

# LOYOLA

## LAW SCHOOL | LOS ANGELES

# LOYOLA MOOT COURT PROGRAM

## SCOTT MOOT COURT COMPETITION AND HONORS BOARD INFORMATION (FAQS)

### **What is Scott Moot Court?**

Scott Moot Court is the award-winning Appellate Advocacy competition program of Loyola Law. The members of the program are referred to as the Scott Moot Court Honors Board. Board Members serve on the Board for an entire year and are eligible receive a total of 6 (p/np) units for membership. Board membership also satisfies the six-unit experiential course graduation requirement.

### **Why Should I Want to do Scott Moot Court?**

Loyola is for litigators, and Scott Moot Court prepares some of the best appellate litigators around. If your dream is to argue before the Supreme Court one day, or just to be able to handle yourself well doing law-and-motion work before a court on behalf of your firm or agency, then Scott Moot Court can give you the practical skills to become an exceptional advocate.

### **How Do I Join the Scott Moot Court Honors Board?**

To be eligible, LLS students must complete the Appellate Advocacy course (3 units graded) in summer session or in the fall semester of their second year at law school (or, for Evening Division, in the summer of 1E or 2E or fall of 2E or 3E) and earn at least a B in the course. In the following spring semester, interested LLS students must then register for the Scott Moot Court competition (2 units p/np). In the intramural competition, students compete for a spot on the Scott Moot Court Honors Board. The competition requires the preparation of a competent appellate brief and participation in oral argument. There are two preliminary rounds of oral argument followed by quarter-final round and semi-final round. There are eliminations after each round of the oral competition. After the semi-final round the four competitors with the highest oral scores from the prior rounds are determined and named as the "finalists." The "finalists" compete in the final round for the award of "Best Oralist" The top scorers from the Spring Competition will become the Scott Moot Court Board for the subsequent school year. (While graduating students, i.e. 3Ls, may compete in the Spring Competition, and even win awards therein, they will NOT be admitted to the Scott Moot Court Honors Board)

### **What Does the Scott Moot Honors Court Board Do (What Roles Are Available)?**

The Board is broken up into two sets of roles: competitive appellate advocacy teams and administrators for Board affairs (a.k.a. the Justices). Justices work year-round in supporting administrator roles to the competitive teams and on the development of the problem for the Spring Competition. The competitive team members split their time between practice for their own competition and, in the off-season, development of the Spring Competition problem and support of other teams.

### **How Do Scott's Competitive Appellate Advocacy Teams Work?**

The Scott Moot Court Honors Board will enter 2-3 competitions in a given year. The typical competitions include: (a) National Moot Court Competition (fall); (b) National Criminal Procedure Moot Court Competition (fall) and (c) American Bar Ass'n Moot Court Competition (spring) and National Environmental Law Moot Court (fall-spring). The Roger Traynor Moot Court Competition and the Federal Bar Association Thurgood Marshall Competition (spring) and the ABA Team-1 teams are also a part of the Scott Moot Court program. But the Traynor and FBA teams are comprised of students chosen in an open "tryout" at the end of the spring semester of their 1D/2E or 3E year. Traynor and FBA students must take in Appellate Advocacy during the summer or fall before they compete in their respective competitions. Successful Traynor and FBA team members are also eligible to be on one of the other Scott Moot Court Honors Board teams the year following their participation in the Traynor and FBA competitions. All Moot Court competitions are generally mock Supreme Court cases where team members are given a problem, take a position, draft a brief in support of that position, and then argue orally to a mock court in support of that position and against that position in "off-brief" rounds. In the competition season for that team, team members spend considerable amounts of time, first researching and writing their legal briefs, and then honing oral arguments for both "hot" and "cold" benches composed of volunteer professors, practitioners, judges, and Board members.

### **What Is the Difference Between Scott Moot Court and the Byrne Team and Can I do Both?**

Byrne is Loyola's Trial Advocacy competitive team. Scott Moot Court is Loyola's Appellate Advocacy team. The general rule is that students are NOT allowed to be on both the Scott Moot Court Honors Board and Byrne simultaneously. Members of the Byrne team are generally selected in the spring of a school year from 1Ls and 2Ls (or Evening Division equivalents). Scott Moot Court Honors Board members are selected during the intramural Scott Competition the spring from 2Ls (and Evening equivalents). So, for example, if you were selected for Byrne team in your second year, you could compete in the intramural Scott Competition in the spring of your second year and then serve on Scott Moot Court Honors Board for your third year; but you could not be on both Scott Moot Court Honors Board and a Byrne team in your third year.

### **Can I Be on Scott Moot Court and Law Review or other activities (i.e., Externships, Clinics) at the same time?**

Yes. Typically, there are Scott Moot Court Board members who are simultaneously on law review, or serve on externships or participate in other programs such as clinics, and the Hobbs Program.

