



**SURANA & SURANA NATIONAL TRIAL ADVOCACY
MOOT COURT COMPETITION – 2009**

RULES AND REGULATIONS

I. Aim and Purpose

The Surana & Surana National Trial Advocacy Moot Court Competition has been conceived with the aim of promoting skills of trial advocacy.

II. Venue & Date

<u>India South Rounds</u> (10 – 12 Sep 2009)	<u>India North Rounds</u> (18 – 20 Sep 2009)
Venue: National University of Advanced Legal Studies (NUALS), Kaloor, Kochi. Phone: 0484-233 7363 Fax: 0484-233 7857 Email: mcsnuals@gmail.com Faculty in charge: Mr. Jacob Joseph	University Institute of Legal Studies (UILS) Panjab University Sector- 14, Chandigarh – 160014 INDIA Ph.: 0172 – 2784397 (ext 4696, Off: 4697) Fax: 0172 - 2784283 Email: mootcourtuils@gmail.com Faculty in charge: Prof. Dr. Shruti Bedi
Teams from: Andhra Pradesh, Goa, Karnataka, Kerala, Maharashtra, Pondicherry, Tamil Nadu & & UILS, Panjab University, Chandigarh	Teams from: Arunachal Pradesh, Assam, Bihar, Chattisgarh, Delhi, Gujarat, Haryana, Himachal Pradesh, Jammu & Kashmir, Jharkhand, Madhya Pradesh, Manipur, Nagaland, Orissa, Punjab, Rajasthan, Uttar Pradesh, West Bengal & NUALS, Kochi
All teams will be provided boarding and lodging only for the duration of the competition	

III. Language

The competition shall be in English.

IV. Dress Code

Advocates attire (including neckband and gown)

V. Eligibility

- a The competition is open to all students wanting to excel in trial advocacy on first come first served basis. **The number of teams is limited to 12 (Twelve)** for each rounds (India South and North). There will strictly no increase in this number.
- b Participants should be currently pursuing their bachelors degree in law i.e. 3 Year LL.B. Programme or 5 Year LL.B. Programme.

VI. Team Composition

- a. Each team shall consist of a minimum of 2 and maximum of 4 members. This number cannot be modified under any circumstances.
- b. There can be 2 speakers and 2 researchers designated for each team.
- c. Teams have the option of designating two of its members to be speakers for the prosecution and the other two speakers for the defence. The team shall notify such an arrangement at the time of registration to the organisers. Such a team shall not, during any stage of the competition, rearrange the position of its members to form any new combination.
- d. Each team will have a team code and each participant shall also be given an individual code. Teams should not disclose their identity or that of their institution or city, etc.; such disclosure shall invite penalties including disqualification. The decision for the same shall be at the discretion of the Administrator.

VII. Registration

Due to the unique format of the competition and requirement of special arrangements, registration is restricted to only 12 teams and will be strictly on First Come First Served basis (Priority shall be determined on the basis of email confirmation subject to the condition that duly filled registration forms reach organizers on due date). Under no circumstances this rule will be modified.

Confirmation of participation may be sent to mcsnuals@gmail.com, (India South) mootcourtuils@gmail.com (India North) and mootcourt@lawindia.com (for both) marked as SURANA & SURANA NATIONAL TRIAL ADVOCACY MOOT REGISTRATION as the subject. A copy of the Registration form, duly attested by the head of the institution, may be sent subsequently by post to The Vice Chancellor, National University of Advanced Legal Studies (NUALS), Kaloor, Kochi-682 017 (India South) and The Director, University Institute of Legal Studies, Panjab University, Chandigarh,(India North) respectively as the case may be, **on a date not later than August 31, 2009**. The Registration form can also be faxed to the respective institutions as given above. (Registration form available on the last page)

VIII. Rounds

There will be two preliminary rounds of arguments, semi-finals and a final round. A quarter final round may be held prior to the semi-finals, at the discretion of the Administrator.

