The Moot Court Program at Ohio Northern University is the program for student participation in appellate advocacy and trial advocacy competitions. The organization is composed of an Executive Board and the Moot Court Honor Board. The Executive Board, under the supervision of a faculty advisor, administers the Moot Court Program. The Moot Court Honor Board consists of students who have participated on a regional or national team, as well as the top competitors from the three Ohio Northern University intra-school oral advocacy competitions. The Moot Court Program is funded by Ohio Northern University.

The Moot Court Program provides law students with an opportunity to improve their oral advocacy, trial, and brief writing skills. This is accomplished through participation in prominent appellate and trial advocacy competitions. Team members have the opportunity to compete at both the regional and national levels. We enjoy an outstanding reputation nationally and participate in some of the most prestigious moot court competitions in the United States.

Ohio Northern University’s Moot Court Program has had great success recently in extremely prominent and competitive tournaments. This year, the board is looking for students with the talent and desire to excel in these competitions as well as improve their advocacy skills. The 2015-2016 Moot Court Executive Board is actively pursuing changes to the program that will allow us to compete more effectively at the national level, and we cannot accomplish this goal without talented advocates on the teams. Please understand that Moot Court is a commitment, but it is a rewarding one. Most teams will practice between 3-4 times a week (or more) in the weeks leading up to their competition.

That level of dedication is rewarded with success. Whether it is winning a tournament, winning best brief, beating a team from a top ranked law school, or even just arguing in a federal court room, our advocates are prepared and practiced enough to feel confident representing themselves and their law school. If you are committed to advocacy, and would like to represent Ohio Northern University at a national competition, please join us.

Any questions and/or concerns should be directed to:

Mark R. Simonton
Chief Justice, Moot Court
m-simonton@onu.edu | (304) 444-3908
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*Note – The foregoing is developed at the discretion of the Moot Court Executive Board and may be amended at any time, with or without prior notice, at the sole option of the Moot Court Executive Board.*
ORGANIZATION OF THE MOOT COURT PROGRAM

**EXECUTIVE BOARD**

The Executive Board is the administrative branch of the Moot Court Program. There are seven positions available on the Executive Board. Each spring, the outgoing Board selects Moot Court participants to fill these positions.

**CHIEF JUSTICE:**

*Mark Simonton*

The Chief Justice is the director of the Executive Board. They are responsible for the overall planning, supervision, and administration of the Moot Court Program.

**ADMINISTRATIVE JUSTICE:**

*Joe Reed*

The Administrative Justice is responsible for the management of the Moot Court budget, accounting, and other administrative functions.

**PRESIDING JUSTICE:**

*Tabitha Moody*

The Presiding Judge is responsible for the Moot Court Honor Board. They conduct all Moot Court Honor Board meetings and maintain the Moot Court Honor Board records.

**ASSOCIATE JUSTICES:**

*Shelbie Black*  
*Lisa Bradley*  
*Keely McWhorter*

The Associate Justices are responsible for the various competition teams as outlined in this catalog. They also assist the Chief Justice in the planning and supervision of the Moot Court activities and administration of the program.

**INTRA-SCHOOL COMPETITION COORDINATOR:**

*Kaia Waldick*

The Intra-School Competition Coordinator is responsible for working directly with the Chief Justice to coordinate all intra-school Moot Court competitions. They are also responsible for assisting the Chief Justice with various administrative tasks.
**FACULTY COACHES**

The Faculty Coaches are appointed by the Dean of the College of Law and are responsible to the Dean for the activities of the Moot Court Program. Faculty Coaches will oversee and work directly with the participants of one of Moot Court’s traveling competition teams. They also provide guidance to the Executive Board in planning and administering the Moot Court Program. In addition to the below-listed Faculty Coaches, other faculty members volunteer their time to help teams prepare for competition.

**FACULTY ADVISORS:**

*Professor David Raack*

*Professor C. Antoinette Clarke*

*Professor Brian Anderson*

*Professor Juergen Waldick*

*Professor Joanne Brant*

*Professor Deidre Keller*
GENERAL RULES OF THE MOOT COURT PROGRAM

ELIGIBILITY TO PARTICIPATE IN MOOT COURT COMPETITIONS

A student must be in "good standing" to be eligible for participation in any of the Moot Court Competitions. Furthermore, only second and third year students are eligible to compete in a regional or national competition. For further information pertaining to each competition, please consult this catalog.

