EVAN A. EVANS CONSTITUTIONAL LAW
MOOT COURT COMPETITION

2015

COMPETITION RULES
# TABLE OF CONTENTS

I. TEAMS .................................................................................................................. 3
II. SOURCES ............................................................................................................... 3
III. BRIEFS .................................................................................................................. 3
IV. OUTSIDE ASSISTANCE ....................................................................................... 5
V. QUESTIONS ABOUT THE PROBLEM ................................................................. 5
VI. SCORING ............................................................................................................... 6
VII. RULE VIOLATIONS ............................................................................................ 8
VIII. AWARDS ............................................................................................................ 8
IX. USE OF THE PROBLEM ...................................................................................... 9
X. QUESTIONS ........................................................................................................... 9
The University of Wisconsin Law School Moot Court Board (“the Board”) presents the following rules for the 2015 Evan A. Evans Constitutional Law Moot Court Competition (“the Competition”). They were created to ensure a fair, consistent, and efficient competition.

I. TEAMS

A. Eligibility

The Competition is open to all ABA-accredited law schools in the United States except for the University of Wisconsin. Participating schools may enter one or two teams in the Competition, each composed of two full- or part-time students studying for a Juris Doctor degree. A team may consist of three students, however only two may argue in any given round. Team members’ names that were not included on the registration form must be submitted to the Vice President – Evans at evanscompetition@gmail.com by 5:00 p.m. (Central Standard Time) on Friday, January 2, 2015.

B. Substitution

There shall be no substitution of team members after 5:00 p.m. (Central Standard Time) on Friday, January 2, 2015, except upon express written consent of the Vice President – Evans. Such consent will be given at the sole discretion of the Vice President – Evans. Absolutely no substitution of team members shall be permitted after oral arguments begin.

II. SOURCES

A. The Problem

The Problem is based on an issue of national interest, but it is not based on any particular case. Any resemblance to actual persons, places, or events is purely coincidental.

B. Limits on Sources

Harrenhal is a fictional state. Competitors are not limited to any particular jurisdiction when conducting research. Only United States Supreme Court case law is controlling. It is possible that a court, either trial-level or appellate, will rule on a substantially equivalent issue to the one contained in the Problem between the time the Problem is distributed and the time of the Competition. Parties may not cite to any cases, briefs or other court documents filed after December 31, 2014, either in the brief or in oral argument. Judges will be informed of this restriction.

III. BRIEFS

A. Assignment

Participating teams shall be randomly assigned to write either a petitioner’s or a respondent’s brief. A school sending two teams to the Competition shall be required to have one team brief each side. Odd-numbered teams shall write petitioner’s brief; even numbers shall write respondent’s brief.

3 UNIVERSITY OF WISCONSIN LAW SCHOOL | MOOT COURT BOARD
B. Body

The brief shall include the following components:

1. Cover Page
2. Questions Presented
3. Table of Contents
4. Table of Authorities
5. Constitutional Provisions or Statutes Involved
6. Statement of the Case
7. Summary of the Argument
8. Argument
9. Conclusion

The Supreme Court Rules govern the format of the brief except as otherwise noted by these Rules. Citations shall be in conformity with the Bluebook, 19th Edition.

C. Form and Type

Briefs must be typed on 8 1/2” x 11” paper in double-spaced format. The page shall have 1-inch margins, excluding page numbers, and must be printed on one side. The brief shall not exceed thirty pages in length and must use Times New Roman, 12-point font. All partial pages will be counted as a full page. The thirty-page limitation shall include the Statement of the Case, Summary of the Argument, Argument, and Conclusion. Briefs shall be identified by the team’s identification number only. There shall be no information within the body of the brief or in any appendices indicating the team’s school affiliation.

Please consult the 2015 Evans Technical Brief Score Sheet for additional requirements and scoring.

D. Submission of the Briefs

All briefs must be created using Microsoft Word in order to ensure compatibility and reduce formatting problems. The cover for each brief shall include:

a. The docket number
b. The name of this court (Supreme Court of the United States)
c. The parties
d. Either “Brief for Respondent” or “Brief for Petitioner”
e. “On Writ of Certiorari to the United States Court of Appeals for the Fourteenth Circuit”
f. Assigned team number

The cover of Petitioner’s brief must be blue. The cover of Respondent’s brief must be red.

