

ALA MOOT COURT RULES

A. SPONSORSHIP OF THE COMPETITION

The Appellate Lawyers Association (“ALA”) is an association of lawyers who practice in the courts of review, and of judges who serve on those courts. The ALA was formed in 1968. The ALA’s honorary members include sitting judges from all the Illinois reviewing courts. More information on the ALA is available on its web site, <http://www.applawyers.org/>. ALA representatives prepared these competition rules and the appellate court record.

B. TEAMS

1. Eligible Schools

Only ABA-accredited law schools may enter the ALA Moot Court Competition.

2. Team Membership

A team may consist of a maximum of three (3) members. All team members may argue in the competition, but two (2) members, and only two, must argue in each single round. Teams shall decide for themselves how to allocate their team members.

Team members must be matriculated in a full- or part-time law curriculum in the law school they represent. No team member may hold a law degree. There shall be no substitution of team members after a team has submitted its briefs except upon the written consent of the sponsor of the competition.

On or before **the date specified in the Rules Addendum**, each team shall provide the competition sponsor (at showie@pretzel-stouffer.com) with the following information for each team member and team advisor: (1) names; (2) email addresses; (3) telephone numbers. This deadline is **one week** before your brief is due to be filed. The competition sponsor will reject any brief if the team has not fully complied with this Rule.

3. Team Advisors

Any person may be a team advisor, including but not limited to law school faculty or students, practicing attorneys, or sitting or former judges. For purposes of these rules, a team advisor is not considered to be a team member.

C. BRIEFS AND PRE-COMPETITION PRACTICE ROUNDS

1. Side Represented

Each team shall write for the Petitioner or the Respondent depending on the order in which they registered for the competition. The competition sponsor shall advise the teams of the order in which their registrations were received, and whether they are to write for the Petitioner or the Respondent.

2. Submission of Briefs

Each team shall submit an electronic .pdf version and a word-processing file version of its brief via electronic mail to Scott Howie, ALA Moot Court Committee Co-Chair, at showie@pretzel-stouffer.com. The email's subject line must read: "ALA Brief Team # ___." No other information may be included in the transmitting email's subject line. For example, the subject line may not say "Stacy Smith and Emil Jones, Team # 2, ALA Moot Court." Non-conforming briefs will be rejected.

3. Brief Requirements

(a) *General.* Except as otherwise set forth in this Rule, briefs shall conform to the United States Supreme Court Rules 33 and 34. Briefs need not be printed. All citations shall be in the form prescribed by the most recent edition of the Harvard Blue Book.

(b) *Size, Line Spacing, and Margins.* The brief must be on the equivalent of 8 1/2 by 11 inch paper. However, no hard copy or paper version of the brief will be submitted to the competition sponsor. The text must be double-spaced, but quotations more than two lines long may be indented and single-spaced. Headings and footnotes may be single-spaced. Margins must be at least one inch on all four sides. Page numbers may be placed in the margins, but no text may appear there.

(c) *Typeface.* All type must be proportionally spaced and at least 12-point size. Main text must be set in a plain style, except that italics may be used for emphasis. Case names must be italicized or underlined.

(d) *Length.*

(A) *Page limitation.* Briefs may not exceed 30 pages, unless they comply with Rule C(3)(d)(B).

(B) *Type-volume limitation.*

(i) A principal brief is acceptable if it contains no more than 14,000 words;

(ii) Headings, footnotes, and quotations count toward the word limitations. The table of contents, table of citations, statement with respect to oral argument, any addendum containing statutes, rules or regulations, and any certificates of counsel do not count toward the limitation.

(C) *Certificate of Compliance.*

(i) A brief submitted under Rule C(3)(d)(B) must include a certificate that the brief complies with the type-volume limitation. The person preparing the certificate may rely on the word count of the word-processing system used to prepare the brief. The certificate must state the number of words in the brief. The certificate of compliance shall state: “The undersigned counsel certifies that the Petitioner’s [or Respondent’s] Brief complies with the word limitation specified in Rule C(3)(d) of the ALA Moot Court Competition Rules.”

