

## UNSW LAW SOCIETY INC OPEN MOOT RULES

The UNSW Law Society Inc Open Moot ('the Program') is a non-competitive mooting program through which UNSW Law students may practice and experience mooting after the preliminary rounds of the UNSW Law Society Inc Beginners, Intermediate and Senior Mooting have concluded. This rules document covers the administration of and participation in the Program.

The Program is administered by two directors appointed by the UNSW Law Society: the UNSW Open Moot directors ('the Directors') who can be contacted at [open.mooting@unswlawsoc.org](mailto:open.mooting@unswlawsoc.org).

A reference to a participant is a reference to an eligible student who has registered in the Program.

### Eligibility and Topics

- The Program is divided into three streams, to ensure a fair and balanced experience:

Stream	Topic
<b>Stream 1:</b> Juris Doctor ('JD') students who have commenced their studies through mid-year entry into the UNSW JD program that same year.	Tort law (intentional torts, negligence, or nuisance).
<b>Stream 2:</b> Undergraduate and JD students who are in their first year of studying law.	Tort law (intentional torts, negligence, or nuisance).
<b>Stream 3:</b> Undergraduate and JD students who are in their second year and above of studying law.	Criminal law or contract law.

- To avoid doubt:
  - In determining years/months of studying law, law study at any university is included;
  - Exchange students from other universities who are currently studying at UNSW must compete in the applicable Stream based on the number of years for which they have been studying law; and
  - LLM students who have not previously completed a law degree must compete in the applicable Stream based on the number of years for which they have been studying law.
- The following students are not eligible to participate in the Program (and should instead volunteer as judges):
  - students who have progressed to the Quarter Finals or Semi Finals (as applicable) of Beginners, Intermediate and Senior Mooting that same year; and
  - students who have been selected for any moot within the UNSW International Moot Program, unless permission is given by their coach.

### Registration and Withdrawal

- Each team comprises two participants. Students may register for each round as a team, or they may register individually, in which case the Directors will form teams where possible.
- Late registrations and requests to be rescheduled will be accepted at the discretion of the Directors. The Directors may reconfigure the draw at any time after its release to ensure the smooth functioning of the competition, eg, to fill vacancies caused by forfeitures.
- A participant who wishes to withdraw from or reschedule their moot must notify the Directors, judges and each participant in their moot, as soon as practically possible.
- A participant who withdraws after 5pm on the day that their problem question is scheduled to be released, may be penalised under the Competitions Misconduct and Withdrawal Policy, particularly in the case of cancellations without reasonable notice.

### Release of Problem Questions

- Problem questions will be distributed by email at 9pm, 6 days prior to the day of the participant's scheduled moot. Eg, if the moot takes place on Monday, the question will be released at 9pm on the preceding Tuesday. This email will also notify participants whether they will be acting as appellant or respondent.

9. No questions will include potentially triggering content, particularly any content which relates to sexual assault or self-harm, without an appropriate trigger warning.

### **Procedure for Submissions**

10. Written submissions and bench books are not necessary for the Program. Judges must not give consideration to any written submissions or bench books.
11. Each team will have 20 minutes to present its arguments and answer questions from the judges. The time must be divided between senior and junior counsel 10 minutes each. Appearances are not counted towards a team's time limit.
12. The judges may grant an extension of up to two minutes per participant. Judges are encouraged, but not required, to grant extensions evenly between speakers.
13. There is no formal dress requirement. Participants are advised to dress in a professional manner appropriate to a courtroom atmosphere.
14. Collusion, plagiarism or obtaining an unfair advantage by receiving external assistance or by any other means is prohibited.

### **Judging**

15. Judges must have relevant mooting, academic or professional experience. Judges may include the Directors and the Vice-President (Mooting).
16. All student judges must have previously competed in two rounds of a mooting competition and must also have completed:
  - (a) Introducing Law and Justice (LAWS1052/JURD7161) for **Stream 1**;
  - (b) Torts (LAWS1061/JURD7152) for **Stream 2**; and
  - (c) Crime and the Criminal Process (LAWS1021/JURD7121), Criminal Laws (LAWS1022/JURD7122) and Principles of Private Law (LAWS1150/JURD7150) for **Stream 3**.
17. Each judge will complete a separate feedback sheet. On their feedback sheet, judges must make notes about each participant's performance, according to the categories on the feedback sheet.

**Note:** The Competition scoresheet is available for participants and judges to download at <https://www.unswlawsoc.org/competition-resources/>.
18. Judges may briefly adjourn to consider their decision at the conclusion of the moot. Judges may deliberate for no longer than 5 minutes after the conclusion of the final speaker's argument.
19. At the end of the moot, judges are required to give oral feedback. At the conclusion of feedback, the judges may announce a winning individual (as determined by a majority of judges) if the all participants consent to such an announcement.