

# **International Moot Court Competition** **in *Law and Religion***

Cordoba, Spain

16-17 September 2022

[Competition Rules](#)

## 1.0 – General Rules

### 1.1 – The Organizing Committee

The Competition is organized by an Organizing Committee of law scholars, supported by ICLARS and sponsored by International Center for Law and Religion Studies (ICLRS). The members of the Organizing Committee are published online on the Cordoba ICLARS Conference website ([iclars2022cordoba.org](http://iclars2022cordoba.org)) and on the Facebook Page of the [International Moot Court in Law & Religion](#).

The Organizing Committee shall be responsible for all organizational matters concerning the Competition and shall supply and distribute all necessary information to the participating teams.

### 1.2 - The Drafting Committee

The Drafting Committee is composed of a panel of qualified jurists, whose names and affiliations will be published online on the Cordoba ICLARS Conference website and on the Facebook Page of the [International Moot Court in Law & Religion](#).

The Drafting Committee has the task of drafting the Case, which will be published online both on the Cordoba ICLARS Conference website and on the Facebook Page of the [International Moot Court in Law & Religion](#).

### 1.3 – The Judges

The Law & Religion Moot Court Competition will consist of two panels of scholars and judges who will act as Judges of one the two following Courts:

The European Court of Human Rights  
The Supreme Court of the United States

The judges' names, affiliations and professional profiles will be published online.

### 1.4 – Teams and Team Advisor

The competition is open to students enrolled in a university pursuing an undergraduate or graduate degree in Law.

Teams made up of students coming from different universities are eligible to participate in the Competition at the discretion of the Organizing Committee.

Applying Teams may decide whether to argue the Case in front of one of the two Courts or in front of both.

Participating Teams may be composed of a minimum of 2 to a maximum of 4 members. If a Team decides to compete for both Courts, the number of team members on that team can go up to 6.

Only team members can be involved in the work of the Team.

**ORGANIZING COMMITTEE:** Ana María CELIS BRUNET, Pontificia Universidad Católica de Chile; Javier MARTÍNEZ-TORRÓN, Complutense University, Madrid; Francesca GENOVA MATOZZO, Notre Dame Law School; Juan G. NAVARRO FLORIA, Pontificia Universidad Católica Argentina; Tania PAGOTTO, University of Milan-Bicocca; Andrea PIN, University of Padua; Giada RAGONE, University of Milan; Luca VANONI, University of Milan; Brett SCHARFFS, Brigham Young University; Rodrigo Vitorino SOUZA ALVES, University of Uberlandia, Brazil.

Each Team may decide to be assisted by a Team Advisor who has the task of organizing, advising and training the members. The Team Advisor is not allowed to actively take part in the Oral Pleading, however she/he may attend.

## 2.0 – Structure of the Competition

Due to time constraints, the Organizing Committee will accept only a limited number of teams. The selection will follow the chronological order of applications.

Selected Teams are expected to pay a fee of 40 euros once selected. More details will follow by email.

### 2.1 – Timeline

**2 May 2022** Online release of the Case.

**1 July 2022** Deadline for teams to express interest in participating in the Moot Court. Teams must send an email to [mccordoba2022@gmail.com](mailto:mccordoba2022@gmail.com) with team information and include which court (or both) the team plans to argue before. See Section 3.1 below for complete information.

Deadline for teams to request clarifications regarding the facts of the competition case.

**15 July 2022** Date by which the Organizing Committee will respond to any requests for clarification.

**1 September 2022** Deadline for submitting two Briefs and of two electronic Court Bundles (see Section 5.1). Each team must file two Briefs for each court that it will be pleading before, one for the applicant and one for the respondent. If more than four teams apply to argue before each jurisdiction, the organization will competitively select teams based on the quality of the Briefs that have been filed.

**5 September 2022** The organization will inform the Teams about the role assigned to each Team.

**8 September 2022** Deadline for teams to provide the names of all the members of the Team (see par. 7.1)

**10 September 2022** Deadline for teams to provide the names of the Oralists and the order in which the Oralists will plead before the Courts.

