



# C L I F F O R D C H A N C E

## University of Warwick Law Society Internal Mooting Competition 2009/2010 Rules

The following rules are those designated for the 2009/2010 internal moot competition at the University of Warwick Law Society. They apply ONLY to the internal competition, and do not apply to informal moots, external moot competitions or international competitions. A copy of these rules will be made available to each team in the undergraduate common room, and will also be available on the website ([www.warwicklawsociety.co.uk/mooting](http://www.warwicklawsociety.co.uk/mooting)). It is thoroughly recommended that all participants familiarise themselves with these rules. For clarifications, please contact one of the moot officers ([mooting@warwicklawsociety.ac.uk](mailto:mooting@warwicklawsociety.ac.uk)).

### **1. Definitions**

For the purposes of these rules, the following definitions have been assigned:

(a) Judge

A judge is any person who has been authorised by the moot officers to arbitrate a moot. He has the power to declare the winners of moots as well as to disqualify teams who have not adhered to the relevant rules stipulated here.

(b) Clerk

The clerk is any person who has been authorised by the moot officers to time a moot.

(c) Participants

A participant is any person who is competing in a moot. There may be no more than four participants in any one moot, with two participants on each team. Participants who have in previous years reached the final stage of the Warwick Internal Moot Competition are excluded from entering.

(d) Mooting officers

The moot officers are those individuals who have been elected to the said post by members of Warwick Law Society. They have the power to disqualify teams which have not adhered to the relevant rules stipulated here. For the 2009/2010 academic year, these individuals are Katy Seedhouse (Mistress of the Moots) and Melissa Brown (Mistress of the Moots)

## 2. Structure of the Internal Competition

The internal competition will consist of 4 rounds. These rounds will be known as the preliminary rounds, the quarter finals, the semi finals and the final.

### (a) Preliminary Rounds

- (i) The preliminary rounds will be held in Term 1, with each team mooting twice. A moot problem will be assigned to all participants early in the term, and each team will prepare both sides of this problem. The teams will then be assigned as either appellants or respondents for the first moot, and then will argue the alternative side in their second moot.

- (ii) Each participant will be judged according to set criterion. This is as follows:

- Legal Argument
- Legal Creativity
- Ability to respond to judicial intervention
- Presentation and Style
- Courtroom Etiquette

For more information on the criteria, please see below. It should be noted that for novice teams there will be a 3 points concession added to the final score.

- (iii) The judge will not declare a winner of the moot at the time of the moot, and neither will the scores the teams have attained be released. They will however be available with feedback if participants desire once the preliminary rounds are concluded.
- (iv) Each individual participant will also be ranked according set criteria. The top three scoring participants will win the best speaker prizes, ranked 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> respectively.
- (v) The lead appellant/respondent will have 12 minutes for oral arguments, with the junior appellant/respondent having 7 minutes for oral arguments.
- (vi) Once all teams have been judged, the top fifty percent of teams will go on and moot the other side of the argument, in the second stage of the preliminary rounds.
- (vii) Once these teams have mooted a second time the top eight teams with the highest score will then proceed to the next round of the competition.
- (viii) If there is a tie which means more than eight teams have scores which put them in the top eight, those teams will moot against each other, with the judge declaring the winner of the moot thus putting that team forward to the next round of the mooting competition.
- (ix) It should be noted that in the event of one participant from a team withdrawing from the competition, all efforts will be made to find a new suitable partner and ensure that the remaining participant is not at a disadvantage. This is true for all stages of the competition, however at later stages withdrawal by one team participant may lead to the 9<sup>th</sup> high scoring team being entered in that teams place to ensure fairness, irrespective of the remaining participant.

(b) Quarter Finals

The eight teams who have proceeded from the preliminary rounds will then proceed to the quarter finals.

- (i) The quarter finals will be held in the first half of Term 2.
- (ii) A moot problem will be assigned to all participants early in the term, and each team will be given a role as either appellants or respondents.
- (iii) The lead appellant/respondent will have 12 minutes for oral arguments, with the junior appellant/respondent having 7 minutes for oral arguments.
- (iv) The lead appellant shall have a total rebuttal time of 4 minutes, which they may waive if they so choose.
- (v) The judge(s) will then declare a winner from each moot, and this will leave four teams to proceed to the semi-finals.

(c) Semi Finals

The four teams who have proceeded for the preliminary rounds will then proceed to the semi finals.