GUIDELINES FOR MOOT COURT COMPETITIONS

I. The Faculty Advisor, Chief Justice, and an Associate Justice for the particular competition are responsible and are the final arbitrators of all disputes arising out of the competition.

II. The Associate Justice responsible for a particular competition will provide the participants the rules for that competition via e-mail and/or other reasonable means to ensure notification to competitors.

III. All announcements concerning competitions and other general matters will be provided via e-mail and/or other reasonable means to ensure notification.

IV. Late submission of required written materials or briefs may result in a reduction of a participant/competitor’s Moot Court grade and is grounds for disqualification from the competition and/or the Moot Court Program.

V. Missing a scheduled practice round without good cause and notice to the Chief Justice and/or Associate Justice responsible for the particular competition is grounds for disqualification from the competition and/or the Moot Court Program. The Chief Justice and Presiding Justice will determine "good cause" with the advice and consent of the entire Executive Board.

STUDENT CODE OF PROFESSIONAL RESPONSIBILITY

The Student Code of Professional Responsibility, as set forth in the Catalog of the College of Law, is applicable to all Moot Court Competitions. It is particularly relevant to those who are registered for academic credit. Violation of the Student Code of Professional Responsibility is a basis for disqualification from a competition and/or the Moot Court Program. Further, variations from the Program By-Laws may be grounds for a violation of the Student Code.

Particular attention should be given to section II-2 of the Student Code pertaining to removal and misuse of library property.

“BEST POSSIBLE EFFORT” REQUIREMENT

It is the belief of the Executive Board that Moot Court is an important and valuable endeavor. Your best efforts are required to guarantee that Ohio Northern University’s Moot Court teams continue to excel. This requirement mandates that the participants in the Moot Court Program are the best our law school has to offer. Further, the individuals participating are expected to be professional and hard-working at all times.
**Credit Policy of the Pettit College of Law**

The College of Law offers two (2) academic credits to members of Moot Court which compete in a regional or national moot court competition for the first year in which they compete. Returning Moot Court members can receive an additional academic credit provided they compete in a regional or national moot court competition during their second year. A student may receive a maximum of three (3) credit hours for Moot Court participation.

**Absence from a Final Examination**

It is faculty policy that participation in a National Moot Court Competition on the day of a final examination is an excused absence from that exam. Notice of a possible conflict must be given to the Associate Dean by the Chief Justice and the Associate Justice who is responsible for the competition. However, this policy does not extend to alternates or brief writers. Arrangements must be made with the specific professor to reschedule the missed exam.

**Travel Expense Policy**

Moot Court will pay the cost of travel expenses for regional and national teams to the fullest extent reasonably possible. Due to the limited budget of the Moot Court Program, it is necessary that the traveling expense policy be strictly enforced.

**Competitions**

Ohio Northern University Pettit College of Law sends our traveling team members to six nationally recognized tournaments, which are detailed in the next few pages of this packet. Individuals who succeed during the tryout process will become members of these respective teams and represent Ohio Northern University accordingly at these competitions. The Moot Court Program also administers three intra-school tournaments; open to the entire University (with restrictions noted) including the Daniel S. Guy First Year Appellate Advocacy Competition, the Burke E. Smith Mock Trial Competition, and the Anthony J. Celebrezze Appellate Advocacy Competition.
AMERICAN BAR ASSOCIATION
NATIONAL APPELLATE ADVOCACY COMPETITION

FACULTY COACH: PROFESSOR JOANNE BRANT

Description – This national competition is sponsored by the American Bar Association. The problem for the competition is focused on a different area of law every year; however, it has generally been an issue of constitutional law in the past. Ohio Northern University competes regionally against other schools for an opportunity to advance to Nationals. The regional competition consists of three qualifying rounds with each team arguing at least once on behalf of the Respondent and once on behalf of the Petitioner. The regional competition will have between 36 and 42 schools. The top 16 teams advance to the semifinal round, with the winners advancing to the final round. The winning four teams from each regional competition advance to the National Finals. The regional competition location will be announced at a later time, although Ohio Northern University has traditionally competed in locations such as St. Louis, Boston, and Washington, DC.

