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The annual Charles W. Froessel Moot Court Competition is an intramural appellate court competition sponsored each year by the Executive Board of the New York Law School Moot Court Association to develop the art of appellate advocacy. The Competition affords participants an opportunity to put their research and writing abilities to a practical test, to present oral arguments in an atmosphere that simulates an appellate courtroom, and to become involved in unresolved and controversial areas of law.

I. ELIGIBILITY

All students, in good standing at New York Law School, including transfer students, who have completed twenty credits, may compete in the Froessel Competition.

II. ORGANIZATION

The Competition consists of three preliminary rounds and five advanced rounds. Traditionally, at least three judges preside over each oral argument. The judges are members of the bench, professors and alumni of New York Law School, prominent local attorneys, and members of the Moot Court Executive Board (in any number of combinations).

III. TEAMS

1. Composition of Teams and Registration:
Each team consists of two students. Notification of the composition of teams (including names, addresses, graduation date, and telephone numbers) must be submitted to the Froessel Co-Chairs whenever changes occur.

2. Substitution in Membership of Teams:
No substitution of team members is permitted. If one teammate withdraws and the other partner wishes to continue, the remaining team member must notify the Froessel Co-Chairs and, if possible, the Froessel Co-Chairs will reassign a partner. Only in such a case where no replacement partner can be found will a competitor be allowed to submit a brief alone.
IV. BRIEFS

1. General:
Each team member must contribute equally to researching and writing the brief. No one may obtain any assistance from a non-team member in researching, writing, proofreading, or typing the brief, although any computer-aided assistance is permitted. By filing the brief, each competitor certifies compliance with this rule. Each team may elect to serve as counsel for petitioner or respondent when preparing its brief. Teams need not notify the Froessel Co-Chairs regarding which side they chose.

2. Length and Format:

(a) Briefs: Each team shall prepare four (4) typewritten copies of its brief. The brief shall have pages measuring 8½” x 11”. It must be double spaced (except for point and sub-point headings and footnotes, which must be single spaced), and each page may contain no more than 28 lines. Single-spaced footnotes, which may not contain substantive arguments, count as two lines and thus reduce the overall length of the brief accordingly. Footnotes must be in Times New Roman 10 point type. All briefs must have (1”) one-inch margins on all pages. ONLY TIMES NEW ROMAN 12 POINT TYPE MAY BE USED. THE TEXT OF THE BRIEF INCLUDES ALL SECTIONS LISTED IN RULE IV (2)(b) BELOW, AND SHALL NOT EXCEED 35 PAGES FROM COVER TO COVER. THE ARGUMENT SECTION SHALL NOT EXCEED 26 PAGES. All briefs, including the cover pages, must be submitted on plain white paper. All briefs must be stapled ONCE on the upper left corner of the brief. No other binding is permitted. INCLUDE page numbers for every page of your brief. DO NOT NUMBER the cover page. Lower-cased Roman numerals (‘i, ii, iii,” etc.) must be used for the pages beginning with the Question(s) Presented, Table of Contents, and Table of Authorities. Cardinal numbers (“1, 2, 3,” etc.) must be used for the pages beginning with the Opinions Below and ending with the Conclusion, starting at “1.” All page numbers must be centered at the bottom of each page of the brief.

(b) Format: Briefs shall follow the format of the United States Supreme Court, except that there need not be any formal statement of jurisdiction. The briefs must include, in the following order:
(1) Cover page;
(2) Question(s) Presented;
(3) Table of Contents (with point headings, etc.);
(4) Table of Authorities;
(5) Opinions Below;
(6) Statement or Counterstatement of the Case, including Procedural History and Statement of the Facts;
(7) Summary of the Argument;
(8) Argument (incorporating the point and sub-point headings); and
(9) Conclusion (with non-identifying endorsement; e.g., Respectfully Submitted, Attorneys for Petitioner/Respondent).
Sample briefs from past competitions are on reserve in the New York Law School Mendik Law Library. All citations MUST be in the form prescribed in The Bluebook: A Uniform System of Citation (19th ed.).

(c) Certification: By submitting the brief, each team member certifies that its brief has been prepared in accordance with the Competition Rules and that the brief represents the work product, proofreading, and evaluation of ONLY the members of the team. All wording used in the brief (including the Statement of the Facts) must be the original product of each team member, unless quotes are used, which must be properly cited in the brief.

(d) Cover Page and Signatures: The cover page of each brief must conform to the rules of the United States Supreme Court. In no case shall the name of any competitor appear anywhere in or on the brief; any brief with a name will be disqualified. BRIEFS MUST NOT BE SIGNED. The team number assigned to the team should appear on the lower right corner of the cover of the brief, but NOWHERE else within the brief.

