

AMERICAN COLLEGE OF CONSTRUCTION LAWYERS

2024 A. HOLT GWYN WRITING COMPETITION RULES (THE “RULES”)

DESCRIPTION:

The Holt Gwyn Writing Award is an annual award given to the author(s) of an article relevant to construction industry law. The Award is made in honor of the late A. Holt Gwyn, who was President of the American College of Construction Lawyers (ACCL) from February 2016 – February 2017. The Award is intended to honor thoughtful scholarship and excellent writing in the area of construction law or related topics.

The 2024 ACCL Competition (the “Competition”) is open to lawyers admitted to practice less than fifteen years as of September 30, 2024.

ELIGIBILITY: To be eligible to participate in the Competition, as of September 30, 2024, entrants must be 21 or over, and U.S. citizens or permanent legal residents of the United States.

ENTRIES: Papers should address a topical issue of interest to the construction law community. Papers submitted for publication in media are not eligible for the Competition, unless the other publication agrees that the ACCL shall have the right of first publication of the winning essay.

Eligibility determinations will be made by the ACCL Fellows; all decisions regarding eligibility are final. Joint papers are acceptable but the lead author must meet all criteria set forth above. Multiple submissions are acceptable; however, each author will only be eligible for one award.

All authors must certify (a) that the paper submitted is the author(s)’s work product without substantial editing by others, and (b) that the paper submitted has not been published in other media or submitted for publication elsewhere. By entering, entrants warrant that their entry is original and not subject to any third-party copyright; that publication of the entry will not libel anyone or infringe on or invade the rights of others.

PAPER SPECIFICATIONS:

- Papers must be 8-1/2” x 11,” double-spaced, and typed in 12-point font, including cited material and footnotes.
- Papers must include a brief (no more than 350 words) abstract.
- Papers must include a separate title page that lists the title of the paper only.
- Papers may not include the author’s name, school, year of study or any references to the author’s identity. Author information is be included on the entry form only.
- Papers may not include acknowledgements or expressions of gratitude to others.
- Papers shall conform to the most recent edition of *The Bluebook*.

ENTRY PROCEDURE: All applicants must provide the following information: author’s name, address, telephone number, email address; paper title; certification of compliance with certain of

these Rules; and information regarding the publication status of entry. Failure to provide any or all of the information will result in the entry being ineligible for consideration.

Applicants must submit their Competition entries—including the paper, in Word format, and the fillable PDF form described above—by e-mail to Buck Hinkle Jr. (buckhinkle@hinkleholding.com) and John W. Ralls (jralls@rallsgruber.com). Failure to submit both the paper and the above information will result in the entry being ineligible for consideration.

All entries must be received by 11:59 p.m. Central Time Zone on September 30, 2024.

JUDGING: The entries will be judged by an impartial panel of judges made up of fellows of the ACCL and Editor of the ACCL Journal. Entries will be judged based on the overall quality of the paper, including clarity of the theme or thesis presented, significance of the topic to the field, originality and creativity of topic treatment, quality of analysis, quality of research and authority provided, and technical quality of writing, including organization, grammar, syntax, and form.

SELECTION OF WINNERS AND PRIZES: Two winners (a First Place and a Second Place) will be selected and notified by December 31, 2024. The First Place winner will receive an award of \$2,000. The Second Place Winner will receive an award of \$1,000. As a condition of receiving any cash award, winners must submit a completed IRS Form W-9. Winners are responsible for all taxes associated with receiving an award. Both the First Place and Second Place Winners will also receive an invitation to attend the ACCL Annual Meeting in February 2025, with the cost of the Annual Meeting registration and lodging paid for by the ACCL.

Judges may withhold some or all of the awards if the submissions are not of notable quality, in the opinion of the Judges, which is within their complete discretion. Winning entries will be considered for publication in the *ACCL Journal*, and selected competitors may be invited to present their papers during the ACCL Annual Conference; however, publication and presentation decisions are made independent of this Competition and there is no guarantee that a winning entry will be published or selected for presentation.

LICENSE/GRANT OF RIGHTS: By entering, the winners grant to the ACCL the following rights: (1) the exclusive worldwide right of first publication of their entry in any and all ACCL media or form of communication; (2) the non-exclusive worldwide right, in ACCL's sole discretion, to use, transcribe, publish reproduce, distribute, sell (as part of an ACCL publication or program) or display the entry, alone or in conjunction with other materials; (3) the right to edit the essay to conform to the publication's standards of style, technological requirements, language, grammar and punctuation, provided the meaning of the essay is not materially altered; and (4) the non-exclusive worldwide right to use the winner's name and likeness in connection with this Competition without further compensation.

By entering, each contestant understands that such publication is not guaranteed. Any contestant, whose work is chosen for publication, must sign a separate publication agreement, giving the ACCL publication rights enumerated in these Official Rules and the right to use the written submission for any purpose related to the ACCL mission. If the winner(s) fail to sign the agreement, the prize will be considered forfeited.

LAWS AND REGULATIONS: This Competition is governed by U.S. law and all relevant federal, state, and local laws and regulations apply. By entering, all participants agree that the competition shall be governed by the laws of the State of Texas and that any dispute or litigation relating to or arising from the Competition shall be resolved by AAA arbitration, pursuant to the Commercial Rules.

CONDITIONS OF PARTICIPATION: By participating, each entrant agrees to these Official Rules and the decisions of the Sponsor, and releases and discharges the ACCL, subsidiary and affiliated entities, and each of their respective officers, directors, members, employees, independent contractors, agents, representatives, successors, and assigns (collectively “Sponsor”) from any and all liability whatsoever in connection with this promotion, including without limitation legal claims, costs, injuries, losses or damages, demands or actions of any kind (including without limitation personal injuries, death, damage to, loss or destruction of property, rights of publicity or privacy, defamation, or portrayal in a false light) (collectively “Claims”). Except where prohibited, acceptance of a prize constitutes a release by any winner of the Sponsor of any and all Claims in connection with the administration of this promotion and the use, misuse or possession of any prize. All entries become the property of Sponsor and will not be acknowledged or returned. Sponsor is not responsible for errors or for lost, late, or misdirected mail or email, or telecommunication or hardware or software failures, including by reason of any bug or computer virus or other failure. Sponsor may cancel, modify, or terminate the promotion if it is not capable of completion as planned, including by reason of infection by computer virus, tampering, unauthorized intervention, force majeure, or technical difficulties of any kind.

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