

RULES OF THE 2012 27th ANNUAL
DEAN JEROME PRINCE MEMORIAL EVIDENCE COMPETITION

Rule 1 – Competition Mission

The Dean Jerome Prince Memorial Evidence Competition is an inter-law school appellate advocacy competition sponsored annually by Brooklyn Law School through its Moot Court Honor Society.

The Competition seeks to explore issues which are at the forefront of evidentiary law and are of great interest to law students, practitioners, educators, and jurists.

Now in its twenty-seventh year, the Competition is named in honor of the late Jerome Prince, a distinguished and respected scholar of evidence, who was Dean of the Brooklyn Law School from 1953 to 1971. Dean Prince was the author of Richardson on Evidence (published by Brooklyn Law School), the leading text on New York evidence law, as well as a casebook of materials on evidence and numerous law review articles.

Rule 2 – 2012 Prince Competition Schedule¹

Registration Deadline	November 18, 2011
Problem Distributed	December 16, 2011
Deadline for Clarification Requests	January 26, 2012
Brief Due Date	February 24, 2012
Preliminary Round I	March 29, 2012
Preliminary Round II and Octo-Finals	March 30, 2012
Quarter-Final, Semi-Final, and Final Rounds	March 31, 2012

¹ This schedule is subject to change.

Rule 3 – Teams

- 3.1 Generally.** Each fully ABA accredited law school is eligible to enter one team. The team may be composed of two (2) or three (3) students. All team members must argue in the competition, but only two members shall argue in any single round.² Team members must be matriculated in a full or part-time Juris Doctorate or equivalent program in the law school they represent. No team member shall hold a law degree.
- 3.2 Team Rosters.** Finalized Team Rosters must be submitted no later than December 16, 2011.
- 3.3 Substitution.** Except with the express written consent of the Prince Competition Coordinator, there shall be no substitution of team members after service of the briefs. Such consent will be given at the sole discretion of the Prince Coordinator, in consultation with the Faculty Advisor.

Rule 4 - Team Identification

- 4.1 General.** Each team in the Prince Competition will be assigned an official team number. The official team number will be used throughout the Competition to ensure impartiality in the Competition judging.
- 4.2 Brief Identification.** The official team number, followed by a P or R, to designate Petitioner or Respondent, must be placed on the upper right hand corner of the outside cover of the team brief. Neither the school name nor the name of team members should appear anywhere on the brief.

Rule 5 – Brief Generally

- 5.1 General.** Each team may elect to serve as counsel for the Petitioner or the Respondent for the purpose of preparing its brief. While each team will prepare only one brief, team members are required to argue both sides of the case during oral arguments.³
- 5.2.1 Format.** Except to the extent that the rules herein are inconsistent, the rules of the United States Supreme Court shall govern the format of the briefs. There need not, however, be a formal statement of jurisdiction. Do not attach a copy of the Record to the brief. The brief must be printed on white paper. **Only the cover of the original brief must be blue for Petitioner or red for Respondent.**

² If two team members write the brief, then those two team members must argue in each round. If three team members participate in the brief-writing process, that team will be responsible for dividing its oral argument so that each team member argues at least once during the Preliminary Rounds. Accordingly, a team may not have three team members contribute to the brief while only two of the members argue for the team.

³ Please bear in mind that you are writing a brief to and will be arguing in the United States Supreme Court.

- 5.3 Typeface and Brief Length.** All briefs must be produced on 8-1/2 x 11 inch paper. The typeface shall be either Times New Roman, 12 pt., or Courier New, 12 pt. Briefs in Times New Roman shall not exceed thirty - three (33) pages in length, exclusive of the cover page, the questions presented, the table of contents, the table of authorities, and the appendices. Briefs in Courier New shall not exceed thirty - eight (38) pages in length, exclusive of the cover page, the questions presented, the table of contents, the table of authorities, and the appendices. The footnotes may be in 10 pt. font.
- 5.4 Spacing.** The body of the brief must be double-spaced. Individual footnotes, quotes of more than fifty (50) words, and point headings, within the body of the brief, may be singled spaced. However, double-spacing between multiple footnotes on the same page is required. Each page shall have margins of at least one (1) inch on all sides. The page numbers may appear within the bottom margin.
- 5.5 Citation.** All citations shall be complete and in the form prescribed by Harvard Law Review Association, A Uniform System of Citation (19th ed. 2010).
- 5.5.1 Identification.** In order to facilitate the anonymous grading of all briefs, only the official team number shall appear anywhere on the brief. Under no circumstances shall the names of the team members or the school they are representing appear on the brief. While the brief may not be signed, each team may insert its official school number on the signature page. For proper identification, please refer to Rules 4.1 and 4.2.

