



# RULEBOOK

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7<sup>th</sup> EDITION

CAPACITY BUILDING MOOT COURT COMPETITION

NOVEMBER, 2024



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## **RULES AND REGULATIONS**

### **1. DEFINITIONS.**

**Unless otherwise provided, the words used in the rules shall be construed as hereinafter provided –**

- 1.1. “administration” means the university administration of National Law University and Judicial Academy, Assam;
- 1.2. “backing out” means a condition wherein an individual/team expresses its unwillingness to take part in the moot court competition.
- 1.3. “benchmark” means a round, the purpose of which is to raise the standard of subject-matter of moot proposition, the merits of its memorial, oral arguments and research work of a team;
- 1.4. “CBM” means the Capacity Building Moot- the introductory moot court competition for newly-inducted undergraduate batch.
- 1.5. “committee” means the Moot Court Committee of National Law University and Judicial Academy, Assam.
- 1.6. “competition” means the 7<sup>th</sup> Capacity Building Moot Court Competition, 2024
- 1.7. “faculty-coordinator” means the member of the faculty who is in charge of the Moot Court Committee;
- 1.8. “memorial” means a formal written submission outlining the legal arguments, statutes, and precedents for both sides of a hypothetical case;
- 1.9. “problem/proposition” means the hypothetical legal case drafted for this moot court competition that presents a legal issue for participants to analyse and argue from both sides;
- 1.10. “rules” mean the Rulebook of the 7<sup>th</sup> Capacity Building Moot Court Competition, 2024;
- 1.11. “soft copy” refers to the electronic version of the written submission submitted to the organizers of the moot
- 1.12. “team code” means the unique code that shall be provided to the registered teams after the registration and shall be used by the teams for all further communication;

## 2. FORMAT OF THE COMPETITION

- 2.1. The entire competition will be conducted in the campus physically.
- 2.2. The pairing of teams will be done through a draw of lots.
- 2.3. The Oral Rounds will consist of a total of two separate rounds, where each participating team will get the opportunity to argue each on behalf of the Petitioner and the Respondent.
- 2.4. No team shall argue against another team more than once or before the same panel of judges in the two rounds.

## 3. TEAM ELIGIBILITY

- 3.1. A Team is to be composed of **3 (three)** individuals comprising of **2 (two)** speakers and **1 (one)** researcher from the Class of 2029.
- 3.2. Under extenuating circumstances namely, the non-availability of participants owing to backing-out of individuals or the uneven strength of the batch, the Committee shall allow the formation of two-member teams where one individual can double as the speaker and the researcher.
- 3.3. Eligible individuals have the liberty to form their own teams. The Committee shall facilitate the formation of teams on request.
- 3.4. Individuals from the aforementioned batch not participating in the 7<sup>th</sup> Capacity Building Moot Court Competition, 2024 shall be subjected to a cooling-down period barring them from participation in inter-institution competitions for the rest of the academic year 2024-25.

## 4. RULES RELATING TO MEMORIALS

The following requirements for Memorials must be strictly followed. Any contravention to the following stipulated rules shall be subject to penalties.

- 4.1. Each team must prepare Memorials for both parties to the dispute (Petitioner and Respondent). All written submissions must be in English.
- 4.2. The soft copy of the Memorials for both the Petitioner and the Respondent should be mailed to [mootcourt@nluassam.ac.in](mailto:mootcourt@nluassam.ac.in) on or before **11:59 PM I.S.T of 5<sup>th</sup> November, 2024 (Tuesday)**, with the subject as **“TC-<team code> CBM Memorial Softcopy”**. (For example, if your team code is 01, the subject shall be “TC-01 CBM Memorial Softcopy”). Submissions after the speculated time will be penalized by 1 mark for every hour the soft- copy of the Memorial is delayed till **12:00 PM I.S.T of 6<sup>th</sup> November, 2024 (Wednesday)**. Submissions after this shall be subject to automatic disqualification.
- 4.3. Memorials are to be submitted in both .pdf and .docx/.doc file format. The Memorials are to be labelled as **“TC<team code>P/R”** where P is for Petitioner or R is for Respondent. For instance, the Respondent(s) memorial of Team Code - 10 should be named as **‘TC - 10R’**. Violation of this rule shall attract a penalty of one-mark for each memorial.
- 4.4. The Committee shall consider the first submission as the sole submission of the team. Both Memorials are to be submitted together.
- 4.5. the teams are required to submit 3 sets of hardcopies of the memorials on or before **5:00 PM I.S.T, 7<sup>th</sup> November, 2024 (Thursday)** at the Moot Court Hall in the ground floor of the Academic Block.
- 4.6. The Contents of the Memorial must consist of the following in the stipulated order:
  - The Cover Page
  - The Table of Contents
  - The Index of Authorities
  - The Statement of Jurisdiction
  - The Statement of Facts
  - The Statement of Issues
  - The Summary of Arguments
  - The Arguments Advanced
  - The Prayer



