

Moot Court Competitions Handbook

COMPETITIONS 2024/2025

elsa

The European Law Students' Association

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Foreword

Dear reader,

We invite you to read the Moot Court Competitions Handbook, conceptualised as the complete organisers guide to conducting a Moot Court Competition. In writing this handbook, we have been inspired by the Moot Court Competitions Handbook drafted in 2020 by Jakub Kačerek, Vice President in charge of ELSA Moot Court Competitions, ELSA International 2019/2020. It also includes details from older versions by Ada Gawrysiak, Vice President in charge of ELSA Moot Court Competitions, ELSA International 2015/2016, Linnéa Regnell, Vice President in charge of ELSA Moot Court Competitions, ELSA International 2022/2023, as well as Maciej Łodziński, Vice President in charge of Competitions, ELSA International 2023/2024, and their team members. We wish to thank them for their important work. However, considering the development and some changes since then, we decided to update the Handbook.

This Handbook provides you with a set of basic rules applicable to Moot Court Competitions organised on any level, such as the description of the tasks to be covered in the course of organising a Moot Court Competition and risks one may face while organising a Moot Court Competition. The Handbook is designed as a guide that will help you in different periods of organising a Moot Court Competition.

Best wishes,

Maciej Łodziński

Vice President in charge of Competitions
International Board of ELSA 2023/2024

Anvar Huseynov

Assistant for Moot Court Competitions
ELSA International Team 2023/2024 &
2024/2025

Tomás Neves dos Santos

Director for Competitions
ELSA International Team 2023/2024

Nikola Grochowska

Assistant for Competitions' Development
ELSA International Team 2023/2024

Aliena Trefny

Vice President in charge of Competitions
International Board of ELSA 2024/2025

Yeva Komar

Assistant for Moot Court Competitions
ELSA International Team 2024/2025

Giorgio Lanfranco

Director for Competitions
ELSA International Team 2024/2025

Introduction

Moot Court Competitions (MCCs) are at the core of ELSA's activities. They grow within our Network every year. This type of competition is known worldwide as one of the best student preparatory exercises that can equip future lawyers with legal knowledge, as well as a set of practical skills they will use in their profession.

Purpose

Bridging the gap between theory and practice by giving law students the chance to act as representatives for fictitious parties in a case in court, to negotiate a case and thus to attempt the work of a law practitioner.

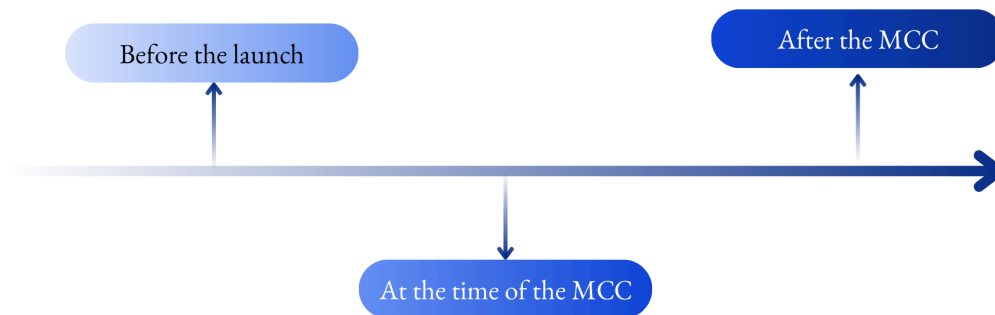
Benefits for Participants

1. Improving legal knowledge;
2. Practising legal writing skills;
3. Ability to prepare and train for proper and successful pleading in court;
4. Enhancing the use of rhetoric and gestures;
5. Increasing self-confidence and intellectual flexibility;
6. Networking opportunities with legal professionals.

Main definitions

MCC Handbook	A document that consists of guidelines to aid in the organisation of MCCs. It includes the basic aspects that organisers should take into account.
Moot Court Competition (MCC)	A simulated hearing and court proceeding in a certain area of law that aims at bridging the gap between theory and practice.
Case	The facts of the dispute on which the MCC is organised.
Judge	A person who is in charge of presiding over simulated court proceedings and evaluating the teams' performances in the competition either alone or as a part of a panel of judges.
Organising Committee (OC)	Members of a team in charge of organising a moot court competition for the respective term.

