



**2022**  
**Championship Moot**  
**Competition Rules**

Current at May 2022

## **1 General**

1.1 This Competition will be known as the Championship Moot Competition ('Championship'). These rules apply only to the 2022 Competition and are subject to review by the ALSA Executive.

## **2 Definitions**

2.1 'Affiliated Law School': As defined by the ALSA Constitution.

2.2 'ALSA': The Australian Law Students' Association.

2.3 'ALSA Executive': As defined by the ALSA Constitution.

2.4 'Appeals Board': The Sub-Committee appointed by the Competitions Officer and the ALSA Executive.

2.5 'Appeals Process': The process of appeal outlined in the ALSA Appeals Procedure By-Law Three (3).

2.6 'Competitions Team': The Competitions Sub-Committee appointed to administrate Conference Competitions.

2.7 'Competitions Officer': As defined by the ALSA Constitution.

2.8 'Competitions Coordinator': The member of the Sub-Committee appointed to coordinate and administrate all competitions at Conference.

2.9 'Championship Coordinator': The member of the Sub-Committee appointed to administrate the Competition.

2.10 'Competitor': A law student from an affiliated law school or non-affiliate nominated by their respective LSS/A to compete.

2.11 'Graduated': A student who has had their degree conferred by their respective university.

2.12 'Law Student': A student from an affiliated law school who has not graduated and who has not received a prior degree in law in any jurisdiction.

2.13 'Observers': Any person in a round who is not a competitor, judge, or who is not affiliated with ALSA. This includes but is not limited to Team advisors.

## **3 Participation, Team Selection and Competitor Eligibility**

3.1 Each affiliated law school may nominate one (1) team of two (2) or three (3) law students to compete in the Championship Moot.

3.2 Each team may nominate one (1) person to act as their Advisor. An Advisor may be:

3.2.1 A faculty member of an affiliated law school; or,

3.2.2 A student or alumni of an affiliated law school; or,

3.2.3 A legal practitioner.

3.3 If invited by the President and Competitions Team, non-affiliated law schools may nominate teams to compete, provided that their competitors comply with the rules contained therein.

3.4 Competitors who have participated in Knockout Rounds of the Championship Moot in previous years are prohibited from participating again. This does not bar students who have participated in the Knockout Rounds of other ALSA Competitions from participating.

**Penalty:** Failure to comply with Rule 3.4 may result in disqualification at the discretion of the Appeals process.

3.5 Affiliated law schools are prohibited from utilising the current competition problem to select their team for competition. Past Championship Problems may be requested by the affiliated law school for the purpose of team selection. This is in accordance with Rule 5.1.

**Penalty:** Failure to comply with Rule 3.5 will result in disqualification at the discretion of the Appeals process.

3.6 Competitors must not have graduated with a law degree in any jurisdiction before the commencement of the competition.

**Penalty:** Failure to comply with Rule 3.6 will result in disqualification at the discretion of the Appeals process.

3.7 Competitors may not be current members of the ALSA Executive or the 2022 Competitions Team.

3.8 Competitors must not be competing in other Conference Competitions in the same year.

**Penalty:** Failure to comply with Rule 3.8 may result in disqualification at the discretion of the Appeals process.

#### **4 Registration**

4.1 Affiliated law schools must register their competitors and advisor by the deadline set by ALSA.

**Penalty:** Failure to comply with Rule 4.1 may result in disqualification at the discretion of the Appeals Process.

4.2 Competitors should remain the same for the duration of the competition.

4.2.1 The Competition is deemed to have started on the day the problem is released publicly, or the date the team is registered, whichever happens later.

4.2.2 Substitution of a competitor may be allowed under exceptional circumstances, at the discretion of the Competitions Officer, Competitions Coordinator and Appeals Board. Applications for substitution must be sent to competitions@alsa.asn.au by a representative of an Affiliated Law School before the competition takes place. A replacement team member may not assist the team until the application has been approved by ALSA.

**Penalty:** Failure to comply with Rule 4.2 may result in a penalty of five (5) points at the discretion of the Appeals Process.

4.3 If a team withdraws from the competition, the withdrawal must be lodged by a Representative of the affiliate law school's LSS/A. If the Competitor is on their respective LSS/A, withdrawal must be received by a different member of their LSS/A.

By registering for the Championship Moot, all competitors and affiliated law schools:

4.4 Agree to be bound by the rules contained in this document, as well as the ALSA Appeals Process, the ALSA Constitution and any other document indicated by the Coordinator.