**16-17 September 2022** The selected teams will gather in Cordoba for the oral rounds.

### 2.2 - Structure

The oral round will take place over a period of 3 sessions:

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### SESSION 1

The Organizing Committee will present the Competition and the topic of the case.

### SESSION 2

Arguments before one Court will take place, followed by arguments before the other Court. The exact schedule will be provided at a later date.

At the hearings before both Courts, each Team (Applicant/Petitioner and Respondent) will be allotted 30 minutes to present their argue.

The Applicant/Petitioner Team can reserve 5 minutes for rebuttal. Each Applicant Team should alert the judges at the start of argument if it wishes to reserve that time.

The judges will have the opportunity to ask questions during the pleadings.

### SESSION 3

Each Court will express an oral judgment about the argumentations and the work of the Teams, will give some advice about the presentations and will declare which Team was best in filing a Brief and in arguing. It will also announce an award of Best Oralist. If two or more Teams have argued before both Courts, a Team will be proclaimed winner of the competition.

## **2.3 – Language**

The Competition (e-mails, communications, written Briefs, oral Pleadings and Judgments) will be entirely held in English. No translation will be provided.

## **3.0 Registration**

### **3.1 – Team Registration**

Each Team must register by providing the Organizing Committee with all the details required in this Section of the Competition Rules (Section 3.1) and by sending an email to [mccordoba2022@gmail.com](mailto:mccordoba2022@gmail.com)

At the time of registration, each Team shall select a Member who will be both the official Team contact person and responsible for the correspondence between the Team and the Organization.

Notice sent to the Team contact person constitutes notice to all of the Team members. All Teams are invited to follow the Facebook Page of the [International Moot Court in Law & Religion](#).

Each Team may decide to specify whether it will be supported by a Team Advisor.

In the email, each Team must select the Court before which they intend to plead the case or decide to select both.

## **4.0 Case and Clarifications**

### **4.1 – The Case**

A fictitious case is drafted by the Drafting Committee. The Case shall concern human rights, social rights and religious freedom.

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The case will be published online on the Cordoba ICLARS Conference website and on the Facebook Page of the [International Moot Court in Law & Religion](#) on the date specified in the Timeline (2.1).

#### **4.2 – Request for Clarifications**

Each Team may make a formal request via e-mail to the Organizing Committee for clarifications regarding the facts of the competition Case. Only one formal request for clarifications with a maximum of 3 questions may be made by any applying team.

Requests must be submitted by the deadline specified in the Timeline (2.1).

The Organizing Committee will reply to any request by the date specified in the Timeline (2.1). Questions and replies of general interest for the applying teams will be made available online on the Facebook Page of the [International Moot Court in Law & Religion](#).

### **5.0 Briefs and electronic Court Bundles**

#### **5.1 - General Rules**

By the deadline listed in Section 2.1, each Team must prepare two written Briefs, one for the applicant/petitioner and one for the respondent, and two separate electronic Court Bundles, one for the applicant/petitioner and one for the respondent, for each Court it is pleading before. A Team may file four Briefs (two for the two applicants and the other two for the two respondents) and four electronic Court Bundles (two for the two applicants and the other two for the two respondents), in the event it applies to compete before each of the two Courts.

Written Briefs will be used by the Organizing Committee to assign roles to each team.

After roles are assigned to selected teams, each Team will receive the relevant Brief of the Team it is arguing against; no other Briefs will be circulated before the hearings are held.

After each selected Team is accorded a role, the Briefs will be assessed by the Judges.

Each Brief shall be no longer than 16 pages (excluding front page, table of contents, and table of authorities, which may be counted separately).

Each Brief shall be written in English.

The two electronic Court Bundles (one for the Applicant's/Petitioner's Brief and one for the Respondent's Brief) shall contain any authority referred to or quoted throughout the Briefs, such as, but not exclusively: case-law, literature, newspaper articles, expert reports, and any other relevant documents. The Court Bundles shall be divided into sections (case-law, literature, etc.), have a front page (see 5.2) and a table of contents.

The two Briefs and the two electronic Court Bundles must be submitted by e-mail to [mccordoba2022@gmail.com](mailto:mccordoba2022@gmail.com) within a single email.

