

Cyber Crimes Rules

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1) Objective of UCLA Moot Court Program

- i. The UCLA Cyber Crimes Moot Court Competition is an interscholastic appellate moot court competition that is produced and hosted by the UCLA School of Law Moot Court Honors Program. The competition is sponsored in 2011-2012 by Norton by Symantec and the Society for the Policing of Cyberspace ("POLCYB") to provide law students around the country with a competition focusing on an area of law that is constantly developing. The primary function of all our activities is to provide an educational experience, and any competitive aspect of moot court is secondary.
- ii. The competition is governed by these Rules, and the procedures established under these Rules, by the VP of Cyber Crimes, the UCLA Moot Court Honors Board President, and the UCLA Moot Court Honors Program Faculty Advisor.
- iii. The competition also promotes integrity and esteem in the legal profession.
- iv. All competitors are expected to follow the letter and spirit of these Rules and to maintain the highest levels of professionalism throughout the Competition.

2) Amendments to these Rules

- i. These rules are promulgated in order to provide a basis of conduct for participants. However, the UCLA Moot Court Honors Program Board ("Board") reserves the right to change the rules and standards as necessary to confront changing conditions.
- ii. These rules may be amended at any time including but not limited to limiting the number of overall teams and number of teams allowed to register for the competition.

3) Conduct of Advocates

- i. The ideals of fair play, sportsmanship, friendship, and honesty shall guide the conduct of all participants throughout all moot court activities including, but not limited to, brief writing, competition rounds, breaks between rounds, and organizational meetings.
- ii. Advocates shall strive to exemplify the highest ideals of the legal profession, to maintain the highest standard of ethical conduct, and to strive for competence and integrity. Courtesy toward opposing advocates, judges, and tournament officials is expected at all times.
- iii. All advocates shall strive to diligently undertake the study, preparation, and practice required to present their client's case with integrity and competence.

4) Eligibility to Compete

- i. Each participant must be a candidate for a J.D. degree who is enrolled in law school within the 50 United States or Puerto Rico during the semester or quarter of the competition.
- ii. Each team consists of two participants from the same law school. Each team member is responsible for writing one brief and must complete one "on-brief" oral argument round and one "off-brief" oral argument round during the competition.
- iii. One team member will write a Petitioner brief and one team member will write a Respondent brief.
- iv. There are no alternate team members and each team member must argue in each oral argument round.

5) Schedules

A. Schedule for Registering To Participate

- i. Each team must register for the competition by the registration date and provide the names of the team members by the name registration deadline.
 - 1) Email the final team member names to UCLACyberCrimeMoot@gmail.com by the name registration deadline or the competition spot is forfeited to a waitlist team.
- ii. Each team must submit a registration fee in the amount of \$300.00. In our inaugural year, we hope to reimburse to each team part or all of this registration fee upon successful submission of two qualifying briefs and participation in two rounds of oral argument.
- iii. Initially, only two (2) teams per school will be allowed to participate in the competition with a limit of 36 total teams.
- iv. More teams may be accepted into the competition from each school depending on overall registration, space, and other considerations.
- v. Registration is processed on a first-come, first-served basis. The order is determined by the time and date that the registration form is submitted, and contingent upon receiving the registration fee within a reasonable amount of time after submitting the registration form.
 - 1) Fill out completed registration at: www.law.ucla.edu/moot.
 - 2) Please make checks payable to "UCLA Moot Court Honors Program."
 - a) Mail checks to:
 - i) UCLA Moot Court Honors Program
 - ii) c/o VP of Cyber Crimes
 - iii) UCLA School of Law
 - iv) 405 Hilgard Ave., Mailbox 7
 - v) Los Angeles, CA 90095
- vi. If a team is not ultimately accepted into the competition, the entire registration fee will be

- returned.
- vii. Should a team need to withdraw from the competition, a full refund minus \$15.00 administration fee is available until December 1, 2011. There will be no refunds after that date.
- B. Schedule for Selecting Team Members
- i. Because many law schools hold in-school competitions to select their representatives, specific competitor information is preferred but not absolutely necessary at the time of registration.
 - 1) However, the final competitive team must be designated by the "Team Member Deadline" or the spot is forfeited to a waitlisted team. This date will be available on the UCLA Moot Court Honors Program website: www.law.ucla.edu/moot.
 - 2) There may be no substitution of team members after finalization, except for extreme hardship and with the written consent of the UCLA Moot Court President, the VP of Cyber Crimes, or the UCLA Moot Court Honors Program Faculty Advisor.
 - 3) Any advocate who chooses to withdraw from the competition should inform the VP of Cyber Crimes at UCLACyberCrimeMoot@gmail.com.
 - ii. Each team will be responsible for designating which team member will be the Petitioner and the Respondent for brief writing purposes by the Team Member Deadline.
 - iii. Please note that your teammate will be responsible for writing a brief on the opposite side as yourself, but you will both be responsible for a round of oral argument at Petitioner and as Respondent.
- C. Schedule for Submitting Briefs
- i. After registration is finalized, all teams accepted into the competition will receive a randomly assigned identification number.
 - ii. The team must identify its brief only with its assigned number. No team may include any identifying information in its brief other than its assigned number. Prohibited identifying information includes, but is not limited to, names of team members, name or location of their law school, and any professional affiliation of the team members.