Round	Dates				Venue
	Orientation	Preliminary Rounds	Semi-final & final rounds	Send Registration form by [±]	
South	10 Sep 2009 (Thursday)	11 Sep 2009 (Friday)	12 Sep 2009 (Saturday)	31 Aug 2009	NUALS, KOCHI
North	18 Sep 2009 (Friday)	19 Sep 2009 (Saturday)	20 Sep 2009 (Sunday)	31 Aug 2009	UILS, PANJAB UNIVERSITY, CHANDIGARH

Send one advance copy (hard copy) of the memorials by 8 September 2009 to the respective institutions

Preliminary Round

- a. There will be two preliminary rounds of arguments per team, once for prosecution & another for defence.
- b. Each team will face a different bench in their second round of arguments.
- c. Registration, Orientation & draw of lots will be at 5.00 p.m.
- d. Top four teams will qualify for the semifinals.
- e. Teams will be provided with their opponent's memorial after draw of lots.
- f. Return of the other side's memorial immediately after the preliminary round is compulsory.

Semi Finals and Final Rounds

Qualification to the Semi Final Round will be based on win points. In case of a tie in the preliminary rounds, teams scoring the highest points will move into the Semi Final Rounds. The top four teams will proceed to semifinals. The teams will be provided their opponent's memorials after declaration of preliminary results in the evening. The **Finals** will be held in the **afternoon. (12 Sep / 20 Sep respectively)**

IX. Recording of evidence

The team members should take notes of the question and answers during chief / cross examinations.

X. Memorials

The following requirements for memorials must be strictly followed. Non-conformities will be penalised:

- a. Each team must prepare memorials for both parties to the dispute (Prosecution and Defence).
- b. **The briefs shall be consistent with The Criminal Procedure Code 1973. (revised)**
- c. Once the memorials have been submitted, no revisions, supplements, or additions will be allowed.
- d. Six (6) copies each of the memorials for Prosecution & Defence + a soft copy on CD for each side must be submitted by the teams during registration. **One advance hard copy of both Prosecution and Defence Memorials must reach the organisers **latest by 4:30 pm by 8 September 2009** for the purpose of evaluation. Late submissions will result in **1 point penalty per category** (Prosecution & Defence) per day till **4.30 p.m. on the day of registration.****

- e. The memorials have to be submitted on typed A 4 size paper printed on one side and must contain:
- The table of contents
 - The index of authorities
 - The statement of jurisdiction
 - The statement of facts (1 page only and submissions of an argumentative statement of facts would attract penalties)
 - The statement of charges
 - The summary of arguments
 - The arguments advanced (15 pages)
 - The prayer
- f. Arguments must not exceed 15 (fifteen) pages. The font size should be 12 and for double-spaced. Footnotes must be in font size 10, single-spaced and double space left between footnotes.
- g. Memorials should be preferably staple bound. Comb/spiral or any other form of binding will be considered improper binding. Please avoid plastic front sheets / separators.
- h. Memorials must have a one inch margin on all sides of each page.
- i. Page numbering should be on the top right side of each page.
- j. Covers must be placed on briefs as follows:
Prosecution: Pale Blue Color, Defence: Light Red Color.
- k. The cover page of Memorials must state the following
- The cause title
 - Identity of brief as Prosecution or Defence.
- l. Identity of the institution shall not be revealed anywhere in the memorial. Instead code numbers allotted to the students should be mentioned. Violation of this provision shall result in penalties including disqualification. The Administrator's decision shall be final.
- m. The teams shall have an option to submit a separate paper book of not more than 25 pages (printed on both sides), which shall carry all the annexure and case laws that have been referred to in the memorial. The paper book shall have a white cover and 2 copies shall be submitted at the time of registration. Any identifying marks/seal of the college on the paper book shall attract severe penalties including disqualification. The submission of this paper book does NOT necessarily entitle the team to any additional marks.

XI. Oral Rounds

General Rules

- a. Exhibits of the case are already before the Honorable Court.
- b. There are 5 witnesses in the case to be examined upon.
- c. Teams may examine all or some of the witnesses, within the time allotted to them.

- d. Teams should, before the commencement of a round, notify the court officers, as to which of the witnesses they would examine in the course of the trial.

Preliminary Rounds

- a. The host institution will provide the witnesses. The witnesses will be generally briefed and assigned by the administrator. However each team will have an opportunity to specifically brief their witnesses. The witnesses to be briefed will be assigned to each team an hour prior to the commencement of the respective round.
- b. Each team will get a total of 45 minutes to present their case. Every minute of extra time will attract automatic penalties for the speaker crossing the limit.
- c. The rounds would be divided among the following stages/sequence:
- Opening statement by the prosecution – 5 minutes
 - Examination in Chief by the prosecution – 12 minutes
 - Cross Examination by the defence- 20 minutes
 - Opening statement by the defence – 5 minutes
 - Examination in Chief by the defence – 12 minutes
 - Cross Examination by the prosecution – 20 minutes
 - Closing statement by the defence – 8 minutes
 - Closing statement by the prosecution – 8 minutes

The allotted time for each segment is the maximum that the respective speaker can avail of. Maximum time for any speaker in preliminary round is 25 minutes and in Semifinals and Finals is 30 minutes.