3. Service of Briefs:

Each team shall either serve FOUR (4) HARD COPIES of its brief to the Moot Court Executive Board between 12:00 P.M. THROUGH 9:00 P.M., SUNDAY, AUGUST 9, 2015 or send by regular mail postmarked by 9:00 pm on August 9, 2015, AND ONE (1) ADDITIONAL COPY TO froesselmoot@nyls.edu PRIOR TO THE 9:00 P.M. DEADLINE ON AUGUST 9, 2015. The clock on the wall in the Moot Court office keeps the official time. Service must be made at the Moot Court Association Office, 185 West Broadway, Room C336. If there is no one there, a brief may be submitted to Steven Cunningham on the 5th Floor of 185 W. Broadway in the Law Review Office. Failure to submit all four hard copies will be considered insufficient service (See Rule IV (4)(b) below). Copies of each team’s brief will be posted approximately two weeks after service of the briefs on August 9, 2015.

If mailing is necessary, teams may serve four (4) copies of their brief via regular mail, which must be postmarked prior to the 9:00 p.m. deadline on August 9, 2015, and one (1) additional copy to froesselmoot@nyls.edu prior to the 9:00 p.m. deadline on August 9, 2015. Teams shall not place a return address or name on the mailing; only team numbers are acceptable.

If you are a student enrolled in the Two-year Honors Program, you and your partner shall serve FOUR (4) HARD COPIES of your brief to the Moot Court Executive Board between 12:00 P.M. THROUGH 9:00 P.M., WEDNESDAY, AUGUST 19, 2015 or send by regular mail postmarked by 9:00 pm on August 19, 2015, AND ONE (1) ADDITIONAL COPY TO froesselmoot@nyls.edu PRIOR TO THE 9:00 P.M. DEADLINE ON AUGUST 19, 2015.

4. Failure to Comply with any Rule or Deadline:
(a) **Electronic Submission:** Electronic copies of the brief will not be accepted after 9:00 p.m. on Sunday, August 9, 2015/Sunday August 19, 2015 for Two-year Honor Students. Failure to submit an electronic copy of the brief by the aforementioned deadline will result in disqualification.

(b) **Hard Copy Submission:** Failure to submit or postmark all (4) hard copies of the brief by 9:00 p.m. Sunday, August 9, 2015/Sunday August 19, 2015 for Two-year honor students, will result in disqualification. However, hard copies of the brief MAY be accepted after the aforementioned deadline upon showing of good cause, at the Executive Board’s discretion.

(c) **Length:** Five points will be deducted for each page of the argument section that exceeds the page limit of 26 pages. Additional points will be deducted for any other violation of Rule IV(2)(a) (see above). Moreover, the substance of the argument beyond the page limit will not be considered in grading.

(d) **General:** The Executive Board, with the advice and approval of the faculty advisor, may assess any penalties it deems reasonable in its sole discretion for any failure to comply with the rules or deadlines of the Competition.

5. **Revision of Briefs:**

A team may not revise its brief after the deadline for submitting the briefs.

6. **Scoring of Briefs:**

Executive Board officers shall grade all briefs to determine, in conjunction with scores for oral argument, which participants advance to the post-preliminary rounds. If a competitor's name appears anywhere in or on the brief, the team will be disqualified. Any other matter serving to identify an author of a brief will be excised before grading, and all briefs will thereafter be graded and identified only by number. The brief score will be allocated to each member of a team to determine whether that participant will advance to the post-preliminary (“advanced”) rounds.

V. **ORAL ARGUMENTS**

1. **General:**

(a) **Assistance:** Competitors may receive outside assistance for their oral arguments. However, no competitor is permitted to seek assistance from any current NYLS Moot Court member.

(b) **Ties:** In the event of a tie in any round, the competitor who has the higher brief score will win the round.
(c) Spectating: Competitors may NOT watch any other Froessel competitor's oral round until they have been eliminated from the Competition.

2. Preliminary Rounds:

(a) Format and Scheduling: The Preliminary Round argument schedule will be posted on the Moot Court website and on the Bulletin Board outside the Moot Court Office by Sunday, August 31, 2015 at 12:00 p.m. The schedule will notify competitors of the side and issue they will be arguing. Oral arguments will commence on Wednesday, September 16, 2015. The Preliminary Round arguments will take place through Thursday, September 17, 2015. Brief scores and oral-argument scores will each count for fifty percent in the Preliminary Rounds. During the two Preliminary Rounds, each competitor will be required to argue both issues for Petitioner and for Respondent. Each competitor is required to be fully conversant with all the facts of both issues. Competitors will argue a specific issue from the fact pattern during their Preliminary Round arguments. Thus, each competitor will argue two of the following four possibilities: Issue A for Petitioner, Issue B for Petitioner, Issue A for Respondent, Issue B for Respondent.