6) Rule Interpretation

- i. Requests for interpretation of these Rules should be addressed to the VP of Cyber Crimes at UCLACyberCrimeMoot@gmail.com. Teams should request interpretations at the earliest date possible, and not later October 28, 2011. All interpretations of these Rules and any waivers, assessments of penalties, or other action taken is within the discretion of the UCLA Moot Court President, the VP of Cyber Crimes, or the UCLA Scoring Officer. Such actions are final, and all participants are bound thereby. The VP of Cyber Crimes will notify all schools of any responses to rule interpretation requests, protests, and other substantive communications by posting information at www.law.ucla.edu/moot.
- ii. The VP of Cyber Crimes will notify each competing school of any substantive change or clarification in the problem by posting information at www.law.ucla.edu/moot.
- iii. Be sure to read both the problem and the rules in their entirety before requesting clarification. Also be sure to refer back to the rules from time to time prior to the competition.
- iv. All interpretations of these Rules and any waivers, consents, assessments of penalties, decisions or other actions taken by the Board in its administration of the Competition shall be in its sole and absolute discretion.
- v. Such interpretations, waivers, consents, assessments of penalties, decisions or actions shall be final, and all participants shall be bound thereby.

7) Unethical Conduct

- i. To make the competition as fair and rewarding as possible, the Board relies heavily on each participant's good faith and high principles to maintain an ethical and professional level of participation. The Board therefore retains the right to disqualify any participant for any

- conduct that it deems unethical.
- ii. One area of conduct that the Board will consider unethical is solicitation of substantive advice regarding the problem after receiving the Competition Packet and prior to the filing of its brief.
 - iii. Specifically, you may not consult attorneys, professors, judges, faculty members, or others trained in the area of law to test your arguments prior to submitting your brief.
 - 1) Competitors are allowed to discuss the problem with their teammate and/or other competitors from the same school, but are not allowed to show their brief to anyone.
 - a) No one other than the two registered team members may prepare, edit, or review their respective briefs.
 - 2) This Rule does not prohibit the use of computerized word processing software (including automated spell-checking systems).
 - iv. After the deadline for brief submission, participants may receive advice and assistance as they prepare for oral arguments. Teams may and should practice mock oral arguments and receive critical feedback.
 - v. In addition, it is unethical to solicit advice regarding proper citations. You may use only the Nineteenth Edition of the Bluebook to cite the cases. The use of any automated or electronic citation aids will result in disqualification.
 - vi. Another area of conduct that the Board will consider unethical is plagiarism, even with consent, of any portion of another participant's brief. The Board expects there to be some similarities in the arguments presented and the style in which they are presented, but if it appears that there is an unusually high degree of similarity, both briefs will be subject to scrutiny and possible disqualification. In order to defend yourself should your brief come under question, you are encouraged, but not required, to keep drafts of your brief as it develops.
 - vii. The Board also considers it unethical to engage in behavior tending to cause other participants to incur penalties or be otherwise disadvantaged.
 - viii. These areas are only examples of conduct that the Board may deem unethical. If you are unsure if a course of conduct is unethical, you are encouraged to contact the VP of Cyber Crimes for guidance.

8) Research

- i. You are to confine your research only to the cases, statutes, and articles listed on the List of Authorities provided with the problem, but do not need to use all of the listed materials. This list contains all of the materials necessary for preparing your written and oral arguments. You may pull the materials off-line or copy them from reporters. **NO OUTSIDE RESEARCH IS ALLOWED.** You **MAY NOT** read the cases cited by the authorized cases or articles or Shepardize or KeyCite the given cases. This means that you cannot provide the subsequent history of a case. Additionally, non-legal research is **NOT ALLOWED.**
- ii. The issues chosen by the Board often reflect current event issues. You may not do general research on these topics, including research into the publicity surrounding these issues. If you feel that a piece of general knowledge is necessary to fully understand the problem or complete the brief, please contact the Board, and we will address these questions.
- iii. Do not address the issues of standing, mootness, ripeness, or jurisdiction unless that is a specific part of your issue.
- iv. **NOTE: ANY ADVOCATE FOUND TO HAVE USED RESEARCH NOT CONTAINED IN THE CASE LISTS PROVIDED WITH THE PROBLEM WILL BE DISQUALIFIED.**
- v. **ALL CITATIONS MUST BE MADE TO MATERIAL ON THE CITE LIST.** You may cite to material that originates from another case but is contained in the authorized case. This is allowed providing that you properly cite to the material that is on the cite list as the source of the material. Be aware, however, that the judges only receive the material on the case list and will determine the extent to which you cite other materials accordingly. See the Bluebook for details on how to cite cases or statutes within cases, as well as how to properly cite to the other authorized authorities you choose to include in your brief. The citations on the

cite list are NOT NECESSARILY in proper bluebook form. Each advocate is responsible for ensuring that citations in his or her brief follow proper form, under the Nineteenth Edition of the Bluebook. You should cite to the record in your

