

Lexis-Nexis 2008 Moot Court Competition Rules

The following Rules of the Competition are in effect for the duration of the Lexis-Nexis Moot Court Competition. If you have any questions regarding any of the Rules, please contact your group leader.

Please print out a copy of the Rules for your own reference throughout the competition.

1. Moot Court Board eligibility.

- 1) In the current year it is the intention of the Moot Court Board to invite the top eighteen competitors in the Competition to become members of the Board. This number may be adjusted by the Board before the completion of the competition.

2. Submission of the Final Briefs.

- 1) Competitors must turn in eight hard copies of their final brief.
 - a. Petitioner's briefs shall have a BLUE cover.
 - b. Respondent's briefs shall have a RED cover.
 - c. The brief must be bound along the left edge (either with three heavy-duty staples, or any binding offered by Kinko's or the like)
 - d. The final briefs shall all be turned in on the Fourth Floor at Toni McGuire's desk in the box marked for each group by the deadlines described below.
 - e. **DO NOT put your name on any assignment** – only put your group and anonymous numbers.
 - i. Your anonymous numbers will be given to you on Thursday, August 28. Do not lose this number! If for some reason you do, please email rotermem@email.uc.edu
- 2) Briefs shall conform to the briefs on reserve in the library and on the Moot Court website. Examine these briefs for any cosmetic questions you may have on how the brief should look.
 - a. This includes conforming to bluebook citations, 1-inch margins on all sides, Times New Roman, 12pt font, double spaced, etc.
 - b. The Final brief shall be composed of the following
 - i. Title page
 - ii. Questions Presented
 - iii. Table of Authorities
 - iv. Statement of Jurisdiction
 - v. Statement of the Case
 1. Statement of Facts
 2. Procedural Background
 - vi. Argument
 - vii. Conclusion
 - viii. Certificate of Service
 - ix. Appendices (if needed)
- 3) Final Briefs should be roughly 18-22 pages in length and may not to exceed 25 pages.
 - a. Page length does not include the Questions Presented, Table of Authorities, or Appendices.
 - b. However, the total length of the brief may not exceed 40 pages even including the above mentioned documents.
- 4) In addition to turning in a hard copy, each competitor must submit a copy of their brief electronically by emailing them to rotermem@email.uc.edu (only the final brief, not the 3 assignments) by 3:00pm on the day it is due.

3. Final Oral Arguments

- 1) Group 1 final oral arguments will start at 6:00 p.m. on Thursday, October 2 (be present by 5:00 p.m. for instructions).
- 2) Group 2 final oral arguments will start at 6:00 p.m. on Thursday, October 9 (be present by 5:00 p.m. for instructions).
- 3) Each competitor will argue three times against another competitor.
 - a. In some cases, a competitor may argue four times (this will depend on the number of competitors for that night).
- 4) Petitioner and Respondent each have 15 minutes to present their arguments.
 - a. Petitioner has the option of setting aside up to three of its 15 minutes as rebuttal time.

4. Scoring.

- 1) The two highest scores of each competitor's oral arguments on the final oral argument night will be used to calculate the competitor's overall scores.
- 2) Overall scores will be based on the final brief score (50%) plus the final oral argument scores (50%). Competitors are also required to participate in three practice oral arguments prior to the final oral argument night. Failure to attend or tardiness in attending any or all of these practice arguments will result in point penalties.
- 3) Competitors are also required to submit three written assignments (practice portions of your brief) prior to your submission of the final brief. Failure to turn any or all of these assignments in on time or at all will result in point penalties.
- 4) The final briefs will be graded anonymously by Board members. The Lexis-Nexis Director will not grade the final briefs, as he is only person with knowledge of the anonymous numbers.

5. Submission of Practice Writing Assignments.

- 1) Competitors must turn in one hard copy of each written assignment on the Fourth Floor at Toni McGuire's desk in the box marked for each group.
 - a. DO NOT put your name on any assignment – only put your group and anonymous number.
- 2) Deadlines: All practice assignments shall be turned in by the specified due date.
 - a. Assignment #1 (Statement of Facts):
 - i. Group 1 will be due Thursday, September 4, by 12:00 p.m.
 - ii. Group 2 will be due Thursday, September 11, by 12:00 p.m.
 - b. Assignment #2 (Summary of the Argument):
 - i. Group 1 will be due Thursday, September 11, by 12:00 p.m.
 - ii. Group 2 will be due Thursday, September 18, by 12:00 p.m.
 - c. Assignment #3 (Draft of First Issue):
 - i. Group 1 will be due Thursday, September 18, by 12:00 p.m.
 - ii. Group 2 will be due Thursday, September 25, by 12:00 p.m.