Four years ago, Ohio Northern University won the Washington D.C. regional for the first time in the school’s history. Three years ago, Ohio Northern University continued its tradition and made it to the Boston regional semi-finals, won an award for best advocate and an award for third-best brief at the competition.

Prerequisite(s) – There are no prerequisites for applications to this team.

Requirements – The team is required to submit a high quality brief to the sponsors and other participating teams, which is a part of the scoring for the competition along with oral arguments.

Credit – Academic credit is available for those advocates who qualify.

Offers – The Executive Board anticipates three (3) offers will be made to selected applicants.

Awards – Team members are recognized at the Ohio Northern University College of Law Honors Banquet. Awards are also presented by the sponsors of the American Bar Association during the Regional and National Competition. The awards include plaques and trophies for nationally qualifying teams, as well as individual advocate awards and cash prizes at the national level.

Past Participants – Mark Simonton (’16), Lisa Bradley (’16), Christian Woo (’16), Daniel Fetter (’15), Tessa Scott (’14), Justin McCombs (’15), Jason Ramsey (’14), Drew Pugsley (’14), Jacqueline Dobbert (’13), Rachel Kopec (’13), Kyle Novak (’12), Hannah Smith (’12), Mary Ellen Ditchey (’11), Jeffrey Hiatt (’11), Rachel Kasper (’10), Anna Marin Russell (’10), Joe Sellers (’10), Jason Flower (’09)

Competition Site – http://www.americanbar.org/groups/law_students/events_competitions/practical_skills_competitions/naac.html
AMERICAN ASSOCIATION FOR JUSTICE STUDENT TRIAL ADVOCACY COMPETITION (STAC)

FACULTY COACH: PROFESSOR JUERGEN WALDICK

Description – Sixteen teams from all over the nation are assigned to one of fourteen regional competitions. The top team from each region then advances to the National Finals. The STAC problems are always civil cases and tend to deal with issues such as products liability, personal injury, or medical malpractice/negligence issues. Teams are judged on their skills in case preparation, opening statements, use of facts, the examination of lay and expert witnesses, and closing arguments.

The AAJ team is the only trial level Moot Court competition team at Ohio Northern University. The regional competition location will be announced at a later time, although in the past this team has competed in Cleveland, Ohio.

Prerequisite(s) – There are no prerequisites for applications to this team. However, applicants should have a general understanding of the Federal Rules of Civil Procedure and Federal Rules of Evidence.

Requirements – No written work will be scored at the competition. The team members will be required to demonstrate their trial advocacy skills.

Credit – Academic credit is available for those advocates who qualify.

Offers – The Executive Board anticipates three (3) offers will be made to selected applicants.

*Note – Selected applicants are not guaranteed a specific role within the team. The Associate Justice and Faculty Advisor will select intra-team roles (i.e., lawyers or witnesses) once applicants have been selected for the team.

Awards – Awards are presented by the sponsors of the competition. Additionally, team members are recognized at the Ohio Northern University College of Law Honors Banquet.

Past Participants – Tabitha Moody (’16), Shelbie Black (’16), Kaia Waldick (’16), Lawrence King (’14), Adam Quigley (’15), Aryn Goempel (’15), Erin Studer (’15), Robert Kidd (’14), Travis Faber (’14), Tanya Schmid (’14), Jane Williamson (’13), Jason Carter (’13), Marc Davis (’13), Matt Valeriane (’13), Jessica Bilious (’13), Andrea Brown (’12), Timothy Warren (’12), Nicole Smith (’11), Rob Capovilla (’12), Paul Foley (’11), Craig Sweeney (’11), Samantha Philips (’11), Greg Reichert (’11), Andrew Wick (’11), Nicole Rataski (’11), Brandon French (’10), Tom Burkhart (’10), Nick Laudato (’10), Sean Mott (’10), Luke Overmeyer (’10), Megan Schenk (’10), Sarah Williams (’10)

JOHN J. GIBBONS NATIONAL CRIMINAL PROCEDURE
MOOT COURT COMPETITION

FACULTY COACH: PROFESSOR C. ANTOINETTE CLARKE

Description – This competition is held annually at Seton Hall University School of Law in Newark, New Jersey. The competition hosts 40 teams from around the country over the course of two days, with issues generally focused on timely matters of criminal procedure and/or criminal law. Competitors will be called on to argue the constitutionality and interpretation of federal and state criminal statutes as well as general doctrinal issues of federal and state criminal law.