Questions about Scott Moot Court Honors Board or Scott Moot Court Program contact:  
Professor Rebecca Delfino ([Rebecca.Delfino@lls.edu](mailto:Rebecca.Delfino@lls.edu))

## **OTHER MOOT COURT COMPETITION TEAMS**

**[NOTE: Auditions for these teams are held in April 2022 and  
These teams will complete in the 2022-2023 school year]**

### **Hispanic National Bar Association Moot Court Competition (2 Units P/NP):**

The Hispanic National Bar Association sponsors an annual moot court competition made up of approximately 30 schools from around the country. The competition problem is prepared by the HNBA and typically involves issues of Constitutional Law, often coupled with a statutory claim. The location of the competition varies each year.

The competition requires participants to write a brief and compete in a series of appellate arguments. The team consists of 2-3 members, who should expect to spend the necessary time to research and draft a brief during the end of the fall semester and during the winter break. The brief will be submitted in early February and then the team members will spend 5-8 hours per week in oral argument and attending class sessions on oral argument. The argument rounds are typically held in early April. The team is open to upper division, day and evening students (rising 2D, 3D, 3E & 4E). There are no course prerequisites, however, Appellate Advocacy and Constitutional Law are recommended.

Coach: TBD Faculty Advisor: Professor Gary Williams

NOTE: Because the units earned for participating on the team are applied to the six-unit experiential course graduation requirement, students must participate in the course component as well. The course component requires that the students participate in the week-long Moot Court Summer Writing Program, which takes place in the week before school begins in the evening. The course component also requires that participants attend several supplemental class sessions focused on oral argument skills after the brief is submitted during the semester the students prepare for oral argument.

### **National Environmental Moot Court Competition (2 Units- P/NP):**

The National Environmental Moot Court is a nationwide competition held at Pace University in New York. Typically, around 72 law schools participate. A team of two-three students writes a brief in during the fall (October and November) that addresses a multi-faceted environmental law problem. Students then prepare for oral arguments during the spring semester and the competition is held at Pace University in mid-February. Each team in the competition is guaranteed at least three oral arguments in the first round. The Appellate Advocacy is a prerequisite and Environmental Law and Administrative Law are helpful to students on the team. The team is open to upper division students (rising 3D, 3E and 4E).

Coach: Brian Hembacher Faculty Advisor: Professor Rebecca Delfino

NOTE: Because the units earned for participating on the team are applied to the six-unit experiential course graduation requirement, students must participate in the course component as well. The course component requires that the students participate in the week-long Moot Court Summer Writing Program, which takes place in the evening the week before school begins. The course component also requires that participants attend several supplemental class sessions focused on oral argument skills after the brief is submitted during the semester the students prepare for oral argument.

**UCLA Williams Institute Moot Court Competition- LGBTQ (2 Units-P/NP):**

The UCLA Williams Institute Moot Court Competition is the only national competition focused solely on the issues of sexual orientation and gender identity. The Williams Institute is one of the world's foremost research institutions dedicated to the LGBT community, and has had its research and work cited in landmark legal decisions. The moot court competition held at UCLA Law School draws immensely talented students, along with renowned leaders in the LGBT community, judicial scholars and members of the Judiciary who have authored and participated in major legal cases involving LGBT issues.

The competition will requires participants to write a compelling written brief and compete in a series of appellate arguments. The team consists of 2-3 members, who should expect to spend the necessary time to research and draft a 35 page brief during the end of the fall semester and during the winter break, and in the month prior to the competition, spend 5-8 hours per week in oral argument preparation and attending class session on oral argument. Upper division, day and evening, students (rising 2D, 3D, 3E & 4E) are welcome to participate. There are no prerequisites; however, Appellate Advocacy and Constitutional Law are recommended.

Coach: TBD Faculty Advisor: Professor Anne Wells

NOTE: Because the units earned for participating on the team are applied to the six-unit experiential course graduation requirement, students must participate in the course component as well. The course component requires that the students participate in the week-long Moot Court Summer Writing Program, which takes place in the evening the week before school begins. The course component also requires that participants attend several supplemental class sessions focused on oral argument skills after the brief is submitted during the semester the students prepare for oral argument.

**Scott Teams Open to Rising 2D, 2E and 3E Students:**

**Roger J. Traynor Moot Court Competition Team (2 Units- P/NP):**

The Roger J. Traynor California Appellate Moot Court Competition is a nationally recognized appellate moot court competition. The problem is drawn from a real case in the

California Court of Appeal and is based on California law. The team will consist of two to three members who will research and write the brief and participate in at least two rounds of oral argument at the competition. The problem, which will consist of two issues related to California substantive or procedural law, is released in late December and the students draft the brief during January and February. The brief is usually due in late February and the students prepare for oral arguments by practicing (5-8 hours) several times a week and on the weekend during March. The oral rounds of competition will be held in April in a California city.