9) Requirements for Briefs

A. Structure

- i. Each brief shall be the product of a single advocate. Each advocate is responsible for writing an Argument Section of at least eight (8) full pages for his or her respective issue. Any advocate who fails to write at least the minimum number of pages in the Argument Section will have his or her brief deemed to be unacceptable. For more information on Unacceptable Briefs, read Section VII below. The entire brief MAY NOT EXCEED seventeen (17) pages of text. For every page exceeding seventeen, or part thereof, we will deduct four (4) points from your brief score. The sections below marked with an asterisk (*) will be included in the text page count:
 - 1) Title Page (which should contain the following information and should be formatted like the Sample Title Page on the Moot Court website)
 - i) Advocate Number
 - ii) Phone number of advocate
 - iii) Identification of which side of the issue the advocate addressed
 - iv) Docket Number (11-01234)
 - 2) Table of Contents
 - 3) Table of Authorities
 - 4) * Questions Presented (these should be copied verbatim from the order granting certiorari)
 - 5) * Opinions Below
 - 6) * Constitutional Provisions and Rules
 - 7) * Introduction (includes summary of argument)
 - 8) * Statement of the Case (includes statement of facts)
 - 9) * Argument (remember – minimum of eight pages per advocate)
 - 10) * Conclusion
 - 11) Signature block
- ii. All briefs must be electronically signed by the advocate with a signature block. The signature block should look like this:
 - 1) Respectfully submitted,
 - 2) /s/ [Advocate Number]
 - 3) [Advocate Number]
 - 4) Attorney for [Petitioner/Respondent]
- iii. EACH BRIEF MUST CONTAIN THE ABOVE LISTED SECTIONS AND IN THE ORDER PRESENTED. Consult the sample briefs on the Moot Court web page at: <http://law.ucla.edu/moot>.
- iv. NOTE: The sample briefs are examples. All advocates are responsible for preparing a brief according to the Rules.
- v. Briefs may be printed only on one side of each page.

B. Style and Format Limitations

- i. All briefs MUST use Courier New font and the type size must be 12 point font. This applies to all portions of the brief, including the page numbers and sections which may not count toward the page limit. It also applies to the footnotes. The Table of Contents and the Table of Authorities should be numbered with lowercase Roman Numerals (i, ii, iii, etc.). The Question Presented through the Signature Block should be numbered with Arabic Numerals (1, 2, 3, etc.). The Title Page should not be numbered.
- ii. Pages shall not exceed 8 1/2" x 11" and typed matter may not exceed 6 1/2" x 9" (i.e. 1" margins on all sides). 1" margins will be calculated by counting 64 characters per line and 24 lines per page. Text must be aligned to the left margin (not justified). Text

and footnotes must be DOUBLE-SPACED, except for point headings and quotes in excess of 50 words, which may be single-spaced in accordance with the Bluebook.

C. Citations

- i. Advocates must follow the BLUEBOOK (the Uniform Rules of Citation (19th ed.)) for all citations in their briefs. As stated above, however, omit the subsequent history of a case.
- ii. BRIEFS MUST CITE TO THE RECORD WHERE APPROPRIATE. Please cite to the Record in the following manner: (R. at [page number]). Consult the sample briefs on the Moot Court web page at: <http://law.ucla.edu/moot/>.

D. Submission

- i. Briefs must be submitted by electronic mail in both a Microsoft Word and PDF version no later than 11:59 PM Eastern Standard Time on November 28, 2011 to UCLACyberCrimeMoot@gmail.com
 - 1) The brief must be prepared using Microsoft Word to ensure that the document is accessible.
- ii. Briefs must be postmarked no later than 7:59pm PM Eastern Standard Time on December 1, 2011, to UCLA Moot Court Honors Program; c/o VP of Cyber Crimes; UCLA School of Law; 405 Hilgard Ave., Mailbox 7; Los Angeles, CA 90095.
 - 1) Each mailed brief submission must include six (6) identical stapled paper copies and one (1) electronic copy on a CD-ROM or floppy disk. The electronic copies must contain both a Microsoft Word and PDF version.
- iii. Each team will learn what team they are going to compete against one (1) month before the competition.
 - 1) Each team member will be provided the brief of the team member of the opposing team via email from UCLACyberCrimeMoot@gmail.com.
 - 1) The information contained within each opposing is to be considered confidential and should not be publicized or distributed beyond any individual team.
- iv. Service on other teams is not required.

10) Unacceptable Briefs

- i. The Board reserves the right to find any brief unacceptable. The Board defines unacceptable briefs as those of such poor quality that we could not present them in good conscience to attorneys, judges, and professors who participate in the competition. Advocates who submit unacceptable briefs will be disqualified, and the participant will not receive a score for his or her brief. THIS RULE WILL BE STRICTLY ENFORCED.
- ii. An advocate who turns in a brief that is deemed unacceptable by three members of the Board will have two options:
 - 1) Withdraw from the competition. No refunds will be given.
 - 2) Resubmit an acceptable brief within 24 hours of being notified that the brief has been disqualified.
- iii. The participant will receive zero (0) points for his or her brief, but will be allowed to participate in oral arguments and will be eligible to score full points for the oral argument portion of the competition.
- vi. NOTE: Acceptance of the brief at the time it is turned in is conditional on the subsequent review of the brief by members of the Board.

