Madeline Williams, Paralegal Cup Coordinator paralegalcup@gmail.com 647.867.6364

Humber College corporate contact: James Cullin, Associate Dean the Business School james.cullin@humber.ca 416.675.6622 x3800 Humber College 3199 Lake Shore Blvd. W., Toronto, ON, M8V 1K8 www.paralegalcup.ca paralegalcup@gmail.com



September 30, 2015

It is with great pleasure to invite you and your Paralegal students to participate in the 2015 Paralegal Cup Intercollegiate Mooting Competition. The competition is to be held November 21 and 22, 2015 at the Humber College Lakeshore Campus.

The Paralegal Cup is the only mooting competition in Ontario that is exclusive to Paralegal students enrolled in a Certificate or Diploma program. The competition strengthens student advocacy and critical thinking skills by focusing on oral and written advocacy, professionalism, and resiliency. Mooting requires students to research relevant substantive law to prepare their oral and written submissions.

The competition is done in the form of appellate advocacy placed in a mock appellate court setting. Students draw on their advocacy, legal research and writing skills to address the identified legal issues for the selected contemporary Ontario case. The two member teams prepare a written component portion using the format provided. Each team member presents a ten-minute oral submission to a panel of competition judges. Each student team competes in four mooting rounds, alternating between the position of the appellant and the respondent. The competition judges are licensed paralegals, lawyers and members of the judiciary from the legal community.

Students present and defend their position before a panel of competition judges. Immediately following each competition round, the judges provide constructive feedback to the students. This focused and individualized feedback benefits students in their future endeavors. Over the last few years, the Paralegal Cup has engaged a unique and focused group of competition judges; licensees, members of the judiciary, educators and administrators attend to mentor students as they practice and refine their research, analytical, and reasoning skills.

Madeline Williams, Paralegal Cup Coordinator paralegalcup@gmail.com 647.867.6364 Humber College corporate contact: James Cullin, Associate Dean the Business School james.cullin@humber.ca 416.675.6622 x3800 Humber College 3199 Lake Shore Blvd. W., Toronto, ON, M8V 1K8 www.paralegalcup.ca paralegalcup@gmail.com



The first day is a full day of four mooting rounds followed by a networking hour and the highly anticipated evening dinner. The second day consists of the final rounds where there are quarterfinals, semi-finals and finals. Eight teams are selected to participate in the finals based on total oral and written scores from the preliminary four mooting rounds. In the finalist rounds, the team with the higher score continues.

Following the first day of mooting rounds, the Paralegal Cup hosts a celebration of the students' achievements from the day's competition. In past years, the evening has featured a number of influential keynote speakers and distinguished guests from the legal community. The event serves to be an invaluable opportunity for student to connect with mentors, industry leaders and future colleagues.

This year's competition will highlight top-tiered students from colleges across the GTA, Southwestern, and Eastern Ontario. The tradition of prominent legal professionals continues into 2015. Some of our anticipated guests include Mr. Robert Lapper and Ms. Janet Minor, Law Society of Upper Canada CEO and Treasurer, respectively. Also in attendance will be members of Ontario's judiciary, directors of Legal Aid Ontario, William J Simpson Distinguished Paralegals and other community leaders from the legal profession. We have many leading academics in the field of legal education, including, college Vice Presidents, Deans, administrators and other tenured faculty members from colleges across Ontario.

Team registration includes breakfast, lunch, and dinner for the competitors and up to two team coaches. Students and team coaches will also receive complimentary tickets to the evening festivities (to a maximum of two coaches per institution). While the daytime competition is open to the public, there will be a limited number of tickets available for purchase prior to the evening celebration event. Guests are welcomed and additional tickets can be purchased for **\$50** each.