4.5 Consent to their image being photographed, filmed and published by ALSA.

4.5.1 Competitors may request not to be photographed, filmed or published by ALSA in writing to competitions@alsa.asn.au at least five (5) days in advance of the competition.

#### **5 Problem Question**

5.1 The problem question must be specifically drafted for the 2022 Championship Moot and must not have been used in a previous competition, including internal competitions at affiliated law schools in the competition year for the purposes of team selection.

5.2 Every effort will be made by ALSA to ensure that the problem question is drafted in a manner so as not to disadvantage or advantage participants from any particular Australian jurisdiction.

5.3 The problem question will be released on the ALSA website on a date determined by the Competitions Team and the ALSA Executive.

5.4 Competitors will be required to prepare the same problem question for all rounds of the competition.

#### **6 Competition Structure**

6.1 The Championship Moot is comprised of Memorial Submissions (Rule 8) and Oral Rounds (Rule 10), which contain Preliminary Rounds (Rule 14) and Knockout Rounds (Rule 17).

6.2 The Championship Moot will be held in person at a venue decided by the Competitions Team and ALSA Executive. If required, the Championship Moot may be held online using a platform as decided by the Competitions Team and ALSA Executive. Relevant online procedures will be communicated to competitors, judges and any affiliated law school in advance of the competition should they be required.

6.3 The Competitions Team will issue each team with an identifying team number in advance of the competition.

6.4 Competitors may be required to sign a Statement of Good Faith before the commencement of the

competition, at the discretion of the Competitions Team.

## 7 Research and Preparation

7.1 Team advisors may provide assistance to a team, provided such assistance is limited to:

7.1.1 General instruction on basic principles of relevant law, including commentary on the quality of a team's of legal or factual arguments;

7.1.2 General instruction on research sources and methods;

7.1.3 General instruction on submission writing and drafting, including structure and organisation of arguments; and,

7.1.4 General instruction on oral advocacy, including structure and organisation of arguments.

**Penalty:** Any contravention of Rule 7.1 may result in disqualification or point deduction at the discretion of the Appeals Process.

7.2 Competitors may submit Correction and Clarification Questions to the Competitions team, by the nominated deadline.

7.2.1 Questions must be in the interests of factual clarification and must not be legal in nature.

7.2.2 ALSA is not obligated to answer all questions submitted.

7.2.3 Teams are prohibited from contacting the Problem Writer directly for clarification or assistance. All communication must be directed to ALSA.

**Penalty:** Failure to comply with Rule 7.2.3 may result in disqualification or point deduction at the discretion of the Appeals Process.

7.3 Materials issued with the problem question are intended to be used as a guide only. Teams may rely on additional case law, legislation and commentary at their discretion.

## 8 Written Memorials

8.1 Each team must prepare two (2) separate memorials: one (1) for Plaintiff or Appellant; and one (1) for Defendant or Respondent.

**Penalty:** Failure to submit memorials in accordance with Rule 8.1 may result in disqualification at the discretion of the Appeals Process.

8.2 Memorials must be submitted by the deadline set by ALSA.

**Penalty:** Any contravention of Rule 8.2 will result in a deduction of five (5) points per memorial for the first 24-hour period after the deadline, and two (2) points per memorial for every 24-hour period thereafter. This penalty applies to each round a team may compete in, including Knockout Rounds.

8.3 Memorials must not exceed five (5) pages in length each, plus one (1) cover page each and two (2) pages for a list of authorities each.

**Penalty:** Any contravention of Rule 8.3 will result in a penalty of five (5) points per page over any of the above limits, with a maximum deduction of fifteen (15) points at the discretion of the Appeals Process. This penalty will apply to each round a team may compete in, including Knockout Rounds.

8.4 Memorials must be filed electronically in both .docx and .pdf form by email to the address nominated by ALSA.

**Penalty:** Failure to comply with Rule 8.4 will result in a deduction of one (1) point at the discretion of the Appeals Process. This penalty will apply to preliminary rounds seed scoring only, in accordance with Rule 9.4.

8.5 Additional formatting (ie. Word Art, decorative underlining) is prohibited.

**Penalty:** Failure to comply with Rule 8.5 will result in a deduction of one (1) point per error, with a maximum deduction of three (3) points per memorial, at the discretion of the Appeals Process. This penalty will apply to each round a team may compete in, including Knockout Rounds.

8.6 The team number assigned pursuant to Rule 6.3 is the only form of identification permitted on a memorial.

8.6.1 Any form of identification, including but not limited to, competitor names, document meta-data,

signature blocks, university names and/or university crests will be considered a violation of Rule 8.6.

