2020 JUDGE JOHN R. BROWN ADMIRALTY MOOT COURT COMPETITION

RULES

Rule 1. THE COMPETITION

(A) The Judge John R. Brown Admiralty Moot Court Competition is an interscholastic appellate moot court competition sponsored each year by The University of Texas School of Law, and co-sponsored in 2020 by The University of Maine School of Law in memory of Judge John R. Brown. Judge Brown served from 1955 to 1993 on the United States Court of Appeals for the Fifth Circuit, where he was one of the nation's most prominent admiralty judges.

(B) The Competition Committee consists of faculty members from The University of Texas School of Law and The University of Maine School of Law. A student from The University of Texas School of Law serves as the Texas Competition Director, and may be assisted by a Texas Competition Assistant Director who, at the discretion of the Texas Competition Director, may exercise the Texas Competition Director's authority in her place. A student from The University of Maine School of Law serves as the Maine Competition Director.

(C) The Competition is governed by these Rules and the procedures established under these Rules by the Competition Directors with the approval of the Competition Committee.

(D) The 2020 Competition will be held in Portland, Maine, April 2-4, 2020. The Texas Competition Director will post more detailed information about the program and schedule on the Competition's website: https://law.utexas.edu/advocacy/admiralty-competition/.

Rule 2. TEAMS

(A) Each participating law school may enter up to two teams in the Competition. The Texas Competition Director will enroll teams in the Competition in the order that she receives their registrations. Registration fees are non-refundable, except that fees will be returned if a team is unable to participate because of limited space.

(B) A team is composed of two or three students, all of whom must be enrolled in a full or part-time (day or night) program in the law school they represent. No team member may hold a law degree, except that full-time law students who are candidates for an advanced degree (such as the LL.M. degree) are eligible to compete.

(C) There may be no substitution of team members, except with the written consent of the Texas Competition Director.

Rule 3. BRIEFS

(A) (i) The Texas Competition Director will assign each team to write its brief for either the petitioner or the respondent. The Texas Competition Director will announce brief assignments when she distributes the Competition Packet. If a law school enters two teams in the Competition, she will assign one team to represent the petitioner and the other team to represent the respondent.
(ii) The Texas Competition Director will assign each team a "brief letter," which will be used solely to identify the team's brief. (Depending on the number of teams participating in the Competition, the "brief letter" may consist of two letters, *e.g.*, "AA.") She will also assign each team a "team number," which will be used solely to identify the team during the oral argument component of the Competition. A team will be penalized under Rule 8(C)(iv) if it uses its team number on its brief, and may be penalized under Rules 8(A) & 11(B) if it reveals its brief letter during the oral argument component of the Competition.

(B) (i) Each team must submit two copies (one searchable PDF format and one Word format) of its original brief and two copies (one searchable PDF format and one Word format) of its anonymous brief (for a total of four copies).
(ii) The cover of the original brief must contain, printed in the lower right corner of the cover, the name of the law school, the names of the team members, and the team's brief letter (but not the team number). The cover of the anonymous brief must contain, printed in the lower right corner of the cover, the team's brief letter, but *may not* contain any other identifying information (such as the team number, the name of the law school, or the names of the team members).
(iii) No matter serving to identify the law school, a team (other than by its brief letter), or the team members may appear within the brief itself.

(C) Except as noted in Rule 3(B)(ii), all copies of the anonymous brief must be identical to the original brief in both content and form.

(D) Each team must prepare its brief using Microsoft Word to ensure that the document is accessible. The style, font, and pitch must be uniform throughout the brief, including footnotes but excluding the cover. *Italicized*, underlined, and **bold** type is permitted when appropriate. Normal text must be double-spaced. Footnotes and block quotations must be single-spaced. The brief must include page numbers at the top of each page. Briefs may not exceed twelve thousand (12,000) words, exclusive of the following specific elements: the cover, questions presented, the table of contents, the table of authorities, and the appendix.