The team is open to rising 2Ds, 2E and 3E students. There are no prerequisites; however students who are selected for the team must enroll and complete Appellate Advocacy with Professor Delfino during the summer session or the fall semester prior to the competition. Traynor team members will also automatically be invited to join the Scott Moot Court Honors Board and will be eligible to be on a Scott Moot Court Competition team—the ABA-Advanced Team, National Moot Court Team, the National Criminal Procedure Moot Court Team or the Environmental Moot Court Team the following year as rising 3Ds, 3Es or 4Es.

Coach: TBD Faculty Advisor: Professor Rebecca Delfino

NOTE: Because the units earned for participating on the team are applied to the six-unit experiential course graduation requirement, students must participate in the course component as well. The course component requires that participants attend several supplemental class sessions focused on oral argument skills after the brief is submitted during the semester the students prepare for oral argument.

**Federal Bar Association Thurgood Marshall Moot Court Competition Team (2 Units- P/NP):**

The Younger Lawyers Division of the Federal Bar Association sponsors the Annual Thurgood Marshall Memorial Moot Court Competition, each spring in Washington, D.C. The moot court problems in the competition involving questions of federal statutory or constitutional law and often present issues of first impression or instances where the federal circuit's decisions are in conflict. Several aspects of the competition make it one of the premier moot court competitions in the country. First, every round of the competition is held at a courthouse. Second, all of the individuals who serve as judges in the competition are actual judges, practitioners, or scholars, which reinforces the “real world” experience for competitors. Third, competitors have an opportunity at the awards reception that immediately follows the final round of the competition to network with federal judges and practitioners, who travel from around the country to attend the Federal Bar Association's Leadership Summit. Finally, as an added bonus, each participant in the competition receives a free one-year law student membership in the Federal Bar Association.

The team will consist of two members who will research and write the brief and participate in at least two rounds of oral argument at the competition. The competition problem is released in late December and the students draft the brief during January and February. The brief is usually due in late February and the students prepare for oral arguments by practicing (5-8 hours) several times a week and on the weekends during March. The oral rounds of competition will occur on a weekend in mid-late March in Washington, D.C.

The team is open to rising 2Ds, 2E and 3E students. There are no prerequisites; however students who are selected for the team must enroll and complete Appellate Advocacy with Professor Delfino during the summer session or the fall semester prior to the competition. FBA team members will also automatically be invited to join the Scott Moot Court Honors Board and will be eligible to be on a Scott Moot Court Competition team—the ABA-Advanced Team, National Moot Court Team, National Criminal Procedure Moot Court or the Environmental Moot Court Team the following year as rising 3Ds, 3Es or 4Es.

Coach: TBD Faculty Advisor: Professor Rebecca Delfino

NOTE: Because the units earned for participating on the team are applied to the six-unit experiential course graduation requirement, students must participate in the course component as well. The course component requires that participants attend several supplemental class sessions focused on oral argument skills after the brief is submitted during the semester the students prepare for oral argument.

**American Bar Association National Appellate Advocacy Moot Court Competition: ABA-Team 1 (2 Units- P/NP):**

The ABA National Appellate Advocacy Competition (NAAC) is a moot court competition that emphasizes the development of oral advocacy skills through a realistic appellate advocacy experience. It is the largest, and most competitive moot court competition in the country, with over 220 teams competing from more than 100 law schools. ABA Moot court competitors participate in a hypothetical appeal to the United States Supreme Court raising questions of federal statutory or constitutional law. The competition involves writing a brief as either respondent or petitioner and then arguing the case in front of the mock court. The ABA Team-1 (consisting of 2-3 students chosen from the Moot Court Program open auditions) will work with the ABA-Advanced Team (consisting of 3 students chosen from students who participated in the Scott Moot Court Competition or who have previous moot court team competition experience) to represent the law school in the ABA competition regional.

ABA Team-1 is open to rising 2Ds, 2E and 3E students. There are no prerequisites; however students who are selected for the team must enroll and complete Appellate Advocacy with Professor Delfino during the summer session or the fall semester prior to the competition. The team members will also automatically be invited to join the Scott

Moot Court Honors Board and will be eligible to be on a Scott Moot Court Competition team—the ABA- Advanced Team, National Moot Court Team or the National Criminal Procedure Moot Court Team the following year as rising 3Ds, 3Es or 4Es.

Coach: TBD Faculty Advisor: Professor Rebecca Delfino

NOTE: Because the units earned for participating on the team are applied to the six-unit experiential course graduation requirement, students must participate in the course component as well. The course component requires that participants attend several supplemental class sessions focused on oral argument skills after the brief is submitted during the semester the students prepare for oral argument.