Rule 6 – Submission of Briefs

- 6.1 Service on the Prince Committee.** Each team must submit its original brief, *which must be clearly indicated as such*, and five (5) other copies of the brief, on or before **February 24, 2012**. The original brief and the copies must be post-marked on or before **February 24, 2012** and sent *certified mail* to:
- Diana E. Mahoney
Prince Competition Coordinator
Moot Court Honor Society
One Boerum Place, First Floor
Brooklyn, New York 11201
- 6.2 Service on Competitors.** Each team shall email a copy of its brief to prince.competition@brooklaw.edu by **February 24, 2012**. Briefs must be received by **midnight (11:59pm) Eastern Standard Time**. The briefs will be made available to all competing teams via the Prince Competition’s website.
- 6.3 Duplication of Briefs.** The copies of the brief, as required by Rules 6.1 and 6.2, shall be identical reproductions of the original brief. They shall be reproduced by any duplicating or copying process that produces a clear black image on 8-1/2 x 11 inch white paper. All copies are to be bound at the left margin in a volume or bound with three (3) staples along the left margin.

- 6.4 Extensions.** No team may revise, substitute, add, delete, or in any other manner alter its brief after the deadline for submission. No extension will be granted without the express consent of the Prince Coordinator.

Rule 7 - Certification and Outside Assistance

- 7.1 Outside Assistance with the Brief Preparation.** No outside assistance may be rendered to the registered team members in the preparation of their brief. Only registered team members may prepare their brief. Coaches and advisors are not considered registered team members. Registered team members may assist each other in the brief writing process. The final work product must be both substantively and technically the exclusive work of the registered team members. Accordingly, all editing and proofreading must be performed by registered team members.
- 7.2 Certification.** Each team submitting a brief in the Prince Competition shall certify that such brief has been prepared in accordance with the rules of the Prince Competition and represents the work product of said team. For your convenience, an unsigned certification form will be sent with the Problem and will be posted on the Prince Competition website. Each registered Team Member must individually sign the certification. The original certification must be sent with the brief in accordance with Rule 6.1.

Rule 8 – Oral Arguments

- 8.1.1 General.**
- 8.1.2 Place.** Oral arguments will be held at **Brooklyn Law School** on **March 29 – 31 2012**.
- 8.1.3 Introduction of the Advocates.** Participants of each round shall introduce themselves to the court by their names only. Under no circumstances, at any time before, during or after the oral arguments, shall the team's law school affiliation be mentioned.
- 8.1.4 Use of Electronic Devices.** The use of electronic devices of any kind (including, but not limited to, computers, laptops, cell phones, electronic music players, and Blackberries) for the use of recording, note taking, or internet research, is not permitted in the competition rooms during any round of the competition. No registered team member, coach, or spectator may use any electronic device during any round of the competition. This rule does not apply to electronic devices supplied by the competition or assistance devices (such as hearing aids). If clarification is needed, please contact the Prince Coordinator or the Faculty Advisor.

8.2 Time.

8.2.1 General. Only two speakers from each school may argue during any given round.

8.2.2 Time Allocation. Each team has a maximum of thirty (30) minutes to present their oral arguments. No team member may argue for less than twelve (12) minutes, excluding rebuttal. Prior to argument, teams must inform the bailiff the amount of time they wish to allocate to each speaker.

8.2.3 Reservation of Time for Rebuttal. Only one member of the Petitioner's team may participate in rebuttal. Out of the thirty (30) minutes allotted, Petitioners may reserve up to three (3) minutes for rebuttal. Prior to each round, Petitioners must inform the bailiff of the amount of time they wish to reserve for rebuttal. Upon the Petitioner's request, this time may be waived following the close of the Respondent's argument.

8.3 Scouting and Note-Taking. The scouting of rival teams is strictly forbidden. Competitors, coaches, and other affiliated individuals may not, under any circumstances, attend any round in which their school is not presently arguing or otherwise solicit information about other competitors and their arguments. However, registered coaches and competitors *may* take notes during rounds in which they are participating. Furthermore, registered coaches, competitors, and affiliated individuals *may* attend any other round once their team has been eliminated from the Prince Competition. Electronic Devices may not be used for note-taking in accordance with Rule 8.1.3.

