



CENTER FOR
ANIMAL LAW
STUDIES
AT LEWIS & CLARK

IN COLLABORATION WITH THE
ANIMAL LEGAL DEFENSE FUND

2009 NATIONAL
ANIMAL LAW COMPETITIONS:

HOSTED BY:

The Center for Animal Law Studies at Lewis & Clark,
in collaboration with the Animal Legal Defense Fund

&

Student Animal Legal Defense Fund at Harvard Law School

APPELLATE MOOT COURT RULES

RULE I. ORGANIZATION

The National Animal Law Competitions are an inter-law school event comprised of:

1. An Appellate Moot Court Competition and a Closing Argument Competition held annually at Harvard Law School in Cambridge, MA; and
2. A Legislative Drafting & Lobbying Competition held annually at George Washington University Law School in Washington, D.C.

The purpose of these competitions is to provide law students an opportunity to develop an expertise in animal law and to hone their written and oral advocacy techniques.

RULE II. TEAMS

A. Number and Composition of Teams. Each school may enter up to two teams. Teams are composed of two law students. The two students need not necessarily be attending the same law school. Participants must be full- or part-time students seeking a J.D. at any ABA accredited law school in the United States or Canada who have also completed at least one year of their studies. The competition is open to the first twenty (20) teams to register. Registration fees must be paid by the time registration closes or spots will be forfeited.

B. Substitution. In the event of an emergency, schools may send an alternate team member.

C. Registration. Teams should submit a fully completed registration form and pay the registration fee of \$400 by the registration deadline, January 5, 2009. Should a team need to withdraw from the competition, no refunds will be given after the registration deadline.

RULE III. COACHING

A. Timing. After the briefs have been submitted, competitors may receive assistance in preparation for the oral rounds by official coaches, professors, attorneys, classmates, etc. pursuant to the restrictions outlined below.

B. Restrictions. Competitors may not receive any coaching, advice, or assistance from anyone who will be participating as a judge or juror in the 2009 Appellate Moot Court or Closing Argument portions of the National Animal Law Competitions. The burden for determining coaching eligibility rests with the competitor(s). If competitors plan to ask their animal law professor or a local animal law attorney for assistance, they should first ask whether this coach is acting as a moot court judge or closing argument juror in the 2009 National Animal Law Competitions.

C. During the Competition. Coaches may assist competitors before and after each round, but may not provide assistance or feedback during rounds. Coaches may not attend the rounds of teams other than their own during the preliminary rounds.

D. Communication with Judges. During the competition, competitors may not discuss the rules, problems, cases, strategy, or scoring, and may not receive any advice, feedback, or coaching from the NALC judges beyond feedback provided immediately after each round.

RULE IV. PROBLEM AND GUIDE

A. Distribution. Problems will be posted on the competition website at www.lclark.edu/org/cals/mootcourt.html.

B. Components. Competitors are responsible for downloading the Record, Order, and Moot Court Guide from the website. The Moot Court Guide should be considered a supplement to the rules. Please contact Competition Administrator, Laura Handzel at lhandzel@lclark.edu, with any questions.

RULE V. THE BRIEFS

A. General. Each team may submit only one brief, which must be written by those arguing the problem. *See infra* Part II (B). Teams may choose to write the brief for either Appellant or Respondent, but will argue both sides of the case during the preliminary rounds. The use of the work product of *any* person other than a team member in preparation of the brief is strictly prohibited. Competitors may not receive assistance from any outside party, including coaches, attorneys, classmates, professors, or animal advocacy organizations.

B. Length and Form of Briefs. Each team is required to submit both one (1) Measuring Brief and three (3) copies of the team brief as specified below:

- 1. Format.** All text shall be in 12-point Times New Roman font, double-spaced. All citations shall be contained within the text, not in footnotes. All footnotes (for explanatory information only) shall be in 10-point Times New Roman font, single-spaced. The total length of the brief, excluding the Table of Contents, Table of Citations, and Appendices, may not exceed twenty-five (25) pages. These pages may be single or double sided, with 1 inch margins. All citations shall be complete and in the form prescribed by the latest edition of either the Harvard Law Review Association's The Bluebook: A Uniform System of Citation (Bluebook) or the Association of Legal Writing Directors' (ALWD) Citation Manual. Appendices may be used to recite the text of statutes, constitutional provisions, regulations, and materials that are not generally available. All four (4) copies must be bound along the entire left side of the brief.

2. Number of Briefs. Each team shall submit a total of four (4) copies of its brief to:

These four copies must include: one (1) Measuring Brief and three (3) copies prepared according to the specifications provided below. *See supra* Parts C (1) a & b. All four (4) briefs must have a blue (Appellant) or red (Respondent) cover.

a. Measuring Brief. Only the team number and names of individual team members should appear in the lower right hand corner of the cover. Do not include a law school name.

b. Other Copies. Three (3) copies of the brief shall be identical reproductions of the original Measuring Brief, *except* that the cover shall *only* include the team number (no competitor or school names).

3. Certification. Each team submitting a brief in the Competition shall certify that such brief has been prepared in accordance with these Rules and that the work product is solely that of the team's members.

The certification shall state:

We hereby certify that our brief is the product solely of the undersigned and that the undersigned have not received outside assistance of any kind in connection with the preparation of the brief.

