

CHARLES C. PAPY, JR.
MOOT COURT BOARD

UNIVERSITY OF MIAMI
SCHOOL OF LAW



**FIRST YEAR STUDENT
INFORMATION
PACKET
2008 - 2009**

Moot Court Office - Room F400-401
Tel (305) 284-3170
Fax (305) 284-5016
www.law.miami.edu/studentorg/mcb.php

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Moot Court Executive Board 2008 - 2009

Christopher Pizzo

President

chris.pizzo@gmail.com

Samantha Epstein

Executive Vice President

Samantha.epstein@gmail.com

Michael Marshall

Vice President - John T. Gaubatz 1L Competition

Miami1LComp@gmail.com

Stephanie Kaplan

Vice President - Interschool Competitions

stephanieckaplan@aol.com

Rachel Dubin

Vice President - Fall C. Clyde Atkins Advanced Moot Court Competition

Rachel.dubin@gmail.com

Steven Appelbaum

Vice President - Spring C. Clyde Atkins Advanced Moot Court Competition

smappel@gmail.com

Andrew Wilson

Vice President - Negotiation Competition

arwilso@gmail.com

Dana Foley

Vice President - Mock Trial Competition

Dfoley3@gmail.com

Bradley Shapiro

Vice President - ABA Regional Negotiation Competition

bradleyshapiro@gmail.com

2008 - 2009 Moot Court Board

3L Candidates

Veena Abraham
Vincent Alexander
Jason Atkinson
Hartley Bane
Leigh-Ann Buchanan
Andrea Cortland
Ted D'Apuzzo
Brendan Everman
Blake Fiery
Deke Foxhoven
Kimberly Freedman
Danielle Golino
Berit Griffin
Janelle Herrera
Rishi Kapoor
Barbara Kibbey
Jordan Maglich
Gregory McDermott
Michael Pieciak
Shannon Puopolo
Felix Rodriguez
Michael Rothenberg
Jon Squires
Kristin Statsny
Laura Tepich
Valerie Vicente
Jonathan Waldman
Nicole Walsh
Zachary Weaver
Joshua Worell

2L Candidates

Mark Andreu
Natalie Boyajian
Omar Bradford
Kelly Casey
Esther Glazer-Esh
Christina Gornail
Jordan Isrow
Andrew Langenbach
Monique Lavender
Tania Linares
Paul Masdeu
Deana Muraco
Jennifer Nechvatal
Sasha Pernick
Daniel Poterek
Valerie Prochazka
Jenea Reed
Joseph Sawka
Megan Sincore
Kara Stochlic
Lea Valdivia
William Wenke

Membership Requirements:

1. **Service Requirement** – The Board awards students service points for assisting and observing various competitions. Service points are required for consideration for membership. Points are granted for tasks such as observing, directing judges to designated parking areas, serving as a bailiff, and acting as a witness for the Mock Trial Competition or the litigation skills class.
 - Applicants must obtain five (5) Service Points if completed by the end of the Fall Semester with at least two (2) observation points; *or*
 - Applicants must obtain a total of seven (7) Service Points by the end of the Spring Semester with at least four (4) observation points.
 - Sign-up sheets are available in the Moot Court office, located in F400-401.
2. **Application and Appellate Brief** – Applicants shall submit an application for the Board and the required number of copies of their LRW Appellate Brief.
 - Applications will be made available during the Spring semester.
 - **Application Deadline: March 13, 2009 at 2:00 PM at the Moot Court Office (F401). LATE SUBMISSIONS WILL NOT BE ACCEPTED.**
 - Applicants must carefully follow the directions listed on the Application.
 - Brief scores will count for one-third (1/3) of your score for admission.
 - Applicants will indicate which portion of the brief they wrote and will be graded separately from their LRW partner to the extent possible.
 - Briefs will be graded based on organization and analysis of the issues as well as neatness, continuity and conformance with proper citation rules.
 - Briefs submitted to the Board for consideration **must** conform with the requirements of the blind grading system and be devoid of any identifying information other than the applicant's blind grading number.
3. **1L Moot Court Competition** – Applicants shall participate in the optional John T. Gaubatz 1L Competition held in the Spring semester.
 - Applicants must participate in a minimum of two (2) preliminary appellate oral advocacy rounds, one on-brief (the side you argued in your LRW appellate brief) and one off-brief (the opposite side).
 - The highest and lowest score from each preliminary oral round shall be dropped. The remaining scores for each individual round shall be averaged, creating two separate scores, which will then in turn be averaged, constituting two-thirds (2/3) of your application score.
 - **Individual scores, not team scores, are used for determining admission to the Moot Court Board.**
4. **Minimum Grade Requirement** – Applicants must meet at least one (1) of the following criteria:
 - a. Obtain at least a 3.0 GPA in LRW; *or*
 - b. Be in the top 50% of their class; *or*
 - c. Be in the top 50% of their section.

