

Children's Rights Moot Court Competition 2021 *Rules of Procedure*

As amended on 5 June 2021



Universiteit
Leiden
The Netherlands

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Introduction

The Children's Rights Moot Court Competition (CRM) is a moot court competition that consists of a written phase and oral rounds taking place over two (2) weeks, in June 2021.

The participating student-teams will be pleading a fictitious case which involves a dispute between a state and a child/group of children. This dispute is brought before a fictitious legal organ. It is up to the teams to defend the two parties to the best of their abilities. Each student-team has to represent the Applicant (i.e. child) and the Respondent (i.e. state) respectively, both in writing and through oral arguments.

1. Composition of the Teams

- 1.1 A maximum of two (3) teams per university may register. Registrations are accepted on a first come, first served basis.
- 1.2 The teams shall be composed of students who are enrolled in a programme of law (Bachelor or Master) at the participating universities. Non-law students may be considered eligible, provided that they have the requisite legal knowledge. They should not possess any professional experience.
- 1.3 Each team shall be composed of a minimum of two (2) and a maximum of four (4) students, and may include one (1) or two (2) coaches. Once a team has been registered, team Participants (including students and coaches) cannot be replaced, except in extraordinary circumstances – such as contraction of COVID-19 - and with prior leave of the Organization.

2. Registration

The registration fee for teams is € 100.

3. Case Publication

- 3.1 The case is publicly available on our [website](#).
- 3.2 Each team may submit a maximum of three (3) requests for clarification with regard to this case by email to crmootcourt2021@bakermckenzie.com until 11:00 a.m. CET of 28 February 2021.

4. The Memorials

- 4.1 All teams must submit their Memorials for each role (one Memorial for Applicant and one Memorial for Respondent) via email at crmootcourt2021@bakermckenzie.com by 11:59 p.m. CET of 31 March 2021.

Late delivery of Memorials is sanctioned with up to eighty (80) out of one hundred (100) penalty points per Memorial, which will be applied to the score provided by each individual Evaluator to each Memorial individually. Teams may submit their Memorials separately, if one of the Memorials will be submitted late. The following penalties shall apply to late submission of Memorials: (i) twenty (20) penalty points if the Memorial is submitted between 12:00 a.m and 5:59 a.m. CET of 1 April 2021; (ii) forty (40) penalty points if the Memorial is submitted between 6:00 a.m. and 11:59 a.m. CET of 1 April 2021; (iii) sixty (60) penalty points if the Memorial is submitted between 12:00 p.m and 5:59 p.m CET of 1 April 2021; and (iv) eighty (80) penalty points if the Memorial is submitted between 6:00 p.m and 11:59 p.m. of 1 April 2021.

Memorials submitted after 11:59 p.m. CET of 1 April 2021 will not be considered. If a team fails to submit both its Memorials by this deadline, then the team will be disqualified from the competition.

- 4.2 Both Memorials shall be in the English language.
- 4.3 Each Memorial must not exceed ten thousand (10.000) words (including footnotes). Violations of this article are sanctioned by five (5) penalty points per every four hundred (400) words in excess of the ten thousand (10.000). The ten thousand (10.000) words include the statement of facts, issues, summary of arguments, written arguments, submissions and (optional) annexes, and exclude the front cover, title page, table of contents, list of abbreviations and index of authorities.
- 4.4 Each team must submit its Memorials in Microsoft Word format in size 12 Times New Roman font style. Violations of this article are sanctioned with one (1) penalty point per violation.
- 4.5 Order of Content
- a. Each Memorial shall be presented in the following order:
 1. Front cover;
 2. Title page;
 3. Table of contents;
 4. List of abbreviations;
 5. Index of authorities (list of sources);
 6. Statement of facts
 7. Issues;
 8. Summary of arguments;
 9. Written arguments;
 10. Submissions;
 11. Optional: Annex (max two (2) pages); and
 12. Back cover.
 - b. Violations of this article are sanctioned by two (2) penalty points per violation.
- 4.6 Front Cover Requirements
- a. The front cover (page) must contain the following information:
 1. Team number;
 2. Role (Applicant or Respondent)
 3. Year; and
 4. Total word count.
 - b. The front cover (page) must be color coded accordingly:
 1. Green for Applicant.
 2. Red for Respondent
 - c. Violations of this article will be sanctioned with one (1) penalty point per violation.
- 4.7 Footnotes
- a. Footnotes have to be in Times New Roman font style, size 10 font. Footnotes of more than one line in length must be single spaced.
 - b. Spacing between each footnote shall be at least 1.5 points.
 - c. Footnotes must be uniform. A referred-to document should be easy to find using the footnote, when available through a hyperlink.
 - d. All the sources included in the index of authorities, must be included in the footnotes as well.