(E) Subject to any inconsistent provisions in these Rules, briefs must be in the format used in the United States Supreme Court. Briefs must comply with Supreme Court Rule 24 to the extent that it is relevant. The Supreme Court's Rules are available online at:

https://www.supremecourt.gov/ctrules/2019RulesoftheCourt.pdf

Notwithstanding Supreme Court Rule 24.2, a brief for the respondent must include all the material specified in Rule 24.1. For purposes of complying with Rule 24.1(b), a team may assume that all of the relevant parties are named in the caption of the court of appeals opinion in the Competition Packet. For purposes of complying with Rule 24.1(f), a team may assume that all of the constitutional provisions, etc., that it cites in its brief were "set out in the petition for a writ of certiorari," except to the extent that any of those provisions are not generally accessible (in

which case they should be reproduced in an appendix to the brief). Briefs must comply with Supreme Court Rule 33 only to the extent that Rule 33.1(g)(v)-(vi) governs the color of the cover. (*Every* copy of a brief that is filed must comply with Rule 33.1(g)(v)-(vi) to the extent that it governs the color of the cover.) Supreme Court Rule 34.1(a)-(f) governs the preparation of the cover (except to the extent that it is inconsistent with these Rules) and Supreme Court Rule 34.2 governs the preparation of the tables of contents and authorities. Teams should format their briefs to print on 8½-by-11 paper. Students may wish to consult actual briefs filed in Supreme Court cases (which are readily available online). The format used in the Supreme Court often differs from the format used in lower courts. For example, no certificate of service is included in the brief and no physical signature is included.

(F) All citations shall be complete and in a generally recognized form such as that prescribed by the most recent edition of *A Uniform System of Citation* (The Bluebook) or *The University of Chicago Manual of Legal Citation* (Maroonbook). In addition, cases reported in American Maritime Cases (AMC) must include parallel citations to AMC (as well as the citation otherwise required).

(G) An appendix may be used to reproduce the text of material that is not generally accessible. The appendix may not contain any argumentative material. Prohibited argumentative material includes, but is not limited to, a compilation of authorities and any material designed directly to support the argument made in the brief. The appendix may include (without violation of the argumentative material prohibition): constitutional provisions, treaties, statutes, ordinances, regulations, and any quasi-statutory materials. The appendix should not include material included in the Competition Packet, which is treated as having been included in the appendix to the petition for certiorari.

(H) (i) The Texas Competition Director reviews all briefs to determine if there have been any violations of these Rules. Penalties for violations are governed by Rule 8.
(ii) To protest another team's brief, a team must: (1) identify the brief being protested, (2) allege with sufficient particularity the location(s) of the alleged violation(s), (3) identify the Rule(s) alleged to be violated, and (4) file the protest by e-mail, in attached-letter form, with the Texas Competition Director. The deadline for filing a protest is Monday, February 17, 2020.
(iii) Prior to the Competition, the Texas Competition Director will announce the brief penalties that she imposed under Rule 8.

Rule 4. FILING

(A) Each team must submit copies of its original and anonymous briefs via e-mail attachment to the Texas Competition Director at judgejohnrbrowntournament@gmail.com.

(B) (i) Electronic copies must consist of each brief, original and anonymous, in a Microsoft Word format and searchable PDF format.
(ii) Each team should name each document that it files using the following format:

"Team X-Original.docx" and "Team X-Original.pdf" — for the original brief

"Team X-Anonymous.docx" and "Team X-Anonymous.pdf" — for the anonymous brief

where "X" represents that team's brief letter under Rule 3(A)(ii).

(C) (i) Teams must file electronic copies of the original and anonymous briefs in both searchable PDF and Microsoft Word formats with the Texas Competition Director via e-mail attachment by 9:00 p.m. CST on Monday, February 3, 2020, at the e-mail address listed in Rule 4(A).
(ii) Service on other teams is not required. Instead, the Texas Competition Director will post all briefs to a password-protected website. She will inform competitors of the website address and password by 11:59 p.m. CST on Friday, February 7, 2020.

Rule 5. SCORING OF BRIEFS

A judging committee selected by the Competition Committee scores all of the briefs. Separate panels of the judging committee score the petitioners' briefs and the respondents' briefs. Each brief judge independently evaluates briefs using the criteria listed on the Brief Score Grading Sheet and assigns grades not exceeding 100 points. The grades awarded by individual brief judges are statistically standardized to produce scaled grades. The highest scaled grade and the lowest scaled grade for each brief are disregarded. The remaining scaled grades are used to produce the standardized score for each brief. Penalties imposed under Rule 8 (if any) are subtracted from the standardized score to produce the final brief score. The brief with the highest final brief score is named the Best Brief in the Competition. *See* Rule 15.

