

NEW YORK  
CITY BAR

ANNUAL NATIONAL MOOT COURT

# BRIEF GRADING GUIDELINES

Please assign each brief a numeric score between 60 and 100. Our suggested grading key offers the following guidance:

60-65	65-75	75-85	85-95	95-100
Unsatisfactory	Below Average	Satisfactory	Above Average	Outstanding
Fails to meet expectations Exhibits major deficiencies	Less than Acceptable Needs improvement	Acceptable Meets requirements and expectations	High Quality Exceeds requirements and expectations	Exceptional Demonstrates real excellence

In calculating your final score, consider each of the following 5 elements as guidelines.

## 1. Basic Elements

Enter up to 15 points

Generally, confirm if all of the basic elements are present, included in the correct order, and properly formatted.

- **Cover Page** should look like a cover for a brief submitted to the U.S. Supreme Court and reference the correct parties, case number, etc.
- **Tables** should reference correct page numbers. Citations should conform with *The Bluebook, A Uniform System of Citation* (18th ed.).
- **Questions Presented** should be accurate and advance the argument.
- **Statement of Facts** should be effectively “slanted” to support the argument, but not include any misstatement or omission of relevant facts.
- **Summary of Argument** (if included) should concisely outline all of the brief’s major arguments.
- **Argument Headings** should effectively organize the argument, but not be “blind.” Each heading should advance the argument.
- **Conclusion** should call for the appropriate relief – ideally with some “pizzazz.”

## 2. Organization

Enter up to 15 points

- **Logical and Persuasive Sequence of Arguments:** Consider if the brief flows logically, building a persuasive argument.
- **Argument Structure:** The brief should address *all* issues raised on appeal in a logical, straightforward manner. The brief’s organization should not confuse the reader.

- **Effective Space Management.** Consider if the brief devotes appropriate space to each issue on appeal.

### 3. Substance

Enter up to 35 points

- **Argument Persuasiveness:** Consider if the arguments are persuasive and logical.
- **Legal Research Quality and Use of Supporting Authority:** The brief should include – and appropriately treat – leading cases and other authority. The brief should also attempt to distinguish unfavorable precedent, and address arguments likely to be raised by opposing counsel.
- **Comprehensive Treatment of All Issues on Appeal:** The issues before the Court should be correctly identified and persuasively articulated.
- **Effective Use of Facts and Record:** The brief should effectively weave the facts and the record below into the legal analysis. The absence of a fact, however, should not be weighed against them.

### 4. Effectiveness of Written Presentation

Enter up to 35 points

- **Persuasiveness:** Consider if facts, law, and analysis are woven together to create a piece of persuasive writing. Each point heading, sentence, and paragraph in the brief should advance the argument.
- **Grammar, Spelling, and Typographical Errors:** Consider if the language used in the brief is grammatically correct, interesting, and suitable for a Supreme Court brief. Sentence structure and word choice should not be excessively repetitive or boring.
- **Legal Analysis:** Finally, consider if the argument as a whole is clear and concise.

### 5. Penalties

Enter up to 5 points

- **Typographical Errors:** Misspelling the same word more than once should be considered only one typographical error.

first two errors: no penalty  
additional errors:       -.5 per two

- **Citation Errors:** Improper citation to the same resource more than once should be considered only one citation error. Citations should conform with *The Bluebook, A Uniform System of Citation* (18th ed.)

first two errors: no penalty  
additional errors:       -.5 per two

**Total Brief Score**

**Up to 100 points**