# CLAUDE PEPPER ELDER LAW
# NATIONAL MOOT COURT COMPETITION

## RULES OF THE COMPETITION - 2025

The Claude Pepper Elder Law Moot Court Clinic at the Florida State University College of Law hosts the Claude Pepper Elder Law Moot Court Competition to provide an opportunity for student advocates to learn about the various intersections of aging and the law. This Competition is designed to encourage law students with an interest in elder law to strengthen their appellate advocacy skills, argue in front of real judges and expert practitioners, and continue expanding collegiate relationships. The primary function of all of our activities is to provide a worthwhile educational experience for advocates and judges. Any competitive aspect of moot court is secondary.

The 2025 competition rounds will take place over two days on Friday, October 24 and Saturday, October 25, with an awards dinner and ceremony to follow. This year's Competition will be held live in Tallahassee, Florida at the Florida State University College of Law. The rounds will be held in the Advocacy Center, which was previously home to Florida's First District Court of Appeal. The final round will be live-streamed.

This year's competition topic will address financial exploitation and liability issues surrounding retirement communities. We're thrilled to team up with the incredible AARP Foundation! AARP Foundation, a charitable affiliate of AARP, creates and advances effective solutions to reduce poverty for and with older adults. AARP Foundation advocates for systemic change in federal and state courts nationwide to advance the legal rights and interests of people 50 and older, particularly vulnerable individuals and those living with low income. We are so excited to work with this wonderful organization to raise awareness about issues affecting older adults and career opportunities for future lawyers focused on social justice advocacy. Thanks to the AARP Foundation, **prize money** will be awarded to the top teams and participants in the competition!

Advocates will compete in teams of two members, but are permitted to have a third member for brief-writing purposes. Each team must prepare a written brief for the party that is assigned to them. During the preliminary rounds of oral argument, teams will compete both on and off brief. All team members must compete in the preliminary rounds of oral argument. The brief score and oral argument scores in the preliminary rounds determine whether a team advances to the quarter-final round. Scores in the quarter-final, semi-final, and final rounds will be based only on oral argument.

These guidelines may be subject to revisions prior to the date of the competition. Please send any questions to elderlawmootcourt@gmail.com

## SCHEDULE

To the extent possible, the Board will work to release the problem early. Specific times for the rounds are subject to change depending on the number of teams registered for the competition.

### Competition Calendar

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| Wednesday, May 21 | Registration Opens |
| Thursday, July 17 | Registration Deadline |
| Monday, July 21 | Problem Release & Team Assignments |

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| Friday, September 5 | Last Day to Submit Problem Questions |
| Friday, September 26 | Briefs Due |
| Friday, October 24 | Preliminary Rounds |
| Saturday, October 25 | Quarter-finals, Semi-finals, Finals, & Awards Dinner |

## REGISTRATION

Each school may register up to two teams. Registration will be online, and payment is accepted via the online portal. Registration is not final until payment has been received.

The registration fee for the competition is $800. Registration payments will be nonrefundable.

## PROBLEM QUESTIONS

We will accept questions about the problem until Friday, September 5, 2025 at 5:00pm (ET). Answers to questions will be emailed to all registered teams and the questioner's identity will remain anonymous. Please direct all questions about the problem to elderlawmootcourt@gmail.com and put "Question Regarding Problem" in the subject line.

## BRIEFS

Briefs must be submitted by e-mail only. The deadline for e-mailing all briefs is 5:00pm (ET) on Friday, September 26, 2025. Briefs should be e-mailed to elderlawmootcourt@gmail.com with "Brief" and your team number in the subject line.

Each team will be assigned either the appellant's or appellee's side of the issues. It should be assumed that these arguments will be made to The Florida Supreme Court. The entire brief MAY NOT EXCEED thirty-two (32) pages of text. For every page exceeding thirty-two, we will deduct five (5) points from the brief score. The sections below marked with an asterisk (*) will be included in the text page count:

Title Page (which should contain the following information)
-- Names and pronouns of each team member
-- Team Number, including which side (assigned when problem is released)

Table of Contents

Table of Authorities
* Questions Presented
* Introduction (Summary of Argument)
* Statement of the Case (Summary of the Facts)
* Argument
* Conclusion

Signature block

The following signature block should appear at the end of the briefs. Because it is not included in the page count, it is acceptable if the signature block appears alone on a separate page:

Respectfully submitted,
/s/ _____

Partner 1
/s/ _____

Partner 2
/s/ _____

Partner 3 (optional)
Attorneys for Petitioner/Respondent

EACH BRIEF MUST CONTAIN THE ABOVE LISTED SECTIONS AND IN THE ORDER PRESENTED.

