



**Bar Association of the  
Fifth Federal Circuit**

**Fifth Circuit Appellate Oral Advocacy Competition**

**Official Rules and Procedures**

**As of February 9, 2026**

**Young Lawyers Committee**

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## Preamble

These Rules and Procedures are supplemented by documents posted to the Young Lawyer Dashboard webpage on the Fifth Circuit Appellate Oral Advocacy Competition. Each team is responsible for reviewing these Rules and the supplemental documents.

## Introduction

The Young Lawyers Committee (<https://baffc.org/members/young-lawyer/>) created the Fifth Circuit Appellate Oral Advocacy Competition to support the development of oral advocacy skills through realistic appellate advocacy experience. Competitors participate in a hypothetical appeal to the Fifth Circuit by arguing in front of a moot court. Judges will read the bench memo in preparation for oral arguments.

## Administration

***Courthouse.*** To provide realistic appellate experience, the Young Lawyer holds the competition at the U.S. Fifth Circuit Court of Appeals, the John Minor Wisdom Courthouse located in New Orleans, Louisiana. As a condition of using the courthouse, the Young Lawyers Committee agrees not to disturb the placement of furniture, equipment, and electronics. Only competition administrators may move furniture or operate electrical/electronic equipment including microphones and video monitors.

***Furniture and Equipment.*** By competing, team members affirm that they will not move any furniture, including the podium, or disturb any equipment, including monitors, microphones, and electrical/electronic cords, in any courtrooms used for the competition, even if a judge asks the competitor to move it. Violation shall result in the imposition of a significant penalty, up to and including disqualification.

***Participants and Observers.*** The courthouse may require the Young Lawyers Committee to provide a list of people associated with the competition. The Committee obtains competitors' names from the Team Member Reporting Form in which teams must report the names of coaches, advisors, bailiffs, and any guests, using an online form. The Form will be available on the Young Lawyer Dashboard webpage.

## Eligibility

Participation in the competition is limited to BAFFC members. Given the total number of participating teams, a firm may only register one team for the competition. Each state in the circuit will receive a maximum of 10 team registrations. If a state registers less than 10 teams for the competition, teams from the remaining states may be considered in addition to the original 10 teams.

While all members are invited to participate, priority will be given to young appellate practitioners.

Names of team members are due to the BAFFC office via email by the submission deadline posted online. Failure to satisfy this requirement may make a competitor ineligible to compete. Late team name submissions may be accepted at the discretion of the BAFFC.

### **Teams**

A team consists of two or three BAFFC members from the same law firm. Two or more law offices may join together to create a team.

After the name submission deadline, team members may not be substituted, except for good cause such as death, severe illness, or other uncontrollable circumstance. A team must obtain the Young Lawyers Committee's written approval to substitute a team member.

### **Team Pairings, Designations, and Anonymity**

The Young Lawyer Division will randomly assign letter and courtroom designation to each team. This letter will be the sole method of identifying the team to competition judges, including brief graders, during the competition. Anyone affiliated with a team, including team members, coaches/advisors, bailiffs, and observers, may not directly or indirectly divulge their firm's identity to the judges. Violation of this rule shall result in a penalty, up to and including disqualification.

### **Competition Case**

The Young Lawyers Committee will select a case for oral argument currently pending in another Circuit or before the U.S. Supreme Court. The teams will use the existing briefs filed in the matter to prepare for the oral argument.

The case shall be released on the date listed online; but only to teams for which a law firm has identified by name each of members of the teams. Otherwise, the case will be released to teams once the law firm has identified by name each of the members of a registered team, provided that such members are designated within 14 days after the case is released.

The Young Lawyers Committee shall entertain requests for clarifications for 15 days after release of the case. Each request for clarification must be submitted via email. Any clarifications will be posted to the Young Lawyer Dashboard webpage.

### **Competition Format**

***Date and Location.*** The competition and following awards ceremony will take place on one day in June from 8 a.m. to 4 p.m. at the John Minor Wisdom Courthouse, 600 Camp Street, New Orleans, Louisiana.

***Teams.*** Two or three team members will argue in each round of oral argument. A team may vary which members will argue from round to round. Only those two-three people arguing may sit at

counsel table. Five teams will be designated for each of the East, West, and En Banc courtrooms, and one team in each courtroom will be selected as the winner.

**Oral Arguments.** Each argument is limited to a total of 20 minutes per team. A team may divide its 20 minutes as it chooses, but no team may allocate more than 12 minutes to one advocate, including rebuttal. The petitioner may reserve up to a maximum of 5 minutes for rebuttal for one oral advocate per team. (The Petitioner need not identify which team member will rebut prior to the start of oral argument.)

