

2008-2009 McBaine Honors Moot Court Competition

FAQ

1. In fewer than four sentences, what is McBaine?

McBaine is Boalt Hall's *internal honors moot court competition*. "Internal" because only Boalt students may participate. "Honors" because it is, like most rewarding things in life, not easy, and those who participate will benefit tremendously from the experience and should be honored for their hard work and dedication.

2. Wait, what is a moot court competition? Am I even qualified to do such a thing?

A moot court competition is a contest in which law students write briefs and present oral arguments on behalf of hypothetical clients. The issues are very real and substantive, but the stakes are much lower than in live practice. All second- and third-year J.D. students are qualified to participate.

3. But didn't I miss tryouts? -or- I didn't make a team - are you sure I can participate?

There are no tryouts for this competition - all second- and third-year J.D. students are welcome and encouraged to participate. Being on an outside competition team is also NOT a requirement for success - in the past, students with no previous moot court experience have made it to the final round and even won the competition.

4. I'm planning on doing transactional law. I'm never going to be in a courtroom. Why should I do this?

All lawyers need to be able to do three things well: read, write, and speak. You will have to do these things even if you are a transactional lawyer: reading and researching while paying attention to detail will help you draw analogies in cases and pick out holes in contracts, writing a brief will force you to improve your clarity and precision so that you don't draft holes in contracts, and oral argument will give you the chance to spar with some of the finest minds in the area (and the country) so that you can develop your negotiating skills. The competition is thus an excellent opportunity for anyone to become a better lawyer in a low-stakes environment and with plenty of feedback from experienced attorneys and fellow students.

5. Why don't we have partners? I do much better in group work.

This format is designed to ensure that each competitor gets individualized feedback on his or her work product. It is also an excellent opportunity to really figure out your strengths and weaknesses - which will in turn help you be a better group member when you do your group work.

6. Do I have to argue one side of the case in one oral argument round, and then the opposing side in another round?

No. Unlike in many moot court competitions, McBaine competitors will not be required to argue "on side" in one oral argument round, and then "off side" in another (i.e. argue for petitioner, then argue for respondent in subsequent round). In other words, you will be arguing the same position during all rounds of the competition, and this is the same position you will have briefed. This arrangement enables competitors to receive maximum feedback about their presentation skills and substance of their arguments. In addition, this arrangement most closely models real-world legal practice and gives competitors the experience of advocating for their clients.

6. I am a 1L. I want to compete, too!

You have two more years ahead of you! No need to jump the gun on this. Also, all 1Ls will be taking Written and Oral Advocacy in the Spring, which provides you a very good opportunity to write a brief, present oral argument, and receive helpful feedback.

7. This sounds really difficult. I don't think I have the time to do this.

Everyone is operating under the same time constraints. Also, think of the time you're actually saving by participating! After your brief is turned in at the end of February, you have only a maximum of about five hours in oral arguments (and you'd be speaking for less than two and one half of those hours). There is no final exam. You get class credit. You get a writing sample. You definitely have time to do this!

8. Ok - sign me up! How do I do that?

Sign up for the class during Telebears registration and submit a preferences sheet as indicated by the Rules (and read the rules!).

9. My interest is piqued - I want to learn more. But how?

We're holding several informational and social events for interested students. The first is an Alumni/Student Mixer on Wednesday, November 5th, 2008 from 5:30-7:30p.m. in the Goldberg Room at Boalt. This is a great opportunity to meet McBaine alumni and learn how the Competition has helped them develop their skills, socialize with fellow Boalties, and chat up Dean Edley and the Competition's organizers. We'll also be releasing this year's competition problem at the Mixer - be the first to know! And, of course, we'll have delicious food and drinks... what more could you ask for?

We're also holding several Information Sessions during Fall Semester during lunchtime. These sessions will be on Wednesday, November 12, 2008 at 12:45p.m. and on Thursday, November 20, 2008 at 12:45 p.m. Locations will be at Boalt, room TBA. Non-pizza and tasty lunch provided!

10. I'm an Alum and I want to judge/donate/come to the Alumni/Student Mixer.

Email mcbaine.competition@gmail.com. We're always looking for volunteer judges to evaluate briefs and sit on oral argument panels. Students love getting feedback from practicing attorneys. Oral arguments for the 2008-09 competition will run beginning the week of March 9, 2009 through the week of April 7, 2009.

All McBaine alumni are more than welcome to come to the Alumni-Student Mixer on Wednesday, Nov. 5, 2008 at 5:30 p.m. at Boalt, and the Final round on Tuesday, April 14, 2009 at UC-Berkeley.