Rule 6. ARGUMENT

(A) The three preliminary rounds of oral argument will occur on Thursday and Friday, April 2 & 3, 2020. Advancement to the quarterfinal round is determined on the basis of a team's win-loss record from its three preliminary rounds. Two-way ties are decided on the record in head-to-head competition, if any. Ties among a greater number of teams are decided on the record in rounds involving tied teams, if possible. Any remaining ties are decided first on the basis of the average counsel ranks in the three preliminary rounds and then on the basis of overall point differentials. The quarterfinals, semifinals, and Championship Round are run on an elimination basis.

(B)(i) The Texas Competition Director will announce pairings and byes for the first two rounds of oral argument prior to the commencement of the Competition. To the extent possible, teams will be assigned to argue on the side they briefed in the first round and on the opposite side in the second round.
(ii) Pairings and byes for the third round are announced after the conclusion of the second round. Sides for the third round are determined by a coin toss, with the team that wins the toss choosing its side.
(iii) The eight highest placed teams advance to the quarterfinal round. If two teams from the same school advance to the quarterfinals, they will not meet prior to the Championship Round. Sides in each elimination round are determined by a coin toss, with the team that wins the toss choosing its side.

(C) Two members of a team speak in each round of oral argument. Any two members of a three-member team may speak in each round of oral argument.

(D) Oral argument is limited to a total of thirty (30) minutes per team. Judges, in their discretion, may interrupt arguments to ask questions and may allow additional time. Petitioners, by advance arrangement, may reserve up to five (5) minutes for rebuttal. In dividing the oral argument time between the two participating team members, neither member may speak for more than twenty (20) minutes.

(E) The winner of each argument will be determined in accordance with Rule 10.

Rule 7. FACULTY OR OTHER ASSISTANCE

(A) The Competition exists to develop the art of appellate advocacy through the work of the participating team members. After the distribution of the Competition Packet and prior to the filing of its brief, ***no team may receive any assistance of any kind from any faculty member or any other person,*** including any assistance from, or sharing or comparison of research or work product with, members of another competing team (even another team at the same school). This Rule does not prohibit the use of computerized researching or word processing software (including automated cite-checking or spell-checking systems). Librarians may provide the sort of routine assistance that is regularly offered to law students using the library to complete assignments in conjunction with a law school course.

(B) No team member, coach, or faculty advisor of any school still participating in the Competition may attend the argument of any other school or receive information from any person who has attended an argument of any other school. This Rule does not prohibit a person from attending an argument involving a team from his or her own school.

(C) There is no limitation on the number of practices that a team may hold. Once a team's brief is filed, a person other than a team member may judge a practice round and may critique the team's performance. No person who has access to the current Competition's bench memo (such as a brief judge) may judge a practice round or otherwise assist a team in preparing for the Competition.

Rule 8. PENALTIES

(A) The Texas Competition Director (subject to review by the Competition Committee) may assess such penalties, including disqualification, as she deems reasonable and appropriate in her discretion for failure to comply with these Rules, missing deadlines set pursuant to these Rules, and other perceived violations that may arise.

(B) All briefs will be subject to uniform penalties for each type of violation, although mitigating circumstances may be considered to reduce a penalty. Penalties may be levied in whole or fractional points.

(C) If the Texas Competition Director determines the following brief violations have occurred, she will impose the following specific penalties:

(i) A five (5) point brief penalty for including matter within the brief that tends to identify a team, its law school, or its members. This penalty does not apply to the information required to be included on the cover of the original brief under Rule 3(B)(ii).