### **Schedule**

8 a.m. to 9 a.m.	Team Check-In and Mandatory Team Meeting (Teams, Coaches/Advisors, and Bailiffs)
8:30 a.m. to 9 a.m.	Judges Check-in/Orientation
9 a.m. to 10 a.m.	A Teams for East, West and En Banc
10 a.m. to 11 a.m.	B Teams for East, West and En Banc
11 a.m. to Noon	C Teams East, West and En Banc
Noon to 1 p.m.	Lunch
1 p.m. to 2 p.m.	D Teams East, West and En Banc
2 p.m. to 3 p.m.	E Teams for East, West and En Banc
3 p.m. to 4 p.m.	Top Team Awards for East, West and En Banc

### **Scoring**

Teams are evaluated and scored based on the quality of their presentations and not on the merits of the side they represent.

- Each judge will evaluate each advocate upon a 100-point scale, considering substantive content of argument, knowledge of the record, extemporaneous ability, courtroom demeanor and professionalism. A sample Oral Argument Ballot can be found in Appendix.
- If a judge scores below the range in any given criteria or fails to provide a score for any given criteria, and the bailiffs return to the scoring room without correcting the error, the advocate will receive only the number of points given by the judge, or in the case of no score, a zero, for that particular criterion.
- If a judge scores above the range in any given criteria, and the bailiffs return to the scoring room without correcting the error, the advocate will receive the maximum number of points allowed for that particular criterion.

- If the sum of the scores assigned for each criterion differs from the total score assigned by a judge, the scores for each criteria control.
- A team’s margin of victory is calculated by subtracting the losing team’s point total from the winning team’s point total.
- If a team forfeits an assigned round, the team’s scheduled opponent (“the opponent”) will be the winner of that round and their margin of victory will be one point.
- If a tie exists after the oral argument, the judges will ultimately select the winning team from the two highest scoring teams.

### **Feedback**

Immediately after completing the oral argument ballot, the judges provide the advocates with oral feedback for up to 20 minutes. Both teams should be in the room at the same time. Judges are encouraged to provide constructive feedback to help promote an inclusive, educational, and positive experience for all competitors and coaches.

### **Announcement of Results**

Bailiffs are responsible for reporting results to their coaches and/or competitors. After the bailiffs have collected the ballots, they shall not communicate with team members, including coaches and advisors.

### **Bailiffs**

Bailiffs are responsible for:

- Ensuring the judges are inside the courtroom 15 minutes prior to the start of the first oral argument;
- Distributing the ballots to judges before oral argument;
- Serving as timekeepers and holding up cards to indicate the amount of time remaining in each argument;
- Standing and holding up the “stop” sign at the expiration of the advocate’s time;
- Picking up the ballots after judges have voted and, in the presence of the judges, jointly verifying with the other team’s bailiff that the scores are within the limits;
- Taking the ballots to the scoring room and, jointly with the other team’s bailiff, verifying and correcting the judge’s mathematical calculations to ensure accuracy;
- Making a photographic image of the scoring sheets;
- Returning the ballots to the Young Lawyers Committee in the round folder;
- Reporting the results to the bailiff’s team members; and
- Providing a stopwatch and calculator for their team. (A mobile phone may be used solely for the purpose of keeping time and tabulating the round and must be kept in airplane mode during the round. Bailiffs should be aware that not all courthouses allow cell phones in the building, so it is advisable to bring a stopwatch and calculator.)

The Petitioner's Bailiff will call the Court to order.

The Petitioner's Bailiff will serve as timekeeper when the Petitioner is speaking. The Respondent's Bailiff will serve as timekeeper when the Respondent is speaking.

After the ballots are reviewed, tabulated, and signed by the bailiffs and delivered to the Young Lawyers Committee, the Committee will not consider any protest regarding mathematical errors in a judge's ballot. The Committee may, in its discretion, correct a mistake to prevent a team from inadvertently benefitting from such an error.

The Young Lawyers Committee collects and tabulates the ballots and announces 3 winners. However, the results will not be final until the teams' bailiffs have had the opportunity to check the scores.

No coach will be allowed in the bailiffs' scoring room unless that coach has served as a bailiff in the preceding round.

A sample bailiff's instruction sheet, tally sheet, and worksheet are in Appendix F and Appendix G to these Rules.

### **Competition Judges**

The Young Lawyers Committee will select attorneys and judges to serve as oral argument judges. No attorney may act as a judge for a team from that attorney's law firm.

### **Protests**

The Young Lawyers Committee rules on and resolves complaints, rule violations, and disputes that occur during a competition and shall act in accord with these Rules and Procedures. The Committee may also raise any rule violation on its own.

All protests arising out of oral argument are considered waived unless the protest is brought to the attention of the Young Lawyers Committee before the beginning of the judges' critiques. No protest shall be entertained regarding any team or speaker going over the time allotted, rather, the Young Lawyers Committee will tell judges if any speaker goes over time without the Court's consent, then they may let such time violation be reflected in the score they assign to that speaker, as they deem appropriate.