- d. Each of the speakers shall conduct either the chief or the cross-examination and deliver either the opening or closing statement. Therefore each speaker shall compulsorily conduct an examination and deliver either the opening or closing statement. The order of speakers and the examination and statements they would present, is to be intimated by the teams during registration and cannot be altered at any subsequent stage of the preliminary rounds.
- e. The oral arguments need not be confined to issues presented in the memorials.

Semi-final Rounds

- a. Each team will get a total of 55 minutes to present their case.
- b. The division of time shall be as follows:
- Opening statement by the prosecution – 5 minutes
 - Examination in Chief by the prosecution – 15 minutes
 - Cross Examination by the defence- 25 minutes
 - Opening statement by the defence – 5 minutes
 - Examination in Chief by the defence – 15 minutes
 - Cross Examination by the prosecution – 25 minutes
 - Closing statement by the defence – 10 minutes
 - Closing statement by the prosecution– 10 minutes.

The allotted time for each segment is the maximum that the respective speaker can avail of.

- c. Each of the speakers shall conduct either the chief or the cross-examination and deliver either the opening or closing statement. Therefore each speaker shall compulsorily conduct an examination and deliver either the opening or closing statement. The order of speakers and the examination and statements they would handle (chief / cross / opening / closing), is to be intimated by the teams after the announcement of the preliminary round results and cannot be altered at any subsequent stage of the competition.
- d. This will be a knockout round.

Final Round

- a. Each team will get a total of 55 minutes to present their case.
- b. The division of time shall be the same as that followed in the semi finals.
- c. The oral arguments need not be confined to the issues presented in the memorials.

XII. Scouting

- a. Teams will not be allowed to observe the orals of any other teams. Scouting is strictly prohibited. Scouting by any of the teams will result in disqualification.
- b. Any team can file a written complaint with the Administrator, regarding a case of scouting. The Administrator's decision will be final.
- c. The researchers shall sit with the speakers at the time of the orals and shall not attend the court sessions of any other team participating in the competition.

XIII. Scoring

Memorials will carry 30% and the oral submissions will carry 70% of evaluation.

A. Orals

Parameters for judging, on a scale of 0 – 140 points are:

- a. Knowledge of facts
- b. Logic, reasoning and clarity
- c. Persuasiveness & deference to court
- d. Proper, articulate and systematic analysis of the issues arising out of facts
- e. Understanding of the laws of evidence and procedure
- f. Ability to successfully conduct chief / cross examinations in allotted time
- g. Ability to elicit favorable facts from witnesses
- h. Ability to deal with unreceptive, argumentative or hostile witnesses
- i. Ingenuity (ability to argue by analogy from related aspects of law)

B. Written Submissions (Memorials)

- a. Any revisions, supplements or additions to the memorials after submission shall attract severe penalties subject to the discretion of the Administrator
- b. Parameters for judging on a scale of 0-60 points are
 - Originality in analysis of issues
 - Logical progression of ideas & clear, precise and unambiguous writing style
 - Proper and articulate analysis of strengths and weakness of the case
 - Understanding of the legal principles directly applicable to the issues
 - Presentation of arguments with appropriate citations
 - Variety & depth of research (new points and unique interpretation of fact/law)
- c. Non- compliance of rules mentioned in Clause X shall attract penalties for each non-conformity.

