

20
25

Immigration, Refugee
and Citizenship Law Moot

Concours de plaidoirie en
droit de l'immigration,
des réfugiés et de la
citoyenneté

**OFFICIAL
RULES**

**ENGLISH
VERSION**

The Immigration, Refugee and
Citizenship Law Moot's 2024
Official Rules are prepared by the
members of the Moot's Rules
Committee:

Anna Kuranicheva

Edmonton Community Legal Centre

Benjamin Liston (*Chair*)

Legal Aid Ontario's Refugee Law Office

Alexandra Uva

Immigration and Refugee Board of Canada



Official Rules of the 2025 Immigration, Refugee, and Citizenship Law Moot

| | |
|---|----------|
| PART I: GENERAL PROVISIONS | 1 |
| Purpose and Objective | 1 |
| Interpretation | 1 |
| Referee(s) | 1 |
| Official Rules | 1 |
| Additional Powers of Referee(s) | 1 |
| Additional Powers of Organizing Committee | 2 |
| PART II: PROCEDURES AND GUIDELINES | 2 |
| Official Problem | 2 |
| Content | 2 |
| Jurisdiction of Court | 2 |
| Clarifications | 2 |
| Registration and Mooters | 3 |
| Team Composition and Eligibility | 3 |
| Reliance on External Sources | 4 |
| Outside Assistance | 4 |
| Plagiarism and Use of Artificial Intelligence | 4 |
| Privacy and Publication | 5 |
| PART III: FACTA AND SUMMARIES | 5 |
| Facta and Summaries | 5 |
| Form | 6 |
| General Provisions | 6 |
| Length | 6 |
| Spacing | 6 |
| Font | 7 |
| Paper and Margins | 7 |
| Citations | 7 |
| Language | 7 |
| Submission of Facta and Summaries | 7 |
| Revision | 8 |

| | |
|--|-----------|
| Complaints | 8 |
| PART IV: ORAL ARGUMENT | 8 |
| Procedure | 8 |
| Location | 8 |
| Rounds | 8 |
| Argument | 9 |
| Language | 9 |
| Duration | 9 |
| Judges | 10 |
| Scope of Oral Argument | 10 |
| Courtroom Communication | 10 |
| Scouting Prohibited | 10 |
| Spectators | 11 |
| Attire | 11 |
| Complaints | 11 |
| PART V: SCORING | 11 |
| Penalties | 11 |
| Factum Scoring | 12 |
| Oral Argument Scoring | 12 |
| Rounds and Advancement | 13 |
| Awards | 14 |
| Top Factum | 14 |
| Top Oralist Mooter | 14 |
| Top Oralist Team | 14 |
| Top Law School | 15 |
| Champion Pair | 15 |
| Appendix A: Factum scoring | 16 |
| Appendix B: Oral Argument Scoring | 18 |

PART I: GENERAL PROVISIONS

Purpose and Objective

1. The purpose of the Immigration, Refugee, and Citizenship Law Moot (“the Moot”) is to provide a unique opportunity for law students, judges, members of the organizing committee (“the Organizing Committee”), academics, and practitioners from the public and private sectors to consider and debate problems of current importance in the fields of immigration, refugee, and citizenship law. The objectives are to support and encourage legal education; to foster collegiality and collaboration in the legal community; and to promote interest in and appreciation for the fields of immigration, refugee, and citizenship law.

Interpretation

Referee(s)

2. A panel of up to three Referees shall be appointed by the Organizing Committee and will be responsible for the interpretation and application of these Official Rules before and during the Moot. The composition of the panel may be changed from time to time at the discretion of the Organizing Committee.

Official Rules

3. The Official Rules are designed to facilitate fair, efficient and orderly conduct of the Moot and shall at all times be interpreted in accordance with this purpose.
4. Any question that arises during the Moot concerning the interpretation or application of these Official Rules will be decided by the Referee(s). These decisions will be called Official Rulings. Timekeepers, judges, or others have no power to interpret the Official Rules. Any reliance on a ruling made by anyone other than the Referee(s) will not preclude the imposition of a penalty, where a penalty is found warranted, if that ruling differs from that of the Referee(s). All Official Rulings are final and binding.
5. The Organizing Committee may update the Official Rules annually before that year’s Moot is set to commence.