8.6.2 ALSA reserves the right to de-identify any memorial submitted with identifying material before submission to Memorial Judges.

**Penalty:** Contravention of Rule 8.6 will result in a deduction of five (5) points at the discretion of the Appeals Process. This penalty will apply to each round a team may compete in, including Knockout Rounds.

8.7 Memorials must be drafted in compliance with the following formatting rules:

8.7.1 Times New Roman;

8.7.2 Size 12 font;

8.7.3 Single-Line spacing;

8.7.4 Margins of 2 cm;

8.7.5 Justified alignment;

8.7.6 Page numbers on each page and in the List of Authorities; and,

8.7.7 AGLC 4 Compliant referencing.

**Penalty:** Failure to comply with the formatting rules in Rule 8.7 will result in a deduction of one (1) point per infraction, with a maximum deduction of five (5) points per memorial at the discretion of the Appeals Process. This penalty will apply to each round a team may compete in, including Knockout Rounds.

**Note:** Teams may use the pro-forma (Appendix 3) provided by ALSA at their discretion. However, if they chose not to, the team is responsible for ensuring their document is compliant with formatting requirements in Rule 8.7.

## 9 Written Memorial Judging and Scoring

9.1 All memorials will be scored by a blind panel of three (3) judges, chosen by the Competitions Team.

9.2 Memorial judges are prohibited from knowing the identity of a memorial and will not be aware of any penalties which may apply to any particular memorial.

9.3 Where a memorial judge is a student or alumni of a competing university, they will not score the memorials of that team. The Competitions Coordinator will create a third scoresheet and the panel score will be averaged.

9.4 Memorials will be scored in advance of the competition start date, following the Written Memorial Criteria (Appendix 1) provided by ALSA. This allows the Competitions Team to seed teams into three (3) even groups of descending scores: A, B and C for the purposes of Preliminary Round Scheduling.

9.4.1 Every effort will be made to ensure teams will be drawn against one team from A, B and C seed in the Preliminary Rounds.

9.5 All memorials will be scored between fifty (50) and one hundred (100), based on the Written Memorial Criteria (Appendix 1). Errors in math will not be corrected by ALSA.

9.5.1 The lowest score a team may be awarded is fifty (50) points, deductions inclusive.

9.6 Memorial Scoresheets may be requested within seven (7) days of the conclusion of the competition. 9.6.1 Requests must be submitted in writing to the Championship Coordinator.

9.6.2 Requests must be fulfilled within a reasonable time following the conclusion of the competition.

9.6.3 Scoresheets will be provided electronically.

## 10 Oral Submissions

10.1 Each team will have forty-five (45) minutes to provide oral submissions, excluding appearances.

10.1.1 Each team may reserve up to five (5) minutes of their total time for Rebuttal and Sur-rebuttal.

10.1.2 Defence teams may only reserve time for Sur-Rebuttal where the Prosecution has invoked their right of Rebuttal.

10.1.3 Teams will be randomly allocated sides for all rounds. Every effort will be made by the

Competitions Team to ensure a team moots each side at least once in Preliminary Rounds.

10.1.4 Teams will not compete against the same team twice in the Preliminary Rounds. If teams are drawn to compete against each other again in Knockout Rounds, they will moot on the opposite side from their previous round.

10.1.5 Every effort will be made to ensure teams do not appear in front of a judge more than once throughout the course of the competition.

10.2 Oral Rounds should proceed as follows:

10.2.1 Prosecution Appearances

10.2.2 Defence Appearances

10.2.3 Prosecution Senior Counsel

10.2.4 Prosecution Junior Counsel

10.2.5 Defence Senior Counsel

10.2.6 Defence Junior Counsel

10.2.7 Prosecution Rebuttal

10.2.8 Defence Sur-Rebuttal (only where Prosecution allocates time for Rebuttal)

10.3 Competitors may rotate position between Senior Counsel, Junior Counsel and Instructing Solicitor between rounds.

10.4 Instructing Solicitors are prohibited from communicating with judges during a round.

**Penalty:** Contravention of Rule 10.4 may result in disqualification at the discretion of the Appeals Process.

10.5 The allocation of time between Senior and Junior Counsel should be made during appearances. Appearances should identify competitor names only, not the university they represent.

