

# JULIUS ALEXANDER ISAAC MOOT

**Moot Official Rules 2022 - 2023**



BLACK LAW STUDENTS'  
ASSOCIATION OF CANADA  
L'ASSOCIATION DES ÉTUDIANTS  
NOIRS EN DROIT DU CANADA

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**The Julius Alexander Isaac Moot Official Rules 2022- 2023**  
**Black Law Students' Association of Canada**

**I. INTERPRETATION**

**A. PURPOSE AND OBJECTIVES**

The Julius Alexander Isaac Moot (the “**Isaac Moot**”) is administered by the Black Law Students' Association of Canada (“**BLSA Canada**”) through its appointed National Moot Director and National Moot Committee.

The Isaac Moot is designed to allow law students to develop and apply a critical legal analysis (e.g. critical race theory) or anti-discrimination analysis in a litigation context. It provides participants with the opportunity to interact with jurists from all levels and practitioners from across Canada. The goal is to build a cadre of litigators who are able to advance critical race approaches in their legal practice and better serve the diverse Canadian public.

The Official Rules are designed to facilitate the fair and proper conduct of the competition and shall at all times be interpreted in accordance with these purposes and objectives.

**B. REFEREES**

There will be a panel of up to five referees available leading up to and during the competition, responsible for the interpretation and enforcement of the Official Rules. The BLSA Canada Moot National Director and Moot Committee shall serve as referees (the “**Referees**”).

Any question that arises during the competition concerning the interpretation or enforcement of these Official Rules will be decided by a majority decision of the Referees. No other persons (e.g. timekeepers, administrative assistants, judges or others) have the authority to interpret the Official Rules.

Any reliance by a team on direction provided by a person or persons other than the Referees will not prevent a penalty from being imposed if the Official Ruling of the Referees differs from that of such other person or persons. All Official Rulings are final and binding.

The Referees may promulgate such other measures as they may deem advisable for the fair and orderly conduct of the competition, if these do not conflict with any of the Official Rules, are consistent with the purpose and objectives of the Isaac Moot (as described above), and are in the best interests of the Isaac Moot.

## **II. PROCEDURES AND GUIDELINES**

### **A. JURISDICTION OF THE COURT**

The Moot is an appeal to The Diversity High Court of Canada. No decision of any Canadian court, including the Supreme Court of Canada, is binding on the Diversity High Court of Canada.

### **B. ELIGIBILITY OF LAW SCHOOLS**

Any law school recognized by the Federation of Law Societies, accredited by the American Bar Association or their equivalents in other jurisdictions is entitled to send one team to the competition.

### **C. APPLICATION TO PARTICIPATE**

All participating schools must submit an application form and fee per team no later than **Friday, November 4, 2022, at 4:30PM EST** on the BLSA Canada Website, and submit their form to the National Moot Director unless otherwise permitted by the National Moot Director.

### **D. COMPOSITION OF A TEAM**

A team shall consist of four members, divided into teams of two as the Appellant team and Respondent team. If a law school wishes to send a team of two students only, the law school must notify the National Moot Director, who may grant permission for the team to participate. No team can be comprised of members from more than one law school. Graduate students registered in that program are eligible at the discretion of the law school.

Each team of four may have a researcher. The researcher may assist with all aspects of preparation for the moot. However, the researcher can only participate in oral arguments if one of the mooters is unable to moot. The team must notify the National Moot Director as soon as reasonably possible of a change in mooting participants.

Each team of four must have a Black student member. If a team of four does not have a Black student member, they must notify the National Moot Director, who may grant permission for the team to participate.

A team of four, or five, if the team chooses to add a researcher, may have up to a maximum of two coaches.

#### **E. OUTSIDE ASSISTANCE PROHIBITED**

No person or persons other than the team members may participate in the preparation or presentation of any aspect of the team factums or oral arguments. The team factums (including research, interpretation, drafting and editing) and the oral arguments of each mooter must be the work of the team members only.