- 4.7. The font shall be Times New Roman, size 12, 1.5-spaced, and justified, including all headings and subheadings.
- 4.8. Footnotes should be size 1.0 single-spaced in Times New Roman.
- 4.9. The Memorials must have a margin measuring one inch on all sides of each page. The page numbering should be at the bottom and center of each page (page numbering is not required on the cover page).
- 4.10. Covers Pages of the Memorials must be placed as follows:
- The **Petitioner/Plaintiff/Appellant/Applicant/Claimant** will have a **Light Blue** colour cover page and the **Respondent/Defendant** will have a **Light Red** colour cover page.
  - The team code has to be provided on the top right corner of the Memorial coverpage.
  - The title cause shall be stated on the Memorial cover page.
  - Identify memorial as that of Petitioners/Applicant/Appellant/Respondents as applicable.
  - Name of the forum/fora before which the proceedings are being conducted has to be stated.
- 4.11. The identity of the team should not be revealed anywhere in either of the Memorials. Violation of this provision shall result in penalties and can be subject to disqualification.
- 4.12. The *Table of Abbreviations* shall include all the abbreviations, acronyms, and other marks, being used throughout the Memorials in alphabetical order.
- 4.13. The Index of Authorities shall include all the cases, books, journals, articles and other reference materials cited in the Memorial.
- 4.14. The *Statement of Facts* shall be in the most concise manner stipulating the facts and legitimate references drawn from the moot proposition. The Statement of Facts is limited to 2 pages only. Argumentative Statement of Facts is liable to attract penalties.
- 4.15. The *Issues Raised* should present the legal questions to the Court in regard to the dispute at hand. The questions have to be presented in a neutral manner and sub-questions that arise out of the questions do not have to be stated within the said but in the substantive portion of the Memorial.

- 4.16. *The Summary of Arguments* will provide a concise and brief of the affirmative legal argument being contended within the Memorial.
- 4.17. *The Arguments Advanced* provides for the substantive portion of the Memorial where the questions of law are provided through affirmative legal argument and legal interpretations. Arguments Advanced is limited to 20 pages.
- 4.18. Footnotes are to consist of citations and referred material. No legal arguments or Endnotes permissible within the Footnotes. The method of citation has to be consistent throughout the Memorial. Citations are to be made solely in the form of Footnotes. In-text citation and speaking-footnotes are liable to attract penalties.
- 4.19. The Citation Format being followed for the competition is the **Harvard Bluebook, 21st Edition**.
- 4.20. The total length of the Memorial should not cross 30 pages. The teams shall be penalized by 1 mark for every page exceeding the permissible limit.
- 4.21. Teams are not to commit plagiarism. "Plagiarism" means appropriating the literary composition of another, or parts or passages of another's writings, or the ideas or language of another, and passing them off as the product of one's own mind. Plagiarism of more than 30% shall attract a penalty of 2 marks for every 5% increase in similarity. Plagiarism of more than 50% will lead to disqualification of the team.
- 4.22. Use of Generative AI is discouraged and shall be subject to penalty.
- 4.23. There shall be a cap on maximum penalties which shall not transcend 30 marks in any case.
- 4.24. Although not considered necessary, the teams may submit a 'Compendium', i.e., a separate paper book of not more than 50 pages which will carry all the annexure and case laws that have been referred to in the Memorial. The book shall have a white cover with only the Team Code as the identifier. The teams will retain it and may submit it to the judges during the rounds through the court assistants for reference. There will not be any passing of notes to the judges.
- 4.25. Any revisions, supplements, or additions to the Memorials after submission shall attract severe penalties subject to the discretion of the organizers.

## 5. MARKING OF THE MEMORIALS

- 5.1. The Memorial shall be marked on a scale of 0 - 100 points each.

**5.2.** Award of the points shall be based on the following parameters:

- Neatness, legibility, no typographical errors or format errors.
- Logical progression of ideas.
- Effective use of headings to outline arguments.
- Understanding essential legal issues presented.
- Focus on essential (not collateral) issues.
- Clear, concise, and unambiguous writing style.
- Powerful and persuasive presentation.
- Integration of facts into a legal argument.
- Understanding of strengths and weaknesses of the case.
- Discussion of viable alternative arguments.
- Understanding and analysis of authority.
- Proper use of citations and citation form.
- Effective use of authority to support arguments.
- Ability to distinguish adverse cases.
- Originality of arguments.

