

## **ABA Section of Real Property, Trust and Estate Law Law Student Writing Contest**

Sponsored By:

University of Miami School of Law Graduate Programs in Estate Planning  
and Real Property Development

### **Contest Rules**

**Goals:** The goal of the American Bar Association ("ABA") Real Property, Trust and Estate Law Student Writing Contest ("Contest") is to encourage and reward law student writings on real property, trust and estate law subjects of general and current interest. As part of this effort, the ABA will sponsor the Contest, which invites law school students to submit to the ABA Section of Real Property, Trust and Estate Law ("Section"), original essays on a current topic dealing with real property, trust and estate law. The essay contest is designed to attract students to the real property, trust and estate law field, and to strongly encourage scholarships in these areas.

**Who May Enter:** Open to any law school student in good standing, over the age of 18, who is currently attending an ABA-accredited law school within the United States and its possessions.

**Deadline:** Entries must be received by the Section no later than June 20, 2008.

**Essays:** To enter, submit an essay on a current topic dealing with real property, trust and estate law. "Real property, trust and estate law" is a broad category containing numerous practice disciplines. Without attempting to define the area precisely, the subject is intended to include matters within law school curricula in courses entitled: Property; Estate and Gift Tax; Wills and Decedents' Estates; Real Estate Development; Environmental Law; Land Use Planning; Federal Taxation; Real Estate Finance; Secured Transactions; Debtors and Creditors; Employee Benefit Plans; Planning, Drafting and Negotiating Commercial Transactions; Taxation and Regulation of Non-Profit Organizations; Business Succession Planning; Life Insurance and Other Insurance Products; Trusts and Trust Law; Wealth Management; Fiduciary Income Taxation; Estate Planning; and Probate and Estate Administration. The Section will interpret the scope of the subject broadly to ensure that the Contest affords the greatest degree of flexibility in writing on these subject areas. Entrants are encouraged to write on subjects of national interest. Entrants must submit their own original essay. If the winning essay is found not to be an original it will be disqualified and a new winner will be selected.

**Specifications:** Essays must be submitted electronically, as an attachment to an e-mail message to [rpte@staff.abanet.org](mailto:rpte@staff.abanet.org) with the subject line, "WRITING CONTEST ENTRY" (in all caps), formatted for standard, 8-1/2 x 11 inch paper and double spaced. All margins must be one-inch. Essays must not exceed 50 pages of double-spaced typed text, including footnotes. Only one essay is to be submitted for each entrant. Entrants should write essays in traditional law review style, presenting a scholarly discussion with full citation to authority in footnotes. Lengthy lists and outlines normally are not appropriate within the text of an essay; however, they may be included as appendices to a textual discussion. For example, if the law of all states on a subject is surveyed, the essay may

compare analytically how and why the law differs between jurisdictions. A listing of the law by jurisdiction within the body of the essay would generally not be appropriate. If such a listing of the law by jurisdiction would be of particular value to the reader, it may be included in an appendix to the essay. Entrants should write essays in the active voice and in the third person. Essays should conform to *The Bluebook-A Uniform System of Citation* and to the *Texas Law Review Manual on Style*.

Entrants who do not have access to these books should conform generally to William Strunk, Jr. & E.B. White, *The Elements of Style*.

**Prizes:** The first-place winner will receive \$1,500 cash and a one-year free membership in the Section (valued at \$50), plus free round-trip airfare and weekend accommodations to attend the Section's Fall Council Meeting November 5<sup>th</sup> - 9<sup>th</sup> in Montreal, Quebec Canada (airfare, hotel accommodations, and luncheon ticket are valued at approximately \$1,000). The first-place winner's essay will be considered for publication in the *Real Property, Trust and Estate Journal*, and may appear in an upcoming issue. The first-place winner will be announced in an upcoming issue of *Probate & Property*, the Section's magazine. The second-place winner will receive \$700 cash and will be announced in *Probate & Property*. The third-place winner will receive \$500 cash and an honorable mention in *Probate & Property*. No substitutions will be permitted, except at the sponsor's discretion, in which case a prize of equal or greater value will be substituted. Any taxes are the responsibility of the winners. Only one winner allowed per family or household. All prizes will be awarded. Duplicate prizes will be awarded in the event of a tie.