**Penalty:** Contravention of Rule 10.2 may result in a deduction at the discretion of the Appeals Process.

10.6 Allocation of time may only be in whole minute segments.

10.6.1 Teams may not reserve speaking times as (x) minutes and (x) seconds.

10.7 Speaking time may be divided between Senior and Junior Counsel at the discretion of individual teams, provided each speaks for at least fifteen (15) minutes.

10.8 Judges may allocate an extension of time at their discretion. Extensions of time should be granted equitably to all competitors in a round where requested.

**Penalty:** Competitors who exceed their speaking time (including extensions) will be penalised one (1) point per 30 seconds over time in the relevant round.

10.9 Procedural Submissions must not be made during the moot. Teams should not make submissions on charges which are not listed in the problem question.

**Penalty:** Contravention of Rule 10.9 may result in a one (1) point deduction to the relevant round at the discretion of the Appeals Process.

10.10 Teams may not provide materials to the Bench in any manner during oral submissions.

**Penalty:** Contravention of Rule 10.10 may result in a two (2) point deduction to the relevant round at the discretion of the Appeals Process.

10.11 Competitors must not be more than ten (10) minutes late to the commencement of a round, subject to exceptional circumstances.

**Penalty:** For the ten (10) minutes or part thereof the competitors are late after the start of a round, a five (5) point deduction may apply at the discretion of the Appeals Process. Forfeit rules may apply pursuant to Rule 13.

10.12 Competitors must not observe, or be briefed on, the proceedings of any online round in which they are not competing (with the exception of the Grand Final).

**Penalty:** Contravention of Rule 10.12 may result in disqualification at the discretion of the Appeals Process.

10.13 Competitors must not use Chat functions to communicate with judges or opposing counsel, except where there is an issue with technology during a round. Competitors must not communicate with their

Team Advisor in any way, except where there is an issue with technology during a round.

**Penalty:** Contravention of Rule 10.13.1 may result in a five (5) point deduction at the discretion of the Appeals Process.

10.14 Electronic devices may only be used for timekeeping purposes during a round and in the event the competition runs in an online format, to establish the audio-visual link.

10.14.1 Rule 10.14 does not apply to electronic medical devices.

10.14.2 Electronic devices used for timekeeping should be on airplane mode.

10.14.3 Teams are prohibited from researching submissions during a round using any electronic device.

**Penalty:** Contravention of Rule 10.14 may result in a five (5) point deduction at the discretion of the Appeals Process.

## 11 Oral Submission Judging and Scoring

11.1 Every effort must be undertaken by the Competitions team and Competitors to ensure Judges are not aware of the university represented in a moot.

11.2 Competitors must not reveal their university at any time during the competition.

11.2.1 If the competition proceeds in an online format, teams must be signed into an online round as follows: [TEAM NUMBER] [SIDE] [POSITION]. If a team is able to be together based on local health direction, they may sign in as [TEAM NUMBER] [SIDE].

**Penalty:** Contravention of Rule 11.2 may result in deduction or disqualification at the discretion of the Appeals Process.

11.3 Competitors may not contact a judge after the competition unless explicitly invited to do so by that judge.

11.4 Team advisors are prohibited from serving as a judge during the competition. The ALSA competition team reserve the right to waive this conflict if the need arises during the competition.

11.4.1 Competitors may not engage in practice sessions with anyone serving as a judge during the competition

**Penalty:** Contravention of Rule 11.4.1 may result in deduction or disqualification at the discretion of the Appeals Process.

11.5 Where possible, Judges will have suitable legal qualifications or relevant experience.

11.6 Prior to each round, Judges will be provided with:

11.6.1 The Problem Question and Bench Memorandum;

11.6.2 A Summary of Key Rules and Procedure;

11.6.3 Written submissions of the relevant teams;

11.6.4 Relevant scheduling information, including links to online rounds; and,

11.6.5 A scoresheet with Scoring Notes.

11.7 Judges must score each individual speaker out of one hundred (100) points, with a team total of two hundred (200) points.

11.7.1 Speaker scores must be between fifty (50) and one hundred (100) points, based on the Oral Submissions Criteria (Appendix 2). Errors in math will not be corrected by ALSA.