There are many different ways to set up a Moot Court Competition, but all of them require going through the same 3 periods of organising:



I. First stage - Before the launch of the MCC

Time-frame:

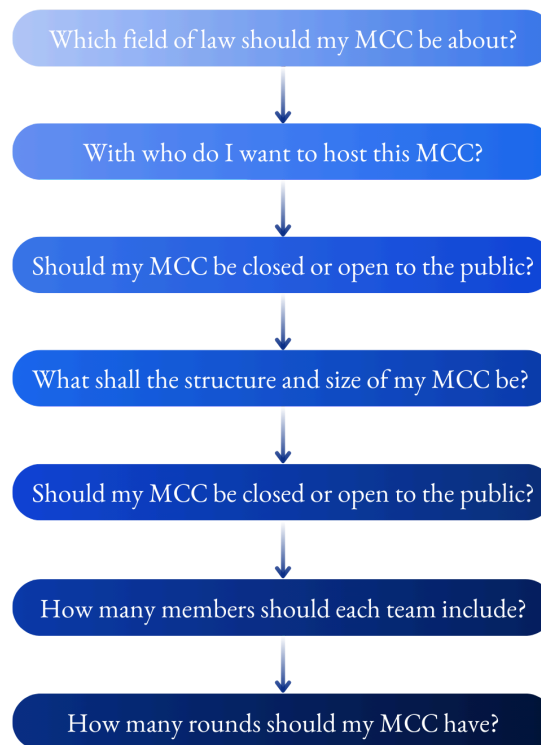
The whole competition including preparation takes about 3-5 months. This will, however, depend on every competition as the organisation requires flexibility above all else; not everything will always go as planned, so dare to distance yourself from the first ideas. This is the recommended time frame for the organisation of a MCC.

1. Finding a partner (if you choose to have one) – 1-2 months;
2. Case preparation – 3 weeks - 1 month;
3. Preparing marketing materials based on the case – 3 weeks;
4. Launch of the competition and deadline for submitting applications – 4 - 6 weeks;
5. Written Submissions – 2 weeks - 1 month;
6. Final round - 1 day or more.

Tip: Draft a TO-DO list and check if everything goes according to plan! ([Here is an example](#))

First Steps:

First of all, you need to ask yourself a few basic questions:



Which field of law shall my MCC be about?

The selection of the field of law sets the course for all further considerations. Various factors play a role in the selection process:

- You should consider which legal areas might be of particular interest to the members of your Local Group;
- You should take into account the resources you have at your disposal. For example, if a particular professor wants to be the patron of the MCC, then choose the field of law in consultation with him or her if necessary;
- Think about how big you want your MCC to be: the more specific or niche your topic is, the more difficult it may be to attract participants.

Should my MCC be open or closed to the public?

Your MCC could be either open or closed to the public. It is preferable to choose the second variant for better promotion and visibility of the event, as well as your National or Local Group. In case the space of the pleading room and the sponsor allow you, then the audience can be your key to future competitors, potential partners and promotions. Special attention should also be given to the type of participants you are seeking to attract - if you have a lot of first-time ‘mooters’, a closed event could be less intimidating for them.

What shall the structure and size of my MCC be?

Another important thing about a Moot Court Competition is its structure. As a general rule, an MCC consists of Written Submissions and Oral Pleading(s). However, it is up to you to decide whether your MCC should have a written round or how the Oral Pleading should be structured. Furthermore, if you choose to simulate an international court (ECJ, ICJ, ECHR), dispute settlement body or arbitration (or WTO and AISTCC) or court, review the rules of procedure of that institution and draft the memorial requirements and overall structure of the MCC accordingly, to come as close to reality as possible.