(b) Scoring: Each team member will be graded separately for oral argument. Scores are based on qualities including knowledge of the material, persuasiveness of argument, deference to the court, and style of presentation. The judges’ evaluation of the oral argument presented will not be affected by their personal views of the merits of the case at bar. At the end of each argument, and following a meeting of the judges, the judges will give the participants comments on their performance. Judges will not disclose individual scores.

3. Advanced Rounds:

(a) Double Octo-final Rounds: The Double Octo-final Rounds will consist of the sixty-four individual competitors who have accumulated the highest point total during the scoring of the three preliminary rounds. The point total of the Double Octo-final Rounds consists of 60% of the competitor's oral-argument score plus 40% of the competitor's brief score.

(b) Octo-final Rounds: The Octo-final Rounds will consist of the thirty-two individual competitors who have accumulated the highest point total following the scoring of the Double Octo-final Rounds. The point total of the Octo-final Rounds consists of 70% of the competitor's oral-argument score plus 30% of the competitor's brief score.

(c) Quarter-final Rounds: The Quarter-final Rounds will consist of the sixteen individual competitors who have accumulated the highest point total in the Octo-final Rounds. The point total of the Quarter-final Rounds consists of 80% of the competitor's oral argument score plus 20% of the competitor's brief score.

(d) Semi-final Rounds:
The Semi-final Rounds will consist of the eight quarter-finalists who have accumulated the highest point total in the Quarter-final Rounds. The point total of the Semi-final Round consists of 100% of the competitor's oral argument score. Brief score counts only in case of a tie.

(e) Final Round:
The Final Round will consist of the four semi-finalists who earned the highest point score in the Semi-final Rounds. The winner of the Final Round will be determined by a vote of the judges who preside over the Round and will be based only on oral argument. Brief score counts only in case of a tie.

4. Pairings for Post-preliminary Rounds:

For all post-preliminary rounds, the Froessel Co-Chairs will notify individual competitors of their co-counsel and the side and issue each competitor will argue.

5. Argument Time, Order, and Rebuttal:

Each individual speaker will be allowed fifteen minutes argument time. Judges will be encouraged to engage participants in dialogue. One speaker, from petitioner's side only, may reserve up to three minutes for rebuttal. The time reserved for rebuttal will be subtracted from either petitioner’s time. Before each argument the team representing petitioner must inform the clerk how much time, if any, will be reserved for rebuttal. The competitor must also ask the chief judge at the beginning of the argument for rebuttal time. When the clerk signals to a speaker that time has expired, the participant MUST, except with the permission of the bench, conclude the presentation.

VI. INTERPRETATION OF THE RULES

1. Inquiries:

All inquiries as to the meaning and scope of the Rules of the Fact Pattern MUST be served in writing to the Froessel Co-Chairs. All inquiries must contain the request and the name and telephone number of the competitor who submits the request. All inquiries will be answered at the Chairpersons’ discretion. The answer will be emailed to all competitors. No inquiries concerning the Fact Pattern may be submitted after 11:59 p.m., Friday, August 7, 2015.

2. Rule Amendments:

In its sole discretion, the Moot Court Executive Board reserves the right to amend all or part of the Rules of the Competition at any time and in any manner.

VII. AWARDS
Awards will be given to the winner of the Final Round and to all finalists. In addition, the Executive Board presents awards to the Best Team, Best Brief, and Best Preliminary Round Oral Advocate. The Best Team is the team with the highest combined point total, including brief scores, after the three preliminary oral-argument rounds. The point total consists of 50% of the competitor’s oral argument score plus 50% of the competitor’s brief score. The Best Preliminary Round Oral Advocate is the competitor who accumulated the highest oral argument score in the three preliminary oral argument rounds.

VIII. INVITATION TO THE ASSOCIATION

The Moot Court Executive Board has sole discretion to extend invitations for candidacy. All competitors who accept an invitation to candidacy must comply with the Association's office-hour requirements in order to be eligible for invitation to membership in the Association at the end of one semester as a candidate. Compliance with the office-hour requirements is necessary to maintain membership, once membership has been granted. Office-hour requirements will be posted after the Competition. Members must also be prepared to aid in every aspect of the Wagner National Labor Law Competition in the Spring Semester. To compete in an intermural competition, a student must be a member of the Association during the semester in which the competition is held, unless the Executive Board deems otherwise. Members can earn up to six academic credits and satisfy their writing requirement by participating in Moot Court activities. However, no credit is earned or awarded by participation in the Froesssel Competition.