

American Bar Association  
Law Student Division

2020–2021

**NAAC**

**National Appellate Advocacy Competition**

C O M P E T I T I O N

**RULES**



*As of November 15, 2020*

American Bar Association  
Law Student Division  
*National Appellate Advocacy Competition Rules*  
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American Bar Association  
Law Student Division  
*National Appellate Advocacy Competition Rules*

***Preamble***

These Competition Rules are supplemented by documents posted to the NAAC Competitors Page. Each team is responsible for reviewing these Rules and the supplemental documents, such as the Rules Supplement and the Tips for Submitting Briefs 2020.

***Article 1—Introduction***

The ABA Law Student Division created the National Appellate Advocacy Competition (or NAAC) in 1978 to emphasize the development of oral advocacy skills through a realistic appellate advocacy experience. Competitors participate in a hypothetical appeal to the United States Supreme Court. The competitors must write a brief as either Petitioner or Respondent and then argue the case in front of the mock court. The lawyers and judges who serve as judges are required to read a bench memo and the Problem in preparation for the oral arguments.

***Article 2—Administration***

1. The ABA Law Student Division and the NAAC Subcommittee conduct the NAAC. The NAAC Subcommittee directly administers the competition at both the regional and national levels. The Law Student Division’s Chair appoints members of the NAAC Subcommittee. Our webpage can be found at <https://abaforlawstudents.com/events/law-student-competitions/practical-skills-competitions/naac-moot-court/>.
2. Courthouses. To provide a realistic appellate experience, the ABA Law Student Division holds the regional and National Finals in state and federal courthouses. As a condition of using the courthouses, the Division agrees not to disturb the placement of furniture, equipment, and electronics. Therefore, only the competition administrators will move furniture or turn off or unplug electrical/ electronic equipment including microphones and video monitors.
3. Furniture and Equipment. By competing, team members affirm that they will not move any furniture, including the podium, or disturb any equipment, including, but not limited to, monitors, microphones, and electrical/electronic cords, in any courtrooms used for the competition, even if a judge asks the competitor to move it. Violation of this Article shall result in the imposition of a significant penalty, up to and including disqualification.
4. Participants and Observers. Many courthouses require the ABA Law Student Division to provide a list of people associated with the competition. The Division

obtains the competitors' names from the Team Member Reporting Form. Teams must report the names of their NAAC coach(es) or advisors, bailiff(s), and any guests, using an online form developed for this purpose. The online Participant and Observers Form will be posted to the NAAC Home Page in January.

### **Article 3—Eligibility**

1. Only law students who are candidates for a Juris Doctor degree and are enrolled during the semester or quarter of the regional competition are eligible to participate.
2. Visiting students may represent either their home school or the school they are visiting, but not both, during any academic year.
3. Students who graduate or visiting students who return to their degree-granting institution between the regional competition and National Finals cannot be substituted at the National Finals. These students are encouraged to confirm eligibility and reimbursement with their law schools.
4. Unless otherwise provided for in a given year, all ABA-approved law schools are eligible to enter up to two team(s) in the competition. Additional teams may be approved, if space allows. The entry fees are posted to the Law Student Division competition website
5. To enter the competition, the dean of the participants' law school must approve the entry form, and a full- or part-time faculty member or a lawyer approved by the law school must agree to serve as the NAAC coach or advisor. The Law Student Division Chicago Office must receive the entry form and fee by the deadline posted on the competition's website.
6. **Participation in the Law Student Division competitions is limited to American Bar Association *premium* members.** Thus, law students registered to compete in this competition, including alternate team members, must be *premium* members of the ABA Law Student Division. The annual fee to be a premium member of the ABA Law Student Division is \$25.00. To join, please call the ABA Service Center at (800) 285–2221 or visit the ABA website at <https://abaforlawstudents.com/gopremium/>. Acceptance of entry forms and fees received later than the deadline is at the discretion of the Law Student Division and the NAAC Subcommittee.
7. Names of team members and alternates and their ABA membership identification numbers are due to the Law Student Division Chicago Office by the team name submission deadline posted online. Failure to satisfy this requirement may make a competitor ineligible to compete. Late team name submissions may be accepted at the discretion of the ABA.

#### **Article 4—Teams**

1. A team consists of two or three law students attending the same ABA-approved law school. Only law students who have been registered as alternates will be eligible to become an approved substitute.
2. After the name submission deadline, team members may not be substituted, except for good cause such as death, severe illness, or other uncontrollable circumstance. The proposed substitute, however, must be registered as an alternate on the name submission form. A team must obtain the NAAC Subcommittee's written approval to substitute a team member.
3. Each team is responsible for bringing a bailiff, who does not need to be an ABA member, unless the bailiff is a member of the team, to the regional and the National Finals (see Article 14).

#### **Article 5—Team Pairings, Designations, and Anonymity**

1. The ABA Law Student Division will randomly assign a number designation to each team. This number will be the sole method of identifying the team to competition judges, including brief graders, during the competition. Anyone affiliated with a team, including team members, NAAC coaches/advisors, bailiffs, and observers, may not directly or indirectly divulge their law school's identity to the judges. This includes information contained in the brief's properties and metadata. Violation of this rule shall result in a penalty, up to and including disqualification.
2. The NAAC Subcommittee will set pairings based upon the following criteria:
  - a. The NAAC Subcommittee will randomly assign sides without regard to seeding for the first two rounds at the regional and national levels. Teams will argue once for the Petitioner and once for the Respondent during the first two rounds. The first round argument may be off-brief. In every other round, the higher seeded team will select its side.
  - b. Round 1: Teams will be power protected by brief score. A team will not face another team from its school.
  - c. Round 2: Teams will be power protected by brief score. A team will not face the same team faced in Round 1. A team will not face another team from its school.
  - d. Round 3: Teams will be power matched within their win/loss category (i.e., 2–0 team with highest cumulative margins plays 2–0 team with lowest cumulative margins, etc.; 1–1 team with highest cumulative margins plays 1–1 team with lowest cumulative margins, etc.; 0–2 team with highest

cumulative margins plays 0–2 team with lowest cumulative margins, etc.). If an odd number of teams have the same win/loss record in any category, the lowest-seeded team in the higher category will become the highest-seeded team in the next category down and argue against the lowest seeded team in that category. A team from a school with only two teams registered for a regional will not face another team from its school.

3. **Odd Number of Teams in a Regional:** A bye round will be necessary if an odd number of teams compete in the regional competition. The NAAC Subcommittee will select one team at random to argue twice in Round 1. The selected team will not argue during Round 2; rather this team will argue once for petitioner and once for respondent during Round 1. The arguments will be back-to-back. After Round 2, the highest seeded team will receive a bye in Round 3 and will automatically be the top seed in Round 4.

### ***Article 6—Competition Problem and Copyright***

1. The NAAC Problem shall be released on the date listed online; but only to teams for which a school has identified by name each of the students who are members of the teams. Otherwise, the Problem will be released to teams once the school has identified by name each of the students who are members of a registered team, provided that such members are designated within 14 days after the Problem is released
2. The NAAC Subcommittee shall entertain requests for clarifications for 15 days after release of the Problem. Each request for clarification must be submitted via the form provided online. Any clarifications will be posted to the NAAC webpage (see Article 2(1)) after the deadline.
3. The NAAC Subcommittee is responsible for developing the Problem.
4. All ABA Law Student Division Competition problems (also known as case files, scenarios, fact patterns, and records) are copyright protected under United States copyright laws. Problems may only be used by the registered competitors during the year of the competition. Audio, visual, or written versions of these problems may NOT be posted and/or shared online or digitally distributed in any manner without express written permission from the ABA Law Student Division. Failure to comply with this requirement may result in immediate disqualification from the competition or may subject you to civil and/or criminal liability under 17 U.S.C. § 100 et seq.
5. The persons and events depicted in the Problem are purely fictional, and the Problem is prepared solely for the educational exercise being conducted in the Competition. Any resemblance to actual persons, living or deceased, is unintentional and purely coincidental.

