EDWARD W. HINTON MOOT COURT COMPETITION
2016-2017

Rules for Preliminary (Fall) Round

2016-17 HINTON MOOT COURT BOARD

Chairs: Dan Scime
Josh Wilson

Vice-Chairs: Reeves Jordan
James Kilcup
Joshua Phillips

All questions regarding the competition should be directed to moot@law.uchicago.edu. In cases of emergency, Dan Scime may be reached by telephone or text message at 716-310-7089 or Josh Wilson can be reached at 785-410-7080.

For updated information, please check the Hinton Moot Court webpage often (http://www.law.uchicago.edu/studentorgs/mootcourt).

IMPORTANT DATES/DEADLINES

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1. **Eligibility.** The Edward W. Hinton Moot Court Competition is open to all 2L and 3L students at The University of Chicago Law School, except those students serving on the Hinton Moot Court Board.

2. **Registration.**

   a. **Requirement and Deadline.** All students wishing to participate in the Hinton Moot Court Competition must complete the registration form available via the Hinton Moot Court webpage **no later than 11:59 PM (Central Time) on October 11, 2015.**

   b. **Agreement to Compete.** By completing the registration form, competitors agree to:

   - Participate in at least one practice argument, if required (see Rule 3);
   - Compete in two scored oral arguments;
   - Compete in the Semi-Final and Final Rounds, if they advance to them (see Rule 7.a);
   - Serve on or Co-Chair the 2017-18 Hinton Moot Court Board (if they are 2Ls and advance to the Semi-Final Round) (see Rule 7.b);
   - Comply with all rules published by the Hinton Moot Court Board.

   The Board may grant a limited exception to these requirements if a competitor withdraws from the competition **before** scheduling a scored oral argument.

3. **Practice Arguments.**

   a. **Requirement.** To prepare for the Preliminary Round, competitors who have not previously competed in the Hinton Moot Court Competition must complete at least one practice argument. (Competitors who are not required to complete a practice argument are nevertheless encouraged to do so.) No competitor is permitted more than two practice arguments.

   b. **Format.** Participants will have 20 minutes to present arguments for one or both sides of the case to student judges (Hinton Moot Court Board Members) and receive feedback. Performance and feedback during practice arguments will have **no** effect on competitor’s scores.

   c. **Scheduling.** Participants may schedule practice arguments using a Google Document available via the Moot Court webpage or distributed by email. Participants must sign up for a practice argument **no later than 11:59 PM (Central Time) on October 13, 2016.** Once competitors have scheduled a practice argument, they must show up, and may **not** remove their name or alter their scheduled argument, except via the rescheduling procedure in Rule 3.d.

   d. **Rescheduling.** Participants with a scheduling conflict for any practice argument may switch with another participant with a practice argument scheduled, provided that agreement in writing is obtained from both competitors involved. **Rescheduling is not permitted within 24 hours of the first practice argument affected by the change.**
4. **Structure of Preliminary Round.**

a. **Format.** During the Preliminary Round, competitors will take part in two scored oral arguments—once each against two different opponents. Each competitor will argue once on behalf of Petitioner and once on behalf of Respondent (though not necessarily in that order).

b. **Judges.** A panel of two or more alumni and/or attorneys will serve as judges and preside over Preliminary Round arguments. Participants should address these judges as the court to which the case materials are addressed.

c. **Timing.** Each competitor will have 20 minutes total to argue on each side. Arguments will be timed by judges or a bailiff. Time-keepers will indicate when three minutes and when one minute of time remains in a competitor's argument. If the option to rebut is properly exercised (see Rule 4.d), time signals during Petitioner's (or Appellant's) main argument will indicate the time remaining excluding any time reserved for rebuttal.

d. **Order of Argument and Rebuttal.** Competitors arguing on behalf of Petitioner will argue first. Competitors arguing on behalf of Petitioner may, before the start of their argument, reserve up to three minutes of their time for rebuttal argument. Competitors who fail to reserve time for rebuttal before their argument commences waive their opportunity to rebut, regardless of how much time remains after their main argument.

e. **Scheduling.** Participants may schedule scored arguments using a Google Document that will be available via the Moot Court webpage. Participants must sign up for their scored arguments no later than 11:59 PM (Central Time) on October 27, 2016. Arguments will take place over a two-week period. In the interests of roughly equalizing practice time between competitors, each participant must schedule one of their arguments for the first week and one of their arguments for the second week. Please contact the Moot Court Board as soon as possible, and before signing up, if you have a scheduling conflict that prevents compliance with this rule. Once competitors have scheduled an oral argument, they must show up, and may not remove their name or alter their scheduled oral argument, except via the rescheduling procedure in Rule 4.f.

f. **Rescheduling.** Participants with a scheduling conflict for any scored argument may switch with another participant assigned to the same side of the argument, provided that (1) agreement in writing is obtained from the competitors who are switching times and both of their scheduled opponents; and (2) the change is communicated to the Board. Rescheduling is not permitted within 24 hours of the first scored argument affected by the change.

g. **Wardrobe.** Business attire is required for scored arguments. (Casual attire is permitted for practice arguments.)