Ohio Northern University has previously enjoyed remarkable success at this competition. All of our teams have placed within the sweet sixteen and have brought home multiple honors, including best brief and best oralist. Last year’s team earned third best Petitioner’s brief and placed in the semi-final round. In 2014, team members Courtney Staton and Christopher Wallick took home fifth best brief for the Petitioner and placed within the quarter-finalist round. In 2013, team members Holly Urbanick and Michael Walton received honors for best brief and finished in third place overall. This was preceded by the 2012 team of Megan Torres and Zach Smith who finished as octo-finalists. In 2011, the team finished as quarter-finalists, ending up fifth place overall. In 2010 team members Stephanie Swinger and Matthew Oyster received first and second place honors for best oral advocacy, and finished in third place overall. We hope to continue this tradition of great success with next year’s team.

Prerequisite(s) – There are no prerequisites for applications to this team.

Requirements – The team must jointly prepare a high quality brief to be submitted and scored by the sponsors as well as participate in oral arguments.

Credit – Academic credit is available for those advocates who qualify.

Offers – The Executive Board anticipates two (2) offers will be made to selected applicants.

Awards – Team members are recognized at the Ohio Northern University College of Law Honors Banquet. Awards are also presented by the sponsors of the competition.

Past Competitors – Martin Fisher (’16), Renee Drollette (’16), Nicole Tesla (’16), Courtney Staton (’15), Christopher Wallick (’15), Michael Walton (’14), Holly Urbanick (’14), Megan Tyler (’13), Zach Smith (’12), Jennifer King (’12), Josh Lunsford (’11), Stephanie Swiger (’11), Matthew Oyster (’10)

Competition Site – http://law.shu.edu/Students/academics/skills/moot-court/inter/Gibbons/index.cfm
**PHILLIP C. JESSUP INTERNATIONAL LAW Moot Court Competition**

**Faculty Coach:**  
**Professor Brian Anderson**

**Description** – This competition is internationally known and is the only one that enjoys participation by nearly every law school in the United States and abroad. In fact, it enjoys recognition as the world’s largest moot court competition, with participants from over 550 law schools in more than 80 countries. The arguments are presented as if before the International Court of Justice, the judicial structure of the United Nations (as opposed to a court of the United States). Additionally, the problem is written by a leading scholar on a topic of timely and global significance.

For the past few years, our teams have been highly competitive in this competition. The 2011 Team finished 7th out of 24 teams after the preliminary four rounds, ranking ONU higher than many top schools including Ohio State, Northwestern, Wisconsin, and Notre Dame. In addition, the 2012 Team finished with a score that was competitive with teams ranked within the top 8 of the competition. Last year’s team had remarkable success, placing in the semi-finals and winning third best memorial. Additionally, Ryan Phillips won 4th Best Oralist and Keely McWhorter plaed 11th Best Oralist out of 84 participants.

Thousands of law students from around the world will work all year long on the season's Jessup Problem. This year’s problem involves issues concerning the legality of mass surveillance programs, the expropriation of property allegedly used in such programs, and the international legal consequences of cyberattacks attributable to states. This team has traditionally competed in Chicago, Illinois.

**Prerequisite(s)** – There are no prerequisites for applications to this team.

**Requirements** – A very high quality brief is required from each team which is part of the overall scoring in the competition along with participation in oral arguments.

**Credit** – Academic credit is available for those advocates who qualify.

**Offers** – The Executive Board anticipates two (2) offers will be made to selected applicants.

**Awards** – Awards are presented by the sponsors of the competition. Additionally, team members are recognized at the Ohio Northern University College of Law Honors Banquet.

