

**FIFTIETH ANNUAL WILLIAM B. SPONG, JR. INVITATIONAL
MOOT COURT TOURNAMENT
WILLIAM & MARY LAW SCHOOL
FEBRUARY 12-14, 2021**

TOURNAMENT RULES

Each year, the William & Mary Law School Moot Court Board (“the Board”) hosts the William B. Spong, Jr. Invitational Moot Court Tournament (“the Tournament”) in honor of the late William B. Spong, Jr., former Virginia Delegate and Senator, U.S. Senator, and Dean of William & Mary Law School. We are delighted that you have chosen to compete. The Tournament will be held virtually with all teams competing online. We have made this decision carefully and out of an abundance of caution and care for our competitors, judges, and the William & Mary community given the uncertainty of the COVID-19 pandemic.

The Board prepares and distributes the competition problem (“the Problem”). By entering the Tournament, each participating school agrees not to make any use of the Problem except in connection with the Tournament. Written consent must be obtained from the Board for use of the Problem in connection with an inter- or intra-school competition, advocacy course, or any other program unrelated to the Tournament. The Problem may not be used to select a participating school’s team members for the Tournament. Briefs submitted to the Tournament become the property of the Board and will not be returned.

The persons and events depicted in the Problem are purely fictional and were prepared solely for the educational exercise of this Tournament. Any resemblance to actual persons, living or deceased, is unintentional and purely coincidental.

BRIEF CERTIFICATION

By submitting a brief in the competition, each team member certifies that such brief has been prepared in accordance with the Rules and that the brief represents the work product of only registered members of the team. A written statement to this effect, electronically signed by the participants, must be included as a separate attachment when the brief is submitted to the Board. *See* Appendix III of the Rules for the certification form.

HONOR CODE CERTIFICATION

Given the COVID-19 pandemic and the nature of a virtual competition, each team must complete an electronic certification, at the conclusion of each of their oral argument rounds, that they neither provided nor received any unauthorized assistance during their argument round. A link will be emailed to teams immediately after the conclusion of their argument and teams must complete the certification within ten-minutes of the conclusion of their argument. *See* Part III(A)(1)(k): Arguments and Part III(F): Penalties.

RECORDING & BROADCASTING POLICY

No video or audio recording of argument rounds by teams or spectators is permitted. All oral arguments will be recorded by the Board to ensure the integrity of the Tournament. Once the round is completed, the time for submitting objections has passed, and the round has been certified, the recording will be deleted. A student's decision to enter and participate in the competition constitutes consent to videotaping, photography, or other recording. Videos, photographs, and audio recordings may be posted to the William & Mary Law School website, streamed to the public live, used in print publications, and otherwise distributed by the school.

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Part I. Teams

A. Number of Teams

1. Each participating school may enter one or two teams.

B. Composition of Team

1. Each team may be comprised of two or three students.
2. No team member may hold a law degree.
3. Team members must be registered in at least six credit hours in a Juris Doctor program in the law school that they represent and must also be in good standing.
4. A team comprised of three members may designate brief writing tasks as desired. For instance, one team member may write the brief while the remaining two members compete in the oral advocacy portion of the competition.
5. Each team must have two competitors present for each oral argument in each round.
6. All competitors who wish to participate in oral arguments must argue in at least one of the preliminary rounds. Failure to argue during the preliminary rounds forfeits the competitor's ability to argue in further rounds. In the event of an emergency or extreme hardship, the Board reserves the right to permit a team to substitute the third team member to argue despite their absence in the preliminary rounds.
7. The Brief Certification form must accompany the brief. *See* Appendix III. Only those individuals whose names appear on the certification form will be considered registered team members.

C. Substitution of Team Members

1. Given the COVID-19 pandemic, the Board reserves the right to allow a team to substitute a new competitor only in the event of extreme hardship. However, there will be no substitution of team members allowed after commencement of the first oral argument. A team must obtain permission from the Spong Justice in order to substitute a new competitor.
2. If a substitution is necessary after the brief is submitted, the name of the new member shall be forwarded to the Spong Teams Assistant, Gabrielle Bohannon, at wmspong2021@gmail.com, as soon as possible.

