



YLD Perspective

by Adine S. Momoh

Fifty Years Later: The Federal Bar Association's Younger Lawyers Division Celebrates the Civil Rights Act and Criminal Justice Act

In 1964, Congress passed several landmark laws

that greatly impacted the United States, including the Civil Rights Act of 1964 and the Criminal Justice Act of 1964. Some have termed these acts as two of the most important laws of the century. The Civil Rights Act of 1964 prohibits discrimination based on race, color, religion, sex, or national origin. Following the Supreme Court's landmark decision in *Gideon v. Wainwright* in 1963, Congress passed the Criminal Justice Act of 1964, the first federal law requiring appointment of counsel in federal criminal cases. These acts are still relevant and have an impact on individuals and our country 50 years later. Thus, it was no surprise that the Federal Bar Association (FBA) Younger Lawyers Division (YLD) decided to honor the 50th anniversary of the 1964 acts in its 17th Annual Thurgood A. Marshall Memorial Moot Court Competition by using a criminal law problem with a civil rights twist.

The competition took place in Washington, D.C., on March 27 and 28, 2014. As background, the competition started in 1997 and is organized by the YLD annually. Several aspects of the competition make it one of the premier moot court competitions in the nation. First, every round is held at a courthouse in Washington, D.C., over the course of two days (from the Superior Court of D.C., to the U.S. Court of Federal Claims, and concluding at the U.S. Court of Appeals for the Armed Forces), as opposed to a law school or office setting. The opportunity for law students to present oral arguments in actual courtrooms is an invaluable experience. Second, all of the volunteers who serve as judges in the competition are actual state or federal judges, practitioners or scholars, thereby reinforcing the real-world experience. Third, at the awards reception that immediately follows the competition, law students have an opportunity to network with federal court practitioners and judges who travel from around the country to attend the FBA's Mid-year Meeting. Finally, each law student participant in the competition receives a free one-year FBA membership.



Back (L-R) Final round judges—Alfredo Castellanos, Adine Momoh, Judge Scott Stucky, Judge Katherine Mehalchick, and Judge Gustavo Gelpí. Front (L-R) Final round teams—Blake Currey, Lori Chiu, Hannah Cottrill, and Stephen Bachran.

This year's problem presented two constitutional issues arising from a hypothetical federal criminal case. The first was whether the defendant's Fourth Amendment rights were violated when the Drug Enforcement Administration seized and digitally reassembled shredded documents from a recycling bin on the curb in front of the defendant's business when those documents were to be picked up by a third-party document disposal company. The second was whether the defendant's right to counsel under the Sixth Amendment was violated when it came to light after trial that his attorney was a co-conspirator who helped to launder money for another unindicted member of the conspiracy; yet, it appeared that the defendant's attorney represented him ably during the trial, and the attorney was

Adine S. Momoh is a trial attorney at Stinson Leonard Street LLP, where her practice consists of complex business and commercial litigation, securities litigation, estates and trusts litigation, and banking and financial services representation in the firm's business and commercial litigation group, with a focus on creditors' rights and bankruptcy. Momoh is also a board member of the National Board of Directors for the FBA Younger Lawyers Division, a board member of the Minnesota Chapter's Board of Directors, and a former law clerk to the Hon. Jeanne J. Graham, U.S. District Court for the District of Minnesota.



(L-R) Alfredo Castellanos and Adine Momoh are watching as Judge Andrew S. Effron receives a recognition award.

unaware that he was under investigation. Eventually, these issues found their way to the Supreme Court. G. Adam Ruther, an assistant state's attorney for Baltimore City and a former assistant state's attorney for Montgomery County, Md., drafted the problem with assistance from John Greabe, professor of law at the University of New Hampshire School of Law.

Having briefed their respective positions on the two issues certified to the Supreme Court, the law students presented their oral arguments. Nearly 50 teams representing law schools from across the country competed, making this year's competition by far the most challenging and competitive to date.

Teams were eliminated over the course of two days: first from a cut of 46 to 16 on Thursday; then from a cut of 16 to 8, 8 to 4, and 4 to 2 on Friday. The two teams that made it to the final round were able to present their case to the final round panel, consisting of the Hon. Scott W. Stucky, U.S. judge for the U.S. Court of Appeals for the Armed Forces; the Hon. Gustavo Gelpí, U.S. district court judge for the District of Puerto Rico, the current FBA president, and a longtime final round judge; the Hon. Karoline Mehalchick, U.S. magistrate judge for the U.S. District Court for the Middle District of Pennsylvania; Alfredo Castellanos, partner at Castellanos & Gierbolini and a longtime final round judge; and Adine Momoh, trial attorney at Stinson Leonard Street LLP and a director of the Moot Court Competition. Hannah Cottrill and Stephen Bachran, students from St. Mary's University School of Law, came out on top as the

overall champion of the competition. Lori Chiu and Blake Currey, students from the University of San Diego School of Law, finished second. The remaining winners of the competition are as follows:

2014 Moot Court Winners

1st Place Brief: Seton Hall (Team 30)

2nd Place Brief: Drexel University School of Law (Team 8)

3rd Place Brief: Western State College of Law (Team 41)

1st Place Oralist: Kristen Coleman—Temple University School of Law (Team 32)

2nd Place Oralist: Stephen Bachran—St. Mary's University School of Law (Team 23)

3rd Place Oralist: Joe Craven—Baylor Law School (Team 2)

Best Final Round Oralist: Hannah Cottrill—St. Mary's University School of Law (Team 23)

Overall Champion: St. Mary's University School of Law (Team 23)

2nd Place: University of San Diego School of Law (Team 28)

3rd Place: Texas Tech University School of Law (Team 34)

At the end of the competition, Judge Gelpí and the YLD surprised Castellanos and the Hon. Andrew S. Effron, former chief judge of the U.S. Court of Appeals for the Armed Forces (and also a longtime final round judge), by recognizing them for their outstanding lifetime volunteer service to the FBA, support for the rule of law, and dedication to the nation's law students. Each received an engraved plaque, gavel, and glass trophy.

The directors of the competition, Adine Momoh (YLD board member and chair of the Thurgood Marshall Moot Court Committee) and Joey Bowers (YLD board member), thank all that volunteered of their time to serve as judges and bailiffs during the two-day competition; the final panel judges; the Moot Court Committee; the Superior Court of the District of Columbia, the U.S. Court of Federal Claims, and the U.S. Court of Appeals for the Armed Forces for hosting this year's competition; the participants and their coaches, who continue to impress us all with their oral advocacy skills, careful preparation, and ability to make this competition a rewarding experience for everyone involved; the dedicated FBA staff, without whose efforts the competition could not have been a success; the Hon. William Orr, colonel of the U.S. Air Force Court of Criminal Appeals, who was the FBA Open House keynote speaker; and the competition sponsors, the FBA Foundation and the Judge Advocate General's Corps.

If you know of any law students eager to learn about federal practice, please encourage them to participate in the Thurgood A. Marshall Memorial Moot Court Competition. The YLD looks forward to 2015! ☺

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