




OPEN MOOTING COMPETITION 2024

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Acknowledgement of country

An abstract graphic on the right side of the slide. It features a series of dark grey, 3D-style rectangular blocks arranged in a descending staircase pattern from the top right towards the bottom right. Two blocks are highlighted: one is light green and one is bright blue. The background is a dark blue gradient.



What is mooting?

- Mock hearing before an appellate court.
- Teams of 2–3 Juris Doctor students.
- Teams prepare written and oral submissions, and then argue/defend them before a panel of judges.



Why do mooting?

Skills critical to all types of legal work!

- Develop skills in research, reading, writing and AGLC
- Improving your public speaking abilities
- Become more confident in your ability to read/interpret law
- Test the knowledge you have learnt in core subjects
- Team work



Problem Content

- Preliminary Rounds
 - Torts
 - Obligations & Contracts
 - Property law
- Finals
 - Quarter Final — Equity & Trusts
 - Semi-final — Corporations Law
 - Grand Final — Constitutional Law



Brief Timeline

- Team Registration: 1 March 2024!
 - Individual team matching: Today after the info session
- Rounds — Semester 1 (Wednesdays and Thursdays)
 - Week 3
 - Week 5
 - Week 9
- Rounds — Semester 2
 - Week 1 — Quarter Finals
 - Week 4 — Semi Finals — at Sponsor Firm Offices (KWM)
 - Week 9 — Grand Final — at Federal Court of Australia




How to sign up?

- Open to all year levels - JD students!
- If you want to compete but do not have a team, fill out the Individual Sign-up Form posted to the Competitions page after this session
 - We will then send you the details of other individuals so that you can fill out the Team Sign-up Form from Friday
 - Filling in the Individual Sign-up Form does not guarantee you will be paired with others, but rather facilitates finding a team!
- Team signups will be open at Friday (1 March 2024)!
- Individual registration will be available after this info session
- The form also allows students who require certain accommodations to tell us what is needed to ensure the competition is run inclusively for all students



Anatomy of a moot problem

- Two parties
 - Appellant; and
 - Respondent
- Statement of Agreed Facts
 - The facts which the teams are required to argue.
 - Must take them as correct, however note that there are often inferences you can draw and rely upon.
- Excerpt from lower court (sometimes)
 - Sets out the conclusions the lower court reached. Note that merely because you show an error in the lower court's reasoning does not mean you win the appeal.
- Grounds of Appeal
 - Usually two.
 - Each counsel will speak to one.
- List of authorities
 - Case law to get you started!
 - Sometimes might be in the lower court excerpt



Procedure - pre-moot

- Sent problem at **10am**, 2 days before your moot.
- Written submissions **due at 6pm the day before your moot.**
 - **Must** be sent to mooting@mulss.com and your opponents!
- Requires research
 - Resources for research will be in the updated competitors' guidebook.



Procedure - during your moot

- Appearances
 - Senior counsel for each team gives appearances to the bench, so the judges know they have the correct teams.
- Order
 - Senior counsel for the Appellant
 - Junior counsel for the Appellant
 - Senior counsel for the Respondent
 - Junior counsel for the Respondent
- Each counsel speaks for up to 15 minutes, recommend you aim for 10–12.
 - 15 is an upper-limit.



Dealing with questions

- Questions are a very important part of a moot!
- Used by judges to help them understand your argument, and how it sits in the broader legal context.
- Also used to assess your knowledge and understanding of the law and facts.
- If you do not know the answer to a question, you can say that. Sometimes judges will ask questions that they do not know the answer to.
- **PRO TIP: ALWAYS** — even if its a simple question — take a 3–4 second break before answering.



Procedure - post-moot

- Judges deliberate (competitors leave the room)
- Provide oral feedback and the result
- Written feedback provided within a few days with more details
- Go home and relax



Formalities

- Dress code: business attire
- Always be respectful to the bench and your opponents — but this does not *necessarily* mean you have to be nice



What if something goes wrong?

- The MULSS Internal Competitions Code of Conduct ('The Code') are the guidelines by which everyone participating in activities run by this portfolio must adhere to.
- The Escalation Pathway & Penalty System is the system by which we will follow up complaints and penalise anybody in contravention of The Code.
 - This also includes a non-exhaustive list of examples of derogatory and discriminatory behaviour.
- The Complaint & Feedback Form is the mechanisms by which all competitors, students judges and co-opts can file complaints and provide feedback.
- All the above document will be available on the MULSS Website and MULSS Competition 2024 Facebook page for all students to access.

For more information, find us here ...

<https://www.mulss.com/open-mooting>

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Sir Harry Gibbs Constitutional Moot
External Competitions

Welcome to the Melbourne
University Law Students'
Society

Questions?

The background features a series of dark grey, parallel lines that create a sense of depth and perspective, receding towards the right. A prominent green parallelogram is positioned in the upper right area, and a blue parallelogram is located below it, both appearing to be part of the layered structure.