- e. Abbreviations of sources within footnotes are allowed. The abbreviation has to be announced in the footnote itself or in the index of authorities.
- f. Violations of this article are sanctioned with one (1) penalty point per violation. More than one violation of the same item of this Article should be considered as one violation in total.

4.8 Plagiarism

Plagiarism in Memorials will be sanctioned with the disqualification of the team. A team's disqualification is final and irrevocable.

4.9 Memorial Penalties

Memorial penalties shall be deducted from the total scores of a team's Memorials and shall be assessed by the Organization

5. **The Judging of the Memorials**

5.1 The Memorials for the CRM shall be judged by the International Panel of Evaluation.

5.2 All participating teams are invited to nominate two (2) duly qualified persons to be members of the International Panel of Evaluation. It is up to the discretion of the teams to decide who would qualify to act as a qualified person in this regard. One could think of teaching staff of a university, a professional practising law at an organization, alumni or previous participants of the CRM. Each member of the International Panel of Evaluation will evaluate three (3) anonymous Memorials (excluding the Memorials of the nominating team). The nominated persons may in no way be involved with his/her nominating team, or its preparation.

5.3 The team must inform the persons they wish to nominate and receive their consent for the nomination before submitting their names with the Administrators.

5.4 The deadline for the participating teams to inform the Administrators of the names and email addresses of members appointed to sit on the International Panel of Evaluation is 11:00 p.m CET of 12 February 2021.

5.5 Each Memorial shall be judged individually by three (3) members of the International Panel of Evaluation, acting independently of one another.

5.6 Scoring Structure Memorials

a. Scores are awarded out of a maximum of one hundred (100) points.

b. Scores are awarded for:

1. Organization, structure, and analysis of the issues: twenty (20) points.

2. Use of facts and legal principles: twenty (20) points.

3. Use of authorities and citations: twenty (20) points.

4. Persuasiveness, ingenuity, logic and reasoning: twenty (20) points.

5. Grammar, style, and clarity: twenty (20) points.

c. Score sheets will be emailed to each team after the Competition.

5.7 The final score for a Memorial shall be the sum of the points awarded by the members of the International Panel of Evaluation minus any penalty points. The maximum number of points that a team can score for the Memorials is six hundred (600): three hundred (300) points for the Memorial on behalf of the Applicant and three hundred (300) points for the Memorial on behalf of the Respondent.

6. **Software and Hardware**

6.1 The Organization of the Children's Rights Moot Court will provide for the online platform where the sessions will be held and all necessary instructions for its use. All team members shall comply with the instructions for the usage of the online platform and with the instructions for the online sessions.

6.2 All teams are responsible for ensuring they have access to software and hardware, including a stable internet connection, that enables them to properly participate in the Competition. Teams are encouraged to reach out to the Organization with

any requests for assistance that may be required to ensure their proper internet connection, and the Organization will seek to provide support and assistance, to the extent available.

