Tenth Annual Asylum & Refugee Law National Moot Court Competition

2016-2017 Competition Rules

1. The Competition
   The competition will take place at the campus of the UC Davis School of Law on the weekend of March 4-5, 2017. All ABA accredited law schools are invited to participate in the competition. The oral arguments will consist of preliminary rounds, quarterfinal rounds, a semifinal round and a final round. The competition highlights the importance of asylum and refugee law, and the unresolved issues surrounding this area of law. The competition furthers King Hall’s aim of increasing attention and scholarly effort in immigration law.

2. Teams
   A law school may send no more than three teams to the competition. Each team must consist of two team members who are currently enrolled in good standing. All team members must participate in writing the brief and in delivering oral arguments. After the briefs are submitted, team members may be substituted only with the approval of the UC Davis Moot Court Honors Board, based upon a showing of good cause.

3. Registration
   Each team must submit a complete registration form along with the registration fee by November 21, 2016. Registration fees are nonrefundable for any reason.

4. Limitations on Faculty or Other Participation
   Team members may not receive help of any kind from faculty members or other individuals with writing or editing the brief. Team members may engage in general discussion with faculty members or others regarding immigration, asylum, and refugee law, but may not elicit substantive advice regarding the competition problem.
5. **Attendance at Rounds/No Scouting**

   No team may watch any round in which it is not competing unless and until that team has been eliminated from competition. No person may attend a round of the competition to obtain information or strategy about the participating teams.

6. **Record**

   The record provided will include the statement of facts and the lower court’s opinion. Teams are limited to the facts provided, but may use outside resources to help develop legal arguments. Teams may use statistics and facts outside the record; however a team may not create, rely on or assume any facts about the particulars of this case.

7. **Briefs**

   **a. General Requirements:** Each team will submit a brief on behalf of either the petitioner or respondent. Upon registering for the competition, each team will be assigned a side. Each team must submit only one brief, but will be required to argue both sides during the competition.

   **b. Length and Form:** The body of each brief must be no longer than thirty (30) pages. The body of the brief begins with the statement of the case. The brief must be printed on 8.5" by 11" paper, double-spaced, written in Times New Roman 12-point font, with one inch margins on all sides. All paper briefs must be firmly bound on the left side, either by stapling, binding, or other method. Except as otherwise provided in these rules, the brief’s format must comply with the Rules of the Supreme Court of the United States. Briefs must also follow the most current edition of the Bluebook: A Uniform System of Citation.

   No appendix is required and is strongly discouraged. The jurisdictional statement should state: “A statement of jurisdiction has been omitted in accordance with the rules of the UC Davis School of Law Asylum and Refugee Law National Moot Court Competition.”

   Teams should identify themselves through their team designation only. No page of the brief, including the cover page and signature page, should include any other identifying information.
c. **Certification of Adherence to Competition Rules:** Each brief must be accompanied by a certificate of adherence to the competition rules signed by all team members. The certificate must state: “All team members understand the Rules of the Competition and have adhered to all rules in writing this brief. We have not received any assistance in writing this brief.”

d. **Filing of Briefs:** Each team must file both an electronic copy and three (3) paper copies of the brief.

   i) **Electronic Filing:** The electronic copy of the brief must be emailed to asylumcomp@law.ucdavis.edu by February 3, 2017, 5:00 p.m. PST. The electronic copy must be a single PDF file.

   ii) **Paper Filing:** The paper copies of the brief must be postmarked no later than February 3, 2017, by 5:00 p.m. PST and mailed to:

   UC Davis School of Law Moot Court Honors Board
   Attn: Asylum and Refugee National Moot Court Competition
   400 Mrak Hall Drive
   Davis, CA 95616-5201

   iii) **Late Submissions:** Briefs either emailed after the filing period or postmarked after the filing date will be assessed a mandatory ten point penalty for the first 24-hour period that the brief is late. A five point penalty will be applied for every additional 24-hour period, or part thereof, that the brief is late. Late filing penalties will continue to accrue until both an electronic filing and paper filing have been made.