### **Penalties**

The Young Lawyers Committee, unless otherwise provided and in its sole discretion, will assess penalties for violation of these Rules. Uniform penalties will be assessed for each type of violation.

If during any round, more than three members of a team sit at counsel table, that team will have its score reduced by five points after the outcome has been determined.

The unauthorized moving of furniture or any other item in the courtroom shall result in the imposition of significant penalties, up to and including disqualification.

### **Competition Materials, Updates, and Clarifications**

Teams are responsible for reviewing competition-related information posted to the Young Lawyers Dashboard webpage. The Executive Director will communicate important updates to the team contact person. All teams must list one contact during registration who will be responsible for receiving and sharing information.

Requests for information or rule interpretation should be sent in writing via email to donna@baffc.org. The Executive Director will forward questions regarding rule interpretations or substantive inquiries to the Young Lawyers Committee. The Young Lawyers Committee will issue a written response to each inquiry and provide all teams a copy of the question and the response. This response will be distributed by the Executive Director.

### **Communications and Assistance**

***Competitor Assistance.*** During oral argument, a speaker may receive assistance only from their teammate who is seated at counsel table. Once a team's bailiff has contacted the competition judges, the bailiff shall not communicate with members of the team arguing. Coaches and advisors may advise, communicate with, and observe their teams only as provided in these Rules.

Other than the judges and bailiffs, no one—including bailiffs, coaches, advisors, supervisory personnel, other team members, friends, associates, and observers—may communicate in any way with any of the participants during oral arguments. Bailiffs may communicate only with timecards during this period.

***Electronic devices.*** Any electronic devices used at counsel table, or anywhere else in the courtroom, must be in airplane mode.

***Scouting.*** Scouting is prohibited. No team member still participating shall attend the argument of any other team or receive information from any person who has attended an argument of any other team. A bailiff who is not also a team member may serve as bailiff for both teams *if the schedule permits* but may not merely attend the argument of a team for which he or she is not serving as bailiff.

***Communication with judges.*** No participant or other person associated with a participant may speak to a competition judge outside of the competition room during the period from commencement of the oral argument until after the ballots have been collected.

Communications in violation of this rule can result in disqualification.

## **Consent**

BAFFC and any of their agents or representatives may record the Competition. A member's decision to enter and participate in the competition constitutes consent to such recording. As a condition of entering and participating in the competition and for no monetary compensation, this consent grants BAFFC the nonexclusive rights worldwide to reproduce, distribute, and sell any visual material in connection with the student's participation, in whole or in part, with or without attribution, in any medium, as part of a course book or any other publication.

This consent also grants the BAFFC the right to use the member's name, pictures, photographs, voice, likeness, and image in connection with any such recordings and/or visual materials.

## **Awards**

***Champion.*** The top team from each courtroom will be recognized as a Champion. The Young Lawyers Committee will present an award to each team member as well as to the law firm the team members represent.

***Best Advocate.*** The Young Lawyers Committee will present awards to the three Best Advocates, one from each courtroom. The Young Lawyers Committee will calculate the award from the speaker scores to determine the award.

## **Professional Conduct**

The U.S. Fifth Circuit Rules of Professional Conduct govern the conduct of all participants including students, coaches or advisors, bailiffs, and observers. Violations are subject to penalties, including temporary or permanent suspension of individuals or law firms from participating in the competition. Everyone who participates is expected to act professionally at all competition-related events and on social media.

## **Rules Interpretation**

The Young Lawyers Committee, in its sole discretion, shall interpret these Rules and may modify these Rules or create additional rules to ensure fairness in the competition. Its decisions are final.

## **Cancellation**

If a law firm that has entered the competition decides not to compete, that law firm must notify BAFFC by email to [donna@baffc.org](mailto:donna@baffc.org) no later than the competition entry deadline. If the withdrawal notice is not timely received, the law firm may be prohibited from future competitions.

