

ADVOCATES
at
UNIVERSITY of **HOUSTON** | LAW CENTER

Blakely-Butler Learning Session

Blakely-Butler Moot Court Competition Fall 2021

Sponsored by:



What is the Blakely Butler competition?

- ❑ A moot court competition consisting of an oral argument and a simple writing component (**for class credit!**)
 - ❑ Moot court is appellate advocacy so competitors will prepare an appellate level argument
- ❑ This competition is hosted independent of the Moot Court team by the Advocates and any student is welcome to participate
- ❑ Occurs annually
- ❑ Completion of the competition and writing component leads to 1 hour of class credit (regardless of where you place in the competition)

Competition Schedule

- ❑ The Competition will take place on Friday, November 12 - Saturday, November 13
- ❑ Friday will consist of preliminary rounds
 - ❑ 11 AM - First teams begin
 - ❑ Competition will end for the evening at 7:30 PM
 - ❑ We will accommodate your team if one or both of you have class Friday
 - ❑ Results will be emailed late Friday night
- ❑ Saturday will begin quarterfinals
 - ❑ Time TBD depending on total registrants and time conflicts

Competition Structure

- ❑ Each team will consist of 2 people each arguing one legal issue
- ❑ Each team will participate in at least 3 preliminary rounds
- ❑ Each team will have 25 minutes for arguments with 2 for rebuttal on Petitioner's side, upon request
- ❑ Each team will switch sides at least once

Judging

- ❑ Each team will be judged on oral advocacy skills
 - ❑ Merits of argument;
 - ❑ Persuasiveness;
 - ❑ Ability to respond to questions well;
 - ❑ Knowledge of material; and
 - ❑ “Zoom” Court-room demeanor
- ❑ Teams must participate in at least 3 preliminary rounds to receive course credit
- ❑ Judges will be members of the community, able to offer practical feedback from practice

Professionalism

- ❑ Dress and behave professionally, as if you were actually in court
- ❑ Never talk over a judge
- ❑ Make good eye contact with the judges (even through zoom!)
- ❑ Show judges respect, always answer the judge with “your honor”

Scheduling Conflicts

- ❑ The Advocates will do their best to work around reasonable scheduling conflicts, especially in the preliminary rounds
- ❑ Please note scheduling conflicts when you sign up
- ❑ Coordinate with your partner, only one will need to fill in the sign up form
- ❑ Failure to show on the day of competition with no advance warning will disqualify your team and disqualify your team from course credit

Problem

- ❑ The problem will be released on November 4 after 6 PM
- ❑ It will be a closed-research assignment, meaning participants are limited to the case list provided and cases cited within the listed cases
- ❑ Will include 2 issues; one for each team member
- ❑ Arguing other issues will not get you additional credit

Course Credit

- ❑ Teams must participate in all the rounds they advance through to receive course credit
- ❑ Teams will additionally need to make a good faith effort in all rounds to receive credit
- ❑ Each team must additionally submit a 5 page brief, Times New Roman, 12 Pt font, double spaced
- ❑ The brief will consist of
 - ❑ Table of Authorities (pg. 1)
 - ❑ Issues Presented
 - ❑ Summary of the argument
- ❑ The brief can be from either side (Respondent or Petitioner)
- ❑ The brief must reflect a good faith effort with citations and headers
- ❑ The brief due date is TBD!

Registration & Sign-Up

- ❑ Sign-Ups will open today, October 20, at 6 PM.
- ❑ You will need to have a partner to participate
 - ❑ Let me know if you are having trouble finding one!

How to Structure a Moot Court Argument

- ❑ Always start with “May it please the Court”
- ❑ Roadmap of your legal issue
 - ❑ First speaker on Petitioner’s side should ask “Would your honor(s) like a brief recitation of the facts?” if they say yes have a 30 second fact statement prepared
- ❑ Break down the roadmap and get into your argument
- ❑ Example Speaker One: “May it please the court, my name is Stephanie Melgar and along with my co-counsel John Doe we represent the Petitioner. [Fact] There are two issues on appeal today 1. 2. In my time before the court I will show x”
- ❑ Speaker Two: “May it please the court, as my co-counsel said my name is John Doe. The second issues is... and in my time before the court I will show x.

Moot Court Best Practices

- ❑ Pick 2-3 points about your issue and arrange them in order of importance
- ❑ Do not forget to cover the standard of review
- ❑ Know what you want the court to do
- ❑ If you are asking the court to adopt a new rule, or revise/interpret an existing rule, be able to clearly articulate the rule/interpretation you want.
 - ❑ Also know how your proposed rule would impact future hypothetical cases, the administration of justice, and general public policy concerns
- ❑ Don't be afraid to concede a point
- ❑ Clash with the other side "Respondent will try to show x, this is why that doesn't work/apply in this case"
- ❑ Know the case and know the record THIS WILL HELP TONS
- ❑ Eye contact with judges
- ❑ Always include "your honor" when answering questions

Making a Moot Court Oral Outline

- ❑ Signpost your argument
 - ❑ “There are three points on appeal”
 - ❑ “As to the first point [repeat point]...”
 - ❑ “Moving to my second point”
 - ❑ Don’t be afraid to jump around if a judge asks you a question “well your honor that goes to my second point which is x and answer the question”
- ❑ Keep it short and simple, too many words will trip you up while you’re glancing back and forth
- ❑ Don’t forget to conclude
 - ❑ Second person should conclude and ask the court (the Prayer) to do what they want on both issues
 - ❑ “Petitioner respectfully asks the court to x for this reason and x for this reason” (x being the issues’ conclusion)

Additional Tips

- ❑ If you're answering a question and are out of time ask "your honor I see that I am running out of time may I answer your question and briefly conclude?"
 - ❑ They will rarely say no
 - ❑ You won't be penalized for going over time (reasonably) if you ask
- ❑ If you're not answering a question you can still say "your honor I see that I am running out of time may I briefly conclude?"
- ❑ Rebuttal: Only petitioner is allowed to rebut. This is for responding to specific points in Respondents argument, not restating your argument. Try to avoid more than 2-3 points on rebuttal.
- ❑ NO OBJECTIONS IN MOOT COURT

Questions?

Please contact the competition director, Stephanie Melgar, with any further questions at

✉ smelgar@central.uh.edu

Thank you for your Interest!