



5TH ANNUAL

**FRANK A. SCHRECK
GAMING LAW MOOT COURT
COMPETITION**

**2020
COMPETITION RULES**

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I. ORGANIZATION OF THE COMPETITION

The Frank A. Schreck Gaming Law Moot Court Competition is co-sponsored by the William S. Boyd School of Law's Society of Advocates Moot Court Competition Team and the *UNLV Gaming Law Journal*. The Competition is named after Frank A. Schreck, chair of the Gaming Law Group at Brownstein Hyatt Farber Schreck, LLP. For more than 40 years, Mr. Schreck has played an important role in shaping the realm of gaming law. We are proud to honor Mr. Schreck by making him the namesake of the Gaming Law Moot Court Competition.

II. TEAMS

A. Competitors

A law school may send a maximum of two teams to the Competition. If two teams from any law school are registered to compete, those teams shall not work together to research, write, or edit their briefs. However, teams from the same law school may practice oral argument together.

B. Team Composition

1. Each team shall be composed of either two or three competitors. Each team member must be enrolled either full- or part-time in the JD program at the law school they are representing during the time of registration and the Competition.
2. No team competitor may be replaced after the problem has been released without the express written consent of the Competition Chair.

C. Coaches and Advisors

1. Coaches and advisors may be students, faculty members, practitioners, or outside legal advisors.
2. Coaches and advisors are permitted to assist with oral argument preparation only. Coaches and advisors may not aid in researching, writing, or editing a team's brief. Coaches and advisors also may not assist competitors during the argument. Any violation of this rule may result in point deductions or disqualification.
3. All coaches and advisors are subject to the same rules as team competitors, except as explicitly stated in these rules.
4. Coaches and advisors may, but are not required to, attend the competition with their team.

D. Outside Assistance

Competitors shall not receive assistance of any kind from coaches, advisors, school writing

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centers, practitioners, faculty members, or any other person during the research, writing, and editing process. The consultation of a librarian is permissible only to the extent that the librarian assists in procuring a resource explicitly requested by a competitor.

III. BRIEFS

- A. Each team will be randomly assigned the role of either the Petitioner or Respondent. Each team will also be assigned a team number. Team numbers and roles will be sent to each team individually via email on the date that the fact pattern is released.
- B. The United States Supreme Court Rules shall govern the format and pagination of the briefs, unless these competition rules explicitly state otherwise.
- C. If a case, event, or otherwise is set in the State of Boyd, the State of Boyd shall be considered a 51st state of the United States. If a case is heard by the United States District Court for the Southern District of Boyd, the District shall be considered a duly authorized federal, regional, district court of the United States. If a case is heard by the Court of Appeals for the Thirteenth Circuit, the Thirteenth Circuit shall be considered a federal, regional appellate circuit for the United States that embraces the State of Boyd.
- D. In addition to any Boyd statutes set out in the record, and except as otherwise provided herein, the Federal Rules of Civil Procedure, the Federal Rules of Criminal Procedure, the Federal Rules of Appellate Procedure, and the Rules of the Supreme Court of the United States shall apply.
- E. Briefs must contain the following sections:
 - 1. Cover Page;
 - 2. Questions Presented;
 - 3. Table of Contents;
 - 4. Table of Authorities;
 - 5. Opinions Below;
 - 6. Statement of Jurisdiction. The statement of jurisdiction section of the brief shall state, “The formal statement of jurisdiction is waived pursuant to Competition Rule III.E.6”;
 - 7. Statutes and Federal Regulations Involved;
 - 8. Standard of Review;
 - 9. Statement of the Case (the Statement of the Case section shall include a Statement of Facts and Procedural History);

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10. Summary of the Argument, setting forth a clear and concise condensation of the argument made in the body of the brief; mere repetition of the headings under which the argument is arranged is not sufficient;
11. Argument, exhibiting clearly the points of fact and of law presented and citing the authorities and statutes relied upon;
12. Conclusion, specifying with particularity the relief that the party seeks;
13. Appendices, if any;
14. Each team must also submit the following certification statement on a single page:

“[Competitor Names separated by Oxford commas] of [Law School Name] hereby certify that the enclosed briefs are entirely our own work. We at no time sought or utilized the help of any other person in in the process of writing, researching, or editing of our brief. To the best of our knowledge, we complied with the Rules of the Competition.”

This certification statement must be signed by each team member and included in the same envelope or shipping container in which the briefs are physically mailed to the Competition Chair. This certification statement must also be included as a separate attachment (PDF) in the same e-mail in which the electronic copy of the brief is electronically mailed. The certification statement may be electronically signed by inserting /s/ in each signature block, or physically signed and scanned into a PDF.