Madeline Williams, Paralegal Cup Coordinator paralegalcup@gmail.com 647.867.6364 Humber College corporate contact: James Cullin, Associate Dean the Business School james.cullin@humber.ca 416.675.6622 x3800 Humber College 3199 Lake Shore Blvd. W., Toronto, ON, M8V 1K8 www.paralegalcup.ca paralegalcup@gmail.com



We are excited about the 2015 Paralegal Cup. With the ever-increasing engagement from the legal community, the Paralegal Cup is a great opportunity for students to display their talent to prospective employers. The Paralegal Cup offers an opportunity for students to celebrate their successes and enhance their advocacy skills in a safe and friendly albeit competitive environment.

For your convenience, please find the Paralegal Cup Mooting Competition Registration Form and the Paralegal Cup Mooting Competition Rules included with this invitation. The registration fee for the event is **\$130** per team. Team registration is due no later than **October 19, 2015** and registration fee payment is due no later than **November 10, 2015**. The case and all other relevant documents will be released to all registered teams on **October 9, 2015**.

We hope that you will join us for the Paralegal Cup intercollegiate mooting competition on the weekend of November 21 and 22, 2015.

To learn more about the history of the Paralegal Cup, including reaction from previous students and volunteers, and to additional banquet, visit our website at www.paralegalcup.ca.

I look forward to hearing from you and seeing you for the competition in November. Please do not hesitate to contact me for further information.

Best Regards,

Madeline Williams

Madeline Williams

Paralegal Cup Coordinator, the Business School

Cc: James Cullin, Associate Dean, the Business School, Humber College (Corporate Contact) james.cullin@humber.ca | 416.675.6622 x3800



2015 Paralegal Cup Mooting Competition Official Rules

Qualification and Registration

- 1. To qualify for competition, teams must:
 - a) Consist of two students from an accredited Paralegal attending same college;
 - b) Complete the registration form and submit the registration fee to the Paralegal Cup;
 - c) Be currently enrolled in an undergraduate or graduate Paralegal program recognized by the Law Society of Upper Canada;
 - d) Provide photo identification confirming active enrollment at the time of registration on the first day of the competition; and
 - e) Check-in no later than thirty minutes prior to the beginning of the first mooting round of the day.
- 2. The competition is not open to students who are currently enrolled in professional law school programs, university degree programs or the Bachelor of Applied Arts Paralegal Studies program.
- 3. The moot competition and featured venue is open to the public.
- 4. Food and beverages are provided exclusively to the competitors, coaches, judges and sponsors.
- 5. Each registered participant receives a ticket to attend the dinner banquet following the first day of competition.
- 6. Each institution with registered teams will receive at most two complimentary tickets for team coaches to attend the dinner banquet following the first day of competition.
- 7. Team numbers are assigned randomly and teams are notified of their team numbers not less than one (1) week prior to the competition.



Competition Format and Structure

Moot Court: Oral Component

- 8. The preliminary rounds are held on the first day of competition. If more than one team does not qualify to compete during the preliminary rounds, the mooting round schedule shall be modified accordingly. Every effort is made to ensure that teams from the same institution do not compete against each other. However, if registered teams do not qualify, teams from the same institutions might compete against each other.
- 9. When an odd number of teams do not qualify for the competition, the team without an opponent shall proceed with their submissions and receive oral advocacy scores from the judges.
- 10. Participants shall restrict their arguments to the information contained in the provided fact scenario, factums and related case law. They are not permitted to include any other jurisprudence, legislation or arguments not contained within the fact scenario, factums and related case law.
- 11. Teams shall prepare submissions as counsel for both the Appellant and the Respondent. Each team should expect to argue for the Appellant twice and the Respondent twice during the preliminary rounds. Appellant teams are <u>not</u> given the opportunity to Reply.
- 12. Each team member shall make oral submissions during each round. Participants have ten minutes for their individual submissions. Only one team member speaks at a time.
- 13. Participants may end their arguments before their ten-minute allotment is reached, however, they may not continue beyond ten minutes unless they request and receive permission from the judge(s). Individual time extensions may be granted to a maximum of two minutes. The extensions are granted at the discretion of the judge(s).
- 14. No verbal communication should take place between teammates while their opposing team is speaking. Any overly distracting or inappropriate conduct on the part of a participant during the round may impact that individual's score under the *Professionalism* category. Serious and ongoing inappropriate conduct could lead to a forfeit and early termination of the round. Scoring, determination of the appropriateness of a competitor's conduct and forfeiture is made at the discretion of the presiding judge(s).
- 15. Judges shall be responsible for marking speaker scores and argument scores.
- 16. Judges deliberate while the competing teams and any spectators wait outside of the competition venue. The remaining time allows the judges to provide constructive feedback to the competitors. Judges shall not indicate who won the round. No numerical scores are revealed after individual rounds.