Notwithstanding the above, it is permissible for team coaches, faculty members and others to discuss in general terms the issues raised in the Official Problem, to suggest possible research sources, and to provide instruction relating generally to advocacy techniques and the preparation of persuasive oral and written arguments. However, their participation would prevent them from judging said team in the competition.

#### **F. PRACTICE ROUND JUDGES**

Teams may conduct “practice rounds” in front of persons who will be Judges in the current year’s moot. Any individuals that act as judges for the Isaac Moot who also act as “practice rounds” judges shall not judge the team they judged in any “practice rounds” in the competition.

Representatives of the Moot sponsor may serve on “practice rounds” but their participation would prevent those representatives of the Moot sponsor from judging said team in the competition.

Teams shall not request that persons serving as authors of the Official Problem or Factums Evaluators assist with “practice rounds” or otherwise assist in any aspect of the team’s preparation.

Any comments or feedback provided by persons acting as judges in oral argument “practice rounds” shall be limited to discussing in general terms the issues raised in the Official Problem, suggesting possible research sources, and providing instruction relating

generally to advocacy techniques and the preparation of persuasive oral and written arguments. Teams shall advise any persons acting as judges in their “practice rounds” of this requirement orally and in writing.

Teams shall submit a final list of all judges from their “practice rounds” to the BLSA Canada Moot Director by **Monday, January 16, 2022**.

## **G. FACT PROBLEM**

The fact problem (the “**Official Problem**”) upon which the Moot will be based shall be written or chosen by a legal academic or practitioner with established expertise in critical race theory or equality/social justice theory and practice. The subject matter will raise issues of racism and other equality matters that are of timely interest. The Official Problem will be delivered to all participating schools.

## **H. REQUEST FOR CLARIFICATION**

### ***1. Official Rules***

Participants may submit requests for clarifications regarding the Official Rules by **Friday, November 26, 2022**. Such requests must be made in writing to the National Moot Director. Requests for clarification must include a brief explanation of why the clarification is necessary. Requests for clarification will be forwarded to the Referees for their consideration. Such requests shall be selectively answered, at the discretion of the Referees. Any answers will be distributed to all participating teams. Any requests made after that date may not be acknowledged at the discretion of the Referees.

### ***2. The Official Problem***

Participants may submit requests for clarification of matters that are unclear in the Official Problem as required to enable them to submit a proper argument. Such requests must be made in writing to the National Moot Director. Direct communication with the other Referees, including the author(s) of the Official Problem, is not permitted. The request for clarification must include a brief explanation as to why the clarification is necessary for a proper understanding and development of the legal issues involved.

Requests for clarification shall be answered selectively, at the discretion of the Referees and the author(s) of the Official Problem. Any answers will be distributed to all participating teams. Requests for clarification must be received by **Friday, November 26, 2022**. Any requests made after that date may not be acknowledged at the discretion

of the Referees.

## **I. TEAM IDENTIFICATION**

Each team in the competition will be assigned an identification code by the National Moot Director. This identification code must be used on all factums and at all times during the competition.

The personal name of the participants or the school's name shall not appear on any submissions, on the person (such as name tags or insignia) or be referenced during the competition itself. The names of the team participants are not to appear on the factums. The factums are not to be signed with any geographic identifiers. Failure to comply with these requirements may result in a penalty, up to and including disqualification.



### III. FACTUMS

#### A. FACTUMS REQUIRED

Each team shall prepare an Appellant's Factum and a Respondent's Factum, unless the team has obtained permission from the National Moot Director, as detailed in section II, above.

