

■ OFF CAMPUS ■

A BEGINNER'S GUIDE TO MOOTING

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Mooting, for Law students, is a powerful tool to level up their legal skills and stand out from the crowd. Having been involved in moot court competitions both nationally and internationally for the past few years, I want to offer a few insights I have gained in my roles as a mooter, coach, and judge through this article.

While I share these experiences intending to steer beginners through their first few moots and avoid the most obvious pitfalls, the best approach is to tailor these tips to individual strengths and adapt them to the specific competition format.

What is mooting

A moot court competition is a simulation of a court hearing, in which participants analyse a dispute, research the relevant legal provisions, prepare written submissions and present oral arguments. Moot problems are generally set in areas of law that are unsettled and debatable or topics with significant contemporary relevance. Moot courts usually provide two grounds of appeal, arguable by each side.

Although mooting shares several common elements with public speaking and debating, it is a unique exercise beyond simply presenting an opinion. It requires a specialised application of the art of persuasive advocacy.

Essentially a mock court proceeding, moot court procedures follow the entering of judges, the mooters bowing before the judges, the court clerks announcing the legal dispute, the mooters giving their appearances and getting called on in turn to present their submissions.

During the oral pleadings, the judges ask questions to the mooters to seek further clarity of their argumentative stance. After the delivery of oral arguments from both parties of the fictitious case, the court is announced adjourned while allowing the judges to deliberate on their decision. After deliberation, the judges return to the courtroom to provide brief judgment and some feedback to the mooters.

Why take part

Mooting offers a competitive proving ground for Law students as they generally go through an internal selection process of their institute to represent their law school in a moot court competition.

Mooting also enables students to engage with and explore deeply complex and topical legal issues. It substantially enhances their advocacy, legal research and writing skills through rigorous training and monthslong preparation. It also allows them to work closely with and learn from their peers, allowing them to develop teamwork skills, patience and the capacity to appreciate different perspectives.

Besides, mooting not only showcases a Law student's passion for legal advocacy and research but also provides a platform to demonstrate their competence as an advocate. Experience in mooting is highly valued by employers in the legal job market.

While intellectually stimulating and ultimately rewarding, mooting can also be nerve-racking and challenging. However, the sense of accomplishment and the opportunity to learn from these experiences make it a truly enjoyable endeavour for most students.

Tips for beginners

Preparation is the most time-consuming part of mooting, one in which mooters need to ensure reading the moot problem thoroughly, understand and specify the expected areas of arguments, and begin assimilating relevant authorities for

discussion.

Mooters should be able to simply address the specific ground of appeals as laid out instead of attempting to show all they know on a topic. It is advised not to depend on a script of arguments to read out before judges, but rather carry a list of bullet points to guide them through the structure. Maintaining a skeleton argument helps to sum up the main points and authorities that they intend to rely on.

Besides an in-depth understanding of the area of law in which the moot is based, it is equally crucial for mooters to be thoroughly familiar with the cases and other authorities they cite to satisfy the judges' queries during the oral rounds. Mooters should also be aware of the time limits and conduct rehearsal sessions to deal with everything in the allocated time while also allowing a few minutes for judicial intervention.

Frequent rehearsal sessions with team members, in front of the mirror or camera is a helpful tactic for developing the set of skills required to engage with the bench, such as maintaining eye contact with the judge, appropriate volume and pace of speech, directly and accurately addressing the questions while also holding the judge's interest, etc.

In a moot court setting, it is not just about what a mooter knows, it is also about how they present themselves. Dressing professionally and maintaining a composed demeanour are crucial elements as these convey professionalism and respect for the simulated court proceedings.

Finally, mooters are highly recommended to take notes on the judges' feedback for it can be instrumental in improving performance in their subsequent moots and to hone their overall legal skills relevant to academic success and future careers in the legal field.



ILLUSTRATION: FATIMA JAHAN ENA



ABOUT THE AUTHOR

Tarazi Mohammed Sheikh is a final-year Law student at BRAC University. She has recently been appointed as a Student Director on the Board of Directors of the International Law Students Association (ILSA), the home to the Philip C. Jessup International Law Moot Court competition.

Tarazi has participated in different domestic and international moot court competitions since 2020. In 2022, Tarazi won the Best Mooter (Overall) award, with her team emerging as the finalist, and Best Memorialist in Bangladesh Qualifying Rounds of the 63rd Jessup Competition. Her team represented Bangladesh in the global rounds and entered the elimination rounds as the only Bangladeshi team.

Besides mooting, Tarazi has also garnered recognition for her performance in debates, legal research, writing, and journalism. She has a keen enthusiasm for exploring and engaging with issues related to public international law and human rights, and is actively striving to make impactful contributions in these fields.