



## **2<sup>nd</sup> IILM LAW SCHOOL NATIONAL MOOT COURT COMPETITION, 2023**

### **COMPETITION RULES**

#### **CONTENTS**

1.	DEFINITIONS .....	3
2.	ORGANISATIONAL RULES .....	5
	Administration.....	5
	Discretion of the Administration.....	5
3.	PARTICIPATION AND ELIGIBILITY .....	6
	Eligibility of Team members.....	6
	Registration .....	7
4.	THE COMPETITION CASE. ....	10
	Authorship of the Case .....	10
	Clarifications .....	10
5.	Memorials .....	12
	General Rules .....	12
	Submission of Memorials.....	12
	Format of Memorials.....	13
6.	JUDGING MEMORIALS .....	17
	6.1 Scoring Criteria and Points for Memorials. ....	17
7.	ORAL PLEADINGS .....	20
	General Rules .....	20
	General Scope of Oral Pleadings .....	20

Rebuttal and Sur-Rebuttal .....	21
Communication During Oral Pleadings .....	21
Spectators.....	22
8. JUDGING ORAL PLEADINGS .....	24
Scoring Criteria and Points.....	24
Procedures for Determining Winner of a Match and Qualifying Teams for Each Advanced Round .....	24
9. Payment	
Method.....	24

## 1. DEFINITIONS

Subject to the context requiring otherwise, the following terms shall bear the meaning ascribed in this section:

**“Advanced Rounds”** refers to the Quarter-Finals, Semi-Finals and Championship round of the Competition.

**“Grand finale”** refers to the Final round of the competition.

**“Competition”** means “The IILM LAW SCHOOL MOOT COURT COMPETITION.”

**“Competition Case” or “Case”** means the official problem as drafted, supplemented, clarified, corrected and published for the purposes of the Competition.

**“Competition Rules”** means these rules in this document, and any supplementary rules published for the purposes of the Competition.

**“Question Round”** refers to a preliminary round involving a short problem with specific questions, which must be attempted and submitted by the participating teams to qualify for the advanced rounds.

**“Strategy Note ”** means the written analysis of issues in the short problem released in the Question Round submitted by participating teams in accordance with the Competition Rules

**“Memorial”** means the written arguments submitted on behalf of both sides in accordance with the Competition Rules by teams.

**“Oral Round”** means a team’s pleadings, comprising both speakers, submitted orally in front of adjudicators on behalf of one of the parties against another team representing the opposing party.

**“Organising Committee” or “OC”** means the organising committee of the Competition, formed by the IILM Law School, Gurugram.

**“Penalty”** means the consequence of a rule violation as in line with Rule 6.1.2.

**“Case Clarifications and Corrections”** “means the official clarifications and corrections to the Competition Case.

**“Team Code”** means the number allotted to each participating team, in the interest of facilitating communication between the OC and the team, and with a view to preserving anonymity during the course of the Competition. In this regard, participating teams shall strictly adhere to Rule 3.2(d).

## **2. ORGANISATIONAL RULES**

### **Administration**

- (a) The Competition is organized by IILM Law School, Gurugram. The OC in association with IILM Law School shall function as the authoritative and administrative body for the purposes of organizing the Competition. Important points of contact within the OC, and relevant changes, shall be notified by e-mail to all participating teams.
- (b) The official email for all correspondence with respect to the Competition is [iilmlawschool@iilm.edu].

### **Discretion of the Administration**

- (a) The OC will have the exclusive authority to interpret these Rules.

The Rules will be interpreted in fairness and equality and may at times include deviations from the text of the Rules to uphold such fairness and equality. In the event of such a deviation, the OC will inform all participating teams within a reasonable time from the occurrence of the event.

- (b) Any circumstance not envisaged by these rules will be adjudged by the OC.
- (c) All decisions of the OC shall be final and binding.

### **3. PARTICIPATION AND ELIGIBILITY**

#### **Eligibility of Team members**

- (a) The Competition is open to students enrolled full time in a university pursuing a 5-year under-graduate or 3-year graduate degree in Law at the time that the Competition takes place. Students enrolled for research degrees are not eligible to participate.
- (b) These requirements do not apply to coaches or advisors to the teams.

#### *Authorization for Team Members*

- (a) An institution shall under no circumstance be permitted to register more than one (1) team and all members of a team shall be enrolled in the same institution, keeping in mind Rule
- (b) Students interested in participating in the Competition must first contact the concerned authorities in their respective institutions and receive the requisite authorization to represent the institution in the Competition.

