

# BRIEF-SCORING PENALTY GUIDELINES

- Q. What's the general goal in imposing point deductions?**
- A.** Generally, brief penalties should not be so high as to determine the outcome of this competition. Instead, the goal is to teach competitors to follow court rules. Although a 5-point deduction will often significantly hinder a team's chances of advancing to the National Rounds, everyone competes under the same rules. And those who follow Competition rules deserve an advantage over those who choose to neglect them.
- Q. What's a good strategy for reviewing format requirements?**
- A.** Checking briefs for overall format requirements before reviewing internal format violations is usually easier.
- Q. How should we treat other formatting errors?**
- A.** Most other formatting errors (e.g., wrong color cover) are inadvertent and don't give the violating team an unfair advantage. That's why these violations typically carry only a 1-2 point deduction. Incidentally, Supreme Court rules generally require petitioner brief covers to use light **blue**, and respondent brief covers to use light **red**. Government briefs typically use **grey** covers.
- Q. What should we do with teams that fail to cite to the Committee's imaginary citations?**
- A.** Our Problem often includes a cite to an imaginary statute or case. Check the table of authorities for these cites. Sometimes, teams mistakenly fail to recognize these citations as something that belongs in the table. Deducting 1 point is appropriate for this minor oversight.
- Q. What if a team fails to timely serve opposing counsel?**
- A.** Competitors may delay serving opposing counsel until **after** the due date. Unlike other violations, lateness directly hinders the other's teams ability to timely consider and respond to opposing arguments. You may deduct points on a single or per-day basis. A major 5-point penalty is appropriate here.
- Q. What if a team identifies its school in the brief?**
- A.** Teams who inadvertently identify themselves generally get a 3-4 point deduction. Anonymity is important to the fair administration of the Competition. Many subtle issues surround the appearance of impropriety when competitors identify their school. Depending on the team's historical performance, some competitors believe this information gives some schools an unfair advantage. Penalizing violators in a way that deters future violations is important.