#### B. FORM

##### 1. *General*

Each Appellant's factum and Respondent's factum shall use the following format:

| Cover page   |
|--|
| <ul style="list-style-type: none"><li>• <b>This cover page shall be in the same format as factums filed at the Supreme Court of Canada and include the items listed below:</b> Name of the court appealed to (“Supreme Court of Canada” should be changed to “Diversity High Court of Canada”);</li><li>• Style of cause;</li><li>• Title of the document (i.e. “Factum of the Appellant” or “Factum of the Respondent”); and</li><li>• Team identifier.</li></ul> |
| Table of Contents  |
| The table of contents shall set out the headings used in Parts I – V of the factum.  |
| Part I - Overview  |
| This section shall contain a brief summary of the issues and argument.   |
| Part II – Statement of Facts   |
| This section shall contain a concise statement of relevant facts.  |
| Part III – Statement of Issues   |
| This section shall contain a concise statement of the issues under appeal.   |
| Part IV – Argument   |
| This section shall contain at least one legal argument and at least one theory argument.   |
| Part V – Order(s) Sought   |
| This section shall state the relief sought.  |
| Part VI – List of Authorities and Statutes   |
| This section shall list the authorities and statutes relied upon or referred to.   |
| Blank Backpage   |

## **2. *Length***

Parts I to V of the factum must be no more than twenty (20) pages in total length. The pages of the factum shall be numbered with continuous Arabic numerals beginning at Part I and ending on the final page of Part VI. Each paragraph should be numbered.

## **3. *Spacing***

Parts I to V of the factum must be double spaced; except for: (i) references, footnotes, and titles more than one line in length, which may be single spaced; and (ii) quotations of fifty (50) words or more, which may be single spaced and shall be indented 1/2 additional inches on both the left and right margins. All portions of the factum other than Parts I to V may be single spaced.

## **4. *Type***

All parts of the factum, except the cover page, and including the footnotes, shall be in Times New Roman 12-point font. Headings and sub-headings should be bolded.

## **5. *Printing and Page Format***

Electronic copies of the Factums shall be submitted in Microsoft Word and PDF format. Electronic factums must have bookmarks and a hyperlinked table of contents.

**Margins:** each page of the factum shall have margins of at least 1 inch on all sides excluding page numbers.

## **6. *Citations***

All citations shall be made in accordance with the *Canadian Guide to Uniform Legal Citation*, which is the Official Citation Guide adopted by BLSA Canada. There is no need to make any references to the *Supreme Court Act* or *Rules*.

Should a provision of the *Canadian Guide to Uniform Legal Citation* conflict with any Official Rule herein, the Official Rule shall prevail.

## **C. SUBMISSION OF FACTUMS**

Each team shall deliver electronic copies of the Appellant's and Respondent's factums in PDF and Microsoft Word format (.doc or docx file extension) via email to

**moot@blsacanada.com by 4:30PM EST on Friday, January 6, 2023.**

Electronic factums must be labeled and submitted with the anonymous identifier provided by the National Moot Director in the following format: **“Team [insert identifier code] Appellant Factum”** and **“Team [insert identifier] Respondent Factum.”**

**D. REVISION OF FACTUMS**

No team shall revise, add, delete or in any manner alter its factum after submission.

**E. OWNERSHIP OF FACTUMS**

All rights with respect to the factums remain with the team. However, BLSA Canada is entitled to share the factums at its discretion, including electronically posting on its website and communicating orally and in writing with reference to its authors or anonymously for the purpose of the administration of the Isaac Moot.

## **IV. ORAL ARGUMENT**

### **A. ROUNDS**

The competition shall consist of two preliminary rounds of oral argument, followed by a final round between the two highest ranking teams. The team standings will be determined according to Rule V, below. Every effort will be made to have no team meet any other team more than once prior to the final round.

#### ***1. Preliminary round***

The winners of the preliminary rounds shall be the top Appellant teams and the top Respondent teams as determined by calculating the Total Factum Score and the Total Oral Argument Score from the preliminary rounds.

In the event of a tie, the team with the higher Total Oral Argument Score will advance to the final round.

Each team shall be allowed fifty (50) minutes per round for oral argument, split evenly for twenty-five (25) minutes for each mooter. This time limit may be extended by the Judges in their discretion to a maximum of five (5) minutes per round.

Prior to the beginning of each round, the Appellant may reserve no more than five (5) minutes of the Appellant's total fifty (50) minutes for reply.

