American Bar Association
Business Law Section
2018-2019 Mendes Hershman Student Writing Contest
OFFICIAL RULES

THIS IS AN ESSAY CONTEST. NO PURCHASE IS NECESSARY TO ENTER OR WIN.

By submitting an essay, a contestant agrees to be bound by these official rules and by all decisions of the ABA, on behalf of its Business Law Section (“ABA”), whose decisions are final.

Contestant Criteria

- Eligibility to participate in this contest or to win prizes is limited to an individual who at the time of entry is:
  - at least 21 years of age;
  - a legal resident of the United States; and
  - a student enrolled in an ABA-accredited law school in good standing at the time of submission (can be pursuing either a JD or LLM degree).
- Contestant need not be a member of the ABA or the Business Law Section.
- Limit 1 entry and prize per contestant.
- Employees, officers, directors, contractors, agents and representatives of the ABA and their immediate families and household members are ineligible to enter the contest.
- The ABA’s determination of eligibility, in its sole discretion, is final.

Submission Criteria and Application Process

- The ABA will accept entries from November 15, 2018, through midnight (CST) February 15, 2019, and will not consider any entry received after the due date and time.
- Entry form can be found on the Mendes Hershman Webpage.
- Entry form and essay should be submitted to Khalilah.Bruton@americanbar.org.
- Essays must be:
  - original in content;
  - in the English language;
  - written during 2018-2019 or the current academic year;
  - submitted in electronic format (Word or .pdf);
  - 100 typed pages or less (typically essays are 20-30 pages long), including footnotes, with 12-point font and 1-inch margins; and
  - specifically written for this contest; a law school class, seminar, or independent study; or a law review or journal note, comment, or article.
- Essays submitted to, or published by a student publication are acceptable. The submission entry form must indicate to which publication the work was submitted and if the work was published.
- All entries are final. No revisions are accepted.

Please note: Entries that do not meet these requirements will be disqualified.
Judging and Winner Selections

- The ABA will appoint a committee to judge all essays. The decision of the judges is final.
- Essays will be judged on choice topic, quality of research, legal analysis, writing style, originality, and contribution to the literature available on the topic. All essays should be business law related.
- The ABA reserves the right not to award any prize(s) if, in the ABA's sole judgment (based upon the committee's recommendation), the quality of submitted entries does not merit award(s) or publication.

Prizes

The ABA will award the following prize:

- **First Place**: $1,000 cash prize.
- **Second Place and Third Place winners**: eligibility to have their essays considered for publication in *Business Law Today*.

Announcement and Notification of Winners

- On or before March 22, 2019, the ABA will notify all winners via telephone and will post a list of winners on its website at: https://www.americanbar.org/groups/business_law/initiatives_awards/mendes_hershman/

- Winners are responsible for all taxes associated with the fair market value of prizes. The ABA will report any prize with a fair market value greater than $600.00 to the IRS on Form 1099.
- The ABA requires prize winners to execute an affidavit of eligibility, publicity release (except where prohibited), liability waiver, and IRS Form W-9 prior to the delivery of any prize.
- If a prize winner: (i) cannot be located (e.g., an email notification or prize is returned as undeliverable) or does not respond to an award email notification within 30 days from the winner announcement date; (ii) is found to be ineligible (as determined solely by the ABA); or (iii) fails to execute an affidavit or other documentation as required by the ABA, the ABA may consider such prize winner to have forfeited the prize, and may, at its sole option, award the prize to another contestant.

The ABA makes no warranties with regard to the prizes. Prizes are non-transferable and winners have no right of substitution.

Additional Terms and Conditions

- The ABA is not responsible for any computer or software errors, Internet failures, misdirected email, printing errors in these rules, or other technical failures incurred by contestants.
- By entering this contest, contestant:
  - represents that his/her essay is original content;
  - understands that ABA will not return any submitted copies of essays;
  - agrees that the ABA may use his/her name and likeness in connection with this contest and a winning essay; and
  - agrees that the ABA may consider publishing a winning essay in an ABA publication (including *The Business Lawyer*, the premier business law journal in the country) provided that: (i) such winning essay is previously unpublished, except to the extent it was published in a student publication;
and (ii) contestant gives the ABA a right of publication worldwide and the right to use contestant’s name, likeness and biography in connection with such publication.

o agrees that the ABA has the right to edit the essay to conform to the periodical’s standards of style, technological requirements, language usage, grammar, and punctuation, provided that the meaning of the essay is not materially altered.

• Each contestant hereby releases the ABA and its respective employees, officers, directors, contractors, agents, representatives, successors and assigns from any damage, loss, or other liability that may arise from or in any way relate to participation in this contest. This contest will be governed by all federal, state, local and municipal laws and regulations. This contest is void where prohibited by law. Any claim, judgment or award will be limited to a contestant’s actual out-of-pocket costs associated with entering this contest. Contestant hereby waives any right or claim to attorney’s fees, indirect, special, punitive, incidental, or consequential damage.

• Information provided by entrants in connection with this contest is subject to the ABA’s privacy policy available at http://www.americanbar.org/utility/privacy.html

• Chances of winning will vary depending on the number and quality of entries. The Section reserves the right not to award any prize if the judges determine that no entries are of sufficient quality to merit selection that year.

• Any individual may elect to opt out of receiving future contest mailings by calling the ABA Service Center at 800-285-2221.

The Mendes Hershman Student Writing Contest is sponsored by the American Bar Association through its Business Law Section.

American Bar Association
Business Law Section
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Please contact Lilah Bruton with any questions at Khalilah.Bruton@americanbar.org or at 312-988-6398.