

**Washington College of Law Alvina Reckman-Myers First Year Moot Court
Competition Rules & Bylaws
2004-2005**

- I. **FIRST YEAR COMPETITION COMMITTEE:** The officers of the competition will form the Competition Committee. The Committee will perform any and all duties as assigned by the Moot Court Honor Society Constitution, these Bylaws, and the General Instructions of the Competition.
 - A. **DIRECTORS:** Responsible to the Moot Court Honor Society for the planning, preparation, and conduct of the competition. The Directors will enforce the regulations of the competition as set forth below. The 2004-2005 Directors are Vanessa Motley and Abi Bamgboye.
 - B. **ASSISTANTS:** The Directors shall have three assistants to aid in the planning, preparation, and conduct of the competition. These assistants will be responsible for individual tasks and projects assigned to them or undertaken by them. The 2004-2005 Assistants are Elizabeth Phifer, Lori President, and Ebony Robinson.

- II. **ELIGIBILITY OF COMPETITORS:** All first year full-time or part-time students who attend the Washington College of Law and are in good standing as a candidate for a Juris Doctorate (J.D.) degree are eligible to compete in this competition.

- III. **PREPARATION FOR THE COMPETITION**
 - A. **PROBLEMS**
 - 1. The problems for the First Year Moot Court Competition will be edited and modified as the Directors see fit.
 - 2. Participants are not required, nor are they permitted, to research or prepare a brief.
 - 3. Participants may, if they choose, read any or all of the cases cited in the materials they receive. In addition, they may consult general treatises or other general reference materials. Participants MAY NOT:
 - a. Read any actual court documents filed for their case or the case upon which the First Year problem is based, including, but not limited to, court decisions, pleadings and briefs (participants are limited to reading ONLY those cases actually cited in the materials they receive),

- b. Enlist the aid of a faculty member or student at any law school,
- c. Enlist the aid of any attorney, or
- d. Collaborate with or enlist the aid of any other student at the Washington College of Law.

Violations of these standards may subject the participant to sanctions under Section V of these bylaws.

4. In addition to materials distributed to participants in the First-Year Competition packet, students may access copies of the lower court decisions and a copy of the brief distributed to the opposing party. These decisions and briefs will be on the website with the other problem materials.

IV. JUDGING THE COMPETITION: The following guidelines are a general statement of the judging procedures to be used in the 2004-2005 First Year Competition. All judges are volunteers. Prior to each round of the competition, judges will be given information regarding the criteria to be used in evaluating participants. Moot Court Honor Society Members may serve as judges in any round. Due to the large number of judges required, the Directors may alter or amend the following guidelines, as they deem appropriate:

A. FIRST ROUND

1. Generally, these judges will be second, third and fourth year law students who have either competed in or judged past competitions. Preference will be given to those students with the most experience. The Directors reserve final judgment as to the judges used in this round.
2. Judges will not evaluate any competitor where reason exists which would make it difficult for that judge to be impartial or which, in the Director's sole discretion, would give the appearance of impropriety. Any violation of these standards may subject the judge to sanctions under Section V of these bylaws.
3. No fewer than two (2) and no more than three (3) judges will sit and evaluate each oral argument in the first round.
4. Spectators will be allowed to observe the first round of arguments, subject to the permission of all competitors and judges in the respective courtroom. The term "spectators" shall not be construed to include the Bailiff assigned to that courtroom or members of the Moot

Court Honor Society. (First Year Competitors are prohibited from attending first round arguments other than those in their assigned courtroom).

B. QUARTERFINAL ROUND

1. Generally, judges for this round will consist of alumni of the Washington College of Law. Preference will be given to those alumni who have past experience with moot court judging, with the Moot Court Honor Society, or as a moot court competitor. The Directors reserve final judgment as to the judges used in this round.
2. No fewer than two (2) judges and no more than four (4) judges will sit and evaluate the oral arguments presented during the quarterfinal round.
3. Spectators will be allowed to observe the quarterfinal round arguments subject to the permission of all competitors and judges in the respective courtroom. The term “spectators” shall not be construed to include the Bailiff assigned to that courtroom or members of the Moot Court Honor Society (Quarterfinalists are prohibited from attending quarterfinal arguments other than those in their assigned courtroom).

