Resources for Moot Court Participants

Getting Started
Don’t get ahead of yourself
- Read the problem in its entirety without thinking about your arguments.
- Read the problem a second time with your argument in mind—repeat as necessary.

Identify your issues
- Look for sub-issues within each main issue.
- Resist the temptation to split up issues with your partner. You’ll have to argue both issues by yourself!
- Consider what issues are essential to your case and which ones may be secondary.

Get organized
- Keep the issues separate—making folders for each issue in Lexis Advance or Westlaw is a good way to do this.
- Think about one issue at a time. Make a list of questions you have or things you want to find out about each issue.
- Keep track of opposing arguments.

Doing the Research
Cases
- Use the cases in the problem as a starting point. You can use these cases to lead you to others.
- Headnotes—use these to find other cases that cited your case on a particular point of law.
- Citators (Shepard’s, KeyCite)—use these to find all materials that have cited your case. This includes cases and secondary sources, among many other materials.
- Secondary Sources (ALRs, Law Review articles)—use these to see if someone has already compiled relevant cases.

Statutes
- If a statute is included in the problem, the process is very similar to case law research. Use the statute in the problem as a launching point.
- Use the citators the same way you would for a case.
- Use Notes of Decisions (Westlaw) or Case Notes (Lexis) to lead you to cases that interpret your statute.

Knowing when to stop
- Eventually, you’ll start seeing the same cases over and over again. This is a good indication that you’re done.
- Don’t expect a clear-cut answer. You may not find something exactly on point. If you think you’ve found everything out there, but still don’t have an “answer,” just use what you have. If you’ve done a good job, everyone else will be doing the same.
• Don’t try to find every case that has been published. Find the most authoritative ones that are the closest to your issue and read those. There’s no point in finding multiple cases that are only tenuously related to your case—you won’t have time to read them all anyway.

**Final Points**

Do not underestimate formatting! It will take you longer than you anticipate, so leave yourself time to get it right.

Make sure to read the rules regarding brief formatting very carefully. The Moot Court competition instructions outline which rules you will need to follow—don’t lose points on something that can be easily avoided!

The Practitioner’s Handbook on the website for the Seventh Circuit Court of Appeals can be helpful in structuring your brief.