Moot Court: Written Legal Memo Component

- 17. Each team completes one legal memorandum. The 2015 Paralegal Cup Mooting Competition Committee (Committee) has assigned each team to write the legal memo as the Appellant.
- 18. The team legal memo must consist of the following:
 - a) A cover page that includes the name of the court to which the matter is being appealed, the title of proceedings, the title of the document (e.g. Appellant's Legal Memorandum), and the team number. The team legal memorandum must not include the any competitor names or post-secondary institution name;
 - b) Part I Overview;
 - c) Part II Facts;
 - d) Part III Issue(s);
 - e) Part III Law;
 - f) Part IV Analysis; and
 - g) Part V Conclusion.
- 19. Students are expected to properly cite all sources included in their legal memorandum. Footnotes shall be formatted in accordance with the *Canadian Guide to Uniform Legal Citation, Eighth Edition*.
- 20. A paper copy of the legal memorandum is to be submitted to the Registration desk before 9:00 AM on Saturday, November 21, 2015.
- 21. The team that receives the highest score as determined by the written component judges is awarded the Written Advocacy Award.

Moot Court: Final Mooting Rounds

- 22. If 18 or fewer teams register for the competition, the competition includes only semi-final and final rounds.
- 23. If more than 18 team register for the competition, the competition includes quarterfinal, semi-final and final rounds.
- 24. The teams proceeding to the quarterfinal rounds are determined based on highest team scores using the competition scoring criteria and are announced at the conclusion of the dinner banquet.
- 25. At the time of the finalist announcements, the teams proceeding to the quarterfinal rounds determine whether they are representing the Appellant or Respondent in the quarterfinal rounds (if applicable). The higher-ranking team has first choice of Appellant or Respondent. If the higher-ranking team is not present, they have forfeited their election and by default, their opposing team chooses.



- 26. Following the quarterfinals (if applicable), teams are assigned to argue the opposite side of the case from their previous round's arguments. Where both teams would be assigned to the same side of the case, a coin toss is used to determine assignments. The team with the higher combined scores from the preliminary rounds calls the coin toss.
- 27. The winning teams determined by the higher team score from the quarterfinals (if applicable) proceed to the semi-final rounds. The winning teams determined by the higher team score from the semi-final rounds proceed to the final round.
- 28. The team proceeding to the final round that has the higher team score from the preliminary rounds may choose to represent Appellant or Respondent.
- 29. The winners of the final round are the winners of the 2015 Paralegal Cup Mooting Competition.
- 30. The 2015 Paralegal Cup Mooting Competition speaker awards are determined by calculating the top five individual speaking scores as combined from the four preliminary rounds.
- 31. The 2015 Paralegal Cup Mooting Competition professionalism award is determined by calculating the top individual professionalism score as combined from the four preliminary rounds.

Moot Court: Time Management

- 32. Each mooting round is one hour and ten minutes. No more than twenty-five (25) minutes are reserved for Appellant submissions and no more than twenty-five (25) minutes are reserved for Respondent submissions. The judges may deliberate for no more than ten (10) minutes. The remaining ten (10) minutes are to be used for the judges to provide feedback to the competitors. The timekeepers ensure that the mooting rounds adhere to the time limits.
- 33. If a scheduled team does not arrive at the moot courtroom on time, the timekeeper for that round shall make note of the late arrival. The judge(s) may consider this factor when assigning scores.
- 34. Timekeepers shall be responsible for timing and ensuring that each round is completed and feedback is given within the allotted time.