#### *Number of Team Members*

- (a) Teams shall comprise of three members, with two speakers and one researcher.
- (b) No other individual may assist the team with researching, writing, editing or otherwise constructing its arguments. Failure to observe this rule may result in disqualification.

#### **Registration**

- (a) To participate in the moot, teams will have to fill an application indicating their intention to be part of the moot. The OC shall have the discretion to select teams amongst those who apply, ensuring regional and gender parity as far as possible.
- (b) At the time of registration, teams shall select an official point of contact from the participating team who will be responsible for all official correspondence between the team and the OC.
- (c) Changes to the registered information will not normally be permitted. Exceptional circumstances may be brought to the attention of the OC, who may permit modifications on a discretionary basis. The decision of the OC shall be final in this regard.

- (d) After registration, participating teams will be provided with a Team Code, which will serve as their unique identifier for submitting the Strategy Note and at the Oral Rounds. Teams shall strictly only use their Team Code and shall not disclose the names of their Universities or names of individual team members on their submitted Strategy Notes, or in the presence of judges, during the Competition.

#### **4. THE COMPETITION CASE**

##### **Authorship of the Case:**

The Case has been drafted by a duly qualified individual selected by the OC. The identity of the author(s) of the Competition Case shall not be disclosed before the commencement of the Advanced Rounds of the Competition. Teams are not to contact any individual with a view to ascertaining the author(s) of the Case and seeking assistance.

##### **Clarifications**

- (a) Each team may make a formal request to the OC for clarifications regarding the facts stated in the Competition Case. Clarification requests should comprise of clearly stated questions in relation to facts of the case. Teams are urged to not ask 'leading' questions on substantive arguments. It is at the discretion of the Case author(s) and/or OC that clarification requests will be answered.
- (b) Teams requiring clarification may complete the clarification form released by the OC for each round.
- (c) The deadline for requesting clarifications will be part of the Timeline on the Competition's invite and website. No requests for clarification received after the deadline will be accepted.
- (d) Responses to clarifications will be made available simultaneously to all participating teams as per the Timeline. Such responses will be treated as an official addendum to the Competition Case, to be read together with the Case.



## **5. Memorials**

### **General Rules**

- (a) The Memorials shall be written in English.
- (b) Teams are allowed to raise oral arguments not cited in the Memorials.

### **Submission of Memorials**

#### *6.1.1 Electronic Submission of Memorials*

- (a) Each team shall prepare written submissions for both Applicant and Respondent. In the event that the context of the Case does not require teams to refer to the two (or more) parties as the Applicant and the Respondent, the OC will make an authoritative determination as to what the parties will be referred to, and notify all teams.
- (b) The Memorials must be sent via email to the official contact point of each team, to the OC, before the deadline mentioned in the Timeline available on the Competition website. It is the responsibility of the teams to ensure that there are no technical problems with the attached files. Amongst other reasons, delays on account of technology, infrastructure, equipment and conflicting schedules will not be condoned.
- (c) Each Memorial should be contained in a single file named with the allocated team number followed by the first letter of the side represented. For example, the Respondent Memorial for Team 7 shall be named “7R”.
- (d) Any Memorial that violates 5.2.1(c) above will have to be resubmitted with the consequence of any applicable resubmission penalties pursuant to Rule 6.1.2.
- (e) Memorials for both sides must be submitted in the same email. The subject line should only contain Team Code. For example, the subject line for team 13 will read as follows: ‘Team 13’. No other identifying information should be included in this mail.
- (f) All versions submitted to the OC, and to any other person under these Rules must be identical. Subject to paragraph (d) above, no changes of any kind may be made after submission of Memorials to the OC. In the event that a team wishes to change the content

of its memorials, before the disqualification deadline stated in the Timeline, it shall resubmit a new memorial, subject to resubmission penalties and penalties for delay.

(g) Each memorial should be electronically submitted in both Microsoft Word (.docx) and PDF (.pdf) formats. Each PDF file must be saved directly from the corresponding MS-Word file, and the two must be alike in all respects.

(h) The OC shall print hard copies of the memorials for the purpose of the Competition.

Teams are not required to submit hard copies of the Memorials.

### **Format of Memorials**

#### *Memorial Style and Format*

(a) Memorials must be written in Microsoft Word and saved with the .docx file extension.