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Each Brief and each Court Bundle must be electronically submitted in PDF format.

The body of the email in which each Team submits the Briefs and the Court Bundles must specify: *a)* Team number; *b)* the jurisdiction (*i.e.* ECHR or U.S. Supreme Court).

The Organization will notify each Team upon receiving the Briefs and the Court Bundles.

## **5.2 – Parts of the Brief**

- a. Front Page
- b. Table of Contents
- c. Table of Authorities (List of sources/authorities)
- d. Statement of Relevant Facts
- e. Questions Presented
- f. Summary of Arguments
- g. Arguments (including what outcome parties seek and a conclusion)

### *a. Front Page*

The Front Page of the Brief must have only the following information, which should be in the following order:

The Team Number followed by “A” if an Applicant Brief or “R” if a Respondent Brief.

The name of the Case

The title of the document (*i.e.*, “Brief for Respondent” or “Brief for Applicant” or “Applicant Bundle” or “Respondent Bundle”)

### *b. Table of Authorities (List of Sources/Authorities and Footnotes)*

The list of sources must contain references to all page numbers where sources or authorities are used or cited in the “Arguments” section of the Brief. For the Supreme Court, this should be styled as a Table of Authorities.

### *c. Statement of Relevant Facts*

The Statement of Relevant Facts should be limited to facts relevant to the “Arguments” section in the Brief, and may not include unsupported facts, distortions of stated facts, argumentative statements, or legal conclusions.

### *d. Questions Presented*

In this section teams should present the legal questions the Court is being called upon to decide in the context of the case. They must be presented as neutral questions, *i.e.* teams should not state their position on the questions raised in this section.

(a) The questions must be precise, relevant to the facts and each question should ideally not be more than a sentence. While each legal question might have further sub-questions, teams must state only the main legal questions in this section. Usually, there are 4-5 main legal questions in every problem.

(b) The U.S. Supreme Court prompt already has three questions presented for teams to address. Teams may slightly alter how they phrase the question presented as a party would do before the U.S. Supreme Court but should keep to the substance of those three questions.

#### *e. Summary of Arguments*

A good Summary of Arguments should consist of a substantive summary of the “Arguments” section of the Brief, rather than a simple reproduction of the headings contained in the Arguments section.

#### *f. Arguments*

Substantive, affirmative legal argument or legal interpretation of the facts of the Case may only be presented in the “Arguments” section of the briefs. For the U.S. Supreme Court, this section should include a brief conclusion that asks the court to take a certain action (e.g. “For the foregoing reasons, this Court should reverse.”)

### **5.3 - Format and Style**

All parts of each Brief, except for the front page, the table of contents, must be in Times New Roman, size 12 and double-spaced. Margins: 2,5 cm/ 1 inch.

Headings and sub-headings throughout the Briefs may be in a different font size, underlined and/or highlighted if desired.

Footnotes must be single-spaced, Times New Roman, size 10.

Any discrepancy between the format and the Style as described in this Section and the Brief received by the Committee or the application of kerning can amount to a cause of exclusion of the Team from the Competition.

### **5.4 – Anonymity of Briefs**

Names of participants, and the nations or school name of Teams cannot appear on or within the Briefs. Each Team will be given a Team Number, which shall be a substitute for the Team’s institutional affiliation.

## **6.0 – Selection**

The Organizing Committee will assign the role of applicant/petitioner or respondent to each of the applying Teams. The roles’ assignment will be based solely on the substance of the arguments presented in the Briefs and will try to make the applicants’/petitioners’ and the respondents’ arguments match.

Teams competing before the two Courts may be given different roles (e.g., a Team may be requested to compete as a petitioner before the U.S. Supreme Court, and as a respondent before the European Court of Human Rights).

## **7.0 – Oral Pleadings**

### **7.1 - General Rules**

The selected Teams will participate in the Oral rounds of the Competition, which will be held in Cordoba, Spain.

By the deadlines specified in the Timeline (2.1), each Team has to communicate via e-mail *a)* the names of the Oralists; *b)* the order in which the Oralists will plead before the Courts; *c)* the names of all the Members of the Team

Each Team must prepare the Oral Pleadings for the role that was previously assigned by the Organizing Committee. If a Team has successfully applied for both Courts, it will have to prepare the Oral Pleadings before both Courts.