Respondents are not entitled to make a sur-reply and shall not reserve time for a sur-reply.

#### ***2. Final Round***

The top Appellant team and the top Respondent team shall advance to the final round to moot against each other.

No school shall have more than one team of two in the final round. If the teams that advance to the final round are from the same school, the team with the higher score will advance only and the next highest Appellant or Respondent team shall replace the team with the lower of the two scores, as the case may be.

With the exception of one counsel for the Appellant, each counsel shall be allowed fifteen

(15) minutes for oral argument. Each Appellant's counsel shall present their arguments consecutively followed by each Respondent counsel.

Following the oral argument of the second counsel for the Respondent, one counsel for the Appellant shall be permitted an additional five (5) minutes for Reply. Respondents are not entitled to make a sur-reply and shall not reserve time for a sur-reply.

## **B. JUDGES**

The Judging panels shall consist of justices, lawyers and/or law professors. A panel of three (3) Judges shall be utilized whenever possible for the preliminary rounds. The number of Judges for the final round, normally five (5), shall be at the discretion of BLSA Canada.

Judges in the preliminary and final rounds are encouraged to provide feedback to participants regarding their performance at the completion of rounds of oral argument if time and scheduling permits.

When addressing a Judge, mooters shall call the Judge "Justice [surname]" or "Justice".

In extraordinary circumstances and with special permission of the National Moot Director, two-member judging panels may be utilized for judging oral arguments. In awarding points for the oral arguments, a hypothetical third Judges' score will be created by adding it to an amount of points equal in number to 50% of those given by each of the two panel members. For example, on a two-Judge panel, if Judge A awarded an argument 82% (41/50) and Judge B awarded it 90% (45/50), the hypothetical assessment would be 86% (43/50).

## **C. COUNSEL**

During each round, the researcher may sit as counsel with the team of two Appellants or Respondents, as the case may be.

## **D. SCOPE OF ARGUMENT**

The scope of a participant's oral argument is not limited to their factum. The scope of the Appellant's reply is limited to the scope of the Respondent's oral argument.

#### **E. SCOUTING PROHIBITED**

It is prohibited for team members to attend the rounds of opposing teams against whom they will argue. Deliberate scouting of opposing teams will be considered unsporting behavior and may result in penalties under Part VI, below.

No taping of oral arguments will be allowed under any circumstances except with the advance permission of the Referees and the two participating teams. It is incumbent on teams to inform the colleagues from their schools. Penalties may be incurred by the team for taping by members of their school.

#### **F. COURTROOM COMMUNICATION**

Oral and written communication may take place between the counsel table and an oralist while the oralist is presenting their argument.

No oral or written communication may take place between the counsel table and any coach, spectator or team member who is not at that counsel table during the round.

No materials of any kind may be submitted directly to the Judges by team members, including during oral argument.

#### **G. ELECTRONIC DEVICES**

Devices such as laptops, iPad or tablet computers are permitted at the counsel table for the purposes of:

- a) taking notes; and
- b) for counsel's reference to notes, submissions and authorities that were prepared or compiled in advance of the oral argument round.

No electronic device of any kind shall be used by any team member at counsel table during the oral argument round to access the Internet, to communicate with any individual, or to otherwise search for any content or authorities not prepared or compiled in advance of the round. Any device capable of connecting to the internet shall have its send/receive functions turned off for the duration of the oral argument.

This section does not apply if the Isaac Moot is conducted virtually.

## **H. SPECTATORS**

Each team will be allowed to invite a designated number of guests. This number will be communicated by the National Moot Director at a later date. Each school must also provide a list of invited guests to the Moot Director.

## **I. ATTIRE**

Participants should wear business attire during the moot. Robes are not permitted.

## **J. PRIVACY**

By participating in the Isaac Moot, every team and participant agrees that information regarding their participation in the Isaac Moot, including results, photographs taken at the competition, recordings of the competition rounds, and related events may be posted on the competition's website and on social media.