3. If a substitution is made before the brief is turned in, the team member who was replaced may not provide further assistance on the brief. The name of the new member shall be forwarded to the Spong Teams Assistant, Gabrielle Bohannon, at wmspong2021@gmail.com, as soon as possible.
4. The team must submit, for acceptance by the Board, a statement of reasons of extreme hardship for the substitution. If time constraints do not permit advance notice, the name of the new team member and the reasons for substitution must be given to the Board by check-in on Thursday, February 11, 2021.
5. All determinations of extreme hardship will be made by the Spong Justice.

Part II. Briefs

A. Assignment of Side

1. Each team will serve as counsel for either Petitioner or Respondent for purposes of preparing the brief. The Spong Teams Assistant will assign each team their role after processing the team's entry form. Teams must prepare the brief for their assigned side.
2. Where a law school has entered two teams, the teams will be assigned to brief opposing sides.

B. Length and Form

1. Briefs shall not exceed forty pages, exclusive of the Cover Sheet, Questions Presented, Table of Contents, Table of Authorities, and Appendices.
2. Briefs shall be typed and double-spaced. All briefs must be submitted in Times New Roman, 12-point font. Any footnotes shall be in Times New Roman, 12-point font and single-spaced. All margins shall be set at one inch. Any partially filled page shall be counted as a full page.
3. Any violation of these rules will result in a penalty. *See* Part II(J): Penalties.

C. Brief Components

1. The brief shall contain the following components: Cover Page, Table of Contents, Table of Authorities, Questions Presented, Opinions Below, Constitutional Provisions and Statutes Involved, Statement of the Case, Summary of the Argument, Argument, and Conclusion. There is no need to include a jurisdictional

statement or list of the parties. Appendices may only be used to report the content of statutes, constitutions, and regulations not generally available.

2. Briefs shall follow, in all aspects, the format prescribed for briefs by the Rules of the United States Supreme Court, except as otherwise expressly specified by these Rules.

D. Cover Sheets and Indices of Authorship

1. Petitioner's brief shall have a blue cover and Respondent's brief shall have a red cover. Each team will be assigned a competition number by the Spong Teams Assistant. This number should appear on the bottom right corner of the brief.
2. Briefs shall not be signed and no subject matter serving to identify a team, or its members shall appear anywhere on the cover or within the brief itself. *See Part II(J): Penalties.*

E. Format

1. All citations shall comply with the rules prescribed in *The Bluebook: A Uniform System of Citation* (21st ed. 2020).

F. Service of Briefs

1. Each team must serve, via email, an electronic copy of its brief to the Board in both Adobe Acrobat .pdf and Microsoft Word .doc or .docx formats to wmspong2021@gmail.com.
2. **Briefs must be electronically served by 5:00 PM (EST) on Monday, January 18, 2021.**
3. A Brief Certification must accompany each submitted brief. *See Appendix III.*
4. Any late filing will result in a penalty against the brief. *See Part II(J) Penalties.*
5. Posting of Briefs – All timely briefs will be posted on the Spong Tournament website by **January 22, 2021**. They can be found by following the below link on the William and Mary Moot Court Spong Tournament website:
<http://law.wm.edu/studentlife/studentorganizations/spong/index.php>.

G. Brief Scoring

1. Brief Graders: Each registered team shall select at least one faculty member, adjunct faculty member, or practicing lawyer to serve as a brief grader. Each team must provide the Spong Teams Assistant with the name and contact information of their designated brief grader at wmspong2021@gmail.com.
 - a. Team faculty advisors or other persons directly associated with the school's moot court team are not eligible to serve as graders. **See Part II(J): Penalties.**
 - b. Each grader shall score the briefs for between four (4) and eight (8) teams.
 - c. **Brief scores are due by 11:59 PM (EST) on Friday, February 5, 2021.**
 - d. If a school sending more than one team selects only one brief grader, the Board will assign no more than eight (8) briefs to that brief grader.
 - e. Brief graders shall not score a brief submitted by a team from their law school.
 - f. **Failure to name a brief grader by 11:59 PM on December 18, 2020, or failure of the brief grader to submit grades on time will result in penalties being assessed against the team's brief score. See Part II(J): Penalties.**
2. Blind Grading
 - a. To ensure impartiality, each brief will be "blind graded" by graders provided by each participating school. As specified in Part II(D)(2), nothing in the brief may identify the law school submitting the brief or the team members who wrote the brief.
 - b. Scoring of the briefs shall be within the discretion of the individual grader, as guided by the Brief Score Sheet (attached as Appendix I to these Rules).
 - c. The Board reserves the right to employ faculty members, adjunct faculty members, or practicing lawyers as brief graders if the need arises.