Service Points

The Moot Court Board requires applicants to perform service for the Board in order to be considered for membership. Service Points can be obtained by assisting the Board with intraschool and interschool competitions. Applicants must obtain a total of five (5) Service Points if completed by the end of the Fall Semester, or a total of seven (7) Service Points if completed by the end of the Spring Semester. **PLEASE NOTE THAT THIS YEAR HALF OF ALL SERVICE POINTS MUST COME FROM OBSERVATION.** That is, two (2) observation points if you complete all of your service points in the Fall Semester or four (4) if you complete them during the Spring Semester. Sign-up sheets are available in the Moot Court Office, located in F400-401.

There are limited Service Point opportunities throughout the school year. Students are encouraged to sign up early and complete their requirement as early as possible. The different types of Service Point opportunities are discussed on the next page. Applicants will receive a receipt following each event verifying that the Applicant has fulfilled his/her duty. **Applicants are responsible for keeping their receipts.** These receipts are the only means of resolving discrepancies with the Board's records.

The Moot Court Board relies on 1L students to assist with competitions. If you are unable to appear for any reason, you must (1) provide reasonable notice to the Board and (2) find a replacement. **Failure to appear at the assigned time will result in a LOSS OF POINTS.**

Service Point Opportunities

Bailiff: Bailiffs assist judges and competitors by providing judges with score sheets and keeping time for competitors. Each bailiff may earn one (1) point per opportunity. There is no limit as to how many points may be obtained as a bailiff.

- **Points: 1**
- **Maximum Points: No Limit**
- **Dress: Business Casual**

Witness: Witnesses play a character role in mock trials and must memorize a set of facts to answer questions on direct and cross examination. Each witness may earn two (2) points per role. No more than four (4) points may be obtained as a witness.

- **Points: 2**
- **Maximum Points: 4**
- **Dress: Courtroom Attire**

Parking Assistant: Parking assistants direct esteemed lawyers and judges to designated parking areas. Each parking assistant may earn one (1) point per opportunity. No more than two (2) points may be obtained as a parking assistant.

- **Points: 1**
- **Maximum Points: 2**
- **Dress: Business Casual**

Observation: Applicants may earn points by observing the final round of a competition. Each observer may earn one (1) point per opportunity. **HALF OF ALL POINTS OBTAINED MUST BE FROM OBSERVATION:** two (2) if you obtain all your points by the end of the Fall Semester, four (4) if you complete your points by the end of the Spring Semester).

- **Points: 1**
- **Maximum Points: No Limit**
- **MINIMUM POINTS: HALF**
- **Dress: No Requirement**

Alternates: Applicants may earn points by signing up for an alternate position and serving as necessary. Each alternate may earn one (1) point per opportunity as an alternate bailiff or alternate parking assistant and two (2) points as an alternate witness. No more than two (2) points may be obtained as an alternate in any capacity.

- **Alt. Bailiff/Parking Assistant Points: 1** **Alternate Witness Points: 2**
- **Dress: Business Casual** **Dress: Courtroom Attire**
- **Maximum Alternate Points Earned in Any Capacity: 2**

John T. Gaubatz 1L Moot Court Competition

Introduction

During the Spring Semester, the Board assists first-year students and LRW professors by organizing and judging practice rounds prior to the students' graded oral arguments. After the LRW course requirements are completed, the Board hosts the John T. Gaubatz 1L Moot Court Competition. Participation is optional for 1Ls who are not applying to the Charles C. Papy, Jr. Moot Court Board, but it is a requirement for acceptance to the Board in the fall of the 2L year. Students use the same problems that they research and argue in their Legal Research and Writing class and compete against other students with that same problem. The 1L competition is graded entirely by Board members. All 1L students are encouraged to enter the Competition.

APPLICATION DEADLINE:

March 13, 2009; 2:00 PM (Moot Court Office, F401)

COMPETITION DATES:

April 3-5, 2009: Preliminary Rounds
April 6, 2009: Quarter-Final Rounds
April 7, 2009: Semi-Final Rounds
April 8, 2009: Finals