## V. SCORING

### A. ANONYMITY

Strict anonymity of school identity shall be ensured as far as possible. Teams shall be identified through the rounds only by number, not by school name.

### B. FACTUM EVALUATION

Factums are scored out of 50 by each factum judge. There will be (5) factum judges marking each factum.

Judges will decide on a score for each factum based on scoring criteria detailed in Appendix A – Individual Factum Marking Sheet. The substantive merits of the case shall not be considered in judging the factums.

Each factum judge shall assign a score between a minimum of twenty-five (25) and a maximum of fifty (50) to each factum. Each mooter of an appellant or respondent team shall be assigned this same score out of 50 (the "**Individual Factum Score**"). These Individual Factum Scores shall be added for a total team score out of 100 (the "**Raw Factum Score**"). The average of the Raw Factum Score of the (3) factum judges will be the total factum score (the "**Total Factum Score**").

Only whole numbers will be used in the scoring. The factum score for each team will not be disclosed to the Judges of the oral argument rounds.

### C. ORAL ARGUMENT EVALUATION

Each mooter is scored out of 50 for their oral arguments by each of the Judges on the panel based on the scoring criteria detailed in Appendix B & C – Appellant and Respondent Oral Argument Marking Sheets. The substantive merits of the case shall not be considered in judging the oral argument.

A score between a minimum of twenty-five (25) and a maximum of fifty (50) (inclusive) should be assigned to each advocate (the "**Individual Oral Argument Score**").

The Individual Oral Argument Scores of each member of the appellant or respondent team shall be combined for a team score out of 100 (the "**Raw Oral Argument Score**").



The average of the Raw Oral Argument Score of the panel judges will be the total oral argument score of each team for each round (the “**Total Oral Argument Score**”).

Only whole numbers will be used in the scoring.

### ***1. Questions during oral argument***

A moot is not a public speaking contest. Judges are encouraged to question oralists during their submissions while bearing in mind the importance of affording oralists the opportunity to make their arguments.

### ***2. Feedback following oral argument***

Following the oral argument, the Judges shall retire to deliberate. Judges shall have 5 minutes to deliberate. They shall then individually mark their scoring summaries without comparisons to the scoring summaries of their fellow Judges.

Judges are asked to carefully complete the individual sheets attached to the score sheets, which will be delivered to each mooter at the close of the competition. Mooters value these personal comments as a very important part of the learning process. Judges are encouraged to be as specific as possible. Judges may provide their names on the scoring sheet.

The Judges do not return to the courtroom to declare a winner; however, they may return to give reasons or to comment orally on the performance of the teams.

## **D. SELECTION OF AWARDS**

### ***1. Winner of the Isaac Moot***

The winner of the final round, as determined by the final round judges, will be the winner of the Isaac Moot.

### ***2. Total Combined Score***

The final score for each team will consist of a combination of the Total Factum Scores (out of 100) and the Total Oral Argument Scores (out of 100) from the preliminary rounds (the “**Total Combined Score**”).

Following the completion of all preliminary rounds, the teams will be ranked from highest to lowest based on the Total Combined Score.

### ***3. Second, third and fourth place***

The schools with the appellant or respondent team with the second, third and fourth highest total Combined Scores shall be announced as the 2nd, 3rd and 4th-place teams, respectively.

In the event of a tie of the Total Combined Score between two teams, the team with the highest Oral Argument Score from the preliminary rounds shall be ranked higher. In the event of a tie for the Highest Oral Argument Score, the team with the highest Total Factum Score from the preliminary rounds shall be ranked higher.

### ***4. Discretion to resolve tie***

If two teams are still tied after comparing scores by applying rule 3 above, we will look at the individual scores and the tie will be decided by a team's highest score from either preliminary round.

## **E. TOP FACTUMS**

The winners of the Top Factum award shall be the team of two with the highest Total Factum Scores.

In the event of a tie, the winners of this award will be determined by the team of two that has the highest Raw Factum Score as awarded by an individual factum judge.

## **F. TOP ORALIST**

The winner of the Top Oralist award will be the person with the highest average of the Individual Oral Argument Scores from the preliminary rounds.

