

# Guide for Writing your Brief

## Preface

The Court's Justices prefer functionality and simplicity over aesthetics and superfluity. We request you therefore to keep that in mind while making preparing your written submissions and speeches (if you prefer drafting them).

We share in this preface a TL;DR of this guide but with this caveat: the **TL;DR is an extremely concise overview of the brief-writing rules** and thus you are **highly encouraged** to read through the guide completely.

## TL;DR

1. Formatting and sending guidelines:
  - Send all files via e-mail. E-mails are available in background guide.
  - Send all files as pdf.
  - Name files in a sensible manner *e.g*: respondent-counsel-brief.pdf
  - The file's background must be white and its text's colour must be black.
  - You can choose any serif or monospace font of your choice in a legible font size.
  - Ensure all links are pasted as hyperlinks, not plain text.
2. The brief must contain:
  - i. Basic details and table of contents
  - ii. List of sources (table of authorities)
  - iii. List of claims and action sought
  - iv. Arguments

3. Additional evidence that cannot be put in the brief can be attached in a separate file as an annex to the brief.
4. Word limit for arguments section: 1500 words. Page limit for annex: 25 pages.
5. **No instrument of federal or state law can be used as a source or evidence for your arguments unless you list them in the list of sources section. No argument that is absent in your brief can be raised or presented in the oral proceedings at the conference.**

## Introduction

For the sake of convenience, we have decided to refer to the preliminary written submissions by both parties as briefs even though the submission by the respondent must technically be called ‘brief in opposition’.

Also for the sake of convenience, we have decided to make the briefs encompass a greater scope of material than briefs submitted to the Court ought to have.

For the purpose of the brief (and also all other written submissions we may ask of you), follow these simple formatting and submission guidelines:

1. Send all your submissions in a PDF format. This ensures that your original work is immutable (to a verifiable extent) and accessible. Please do not put passwords or any other layer of weirdness on them that may make them difficult to open without a particular type of software.
2. Send all your submission via e-mail. The e-mail IDs of the Justices have been shared along with the case background. Include both the President and Vice-President’s e-mail ID as the recipients.
3. Please adhere to sensible file naming conventions. In case you are unaware, the following rules are considered to be sensible:
  - Avoid character spaces in filenames. Use hyphens instead.
  - Avoid special characters such as ?, %, #, /, and : in filenames. It is best to limit filenames to letters, numbers, and hyphens (in place of character spaces).
  - Consistently using all lowercase letters in filenames.
  - Keep filenames as short as possible.

## Source

A few examples of an ideal file name for a brief would be:

- respondent-co-agent-1-brief.pdf
  - petitioner-advocate-brief.pdf
  - amici-will-creeley-brief.pdf
4. The submitted file must have a plain white background with black text.
  5. The font can be any serif or monospace font of your choice that is legible and simple. Times New Roman, Liberation Serif, Source Code Pro, Garamond are all examples of acceptable fonts. Comic Sans, Papyrus, and Bradley Hand are examples of unacceptable fonts. Font size is also upto your discretion but do not make the fonts too big or too small. Usually, font sizes of 12pt to 16pt are good. ***The submission must look simple and readable - that is all.***
  6. If any of your brief's content requires to link to a website or web URL, do not just paste the URL as text. Ensure that the website link or web URL is pasted as a hyperlink and is clickable in the PDF.

With all that said, here's an overview of everything your brief must comprise of:

1. Basic details and table of contents
2. List of sources (table of authorities)
3. List of claims and action sought
4. Arguments

You may provide any additional evidence or material that maybe required for us to evaluate your arguments in the form of an additional document called annex. The contents of the annex must be arranged in a proper sequence that you may defined based on logic and their order of relevance per your brief. The annex must not include: full copies of publicly available instruments of federal or state law such as acts of US Congress or State legislature, cases of lower courts or this Court, *etcetera*, redundant copies of same evidence, elaboration of your arguments from the brief. Overall, the maximum allowed length of an annex is 25 pages.

Below is the detailed explanation of each section of the brief.

