

VWL Warren Moot – Rules of Participation

1. Registration, Eligibility and Application of Rules

- 1.1 The Warren Moot is open to law students, law graduates and solicitors. Consistently with the purposes of Victorian Women Lawyers (**VWL**), all participants in the Warren Moot must be women.
- 1.2 All participants must be VWL members of at the commencement of, and for the duration of, the competition.
- 1.3 To participate in the competition, VWL and the Moot Coordinator will invite participants to register via the VWL website. Registrations will be open for a time specified by the VWL. Participants must register via the nominated form and must email the Moot Coordinator at competitions@vwl.asn.au with their team's name and members before the deadline specified on the VWL website. Participants who do not email the Moot Coordinator with a team may be placed on a waiting list with individuals seeking to join a team. Please note that places are limited and team placement is not guaranteed.
- 1.4 By registering to participate in the Warren Moot, a participant agrees to be subject to these Rules and commits to maintaining their participation in every round of the competition in which they are invited to participate, up to and including the Grand Final.
- 1.5 All information and documents provided as between VWL and participants in the Warren Moot remains the property of VWL, and is strictly confidential and must not be distributed to any person who is not a participant in the Warren Moot without the prior written consent of VWL. This rule survives the completion of the Moot.

Administration

2. Moot Coordinator

- 2.1 The Warren Moot is administered by VWL volunteers who report to the VWL President and Executive Committee. An individual may have the role of Moot Coordinator, and the role may be shared by two individuals.
- 2.2 The Moot Coordinator will act as a contact person for adjudicators and teams invited to participate in the competition.
- 2.3 The Moot Coordinator is responsible for the general organisation and facilitation of the competition, including but not limited to:
 - (a) registration of and communication with participants prior to the commencement of the competition;
 - (b) confirmation of the fixture, problems, venue and adjudicators for each round;
 - (c) accepting the written submissions on behalf of each team;

- (d) distribution of materials to participants and adjudicators prior to each round; and
 - (e) collation and communication of the results, and notifying participants of the outcome of each round.
- 2.4 The Moot Coordinator may be asked to clarify an issue raised by a moot problem. The Moot Coordinator will make a determination and communicate the query and the decision to all teams. The Moot Coordinator's decision on all queries is final.
- 3. Competition structure**
- 3.1 The competition consists of four (4) moots, including:
 - (a) three (3) knock out rounds (each a **Round** and together the **Rounds**); and
 - (b) a Grand Final round (**Grand Final**).
- 3.2 The fixtures for each Round will be determined by the Moot Coordinator, and notified to participants in advance of each round. The Grand Final will take place between the two highest-scoring teams following the conclusion of the third Round.
- 4. Time and venue**
- 4.1 The Moot Coordinator will fix the dates and the venue for each Round of the competition. Spectators may not attend the Rounds however may register to attend the Grand Final.
- 4.2 The Rounds and the Grand Final will take place after 5pm on a weekday (Monday to Friday). Teams should be present at the venue at least 15 minutes prior to the scheduled start time.
- 4.3 Other than in extraordinary circumstances, it will not be possible to negotiate a change in any date or venue, and requests to reschedule a Round or the Grand Final will not be accepted. A team which does not have a minimum of three (3) members present for a Round or the Grand Final may be disqualified and deemed to forfeit that Round or lose the Grand Final.
- 4.4 VWL reserves the right to hold the Warren Moot in an online format, however unless otherwise advised, all participants must appear in person at the time and venue directed by the Moot Coordinator.
- 5. Teams**
- 5.1 A team must comprise a minimum of three (3) participants and a maximum of four (4) participants (**Team**).
- 5.2 A Team must notify VWL of any changes to the members of a Team as soon as practicable, and before the commencement of the Warren Moot. Team members may not be replaced or substituted once the Warren Moot has commenced.
- 5.3 Each Team must be structured to comprise two counsel (i.e., one Senior Counsel and one Junior Counsel) and one or two instructing solicitors who may appear but must not speak during the moot.

- 5.4 Prior to each Moot, a Team must notify the Moot Coordinator of which Members will be fulfilling each of these roles. Members of a Team may rotate roles from one Round to another.

6. Adjudicators

- 6.1 Each Round of the Warren Moot will be adjudicated by members of the Victorian Court of Appeal, Supreme Court of Victoria, County Court of Victoria, Federal Court of Australia, Fair Work Commission or the Victorian Bar. The Grand Final will be adjudicated by the Honourable Professor Marilyn Warren AC KC and the Honourable Justice James Elliott.
- 6.2 Each moot will be heard by one (1) adjudicator, unless otherwise notified to participants at least 7 days in advance of the Moot.
- 6.3 Adjudicators will assess Teams written and oral submissions using a scoresheet and marking criteria determined by VWL. The Moot Coordinator will provide adjudicators with these Rules, the relevant Teams' written submissions, the factual scenario or problem, and scoresheet prior to the competition round.
- 6.4 Adjudicators may ask questions of participants during the Moot. It is presumed that Teams will factor this into their speaking time. Team members will be scored on their ability to answer questions from the bench.
- 6.5 At the conclusion of a moot, the adjudicator and timekeeper may leave the room the deliberate. After any deliberations, the adjudicator will:
- (a) announce which Team presented the best developed argument in written and/or oral submissions;
 - (b) nominate a best speaker in that moot;
 - (c) provide feedback to the Teams on their individual and/or team performance; and
 - (d) announce the winning team.
- 6.6 The decision of the adjudicator at the conclusion of a moot is final. Scores and score sheets will not be provided to the Teams and the adjudicator's assessment sheet will be returned to the Moot Coordinator for record keeping.

Pre-Moot procedures

7. Fact scenarios/problems

- 7.1 A fact scenario/problem for each Round will be distributed via email by the Moot Coordinator prior to the relevant Round.
- 7.2 Each moot problem may be based on any area of law, and will typically rotate subject matter from Round to Round, e.g. Round 1 criminal law, Round 2 employment law, Round 3 competition and consumer law, Grand Final common law (this is an example only and may not be reflective of the actual areas of law).
- 7.3 The Moot Coordinator reserves the right to determine the areas of law and subject matter for the problem in each Round and the Grand Final.

- 7.4 Participants must not seek or receive any assistance whatsoever with research, analysis, drafting, or preparation of any kind for making written or oral submissions in relation to any factual scenario/problem provided in the Warren Moot.

8. Written submissions

- 8.1 Each Team must prepare and lodge written submissions by email to the Moot Coordinator no later than 12.00pm (midday) AEST on the Friday immediately prior to the Round (**Submission Due Date**).
- 8.2 Any submissions not received by the Submission Due Date will be treated as being late, and for each hour or part thereof that the submissions are late, two (2) points will be deducted from the marking category 'Written Submissions'.
- 8.3 A Team which fails to provide written submissions by the Submission Due Date will be deemed to forfeit that Round, except by notice to and prior agreement with the Moot Coordinator and the opposing Team in that moot.
- 8.4 Adjudicators will evaluate the written submissions having regard to structure and adherence to the fact scenario. In preparing their argument, Teams must limit themselves to the facts provided in the moot problem. Submissions should not include facts beyond the fact scenario or distortions of stated facts.
- 8.5 The written submissions should outline the team's main arguments, and must follow these formatting rules without exception:
- (a) No more than three (3) typed and numbered pages contained in a single file in Microsoft Word or as a PDF
 - (b) Margins must be a minimum of 2.5 centimetres
 - (c) Type must be in Arial 12 point font and double-spaced
 - (d) All citations to follow the *Australian Guide to Legal Citation 4th Edition*
 - (e) Footnotes may be single-spaced
 - (f) A fourth (4th) page containing a list of authorities only may follow the written submissions and will not count towards the length of the submissions. No other attachments, appendices or addenda are permitted.

Moot procedures

9. Court Etiquette and Attire

- 9.1 All formalities of Court must be observed, unless dispensed with by leave of the bench. VWL recommend that Teams research courtroom etiquette prior to the first Round.
- 9.2 With the exception of the Grand Final, participants will be required to wear formal business attire for each Round of the Warren Moot. Please notify the Moot Coordinator if you will require assistance in organising a suit jacket for the evening.

- 9.3 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 Moot 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.

10. Oral submissions

- 10.1 Each Team will have 30 minutes in which to make their oral submissions and respond to questions from the adjudicator.
- 10.2 Teams must indicate to Moot Coordinator on the front page of their written submissions the division of speaking time between Counsel, which may be divided in either:
- (a) 20 minutes to Senior Counsel and 10 minutes to Junior Counsel; or
 - (b) 15 minutes each.
- 10.3 Alternative time divisions are not permitted (e.g. 17 / 13 minutes).
- 10.4 A Team which fails to appear at their moot will be deemed to forfeit and the opposing Team will automatically win that Round or the Grand Final.
- 10.5 A timekeeper will be present at each moot and will indicate, by a method disclosed to Teams at the beginning of the moot, when the speaker has:
- (a) two (2) minutes remaining; and
 - (b) reached the end of their speaking time.
- 10.6 If a speaker exceeds their nominated speaking time, the timekeeper will record a one (1) point penalty per minute or part thereof, and will communicate this to the adjudicator at the conclusion of the Round when the scores are to be tallied.
- 10.7 A Team may seek, by the leave of the court, a right of reply. The right of reply must be limited to a maximum of **five (5) minutes**, and to responding to matters raised in the opposing Team's submissions. The adjudicator may stop counsel exercising their right of reply if it is not responsive.

11. Qualification for Rounds / Disqualification

- 11.1 To qualify for participation in any of the Rounds and the Grand Final, a Team must have complied with these Rules and must not be found to have engaged in unacceptable conduct at any time.
- 11.2 For the avoidance of doubt, 'unacceptable conduct' includes, but is not limited to:
- (a) failing to submit written submissions or appear at a moot without prior notice to the Moot Coordinator and opposing Team;
 - (b) delaying the progress of any moot;
 - (c) failing to respect the authority of an adjudicator; or

- (d) breaching these Rules, or the VWL Rules of Association (see esp. Rule 19).
- 11.3 VWL reserves the right to disqualify any Team or individual participant for any breach of these Rules, or for unacceptable conduct as set out in Rule 11.2 above.
- 11.4 A Team which forfeits, or is deemed to have forfeited a Round pursuant to Rules 4.3, 8.3 or 10.4, will not be eligible to compete in any subsequent Round or the Grand Final, and their opposing Team will be deemed to have won that moot.