**HOMER ALBERS PRIZE MOOT COURT COMPETITION**

 **2025 OFFICIAL RULES**

Participants will receive the Albers problem on **Friday, January 17**; that date is tentative.The Problem takes the form of a lower court opinion. Each team must prepare a brief arguing on behalf of their assigned side. Each team will receive an assigned team designation; the letter in your team designation indicates which side you will write your brief on, while the number is simply a unique identifier. Teams assigned the letter “P” will write the brief on behalf of the Petitioner, and teams assigned the letter “R” will write the brief on behalf of the Respondent.

**BRIEFS**

1. **Format**

Font: Briefs will be submitted electronically. Text should be double-spaced, apart from headings, footnotes, block quotes, and listed items within a table, which may be single spaced. Text should be set in a court-appropriate typeface (such as Times New Roman, Century, or Courier New), in 12- or 14-point font. This font requirement applies to footnotes as well.

Page Layout: Brief pages must be formatted to 8-1/2 x 11 inches with one-inch margins on all sides (typed matter not exceeding 6-1/2 x 9 inches).

Length: The argument section shall not exceed 7000 words total (excluding the heading label “Argument” but including all substantive headings and footnotes), allocated between the two issues as you choose.

Penalties: Briefs with more than 7000 words of argument or other violations of technical rules regarding typeface and/or spacing may receive a penalty of five (5) points per violation.

Bluebook. All briefs must comply with the most recent edition of the Bluebook (the Twenty-First Edition). The library has copies of the Bluebook.

Required sections. Briefs must contain all of the sections identified in the Moot Court Manual, except for the optional jurisdictional statement. The Manual is posted on the competition website.

Sample briefs. Sample briefs will be posted online on the competition website. These briefs are past best briefs from the Albers competition. As such, participants should view these sample briefs only as a **guide**; these Rules are the final authority on brief requirements (for example: keep in mind that as of 2017, we now have a word count limit and no specific font requirements, and as such, older briefs will differ in those respects).

1. **Submitting Briefs**

Process: Each team shall submit **one electronic copy** of its brief to Jen McCloskey via email at jataylor@bu.edu. The brief should be formatted as a Word document. The file name should be your team number.

Cover:Your **names should not appear** on the brief. Be sure, however, to include your team letter/number designation on the cover page of your brief. Additionally, your cover must **conform to the content requirements laid out in Rule 34 of the Rules of the Supreme Court**, except subparts (f) and (g) of that rule. Sample briefs will be made available so that you can see what the cover should look like. If your cover does not conform to these requirements, we will require you to resubmit your brief. Resubmission to correct the cover will not affect the timeliness of your brief (if your original brief was timely). You will, however, receive a format penalty of two (2) points.

Certification: **The email to which you attach your brief must certify that the brief is solely the work of both team members, and must indicate who wrote which issue.** No specific format is required for this certification; simply state that you each certify the work is yours and who wrote which issue.

Deadline: Each team must submit their brief and certification by **Friday, February 14 at 3 p.m.** Any team that emails the electronic version of its brief after 3 p.m. will lose five points for every fifteen minutes (or part thereof up) that they are late, up to 4 p.m. No briefs will be accepted after 4 p.m. **Any team that has not emailed its brief by 4 p.m. will be eliminated from the Competition.** A deduction for lateness will severely impair, if not eliminate, your chance for advancing in the Albers Competition. Please make every effort to turn in your brief on time.

1. **Extensions of Time**

No team will receive an extension of time except in the case of an emergency. In the event that you must seek an extension, submit a request in writing to Jen McCloskey and the Albers Directors at least two days before briefs are due, unless the emergency arises after that date. If the emergency arises after that date, contact Jen McCloskey immediately regarding an extension. The Directors, in conjunction with Jen McCloskey, will consider each request for an extension and have final discretion to act on each.

**Computer malfunction is not a valid excuse for lateness.** Do not assume that you will be able to smoothly assemble your brief in minutes. Do not wait until the last minute.

1. **Scoring**

The Albers Directors and Albers Preceptors (the three members of BU Law’s National Moot Court Team) will grade the briefs. Each of the five graders will score each brief on a scale of 60 to 100, and briefs will be anonymous. Although two people will write each brief, each brief will receive only one score from each grader.

The team’s brief score will be the average of the five scores awarded to that brief. Deductions will be made from the averaged brief score. Once determined, the brief score will stay with the team throughout the Competition. All brief penalties noted in these rules apply for all scoring purposes, including selection of Best Brief.