H. Outside or Other Assistance

1. No team shall receive any assistance of any kind from any faculty member or other person prior to the filing of their brief, including any assistance from, or sharing or comparison of research or work product with, members of a competing team from the same or different school. Submission of a brief represents a certification by the participating team that its brief is the work product of only the registered team members.

2. This rule shall not be construed to prohibit the use of computerized researching or word processing software (including automated cite-checking or spell-checking systems).
3. After filing the brief, a team may have limited assistance in preparing for oral argument including the judging of mock arguments by faculty or others. During these mock arguments, teams may receive critiques of style and may engage in general discussions of the substantive issues. Such critiques and discussions may not be designed to script the oral arguments. Teams from the same school may practice together.

I. Plagiarism

1. Definitions

- a. Plagiarism occurs when a student, with intent to deceive or with reckless disregard for proper scholarly procedures, presents any information, ideas, or phrasing of another as if such words were their own and does not give appropriate credit to the original source.
- b. “Intent to Deceive” occurs when someone purposefully misleads by a false appearance or statement, to present information, ideas, or phrasing of another as if they were his or her own and does not give appropriate credit to the original source.
- c. “Reckless Disregard for Proper Scholarly Procedure” occurs when a significant amount of improperly attributed material is presented as if it were the student’s own work.
- d. “Proper Scholarly Procedures” require that all quoted material be identified by quotation marks, or indentation on the page, and the source of information and ideas, if from another, must be identified and attributed to that source.

2. Review

Questions of plagiarism will be referred to a review committee, headed by Spong Justice to decide whether plagiarism has occurred under Part II(I)(1)(i). Any team under review will be notified of both the existence of a review and its results.

3. Sanctions

Teams found in violation of plagiarism under Part II(I)(1)(i) will be sanctioned with disqualification. Any team found in violation of plagiarism under Part II(I)(1)(i)

will be notified of their disqualification. A team's disqualification is final and irrevocable.

J. Penalties

The Board may assess such penalties, including disqualification, as it deems reasonable and appropriate for failure to comply with the Rules.

Specific penalties which shall be assessed include:

1. Ten (10) points for briefing the wrong argument side.
2. Ten (10) points for grader failing to grade on time or not completing the grading process.
3. Ten (10) points for failure to provide a brief grader on time.
4. Ten (10) points for assigning a brief grader affiliated with the assigning team's moot court team.
5. Six (6) points for failure to use correct line spacing for text and footnotes.
6. Five (5) points per calendar day for late or improper service of brief.
7. Five (5) points for using improper font.
8. Three (3) points per occurrence for improper indication of school or authorship.
9. Three (3) points for failure to submit a Brief Certification with their copy of the team's brief.
10. Two (2) points per page, or portion thereof, beyond the forty-page limit (and any such pages will not be read).
11. One-quarter (1/4) point for each page containing a violation of either the vertical or horizontal margin limitations. Teams may be penalized for multiple violations on any single page.
12. The Board reserves the power to impose any reasonable penalty, including disqualification, for violations of any rules for which a specific penalty is not stated above.

Part III. Arguments

A. Virtual Oral Argument Rounds

Oral arguments will be conducted virtually via Zoom. Teams are responsible for their own internet and video conferencing capabilities. Competitors will connect to the round via Internet. However, each competitor should be prepared to connect by the call-in function in the event of an internet service failure. A competitor must not be connected by more than one device at a time.

A schedule of events for the weekend will be available to teams prior to the Tournament.