11) Appeals

- i. Action by the Board, relevant to any of the above provisions, may be appealed once as a matter of right. All appeals must be in writing and must be submitted to the President of the UCLA Moot Court Honors Program. A Competition Committee will review such written appeals within three (3) school days of their receipt. A majority of the Competition Committee will decide all such appeals. Decisions of the Competition Committee are final.

12) Oral Rounds

A. Schedule for Oral Competition

- i. Each advocate must complete in three rounds of oral argument. Advocates must report to the sign-in table in the front lobby of the law school at least thirty (30) minutes prior to the scheduled start of his or her respective rounds.
- ii. The rounds of oral argument will be SATURDAY, April 7, 2012, with the possibility of additional preliminary rounds on the afternoon of FRIDAY, April 6, 2012. The final round of competition will be on the morning of SUNDAY, April 8, 2012.
- iii. The oral argument rounds are scheduled for both the morning and afternoon. We realize that participants may have preferences as to what times they would like to argue, but given all of the variables in scheduling the arguments, honoring such preferences is not possible. Advocates therefore need to be prepared to argue at any time on the day of oral arguments. Rounds will be assigned at random. Participants will be notified of their assigned times at least one (1) day before the competition.
- iv. Note: If, on the day of oral arguments, there is an uneven distribution of teams, some team members may be asked to argue against their teammates. If you are assigned to a round of this nature, instructions for those rounds will be available at the competition.
- v. Competitors who are not selected to participate in Sunday's final round are invited to observe the competition.
- vi. There is no limitation on the number of practices that a team may hold. Once a team's brief is filed, a person other than a team member may judge a practice round and may critique the team's performance.
- vii. No team member, coach, or faculty advisor of any school still participating in the Competition may attend the argument of any other school or receive information from any person who has attended an argument of any other school. This Rule does not prohibit a person from attending an argument involving a team from his or her own school.
- viii. Video and/or audio taping of oral arguments is prohibited. Visual aids are not permitted during oral arguments.
- ix. The identity of the teams' schools may not be disclosed to the brief judges or the oral argument judges before the end of the Competition. Briefs are identified to the judges solely by team number (e.g., Team 1) and teams are identified in oral argument solely by team number (e.g., Team 1).
 - i. Competitors must preserve their anonymity with respect to the judges and may not reveal their school of origin in any way, including via apparel, jewelry, briefcases or bags, notebooks or notepads, or spoken comments.

B. Structure

- i. During the preliminary rounds, no individual match will be repeated. Each team will argue on-brief at least once and off-brief at least once. Determination of on-brief and off-brief assignments is at the sole discretion of the VP of Cyber Crimes but competitors will know which round they will argue off brief at least one (1) day prior to the competition.
- ii. Oral argument is limited to a total of 30 minutes per side, 15 minutes per team member. Each advocate for the Petitioner will be allowed to reserve up to 5 minutes, out of his or her total 15 minutes, for rebuttal. Petitioner must advise the Court at the beginning of their oral argument if they wish to reserve any rebuttal time and how much rebuttal time they would like to reserve. Rebuttal time will be subtracted from the argument time by the timekeeper.
 - 1) Failure to formally reserve time will result in the forfeiture of all rebuttal time for entire team.
 - i) The first respondent to speak must likewise inform the bailiff, keeping in mind that respondents do not rebut.
 - 2) Petitioners may not raise new arguments in rebuttals. Rebuttals are for the sole

- purpose of responding to issues raised by the respondents.
- 3) Failure to speak for a minimum of ten (10) minutes by any competitor will result in a deduction of 4 points after the averaging of the scores for that round.
 - 4) The ten (10) minute minimum includes the time elapsed during questioning by the judges.
- iii. Judges may interrupt competitors with questions at any time. Competitors may be required to argue for more than their allotted time at the sole discretion of the judges. If judges choose to extend competitors' speaking time, the extension shall not be deducted from the other team member's time allotment.
 - iv. Following a real world format, advocates for Respondent are unable to reserve rebuttal time. All advocates are expected to dress and conduct themselves in a professional manner. Dress as you would for an actual appearance in a court of law.
 - v. The order of arguments will be as follows: Petitioner Team #1, Respondent Team #2, Petitioner Team #1 Rebuttal (if reserved), Petitioner Team #2, Respondent Team #1, Petitioner Team #2 Rebuttal (if reserved).
 - vi. Competitors must stop speaking when the bailiff calls time. However, competitors may request the judges' permission to finish a sentence or thought, and permission may be granted or denied at the judges' discretion. Competitors who continue to speak without the judges' permission will be penalized.
 - vii. At their sole discretion, judges may provide competitors with a brief oral critique after the round has concluded. Any such critique may or may not take place in the presence of both teams.
 - 1) During the competition, competitors and coaches may not discuss the rules, problem, cases, strategy, or scoring, and may not receive any advice, feedback, or coaching from the Cyber Crimes Moot Court Competition judges except as is offered at the end of any particular round and at the discretion of the judge.

