**22-23**

**Advanced Moot Court**

***For the competitor***

***Welcome to the Advanced Moot Court competition!***

Thank you for competing with us. The following materials are meant to help guide you in your competition but remember that they’re only a guide. If you want to do something different or if your coach recommends a different route, you are more than welcome to pursue that.

If you elected to have a coach, reach out to them with any questions you may have. They have valuable experience that can help you. Keep in mind that your coach may not help you on substantive issues. For Moot Court, that means they can’t help you form your argument or anything else related to the content of the problem. Ask your coach questions relating to the format of the competition, style, or feedback on performance. Your coach will watch at least one of your preliminary rounds. Speak with them after! That is where many people get their most valuable feedback.

***What does the Moot Court competition look like?***

Moot Court starts with the preliminary rounds (“prelims”). The preliminary rounds are the first three rounds you participate in. After each round, the judge of that round will fill out a ballot, determining which side won that round. These ballots become available for you to access after the preliminary rounds are concluded and the next rounds for those who advanced (“broke”) are announced. You are strongly encouraged to look at those ballots. They can offer incredibly valuable insight.

Everyone who competes in the Moot Court prelims will receive 10 BoB points. Those who do not break will receive 1 additional point for each prelim round they won. Those who do break will receive an additional 5 points for each round they advance to.

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| --- | --- | --- |
| ***How far they advanced*** | ***Competitor*** | ***Points*** |
| Didn’t break but won one prelim round | Abigail Goodman | 11 |
| Broke to octafinals but didn’t win | Emily Spjut | 15 |

If you have questions about points, contact the Vice Chair of Competitors, Abigail Goodman. Her email is [abigail.goodman@ttu.edu](mailto:abigail.goodman@ttu.edu).

***What does a Moot Court round look like?***

Before any Moot Court rounds begin, you will receive the problem. Unlike Negotiations, everyone receives the same document, known as “the record”. This document contains the relevant judicial opinions, including the majority and the dissenting opinion. Those opinions will summarize the relevant facts of your case and include case law, some of which will be damaging to your argument while others will be helpful. You should read through this document very carefully prior to preparing any materials. During your preliminary rounds, you will need to be both petitioner and respondent. You should keep this in mind when evaluating the problem.

Moot Court rounds focus on evaluating two issues before the Court, with petitioner taking the opposite position of respondent. This means one member of your team will focus on Issue 1, while the other member will focus on Issue 2. You may decide who takes which issue.

Unlike 1L Moot, Advanced Moot includes a written portion where either you or a third member of your team will write a brief addressing both Issue 1 and Issue 2. Your brief is an opportunity to show off your written advocacy skills and prepare what arguments may be utilized in the oral argument rounds. The brief should be submitted by the indicated date.

In preparation for your Moot Court round, you should prepare your argument. Your argument should begin with an introduction, explaining who you are and which issue you are addressing. The introduction should be shortly followed by an “about statement,” which should be used to explain to the judge what you believe the core issue to be. The about statement should be followed by a “roadmap.” The roadmap is an opportunity to inform your judge of your sub-arguments and the order in which you intend to address them. You should have 2 to 3 sub-arguments. Each sub-argument should have a fully developed, persuasive reasoning behind it. Consider why you are making this point and how it goes to presenting your client’s case in the most persuasive light possible. When relevant to do so, refer to the record. After addressing each argument, you should remember to summarize each point and conclude. In preparing this argument, you may want to write every word you intend on saying down or you may want to use bullet points.

Remember that Moot Court rounds are supposed to be conversational with your judge. Have enough content prepared to have a fully fleshed out argument, but remember that you must be flexible. You may also find it helpful to try and anticipate where you will receive questions and how you would answer them. You should remember to always be respectful in your answer. You are allowed to disagree with a judge but you are not allowed to be rude. If you do not know an answer, do not say “I don’t know.” Several ways to approach questions that you do not know are included in the resource section of this packet.

Arrive to your Moot Court round at least 15 minutes early in business professional dress. This will allow you time to check in and find your room.

If you are petitioner for that round, keep in mind that you are responsible for finding a bailiff. If you are unable to find a bailiff, inform the Vice Chair of Competitors, Abigail Goodman, 24 hours prior to the round so that she may find one for you. The bailiff does not need to arrive to the round in business professional dress. Prior to your Moot Court round beginning, you should ensure that your bailiff is in your room and understands how the process will go.

Each side will have 30 minutes total to argue before the Court. Typically, this means each member of the respondent team will have 15 minutes each to argue. Petitioner has an opportunity for rebuttal after both members of respondent present their argument. Rebuttal is typically 3 minutes, but you may reserve more or less time if you feel it is necessary. As such, petitioner typically has 27 minutes to divide amongst themselves. The bailiff will give warnings when each competitors has 10, 5, 3, and 1 minute left of their argument. The bailiff will have timecards to silently give those warnings and a card to inform the competitor that their time is over. Encourage your bailiff to ensure that both the competitor and the judge see the timecards.

After petitioner informs the judge of how much time they are reserving for rebuttal, the round will begin. The petitioner team member who is addressing Issue 1 will go first. Once they are finished, they will be followed by the petitioner team member who is addressing Issue 2. Respondent will follow in a similar manner, with the team member addressing Issue 1 going first and the team member addressing Issue 2 going second. Petitioner will then have an opportunity for rebuttal. Once rebuttal is finished, the round is over. All arguments should be delivered while standing at the podium, facing the judges.

***Resources***

*Introduction*

“[Madam/Mister] Chief Justice and May it please the Court. My name is [your name] and along with my co-counsel [partner’s name], we represent the [petitioner/respondent] in this case, [client’s name]. There are two issues before the Court today and I will be addressing the [first/second]: [restatement of the issue you are addressing].”

*Basic Roadmap*

“There are three reasons why the court should reverse the decision of [case name]. First, [first sub-argument]. Second, [second sub-argument]. Finally, [last sub-argument].”

*Alternatives to “I don’t know”*

1. “I am unsure of the answer to you question, Your Honor, but I can direct you to [relevant part of the record].”
2. “I am unclear on that point, Your Honor, but what I think is relevant to your point is [relevant, persuasive point].”
3. “I believe I am misunderstanding Your Honor’s questions, but what I glean from the record is that [relevant, persuasive point].”

**NOTE:** Only reference misunderstanding if you genuinely do not understand the judge’s question. It is permissible to ask for clarification if the question is confusing.

1. “I will have to file a supplemental brief on that point, Your Honor.”

**NOTE:** Filing a supplemental brief is a last ditch effort and should only be used if you are genuinely struggling. Try not to use it as much as possible.

*Brief Conclusion*

“[Summarize the sub-arguments you addressed.] It is for these reasons that the Court should [affirm/reverse] [name of case]. Thank you.”