F. Brief Format

1. The cover page of the Petitioner’s Brief must be printed on blue paper, and the cover page of the Respondent’s brief must be printed on red paper.
2. Briefs shall be a maximum of 30 pages in length, excluding the Cover Page, Questions Presented, Table of Contents, Table of Authorities, and Appendices.
3. Briefs shall be typed on white pages measuring 8.5 by 11 inches. Margins on all sides shall be 1 inch, with double spacing between each line of text. Footnotes, headings, and subheadings may be single-spaced, but they must be included within the margin limits.
4. Briefs shall be in Times New Roman font. The body text must be 12-point font and footnotes must be 10-point font.
5. Pages shall be numbered. The “Questions Presented” section shall be placed after the cover sheet and shall be numbered “i” and the following pages shall be numbered accordingly. The “Opinions Below” shall be on page number 1.

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6. Each page shall be printed single-sided.
7. All citations shall comply with the form prescribed in the most recent edition of The Bluebook: A Uniform System of Citation.
8. Briefs must not contain any identifying information, including law school name or team member names. Only the team's assigned number should appear on the lower right-hand corner of every page of the brief. Any violation of anonymity in submitting briefs may result in disqualification.

IV. SERVICE OF BRIEFS AND CERTIFICATION

- A. A copy of the final brief must be emailed to SchreckMCC@law.unlv.edu in PDF format on or before **11:59 PM PST on Friday, January 31, 2020**. PDF versions of all briefs will be made available on the Competition website by 11:59 PM PST on February 9, 2019.
- B. Each team must serve a total of **two** bound or stapled copies of its final brief, contained in one single package or envelope. The packaged briefs must be postmarked on or before **Friday, January 31, 2020**, and addressed to:

William S. Boyd School of Law
Attn: Ryan McConnell, Schreck Competition Co-Chair
4505 S. Maryland Pkwy
Box #451003
Las Vegas, NV 89154-1003

- C. Failure to receive both the required number of bound briefs and the PDF version by the deadlines will each result in a reduction of 8 points off the team's total brief score.
- D. Briefs may not be revised after the electronic deadline. Failure to adhere to this rule may result in a reduction of points or disqualification.

V. BRIEF SCORING

- A. Each brief will be graded by professors from UNLV William S. Boyd School of Law, which has the #1 Legal Writing program in the country, as ranked by US News & World Report. Additionally, a panel of the UNLV Gaming Law Journal Staff will grade the citations for each brief, in accordance with the Bluebook, and score each brief accordingly.
- B. Briefs will be evaluated anonymously and graded on a scale of 1 to 100 points. Each brief shall be graded on the basis of the substantive law presented, the writing style, the citations, and the persuasiveness of the writing.
- C. Failure to conform to any of the rules will result in a reduction of a team's brief score.

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- D. Brief scores shall constitute 40% of each team's score in the preliminary rounds, and 30% in the quarter-finals. In subsequent rounds, brief scores will be utilized only as a tiebreaker.

VI. ORAL ARGUMENT

- A. Each team is allotted 30 minutes for oral argument. Each team may divide this time between its two members as it wishes, provided each oralist argues for at least 10 minutes. Failure to argue for at least 10 minutes will result in a deduction from that advocate's score. Prior to beginning the round, each team must inform the bailiff how they wish to split their allotted time. Only the two team members arguing a round may be seated at counsel table.
- B. Each team member must argue in at least one (1) preliminary round for that team member to be eligible to argue in subsequent rounds. This rule allows for teams to utilize brief writers, who choose not to compete in the oral arguments at all. Only competitors who argue in both preliminary rounds will be considered for the Best Oralist and Second Place Oralist Awards.
- C. Each round of oral arguments will have a bailiff responsible for monitoring the competitors' time and collecting the judges' score sheets. The bailiff will hold up a time card indicating when each competitor has five, three, and one minute(s) remaining. At the conclusion of allotted time, the bailiff will then hold up a card indicating the time is up. Continuing beyond the allotted time may result in reduction of points.
- D. Petitioner has the exclusive right to rebuttal. Petitioner may reserve a maximum of five minutes for rebuttal by notifying the bailiff before the judges enter the courtroom. Petitioner must also formally request rebuttal time at the beginning of Petitioner's argument. Failure to inform the timekeeper or the Court will be treated as a waiver of rebuttal. Rebuttal may be given by only one advocate, and it must be given by one of the two advocates who argued at the beginning of the argument.
- E. Teams may not identify their school to any judge or timekeeper during the competition. Any disclosure of such information may result in disqualification from the competition.
- F. While Boyd students may not compete in the Competition and are not eligible for any Competition awards, one or more "ghost" teams composed of Boyd students may participate in the preliminary rounds as necessary in the event of an odd-numbered amount of registered teams, or the disqualification a team.

