

## General Instructions for Fall 2018 Competitive Mooting Tryouts

Your task is to argue an appeal from one of two decisions: *R. v. Wong* (criminal) or *Rankin (Rankin's Garage & Sales) v. J.J.* (Torts).

Pick one of these two cases and either argue that the decision should be overturned on appeal or defend the judgment and argue that it ought to be upheld.

This is an advocacy rather than a research exercise so you are confined to the edited judgments. You will have 5 minutes to argue your case in front of the panel of judges and to respond to their questions. If the panel suggests that it is time for you to wrap up, you should be ready at that time to finish your submissions with no more than 3 closing sentences.

### Advice:

State your name and who you represent. You may wish to start with a very brief statement to really grab the Court's attention as to the importance of the case. Then provide the Court with a brief and crisp 'road map' i.e. an outline of your argument. (So e.g. you could start by saying something like, "Justices, I have two submissions.") Then start with your first and usually your best submission. Make sure you have a nice break before moving on to your next submission. Your submissions could be to support your main position or they could be alternative positions. Anchor your arguments in the present law but since this an activist court you can also argue that law should be changed and / or held unconstitutional. Assume that the panel knows the facts unless you want to emphasize any of them.

We will not be concerned with any procedural issues as to what matters of law and /or fact can be argued on appeal; spend your time making substantive arguments about the legal issues that the cases involve.

Many good lawyers make use of "speaking notes" in their submissions, and you should feel free to bring in any notes. However, using "speaking notes" does not mean that you have written down everything you plan to say and you will simply read from the text. Reading a prepared text detracts from the presentation – good counsel don't do it. It encourages speaking too quickly, reduces eye contact, prevents smooth transitions after responding to questions etc. You should speak from notes containing points to be expanded in your oral presentation. Useful speaking notes will contain subject headings, key phrases, and so on. (If you get asked a question, you can turn to that subject heading, and gather your thoughts while glancing at your note, and then speaking without reading. For example.)

Sipping from a glass or water bottle you bring may help your voice and slow you down. Expect questions from the bench on any aspect of your argument. Answer them straight away but do not be put off your roadmap. Expect to be cut off after 5 minutes.

On the Moot Court Program website in the Portal there is a list of FAQs that you may find helpful.

**NOTE: PLEASE ARRIVE AT LEAST FIVE MINUTES EARLY BEFORE YOUR APPOINTED TIME AND BRING WATER**

GOOD LUCK! ~ The Moot Court Committee