

CATHOLIC UNIVERSITY OF MBEYA



FACULTY OF LAW

INTERCLASSES MOOTCOURT
COMPETITIONS

RULES FOR THE INTERCLASS
MOOTCOURT COMPETITIONS 2024-
2025

The problem (or Record and rules for the competitions) is available on the following website; www.cuom.ac.tz.

1. COMPETITION COMMITTEE AND FORUM

1.1 Competition Committee Defined

The Competition Committee is comprised of lecturers teaching moot court and other members. Members of the Competition Committee will not be actively affiliated with any team registered to participate in the Competition.

1.1.1 Powers of the Competition Committee

- (a) The Competition Committee has the sole discretion to enforce all Competition rules.
- (b) The Competition Committee has the sole discretion to interpret the Competition rules. No interpretation of the Competition rules is valid unless obtained in writing from the Competition Committee.
- (c) The Competition Committee has the sole discretion to answer questions about the Record and all other materials related to the Competition.
- (d) The Competition Committee has the sole power to resolve any dispute that may arise during the Competition.
- (e) The Competition Committee has the power to change or supplement the Competition rules, should any changes or supplements become necessary. Changes and supplements will be communicated to participating teams as quickly as possible.

2. Questions and Inquiries

Any questions or inquiries about the Competition should be directed to **moot court coordinator in writing**. To the extent a question or inquiry affects other teams, a copy of each written question and answer will be circulated to all participating teams. The inquiries should be made before the deadline for submission of the memorials.

3. TEAM COMPOSITION

- 3.1.1 Team defined;** A team consists of 4 persons, each of whom satisfies the criteria listed in Rule (4) below. A class may permit up to three teams to be formulated to encourage broader participation. If a team advances to the semifinals, the team will be restricted to not more than two teams from same class.

- 3.1.2 No person may be a member of more than one team, nor may any member of a team discuss the problem or related substantive matters with any member of a different team. Team members may discuss the problem or related substantive matters with only the members of their own team.
- 3.1.3 No member of team should come from different class presenting. Only team members who have been registered may present arguments or otherwise participate in any particular round.
- 3.1.4 All team members may participate in any other aspect of the Competition, including practice rounds and researching and drafting the memorial. Only team members registered may sit at counsel table during a round of competition.

4. Qualifications of Team Members

- 4.1 No team member may hold a law degree from any university in Tanzania.
- 4.2 No team member should participate from other University rather than the students from Catholic University of Mbeya (CUoM).
- 4.3 Each team member must be registered at the University registration database.
- 4.4 No team member should be from non-degree programs (thus referring to CL & DL 1).
- 4.5 No team member should come from staff members from CUoM or any other university in Tanzania or any other places.
- 4.6 A team member should be from the particular class and not otherwise.
- 4.7 Registration for participation should be done in accordance to required form found in the CUoM Website and to be submitted in word document to anna.kamanzi@cuom.ac.tz

5. Replacing Team Members

A team member may be replaced after the team's memorial has been written or substantially written only with the express written consent of the Competition Committee, which will require a showing of good cause (e.g., health issues or any other reasons the committee may approve).

6. Coaches and Advisors

- 6.1** Each team may have one or more coaches. And a coach should not exceed two from each team.
- 6.2** Coaches should be from the same class the team is representing and advisors may be from the CUoM staff.
- 6.3** If a class enters more than two teams in the Competition, the same coach cannot coach both teams.
- 6.4** Once the competition has started coaches/advisors are not allowed to help the team members with drafting or advising the court procedure or any other matter related with the competition.
- 6.5** Nothing in this rule prevents non-coach, practice round judges from seeing different teams; however, no person may share substantive information from one team with another team. For example, if an individual serves as a practice judge for one team, that person may later serve as a practice judge for another team but may not tell one team what the other team argued during its presentation.

7. SCORING AND AWARDS

7.1 Breakdown

- 7.1.1** Scores for each quarterfinal Rounds will be determined by counting the team's memorial score as 25% of the total score and oral score as 75% of the total score. The oral scores and memorials will be determined by panel judges.
- 7.1.2** Scores for the Semifinal Rounds will be determined by counting the team's memorial score as 25% of the total score and oral score as 75% of the total score.
- 7.1.3** The oral score will be determined by a panel of judges. The judges will not know the teams' memorial scores from the quarterfinals.
- 7.1.4** In the Championship Round (final round), the winner will be determined solely on the decision of the judges. The teams' memorial scores do not factor or count into the score for the Championship Round. All the scores will be from the oral arguments.

8. Awards

8.1 The Interclass Championship rounds (finals) will conclude with the announcement of the following awards:

- i. The Competition Champion;
- ii. The 2nd runner-up;
- iii. The 3rd runner-up
- iv. The best overall memorial;
- v. The runner-up memorial;
- vi. At least the top three oralists in the quarterfinals and semifinals Rounds; and
- vii. The best individual oralist in the Championship Round.

8.2 To be eligible for an oralist award in the quarterfinals and semifinal Rounds, a competitor must argue at least four times. For those who argue five times, the lowest round score will be dropped.

