Introduction and Scope:

The purpose of this Competition is to benefit our profession by helping law students develop the art of appellate advocacy. Participants in any aspect of this Competition are expected to follow the letter and spirit of these Rules and to maintain the highest level of professionalism throughout the Competition. (Official Rules, Rule 1.)

Further to the stated purpose of the National Moot Court Competition (“the Competition”), the National Moot Court Competition Committee (“the Committee”) announced in June 2020 that oral arguments for the Regional Rounds would take place over the internet, rather than at in-person locations throughout the United States due to the COVID-19 pandemic. The Committee seeks to encourage a safe environment where law students can develop the art of appellate advocacy from remote locations.

This Rules Supplement was drafted by the Committee to provide specific rules that govern the operation of the Competition for oral arguments at Regional Rounds. Should it be necessary, another Rules Supplement will be released for oral arguments at the National Final Rounds, which the Committee anticipates would mirror this Rules Supplement closely.

This Rules Supplement is hereby incorporated into the Official Rules that govern the Regional Rounds of the 71st Annual National Moot Court Competition. To allow for fast-changing conditions, this Rules Supplement is subject to amendment by the Committee and shall take effect for Regional Rounds that have not yet begun its days of competition. The Committee will send amendments to this Rules Supplement to Regional Sponsors and will send them to competitors whose contact information the Committee has on file.

The intent of this Rules Supplement is to replicate in a virtual format the safeguards, experience, boundaries, and environment the Official Rules create in a physical format. The Official Rules are the foundation of the Rules in this Competition, but to the extent that this Rules Supplement speaks on an issue, the Rules Supplement shall supersede the Official Rules on that issue.
The Committee advises all Competitors, Coaches, and Regional Sponsors to review this Rules Supplement carefully as it contains detailed guidance on how to administer the Competition. Questions with regard to the Rules Supplement or the implementation of Official Rules should be directed to the Committee at mootcourt@nycbar.org.

Use of Web Conferencing as Virtual Courtroom:

The Committee has approved web conferencing platforms, including Zoom and Microsoft Teams, to provide remote conferencing service for the Competition. At least one person, selected by the Regional Sponsor, with experience using and administering meetings must be present at each and every orientation, oral argument round, and meeting to announce advancement in the Competition. These individuals are referred to as “Technicians.” Technicians must provide service at the request of the Regional Sponsor and may not be a member of any team. Regional Sponsors may select students from their own school to serve as Technicians, provided that the students are not a member of any team and the students strictly abide by the rules that they be impartial to all teams in the performance of their duties. Technicians will also be invited to attend specific trainings, held by the Committee, so they understand the technical aspects of running an oral argument round.

As assistants to the Regional Sponsor, Technicians must be impartial to all teams in the performance of their duties. Should any questions arise from Competitors or Coaches relating to the interpretation of the Rules or Rules Supplement, Technicians must immediately report them to the Regional Sponsor. Technicians are to follow the Official Rules and this Rules Supplement strictly, together with guidance from the Regional Sponsor.

Regional Sponsor Initial Preparation:

Regional Sponsors will obtain licenses to Zoom at the “Pro” level with “Webinar” support, or equivalent licenses for Microsoft Teams through the Competition. Regional Sponsors should be in contact with the consolidated technical support offered to them, free of charge, to set up their accounts and schedule oral argument rounds. Prior to the Competition, Regional Sponsors will work with schools so they can test their connection to the web conferencing platform, ensure that their microphones and video monitors are operational, etc.
In accordance with Rule 7.6, Regional Sponsors will send Competitors links so they can access and participate in the appropriate web conferencing sessions for: (1) the Competitor Orientation; (2) each of their oral argument rounds; and (3) meetings to announce those who will advance to further rounds. Links to additional meetings may also be sent, at the discretion of the Regional Sponsor. Regional Sponsors may elect to direct Competitors to a single website containing all links, or may email links to Competitors and Coaches.

**Procedure for Orientations Prior to the Oral Argument Rounds:**

Oral Argument rounds will be conducted in accordance with the below procedure. Before the first preliminary round, Regional Sponsors will hold a Competitor Orientation. Prior to each oral argument round, Regional Sponsors will hold a Judge’s Orientation.

