

THE 2014 RUBY R. VALE INTERSCHOOL CORPORATE MOOT COURT COMPETITION

RULES

I. ORGANIZATION OF THE COMPETITION

- A. The Ruby R. Vale Interschool Corporate Moot Court Competition (hereinafter “Competition”) is an Interscholastic Appellate Moot Court Competition sponsored by the Widener University School of Law Moot Court Honor Society. Attorneys from the local bar and/or judges from the local judiciary judge each round of competition.
- B. The Competition will be governed by the rules and procedures set forth in this instrument as interpreted at the sole discretion of the Widener University School of Law Moot Court Honor Society Executive Board (hereinafter “Executive Board”).

II. TEAMS

- A. Each team will consist of two or three members. Each team member must be, at the time of entering the competition, a full or part-time (regular or extended division) law student enrolled in an ABA approved law program or foreign equivalent. No team member shall have attained a Juris Doctorate or its equivalent by the time of the final round of the competition. Exceptions may be granted by the Executive Board.
- B. The competition is open to the first 24 teams to register. Each school may register one team and may place a second team on a wait list. A second team will be admitted only if space permits. In the event that a school does enter two teams, two entry fees must be submitted.

III. WRITTEN BRIEFS

A. General

- 1. Law schools entering only one team in the competition will be assigned to serve as counsel for the Appellant or the Appellee for the purpose of preparing a written brief.
- 2. Law schools with two teams participating shall brief opposite sides.

B. Length and Form

The use of typesetting and/or word processing of briefs is permitted. The type size shall not be more than 11 characters per linear inch (Courier New 11 as per Microsoft Word). The paper size for the brief shall be 8 1/2 by 11 inches. All pages shall have margins of not less than 1 inch on all sides. Except as indicated by Harvard Law Review Association, The Bluebook: A Uniform System of Citation, (19th ed. 2010), all pages shall be double spaced, not to exceed 26 lines of text per page (not including page numbering). Notwithstanding the Delaware Supreme Court Rules regarding length, briefs shall not exceed 25 pages in length, exclusive of table of contents, table of citations, and appendices. In computing the length of a brief, partially filled pages shall be counted as full pages.

Please note: The cover of Appellant's brief shall be blue; the cover of Appellees' brief shall be red.

B. Format

1. Briefs shall be in the format used in the Delaware Supreme Court (Rules of Court found at <http://www.courts.delaware.gov/Rules/?scr.pdf>). All citations shall be complete and as amended through July 1, 2007 in the form provided for in the Rules of the Delaware Supreme Court, and in lieu of any contrary provision in such Rules, as prescribed in Harvard Law Review Association, The Bluebook: A Uniform System of Citation, (19th ed. 2010).

It is not necessary to attach or submit any unreported cases or orders of the court below, even if cited in the brief, notwithstanding the Rules of the Delaware Supreme Court, provided that such cases or orders are generally available through a commercial or public database.

2. The name of the team's law school and the names of its members shall be included only on the certification. In order to insure anonymity for the purpose of scoring, the cover page on each brief shall contain only the confidential letter assigned to the team, and shall not contain the name of the participating school or the names of any team members. Furthermore, team members shall not sign their brief or give any identifying matter within the body of the brief itself.

C. Assistance

No team shall receive any assistance with the problem prior to or in connection with writing its brief. After briefs are submitted, teams may work with a coach in preparing oral arguments.

Each team member submitting a written brief to the Competition shall certify that such brief has been prepared in accordance with the Rules of the Competition and

that it represents the work product solely of such team's members. This certification shall be separated from the brief itself.

The certification shall state:

We, the undersigned, hereby certify that the (Appellant's/Appellee's) brief of _____ Law School is the work product solely of the undersigned and that the undersigned have not received the aid of any faculty member, nor any other assistance, in connection with the preparation of this brief or the analysis of the problem.

D. Submission

1. Each team shall deliver six (6) hard copies of its brief and the original of its certification in a single package to the following:

Olivia Italiano, Vice President
Ruby R. Vale Interschool Corporate Moot Court Competition
c/o Moot Court Honor Society
Widener University School of Law
4601 Concord Pike
Wilmington, DE 19803

2. Each team shall also deliver the brief via e-mail by e-mailing a PDF or Microsoft Word version 2000 or above of an exact copy of the brief to ojitaliano@mail.widener.edu by 5:00 p.m. EDT on February 7, 2014.
3. The above briefs must be postmarked to Widener University School of Law no later than Friday, February 7, 2014. E-mail copies must be received no later than 5:00pm EDT on Friday, February 7, 2014. The briefs must be sent to Widener University School of Law via certified mail or overnight express delivery. Hand delivery is not permitted. The Executive Board reserves the right to disqualify or deduct points in accordance with Rule VII section B.1.a. from each team's brief that is not postmarked by Friday, February 7, 2014 and/or not received via e-mail by 5:00pm EDT on Friday, February 7, 2014.