All briefs MUST use Courier New font and the type size must be 12-point font. This applies to all portions of the brief, including the page numbers and sections that may not count toward the page limit. Pages shall not exceed 8 1/2" x 11" and margins must be exactly 1" on all sides (not justified). Text and footnotes must be DOUBLESPACED, except for point headings and quotations in excess of 50 words, which, in accordance with the Bluebook, may be single-spaced.

Advocates must follow the BLUEBOOK (the Uniform Rules of Citation, 21st ed.) for all citations in their briefs.

All members of three-person teams may participate in the writing of the brief. Faculty advisors, law students and/or practicing attorneys may provide verbal guidance and input to the students with respect to writing the brief. These persons, however, cannot edit or assist in the actual brief-writing process. Teams may not share or compare research or work product with a competing team of the same school. Any team receiving outside assistance in the writing of the brief beyond that which is stated here is subject to disqualification from the competition.

The use of any form of Artificial Intelligence (AI), including but not limited to ChatGPT, Claude, Copilot, or any generative writing or citation tool, in any phase of brief drafting or research is strictly prohibited. This competition is intended to showcase the independent legal analysis and writing skills of student advocates.

If the Board determines that any portion of a team's brief was generated using AI, the team's brief will receive a score of **zero (0)**. The team may still participate in oral arguments, but a score of zero will place them at a severe disadvantage and likely eliminate their opportunity to advance. Teams are encouraged to retain all drafts, outlines, and notes to demonstrate authorship in the event of an investigation.

## UNETHICAL CONDUCT

To make the competition as fair and rewarding as possible, the Board relies heavily on each participant's good faith and high principles to maintain an ethical and professional level of participation. The Board therefore retains the right to disqualify any participant for any conduct that it deems unethical. One area of conduct that the Board will consider unethical is solicitation of substantive advice regarding the problem. Specifically, you may not consult attorneys, professors, judges, or others trained in the area of law to test your arguments prior to submitting your brief. You are, however, allowed and encouraged to discuss the problem with other participants. In addition, it is unethical to solicit advice regarding proper citations. You may use only the 21st edition of the Bluebook to cite the cases. The use of any automated or electronic Bluebooking aids will result in disqualification. The Board will not tolerate plagiarism, even with consent, of any portion of another participant's brief. The Board expects there to be some similarities in the arguments presented and the style in which they are presented, but if it appears that there is unusually high similarity, both briefs will be subject to scrutiny and possible disqualification. In order to defend yourself should your brief come under question, you are encouraged, but not required, to keep drafts of your brief as it develops. The Board also considers it unethical to engage in behavior tending to cause other participants to incur penalties or be otherwise disadvantaged. These areas are only examples of conduct that the Board may deem unethical. If you are unsure if a course of conduct is unethical, you are encouraged to contact the Board for guidance.

Any disputes arising during the course of the competition shall be resolved by the Board, whose decision shall be final. All actions and interpretations made by the Board will be communicated to all participating teams, and all participants will be bound by them.

## RESEARCH

You have an open universe in which to research legal issues. All facts and legislative history required for your analysis are included in the materials.

**Note: Do not address the issues of standing, mootness, ripeness, or jurisdiction, whether or not discussed in the material. Only address the issues presented by the problem.**

## ORAL ARGUMENT

Advocates must report to the sign-in table at the Advocacy Center at least thirty (30) minutes prior to the scheduled start of their respective rounds. Rounds will be assigned at random.

Two members of the three-person teams shall participate in oral arguments. Each of the two members must present a portion of the argument in each round. The third member of the team shall not participate at all in oral arguments except to assist with preparation for the competition.

Oral argument is limited to a total of twenty (20) minutes per team. Each team may divide their time as they please except that each individual must present at least 7 minutes, including questioning. Petitioners may reserve up to 3 minutes of rebuttal and only one team member may deliver the rebuttal.

All teams will argue at least one preliminary round on-brief, and at least one preliminary round off-brief. The order of on-brief and off-brief rounds for any particular team may be assigned by the Board in the event that there are an unequal number of respondent and petitioner teams competing in the preliminary rounds. In the event that two petitioners or two respondents must argue against each other

in the quarter-final, semi-final, or final rounds because an unequal number of petitioner and respondent teams have advanced, the teams to argue on-brief will be determined by coin toss. The highest seated team will pick heads or tails.