13) Penalties

- i. Competitors must be present at their assigned rooms promptly. A penalty of five (5) points will be assessed up to five (5) minutes past the scheduled start time; a penalty of ten (10) points will be assessed up to ten minutes. Competitors who are more than ten (10) minutes late forfeit that round.
- ii. A two point penalty for each 24-hour period, or part thereof, for late filing of the electronic copies that must be e-mailed to the UCLA VP of Cyber Crimes. If the VP does not receive a team's electronic copies by November 28, 2011 at 11:59pm EST, the burden is on the team to prove compliance with this rule
 - 1) While the electronic brief does not need to be signed, it must contain a signature block. Each advocate is solely responsible for reviewing the electronic brief prior to submission to ensure that it conforms to these requirements.
- iii. There will be no penalty-free extensions given, unless the advocates get PRIOR approval from the UCLA Moot Court Honors Program President, the VP of Cyber Crimes, or the UCLA Moot Court Honors Program Faculty Advisor. Extensions will only be allowed under extraordinary circumstances. Once briefs have been submitted they may not be returned, further edited, or resubmitted for any reason.
- iv. A five (5) point brief penalty for including matter within the brief that tends to identify a team, its law school, or the members. This penalty does apply to any identifying information on the cover section of the electronic copies.
- v. A two (2) point brief penalty for each 24-hour period, or part thereof, for late delivery to an overnight delivery service or to the VP of Cyber Crimes by hand. If the VP does not receive a team's original briefs and floppy disk or CDROM by December 1, 2011, the burden is on the team to prove compliance with this rule.
- vi. A two (2) point brief penalty for failing to include the correct team number on the electronic briefs filed.
- vii. The Board may assess such penalties, including disqualification, as it deems reasonable and appropriate in its sole and exclusive discretion for failure to comply with the Rules or

- deadlines set pursuant to these Rules.
- viii. All the briefs in the Competition shall be subject to uniform penalties for each type violation.

14) Parties

- i. In the briefs and in oral arguments, advocates should refer to the appealing party as Petitioner and the responding party as Respondent, rather than as appellant and appellee.

15) Scoring

A. Generally

- i. Each advocate is scored individually for his or her brief and for his or her individual oral performance. Briefs are scored by the judges prior to the competition. Each advocate’s scores will be made available to him or her in the weeks following the competition.
- ii. Below, Section B explains how scores for advocates’ briefs and oral performances are calculated. Section C contains the scoring guidelines and score sheets that are distributed to each judge, while Section D explains how scores are weighted. Section E provides for penalties that may be assessed against an advocate’s brief score.
- iii. An advocate’s score for each round will represent their oral performance. If any team is required to argue in more than two rounds on the day of competition, only the scores from the team’s first two rounds of oral argument will be calculated into their final oral argument scores.
- iv. Note: All rules and guidelines relating to scoring are subject to revision by the scoring officer, Gavin Campbell, prior to the deadline for submission of advocates’ briefs. Any revisions to rules or guidelines governing scoring will be posted on the Moot Court web page. Each advocate is responsible for checking

B. Calculating Scores

- i. Every effort will be made to have at least four (4) judges present in each round of the competition, so that, at the end of the competition, each advocate will have been judged on their oral presentation by at least eight (8) judges. Judges will also grade participants’ briefs. Each judge may assign an advocate a maximum brief score of 50 and a maximum oral performance score of 50.
- ii. To calculate an advocate’s brief score, the highest and lowest brief scores received by the advocate are dropped first. The remaining brief scores are then averaged to obtain a raw brief score. Finally, any penalties imposed by the Competition Committee are deducted from the raw brief score to obtain a final brief score (see Section E for an explanation of penalties). The final brief score comprises 40% of an advocate’s final competition score.
- iii. The remaining 60% of an advocate’s final competition score is comprised of the advocate’s final oral performance score. The final oral performance score is calculated similarly to the final brief score. The highest and lowest oral performance scores are dropped, regardless of the judges that assigned these scores. The remaining oral performance scores are then averaged to obtain the final oral performance score.
- iv. The following example illustrates how scores are calculated:

	Brief Scores Oral	Performance Scores
Round 1		
Judge #1	40	44
Judge #2	42	38
Judge #3	44	43
Round 2		
a) Judge #4	38	40
Judge #5	41	42

Judge #6	40	39
Round #3		
Judge #7	42	39
Judge #8	40	40
Judge #9	41	42

- v. To calculate the raw brief score, the highest and lowest brief scores of 44 and 38 are dropped. The remaining scores (40, 40, 40, 41, 41, and 42, 42) are averaged to obtain a raw brief score of 40.85. Any penalties are then deducted from this raw brief score for the final brief score. For the purposes of this example, it will be assumed that the advocate incurred a two (2) point penalty. Two (2) points are thus deducted from the raw brief score for a final brief score of 38.85.
- vi. To calculate the oral performance score, the highest and lowest oral performance scores of 44 and 38 are dropped. The remaining scores (39, 39, 40, 40, 42, 42, and 43) are averaged to obtain a final oral performance score of 40.71
- vii. The advocate’s final brief score and final oral performance score are then added to obtain the advocate’s final competition score. Here, the advocate’s final competition score is 79.56.
- viii. Note: All scores, including raw brief scores, final brief scores, and final oral performance scores, will be rounded to the nearest hundredth decimal for ease of calculation. Thus, a raw brief score of 39.758 is rounded to a raw brief score of 39.76.