All parts of the Memorial must be submitted as a single document. Memorials that do not conform to this Rule will not be accepted.

(b) Electronic documents submitted must contain no information or features other than those required by this rule (e.g.no comments, tracked changes, etc.). Breach of this provision will be penalized by a deduction of penalty points.

#### *Memorial Structure*

(a) Each Memorial shall contain the following sections in the following order:

(i) Front Page

(ii) Table of Contents

(iii) List of Abbreviations

(iv) Table of Sources/Authorities

(v) Statement of Facts

(vi) Statement of Jurisdiction

(vii) Questions Presented

(viii) Summary of Arguments

(ix) Arguments Advanced

(x) Prayer/Relief Sought

*Font and Spacing*

- (a) All parts of the Memorial must be in Times New Roman, font size 12. The line spacing for all parts of the Memorial is recommended to be 2 lines, with the exception of the Cover Page, Table of Contents, Index of Authorities, headings and footnotes.
- (b) Headings and sub-headings throughout the Memorials may be in a different font size, underlined.
- (c) Footnotes must be single-spaced, Times New Roman, font size 10.
- (d) All pages of the Memorial must be letter size, 8.5 x 11 inches (21.6 x 27.9 cm), with margins of at least one inch (2.54 cm) on all four sides. The Organizing Committee reserves the right to reformat any Memorial that does not comply with this Rule to determine compliance with these Rules.

*Anonymity of Memorials*

- (b) The names of the team members, institution or country shall not be on any portion of the Memorial. The Team Number is a substitute for the team's institutional affiliation, which shall not be disclosed, until at a time deemed fit by the OC.

*Penalties for non-compliance*

- (a) Non-compliance with the formatting requirements will be penalized with a deduction of penalty points from the Memorial pursuant to the Rules as provided under Rule 6.1.2.

*Front Page*

- (a) The Front Page of the Memorial must have only the following information, which should be in the following order (this information should be centre aligned on the page, except where stated otherwise):
  - i. In the top right-hand corner of the page, the team-number allocated by the OC followed by "A" if an Applicant Memorial or "R" if a Respondent Memorial (e.g.

Team-Number 12 would put “12A” in the top right-hand corner of the Applicant Memorial cover page).

- ii. The name and the year of the Competition
- iii. The title of the Case, referring to the relevant court and the parties.
- iv. The title of the document (i.e., “Memorial for Respondent” or “Memorial for Applicant”)

*List of Sources/Authorities and Footnotes*

- (a) The list of sources must contain references to all page numbers where sources or authorities are used or cited in the ‘Arguments Advanced’ section of the Memorial.

*Statement of Facts*

- (a) The Statement of Facts should be limited to facts relevant to the ‘Arguments Advanced’ section in the Memorial, and may not include unsupported facts, distortions of stated facts, argumentative statements, or legal conclusions. A well written Statement of Facts ought not to be a reproduction of the Case.

*Questions Presented*

- (a) In this section, teams should present the legal questions the Court has been called upon to decide in the context of the case. These must be presented as neutral questions, *i.e.*, teams should not state their position on the questions raised in this section. However, teams are encouraged to formulate questions in a manner so as to justify their position with respect to burden of proof.
- (b) The questions must be precise, relevant to the facts and each question should ideally not be more than a sentence. While each legal question might have further sub-questions, teams must state only the main legal questions in this section.

### *Summary of Arguments*

- (a) A good Summary of Arguments should consist of a substantive summary of the “Arguments Advanced” section of the Memorial rather than a simple reproduction of the headings contained in the Arguments section.

### *Arguments Advanced*

- (a) Substantive, affirmative legal argument or legal interpretation of the facts of the Case may only be presented in the ‘Arguments’ section of the Memorial. The Arguments section shall not exceed eight thousand (8000) words including footnotes.

### *Footnotes and Citations*

- (a) Each source or authority relied upon in drafting arguments must be cited in footnotes. Citations must conform to JILI rules of citation. Inconsistency in footnoting style will be penalized.
- (b) Footnotes should contain no further information than is necessary to identify the source, and shall not contain any substantive argument, or comment in relation to the source.
- (c) End notes are not permitted.