## **Article 7 — Competition Format**

1. Regional Competitions
  - a. The regional competition consists of five rounds.
  - b. Each team will argue at least three rounds.
  - c. Sixteen teams advance to Round 4. Teams will be seeded and placed in a bracket according to the following criteria: (1) win/loss record, (2) highest cumulative margin of victory, and (3) brief score. The highest seeded team will play the lowest seeded team, etc. However, the pairings will be altered before Round 4 to prevent two teams from the same school from meeting in Round 4 or Round 5, except when more than two teams from the same school advance to Round 4.
  - d. In the Subcommittee's discretion, in regionals consisting of more than thirty-six teams, twenty (rather than sixteen) teams may advance to Round 4, with seedings and bracket placements to follow the format set forth in this Section. Where practicable, and subject to factors such as judge and courtroom availability and other administrative concerns, the Subcommittee will tend to exercise its discretion to see that there is at least one regional champion for every eight to nine teams participating in a regional competition.
  - e. The Round 4 winners will advance to Round 5.
  - f. The Round 5 winners will advance to the National Finals.
2. National Finals
  - a. The National Finals consist of six rounds.
  - b. Each team will argue at least two rounds.
  - c. Sixteen teams advance to the octofinal rounds. Teams will be seeded by the following criteria: (1) win/loss record, (2) highest cumulative margin of victory, and (3) brief score. Pairings for the octofinal rounds will be power protected. The highest seeded team will play the lowest seeded team, etc. However, the pairings will be altered before the octofinal rounds to prevent two teams from the same school from meeting prior to the National Finals Championship Round, except when more than two teams from the same school advance to the octofinal round. The octofinal winners will advance to the quarterfinal round; the quarterfinal round winners will advance to the semifinal round; the semifinal round winners will advance to the final

round; and the final round winner will be declared the National Champion team.

### ***Article 8—Competition Schedule***

Sample Regional and National Finals schedules can be found in Appendix A to these Rules. There will be slight differences in the schedules due to the virtual format in 2021. Please consult the Rules Supplement for more information.

### ***Article 9—Competition Procedures for Oral Arguments and Briefs***

#### 1. Oral Arguments

- a. Two team members will argue in each round of oral argument. A team may vary which members will argue from round to round. Only those two people arguing may sit at counsel table.
- b. Oral argument is limited to a total of 30 minutes per team.
  - 1) Although a team may divide its 30 minutes as it chooses, no team may allocate more than 17 minutes to one advocate, including rebuttal.
  - 2) The petitioner may reserve up to a maximum of 5 minutes for rebuttal. Only one advocate may argue rebuttal. The petitioner need not identify which team member will rebut prior to the round.
  - 3) The judges may, in their sole discretion, extend any speaker's time.

#### 2. Briefs

- a. A team may choose to write its brief on behalf of the petitioner or respondent. If two teams from the same school enter the competition, one team will submit a petitioner's brief and one team will submit a respondent's brief.
- b. A brief must contain, under appropriate headings and in the following order:
  - 1) a statement of the issues presented for review;
  - 2) a table of contents with page references;
  - 3) a table of authorities, with sections for cases (alphabetically arranged), statutes, and other authorities, with references to the pages of the brief where they are cited;
  - 4) a statement of facts relevant to the issues presented for review with appropriate references to the record;

- 5) a statement of the case briefly indicating the nature of the case, the course of proceedings, and the disposition below;
  - 6) a summary of the argument;
  - 7) the argument, which must contain: the party's contentions and the reasons for them, with citations to the authorities and parts of the record on which the parties relied; and
  - 8) a short conclusion stating the precise relief sought.
- c. All citations should conform to the most recent edition of A Uniform System of Citation (commonly known as The Bluebook) or the most recent edition of ALWD Guide.
- d. Font shall be 12-point, Times New Roman. Typed matter must be double-spaced, except footnotes, argument headings, and extended quotations may be single-spaced. Footnotes, argument headings, and single-spaced quotations must appear in the same size font as the rest of the text.
- e. The margins shall be one inch on all four sides.
- f. A brief shall not exceed 14,000 words. The word count starts at the beginning of the jurisdictional statement and runs to and includes the conclusion. The word limit does not include the cover page, table of contents, or table of authorities. The team may rely on the word count of the word processing system used to prepare the brief. If the word count on the e-brief submission is different from the word count on the certification letter, the higher word count controls.
- g. The electronic brief must be a PDF-file and be formatted to fit an 8 ½" x 11" paper size, no appendices.
- h. Brief Covers
- 1) The cover must include, in the lower right corner,
    - a) the team's numeric designation,
    - b) the regional city in which the team will compete, and
    - c) whether the brief is written on behalf of the Petitioner or Respondent.
  - 2) No information serving to identify the team or its law school, other than its numeric designation supplied by the Chicago office, may be included on the cover, anywhere inside the brief, or in the brief's properties or metadata.
- i. Electronic briefs will be posted on the ABA website to allow all participating teams access. The briefs will be posted about 10 days after

the deadline for submission and will be accessible from the NAAC webpage.

3. Certification Letter

- a. Each team submitting a brief shall certify, with their signatures, that the brief was prepared and served in accordance with the NAAC Rules.
- b. All teams are required to use the certification letter found in Appendix B.
- c. The certification shall be submitted as a PDF-file separate from the brief.
- d. Coaches must complete the Coach Certification provided by the ABA.

4. Service of Briefs and Certification Letters

- a. Each team must serve one electronic copy of its brief upon the ABA Law Student Division. Multiple submissions are not allowed. When multiple submissions are received, the ABA Law Student Division will produce copies of the first brief received from each team. This will be the brief sent to the competition brief graders.
- b. Teams shall submit the certification letter in conjunction with the electronic brief served on the ABA Law Student Division. One PDF-file containing multiple electronic copies of the certification letter may be submitted in conjunction with the team's electronic brief if necessary to capture each team member's signature. Electronic signatures are allowed, as directed by the ABA.
- c. Failure to submit the properly signed certification in conjunction with the electronic brief will result in a penalty.
- d. Filing a false certification is grounds for disqualification.
- e. Deadlines for Service
  - 1) Both the electronic brief and the certification letter must arrive at the ABA by the deadline posted online.
  - 2) Failure to submit the brief and certification letter by the deadline for service will result in a penalty, up to and including disqualification. See Article 16.
  - 3) No briefs or certification letters will be accepted later than 48 hours after the scheduled deadline.