- (i) The semi finals will be held in the second half of Term 2.
- (ii) A moot problem will be assigned to all participants early in the term, and each team will be given a role as either appellants or respondents.
- (iii) The lead appellant/respondent will have 15 minutes for oral arguments, with the junior appellant/respondent having 10 minutes for oral arguments.
- (iv) The lead appellant shall have a total rebuttal time of 5 minutes, which they may waive if they so choose.
- (v) The judge(s) will then declare a winner from each moot, and this will leave two teams to proceed to the final.

(d) Final

- (i) The final will be held at the end of term 2
- (ii) A moot problem will be assigned to all participants early in the term, and each team will be given a role as either appellants or respondents
- (iii) The lead appellant/respondent will have 20 minutes for oral arguments, with the junior appellant having 15 minutes for oral arguments.
- (iv) The lead appellant shall have a total rebuttal time of 5 minutes, which they may waive if they so choose.
- (v) The judge(s) will then declare a winner from the final, and the winning team will then be declared the winners of the University of Warwick Law Society Internal Competition 2008/2009.

**3. Judges**

- (a) Each judge must be entirely impartial, and must judge the moot according solely to the criteria designated below.
- (b) No judge may be known to any of the participants personally. If a judge does know one of the participants personally, he must declare this to all of the participants as well as one of the mooting officers. If all of the participants and one of the mooting officers give permission, this judge may still judge the moot.
- (c) A judge may know a participant in a professional or academic capacity, and still be entitled to judge the moot without the permission stated in rule 3 (c) being required.
- (d) Each judge will be provided with a copy of the moot problem, the criteria to be judged and a brief summary of the issues that one would expect to arise from the moot problem.

#### **4. Clerks**

- (a) A clerk will be assigned to each moot by the mooting officers.
- (b) It is the responsibility of the clerk to time each moot.
- (c) The clerk's duties for the preliminary round of the competition are as follows:
  - (i) The clerk will inform the lead/junior appellant/respondents when they have 5 minutes remaining, and then when they have one minute remaining, and then when their time is over.
  - (ii) The clerk will inform the lead appellant when he has one minute of his rebuttal time remaining, and then when his rebuttal time is over. (will need to come out if we take out the rebuttal)
- (d) The clerk's duties for the quarter-finals of the competition are as follows:
  - (i) The duties of the clerk shall be the same as those stipulated in rules 4 (c) (i & ii)
- (e) The clerk's duties for the semi-finals of the competition are as follows:
  - (i) The clerk shall inform the lead appellant/respondent when he has 10 minutes remaining, then when he has 5 minutes remaining, then when he has one minute remaining, then when his time is over.
  - (ii) The clerk shall inform the junior appellant/respondent when he has 5 minutes remaining, then when he has one minute remaining, then when his time is over.
  - (iii) The clerk will inform the lead appellant when he has 1 minute of his rebuttal time remaining, and then when his rebuttal time is over.
- (f) The clerk's duties for the final of the competition are as follows:
  - (i) The clerk shall inform the lead appellant/respondent when he has 15 minutes remaining, then

when he has 5 minutes remaining, then when he has one minute remaining, then when his time is over.

(ii) The clerk shall inform the junior appellant/respondent when he has 10 minutes remaining, then when he has 5 minutes remaining, then when he has one minute remaining, then when his time is over.

(iii) The clerk will inform the lead appellant when he has 1 minute of his rebuttal time remaining, and then when his rebuttal time is over.

- (f) The clerk shall signal to all involved in the moot the time remaining by holding an A4 sized card which shall have the time remaining stated on it. This will be held up so that all can see it. It is the responsibility of the participants to see the card, and the clerk will not be authorised to state how long is left unless he is asked by the judge and the judge only.

## **5. Skeleton submissions**

- (a) Each team shall be required to submit a skeleton submission prior to the moot taking place.

- (b) The skeleton submission must be submitted by 12 pm 3 days before the moot is scheduled to take place, or at whatever other time the mooting officers specify. The skeleton must be submitted to both the opposing team and the mooting officers (at [mooting@warwicklawsociety.ac.uk](mailto:mooting@warwicklawsociety.ac.uk)). The mooting officers are then responsible for forwarding skeletons to respective judges.

(i) In submitting the skeleton to the opposing team, it is satisfactory to submit the skeleton to just one member of that team. However, it is advised that the skeleton be submitted to both members of the opposing team.