(ii) Briefs filed after the deadline specified in Rule 4(C)(i) will be penalized according to the following schedule:
  (a) A one (1) point brief penalty for late filing of a brief within three (3) hours of the deadline.
  (b) A three (3) point brief penalty for late filing of a brief more than 3 but fewer than 12 hours after the deadline.
  (c) A five (5) point brief penalty for late filing of a brief more than 12 but fewer than 24 hours after the deadline.
  (d) An additional three (3) point brief penalty for each 12-hour period, or part thereof, a brief is filed beyond 24 hours after the deadline. If the Texas Competition Director does not receive a team's electronic copies by the deadline, the burden is on the team to prove compliance with Rule 4(C).

(iii) A one one-hundredth (0.01) point brief penalty for each word over the word limit.

(iv) A two (2) point brief penalty for failing to include the correct brief letter on the cover of the brief as required by Rule 3(B). In addition, a one (1) point brief penalty for including the team number on the cover of the brief.

(v) A three (3) point brief penalty for including argumentative material in the appendix in violation of Rule 3(G). In addition, any argumentative material in the appendix is treated as though it had been included in the brief for the purpose of applying Rule 8(C)(iii).

(vi) A one (1) point brief penalty for failure to include any one of the following elements in the brief: question presented, table of contents, table of authorities, opinions below, jurisdictional statement, constitutional or statutory provisions, statement of the case, summary of argument. If two or more of these required elements are missing, the penalty is one (1) point for each missing element. (Omission of any of these elements may also affect the score awarded by the brief judges.)

(vii) A one (1) point brief penalty if the cover of the brief is not the correct color under Rule 3(E) and Supreme Court Rule 33.1(g)(v)-(vi).

Assessment of all other penalties will be by the Texas Competition Director with the advice and approval of the Competition Committee.

Rule 9. INTERPRETATION OF THE RULES

(A) Teams should address requests for interpretation of these Rules to the Texas Competition Director at judgejohnrbrowntournament@gmail.com. Teams should request interpretations at the earliest date possible, and not later than Friday, January 3, 2020. All interpretations of these Rules and any waivers, assessments of penalties, or other action taken is within the discretion of the Texas Competition Director (subject to review by the Competition Committee). Such actions are final, and all participants are bound thereby. The Texas Competition Director will notify all schools of any responses to rule interpretation requests, protests, and other substantive communications.

(B) The Texas Competition Director will notify each competing school of any substantive change or clarification in the problem.

Rule 10. ROUND SCORING

(A) Brief scores are determined in accordance with Rule 5. The FINAL BRIEF SCORE is weighted forty percent (40%) in determining the TOTAL ROUND SCORE.

(B) To the extent possible, each round of oral argument is scored by a panel of at least three (3) judges. Each oral argument judge independently evaluates each counsel under the criteria listed on the Judge's Scoring Sheet and assigns a total score not exceeding 100 points for each counsel. In addition, each oral argument judge ranks each counsel from first to fourth.

(C) The bailiff in each round reports each counsel's oral scores and ranks to the Competition headquarters. Oral scores for each counsel are averaged to determine a team's FINAL ORAL SCORE. This FINAL ORAL SCORE is weighted sixty percent (60%) in determining the TOTAL ROUND SCORE.

(D) The team with the higher TOTAL ROUND SCORE, based sixty percent (60%) on the FINAL ORAL SCORE and forty percent (40%) on the FINAL BRIEF SCORE, is the winner of the round. If the teams are tied with the same TOTAL ROUND SCORE, then the winner is the team with the better average counsel ranks. If that is also tied, the winner is the team chosen as the winning team by a majority of the oral argument judges. In the event of a tie in the vote of the oral argument judges, the team with the higher brief score is the winner.

Rule 11. ANONYMITY

(A) A team may not identify its law school to a brief judge or an oral argument judge before the end of the Competition. Briefs are identified to the judges solely by brief letter (*e.g.*, Team A) and teams are identified in oral argument solely by team number (*e.g.*, Team 1).

(B) A team *may not* identify its law school to a judge by any method, even at the conclusion of a round, in the event that a judge participates in a later round. A team *may not* identify its brief letter to an oral argument judge or its team number to a brief judge because a judge may serve in both capacities. The Maine Competition Director will, to the extent possible, avoid assigning a judge to a round involving a law school with which the judge is affiliated or a team that the judge has seen in an earlier round.

