



National University of
Advanced Legal Studies

**SURANA & SURANA NATIONAL TRIAL ADVOCACY
MOOT COURT COMPETITION – 2008**

19 – 21 September 2008



Surana & Surana
International Attorneys

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. Subject, Date and Venue

The Surana & Surana National Trial Advocacy Moot Court Competition 2007-08 shall be held from **19 – 21 September 2008** at National University of Advanced Legal Studies (NUALS), Kaloor, Kochi 682 017, Kerala.

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
- 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 16 teams and will be strictly on First Come First Served basis. Under no circumstances this rule will be modified.

Confirmation of participation may be sent to mcsnuals@gmail.com and mootcourt@lawindia.com 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 **on a date not later than September 5, 2008**. The Registration form can also be faxed to 0484-2337857 or 044-25383339. (Registration form available on page 9)

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.

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. on 19 September 2008
- d. Preliminary rounds will be held on 20 September 2008. Top four teams will qualify for the semifinals to be held on 21 September 2008.
- 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 on **21 September 2008 (Sunday)**. The teams will be provided their opponent's memorials after declaration of preliminary results on **20 September 2008** evening. The **Finals** will be held on **21 September 2008 afternoon**.

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 17 September 2008** 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 19 September 2008**.
- 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 witnesses shall be provided by the host institution. 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 a few hours prior to the commencement of the respective round.'
- b. Each team will get a total of 30 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 – 2 minutes
 - Examination in Chief by the prosecution – 8 minutes
 - Cross Examination by the defence- 15 minutes
 - Opening statement by the defence – 2 minutes
 - Examination in Chief by the defence – 8 minutes
 - Cross Examination by the prosecution – 15 minutes
 - Closing statement by the defence – 5 minutes
 - Closing statement by the prosecution – 5 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 15 minutes and in Semifinals and Finals is 25 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 45 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 – 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.

- c. 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 45 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 on **Saturday 20 Sep 2008**
- b. The results of the Semi Finals Rounds will be announced shortly after the rounds on **21 Sep 2008**.
- c. The winners of the competition will be announced during the **Awards Ceremony on Sunday 21 Sep 2008**.

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 **15 Sep 2008**. 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

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 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 and NUALS, Kochi 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) Accommodation and (b) transport between the guest house/hotel and the competition venue to the participating teams will be provided by National University of Advanced Legal Studies (NUALS), Kaloor, Kochi. Details like email and mobile numbers of volunteers in-charge will be available on www.mootiste.com once it is finalised.

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

Dr. N. Narayanan Nair

Member of Executive Council-in charge of Vice-Chancellor
National University of Advanced Legal Studies (NUALS)
Kaloor, Kochi 682 017, Kerala

Phone: 0484 2337 363, Telefax: 0484 – 2337857

E-mail: mcsnuals@gmail.com and mootcourt@lawindia.com (Fax: 044 -2538 3339)

Mr. Jacob Joseph,

Faculty Co-ordinator,
Moot Court Society,
NUALS

phone: 0 – 98479 70233

email: jacob.lawteacher@gmail.com



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19 – 21 September 2008



Surana & Surana
International Attorneys

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 (as it should be in the certificate)	Signature
1.	
2.	
3.	
4.	

Seal & signature of
the Head of the
Institution

Completed form should reach Administrator by **5 September 2008**

Email form to: mootcourt@lawindia.com and : mcsnuals@gmail.com or

Fax to: 0484 – 2337857 and 044 – 2538 3339

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