7. Presentation of the Online Oral Arguments

- 7.1 Oral Rounds will include Preliminary Rounds, Quarter-Finals, Semi-Finals and a Final Round. All Oral Rounds will be conducted virtually through the online platform designated by the Organization. All Oral Rounds will be run and coordinated by a Host, who will administer the rounds on behalf of the Organization. The rules in this Section are applicable to all oral rounds taking place in the competition.
- 7.2 **Preliminary Rounds:** The preliminary rounds are organized in eight (8) pools. Each team shall prepare an oral argument for the Applicant and an oral argument for the Respondent, to be presented online in English. Each team shall participate in four (4) sessions of the preliminary rounds: twice as Applicant and twice as Respondent. During each session of the preliminary rounds, two (2) team members shall present the team's oral argument for the Applicant or for the Respondent.
- 7.3 During the online rounds for oral arguments, all team members (and eventual coaches) shall be present in the sessions in which their team is pleading. All Team Members and Coaches should log into the online session at least twenty (20) minutes prior to the start of the session.
- 7.4 Oralists may sit or stand when making their submissions but must be visible at least shoulders up on the screen. While speaking, Oralists must ensure that their names and last names are properly displayed during the online session and shall configure their respective cameras to permit the judges to observe their faces. Oralists must always be on screen during the round. Oralists are not permitted to share their screen or present any other text or written materials at any stage or record the session. Team members and coaches may not directly or indirectly indicate their country or university of origin to the judges, including through the display of screen names, the wearing of name tags, pins, logos, or other signifiers, or the placement of folders, files, library books, or other materials identifying their university or country in such a way as may be visible to a judge.
- 7.5 During a session, judges shall arrange their respective cameras so that their faces are visible to the speakers. All judges shall have their cameras on during the entire session.
- 7.6 All participants in a session shall have their microphone muted except the one presenting oral arguments and use the backgrounds that are assigned to their specific roles. Judges should have their microphone muted unless they are asking a question. All participants in a session (Judges, Team members and coaches) shall have their cameras on during the entire session.
- 7.7 The scope of pleadings is not limited to the scope of the submitted Memorial. The scope of the Applicant's rebuttal is limited to the scope of the Respondent's pleadings and the scope of the Respondent's surrebuttal is limited to the scope of the Applicant's rebuttal. Failure to keep within these limitations shall be taken into account by the Bench judging the session.
- 7.8 Per session each team (Applicant and Respondent) shall be allowed a total of forty-five (45) minutes to present its oral argument, including the time needed to answer any questions which may be put to it by the Judges and including the time for the rebuttal or surrebuttal. No more than ten (10) minutes of this time shall be reserved for rebuttal or surrebuttal. If the Applicant waives rebuttal, surrebuttal is waived as well. The Host will keep control of time and will provide notice to the

- participants, visually, when they have twelve (12) minutes, five (5) minutes and one (1) minute remaining of their time.
- 7.9 Per session, no Team Member shall speak for more than twenty-five (25) minutes.
- 7.10 Extension of team time beyond forty-five (45) minutes, which in no case shall exceed five (5) minutes beyond the total time allocated for presentation, shall be within the discretion of the Judges. If one team is afforded additional time under this rule, the opposing team shall have a right to extend its pleadings in the same amount of additional time afforded. The Presiding Judge may set a short break in the online session, provided that this break does not interrupt the submission of team and does not provide an advantage to any of the teams.
- 7.11 In case one of the Team Members experiences connection or technological problems during the course of their interventions in the Preliminary Rounds, time will be stopped for up to ten (10) minutes. If, after ten (10) minutes, the person experiencing difficulties has not been able to reconnect or solve these inconveniences, the Team will have the option of (i) continuing by the other Team Member or (ii) rescheduling during the Preliminary Rounds.
- 7.12 In case one of the Judges experiences connection or technological problems during the course of the session in the Preliminary Rounds, time will be stopped for up to ten (10) minutes. If after ten (10) minutes, the Judge experiencing difficulties has not been able to reconnect or solve these inconveniences, the session will be rescheduled. If the Host experiences connection or technological problems during the course of the session and loses connection, the Presiding Judge will take over the role of the Host, until the inconveniences are resolved.
At the end of the session, the judges may provide general feedback to the teams, which shall in no case refer to the substance and legal problems in dispute and which shall not be addressed to any individual specifically. Once the session has concluded, the Judges will score participants individually and submit the scorecards to the Organization.
- 7.13 All hearing sessions will be accessible to the public, upon prior registration of participants. Team Members and coaches shall not, either directly or indirectly, attend a hearing in which they are not participating. Team Members and Coaches are permitted to attend hearing sessions, only if they are not participating in said rounds.
- 7.14 **Advance Rounds:** The winning team of each pool will advance to the Quarter Final Rounds. Participants in the Quarter Final will be announced virtually on Saturday, 12 June at 12 noon Leiden Time. There will be a total of eight (8) teams that advance (see art. 8.4 of the Rules). The winning team of each Quarter Final round will advance to the Semi-Finals. The winning team of each Semi Final round will advance to the Finals. A coin-flip will determine which side each team will argue in the all elimination rounds. Any ties for any elimination round will be broken by the Presiding Judge.
- 7.15 During the Advance Rounds, in case one of the Team Members experiences connection or technological problems during the course of their interventions, time will be stopped for up to ten (10) minutes. If, after ten (10) minutes, the person experiencing difficulties has not been able to reconnect or solve these inconveniences, the Team will have the option of continuing by the other Team Member.
- 7.16 During the Advance Rounds, in case one of the Judges experiences connection or technological problems during the course of the session in the Preliminary Rounds, time will be stopped for up to ten (10) minutes. If after ten (10) minutes, the Judge experiencing difficulties has not been able to reconnect or solve these inconveniences, the will continue.