E. Service of Written Briefs on Opposing Teams

All team briefs will be posted, after receipt, on the Widener University School of Law's Moot Court Honor Society website <http://law.widener.edu/campuslife/activitiesandorganizations/mootcourthonorsocietydelaware.aspx>. Each team is responsible for accessing the website and downloading other competitors' briefs. Briefs will not be designated by school name. In order to conceal the identity of each team, teams have been given an anonymous letter.

F. Revision of Briefs

A team may not revise its brief after it has been submitted to Widener University School of Law. No supplemental briefs will be accepted.

IV. SCORING OF WRITTEN BRIEFS

- A. The grading of the brief will be based on its persuasiveness, clarity, use of authority, and knowledge of facts. Additional consideration will be given to grammar, punctuation, and bluebook proficiency.
- B. Brief judges will not know the identity of the team that has prepared the brief.
- C. Submitted briefs will be scored by licensed attorneys.
- D. To determine advancement to and elimination from later rounds the scores will be determined in the following manner:

Preliminary Rounds: Brief grades weighted 40%, Oral Argument grades weighted 60%

Quarter-Final Rounds: Head to Head

Semi-Final Rounds: Oral Argument 100%

Final Round Brief: Oral Argument 100%

For further explanation see Rule V section C.4.

V. ORAL ARGUMENTS

A. Time and Place

- 1. All rounds will be held at the Widener University School of Law in Wilmington, Delaware.
- 2. All team members and advisors shall report to the sign-in table located in the Law Building at Widener University School of Law between 4:30 p.m. and 5:15 p.m. on Thursday, March 13, 2014. A competition meeting will follow sign-in. Light refreshments will be available.
- 3. Should any team fail to arrive for its scheduled argument, after a reasonable time, the Executive Board may allow the remaining team to present its argument ex parte.
- 4. The Executive Board is solely responsible for scheduling oral arguments. Each team shall argue three times during the preliminary rounds. In the event of the participation of an uneven number of teams, Widener University may provide an emergency team that will substitute for an open argument.

B. Arguments

1. Two members of each team must participate in any oral argument. No single advocate shall present more than twenty (20) minutes, including rebuttal, if any, of the thirty (30) minute argument. Moreover, for teams with three (3) members, every member must argue at least once during the preliminary rounds.

In order for a team member to qualify as the Best Oralist of the Competition, that team member must argue in at least two of the three preliminary rounds.

2. Oral arguments shall be limited to a total of thirty (30) minutes per team, including rebuttal, if any. Appellants may reserve up to five (5) minutes of the thirty (30) for rebuttal, by so requesting from the time keeper prior to commencement of the round, the amount to be reserved. Appellants must also request permission to reserve time from the panel of justices hearing the argument. Only one team member may give rebuttal.
3. The subject matter of competitor's written briefs shall not limit the contents of the oral arguments.
4. During the preliminary rounds, each team will argue at least once on-brief and once off-brief. For all subsequent rounds, teams must be prepared to argue either side.

C. Scoring

1. Judges will grade each individual participant based on many factors including persuasiveness, ability to answer questions, and factual/legal analysis. Judges will also consider a speaker's audibility, posture, and other relevant considerations.
2. The oral argument score shall be determined by the panel of judges without knowledge of the brief grade. The oral argument score will not be announced by the judges. All ties in the preliminary, quarter-final, and semi-final rounds shall be broken by using the brief scores, with the higher brief score determining the winning team.
3. The judges of the Competition shall not be advised of the law schools represented by the respective teams. Each team will be assigned a confidential letter as identification throughout the Competition. The name of the team's law school shall not be communicated in any manner at any time before, during, or after the argument, until the time of the Final Round. Advocates shall not bring into oral argument any materials identifying their law schools (notebooks, binders, etc.). Failure to comply with this rule will result in automatic disqualification of the team from the Competition.

4. The scores accorded to the arguments and briefs will not be announced prior to determination of the winner of the Ruby R. Vale Interschool Corporate Moot Court Competition. These scores will be combined to determine which teams advance to the intermediate rounds. The eight (8) teams having the highest combined brief and preliminary round oral argument score will advance to the quarter-final rounds. Teams will then be ranked according to these scores. If competing teams wrote their brief for the same party, the lower ranked team will be required to argue off-brief. The four (4) teams that win in the quarter-final rounds will advance to the semi-final rounds. The semi-final rounds will be judged by one bench. The two teams with the highest oral argument scores will advance to the final round.