## 6. JUDGING MEMORIALS

### Scoring Criteria and Points for Memorials.

- (a) Each Memorial shall be assessed by two judges - to be decided by the OC.
- (b) Every memorial will be marked on a maximum of one hundred (100) points by each judge. Negative points will be awarded in the manner detailed in 6.1.2. Therefore, in a match between Team 20 (Applicant) v. Team 10 (Respondent), Team 20's Applicant Memorial will be marked by two judges and can score up to a maximum of 200 points. The same is applicable for Team 10's Respondent Memorial.
- (c) A team's total Memorial score shall be the sum of points awarded for the Applicant Memorial and points awarded for the Respondent Memorial.

#### *Substantive scoring*

- (a) will be judged based on the following criteria:
  - i Correct legal analysis and its application to facts; [20 marks]
  - ii Quality and extent of research: relevant treaties, legislations, customs, case law and academic writings; [20 marks]
  - iii Recognition of issues: complete and correct recognition and weighting of issues; [15 marks]
  - iv Correct primary and alternative submissions; [10 marks]
  - v Clarity and logic of argument; [15marks]
  - vi Evidence of original thought; and [10 marks]
  - vii Overall Presentation: Language, structure, format, citations. [10 marks]

#### *Procedural scoring (Memorial Penalties)*

- (a) Non-compliance with rules concerning formatting and submission of Memorials will result in a deduction from the allocated points. Memorial for noncompliance with procedural requirements. This rule does not apply to penalties for late submission under Rule 6.1.3.

<b>RULE</b>	<b>VIOLATION</b>	<b>PENALTY POINTS</b>
<b>5.3.2</b>	Missing or additional section	5
<b>5.3.2</b>	Incorrect order of sections	5
<b>5.3.3</b>	Incorrect font size	3.5 (one time)
<b>5.3.3</b>	Incorrect spacing	3.5 (one time)
<b>5.3.4</b>	Breach of memorial anonymity rule	10
<b>5.3.6</b>	Missing or unnecessary information on front page	5
<b>5.3.8, 5.3.11</b>	Substantive legal argument outside the Arguments Section	5 (one time)
<b>5.3.11</b>	Exceeding the word limit of the Arguments Advanced section	1-100 words: 3 100-400 words: 7.5 400+ words: 15
<b>5.3.12(b)</b>	Substantive text in footnotes	5 (one time)
<b>5.3.12(c)</b>	Use of endnotes	5
<b>5.2.1(d)</b>	Re-submission of memorial not contained in single file	5

*Penalties for Late Submission*

- (a) The deadline for submission of Memorials is 12<sup>th</sup> of March at 11:59 PM hours (Indian Standard Time). This deadline is noted in the invitation and the Timeline that will be made available on the Competition website.
- (b) If a team fails to submit Memorials by the required deadline, the following penalties will apply: 5 points for each day's delay, with a day being reckoned from 11:59 PM hours (IST) on 12<sup>th</sup> of March.
- (c) The final disqualification deadline for submission of memorials is 15<sup>th</sup> of March at 11:59 PM hours hours (Indian Standard Time). Any memorial submitted after this deadline will not be accepted, and the team shall accordingly be disqualified.

“



## **7. ORAL PLEADINGS**

### **General Rules**

- (a) Oral Pleadings will be in English only. There will be no deviation from this language requirement.
- (c) The procedure for determining the winner of each match is set out in rule 8.2.1.

### **General Scope of Oral Pleadings**

- (a) Two speakers for each will present the oral pleadings on behalf of the Applicant and similarly, each team shall present two oral pleadings on behalf of the Respondent.
- (b) Each team shall have forty (40) minutes for both their speakers to present their arguments, including time for answering questions from adjudicators and rebuttals or sur-rebuttals.
- (c) The order of the pleadings in each Oral Round at all levels of the Competition will be: Applicant 1, Applicant 2, Respondent 1, and Respondent 2 followed by the Applicant's (any one oralist) rebuttal and then the Respondent's (any one oralist) sur-rebuttal.
- (d) At any round, only two (2) members of a team shall present the arguments during an Oral Round on a team's behalf.

### *Time Allocation*

- (a) The first team member presenting must inform the bailiff of the manner in which the team wishes to divide its forty (40) minutes between its (i) first oralist, (ii) second oralist, and (iii) the rebuttal (for Applicant) or sur-rebuttal (for Respondent).
- (b) Each team may divide its forty (40) minutes as it deems best provided that:
  - i. No oralist is allocated less than fifteen (15) minutes or more than thirty (30) minutes for presentation of main arguments
  - ii. No more than five (5) minutes are reserved for its rebuttal or sur-rebuttal.
- (c) The Respondent team may use the time set aside for sur-rebuttal only if the Applicant team exercises its right to rebuttal.