11.7.2 The lowest combined score a team may be awarded is one hundred (100) points, deductions inclusive.

11.8 Judges must determine a winner. Draws are not possible.

11.9 Each judge should score individually.

11.9.1 The winning team should be the team with the higher score.

- 11.9.2 Where there are multiple judges on a bench, a simple majority will determine the winning team.
- 11.10 Judges should not announce the winner at the end of a moot.
- 11.10.1 Feedback is limited only to general feedback on oral advocacy and general advice.
- 11.10.2 Judges should not provide substantive corrections on legal arguments.
- 11.10.3 This rule does not apply to the Grand Final, where the bench will be instructed on a manner to disclose the outcome at the discretion of ALSA.
- 11.11 Judges must not provide scoresheets to Competitors at the conclusion of a moot. Scoresheets should be sent to the Competitions Team immediately following the conclusion of a round.
- 11.12 If the competition proceeds in an online format, Competitors and Observers should leave an online call while Judges deliberate. Outside of this, Competitors and Observers may watch all segments of a round.
- 11.12.1 Observers are permitted in rounds pursuant to Rule 12.6.
- 11.13 Oral Round Score Sheets and Ranking may be requested within seven (7) days of the conclusion of the competition.
- 11.13.1 Requests must be submitted in writing to the Championship Coordinator.
- 11.13.2 Requests must be fulfilled within a reasonable time following the conclusion of the competition.
- 11.13.3 Teams may not request to view the scoresheets of other teams. Only where a scoresheet is shared between two teams who competed against one another, should a team see the scores of an opposing team.
- 11.13.4 Scoresheets will be provided electronically.
- 11.14 Judges must not conduct private practices for competitors participating in any of the ALSA competitions.

## **12 Timekeeping and Observers**

- 12.1 Competitors are responsible for timekeeping and adherence to allotted time limits (including extensions granted in accordance with Rules 10.1 and 10.8).
- 12.2 Competitors may use an electronic timing device (eg. mobile phone on airplane mode) for timekeeping purposes during a moot (in accordance with Rule 10.14).
- 12.3 If available, timekeepers and timekeeping devices will be provided by ALSA, and in such cases, will be solely responsible for timekeeping in accordance with Rules 10.1.
- 12.4 Decisions by judges regarding time penalties are final and non-reviewable, except in cases of plain and substantial error.
- 12.5 Observers are encouraged to attend rounds. If the competition proceeds in an online format, Applications from teams to have Observers attend online rounds must be received by the Championship Coordinator no later than sixty (60) minutes before the commencement of a round.
- 12.6 The Competitions Team may restrict Observers from rounds at their discretion.
- 12.6.1 To minimise disruption, observers should not enter and leave a round while a competitor is speaking.
- 12.6.2 Observers are prohibited from communicating with competitors and judges during a round.
- 12.6.3 If the competition proceeds in an online format, Observers may not turn on their video or microphone during a round, nor are they permitted to communicate via the Chat function. All Observers must be named [TEAM NUMBER] – Observer. Anonymity rules extend to Observers.

**Penalty:** Contravention of Rule 12.6.2 and 12.6.3 may result in disqualification of the Team associated with that Observer at the discretion of the Appeals Process.

## **13 Forfeits**



A team who forfeits a round will:

13.1 Lose that round. They will receive a mark of zero.

13.2 Be prohibited from progressing to Knockout Rounds.

13.3 Be ineligible for Awards, including: Speaker Awards, Memorial Awards and Spirit of the Moot.

13.4 A team will be considered to have forfeited a round where they withdraw following the release of their opponent's submissions.

13.4.1 Withdrawal from a round before that time will trigger an *ex parte* moot in accordance with Rule 14.3.

13.4.2 A team whose opponent forfeits a round will moot *ex parte* in accordance with Rule 14.3.

13.5 A team who is twenty (20) minutes late to a round will forfeit that round.

## 14 Preliminary Rounds

14.1 The competition will include three (3) preliminary rounds.

14.2 All registered teams will compete in three (3) preliminary rounds.

**Penalty:** Failure to comply with Rule 14.2 may result in disqualification or prohibition on participation in Knockout Rounds at the discretion of the Appeals Process.

14.3 In the case of an uneven number of teams registered in the Competition, one team will moot *ex parte* (without an opposition) as the Prosecution, once per Preliminary round.

14.3.1 Where a team is mooting *ex parte*, they will be provided with the memorials of a team in the same seed, who is mooting the opposite side in that round.

14.3.2 Rebuttal is not required in an *ex parte* moot.

14.3.3 A team who moots *ex parte* will win that moot where their scores exceed the average score from that round.

## 15 Tiebreaks

This rule applies where:

- Due to the average points score of two (2) or more teams, the total number of teams that qualify to advance to Knockout Rounds is greater than the number listed in Rule 17.2, pursuant to Rule 17.1.1, without the operation of this rule; or,
- Due to a tie in the average points score of two (2) or more teams, Rule 17.2 cannot be resolved without this rule.