In the event of any ties in the preliminary rounds the team achieving the highest score for its brief will advance to the next round.

5. The judges will critique the arguments at their decision.
6. All members of the competing teams and their advisors and coaches are prohibited from observing other teams during any round of the Competition while they are still participating in the Competition.

VI. ASSISTANCE

No team shall receive any assistance with the problem prior to or in connection with writing its brief. After briefs are submitted, teams may work with a coach in preparing oral arguments.

Teams are permitted to have spectators accompany them into the competition only with permission of opposing counsel. Coaches may accompany their own team into oral arguments at any time and do not need prior permission. Permission from opposing counsel for spectators can be granted just prior to oral argument. Schools with two teams entered must have two coaches (one for each team). Each coach must be permanently assigned to one team only. Coaches are not permitted to exchange positions. Violation of this rule shall result in a ten (10) point deduction from both teams' oral argument score. At no time may coaches or advisors from the same school confer and share information regarding what they have observed of other teams during the competition. Such communication may result in disqualification/points deduction of the team violating the Rule.

VII. POWERS OF THE EXECUTIVE BOARD

A. General

1. The Executive Board shall have the sole discretion to make all necessary interpretations of these rules. No interpretation of these rules is valid unless

obtained in writing from the Ruby R. Vale Interschool Corporate Moot Court Chairperson. All requests for interpretation of the rules and questions regarding the substance of the problem must be in writing and must be submitted to the Chairperson no later than Friday, January 31, 2014.

Correspondence in writing can include: U.S. mail, fax or email

2. The Executive Board shall have the sole discretion to answer all substantive inquiries concerning all papers that constitute the Problem. All such inquiries must be in writing and must be submitted to the Chairperson no later than Friday, January 31, 2014.
3. The Executive Board shall have the sole power to resolve any disputes that may arise during the competition. Any objections must be submitted to the Executive Board in writing.
4. All correspondence with the Executive Board shall be addressed as follows:

Olivia Italiano, Vice President
Ruby R. Vale Interschool Corporate Moot Court Competition
c/o Moot Court Honor Society
Widener University School of Law
4601 Concord Pike
Wilmington, DE 19803
(302) 477-2033 Fax
ojitaliano@mail.widener.edu

B. Penalties

1. The Executive Board shall have sole discretion to assess penalties or to disqualify teams for failure to abide by any of the foregoing rules. The following is in no way an exclusive list of penalties. It is only a guide for participants' benefit.
2. Written Briefs
 - a. Failure to deliver briefs with the proper postmark by Friday, February 7, 2014 in compliance with Rule III sections E, shall result in the deduction of two (2) points from the brief score for each day delayed.
 - b. Each page or fraction of a page in excess of the permissible length as set forth in Rule III section B, shall result in the deduction of two (2) points from the brief score.
 - c. The use of a postage meter postmark in delivery of the brief shall result in the deduction of one (1) point from the brief score.

- d. Failure to include the team's confidential letter on the cover page of each brief shall result in a deduction of one (1) point from the brief score.
- e. Failure to identify the brief as that of Appellant or Appellees shall result in the deduction of one (1) point from the brief score.
- f. Any inclusion of school name and participants' names anywhere in the brief shall result in the deduction of two (2) points from the brief score.
- g. Any finding of plagiarism shall cause the immediate elimination from the competition of the offending team. Plagiarism is the unauthorized appropriation or insufficient acknowledgement of the ideas or written work of another.
- h. Failure to adhere to formatting rules such as permissible margins, type size, line spacing, etc. shall result in a deduction of two (2) points from the brief score.
- i. Failure to write the brief for the side the team was assigned shall result in a deduction of five (5) points from the brief score.

3. Oral Arguments

- a. During oral arguments, counsel may not communicate with anyone other than those team members present at their counsel table. Coaches may only be consulted between rounds.
 - b. Participants and their coaches may not view any other arguments while they are still participating in the competition. At no time may participants confer and/or share with persons other than their teammate(s) and coach (es), information regarding what they have observed or experienced in oral arguments during the competition. Violation of this rule shall result in a ten (10) point deduction from the oral argument score.
 - c. Any identification of the arguing team's school at any time during or after the completion of the oral argument, in any manner, shall result in automatic disqualification of the team from the competition. See Rule V section C.2.
 - d. Schools with two teams entered must have two coaches (one for each team). Each coach must be permanently assigned to one team only. Coaches are not permitted to exchange positions. Violation of this rule shall result in a ten (10) point deduction from both teams' oral argument score. At no time may coaches or advisors from the same school confer and share information regarding what they have observed of other teams during the competition. Such communication may result in disqualification/points deduction of the team violating this Rule.
- ### 4. Interpretation of what constitutes a violation shall be at the sole discretion of the Executive Board.