**6. SCORING MODALITIES FOR MEMORIAL EVALUATION:**

CRITERIA	MARKS
KNOWLEDGE OF LAW AND FACTS	20
PROPER AND ARTICULATE ANALYSIS	15
DEPTH AND USE OF RESEARCH	15
ORGANIZATION AND PRESENTATION	15
GRAMMAR AND LANGUAGE	10
NOVELTY OF ARGUMENTS	15
CLARITY OF THOUGHT	10



## 7. RULES RELATING TO ORAL ROUNDS

- 7.1. Each team will get a total of **30 minutes** to present their case. This time will include rebuttal and sur-rebuttal time. All pleadings will be done in English without deviation.
- 7.2. The division of time is at the discretion of the team members, subject to a minimum of 10 minutes per Speaker.
- 7.3. Division of time shall be informed to the Court Master/Clerk(s) before beginning the arguments. Questions by the judges are part of the round. The timer shall be paused while the speakers are being asked questions by the judges, but shall resume when the speaker answers.
- 7.4. The oral arguments need to be confined to the issues presented in the Memorials.
- 7.5. The Researcher shall be present in the allotted Courtroom instructed by the Committee with the Speakers at the time of the orals.

## 8. RULES RELATING TO SCOUTING

- 8.1. Teams will not be allowed to observe the orals of any other teams. Scouting is strictly prohibited. Scouting by any of the team members shall result in disqualification.

## 9. RULES RELATING TO SCORING OF ORAL ROUNDS

- 9.1. The parameters for judging the oral presentation on a scale of 0 – 100 points.
- 9.2. The rubric for marking will be done by the judges keeping in mind the points of:
  - Knowledge of facts.
  - Logic and reasoning.
  - Organisation and clarity.
  - Persuasiveness.

- Deference to the Court.
- Proper and articulate analysis of the issues arising out of facts.
- Understanding of the legal principles directly applicable to the issues.
- Ability to explain clearly the legal principles in general keeping to the time allotted.
- Knowledge and use of legal sources and authorities and general principles of the subject matter.
- Ingenuity (ability to argue by analogy from related aspects of law)

#### 10. CRITERIA FOR THE ADJUDICATION OF THE ORAL ROUNDS

CRITERIA	MARKS
IDENTIFICATION OF LEGAL PRINCIPLES	15
USE OF AUTHORITIES	15
APPRECIATION AND APPLICATION OF FACTS	15
CLARITY, LOGIC AND STRUCTURE OF PRESENTATION	20
RESPONSE TO QUESTIONS	15
ABILITY TO COMMUNICATE WITH JUDGES	10
OVERALL POISE, DEMEANOR AND PRESENTATION	10

#### 11. RULES RELATING TO THE RESEARCHERS' TEST

11.1. The Researchers' Test will be based on 20 Multiple Choice Questions and 1

subjective essay-based question related to the subject-matter of the Moot Proposition.

- 11.2. Amongst the 20 Multiple Choice Questions, **four questions** will be star questions carrying equal weightage in marks.
- 11.3. In the scenario where there is a tie amongst the score of two or more Researchers, the Researcher getting the greater amount of star questions correct will supersede.
- 11.4. If the above condition is not able to break the tie, then the Researcher who answered the most amounts of questions in chronology will be declared as winner of the tie. In other words, the Researcher which first gets a question wrong from the chronology will have lost the tie.
- 11.5. Non-compliance of the rules mentioned in above clauses shall attract severe penalties to the discretion of the organizers.

## 12. MENTORSHIP

- 12.1. All teams shall have the discretion to select a mentor from the Class of 2025 to the Class of 2027, provided the mentor possesses sufficient expertise in the subject matter of the competition and experience in national and international moot court competitions.
- 12.2. Teams shall notify the Committee of their selected mentor during the registration process.
- 12.3. In the event, a team is unable to secure a mentor, the Committee shall assign a suitable mentor.
- 12.4. Mentors registered may provide assistance to a team provided such assistance is restricted to:
  - general instruction on the basic principles of constitutional law;
  - general advice on research sources and methods;
  - general advice on Memorial writing techniques;
  - general advice on oral advocacy techniques;
  - general advice on the organization and structure of arguments in the Team's written and oral pleadings;

- general commentary on the quality of the Team’s legal and factual arguments;
- advice as to pleading options or similar strategic decisions.

### 13. PRIZES AND AWARDS

- 13.1. The team with the highest accumulative score will be declared as the “Winning Team” and receive a trophy. **[The Protégé]**
- 13.2. Accumulative Score is the aggregate of individual Oral Round marks of both speakers, the Memorial marks, and the marks obtained in the Researchers’ Test.

**Accumulative Score = (Speaker 1 + Speaker 2 + Memorial Marks + Marks obtained in Researcher’s Test)**

- 13.3. The team with the second-highest accumulative score will be declared as the “Runners-up Team” and receive a trophy. **[The Apprentice]**
- 13.4. The Speaker with the highest individual oral round score across two rounds will be declared as the “Best Speaker” and receive a trophy.
- 13.5. The Researcher with the highest researcher test score will be declared as the “Best Researcher” and receive a trophy.
- 13.6. The team with the highest marks attained on their written submissions will be declared as the “Best Memorial” and receive a trophy.