8.3.1 Sequence of Rounds

8.3.2 Preliminary Rounds. There will be two (2) Preliminary Rounds, and each team shall argue in both rounds. In no event shall a team argue the same side of the case in both Preliminary Rounds, nor shall the same teams be paired against each other for both Preliminary Rounds. Teams shall be paired by a seeding process based solely on their respective brief rankings. For example, in Preliminary Round A the team with a Brief Rank of 1 may face the team with a Brief Rank of 19; Rank 2 vs. Rank 20; Rank 3 vs. 21 etc. In Preliminary Round B the pairings may be Rank 1 vs. Rank 28; Rank 2 vs. Rank 29; Rank 3 vs. Rank 30 etc.

8.4.2 Sequence. The Preliminary Rounds will be followed by one (1) Octo-Final Round, one (1) Quarter-Final Round, one (1) Semi-Final Round and one (1) Final Round, in accordance with Rule 9.

Rule 9 – Scoring and Advancement in the Competition

- 9.1 General Scoring.** Throughout the competition, overall scores and advancement in the competition are based on the combination of brief score and oral scores. Briefs are graded by three judges, who independently rate each team's brief. Oral arguments are graded by a panel of judges, with no knowledge of the brief grades. The brief **grade** will account for 40% of the team's total score for each round. The **oral argument grade** will account for 60% of the team's total score **for** each round.
- 9.2 Advancement.** Teams will advance in the competition in accordance with the following rules:
- 9.2.1 Preliminary Rounds.** Sixteen teams will advance to the Upper Rounds. Those teams which prevail in both Preliminary Rounds shall automatically advance to the Octo-Final Rounds. In the event that more than sixteen teams have a record of 2-0, the teams with the highest aggregate brief and oral score over both rounds will advance. If there are less than sixteen teams with a record of 2-0 the remaining positions will be filled by the 1-1 teams based on their aggregate brief and oral scores over both rounds.
- 9.2.2 Seeding and Determining Petitioner/Respondent in Upper Rounds.** At the conclusion of the Preliminary Rounds, advancing teams will be seeded in two brackets according to their aggregate brief and oral scores, with the first seed paired with the sixteenth seed, the second seed paired with the fifteenth seed, etc. Petitioner and Respondent will be determined at the beginning of each round, by the toss of a coin
- 9.2.3 Octo-Final Round.** The eight winning teams in the Octo-Final Round will advance to the Quarter-Final Round.
- 9.2.4 Quarter-Final Round.** The four winning teams in the Quarter Final Round will advance to the Semi-Final Round.
- 9.2.5 Semi-Final and Final Rounds.** The winner of each Semi-Final Round advances to the Final Round. The team with the highest score in the final round is the overall Competition winner.

Rule 10 - Awards

At the conclusion of the competition, awards will be presented to the winning team, the runner-up team, the best oralist in the Final Round, and the best oralist for the Preliminary Rounds. To be eligible for best oralist in the Preliminary Rounds, a competitor must have argued in both preliminary rounds. Awards will also be given to the first, second and third best briefs.

Rule 11 – Powers of the Prince Coordinator and Faculty Advisor

- 11.1 Penalties and Disqualifications.** The Prince Coordinator, in consultation with the Faculty Advisor, shall have the sole discretion to assess penalties or to disqualify any team for failure to abide by any of the Rules of the Prince Competition.
- 11.2 Rule Interpretation.** The Prince Coordinator, in consultation with the Faculty Advisor, shall have the sole discretion to make all necessary interpretations of these rules. No request for additional interpretation of these rules is valid unless obtained in writing by the Coordinator. All requests for interpretations must be submitted to the Coordinator no later than **January 27, 2012**.
- 11.3 Problem Clarification.** The Prince Coordinator, in consultation with the Faculty Advisor, shall have the sole discretion to answer substantive inquiries concerning the Record and all other papers that constitute the Problem. All such inquiries must be in writing and submitted to the Coordinator no later than **January 27, 2012**.
- 11.4 Disputes Arising During Competition.** The Prince Coordinator, in consultation with the Faculty Advisor, shall have the sole power to resolve any disputes that may arise during the Competition. Any disputes arising during competition must be submitted in writing to the Coordinator before such disputes will be resolved.
- 11.5 Unauthorized use of the Problem.** There shall be no unauthorized use of the Prince Problem without the express written consent of the Prince Coordinator or the Faculty Advisor. Please contact the Prince Coordinator or the Faculty Advisor if you would like permission to use the Problem.