Additional Powers of Referee(s)

6. The Referee(s) may devise additional rules and take any other such measure as they consider warranted for a fair, efficient, and orderly conduct of the Moot, provided that these measures are in accordance with the purpose and objectives of the Moot.

Additional Powers of Organizing Committee

7. Notwithstanding Rule 6, the Organizing Committee may do whatever is necessary to deal with any matter to ensure a fair, efficient, and orderly conduct of the Moot, provided that any such measures are in accordance with the purpose and objectives of the Moot.

PART II: PROCEDURES AND GUIDELINES

Official Problem

Content

8. The Moot is based on a hypothetical problem concerning current immigration, refugee, and/or citizenship law issues in Canada. The problem is delivered to all participating law schools in both English and French. Both versions are equally authoritative.

Jurisdiction of Court

9. The Moot is an appeal to the Crown Court of Canada. This is a fictional court established to hear immigration, refugee, and citizenship appeals from the Federal Court. No decision of any Canadian Court, including the Supreme Court of Canada, is binding on the Crown Court of Canada. However, decisions of appellate courts and the Supreme Court of Canada are persuasive in the Crown Court of Canada in accordance with the established hierarchy of those courts.

Clarifications

10. Mooters may request clarification on points that are unclear in the Official Problem and that reasonably need to be clarified in order to develop and present a proper argument. Such requests must be made by e-mail and include an explanation of maximum 250 words as to why a clarification is necessary. They must be e-mailed by the date specified in the instructions accompanying the Official Problem. Requests may be submitted in either official language.
11. Answers will be provided at the discretion of the Referee(s) and Organizing Committee. Where a clarification is issued, the request and answer will be distributed to all participating law schools in both official languages.

Registration and Mooters

Team Composition and Eligibility

12. Each Faculty of Law (hereinafter 'law school') in Canada may put forward one team of at least four and no more than five mooters. Mooters must be enrolled in either full-time or part-time studies at the law school, including students enrolled in Master of Laws programs. However, persons who have been called to a bar in Canada are prohibited from registering and participating in the Moot. Mooters may be identified by any method chosen by the law school, subject to the requirements regarding outside assistance in Rules 16-18.
13. When registering its team of mooters, every law school will put forward two pairs of two students, with the option of including a fifth student as a team researcher. Each pair will represent one of the two parties in the appeal of the decision outlined in the Official Problem: the Appellant or the Respondent. The law school must indicate which of the parties each pair will represent. For greater clarity, the two pairs from the same law school cannot represent the same party.
14. To secure registration, each law school must pay a non-refundable registration fee to cover attendance costs. The number of mooters and coaches per law school covered by this fee will be determined by the Organizing Committee and may vary from year to year. The Organizing Committee may also determine further individual fees for any additional mooter(s) and/or coach(es). The fee amounts and deadline for payment will be set by the Organizing Committee.
15. Each team will be assigned a number by the Organizing Committee ("the Team ID"). The Team ID must be used at all times during the Moot. Mooters' names must not appear on the facta. Instead, mooters are to use their Team ID followed by the letter "A" for pairs representing the Appellant or by the letter "R" for pairs representing the Respondent. No factum may contain information that would identify the law school or its geographic location. The law school's name must not be used at any time to identify a team, a pair, or a mooter during the Moot. Judges of the facta and oral rounds will use the Team ID only.

Reliance on External Sources

Outside Assistance

16. No person other than registered team members may participate in the preparation or presentation of a team's facta or oral arguments. The facta and oral arguments must be the work of team members only.
17. Notwithstanding Rule 16, coaches, faculty members, practitioners, law librarians, and others external to the moot team (collectively the "Outside Parties") may discuss the Official Problem with the moot team in general terms and may offer general advice and feedback, provided that any assistance is limited to:
 - discussion of basic principles of law;
 - general information on possible research sources and methods;
 - general advice on factum-writing and oral advocacy techniques; and
 - non-substantive feedback on the written and oral arguments only relating to the organization, structure, format, grammar, style, and flow of the content.
18. Mooters may conduct oral argument practice rounds with Outside Parties, provided that any feedback solicited and received complies with the limits set out in Rules 16-17.
19. Any Outside Party acting as a judge in practice rounds may not act as a judge in the Moot.
20. Any Outside Party acting as a judge in practice rounds shall be advised in advance by the team of the requirements in Rules 16-19.
21. Any team that receives outside assistance beyond the limits set out in Rules 16-18 may be penalized pursuant to Rules 74-75 or may be disqualified from the Moot, as determined by the Referees.