1. Etiquette Rules for Virtual Rounds

- a. Competitors should report to their Zoom courtroom at least 20 minutes before the start of their scheduled round. If a team is more than 10 minutes late to the start time of their scheduled round, then the team will forfeit the round. **See Part III(G): Penalties.**
- b. Judges will be admitted to the Zoom courtroom after all competitors are properly connected.
- c. Competitors should keep their name visible on the Zoom window and should display their name as follows: “Name” – “Team #” – “Petitioner/Respondent”. Competitors should not identify their school at any time. **See Part III(G): Penalties.**
- d. Competitors should ensure that the room they choose to argue in looks professional, is free from distractions, and includes nothing that could identify the competitor’s school. **See Part III(G): Penalties.**
- e. Each advocate is expected to dress in full courtroom attire for each argument.
- f. Advocates may choose whether to sit or stand while arguing.
- g. Advocates may compete in the same room, if permitted by their school. However, advocates must use their own computers and log into zoom separately. However, advocates may not speak to each other during the round. Communication between co-counsel is permitted via electronic form (i.e. text messaging) so long as competitors do not communicate with each other during their co-counsel’s round or offer assistance or guidance to their co-counsel during their oral argument.
- h. It is not uncommon for competitors logged into zoom on multiple devices in the same room to experience feedback. If competitors are to compete in the same room, it is their responsibility to have tested for this and to be prepared to account for it (i.e. making sure the volume is adjusted on the computer for the non-competing party).
- i. Coaches and third team members are not permitted to be in the same physical space as the competitors. Coaches and third team members may not communicate in any capacity with team members during their round.
- j. Guests are not permitted to attend to the zoom argument nor be present in the same physical space as the competitors. Guests will be allowed to attend the

final round via zoom, but still may not be present in the same physical space as the competitors.

- k. In the case of a three (3) member team, all three (3) members are permitted to attend the round. However, the third team member may not participate in the round and must keep their video and audio off for the entire round. The third team member shall display their name as follows: “Third Team Member” – “Team #” – “Petitioner/Respondent”.
 - l. Coaches are permitted to attend the round. However, the coach may not participate in the round and must keep their video and audio off for the entire round. The coach shall display their name as follows: “Coach” – “Team #”.
 - m. Team members may not communicate with a third team member who is not arguing in the round, a coach, or anyone else other than a judge, Tournament Bailiff, or Moot Court Board member administering the Tournament.
 - n. Advocates may have copies of the problem, rules, briefs, and research in hard copy or electronic form with them during the argument. However, advocates may not access electronic devices for any other reason, except to participate in the oral argument via Zoom or to communicate with co-counsel as permitted by these Rules.
 - o. No team member, coach, or guest shall record any portion of any round.
 - p. All competitors must submit an electronic certification that they neither received nor gave any unauthorized assistance following each of their argument rounds. If this certification is not completed, the competitors will receive a penalty. **See Part III(G): Penalties.**
2. Team Check In – Thursday, February 11

Each team will check-in during a scheduled Zoom session. The Zoom sessions will be scheduled in 15-minute intervals and will include members of multiple teams from different schools. All team members must participate in their scheduled check-in. If a team member cannot participate, they must email the Teams Assistant to arrange participation in an alternate check-in. The purpose of this check-in is to allow teams to confirm their Internet connection and ask final questions regarding administration of the competition.

Failure to attend your team’s scheduled check-in or failure to submit a timely request to reschedule your team’s check-in will result in a penalty. **See Part III(G): Penalties.**

3. Preliminary Rounds – Friday through Saturday, February 12-13

The Preliminary Rounds will be held on Friday and Saturday February 12-13, 2021.

Each team shall argue three (3) preliminary rounds (and at least once for each side). Each team will argue once on brief and once off brief on Friday, February 12th. On Saturday, teams will randomly be assigned to argue either on or off brief. Zoom links will be provided for the preliminary rounds after the team registration and check in on Thursday, February 11, 2021.

4. Advancement Rounds – Saturday and Sunday, February 13-14

The Round of Sixteen will be held on Saturday, February 13th.

The Quarterfinal, Semifinal, and Final Rounds will be held on Sunday, February 14, 2021. Zoom links for the later arguments will be made available when the advancing teams are announced.