e. **Scoring of Briefs:** Each brief will be scored by members of the grading committee consisting of UC Davis School of Law faculty, immigration law attorneys, members of the UC Davis Moot Court Honors Board, and members of the UC Davis Law Review. Each grader will be given a standardized grading sheet and instructions on how to grade the briefs.

f. **Distribution of Briefs:** All team briefs will be posted on the competition website on or about February 20, 2017. Posted briefs will be identified by team number only.
8. Oral Argument

a. **Time and Place:** The oral argument rounds will take place at the campus of the UC Davis School of Law on the weekend of March 4-5, 2017. A more detailed schedule will be released in 2017.

b. **Pairing of Teams for Argument:** Each team will be paired with an opposing team for each oral argument round. Each team will argue both sides of the case during the preliminary rounds (i.e., once “on brief” and once “off brief”). Pairings will be randomized during the preliminary and quarterfinal rounds. The semi-finals will pair the highest scoring team with the fourth highest scoring team, and the second highest scoring team with the third highest scoring team.

c. **Time allowed for Argument:** Each side is allotted thirty minutes to argue during each round. Only two team members may argue per round. No team member may speak for more than seventeen minutes. Petitioners will argue first, and may reserve up to five minutes of their total time for a rebuttal after the close of respondent’s argument. Petitioners may divide their rebuttal time between team members as they choose. For example, Advocate A and B could both argue for 14 minutes, with Advocate A delivering a 2 minute rebuttal.

d. **General Rules:** Teams will be scored on the basis of their presentation and arguments rather than the merits of the case.

e. **Scoring of Oral Argument:** The preliminary, quarterfinal, semifinal, and final rounds of oral arguments will have three judges. The judges will score each speaker on a scale of 100, and the three scores from each judge will be averaged. The team’s preliminary round oral argument score will be the sum of the two averaged scores from each of the two preliminary rounds.

f. **Advancement to Final Rounds:** Eight teams will advance to the quarterfinal round, and four teams will advance to the semi-final round based on both their brief scores and their oral argument scores. The brief score will count as 40% of the overall score, and the oral argument preliminary round will count as 60% of the overall score.

The winners of the quarterfinal and semi-final rounds will be determined based solely on the oral argument scores from the quarter-final and semi-
final rounds. If there is a tie, then the team with the higher brief score will advance. The winner of the final round will be determined based solely on the oral argument scores from the final round.

9. Awards
The following awards will be conferred at the conclusion of the competition:

a. **Best Briefs:** The teams with the three highest overall best brief scores will be recognized.

b. **Top Three Best Oral Advocates:** The individuals with the three highest oral scores from the two preliminary rounds will be recognized. To be eligible for Best Oral Advocate, the advocate must argue in both preliminary rounds.

c. **First and Second Place Awards:** Given to the two teams in the Finals.

10. Emergency Team
Should an uneven number of teams register to participate in oral arguments, UC Davis may provide an emergency team to participate in the preliminary round only.

11. Infractions
Violations of the competition rules may result in disqualification from the competition. Written complaints of violations are to be given to the UC Davis Moot Court Honors Board, which has the authority to determine an appropriate punishment if it is determined that a team has violated the rules.

12. Other Rules
The UC Davis Moot Court Honors Board reserves the right to promulgate new rules if necessary for the conduct of the competition, so long as the rules are not inconsistent with the intent of these rules.

13. Questions Regarding Competition and Problem
Questions regarding the problem and competition must be directed to Diem Ly Vo, the Chair of the Asylum & Refugee Law National Moot Court Competition at asylumcomp@law.ucdavis.edu. In order to maintain fairness among all competitors, substantive questions regarding the problem will not be answered except where clarification is deemed necessary by the Asylum Competition Committee.