



VICTORIAN  
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## Warren Moot – Rules of Participation

### 1. Application of Rules

1.1 By registering in the Warren Moot competition, a participant agrees to be subject to these Rules.

### 2. Registration, Eligibility and Teams

2.1 All participants in the Warren Moot must be current members of Victorian Women Lawyers (VWL) and must be female or female identifying.

2.2 A team must comprise two counsel (ie, one Senior Counsel and one Junior Counsel) and one or two instructing solicitors (**Team**). A Team must notify the Mooting Coordinator of any changes to the members of a Team as soon as practicable.

2.3 Members of a Team may switch roles from one round to another.

2.4 Team members may not be replaced or substituted once the Warren Moot has commenced.

2.5 A Team which forfeits a moot will not be eligible to compete in any other round and their opposing Team will be deemed to have won that moot.

2.6 A Team that does not meet the requirements of rule 2 may be disqualified from participating in the Warren Moot.

### 3. Competition structure

3.1 The competition will comprise one practice round (**Mock Trial Round**), up to three knock out rounds (**Knock Out Rounds**) and a Grand Final round (**Grand Final**).

3.2 To qualify for the Grand Final, a Team must participate in the Mock Trial Round and each Knock Out Round.

3.3 The fixtures for each round will be randomly allocated by the Mooting Coordinator and notified to participants in advance of each round.

3.4 The mooting problem may be based on any area of law.

### 4. Competition format

4.1 A fact scenario/problem for each round (with the exception of the Mock Trial Round) will be distributed via email by the Mooting Coordinator at least 14 days before the relevant round.

VICTORIAN WOMEN LAWYERS

GPO 2314 Melbourne VIC 3001

DX 350 MELBOURNE

Telephone 0473 344 065 Email [vwl@vwl.asn.au](mailto:vwl@vwl.asn.au) [www.vwl.asn.au](http://www.vwl.asn.au) ABN 32 198 567 354



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- 4.2 A Team must not seek or receive any assistance with research or preparation in relation to any fact scenario/problem.
- 4.3 Teams must submit to the Mooting Coordinator, via email, an outline of each Counsel's written submissions (3 pages in total maximum) by 12 pm the Friday before their round (**Submission Due Date**). Any submissions not received by the Submission Due Date will be treated as being late and for each hour the submission is late, one point will be deducted from the marking category 'Written Submission' (see rule 7.3). Authorities referred to in the submissions should contain full citations.
- 4.4 In preparing their argument, Teams must limit themselves to the facts provided in the mooted problem.
- 4.5 During each moot:
- (a) Counsel may speak for 15 minutes each or Senior Counsel may speak for 20 minutes and Junior Counsel may speak for 10 minutes (the division of time must be specified in the written submissions); and
  - (b) Counsel may seek, by the leave of the court, a right of reply. The right of reply must be limited to responding to matters raised in the opposing Team's submissions. The adjudicator retains the right to stop counsel exercising their right of reply if it is not responsive.
- 4.6 A timekeeper will be allocated to each moot and will indicate when counsel has reached their time limit. By a method disclosed to participants at the beginning of the round, the timekeeper will provide Counsel an indication of time at 2 minutes before the time by which each Counsel is supposed to conclude their submissions by.
- 4.7 Penalties may apply if Counsel exceeds their allocated time.

**5. Coronavirus (COVID-19) Pandemic**

- 5.1 In light of the COVID-19 pandemic, the Warren Moot may be held virtually by way of videoconference. The Mooting Coordinator will advise each Team at least 14 days prior to each round of the venue for the round. The Mooting Coordinator will provide Teams with



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videoconference details where necessary.

- 5.2 If the Warren Moot is held virtually by way of videoconference, each Team must endeavor to:
- (a) complete the competition in a quiet location where sound can be controlled as much as possible, or if not possible, a headset with a microphone (Clip-On/Lapel Microphone) may be used;
  - (b) have good and stable internet connection by completing a Speed test looking at Upload Speed of at least 10Mbps, and if lower, to make use of mobile phone data for high speed 4G connection;
  - (c) mute microphone when not speaking; and
  - (d) have downloaded the latest version of the videoconferencing platform VWL has nominated to hold the Moot.

**6. Court Etiquette and Attire**

- 6.1 All formalities of Court must be preserved unless dispensed with. We recommend that Teams research courtroom etiquette prior to competing.
- 6.2 With the exception of the Grand Final, participants will be required to wear business attire for the Warren Moot.
- 6.3 If the Grand Final is held in the Supreme Court of Victoria, Counsel of each Team participating in the Grand Final will be required to wear robes. Please contact the Mooting Coordinator if you require assistance in organising robes for the Grand Final. If the Grand Final is held virtually by way of videoconference, participants will be required to wear business attire.

**7. Adjudication**

- 7.1 The decision of the adjudicator at the conclusion of a moot is final.
- 7.2 An adjudicator may, at their discretion, ask questions of Senior Counsel or Junior Counsel during their submissions. It is presumed that Teams will factor this into their speaking time.
- 7.3 Marking will be as follows, with 10 being the best available mark for each category:



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	Written Submissions																			
	1 2 3 4 5 6 7 8 9 10																			
	Senior Counsel										Junior Counsel									
Organisation and Presentation	1	2	3	4	5	6	7	8	9	10	1	2	3	4	5	6	7	8	9	10
Development of Argument	1	2	3	4	5	6	7	8	9	10	1	2	3	4	5	6	7	8	9	10
Responses to questions from the Bench	1	2	3	4	5	6	7	8	9	10	1	2	3	4	5	6	7	8	9	10
Speaking ability and delivery	1	2	3	4	5	6	7	8	9	10	1	2	3	4	5	6	7	8	9	10

7.4 The adjudicator will announce the winning Team at the end of the round.

7.5 Individual marks will not be provided to the Teams and the adjudicator's assessment sheet will be returned (or emailed) to the Mooting Coordinator for their records.

7.6 Draws are not permitted.

## 8. Moot Materials

8.1 All information and documents provided by VWL to a Team (eg, a fact scenario/problem) or by a Team to VWL (eg, a written submission) during the course of the Moot remains the property of VWL and is strictly confidential and must not be distributed to any person outside of the Team without the prior written consent of VWL. This rule survives the completion of the Moot.

8.2 A Team must notify the Mooting Coordinator of a breach of rule 8.1 as soon as practicable.

## 9. Breach of Rules

9.1 VWL reserves the right to disqualify any Team for breach of these Rules or for unacceptable conduct as set out in rule 9.2 below.

9.2 Unacceptable conduct includes, but is not limited to:

- (e) failing to appear at a moot without prior notice;
- (f) delaying the progress of any moot;
- (g) failing to respect the authority of an adjudicator; or
- (h) breaching these rules or the rules of VWL.