- (c) The skeleton submission must detail the primary arguments which are to be used, as well as all cases, statutes, law commission proposals and journal articles which are to be used\*. There is a limit of only 8 cases per team, and 10 items of additional material if needed.

(i) All cases must be fully referenced, with the full case name, full citation and year.

(ii) All statutes must be named in full with the year they were passed by Parliament.

(iii) All journals, articles etc. must be fully referenced so that the other teams may find them. If the article is a web article, the relevant website must be given.

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\* For a detailed guide, please see the mooting guide which is to be found at [www.warwicklawsociety.ac.uk/mooting](http://www.warwicklawsociety.ac.uk/mooting)

- (d) If no skeleton submission has been submitted by the required deadline, the team which has failed to submit the submission will be disqualified from that moot by either the judge or the mooting officer;
  - (i) A team may be exempted from this rule if there has been a technical problem with the submission. This discretion is to be exercised by the mooting officers and the judges.
- (e) If the skeleton submission which has been submitted is thought to be unsatisfactory, the mooting officers may disqualify the team responsible prior to the moot.
- (f) If the skeleton submission which has been submitted is thought to be unsatisfactory, the judge may disqualify the team responsible prior to or at the time of the moot or is at liberty to redact point.
- (g) The skeleton is not to exceed more than one side of A4, nor is it to have a font size less than 12.

## **6. The moot problem**

- (a) The moot problem must contain two grounds of appeal
- (b) The moot problem will be issued to all teams at least 10 days before the moot is due to take place
- (c) The mooting officers are not at liberty to reveal the specific topic the moot will be held on, but may state the general area of law the problem will be based on (for example, it could be disclosed that the problem will be on contract law, but not that it will be held on the issue of consideration).
- (d) Any team which has dishonestly obtained the moot problem before the scheduled release date will be disqualified from the competition.

## **7. Dress**

- (a) All participants must dress formally for their moots.
- (b) For gentlemen, it is requested that blazers and ties are worn and that they are kept on at all times during the moot.
- (c) For ladies, it is requested that blazers are worn and that they are kept on at all times during the moot. It is recommended that hair will be tied back and that no distracting jewellery be worn.
- (d) All shirts, blouses etc. should preferably be white.
- (e) Any participant not adhering to rule 7 (b)(c) or (d) may still participate in a moot, but a violation of these rules will lead to a reduction in points.
- (f) Any participant not adhering to rule 7 (a) may be disqualified, if they are judged to be dressed too informally to compete by either the judge or a mooting officer<sup>1</sup>.

## **8. Adherence**

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<sup>1</sup> The issue of dress is one of proportionality. Remember that during a moot we are attempting to simulate a court room, and therefore an appropriate degree of formality is required. For more information on this, please see the mooting guide at [www.warwicklawsociety.com/mooting](http://www.warwicklawsociety.com/mooting), or if you are unsure about items of clothing you have, please contact [mooting@warwicklawsociety.com](mailto:mooting@warwicklawsociety.com).

- (a) To register for participation in the internal competition, all participants must sign up for the competition via the website.
  - (i) A participant may choose to enter either individually and be paired with another individual, or teams may enter together as a pair.
  - (ii) If a team enters the competition as a pair, there is no guarantee that those participants will be paired together, but all efforts will be made to ensure that this is so.
  - (iii) Once registered, withdrawal from the competition is not viewed favourably, and it may lead to barring from future competitions, both internally and externally.
- (b) Participants will not have the right to choose on which days/times their moots are held<sup>2</sup>.
- (c) All participants must be members of Warwick Law Society<sup>3</sup>.
- (d) By signing up for and entering into the internal competition, all participants agree to abide by the rules which are stipulated here.
- (e) The final shall be a public event, to which members of the law society, the university at large and members of the public will be invited. For all other rounds, the moots will be a private event, for which an individual who is not a participant, a judge, a clerk or a mooting officer may view only with the permission of the participants and the judge
- (f) The mooting officers shall have the right to change these rules, but may only do so when written notice has been issued to all participants.

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<sup>2</sup> It is EXTREMELY difficult to get judges and rooms at the same time. Sadly therefore, we cannot accommodate people's wishes with regards to times. If your moot clashes with a seminar, it is advised that you request from the law school to re-schedule another class.

<sup>3</sup> In order to join Warwick Law Society, the only requirement is that an individual is a student at the University of Warwick. Therefore, individuals from other disciplines are able (and indeed encouraged) to participate in the internal competition.