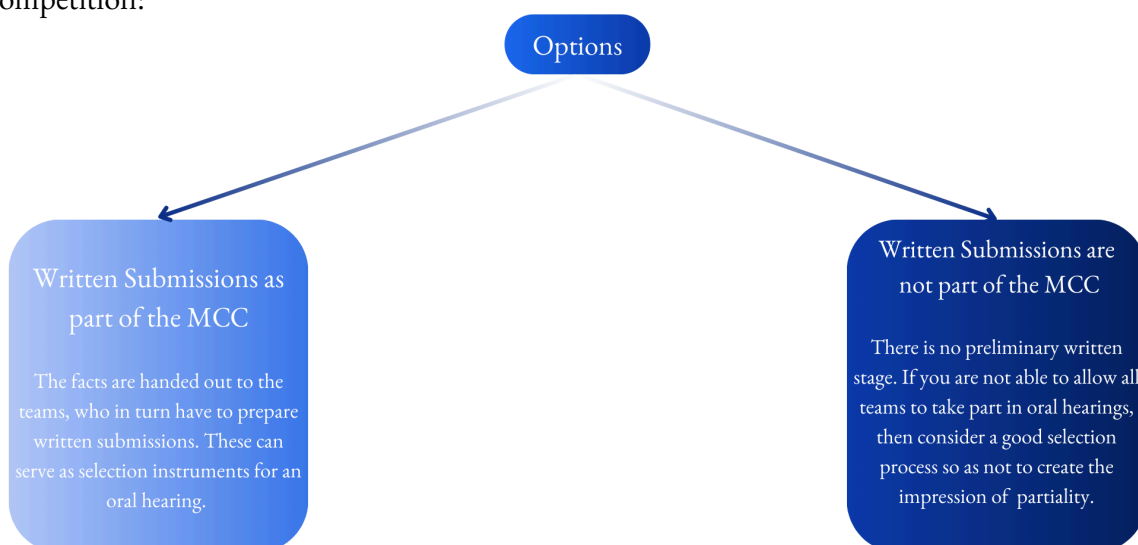
How many members should each team include?

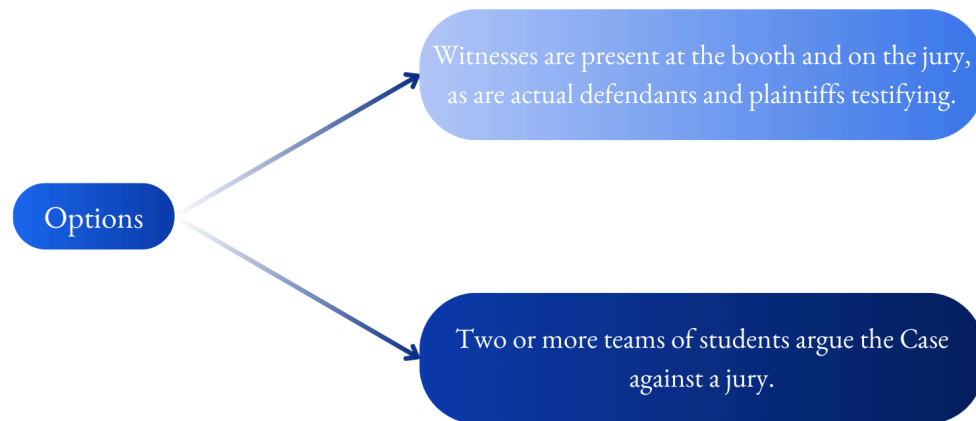
The amount of teams and members of these teams in your MCC depends on how big you decided your MCC to be. Some National Groups organise MCCs for teams and some for individuals. It is up to you if you decide to have it restricted to for example teams of two (2) or three (3) members or also open for individuals. Smaller ELSA Groups organise pleadings in one day, but if you are from a bigger group, you probably will have more teams, so for you, it is better to schedule pleadings for 2 or 3 days. If some teams are coming from far-away locations, it would be nice to provide them with some potential places for accommodation, which can also influence their or your budget and therefore needs to be considered carefully.

How many rounds will there be in my MCC?

An MCC can have one or more rounds. It depends if your ELSA group decides to organise just an oral pleading, a written submission and an oral pleading, or several of both of the aforementioned. It is recommended that every MCC has at least one written stage so as to ensure the quality of the argumentation of the participants during the oral pleadings.

Concluding all of the above, we can see two main options for organising a Moot Court Competition:





Conclusion

In the end, you will ideally have a clear idea of the MCC you are about to organise. It should be noted, however, that nothing is yet carved in stone at this stage. Now, it is time to begin working on it: each of the following paragraphs should be a key point on your checklist.

Organising Committee & Your Board

Find an Organising Committee who will help you to organise the MCC. How many people you need depends on how big your MCC will be. You may form your OC consisting only of people in your team or open a call and see who wants to join you voluntarily from other specific areas that can give important assistance to your MCC. You can find which positions in an OC you might need in *Annex 10 – Organising Committee & Your Board*.