Rule 12. ORAL ARGUMENT PROCEDURES

(A) Prior to the round, each oral argument judge receives a copy of the problem and a bench memorandum prepared by the Competition Committee. Oral argument judges will not receive copies of the briefs of any school (unless they also served as brief judges). The Maine Competition Director will furnish bailiffs a copy of the oral argument instructions. Each oral argument judge also receives a copy of the Judging Instructions and Judge's Scoring Sheet. Each judge casts his or her vote on the oral arguments by independently grading each counsel on the Judge's Scoring Sheet. The bailiff collects the ballots and delivers them to the Competition Headquarters for tabulation. The oral argument and brief scores are combined to determine the winner of the round.

(B) Oral arguments are limited to thirty (30) minutes per side, with extensions of time allowed only at the discretion of the Court. No counsel may speak for a total of more than twenty (20) minutes. Counsel may not ask for time extensions or invite additional questions at the end of the argument, but if a question is asked as time expires, counsel may inform the Court that time has expired and request instruction from the Court on answering the question. Judges are encouraged to ask questions, and they are instructed in advance that they may extend time on their own initiative.

Rule 13. BEST ORAL ADVOCATE IN THE COMPETITION

The Best Oral Advocate in the Competition is selected on the basis of performance in the preliminary rounds. **To be eligible for consideration, an advocate must argue in each round in which his or her team competes.** The Best Oral Advocate will be the person with the best average counsel ranks in the preliminary rounds. In the event of a tie, the point differentials (*i.e.*, the extent to which a counsel's score differs from the average score for all counsel in the round) will be calculated, and the advocate with the highest point differential from among those tied will be declared the Best Oral Advocate in the Competition. The Best Oral Advocate in the Competition will receive The Royston, Rayzor, Vickery & Williams Award, which is sponsored by and named for the Houston law firm of Royston, Rayzor, Vickery & Williams, L.L.P., where Judge Brown was a lawyer for over twenty years before his elevation to the bench in 1955.

Rule 14. BEST ORAL ADVOCATE IN THE CHAMPIONSHIP ROUND

The Championship Round Judges select the Best Oral Advocate in the Championship Round from among the counsel speaking in the Championship Round. The Judge's Scoring Sheet for the Championship Round provides a space to vote for the Best Oral Advocate. The Best Oral Advocate is the counsel who receives the most Best Oral Advocate votes from the judges in the Championship Round. In the event of a tie among counsel in the Best Oral Advocate votes, the counsel, as between those tied, who receives the best average counsel rank will be named Best Oral Advocate in the Championship Round. If this is also a tie, the counsel, as between those tied, who receives the highest total of speaker points from all the judges in the Championship Round will be named Best Oral Advocate in the Championship Round. The Best Oral Advocate in the Championship Round will receive the Rebecca Jackson Award for the Best Oral Advocate in the Championship Round.

Rule 15. AWARDS

The following awards will be presented at the end of the Competition:

CHAMPIONSHIP TROPHY — awarded to the winner of the Championship Round.

GUS A. SCHILL JR. FINALIST AWARD — awarded to the team competing in the Championship Round that does not win the Championship Trophy.

SEMI-FINALIST AWARDS — awarded to the two teams competing in the semifinal rounds that do not advance to the Championship Round.

QUARTER-FINALIST AWARDS — awarded to the four teams competing in the quarterfinal rounds that do not advance to the semifinal round.

THE MARITIME LAW ASSOCIATION OF THE UNITED STATES AWARD FOR THE BEST BRIEF — awarded to the team that writes the best brief in the Competition as determined under Rule 5.

THE LAW OFFICES OF GEORGE W. NOWELL AWARD FOR BEST [PETITIONER'S or RESPONDENT'S] BRIEF — awarded to the team that writes the petitioner's brief that receives the highest score as determined under Rule 5 if a respondent's brief is named the best brief in the Competition; awarded to the team that writes the respondent's brief that receives the highest score as determined under Rule 5 if a petitioner's brief is named the best brief in the Competition.

THE ROYSTON, RAYZOR, VICKERY & WILLIAMS AWARD FOR BEST ORAL ADVOCATE IN THE COMPETITION — awarded to the Best Oral Advocate in the Competition as determined under Rule 13.