Plagiarism and Use of Artificial Intelligence

22. Plagiarism, or any unattributed use of existing written material in any capacity, is prohibited, and may result in disqualification of the offending team(s), pair(s), or mooter(s) from the Moot.
23. Use of automated content-generating software (e.g., ChatGPT) or any similar artificial intelligence tools to assist in the drafting of facta, one-page summaries, or oral argument notes is prohibited, and may result in disqualification of the offending team(s), pair(s), or mooter(s) from the Moot. This Rule does not apply, however, to the

translation of the one-page summaries required under Rule 30. Mooters are responsible for ensuring that the translation is of the same quality as the original language.

Privacy and Publication

24. By taking part in the Moot, each mooter is deemed to agree that information regarding their participation, including their name, law school, written material, results, photographs, and other recordings, may be published on the Moot's website, on social media platforms, and in other information sources suited to further the purpose and objectives of the Moot in accordance with Rule 1.
25. All rights with respect to facta submitted for the Moot will be the property of the Moot.
26. The Moot reserves the exclusive right to take photos or make audio-/video-recordings of any part of any round. By participating in the Moot, all mooters are deemed to consent to the recording and broadcasting of their oral arguments and to the reproduction of any photographs taken. In the event of the semi-final and final rounds, the recording may be published on the Moot's website, as well as YouTube and/or similar social-media platforms, at the discretion of the Organizing Committee for the purposes of promoting the Moot and furthering legal education. Such recordings and photographs, and copyright in respect of them, belong to the Moot.
27. In some circumstances, a mooter may wish not to have their name or image publicized. In such situations, the mooter may make a request to the Organizing Committee that the Moot not publicize their name or image. Such requests should be made as soon as possible, and no later than by the deadline set by the Organizing Committee and communicated to mooters.
28. No other recording of oral arguments or photographs will be allowed except with advance permission of the Organizing Committee.

PART III: FACTA AND SUMMARIES

Facta and Summaries

29. Each of the two pairs representing the Appellant and the Respondent within a team shall prepare, respectively, an Appellant's factum and a Respondent's factum. Each of the two pairs are to provide a one-page summary of Part II and Part III of their factum. One-page summaries must be single-spaced and in 12 point Times New Roman font.

30. One-page summaries must be provided in both the language of the factum and as a translation in the other official language. The translation must be of the same quality as the original language. While the quality of the translation will not be scored, the Organizing Committee reserves the right at its own discretion to require a team to re-submit a revised translation of a summary that, in its opinion, is deficient, and/or to make corrections to the translation of the summary.

Form

General Provisions

31. The factum will consist of the following:
- (a) Cover page, setting out the name of the court, the style of cause, the title of the document, and the Team ID affixed with either the letter “A” (if the pair is representing the Appellant) or “R” (if the pair is representing the Respondent);
 - (b) Overview;
 - (c) Part I: Facts;
 - (d) Part II: Points in Issue;
 - (e) Part III: Argument;
 - (f) Part IV: Order(s) Sought; and
 - (g) Appendix: List of Authorities.

Length

32. The Overview and Parts I-IV of the factum must be no longer than 30 pages combined. This page limit does not include Appendix or the cover page. All pages and paragraphs must be numbered.

Spacing

33. The Overview and Parts I-IV 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 50 words or more, which may be single-spaced and shall be indented. All portions of the factum other than the Overview and Parts I-IV may be single-spaced.

Font

34. All text, including footnotes, must be in 12 point Times New Roman font.

Paper and Margins

35. Facta must be typewritten on standard letter-size paper measuring 21.5 cm by 28 cm (8.5 in. by 11 in.), with all margins measuring 2.54 cm (1 in.).

Citations

36. All citations shall be made in accordance with the 10th edition of the *Canadian Guide to Uniform Legal Citation* published by McGill University (“the McGill Guide”). Citations can be in-text or as footnotes, but the chosen style must be used consistently throughout the factum. In the event of an inconsistency between the McGill Guide and the Official Rules, the Official Rules will prevail.