Teams will progress according to the first of the following sequentially ordered rules which apply and breaks the tie:

15.1 Where there are only two (2) tied teams and those teams have faced each other in a Preliminary Round, the winner of that Preliminary Round shall progress; then,

15.2 Where the tied teams were judged by the same judge, the decision of that judge shall determine which team will progress; then,

15.3 The team which has won the most rounds from all previous rounds shall progress; then.

15.4 The team with the higher point margin shall progress; then,

15.4.1 Point margin shall be calculated by subtracting the teams' aggregate 'points against' from the aggregate 'points for'.

15.4.2 'Points against' means the number of points scored by the team's opponents in all Preliminary Rounds.

15.4.3 'Points for' means the number of points scored by the team in Preliminary Rounds.

15.5 By random automated selection where each team has the same chance of progression after the application of Rule 15.1 – 15.4.

## **16 Progression to Knockout Rounds**

16.1 All teams will be ranked on a single ladder, based on their total combined score to determine progression.

## **17 Knockout Rounds**

17.1 Knockout Rounds will consist of a Quarter – Final, Semi Final and Grand Final.

17.1.1 If fewer than ten (10) teams compete in the Preliminary Rounds, the Quarter – Final will not take place.

17.2 The top eight (8) teams with the highest average points score from Preliminary Rounds will progress to Quarter – Finals.

17.3 The Quarter-Final draw is determined as follows:

**Quarter-Final 1: 1<sup>st</sup> place v 8<sup>th</sup> place**

**Quarter-Final 2: 2<sup>nd</sup> place v 7<sup>th</sup> place**

**Quarter-Final 3: 3<sup>rd</sup> place v 6<sup>th</sup> place**

**Quarter-Final 4: 4<sup>th</sup> place v 5<sup>th</sup> place**

17.3.1 Teams will be allocated random sides.

17.3.2 Judges should score individually. Judges may deliberate but are not required to reach a unanimous decision.

17.3.3 The winner will be determined by simple majority, after the application of applicable penalties.

17.4 The winner of each Quarter-Final round will progress to the Semi Finals.

17.5 The Semi-Final draw is determined as follows:

**Semi Final 1: QF 1 Winner v QF 4 Winner**

**Semi Final 2: QF 2 Winner v QF 3 Winner**

17.5.1 Teams will be allocated random sides.

17.5.2 Judges should score individually. Judges may deliberate but are not required to reach a unanimous decision.

17.5.3 The winner will be determined by simple majority, after the application of applicable penalties.

17.6 The winner of each Semi Final will progress to the Grand Final.

17.7 The Grand Final draw is determined as follows:

**Grand Final: SF 1 Winner v SF 2 Winner**

17.7.1 Teams will be allocated random sides.

17.7.2 The Grand Final Judging Panel will deliberate and determine a winner.

17.7.3 Penalties will not apply to the Grand Final.

17.8 The winner of the Grand Final will be announced at a time determined by the Competitions Team, pursuant to Rule 11.10.3.

## **18 Conflicts of Interest**

18.1 A judge may not judge a competitor or team with whom they have a conflict of interest.

18.2 A conflict arises where, on the balance of probabilities, the relationship between a Judge and Competitor or Team would give rise to an actual or perceived bias in favour or against the Competitor.

18.3 A conflict of interest is presumed to arise, but is not limited to, situations where the Judge and Competitor:

- 18.3.1 Are siblings, child and parent, aunt/uncle and niece nephew or any other family relationship;
- 18.3.2 Are close personal friends;
- 18.3.3 Are currently engaged in a sexual and / or emotional relationship; or
- 18.3.4 Were engaged in a sexual and / or emotional relationship in the past twenty-four (24) months.
- 18.4 A conflict of interest will arise where, due to previous personal or professional dealings, the relationship between the Judge and the Competitor or Team creates a serious risk that the Judge will not fairly judge the Competitor or Team.
- 18.5 A conflict of interest will arise between a student serving as a judge and competitors from that student judge's university.
- 18.6 A conflict of interest will arise where a judge has graduated from the same university as the Competitor or Team.
  - 18.6.1 This conflict should be avoided where possible, but may be allowed in Knockout Rounds, at the discretion of the Competitions Coordinator and the ALSA Executive.