REBECCA JACKSON AWARD FOR BEST ORAL ADVOCATE IN THE CHAMPIONSHIP ROUND — awarded to the Best Oral Advocate in the Championship Round as determined under Rule 14.

OUTSTANDING LAW SCHOOL AWARD — awarded to the law school chosen by the Competition Committee as having had the most outstanding performance in the Competition based on the performance of both of its teams.

Additional awards (*e.g.*, for runners-up in any of the listed categories) may be presented if the Competition Committee determines that such additional awards would be appropriate.

APPENDIX A – ORAL ARGUMENT SCORING SHEET

JUDGING INSTRUCTIONS

PROCEDURES. Prior to the arguments, the bailiff will give you the names and sequence of counsel for use on your individual ballot. Each team has 30 minutes to argue, and petitioner may reserve up to 5 minutes for rebuttal. Neither team member may speak for more than 20 minutes. The bailiff will keep time for all counsel, give time-card signals, and briefly stand up when each counsel's time has expired. The bailiff will not publicly introduce counsel or announce time allocations. Instead, introductions will be done by each counsel. Please ask questions to test counsel's knowledge of the law and ability to think under pressure. Counsel are not allowed to request time extensions, but the Court may extend time at the Court's discretion; however, if a question is asked as time expires, counsel may inform the Court that time has expired and request instruction from the Court on answering the question. Anonymity of schools should be maintained at all times. Notify the bailiff immediately if you wish to recuse yourself because of familiarity with a counsel or knowledge of the school's identity.

CONSIDERATIONS. Please keep in mind that this competition is set in the United States Supreme Court. Lower court decisions are at best persuasive authority, and counsel may properly invite you to reconsider prior Supreme Court decisions. Arguments that stress what the law should be (and why) carry even more weight than they would in the lower courts. Arguments contending that a particular result is compelled by prior authority carry very little weight unless counsel can satisfactorily explain why the Court should follow the authority in question.

ORAL ARGUMENT SCORING. The teams usually have no choice of which side to argue. Therefore, *your decision should not be controlled by the merits of the case*. Each counsel's oral argument should be graded within the points permitted for each category of scoring on the judge's scoring sheet on the other side of these instructions. Please add the points to determine a TOTAL SCORE for each counsel, and rank the counsel from first to fourth. Finally, please add the TOTAL SCORES to determine which team gave the better oral argument, and specify the winning team in the space provided.

DELIBERATIONS. After arguments have been completed, the bailiff will ask all counsel and visitors to leave the room so that the Court may complete its scoring. The bailiff will not stay in the room during scoring, but will remain immediately outside the courtroom and be available to assist the Court in any way. The judges shall not discuss the performance of counsel with each other but shall independently grade each counsel within the points permitted in each category of scoring.

DETERMINATION OF WINNER OF ROUND AND CRITIQUE. After each judge has filled out an individual ballot, give your ballot to the bailiff. The bailiff will then take the ballots to the Competition Director for verification of point totals and determination of the winner of the round by combining the oral points with the brief points. After the bailiff leaves, counsel should return to the courtroom for such critique as the judges wish to give.

JUDGE'S SCORING SHEET

In order for there be some standardization to scoring and a basis upon which participants can rely, please adhere to criteria and points as set forth on this scoring sheet. Thank you.

Petitioner

Counsel 1 TEAM NO. _____ Counsel 2

Name _____ RANK_____ *Name* _____ RANK_____

Max.		Max.
_____ (50)	Evidence of Research; Knowledge of the Record, Issues, and Law; Organization and Reasoning	_____(50)
_____(20)	Performance in Answering Questions (direct, correct, and complete answers with poise)	_____(20)
_____(10)	Public Speaking Performance (clarity of thought, voice, eye contact, gestures, absence of bad habits, etc.)	_____(10)
_____(10)	Persuasiveness of Counsel, Irrespective of Merits (likeablity, sincerity, and conviction)	_____(10)
_____(10)	Counsel's Demeanor and Courtroom Manner	_____(10)
_____(100)	TOTALS	_____(100)