Language

37. Facta may be written in English or French. Each pair’s factum must be entirely in one language, although the Appellant’s and Respondent’s facta from the same law school need not be in the same language. Each pair must write their factum in the same language in which they will present their oral argument. Each pair must write their one-page summary in the same language as their factum.

38. Quoted text in English or French shall be reproduced in the language in which it appears in the cited source; it does not need to be translated.

Submission of Facta and Summaries

39. Each pair must submit its one-page summary and its factum in both the Microsoft Word and PDF formats. The document file must be named as follows: “Team ID [insert #] Appellant Factum” or “Team ID [insert #] Respondent Factum”.

40. Facta and summaries must be received by the Moot by the deadlines established by the Organizing Committee. Any materials received after their corresponding deadline shall be subject to the following penalty: after the deadline one point will be deducted from the total factum score for each hour, or part thereof, until the factum is submitted.

For example:

If the submission deadline is 12:00 am, a factum received at 12:01 am will have one point deducted. A factum received at 3:01 am will have four points deducted.

41. All submissions must be e-mailed to the address specified in the instructions for the Official Problem. Facta will be circulated to the opponent pairs electronically following submission. The one-page summaries in the original language and as a translation will be circulated to the teams electronically by the Moot in both official languages following submission.

Revision

42. Pairs may revise and resubmit their revised facta or summaries without penalties before the deadlines established by the Organizing Committee. Any revised submissions received after the deadline shall be subject to penalties in accordance with Rule 40. Revised facta and summaries which have been submitted shall replace their previous versions.

Complaints

43. Complaints pertaining to facta or summaries must be submitted in accordance with the instructions for the Official Problem. Complaints will be handled in accordance with Part V of these Official Rules.

PART IV: ORAL ARGUMENT

Procedure

Location

44. Oral arguments shall take place in person. Unless the Organizing Committee permits otherwise, oral arguments may not take place in a hybrid format where some of the teams participate in person and others appear online.

Rounds

45. The Moot shall consist of preliminary rounds of oral argument, followed by the final round between the highest-ranking Appellant pair and the highest-ranking Respondent pair. A semi-final may be instituted at the discretion of the Organizing Committee.
46. Standings will be determined according to the scoring laid out in Part V of these Official Rules.

47. In the preliminary rounds, each pair shall argue at least twice. Every reasonable effort will be made to have no pair argue against any other pair more than once prior to the semi-final round (if applicable) and the final round.

Argument

48. Each member of a pair shall argue during any given round. To be eligible for the Top Oralist Mooter Award, a mooter must have argued in all of their scheduled preliminary rounds.

Language

49. Each pair must present their oral argument in the same language as their factum.
50. Judges will ask questions of the mooter in the same language in which the mooter is presenting.
51. Every reasonable attempt will be made to ensure Appellant and Respondent pairs are scheduled to argue in the same language. Should pairs be scheduled to argue in different languages, they will be notified in advance of the oral rounds whether or not simultaneous interpretation will be provided.

Duration

52. Each round will begin at the scheduled time. If a pair fails to appear at the start time and has failed to notify the Organizing Committee of the delay, the match may proceed in that pair's absence, subject to the discretion of the Referee(s) to allow the pair to participate and to impose any terms, conditions, or penalties
53. Each of the pairs in a round will have a total of 45 minutes to present their oral argument. Before the start of the round, the pair will be asked to specify how they wish to allocate that time. The pair's mooters may allocate the time as they see fit, provided that no mooter in the pair argues for longer than 25 minutes in a single round.
54. Appellants will have 5 further minutes to present a reply. This is in addition to the 45- and 25-minute limits stated in the preceding rule. No surrebuttal is permitted.
55. Judges may extend the time, at their discretion, to permit a mooter to conclude briefly.

Judges

56. The judging panel shall consist of justices, lawyers, and other legal professionals.
57. For preliminary rounds, the panel will consist of three judges whenever possible. For the semi-final round (if applicable) and the final round, the number of judges shall be at the discretion of the Organizing Committee.
58. When addressing a judge, mooters shall call the judge "Justice (surname)".

Scope of Oral Argument

59. The scope of a mooter's oral argument may expand upon the issues raised in either pair's factum in that round, but the oral argument must be confined to the substantive issues and jurisprudence already submitted.

