



Mooting Guide

The structure of a moot

A mooting round consists of two teams of two people competing, with one person in each team being the senior counsel (appellant/respondent), and the other is junior. The Senior Appellant starts first, after which the Senior Respondent presents their argument. After this, Junior Appellant and Junior Respondent will speak. The time is (usually) divided like this:

- Senior Appellant: 10 minutes
- Senior Respondent: 10 minutes
- Junior Appellant: 8 minutes
- Junior Respondent: 8 minutes
- Appellants right to reply: 2 minutes.

In a moot problem, you usually will get two points of appeal/argument. The Senior Counsels will often both tackle the first one mentioned in the moot problem, so as to reciprocate their arguments.

Content of the moot

Submission: an argument/a point. It will be mentioned before the moot how many submissions each counsel should make.

Skeleton: a one page document submitted by each team that outlines the submissions briefly, and mentions the authorities. This is for the judge to look at before the competition, in order for them to know how your argument will be structured. A skeleton needs to be very clear, and not too detailed. You should be able to explain each submission with one or two sentences, as it all needs to fit in one A4 page.

Bundle: a bundle of documents that you bring to the moot itself (three times, one for the opponents, one for the judge, and one for you). It consists of:

- A contents page;

- The skeleton argument;
- The authorities: you will usually be asked to provide:
 - the first page of the authority - the headnote (for a case this will be the first page of the case as found on Westlaw for example); and
 - the entire pages of the sections you need to make your submissions (eg: quotes).

The quotes and parts of the authority you will use in your submission must be clearly marked in your bundle, either by:

- Highlighting the necessary quote and direct the judge to a page number (bundles should have page numbers for this purpose);
- Highlighting the necessary quote and direct the judge to a marker/divider in your bundle (these will usually also be marked with numbers or letters, and you can find these in any stationary store).

It is common practice to put the bundle in a binder for easy access and for the judge to easily go through it. This means a bundle is not just a wad of papers, and needs to be presented correctly.

Authorities: mooters are usually restricted to 3 authorities each, and 6 per skeleton argument. An authority that is cited in the moot problem shall not be counted. The only authorities you should use are ones that are also present in your skeleton argument, and you should not cite additional authorities during your speech.

Cases will be referenced by reading the 'v' as 'and', and 'R' (in criminal cases) as 'The Crown' (at least the first time you are citing it). The citation should also be referenced fully in words:

The case of Williams v Roffey Bros 1991 1 QB 1 will be read as: "the case of Williams and Roffey Brothers, as reported in the first volume of the Queen's Bench Division Reports for 1991 at page 1".

Mooting etiquette

It is important to know that counsel should address the judge in a certain way and always has to be polite and respectful. For example:

- Referring to judges as "My Lord/My Lady" when addressing them, and "Your Lord/Your Ladyship" instead of the word "you".
- Standing when the judge comes into the room, and sitting down after them;
- To start a submission/argument, say for example "If it pleases Your Lordship/Your Ladyship, I will now begin with my Submission".
- When citing a case, always ask "Does Your Lordship/Ladyship need a brief summary of the facts of the case?".

- When speaking about a teammate/opponent, always refer to them as “my Learned Friend”.
- A correct example of using “my Lord/Lady” and “Your Lordship/Ladyship” would be: “My Lord/Lady, we argue three grounds in response to the appellant in the instant case. If it pleases Your Lordship/Ladyship, I will begin with my first submission”.
- Never say “I think/I believe”, only “I submit”.

Judicial interventions: questions from the judge are to be expected, and will count towards your limited time. To show an ability to adapt, it is advised to be prepared for interventions. Please make sure that you keep using the correct formalities during your answers to the judge’s questions as well (this is the hardest part).

Some tips

- Do not try to learn your speech by heart, it will prevent your being able to easily respond to judicial intervention;
- Notes are always good, but try to keep eye contact with the judge as much as possible;
- Speaking slowly will make your speech easy to understand. It might be tempting to try to fit as much into your time slot as possible, but even if you do not have enough time it is better to speak clearly and be understood;
- Do not stress if you need to pause for a few seconds to gather your thoughts or remember something;
- Try to be aware of nervous ticks, fidgeting, and other things that might distract the judge from your speech. For this, it helps to film yourself while doing a speech and re-watch it.