XIV. Awards

- a. *Trial Advocacy Team of the Year Award* – A Plaque and cash prize of Rs 18,000/- only
- b. *Second Best Trial Advocacy Team of the Year Award* - A Plaque and a cash prize of Rs. 9,000/- only
- c. *Experientia Patronus Hornus Award* (Trial Advocate of the year) – A Plaque and cash prize of Rs. 4,000/- only
- d. *Second Best Trial Advocate*- A Plaque and cash prize of Rs.2000/- only
- e. *Best Memorial Award* – A Plaque and cash prize of Rs. 4,000/- only
- f. *Second Best Memorial Award* - A Plaque and cash prize of Rs. 2,000/- only
- g. In addition to the above awards plaques and certificates are given to other categories of winners

XV. Announcements

- a. The results of the preliminary rounds will be announced shortly after the rounds are completed
- b. The results of the Semi Finals Rounds will be announced shortly after the rounds are completed
- c. The winners of the competition will be announced during the **Awards Ceremony on India South - 12 September 2009 (Saturday) and India North - 20 September 2009 (Sunday) respectively**

XVI. Anonymity

- a. Student counsel may introduce him/herself to the court in the usual manner and may also state their names. However, the team's college affiliation shall not be indicated to the judges at any time.
- b. Further, all team members, coaches, advisors, and observers shall refrain from identifying a team's college at any time and in any manner, including, but not limited to, wearing any identifying items (such as college clothing, ties, patches or pins) or carrying identifying material (such as a books with a college logo or college seal etc.)

XVII. Video Recording

- a. The organisers will arrange for the video recordings of the finals of the competition. Teams wanting to obtain a copy of the recordings may do so on payment of Rs. 500/- for each of these rounds.
- b. Teams wanting to obtain a video recording (finals only) shall have to apply in writing to the Organising Committee latest by the **1 Sep 2009**. The recording shall be sent to the college on payment of Rs. 500/- per copy in the form of a Demand Draft (DD only) made out in favour of National University of Advanced Legal Studies (NUALS), Kochi or University Institute of Legal Studies, (UILS) Panjab University, respectively.

XVIII. Copyright

- a. The copyright over the memorials submitted for participation in the competition is assigned by participants and shall also vest completely and fully in National University of Advanced Legal Studies (NUALS), Kaloor, Kochi, University Institute of Legal Studies, Panjab University and Surana & Surana International Attorneys Chennai, in lieu of waiver of competition registration fees. The participants shall certify in writing the originality of materials contained therein and shall be responsible for any claim or dispute arising out of the further use and exhibition of these materials.
- b. Further use and exhibition of these materials, electronically or otherwise, shall be the exclusive right of Surana & Surana International Attorneys, Chennai, NUALS, Kochi and University Institute of Legal Studies, (UILS) Panjab University and they shall not be responsible for any liability to any person for any loss caused by errors or omissions in this collection of information, or for the accuracy, completeness, or adequacy of the information contained in these materials.
- c. Distribution of these materials on affiliated websites such as www.mootsite.com, does not constitute consent to any use of this material for commercial redistribution either via the Internet or using some other form of hypertext distribution. Links to the collection or individual pages in it are welcome.

XIX. Accommodation and transport

- (a) National University of Advanced Legal Studies (NUALS), Kaloor, Kochi, and University Institute of Legal Studies (UILS), Panjab University will provide accommodation and transport between the guest house/hotel and the competition venue to the participating teams. Extra members over and above the prescribed number will have to bear the expenses themselves. Details like email and mobile numbers of volunteers in-charge will be available on www.mootiste.com once it is finalized.
- (b) Misbehavior of any sort by the participants will be dealt very seriously and will lead to disqualification.
- (c) Separate accommodation will be arranged for boys and girls and strictly they will not be allowed to stay in the stay in the same room.

XX. Any clarifications for the competition can be sought from:

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Faculty in charge: Prof. Dr. Shruti Bedi



**SURANA & SURANA NATIONAL TRIAL ADVOCACY
MOOT COURT COMPETITION – 2009**

Date:

REGISTRATION FORM
(Please fill in capital letters)

Undertaking

1. We hereby state that our participation complies with the rules and regulations of the competition.
2. We certify that the materials submitted are prepared by us and indemnify the organizers for any claim or dispute arising out of the further use and exhibition of these materials.

(All details must be provided)

Name of the Institution:

Address:

Email:

Ph:

Fax:

Name	Signature
1.	
2.	
3.	
4.	

Seal & signature of
the Head of the
Institution

Completed form should reach Administrator by **31 August 2009**

Email form to: mootcourt@lawindia.com (for both) and
mcsnuals@gmail.com or mootcourtuils@gmail.com (as applicable)

Fax to: 0484 – 2337857 (NUALS) and Fax: 0172 – 2784283 (UILS)

Marked as **SURANA & SURANA NATIONAL TRIAL ADVOCACY MOOT 2009 REGISTRATION** as the subject.