



## THE KERALA LAW ACADEMY MOOT COURT SOCIETY



### COMPETITION FORMAT

1. The Competition: - Each team consisting of two student participants would be allotted a room / chamber for the interview and counseling. Here the two student participants will conduct themselves as advocates in a lawyer's chamber. The client will be a person trained by the organizers and would consult you with a problem. The student participants are given a brief written memorandum that identifies the general nature of the subject-matter of the client's problem (e.g., that a client wants advice in his personal injury, inheritance of property etc.) **10 days** before the interviews/preliminary rounds are held. The two participants are required to elicit all relevant information from the client by interviewing or questioning the client and then counsel the client, outline the nature of the problem, explore with the client his or her preferred outcome, and present the client with means (or range of alternatives, if appropriate) for resolving the problem, and provide him with informed choice. After the client leaves in the post consultation session the student lawyer/ participant shall discuss among themselves, the legal issues, analysis, solutions etc in the presence of the judges.
2. All teams will be pre-assigned a letter designation (A.B.C. etc.) by the organizers by picking of lots.  
**The Session:** - All teams will go through a 40 minute Session. The Session **must include** both a Consultation Session (30 Minutes) with the client and a Post-Consultation Session (10 Minutes).
  - a) **The Consultation Session (Interview Period).** The first 30 minutes are devoted to a consultation with the client during which students are expected to elicit the relevant information, outline the problem and propose

a solution or other means of resolving the problem (Further information is contained in the Judging Standards for the Client Counseling Competition.)

- b) **Post Consultation Session (Post Interview Period).** The interview with the client is then followed by a Post-Consultation Session (10 Minutes). Each team must conduct a meaningful post-consultation discussion between the student lawyers (team members) after the client has left the room. During this post-consultation, the students may either talk to each other loudly enough to be heard by the judges or dictate a file memorandum on the interview or both. The post-consultation performance may summarize the interview, indicate the scope of the legal work to be undertaken, and state the moral, ethical, factual and legal issues involved and that which should be researched. Explanation of the position or attitude taken by the participants may be useful. If the students feel that some documents are appropriate, like a letter to the client confirming their retention as attorneys, the fee arrangement etc, or a letter to the party with whom the client is having their legal problems/dispute, they may dictate such a document at this stage, if needed.

It is up to each team to decide how they will share the work. The work plan is subject to judging, however, the team may wish to use part of this post interview reflection to explain their work plan. The judges may question the team at the end of this period and may use anything learned during this period to assist them in their judging.

3. **Use of Materials and Props:** - During the consultation and post-consultation, the team may use books, notes, and other materials. The team may also use office props (files, bookshelves, desktop furnishings, etc). During the session the teams will not be allowed to use any electronic device, like laptop, LCD projectors, video camera, mobile phones etc and such use will lead to disqualification. The student's participants can also use any books during the Session. The Competition organizer will endeavor to provide water and facial tissues on the desk.

4. The Judges and the teams will agree on the starting time for the interview. The team will be responsible for its own time keeping during the interview. The organizers will arrange their own time keepers.
5. The subject matter of the problem will be based on Law of Torts, Property, Contract/ Specific relief, Intellectual Property Rights and incidentally it may touch other laws, which includes Penal laws and Constitutional law.
6. After all the teams have finished their sessions, the judges in each group shall privately consult in order to evaluate the teams. The client may at this time if needed, be invited to participate in the consultation, but his/her opinion should not be determinative.
7. Client Not to Be Present: - Clients should not be present during the post-consultation period or the critique.
8. The students are evaluated against specific criteria that emphasize the use of listening, questioning, planning, eliciting and analytical skills during lawyer /client consultation and post consultation and addressing ethical, moral, factual and legal issues and informed choice.
9. Approximately **10 days** before the first day of the Competition (**28-10-2019**), the Competition organizer will send to each team the memoranda briefly describing the consultation situations for the Competition. These memoranda will contain information similar to that which a law office secretary might record when informing lawyers of a forthcoming appointment.
10. The discussion of fees is an integral part of any first consultation between a lawyer and a client. Students should be judged on how they approach this problem, but not on the monetary amount used. The participants may discuss fees at any appropriate point in the consultation. Fees may be waived or suitably reduced only in cases of financial hardship, either for persons of low income or for persons of ordinary income faced with very large fees.
11. The Judges may penalize students who allow the Consultation Session to run excessively beyond the 30 minute period allotted. However the judges in their discretion, taking into account the circumstances, may allow some more time

beyond the 30 minute period for the Consultation Session. If the extended consultation session allowed an opportunity for a team to gather more information than other teams, this circumstance should be taken into consideration by the judges in making their decision. If the thirty (30) minute Consultation Session is exceeded, in no circumstances will the students be given more than 40 minutes to complete both tasks (Consultation & Post Consultation). Judges should stop students after 40 minutes regardless of whether the students are in the consultation or post-consultation process.

12. There will be four rounds namely preliminary round, quarter final, semi-final and final rounds. From the preliminary round, 10 teams with the highest number of points will be qualified to participate in the quarter-final round and 6 teams with the highest number of points in the quarter-final round will be qualified to participate in the semi final rounds respectively. Semi finals will be in two rooms/ chambers namely three teams being simultaneously assessed by the same judges in each room. Two teams, with the highest number of points in each chamber/ room respectively of the semi-final rounds will be qualified to participate in the final round. The final round will be in one room with one panel of judges. After the judges have seen all the teams' performance, they should discuss each team's performance among themselves. Judges are encouraged to consult the client. The judges can discuss with the teams regarding their performance. Then judges will individually rank the teams.

**Sd/-  
General Secretary**