C. Scoring Guidelines and Score Sheets

- i. The following is a reproduction of the Brief Scoring Guidelines and Brief Score Sheet that are distributed to all judges:
 - 1) Brief Scoring Guideline:
 - a) **IMPORTANT:** Please read and follow the rubric below in scoring advocates’ briefs. This is extremely important to maintaining consistency in scoring. The rubric should be applied to each category in which a score is required. However, we have also provided you with a list of factors for consideration with respect to each score category. No list of factors is exhaustive, nor are you required to give consideration or equal weight to all factors listed. We have merely attempted to provide you with some guidelines in assigning scores. Each of the score categories will be weighted in accordance with the official scoring rules. Weighting will be performed by the Moot Court Executive Board following the submission of scores.

Score	Description
10	EXCEPTIONAL; unique; extremely persuasive and outstanding use of authority; extraordinarily advanced writing skills. (A rare score)
9	NEARLY PERFECT; consistent and well-organized; very persuasive and high quality writing; effective in advocating client’s position.
8	VERY GOOD; a few errors; maintained quality of argument; focused on pertinent issues.
i) 6-7	GOOD; particularly solid brief; effective ideas.
5	COMPETENT; adequate presentation and representation of client’s position; no significant flaws in the argument.
4	FAIR; lacks polish; needs improvement; misunderstood some issues or failed to present the client’s position satisfactorily.

3	POOR; must improve technical writing skills; needs help in persuasive writing.
1-2	INADEQUATE; lacks basic skills; substantial misunderstanding of major issues; total lack of preparation. (A rare score)

2) Brief Scoring Sheet

- a) INTRODUCTION AND ISSUES PRESENTED: Score: 1 – 10
 - One. Does the brief frame the issues concisely and intelligibly?
 - Two. Does the introduction summarize the argument persuasively?
 - Three. Is the introduction well-written?
 - b) STATEMENT OF THE CASE: Score: 1 – 10
 - One. Does the statement of the facts tell a compelling story?
 - Two. Is it well-organized?
 - Three. Did the advocate avoid distorting or misusing the facts?
 - Four. Does it include only relevant material?
 - Five. Does it foreshadow the legal arguments?
 - c) LEGAL ARGUMENT: Score: 1 – 10
 - One. Does the brief use relevant authority?
 - Two. Does it work with the facts in the case law and avoid merely stating abstract principles?
 - Three. Does it make reasoned arguments?
 - Four. Do the headings advance the argument?
 - Five. Is the brief persuasive?
 - Six. Is the organization logical?
 - d) STYLE AND PROFESSIONALISM: Score: 1 – 10
 - One. Does the brief use proper grammar, sentence structure, spelling, and punctuation?
 - Two. Is the overall presentation clear?
 - Three. Is it respectful?
 - Four. Does it correctly cite the decisions and the record according to the Bluebook?
 - Five. Is it neat and technically precise?
- ii. The following is a reproduction of the Oral Performance Scoring Guidelines and Oral Performance Score Sheet that are distributed to all judges:

1) Oral Performance Scoring Guidelines

- a) IMPORTANT: Please read and follow the rubric below in scoring advocates' oral performances. This is extremely important to maintaining consistency in scoring. The rubric should be applied to each category in which a score is required. However, we have also provided you with a list of factors for consideration with respect to each score category. No list of factors is exhaustive, nor are you required to give consideration or equal weight to all factors listed. We have merely attempted to provide you with some guidelines in assigning scores. Each of the score categories will be weighted in accordance with the official scoring rules. Weighting will be performed by the Moot Court Executive Board following the submission of scores.

Score	Description
10	EXCEPTIONAL; unique; extremely persuasive and outstanding use of authority; extraordinarily advanced oral advocacy skills. (A rare score)
9	NEARLY PERFECT; consistent and well-organized; very persuasive and high quality presentation; effective in advocating client's position.

	8	VERY GOOD; a few errors; maintained quality of argument; focused on pertinent issues.
i)	6-7	GOOD; solid effort; effective ideas.
	5	COMPETENT; adequate presentation and representation of client's position; no significant flaws in the argument.
	4	FAIR; lacks polish; needs improvement; misunderstood some issues or failed to present the client's position satisfactorily.
	3	POOR; must improve basic oral advocacy skills; needs help in presenting a persuasive argument.
	2	INADEQUATE; lacks basic skills; substantial misunderstanding of major issues.
	1	UNACCEPTABLE; total lack of preparation. (A rare score)

2) Oral Performance Scoring Sheet

a) OPENING: Score: 1 – 10

One. Did the advocate . . .

First. Quickly summarize the party's basic position?

Second. Speak clearly and confidently with limited reliance on a written statement?

Third. Offer a roadmap as an overview of the party's arguments?

b) PRESENTATION OF THE MERITS: Score: 1 – 10

One. Did the advocate . . .