**Past Participants** – Joe Reed ('16), Keely McWhorter ('16), Anne Mulhern ('16), Michael Hamper ('14), Wesley Garrett ('15), Marieke Johnson ('15), Ryan Phillips ('15), Rick Manilla ('14), Dan Jones ('13), Kelly Perri ('13), Kris Snow ('13), Iurie Cuciuc ('13), Shiva Varghai ('12), Ashley Rodabaugh ('12), Lindsey DiMuzio ('12)

**Competition Site** – http://www.ilsa.org/jessup/index.php
AMERICAN INTELLECTUAL PROPERTY LAW ASSOCIATION
GILES SUTHERLAND RICH MEMORIAL
MOOT COURT COMPETITION

FACULTY COACH: PROFESSOR DEIDRE KELLER

Description – The AIPLA Giles Sutherland Rich Memorial Moot Court Competition is named for the later Honorable Giles Sutherland Rich, Circuit Judge of the United States Court of Appeals for the Federal Circuit. The competition, comprises of regional meets in various cities across the nation and a national final meet in Washington, D.C. It is an annual competition sponsored by the American Intellectual Property Law Association (AIPLA). Regional competition locations include Boston, Chicago, Houston, Silicon Valley, and Atlanta.

This is the first year that the Ohio Northern University Moot Court Program will host a traveling Intellectual Property Team.

Prerequisite(s) – The Intellectual Property Survey Course or other Intellectual Property Course (e.g., Entertainment Law, Intellectual Property Seminar) is a prerequisite for being placed on this team. Applicants must have either completed or be currently enrolled in one of these courses. An interest in Intellectual Property is strongly encouraged.

Requirements – A brief is required to be submitted by each team, for each side of the problem. Both members of the team must substantially participate in the preparation of each brief.

Credit – Academic credit is available for those advocates who qualify.

Offers – The Executive Board anticipates two (2) offers will be made to selected applicants.

Awards – Awards are presented by the sponsors of the competition and include cash prizes ($1,000.00 for National Second Place and $2,000.00 for National First Place). Additionally, team members are recognized at the Ohio Northern University College of Law Honors Banquet.

Past Participants – No past participants

Competition Site – http://www.aipla.org/resources2/programs/Pages/Moot-Court-Competition.aspx
ANNUAL BURKE E. SMITH INTRA-SCHOOL
MOCK TRIAL COMPETITION

EXECUTIVE BOARD ADVISORS: SHELBIE BLACK, ASSOCIATE JUSTICE

Description – This intra-school mock trial competition has historically been sponsored by the Honorable Burke E. Smith and is administered by the Moot Court Program. Teams of two law students practice and develop their trial advocacy skills while competing for cash prizes in a courtroom environment.

Requirements – No written work is required. The teams will consist of two individuals who will be required to demonstrate their trial advocacy skills.

Awards - The first and second place teams will receive plaques and cash awards. Additionally, team members are recognized at the Ohio Northern University College of Law Honors Banquet. Furthermore, the top four teams will be invited to join the Moot Court Honor Board.

Note about Sponsor – The late Honorable Burke E. Smith, was a distinguished graduate, generous supporter of the Moot Court program and gave his time freely to help administer and judge this competition. He had traditionally judged the final round, until he “passed the torch” in the 2004 competition to his son, Scott, who has previously presided over the final round. In Mr. Smith’s absence, Moot Court has traditionally invited a current or retired judge to preside over the final round.

Dates: The first round is September 19, 2015 and will be conducted concurrently with tryouts for the Moot Court travelling trial team. A copy of the competition rules and this year’s problem are enclosed in the application packet.

Traveling Team - NOTE: You do NOT have to TRYOUT for a TRAVELING TEAM in order to compete in the Burke E. Smith Competition—you may participate in ONLY the competition if you do NOT desire to tryout to be a part of the Moot Court traveling teams.

Past Finalists –

- 2014 Competition
  - Champions: Tabitha Moody (’16) & Lisa Bradley (’16)
  - Runners Up: Mark Simonton (’16) & Shelbie Black (’16)
- 2013 Competition
  - Champions: Lawrence King (’14) & Paul Billingsley (’14)
  - Runners Up: Aryn Goempel (’15) & Christopher Wallick (’15)
- 2012 Competition
  - Champions: Joshua Horowitz (’13) & Steven Keslar (’13)
  - Runners Up: Robert Kidd (’14) & Lara Wood (’14)
- 2011 Competition
  - Champions: Jacqueline Dobbert (’13) & Marc Davis (’13)
  - Runners Up: Rachel Kopec (’13) & Lauren Zdunek (’13)
- 2010 Competition
  - Champions: Max Cotton (’12) & Joe Kunkel (’12)
  - Runners Up: Ashley Rodabaugh (’12) & Samantha Phillips (’11)
ANTHONY J. CELEBREZZE INTRA-SCHOOL
APPELLATE ADVOCACY COMPETITION

