Moot Points: How UB Law's Moot Court Competitions Stack Up
The execution of the laws is more important than the making of them.
— Thomas Jefferson, 1789

The best experience I had in law school.

That's how students routinely describe their encounter with Moot Court competitions — the mock trials, on topics as diverse as tax law and Constitutional matters, in which they can stand before a judge, take a deep breath and practice the trial-by-fire known as oral advocacy.

Moot Court is a longstanding tradition at UB Law School, but one that is being added to all the time. Under the auspices of the school's Moot Court Board, participants argue in four competitions held at UB. In addition, there are several traveling teams whose road trips take them to competitions at other schools, where they represent UB Law. Moot Courts have proved popular with UB Law alumni as well; hundreds have served as judges at the competitions, a service for which they can receive Continuing Legal Education credits.

UB Law Forum asked the chairpersons of the four "in-house" Moot Courts to talk a little about their competitions, what makes them special — and what possesses already-overworked law students to take on the challenge of a trial just for practice.

The Charles S. Desmond Moot Court Competition is chaired by third-year law student Andrew Zakrocke, who also heads the overall Moot Court Board. The competition, in its 13th year, deals with issues of Constitutional law. It is held in the fall.

Zakrocke: "This is probably the best-run, best-organized competition out of all the ones held at the Law School. There are two big draws. First, the problem itself is really, really good. This past year it involved the Violence Against Women Act; before that, it was an Americans with Disabilities Act case involving golfer Casey Martin. It is a 'closed' problem — all the research is already done and available in a packet.

"Second, the judges we get are terrific. Real attorneys and judges from Buffalo and across the United States come in, so you get a real sense of what it is like to appear before a judge.

"Desmond is the one competition that is open only to Buffalo students that is held in Buffalo. And it hits at a good time in their law school career (in the second year) — it is good for the resume."

The Albert R. Mugel National Tax Moot Court Competition, which includes teams from UB and other schools nationwide, is the oldest national tax competition in the United States. Chaired this year by Dana A. Lundberg, who also serves as vice president of the Moot Court Board, this Moot Court deals strictly with issues of...
tax law, including such areas as the tax status of gambling debts, capitalization vs. deductions, and the tax consequences of divorce actions. The Moot Court competition is held early in the second semester of the academic year.

Dana A. Lundberg: “I think Mугel is attractive as a competition for two main reasons. First, it attracts people who are already involved and interested in tax because it is one of the few competitions in the United States that deals with tax law exclusively. Second, the history and prestige of Mугel do a lot to draw in competitors. This is the 29th annual competition, and it enjoys a great reputation among both law schools and the professional legal community.

“One of the main reasons for that is the quality of judges the competition is able to attract. For example, both this year and last year, a Special Trial Judge from the United States Tax Court has come in from Washington, D.C., to judge the final round. In addition to that, some of the most respected tax attorneys in Western New York for the past several decades annually volunteer their time and expertise to judge the event.

“This year, we have a total of 19 teams competing in the event. This makes it the largest in recent history, and possibly ever. The teams will be representing 13 different schools, such as LSU, Alabama, Syracuse and Brooklyn. Some schools repeatedly send one, if not two teams, to compete year after year. I think this really shows the great reputation the competition enjoys.”

The Herbert R. Wechsler National Criminal Law Moot Court Competition, a project of the Buffalo Criminal Law Center, is the upstart of the group — its first installment was held in March 1999. As the name says, it deals with issues of criminal law — the only Moot Court in the nation to focus on that topic. Problems address the constitutionality and interpretation of federal and state criminal statutes, as well as general issues in federal and state criminal law. The competition is chaired by second-year students William K. Taylor and Karen Petote.

William K. Taylor: “It is just a sincere interest in the subject matter that brings people to the competition. There are second-year and third-year students who, I assume, have a profound interest in criminal law. People who do it are interested in exploring trial work. Participating in Moot Court helps you decide if you want to do it.

“We are in only our second year of the competition. We sent letters to every law school in the country, and we also have a Web site through the Buffalo Criminal Law Center. We just express that we are going to put together a good competition, and a good product sells itself.

“Professor (Markus) Dubber is the faculty adviser for the competition. He is an excellent resource, and very helpful in terms of selling the competition and ensuring its success. He has been a driving force in terms of forwarding criminal law at UB.

“People want to participate in a Moot Court where they can get their mind around the problem and sink their teeth into it.”

The Philip C. Jessup International Law Moot Court Competition is a national organization with a UB Law chapter. That chapter, said Jose Truzman, who chairs UB Law’s Jessup International Moot Court Board, runs three competitions: an intramural competition to select teams to compete in regional Jessup Moot Court competitions; a similar exercise to choose teams for the Niagara Cup Competition in Michigan; and unique to UB Law, the Fasken competition for first-year law students.

Jose Truzman: “It is probably one of the best experiences you have in Law School. Both for developing your oral advocacy skills, and for getting over your fears of speaking in front of people and arguing before a judge, the experience in unmatched. It gives you the confidence to do other things in Law School.

“Jessup is a competition that is the widest in scope, in terms of the number of schools that have chapters. Your competitors are going to be better. Harvard has a team; Yale has a team. When you go on job interviews, if the interviewer knows Moot Court, he is going to know Jessup.

“This is a competition that people do not forget. Everybody who goes through it says they thought that it was probably the best weekend they have spent in Law School. It does have tremendous impact.”