



Supreme Court

OF THE OKLAHOMA INTERCOLLEGIATE LEGISLATURE

Moot Court Competition
Rules and Regulations

Justices and Scoring Panel

Chief Justice Kathryn Kleiner

Vice Chief Justice Alyssa Cross

Associate Justices by Seniority:

Associate Justice Emma Busby

Associate Justice Noah Yust

Associate Justice Branden Denney

Associate Justice Jack A. Edwards

The following rules outline the General Procedures, the Petitioner's Argument, the Respondent's Argument, the Petitioner's rebuttal, General Tips, and overall Scoring for the OIL Moot Court Competition. Best of luck!

OIL MOOT COURT

“MADAM CHIEF JUSTICE AND MAY IT PLEASE THE COURT...”

GENERAL PROCEDURES

1. The Court will assign you a side (Petitioner or Respondent) for all rounds excluding finals. Parties for the Final Round will be determined by a simple **virtual** coin toss. It is imperative that you be prepared to argue both sides.
2. All information regarding specific times and **room assignments** will be posted online on the Official OIL Moot Court Facebook Page. If you do not have social media, please inform the Court at the beginning of the competition at the information session and we will accommodate you accordingly. The Final Round will be announced on FB, as well as **in chambers** for both legislative chambers.
3. Only precedent cases listed in the case document may be used in arguments. All cases have equal weight and the Court encourages you to thoroughly cite the necessary precedent during your round. You cannot cite a case discussed in one of the precedent cases unless you are drawing on material that is included in the mentioned case brief.
4. The OIL Supreme Court does have the authority to add resources (limited only to legislation passed by the state or federal government) throughout the competition as they see fit. New precedent cases **WILL NOT** be added throughout the competition.
5. A general moot court information session will be held immediately following the opening session. Schedules for each round will be posted on the official Moot Court Facebook page. The meeting is mandatory and if a competitor is unable to attend, we ask that they inform the Court ahead of time. Anyone wishing to compete who cannot attend the meeting must provide his or her name and contact information to one of the Supreme Court Justices before the opening session.
6. A practice round will be held on the first full day of session. Competitors will receive oral critiques following the practice round about their performances. The Court **STRONGLY** encourages competitors to participate in the practice round because this will be their only opportunity to get feedback from the justices.
7. Competitors **MAY NOT** use electronic devices to read their cases or conduct research during rounds. **Failure to comply with this rule by a competitor may result in disqualification.** All competitors should have hard copies of their cases for their presentations. A competitor may use a small electronic device strictly to keep the time of their argument. Special exceptions may be made for those that require a laptop for any other purpose at the discretion of the Chief Justice.

8. Arrive at your designated **room early**. The schedule will be posted on the Moot Court Facebook page well before the first round begins. If a competitor is not present at their argument time, the competitor will forfeit the round and be disqualified from the remainder of the competition. Any exceptions to these rules are at the sole discretion of the Chief Justice.
9. Each competitor will receive ten minutes to present his or her argument. The competitors in the final round will receive 15 minutes each.
10. The Chief Justice will ask if the Petitioner has any announcements. The appropriate reply is to state, “yes” followed with, “Madam Chief Justice and may it please the Court.” Then, state your name, name of the school you represent and who in the case you represent. (Respondent or Petitioner) If you are the Petitioner, this moment is also when you will reserve your time for rebuttal. The petitioner may reserve up to three minutes for rebuttal in regular rounds and up to five minutes for rebuttal in the Final Round. The Chief Justice will then ask the Respondent if they have any announcements and again the appropriate response shall be the same as the petitioner minus the rebuttal reservation.
11. The Chief Justice will then give case facts and call for oral argument. The Petitioner will be asked first to begin their oral argument. They should begin their argument.
12. At the conclusion of the Petitioner’s initial argument, the Respondent will then be asked to give their oral argument. Both competitors should be courteous to each other while the other is delivering their oral argument. Please remain quiet and do not shuffle paper. Taking notes is appropriate and encouraged.
- 13. Recording any portion of the competition through any electronic device is strictly forbidden and failure to comply with this may result in disqualification from the competition.**
14. Dress in **courtroom attire**. Proper attire includes: suits, slacks, dress shirts, skirts, blouses, blazers, and professional dresses.. No jeans, shorts, t-shirts or hats are allowed. Special accommodations can be made at the discretion of the Chief Justice. If you have any concerns about courtroom dress, please contact the Court.
15. A justice will be keeping time and will hold up time cards when there are five-minutes and one-minute remaining. Do not exceed your allocated speaking time without the Chief Justice’s permission. If you have exceeded your time but have not yet given your prayer of relief, ask for permission to do so. This request will always be granted. Failure to give a prayer of relief will result in a loss of points.
16. **Return to your seat** immediately after the conclusion of your argument. When the case is submitted, the parties will be dismissed and can then leave the room.
17. Aside from the practice round where the Court will give you oral feedback, please stay outside the chamber doors for anonymous comment cards that will address strengths and weaknesses in each competitor’s performance. The Court does this in order to prevent the same mistakes being made again.