Judging

- 35. Judges are selected by the 2015 Paralegal Cup Mooting Committee (Committee) and are professional members of the judiciary from Canada, lawyers licensed by a Canadian law society, paralegals licensed by the Law Society of Upper Canada, professors teaching law courses at a Canadian college or university, Canadian law students or other appropriate legal professionals from Canada as determined by the Committee.
- 36. Judges are not paid but the Committee may convey standardized gifts of appreciation to all of the judges involved in the competition.
- 37. The preliminary rounds are adjudicated by at most three judges. If more judges sit on the Bench, the highest three scores are used for scoring purposes.
- 38. Panels consisting of three judges preside over the quarterfinals (if applicable) and semi-finals. The panels may not consist of more than one judge currently affiliated with the finalist's school.
- 39. In any round where two or more judges are in conflict of interest with the any member of the competitor team, only one of the judges in conflict may adjudicate that mooting round. If there is a conflict, the timekeeper will either ask one of the judges to refrain from adjudicating the mooting round or the judge will be replaced with another available judge.
- 40. A five-judge panel presides over the final round and shall not have more than two judges currently affiliated with the finalist post-secondary institutions.
- 41. During the preliminary rounds, judges score each individual speaker using the marking sheet provided by the Committee based on: argument, professionalism, and speaking scores. The individual team members are assigned the same written submission score based on the written submission provided.
- 42. The Committee provides judges with general instructions and all required materials including score sheets before the competition. Judges are given a brief training session prior to the preliminary rounds commencing.
- 43. The Committee and its delegate timekeepers are responsible for the maintenance and disclosure of the competition's Official Rules to participants and judges and for monitoring general adherence to the Official Rules.



Fair and Collegial Conduct

- 44. Participants shall not deliberately attempt to influence the results of a competition round in any way other than through fair competition during the round itself. Any attempts to interfere with an opposing team may lead to forfeiture of the round at the discretion of the presiding judge(s) and/or disqualification from the tournament at the discretion of the Committee and the judges involved.
- 45. Competitor teams shall not conduct practice rounds before persons who are judges for the current year's Paralegal Cup Mooting Competition. Coaches and team members must ensure that their advisors are not judges in the current year's Paralegal Cup Mooting Competition. Failure to comply with this rule may result in disqualification from the Competition.
- 46. All participants of the 2015 Paralegal Cup Mooting Competition shall conduct themselves in a manner consistent with general and reasonable ideas of fairness, integrity and collegiality at all times. The Committee, at its discretion, may remove any participants who disrupt the event in contravention of this rule without providing a refund of registration fees.
- 47. No person or persons other than the team members may participate in the preparation or presentation of any aspect of the team written or oral submissions. The team written and oral submissions of the competitors shall be the work of the individual team members only. It is permissible for team coaches, faculty and others, in general terms, to discuss the identified issues of the 2015 Paralegal Cup Mooting Competition problem; to provide instruction to develop oral advocacy or the proper issues; and to provide structure for their written submission. This outside assistance can guide the competitors but cannot script their submissions.
- 48. Each competitor team in the 2015 Paralegal Cup Mooting Competition is assigned a team number at random by the Committee. This number must be used on the written component submission and at all times during the 2015 Paralegal Cup Mooting Competition. The post-secondary institution name shall not appear on any official documents and shall not be used to identify a team or team member in any way. Competitors may introduce themselves to the Bench during their oral submissions. However, in an effort to limit potential biases, the Committee request that competitors refrain from mentioning their post-secondary institution. Please do not include competitor names or the city where the written component was drafted on the official written component submission.