At the same time, you will also need to work closely with the rest of your Board, especially the supporting areas. Your President can assist you with finding partners and supporters for your Moot Court, your Secretary General is the expert on data protections and welfare matters, your Treasurer can help you with creating a budget and your Marketer can take the lead in promoting your Competition. You can find more information about how to work with the rest of your Board in *Annex 10 – Organising Committee & Your Board*.

The Case

Any MCC needs a case, and finding someone who can draft such a complex problem is not always easy. There are different stakeholders you can approach to become your case authors, provided they have enough expertise in the respective field of law.

a) University: approach faculty staff to become your case author. We recommend doing the following if you need support in drafting a case:

- If you are not directly offered the case from the specific department at your faculty, you may contact the department professors or any of the representatives to draft you or find you a case.
- If you cannot find support from faculty staff, you can ask for the help of an older student (e.g. LL.M.), a PhD candidate or someone from your Organising Committee with expertise in the field to help you draft it.

b) Law firms: another very frequent practice is finding a case author through partnering with a (local) law firm, who is supporting the MCC.

c) Legal authority/agency: another frequent way of finding case authors is getting support from professionals working in companies, courts etc.

Materials

Any MCC requires a certain set of materials, additionally to the case - rules, regulations and guidelines concerning the scoring and the procedures. The rules have to be clear and precise. Make sure the regulations are of the highest quality and contain all of the necessary information. That is the way to reduce the time needed for the clarifications and how to prepare a strong base as well.

Basic provisions (clauses) should include the following:

1. Structure of the competition (rounds);
2. Team composition, eligibility and exclusion clauses;
3. Scoring procedure and criteria;
4. Procedures of the rounds (written and oral, including order and timing of speeches);
5. Penalties.

Regulations are a manual of the whole MCC and apply to the Organising Committee, the judges and the participants. Make sure that all of the participants as well as the judges are aware of the rules of the competition and have some printed copies at hand. In *Annexe 4 Rules – general information* you can find more information about the structure of the rules.

(Use: *Annex 2 – rules, Annex 8A – score sheets written submissions*)

Finding judges

The court, the senate or the panel, responsible for evaluating and judging the teams, is one of the main enticements for a person why he or she decides to participate in the MCC. Finding these experts is a very important and sometimes difficult stage. The judges you want to see in your MCC need to be contacted well in advance and acquainted with the case and grading procedure. Therefore, to procure a high-quality panel for your MCC is a must. Its composition again depends

on the case you were given, the field of law you covered and the support you received. It may be composed of: judges, lawyers, professors or academics, teachers, law practitioners, ELSA Alumni, Alumni of your National or Local Group or speakers at former ELSA events. The entire list of the above-mentioned is more than qualified to be part of the bench for your MCC.

The judges are one of the key elements to any kind of MCC and the suitable people usually have a very busy schedule in their professional lives - this is why it is imperative to establish contact with them as soon as possible. Make sure to do thorough research on people who you would like to invite as soon as you decide on the topic, the format and the dates of your MCC and reach out to them well in advance. This will not only increase the chances of them being available but also give you a more professional and organised image.

Info Session

An info session is an open meeting organised by the organising ELSA Groups. These sessions, hosted online or in-person, allow you to meet with participants and judges of your MCC in a more informal setting. It is the easiest place to share more information about your MCC and answer questions regarding the rules, structure, and procedures of the competition directly.

Marketing the MCC

Together with the VP in charge of Marketing, it is great to create a logo for the competition which you can use every year. This will increase the recognisability and professionalism of your MCC for the future. Before announcing the competition, it is necessary to create a solid promotion strategy and prepare the necessary materials and visuals.

Additionally, you should arrange awards, like cash prizes, books, some vouchers, pens etc. It can also help to arrange an internship with the law firm for the winners of the competition, because these prizes create even bigger incentives for students to register for your MCC. All these advantages can be used to market your competition to the students. When deciding on a promotion strategy and calendar, make sure to be versatile and creative, adapting the type of post, story or reel to each of the selling points, so they can fulfil their full potential.