In the event of a tie, the winner of this award will be determined by reviewing the highest Individual Oral Argument Score from any judge in the preliminary rounds.

## **VI. PENALTIES**

### **A. PROCEDURE**

#### **1. *General***

The Referees, on their own initiative or upon receiving a complaint, may assess a penalty for any violation of the Official Rules. The Referees shall make every effort to allow the team(s) or individual(s) accused of Official Rules violations to submit a response prior to the penalty determination. Following such response, an Official Ruling shall be made by the Referees from which no appeal may be taken. The Official Ruling, which shall be prepared at the first reasonable opportunity, will inform the team(s) involved of the penalty. The Referees shall provide oral or written reasons at their discretion.

#### **2. *Complaints***

Complaints pertaining to oral argument or other violations of these Official Rules must be reported immediately following the round or at the first reasonable opportunity.

Any violations of the Official Rules occurring during oral argument that is not brought to the attention of the Referees at first available opportunity will not be considered by the Referees and cannot result in the assessment of penalty points against the violating team.

A request to the Judges for a ruling on a breach of the Official Rules is not appropriate and may result in an assessment of penalty against the requesting team.

### **B. QUANTUM**

#### **1. *Factums***

Teams may be penalized for failure to comply with the rules and deadlines of the competition, at the discretion of the Referees.

For the late delivery of factums, the Referee's shall impose a penalty of one (1) point per day for a maximum of five (5) points, unless the offending party shows cause as to why no penalty or a lesser penalty should be adjudged against them, in which case the Referees may determine the appropriate penalty.

Penalty points assessed against a factum will be subtracted from each factum Judge's score for that particular factum before determining the scores awarded to the penalized

factum. For example, if the three factum Judges award the scores of 38, 36, and 40 to a factum which is penalized two (2) points for lateness, the scores of that factum for all purposes will be 36, 34, and 38 respectively.

## **2. *Oral Argument***

Penalties assessed during oral argument may be either team penalties or individual penalties as determined by the Referees.

In the case of team penalties, the amount of the penalty will be subtracted from the score awarded by each oral argument Judge to each mooter during the round in which the violation occurred. For example, if the three oral argument Judges awarded scores of 38, 36, and 40 and 40, 36, and 38 to the two members of a team penalized two (2) points, then the oralist scores for that round for all purposes will be recorded as 36, 34, and 38 and 38, 34, and 36 respectively.

In the case of individual penalties, the amount will be subtracted from the score awarded by each oral argument Judge to the penalized mooter during the round in which the violation occurred. The score of a non-penalized team member will not be altered by the assessment of an individual penalty against a teammate.

## **3. *Other Penalties***

In the case of penalties not arising specifically out of a factum or a particular round of oral argument, such as for unsporting behavior, the Referees shall assess penalties by subtracting penalty points from the total points awarded to the penalized team in any round the Referees, in their discretion, deem appropriate.

## **4. *Referees' discretion in determining penalties***

The number of penalty points to be assessed against a team for a violation of the Official Rules will be at the discretion of the Referees. The Referees shall make every effort to assess penalties in a fair manner with regard to maintaining the integrity of the competition. In considering whether to issue a penalty and the quantum of penalty, the following factors shall be taken into account:

- a) prejudice caused to the other teams in the competition;
- b) advantage gained as a result of the Official Rules violation;
- c) inadvertence or misadventure;
- d) occurrences beyond the control of the team(s) or individual(s) concerned;

- e) inconvenience caused to the organizers and to the other teams involved; and
- f) all the circumstances surrounding the violation including any explanation provided by the offending parties.

## **VII. COVID-19 AND ELECTRONIC MOOTING ETIQUETTE**

This section provides best practices for the conduct of the oral argument rounds in the event the competition takes place remotely via electronic hearings. It is important to remember though the hearings take place electronically and judges, participants, parties, and court staff may attend remotely, they remain formal affairs.

