Holding Court: Moot Court Teams Advance in National and International Competitions

UB Law Forum
Holding court

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In the early months of 2015, the yearly high point of national moot court activity, teams from SUNY Buffalo Law repeatedly distinguished themselves. In at least three cases, a team from SUNY Buffalo Law reached all the way to the semifinal round in a sudden death elimination tournament. A summary of their successes and achievements follows:

Frederick Douglass Moot Court Competition
Six teams from SUNY Buffalo Law competed in the annual Frederick Douglass Moot Court Competition at the Northeast Regional Convention of the National Black Law Students Association in Groton, Conn., from Jan. 28 to Feb. 1. Five advanced to the tournament’s Round of 16. Two of those teams then advanced to the quarterfinals, and one of those went on to semifinal round. Sarah Draper ’16 and Meghan Hart ’16 were the semifinalists. Anna McCarthy ’15 and Michelle Santiago ’16 had advanced to the quarterfinals. This annual civil rights competition required each team to prepare an appellate brief during the fall 2014 term, as well as to present oral argument at the convention in a hypothetical case involving voting rights and other issues.

The Frederick Douglass team is supported by the Law School’s Black Law Students Association.

Philip C. Jessup International Law Moot Court (the “Jessup Cup”)
In late February, the Law School sent an exceptionally strong team to the Jessup Cup’s Midwest Super Regional competition in Chicago. The Jessup Cup is the most prestigious and best-known moot court competition in the world. The 2015 Super Regional competition took place Feb. 20 to 22.

The 2015 SUNY Buffalo team – Brittany M. Crowley ’15, Steven R. Fisher ’14, Stephanie L. Forman ’15, Kathryn Krause ’14 and Amanda Ruth Webber ’15 – swept all four preliminary rounds and defeated the University of Michigan Law School team in the quarterfinals, advancing to the semifinal round for the third straight year. There it met its match in Wayne State University Law School. The SUNY Buffalo team won fourth place in the brief (“international law” “memorial”) writing category. Fisher and Crowley won the awards for, respectively, fourth- and ninth-best oralists after the preliminary rounds.

Our team was coached once again by Kevin Espinosa ’09 of M&T Bank and Michael Hecker ’09 of Hodgson Russ.

Niagara International Moot Court (the “Niagara Cup”)
SUNY Buffalo Law made another strong showing at the Niagara International Moot Court Competition, held in Washington, D.C., from Feb. 19 to 21. This team also advanced to the event’s semifinals. This venerable international law competition is sponsored by the Canada-United States Law Institute and
focusing on cross-border issues. It draws teams from all over the United States and Canada. The 2015 SUNY Buffalo Niagara Cup team consisted of Ethan Notarius '15, Nikolay Fedoroff '16 and Merrick Sadler '16. In addition to advancing to the semifinal round, the SUNY Buffalo team also brought home the award for Second Best Respondent Brief and the Henry T. King Jr. Award, which is presented to the team that best embodies the spirit of the Niagara Cup Competition. Team member Merrick Sadler won the competition’s award for Fifth Best Advocate.

The team was coached by Jonathan Dominik '13 of Feldman Kieffer.

**Jeffrey Miller National Environmental Law Moot Court**

Under the leadership of Associate Professor Jessica Owley, SUNY Buffalo Law returned to this competition after a long hiatus. In the competition, held at Pace Law School Feb. 19 to 21, SUNY Buffalo Law was represented by John Darnell '16 and Amy Counter '16. The competition problem involved complex issues relating to waterway access and pollution from large farms. In preliminary rounds, the SUNY Buffalo Law team opposed the two teams that ultimately won the competition’s awards for best and second-best briefs, and, along with two-thirds of the teams attending, did not advance to the higher rounds of the competition. Christine Sullivan '15 served as a student coach with Owley.

