

# ANDERSON CENTER SEVENTH CIRCUIT MOOT COURT COMPETITION

## COMPETITOR REQUEST FOR RULES & PROCEDURES CLARIFICATION

(posted January 24, 2024)

### Rule Clarification Questions Received between 5:01pm on January 16 and 5:00pm on January 23 (question period 2)

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#### **Rules Question 2.1:**

Regarding the page limit requirements, does this include the Table of Contents, Cover Page, etc. or is the entire brief only limited to 25 pages total?

#### **Committee Response to Rules Question 2.1:**

The entire brief may not exceed 25 pages. Within the 25-page limit, the brief must include all components required by Federal Rule of Appellate Procedure 28(a), as supplemented by Circuit Rule 28(a), with the exception that the brief should **not** include the Federal Rule of Appellate Procedure 28(a)(1) disclosure statement (as stated on p. 9 of the 2024 Official Rules and Standards). In addition, because the brief will not exceed 30 pages, no certificate of compliance under Federal Rule of Appellate Procedure 28(a)(10) would be required.

In other words, the cover page, table of contents, and table of authorities are included within the 25-page limit.

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#### **Rules Question 2.2:**

Additionally, we were wondering whether Fed. Rule App. Pro. 32(c)(f) (items included in the length of the brief) are included in the competition writing requirements or if it is just limited to Fed. R. App. Pro 32(a), 28(a), and Circuit Rule 28(a)?

#### **Committee Response to Rules Question 2.2:**

*Please see the response to Rules Question 2.1 above to the extent that this question is directed at the 25-page limit for the brief.*

To address the question regarding the applicable Federal Rules of Appellate Procedure and Seventh Circuit local rules more directly, the brief must conform to the Federal Rules of Appellate Procedure 28(a) and 32(a) (each as amended in the 2024 Official Rules and Standards) and Circuit Rule 28(a) only. Circuit Rules referenced in the preamble to Circuit Rule 28 (Circuit Rules 12(b), 30, and 52) do not apply to this competition.

Other subsets of Federal Rule of Appellate Procedure 32 are not included in the competition's brief requirements. To further clarify two points where confusion may arise:

- Federal Rule of Appellate Procedure 32(d) does not apply to briefs filed in this case; there is no requirement that the submitting parties include a signature block on the last page of the brief.
  - Federal Rule of Appellate Procedure 32(f) does not apply to briefs filed in this case; items are not excluded when computing the length limit, and the cover page, table of contents, and table of citations are included when determining the page limit.
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### **Rules Question 2.3:**

One further problem clarification. Where does the page numbering start in terms of the 25 pages? Does it begin after the title page or at the statement of the issues? If it begins at the statement of issues, should we include roman numeral page numbers for the table of contents and table of authorities?

### **Committee Response to Rules Question 2.3:**

*Please see the response to Rules Question 2.1 above to the extent that this question is directed at the 25-page limit for the brief.*

To address the question regarding the page numbering of different components of the brief more directly, briefs should follow the standard page numbering conventions for appellate briefs, which are:

- Cover page: no page number
  - Table of Contents and Table of Authorities: numbered sequentially using lowercase Roman numerals; that is, the first page of the Table of Contents will use the number “i” as its page number.
  - Remainder of the Brief: numbered sequentially using Arabic numbers; that is, the first page following the Table of Authorities will use the number “1” as its page number.
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### **Rules Question 2.4 (Cross-posted as Problem Clarification Question 2.3):**

Hello, can you please explain more about the jurisdictional statement required? My team is a bit confused as to all of what needs to be included. Thank you!

### **Committee Response to Rules Question 2.4:**

The jurisdictional statement must address both the requirements set forth in Federal Rule of Appellate Procedure 28(a)(4) and any applicable required details set out in the Seventh Circuit’s Circuit Rule 28(a), which supplements Federal Rule of Appellate Procedure 28(a)(4). In drafting the jurisdictional statement, it will be important to not only closely examine the applicable rules, but the facts in the record on appeal.

This question does suggest a clarification regarding a procedural step in the case will be helpful. For the purposes of briefs submitted in this competition, competitors are advised of the following fact:

**Ms. Zott filed her Petition for Permission to Appeal the Order on the Motion to Disqualify Julius & Handler with the Seventh Circuit on November 16, 2023.**

No record citation is available for this fact, as the petition was filed in the Seventh Circuit rather than in the district court; the fact may be provided to the Seventh Circuit without a citation.

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