

## DIFC Courts – Courts of Space (CoS) Moot Court competition 2024

### 1. ORGANISATION OF THE COMPETITION

#### 1.1 Structure of the competition

The DIFC Courts – CoS Moot Court is a competition consisting of two (2) days with preliminary rounds, quarter-final rounds, semi-final rounds and a final round. The Moot is open to all university teams, consisting of a minimum of two (2), and a maximum of four (4) students. Participating students should be actively enrolled in a Bachelor or Master programme of law and should not possess any professional pleading experience. The competition consists of a written submission and an oral advocacy round.

#### 1.2 Language

The DIFC Courts – CoS Moot Court competition along with the oral rounds and the skeleton arguments submitted will be in the English Language. Submissions in any other language will not be accepted.

### 2. COMPETITION FORMAT

#### 2.1 Oral rounds

- a) During the Moot Court, each university team will make two (2) submissions per session.
- b) All Moot Court sessions consist of 90 minutes of oral submissions (including time for judicial intervention). Each team has 45 minutes each to make their submissions, including rebuttals (which must not exceed ten (10) minutes). The division of time between Senior and Junior advocates is a matter for each team. Prior to commencement of each round, the judges will orally invite the Senior Claimant and Defendant to indicate how their respective teams intend to divide the allotted time. Teams will be held to that allocation.
- c) Each team must have only two (2) oralists during each moot session. Teams can choose the same, or different, oralists for each session.
- d) Each team shall allocate a Senior Counsel and a Junior Counsel. The case involves a claim and a counterclaim. Senior Counsel will address the claim, and Junior counsel will address the Counterclaim.
- e) During each round, submissions are presented in the following order:
  - a. Senior Claimant (SC) – Claim
  - b. Senior Defendant (SD) – Defence to Claim
  - c. Senior Claimant – Rebuttal relating to Claim
  - d. Senior Defendant – Surrebuttal relating to Rebuttal to Claim

- e. Junior Defendant (JD) – Counterclaim
- f. Junior Claimant (JC) – Defence to Counterclaim
- g. Junior Defendant (JD) – Rebuttal relating to Counterclaim
- h. Junior Claimant – Surrebuttal relating to Rebuttal to Counterclaim

## 2.2 Written Submissions

- a) Each team must prepare and submit an appellant and respondent court bundle that:
  - 1. Must be a PDF File;
  - 2. Should contain an index, the skeleton argument (see Rule 2.3 for further guidance on this), followed by the authorities in date order (see Rule 2.4 for further guidance of case citation);
  - 3. Must be paginated, and the pagination should match the PDF (generally, the first page of the index should be page one (1));
  - 4. Should have the index hyperlinked;
  - 5. Must have the file be named under the team's name, followed by whether it is an appellant bundle or respondent bundle;
  - 6. Should have proper electronic versions of the law reports (rather than website print outs) used where possible.
- b) Marks will be deducted from any team that submits a court bundle in a format other than that prescribed above.
- c) Teams must send a copy of the court bundle in an electronic format by e-mail to the DIFC Courts – CoS Moot Court e-mail before the announced deadline.
- d) No team may revise, substitute, add to, delete or in any other manner alter its written pleadings after submission.

## 2.3 Instructions on Skeleton Arguments

- a) These are documents filed with the Courts in advance of the hearing. They summarise what you will say to the judge at the hearing and provide a broad outline of the main argument. The skeleton argument is not meant to contain everything that you will argue in front of the judges. The skeleton arguments must focus on the relevant facts, issues and arguments that are relevant for the Moot problem.
- b) Each Team must submit two (2) skeleton arguments: one on behalf of the Claimant and one on behalf of the Defendant as part of the court bundle.
- c) For the purposes of this competition, each skeleton argument should be no more than 1500 words and the format must comply with the DIFC Courts Practice Direction No. 2 of 2016 (only paragraphs 4, 5 and 6 of the DIFC Practice Direction shall apply in this competition).

## 2.4 Instructions on Case Citation

- a) Legislation should not be abbreviated and should include section and sub-section numbers.
- b) Cases should be in italics and have the neutral citation (if it has one) and then the report citation. If the case does not have a neutral citation, then you should put the court abbreviation in brackets at the end.
- c) When referencing a DIFC Courts judgment, you must follow the structure below:

Case Name [date proceedings commenced] DIFC CFI [case number] (date of judgment).

For example: *DIFC Investments Ltd v Dubai Islamic Bank* [2022] DIFC CFI 024 (13 June 2022).

