

**Lex Communique-2020Rules for MootCourt Competition**

# LANGUAGE:

The official working language for National Moot Court Competition shall be English.

# PARTICIPATION, ELIGIBILITY AND TEAMCOMPOSITION:

* Participationisrestrictedtobona-fidelawstudentsenrolledinthe3yearor5yearLL.B.course.
* A Team shall be ordinarily composed of three (3) members, with two Speakers and one Researcher. A two-member team comprising of only two (2) speakers with no Researcher will also be permitted. A minimum of two members will thus be required for eachteam.
* Participation will be restricted to only one team from each participatingcollege.
* All research, writing and editing must be solely the product of Teammembers.
* Nochangeinthenames oftheparticipantsshallbepermittedafterthereceiptoftheregistration forms.

# INAUGURATION AND DRAW OFLOTS:

The formal inauguration of the Moot Court Competition shall be held on **23rd February 2020**. The draw of lots for the preliminary rounds will take place on 23rd February 2020 at 9:30 a.m. after the registration.

# MEMORIALS:

All the teams shall submit 5 sets of spiral bound Memorials for both the sides.

* The language of the memorials shall beEnglish.
* The Memorial shall not contain any annexure/Photographs/sketches/exhibitsetc.
* The teams must send a Soft Copy of the Memorial on or before **6th February 2020**and send hardcopiesofthememorialonorbefore**18thFebruary2020**(Nameoftheparticipantsorthe

college or any other identification mark should not appear on any part of the memorials). It is the responsibility of the teams to ensure that the correct number of copies of the memorials is submitted to the organizers and acknowledgement is obtained.

* The hard copy of the memorials shall be sent to the followingaddress:

Thakur Ramnarayan College of Law, Thakur Ramnarayan Educational Campus, Swami Vivekanand Road,

Dahisar – East.

Mumbai – 400 068

* The soft copy of the memorials shall be sent to the following email address:

**lexcommunique@trcl.org.in** with SOFTCOPY – MEMORIAL as subject.

# FORMAT OFMEMORIALS:

All the teams shall submit the Memorials fulfilling the followingspecifications:

* The Memorials shall be printed on A4 size paper and must be spiralbound.
* The font style of the body of the Memorial must be Times New Roman, font size – 12, and the size of the footnotes / endnotes, if any, must be of Font size –10.
* Each page of the Memorial must have margin of at least an inch on allsides.
* The memorial should not exceed more than 30 pages including the cover page.
* The Memorial shall consist of followingparts:
1. Cover Page – (Color Blue for Petitioner and Red forRespondent)
2. Table ofcontents.
3. List ofAbbreviations.
4. Index ofAuthorities.
5. Statement ofJurisdiction.
6. Statement ofFacts.
7. Statement of Issues.
8. Summary ofArguments
9. ArgumentsAdvanced
10. Prayers
* There will be negative marking for delayed submission, which shall be deducted at once from the total memorial score obtained by ateam.
* Relevant articles/materials/case law may be provided as a supplementary volume to the Memorial, which must also be submitted with theMemorial.
* The supplementary volume, if any, must also be neatly bound and color coded, like the Memorial, and must not contain any reference to the name of the participants or College or University or LawSchool.
* Copiesofarticles/materials/case-lawswhicharenotappendedtothememorialsorreferredtoin the memorials may not be relied upon at the time of oralarguments.
* No team would be allowed to pass any additional material to the judges while presenting their oralarguments.
* TeamswillNOTbemarkedonthesupplementaryvolume,ifany,whilejudgingtheirMemorials.
* **PENALTIES**

Any memorial violating any of the specifications mentioned above will be penalized according to the following scheme:

|  |  |  |
| --- | --- | --- |
| S. No. |  Criterion |  Penalty (each side) |
| 1. | Late submission of Memorials | (-) 1 mark each, for every hour after the deadline |
| 2. | Exceeding the prescribed page limit | (-) 1 mark per extra page |
| 3. | Not following the prescribed format | (-) 0.5 mark per specification per page |
| 4. | Submitting memorials in multiple emails | (-) 1 mark |
| 5. | Speaking footnote or endnote | (-) 0.5 mark per footnote |

# EXCHANGE OFMEMORIALS:

* Thereshallbeanexchangeofmemorialsbetweentherespectiveopposingteamsduringtheinauguration ceremony.
* The teams are prohibited from making any marks on the exchangedMemorials.
* The teams are prohibited from making any copies of the exchangedMemorials.
* At the conclusion of their respective Rounds, the teams are required to return the exchanged MemorialstotheCourtAssistants/ClerkwheretheRoundisconducted.

