

THE RULES OF ELSA LEGAL DEBATES

FOREWORD

The European Law Students' Association is the world's largest independent, non-profit, non-political association run by and for law students and young lawyers. The ELSA Vision is: *“A just world in which there is respect for human dignity and cultural diversity”*. Contributing to legal education is one of the central aims of the association. Through various academically focused projects and events, ELSA provides opportunities for law students and young lawyers to apply theory in practice and to learn about other legal systems.

In accordance with the goals of ELSA, as an organisation of law students in Europe, which is assisting law students and young lawyers to be internationally minded and professionally skilled, ELSA International facilitates ELSA Legal Debates (ELD). Debating teaches critical thinking and allows participants to engage with current affairs, improve their communication skills and hone their analytical abilities.

ELSA Legal Debates are referred to as a debating process between two parties; for this purpose, two teams, representing different opinions on a legal topic. These debates are observed and evaluated by a jury consisting of two judges based on criteria set out by these rules.

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1. The ELSA Legal Debate

- 1.1. An ELSA Legal Debate (ELD) is a competition in which two teams of two to four law students and/or recent law graduates represent either side of the motion and present their arguments for or against the motion.
- 1.2. The purpose of ELSA Legal Debates is to promote greater interest among law students in legal debating, provide a means for law students to practise and improve their debating skills, and provide law students and young lawyers with feedback on their performance from experienced debaters.
- 1.3. The language of an ELSA Legal Debate is English.

2. Registration and participation policies

2.1. Team members eligibility

- 2.1.1. Law students and recent graduates are eligible to participate in an ELSA Legal Debate if they:
 - a) are or have been enrolled in bachelors' or masters' studies in law at eligible university where the respective ELSA Group is based;
 - b) are not or have not been engaged in the professional practice of law other than work experience;
 - c) are not involved in the organisation of the current edition of the ELSA Legal Debate.

2.2. Composition of teams

- 2.2.1. Teams shall consist of two to four law students and/or recent graduates.
- 2.2.2. All members of a team must be enrolled at the same university or be alumni of that university.
- 2.2.3. Unless any exceptional circumstances occur, the teams may not change their composition after registering for the competition. Any change must be submitted to the organising ELSA Group.

2.3. Coaches

- 2.3.1. Each team may have a maximum of two team coaches.
- 2.3.2. A team coach may only assist in general discussions concerning the case, linguistic matters and presentational skills. They shall provide no substantive advice on the legal issues arising in the case and should not participate in the preparation of the Opening Statements, Rebuttals or Closing Statements.
- 2.3.3. The team coaches may attend the debating session but may not communicate with teams, timekeepers or Judges.

2.4. Expenses

- 2.4.1. Travel, accommodation, and incidental costs incurred by participants in an ELSA Legal Debate will not be reimbursed by the organisers and will be the responsibility of the team. The organisers are not liable for any costs or risks associated with attending an ELSA Legal Debate.

3. The case and supporting materials

- 3.1. Teams of an ELSA Legal Debate must be supplied with at least the following materials:

- a) A motion that is at the centre of the debate.
- b) A case providing substantial information regarding the motion.

- 3.1.1. External materials that are commonly accessible are allowed to be introduced during the debate session.

- 3.1.2. It is strictly prohibited to invent and introduce materially self-serving facts during the debate session. A material self-serving fact is one that significantly changes the relative leverage between the parties. Whether a team's interpretation of the facts is reasonable, or whether a team has invented or inferred material self-serving facts, is a matter to be determined by the judges during the round.

3.2. Supporting materials

- 3.2.1. Teams are allowed to use electronic devices such as a stopwatch, phone, tablet or laptop, for the purpose of self-timekeeping.

- 3.2.2. Teams may not use devices to enquire information nor for communication purposes, and the use of the internet is strictly prohibited.

4. The ELSA Legal Debate Round

- 4.1. Each ELSA Legal Debate Round consists of three periods; Preparation, Debating and Feedback.

- 4.2. Each team will be either in favour of the motion or against the motion.

4.3. Preparation

- 4.3.1. The team roles are decided through a draw on the day of the competition or a day before the competition depending on the chosen format.

- 4.3.2. The motion and the case of the debate shall be fully disclosed to the teams no later than three days before the competition.

4.4. The Debating Period

- 4.4.1. The Debating Period consists of Opening Statements, Rebuttals and Concluding Statements. The Debating Period is moderated by the Moderator who must be impartial towards both Teams. The order of each Debate must be:

- a) Team in favour of the motion: Opening Statements
- b) Team against the motion: Opening Statements

- c) Team in favour of the motion: Rebuttal
- d) Team against the motion: Rebuttal
- e) Team in favour of the motion: Concluding Statements
- f) Team against the motion: Concluding Statements

4.4.2. The Team in favour of the motion opens the debate with their Opening Statement and expresses their opinion regarding the debate topic. The Team against the motion follows with their opening statement. During the Opening Statement the Teams explain their position towards the motion. The Team against the motion may not directly answer or argue against points that were raised by the first team during their Opening Statement. Each Opening Statement may not exceed seven minutes.

4.4.3. During the Rebuttal, both Teams may refer to all statements and arguments raised by the other Team. Teams may bring new arguments, repeat old arguments and argue against points and arguments of the other team. Rebuttals may not exceed three minutes.

4.4.4. During the Concluding Statement, the Teams may not bring new arguments. The Teams are allowed to repeat old arguments and argue against points and arguments brought forward by the other Team. During the Concluding Statement, the Team against the motion may not refer to the Concluding Statement of the Team for the motion. Concluding Statements may not exceed six minutes.

4.4.5. The number of Rebuttals depends on the complexity of the motion and is at the discretion of the Moderator.

4.4.6. Breaks may be allowed between the Opening Statements, Rebuttal and Closing Statements at the discretion of the Moderator.

4.4.7. The Judges may direct questions or comments to the Teams at any time during the Debate Period.

4.5. Feedback Period

4.5.1. The Judges must provide a direct feedback to the Teams at the conclusion of each Debate Period.

4.5.2. If there is more than debate, the feedback may be given after all debates have been concluded.

4.5.3. The Feedback Period may not exceed 10 minutes per debate.

4.6. Timekeeping

4.6.1. Timekeepers will indicate the elapsed time towards Judges and Teams when there are three, two and one minutes left, and when the end of the time allocated is reached.

4.6.2. Each Round must have a minimum of two timekeepers.

4.7. Variations in Format and Timing

4.7.1. Upon prior notice to the participating teams, the organiser may vary the format and timing of the competition.

5. Judging and scoring

5.1. The Panel

5.1.1. The respective organisers are responsible for selecting Judges for the competition.

5.1.2. No Judge may be affiliated with the participants.

5.2. Judging criteria

5.2.1. Judging shall be executed upon the team as such, not upon the individual persons.

5.2.2. Teams' performances shall be evaluated after a Debate Period is concluded.

5.2.3. Judges evaluate teams' performance based on the Scoring Tools provided by ELSA International.

5.3. Disclosure

5.3.1. The scores may be made available for the teams upon request after the ELSA Legal Debate has been concluded.

6. Expected behaviour

6.1. Deception

6.1.1. The following cases shall be regarded as attempts at deception:

- a) If a team member exchanges information about their Teams' approach to the motion and the debate with members or coaches of other Teams.
- b) If a team member tries to obtain information regarding the debated question with an electronic device during the debate.