**ORAL ARGUMENTS**

1. **Format and Scoring by Round**

Each team will present at least two oral arguments. Oral argument schedules will be posted on the Albers website at <http://www.bu.edu/law/albers> at least one week in advance of the arguments, and emailed to all participants. In each round, each team will have thirty (30) minutes to present its arguments. Teams may allocate the time as they see fit, although each team member must argue for at least ten (10) minutes. In addition, Petitioners may reserve up to three (3) minutes per team for rebuttal. Only one team member may present the rebuttal, but that member may rebut all issues. The Clerk will deduct rebuttal time from the total team allotment of thirty minutes. Teams must arrange allocation of time in advance with the Clerk.

Scoring Overview: In the first two rounds of argument, the Albers Directors and the Albers Preceptors will score each participant’s oral argument on a scale of 60 to 100. In the Faculty, semifinal, and final rounds of argument, the judges will score the oral performances.

Preliminary Rounds:

* *Format*: In the first round, the “on-brief” round, each team will argue the side of the case it briefed. After the first round, each team will be paired against a different opponent and will argue the opposite side of the case. In preparation for this second “off-brief” round, all participants may consult all of the briefs filed in the Competition. All briefs will be posted on the Albers website.
* *Scoring and Advancing*: The Albers Directors and Preceptors will score each team member in the Preliminary Rounds. Those scores will be averaged for a combined team score. In each of these rounds, the team’s brief score will count for 50% and the team’s oral score for each of the two preliminary rounds will count for 50%. Thus, each team’s score for the on-brief round will be the product of 50% of the team’s brief score and 50% of the on-brief oral argument score. Each team’s score for the off-brief round will be the product of 50% of the brief score and 50% of the team’s off-brief oral score. These two scores will be combined and used to determine which teams are advancing, and how those teams will be seeded.

Faculty Elimination Round:

* *Format*: After the first two rounds, the eight teams with the highest combined scores will move on to the third round, the Faculty Elimination Round. In this round, teams will be seeded according to their combined scores from the first two rounds. Teams will then be matched up based on their rankings, i.e., the team ranked first will argue against the team ranked eighth, the team ranked second will be paired against the team ranked seventh, etc. Teams will not know their ranks.
	+ *Possible deviations from seeding*: Although rare, scheduling conflicts among teams may make it impossible to follow the seeding strictly. In that event, we will attempt to preserve as much of the original seeding as possible, and will make every effort to protect the higher seeds, e.g., the teams seeded 1-4 will not be scheduled against one another.
* *Scoring and Advancing*: The oral argument scores in this round will be determined by the judges, who are all members of the faculty, not by the preceptors. The oral scores will count for 75% of the round’s total score, and the previously determined brief scores will count for 25%. The winning team from each matchup will advance to the semi-final rounds.

Semifinal Round:

* *Format*: For the semifinal rounds, the winner of the 1 v. 8 elimination round will compete against the winner of the 4 v. 5 elimination round; the winner of the 2 v. 7 elimination round will compete against the winner of the 3 v. 6 round. (If seeding was affected by scheduling issues, the semifinal teams will still be paired by looking at the winner of the argument that involved the higher seeded teams, teams 1-4.)
* *Scoring and Advancing*: The semifinal judges will select the winners of each argument based solely on the team’s oral performance. The winners of each semifinal round argument will compete in the finals.

Final Round: As in the semi-final arguments, the participating judges will select the winner of the final argument based solely on the participants’ oral performance.

Other Mechanics: In the Faculty Elimination round, the higher-seeded team will choose which side they will argue. In the Semifinal and Final rounds, the winner of the higher-seeded match will choose their side (that is, if the 8th-seeded team wins the 1 v. 8 match, they would select their side against their opposing team in the next round).

In the event of a tie in any elimination round, the team with the higher brief score will advance.

In the event of a weather emergency that forces the Law School to close, we will evaluate whether that day’s arguments can proceed. If we determine that they, we will reschedule the argument for Friday that same week or another date that works for both teams.

**Covid-19 Note: Boston University follows the current CDC guidance around Covid-19. If you are experiencing symptoms of Covid-19 or test positive, we will reschedule your argument or, in some cases, offer a remote option. Competitors may choose to wear a mask during any portion of the oral argument round and will not be penalized for wearing a mask.**

**All arguments are recorded.** Competitors may request a link to their argument recording after the conclusion of the competition. By participating in Stone, competitors understand that another competitor in their scheduled argument may request a link to the argument recording.

**RESEARCH MATERIALS AND ASSISTANCE**

1. **General**

Participants may use any materials available in the Boston University Library system, Lexis, Westlaw or the Internet. Participants may not refer to or rely upon non-published materials except for materials available in the Law School library, or on Lexis, Westlaw, or the Internet. Please do not remove research materials from the library and please return any books you use to the shelves. Any participant who feels that a particular book is crucial to the case should ask the Albers Directors to place that book on reserve. If you notice that a book is missing, please report it immediately to the Albers Directors.