- (d) If a team fails to reserve time for a rebuttal or sur-rebuttal at the start of an Oral round it may not then request that such time be added during the course of the round.

*Extension of Time at Judges' Discretion*

- (a) Judges may, at their discretion, extend the time for an Oral Pleading as allocated in these Rules. They may also, at their discretion, determine how such extended time impacts the total time allocation set out above.
- (b) Judges shall not however, change the order of presentation of an Oral Round as stated in rule 7.2(c).

**Rebuttal and Sur-Rebuttal**

- (a) As stated above, only one team member participating as an oralist in the ongoing Oral Round may deliver the rebuttal for the Applicant or sur-rebuttal for the Respondent. The information given to the bailiff at the start of the Oral Round need not indicate the team member selected to deliver the rebuttal or sur-rebuttal.
- (b) The Applicant's rebuttal, which immediately follows Respondent 2, must be limited to responding to the Respondent's Oral Pleadings; whereas the Respondent's sur-rebuttal shall be limited to responding to the Applicant's rebuttal.
- (c) The Applicant has the right to waive rebuttal, in which case the Respondent may not appear for sur-rebuttal.

**Communication During Oral Pleadings**

*Oral Courtroom Communication between Counsel and Judges*

- (a) During an Oral Round, oral communication is limited to the judges and the oralist presenting a team's arguments.

*Communication and Activity at Counsel Table*

- (a) During each Oral Round, one (1) additional Team Member may sit at the counsel table with the two (2) oralists; this individual shall be called "of counsel". Only individuals

registered as team members may act as of counsel.

- (b) A maximum of three (3) team members may be seated at counsels' table: the two (2) oralists and one (1) of counsel.
- (c) Communication between the oralist presenting a team's arguments and their team's of counsel table is prohibited.
- (d) Communication at the counsel table among other team members shall be in writing, and teams shall avoid all unnecessary and inappropriate behaviour which disrupts order or distracts from the oral pleading in progress.
- (e) Any communication between participants at the Counsel's table and judges should only be through the bailiff. Direct communication between participants at the Counsel's table and the judges is prohibited.
- (f) If participants continue to engage in such communication at any point in the Competition despite an earlier warning, the OC shall have the discretion to disqualify any such team from a particular Oral Round or from the remainder of the Competition, or to otherwise penalize that team.

#### *Electronic devices*

- (a) The use of any kind of electronic devices is prohibited during the Oral Rounds.

### **Spectators**

#### *7.5.1. Participating Teams*

- (a) Teams, and individuals directly affiliated with teams, which have not moved on to the Advanced Rounds may attend any oral match in the Advanced Rounds.
- (b) Once a team in the Advanced Rounds has been knocked out of the Competition, team members and individuals directly affiliated with the team, may attend all remaining Advanced Round matches.

#### *Outside Spectators*

- (a) All Rounds are open to public, to the exclusion of other teams currently participating in the competition. The OC retains discretion in determining whether spectators are unnecessarily disturbing the oralists during an Oral Round, in which case the spectator shall be requested to leave the room. Spectators shall be urged to show the utmost sportsmanship while presentations are being made and to be as silent as possible throughout the Competition.

*Recording*

- (a) The OC retains all rights with respect to all recordings and dissemination of such recordings whether audio, video, or other forms of recording which take place during the Competition.

## 8. JUDGING ORAL PLEADINGS

Ordinarily, in each oral round, the OC shall employ three (3) judges whenever possible. Under special circumstances, the OC may authorize panels of two (2) judges. The Organizing Committee may employ more than three (3) judges in the Advanced Rounds.

### Scoring Criteria and Points

- (a) Each oral pleading will be marked on a maximum of one hundred (100) points by each of the judges on a panel. In the event that the round is judged by two (2) judges, the average score for each oral pleading shall be treated as the third score.

#### 8.1.1 Substantive scoring

- (a) Each oralist can be awarded a maximum of one hundred (100) points per oral pleading based on, but not limited to the following criteria:
- i. Knowledge of the law [30 marks]
  - ii. Knowledge of the Facts [25 Marks]
  - iii. Questions and Answers [20 Marks]
  - iv. Style, Poise, and Demeanor [15 Marks]
  - v. Organisation and Time Management [10 Marks]

9. The winner of a match will be determined by the team with the higher oral scores and the memorial score shall not be considered for the advanced rounds.

### 10. Payment Method:

