

Widener University Delaware Law School

MOOT COURT HONOR SOCIETY

29TH ANNUAL RUBY R. VALE
INTERSCHOOL CORPORATE
MOOT COURT COMPETITION

2017

COMPETITION RULES

TABLE OF CONTENTS

I. ORGANIZATION OF THE COMPETITION	2
II. TEAMS	2
A. GENERAL	2
B. COMPETITORS.....	2
C. COACHES AND ADVISORS.....	3
D. SPECTATORS	3
III. WRITTEN BRIEFS	3
A. GENERAL	3
B. LENGTH AND FORMAT	4
C. SERVICE AND CERTIFICATION.....	5
D. SERVICE ON OPPOSING TEAMS.....	5
E. REVISION	5
F. BRIEF SCORING.....	5
V. ORAL ARGUMENTS.....	6
A. GENERAL	6
B. TIME AND PLACE	6
C. ARGUMENTS.....	6
D. ORAL ARGUMENT SCORING.....	7
E. MATCHUPS FOR ADVANCED ROUNDS.....	8
VI. AWARDS	8
VII. REQUESTS FOR GRADE SHEETS.....	9
VII. AUTHORITY OF THE EXECUTIVE BOARD	8

2017 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 Delaware Law School Moot Court Honor Society. Each round of the Competition is judged by members of the local bench and bar.
- B. The Competition is governed by the following rules and procedures as interpreted at the sole discretion of the Widener University Delaware Law School Moot Court Honor Society Executive Board (hereinafter “Executive Board”).

II. TEAMS

A. GENERAL

- 1. A maximum of two teams may represent any one law school in the Competition
- 2. If two teams from the same law school are registered to compete, those teams shall not work together when researching, writing, or editing their briefs.
- 3. Teams from the same school may practice oral arguments together after briefs are submitted.

B. COMPETITORS

- 1. Each team will consist of two or three members.
- 2. All team members must participate in writing the team’s brief.
- 3. Each team member must argue at least once in the preliminary rounds in order for the team to be eligible to advance.
- 4. Any team member who does not participate in an oral argument round may accompany their team to the round, but shall not be permitted to sit at counsel table.
- 5. During oral arguments, competitors at counsel table may only communicate with each other. Coaches and other team members may only be consulted between rounds.
- 6. Competitors are prohibited from communicating with anyone other than their teammates and coaches regarding their observations and experiences in oral arguments during the Competition. Violation of this rule shall result in a ten (10) point deduction from the team’s overall oral argument score.
- 7. No team member may hold a law degree. All team members must be full or part-time law students enrolled in an ABA approved law program or foreign equivalent.
- 8. No team member may be replaced after **January 20, 2017** without the express written

2017 RUBY R. VALE INTERSCHOOL CORPORATE MOOT COURT COMPETITION RULES

consent of the Competition Chair.

C. COACHES AND ADVISORS

1. Coaches and advisors may be law students, law school faculty members, practitioners, or outside legal advisors.
2. Coaches and advisors are only permitted to assist with oral argument preparation. No team shall receive any assistance with the problem prior to or in connection with writing its brief.
3. All coaches and advisors are subject to the same rules as team members, except as explicitly stated in these rules.
4. Each team may have a maximum of two coaches or advisors.
5. Coaches and advisors may accompany their team into oral arguments at any time, but shall not sit at the counsel table.
6. Schools with two teams registered must have at least two coaches (one for each team). All coaches 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' overall oral argument score.
7. At no time may any team's coach share information with another team's coach regarding the teams they have observed during the Competition. Such communication may result in disqualification or point deduction for the violating coach's team.

D. SPECTATORS

1. Teams must obtain written consent from the opposing team's members if they wish to have spectators accompany them into the Preliminary, Quarter-Final, or Semi-Final rounds of the Competition.
2. Written consent can be obtained any time prior to oral argument.
3. All competing teams and coaches are prohibited from observing other teams during any round of the Competition while they are still participating in the Competition.
4. The Competition's Final Round on **Sunday, March 19, 2017**, is open to everyone.

III. WRITTEN BRIEFS

A. GENERAL

1. The Competition Chair will randomly assign each team to serve as counsel for the Appellant or the Appellee for the purpose of preparing the written brief. Failure to write

2017 RUBY R. VALE INTERSCHOOL CORPORATE MOOT COURT COMPETITION RULES

the brief for the assigned side shall result in a twenty (20) point deduction from the brief score. Each team will also be assigned a confidential team letter. Confidential team letters and sides will be e-mailed to all teams prior to **January 11, 2017**.

2. In order to ensure anonymity, the team's law school and team member names shall only be included on the Proof of Service and Certification. The confidential team letter shall be the only identifying information on each brief's cover page. Team members shall not sign their brief nor include any identifying information within the body of the brief. Any violation of these anonymity rules may result in disqualification.
3. Any finding of plagiarism within a team's brief shall result in that team's immediate disqualification from the Competition. Plagiarism is the unauthorized appropriation or insufficient acknowledgement of the ideas or written work of another.

B. LENGTH AND FORMAT

1. The Delaware Supreme Court Rules shall govern the length and format of the briefs, unless otherwise prescribed by these Competition Rules. The Delaware Supreme Court Rules can be found at: <http://courts.delaware.gov/forms/download.aspx?id=39368>.
2. The typeface for the brief shall be Courier New, size 11-point font.
3. Each page of the brief shall measure 8 ½ by 11 inches, with one-inch margins on all sides (excluding page numbers).
4. All pages shall be double-spaced, not exceeding 26 lines of text per page (excluding page numbers), except as indicated by *The Bluebook: A Uniform System of Citation*, (20th ed. 2015).
5. Briefs shall not exceed twenty-five (25) pages in length. Partially filled pages will be counted as full pages. The cover page, table of contents, table of citations, and appendices will not count towards the page limit. Failure to conform with the 25-page limit shall result in a two (2) point deduction per extra page from the team's brief score.
6. The font on the cover of Appellant's brief shall be blue; the font on the cover of Appellees' brief shall be red. Failure to identify the brief as that of Appellant or Appellees shall result in a two (2) point deduction from the brief score. Failure to include the team's confidential letter on the cover page of each brief shall result in a two (2) point deduction from the brief score.
7. Briefs shall include the following: Cover Page, Table of Contents, Table of Citations, Nature of Proceedings, Summary of Argument, Statement of Facts, and Argument. Each argument within the Argument section shall be divided into the following three parts: (1) Questions Presented; (2) Scope of Review; and (3) Merits of Argument.
8. All citations shall be in the form prescribed by the Delaware Supreme Court Rules. It is not necessary to attach or submit any unreported cases or orders of the court below, even if cited in the brief, provided that such cases or orders are generally available

2017 RUBY R. VALE INTERSCHOOL CORPORATE MOOT COURT COMPETITION RULES

through a commercial or public database.

9. Unless otherwise noted in these rules, failure to conform to the above formatting rules shall result in a two (2) point deduction from the team's brief score for each violation.

C. SERVICE AND CERTIFICATION

1. Each team shall serve the Competition Chair with two (2) identical copies of its final brief via e-mail. Briefs must be e-mailed to **vavizzard@mail.widener.edu** by 5:00 p.m. EST on **February 3, 2017**. One brief shall be in PDF format and the other shall be in .doc or .docx format.
2. Completed Certification and Proof of Service forms (see attached), which certify that the brief was prepared in accordance with the Competition Rules, and that two (2) identical copies were timely served on the Competition Chair, must be included at the end of the team brief. Failure to include either the Certification or the Proof of Service will result in a ten (10) point deduction from the team's brief score.

D. SERVICE ON OPPOSING TEAMS

1. PDF versions of all team briefs will be posted by 11:59 p.m. EST on **February 6, 2017** on the Ruby R. Vale Competition website:

<http://delawarelaw.widener.edu/current-students/student-life-jd/student-organizations/moot-court-honor-society/ruby-r-vale-interschool-corporate-moot-court-competition/>

2. Each team is responsible for accessing the website and downloading other competitors' briefs.
3. Briefs will be designated by confidential team letter.

E. REVISION

1. Briefs may only be served on the Competition Chair once.
2. No revised or supplemental briefs will be accepted.

F. BRIEF SCORING

1. Each brief will be scored in accordance with a standardized scoring sheet, which is based on the following criteria: persuasiveness, clarity, use of authority, and knowledge of facts. Additional consideration will be given to grammar, punctuation, and bluebook proficiency.
2. Three (3) brief judges will grade each brief. Licensed attorneys will serve as brief judges.
3. Brief judges will not know the identity of the team that has prepared the brief.
4. The Competition Chair will calculate each team's final brief score by the arithmetic

2017 RUBY R. VALE INTERSCHOOL CORPORATE MOOT COURT COMPETITION RULES

average of the three scores minus any penalties for failing to conform to these Competition Rules.

V. ORAL ARGUMENTS

A. GENERAL

1. The Competition Chair is solely responsible for scheduling oral arguments.
2. In the event that an uneven number of teams participate in the Competition, Delaware Law School may provide an emergency team that will substitute for an open argument. If an emergency team is required, it shall not be permitted to advance beyond the preliminary rounds of the Competition.
3. During the Competition, teams shall be identified by their confidential team letters. The name of the team's law school shall not be communicated to anyone, in any manner, at any time before or during the Competition, until the time of the Final Round. Advocates shall not bring any materials identifying their law schools (notebooks, binders, etc.) to the Competition. Failure to comply with this rule will result in the automatic disqualification of the team from the Competition.

B. TIME AND PLACE

1. All Competition rounds will be held at Widener University Delaware Law School in Wilmington, Delaware.
2. All team members and advisors shall report to the sign-in table located in the Law Building at Widener University Delaware Law School between 4:30 p.m. and 5:15 p.m. on **Thursday, March 16, 2017**. A Competition meeting will follow sign-in. Light refreshments will be served.
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.

C. ARGUMENTS

1. All teams must argue in three (3) Preliminary Rounds. In the first Preliminary Round, all teams will argue on-brief. For subsequent rounds, teams will be randomly assigned to represent Appellant or Appellee. Each team will argue at least once for Appellant and at least once for Appellee.
2. For three-member teams, every member must argue at least once during the Preliminary Rounds. A team member must argue in at least two of the three Preliminary Rounds to qualify for the Best Oral Advocate Award.
3. Oral arguments shall be limited to a total of thirty (30) minutes per team, including rebuttal. Two members of each team must participate in any oral argument. Each team

2017 RUBY R. VALE INTERSCHOOL CORPORATE MOOT COURT COMPETITION RULES

may divide the thirty (30) minutes between the two members as it wishes, provided that each member argues for at least ten (10) minutes, including rebuttal. Each team must inform the bailiff how they wish to split their allotted time prior to the oral argument.

4. Appellants may reserve up to five (5) minutes for rebuttal by advising the Bailiff of the amount of time prior to the oral argument. Appellants must also formally request rebuttal time from the panel of justices at the beginning of Appellant's argument. Failure to inform the bailiff or the Court will result in a waiver of rebuttal. Only one team member may give rebuttal. Appellee may not reserve time rebuttal.
5. The subject matter of competitor's written briefs shall not limit the contents of their oral arguments.

D. ORAL ARGUMENT SCORING

1. Each oral argument will be judged by a minimum of two (2) judges, who will score each individual participant in accordance with a standardized scoring sheet. The scoring sheet is based on many substantive factors, including: persuasiveness, ability to answer questions, factual analysis, and legal analysis. Presentation factors are also considered, including: speaker's audibility, posture, and respect for the bench.
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 may critique the arguments at their discretion.
4. Total team scores will be based on a combination of brief and oral argument scores, consistent with the following rules:
 - a. **Preliminary Rounds:** The brief score will count for forty percent (40%) of the total score. Oral argument scores will count for the other sixty percent (60%) of the total. The eight (8) teams with the highest combined brief and Preliminary Round oral argument score will advance to the Quarter-Final rounds. In the event of any ties in the preliminary rounds, the team achieving the highest brief score will advance.
 - b. **Quarter-Final Round:** The teams will be judged solely on the basis of oral argument. Each matchup will compete head-to-head. The team with the highest score in each matchup will advance to the Semi-Final Rounds. In the event of a numerical tie, the judges will vote. The team with the most votes will be declared the winner.
 - c. **Semi-Final Round:** The Semi-Final Rounds will be judged by one bench. The teams will be judged solely on the basis of oral argument. Each matchup will compete head-to-head. The team with the highest score in each matchup will advance to the Final Round. In the event of a numerical tie, the judges will vote.