**Entries:** All expenses involved in preparing and submitting an entry are the entrant's responsibility. Winners must relinquish all rights to the ABA to reproduce entries in any medium and without restriction. Essays submitted must have been created by the entrant, must never have been published in any other medium, and must have been written after September 1, 2007.

By entering, the winners give the ABA the right to reproduce any essay material submitted in any medium without time, use, or territorial limitation, as long as such is for noncommercial purposes. Entries will not be returned. All entries submitted to the ABA become the property of the ABA.

Entrants must submit their essays with a title page included. The title page should contain only the essay's title and the entrant's social security number. The entrant's name is not to be on any page of the submitted essay. Entrants' identities will not be known to the judges. In addition to the essay, each entrant must complete and submit an official entry form published by the ABA that will provide the title of his or her essay and date, the entrant's printed name and signature, social security number, law school, year of expected graduation, and all permanent and temporary addresses and telephone numbers. Forms that require signatures should be printed, signed, scanned and then attached to the e-mail message which submits the writing contest entry.

The entrant's signature verifies: (1) that the entrant has read the competition rules and accepts the conditions stated; (2) that the essay is written by the entrant; (3) that the entrant releases the ABA from all liability; and (4) that the entrant releases the use of his or her essay and name for publication in any medium and for editorial, advertising, and

promotional usage, without compensation, in connection with the promotion by the ABA of this and succeeding essay contests sponsored by the ABA. Entrants must also submit the requisite publication release form attached to the official entry form. Official entry forms and releases are available from the Section's Website at <http://www.abanet.org/rpte>. If the essay title page, official entry form, and the required release forms are not all fully completed, signed, and submitted with any entry, the entry will be disqualified. Proper submission of all required forms constitutes acceptance of all conditions set forth in these rules.

**Tennessee Residents Only:** The entry form for Tennessee residents will exclude the requirement that the entrants allow the use of their names in any medium, and for editorial, advertising, and promotional usage, without compensation, in connection with the promotion by the ABA of this and succeeding essay contests sponsored by the ABA.

**Judging:** The essays will be judged on the basis of research and analysis, choice of topic, writing style, originality, and contribution to the literature available on the topic. A national first, second, and third-place winner will be selected on or before September 1, 2008, by a panel of 6 judges that will include academics and practitioners appointed at the discretion of the Section's Publications Committee. The decision of the judges shall be final. The ABA will attempt to notify all winners by mail and announce the awards through a news release nationally distributed prior to September 15, 2008.

**Restrictions:** Void where prohibited. Only previously unpublished essays are eligible. Essays prepared for law school credit are eligible provided they are the entrant's original work. Each entry shall be the original work of a single individual. Jointly authored essays are not acceptable. Although the entrant may obtain some guidance from others, the work must be that of the entrant. The ideas and work reflected by each essay must be the entrant's own. The entrant must perform all of the key tasks of identifying the topic, researching it, analyzing it, formulating positions and arguments, and writing and revising the essay. The entrant may inform another of the entrant's progress in performing these tasks, and accept a reasonable amount of responsive advice. For example, the entrant may obtain a professor's opinion that a proposed topic is a good choice, that a detailed outline should be reorganized or that a first draft unwisely omits to cover a subtopic or to raise and respond to criticisms of the entrant's thesis. The entrant must limit the amount of such advice sought or received, so that the final essay truly reflects the entrant's own ideas and work, not another's. Section officers and Council members, staff, and the panel of judges shall not participate in this process.

