



**NMI Supreme Court
High School Moot Court Program
Rules of Competition**

October 2024

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1. Goals and Purpose

The NMI Supreme Court's Moot Court Program is an opportunity for high school students to develop their written and oral advocacy skills through rigorous competition. Competing students and their coaches are expected to conduct themselves with professionalism and sportsmanship at all times. While participating in the program, competitors are expected to abide by all laws of the jurisdiction in which they are competing.

The Program is expected to run for approximately the length of a single school semester. During the program, competitors will draft and submit an ungraded brief to the tournament organizers. Competitors will later argue their positions in a tournament taking place at the Guma' Hustisia. Competitors in the program are expected to plan, prepare, and participate enthusiastically in all elements of the program. The Program reserves the right to make any element of the program mandatory for competitors, and to disqualify any competitor whose level of participation falls below the standards of the program or negatively impacts the participation of other teams.

These Rules are constructed, and shall be applied, with the intention of promoting learning, fair competition, and an appreciation for moot court. These rules are the final authority for resolving all conflicts within the tournament.

1.1. Rules

All rounds of the NMI Supreme Court Moot Court Program are governed by these rules. Each competitor and coach should be thoroughly familiar with these rules.

Questions and interpretations of the rules are within the discretion of the Moot Court Tournament Organizers, whose decision is final.

1.2. Code of Conduct

All competitors, coaches, observers, guests, and parents must comply with this Code. All Moot Court participants must adhere to the same high standards of scholarship expected of students in their academic performance. Plagiarism of any kind, including the use of Artificial Intelligence (e.g., ChatGPT, Scribe, Bard, Claude, Gemini, etc.) is prohibited and will result in a penalty as determined by the Tournament Organizers. Students' written and oral work must be their own.

Students and coaches are expected to: exhibit good sportsmanship; show respect for other students, judges, coaches, the Tournament Organizers, and all volunteers; accept defeat and victory with dignity and restraint; and avoid tactics that violate the rules in any form.

Teacher-coaches shall focus on the educational value of Moot Court and shall adhere to their professional standards when coaching the students. Attorney-coaches shall adhere to the highest standards of the legal profession, exhibit and model ethical and professional conduct, and zealously encourage fair play.

Any misbehavior, violent threats, verbal or physical abuse, acts of intimidation, or other misconduct, whether verbal or contained in any writing, including social media, text messages, or emails, by any student-participant, coach, or other persons associated with a Moot Court team, during the competition, or at any other time before or after the Moot Court competition, if related at all to the Moot Court competition, will be subject to sanctions determined by the Tournament Organizers. Sanctions may include such actions as suspending the individual from the competition and/or disqualification from the next Moot Court round, event, or competition.

All coaches shall encourage strict compliance with the rules. Adherence to the Code is the responsibility of each coach. As such, coaches must ensure that students understand and agree to comply with the Code.

A perceived violation of the Code of Conduct that occurs outside of the tournament must be immediately presented to the Tournament Organizers in writing. Any violation of this Code or the rules by students, coaches, observers, guests, or parents will be referred to the Tournament Organizers and may subject a participant or team to disqualification from the competition or other penalty as determined by the Tournament Organizers.

1.3. Suspension of Rules

The Tournament Organizers may for good cause suspend any provision of these rules.

1.4. Consent to Use of Videotaping and Photography

To participate, students, parents, teachers, and coaches consent to the NMI Judiciary's use of photos and videos taken before, during, and after the competition.

1.5. Emergencies

During each round, the Chief Justice has the discretion to declare an emergency and adjourn the trial for a short period of time to address the emergency.

In the event of an emergency that would cause a team to be unable to continue the round or to participate without their team member, the team must notify the Tournament Organizers as soon as is reasonably practical. It is within the sole discretion of the Tournament Organizers to determine if an emergency exists. Upon a determination that an emergency exists, the Tournament Organizers will declare an emergency and will decide whether the team will forfeit or whether the team may take appropriate measures to continue any round.

In the event that a competitor contracts COVID-19 or other illness preventing them from being physically present for the tournament, the Tournament Organizers may permit participation virtually as reasonably practicable. In such an event, additional rules may apply.

Final determinations of emergency, forfeiture, reduction of points, and advancement will be made by the Tournament Organizers.

1.6. Relation to Other Laws; Accommodation of Disability

The Rules of Competition will be interpreted and administered consistent with all applicable laws. Accordingly, should any applicable law require variance from these rules or accommodation of any competitor for any reason, including a legally-recognized disability, that team member or their coach may apply to the Tournament Organizers for accommodation, and such reasonable accommodation as the law requires shall be granted. The Tournament Organizers will consider all requests and determine what reasonable accommodations can be made. These accommodations may include adjustment of the Rules of Competition where appropriate. The timeliness of the request for accommodation may be material to whether an accommodation is granted. Where possible, teams competing against the team for which an accommodation was granted shall be informed of the accommodation in advance of a competition round but will ordinarily not be informed of the specific nature of the issue that led to the accommodation.