h. **Lateness/Failure to Appear.** Individuals who are not present when their scored argument is scheduled to begin may be disqualified. If an emergency arises that prevents you from competing in (or arriving on time to) a scored argument, please contact the Board as soon as possible.

i. **Scores.** Judges will assess each participant's individual performance according to a rubric, which will be shared with competitors in advance of the competition. No decisions on the merits will be rendered. Competitors’ score sheets will be destroyed after all scored arguments have been completed.
5. Substantive and Research Limitations on Preliminary Round.

a. Preparation. Competitors must conduct research sufficient to argue both sides of the case. This means being intimately familiar with the Petitioner’s (or Appellant’s) and Respondent’s (or Appellee’s) briefs on the merits and with the authorities upon which they rely.

b. Limit on Arguments. Competitors are limited to the general lines of argument raised in the case materials. The Board may eliminate an issue from the case. Advancing arguments based on an issue eliminated by the Board is grounds for disqualification.

c. Parties, Counsel, and the Court. Competitors may not contact or discuss the case or the legal issues it raises with the parties (including any amici curiae), their counsel, the court (including judges, law clerks, or the clerk of court), or any other person connected in any way to the case or any related cases raising the same or similar legal issues.

d. Faculty. Competitors may not discuss the case or the legal issues it raises with any staff or faculty members of The University of Chicago. If the case is raised in any class, competitors must notify the Board in advance if possible, or else immediately afterward. If appropriate, the Board will then take steps to ensure that all competitors are given equal information about the case.

e. Oral Arguments. Competitors may not listen to or read transcripts of oral arguments in the case or read, watch, or listen to any media coverage of oral arguments in the case. This includes oral arguments in the same case before lower courts. Competitors who inadvertently obtain such information must notify the Board so that the Board can take steps to ensure that all competitors have equal information about the case.

f. Uncertainty. Competitors who are uncertain as to the permissibility of any materials or communications should contact the Board in advance.

6. Communications to/from the Board.

a. Questions. Questions regarding the rules, the case, scheduling, or any other issue relating to the Hinton Moot Court Competition should be submitted to the Board in writing. When appropriate, answers will be shared with all competitors to ensure that all competitors are given equal information about the case. The Board may decline to answer a question if doing so would create an appearance of impropriety.

b. Contacting the Board. Communications to the board should be e-mailed to moot@law.uchicago.edu. In cases of emergency, Dan Scime may be reached by telephone or text message at 716-310-7089, and Josh Wilson can be reached at 785-410-7080.

c. Communications from the Board. Certain information will be communicated to competitors using e-mail addresses provided by competitors during registration. Competitors are responsible for information communicated via e-mail. When possible, information will also be made available via the Hinton Moot Court webpage (http://www.law.uchicago.edu/studentorgs/mootcourt).
7. **Advancement and Future Rounds.**

   a. **Duty to Compete.** Competitors who advance to the Semi-Final or Final Rounds are **required** to compete.

   b. **Special Rule for 2L Competitors.** 2L competitors who advance to the Semi-Final Round are **required** to serve on the Hinton Moot Court Board in 2017-18, and may **not** compete in the 2017-18 Hinton Moot Court Competition.

   c. **Advancing to Semi-Final (Winter) Round.** The fourteen competitors receiving the highest total scores from their scored arguments advance to the Semi-Final (Winter) Round and receive the Thomas Mulroy Prize. The Board reserves the right to raise or lower the number of Semi-Finalists according to the distribution of scores.

   d. **Format of Semi-Final (Winter) Round.** Semi-Finalists are required to brief and argue one side of a new case. Opponent pairings and sides of the argument will be assigned randomly. The Semi-Final Round is judged by three faculty members, who select the four Finalists (two from each side of the case) and two Honorable Mentions (one from each side of the case). Competitors’ briefs from the Semi-Final round may satisfy the WP writing requirement, subject to certification from the Dean of Students. Participants may also earn academic credit; details will be provided on the moot court website.

   e. **Format of Final (Spring) Round.** The four Finalists will brief and argue a new case (or an additional issue from a previous case) in teams of two. Finalists will be judged as a team by a panel of three federal judges. The runners-up are awarded the Karl N. Llewellyn Cup and the winners are awarded the Edward W. Hinton Cup. Participants may also earn academic credit; details will be provided on the moot court website.

   f. **Rules for Future Rounds.** A different set of rules, including substantive/research limitations, will apply to future rounds.

8. **Tampering.** Unauthorized edits to another competitor’s entries on a Google Document is grounds for disqualification from the competition. Removing or altering one’s own entries from a Google Document in violation of Rules 3.c or 4.e also constitutes tampering and is grounds for disqualification from the competition.

9. **Duty to Report Violations.** Any competitors who become aware of violations by other competitors, or who are concerned that they have violated one of the above rules, **must** immediately report any such possible violation to the Board.

10. **Sanctions.** Violating any of these rules may result in sanctions, including disqualification from the competition. Sanctions are determined on a case-by-case basis at the discretion of the Board. Severe violations may be referred to the Dean of Students for disciplinary action by the Law School.