The Budget/Fundraising

To better prepare your fundraising strategy you should prepare a budget. For a project like a Moot Court Competition, you may use the resources from the general budget of your ELSA group, or you can find a partner who will finance the competition. You may also charge a participation fee. However, if you have trouble finding teams, it is better to organise the competition without this participation fee and use only the money from the partnership or your ELSA budget. The first

thing to do is to set a precise, detailed and reasonable budget. Budgeting is the process of making a list of the items which will cause expenses for your Group and balancing them out with different sources of income.

When developing the budget, you should not allocate funds to unnecessary expenses. Think wisely, before setting the final, unavoidable amount to spend in each part. Once you have your budget finalised, it often happens that your predicted costs are higher than your resources, which is why budgeting with a contingency is an absolute must. This is the moment when a fundraising strategy will come in handy. This sometimes requires a lot of creativity, as fundraising does not necessarily only concern finding monetary support. Instead, make sure to explore the possibilities of in-kind support, such as partnering with a caterer, a copy shop or any other company that could help you reduce the costs you cannot avoid.

Tip: You may ask state and public institutions for financial support, for example, the Ministry of Education.

(Use *Annex 1 – Project documentation, Annex 4 Fundraising – General information, Annex 4 Budget*)

Partners

You should also decide if you want to have a partner who will help you with the MCC. A partner can cover a sizeable amount of the expenses, prepare a case for you, provide judges and provide you with the premises of their office for the oral phase. To find a partner use the project documentation and approach potential partners via e-mail. Once you find the partner, you should be prepared to create a contract or partnership agreement between your ELSA Group and partner.

Venue

The requirements in a venue always depends on several attributes:

- The size of the Moot Court Competition;
- The support of the Moot Court Competition;
- The programme and activities you want to organise at the venue.

For a national MCC or a bigger local MCC, a courtroom is the most suitable venue. Some law faculties have special rooms for MCCs, so you could research those opportunities too. If you have a partner, ask them if they can provide you with the office or premises of their law firm. Some other institutions might also be addressed.

For a local MCC, a room in a law faculty building is more than enough. Make sure that the room has at least three tables big enough to accommodate two teams and a panel of judges. Do not forget that you should always have one special room which will be used as a waiting area. It is always a nice touch to include some refreshments for judges and participants.

Always bear in mind that even a small MCC should be always provided with a ceremonial announcement of the results and a reception. This “finishing line” of an MCC is a great way to ensure:

- The honourable mentions of the court members, the participants and the OC;
- The possibility for the participants to discuss their topics with the judges and partners in a less formal setting;
- The high quality and experience of the competition overall.

What to keep in mind when booking the pleading venues:

- Ideally, one month before the final round, it is necessary to book a room where the final round will be held;
- Timekeepers should be seated opposite the Judges and teams on both sides of the Judges;
- You need to create a real courtroom atmosphere whatever your venue/room is.

II. Second Stage - At the time of MCC

Written submissions

A Written Submission means the written pleadings of each participating team, written and submitted in accordance with the rules of the respective MCC.

After the deadline for sending the team's Written Submissions, it is necessary to anonymise and evaluate them. If judges will evaluate the Written Submissions, you have to send evaluation sheets to judges, at the same time. If the written stage is an elimination round, it is important to send information to the teams who are not proceeding to the next stage of the competition, as well as the qualifying teams and communicate the next steps to them.

Oral Pleadings

We have arrived at the heart of every moot court: the hearing. The oral round is when your actual event culminates. Oral Pleadings are the teams' pleadings, comprising two or more speakers, submitted orally in front of judges or a panel, on behalf of one of the parties against another team representing the opposing party.

Preparation process:

- It is necessary to prepare rooms, arrange tables, banners, and all necessary materials;
- For judges: scoring sheets and pens, a glass of water and ideally name cards;
- For Timekeepers: stopwatch, timekeeper guidelines and sheets. Some volunteers should act as timekeepers during the oral pleadings. The timekeeper should be able to introduce the case and the panel of judges.
- Make sure there are water, refreshments, cups, paper towels in the pleading rooms.

Final Round

Congratulations! Your hard work led you to the final of your MCC, but you should bear in mind that the final round of each MCC itself requires good preparation. It is time to bring more people who can help you during the final round (e.g. photographer, cameraman, witnesses, etc.).