B. Length and Structure of Arguments

Each team shall argue three (3) preliminary rounds (and at least once for each side).

1. Each team is limited to thirty (30) minutes in which to present its oral argument.
2. The division of allotted time may be made at the discretion of the team, with the exception that no team member may speak for fewer than twelve (12) minutes. All team members must be prepared to answer questions from the Judging Panel on all issues.
3. Petitioners may reserve up to five (5) minutes of rebuttal time by so requesting from the Judging Panel at the commencement of Petitioner's arguments. Only one (1) team member may argue on rebuttal. Time reserved for rebuttal will be counted as part of the thirty (30) minutes allotted for the argument. The Judging Panel may allow for additional time at their discretion.
4. The bailiff will signal to each speaker when ten (10), five (5), three (3), and one (1) minute(s) of each speaker's argument time remains. Bailiff's will use both paper time cards and the chat function to communicate the time remaining. When the bailiff signals that time has expired, the speaker shall immediately conclude his/her argument, unless given additional time at the discretion of the Judging Panel. Competitors will inform the bailiffs before the round how much time they are choosing to reserve for rebuttal.

5. Two (2) team members will argue in each round. Each team shall argue as Petitioner and Respondent during the Tournament.

C. Attending Other Arguments

1. Coaches are permitted to view the arguments of the teams competing for their school. Once the Judging Panel enters the room, competitors and others should avoid entering or exiting the room until the completion of the round.
2. With the single exception of the Final Round, competing team members, coaches or faculty advisors may not attend any argument of another team. Such individuals may only attend the arguments of their own team.
3. If more than one team from a school is competing, those teams are prohibited from discussing their rounds with each other while both teams are still competing. If a school sending two teams is represented by one faculty advisor or coach, that advisor or coach may attend the oral arguments of both teams. The advisor or coach is prohibited from discussing with one team any information gleaned from watching a round with another team. If the teams are arguing simultaneously the advisor or coach may only observe one of the arguments and may not move between rooms during the course of the round.

D. Team Designation

1. Each team will be assigned a competition number that will serve as their identifying designation throughout the Tournament. Individual team members may use their real names but may only use the competition number to identify the team for the Judging Panel (i.e. John Smith of Team [number] X, representing the Petitioner OR Team #X, representing the Petitioner).
2. All teams are prohibited from identifying their school affiliation to members of the Judging Panel during any round of oral argument. Teams may be penalized up to ten (10) points for identifying their school affiliation to their Judging Panel during any round of oral arguments.
3. Team members must identify themselves before beginning their respective oral argument.

E. Scoring

1. Scoring of oral arguments shall be within the discretion of the individual members of the Judging Panel as guided by the Oral Argument Score Sheet (attached as Appendix II to the Rules).

2. The scores of each round will be weighted as follows:

	Brief	Oral Argument
Preliminary Rounds	40%	60%
Octofinal Rounds	30%	70%
Quarterfinal Rounds	20%	80%
Semifinal Rounds	10%	90%
Final Round	0%	100%

F. Penalties

The Board may assess such penalties, including disqualification, as it deems reasonable and appropriate for failure to comply with the Rules.

Specific penalties which shall be assessed include:

1. Ten (10) points off each round (preliminary and final) for failure to complete Honor Code Certification within 10 minutes of the conclusion of the team's argument round.
2. Score of 0 for round if a team is more than 10 minutes late to their scheduled round.
3. Ten (10) points off round total for disclosure of school affiliation in any manner.
4. Five (5) points off each team's first on and off brief preliminary round totals (Friday rounds) for failure to attend scheduled check-in.
5. The Board reserves the right to impose any reasonable penalty, including disqualification, for violations of any rules for which a specific penalty is not stated above.

G. Pairings of Teams, Assignment of Sides, and Assignment of Judges

1. Pairings of teams in the preliminary rounds will be random. Each team will argue at least once on-brief and at least once off-brief during the preliminary rounds.
2. In the second preliminary round, each team will argue the side opposite of that argued in the first preliminary round. For the third preliminary round, teams will be randomly assigned a side to argue.
3. For the Octofinal, Quarterfinal, Semifinal, and Final rounds team assignments will be decided by a coin flip, conducted by the Spong Justice. If the flip is heads, the higher seeded team will argue petitioner, and if the flip is tails the higher seeded team will argue respondent.
4. Teams from the same school will not face each other in the preliminary rounds but may face each other in the advancement rounds. If a team finds that it is facing a

team from its own school in a preliminary round, that team should immediately notify the bailiff.

