



2019 Thurgood Marshall Moot Court Competition

Instructions for Bailiffs

Thank you for serving as a bailiff for the 2019 Thurgood Marshall Memorial Moot Court Competition. You will play the role of a court bailiff in the U.S. Supreme Court. As bailiff, you have several important functions:

- 1) **Water:** Before the first round begins, pick up bottles of water to distribute to your first-round judges from the check-in desk.
- 2) **Ask each team who will be Counsel 1 and Counsel 2:** Instruct the judges to write the names under the corresponding label on the scoresheet.
- 3) **Ask the competitors how they will divide their time and note this for keeping time:** See below for specifics.
- 4) **Make sure the rounds begin on time** (Wednesday: 6:15 p.m. and 7:45 p.m.; and Thursday: 9:00 a.m., 10:30 a.m., 1:00 p.m., and 3:30 p.m.) After you have asked the competitors how they will divide their time, and when the judges are ready to start, you are responsible for standing up and calling the court to order with the following announcement:

“All Rise! The Honorable, the Chief Justice and the Associate Justices of the Supreme Court of the United States. All persons having business before the Honorable, the Supreme Court of the United States, are admonished to draw near and give their attention, for the Court is now sitting. God Save the United States and this Honorable Court. Please be seated.”

After you finish calling the court to order, the judges will begin the round.

- 5) **Keeping Time:** You are responsible for keeping time during each round. Each round of oral argument lasts one hour. Each team is allotted up to 30 minutes to present its oral argument. Team members may divide their 30 minutes between each other as they wish, except that no member may argue more than 20 minutes in any round. Petitioning teams who wish to give a rebuttal must request the time before the round starts. *At the discretion of the judges*, a team may be allotted additional time at the expiration of its 30 minutes to answer questions of the panel.

Oral arguments are structured as follows: The two team members representing the **Petitioner** will present their arguments consecutively, followed by the two team members representing the **Respondent**. The team representing the Petitioner may reserve up to 5 of its 30 minutes for

rebuttal, which will follow the arguments of the Respondent. Rebuttal may be presented by only one team member.

Keep the time of each team participant according to their requested divisions. We have provided you with timers for this purpose, which countdown minutes and seconds. For example, if the petitioning team requests 15, 14, and 1 (15 minutes for the first presenter, 14 minutes for the second presenter, and 1 minute for a rebuttal), countdown each time period to zero. You are responsible for holding up time cards during the competitors' arguments so that they (and the judges) know how much time remains. You should hold up the appropriate time card when 10, 5, 3, 1, and 0 minutes of allotted time remain in the argument. Sit to the side of the courtroom (i.e., in the jury box) where both the competitors and judges can see you. Hold up the time cards in the air for several seconds to ensure that competitors and judges take note of the time remaining. **Please remember to ask the competitors before the round how they wish to divide their time.**

- 6) **Scoring:** When the round is over, you should make the following announcement:

“All Rise! The Supreme Court of the United States is now in recess. Will the competitors please step out of the courtroom while the Justices complete their scoring sheets. In several minutes, we will call you back into the courtroom for comments by the Justices.”

The judges then fill out the scoring sheets that are included in their packets. You should wait in the courtroom with the judges. When they have finished, collect the scoring sheets and ask the competitors to step back into the courtroom but do not show them the scoring sheets. **While the judges are giving their comments to the competitors, you should deliver the scoring sheets to the competition directors. Thank everyone for their time and leave the courtroom.**

- 7) **Miscellaneous:** You may want to quietly remind the judges when you collect their scoring sheets that: (1) they should not disclose to the competitors the scores that they awarded or declare a winner; and (2) they should not ask the competitors where they go to law school. It's also a good idea to encourage them to keep their post-argument comments brief. The second round must begin on time, and we are required to vacate the courtrooms no later than 9 p.m. Consult a competition director (or FBA staff member) if you need assistance.

In the event a team fails to appear for its scheduled argument, the judges should wait 15 minutes for the team to appear. At the expiration of 15 minutes, the team which is present shall present its arguments and shall be scored by the judges as if the opponents had appeared.

If a problem arises, please consult one of the competition directors for assistance.

Please note that no one should touch or move anything in the courtrooms, including chairs, equipment, furniture, and podiums.