## 6. Method of Delivery

### a. Brief

- 1) The electronic brief must be uploaded as a PDF-file via the NAAC Electronic Brief and Certification Submission Form posted online. The NAAC Electronic Brief and Certification Submission Form web page can be accessed from the NAAC home page, as identified in the submission instructions email.
- 2) The brief file name must start with the word “team” followed by the team number. All letters must be lower case, and there should be no space between the word “team” and the team number (e.g., team401)
  - a) The size of the uploaded brief file can be no larger than 2 MB.
  - b) The following fields must be completed on the NAAC Electronic Brief and Certification Submission Form:
    - i. the team’s numeric designation;
    - ii. the law school’s name;
    - iii. the team members’ names;
    - iv. whether the team wrote on behalf of the Petitioner or Respondent;
    - v. the regional city in which the team will compete;
    - vi. the word count; and
    - vii. the submitter’s name, telephone number, email address, and local time.
  - c) The uploaded brief file must contain only an electronic copy of the submitted brief. The brief must be a single document, as a PDF-file. The document must not contain any appendices, any portion of the appellate record (other than a portion contained in the brief’s text), hypertext links to other material, or any document other than the brief itself.
  - d) The uploaded brief file must be free of viruses or any other files that would be disruptive to the Law Student Division’s computer system.
- 3) Certification Letter
  - a) The electronic copy(ies) of the certification letter must be uploaded as one PDF-file via the NAAC Electronic Brief and

Certification Submission Form, which can be accessed via the NAAC home page. Certification letters faxed to the ABA Law Student Division will not be accepted.

- b) The certification file name must start with the word “team” followed by the team number and then followed by the word “certification.” All letters must be lower case, and there should be no space between the word “team,” the team number, and the word “certification” (e.g., team401certification).
  - c) The size of the uploaded certification file can be no larger than 2 MB.
  - d) The uploaded certification file must contain only an electronic copy of the submitted certification letter(s). The certification must be submitted as a single PDF-file and must not be contained in the brief.
  - e) The uploaded certification file must be free of viruses or any other files that would be disruptive to the Law Student Division’s computer system.
- 4) Teams are required to submit one brief file and one certification file on the same online Brief and Certification Submission Form.
- 5) If you experience difficulty with the Brief and Certification Submission Form and are unable to submit your team’s brief using the form, please try again. If you remain unsuccessful on your second attempt, please submit your brief via email to [competitions@americanbar.org](mailto:competitions@americanbar.org), with the brief as an attachment, as well as the Certification Letter. Your email message should contain the following information:
- a) team’s numeric designation;
  - b) the law school’s name;
  - c) the team members’ names and ABA member identification numbers;
  - d) whether the team wrote on behalf of the Petitioner or Respondent;
  - e) the regional city in which the team will compete;
  - f) the word count;
  - g) the submitter’s name, telephone number; and email address;
  - h) the local time; and
  - i) **a note explaining the error message you received on each submission attempt.**

Only briefs submitted by way of the Brief Submission Form will be considered for grading, unless the NAAC Subcommittee determines the inability of a team to electronically file the brief was a result of a defect with the ABA filing system.

### **Article 10—Scoring and Judging Standards**

Teams are evaluated and scored based on the quality of their presentations and not on the merits of the side they represent.

1. Brief Scoring. Each brief grader will evaluate the briefs based upon a 100-point scale. Knowledge of the law and persuasiveness will be the primary standards in grading, but form, style, and appearance will also be considered. Grading will be anonymous, with each brief identified only by its team number. The Official Brief Ballot can be found in Appendix C to these Rules.

Brief graders are required to grade to a 75-point median.

2. Reduced Brief Score
  - a. At the regional level, the reduced brief score will be determined by dropping the highest and lowest scores, averaging the remaining three scores (i.e., the average score), and dividing that average by three. Any brief penalties will be deducted from the average score. See Appendix D for a sample brief results document.
  - b. At the national level, the reduced brief score will be determined by dropping the highest and lowest scores, averaging the remaining three scores, and dividing that average by three. Any brief penalties will be deducted from the average score.
3. Oral Argument Scoring
  - a. Generally
    1. Each judge will evaluate each advocate upon a 100-point scale, considering substantive content of argument, knowledge of the record, extemporaneous ability, courtroom demeanor and professionalism. A sample Oral Argument Ballot can be found in Appendix E to these Rules.
    2. If a judge a judge scores below the range in any given criteria or fails to provide a score for any given criteria, and the bailiffs return to the scoring room without correcting the error, the advocate will receive only the number of points given by the judge, or in the case

- of no score, a zero, for that particular criterion.
3. If a judge the score was above the range in any given criteria, and the bailiffs return to the scoring room without correcting the error, the advocate will receive half the number of points given by the judge for that particular criterion.
  4. If the sum of the scores assigned for each criterion differs from the total score assigned by a judge, the scores for each criteria control.
  5. A team's margin of victory is calculated by subtracting the losing team's point total from the winning team's point total.
  6. If a team forfeits an assigned round, the team's scheduled opponent (the opponent) will be the winner of that round and their margin of victory will be one point, unless the opponent's reduced brief score is more than one point higher than the forfeiting team's reduced brief score, in which case the margin of victory for the opponent shall be the difference between the reduced brief scores.

b. Round Outcome

1. In rounds 1, 2, and 3 of a regional competition, and in rounds 1 and 2 of the National Finals, each team's round score will be computed by weighing the oral argument two-thirds (66.67%) and the brief score one-third (33.33%). In these rounds, the winner will be team with the higher round score. If a tie exists after the oral argument and brief scores are considered, the team winning the oral argument portion will be declared the winner of the round. In this situation, the margin of victory for the winning team will be zero, and the margin of loss for the losing team will be zero.
2. In rounds 4 and 5 of a regional competition, the winner will be the team that receives the higher argument score on a majority of the untied ballots submitted by the oral argument judges. If neither team receives a majority of ballots, the winner will be the team with the highest total argument score if a tie exists after ballots and oral argument scores are considered, the team with the highest brief score shall be declared the winner.
3. In the octofinals, quarterfinals, and semifinal rounds of the National Finals, the winner will be the team that receives the higher argument score on a majority of the untied ballots submitted by the oral argument judges. If neither team receives a majority of ballots, the winner will be the team with the highest total argument score. if a tie exists after ballots and oral argument scores are considered, the team with the highest brief score shall be declared the winner.

4. In the National Championship Round, a simple majority of the oral argument judges determines the Competition winner. The ABA Law Student Division will seek to ensure that an odd-numbered judge panel sits for the National Championship round. If for any reason an even-numbered judge panel sits for the National Championship round, the NAAC Subcommittee will randomly select one judge's ballot prior to the beginning of the round. In the event of a tie vote, the randomly selected judge's ballot will be excluded.

### **Article 11—Judges' Feedback**

Immediately after completing the oral argument ballot, the judges provide the advocates with oral feedback. Up to 30 minutes is available for this feedback. Both teams should be in the room at the same time.

Judges will be encouraged to provide constructive feedback to help promote an inclusive, educational, and positive experience for all competitors and coaches. See the Instructions for Judges posted on the NAAC Judges webpage for the full instructions provided to the judges.

### **Article 12—Announcement of Results**

1. Brief results are distributed at the team meeting on the first day of the competition.
2. Bailiffs are responsible for reporting round results to their coaches and/or competitors.