PETITIONER'S ARGUMENT:

1. Begin by saying, "Mister/Madame Chief Justice and may it please the Court, my name is _____ from (state your university) and I represent the Petitioner, (state petitioner's title/name).
2. State all of your issues and primary arguments you will use to address your case and the issue at hand. Example: Sign posting.
3. Move directly into the facts of the case. The Chief Justice may interrupt you, stating the Court is familiar with the facts, and ask you to move directly into your argument.
4. At this point, move directly into your points and specific arguments. This time is also a good opportunity to cite your selection of precedent cases.
5. Expect to be interrupted with questions. Answer the questions clearly and concisely, and then transition back into your argument as smoothly as possible. Be respectful. When answering a question, please begin with, "Thank you, your honor."
6. Towards the end of your argument, please give a conclusion that accurately summarizes your argument.
7. If you have reserved no rebuttal time, end with a prayer for relief. Otherwise, do not give your prayer until the end of your rebuttal.
8. Besides the ending prayer of relief, the Petitioner should use their rebuttal to rebut/rebuke the Respondent's argument.

RESPONDENT'S ARGUMENT:

1. Begin with the same opening as the Petitioner. The layout of your presentation should be similar to the Petitioner's. Be sure to also take time to rebut the Petitioner's argument. All other elements of the argument structure should be the same.
2. Respondent's delivery for prayer of relief is much the same as Petitioner's. The Respondent should respectfully request the Court to act in opposite of what the Petitioner requests.
3. Example: "For these reasons, the Respondent respectfully requests that this Court affirms the decision of the lower court. Thank you," then return to your seat.

PETITIONER'S REBUTTAL ARGUMENT:

1. Three minutes max may be reserved for rebuttal. Five minutes for the Final Round. Again, make sure and reserve this time during your announcements.

2. Use this time wisely. The Petitioner should still expect to be asked questions.
3. End with the Petitioner's prayer for relief.

If using the Respondent's prayer example above, the Petitioner's would be the following:

"For these reasons, the Petitioner respectfully requests that this court reverse the decision of the lower court. Thank you," then return to your seat.

FINAL GENERAL TIPS:

1. Be sure to issue the beginning phrase: "Mister/Madame Chief Justice and may it please the Court" at the very beginning of your argument. This is **very** important because you are directly addressing the presiding justice(s) on the Court's time. By this point in the case, the High Court has granted you "cert," or permission to hear your case. attorneys should be grateful and this phrase is the proper way to thank the Court.
2. Be prepared to argue the full ten minutes allocated to you. 15 minutes for the Final Round.
3. Signpost. Hands are a powerful tool to convey a particular important part of your argument. The case facts, case logic, and supporting authority cases are typical useful signposts to use.
4. Just as hands can be powerful, they can also be distracting. Do not overuse your hands. Attorneys should not look like drum majors while delivering their arguments.
5. Always address a judge as "Your Honor(s)," or, "Justice (judge's last name)."
6. If a judge asks you a question, you should begin speaking immediately and answer the question to the best of your ability. Let the justice finish asking the question before answering. NEVER interrupt a justice while asking a question to make a point. You are not to appear to be debating the justice.
7. Justices will typically ask higher-level thinking questions and possible hypotheticals that could be a result of the pending decision. Research the cases in depth for knowledge of precedent, case facts, questions, and results/concerns at the time of the outcome of the case. Oral arguments of precedent cases found on (www.oyez.org) is a great resource for help. We do, however, encourage competitors to read more than the precedent case summary. This information alone is not adequate to construct a winning argument.
8. Attorneys should look at this competition as an "argument" with opposing counsel, despite the fact that you do not have direct dialogue with the other side. Justices will never ask questions to engage in argument with attorneys. The attorneys should never treat it that way in tone or attitude with the Court.
9. The entire purpose of oral arguments in an appellate setting is to address the concerns of the Court. Questions mean the Court is interested and open to persuasion. Listen to the questions, identify the concern that the judge has within the question, and try to answer accordingly.

10. Turn off your cell phones and any other noise maker. If your cell phone goes off during a round, you will lose points from your overall score for that round.
11. Do not refer to yourself during arguments as “I”. Use only “The Petitioner,” “The Respondent,” or the clients name. Remember, you are an attorney representing a group or person, not yourself.
12. Do not rely heavily on notes. Maintain proper and good eye contact with the Court.
13. Project your voice.
14. Speak at a deliberate/appropriate pace. Be persuasive.
15. Breathe. We cannot stress the importance of this.
16. Eat before and drink lots of water.
17. Final note: Have fun. Please participate in the practice round to hopefully shake the nerves off by the first round. The rules and procedures will come more naturally to you if you do. Listen to the judges the first time and learn from your mistakes. We are not here to be mean or tear you down, but to help you become the best and most persuasive orator you can be.

SCORING:

- As a competitor you will be scored on:
 - A. Logical argument (20 possible points)
 - B. Ability to answer questions (20 possible points)
 - C. Legal reasoning (20 possible points)
 - D. Speaking ability (20 possible points)
 - E. Courtroom demeanor (20 possible points)
- 100 TOTAL POSSIBLE POINTS
 - A. The logical argument points are based upon how each judge views your argument as a whole: its logic, organization, completeness, coherency, accuracy, and its structure.
 - B. The ability to answer questions’ points are based upon how well the competitor answered the questions and how accurate the answers were.
 - C. The legal reasoning points are given for how many cases are cited and correctly conveyed they are in the attorney’s argument. The ability to successfully parse the nuances of case law will win you points with the Court.
 - D. The speaking ability points depend upon the competitor’s posture, eye contact, assertiveness and overall speaking ability.

E. Finally, the courtroom demeanor points are based on how courteous, polite and professional the competitor is in the courtroom. In other words, how well the competitor follows courtroom procedure.