Briefs shall be submitted electronically – paper copies of the briefs will not be required or accepted this year. Each team shall email one copy of its brief to the Vice President – Evans at evanscompetition@gmail.com. Brief submission will occur as follows:
a. The emailed submission must contain two attachments:
   1. the brief in its entirety as a single PDF,
   2. the Certification, scanned and attached as a separate PDF.
b. The emailed brief must be received by 11:59 PM (Central Standard Time) Friday, February 13, 2015.
c. The Vice President – Evans will then post each team’s brief on the Evans website by Wednesday, February 18, 2015.

IV. OUTSIDE ASSISTANCE

A. Purpose

The purpose of this rule is to ensure that the substance of the brief and oral arguments is the product of only those individuals participating in the Competition.

B. Certification

Each team shall certify that its brief has been prepared in accordance with the 2015 Rules and that it represents the work of only the team members (which includes only those registered to compete on behalf of the school, and does not include the coach or any other individual who will not also argue orally in competition on behalf of the team). The Certificate, which appears at the end of the 2015 Rules, shall be signed and dated by each team member, uploaded as a scanned PDF, and submitted as a separate attachment in the email along with the team’s final brief.

C. Brief

No team shall receive outside assistance in the preparation of its brief. This includes assistance from faculty, coaches, other teams, or other students. The individual team members may assist one another on the different sections of the brief. The final work product must be structurally and substantively the exclusive work of the team members.

No one other than the registered team members of that team shall perform editing and proofreading to the brief. A school sending two teams to the competition may not allow the teams to collaborate in any capacity in preparation of the brief.

D. Oral Arguments

During oral argument practices, faculty, coaches, or other persons are permitted to offer general critiques concerning the team members’ presentation. The individual team members may assist one another in preparing their oral argument. The final argument must be structurally and substantively the exclusive work of the team members.

Teams from the same school may not jointly prepare their oral arguments. Similarly, a school sending one team may not practice oral arguments with faculty, coaches, or other persons from outside schools.

V. QUESTIONS ABOUT THE PROBLEM
Teams may submit requests for interpretation of the Problem or questions about the Problem to the Evans Problem Writer at evanscompetition@gmail.com (the subject line should be labeled “Problem”). The deadline for submitting questions about the Problem and requests for interpretation is 11:59 PM (Central Standard Time) on Friday, February 6, 2014. The Evans Problem Writer will upload a list of questions and interpretations on the Evans website. Until the deadline for submitting questions has passed, this list will be updated periodically as teams submit new requests.

VI. SCORING

A. Brief Scoring

A minimum of two (2) judges will score each brief technically using the 2015 Evans Technical Brief Scoring Sheet. The average of the judges’ technical scores will comprise 30% of each team’s final brief score. A minimum of two (2) judges will score each brief substantively using the 2015 Evans Substantive Brief Scoring Sheet. The average of the judges’ substantive scores will comprise 70% of each team’s final brief score.

B. Oral Arguments Generally

Each team shall argue in all three preliminary rounds. Sixteen teams shall be selected to continue on to the Octofinal round. Thereafter, eight teams shall be selected to continue on to the Quarterfinal round. Thereafter, four teams shall advance to the Semifinal round. The two winning teams from the Semifinal round shall advance to the Final round.

Should there be an odd number of teams, the Evans Competition will field a shell team to compete in oral arguments. The shell team will be identified by a number like all other teams, and will not advance past preliminary rounds. If no shell team can be formed, the Evans Competition Vice President will contact competitors with an alternate procedure within seven (7) days of the competition.

Each team argument shall be limited to thirty minutes. Every team member shall argue once per round (with the exception of three-member teams), and each team member must argue for a minimum of 10 minutes. Petitioners may reserve up to three minutes for rebuttal each round by 1) providing the bailiff, before the round, with notice of the length of rebuttal time and from which competitor’s total time allotment the team will take the rebuttal time, and 2) orally requesting the desired rebuttal time from the judges at the start of the oral argument. Only one team member may deliver the rebuttal.

All teams are prohibited from identifying their school affiliation during oral argument. Team members must identify themselves using only their names and their team number.

Bailiffs will display signs indicating when a competitor has 10 minutes, 5 minutes, 3 minutes, and 1 minute remaining, as well as when the competitor’s time has expired.

For the first Preliminary round, each team will argue for the side on which they wrote their brief (i.e., “on-brief”). For the second and third Preliminary rounds, the Vice President – Evans shall randomly assign each team to argue either Petitioner’s or Respondent’s side. Teams will argue each side at
least one time. For the Octofinal, Quarterfinal, Semifinal, and Final rounds, the highest seeded team going into the round may choose the side they argue.