## **19 Appeals**

- 19.1 Where a team believes these rules have been incorrectly applied, they are entitled to lodge an appeal to the Appeals Coordinator, in accordance with the Appeals Process.
- 19.2 Where the Conference Convenor, Competitions Officer, Competitions Coordinator, any member of the Competitions Team, ALSA Executive or ALSA Committee believe that any of the rules contained in this document have been breached, they may bring an appeal against a team or competitor in accordance with the Appeals Process.
- 19.3 The Appeals Board have the discretion to penalise a team in accordance with the rules contained in this document. In determining an appropriate penalty, they should consider, *inter alia*:
  - 19.3.1 Any mitigating circumstances which explain or justify the contravention; and,
  - 19.3.2 Any aggravating circumstances associated with the contravention.
- 19.4 Where a penalty is levied against a team, the penalty will be applied to the team's overall score.
- 19.5 Where a competitor is disqualified, their team may continue in the competition provided that two (2) competitors remain on the team.
- 19.6 Judges should not be notified of the application of penalties to any team, at any point of the competition.
  - 19.6.1 If a judge becomes aware of an applicable penalty levied against a team, they will be instructed not to consider the penalty in their assessment.
- 19.7 The Appeals Board has full discretion as to the application of all penalties.
- 19.8 The Appeals Board has full discretion to disqualify or apply penalties to any team who acts in a manner contrary to the principles on which the competition is based or the interests of that competition.

## **20 Awards**

- 20.1 Awards will be announced at the conclusion of the competition.
- 20.2 Best Speaker will be determined as follows:
  - 20.2.1 Candidates for Best Speaker must have competed in at least two (2) Preliminary rounds.
  - 20.2.2 The mooter with the highest average score for their two (2) best moots will win 'Best Speaker'.
  - 20.2.3 In the event of a tie, Competitors will share the prize.
  - 20.2.4 If there are eight (8) or more teams competing, the top three (3) speakers will be recognised.
- 20.3 Best Speaker in the Grand Final will be determined by the judging panel of that round.
- 20.4 Best Overall Memorial, Best Applicant Memorial and Best Respondent Memorial will be determined as follows:

20.4.1 The team with the highest average combined score of both Memorials, when averaged against the number of judges, will win Best Overall Memorial.

20.4.2 The team with the highest average memorial score for the Prosecution, when averaged by the number of judges, will be the Best Applicant Memorial winner.

20.4.3 The team with the highest average memorial score for the Defence, when averaged by the number of judges, will be the Best Defence Memorial winner.

20.4.4 In the event of a tie, Teams will share the prize.

20.4.5 If there are ten (10) or more teams competing, the top three (3) memorials in each category will be recognised

20.4.6 Where a memorial judge is conflicted out from judging a particular team's memorial for any reason, the remaining scores for that team will be averaged to establish the missing score.

20.5 Spirit of the Moot will be awarded at the discretion of the Competitions Team, upon receipt of nominations by other teams. Spirit of the Moot is awarded to the team who best embodies the spirit of competition. This award is not required to be awarded.

## **21 Australian Champion**

21.1 If the Competition is won by an Australian team, that team is the Australian Champion.

21.2 If the highest-placed Australian team the runner-up, that team is the Australian Champion.

21.3 In the event the highest placed Australian team is a losing semi-finalist, that team shall be deemed the Australian champion unless both losing semi-finalists are Australian teams.

21.3.1 In the event both losing semi-finalists are Australian teams and no Australian team progresses to the Grand Final, the highest ranked Australian team according to the ranking methodology in Rule 16.1 shall be deemed the Australian Champion.

21.4 In the event the highest placed Australian team is a losing quarter-finalist, the highest ranked Australian team according to the ranking methodology in Rule 16.1 shall be deemed the Australian Champion unless only two Australian teams progress to the quarter-finals.

21.5 In the event only two Australian teams progress to the quarter-finals and both those teams fail to progress to the semi-finals, the highest ranked Australian team according to the ranking methodology in Rule 16.1 shall be deemed the Australian Champion.

21.6 In the event the highest placed Australian team does not qualify for Knockout Rounds, the highest ranked Australian team according to the ranking methodology in Rule 16.1 shall be deemed the Australian Champion.

21.7 The Australian runner-up shall be the Australian team that progressed the second furthest into the elimination rounds. In the event two or more Australian teams would qualify to be Australian runner up on this basis, the team ranked highest according to Rule 16.1 will be deemed the Australian runner up.

Should the Championship be used to select a representative Australian team to compete in an international competition:

21.8 The Australian Champion for that year will be put forward as a representative.

21.9 In the event that the Australian Champion (must be a minimum of one (1) member competing in the Competition) is unable to attend the international competition the Australian runner-up may represent Australia.