At the conclusion of the preliminary rounds, Regional Sponsors will hold a meeting with all Competitors to announce teams that will advance to the next round. After the announcement but during the same meeting, the Regional Sponsor will administer a coin toss in accordance with Rule 6.7. A similar coin toss will take place at the conclusion of the quarterfinal (if applicable), and semifinal rounds. A Technician may put representatives from the winning teams and the Regional Sponsor into sub-breakout room for the purpose of administering the coin toss.

**Competitor Orientation:**

At the start of the oral argument rounds, Regional Sponsors will meet once with all Competitors and Coaches in a meeting known as the “Competitor Orientation.” During the Competitor Orientation, the Regional Sponsor will discuss all items on Forms 9 and 10 of the Official Rules, and will further discuss the Rules, this Rules Supplement, the procedure for the rounds, and answer any questions that Competitors or Coaches may have. This meeting must take place prior to the start of the first oral argument round. At the discretion of the Regional Sponsor, Competitors and Coaches may be required to use the Chat feature to submit questions to the Regional Sponsor as a means to facilitate efficient communication.

**Judge Orientation:**

Prior to the start of each oral argument round, the Regional Sponsor must meet with the oral argument judges who are about to judge in that oral argument round
in a meeting known as the “Judge Orientation.” The Committee may also create an informational video to provide technical training to judges, and Regional Sponsors are encouraged to share that video. The purpose for the Judge Orientation is to ensure that judges understand their responsibilities as listed on Form 11 of the Official Rules. Judges are also reminded that they are not allowed to know the identity of the schools represented at oral argument as doing so creates a conflict and precludes their ability to serve as a Judge. To allow sufficient time for judges to arrive, the meeting will take place 45 minutes prior to the start of each oral argument round. It is expected that Regional Sponsors will answer any questions that judges may have with regard to their responsibilities.

**Conduct in the Virtual Courtrooms:**

Competitors will join the web conferencing session according to guidance provided by Regional Sponsors. Coaches and spectators will participate in a view-only capacity so they are able to view the argument but cannot present their own video or audio.

Competitors are expected to participate in oral argument using both audio and video connections. If it is not possible to participate via video, the Competitor is expected to report this to their Regional Sponsor at least thirty (30) days in advance of their oral argument date so the Regional Sponsor can arrange for use of an alternate device to connect. If, in the sole discretion of the Regional Sponsor, it is not possible for a Competitor to participate using a video connection, audio-only connections are allowed.

Competitors must join the web conferencing session at least twenty (20) minutes prior to the start time for the oral argument. All Competitors are required to open the Chat window in their web conferencing session so they can receive feedback on the amount of time remaining from their Clerks.

**Proper Screen Names:**

Competitors are required to change the name that appears in connection with their participation in the session to the following format: “[team number]_[Petitioner or Respondent]_[issue number]_[competitor name].” Team numbers will be preceded by a “T,” Petitioner will be abbreviated to “Pet” and Respondent will be abbreviated to “Resp.” For example, a student named Mando Fett from Team 6 arguing for Petitioner on Issue 1 should read “T6_Pet_1_Mando Fett.”
Clerks are required to change the name that appears in connection with their participation in the session to the following format: “[team number]_[Petitioner or Respondent]_Clerk.” As above, team numbers will be preceded by a “T”, Petitioner will be abbreviated to “Pet” and Respondent will be abbreviated to “Resp.” For example, the clerk from Team 6 should read “T6_Pet_Clerk”.

**Use of the Chat Function:**

The Chat function is only to be used in two circumstances: (1) to indicate a technical issue where the participant cannot be seen or heard; or (2) for clerks to indicate time remaining. Communications of any other nature using the Chat function are expressly prohibited, including but not limited to, any guidance to or from team members. Private chat sessions between team members are likewise prohibited.

**Timekeeping:**

Clerks from each team are to keep time in accordance with Rule 5. Clerks must only use the Chat feature in Zoom to report the amount of time remaining to their team member. Clerks must adhere to the following when using the chat window: “X minutes remaining.” For example, if an oralist has five minutes remaining, the Clerk for their team will type “5 minutes remaining” into the chat room at the appropriate time. When time has expired, the Clerk will type “Time has expired” into the chat room. It is expected that oralists whose time has expired will report this to their oral argument judges.

