The Hicks Thomas LLP
Moot Court National Championship
January 23-25, 2025

2025 Competition Rules

HICKS THOMAS LLP

MOOT COURT NATIONAL CHAMPIONSHIP

The Hicks Thomas LLP Moot Court National Championship is a competition designed to recognize a law school's sustained excellence in moot court. Participating schools qualify for the Championship through their performance in moot court competitions in the previous academic year.

Rule 1 – Teams

1.1 A team must consist of two or three law students attending the same ABA-approved law school. For the purposes of these rules, a law student enrolled during the semester or quarter of the Championship is eligible to participate. Only students who are candidates for a Juris Doctor degree may compete.

1.2 A team may designate one team member as the brief writer.

1.3 Each team entering the competition must fill out a team information form (which serves as the registration form) and submit to the University of Houston Law Center by October 4, 2024. The Team Information Form will be sent out to participating schools once the competition field is set. Each participating school must select all team members and submit the completed Team Entry Form by the October 4th deadline. The Championship Committee has the discretion to withhold delivery of the problem until the completed Team Registration Form has been submitted and the entry fee of $600.00 per team has been paid.

1.4 Team members may not be substituted once they have been named, except for good cause, such as death, severe illness, or other uncontrollable circumstance. After the brief-filing deadline, a team must obtain the Championship Committee's written approval to substitute a team member. No substitutions are allowed once the tournament begins.

1.5 Participating schools will receive a randomly assigned team number designation. This number will be the sole method of identifying the team throughout the tournament. Participants may not directly or indirectly divulge their law schools' identity to the judges until after the final scores have been calculated and the results have been announced.

1.6 Please note that any award and/or scholarship amount won by a team collectively or by individual team member(s) will be distributed to the team member(s) individually and not to the winning school.

Rule 2 – Briefs

2.1 The Championship problem will be released on October 7, 2024 to those teams that are fully registered and who have paid the registration fee. At that time, each team will be randomly assigned to write its brief on behalf of the petitioner or respondent.

2.2 Unless otherwise stated in these Rules, briefs will comply with the Rules of the Supreme Court of the United States.

2.3 The cover of the brief must include the team's designation in the lower right corner. No information serving to identify the team or its law school, other than its designation supplied by the Championship Director, may be included on the cover or anywhere inside the brief.

2.4 All citations should conform to the most recent edition of *A Uniform System of Citation* (commonly known as The Bluebook).

2.5 The technical guidelines for the briefs are:

a) Paper size: 8.5" x 11"
b) Font: Century family, 12-point type
c) Word count: 14,000 (word count begins with the statement of jurisdiction and runs through the end of the brief, including argument headings and footnotes)

2.6 Each team submitting a brief shall certify that the brief was prepared and served in accordance with the Championship Rules (See Appendix 1). Teams shall submit the executed certification form, as a separate document, simultaneously with the brief.

2.10 A team may not amend or revise its brief once it has been submitted.

2.11 Service of Briefs

a. Service of the brief will be by electronic submission on the Championship Committee. Teams will submit their briefs in two formats: (1) as a Portable Document Format file (Adobe .pdf), and (2) as a Word file. Both files should be attached to an email sent to the Championship Committee at the following address: mcncboard@gmail.com. The deadline for submission is 5:00 PM CST, on Monday, November 18, 2024.

b. The e-mail must contain only (1) the electronic copies of the submitted brief, and (2) the certification form. The email must contain the team's designation in the email's subject line.

c. The brief must be a single document. The document must not contain any portion of the appellate record (other than a portion contained in the brief's text), hypertext links to other material, or any document that is not included in the brief.

d. A copy of each brief will be posted on the Championship website to allow all participating teams to access to the briefs. The briefs will be posted on the website no later than Monday, December 2, 2024.

e. If a team fails to properly serve its brief under these rules, the service date will be considered the date the brief is received. See Section 2.13 for the applicable penalty rules.

2.12 Brief Scoring

a. Each brief will be individually evaluated by all members of the 5-member Scoring Committee. A 100-point scale will be used that includes a separate citation score of up to five points.

b. Knowledge of the law and persuasiveness will be the primary standards in grading, but form and style will also be considered.

c. The high score and the low score will be dropped, and the remaining three scores will be averaged in order to determine a team's brief score.

d. Brief scores will be published to the coaches/faculty advisors during the coaches meeting at the beginning of the competition. The decision of whether to relay that information to a team rests with the coach/faculty advisor of that team.

e. A copy of the brief scoring sheet is attached to these rules as Appendix 2.

2.13 Brief Penalties

a. A three-point penalty will be assessed (deducted from the team's final averaged brief score) for each twenty-four (24) hour period, or part thereof, for late filing.

b. A one-point penalty will be assessed (deducted from the team's final averaged brief score) for any brief that exceeds the allowable word count.

c. A one-point brief penalty will be assessed (deducted from the team's final averaged brief score) for a team's failure to submit the certification form in accordance with these rules.

d. Teams will be notified of any penalty deductions fourteen (14) days prior to the tournament.