- 7.17 During the Advance Rounds, if the Host experiences connection or technological problems during the course of the session and loses connection, the Presiding Judge will take over the role of the Host, until the inconveniences are resolved. At the end of the session, the judges may provide general feedback to the teams, which shall in no case refer to the substance and legal problems in dispute and which shall not be addressed to any individual specifically.
- 7.18 During the Advance Rounds, if any contingency not addressed herein, the CR Moot Court Organizers will be contacted to determine a consistent course of action.

8. The Judging of the Online Oral Arguments

- 8.1 Each Bench in the Preliminary and Quarter Final Rounds will be composed of one (1) or two (2) Judge(s) and one (1) Presiding Judge (appointed by the Organization or by consensus by the Judges participating in the Hearing) and shall be assisted by a Host. The Organization may appoint in total three (3) or four (4) Judges (and one (1) Presiding Judge) in the Semi-Final and Final Round. If only two (2) Judges score a given hearing, the Organization shall create a third score by averaging the scores of the two Judges. The Organization may appoint a fourth Judge. In the event four (4) Judges score a given hearing, the score that is furthest from the average of all four (4) scores, and the scoresheet on which it appears, will be disregarded.
- 8.2 Each oral argument shall be judged individually by the Judges, acting independently of one another.
- 8.3 Scores are rewarded out of a maximum of one hundred (100) points per speaker. Scores are allocated as follows:
1. Organization, structure, and analysis of the issues: twenty (20) points
 2. Use of facts and legal principles: twenty (20) points
 3. Use of authorities and citations: twenty (20) points
 4. Persuasiveness, ingenuity, logic and reasoning: twenty (20) points
 5. Presentation: twenty (20) points
- 8.4 The written and oral phase of the Preliminary Round are independently assessed. The sum of the scores obtained in both phases after the deduction of any penalty points will qualify the ten (8) best teams (1 per pool) for the Quarter Final Rounds. The team's score in the written and oral round, each count for 50% of the total score. The Quarter Final-, Semi-, and Final will consist of an oral phase only.
- 8.5 The Judges Panel of the Quarter Final-, Semi-, and Final will announce the winner of the Competition (to be picked at the discretion of the Bench).
- 8.6 The following awards will be presented:
1. Winner
 2. Finalist Team
 3. Best Memorial for the Applicant
 4. Best Memorial for the Respondent
 5. Best Oral Argument for the Applicant
 6. Best Oral Argument for the Respondent
 7. Best Oralist (based on the Preliminary Round score)

9. Amendments

The Organization has the authority to interpret and amend the provisions contained in these Rules. It reserves the right to make changes at any time before the commencement of the Preliminary Round when necessary. Any changes made will be communicated to the participating teams.