### **A. BEFORE THE HEARING**

1) Download and install the Zoom videoconferencing application at least one month before the moot and ensure that it works. Download the application to the device that you will be using on the day of the hearing. Once downloaded, follow the installation instructions. Enter your name and email address when prompted. Name yourself with your identification code. Ensure your Zoom profile photo is a professional photo.

2) Understand and test the application. Once the application is downloaded and installed, familiarize yourself with the Zoom settings. Hover your arrow towards the bottom of the viewing screen to see the Control buttons:

- a) Mic – Click to mute or unmute
- b) Video – Click on button to display or hide video
- c) Share Content – Not to be used
- d) Participants – Click to view a list of the participants who are connected
- e) Chat – Not to be used
- f) More options – Not to be used
- g) End or Leave Meeting

3) Test the application by running a practice moot to ensure the program runs smoothly.

4) Connecting to an electronic hearing: You can join a Zoom hearing using a stand-alone webcam or the built-in camera/microphone on your laptop or desktop computer. This method requires a high-speed internet connection. A LAN (hard) line is optimal or wireless 5gh. (preferred method). Make sure to select “use computer audio” upon entering the hearing.

5) Have appropriate lighting. Try to face a window or situate yourself in an area where you are exposed to plenty of light. If it is not possible to sit facing a window, it will help to position a lamp behind your device so that you are exposed to plenty of light.

6) Frame yourself appropriately. The farther away or more obscured you appear, the less engaging you will be. Your head and the top of your shoulders should dominate the screen. If your head is cut off at the top or bottom, you are too close to the screen. If your entire torso is in view, you are too far away. If only half of your head is in sight, adjust your camera accordingly. If using a laptop or mobile device, try to position it so that it is higher than desk level so that the camera is directed at you rather than looking up at you. Placing a thick book under the device will work well.

7) Set your device’s volume so that your microphone does not pick up your speaker volume. Ensure that “Suppress background noise” under audio settings is set to “high”. Headphones or an external microphone are highly recommended for optimal sound quality.

8) Be aware of your surroundings. Ensure your background is professional, appropriate, and free of excessive background noise. Try to attend from a room with a closed door to minimize visual and audio interruptions.

9) Ensure that you have access to the mute button and use it when appropriate (see below).

10) Silence or mute all telephones in the room. Close down or disable all other apps and browser windows to eliminate notifications. Ensure that others around you are aware that you are in a meeting so as not to disrupt you or the proceedings.

11) If you are connecting from a boardroom, ensure that the microphone is placed directly in front of those who will be speaking (and not off to the side), and ensure that you have the ability to mute the microphone when necessary.

12) Materials: Ensure you have access to all of the documents that you will need. If you are accessing documents electronically from a device, ensure that everything is working

beforehand and that accessing that material does not disrupt your video feed.

**B. DURING THE HEARING**

13) Be on time and ready to proceed. Join the moot hearing 15 minutes in advance of the start time. When prompted, click on “Join Meeting”. You will either be placed in the electronic hearing or in the “Lobby”. Once the judges are ready and all participants have joined, the clerk will lock the meeting so that no others may join.

14) Familiarize yourself with the Zoom settings. See #2 above regarding steps to take before the hearing.

15) Introductions: When you first join the electronic hearing, judges may or may not already be present. A clerk will be present. Identify yourself and your school identifier when you join. If you have co-counsel attending from the same room, have them introduce themselves as well. Only assigned teams should use the assigned video conference link.

16) Minimize background noise. Mute your microphone when not speaking. (But do not forget to unmute before you start to speak.) When not muted, refrain from shuffling papers. Microphones that are located close by will amplify the noise made by the shuffling creating a distraction to other participants. As is the case in a courtroom, all audio is recorded. Note that the clerk, as host, has the ability to mute (and unmute) microphones. Ensure that others around you are aware that you are in a meeting so as not to disrupt you or the proceedings.

17) When speaking, ensure you speak clearly and slowly enough for everyone to follow what you are saying. Remember that sound quality is very important in this medium. Although there may be unavoidable lags due to slower connections, do your best to ensure no one speaks over anyone else.