6. Practice Oral Arguments

- 1) Competitors must complete three practice oral arguments. These will be heard on Thursdays and Fridays throughout the Competition. Please sign up on the bulletin board outside the Moot Court office by Wednesday at 12:00 p.m. for the week's oral argument or a time will be assigned to you.
- 2) Practice Oral Argument Subject Matter
 - a. Each practice argument is intended to be a follow-up to each written assignment, therefore each practice argument will cover the following:
 - i. Practice argument #1 – Through the statement of facts (5 minutes)
 - ii. Practice argument #2 – Through the summary of the argument (8-10 minutes)
 - iii. Practice argument #3 – Through the first issue (12-15 minutes)

3) Oral Argument Schedule:

- a. Group 1's Practice Oral Arguments
 - i. Practice oral argument #1 - September 4 and 5
 - ii. Practice oral argument #2 - September 11 and 12
 - iii. Practice oral argument #3 - September 18 and 19
- b. Group 2's Practice Oral Arguments
 - i. Practice oral argument #1 - September 11 and 12
 - ii. Practice oral argument #2 - September 18 and 19
 - iii. Practice oral argument #3 - September 25 and 26

7. Mandatory Lexis-Nexis Training

1. All competitors must sign up for a 30 minute training session with Scott Hite from Lexis-Nexis starting Tuesday, Sept, 2th (for Group 1) and Monday, Sept 8th for Group 2. This will be very helpful in your research efforts.

8. Penalties

- 1) The official clock for all timekeeping purposes and deadlines is the clock located on the Fourth floor where written assignments are to be turned in. Please note that this clock's time may differ from other clocks in the building.
- 2) All penalties for late written assignments will be deducted at the rate of two points for every fifteen minutes late for the first hour; three points will be deducted for each hour thereafter. The maximum point deduction for each assignment is fourteen points.
- 3) No final briefs will be accepted after 5:00 P.M. of the due date.
- 4) Penalties will be assessed in the following manner for practice oral arguments:
 - a. A competitor is considered tardy if he/she is not present by three minutes after the scheduled practice oral argument time.
 - i. Tardiness to a practice oral argument will result in a two point penalty.
 - b. A competitor is considered absent if he/she is not present by ten minutes after the scheduled practice oral argument time.
 - i. Absence or failure to show to a practice oral argument will result in a five point penalty.
- 5) Waivers of penalties
 - a. Waivers for penalties will be granted only for legitimate and exigent circumstances on a case by case basis at the discretion of the LexisNexis Competition Director. Examples include, but are not limited to, documented serious illness, death or serious illness of immediate family.
 - b. Waivers of penalties will not be granted for common delays such as (but not limited to): traffic delays, computer problems, faulty alarm clocks, etc.
 - c. All requests for waivers shall be submitted to the Director in writing as soon as possible.

9. Required Score

- 1) A competitor must have a Brief score of 60% or above to receive passing credit for the Moot Court class. In addition, each competitor must participate in, and give a good faith effort toward, the final oral rounds. While no oral score is necessarily required to pass this class, the board reserves the right to significantly penalize the brief score of anyone who does not show up for final arguments or who is obviously and overwhelmingly unprepared for the judges.
- 2) However, in order to make the Board, the competitor's Overall score will be considered in addition to the brief score.

10. Honor Code - Competitors' standard of conduct during the Competition

- 1) Competitors MAY NOT enter the Moot Court office (Room 304) at any time during the Competition.
- 2) Competitors MAY NOT discuss the brief or problem with each other or anyone else before the conclusion of final oral arguments for Group 2, provided, however, that competitors may discuss the brief and/or problem with members of their own group after the final brief is turned in for that particular group, but only for the limited purpose of having someone to practice their arguments against. Each competitor should develop their own argument outlines independently.
- 3) Competitors MAY NOT collaborate or collude among themselves on any part of the brief or problem before the conclusion of final oral arguments for Group 2, provided, however, that competitors may work together with members of their own group after the final brief is turned in for that particular group.
- 4) Competitors MAY NOT use the work of another and pass it off as their own.
- 5) Competitors in Group 2 MAY NOT look at the problem given to Group 1, nor may any person in Group 1 give the problem to anyone in Group 2.
- 6) Competitors MAY NOT access or attempt to access the "Judges Information" link on the Lexis-Nexis Competition website.
- 7) Competitors who observe any violation of these standards by other competitors shall report such behavior to their Group Leader or the Director.
- 8) A violation of any of these standards may constitute a violation of the Honor Code.