## 3. MOOT COURT OFFICIAL SCHEDULE

Opening of registration of the teams	January 23, 2024
Registration deadline (Closure of team and judges' registration)	April 1, 2024
Deadline for seeking clarification on Space Moot Court problem	April 15, 2024
Deadline for submission of skeleton arguments	April 22, 2024
Preliminary Round Day 1 (Online)	May 7, 2024
Preliminary Round Day 2 (Online)	May 8, 2024
Quarter Final (Online)	May 9, 2024
Teams welcome session, introduction and tour in the DIFC Courts	May 20, 2024
Semi Finals (face to face) and Final (closing ceremony/reception announcing the winners & awards)	May 21, 2024

## 4. PARTICIPATION AND ELIGIBILITY OF INSTITUTION AND TEAM

### 4.1 Institutional eligibility

All educational institutions offering a degree, or similar graduate or postgraduate qualification or training, in law or in a field related to international law, are eligible to participate in the competition.

#### 4.2 Team composition and eligibility

- a) All teams shall be composed of students who are enrolled in a programme of law (Bachelor or Master) at the participating universities in accordance with Rule 2.1.
- b) Each team shall be composed of a minimum of two (2) and a maximum of four (4) students and may include advisors in accordance with Rule 5. Once a team has been registered, team participants (including students and advisors) cannot be replaced, except in exceptional circumstances and with prior approval from the DIFC Courts in accordance with Rule 3.3.
- c) A person may be a team member if they:
  - ii. Are pursuing a degree, or similar graduate or postgraduate qualification in law, or in a field related to international law;
  - iii. Are intending to compete on behalf of an eligible institution at which they are enrolled as a full-time or part-time student as of the time of registration of the competition until its competition;
  - iv. Have not, after having graduated from any type of law degree program, engaged in the practice of law, or gained professional pleading experience.

#### 5. TEAM ADVISORS

##### 5.1 Team advisors' registration

The name of each team advisor for a team must be registered with the team by the team registration deadline in the Moot official schedule.

##### 5.2 Number of advisors

There is no limit on the number of advisors that each team can have, although the standard number for coaches can be anywhere between one (1) to four (4) advisors.

##### 5.3 Assistance from advisors

- a) It is expected that students should do all the research and writing of the skeleton arguments themselves. Team advisors may help in identifying the issues, commenting on the persuasiveness of the arguments the students have made in drafts and, when necessary, suggesting other arguments the students might consider employing. However, it is vital that the final product must be that of the team.
- b) During the oral rounds, it is expected and encouraged that teams will have practice arguments, whether against other members of the team or against other teams that will participate in the Moot. The advisors can be more involved in preparing the teams for the oral rounds.

## 6. TEAM REGISTRATION

### 6.1 Registration process

- a) Registrations are accepted on a first come, first served basis. Each team must register by completing a registration form online by the deadline in the Moot Official Schedule. Each team must provide a valid email address at registration. Notice sent to the registered email address for the team constitutes notice to all team members.
- b) It is the responsibility of all team members and team advisors to regularly check their team emails for updates and announcements of the Moot and to provide up to date email and contact details.

### 6.2 Changes to Registration Information

Once team members and team advisors are registered, teams may not make additions or substitutions of team members or team advisors without permission from the DIFC Courts. A request for change can be made by submitting an email describing the nature and reason for the change to [cos.mootcourt@difccourts.ae](mailto:cos.mootcourt@difccourts.ae). The final decision permitting the change will be at the discretion of the DIFC Courts who may consider such submissions only in exceptional circumstances.

## 7. THE MOOT PROBLEM

- a) The problem in the DIFC Courts – DIFC Space Court 2024 involves a fictional dispute of the kind that would be expected to be heard in the DIFC Courts of Space Court.
- b) The Moot problem will be published on the competition website.
- c) Teams may submit three clarification questions to the Moot problem within the indicated clarifications deadline.

## 8. JUDGING ROUNDS

### 8.1 Judging Written Submission

The skeleton arguments will be awarded a score out of a maximum of 100 points per team. The judging criteria is as follows:

1. Organisation, structure, and analysis of the issues: (20 points)
2. Use of facts and legal principles: (20 points)
3. Use of authorities and citations: (20 points)
4. Persuasiveness and reasoning: (20 points)

5. Creativity: (20 points)

#### 8.2 Judging Oral Rounds

a) Each bench in the Preliminary and Quarter Final Rounds will be composed of two (2) Judge(s) and one (1) Presiding Judge (appointed by the DIFC Courts) and shall be assisted by a host.

b) Each oral argument shall be judged individually by the Judges, acting independently of one another.

c) Scores are rewarded out of a maximum of 100 points per team as follows

1. Organisation, structure, and analysis of the issues: (20 points)

2. Use of facts and legal principles: (20 points)

3. Use of authorities and citations: (20 points)

4. Persuasiveness and reasoning: (20 points)

5. Presentation and teamwork: (20 points)