CONTACT INFORMATION

Michael Marshall
1L Competition Vice President
Miami1LComp@gmail.com

John T. Gaubatz 1L Moot Court Competition

I. FORMAT:

- a. Each team will have two (2) preliminary rounds, one on-brief and one off-brief. Teams will then be selected to advance from the preliminary rounds based on the average of each team's on-brief score, each team's off-brief score, and each team's brief score. In other words, brief scores will count for one-third (1/3) of the team's total score for advancement. After the preliminary rounds, the Competition becomes single elimination with the average of the teammates' brief scores counting for one-third (1/3) in every round and the average oral score counting for two-thirds (2/3).
- b. The Competition rounds will adhere to the following format: two (2) two-person teams will argue for twenty (20) minutes per side. Rebuttal time must be reserved at the beginning of the Appellant's argument; time reserved will be included in Appellant's allotted twenty (20) minutes and must, therefore, be deducted from one or both speakers' time for argument. **Only** the Appellant team may reserve time for rebuttal. Team members may divide the time as they choose.
- c. Rounds are always subject to change due to unusual circumstances or events beyond our control. No right to a bye or a default exists. If the 1L Competition Vice President determines a schedule should be altered in the interest of all competitors, then no participant may complain on grounds other than conflict with the new time schedule. Resolution of conflicts, scheduling or otherwise, remains within the sole discretion of the 1L Competition Vice President.
- d. Students may enter the Competition individually to be considered for membership on the Moot Court Board. Students entering individually will have ten (10) minutes for argument. **STUDENTS ENTERING INDIVIDUALLY CANNOT ADVANCE PAST THE PRELIMINARY ROUNDS.**

II. CHECK-IN:

- a. On the day your team competes, you must check-in at the student lounge at least fifteen (15) minutes prior to the start of the round. There may be dates when check-in is not held in the student lounge. If that happens, notice will be provided.
- b. Once the teams have completed check-in and the bailiff and all judges have appeared, teams will be notified of their room assignments.

III. SCORING:

- a. Scoring will be based upon the scoring guidelines promulgated by the Moot Court Board.

- **Preliminary Rounds** – Each team will argue two preliminary rounds: one on brief and one off. The highest and lowest score from each preliminary oral round shall be dropped. The remaining scores for each individual round shall be averaged, creating two separate scores, which will then in turn be averaged, constituting two-thirds (2/3) of your preliminary score. The team's brief score will constitute the remaining one-third (1/3). The top eight teams from the preliminary rounds in each problem group will advance to the quarter final rounds. This is subject to change, dependent on total team disposition in each problem group and number of competitors.
 - **Post-Preliminary Rounds** – Past the preliminary rounds, the competition switches to an elimination format, with the highest scoring team from each individual round advancing to the next phase of the competition.
- b. A short critique will follow each round. The winners of the rounds will be posted outside the Moot Court office by the following morning.
 - c. Competitors may appeal conflicts regarding judges or opponents after any round. Such appeals must be made to the 1L Competition Vice President, Michael Marshall, within twenty (20) minutes of the end of the critique for that round. When the Vice President is not present, another appropriate Board member will be designated to recognize the timeliness of the Competitor's notice.

IV. DISQUALIFICATIONS AND SANCTIONS:

- a. TEAMS MUST GIVE FORTY-EIGHT (48) HOURS NOTICE IF THEY WILL BE UNABLE TO COMPETE IN A SCHEDULED ROUND. ABSENCES WILL ONLY BE EXCUSED FOR GOOD CAUSE. IT IS THE STUDENT'S DUTY TO NOTIFY THE 1L COMPETITION VICE PRESIDENT. FAILURE TO GIVE NOTICE MAY RESULT IN REFERRAL TO THE HONOR COUNCIL.
- b. PARTICIPANTS MAY NOT COMMUNICATE ON-BRIEF OR OFF-BRIEF STATUS TO JUDGES PRIOR TO THE COMPLETION OF THE SCORE SHEETS AT THE END OF THE ROUND. VIOLATION OF THIS RULE MAY RESULT IN DISQUALIFICATION.
- c. Failure to comply with the competition rules may result in point deduction or disqualification.
- d. All decisions of the 1L Competition Vice President shall be final.

Negotiation Competition

The Moot Court Board sponsors the Negotiation Competition during the fall semester. The Competition places two, two-person teams in a non-judicial dispute-resolution setting where each team is given a simulated client problem to review before meeting with opposing counsel in an attempt to resolve the dispute. The teams conduct a 50-minute negotiation session in front of a panel of 2-3 judges. Each team is given a set of common facts, as well as a set of confidential facts for their side and categorical boundaries within which their client is willing to compromise in order to settle the dispute. Teams are given a new fact pattern for each round in which they participate. Flexibility, strategy, and final outcome are considered by the judges as well as whether their agreement or non-agreement served the best interest of their client. The teams are judged by a panel of local attorneys, judges, and other experienced negotiators.