First. Effectively maintain a theme?

Second. Make well-reasoned arguments?

Third. Focus on the important issues raised by the case?

Fourth. Organize the arguments well?

Fifth. Demonstrate mastery of the facts and the decision below?

Sixth. Exhibit knowledge and understanding of relevant precedent and policy?

c) RESPONSIVENESS TO THE BENCH: Score: 1 – 10

One. Was the advocate prepared for questions that could be reasonably anticipated?

Two. Did the advocate respond to the bench's questions and concerns effectively?

Three. Did the advocate resume his or her argument when appropriate after bench interruptions?

d) DEMEANOR AND PROFESSIONALISM: Score: 1 – 10

One. Did the advocate . . .

First. Present the argument smoothly and confidently?

Second. Display a courteous and respectful attitude toward the court when responding to the bench?

Third. Minimize the use of notes?

Fourth. Maintain eye contact and use appropriate gestures?

Fifth. Develop a rapport with the bench?

Sixth. Avoid distracting fillers (e.g., "um")?

Seventh. Avoid unnecessary shifting or fidgeting?

Eighth. Dress appropriately?

D. Weighting Scores

i. Each judge is asked to score an advocate's brief on a scale of one (1) to ten (10) in each of four categories:

- 1) Introduction and Issues Presented
- 2) Statement of the Facts

- 3) Legal Argument
 - 4) Style and Professionalism
 - ii. Each of the scores for these four categories is weighted equally, with the exception of the score for Legal Argument, which is weighted by a factor of 2.0 to yield a total possible raw brief score of 50 (10 + 10 + (10 x 2.0) +10).
 - iii. Oral performance scores are weighted similarly. Each judge is asked to score an advocate's oral performance on a scale of one (1) to ten (10) in each of the following four categories:
 - 1) Opening
 - 2) Presentation of the Merits
 - 3) Responsiveness to the Bench
 - 4) Demeanor and Professionalism
 - iv. Each of the scores for these four categories is weighted equally, with the exception of the score for Presentation of the Merits, which is weighted by a factor of 2.0 to yield a total possible oral performance score of 50 (10 + (10 x 2.0) + 10 + 10).
- E. Brief Scoring Penalties
- i. The Scoring Office may assess such penalties, including disqualification, as it deems reasonable and appropriate. The decision of the Scoring Office, the Moot Court Honors Program President, and the VP of Cyber Crimes shall be final.
 - ii. It is imperative that every advocate familiarize himself or herself with the requirements for briefs as delineated in these rules and with the penalties listed that will be assessed for violation of these rules. While many violations will result in deductions of what may seem a small number of points, any deduction has the potential to be significant. In the past, the differential between the top advocates' raw brief scores have been as small as one or two points. The deduction of even one penalty point from an advocate's raw brief score can mean the difference between the advocate winning an award and having that honor pass to the next highest-scoring participant. Therefore, we strongly urge all advocates to allow sufficient time to ensure that their briefs comply completely with all style and formatting requirements.
 - iii. The following are the penalties that may be assessed. All such penalties will be deducted from an advocate's raw brief score, as defined in Section B.
 - 1) Penalties Relating to Submission of Briefs:
 - a) Two (2) point penalty for failing to submit a copy of your affidavit (see the last page of these rules) with your electronic brief submission.
 - b) One (1) point penalty for failing to submit the electronic brief in PDF format
 - c) One (1) point penalty for failing to submit the electronic brief as one document
 - d) One (1) point penalty for failure to properly format the title of the submitted electronic brief: (Team #)+(advocate #)+(Petitioner or Respondent). For example: 1+27+Smith+Petitioner.
 - e) One (1) point penalty for failing to submit the affidavit in PDF format.
 - f) One (1) point penalty for failure to properly format the title of the submitted affidavit: (Team #)+(advocate #)+(Petitioner or Respondent)+AFFIDAVIT. For example: 1+27+Petitioner\+AFFIDAVIT.
 - 2) Penalties Relating to Formatting of Briefs
 - a) Four (4) point penalty for the first and each subsequent page (or part thereof) that exceeds the page limit
 - b) Three (3) point penalty for failing to adhere to the 1" margin requirement (calculated by counting 64 characters per line and 24 lines per page) on any page
 - c) Three (3) point penalty for failing to adhere to the 12 pt. font size requirement on any page
 - d) Three (3) point penalty for failing to adhere to the font requirement of

Courier New on any page

- e) Two (2) point penalty per two lines of non-double spaced text on any page included in the page count, except for point headings and quotes of more than 50 words in accordance with the Bluebook
- f) One (1) point penalty if only the page numbers fail to comply with either the font type or font size requirements
- g) One (1) point penalty for errors in numbering the brief pages, (i.e. table of contents should start on ii, not i. The Question Presented should start on 1.)