**Submission:** Entries must be submitted electronically, as an attachment to an e-mail message to [rpte@staff.abanet.org](mailto:rpte@staff.abanet.org) with the subject line, "WRITING CONTEST ENTRY" (in all caps). In addition to the essay, each entrant must complete and submit an official entry form published by the ABA that will provide the title of his or her essay and date, the entrant's printed name and signature, social security number, law school, year of expected graduation, and all permanent and temporary addresses and telephone numbers. Forms that require signatures should be printed, signed, scanned and then attached to the e-mail message which submits the writing contest entry.

**AMERICAN BAR ASSOCIATION SECTION OF  
REAL PROPERTY, TRUST AND ESTATE LAW**

**LAW STUDENT WRITING CONTEST**

**OFFICIAL ENTRY FORM**

**Affidavit of Eligibility**

**Release of Liability**

**Advertising Release**

I, \_\_\_\_\_, being duly sworn on this \_\_\_\_ day of \_\_\_\_\_, 2008, state as follows:

1. I have read, understood, have complied with and accept the terms of the Official Rules for the American Bar Association Real Property, Trust and Estate Law Student Writing Contest ("Contest").

2. I warrant and represent that (a) I personally wrote the essay submitted by me to the Contest, and (b) the essay submitted by me had not been published prior to its submission to this Contest.

3. I am a law school student, over the age of 18, who has not graduated from law school, and I am a citizen and/or resident of the United States. I am not an employee of the American Bar Association ("ABA") or an immediate family member or member of the household of an employee of the ABA.

4. I hereby release, discharge and hold harmless the ABA local and state Contest organizers and their successors, assigns, officers, employees and agents associated with the Contest from and against any and all liability, loss, damage, expense, claims, settlements or judgments of any kind whatsoever, including attorneys' fees, whether in contract or in tort, arising directly or indirectly as a result of my participation in the Contest, and my acceptance and use of any prize awarded to me.

5. If selected as a winner, I consent to the use of my name, biographical data, pictures, portraits, photographs, voice or likeness and the essay entered by me in the Contest in any form for editorial, advertising, promotional and trade purposes in connection with the promotion by the ABA and succeeding essay contests sponsored by the ABA and/or any of its corporate supporters. I release the ABA and local and state Contest organizers from all liabilities arising out of distortion, optical illusions or faulty mechanical reproductions of my likeness or of any essay submitted by me to the Contest.

I acknowledge that I have no right to approve the advertising or promotional materials that include my likeness or essay submitted by me to the Contest.

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Title of Essay

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Entrant's Printed Name

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Law School & Date of Expected Graduation

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Entrant's Signature

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Date

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Social Security Number

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Date of Birth

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Street Address

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City, State, Zip

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Telephone Number

**PUBLICITY RELEASE AND WAIVER OF LIABILITY**

In connection with and as a condition of my participation in the American Bar Association ("ABA") Section of Real Property, Trust and Estate Law Student Writing Contest ("Contest"):

1. If selected as a winner, I grant to the ABA the right to reproduce, publish, and use, on its website and in any other form, my essay, name, photograph, likeness, biographical information, and statements made by me, whether oral or written. The ABA may edit or modify these materials, and my essay, and may use them anywhere at any time in any medium, without compensation to me. If the ABA proposes to use the materials other than in connection with the Contest, I shall have the right to approve the ABA's activities, including any modifications of the substance of my content, with respect to the use of such materials.
2. If selected as a winner, I hereby assign all rights in my oral and written statements, including the copyright, to the ABA and acknowledge that I will have no further rights in them.
3. I, for myself and anyone related to me, release the ABA or anyone acting on the ABA's behalf, from any and all damages and expenses that I may incur arising from or relating to my participation in the Contest.
4. I will indemnify and hold harmless the ABA and anyone acting on the ABA's behalf from any and all damages, expenses, claims, and causes of action that any other party may have against me or the ABA arising from or relating to my participation in the Contest.

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PRINT FULL NAME

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SIGNATURE

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ADDRESS

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DATE