**Oral Argument Ballot (in-person form; see the Rules Supplement for the online form)**

***Teams may write only competitors' names and team numbers on the ballot before the argument begins.***

1st Appellant Name	2nd Appellant Name	Appellant Team Number	Appellee Team Number	1st Appellee Name	2nd Appellee Name
Issue 1 or 2	Issue 1 or 2	v.		Issue 1 or 2	Issue 1 or 2
<b>Min. 20 Max. 40</b>	<b>Min. 20 Max. 40</b>	<b>Substantive Content of Argument</b>		<b>Min. 20 Max. 40</b>	<b>Min. 20 Max. 40</b>
		<p>Overall effectiveness of argument irrespective of merits. Reasoning and logic. Knowledge of and ability to incorporate applicable legal authority. Judicious use of time.</p> <p>Poor            Marginal            Average            Good            Excellent            Superior</p> <p>20 21 22 23    24 25 26 27    28 29 30 31    32 33 34    35 36 37    38 39 40</p>			
<b>Min. 10 Max. 20</b>	<b>Min. 10 Max. 20</b>	<b>Knowledge of the Record</b>		<b>Min. 10 Max. 20</b>	<b>Min. 10 Max. 20</b>
		<p>Knowledge of the content of the record: familiarity with authorities, facts, issues, and arguments addressed by the lower courts.</p> <p>Poor            Marginal            Average            Good            Excellent            Superior</p> <p>10 11            12 13            14 15 16            17 18            19            20</p>			
<b>Min. 10 Max. 20</b>	<b>Min. 10 Max. 20</b>	<b>Extemporaneous Ability</b>		<b>Min. 10 Max. 20</b>	<b>Min. 10 Max. 20</b>
		<p>Ability to answer questions, to think on feet, and to resume argument after interruption.</p> <p>Poor            Marginal            Average            Good            Excellent            Superior</p> <p>10 11            12 13            14 15 16            17 18            19            20</p>			
<b>Min. 10 Max. 20</b>	<b>Min. 10 Max. 20</b>	<b>Courtroom Demeanor and Professionalism</b>		<b>Min. 10 Max. 20</b>	<b>Min. 10 Max. 20</b>
		<p>Proper deference to judges and counsel. Appellate Courtroom etiquette. Use of speaking voice, poise, gestures, mannerisms.</p> <p>Poor            Marginal            Average            Good            Excellent            Superior</p> <p>10 11            12 13            14 15 16            17 18            19            20</p>			
<b>Total</b>	<b>Total</b>	<b>Judge's Signature Judge's Last Name (Printed)</b>		<b>Total</b>	<b>Total</b>

## **Bailiff Instructions**

### **BEFORE THE ROUND**

1. Familiarize yourself with the Rules.
2. Bring a stopwatch and a calculator. (Using the stopwatch or calculator on your cell phone is appropriate.)
3. If your team is representing the Appellant, pick up the round folder (containing the judges' ballots and the bailiff worksheet) from the Competition Administrator.
4. Print the names of your team's speakers on each of the ballots and ask the bailiff for the other team to do the same. Leave the ballots on the bench for the judges.
5. Get time breakdowns for each team. Each team may argue for 20 minutes. Make note of how long each speaker wishes to argue. Appellant should advise you how many minutes are reserved for rebuttal. Mark the bailiff's worksheet to keep track of all this information.
6. For the first heat of each round, bailiffs must wait for the judges **outside** the judges' orientation room. For the second heat of each round, bailiffs must gather the judges outside the room where your round is to take place.
7. If your team is the Appellant, announce the judges as they enter.
8. If a judge has a question or needs to recuse himself or herself, come get a Competition Administrator immediately.

### **DURING THE ROUND**

1. Sit where you can be seen by the speakers and the judges.
2. Hold up cards indicating how much time a team member has left to argue within the specified allotment.
3. Stand and hold up "stop" sign when time has expired. **DO NOT SPEAK**. Judges may, in their discretion, grant additional time. This additional time is not deducted from a team's thirty-minute allocation.

### **AFTER THE ORAL ARGUMENT**

1. Remove competitors and spectators from the room while judges complete their ballots.
2. Wait outside the room until the judges are finished scoring their ballots.

3. Raise any protests at this time. Check the Rules for the exact procedure. Remember, protests are waived if you do not raise them immediately prior to the beginning of the judges' critiques.
4. Before leaving the room, check the ballots to ensure the judges scored each category within the minimum and maximum limits and ask everyone to return for critique.
5. Remind competitors not to identify their schools during or after critique. Judges will be informed of the schools involved by the Competition Administrator.
6. Return to the Bailiffs' Scoring Room to determine which team has won.
7. Straighten up the courtroom and remove all trash, but do not move furniture or equipment. Immediately notify Competition Administrator if anyone in room moved furniture or equipment.

### **Bailiffs' Worksheet**

Appellant's bailiff must announce the judges as they enter:

All rise. Oyez, Oyez, Oyez. All those who have business before this, the Fifth Circuit Court of Appeals 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.

(as Justices approach the bench) The Fifth Circuit Court of Appeals of the United States is now in session.

Judges: \_\_\_\_\_

\_\_\_\_\_ and Chief Judge \_\_\_\_\_ presiding.

Appellant Speaker	Total Time Allotted	Start Time	End Time	Time Used
_____	_____	_____	_____	_____

Appellee Speaker	Total Time Allotted	Start Time	End Time	Time Used
_____	_____	_____	_____	_____

Appellant Rebuttal Speaker	Total Time Allotted	Start Time	End Time	Time Used
_____	_____	_____	_____	_____