# EVALUATION OFMEMORIALS:

Every Memorial will be marked on a total of 100 marks and the team memorial marks will be the average of the total of both sides. The following shall be the marking scheme:

|  |  |  |
| --- | --- | --- |
| S. No |  Criterion |  Marks |
|  1. | Application of Facts | 25 marks |
|  2. | Reasoning | 25 marks |
|  3. | Use of Authorities and Precedent | 20 marks |
|  4. | Understanding Law and Procedure | 20 marks |
|  5. | Presentation | 10 marks |

* **FORMAT OF THE COMPETITION**

The Moot competition shall consist of:

1. Preliminary Rounds
2. Quarter Final Rounds
3. Semi-Final Round
4. Final Round

Each Team will have a Maximum of:

* **15 minutes**, in Preliminary round for oral arguments, of which no single speaker shall be permitted to address the court for more than 7minutes.
* **25minutes**,inquarter-finalround,ofwhichnosinglespeakershallbepermittedtoaddressthe court for more than 15minutes.
* **35 minutes**, in semi-final round, of which no single speaker shall be permitted to address the court for more than 20minutes.
* **45 minutes**, in Final Round, of which no single speaker shall be permitted to address the court for more than 25minutes.

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1. **PreliminaryRounds:**
* In the preliminary rounds, each team shall argue from both the sidesi.e. Plaintiff/Petitioner and Respondent.
* Draw of lots shall determine which two teams would face eachother.
* Draw of lots shall determine the side shall be represented by eachteam.
* ForthepurposesofqualificationfromthePreliminaryRoundstotheQuarterFinals,thetopeight teamsshallbedecidedonthebasisoftheaggregateoforalscores(afterfactorization).Incasetwo or more teams having the same aggregate score, their memorial scores shall be taken into consideration.
* The Best Advocate will be decided on the basis of the scores of the Preliminary rounds.

# Quarter Final Rounds:

* The Quarter Finals shall be knock-out round and the determination of opponents for the eight qualifying teams shall be based on their ranking in the preliminaryrounds.
* Draw of lots shall determine which two teams would face eachother.
* Drawoflotsshalldeterminethesideshallberepresentedbyeachteamintheknockout rounds.
* In case of a tie, the team with the higher memorial score will stand qualified for the semi-final round.

# Semi FinalRounds:

* The semi-finals shall be knock-out round and the determination of opponents for the four qualifying teams shall be based on their ranking in the Quarter finalrounds.
* Thehighest-rankingteamshallcompetewiththelowestrankingteamandsamemethodshallbe followed for the otherteams.
* Drawoflotsshalldeterminethesideshallberepresentedbyeachteamintheknockout rounds.
* In case of a tie, the team with the higher memorial score will stand qualified for the finalround.

# FinalRounds:

* The two teams qualifying from the semi-final rounds shall compete in the finalround.
* **RESEARCHER TEST**

A Researcher Test consisting of subjective and objective type questions will be held on 23rd February 2020. The test will comprise of questions relating to the problem, both legal and factual. The duration of the test will be a minimum of 45 minutes and a maximum of 1 hour. No hand written or printed material/books/manuals/electronic devices etc. will be allowed during the test. Any participant found using any unfair means during the test, will be disqualified immediately.

# DELAY INAPPEARANCE/PRESENTATION:

IfateamscheduledtoparticipateintheoralsubmissionsofaRounddoesnotappearfor10minutes after the scheduled commencement of such Round, the other team shall have to make oral submissions ex-parte. (Unless the delay is due to extreme unavoidablecircumstances)

# EVALUATION OF THE ORALSUBMISSIONS:

* Speaker marks, for the purpose of other Rounds of the Competition, shall be utilized as determined elsewhere in theseRules.
* The evaluation would be done on the followingcriteria:

|  |  |  |
| --- | --- | --- |
| S. No. |  Criterion |  Marks |
|  1. |  Response to Questions and Articulation |  25 marks |
|  2. |  Reasoning in the Application of Principles |  25 marks |
|  3. |  Use of Authorities and Precedents |  20 marks |
|  4. |  Application of Facts |  20 marks |
|  5. |  Advocacy Skills, Court Craft and Demeanour |  10 marks |

The evaluation of the total marks for each speaker shall be the average marks awarded by each judge.

# JUDGES’ FEEDBACK:

Judges are encouraged to provide direct feedback to Teams regarding their performance at the completion of the Oral Round. They shall not engage in any commentary which may reveal the content of the Bench Memorial or announce the winner of the round.

# REPORTING OFRESULTS:

After the conclusion of each Competition, each Team participating in such Competition shall receive the following on the team’s request:

* A copy of memorial score sheets and Penalties, if any, with attendant comments, ifany;
* A copy of oral round assessment – judge’s score sheets and Penalties, if any, with attendant comments, if any, from Preliminary Rounds of theCompetition;
* A copy of the Overall Rankings of the Preliminary Rounds of the Competition, with the Total accumulated Win-Loss records, Overall Team Scores, and Overall RoundPoints;
* A copy of the Speaker Rankings from the Preliminary Rounds of the Competition, includingall Total Individual OralScores;
* A copy of the Written submission Rankings from the Preliminary Rounds of the Competition, including all Total Written submission Scores;and
* A summary of the Advanced Rounds of theCompetition.
* A synopsis of the performance of the team in table form, including speaker performances and oppositionperformances.