EXECUTIVE BOARD ADVISOR: MARK SIMONTON, CHIEF JUSTICE

Description - This competition is an intra-school appellate advocacy competition open to all second and third year students. This Competition is named in honor of the late Honorable Anthony J. Celebrezze, a distinguished alumnus of the Ohio Northern University Pettit College of Law. Justice Celebrezze served as a senior Circuit Justice on the bench of the Sixth Circuit United States Court of Appeals. The Celebrezze family is also a sponsor of the Competition. Traditionally, the final round has been judged by a panel of distinguished members of the local and national government, including Judge Celebrezze himself. Judges for this year’s competition will be announced at a later date.

Requirements - No written work is required. The only requirements are those of “good standing” within the University and the competitors must be a second or third year student at ONU.

Awards - The first, second, third and fourth place individuals will receive plaques and cash awards and will be recognized at the Ohio Northern University College of Law Honors Banquet. Furthermore, the top four competitors will be invited to join the Moot Court Honor Board.

Note about Sponsor - Justice Celebrezze served as a senior Circuit Justice on the bench of the Sixth Circuit United States Court of Appeals. The Celebrezze family is also a sponsor of the Competition.

Dates - Competition dates are TBA; however, tentatively it is set for the middle of March or beginning of April, 2016.

Past Finalists –
● 2015 Competition
  o Champion: Lisa Bradley (’16)
  o Runner Up: Tabitha Moody (’16)
● 2014 Competition
  o Champion: Courtney Staton (’15)
  o Runner Up: Tessa Scott (’14)
● 2013 Competition
  o Champion: Jason Ramsey (’14)
  o Runner Up: Holly Urbanick (’14)
● 2012 Competition
  o Champion: Jacqueline Dobbert (’13)
  o Runner Up: Dan Jones (’13)
● 2011 Competition
  o Champion: Zachary Smith (’12)
  o Runner Up: Paul Foley (’11)
● 2010 Competition
  o Champion: Chase Carter (’11)
  o Runner Up: Paul Foley (’11)
Daniel S. Guy Intra-School First Year Appellate Advocacy Competition

Executive Board Advisor: Mark Simonton, Chief Justice

Description - This competition is an intra-school appellate advocacy competition mandatory to all first year students. This Competition is named in honor of the former Dean of the Ohio Northern University Pettit College of Law, Daniel S. Guy. The competition is a part of the first year Legal Research & Writing Course. Each first year student is required to participate in this oral advocacy competition; however only those selected to move on may continue to compete. The final round of this Competition is traditionally judged by the Incoming Chief Justice, and prestigious members of the local and/or national judiciary.

Requirements - Varies as this is a portion of the first year legal research and writing curriculum.

Awards - The top four individuals will receive plaques and will be recognized at the Ohio Northern University College of Law Honors Banquet. Furthermore, these competitors will be invited to join the Moot Court Honor Board.

Note about Sponsor – Daniel S. Guy has long been a strong supporter of the Moot Court Program. After graduating from ONU with his J.D., he went on to serve the State of Ohio and the Federal government via the US Senate Committee, working on, among other things, the 1964 Civil Rights Act. He was a former student, professor, and dean of the Pettit College of Law, has had numerous articles published and has been a distinguished Professor of Law Emeritus to this University for many years.

Tentative Dates - Competition dates are TBA; however, tentatively it is set for April of 2016.

Past Finalists –

- 2015 Competition:
  - Champion: Carrie Frankhauser
  - 1st Runner Up: Nataly Mualem
  - 2nd Runner Up: Samantha Rutter
  - 3rd Runner Up: Anna Haffner

- 2014 Competition:
  - Champion: Mark Simonton
  - 1st Runner Up: Dana Carlson
  - 2nd Runner Up: Lisa Bradley
  - 3rd Runner Up: Anne Mulhern

- 2013 Competition:
  - Champion: Courtney Staton
  - 1st Runner Up: Justin McCombs
  - 2nd Runner Up: Taylor Beaty
  - 3rd Runner Up: Matthew Kearney

- 2012 Competition
  - Champion: Sarah Weiland
  - 1st Runner Up: Jason Ramsey
  - 2nd Runner Up: Drew Pugsley
  - 3rd Runner Up: Justine Anderson