# Basic details about your portfolio and table of contents

Basic details refers to:

1. The name of your portfolio (*id est* the name allotted to you after registration like agent for Petitioner, or co-agent 1 for Respondent, or counsel for Petitioner, or amicus Morris Dees *etcetera*)
2. The side you are representing *exempli gratia* Petitioner, Respondent, or amicus curiae.
3. The length of the arguments section of your brief in terms of number of words and total length of your brief in terms of number of pages.
4. Number of pages in your annex, if you have one.
5. List of all the evidence presented in the annex - titled, numbered, given page numbers of, and described in brief.

All the basic details must be present in the very first page(s). The first page(s) need not have any other information on it. Representatives are *especially discouraged from sharing or presenting any information on the first page or anywhere else in the brief that may contain information that can be used to personally identify the representative such as their name, school name, delegation name etcetera; always refer to yourself in third person with your portfolio name or title..*

The table of contents as a concept is quite self-explanatory. Please make one and prepend it to the brief after the page containing basic details but before all other sections. The table **need not** contain exact page numbers (if you wish to put them nonetheless, please do), just list all the contents of the brief by their headings in the order in which they appear.

## List of sources (table of authorities)

In this section, you must provide a list of all the sources and evidence pertaining to United States law that you shall be using to advance or support your arguments in the Court. The four sources of federal and state law can be categorised into:

1. Constitutions
2. Statutes and ordinances

3. Rules and regulations
4. Case law

If any of your sources or evidence falls under the aforementioned categories, list them in this section. Any evidence falling outside the scope of the aforementioned categories must be included in the annex. Provide the full name of the source being listed. If and where possible, provide web URLs to the source being listed so that we can independently verify the source and its veracity when necessary.

1. [Constitution of the United States](#)
2. [Texas Constitution](#)
3. [Brown v. Board of Education of Topeka](#)
4. [Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism \(USA PATRIOT ACT\) Act of 2001](#)

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*Please remember that no source or instrument of federal or state law can be used as a source or evidence for your arguments unless you list them in the list of sources section. The only exception to this rule is the evidence you may share via the annex.*

## List of claims and action sought

Here, you must provide a brief overview of the claims you wish to make and the remedies or action you wish the Court to grant or take in their regard. Examples of such claims and corresponding action sought are as follows:

1. This case presents the question of whether a state may constitutionally deny same-sex couples the right to marry the person of their choice. The right to marry is a fundamental freedom, *Zablocki v. Redhail*, 434 U.S. 374, 384 (1978), that encompasses the right “to establish a home”, to “bring up children,” and “to enjoy those privileges long recognized at common law as essential to the orderly pursuit of happiness by free persons.” *Meyer v. Nebraska*, 262 U.S. 390, 399 (1923).

2. The Sixth Circuit held that Michigan's decision to prohibit same-sex couples from marrying accords with the due process and equal protection guarantees of the Fourteenth Amendment.

The Respondent hence requests the Court for:

1. Overturning of the March 21, 2014 Judgement of the United States District Court Eastern District of Michigan (Civil Action No. 12-CV-10285).
2. A judgement that indicates that Michigan violated the Fourteenth Amendment to the U.S. Constitution by denying same-sex couples the right to marry.

*Remember that due to the rules and nature of our proceedings, all of your claims ranging from admissibility of the case, jurisdiction of the Court, specific provisional measures requested, and final claims must all be covered within the same brief.*

## Arguments

In this section, you must elaborate on the arguments you wish to make in order to support your claims listed in the previous section.

There is a **strict word limit of 1500 words** that is applicable to this section of the brief. Do not exceed it under any circumstances. A slight transgression of the word limit upto 50 extra words may be tolerated if the Justices finds adequate reason to consider such transgression acceptable.

You need not go into the minutest detail of the arguments you wish to present but you are required to provide sufficient detail for the argument to be comprehensible and cogent.

This section **must contain** your arguments on whether the Court can or should exercise its **jurisdiction** in this case and also on the **merits** (substantive reasoning why your side is correct) of your case.

*Do note that any and all arguments absent in this section cannot be presented or raised during the oral proceedings at the conference.*