VII. ORAL ARGUMENT ROUNDS

- A. **PRELIMINARY ROUNDS:** Each team will argue in two preliminary rounds, with one argument for Petitioner and one argument for Respondent per team. Pairings for the preliminary rounds shall be set by the Competition Chair and will be distributed prior to the commencement of oral arguments. The top 8 teams with the highest overall average

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from the two preliminary rounds will move to the quarter-final rounds.

- B. Quarter-Final Rounds:** The top 8 teams from the preliminary rounds will move on to the quarter-final rounds. Pairings for the quarter-final rounds will be determined by having the highest ranked teams competing against the lowest ranked teams. The winning team in each room will move on to the semi-final rounds.
- C. Semi-Final Rounds:** The winning 4 teams from quarter-finals will move on to the semi-final rounds. Pairings for the semi-final rounds will be determined by having the highest ranked teams from the quarter-final round competing against the lowest ranked teams. The winning team of each round will move on to the final round.
- D.** A coin toss will determine which side the advancing teams shall argue in the quarter-final, semi-final, and final rounds. A representative from each team must be present for the coin toss. The team with the lowest team number will call the toss while the coin is in the air. The team with the face-up side of the coin will be the winner and will choose what side it will argue for that round.
- E.** No team can sit in or watch any round in which that team is still a participant. For example, if team X has made it to the semi-finals, team X will not be allowed to sit in, view, or watch any argument occurring in the semi-finals.

VIII. ORAL ARGUMENT SCORING

- A.** Each oral argument round shall be judged by a three-judge panel whenever possible (in no event will there be less than two judges on a panel). Each panel will be composed of individuals currently in possession of their JD, licensed attorneys, and/or judges.
- B.** Each oral argument will be scored in accordance with a standardized scoring sheet, which will be the same sheet used for all oral argument rounds during the Competition.
- C.** Each judge on every panel will have a score sheet for each competitor. The oral argument scores for every competitor will be an average of the judges' scores for that individual, with respect to each set of rounds of the competition. In the event of extraordinary circumstances, as determined by the Competition Chair, the Competition Chair reserves the right to adjust a judge's score by the standard deviation of the other judges' scores for that round. Under no circumstances will the Competition Chair lower a team's score.
- D.** Total team scores will be based on a combination of brief and oral argument scores, consistent with the following rules:
 - 1. Preliminary Rounds: The brief score will count 40% of the total score. Oral argument scores will count for the remaining 60% of the total score. The eight teams with the highest overall final score in the preliminary rounds will advance to the quarter-final round.

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2. Quarter-Final Round: The brief score will count for 30% of the total score. Oral argument scores will count for the remaining 70% of the total score. The winning team in each room will move on to the semi-final rounds.
3. Semi Final Round: The total score will be determined solely on the basis of the oral argument score. The winner will be the team that receives the highest oral argument score, averaging each judge's score. In the event of a tie, each teams' brief score will be used to determine a winner. The winning team from each room will move on to the next round.
4. Final Round: The Final Round judges will select a winner.

IX. AWARDS

Awards will be given for First Place Team, Second Place Team, Best Brief, Second Place Brief, Best Oralist, and Second Place Oralist.

The Final Round Judges shall exclusively choose the First and Second Place Teams. Only competitors who argue in both preliminary rounds will be considered for the Best Oralist and Second Place Oralist Awards. The Best Oralist and Second Place Oralist will be selected based on an average of each individual competitors' scores from the preliminary rounds. The Best Brief and Second Place Brief will be selected exclusively based on each team's overall brief scores.

X. DATES

- A. The competition problem and rules will be posted on the Frank A. Schreck Gaming Law Moot Court Competition website under "Competition Information" on **Monday, December 16, 2019, at 11:59 PM PST.**
- B. All substantive inquiries regarding the fact pattern must be submitted to shreckmcc@law.unlv.edu on or before **9:00 PM PST, on Wednesday, January 15, 2020.**
- C. Team briefs must be submitted in accordance with these rules and postmarked by **11:59 PM PST, on Friday, January 31, 2020.**
- D. The competition will commence **March 6, 2020** and end on **March 8, 2020.** Competitors should plan to check in late afternoon on **March 6, 2020.** A more comprehensive schedule will be distributed as the competition approaches.