18) Focus on your camera. Direct eye contact is important. When speaking, look into the camera rather than at the picture of the person(s) you are speaking to. Ensure your device’s camera is open and not obscured by post-it notes or otherwise concealed.

19) Time limits: A warning will be provided when 5 minutes and 1 minute remain and again when the time has expired.

20) No food or drink. As in a courtroom, refrain from eating or drinking anything but

water during the hearing. Ensure that you have a court-appropriate vessel for water, such as a water glass. No plastic water bottles are permitted.

21) Zoom views. Each participant will appear in the Zoom application in a separate box. If all judges are in one courtroom, there will be one box for all of them (displaying the entire bench). If one or more judges are attending from a second courtroom in the opposite city or remotely, there will be a separate box for each. View settings can be changed by clicking on the Layout button at the top right of the viewing window. There are three choices:

- a) Active speaker video view – only the active speaker will appear on the screen
- b) Active speaker and thumbnail video view – the active speaker will fill the majority of the screen while all other participants will be minimized and appear in a row at the bottom of the screen. This is the default view.
- c) Grid view – all participants appear in equal sized boxes evenly displayed across the screen.

In options a and b, the image will change each time the speaker changes. In option c), the image never changes. You may find option c) to be the least distracting. In addition, there is a “Floating panel view” option. Clicking this button will change the current view to full screen for whatever option you choose. You may find full screen and option c to be the best for viewing and least distracting. Your own image will appear in a smaller box. Click and drag it to change the position of it on the screen. You can also hover your mouse on top of your image and click “Minimize my self-view video”. If you do this, your image will disappear from your screen but will continue to be visible to all other participants.

Note that view options may be different if using a phone or tablet to connect rather than a laptop or desktop computer.

22) Technical difficulties: In the event of low bandwidth, the image and sound quality may be interrupted. It is possible that the image will disappear, but sound will continue. In other words, while the participants may not be able to see each other, they may still be able to hear each other. Confirm that this is happening before continuing to speak. The image will reappear once bandwidth has returned to normal. If bandwidth issues continue to occur, it may be necessary for some of the participants to turn off their video. In the event that the session is terminated unexpectedly, please try re-connecting or wait for further instructions.



## **VIII. NBLSA THURGOOD MARSHALL MOOT COURT COMPETITION 2022 - 2023**

The BLSA Julius Alexander Isaac Moot has an invitation for our first place winner to compete at the National Convention of the NBLSA Thurgood Marshall Moot Court Competition (TMMCC).

NBLSA (the National Black Law Student Association) is one of the largest student-run organizations in the United States. The organization was formed to articulate and promote the needs and goals of Black law students to effectuate change in the legal community.

The top three placing teams from each of the six US regional conventions will be invited to compete at the National Convention, as well as the first-place winner of the BLSA Canada Isaac Moot. The BLSA Canada team will have the choice whether to compete in the NBLSA Moot. Participation in the NBLSA Moot is not mandatory.

The NBLSA Moot will take place in early March during the NBLSA National Convention. Discussions are still taking place on whether the NBLSA Moot will be held virtually. Participants will be updated when information has been given. There will also be opportunities for competitors to participate in the convention events throughout the weekend.

The NBLSA Moot problem is used through regionals up until and during the Nationals. Therefore, the BLSA Canada team will receive the Moot problem at the same time as the other US teams during Regional preliminaries. This will mean that the BLSA Canada team will have their own Moot problem as well as the NBLSA problem and will have the responsibility of allocating their time accordingly. Should the BLSA Canada first-place team choose to participate, they should be reminded that they will be mooting against renowned teams such as Harvard, Yale, Columbia, Georgetown etc.

BLSA Canada will notify its team members whether the NBLSA Moot requires teams to only submit oral arguments or if they will also need to submit written arguments, as this will affect the amount of work our BLSA finalists will have to dedicate toward the NBLSA Moot.