### **Article 13—Bailiffs**

1. Schools must provide a bailiff for each team in each of their rounds. The bailiff may be anyone the team chooses; however, an advocate arguing in the round may not serve as bailiff. Schools entering two teams may not rotate team members as bailiffs between teams. **A team failing to provide a bailiff in the courtroom during the round waives the right to tabulate scores for the round, and to protest ballot or tabulation errors.**
2. During the round, a Bailiff shall not communicate with other members of the bailiff's team after the bailiff has made contact with the judges for the round until the courtroom has been cleared for scoring by the judges. After the bailiffs have collected the ballots, they shall not communicate with other members of the bailiff's' teams, including coaches and advisors, until the tally sheet is submitted to a NAAC administrator

3. Bailiffs are responsible for
  - a. Picking up the judges from the judges' orientation room 15 minutes prior to the start of the first heat of each round; or meeting the judges outside the courtroom (or in the courtroom) before the second heat of each round;
  - b. Distributing the ballots to judges before the round;
  - c. Serving as timekeepers for the round and holding up cards to indicate the amount of time remaining in each argument;
  - d. Standing and holding up the "stop" sign at the expiration of the advocate's time;
  - e. Picking up the ballots after judges have voted and, in the presence of the judges, jointly verifying with the other team's bailiff that the scores are within the limits;
  - f. Taking the ballots to the scoring room and, jointly with the other team's bailiff, verifying and correcting the judge's mathematical calculations to ensure accuracy, and completing the tally sheet;
  - g. Bringing the team's brief score sheet to the scoring room when scoring EACH round and presenting it to the other team's bailiff when completing the tally sheet;
  - h. Making a photographic image of the tally sheets and ballots;
  - i. Returning the ballots to the NAAC Subcommittee in the round folder;
  - j. Reporting the results to the bailiff's team members; and
  - k. Providing a stopwatch and **calculator** for their team. A mobile phone may be used solely for the purpose of keeping time and tabulating the round and must be kept in airplane mode during the round.
4. The Petitioner's Bailiff will call the Court to order.
5. The Petitioner's Bailiff will serve as timekeeper when the Petitioner is speaking. The Respondent's Bailiff will serve as timekeeper when the Respondent is speaking.
6. After the ballots are reviewed, tabulated, and signed by the bailiffs and delivered to the NAAC Subcommittee, the NAAC Subcommittee will not consider any

protest regarding mathematical errors in a judge's ballot or tabulation errors by the bailiffs. However, the NAAC Subcommittee, within its discretion, may correct a mistake to prevent a team from inadvertently benefitting from such an error.

7. The NAAC Subcommittee collects and tabulates the ballots and announces the Round 5 winners at the regional competition and at Round 4 of the National Finals. However, the results will not be final until the teams' bailiffs have had the opportunity to check the scores.
8. No coach will be allowed in the bailiffs' scoring room unless that coach has served as a bailiff in the preceding round.
9. A sample bailiff's instruction sheet, tally sheet, and worksheet are in Appendix F and Appendix G to these Rules.

#### ***Article 14—Competition Judges***

1. The ABA Law Student Division will select attorneys and judges to serve as brief and oral argument judges.
2. Each regional brief judge will be responsible for grading approximately eight briefs in a three-week period. National Finals brief graders must grade all national finalists' briefs in approximately two weeks.
3. No one who judged a team in a qualifying round should judge that team in a semifinal or final round, unless there are no other judges available. In that case, the NAAC coaches/advisors for all participating teams must be informed in advance. No law professor may act as a judge for a team from that professor's law school. Faculty coaches may not act as judges, unless in an emergency when not doing so would prevent the competition from being run, and only if they do not judge their own students.

#### ***Article 15—Protests***

The NAAC Subcommittee rules on and resolves complaints, rule violations, and disputes that occur during a competition and shall act in accord with these Rules.

1. Brief
  - a. The protest must be served upon the NAAC Subcommittee, which will forward the complaint to the team whose brief is being challenged. The protest must be specific as to the complaint being lodged and the specific rule the brief allegedly violated.
    - 1) For regionals, a protest against another team's brief must be served on or before the tenth day after notice has been sent to

participating team contacts and NAAC coaches/advisors that the briefs have been posted to the website.

- 2) For National Finals, the protest must be served within two weeks after the final regional competition is complete.
  - b. The Subcommittee may either rule on the protest, or at the Subcommittee's discretion, request a response from the other team, in which case a response shall be served on the Subcommittee within the time designated by the Subcommittee. If the team fails to file a response within the time designated, it waives the right to respond.
  - c. The NAAC Subcommittee may raise any rule violation on its own.
  - d. Protests are to be served by email to [competitions@americanbar.org](mailto:competitions@americanbar.org). The service date is the mailing date. Protesters are responsible for verifying with the ABA Law Student Division that the email was received.
  - e. All affected teams will be notified of the NAAC Subcommittee's ruling on a protest prior to the beginning of the regional competition in which the teams compete.
2. Oral Argument. All protests arising out of oral argument are considered waived unless the protest is brought to the attention of the NAAC Subcommittee before the beginning of the judges' critiques. No protest shall be entertained regarding any team or speaker going over the time allotted, rather, the Subcommittee will tell judges before the round that if any speaker goes over time without the Court's consent, then they may let such time violation be reflected in the score they assign to that speaker, as they deem appropriate.

### **Article 16—Penalties**

1. The NAAC Subcommittee, unless otherwise provided, in its sole discretion, will assess penalties, described below, for violation of these Rules. Uniform penalties will be assessed for each type of violation.
2. Oral Argument Penalties. If during any round, more than two members of a team sit at counsel table, that team will have its margin reduced by five points after the outcome of the round has been determined. The deduction will not operate to change the outcome of the round. (Therefore, the team can win with a negative margin.)
3. Brief Score Penalties: All brief score penalties are deducted from the non-reduced average brief score:
  - a. Word Count: Briefs that exceed the word-count limit (Article 10(2)(e)) will

receive a one-point penalty for every 100 additional words above the word-count limit, capped at a maximum of five points. For example, if the brief is over the word-count limit by 1 word to 99 words, that is a one-point deduction. One hundred to 199, 2 points deduction, etc.

- b. Penalties will apply for incomplete brief covers or those that contain team identifiers such as school names, team member names, or ABA member identification numbers. This includes the brief's properties and metadata. This error will result in a penalty of not less than .5 points but not more than 5 points by the Subcommittee.
  - c. Incorrect File Format: Brief files received in any format other than PDF or certification letters received in any format other than PDF will receive a one-point penalty.
  - d. Late Brief: Briefs or certification letters received after the filing deadline will be penalized five points every 12 hours until the brief or certification letter is received.
  - e. Other Non-Compliance with NAAC Rules: Briefs that fail to comply with any other requirements set out in Article 10(2), including, but not limited to, incorrectly named files, team identifiers included in the brief's property and metadata, and incomplete or incorrect certification letter, will be subject to a penalty of not less than .5 points but not more than 5 points by the Subcommittee.
  - e. Penalties assessed at the regionals apply to the rescored briefs of teams that advance to the National Finals.
4. Furniture-Moving Penalties. The unauthorized moving of furniture or any other item in the courtroom shall result in the imposition of significant penalties, including disqualification. (See Article 2.)

#### ***Article 17—Competition Materials, Updates, and Clarifications***

- 1. The NAAC Subcommittee will post competition-related information to the NAAC Competitors webpage. Teams are responsible for reviewing this information. The Chicago office will communicate important updates to the team contact person. All teams must list one contact during registration who will be responsible for receiving and sharing information.
- 2. Requests for information or rule interpretation should be sent in writing to the ABA Law Student Division, 321 North Clark Street, Chicago, Illinois 60654, or via email to [competitions@americanbar.org](mailto:competitions@americanbar.org).

3. The Chicago Office will forward questions regarding rule interpretations or substantive inquiries to the NAAC Subcommittee. The NAAC Subcommittee will issue a written response to each inquiry and provide all teams a copy of the question and the response. This response will be distributed by the Chicago Office

### ***Article 18—Regional Competitions***

Regional competitions generally occur in February and March. The ABA Law Student Division assigns each school to a regional site. No travel arrangements should be made until the school has received written confirmation of its regional assignment from the Chicago Office.