5. The Board will make every effort to ensure that no team argues before the same judge(s) in back-to-back preliminary rounds, but teams are not guaranteed new judges for each preliminary round. If any team finds that it is arguing before a judge it had in a previous preliminary round, that team should immediately notify the bailiff.

H. Odd Number of Teams

1. In the event that an odd number of teams participate in the preliminary rounds of the Tournament, there will be no automatic advancements to the Octofinal or any other round.
 - a. A ghost team from William & Mary will be prepared to argue for this purpose only. The William & Mary team shall not advance beyond the preliminary rounds. The identity of the William & Mary ghost team shall not be made known.
 - b. Outside teams competing against the William & Mary team will not receive special scoring. As win-loss record does not factor into advancing to the Octofinal, defeating the William & Mary team will have no effect on the opposing team's advancement.

I. Advancement to Octofinal Rounds

1. The sixteen (16) teams with the highest average cumulative scores in the preliminary rounds will advance to the Octofinals.
2. Win-loss record in the preliminary rounds is not taken into account in selection of the advancing teams.
3. In the event of a tie for sixteenth (16th) position, the team with the highest brief score shall advance. If tied for orals and brief, the team with the lower number of penalty points from the brief scoring section shall advance.

J. Advancement to Later Rounds

1. The sixteen (16) teams advancing will be seeded (1 v. 16, 2 v. 15, 3 v. 14, 4 v. 13, etc.) for the Octofinal and all advancement rounds. These teams will not be informed of their rank. The Octofinal, Quarterfinal, and Semifinal Rounds will be direct elimination.

2. The winner of the Final Round will be determined by majority vote by those on the Final Round Judging Panel.

Part IV. Awards

- A. The awards include the Champion Team, the Runner-up Team, the Tournament's Best Oralist (based on the preliminary rounds), and the Tournament's Best Petitioner's and Best Respondent's Briefs.
- B. Best Briefs are determined by combining substantive scores from the brief graders, Bluebook scores, and any applicable technical deductions on the team's brief. The team that receives the highest combined score wins the award. Two Best Brief awards are presented – one for Best Petitioner's Brief and one for Best Respondent's Brief.
- C. The Best Oralist is awarded to the oralist who achieves the highest oral argument score in the three preliminary rounds. Only competitors who argue in all three preliminary rounds will be eligible for the Best Oralist Award.

Part V. Interpretation of Rules and Problem

- A. Requests for Interpretation
 1. Requests for interpretations of the Rules must be submitted by 11:59 PM (EST) on Tuesday, December 29, 2020. and will be answered as promptly as possible. All inquiries can be submitted for through the Tournament website, located at <http://law.wm.edu/studentlife/studentorganizations/spong/index.php>.
 2. Any major clarification of the rules shall be sent to all participating schools by email and posted on the William & Mary Moot Court Spong Tournament website, located at <http://law.wm.edu/studentlife/studentorganizations/spong/index.php>. The Spong Justice will determine whether a Rules clarification is a major one.
 3. All such interpretations and any decisions, penalties, or other actions will be made by the Spong Justice. All such determinations shall be final and binding on all participants.
 4. The Spong Justice reserves the right to make any further rules and procedures deemed advisable for the conduct of the Tournament and shall promptly notify all registered teams of any such changes. The Spong Justice reserves the right to modify, in whole or in part, any or all of these rules, and grading forms and guidelines.
 5. The forms provided in the Appendices are included for illustrative purposes only.

B. Questions or Clarifications Concerning the Problem

1. Any participating team with a question concerning any portion of the Problem should submit their question(s), through the Tournament website, located at <http://law.wm.edu/studentlife/studentorganizations/spong/index.php> by 11:59 PM (EST) on Tuesday, December 29, 2020.
2. Any major clarification of the Problem will be transmitted to all teams and posted on the William & Mary Moot Court Spong Tournament website, located at <http://law.wm.edu/studentlife/studentorganizations/spong/index.php>. The Spong Justice will determine whether a Problem clarification is a major one.