2017 RUBY R. VALE INTERSCHOOL CORPORATE MOOT COURT COMPETITION RULES

The team with the most votes will be declared the winner.

- d. **Final Round:** The Final Round judges will choose a winner based solely on oral argument.
5. The oral argument and briefs scores will not be announced prior to the determination of the winner of the Ruby R. Vale Interschool Corporate Moot Court Competition.

E. MATCHUPS FOR ADVANCED ROUNDS

1. The matchups for the advanced rounds will be determined as follows:
 - a. **Quarter-Final Round:** The top eight (8) teams advancing will be ranked and seeded in a single elimination bracket according to their combined brief and Preliminary Round scores. Pairings will be determined by having the highest ranked teams competing against the lowest ranked teams, e.g., #1 v. #8, #2 v. #7, etc.
 - b. **Semi-Final Round:** The four (4) teams advancing will be paired based on the initial single elimination bracket.
 - c. **Final Round:** The two (2) teams advancing will compete in the Final Round.
2. Teams will argue on-brief throughout the advanced rounds. In the event that both teams in a matchup wrote the brief for the same party, the higher seed will argue on-brief.

VI. AWARDS

- A. Recognition awards will be presented to the following:
 1. The Champion Team
 2. The Finalist Team
 3. The Donald E. Pease Best Corporate Brief Award Winning Team
 4. The Best Oral Advocate
- B. The Best Corporate Brief and Best Oral Advocate Awards will be presented at the Banquet on **Friday, March 17, 2017**.
- C. The Finalist Awards will be presented following the Final Round on **Sunday, March 19, 2017**.

VII. REQUESTS FOR GRADE SHEETS

2017 RUBY R. VALE INTERSCHOOL CORPORATE MOOT COURT COMPETITION RULES

- A. All requests for grade sheets shall be made within two weeks of the end competition. All requests should be submitted in writing to **vavizzard@mail.widener.edu**.

VIII. AUTHORITY OF THE EXECUTIVE BOARD

- A. The Executive Board shall have the sole discretion to interpret and amend these rules. No interpretation of or amendment to these rules is valid unless obtained in writing from the Competition Chairperson. All requests for clarification of these rules must be e-mailed to **vavizzard@mail.widener.edu** no later than 5:00 p.m. EST on **Friday, January 27, 2017**. The Competition Chair will notify all teams of amendments or clarifications of these rules via e-mail.
- B. The Executive Board shall have the sole discretion to answer all substantive inquiries concerning the Competition Problem. All such inquiries must be e-mailed to **vavizzard@mail.widener.edu** no later than 5:00 p.m. EST on **Friday, January 27, 2017**.
- C. The Executive Board shall have sole discretion to interpret what constitutes a violation, assess penalties, and disqualify teams for failure to abide by any of the foregoing rules. The violations and penalties mentioned throughout these rules are not exclusive, but a guide for the competitors' benefit.
- D. 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.

2017 RUBY R. VALE INTERSCHOOL CORPORATE MOOT COURT COMPETITION RULES

PROOF OF SERVICE

We certify that our team has served two (2) copies of its brief, a PDF version, and a .doc or .docx version via e-mail in accordance with the Twenty-Ninth Annual Ruby R. Vale Interschool Corporate Moot Court Competition Rules.

Law School Name

Confidential Team Letter

Competitor 1 Name

Signature

Date

Competitor 2 Name

Signature

Date

Competitor 3 Name

Signature

Date

2017 RUBY R. VALE INTERSCHOOL CORPORATE MOOT COURT COMPETITION RULES

CERTIFICATION

We, the undersigned, hereby certify that the enclosed brief complies with the Twenty-Ninth Annual Ruby R. Vale Interschool Corporate Moot Court Competition Rules. The brief is the work product solely of the undersigned competitors. The undersigned competitors have not received assistance from any law school faculty member, student, coach, or any other person in connection with the preparation of this brief or the analysis of the problem.

Law School Name

Confidential Team Letter

Competitor 1 Name

Signature

Date

Competitor 2 Name

Signature

Date

Competitor 3 Name

Signature

Date