The Oral Pleadings will be in English.

A minimum of one and a maximum of two Team's Members shall plead and present the arguments at the hearings.

Any breach of the rules will be assessed by the sitting Court and may have consequences on a Team's final evaluation or lead to its exclusion from the Competition.

## **7.2 – Time allocation**

Each Team (Applicant/Petitioner and Respondent) shall have 30 minutes to present their arguments. The Applicant/Petitioner Team may reserve part of their 30 minutes for the rebuttal.

Each Team may divide its total 30 minutes as it deems best between its two oralists provided that:

- Each Applicant/Petitioner Team can decide to save time during the pleading and reserve it for rebuttal, provided that the Court is notified in advance.
- No more than 5 minutes shall be used for the rebuttal, if reserved.

A Member of the Organizing Committee will indicate the elapsed time at request of the Judges.

The time for the oral presentations may be reduced, if needed. If this happens, Teams will be notified in due course.

## **7.3 – Communication during Oral Pleadings**

During the Oral Round, oral communication is limited to the Judges and the Oralist presenting a Team's arguments.

While an Oralist is actively arguing before the court, communication between that Oralist and her/his Team's counsel table is prohibited.

Any communication between Team Members at counsel table shall be in writing. The Court will apply a penalty on the Team for any time an oral communication occurs.

Communication at the counsel table among Team Members shall be in writing.

## **8.0 – Judging**

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## 8.1 – Judging Briefs

Each Brief shall be individually and independently assessed by each Judge.

Briefs will be judged based on the following criteria:

- Correct legal analysis and its application to facts;
- Quality and extent of research, including citation of relevant treaties, customs, case law, regional judgments, academic writings, to the extent that any of these sources are applicable to the case;
- Recognition of problems: complete and correct recognition and weighting of problems;
- Correct primary and alternative submissions;
- Clarity of logic of arguments;
- Evidence of original thought;
- Overall presentation: language, structure, format, citations.

## 8.2 – Judging Oral Pleadings

Each Team's Oral Pleadings will be judged based on, but not limited to, the following criteria:

- Correct legal analysis and its application to facts;
- Use of relevant treaties, relevant customs, case law, regional judgments, and legal scholars, to the extent that any of these sources are applicable to the case;
- Recognition of problems: complete and correct recognition and weighing of problems;
- Clarity and logic of argument;
- Correct primary and alternative submissions;
- Evidence of original thought;
- Overall presentation;
- Ability to communicate with Judges: persuasiveness and fluency;
- Ability to respond to the opposing side's arguments.

## 9.0 Determining the Winners: Final Judgments

The final judgment considers the Team's Briefs and the Team's Oral Round performance *before one Court*. If a Team pleads before both Courts, two distinct judgments will be associated to it.

The winning Team before a Court shall be the Team with the best judgment.

Each Court will name the best Oralist of the hearings.

If more than one Team pleads before both Courts, the organization will declare a winning Comparative Competition Team.

Each Panel of Judges will express a judgment regarding the work of the Teams and will give them some advice about the presentations.

## NOTES

**ORGANIZING COMMITTEE:** Ana María CELIS BRUNET, Pontificia Universidad Católica de Chile; Javier MARTÍNEZ-TORRÓN, Complutense University, Madrid; Francesca GENOVA MATOZZO, Notre Dame Law School; Juan G. NAVARRO FLORIA, Pontificia Universidad Católica Argentina; Tania PAGOTTO, University of Milan-Bicocca; Andrea PIN, University of Padua; Giada RAGONE, University of Milan; Luca VANONI, University of Milan; Brett SCHARFFS, Brigham Young University; Rodrigo Vitorino SOUZA ALVES, University of Uberlandia, Brazil.

Each Team must bring any print materials to the competition upon which it wishes to rely in oral pleadings. The Organizing Committee will not provide any paper copies, and teams will not have access to a printer at the competition site.

## **INFO**

*For information about the Program*, potential teams and individuals can contact [mccordoba2022@gmail.com](mailto:mccordoba2022@gmail.com)