2.14 Assistance

a. The brief is to be the work product of the Championship student team members only.

b. Team members may not, during the brief writing process, discuss the problem with anyone.

c. It is permissible for coaches and faculty advisors to help students set a brief writing schedule.

d. Subsections 2.14 (a), (b), and (c) are the "letter" of this rule. The "spirit" of this rule is that the students who compete in the Championship have full and total responsibility for the brief. There are undoubtedly loopholes to this rule and to look for loopholes would, by the very nature of that action, violate the "spirit" of this rule.

Rule 3 – Oral Arguments

3.1 Each team will participate in four (4) preliminary rounds. The first and fourth rounds will be "on" brief, and the second and third rounds will be "off" brief.

3.2 Each team is required to check in with the competition administration 30 minutes before each round in which the team is scheduled for oral argument. Please refer to Rule 3.11 for penalties associated with failure to timely check in.

3.3 Two (2) team members will argue in each round of oral argument. A team may vary which members will argue first or second from round to round. Only those team members who are listed on the Team Registration Form may be present during any virtual round.

3.4. Oral argument is limited to a total of 30 minutes per team.

a. A team may allocate individual speaker times as it chooses; however, no team member can speak for more than 18 minutes or less than 12 minutes.

b. The petitioner may reserve up to a maximum of 3 minutes for rebuttal. Only one advocate may argue rebuttal. The petitioner must request rebuttal time from the judges/bailiff at the beginning of the oral round and receive oral permission from the judges/bailiff in order for the rebuttal time to be allotted.

c. The judges may, in their sole discretion, extend any speaker's time.

3.5 Oral arguments will be scored using a 100-point scale. A sample scoring sheet is attached as Appendix 3.

3.6 If a tie exists after the oral argument and brief scores are considered, the team winning the oral argument portion will be declared the winner of the round. In this situation, the margin of victory for the winning team will be zero and the margin of loss for the losing team will be zero.

3.7 The Best Speaker Award will be decided based on the number of ballots each speaker wins during the four (4) preliminary rounds. If a tie still exists between speakers after the ballot count is considered, then the speaker with the highest point average from the four (4) preliminary oral rounds will be the winner. If a tie still exists between speakers at that point, then the tie stands and both individuals will be named Best Speaker.

3.8 Teams are not permitted to "scout" during the tournament. No team member, or person associated with a competing school, may attend the argument of any other school or receive information from any person who has attended an argument of any other school.

3.9 Pairings for the four (4) preliminary rounds will be through assignment. The pairings for all the preliminary rounds will be published in advance of the competition.

3.10 After completion of the four (4) preliminary rounds, advancement to the quarter-final round will be determined using the following process:

a. Win/loss record; then

b. Point differential; then

c. Higher brief score.

3.11 Pursuant to Rule 3.2, any team that fails to check in with the competition administration before the posted start time of an assigned round and/or is not present in the competition room when the assigned round is set to begin will forfeit the round. If a team forfeits an assigned round for this or any other reason, the team's scheduled opponent will be the winner of that round.

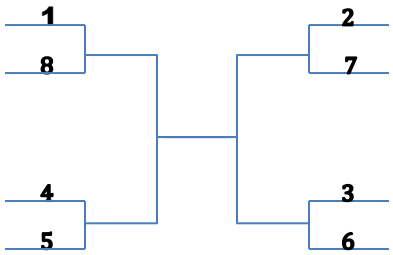
3.12 The team's score in the preliminary rounds will be computed by weighing the oral argument 70% and the brief score 30%.

3.13 The team's score in the quarter-final round will be computed by weighing the oral argument 80% and the brief score 20%.

3.14 The team's score in the semi-final round will be computed by weighting the oral argument 90% and the brief score 10%.

3.15 The team's score in the final round will be computed by weighing the oral argument 100% and the brief score 0%. The winning team will be chosen by a final-round judges' vote; the judges will not fill out score sheets for the final round.

3.16 The quarter-final rounds will pair #1 v. #8, #2 v. #7, #3 v. #6, and #4 v. #5. Petitioner/Respondent assignments for the quarter-final round will be determined by a coin flip with the lower ranking team making the "heads/tails" call. Teams will not be reseeded. See the bracket below:



3.17 Teams advancing to the semi-final and final round will change sides when possible. If it is not possible for both teams to change sides, then Petitioner/Respondent assignments for the semi-final and final rounds will be determined by a coin flip. The lower ranked team will call "heads/tails."