1. **Briefs**

You may not solicit or receive advice regarding your brief from anyone other than your teammate. No one other than your teammate may review a draft of your brief. The top scoring brief from the last several years of Albers competitions will be posted on the Albers website. You may refer to it for format and style. Please note, however, that if the format or style of those briefs conflict with anything in these Rules, these Rules control.

Permissible brief writing assistance: You may not ask any person other than a teammate for help with your brief, and that help is limited: team members may assist each other with research, arguments, and proofreading, but may not write for each other. Any kind of editing or review by a person not on your team, whether free or paid, is not permitted.

*Use of non-generative AI resources:* Competitors may use grammar and editing apps and tools that are available **for free**, such as Word’s editing tools, Grammarly (free version), or BriefCatch (free version). Competitors may not use paid versions of these tools or other paid tools or apps. For equity reasons, the competition prohibits the use of resources that are not free. If a competitor is found to have used a paid tool to review or edit their competition brief, they will be disqualified.

*Use of generative AI:* Use of generative AI (e.g., ChatGPT and similar) is **not permitted** in the Stone competition, with the exception of AI tools integrated into Lexis, Westlaw, or Bloomberg and accessible via your student accounts (such tools may not yet be available). Generative AI can be an extremely useful tool, but at this time, it often makes mistakes when asked to analyze the law and use citations, including creating entirely fictional cases. Additionally, in actual legal practice, attorneys must be extremely cautious about using AI, as it may violate professional ethics standards to submit client information to a generative AI that will store and possibly disseminate that information. Thus, at this time, we are prohibiting the use of generative AI, subject to the exceptions in this provision.

Exceptions to the no assistance rule: You may engage in a general discussion of the issues with members of the faculty (you still may not have anyone review your brief or drafts of your brief, however). You may ask the Library staff for research assistance, just as you may with any other paper.

A note on plagiarism:Plagiarism or abuse of library privileges may result in disqualification from the Competition. **Plagiarism includes copying any portion of the Problem verbatim and without proper citation into your brief.**

1. **Oral Arguments**

You may not solicit or receive advice regarding your oral argument from any member of the bar, faculty member, Albers Director, or Albers Preceptor (apart from official practice arguments with Jen McCloskey and any Directors or Preceptors). You may, however, solicit or receive general feedback from other students. Specifically, you may practice your argument in front of other law students and receive feedback on speaking style, tone, persuasiveness, and your ability to answer questions. You may not receive advice on specific cases or other supporting materials you should use in your argument. You may not have anyone outside of your team plan your argument for you.

**DISCLOSURE OF SCORING DATA**

Participants will not receive any scoring data until the Competition is over. After that time, team members may obtain brief and oral score sheets from the Advocacy Program. Jen McCloskey will provide separate instructions to competitors for requesting scores.

**ADDITIONAL RULES**

Participants may obtain their scores from the preliminary rounds after the Competition ends.

The published Rules of this Competition are the final authority for the conduct of the Competition. Any changes in these Rules will be made available to all participants. No change will be official until all participants are notified by email.

In the event a situation arises requiring a clarification of the problem or the Rules, contact the Albers Directors. If the question could potentially be important to other participants, the Directors will request that you submit the question in writing to one of the Directors. The Directors will email the question and their response to all the Albers participants.

Please speak to the Directors if any problems arise. The Albers Directors are Mike Brune and Katerina Zukis. The Albers email account is albersmc@bu.edu. The Directors can be reached at that email address. If you have a problem that the Directors cannot resolve, contact Jen McCloskey at jataylor@bu.edu or 617-353-3199.

**DATES**

Introductory Meeting Thursday, January 16, 1:00 p.m.

Problem Distribution Friday, January 17

Brief Writing Workshop Tuesday, January 21, 1:00 p.m.

Briefs Due Friday, February 14 by 3:00 p.m.

Practice Oral Arguments February 18-21 (workshop on Feb. 18 followed by practices to be individually scheduled)

First Round (on-brief): February 24-27 at 6:30 p.m. (M-Th.) (hold Friday for make-ups)

Second Round (off-brief): March 3-6 at 6:30 p.m. (M-Th.) (hold Friday for make-ups)

Faculty Round Practices: Week of March 17 (practices will be individually scheduled)

Faculty Elimination Round: March 24-27 at 4:30 p.m. (M-Th.)

Semifinal Arguments: Tuesday, April 1 and Thursday, April 3 at 4:30 p.m.

Final Argument: Tuesday, April 10 at 4:30 p.m.