**Mugel Competition a rousing success**

For three days, during a record-cold Buffalo February, teams from more than a dozen U.S. law schools gathered at the Erie County Courthouse for the 42nd annual **Albert R. Mugel National Tax Law Competition**, the oldest and most prestigious tax law moot court in the country. Each team submits a brief and takes part in extensive oral argument. Professor Stuart G. Lazar wrote the 2015 competition’s problem, based on two tax cases pending before the U.S. Supreme Court. Jessica N. Carbone '15, the Moot Court Board’s vice president, organized the event.

After three preliminary rounds, the competition culminated in a final round on Saturday, Feb. 21. Assuming the bench in the role of U.S. Supreme Court justices were Randall P. Andreozzi '87 of Andreozzi, Bluestein, Weber, Brown; Sharon Stern Gerstman of Magavern, Magavern & Grimm; and Timothy P. Noorinan '99 of Hodgson Russ. Gerstman served as chief justice.

After an unusually exciting final round (including a burst water pipe just outside the Ceremonial Courtroom shortly after it started), a team from the University of Oklahoma College of Law was declared the champion.

Because SUNY Buffalo Law School was the 2014 Mugel champion, the Moot Court Board elected not to enter a SUNY Buffalo team in the 2015 competition. They wanted to avoid the risk that the competition might become less attractive to future visiting teams if the sponsoring law school won two years in a row.

**Wechsler tackles right to a jury trial**

Twenty-two teams from law schools across the country came to Buffalo on March 28 to compete in the 17th annual **Herbert Wechsler National Criminal Law Moot Court Competition**, organized by SUNY Buffalo Law School. The only national moot court contest in the United States to focus on topics in substantive criminal law, the competition is named after the drafter of the Model Penal Code. It is sponsored by the SUNY Buffalo Criminal Law Society and held in the Erie County Courthouse.

This year’s problem involved the U.S. Supreme Court’s ongoing effort to determine the proper scope of the Sixth Amendment jury trial right and its relationship to judicial fact-finding that takes place in the sentencing process. It was based on United States v. Jones, a D.C. Circuit case that fell just short of being accepted for plenary Supreme Court review, a rejection that drew a strong dissent from Justices Scalia, Thomas and Ginsburg.

Law schools competing in the 2015 Wechsler Competition included the University of Washington, the University of Michigan, Ohio State, the University of Colorado, the University of Kansas, New York University, William & Mary, Catholic Law School, New York Law School, Touro Law School, the University of Wisconsin, the University of Toledo, University of Miami, West Virginia University and the University of Louisville. Additional teams came from Rhode Island and North Carolina.

After a number of hard-fought and closely decided rounds, two of the 22 teams advanced to the final round and argued before a distinguished SUNY Buffalo Law School alumni bench: Hon. Eugene F. Pigott Jr. ’73, associate judge of the New York Court of Appeals; Hon. Erin M. Peradotto ’84, associate justice of the New York State Supreme Court, Appellate Division, Fourth Department; and Hon. William J. Hochul Jr. ’84, U.S. Attorney for the Western District of New York.

The winners of the 2015 Wechsler Competition were Mathri Thannikotu and Mac Morey from the University of Miami Law School, who narrowly prevailed over Nick Christianson and John Kennelly from the University of North Dakota. SUNY Buffalo Law was represented by two teams: Kathryn Hartnett ’15 and Benjamin Nelson ’15, and Mark Murphy ’15 and Lynda Keonig ’16. The coach for both teams was Audrey Herman ’11. Benjamin Nelson ’15 won the coveted Ryan J. Mullins Award for best embodying the spirit of the Wechsler competition.

The SUNY Buffalo Criminal Law Society’s Executive Board, including Eric Curtis ’16, Alexandra Cusano ’16, Merrick Sadler ’16, Megan Harl ’16 and Joshua Jansch ’16, was responsible for mounting and managing this highly successful event.

The Wechsler competition began 17 years ago under the aegis of the Buffalo Criminal Law Center and the SUNY Buffalo Criminal Law Society.