

CRAL Problem Corrections and Clarifications 2025

Last updated: September 16, 2025

Clarifications

1. The parties do not dispute whether Grant could have reasonably learned of the fabricated evidence prior to the publication of the article in Plaintiff's Exhibit B located at page twenty-eight of the record.
2. For the purpose of this competition, competitors are to assume the soundness of the alleged claim itself in addressing the questions presented. This is further reflected in Instruction Four (4) for the CRAL Problem: "Competitors should not argue the constitutionality of a fabrication of evidence claim."

3. **QUESTION:** The statement of facts does not state whether probable cause existed to arrest Grant, but for the purposes of the problem, do we assume there was in fact probable cause?

ANSWER: Whether probable cause existed to arrest Grant is purposefully vague. Accordingly, competitors are not to assume probable cause existed (or did not exist).

4. **QUESTION:** From the way the Questions Presented are phrased, it appears that we are to answer them generally, rather than specifically in the context of our case's facts. Is that correct?

ANSWER: We cannot tell you exactly how to answer the Question(s) Presented, as that is ultimately your role in this case—be it for Petitioner or Respondent. However, we feel that we can provide some clarity on the matter. Generally speaking, while some questions of law may not necessarily turn on a factual point, it is your role as the appellate advocate to muster whatever facts you deem salient and weave them into your argument as you see fit.

5. **QUESTION:** Under Rule VIII, it says that the Table of Contents and Table of Authorities should be numbered with roman numerals. I wanted to make sure that this meant roman numerals (I, II, III, etc.) and not romanettes (i, ii, iii, etc.). Thank you!

ANSWER: Rule VIII provides: "The table of contents and table of authorities should be numbered using Roman numerals; the remainder of the brief, including appendices, should be numbered using Arabic numerals." By its literal terms, Rule VIII requires use

of "Roman numerals" (e.g., I, II, III). However, when read in context, the Rule delineates between use of Roman and Arabic numerals depending on the section of the brief. This construction of the Rule suggests that the material distinction is between Arabic vs. Roman numerals rather than Roman numerals vs. romanettes. **We prefer the literal interpretation requiring Roman numerals, but in light of the apparent ambiguity, a brief submitted using romanettes rather than Roman numerals will not be docked points pursuant to Rule XXIII.**

6. **QUESTION:** Are we meant to know on the judicial timeline, from the record, when Rosen fabricated the evidence? Is it before or after indictment?

ANSWER: No, the record does not indicate the judicial timeline.

7. **QUESTION:** Although the competition rulebook states that briefs should not include a formal statement of jurisdiction, should a standard of review section be included, or would it need to be omitted as well?

ANSWER: Yes. Under Rule VIII, briefs should omit a statement of jurisdiction. Rule VIII also sets forth the required components of the brief (see listed parts A-H) which omits both a statement of jurisdiction and standard review section. Accordingly, **briefs should not contain a stand-alone section for standard of review, but competitors are free to address the appropriate standard of review in the body of their argument.**

8. **QUESTION:** For cases, the [Rule VIII] states they should be arranged alphabetically. Does this mean all cases should appear in an unbroken list sorted alphabetically with no regards for whether the case is SCOTUS, Circuit, or State? Or should/can we have our cases broken into sections for each source (SCOTUS, Circuit, etc.) and within those sections arrange them alphabetically? Thank you!

ANSWER: You may have your cases broken into sections for each source with those sections arranged in alphabetical order.

9. **QUESTION:** Several different case numbers appear throughout the problem, but the grant of certiorari appears to list the number as 11-54384. Is that correct, or should a different number appear on the cover page?

ANSWER: The grant of certiorari number 11-54384 is what should appear on your cover page.

10. QUESTION: If we are looking to cite the fact that the parties do not dispute whether Grant could have reasonably learned of the fabricated evidence prior to the publication of the article, is there a specific record citation we should provide since this is mentioned in the clarifications, but not the problem itself?

ANSWER: Rather than formally amend the Problem at this late stage (and potentially throw-off existing Record-cites in your briefs), competitors may **cite to footnote one on page eight of the Record** which will be amended to include this further stipulation in line with Clarification One contained in this document. For purposes of competition weekend, CRAL judges will receive the updated version of the Problem with this particular detail added (to footnote one on page eight of the Record) to avoid confusion.

Corrections

1. **Plaintiff's Exhibit A** on page twenty-seven of the record is labelled as and mentions "Clayton County." Any instance of "Clayton County" in the 2025 CRAL Problem should be replaced with and read as "Clifton County" consistent with page eight of the record.

2. There has been a correction to the highlighted rule language on page eighteen of the record. **The relevant content previously stated:**

"The Court has established that several functions are not protected by absolute immunity, including giving legal advice to police during a criminal investigation, *Kalina v. Fletcher* 522 U.S. 118, 128 (1997), giving statements to the media, *Buckley v. Fitzsimmons*, 509 U.S. 259, 277 (1993), or when supervisory attorneys fail to train the prosecutors who work for them. *Van de Kamp v. Goldstein*, 555 U.S. 335, 340 (2009)."

The relevant content should now read:

"The Court has established that several functions are not protected by absolute immunity, including giving legal advice to police during a criminal investigation, *Kalina v. Fletcher*, 522 U.S. 118, 126 (1997), giving statements to the media, *Buckley v. Fitzsimmons*, 509 U.S. 259, 277 (1993), or when a prosecutor functions as a complaining witness in support of a warrant, *Kalina*, 522 U.S. at 130-31."

3. The masthead of **Plaintiff's Exhibit B** on page twenty-eight of the record states that the article was published in 2023. The date on the masthead should instead read "2024" consistent with page eleven of the record.
4. **Page twenty-four** of the record previously stated: "Rosen contends that there was probable cause to arrest the respondent based on witness statements and the fingerprint on the melted gas can, which matched the respondent."

This statement has been **corrected to read:** "Rosen contends that there was probable cause to arrest the respondent based on witness statements and the fingerprint on the melted gas can, which could not exclude the respondent as a match."