Note: Seeding for entrance into the Octofinal is based upon total (3) Preliminary Round scores. Seeding for the Quarterfinal, Semifinal, and Final is based solely upon scores from the round immediately preceding the round in question. For example, seeding for the Semifinal round will be based upon Quarterfinal scores.

C. Oral Argument Scoring

A minimum of two (2) judges will judge each oral argument round and score it in accordance with a standardized scoring sheet, which will be the same sheet used for all oral argument rounds during the Competition. Should there only be two judges in a round, their scores will be averaged, and the average will be used as the third score.

Similarly, some panels may consist of four or more judges. In panels exceeding three judges, only three ballots will be used for grading purposes, and any number in excess of three will be drawn at random and dropped. For example, if there are four judges, one score will be dropped.

The three oral argument scores to be used for scoring a round (after the number of judge’s scores has been properly accounted for pursuant to the above paragraph), will be averaged, with the average score representing the team’s oral argument component of their score for that round.

Total team scores will be used on a combination of brief and oral argument scores, consistent with the following rules:

i. 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 score. The top sixteen (16) teams with the highest combined brief and oral argument score will move on to the next round.

ii. Final Rounds

In the Octofinal, Quarterfinal, and Semifinal rounds, the team with the highest score will argue against the lowest score, and so on.

a. Octofinal Round: The brief score will count for thirty percent (30%) of the total score. Oral argument scores will count for seventy percent (70%) of the total score. The top eight (8) teams with the highest combined brief and oral argument score will move on to the next round.

b. Quarterfinal Round: The brief score will account for twenty percent (20%) of the total score, and the oral argument score shall account for eight percent (80%) of the total score.

c. Semifinal Round: The brief score shall account for ten percent (10%) of the total score, and the oral argument score shall account for ninety percent (90%) of the total score.
d. **Final Round:** The total score shall be determined solely on the basis of the oral argument score.

**VII. RULE VIOLATIONS**

A. Brief Deadline

For the first day that a brief is overdue, the team failing to email its brief on time will incur a four-point penalty on its brief score. For every late day thereafter, the team will incur an additional two-point penalty.

B. Team Identification

Any team identifying its school affiliation during oral arguments shall have five points deducted from its raw score for each violation during that round.

C. Page and Margin Errors

Failure to remain within the specified margins shall result in a ten-point (10-point) deduction. A team that exceeds the page limit shall have twenty (20) points deducted from its technical brief score.

D. Oral Argument Errors

A team member’s failure to argue for a minimum of ten minutes will result in that member being penalized three points from that member’s raw score.

E. Source Violations

Citing materials prohibited by Rule II.B will result in a five-point deduction from the raw score for each violation, whether in the brief or in oral argument.

**Note:** For purposes of these rules, “raw score” is the score given by each judge to each competitor, during each round. For example, if a round has three judges, a competitor will be given three “raw scores” before those scores are calculated to reach the total round score.

**VIII. AWARDS**

Awards shall be presented to the top three placing teams. Additionally, awards shall be presented for the following categories:

A. Best Oralist, Runner-Up Best Oralist, and Third-Best Oralist
   i. Oralist awards will be determined based only on the average of the competitor’s preliminary round scores.
   ii. A competitor must argue twice in the preliminary rounds to be eligible for an oralist award.

B. Best Petitioner Brief and Runner-Up Best Petitioner Brief
C. Best Respondent Brief and Runner-Up Best Respondent Brief
IX. USE OF THE PROBLEM

The Problem is prepared and distributed by the University of Wisconsin Law School Moot Court Board (“the Board”). By entering the Competition, each law school agrees that it will not use the problem except in connection with its participation in the Competition. Any other use of the Problem requires the written consent of the Board.

X. QUESTIONS

With the exception of prior limitations these rules discuss, all questions concerning the Competition and these Rules may be submitted to the Vice President – Evans at evanscompetition@gmail.com at any time.
CERTIFICATION

We certify that we have complied with the rules of the Evan A. Evans Moot Court Competition at the University of Wisconsin Law School. This brief is the work product solely of the undersigned competitors. The undersigned competitors have not received any assistance from any law school faculty member, student, coach, or any other person when researching, writing, or editing the enclosed brief.

________________________________________
Law School Name

________________________________________
Team No.

________________________________________
Competitor 1 Name                  Signature                  Date

________________________________________
Competitor 2 Name                  Signature                  Date

________________________________________
Competitor 3 Name                  Signature                  Date

________________________________________
Coach 1 Name                      Signature                  Date

________________________________________
Coach 2 Name                      Signature                  Date