11. Additional Information

- 1) Each competitor is responsible for checking their UC email, as this will be the primary method of proving competitors with any updated rules or information.
 - a. The problem will be emailed to each competitor at 9:00am on the problem distribution date (Sept 1st for Group 1 and Sept 8th for Group 2).
 - b. If you do not receive the problem, it is YOUR DUTY to email rotermem@email.uc.edu and the problem will be re-sent to you.
- 2) If you have a question regarding another critical issue that the Rules do not address, or you have questions about the Rules themselves, please contact your Group Leaders:
 - a. Group 1 – Brian Spiess (spiessbm@email.uc.edu) or Margaret Shipitalo (shipitma@email.uc.edu)
 - b. Group 2 – Greg Melvin (melvingj@email.uc.edu) or Emily Meier (meierree@email.uc.edu)

PLEASE NOTE: UNDER NO CIRCUMSTANCES will any questions regarding the substance of a problem be answered. However, if you observe any critical error in the problem itself, you may submit that observation in writing to your Group leader or the LexisNexis Competition Director.

Good luck, and thanks for participating in this competition!

~Elisabeth Rotermund

2008 Lexis-Nexis Competition Director

rotermem@email.uc.edu

GROUP 1

- **Thur., August 28, 5pm, Room 118:** MANDATORY meeting for ALL Participants
- **Mon., September 1, 9am:** Problem will be emailed to Group 1.
- **Tues., September 2:** Sign-up for Lexis Training with Scott Hite on Moot Court Bulletin Board.
- **Thurs., September 4, by Noon to Toni McGuire:** Writing Assignment # 1 (statement of facts) due
- **Thurs or Fri., September 4 or 5:** Practice Argument # 1 (5 min statement of facts) SIGN-UP for a time on Moot court bulletin board under category petitioner or respondent.
- **Thurs., September 11, by Noon to Toni McGuire:** Writing Assignment # 2(summary of the argument)
- **Thurs or Fri., September 11 or 12:** Practice Argument # 2 (10 min of the argument) SIGN-UP for a time on Moot court bulletin board under category petitioner or respondent.
- **Thurs., September 18, by Noon to Toni McGuire:** Writing Assignment #3(rough draft of one issue of the argument.
- **Thurs. or Fri., September 18 or 19:** Practice Argument # 3 (12 min of argument) SIGN-UP for a time on Moot court bulletin board under category petitioner or respondent.
- **Fri., September 26 by 3pm to Toni McGuire:** Final Brief due
- **Thurs., October 2, 5pm to 10pm:** Final Oral Arguments: meeting at 5pm for instructions.

GROUP 2

- **Thur., August 28 5pm. Room 118:** MANDATORY meeting for ALL Participants
- **Mon., September 8, 9am:** Problem will be emailed to Group 1.
- **Mon., September 8:** Sign-up for Lexis Training with Scott Hite on Moot Court Bulletin Board.
- **Thurs., September 11, by Noon to Toni McGuire:** Writing Assignment # 1 (statement of facts) due
- **Thurs. or Fri., September 11 or 12:** Practice Argument # 1 (5 min statement of facts) SIGN-UP for a time on Moot court bulletin board under category petitioner or respondent.
- **Thurs., September 18, by Noon to Toni McGuire:** Writing Assignment # 2(summary of the argument)
- **Thurs. or Fri., September 18 or 19:** Practice Argument # 2 (10 min of the argument) SIGN-UP for a time on Moot court bulletin board under category petitioner or respondent.
- **Thurs., September 25, by Noon to Toni McGuire:** Writing Assignment #3(rough draft of one issue of the argument.
- **Thurs. or Fri., September 25 or 26:** Practice Argument # 3 (12 min of argument) SIGN-UP for a time on Moot court bulletin board under category petitioner or respondent.
- **Fri., October 3, by 3pm to Toni McGuire:** Final Brief due
- **Thurs., October 9, 5pm to 10pm:** Final Oral Arguments: meeting at 5pm for instructions.