2. Eligibility and Team Composition

2.1. Eligibility

All competitors must be enrolled in high school, or be in the ninth, tenth, eleventh, or twelve grade of their school. Competitors on a given team must attend the same school unless they have permission from the tournament organizers to compete otherwise. One

coach from each school, regardless of the number of teams or coaches participating in the program, must be designated to serve as their school's official representative. This representative must be identified to the tournament organizers upon the school's registration.

2.2. No Substitutions

A team of the same two competitors must represent the Appellant and/or the Appellee for every round of the Tournament. Substitutions are not permitted.

3. Conduct of Tournament Rounds.

3.1. Timekeeping

3.1.1. Timekeeping — General.

Prior to the beginning of each round, each team shall indicate to the timekeeper and the Justices how it wishes to allocate its time. Each team shall have 20 minutes to divide between the team's two competitors. No competitor shall have an allocated speaking time shorter than 7 minutes, and no competitor shall have an allocated speaking time longer than 13 minutes. The timekeeper shall inform the competitor and Justices when they have 5 minutes and 1 minute remaining. The timekeeper shall also inform the competitor When the time expires, the timekeeper will raise the STOP card so that it may be visible to the justices and both counsels.

3.1.2. If There Is No Official Timekeeper.

If there is no timekeeper to monitor time, and there is no other individual in the courtroom whom the Justices can appoint as timekeeper, each team shall keep time for the opposing team.

3.1.3. Use Of Devices for Timekeeping.

A phone or other electronic device may be used for the purposes of timekeeping by the official timekeeper, or, if there is no official timekeeper, at the discretion of the Chief Justice.

3.1.4. Timekeeping — Technical Difficulties.

At the discretion of the Chief Justice, competitors may request that timekeeping stop while substantially disruptive technical difficulties, or other substantial disruptions, are being resolved.

3.1.5. Timekeeping For Rebuttal.

Competitors may reserve up to three minutes for rebuttal only before beginning their oral argument. This time must be allocated from the 20 total minutes allowed for argument. The rebuttal time must be explicitly communicated to the timekeeper prior to the start of the round to ensure time is allocated correctly.

3.1.6. Extension Of Oral Argument.

Justices may permit a brief extension of oral argument if a competitor's time is exhausted while they are answering a Justice's question, or to briefly conclude, and they request such an extension before their time has elapsed. Outside this exception, competitors shall stop speaking when their allocated time has elapsed.

3.2. Use of Resources

3.2.1. Use of Notes and Visual Aids.

Competitors may use notes at any time during the round. No presentation devices, including laptops, tablets, or other electronic devices or exhibits of any kind may be used in oral argument. Competitors will not submit their written briefs to the bench.

3.2.2. Communication During Rounds.

No person, other than a competitor's partner, may contact or attempt to contact by any means, whether personally or through another person, directly or indirectly, verbally or nonverbally, a competitor during a round for the purpose of giving advice, counsel, suggestions, or support.

3.2.3. Use of Cell Phones, Smart Watches, and Similar Devices.

The use of cell phones, smart watches, and similar communication devices by competitors during a round is prohibited. Students, coaches, and spectators shall have devices on silent or turned off throughout the duration of each round.

3.3. Elements of the Round

3.3.1. Order of Elements.

Elements of every tournament round shall proceed in the following order:

1. Competitor Introductions (at the discretion of the Chief Justice)
2. Appellant Case (Up to 20 minutes)
 - 2a. Appellant first speaker
 - 2b. Appellant second speaker
3. Appellee Case (Up to 20 minutes)
 - 3a. Appellee first speaker
 - 3b. Appellee second speaker
4. Appellant's Rebuttal (up to three minutes, counted against the Petitioner's 20 minutes)
5. Appellee's Rebuttal (up to three minutes, counted against the Respondent)
6. Scoring and Feedback

3.3.2. Rebuttal.

The purpose of a rebuttal is to respond to the other side's arguments, and it is inappropriate for competitors to attempt to introduce new arguments during the rebuttal. Only one team member from each team will argue a rebuttal.

3.3.3. Feedback.

After hearing arguments from both teams, and only after resolving any disputes and submitting their ballots, Justices shall, if time permits, offer evaluations of performance in a short feedback period.

3.4. Case Problem

The case problem exists in a closed universe. Students may discuss cases outside the Table of Authorities solely to the extent that they are quoted and cited within the official cases. Justices will deduct points as a penalty for use of prohibited materials.

- For example, if a case is simply included in a string citation, that case cannot be discussed unless the student says that this case of X v. Y was cited by the court in [official case within the record] to support its holding. Any detailed discussion of the facts or reasoning of X v. Y would be inappropriate unless those matters specifically appear in the official case. Competitors should, of course, expand upon the theories and logic of these authorities and apply them to the facts of the Case Problem. The competitors' goal is to convince the appellate court that the authorities support their position.

