tip 5. Apply the law to the facts

When drafting each paragraph of your Memorial, remember that a good Jessup Memorial is never a simple re-statement of the law but rather a smart combination of the law applied to the facts of the case. Always keep this in mind, and you will see that using this approach is the

simplest way to avoid any urge to plagiarize; it will be unnecessary and contrary to the format of your Memorial.

Tip 6. During the Oral Rounds, know your sources

During the Oral Rounds the plagiarism can be traced down by a judge if s/he receives an unsubstantiated answer. You must know all sources supporting each of your arguments and be prepared to refer to those sources when speaking in front of the judges panel. A reasonable and smart amount of sources should be incorporated into your oral presentation from the very outset. For the best tactics in this respect, please refer to the video samples published at jessup.whitecase.com.

We trust that the above helps you prepare your written and oral pleadings. Remember that the prohibition of plagiarism is not a recommendation but a mandatory rule which is strictly enforced by the Russian and International Jessup administration.

We wish you all the best with your preparation to the Competition and hope to see all of you at the Russian Rounds in Moscow.

Sincerely yours,

Russian National Administration of the Jessup Competition and ILSA Executive Office