Courtroom Communication

60. In addition to the two oralists from each pair arguing during the round, if the team has a student researcher they may be stationed at the counsel table.
61. No communication – written, spoken, or otherwise – is permitted with an oralist who is speaking.
62. No communication may take place between mooters at the counsel table and any other person in the courtroom for the duration of that oral round. Electronic communication and access of information online by mooters are prohibited during any part of the round. Electronic devices can be consulted during the course of argument (e.g., to access a document stored on the device, or to keep track of time), but all functions to transmit and receive communication and to access information external to the device must be turned off.
63. Mooters must avoid distracting behaviour while at the counsel table.
64. Mooters may not submit any written material to judges during oral argument.

Scouting Prohibited

65. Mooters shall not scout opposing pairs. They shall not attend any preliminary round at which an opponent pair is presenting. They shall not, in any other way at any time

during the Moot, view or hear the presentations of mooters whom they are scheduled to oppose in preliminary rounds.

66. For greater clarity, Rule 65 applies only to preliminary rounds and it does not extend to the semi-final round (if applicable) or the final round.

Spectators

67. Members of the public are permitted to observe the oral rounds. Members of the public may include mooters' friends, family, coaches, etc. (collectively "Spectators"). Spectators must comply with Rules 15-17 about outside assistance. Instructions to access the Moot shall be provided by the Organizing Committee in advance of the oral rounds.

68. While observing the oral rounds, spectators may not use electronic devices.

69. Spectators are prohibited from recording videos or still images of the Moot.

Attire

70. Robes will not be used. Mooters must wear business attire.

Complaints

71. If a moter observes a rule violation during a round and wishes to make a complaint, they must contact the Organizing Committee by e-mail within 15 minutes of the conclusion of the round. Complaints will be handled in accordance with Part V of these Official Rules.

PART V: SCORING

Penalties

72. The Referee(s), on their own initiative or upon receiving a complaint, may assess a penalty for any violation of the Official Rules. The Referee(s) shall make every effort to allow the team(s), pair(s), or moter(s) alleged to have violated the Official Rules to submit a response prior to the penalty determination. Following such a reply, the Referee(s) shall issue a written Official Ruling from which no appeal may be made. The Official Ruling, which shall be prepared at the first reasonable opportunity, will inform

the team(s), pair(s), and mooter(s) involved of the penalty. The Referee(s) shall provide oral or written reasons.

73. The number of penalty points imposed will be at the discretion of the Referee(s). The Referee(s) will be guided by the objective of maintaining the integrity of the Moot, and will consider the following factors:

- (a) the extent of any prejudice caused to other mooters in the Moot;
- (b) the extent of any advantage gained by the offending mooter(s) as a result of the violation;
- (c) whether the violation was beyond the control of the mooter(s) involved; and
- (d) the extent of any inconvenience and disruption caused to the Referee(s), judges, and/or other mooters.

74. Penalty points assessed against a factum or a one-page summary will be deducted from each judge's score for that piece of written material.

75. Penalties assessed in relation to oral argument may be imposed either against an individual mooter or against the pair as a whole. In the case of pair penalties, the points will be deducted from the scores awarded by each judge to each member of the pair. In the case of individual mooter penalties, the points will only be deducted from the score awarded by each judge to the penalized mooter.

Factum Scoring

76. Facta shall be scored by one or more judge(s). Each factum may be awarded up to 60 points total, with the score broken down into the categories as outlined in Appendix A. Where two or more judges evaluate each factum, the final score will be calculated by averaging the judges' scores.

Oral Argument Scoring

77. Oral arguments shall be scored for each mooter based solely on the mooter's oral presentation and without consideration of the mooter's factum. Each mooter may be awarded up to 60 points total, with the score broken down into the categories as

outlined in Appendix B. A mooter's oral argument score will be determined by averaging each judge's scores for that mooter in that round.