# AWARDS:

* **Winning Team:** The winning team of the final rounds which will be held on 24th February 2019.
* **Runners-up Team:** The team which contested against the winning team in the finalround.
* **Best Memorial:** The Memorials, which secure the highest marks based upon the cumulative marks of both the Memorials submitted, shall be adjudged as the ‘BestMemorial’.
* **Best Speaker:** The speaker securing the highest marks based upon the cumulative marks of the Preliminary Rounds of the Competition will be adjudged as the ‘BestSpeaker’.
* **Best Researcher:** The researcher securing the highest marks in the researcher test will be adjudged as the ‘Best Researcher’.

# CLARIFICATIONS OF THE COMPETITION PROBLEM ORRULES:

TeamsmaysubmitwrittenrequestsforclarificationsoftheMootProblemortheseRules.Requests for such clarifications must be received by the organizers till 5th February 2019. Teams may submit requests for clarifications by email only. All clarifications to legitimate requests will be summarized and answered to the participatingcolleges/universities.

If, however, the college/university has failed to provide the organizer with the details of a contact person, the organizer would not be responsible for clarifications sought and corrections required.

# SCOUTING:

* Scouting by the speakers, researcher or any other person affiliated with a team will lead to the immediate disqualification of suchteam.
* Scouting shall be deemed to have happened if any person affiliated with a team is found: Witnessing,hearing,observing,etc.theoralsubmissionsinaRound,exceptwheretheRoundis one in which the team to which he/she is affiliated is participating in;or
* Reading a Memorial of a team except where:
* It is of the team to which he/she is affiliated;or
* TheMemorialshavebeenobtainedonaccountofanexchangeofmemorialspriortoaRoundof the team to which he/she is affiliated.

# ANONYMITY:

Participants/ParticipatingTeamsshallnotdisclosetheirnamesandtheidentityoftheirrespective institution/ college/university at any time before the award ceremony. Each team shall be issued individualcodes,atthetimeofregistrationandthesameshallbethesolesourceofidentityofthe respective teams throughout thecompetition.

Note: All Participants shall refrain from wearing, using or carrying in any form, any identifying items, such as badges, blazers, pins or any other identifying material(s) such as a books/bagswith a college/university/library logo orseal.

# COPYRIGHT:

The copyright over the memorials submitted for participation in the competition is assigned by participantsandshallvestcompletelyandfullyontheOrganizers.TheParticipantsshallcertifyin writing the originality of materials contained therein and shall be responsible for any claim or dispute arising out of the further use and exhibition of these materials. Further use and exhibition of these materials, electronically or otherwise, shall be the exclusive right of the Organizers and they shall not be responsible for any liability to any person for any loss caused by errors or omissions in the collection of information, or for the accuracy, completeness, or adequacy of the information contained in thesematerials.

# MISCELLANEOUS:

All the participants are expected to maintain the decorum in the court during the competition and are expected to conduct themselves in a manner befitting the legal profession.

* UseofMobile/Cellular/Laptops/Tabletsoranyotherelectronicdevicesisstrictlyprohibitedin the court premises at alltimes.
* The organizers will resolve any contingencies that may arise and will be the final arbiters regardinganydoubts/grievances.Thedecisiontakenbytheorganizersshallbefinalandbinding.
* Acceptance of above-mentioned rules and regulations is a pre-requisite to participation in the competition. The rules shall be strictly adhered to. The organizers reserve the right todisqualify teamsfordeviatingfromrules.TheOrganizerswillresolveanycontingenciesthatmayariseand will be the final arbiters regarding any doubts/grievances. These Rules are notexhaustive.
* Any reference to identity of a team’s institution or individual team members, either during oral arguments or in the Memorial may lead to disqualification of theteam.
* The organizers reserve the right to take appropriate action for any unethical/ unprofessionaland immoralconduct.
* The organizers decision regarding the interpretation of rules or any other matter relating to competition shall befinal.
* Organizerssavetherighttomodify,alter,varyorrepealanyoftheaboverules.Ifneedsoarises.

# DISCLAIMER:

The Moot Court Competition is based on a purely fictitious compromise/problem, whereby the characters&theincidentsorthecourseofeventsinthecompromisearecompletelyimaginaryand the same has no relation to any person living or dead or any past/present real-life incident. The Moot Court Competition is made solely for the purpose of training law students of India in developing an analytical bent of mind and serving the Bar and the Bench to the best of their abilities.

**NOTES:**

1. All the Participants will get participation certificates only during the Valedictory Ceremony on 29th September 2019. No Certificates shall be couriered/ posted after the event.
2. Both the parties have to frame and prepare all the five issues from both the sides and will address only those, which are asked to be addressed by the court. Further, it is court’s discretion if it wants any party to address any other issue out of the five issues. (This rule is applicable only for the preliminary and the quarterfinal rounds)

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#  (Student in-charge)

# Sakshi Baadkar – 9819109055

#  (Student in-charge)