Any significant difficulties posed by a regional assignment should be included in the Regional Preference Form along with the ranking of the school's preference for each regional location. Requests for a region change must show good cause and should be submitted in writing to the Chicago Office within three days of the regional assignment. Requests not based on information provided before the regional assignments were made must show good cause for the change. The dates and locations of the regional competitions are posted to the NAAC home page.

At outset of each regional competition, the regional administrators will hold a mandatory team meeting. **All NAAC coaches/advisors and all bailiffs for all rounds MUST be present. Each team MUST be represented at this meeting.** Initial team pairings may be announced at this mandatory team meeting or may be distributed in advance.

### ***Article 19—National Finals***

The final round winners from each regional competition advance to the National Finals.

The National Finals will be held in late March or early April in Chicago, Illinois, according to the dates and locations document posted to the NAAC home page.

The ABA Law Student Division will distribute information about the National Finals, such as the schedule, location, facilities, and lodging arrangements to the advancing teams. Questions concerning the National Finals should be directed to the Chicago office.

### ***Article 20—Faculty Coaches or Advisors***

Each team must have a NAAC coach or advisor. A NAAC coach or advisor may be a full- or part-time faculty member, a lawyer approved by a law school, or ABA-registered law student currently enrolled to coach the students. A team may have more than one coach and one person may coach two teams from the same school.

A NAAC coach or advisor should accompany the team to the regional and the National Finals, and more than one coach or advisor may attend the competitions. The same or a different NAAC coach or advisor may attend the regional and national competitions.

NAAC coaches and advisors of competing teams, or any other person who has participated in the preparation of a team for a regional competition or the National Finals, are prohibited from judging or assisting in the administration of competitions in which their teams are competing. NAAC coaches and advisors are also prohibited from attending the Competition Judge's briefing.

Failure to provide a faculty contact name and email or listing a student as the faculty contact when registering may result in disqualification.

### ***Article 21—Assistance***

Because the purpose of this competition is educational, a team may receive limited assistance in the preparation of its brief. Permissible assistance is limited to discussion of the issues. No one other than a student team member may review or comment upon a draft of the brief or otherwise participate in developing a team's brief until it is electronically filed.

Filing the brief, as required by Article 10, constitutes certification that the team has not received impermissible assistance in preparation of the team's brief and has complied with this Rule.

After the brief is filed, the NAAC coach or advisor can work with, assist, and direct the students; critique mock preparations; arrange for the students to consult with others for assistance; and provide any other educational assistance.

During oral argument, a speaker may receive assistance only from his or her teammate who is seated at counsel table.

Once a team's bailiff has contacted the competition judges for a round, the bailiff shall not communicate with members of the team arguing that round.

During the competition, NAAC coaches and advisors may advise, communicate with, and observe their teams only as provided in these Rules.

### ***Article 22—Prohibited Communication and Attendance***

Other than the judges and bailiffs, no one—including NAAC bailiffs, coaches, or advisors, supervisory personnel, alternate team members, friends, associates, and observers—may communicate in any way with any of the participants during oral arguments. Bailiffs may communicate only with time cards during this period.

No participant, NAAC coach or advisor, or any other person connected with a participating school with more than one team may communicate with another of its

school's teams until all of the school's teams have completed the first round. A person who is acting as a bailiff for two teams may communicate only with time cards during this period. Coaches may watch both teams compete, but may not communicate with either team until the teams have completed the first round.

Any electronic devices used at counsel table, or anywhere else in the courtroom, must be in airplane mode.

Scouting is prohibited. No team member still participating shall attend the argument of any other team or receive information from any person who has attended an argument of any other team. A bailiff who is not also a team member may serve as bailiff for both teams *if the schedule permits*, but may not merely attend the argument of a team for which he or she is not serving as bailiff.

Teams that have been eliminated may attend subsequent rounds. If there is another team from the same school, contact between the eliminated team and a participating team is prohibited until the round is completed.

No NAAC coach or advisor, or any other person connected with that school shall attend a round, if the coach, advisor, or the other person knows or is known by any member of the panel judging the round.

Communication with Competition judges is strictly limited. No participant or other person associated with a participant may speak to a competition judge outside of the competition room during the period from commencement of the oral argument until after the ballots have been collected.

Communications in violation of this rule can result in disqualification.

### ***Article 23—Consent***

A student's decision to enter and participate in the Competition constitutes consent to video recording and photography.

#### **1. Video recording**

The ABA, the ABA Law Student Division, and any of their agents or representatives may record the regional and National Finals round(s). A student's decision to enter and participate in the competition constitutes consent to this recording. As a condition of entering and participating in the competition and for no monetary compensation, this consent grants the ABA the nonexclusive worldwide rights to reproduce, distribute, and sell any visual material in connection with the student's participation, in whole or in part, with or without attribution, in any medium, as part of a course book or any other publication published or sold by or under the auspices of the ABA and to license these rights to others, in each case, regardless of whether the student and/or his or her team

is selected as the winner. This consent also grants the ABA the right to use the student's name, biographical data, pictures, portraits, photographs, voice, likeness, and image in connection with any such recordings and/or visual materials

## 2. Written Materials

By entering into the competition and for no monetary compensation, a student gives the ABA, the ABA Law Student Division, and any of their agents or representatives the nonexclusive worldwide right to reproduce, distribute, and sell any written materials submitted by the student in connection with his or her participation in the competition, including but not limited to any briefs (collectively, "Written Materials"), in whole or in part, with or without attribution, in any medium, as part of a course book or any other publication published or sold by or under the auspices of the ABA and to license these rights to others, in each case, regardless of whether the student and/or his or her team is selected as the winner. A student's decision to enter and participate in the competition also constitutes consent to, the use of the student's name, biographical data, pictures, portraits, photographs, voice, likeness, image, and the Written Materials submitted in the competition in any form, for editorial, advertising, promotional, and trade purposes in connection with this competition.

## ***Article 24—Awards***

### 1. Regional Competitions

- a. Certificates of Participation. Each registered team member and alternate in the regional competitions will receive a certificate to be distributed by the ABA.
- b. Regional Champion. The Round 5 winners will be recognized as Regional Champions. At the National Finals, the ABA Law Student Division will present an award to each team member as well as to the law school the team members represent.
- c. Regional Best Advocate. The ten best advocates in each regional will be recognized. The NAAC Subcommittee will calculate the award from the speaker averages on the Tally Sheets. An advocate's two highest scores from Rounds 1–4 will be used to determine the award. The ABA Law Student Division will present awards to each regional best advocate attending the National Finals. Remaining regional best advocate awards will be mailed.
- d. Regional Best Brief. The teams with the five highest-scoring briefs in each regional will be recognized. The calculation will be based on the reduced brief scores. The ABA Law Student Division will present an award to each

regional best brief team attending the National Finals. Remaining regional best brief awards will be mailed.

## 2. National Finals

- a. National Champion. The ABA Law Student Division will present an award to each National Champion team member as well as to the law school the team members represent.
- b. National Finalist. The ABA Law Student Division will present an award to each National Finalist team member as well as to the law school the team members represent.
- c. Best Advocate. The ABA Law Student Division will present awards to the ten Best Advocates. The NAAC Subcommittee will calculate the award from the speaker averages on the Tally Sheets. An advocate's two highest scores from the two preliminary rounds, the octofinal, quarterfinal, and the semifinal rounds will be used to determine the award.
- d. Best Brief. The ABA Law Student Division will present an award to each member of the team that submits the best brief in the National Finals, as well as to the law school the team members represent. The calculation will be based on the national reduced brief scores.
- e. Monetary Awards. Any monetary awards provided by corporate sponsor(s) may be presented to the individual student competitor(s) of the National Finals team, the Best Advocate, and the Best Brief team pursuant to the Law Student Division document entitled, "Corporate Sponsor/Award Policy" as amended from time to time and incorporated herein by reference (subject to change without notice). Should any monetary awards be provided, additional rules, conditions, and regulations will apply to participation. Please refer to the "Corporate Sponsor/Award Policy" attached hereto as Appendix H.