Rounds and Advancement

78. The winner of each round will be the pair with the highest oral argument score for that round. If two pairs are tied, the winner of the round will be the pair with the highest factum score. If there is a further tie, the winner will be determined by a coin toss.
79. A semi-final round may be instituted at the discretion of the Organizing Committee.
80. If a semi-final round is instituted, the following procedures will apply:
 - (a) The two Appellant pairs with the highest total oral argument scores from the preliminary rounds among all Appellant pairs will advance to the semi-final round. Likewise, the two Respondent pairs with the highest total oral argument scores from the preliminary rounds among all Respondent pairs will advance to the semi-final round. If there is a tie in terms of total oral argument score based on the preliminary rounds, the rankings for the tied pairs will be determined in accordance with each pair's factum score. If there is a further tie, the rankings for the tied pairs will be determined by a coin toss.
 - (b) The top-ranked Appellant pair will face the second top-ranked Respondent pair. The second top-ranked Appellant pair will face the first top-ranked Respondent pair.
 - (c) The Appellant pair with the highest oral argument score in the semi-final round between the two Appellant pairs will advance to the final round. Likewise, the Respondent pair with the highest oral argument score in the semi-final round between the two Respondent pairs will advance to the final round. If there is a tie in terms of total oral argument score, the rankings for the tied teams will be determined in accordance with each team's factum score. If there is a further tie, the rankings for the tied teams will be determined in accordance with a coin toss.
81. If no semi-final round is instituted, the Appellant pair with the highest total oral argument score from the preliminary rounds among all Appellant pairs will advance to the final round. Likewise, the Respondent pair with the highest total oral argument score from the preliminary rounds among all Respondent pairs will advance to the final round. If there is a tie in terms of total oral argument score, the rankings for the tied

pairs will be determined in accordance with each pair's factum score. If there is a further tie, the rankings for the tied pairs will be determined in accordance with a coin toss.

82. The winner of the final round will be the pair with the highest oral score in the final round alone. If there is a tie, the rankings for the tied pairs will be determined in accordance with each pair's factum score. If there is a further tie, the rankings for the tied pairs will be determined by a coin toss.

Awards

Top Factum

83. The winner of the Top Factum Award shall be the team with the highest average factum score, computed by totaling the scores of all facta (for the Appellant and the Respondent) submitted by that team, and dividing by the number of facta submitted by that team.

For example:

A team of four to five members would submit two facta. Their total factum score for the purpose of this award would be $[(\text{Factum 1 Score}) + (\text{Factum 2 Score})] \div 2 = \text{TOTAL SCORE}$.

Top Oralist Mooter

84. The winner of the Top Oralist Mooter Award shall be the mooter with the highest average individual oral argument score from preliminary rounds. For greater clarity, any scores from the semi-final (if applicable) or final rounds are excluded. A mooter must have presented an oral argument twice to be eligible for this award.

Top Oralist Team

85. The winner of the Top Oralist Team Award shall be the team with the highest average team oral argument score from preliminary rounds. For greater clarity, any scores from the semi-final (if applicable) or final rounds are excluded. The average is the combined score for oral argument across all of a team's mooters, divided by the number of raw scores provided for all mooters on that team. Mooters need only to have argued once to be included in the score calculation.

For example:

A team composed of five members, three of which who argued twice and two of which who argued once, would have 8 raw scores, and the average score would be calculated as follows: $[(\text{Mooter 1 total}) + (\text{Mooter 2 total}) + (\text{Mooter 3 total}) + (\text{Mooter 4 total}) + (\text{Mooter 5 total})] \div 8 = \text{AVERAGE SCORE}$;

A team composed of four members who each argued twice would have 8 raw scores, and the average score would be calculated as follows: $[(\text{Mooter 1 total}) + (\text{Mooter 2 total}) + (\text{Mooter 3 total}) + (\text{Mooter 4 total})] \div 8 = \text{AVERAGE SCORE}$.

Top Law School

86. The Top Law School Award shall be given to the team with the highest total score. The total score is calculated by adding the average oral argument score (as outlined above for computing the Top Oralist Team Award) and the average factum score (as outlined above for computing the Top Factum Award).

Champion Pair

87. The Champion Pair Award shall be given to the pair with the highest oral argument score in the final round. If there is a tie, the rankings for the tied pairs will be determined in accordance with each pair's factum score. If there is a further tie, the Champion Pair Award will be determined by a coin toss.

Appendix A: Factum scoring

60 points total

General Guidelines:

“Excellent”: this score is reserved for outstanding facta that are at the level of an experienced practicing lawyer who appears in appellate courts, and that superlatively meet all of the Key Factors outlined below.

“Very Good”: this score is appropriate for high-quality facta that are above the level expected of a law student and that meet all of the Key Factors.