C. SEMIFINAL ROUND

1. Generally, judges for this round will be members of the faculty at the Washington College of Law. The Director reserves final judgment as to the judges used in this round.
2. No fewer than two (2) and no more than four (4) judges will sit to evaluate the oral arguments presented during the semifinal round.
3. Spectators will be allowed to observe the semifinal round arguments subject to the permission of all competitors and judges in the respective courtroom. The term “spectators” shall not be construed to include the Bailiff assigned to that courtroom or members of the Moot Court Board. (Semifinalists are prohibited from attending semifinal arguments other than those in their assigned courtroom).

D. FINAL ROUND

1. Generally, the final round will be judged by sitting and/or retired judges from the District of Columbia, Maryland, or Virginia or active members of the District of Columbia, Maryland or Virginia bars. The Directors reserve final judgment as to the judges used in this round.

2. No fewer than three (3) judges and no more than four (4) judges will sit to evaluate the oral arguments presented during the final round.
3. Spectators are encouraged to attend the final round. The Directors shall resolve any dispute involving spectators.

V. CONDUCT OF THE COMPETITION

A. GENERAL GUIDELINES

1. All participants will conduct themselves in a professional manner throughout the competition.
2. Each participant is expected to work independently of other participants, law school students, law school faculty, and members of the legal community, including, but not limited to, lawyers currently or previously registered with any state bar.
3. **By accepting the competition packet, each participant shall be deemed responsible for strict adherence to ALL rules, bylaws, and prohibitions contained in any portion of the packet. Failure to comply with these provisions can result in expulsion from the First Year Competition and additional sanctions under the Honor Code of the Washington College of Law.**
4. Any complaint that arises during the course of this competition regarding any aspect of these bylaws, the general instructions, or any other material, or the actions of any student of the Washington College of Law in connection with this competition **must be filed with the Directors within 24 hours** of the action that gives rise to the complaint, or the first knowledge of the action. The complaint will then be referred to the Moot Court Honor Society for a decision on how to proceed.

B. ADVANCEMENT OF COMPETITORS BY ROUND: For each round, the competitor's final score shall be the average of all scores submitted by the judges for that round. The scores are not cumulative through the rounds.

1. First Round: Participants will be ranked against those arguing the same side of the case. Approximately thirty-two (32) competitors will advance to the quarterfinal round, sixteen (16) Petitioners and sixteen (16) Respondents.
2. Quarterfinal Round: Participants will be ranked against those arguing the same side of the case. Approximately sixteen (16) competitors will advance to the semifinal round, eight (8) Petitioners and eight (8) Respondents.

3. Semifinal Round: Participants will be ranked against those arguing the same side of the case. Four (4) competitors will advance to the final round, two (2) Petitioners and two (2) Respondents.

C. SCHEDULING

1. The Directors or their assistants shall schedule the rounds for the argument. Competitors may ask the Directors to schedule their round to accommodate religious observance, emergencies, or other fundamentally unalterable conflicts. With the exception of emergencies, all scheduling requests **MUST** be received via email at moot@wcl.american.edu by **10:00 p.m., Tuesday, January 11, 2005**. While attempts will be made to accommodate scheduling requests, the Directors, their assistants, nor the Moot Court Honor Society can guarantee that a request will be granted. Due to the large number of participants, the First Year Competition Committee is unable to make scheduling accommodations for reasons other than those stated above.
2. All participants who receive packets are expected to fulfill their commitment to participate in the competition, however, competitors are allowed to withdraw without penalty until **10:00 p.m., Tuesday, January 11, 2005**.
3. The \$10.00 registration fee is a non-refundable fee.
4. **Competitors who withdraw from the competition after 10:00 p.m., Tuesday, January 11, 2005, will be penalized. Competitors who drop out after the final drop out deadline will not be eligible to participate in the Spring Qualifying Competition.** The First Year Competition Committee reserves the right to impose any other penalties.

A competitor may be permitted to withdraw from the First Year Competition without penalty, if the reason for withdrawal is serious and legitimate and the competitor contacts the Directors personally and explains the reason preventing participation. (Personally contacting the Directors either in person or on the phone). The Directors retain the right to require proof and have sole discretion whether to accept the excuse.

- VI. **AWARDS:** Awards will be distributed to the two best oral advocates and the other finalists. Other awards may be distributed at the discretion of the Directors.

VII. AMENDMENT: These bylaws are subject to amendment by the Moot Court Honor Society. The Directors may, when necessary, temporarily amend these bylaws until the next regularly schedule meeting of the Moot Court Honor Society.