General Provisions

- 49. Any question that arises during the 2015 Paralegal Cup Mooting Competition concerning the interpretation or enforcement of these Official Rules is decided by a majority decision of the Committee. These decisions are referred to as Official Decisions. Official Decisions are binding and final. Administrative assistants, judges, timekeepers or any other person are not responsible for the interpretation of the Official Rules.
- 50. All Official Instructions provided by the Committee in the Case Materials are a component of the Official Rules for the 2015 Paralegal Cup Mooting Competition and are enforceable as part of the Official Rules.
- 51. These rules are subject to change at any time, with or without notice, by the Committee. The Official Rules are intended to describe the general procedure of the 2015 Paralegal Cup Mooting Competition and set a standard to which all participants shall adhere. The Committee may, at its sole discretion, make such exceptions as required to the Official Rules to ensure that the competition proceeds successfully. In any situation where an unexpected set of circumstances leads to uncertainty about how an aspect of the competition should proceed, the Committee makes the final decision.

Humber College corporate contact: James Cullin, Associate Dean the Business School james.cullin@humber.ca 416.675.6622 x3800 Humber College 3199 Lake Shore Blvd. W., Toronto, ON, M8V 1K8 www.paralegalcup.ca paralegalcup@gmail.com



2015 Paralegal Cup Mooting Competition Instructions

Table of Contents

Introduction
What is a moot?
Who competes in a moot?
How does a moot work?
Who judges a moot?
What are the judges looking for?
Formalities
Creating Submissions
Oral Argument Issue
Dividing the Issues
Structure of the Submission
Presenting Submissions
Preparing a Script
Speaking Tips7
Legal Memo Submission
Task
Legal Memo Structure
Length
Spacing
Font and Type9
Margins
Printing and Page Format9
Scoring Factors
Questions?

Humber College corporate contact: James Cullin, Associate Dean the Business School james.cullin@humber.ca 416.675.6622 x3800 Humber College 3199 Lake Shore Blvd. W., Toronto, ON, M8V 1K8 www.paralegalcup.ca paralegalcup@gmail.com



Introduction

What is a moot?

Mooting is competitive mock trial competition. Mooting is done within an appellate court. Mooters are not interested in questions of evidence. Mooters examine errors of law and submit arguments as to what the correct finding should be. In addition to writing a legal argument, mooters are required to consider the public's interest associated with each decision. Who has an interest in this decision? Who will be made vulnerable? Will this decision support the purpose of the legislation or not?

Mooting is designed to make students think critically about issues within law. It teaches students to pin-point issues within law and how to interpret legislation and to prepare students for advocacy in tribunals and at court. Students are not practicing their examination skills; they are practicing proper argumentation and expressing their argument in front of a panel.

Who competes in a moot?

Mooting is traditionally a law school exercise. Mooting is partaken in law schools all over the world. Some law schools require students to moot as part of their curriculum. Other law schools only compete in tournaments. Canadian undergraduate university students also compete in provincial competitions.

How does a moot work?

Mooters are required to prepare submissions for both the Appellant and Respondent. In undergraduate mooting, mooters typically compete in four rounds. They present their argument for the Appellant twice and the Respondent twice. Mooters do not debate back and forth between sides. Opponents in a moot are not allowed to object or respond to points. There is no opportunity for rebuttal or reply in the Paralegal Cup Intercollegiate Moot.

Who judges a moot?

The judges consist of law students, licensed paralegals, lawyers, professors and appointed judges.

Humber College corporate contact: James Cullin, Associate Dean the Business School james.cullin@humber.ca 416.675.6622 x3800 Humber College 3199 Lake Shore Blvd. W., Toronto, ON, M8V 1K8 www.paralegalcup.ca paralegalcup@gmail.com



What are the judges looking for?

The judges are looking for well-organized and clear positions about law. They are looking for students to speak well and persuasively. The judges look for students to properly and fully address their questions. They score students using the prescribed scoring sheet. They do not reveal to mooters who has won the round.

Formalities

In the honourable Supreme Court of the Paralegal Cup, mooters are required to comply with formalities. If they do not comply, they lose marks.

Mooters are required to address the judges. If there are multiple judges, the mooter should call the panel, "Members of the Court," or "Honourable Justices of the Court." If a mooter is speaking directly to one particular judge, they will use the title, "Your Honour." Judges refer to the mooters as "Counsellors" or "Licensee." Alternatively, judges can refer to the mooter by the title, "Mr." or "Ms.", followed by their last name.