4. Penalty for Exceeding Page or Word Limit

The competition sponsors shall assess a penalty of three (3) points per page above the page limit or one (1) point per word above the word limit against a team whose brief exceeds the page or word limit described in Rule C(3)(d). ***In order to allow the competition sponsor to verify this rule, each team must submit a copy of its word-processing file, in addition to the electronic version of its brief required by Rule C(8).***

5. Identification of School on Brief

The cover and contents of the brief shall contain the team members’ names and the team number, but ***shall not identify the law school***. The brief shall be saved electronically with the following identification: “ALA Moot Court Team # ____”. ***Please do not deviate from this form.*** Briefs that contain any other information or deviate from this rule may be rejected.

6. Requests for Interpretation of the Record or the Rules

If any team seeks an interpretation of the Record on Appeal or the Rules governing the competition, the team may file a request for interpretation with the competition sponsor on or before **the date specified in the Rules Addendum**, must serve all other participating teams, and must certify that it has served all other competing teams. The certificate of service shall state: “The undersigned counsel certifies that they served request for interpretation on all counsel of record by email delivery before the hour of 5:00 pm Central Daylight Time this ____ day of _____, _____.”

The purpose of this rule is to allow teams to seek clarification of any portion of the Record on Appeal or the competition's rules. The reason for the certification requirement is that if your team has a question, it is likely that other teams do as well. We require you to serve your inquiries on all teams in order to promote a consistent understanding of the rules by all teams.

7. Scoring of Briefs

Briefs shall be judged for research and analysis, organization, writing style, form and composition. Briefs will be scored on a scale of zero (0) to one hundred (100) points. Each brief will be given a single composite score, made up of scores provided by at least three independent graders. Any penalties will be assessed against the brief's composite score.

8. Due Date and Service of Briefs

Teams shall serve the competition sponsor with their briefs by emailing them on or before **the date specified in the Rules Addendum** to showie@pretzel-stouffer.com. The competition sponsor must **receive** the team's brief by 11:59 p.m. Central Daylight Time on that date if the brief is to be considered timely filed. A brief received at 12:00 a.m. (midnight) will be deemed filed the next day and subject to the late penalty in Rule C(10). In determining whether a brief was timely received, the recipient's email receipt shall be conclusive. If a brief is timely received but rejected for noncompliance with these rules and a compliant version is submitted in its place, the time and date the compliant version is received shall control.

9. Service of Briefs on Other Schools

The competition sponsor will distribute briefs among the teams on or before **the date specified in the Rules Addendum**. Teams shall not serve each other with their briefs.

10. Late Brief Penalty

A deduction of five (5) points per day will be made for each day or portion thereof that a brief is late.

11. Brief Writing

Teams are not restricted in their brief writing to the research that is contained in the Record on Appeal. Teams are encouraged and expected to perform their own

independent research on the issues presented, but are cautioned against excessive use of material without proper attribution. If the competition sponsor determines that a brief contains plagiarized material, from sources including but not limited to law review articles or appellate briefs, the competition sponsor may disqualify the brief without notice to the offending team.

While team advisors may discuss possible issues with their teams, the briefs must be the team members' work product. Only team members may write any portion of the brief.

12. Oral Argument Preparation

Teams are encouraged and expected to practice oral argument before the competition. If a school has more than one team registered, those teams may practice against one another. Teams are permitted to practice oral arguments with, and may receive suggestions and other feedback from, anyone not affiliated with the competition.

D. ORAL ARGUMENT

1. Location

Oral arguments will be held on the date and at the time and place designated by the sponsor of the competition, **as specified in the Rules Addendum.**

2. Preliminary Rounds

a. Number: Each team will argue twice during the preliminary rounds, once on each side of the case. In the event that there are an odd number of teams, the sponsor of the competition will notify the participants of the procedure that will be followed during the preliminary rounds.

b. Pairings: Teams will be paired by a random selection, except that no two teams from the same school will be paired against each other and no two teams will argue against each other in both preliminary rounds.

c. Scoring: Each argument shall be judged and scored on a scale of zero (0) to one hundred (100) points. A team will receive a single oral argument score, which will be the average of the argument scores from the preliminary rounds. The average will be added to the brief score in computing the aggregate score for the preliminary rounds. Judges shall not disclose the numerical scores or declare a winner, but may comment on the performance of the teams.

