

# Children's Rights Moot Court Competition 2021

## *Rules of Procedure*



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Leiden  
The Netherlands

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## Introduction

The Children's Rights Moot Court Competition is a five-day competition, consisting of four days of preliminary rounds on Monday 7 until Thursday 10 June 2021, and the final round on Friday 11 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. The Teams

- 1.1 A maximum of two teams per university may register. Registrations are accepted on a first come, first served basis. Should the total number of registrations allow so, to the discretion of the Organization, a third team may be allowed to register.
- 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 and a maximum of four students, and may include one or two coaches.

### 2. Registration

The administrative 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](mailto:crmootcourt2021@bakermckenzie.com) until 28 February 2021, 11.00 h CET.

### 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](mailto:crmootcourt2021@bakermckenzie.com) by 31 March 2021. Late delivery of Memorials is sanctioned with twenty (20) penalty points.
- 4.2 Both Memorials shall be in the English language.
- 4.3 Each memorial must not exceed 10.000 words (including footnotes). Violations of this article are sanctioned by five (5) penalty points per 400 words. The 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 each of the individual evaluators' scores of a team's memorial.

### **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 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 28 February 2021.
  - 5.5 Each memorial shall be judged individually by three 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 100 points.
    - b. Scores are awarded for:
      1. Organization, structure, and analysis of the issues: 20 points.
      2. Use of facts and legal principles: 20 points.
      3. Use of authorities and citations: 20 points.
      4. Persuasiveness, ingenuity, logic and reasoning: 20 points.
      5. Grammar, style, and clarity: 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.
- 6.2 All teams are responsible to ensure they have access to software and hardware, including a stable internet connection, that enables them to properly participate in the Competition.

## **7. Presentation of the Online Oral Arguments**

- 7.1 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 team members shall present the team's oral argument for the Applicant or for the Respondent.
- 7.2 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.
- 7.3 The oralists may sit or stand when making their submissions. The oralist speaking must ensure that his/her name, team number and role are properly displayed during the online session and shall configure his or her camera to permit the judges to observe his or her face. The oralist is not permitted to share his or her 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.
- 7.4 During a session, a judge shall arrange the camera so that his or her face is visible to the speakers.

- 7.5 All participants in a session shall have their microphone muted except the one presenting oral arguments. Judges should have their microphone muted unless they are asking a question.
- 7.6 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.
- 7.7 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.
- 7.8 Per session no team member shall speak for more than twenty-five (25) minutes.
- 7.9 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.
- 7.10 No oral or written communication may take place between the team member presenting the oral arguments, rebuttal or surrebuttal and his or her fellow team members or the coach(es) during the session. This does not, however, preclude a counsel from taking a treaty or similar document from the team table when the counsel has been questioned about such a document.

## **8. The Judging of the Online Oral Arguments**

- 8.1 Each Bench 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 Judge Assistant. If only two 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 100 points per speaker. Scores are allocated as follows:
  - 1. Organization, structure, and analysis of the issues: (20 points)
  - 2. Use of facts and legal principles: (20 points)
  - 3. Use of authorities and citations: (20 points)
  - 4. Persuasiveness, ingenuity, logic and reasoning: (20 points)
  - 5. Presentation: (20 points)
- 8.4 At the end of the preliminary rounds, the two teams with the highest overall score (memorials and oral arguments) will compete against each other in the final round. This means that each phase, the written and oral round, counts for 50% of the total score. The designation of the roles in the final round will be conducted by flipping a coin.
- 8.5. The Judges Panel of the final round 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.