Keep in mind that your time management is especially important before the final:

- 2 weeks before — the person in charge of Marketing should create diplomas and certificates for participants, which should be printed by the time of the final day;
- 1 week before — all materials necessary for the final round, including the case, evaluation sheets, competition schedule, rules and etc. should be prepared and printed;

- 2-3 days before — prizes, refreshments or food for coffee breaks should be taken care of.

Considering all of the attributes, bear in mind that even a small MCC should be always provided with a ceremonial announcement of the results and the reception.

(Use: *Annex 6 – timekeeping*, *Annex 8B – score sheets oral pleading*)

Error Handling and Crisis Management

Mistakes happen and that is normal. As you will probably realise during the process of organising an MCC, even if you do everything reasonably possible to avoid errors, these are likely to occur in one way or another.

Although the nature of these errors is often unpredictable, there are some common principles you should adhere to as a means to cope with them:

First and foremost, hope for the best but prepare for the worst - make sure your rules are as extensive as possible to ensure you have guidelines on how to address unclear situations. On this note, it is also important to make sure you have a flexibility clause (a provision in the rules which allows the OC to amend the rules of the competition unilaterally and at any point). Although this may not be feasible in larger or more prestigious moot courts, it can come in quite handy in smaller competitions to address these situations.

Never forget that you are the ultimate authority figure! If you see a judge wrongly interpret the rules for example, do not be afraid to interrupt and correct them. Although this may seem intimidating, they will understand that you are the most knowledgeable person when it comes to the ‘procedure’ around the competition and comply. Addressing the issue at its root will ensure that the error will not get out of hand and further impair the competition. Additionally, make sure to also instruct your timekeepers that they are the “guardians of the rules” during the pleadings and encourage them to step up if the regulations are not being followed or being questioned.

Lastly, if it comes to it, you might just have to improvise. This is of course not ideal, but sometimes the error is just completely out of your control so you will have to adapt to unforeseen circumstances. In these situations, it is often best to discuss the matter with judges and participants and try to reach a consensus on the best way to proceed. Although it is important to take their opinion into consideration, never forget the previous piece of advice: you are the ultimate authority figure so don’t be afraid to make a decision that will not satisfy all the parties if you think that is the best way to proceed.

Now that we covered the baseline principles for error handling, here follows some advice on how to address some of the most common situations you might be confronted with:

Team dropping out last-minute: This is one of the biggest fears organisers face. If you have a moot court with more than two teams, you can try to change the format of the competition so as to allow all present teams to participate. If there are just two teams, then the situation becomes more complicated. You can try to reschedule the event but this may be complicated due to timing constraints of the participants and judges. One preventive measure you can put in place is a penalty system. For example, if a team drops out of a moot court, they will be banned from participating in ELSA events until the end of the academic year.

Judges dropping out: One golden rule to avoid having to reschedule the competition in these circumstances is to always have a panel of three judges. Aside from adding value and seriousness to your moot court, this will also allow you to have safeguards in place if one or two judges drop out. In case you have only one judge and they drop out, you can try to find a replacement. Having a list of reliable judges can be of great help in these circumstances. Make sure the judges consent to being placed in one of these lists to avoid any data protection-related concerns.

Loss of venue: If you lose the venue last minute, always try to ask for an alternative. This is especially important if you have paid to use it or had an agreement in place. If this does not work, aside from trying to find a new venue or rescheduling, remember you always have the possibility to move the competition to an online setup. Although this is not ideal, it will at least allow you to go through with the event.

Judge/participant incorrectly applying or interpreting the rules: this is perhaps the most common error you will see in moot courts but, luckily, it is also one of the easiest ones to address. In these circumstances, have the timekeeper or OC interrupt the competition to address the matter. That said, it can happen that sometimes the mistake is so irrelevant to the substance of the competition that it won't have much of an impact on it. In these cases, it is up to the OC to strike a balance and choose whether it is even worth addressing.

OC Responsibilities

As mentioned above, general rules are for the Organising Committee itself, the judges and participants. However, we consider it necessary to emphasise how the OC should treat judges and teams, and what should be done only from the perspective of the OC.