### ***Article 25—Professional Conduct***

The ABA Model Rules of Professional Conduct govern the conduct of all participants including students, NAAC coaches or advisors, bailiffs, and observers. Violations are subject to penalties, including temporary or permanent suspension of individuals or law schools from participating in the competition. In addition, egregious violations may be reported to the law school's dean. Everyone who participates is expected to act professionally at all competition-related events and on social media.

### **Article 26—Rules Interpretation**

The NAAC Subcommittee, in its sole discretion, shall interpret these Rules and may modify these Rules or create additional rules to ensure fairness in the competition. Its decisions are final.

### **Article 27—Cancellation**

If a law school that has entered the competition decides not to compete, that law school must notify the Law Student Division Chicago Office by email no later than the competition entry deadline. The entry fee less a \$50 administrative service charge will be refunded only if the withdrawal notice is timely received. No refund will be made after the entry deadline.

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## Appendix A

### AMERICAN BAR ASSOCIATION LAW STUDENT DIVISION

# NAAC

#### *Sample Regional Schedule\**

#### **Thursday**

3:00 p.m. to 4:00 p.m.	Mandatory Team Meeting (Teams, Coaches/Advisors, and Bailiffs)
3:30 p.m. to 4:30 p.m.	Judges Check-in/Orientation
4:30 p.m. to 6:00 p.m.	Round 1-A
6:15 p.m. to 7:45 p.m.	Round 1-B

#### **Friday**

3:50 p.m. to 4:00 p.m.	Round 2 Packet Pickup (Petitioners' Bailiffs)
3:30 p.m. to 4:30 p.m.	Judges Check-in/Orientation
4:30 p.m. to 6:00 p.m.	Round 2-A
6:15 p.m. to 7:45 p.m.	Round 2-B
8:00 p.m. to 8:15 p.m.	Pairings and Coin Toss for Round 3

#### **Saturday**

8:30 a.m. to 9:30 a.m.	Judges Check-in/Orientation
9:00 a.m. to 9:10 a.m.	Round 3 Packet Pickup (Petitioners' Bailiffs)
9:30 a.m. to 11:00 a.m.	Round 3-A
11:15 a.m. to 12:45 p.m.	Round 3-B
12:45 p.m. to 1:00 p.m.	Pairings and Coin Toss for Round 4
1:00 p.m. to 2:00 p.m.	Competitors' Lunch
1:00 p.m. to 2:00 p.m.	Judges Check-in/Orientation
2:00 p.m. to 3:30 p.m.	Round 4
3:30 p.m. to 3:45 p.m.	Pairings and Coin Toss for Round 5
3:30 p.m. to 4:30 p.m.	Judges Check-in/Orientation
4:30 p.m. to 6:00 p.m.	Round 5
6:15 p.m. to 6:30 p.m.	Awards Announcements

*\*Boston and San Francisco Regionals tend to start an hour later on Thursday and Friday. New York Regional tends to start 90 minutes later on Thursday and Friday.*

**American Bar Association  
Law Student Division  
National Appellate Advocacy Competition  
Sample National Finals Schedule**

**Thursday**

7:30 a.m. to 6:00 p.m.	Team Hospitality
7:45 a.m. to 8:30 a.m.	Mandatory Team Meeting
8:30 a.m. to 9:30 a.m.	Judges' Check-in/Orientation
9:30 a.m. to 11:00 a.m.	Round 1-A
11:15 a.m. to 12:45 p.m.	Round 1-B
1:00 p.m. to 2:00 p.m.	Judges' Check-in/Orientation
2:00 p.m. to 3:30 p.m.	Round 2-A
3:45 p.m. to 5:15 p.m.	Round 2-B
5:30 p.m. to 5:45 p.m.	Octofinal Round Pairings

**Friday**

8:00 a.m. to 9:00 a.m.	Judges' Check-in/Orientation
8:30 a.m. to 4:30 p.m.	Team Hospitality
9:00 a.m. to 10:30 a.m.	Octofinal Round
10:35 a.m. to 10:45 a.m.	Quarterfinal Round Pairings
11:00 a.m. to 12:00 p.m.	Judges' Check-in/Orientation
12:00 p.m. to 1:30 p.m.	Quarterfinal Round
1:35 p.m. to 1:45 p.m.	Semifinal Round Pairings
1:45 p.m. to 2:30 p.m.	Lunch for Semifinal Round Teams
2:00 p.m. to 3:00 p.m.	Judges' Check-in/Orientation
3:00 p.m. to 4:30 p.m.	Semifinal Round
4:35 p.m. to 4:45 p.m.	Championship Round Pairings

**Saturday**

9:00 a.m. to 9:30 a.m.	Judges' Check-in/Orientation
9:00 a.m. to 9:30 a.m.	Team Hospitality
9:30 a.m. to 11:00 a.m.	Championship Round
12:00 p.m. to 1:30 p.m.	Awards Luncheon

## Appendix B

### Certification Letter Format

Date: \_\_\_\_\_  
Team Number: \_\_\_\_\_  
School: \_\_\_\_\_  
Region: \_\_\_\_\_  
Brief Side: \_\_\_\_\_  
Brief Word Count: \_\_\_\_\_

1. We hereby certify that Team # \_\_\_\_ has not received any authorized assistance in the preparation of our brief and that our brief has been prepared in accordance with the NAAC Rules, which are hereby incorporated by reference.
2. We warrant that (a) any written materials, including but not limited to our brief, submitted by our team in connection with the competition have not been published prior to their submission to this competition, and (b) any written materials are original and do not violate the intellectual rights of others.
3. We hereby certify that each team member has read, understood, complied with, and accepts the terms of the NAAC Rules, including but not limited to Article 23-- Consent, which gives the ABA the nonexclusive worldwide right to reproduce, distribute, and sell any written materials submitted by me and my team members in connection with our participation in the competition, including but not limited to any briefs (collectively, "Written Materials"), in whole or in part, with or without attribution, in any medium, as part of the course book or any other publication published or sold under the auspices of the ABA and to license these rights to others, in each case, regardless of whether the member or his or her team is selected as the winner.

Team Member Signatures:

\_\_\_\_\_

## Appendix C—Official Brief Ballot

Team Designation:		<i>Judge's Name:</i>	
<i>Category</i>		<i>Possible</i>	<i>Given</i>
1.	Cover of Brief	1	
2.	Statement of the Issues	6	
3.	Table of Contents	1	
4.	Table of Authorities	1	
5.	Statement of the Facts	10	
6.	Statement of the Case	2	
7.	Summary of Argument	10	
8.	Persuasiveness of Headings and Text	15	
9.	Argument Structure	10	
10.	Analysis and Appropriate Use of Authority	30	
11.	Conclusion	2	
12.	Grammar and Punctuation	7	
13.	Citation	5	
<b>TOTAL</b>		100	

# National Appellate Advocacy Competition

## *Suggested Guidelines for Brief Judges*

### **Category 1: Cover of Brief** (Possible Points—1)

Is the cover correctly set up?

### **Category 2: Statement of the Issues** (Possible Points—6)

Do the questions adequately describe the issue before the Court? Are the issues phrased in such a manner that the answer naturally favors the party propounding them?

