

# University of California, Davis School of Law's Fourteenth Annual Asylum & Refugee Law National Moot Court Competition



**MOOT COURT  
HONORS BOARD**  
at UC Davis School of Law

## 2021 Competition Rules

### 1. The Competition

The University of California, Davis School of Law's Fourteenth Annual Asylum and Refugee Law National Moot Court Competition (hereinafter "Competition") highlights the importance of asylum and refugee law, and the unresolved legal issues many immigrants face today. King Hall is committed to increasing attention and scholarly effort in asylum and refugee law.

This Competition is an interschool moot court competition and is governed by the foregoing rules. By participating in this competition, all competitors agree to abide by the rules as set forth herein. The competition will take place on Zoom at the University of California, Davis School of Law on the weekend of March 6, 2021 - March 7, 2021. All ABA accredited law schools are invited to participate in the competition. The oral arguments will consist of two preliminary rounds, a quarter-final round, a semi-final round, and a final round. All teams are guaranteed two rounds, one as the Petitioner and one as the Respondent.

### 2. Teams

Each ABA accredited law school may send up to two teams to the Competition. Teams from the same school may not collaborate on any portion of the brief, however they may practice against each other for the oral arguments. Each team must consist of two team members who are currently enrolled in the same law school and in good standing. Both team members must participate in writing the brief and delivering oral arguments for that team. The members who write the brief must be the same members who participate in oral arguments. After the Team Certifications are submitted, team members may be substituted only with the approval of the UC Davis Moot Court Honors Board based on a showing of good cause.

### 3. Registration

Each team must submit a complete registration form along with the registration fee by November 12, 2020. Registration fees are nonrefundable.

### 4. Limitations on Faculty or Other Participation

Team members may not receive help of any kind from faculty members, coaches, 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, including structuring their arguments.

## **5. Attendance at Rounds/No Scouting**

No team, or person associated with a team, may watch any round in which that team 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 Competition problem will be released November 13, 2020. The problem will contain the entire record for the Competition, including the statement of facts and the lower court's opinion. Teams are limited to the facts provided, but are expected to use outside resources to develop legal arguments. Teams may use generally available statistics outside the record, however, a team may not create, rely on, or assume any other facts not contained within the record.

## **7. Briefs**

### **a. General Requirements:**

Each team will submit a brief on behalf of either the Petitioner or the Respondent. When the problem is released, 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:**

- i. The brief must be double-spaced, written in Times New Roman 12-point font, with one-inch margins on all sides. Briefs must also follow the most current edition of the Bluebook: A Uniform System of Citation. No appendix is required and is strongly discouraged.
- ii. 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. All other sections must be included. 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.*

- iii. Teams should identify themselves through their team numbers only. The brief shall not reveal any identifying information, including on the cover page and signature page.

### **c. Certification of Adherence to Competition Rules:**

Each brief must be accompanied by a certificate of adherence to the competition rules electronically signed by all team members. The certificate must also be signed by the team's faculty advisor. The form will be provided.

### **d. Filing of Briefs:**

The electronic copy of the brief must be emailed to [asylumcomp@law.ucdavis.edu](mailto:asylumcomp@law.ucdavis.edu) by February 5, 2021, 5:00 p.m. (PST).

**e. Late Submissions:**

Briefs 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 each additional 24-hour period, or part thereof, that the brief is late. Late filing penalties will continue to accrue until both an electronic filing has been received. Teams submitting a late brief will be notified that we did not receive a timely submission.

**f. Scoring of Briefs:**

Each brief will be scored by three (3) members of the grading committee consisting of University of California, Davis School of Law faculty, immigration law attorneys, members of the University of California, Davis Moot Court Honors Board, and members of the University of California, Davis Law Review. Each grader will be given a standardized grading sheet and instructions on how to grade the briefs.

**g. Oral Argument**

- i. **Time and Place:** The oral argument rounds will take place on Zoom at the University of California, Davis School of Law on the weekend of March 6 and March 7, 2021. A more detailed schedule will be released several weeks before the competition.
- ii. **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 quarter-final 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.
- iii. **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.
- iv. **General Rules:** Teams will be scored on the basis of their presentation and arguments rather than the merits of the case.
- v. **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.

- vi. **Advancement to Final Rounds:** Eight teams will advance to the quarter-final 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 quarter-final and semi-final rounds will be determined based solely on the oral argument scores from the quarter-final and semi-final rounds respectively. 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, with ties resolved in the same manner.

## 8. Awards

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

- i. **Best Briefs:** The teams with the three highest overall brief scores will be recognized.
- ii. **Top Three Best Oral Advocates:** The individuals with the three highest oral argument scores from the two preliminary rounds will be recognized.
- iii. **First and Second Place Awards:** These awards recognize the two teams who advance to the final round, based on their scores from that round.

## 9. Infractions

Violations of the competition rules may result in disqualification from the competition. Written complaints of violations are to be given to the University of California, 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.

## 10. Questions Regarding Competition and Problem

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. Any answers to substantive questions will be posted on the Competition webpage so all competitors may see the response. Questions regarding these rules, registration, the problem, or the Competition should be directed to Daria Clecicov or Alejandra Gallegos, the Co-Chairs of the Asylum & Refugee Law National Moot Court Competition at [asylumcomp@law.ucdavis.edu](mailto:asylumcomp@law.ucdavis.edu).