

James Patterson McBaine

Honors Moot Court Competition

2026 Brief Evaluation Scoring & Comment Sheet

Name of Scorer		
Email:		Phone Number:
Competitor Brief		

SCORING STANDARDS

To ensure uniformity in scoring, please keep the following standards in mind:

Poor	<u>Lacking fundamental</u> knowledge, preparation, or skill
Fair/Developing	Exhibiting <u>basic</u> knowledge, preparation, or skill
Good/Average	Exhibiting a <u>solid base</u> of knowledge, preparation, or skill appropriate for an average law school upperclassman or law firm summer associate
Very Good	Exhibiting <u>advanced</u> knowledge, preparation, or skill appropriate for a practicing lawyer and advocate
Excellent	Exhibiting <u>exemplary</u> knowledge, preparation, or skill
<i>A detailed description of a "10" score will be provided with each question.</i> Overall, a perfect score is one that you would feel very comfortable and confident having this advocate argue a case in which you were a party before an appellate court.	

- **To encourage equity and uniformity in scoring**, please use "Good" as your starting benchmark for scores.
- [The requirements for the brief can be found here](#) and at the bottom of this packet. Violations of these requirements should be deducted from the "Style" points.
- Half points are not allowed.
- You must score the arguments based on the quality of the presentation and skills demonstrated, not on the actual merits of the case.
- The Brief Evaluation Scoring Sheet will not be distributed to competitors; however, the Brief Evaluation Comment Sheet will be distributed to competitors. They would be very grateful for any constructive feedback you wish to offer. We ask that you be kind and judicious in what you write.

I. INTRODUCTION AND SUMMARY OF ARGUMENT

Score: /15

Poor	Fair/Developing	Good/Average	Very Good	Excellent
7	8 - 9	10 - 11	12 - 13	14 - 15

A top-scoring brief will:

- Frame legal issues concisely and in a logical manner
- Have its argument summarized persuasively

Notes:

II. STATEMENT OF FACTS AND PROCEDURE

Score: /20

Poor	Fair/Developing	Good/Average	Very Good	Excellent
10 - 11	12 - 13	14 - 16	17 - 18	19 - 20

A top-scoring brief will:

- Be well-organized
- Have a persuasive theme
- Rely on relevant facts
- Refer to the record when appropriate

Notes:

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III. LEGAL ARGUMENT

Score: /40

Poor	Fair/Developing	Good/Average	Very Good	Excellent
20 - 23	24 - 27	28 - 32	33 - 36	37 - 40

A top-scoring brief will:

- Have a well-reasoned, persuasive argument
- Focus on relevant issues
- Use relevant authority (favorable and unfavorable)
- Have proper and effective headings
- Demonstrates original thinking and creativity

Notes:

IV. STYLE

Score: /25

Poor	Fair/Developing	Good/Average	Very Good	Excellent
13 - 14	15 - 17	18 - 19	20 - 22	23 - 25

A top-scoring brief will:

- Be well-organized
- Include all required sections
- Have a tone that is professional and persuasive & clear, concise writing
- Have little to no errors in grammar, sentence structure, spelling, and punctuation
- Have an accurate citation form

Notes:

TOTAL SCORE

Total Brief Score: /100

ADDITIONAL COMMENTS:

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2026 Brief Criteria

I. BRIEFS

The following rules are drawn from the U.S. Supreme Court rules whenever possible. In many instances, “local” rules have been substituted by necessity.

A. Substantive requirements

i. A brief on the merits shall contain, in the order here indicated:

a. *The questions presented for review:* The questions shall be set out on the first page following the cover, and no other information may appear on that page. The questions need not be set out verbatim according to the Record. The brief may not raise additional questions not resolved by the decision of the appellate court.

b. A table of contents and table of cited authorities.

c. A concise statement of the case, setting out the facts material to the consideration of the questions presented, with appropriate references to the record (i.e., “R. at [page]”).

d. A summary of the argument, suitably paragraphed. The summary should be 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.

e. The argument, exhibiting clearly the points of fact and of law presented and citing the authorities and statutes relied on.

f. A conclusion, specifying with particularity the relief the party seeks. g. An appendix may be included that contains the text of pertinent statutory authority.

h. References to cited legal authority shall conform to Bluebook standards. i. A brief shall be concise, logically arranged with proper headings, and free of irrelevant, immaterial, or scandalous matter.

ii. Every document shall bear on its cover, in the order indicated, from the top of the page:

a. The docket number of the case

b. The name of this Court

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- c. The caption of the case
 - d. The nature of the proceeding and the name of the court from which the action is brought (e.g., for a merits brief, “On Writ of Certiorari to the United States Court of Appeals for the Xth Circuit.”)
 - e. The title of the document (e.g., “Brief for the Petitioner” or “Brief for Respondent”)
 - f. The name and address [e-mail address is sufficient] of the attorney who is counsel of record for the party concerned.
 - g. Note: A sample cover shall be distributed to competitors in advance of the brief’s due date.
- iii. The body of every document shall bear at its close the name and signature of counsel of record. By signing the brief on the merits, the attorney of record affirms that he or she has complied with the Berkeley Law Honor Code and with all provisions of this document.

B. *Formal Requirements*

- i. **Page Size, Line Spacing, and Margins:** The brief must be on an 8 ½ by 11-inch page. The text must be double-spaced, but quotations more than two lines long may be indented and single-spaced. Headings and footnotes may be single-spaced. Margins must be at least one inch on all four sides. Page numbers may be placed in the margins, but no text may appear there.
- ii. **Typeface:** Twelve-point type in a common and readable typeface (such as Times New Roman or Century) must be used. Any footnotes shall also conform to this requirement.
- iii. **Type Styles:** A brief must be set in a plain style, although italics or boldface may be used for emphasis. Case names must be italicized or underlined.
- iv. **Length:** A principal brief must be between 25 and 40 pages. Only the substantive brief counts toward the page limit (i.e., the statement of the case, summary of the argument, the argument itself, and conclusion). This excludes the question presented, table of contents, and table of authorities, which should be paginated with small Roman numerals (i, ii, iii, iv, etc.). This also excludes the appendix pages, which should be numbered with an “A-” preceding each numbered page (A-1, A-2, etc.).

C. **Minimum Standards:** We firmly believe that every McBaine participant has the talent and resources necessary to write a persuasive and legally sound brief that far exceeds the minimum standard for credit in this exercise. A brief that fails to address major cases and statutes referenced in the lower court opinions and the record will be considered substandard and will result in a No Credit grade.