21.10 In the event of the inability of the Australian runner-up to attend, ALSA, in consultation with whichever such body that has requested the team, shall nominate an Australian representative who has participated in the national competition.

## Appendix 1: Written Memorial Criteria (by Category)

### 1. KNOWLEDGE OF THE LAW and FACTS / 20

Accurately states and applies the law, demonstrated knowledge of cited cases, presents strong legal arguments and can distinguish unfavourable authorities. Fairly / accurately interprets the facts.

### 2. PROPER and ARTICULATE ANALYSIS / 20

Defly and directly answers questions about facts, law, and policy. Makes strategic concessions.

### 3. EVIDENCE OF RESEARCH / 20

Arguments are grounded in extensive legal research. Where appropriate, teams will utilise multiple sources of law and will distinguish certain authorities

### 4. CLARITY and ORGANISATION / 20

Clearly follows a logical roadmap. Each principle issue is addressed equitably and appropriately. The memorial should be easy to read and easy to understand.

### 5. STYLE, FORMATTING, GRAMMAR and CITATION / 20

The memorial should be pleasing to the eye. It should not have any visible formatting issues. Citation must be AGLC 4 compliant. Memorials should be free from grammar, spelling or punctuation errors.

#### Please note the following numeric guidelines for CATEGORY SCORE:

Poor	Adequate	Good	Very Good	Excellent	Perfect
10-11	12-13	14-15	16-17	18-19	20

#### Please note the following numeric guidelines for TOTAL OVERALL SCORE:

Poor	Adequate	Good	Very Good	Excellent	Perfect
50-59	60-69	70-79	80-89	90-99	100

## Appendix 2: Oral Submissions Criteria

### 1. KNOWLEDGE OF THE LAW / 30 (Weak: 15-19; Average 20-25; Strong: 26-30)

Accurately states and applies the law, demonstrated knowledge of cited cases, presents strong legal arguments and can distinguish unfavourable authorities.

### 2. QUESTIONS & ANSWERS / 25 (Weak: 12-15; Average: 16-21; Strong: 22-25)

Defly and directly answers questions about facts, law, and policy. Makes strategic concessions and seamlessly ties Q & A into argument.

### 3. KNOWLEDGE OF FACTS / 20 (Weak: 10-12; Average: 13-17; Strong: 18-20)

Knows and fairly / accurately interprets the facts.

### 4. STYLE, POISE & DEMEANOUR / 15 (Weak: 8-10; Average: 11-13; Strong: 14-15)

Conveys formality, respect and professionalism while maintaining a conversational and engaged tone. Maintains posture and eye contact with the full bench. Does not read submissions from a script.

### 5. TIME MANAGEMENT & ORGANISATION / 10 (Weak: 5-6; Average: 7-8; Strong: 9-10)

Clearly follow a logical roadmap, spending sufficient time on each principal issue.

#### Please note the following numeric guidelines for TOTAL OVERALL SCORE:

Weak	Below Average	Average	Above Average	Excellent
50-59	60-69	70-79	80-89	90-100

#### Please note the following guidelines for TOTAL WIN MARGIN:

Marginal	Close	Clear	Convincing	Resounding
1-2	3-5	6-10	11-15	15+

**Appendix 3: Pro Forma**

**AUSTRALIAN LAW STUDENTS’  
ASSOCIATION Championship Moot**

**TEAM # # #**

**[APPLICANT / RESPONDENT] SUBMISSIONS**

**# # #**

**[APPLICANT / RESPONDENT] AUTHORITIES**

**INDEX**

Document Page Cases

1.

2. [To add more cells, go to layout → insert below]

Legislation

1.

2.

Other Material

1.

2.

3.

IN THE FEDERAL COURT OF AUSTRALIA

BETWEEN:

**[APPLICANT NAME]**

and

**[RESPONDENT]**

**[APPLICANT / RESPONDENT] SUBMISSIONS**

**Part I:**

The Court shall determine [...]

Issue 1:

Issue 2:

**Part II:**

1.[All paragraphs must be numbered]

**ISSUE 1: TITLE**

**I. [Issues]**

2.[There should be

3.No space between paragraphs of this style.<sup>1]</sup>

**a. [Sub-issues]**

*i. [Further sub-issues (if required)]*

**ISSUE 2: TITLE**

**II. [Right click numbers to restart numbering under charge 2]**

**a.**

*ii.*

<sup>1</sup>Footnotes must be AGLC4 compliant and in this style