“Good”: this score describes satisfactory facta that are at the level expected of a law student and that meet most of the Key Factors.

“Fair” describes facta that are below the level expected of a law student and that meet some of the Key Factors while revealing deficiencies in others.

Every reasonable effort should be made during scoring to ensure that the sub-score in each category matches the total score upon the final summation. In the event of a discrepancy between the sub-score values and the total score value, the sum total of the sub-score values will be used as the final score.

| Category | General Factors | Point Value | Scoring Range |
|-------------|--|-------------|--|
| Analysis | <ul style="list-style-type: none"> - Application of law to the facts; - Grasp of substantive law; - Scope of research; and - Appropriate number of issues identified and argued. | 30 points | Excellent: 27-30 Very good: 23-26 Good: 19-22 Fair: 15-18 |
| Authorities | <ul style="list-style-type: none"> - Relevant authorities identified; and - Authorities used clearly and persuasively. | 10 points | Excellent: 10 Very good: 8-9 Good: 6-7 Fair: 5 |

| | | | |
|---|---|-----------|--|
| Language, Formatting, and Citations | <ul style="list-style-type: none"> - Correct grammar and punctuation; and - Citations adhere to the Official Rules and the McGill Guide. - Formatting adheres to the Official Rules. | 5 points | <p>Excellent: 5 Very good: 4 Good: 3 Fair: 2</p> |
| Style and Organization | <ul style="list-style-type: none"> - Persuasive presentation of arguments and facts; - Clear and concise writing; - Arguments demonstrate creativity and ingenuity; and - Logical structure of arguments. | 10 points | <p>Excellent: 10 Very good: 8-9 Good: 6-7 Fair: 5</p> |
| One-page summary | <ul style="list-style-type: none"> - Written clearly and concisely; - All relevant issues addressed; - Essence of each argument captured inclusively and succinctly; - Correct grammar and punctuation. | 5 points | <p>Excellent: 5 Very good: 4 Good: 3 Poor: 2</p> |

Appendix B: Oral Argument Scoring

60 points

General Guidelines:

“Excellent”: this score is reserved for outstanding oral arguments that are at the level of an experienced practicing lawyer who appears in appellate courts, and that superlatively meet all of the Key Factors outlined below.

“Very Good”: this score is appropriate for high-quality arguments that are above the level expected of a law student and that meet all of the Key Factors.

“Good”: this score describes satisfactory oral arguments that are at the level expected of a law student and that meet most of the Key Factors.

“Fair” describes oral arguments that are below the level expected of a law student and that meet some of the Key Factors while revealing deficiencies in others.

Every reasonable effort should be made during scoring to ensure that the sub-score in each category matches the total score upon the final summation. In the event of a discrepancy between the sub-score values and the total score value, the sum total of the sub-score values will be used as the final score.

| Category | General Factors | Point Value | Scoring Range |
|------------------------------------|---|-------------|--|
| Knowledge and Use of Facts and Law | <ul style="list-style-type: none"> - Interprets the facts fairly and accurately; - Knows the facts of the Official Problem and applies relevant legal principles to them; - States rules of law correctly and articulately; - Knows the facts and rulings of relevant authorities; and - Distinguishes unfavourable authorities and addresses counter-arguments. | 20 points | Excellent: 19-20 Very good: 16-18 Good: 13-15 Fair: 10-12 |

| | | | |
|-------------------------------|---|-----------|--|
| | | | |
| Structure and Time Management | <ul style="list-style-type: none"> - Structures the argument logically; - Allocates time appropriately; and - Maintains a good tempo. | 15 points | Excellent: 14-15 Very good: 12-13 Good: 10-11 Fair: 8-9 |
| Interactions with the Bench | <ul style="list-style-type: none"> - Answers questions directly; - Shows ingenuity in responding to questions; - Makes appropriate concessions; and - Ties answers into argument. | 15 points | Excellent: 14-15 Very good: 12-13 Good: 10-11 Fair: 8-9 |
| Style and Demeanor | <ul style="list-style-type: none"> - Speaks clearly; - Shows formality and respect to all participants; - Uses good posture and avoids distracting mannerisms; and - Maintains eye contact. | 10 points | Excellent: 10 Very good: 8-9 Good: 6-7 Fair: 5 |