**Competitor Etiquette:**

Competitors are expected to take extra steps to ensure that they can be seen and heard clearly, which may involve standing and speaking directly into the microphone. Competitors who are not actively speaking are expected to deactivate their video sharing until they are actively addressing the Court.

In accordance with Rule 9.3, no team may receive help during oral arguments. **As a change to our Official Rules**, team members participating in the oral argument must keep their full attention on the argument and may not communicate, email or send text messages to their other team members participating in the oral argument. Competitors are reminded that once a round begins, competitors may not communicate with non-competitors, including Coaches.
In accordance with Rule 6.10, Competitors must take special measures to ensure that the identity of the school that they represent remains anonymous to the oral argument judges. This includes, without limitation, the removal of any decals, logo items or any other indications as to the identify of their school that is within the view of the camera that they are using to present oral argument.

In accordance with Rule 10, scouting of other teams is prohibited. If a team member or Coach accidentally accesses a Courtroom where other teams are present, they must leave the Courtroom immediately. If the team member or Coach heard any substantive information or oral arguments from any team, they must report the incident to the Regional Sponsor immediately. This rule applies to accessing Courtrooms regardless of web conferencing platform used.

**Oral Argument Procedure:**

Once all judges have entered the web conference room, the Chief Judge will announce the start of the oral argument round.

The Petitioner will argue first, issue one followed by issue two; and then Respondents will argue second, issue one followed by issue two. If Petitioner has requested time for rebuttal, they may argue on rebuttal. As a reminder, there is no sur-rebuttal. Clerks will keep time in accordance with the above.

At the conclusion of oral argument by the Competitors, the oral argument judges will be placed into a sub-room with the assistance of a Technician. While in the breakout room, and outside of the presence of Competitors, judges will deliberate on the argument and each will submit one score for the Petitioner and one score for the Respondent to the Regional Sponsor via email. Judges may elect to provide general comments in this email that can be shared with Competitors in the sole and absolute discretion of the Regional Sponsor.

When all scores have been received by the Regional Sponsor, the Technician will return the judges to the Courtroom where the judges will provide general feedback to the Competitors. The Regional Sponsor will email the judges with the winner of the round (Petitioner or Respondent) and whether it was won on a Reversal of the Brief. The judges will report these findings to the Competitors at the conclusion of their remarks and feedback.

Once the outcome of the round has been reported, the round is complete and the Technician will ensure that all participants have logged off of the Zoom meeting.
**Guidance for Regional Sponsors:**

The Committee thanks you in advance for the work that you put in to administering the National Moot Court Competition for your region. We provide the below guidance in an effort to streamline your efforts.

**Oral Argument Scoring:**

Oral arguments are to be scored using the same methods that you employ each year. The Committee strongly recommends the following procedure in obtaining scores from judges:

1. Send an email to each judge with the subject line: “National Moot Court Competition: [your regional name], Scores for [team number] (Petitioner) v. [team number] (Respondent), [time the round started]
   
   a. Example: National Moot Court Competition: Regional in New York, Scores for **Team 6 (Petitioner) v. Team 10 (Respondent)**, 2:00pm

2. Provide this text as a reminder of the differentials:

   Please assign a score to each team in the range of 80-100 points. The two scores cannot be the same. Please follow the following point differential guidance in determining your scores.

   When argument quality is close, assign a difference of up to three points between the two teams (e.g. 96-95). When a clear difference exists between teams, assign a difference of between four to seven points (e.g. 96-90). Only when a significant difference exists should the spread be eight points or more (e.g. 96-86).

3. Then ask for three things:
   
   a. Aggregate score for Petitioner;
   b. Aggregate score for Respondent;
   c. Any comments for the competitors.
The Regional Sponsors will also alert judges to this practice during the Judge Orientations that precedes each round.

*Scheduling of Oral Argument Rounds:*

The use of Zoom and remote conferencing may result in delays in the start time for each of the Orientations, oral argument rounds and meetings. The Committee strongly recommends that one hour be allocated for the Competitor’s Orientation, forty-five (45) minutes be allocated to each Judge’s Orientation, three (3) hours be allocated to each oral argument round, and forty-five (45) minutes be allocated to each meeting to announce advancing teams. By allowing more time than usual for these meetings, technical issues can be resolved without further delaying other parts of the Competition.