Mooters refer to their partner as their "Colleague" and refer to their opponent as their "Friends." Students are not to refer to their opponents as their "Opponents" or their "Learned Friends."

In undergraduate mooting, both partners are equal teammates. There is no senior or junior counsellor. If mooters use either title, they lose marks under the professionalism category.

Mooters are to be dressed conservatively in business attire. Men should wear a suit. Ladies should wear business attire. Mooters are required to stand when they address the judges, unless they require a support device.

Humber College corporate contact: James Cullin, Associate Dean the Business School james.cullin@humber.ca 416.675.6622 x3800 Humber College 3199 Lake Shore Blvd. W., Toronto, ON, M8V 1K8 www.paralegalcup.ca paralegalcup@gmail.com



Creating Submissions

Oral Argument Issue

The 2015 Paralegal Cup case is *R v. Williamson* [2014] ONCA 598. The mooters, coaches and judges will refer to the edited version of the case and materials provided by the editors.

Oral arguments will focus on the application of the test for unreasonable delay under s. 11 (b) developed in the case law of *R v. Morin* [1992]1 SCR 771 and *R v. Godin* [2009] SCC 26. In particular, mooters should be very careful to focus on the issue of both actual prejudice and inferred prejudice. Mooters will answer the following question:

Did the trial judge incorrectly apply *Morin* and *Godin* in finding that there was no inferred prejudice to Williamson?

Dividing the Issues

In a moot with a partner, you must decide which speaker addresses which issue(s). For the 2015 Paralegal Cup Moot, the speakers appear as a team as the Appellant and the Respondent (two rounds as the Appellant and two rounds as the Respondent).

Both speakers will have to focus on two legal issues which are connected. The first speaker will have to address the legal issue of prejudice. The second speaker will balance of the interests of the accused's fair trial rights with the public's interest in the prosecution of crime. Both speakers are responsible for discussing the public policy associated with their respective issue.

In a real court situation, the Appellants present their appeal to the court first. The Respondents will present their appeal after the Appellants.

Your interpretation requires applying a legal test. Be sure to apply the test or interpret the test in a way that supports your position as the Appellant or Respondent. After the test has been outlined and discussed, address any other issues. It is wise for a team to finish their submissions with a clear and short summary of their submissions and what their desired remedy is. It is important that a team divide issues with their time limit in mind.

2015 Paralegal Cup Mooting Competition Instructions

Madeline Williams, Paralegal Cup Coordinator paralegalcup@gmail.com 647.867.6364 Humber College corporate contact: James Cullin, Associate Dean the Business School james.cullin@humber.ca 416.675.6622 x3800





In this matter, the Appellant is the Crown. The Appellant requests that the convictions and sentence imposed at the trial be restored. The Crown wants the Supreme Court of Canada to refuse Mr. Williamson's 11 (b) and 24 (1) motion: that his sexual assault charges be stayed.

The Respondent is counsel for Mr. Williamson, who was convicted of sexual assault. The Respondent wants the Supreme Court of Canada to confirm the decision of the Ontario Court of Appeal and dismiss this appeal.

Structure of the Submission

Mooters are required to follow a submission format. Each moot is allotted an hour and ten minutes. The Appellants always speak before the Respondents. Each representative must introduce themself and briefly outline their position and how their argument is composed. This roadmap is extremely important so that the judges understand the position the representative will take, and that the judges know what arguments to expect.

Each speaker's opening should begin after the panel indicates that they are ready to begin. The introduction should say something similar to "Good morning Members of the Court. My name is _____. We represent the Appellant Crown." The first speaker for the Appellant should ask the judges, "before I begin, would the Honourable Justices like a brief Summary of the Facts? ... (The judges will say no.) ... We have x amount of submissions to make."

Briefly outline the submissions as sub-points and then begin.

Note: The judges are to decline this brief summary of the facts. Do not prepare one. This is merely a formality of moot court.

Important: Do not state which school you attend as part of your introduction. Your name and team number are sufficient.