3) Additional Penalties

- a) Disqualification for writing the brief for the wrong side (either Petitioner or Respondent) as determined by the advocate number assigned by the VP of Cyber Crimes. You must write for the side and issue that the VP assigns to you.
- b) Five (5) point penalty for partners who switch between Issue One and Issue Two within their team without permission from the VP of Cyber Crimes prior to submitting their brief
- c) Four (4) point penalty for failure to include any of the following elements: title page, table of contents, table of authorities, questions presented, opinions below, constitutional provisions & rules, introduction, statement of the case, argument, conclusion, and signature block
- d) Three (3) point penalty for failing to include your phone number or the correct advocate number, team number, or party (Petitioner or Respondent) on the title page of the brief.
- e) The Board reserves the right to assess additional penalties for lack of professionalism as it deems appropriate.
- f) Maximum penalty for any combination of violations: 15 points

iv. Note: Penalties will be deducted from each advocate's individual brief score.

F. Competition Committee

- i. The Competition Committee is comprised of the President, Joy Odom; Vice President of Cyber Crimes, Eli Alcaraz; and the Scoring Officer, Gavin Campbell. All Competition Rules are enforced under the sole discretion of the Competition Committee. When the impact of an alleged violation of these Rules is so insignificant as to be determined by the Competition Committee to be de minimis, the Competition Committee may modify or waive the penalty. Any de minimis exception shall be applied uniformly to all advocates. The Competition Committee has the sole discretion to interpret these Rules. No interpretation of these Rules is valid unless obtained in writing from the Competition Committee. The Competition Committee has the sole power to resolve any dispute that may arise during the competition.
- ii. The Competition Committee may, in consultation with and upon approval of the Board, promulgate such other measures as may be deemed advisable for the orderly conduct of the competition or to correct deficiencies in the competition. Modifications shall not violate the spirit of these Official Rules or the best interests of the competition. Changes and supplements will be communicated to participants as quickly as possible.
- iii. Note: Any questions or inquiries about the competition should be directed to the UCLA Cyber Crime Moot@gmail.com. To the extent a question or inquiry affects other advocates, a copy of each written question and answer will be posted (anonymously) on the Moot Court web page.
- iv. Questions or inquiries about the Rules and Scoring may be addressed to UCLA Cyber Crimes Moot@gmail.com.
- v. Similar to questions about the problems, all rules and scoring questions that may affect other participants will be posted to the Moot Court web page.

16) Awards

- A. Awards will be based on the following calculation:
 - i. Briefs scored out of 50 points.
 - ii. After two rounds of oral argument, scores calculated as follows:
 - 1) Add each team member's averaged brief score (perfect score would be 100 [50 point average for petitioner and 50 point average for respondent])
 - 2) Round 1:
 - a) Drop the high and the low judge score and average remaining scores.
 - b) Do this for each team member and then add their scores (perfect score would be 100 [50 point average for person arguing on brief and 50 point average for person arguing off brief])
 - 3) Round 2: Repeat round 1 calculations.
 - 4) At the conclusion of two preliminary rounds, a total score for each team will be calculated. The total score will be calculated as follows:
 - a) 40% based on the team's total brief score.
 - b) 60% based on the oral argument rounds.
 - iii. Top two teams compete in the final round.
 - 1) Tie breakers by adding up the total available scores (all petitioner's brief scores, all respondent's brief scores, all round 1 petitioner oral scores, all round 1 respondent oral scores, all round 1 petitioner oral scores, all round 2 respondent oral scores).
 - iv. Finalist teams will compete before our finalist judges
 - v. Scoring for final round:
 - 1) New life = the oral scores will be the entire metric.
- B. The winning team selected in the Final Round and the runner-up team will receive an award.
- C. Best oral advocate, Petitioner and Respondent
 - i. The Best Oral Advocate in the Competition is selected on the basis of performance in the preliminary rounds. To be eligible for consideration, an advocate must argue in each round in which his or her team competes. The Best Oral Advocate will be the person with the best average counsel rank in the preliminary rounds.
 - 1) Brief score will break a tie.
- D. Best brief, Petitioner and Respondent

17) Questions and Concerns

- A. Students may e-mail the VP of Cyber Crimes at UCLACyberCrimeMoot@gmail.com with general questions regarding the competition. Specific questions relating to the problem, rules, or scoring should be addressed to the board members listed below.
- B. Questions or inquiries about the problems may be addressed to:
 - 1) Jonathan Tobin at: tobin2012@lawnet.ucla.edu
- C. The deadline for questions regarding the problem is October 28, 2011 so that responses may be given within a reasonable period before the brief is due. No student questions will be answered after this time although the problem developers and Executive Board reserve the right to provide further guidance or clarifications as they see fit.
- D. Questions or inquiries about the rules and scoring may be addressed to:
 - 1) ULCACyberCrimeMoot@gmail.com
- E. The deadline for questions regarding rules and scoring is October 28, 2011. The Board reserve the right to clarify the rules at any point before the brief due date. The purpose of the deadlines for questions regarding the problems or rules is to limit possible distractions while participants are finishing their briefs.
- F. Responses to any questions shall apply to all participants.

18) Affidavit

- A. I hereby certify that the brief for advocate ____ is the product solely of the undersigned and

that the undersigned has not received any faculty or other assistance in connection with the preparation of the brief. Moreover, I affirm that I have read and understood the Official Rules and Standards for UCLA Moot Court Honors Program.