Date: _____

Team Member

Team Member

C. Service of Briefs and Certification.

1. Service Upon the Competition Administrator.

a. Each team shall serve upon the Competition Administrator a single package bearing the team name and number which must be *postmarked* by Monday, January 5, 2009, and include:

- i. The Measuring Brief, clearly marked as such;
 - ii. Three (3) copies of the Team brief; and
 - iii. The team's original certification, signed by all members.
 - iv. Each team shall also submit an electronic version of the Team Brief via email.
- b. Hard copies of briefs served upon the Competition Administrator shall be sent to:

Competition Administrator
Center for Animal Law Studies
Lewis & Clark Law School
10015 S.W. Terwilliger Blvd.
Portland, OR 97219

- c. Send the electronic copy to:

Laura Handzel
Competition Administrator
at lhandzel@lclark.edu

2. Service of Briefs on Opposing Teams. All team briefs will be posted on the NALC website ("Participants" Page). Briefs will be accessible by clicking on the team's number.

3. Revision of Briefs. Briefs may not be revised after submission to the Competition Administrator.

RULE VI. SCORING

A. Briefs. A committee of experienced litigators shall score all briefs submitted and shall select the Best Brief for each party opponent in the Competition. The brief score shall be combined with the preliminary round scores to help determine advancement to the semi-final round.

Total brief scores will be calculated on a 125-point scale on the following basis:

80% - thoroughness of research, depth of analysis, and persuasiveness of argument.

17% - correct Bluebook or ALWD citation, spelling, punctuation, and capitalization.

3% - Measuring Brief factors (ability to follow requirements).

B. Rounds. The schedule for the preliminary rounds will be posted on the NALC website sometime after registration closes. Each team will compete in two preliminary rounds and will receive comments and feedback from judges at the close of each round. Teams may not witness the rounds of other competitors unless they have been eliminated from progressing in the rounds.

Four (4) teams shall progress to the semi-final round.

C. Advancement to final rounds. At the conclusion of the two preliminary rounds, a total score for each team will be calculated. The total score will be calculated as follows:

30% - based on the team's brief score.

35% - based on the first preliminary round.

35% - based on the second preliminary round.

The combined oral score for each team from a particular preliminary round is the total of the scores received from all three (3) judges for each of the team members.

The four (4) teams with the top total scores will advance to the semi-final rounds. In the event of a tie, the team with the greater number of "wins" from the judges in the preliminary rounds will advance. Any persisting tie will be decided based upon brief scores.

Pairings and team sides for the semi-final rounds will be randomly assigned. Winners of the semi-final rounds are determined solely by scores from that round. Scores from the briefs and preliminary rounds are not included in this determination

D. Order, Timing, and Results of Arguments.

1. Time Allowed for Arguments. Oral argument shall be limited to a total of thirty (30) minutes per team, fifteen (15) minutes for each team member, except as discussed below. Judges, at their discretion, may interrupt arguments to ask questions but may not allow additional time, except that judges may allow time at the end of an argument to finish answering question and/or to briefly conclude. If allowed to conclude after time has expired, competitors must conclude the argument within ten (10) seconds.

The appellant team, by advance stipulation, may reserve up to five (5) minutes for rebuttal. Rebuttal time may be subtracted from either or both of the two (2) arguing team members' time allotment. **Example:** Team Member # 1 may argue for 14 minutes and Team Member # 2 may argue for 13 minutes, thus reserving a total of 3 minutes for rebuttal by one (1) team member. Only one (1) team

member may rebut. The first team member must tell the timekeeper how much time to reserve in advance, and must also tell the court during his or her introduction.

At the commencement of each round, the competitors will be allowed a few moments to set up for their argument. When everyone is ready, the bailiff/timekeeper will announce that the first party may begin.

The bailiff/timekeeper will continuously display a green card until only one (1) minute remains of the competitor's allotted time. Additional signals will be given at the seven (7) and three (3) minute marks. When one (1) minute remains, a yellow card will be displayed. When the competitor's time has expired, a red card will be displayed, signaling that the competitor must conclude promptly.

2. Order of Arguments. The order of the arguments will be as follows:

First Round:

Teams argue for Respondent or Appellant as listed in the schedule

Second Round:

Teams argue for Respondent or Appellant as listed in the schedule

During the Round:

Team A, Student 1 argues first issue

Team A, Student 2 argues second issue

Team B, Student 1 argues first issue

Team B, Student 2 argues second issue

Team A, Rebuttal

3. Scoring Arguments. The arguments will be scored on a scale of one (1) to ten (10). Judges will consider a variety of factors, including organization, preparation, courtroom presentation, handling of questions, and legal reasoning.

4. Results. Each team will receive oral feedback at the end of each round. Winners of the competition will be announced during the awards ceremony, immediately following the final round. Winners' names and photos (unless otherwise instructed) may be posted on the NALC website.

RULE VII. PENALTIES.

Penalties, including disqualification, may be assessed for failure to comply with the rules or deadlines set pursuant to these rules.

RULE VIII. INTERPRETATION OF THE RULES

Requests for interpretation of these rules should be made at the earliest date possible. Competitors will receive prompt notification of any new rules, as well as revisions to or interpretations of existing rules. All competitors shall be bound by any changes, effective at the time of notification.

Please address questions about the National Animal Law Competitions to:

Laura Handzel, J.D.
Competition Administrator
Center for Animal Law Studies at Lewis & Clark,
in collaboration with Animal Legal Defense Fund
Email: lhandzel@lclark.edu
Phone: (503) 768-6960