



## ORAL ARGUMENT SCORING INSTRUCTIONS TO JUDGES

Each team is given forty-five (45) minutes to argue, of which no more than ten (10) minutes may be reserved for reply by the Appellant. The Respondent is not entitled to make a sur-reply. No single oralist shall argue longer than twenty-five (25) minutes. Extensions of team time beyond forty-five (45) minutes, which in no case shall exceed ten (10) minutes beyond the total time allocated for presentation, shall be within the discretion of the Judges. The timekeepers will assist you with these timekeeping matters.

Strict anonymity of school identity shall be ensured as far as possible. Teams shall be identified through the rounds only by number, not by school name. During the argument, each Judge should tentatively score each oralist at the conclusion of his or her oral presentation. Following the argument, the Judges shall retire to deliberate. They shall then individually mark their scoring summaries without comparisons to the scoring summaries of their fellow Judges. The Judges do not return to the courtroom to declare a winner; however, they may return to give reasons or to comment orally on the performance of the teams. We invite and highly encourage Judges to attend the reception awards dinner on Saturday February 6, 2021.

Judges are asked to carefully complete the individual sheets, which will be delivered to each mooter at the close of the competition. Mooters value these personal comments as a very important part of the learning process. Please be as specific as you can; the time you spend providing these comments will be appreciated by the mooters. It is up to you whether or not you choose to indicate your name on the evaluation sheets.

Please evaluate each advocate independently rather than in comparison to the other advocates in the round (or other rounds you may have judged). A score between thirty (30) and fifty (50) (inclusive) should be assigned to each advocate. An average score for the competition is thirty-eight (38). In order to ensure fairness in scoring between Judges and Judges' panels, you should try to score all advocates that you judge such that the average of all the scores that you assign – in other words, your personal scoring average – is approximately thirty-eight (38).

Factors to be considered in assessing points (without regard to order of importance) include, but are not limited to:

<ul style="list-style-type: none"><li>• Correct and articulate analysis of the issues</li><li>• Familiarity with and use of the relevant authorities</li><li>• Knowledge of the substance of the topics in issue</li><li>• Response to questions</li></ul>	<ul style="list-style-type: none"><li>• Clarity</li><li>• Ingenuity</li><li>• Knowledge of the facts and of the legal principles directly applicable to the facts</li><li>• Persuasiveness and style</li></ul>
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References in a Respondent's factum to an Appellant's factum that is not before the panel should be disregarded for the purposes of the oral argument scores. Judges should be familiar with the problem, the law, and the teams' factums before judging. The Bench Memorandum outlines most of the issues in the case and should be read carefully. However, the Bench Memorandum does not represent a resolution to the problem and should not be regarded as such.

Judges should feel free to question oralists at any point in the argument, but should also bear in mind the importance of affording oralists the opportunity to make their arguments. However, the Administrators strongly encourage the Judges to take an active role in the proceedings. A moot is not a public speaking contest. A mooter must have an excellent command of her material and must be able to easily and smoothly field questions from the bench. Bear in mind that mooters spend vast amounts of time perfecting their arguments; not to test them with penetrating questions results in a moot which is unrewarding for all participants. **The substantive merits of the case shall not be considered in judging the oral argument.**