COMPETITION DATES:

September 20, 2008: Preliminary Rounds

September 22, 2008: Quarter-finals

September 23, 2008: Semi-finals

September 25, 2008: Finals

CONTACT INFORMATION

Andrew Wilson
Negotiation Competition Vice President
arwilso@gmail.com

Mock Trial Competition

The Board runs the Mock Trial Competition during the Spring Semester. Each team should be comprised of two second or third-year students, serving as attorneys. Each attorney must conduct one direct and one cross-examination, and the teams will also prepare opening and closing arguments. In order to advance, each team must win their round. All rounds will be judged by Miami attorneys and judges.

First-year students have the opportunity to participate as bailiffs, parking duty, or as witnesses and earn valuable service points, by testifying from a prepared script that they have read and memorized prior to taking the stand. This year's competition will feature an exciting criminal law problem, a fantastic opportunity for students to hone their trial skills, and a substantial award for the winning team.

COMPETITION DATES:

February 2-3, 2009: Preliminary Rounds
February 5, 2009: Quarter-Finals
February 10, 2009 : Semi-Finals
February 12, 2009: Finals

CONTACT INFORMATION

Dana Foley
Mock Trial Competition Vice President
Dfoley3@gmail.com

C. Clyde Atkins Fall & Spring Advanced Moot Court Competitions (AMC)

Every Fall and Spring Semester, the Moot Court Board administers the C. Clyde Atkins Advanced Moot Court Competition ("AMC"). The students who participate in this Competition are second-year students who have enrolled in the Advanced Moot Court class. Each two-student team is required to write an appellate brief and participate in the oral argument Competition. The oral argument rounds are performed before three-judge panels, comprised of local attorneys and/or judges. At the end of each round, the judges provide the advocates with helpful suggestions and criticism. The winning team for the round is determined by a combination of oral and brief-writing scores.

The Kurt Marmar Award recognizes the most well-rounded competitor who, in the opinion of his/her peers, has best demonstrated a spirit of cooperation and fairness. The "Best Oralist Award" recognizes the student with the highest oral scores and the "Best Brief Award" recognizes the two students with the highest combined brief scores. All winners receive a plaque at the Moot Court Board's reception at the Annual Barrister's Ball.

Competitors are selected from AMC to attend the Florida Orseck State Moot Court Competition, Worker's Compensation Competition, the ABA's National Appellate Advocacy Competition, and the National Bankruptcy Competition.

COMPETITION DATES:

Fall AMC:

November 8, 2008: Preliminaries
November 11, 2008: Quarter-Finals
November 13, 2008: Semi-Finals
November 14, 2008: Finals

Spring AMC:

March 23-24, 2009: Preliminaries
March 25, 2009: Quarter-Finals
March 26, 2009: Semi-Finals
March 27, 2009: Finals

CONTACT INFORMATION

Rachel Dubin
Fall AMC Vice President
rachel.dubin@gmail.com

Steven Appelbaum
Spring AMC Vice President
smappel@gmail.com

ABA Regional Negotiation Competition

The ABA has selected the University of Miami School of Law as the location for this year's Regional Negotiation Competition. The ABA Regional Negotiation Competition follows a format similar to the on-campus negotiation competition. Teams representing law schools in the southeastern United States along with several teams from the University of Miami will compete to earn invitations to the ABA National Negotiation Finals.

First-year students will have many opportunities to earn service points by providing logistical support and acting as time keepers.

COMPETITION DATES:

November 1-2, 2008: All Rounds

CONTACT INFORMATION

Bradley Shapiro
ABA Regional Negotiation Competition Vice President
bradleyshapiro@gmail.com

Interschool Competitions

This year the Charles C. Papy, Jr. Moot Court Board is competing in over 15 interschool competitions taking place all over the United States. First year students may earn service points by serving as a bailiff or by observing the final practice rounds for these competitions. The dates of the final practice rounds will be advertised on the law school campus and in the SBA Hearsay.

Some of the competitions we will be attending include:

ABA Client Counseling Competition (Samford University, Birmingham, AL)

The George Washington University Law School National Security Law Moot Court Competition (Washington D.C.)

National Appellate Advocacy Competition (New York, New York)

August A. Rendigs, Jr. National Products Liability Moot Court Competition

Broadcast Music, Inc., Entertainment and Communications Law Moot Court Competition (New York, New York)

Ruby Vale Delaware Corporate Moot Court Competition (William Mitchell School of Law, Delaware)

The National Moot Court Competition on Bankruptcy Law (St. Johns Law School, NYC, NY)

Dean Jerome Prince Memorial Evidence Competition (Brooklyn Law School in

Robert Orseck Memorial Moot Court Competition (Florida)

Earle Zehmer Workers' Compensation Moot Court Competition (Orlando, FL)

CONTACT INFORMATION

Stephanie Kaplan
Interschool Vice President
stephanieckaplan@aol.com