d. Timing: Each team will be permitted to argue for up to thirty (30) minutes. Judges may, in their discretion, allow additional time. Two (2) team members will argue in each round on each side (see Rule B.2), and they may split the thirty (30)

minutes in any way they choose. The team arguing for Petitioner may reserve up to five (5) minutes for rebuttal, to be deducted from its thirty (30) minutes. Only one team member may argue during rebuttal, and must be one of the persons who argued the Petitioner's case in chief.

e. Identification of Teams: Team members shall announce their individual names at the beginning of the argument. Team members shall not identify their sponsoring schools or any of the other competing schools to the judges, either during the oral argument or at any time during the competition. Team members and their advisors must remember that the person sharing an elevator with them may be somehow affiliated with the competition.

3. Quarter-Final Round

a. Advancement to Quarter-Final Round: The eight teams with the highest aggregate scores will advance to this round. Ties will be broken in favor of the team having the higher composite brief score. For example, if Team A scored 90 points for the brief and 85 points for its oral argument (175 points total), and Team B scored 85 points for its brief and 90 points for its oral argument (175 points total), Team A will advance to the quarter-final round. If the two teams' composite brief scores are the same, the team with the highest single-person oral argument score from a single judge will advance; if both teams have the same highest single-person oral argument score, the team with the next-highest single-person oral argument score from a single judge will advance.

b. Pairings and Side Argued: Pairings for this round will be seeded according to scores from the preliminary rounds. A coin toss will determine which team is permitted to choose the side it will argue. A team will argue only once. Timing will be as in the preliminary rounds.

4. Semi-Final Round

c. Advancement to Semi-Final Round: The winner of each pairing in the quarter-final round will advance to the semi-final round. Ties will be broken as described above.

d. Side Argued: A coin toss will determine which team is permitted to choose the side it will argue. A team will argue only once. Timing will be as in the preliminary rounds.

5. Final Round

The winner of each pairing in the semi-final round will advance to the final round. Ties shall be broken in favor of the team having the higher brief score. A coin toss will determine which team is permitted to choose the side it will argue. Timing will be as in the preliminary rounds.

6. Observation of Arguments

Team members, advisors, friends and/or family members may sit in the courtrooms during the arguments of only the team with which they are associated. They will not be permitted in the courtrooms during arguments of any other teams. The one exception, however, is that teams who do not advance to a higher round, and their representatives and friends, may observe any argument during those higher rounds. For security concerns, all teams shall provide the competition sponsor with the names of their team members and all persons that may attend the competition on or before **the date specified in the Rules Addendum**. Building security may deny entrance to the building to any individual who is not timely identified to the competition sponsor, especially on Saturday, when the building is not open to the public.

7. Best Oral Argument

To be eligible for the Best Oral Argument award in the competition, the student must argue in at least two rounds. The student with the highest average score for the two best rounds argued shall receive the award. For example, David and Stacey are on opposite teams. David's team writes a very poor brief, and he does not advance beyond the preliminary rounds. Stacey's brief scores 100 points, and her team advances to the final round. In his two best rounds, David scores 95 and 90, for a total of 185 points (or an average of 92.5). In her two best rounds, Stacey scores 92 and 88, for a total of 180 points (or an average of 90.0). David will win the Best Oral Argument award, even though he did not advance beyond the preliminary rounds.

8. Timekeepers

For the preliminary, quarter-final and semi-final rounds, teams must provide their own timekeepers.

E. CONSENTS

Each year, the ALA has a professional photographer attend the competition's final round to photograph the final round and the ceremony awarding prizes. The ALA would like to use those photographs for future Moot Court promotional material. Accordingly, each team member may – but need not – consent to having the ALA use their photographs in future promotional materials, including but not limited to, the *Chicago Daily Law Bulletin*, the ALA web site, and the ALA Facebook page, by sending the following consent language to the competition sponsor at showie@pretzel-stouffer.com, on or before **the date specified in the Rules Addendum**.

“ _____ consents to having the ALA use his/her

photographic image in its promotional material, including but not limited to, the *Chicago Daily Law Bulletin*, the ALA's web site, and the ALA Facebook page.”