### **Category 3: Table of Contents** (Possible Points—1)

Does the brief contain all the necessary parts?

### **Category 4: Table of Authorities** (Possible Points—1)

Is there a sensible arrangement of authorities?

### **Category 5: Statement of the Facts** (Possible Points—10)

Are the essential facts stated in as favorable way as possible without leaving out material facts?

### **Category 6: Statement of the Case** (Possible Points—2)

Does this section succinctly give the nature of the case, the course of proceedings, and the disposition below?

### **Category 7: Summary of Argument** (Possible Points—10)

Are the arguments developed and persuasive? Is the summary concise?

### **Category 8: Persuasiveness of Headings and Text** (Possible Points—15)

Is the argumentative tone of both the headings and the text properly developed?

### **Category 9: Argument Structure** (Possible Points—10)

Is the structure logical and indicative of the issues? Are the arguments organized in a clear and persuasive manner?

### **Category 10: Analysis and Appropriate Use of Authority** (Possible Points—30)

Do the arguments address all necessary issues? Are the arguments developed logically, compelling a conclusion in the writer's favor?

Are there citations where needed, regardless of the technical accuracy of the citation form? Are the leading cases used? Do the authorities support a sound legal analysis? Is there excessive reliance on secondary materials? Have public policy arguments been developed when appropriate?

Does the brief incorporate the facts of cases where appropriate to analogize or distinguish? Are the cases and authorities used as effectively as possible?

Does the brief substitute quotations for appropriate legal analysis?

Does the brief distinguish cases and important authorities that are unfavorable to its position?

### **Category 11: Conclusion** (Possible Points—2)

Does the section contain a short conclusion stating the precise relief sought?

### **Category 12: Grammar and Punctuation** (Possible Points—7)

Is the brief clear and unambiguous? Does the brief use proper grammar and punctuation?

### **Category 13: Citation** (Possible Points—5)

Do citations follow proper Bluebook citation format?

**Appendix D**

**Sample  
ABA Law Student Division  
National Appellate Advocacy Competition  
Team Brief Results  
NAAC Regionals—Minneapolis**

999	University of Alaska College of Law
-----	-------------------------------------

	<b>Total Score</b>
Judge 1	94
Judge 2	87
Judge 3	75
Judge 4	75
Judge 5	91
Average Score (after dropping high and low scores and averaging remaining scores)	84.333
Brief Penalty (deducted from Average Score)	
Average Score Less Penalty	84.333
Reduced Average (divide Average Score Less Penalty, if any, by 3)	28.111

Representative of Team
------------------------

**Appendix E**

**Oral Argument Ballot (in-person form; see the Rules Supplement for the online form)**

**Teams may write only competitors' names and team numbers on the ballot before the argument begins.**

**Additional information will result in a penalty.**

1st Petitioner Name Only	2nd Petitioner Name Only	<div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;">Petitioner Team Number Only</div>	v.	<div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;">Respondent Team Number Only</div>	1st Respondent Name Only	2nd Respondent Name Only
Issue 1 or 2	Issue 1 or 2				Issue 1 or 2	Issue 1 or 2

		<p><b>Substantive Content of Argument</b></p> <p>Overall effectiveness of argument irrespective of merits. Reasoning and logic. Knowledge of and ability to incorporate applicable legal authority. Judicious use of time.</p>														
Min. 20 Max. 40	Min. 20 Max. 40	<table style="width:100%; border:none;"> <tr> <td style="text-align:center;">Poor</td> <td style="text-align:center;">Marginal</td> <td style="text-align:center;">Average</td> <td style="text-align:center;">Good</td> <td style="text-align:center;">Excellent</td> <td style="text-align:center;">Superior</td> </tr> <tr> <td style="text-align:center;">20 21 22 23</td> <td style="text-align:center;">24 25 26 27</td> <td style="text-align:center;">28 29 30 31</td> <td style="text-align:center;">32 33 34 35</td> <td style="text-align:center;">36 37 38 39</td> <td style="text-align:center;">40</td> </tr> </table>	Poor	Marginal	Average	Good	Excellent	Superior	20 21 22 23	24 25 26 27	28 29 30 31	32 33 34 35	36 37 38 39	40	Min. 20 Max. 40	Min. 20 Max. 40
Poor	Marginal	Average	Good	Excellent	Superior											
20 21 22 23	24 25 26 27	28 29 30 31	32 33 34 35	36 37 38 39	40											

		<p><b>Knowledge of the Record</b></p> <p>Knowledge of the content of the record: familiarity with authorities, facts, issues, and arguments addressed by the lower courts.</p>														
Min. 10 Max. 20	Min. 10 Max. 20	<table style="width:100%; border:none;"> <tr> <td style="text-align:center;">Poor</td> <td style="text-align:center;">Marginal</td> <td style="text-align:center;">Average</td> <td style="text-align:center;">Good</td> <td style="text-align:center;">Excellent</td> <td style="text-align:center;">Superior</td> </tr> <tr> <td style="text-align:center;">10 11 12 13</td> <td style="text-align:center;">14 15 16 17</td> <td style="text-align:center;">18 19 20</td> <td></td> <td></td> <td></td> </tr> </table>	Poor	Marginal	Average	Good	Excellent	Superior	10 11 12 13	14 15 16 17	18 19 20				Min. 10 Max. 20	Min. 10 Max. 20
Poor	Marginal	Average	Good	Excellent	Superior											
10 11 12 13	14 15 16 17	18 19 20														

		<p><b>Extemporaneous Ability</b></p> <p>Ability to answer questions, to think on feet, and to resume argument after interruption.</p>														
Min. 10 Max. 20	Min. 10 Max. 20	<table style="width:100%; border:none;"> <tr> <td style="text-align:center;">Poor</td> <td style="text-align:center;">Marginal</td> <td style="text-align:center;">Average</td> <td style="text-align:center;">Good</td> <td style="text-align:center;">Excellent</td> <td style="text-align:center;">Superior</td> </tr> <tr> <td style="text-align:center;">10 11 12 13</td> <td style="text-align:center;">14 15 16 17</td> <td style="text-align:center;">18 19 20</td> <td></td> <td></td> <td></td> </tr> </table>	Poor	Marginal	Average	Good	Excellent	Superior	10 11 12 13	14 15 16 17	18 19 20				Min. 10 Max. 20	Min. 10 Max. 20
Poor	Marginal	Average	Good	Excellent	Superior											
10 11 12 13	14 15 16 17	18 19 20														

		<p><b>Courtroom Demeanor and Professionalism</b></p> <p>Proper deference to judges and counsel. Appellate Courtroom etiquette. Use of speaking voice, poise, gestures, mannerisms.</p>														
Min. 10 Max. 20	Min. 10 Max. 20	<table style="width:100%; border:none;"> <tr> <td style="text-align:center;">Poor</td> <td style="text-align:center;">Marginal</td> <td style="text-align:center;">Average</td> <td style="text-align:center;">Good</td> <td style="text-align:center;">Excellent</td> <td style="text-align:center;">Superior</td> </tr> <tr> <td style="text-align:center;">10 11 12 13</td> <td style="text-align:center;">14 15 16 17</td> <td style="text-align:center;">18 19 20</td> <td></td> <td></td> <td></td> </tr> </table>	Poor	Marginal	Average	Good	Excellent	Superior	10 11 12 13	14 15 16 17	18 19 20				Min. 10 Max. 20	Min. 10 Max. 20
Poor	Marginal	Average	Good	Excellent	Superior											
10 11 12 13	14 15 16 17	18 19 20														

<b>Total</b>	<b>Total</b>	<div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;">Judge's Last Name (Printed)</div>		<div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;">Judge's Signature</div>	<b>Total</b>	<b>Total</b>
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**Team Totals Should Not Be The Same**

**Team Total**

**Team Total**

## Appendix F

### Tally Sheet (in-person form; see the Rules Supplement for the online form) (Regional Rounds 1–3 / National Rounds 1–2)

Please check the calculations on the oral argument ballots and then transfer the totals to this Tally Sheet. Once you have verified the oral score calculations on each ballot, then you need to determine the winning team by completing this Tally Sheet. Once completed, please fill in each team's numeric designation, whether the team won or lost, and its margin of victory/defeat in the space provided immediately below.