The materials in the Case File and the Case Library are for educational purposes only. No part of the case problem may be released or reproduced to persons not participating in the NMI Supreme Court Moot Court Program.

4. Housekeeping

4.1. Decorum

Competitors are expected to observe proper courtroom decorum. Disruptive or discourteous behavior will result in penalty points which will be subtracted from a team's score.

4.2. Appearance and Attire

Competitors participating in the Moot Court tournament shall dress in business-professional attire.

4.3. Scouting

Scouting is prohibited.

- Coaches, team members, and parents/spectators are only allowed to watch the oral argument they (or their students) are participating in.
- Competitors from schools with multiple teams are only permitted to observe oral arguments of their other school teams after the observers have been eliminated from the competition. Otherwise, it is not allowed.
- Competitors and Coaches from schools with multiple teams are not allowed to discuss an oral argument with other teams and team members who did not participate in the oral argument being discussed until after the tournament has concluded.

5. Violations of These Rules.

5.1. Major Violations

If, after a round, a team or their coach (if applicable) feels that their opponent has egregiously violated the rules, then they may raise that concern to the Tournament Organizers. The following constitute a non-exclusive list of egregious violations of the rules:

- Issues that would be too contentious to handle during a round, including coaching during a round in violation of Rule 3.2.2
- Serious issues that students are uncomfortable addressing, including physical or verbal abuse of any person in the courtroom
- Issues more appropriate for tournament staff than presiding justices, including the use of an ineligible person as a team member

The tournament organizers shall adjudicate the violation in a manner consistent with the text of these rules, the purpose of these rules, and the goals of the tournament. *See* Rule 1.2 (“Code of Conduct”).

6. Instructions and Criteria for Judging

6.1. Decisions

All decisions of the judging panel are final.

6.2. Judging Panel

6.2.1. Composition of Panel

The judging panel will consist of three individuals. The panel shall be comprised of one Chief Justice and two Associate Justices, all three of whom complete score sheets.

6.2.2. Justice Eligibility

Each Chief Justice and Associate Justice shall be a justice, judge, or attorney.

6.2.3. Moot Court Judging Packet

All Chief Justices and Associate Justices will receive a judging packet, which may include orientation materials and a bench memorandum provided by the Tournament Organizers.

6.2.4. Emergency

In the event of an emergency (i.e., sudden illness, etc.) that causes a member of the judging panel to leave the courtroom, the Chief Justice will call for a brief recess and assess whether the judging panel member will be able to return in a reasonably short period of time so the proceedings may resume upon the panel member’s return to the courtroom. If the Chief Justice determines that the panel member is unable to return to the courtroom in a reasonably short time, a Tournament Organizer must be informed. The Organizer will determine if and how the panel composition will be adjusted to best meet the requirements of the rules and the round will resume.

6.3. Scoring Guidelines

6.3.1. Ballot

Each judge will use a form called a ballot to record their points for each team member and team. The ballots should be filled out individually by the justices. The Tournament Organizers will then tally the combined score for each team. Like teams will be scored against each other for purposes of advancing to semi-finals or finals. Except for the final championship round, each Appellant team

will be scored against all other Appellant teams. Likewise, each Appellee team will be scored against all other Appellee teams. In the final championship round, the Appellant and Appellee will be scored against each other and the team with the most points will be the champions.

6.3.2. Communication

Judging panel members may not discuss the team points from their individual ballot with team members, team coaches, or any other individual associated with a team in the competition.

6.4. Completion of Score Sheets

6.4.1. Scoring

No attorney may judge his or her high school team in any round. Judges will evaluate students on the following: (1) Content of Argument; (2) Extemporaneous Ability; (3) and Forensic Skill and Courtroom Demeanor. After both teams have presented their arguments, the bench will give comments to the individual oralists. The bench will not announce a ruling on the merits of the case nor will the bench reveal the specific scores of the teams. After the Tournament, the Tournament Organizers may release the overall scores to each coach.

6.4.2. Tie Breaking

In the event of a tie, the Tournament Organizers will implement tie breaker rules.

6.5. Team Advancement

Depending on the number of teams, the Tournament Organizers will determine how many rounds will be held (i.e., whether to hold a semi-finals round). The top two teams will advance to a finals round held at the NMI Supreme Court.

6.6. Winning Team

Subject to funding availability and restrictions set by the CNMI Public School System, the team that wins the Championship Round will represent the Commonwealth at a National Association of Moot Court Regional Tournament.

The winning team will conduct themselves in accordance with Rule 1.2 and the National Association of Moot Court Rules.

The winning team shall attend any and all training sessions and/or scrimmages organized by the Tournament Organizers in preparation for the National Association of Moot Court Regional Tournament.

7. Awards

All team members will receive a “Certificate of Participation.” The finalists will receive trophies commemorating their participation in the competition.

8. Contact Information

Please address all inquiries regarding the NMI Supreme Court Moot Court Program to the Tournament Organizers at MootCourt@NMIJudiciary.gov.