### **Willem C. Vis International Commercial Arbitration Moot (VIS):**

The annual Willem C. Vis International Commercial Arbitration Moot Competition is one of the world's largest and most prestigious international moot court competitions. Each year, students from approximately 300 law schools from more than 65 countries compete by preparing written memoranda and participating in oral arguments held in the March - April period. There are two Vis moots: one held in Vienna, Austria and the other in Hong Kong (SAR). For the foreseeable future, LLS will participate in the Hong Kong competition only. The competition provides students with an unparalleled opportunity to make contacts with preeminent practitioners and fellow students from around the globe and to deepen their knowledge of commercial, international, and procedural law—all in one of the most stunning and vibrant cities in Asia, if not the world.

The Vis Moot is based on a fictitious commercial dispute between two parties in an international arbitration. The format is very similar to an appellate oral argument. The legal issues raised typically involve: (i) international contract law issues under the Convention on Contracts for the International Sale of Goods (CISG), and (ii) arbitration procedure issues arising under international law, domestic law, and/or the rules of various private institutions such as the London Court of International Arbitration. The goal of the competition is to foster the study of international commercial law and arbitration for the resolution of international business disputes and to train law leaders of tomorrow in methods of alternative dispute resolution. For more information on the Vis competition, see <http://www.cisgmoot.org/>

The Vis Moot is a yearlong commitment. The team is responsible for writing two briefs of approximately 35 pages each. The due date for the first brief is in early December, just before exams. The due date for the second brief is in mid-January, around the beginning of the spring semester. After both briefs are submitted, the team will prepare intensively for the oral argument phase of the competition. Team members will take part in an extensive practice schedule that will include, among other things, internal and external moots and participation in a number of pre

moot competitions. Vis team members may not compete in other moots due to the significant time commitments that are required.

Upper division, day, and evening students (rising 2D, 3D, 3E, 4E, LLM, and JSD) are welcome to participate. Team members will earn 1-3 units (at their election) over the year for their participation in the moot. Appellate Advocacy, International Business Transactions, and/or Law of Sales: Domestic and International are recommended but not required. The team will consist of up to 8 members. We have funds to send only 4 students to travel to the competition. We will reserve several spots for 2Ls willing to make a 2-year commitment to the team, which many students find helpful because of the steep learning curve. Those members will not travel to the competition next year but will be guaranteed a travel spot in the following year. If you are interested in being considered for a 2-year commitment please so indicate in your application.

2L and 3E Vis team members making a one year commitment will also automatically be invited to: (1) reapply for the Vis team the following year and/or (2) apply for the Scott Moot Court Honors Board (which will make them eligible to apply for a Scott Moot Court team—the ABA Moot Court Team, National Criminal Procedure, Environmental and National Moot Court Team), subject to any course prerequisites for Scott Moot Court, such as Appellate Advocacy.

NOTE: Because the units earned for participating on the team are applied to the six-unit experiential course graduation requirement, students must attend the week-long Moot Court Summer Writing Program, which takes place in the week before school begins in the evening, as well as several supplemental class sessions focused on oral argument skills after the briefs are submitted.

Coach: Tiffany Schneider. Faculty Advisor: Professor Hiro Aragaki.

#### **OTHER MOOT COURT OPPORTUNITIES:**

##### **Entertainment Law Moot Court (2 Units –P/NP Fall 2022; 2 Units P/NP Spring 2023)**

2D and 2E students may enroll in the Entertainment Law Moot Court Intramural Competition course in the spring. The spring course will focus on the process of working on a moot court competition. There will be three aspects to this course: (1) The Process of Reading a Record Developed at the Lower Court and Developing Written and Oral Arguments on Appeal; (2) Working on a Particular Area Currently At Issue in United States Entertainment Law; and (3) Working on Moot Court Competition Skills. Each student will be given the same problem at the beginning of the semester. Half of the time the course will focus on Appellate Advocacy per above. Half the time the course will focus on Entertainment Law and Moot Court Competition Skills. The course will be co-taught by Adjunct Professor David B. Jonelis (Entertainment Lawyer and Moot Court Competition Coach) and Adjunct Professor Kim Thigpen Tyler. Those three students who prevail in our Intramural competition may be invited to become the Loyola Law School Entertainment Law Team for the Fall 2021 Pepperdine Law School Moot Court Competition



(Malibu) and the Spring 2023 Cardozo Law School BMI Entertainment and Media Law Moot Court Competition (New York City). If any of these students decline the position, the runners-up will be invited to participate

**NOTE: All 2022-2023 Moot Court Teams will be using an oral audition process to choose teams, EXCEPT the Scott Moot Court Honors Board and the Entertainment Moot Court.**