During the MCC the responsibilities of the OC are:

- Distributing materials;
- Introducing the case and the panel of judges before the start of the pleadings;
- Writing and delivering the opening speech (the introductory speech should include explaining what MCCs are about, thanking judges and sponsors, acknowledging the OC's efforts, wishing participants "good luck" and referring to your brochure and availability of your case);
- Sending out invitations for the sponsors and university. Send out judging materials to the members of the panel/s (bench/es) of the oral pleadings along with the venue (how to get there, agenda and "thank you" note);
- Having certificates for participants, prizes for winners and gifts for the judges at hand.
- Taking pictures, mainly with winners, partners, banners and certificates;
- Being flexible (just make sure everyone knows when any changes are happening).

Specificities regarding Judges:

- Distribute scoring documents to judges;
- Buy gifts for the judges, such as chocolates;
- Always check whether they need something or have any questions;
- Be attentive to the lawyers or your professors who are participating as judges, respect their time and effort.

Refreshments

You can have refreshments for teams and judges after the competition, so they can talk about the competition together and also some snacks during the whole day.

(Use: *Annex 6 – timekeeping, Annex 8B – score sheets oral pleading, Annex 3 – promotion*)

III. Third stage - After the event

Awards

An award is your mark of recognition given in honour of the achievements of participants in the MCC. You should have a transparent system, e.g. a scoring system, in place that determines who best fits the “Best of” nominations, for example, Best Speaker, Best Memorandum, etc. and give them a prize.

“Thank you” notes

- Thank the Organising Committee for their work (e.g. organise an OC night out, etc.);
- Send a thank you letter to all the people/partners who supported the event (e.g. sponsors, professors, in-kind sponsoring, OC etc.);
- Certificates of appreciation;
- Report (short description of the organising efforts, competition results, responses from the participants, judges, the audience and maybe use of donations).

Team evaluation

- Send teams the evaluation of their work from the evaluation sheets;
- Then you need to create a feedback form that you send to the teams and ask them to fill it out, so you know what to improve and what to keep in the coming editions;
- Conduct an evaluation meeting with the partner/sponsor;
- Prepare a document when you write what could be improved by your successor.

(Use: *Annexe 3 – promotion*)

Media coverage and marketing materials

You made it! The hearing is over. However, the moot court does not end here. Rather, you must make sure that all your efforts are worth it and your MCC gets well-deserved media attention and visibility. Furthermore, you can already lay a sustainable foundation for an upcoming edition by maintaining contact with sponsors and supporters.

Use the event as a networking opportunity:

- Organise a reception in relation to the Oral Pleading;
- Create and watch a video about the MCC;
- Official report which would include pictures of the teams’ pleadings;
- Report on the way your budget was carried out (for the sponsors and supporters);

- Report how each faculty/law school was represented (if the MCC was open to students from different universities).

Media coverage:

- Picture gallery online (send pictures or link to participants, sponsors etc.);
- Picture gallery/Poster stand in ELSA office or at the next ELSA event;
- Post a video from the event on social media;
- Newspaper/ University paper article;
- Newsletter of your ELSA group;
- Write an article for Synergy.

Additional materials (to be updated)

The following materials were created as templates. They can be downloaded through the following [link](#) and are ready to be adjusted and used by you for your MCC:

1. Annexe 1 – Project Documentation
2. Annexe 2 – Rules_general information
3. Annexe 2a – Rules_basic
4. Annexe 2b – Rules_specific
5. Annexe 3 – Promotion
6. Annexe 4 – Fundraising_General information
7. Annexe 4a – Budget (the easy way)
8. Annexe 4b – Budget
9. Annexe 5 – Timetable (to-do list)
10. Annexe 6 - Timekeeping
11. Annexe 7 – Guidelines for Judges
12. Annexe 8A – Score sheets_written submissions
13. Annexe 8B – Score sheets_oral pleading
14. Annexe 9 – Guidelines for Participants
15. Annexe 10 – Organising Committee
16. Annexe 11 – Problems and solutions
17. Annexe 12 – Virtual Moot Court Competition Guidelines

Contact details

Aliena Trefny

Vice President in charge of Competitions

International Board of ELSA 2024/2025

competitions@elsa.org

Anvar Huseynov & Yeva Komar

Assistants for Moot Court Competitions

ELSA International Team 2024/2025

mootcourt.competitions@elsa.org

Giorgio Lanfranco

Director for Competitions

ELSA International Team 2024/2025

director.competitions@elsa.org