Respondent

Counsel 1 TEAM NO. _____ Counsel 2

Name _____ RANK_____ *Name* _____ RANK_____

Max.		Max.
_____ (50)	Evidence of Research; Knowledge of the Record, Issues, and Law; Organization and Reasoning	_____(50)
_____(20)	Performance in Answering Questions (direct, correct, and complete answers with poise)	_____(20)
_____(10)	Public Speaking Performance (clarity of thought, voice, eye contact, gestures, absence of bad habits, etc.)	_____(10)
_____(10)	Persuasiveness of Counsel, Irrespective of Merits (likeablity, sincerity, and conviction)	_____(10)
_____(10)	Counsel's Demeanor and Courtroom Manner	_____(10)
_____(100)	TOTALS	_____(100)

APPENDIX B – BRIEF SCORE GRADING SHEET

BRIEF PARTS	**POINTS** *Possible*	*Given*
1. COVER OF BRIEF. . . . . Does the cover present the correct information in the correct order?	(2)	_____
2. QUESTIONS PRESENTED. . . . . Are the questions posed to frame the exact issue to be decided, expressed in the terms and circumstances of the case, but without unnecessary detail or repetition and without being argumentative?	(5)	_____
3. TABLE OF CONTENTS. . . . . Are the parts in proper sequence for accurate identification and speedy location? Do points and sub-points provide an overall outline of the case?	(2)	_____
4. TABLE OF AUTHORITIES. . . . . Are all of the authorities sensibly divided and arranged, with proper division between cases, constitutional materials, statutes, rules, and secondary sources?	(2)	_____
5. OPINIONS BELOW. . . . . Are the opinions below properly included and referenced?	(1)	_____
6. JURISDICTIONAL STATEMENT. . . . . Does the statement accurately describe the grounds on which the Court's jurisdiction is invoked, and accurately cite the relevant statutory provision and time factors?	(2)	_____
7. CONSTITUTIONAL OR STATUTORY PROVISIONS. . . . . Are relevant constitution(s), statutes, rules, regulations, or ordinances (which are directly involved and must be construed or applied to reach a decision) cited (and reported in an appendix if not generally accessible)?	(2)	_____

8. STATEMENT OF THE CASE. . . . . (10) ____

Are the facts, including the procedural facts and results, reasonably developed (with references to the record) and fairly stated (consistent with fairness and candor)? Are the facts stated, with order and emphasis, to tell the client's side of the case persuasively?

9. SUMMARY OF ARGUMENT. . . . . (5) ____

Are the summaries accurate and clear condensations, by suitable paragraphs, of the argument actually made in the body of the brief and not a mere repetition of the headings in the arguments?

BRIEF CODE: NAME OF JUDGE:

10. ARGUMENT

a. ISSUE RECOGNITION. . . . . (10) ____

Are all of the necessary issues included in the arguments? Are the issues confused or show alack of understanding of what is involved? Are irrelevant issues included?

b. ARGUMENT STRUCTURE . . . . . (10) ____

Are the arguments structured to indicate a recognition of the issues? Are the arguments organized in a clear manner and to compel a conclusion in the writer's favor?

c. ARGUMENTATIVE HEADINGS AND TONE. . . . . (10) ____

Are the points and subpoints clear and effective headings that serve as a succinct summary of the argument to follow? Are the arguments developed as announced in the points, headings, and introductory materials?

d. AUTHORITY. . . . . (10) ____

Are the best available legal authorities used? Are statutes, legislative history, and secondary authorities appropriately developed and used (but not overused)? Are unfavorable authorities recognized and properly treated?

e. PERSUASION. . . . . (15) ____

Are the issues and authorities combined with sound legal analysis for the most effective persuasion? Are

the facts, analogies, and public policy appropriately argued to apply the law? Are favorable arguments positively stressed and unfavorable arguments recognized and answered?

11. CONCLUSION. . . . . (2) ____

Does the conclusion request the correct relief available under the record and arguments?

12. APPENDIX. . . . . (2) ____

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 those items included in the appendix the proper type of items to be so included?

13. STYLE AND APPEARANCE. . . . . (10) ____

Is the brief clear and unambiguous, reflecting good word choice, readable sentence structure, and careful editing? Does the brief look polished and present an overall professional appearance? Does the brief make the sale?

TOTAL BRIEF SCORE (100) ____