Humber College corporate contact: James Cullin, Associate Dean the Business School james.cullin@humber.ca 416.675.6622 x3800 Humber College 3199 Lake Shore Blvd. W., Toronto, ON, M8V 1K8 www.paralegalcup.ca paralegalcup@gmail.com



Presenting Submissions

Preparing a Script

A mooter should write a script in an essay format so that they can put together what they want to say. Writing the essay makes it easier to structure the points, provide the case law reference to back up the point and state the significance of the submission. However, in a moot, a mooter should not depend upon reading from their script.

It is recommended that a mooter make a point form list of what their points are and how the case law applies to stay on track when the judges take the mooters off their script.

It is highly recommended that a mooter can discuss their sub-points in any given order. A judge may very well not want to hear your subpoints in the order you have prepared. In the event this happens, a mooter must be able to deliver what the judge wants to hear. It is better to make good, complete submissions that the judge asks for, rather than saying everything you wanted to.

Partners need to know their teammate's case. The judges may take a mooter entirely out of their planned issues and take them into their partner's arguments. This is entirely acceptable. If the judges do this or force the mooter to change the order of their submissions, just answer the judges' questions and give good arguments.

<u>Do not defer a question to your partner</u> or say that you will address that issue later. You will lose marks.

Your submissions and analysis need to fill your entire ten minutes. You will lose marks if you run under time. You will also lose marks if you go over your time. Whether you have to cut material or have to ramble to fill your time, you want to fall right upon 10 minutes. You are allowed to ask for more time. However, this extra time is to summarize your submissions and ask for your remedy. If you ask for more time, do not start a new point so that you can say everything that you wanted to.

Note: Teammates cannot divide their time different from the ten minutes each.

2015 Paralegal Cup Mooting Competition Instructions

Humber College corporate contact: James Cullin, Associate Dean the Business School james.cullin@humber.ca 416.675.6622 x3800 Humber College 3199 Lake Shore Blvd. W., Toronto, ON, M8V 1K8 www.paralegalcup.ca paralegalcup@gmail.com



Speaking Tips

Mooters are being marked on their arguments, but also upon their ability to deliver their argument.

Presentation tips to assist with your preparation:

- Do not read from your script. Your notes are a prompt, at best. Make eye contact with the judges as much as possible. A moot should be formal, but very conversational. Making eye contact makes you look prepared, which is persuasive.
- Do not recite long case law quotes to the judges. Short and relevant quotes that back up your point are good, but you do not want to interrupt the flow of your conversation with the judges.
- Speak as slowly as possible.
- Mooting is a serious occasion. Do not be sarcastic, dramatic or overly emotional in your voice. Do not try to be funny.
- Do not fidget, sway, wave your hands in gesture or shake when you deliver your submissions. It is distracting to the judges. Try to appear as comfortable as possible.
- Do not use words that are unfamiliar to you. If you use words incorrectly or use a reference about which you are not sure, it will show in your body language or in your face.

Humber College corporate contact: James Cullin, Associate Dean the Business School james.cullin@humber.ca 416.675.6622 x3800 Humber College 3199 Lake Shore Blvd. W., Toronto, ON, M8V 1K8 www.paralegalcup.ca paralegalcup@gmail.com



Legal Memo Submission

Task

Students are required to write a legal memo on behalf of the Appellant for *R v Williamson* [2014] ONCA 598. The memo should focus on the Ontario Court of Appeal case and not the provided

factums.

Legal Memo Structure

The team legal memo must consist of the following:

- a) A cover page that includes the name of the court to which the matter is being appealed, the title of proceedings, the title of the document (e.g. Appellant's Legal Memorandum), and the team number. The team legal memorandum must not include the any competitor names or post-secondary institution name;
- b) Part I Overview;
- c) Part II Facts;
- d) Part III Issue(s);
- e) Part IV Law;
- f) Part V Analysis; and
- g) Part VI Conclusion.

Students are expected to properly cite all sources included in their factum. Footnotes shall be formatted in accordance with the *Canadian Guide to Uniform Legal Citation, Eighth Edition*.