C. Disputes

1. Any disputes concerning the Rules or otherwise related to the course of the tournament will be referred to the Spong Justice.
2. Any disputes that arise that are not specifically covered by these rules will also be resolved at the discretion of the Spong Justice. Teams will be notified of the decision after it has been made.
3. No appeals will be entertained, as *all* decisions are *final*.

Part VI. Challenges

- A. Teams may not challenge their brief score.
- B. A challenge to an oral argument round may be made only for rules violations or serious misconduct or unprofessional behavior by a judge (e.g. falling asleep or not paying attention during a round, comments evidencing inappropriate bias towards a competitor, etc.) and must be made by a competitor or coach to the Tournament Committee within 10 minutes of the conclusion of the round. Any challenge submitted after 10 minutes of the conclusion of the round is waived.
- C. Disagreement with the scoring or result of a round are not a basis for challenges. A judge's rigorous question, probing of a competitor's argument or disagreement with a competitor's position will not be considered inappropriate bias and is not a basis for challenge. Likewise, a competitor's disagreement with a judge's reading of the Record or understanding of the legal arguments is not a basis for challenge. Finally, it is not a valid basis for challenge that a team has already argued in front of the same judge.
- D. In the Honor Code Certification sent to teams at the conclusion of each argument round, a challenges question will be included so competing teams may submit challenges. A challenge will not delay the start of any subsequent rounds. Further, the remedy for any challenge is at the sole discretion of the Spong Justice.

APPENDIX 1

SAMPLE SCORE SHEET

FIFTIETH ANNUAL WILLIAM B. SPONG, JR.
INVITATIONAL MOOT COURT TOURNAMENT WILLIAM & MARY LAW SCHOOL
FEBRUARY 12-14, 2021

BRIEF SCORE SHEET

Brief Grader: _____

School: _____

Brief Number: _____

<u>Criteria</u>	<u>Maximum Score</u>	<u>Score Awarded</u>
1. FORM		
Proper use of bluebook citation, typeface, conventions, etc.	OMIT*	OMIT*
2. WRITING STYLE		
Spelling, grammar, punctuation, sentence structure and paragraph structure, clarity, power, and precision of expression	20	_____
3. SUBSTANTIVE COMPONENT		
a) Analysis of the law and application of the law to the facts of the problem.	30	_____
b) Thoroughness of research	15	_____
c) Organization of argument(s)	15	_____
d) Quality of the statement of the case, summary of the argument(s), and other brief subdivisions.	10	_____
TOTAL	90	_____

*Form to be graded by the William & Mary Moot Court Board.

APPENDIX 2

SAMPLE SCORE SHEET
FIFTIETH ANNUAL WILLIAM B. SPONG, JR.
INVITATIONAL MOOT COURT TOURNAMENT WILLIAM & MARY LAW SCHOOL
FEBRUARY 12-14, 2021

ORAL ARGUMENT SCORE SHEET

Room: _____

Team: _____

Round: _____

Judge: _____

<u>Criteria</u>	<u>Maximum Score</u>	<u>Speaker 1</u>	<u>Speaker 2</u>
<u>Opening and Closing:</u>			
How well did counsel state the issues raised?			
How well did counsel summarize and conclude?	10	_____	_____
<u>Knowledge of Briefs and Record:</u>			
Knowledge of content, authority stated, issues, and argument raised.	20	_____	_____
<u>Substantive Content of Argument:</u>			
Order of presentation of points, emphasis on those points, judicious use of time, and effectiveness of argument.	30	_____	_____
<u>Answering Questions:</u>			
Ability to answer questions, to think on feet, and to resume thread of argument after interruption.	20	_____	_____
<u>Extemporaneous Ability:</u>			
Ability to speak without notes or with unobtrusive notes, use of the speaking voice, poise, gestures, mannerisms, and courtroom etiquette.	20	_____	_____
TOTAL	100	_____	_____