Rule 4 – Administration

4.1 A protest of any brief penalties must be made timely and in writing (electronic filing is permissible). The protest should be sent to the Championship Director at the following email address: mcncboard@gmail.com

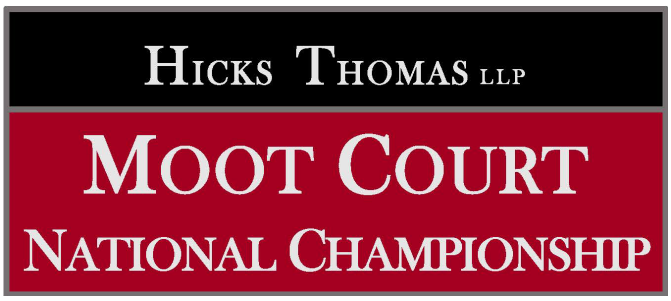
4.2 Any protest arising out of oral argument is considered waived unless the protest is brought to the attention of the Championship Director prior to the publishing of the results that relate to the subject of the protest.

4.3 The deadline for submitting questions and clarifications about the problem is Monday, October 14, 2024. Responses to questions will be distributed to all teams so that all competitors will have identical information. Submit questions to: mcncboard@gmail.com

4.4 Submit questions and clarifications about the rules to: mcncboard@gmail.com.

4.5 The Championship Committee shall interpret these rules.

4.6 The conduct of all participants in the competition, including team members, coaches, and bailiffs, will be governed by the standards set out in the ABA Model Code of Professional Responsibility and the ABA Model Rules of Professional Conduct and may result in disqualification.



Appendix 1

Certification Form

We hereby certify that the brief of Team _____ has been prepared and served in accordance with the Championship Rules.

Team Member 1

_____ _____
(Printed Name) (Signature)

Team Member 2

_____ _____
(Printed Name) (Signature)

Team Member 3

_____ _____
(Printed Name) (Signature)

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Appendix 2

Brief Score Sheet

Team Number: _____ Judge ID Number: _____

Section of the Brief	Description	Possible	Given
Questions Presented	Are the questions posed to frame the issue(s) to be decided in a favorable manner without being argumentative? Is there a clear point of view?	5	
Table of Contents, Table of Authorities, & Appendix	Are the parts in proper sequence, accurate, user-friendly, and provide an overall outline of the case? Are all of the authorities sensibly divided and arranged? Has the correct decision been made to include an appendix or not? (Points may be given or not given for either decision.) If an appendix is used, are the proper items included?	5	
Statement of the Case	Are the facts, including the procedural facts and results, reasonably developed (with references to the record) and fairly stated to persuasively tell that client's side of the case? Are the facts limited to those relevant to the writer's argument?	10	
Summary of the Argument	Is the summary an accurate and clear condensation of the argument(s) made in the brief?	5	
Argument: Issue Recognition	Are all of the necessary issues included in the arguments? Are irrelevant issues included?	10	
Argument: Argument Structure	Are the arguments structured and organized logically, flowing from the strongest arguments to the weakest? Are the arguments developed in a way that is easy to follow? Is it clear what the writer is asking for? Does each paragraph lead to a conclusion in the writer's favor?	10	
Argument: Argumentative Headings	Are the points and sub-points identified in clear and effective headings? Do the headers form a cohesive outline of the argument?	10	
Argument: Authority	Are the best available legal authorities appropriately used and developed? Are unfavorable authorities recognized and properly treated?	10	
Argument: Persuasion	Are the issues and authorities set forth persuasively? Are favorable arguments positively stressed and unfavorable arguments recognized and answered? Do the arguments maintain an overall theory of the case? Does the writer state succinctly how each issue should be decided in the writer's favor and why?	15	
Conclusion	Does the conclusion request the correct relief available under the record and arguments?	5	
Style and Appearance	Is the brief clear, unambiguous, readable, carefully edited, polished, and professional?	10	
	Total Points		

Appendix 3

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JUDGE'S SCORING SHEET

Petitioner: Team _____

Counsel 1 **Counsel 2**

Name: _____ Name: _____

	Max.			Max.
	(40)	Evidence of Research; Knowledge of the Record, Issues and Law; Organization and Reasoning		**(40)**
	(30)	Performance in Answering Questions (direct, correct & complete answers with poise)		**(30)**
	(10)	Public Speaking Performance (including clarity of thought, voice, eye contact, gestures, absence of bad habits, etc.)		**(10)**
	(10)	Persuasiveness of Counsel, Irrespective of Merits		**(10)**
	(10)	Counsel's Demeanor and Courtroom Manner		**(10)**
	(100)	Total		**(100)**

Respondent: Team _____

Counsel 3 **Counsel 4**

Name: _____ Name: _____

	Max.			Max.
	(40)	Evidence of Research; Knowledge of the Record, Issues and Law; Organization and Reasoning		**(40)**
	(30)	Performance in Answering Questions (direct, correct & complete answers with poise)		**(30)**
	(10)	Public Speaking Performance (including clarity of thought, voice, eye contact, gestures, absence of bad habits, etc.)		**(10)**
	(10)	Persuasiveness of Ccounsel, Irrespective of Merits		**(10)**
	(10)	Counsel's Demeanor and Courtroom Manner		**(10)**
	(100)	Total		**(100)**

Best Speaker: _____ Judge Signature: _____