Length

Parts I-VI of the memo shall be no more than five (5) pages in total length. The pages of the memorandum shall be numbered with continuous Arabic numerals beginning at Part I and ending on the final page of Part VI. Part II (Statement of Facts) cannot be more than one (1) page in total.

Spacing

Parts I-VI of the memorandum must be double spaced, except for: (i) footnotes, and titles more than one line in length, which may be single spaced; and, (ii) quotations of fifty (50) words or

2015 Paralegal Cup Mooting Competition Instructions

Humber College corporate contact: James Cullin, Associate Dean the Business School james.cullin@humber.ca 416.675.6622 x3800





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-VI may be single spaced. Please follow the style presented in the example provided.

Font and Type

All parts of the memorandum, except the cover page, and including any footnotes, shall be in Times New Roman 12-point font.

Margins

Each page of the factum shall have margins of at least one inch on all sides, excluding page numbers.

Printing and Page Format

Electronic copies of the memorandum must be submitted in .PDF format and can be submitted by email to paralegalcup@gmail.com before 5:00 PM on Friday, November 20, 2015. Hard copies of the memorandum shall not differ from the electronic copy submitted. Hard copies shall be printed double-sided on white paper, 81/2" x 11" in size, and must be fastened by staple. The hard copy of memorandum is to be submitted at Registration desk before 9:00 AM on Saturday, November 21, 2015.

Scoring Factors

Scoring factors to be considered (not in any particular order) include, but are not limited to:

- Correct and articulate analysis of the issues;
- Familiarity with and use of the relevant authorities;
- Knowledge of the substantive issues;
- Clarity;
- Creativity;
- Persuasiveness and logical flow;
- Application of legal principles directly applicable to the facts; and
- Correctness of format, citations, and grammar.

2015 Paralegal Cup Mooting Competition Instructions

Humber College corporate contact: James Cullin, Associate Dean the Business School james.cullin@humber.ca 416.675.6622 x3800 Humber College 3199 Lake Shore Blvd. W., Toronto, ON, M8V 1K8 www.paralegalcup.ca paralegalcup@gmail.com



Questions?

If you have any questions about the case materials, please contact the 2015 Paralegal Cup Case

Material Editors.

Fallon Burns, Student Director, Ontario Paralegal Association, Licensed Paralegal,

fglburns@gmail.com

Sara Liden, Fourth-Year Bachelor of Applied Arts – Paralegal Studies Degree Student, sara.liden@humber.ca

Humber College corporate contact: James Cullin, Associate Dean the Business School james.cullin@humber.ca 416.675.6622 x3800 Humber College 3199 Lake Shore Blvd. W., Toronto, ON, M8V 1K8 www.paralegalcup.ca paralegalcup@gmail.com



2015 Paralegal Cup Mooting Competition Registration Form

Please complete one registration form for each team of two to register for the third annual Paralegal Cup Mooting Competition (2015). Please note that registration is not complete until the registration fee of \$130 per team of two is paid. The registration fee must be paid in full no later than October 19, 2015.

Please complete this application form using Microsoft Word and email the completed application form with the subject "PCM 2015 Team Registration" to: <u>paralegalcup@gmail.com</u>.

You or your school will be contacted to complete registration with the payment of the registration fee once the completed form is received.

First Moot Participant:
First Moot Participant Email Address:
Second Moot Participant:
Second Moot Participant Email Address:
Moot Coach(es) (if applicable):
College or Institution:
Program Co-ordinator / School Contact Person:
Primary contact if registering as an independent student:
Phone Number:
Email Address:
Additional information including any dietary restrictions:

Our community partners and sponsors might have promotions, products and/or services of interest to you. We authorize the 2015 Paralegal Cup Mooting Competition to release our names and email addresses to these third parties.

U We have read and understand the 2015 Paralegal Cup Mooting Competition Official Rules.

If you have any questions or concerns, please contact the Paralegal Cup Mooting Committee at: <u>paralegalcup@gmail.com</u>.