8.3 The same individual cannot win both best oralist awards, the best individual oralist in quarterfinal and semifinal Rounds and the best individual oralist in the Championship Round.

9. MEMORIALS (BRIEFS)

9.1 Sides

- a. Each team must submit either a Prosecution (Republic) or Defendant (Accused) side memorial to the Competition Committee by 6th January, 2025 for the quarter finals
- b. Each team in semifinals must submit either a prosecution (Republic) or Defendant side a memorial to the competition committee by 14th January 2025.
- c. Teams will prepare a Prosecution or defendant memorial based on rules for this competition.
- d. If a class enters more than two teams in the Competition, one team must represent the Prosecution side, and the other team must represent the Defendant side.

- e. The two teams cannot collaborate during the memorial-writing process.
- f. The two teams from the same class cannot compete on the same rounds.

9.2 Problem

- a. The hypothetical facts on which the Competition is based will be drafted by a person or group of persons knowledgeable in the field of Criminal law and Procedure.
- b. The person(s) who drafts the problem will also prepare or supervise the preparation of a bench memorial that will be provided to persons who judge oral rounds or memorials.
- c. The hypothetical facts used in preliminary rounds, quarter finals, semifinals and finals will be the same.

10. Format of the memorials

- a. The memorial may not exceed 6,500 words on 8-1/2 x 11-inch pages, with one-inch margins at top, bottom, left, and right. Footnotes do not count toward the word limit. Deductions will be taken if the memorial is over the word count. [Note: Most word processing programs can provide you with a word count. Make sure you select the option to include the footnotes in the word count.]
- b. The memorial text, including any footnotes, must be typed in 12-points size, times New Roman font and 1.5 space.
- c. Each memorial must include the following sections, in the order listed: front cover page, table of contents, index of authorities, questions presented, statement of jurisdiction, statement of facts, summary of argument, argument with point headings, supporting authorities(not more than eighty) conclusion, signature block, and affidavit (**see Addendum A, included at the end of these rules**).
- d. The following sections do count toward the word limit: statement of facts, summary of argument, argument with point headings, and conclusion.

- e. The following sections do not count toward the word limit: front cover page, table of contents, index of authorities, questions presented, and footnotes, statement of jurisdiction, signature block, and affidavit.
- f. **Limit on Use of Authorities:** In memorials, teams must use cases issued, order decided, legislations etc.
- g. **Citations:** All citations must conform to the most current version of the FACULTY OF LAW REFERENCE AND CITATION GUIDE.
- h. **Identification and Affidavit:** To facilitate anonymous grading, names of the team members and the class they represent must not appear on the memorials. Names of the team members and the class they represent should appear only on the affidavit (see Addendum A). Each team must submit the required affidavit (see Addendum A) as a separate file in the same email with the original memorial.
- i. Each team will be assigned an identification number that is to appear in the uppermost right-hand corner of the front cover page of the team's memorial. Teams advancing to the Championship Finals will receive a new identification number for the Championship Finals from the Competition Committee.

11. Service of the Memorial

- a. Every team must submit an electronic copy of its memorial to the Competition Committee.
- b. The memorial should be sent as an email attachment in Microsoft Word format as a .doc or .docx file. Do not send the memorial as a PDF file. The email to be used is; anna.kamanzi@cuom.ac.tz
- c. Name the memorial using your team's assigned identification number and "P" for Prosecution or "D" for Defendant. For example, if you are assigned team number "2" and wrote for the Prosecution, the file name should be 2P.doc or 2P.docx.

- d. The electronic version of the memorial must be received by the Competition Committee no later than 5:00 p.m. (Eastern Standard Time) on 9th January 2025. The Committee will post the memorials on the University website after all rounds have concluded.
- e. Memorials that arrive after the deadline will receive a deduction of marks for being submitted late.
- f. In addition to the memorial, each team must submit a signed affidavit (see Addendum A). The affidavit should be a separate file from the memorial but should be attached to the same email. The affidavit may be submitted as a PDF file and may be signed electronically.

12. Service of memorials on Other Teams

- a. Teams should not send copies of their memorial to any other team.
- b. No Changes after Submission; once the memorials have been submitted to the Competition Committee no revisions, supplements, or additions will be allowed. In addition, no written material outside the memorial will be accepted.

13. Grading of memorials

- a. For the quarterfinals and semifinals, each memorial will be scored by a panel of judges knowledgeable in the areas of Criminal law in Tanzania legal framework.
- b. The scores will be averaged, and that average will be the memorial score used throughout the quarterfinals and semifinals; however, the memorial score will not be used to determine the Championship Round winner.
- c. Memorials will be graded for both content and style. The factors memorial judges will consider include, but are not limited to, the following: legal substance; use of authority and extent of research; issue analysis; logic and reasoning; clarity and organization; persuasiveness; thoroughness; style; grammar; spelling; citation

frequency and form; and compliance with Competition rules, including formatting rules.

- d. Memorial scores will not be released until after the Competition is completed. After the Competition, the Competition Committee will release a list that reflects the memorial rankings by quartile.
- e. Language of the memorial should be written in English.