Team Number	W/L	Margin
Petitioner		
Respondent		

#### Determination of Winning Team

**Step 1: Compute Oral Round Score**  
(list each judge's score for each team and add all the scores)

	Petitioner	Respondent
Judge 1 (Team Score)		
Judge 2 (Team Score)		
Judge 3 (Team Score)		
Judge 4 (Team Score)		
Judge 5 (Team Score)		
<b>Total Oral Round Score</b>		

**Step 2: Compute Reduced Score**  
(divide Total Oral Round Score by 6 if 2-judge panel, by 9 if 3-judge panel, by 12 if 4-judge panel, by 15 if 5-judge panel, by 18 if 6-judge panel, by 21 if 7-judge panel, by 24 if 8-judge panel, by 27 if 9-judge panel, then round on third decimal—77.8141 becomes 77.814, but 77.8145 becomes 77.815)

	Petitioner	Respondent
<b>Reduced Oral Round Score</b>		

**Step 3: Compute Final Team Total**  
(add Reduced Oral Round Score and Reduced Average Brief Score)

	Petitioner	Respondent
Brief Score		
<b>Final Team Total</b>		

NOTE: Victories created by rounding will be treated as a tie. Under the NAAC Rules, the team winning oral argument will be declared the winner of the round.

**Step 4: List Winning Team and Margin of Victory**  
(subtract lower Final Team Total from higher Final Team Total)

	Petitioner	Respondent
+ / -		

**Step 5: Compute Speaker's Average Score**  
(Divide each speaker's points by the number of judges)

Petitioner Counsel (Name)	Avg. Score	Respondent Counsel (Name)	Avg. Score

**Step 6: Sign in the Space Provided**  
(Signature indicates that all computations have been checked and are correct.)

Petitioner's Bailiff	Respondent's Bailiff
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**NATIONAL APPELLATE ADVOCACY COMPETITION**  
**Tally Sheet (in-person form; see the Rules Supplement for the online form)**  
**(Regional Rounds 4–5 / National Rounds OF, QF, and SF)**

Please check the calculations on the oral argument ballots and then transfer the totals to this Tally Sheet. Once you have verified the oral score calculations on each ballot, then you need to determine the winning team by completing this Tally Sheet. Once completed, please fill in each team's numeric designation and whether the team won or lost in the space provided immediately below.

Team Number	W/L
<i>Petitioner</i>	
<i>Respondent</i>	

**Determination of Winning Team**

**Step 1: Compute Oral Round Score**  
*(list each judge's score for each team and add all the scores)*

	<i>Petitioner</i>	<i>Respondent</i>
Judge 1 (Team Score)		
Judge 2 (Team Score)		
Judge 3 (Team Score)		
Judge 4 (Team Score)		
Judge 5 (Team Score)		
<i>Total Oral Round Score</i>		
<i>Number of Winning Ballots*</i>		

*\*In rounds 4 and 5 of the regional competition and in the octofinal, quarterfinal, and semifinal rounds of the National Finals, the winner will be the team that receives the higher argument score on a majority of the untied ballots. If neither team receives a majority of ballots, the winner will be the team with the higher total argument score. (See Article 11.)*

**Step 2: Compute Speaker's Average Score**  
*(Divide each speaker's points by the number of judges)*

<i>Petitioner Counsel (Name)</i>	<i>Avg. Score</i>	<i>Respondent Counsel (Name)</i>	<i>Avg. Score</i>

**Step 3: Sign in the Space Provided**  
*(Signature indicates that all computations have been checked and are correct.)*

<i>Petitioner's Bailiff</i>	<i>Respondent's Bailiff</i>
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## Appendix G

Bailiff Instructions (see the Rules Supplement for instructions for the virtual competition)

### BEFORE THE ROUND

1. Familiarize yourself with the Rules.
2. Bring a stopwatch and a calculator. (Using the stopwatch or calculator on your cell phone is appropriate.)
3. If your team is representing the Petitioner, pick up the round folder (containing the judges' ballots and the bailiff worksheet) from the Competition Administrator.
4. Print the names of your team's speakers on each of the ballots, and ask the bailiff for the other team to do the same. Leave the ballots on the bench for the judges.
5. Get time breakdowns for each team. Each team may argue for 30 minutes. Make note of how long each speaker wishes to argue. Petitioner should advise you how many minutes are reserved for rebuttal. Mark the bailiff's worksheet to keep track of all this information.
6. For the first heat of each round, bailiffs must wait for the judges **outside** the judges' orientation room. For the second heat of each round, bailiffs must gather the judges outside the room where your round is to take place.
7. If your team is the Petitioner, announce the judges as they enter.
8. If a judge has a question or needs to recuse himself or herself, come get a Competition Administrator immediately.

### DURING THE ROUND

1. Sit where you can be seen by the speakers and the judges.
2. Hold up cards indicating how much time a team member has left to argue within the specified allotment.
3. Stand and hold up "stop" sign when time has expired. **DO NOT SPEAK**. Judges may, in their discretion, grant additional time. This additional time is not deducted from a team's thirty-minute allocation.

### AFTER THE ORAL ARGUMENT

1. Remove competitors and spectators from the room while judges complete their ballots.
2. Wait outside the room until the judges are finished scoring their ballots.
3. Raise any protests at this time. Check the NAAC Rules for the exact procedure. Remember, protests are waived if you do not raise them immediately prior to the beginning of the judges' critiques.
4. Before leaving the room, check the ballots to ensure the judges scored each category within the minimum and maximum limits and ask everyone to return for critique.
5. Remind competitors not to identify their schools during or after critique. Judges will be informed of the schools involved by the Competition Administrator.
6. Return to the Bailiffs' Scoring Room to determine which team has won.
7. Fill out the Tally Sheet, sign it, and return it to the Competition Administrator. Note that by signing the tally sheet, the Bailiff certifies that the result is correct. At this point, all errors are waived and cannot be corrected. This means that if you make a scoring error you might cost your team the round and a chance to advance further in the Competition. See NAAC Rules.
8. Following the critique, inform your team of the results of the round.
9. Straighten up the courtroom and remove all trash, but do not move furniture or equipment. Immediately notify Competition Administrator if anyone in room moved furniture or equipment.

## Bailiffs' Worksheet

Petitioner's bailiff must announce the judges as they enter:

All rise. O'Yea, O'Yea, O'Yea. All those who have business before this, the Supreme Court of the United States, are admonished to draw near and give their attention for the Court is now sitting. God save the United States and this honorable Court.

(as Justices approach the bench) The Supreme Court of the United States is now in session. Justices

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and Chief Justice \_\_\_\_\_ presiding.

Petitioner Speaker	Total Time Allotted	Start Time	End Time	Time Used

Respondent Speaker	Total Time Allotted	Start Time	End Time	Time Used

Petitioner Rebuttal Speaker	Total Time Allotted	Start Time	End Time	Time Used