14. ORAL ARGUMENT PROCEDURES

14.1 Time and Place

- a. All oral arguments will be held in person at Catholic University of Mbeya on 9th January to 10th January 2025 for preliminary rounds and quarter finals.
- b. Courtroom assignments will be provided during orientation which will be held on 9th January 2024 if needed and advised by the competition committee.
- c. The rounds of semifinals and finals will be held on 15th January 2025.

14.2 Time per Team and Rebuttal Time

- a. Each oral round will be limited to 1 hours (60 minutes); each team will have 30 minutes to argue.
- b. Teams representing the Prosecution in any round may reserve up to five minutes of their time for rebuttal by (1) informing the bailiff before the round how much rebuttal time will be reserved and the time breakdown for each team member, and (2) requesting rebuttal time from the presiding judge in the beginning of the prosecution argument.
- c. Only one team member may argue on rebuttal; either participating member may give rebuttal. The team member arguing the rebuttal does not need to be designated in advance of the argument.
- d. Previously reserved rebuttal time may be waived by the Applicant following the close of Respondent's argument; however, the

Applicant may not otherwise reallocate rebuttal time once the round begins.

- e. Each participating team member must intend to speak for at least ten minutes (in addition to rebuttal time).
- f. Nothing in this rule requires a 50/50 split of time between teammates; however, any reserved time not used by one oralist will not be reallocated to another oralist.
- g. During the oral arguments, a bailiff will keep time for each team and provide the following timecards: 10, 7, 5, 3, 1, and stop. Oralists are welcome to take a timer to the podium; however, the bailiff's timer is the official time. (If an oralist takes a timer to the podium, the timer cannot have email or internet capabilities, and the timer must not make any sounds.)
- h. During the oral arguments, laptops, phones, or other similar electronic devices are not permitted at counsel table or the podium. Coaches and other people observing oral arguments also are not allowed to use laptops, phones, or other similar electronic devices during a round.
- i. The factors to be considered include, but are not limited to, the following: organization and clarity; analysis and thoroughness; knowledge of facts and law; courtroom manner and style; ability to answer questions and control argument; persuasiveness; and professionalism. The minimum score on any individual oralists argument will be 60.
- j. Critiques; each judge will be requested to provide a short oral critique at the end of each round. Each team will receive only its own oral argument scores; a team will not receive any other team's oral argument scores.

15. Quarterfinal Rounds

- a. Observing the rules from the above, the quarter finals will be from one team of one class to another class. If the class has registered

three or two teams, the highest-ranking team from that class competing will advance to the Semifinals Rounds

- b. Each team will be scored on a combination of its average memorial score and average oral score (25% memorial and 75% oral).
- c. Each team's score will be compared to its opponent's score in that round, and the winning team from that courtroom will advance. (Scores of teams in one room will not be compared to scores of teams in another room.)
- d. In the event of a tie, the team winning the highest percentage of judges' ballots in the quarter finals will advance to the semifinals rounds.
- e. If a tie occurs on ballots, the team with the higher memorial score of the ballots will advance.
- f. Only four teams will advance to semifinals rounds.

16. Semifinal Rounds

- a. The winning team from the quarterfinals against the winning team. The judges will chose which team to represent the prosecution and the accused side.
- b. Each team will be scored on a combination of its average memorial score and average oral score (25% memorial and 75% oral).
- c. Each team's score will be compared to its opponent's score in that round, and the winning team in that courtroom will advance. (Scores of teams in one courtroom will not be compared to scores of teams in another courtroom.)
- d. In the event of a tie, the team winning the highest percentage of judges' ballots in the Semifinal Round will advance to the finals.
- e. If a tie occurs on ballots, the team with the higher memorial score ballots will advance to the finals.

- f. The top two winning teams from the Semifinal Rounds will advance to the Championship Round, based on memorial scores and oral scores earned during the Semifinal Rounds.

17. Championship Round

- a. The team qualifying for finals in presenting the parties to the case will be selected on the manner identified by the competition committee.
- b. The winner of the Championship Round will be determined solely on the basis of oral presentation in the Championship Round. The judges will caucus to determine the winning team and the best oralist in the Championship Round. The judges are allowed to use score sheets.
- c. The winner of the Championship Round will be designated the Competition Champion.
- d. No scores of memorials will be counted in championship rounds.

NOTE;

1. **ALL TEAMS THROUGH OUT THE COMPETITION SHOULD CONDUCT THEMSELVES WITH ETHICS AND PROFESSIONALISM.**
2. **Costs;** All costs associated with the Competition will be borne by the class of individual team members or by individual team members. CUoM or the FoL will not reimburse participants for costs associated with the Competition. Teams may seek grants or other financial assistance from law firms or other entities.

Email Address and mobile phone number for contact person; if you have any questions.

Please contact Anna Kamanzi: email; anna.kamanzi@cuom.ac.tz Mob. 0755903795

For more information about the competition, rules and records of the competition;

<https://www.cucom.ac.tz>

