



# **2022 Competition Rules - General**

## 1. Status of the Rules

1.1. Subject to other relevant regulations or law, these Rules govern the **Griffith LSA Competitions**.

1.1.1. The Competitions are:

1.1.1.1. **Insert name of competitions here** (e.g. First Year Moot, Senior Negotiation, Junior Client Interviewing, Witness Examination)

1.1.2. The competitions are referred to collectively as the ‘**LSA Competitions**’ and individually as a ‘**LSA Competition**’

1.2. In the event of any doubt or dispute as to the meaning, interpretation or application of these Rules, the **Vice President** may determine any such meaning, interpretation or application. The **Vice President** is the final arbiter of disputes and doubts related to **LSA Competitions**.

1.3. The **Vice President** may modify these Rules at their discretion but must, prior to making any modification, consider the impact that any such modification would have on current and prospective Competitors.

## 2. Definitions

2.1. **Define the relevant terms here.**

2.2. **Examples:**

2.2.1. “Vice-President”: the **Griffith LSA** Vice-President of the Competitions Portfolio.

2.2.2. “Appeals Process”: The process of appeal outlined in the Appeals Procedure By-Law.

2.2.3. “Officer”: the **Griffith LSA** Competitions Officer.

## 3. Participation and Eligibility

3.1. Competitors in **LSA Competitions** must be current General Members of the **LSA**, having purchased membership of the **LSA** in the year they wish to compete.

3.2. Competitors in **LSA Competitions** must be enrolled in a program at the

**University.**

- 3.3. Competitors must not have graduated with a law degree in any jurisdiction before the first day of the **LSA Competitions** preliminary rounds.
- 3.4. Prospective Competitors cannot compete in a **LSA Competition** if they:
  - 3.4.1. Hold, or have held in the year they wish to compete, the role of **Vice-President/Director** or **Officer/Convenor**;
  - 3.4.2. Have won the **LSA Competition** that they intend to enter;
  - 3.4.3. Have, in the year they intend to enter the **LSA Competition**, written, or assisted in the writing of, a competition problem for that competition; or
  - 3.4.4. Have broken into the quarter-finals at the Australian Law Students' Association (ALSA) Conference for the competition that they intend to enter.
- 3.5. Past ALSA Competitors cannot compete in a **LSA Competition** with the same teammate(s) as they had for that competition at the ALSA Conference.
- 3.6. Competitors cannot compete in a Mooting Competition if they have competed in an international external mooting competition, including the Philip C. Jessup International Moot Court Competition, or the Willem C. Vis International Commercial Arbitration Moot.
  - 3.6.1. For the purposes of this Rule, it is irrelevant whether the competitor's team broke to the international rounds of the competition.
- 3.7. Competitors must seek permission from the **Vice President** to compete in a **LSA Competition** if they have competed in a similar external Mooting, Negotiation, Client Interviewing, Witness Examination or Paper Presentation competition entered into by the **Griffith LSA**, the **University** or another tertiary institution.
  - 3.7.1. To seek permission, a Competitor must make a written request to the **Vice-President/Director** prior to the close of registration. The request must provide:
    - 3.7.1.1. An outline of the Competitor's external competitions experience;

- 3.7.1.2. Reasons for why the Competitor wants to compete; and
  - 3.7.1.3. The Competitor's year of program completion.
- 3.8. Competitors must seek permission from the **Vice President** to compete in a **LSA Competition** if they have been a grand finalist in the **LSA Competition** that they intend to enter previously.
- 3.8.1. To seek permission, a Competitor must make a written request to the **Vice-President/Director** prior to the close of registration. The request must provide:
    - 3.8.1.1. An outline of the Competitor's external competitions experience;
    - 3.8.1.2. Reasons for why the Competitor wants to compete; and
    - 3.8.1.3. The Competitor's year of program completion.
- 3.9. Competitors in the **Junior Competitions** must be enrolled in their first or second year of the **Bachelor of Laws/JD program**, or a dual program that includes a **Bachelor of Laws/JD**, at the **University** (the "Eligible Programs").
- 3.9.1. A Prospective Competitor who has been enrolled in an Eligible Program for more than one year is not eligible to compete in the First Year Competitions, regardless of whether that Competitor has completed the first year required courses of their program.
  - 3.9.2. A Prospective Competitor who has complete courses equivalent to those in the first year of an Eligible Program at another institution or in another program at the **University** is not eligible to is not eligible to compete in the First Year Competitions.
  - 3.9.3. If requested by an **Officer/Vice President**, a Competitor or Prospective Competitor must provide evidence of their enrolment in an Eligible Program and/or tertiary education history.
    - 3.9.3.1. Failure to provide the requested material will draw an adverse inference against the Competitor or Prospective Competitor.
    - 3.9.3.2. Where insufficient material is provided to establish a Competitor's or Prospective Competitor's eligibility to compete in the First Year

Competitions, the **Vice President** must disqualify the Competitor or bar the Prospective Competitor from competing in the First Year Competitions.

**Penalty:** Failure to comply with Rule { HYPERLINK \l "\_bookmark0" } may result in disqualification.

#### 4. Registration

4.1. Competitors must register to compete in a **LSA Competition** by the registration date and time as set by a **Competitions Officer/Convenor** for that competition.

4.1.1. A **Competitions Officer** may, at their discretion, accept a registration submitted after the published date and time. In making their determination whether to accept or refuse the late registration, the **Competitions Officer** must take into account:

4.1.1.1. The time elapsed since the close of registration;

4.1.1.2. The number of valid registrations for the competition; and

4.1.1.3. Whether it is in the interest of fairness and the efficient running of the competition to accept the late registration.

4.2. By registering for a **LSA Competition**, all competitors:

4.2.1. Agree to be bound by the rules outlined in this document.

4.2.2. Consent to their image being photographed, filmed and published by **Griffith LSA**.

4.2.2.1. Competitors may request not to be photographed, filmed or published by sending a written request to an email address nominated by the **Vice-President/Director**.

4.3. Once registered, the team members should remain the same for the duration of the Competition. Substitution is usually strictly prohibited.

4.3.1. In the Witness Examination Competition, any attempt to substitute a team's Competitor will result in disqualification from that Competition.

4.3.2. In all other competitions, substitution of a team member after the team has registered will be allowed only in exceptional circumstances, at the discretion of

the **Vice President**.

4.3.2.1. Teams must submit their substitution request by email to an address nominated by the **Vice President** with an explanation of the exceptional circumstances.

4.3.2.2. The **Vice President's** decision on substitution is final and no avenue of appeal is open.

**Penalty:** Failure to comply with Rule { HYPERLINK \l "\_bookmark1" } may result in disqualification at the discretion of the Appeals Process.

4.4. The **Officer/Convenor** shall allocate all teams entering the competition a random team number, which will be used to identify teams in place of their names.

## 5. **Observers**

5.1. Competitors are prohibited from watching other teams compete in a **LSA Competition** or an external competition which uses the same problem as the **LSA Competition** in which the Competitors are currently competing.

**Penalty:** Failure to comply with Rule { HYPERLINK \l "\_bookmark2" } may result in disqualification at the discretion of the Appeals Process.

5.2. No spectators will be permitted at **LSA Competitions** during the preliminary rounds, quarter-finals or semi-finals.

## 6. **Draws**

6.1. Competitors must accurately state their availability during registration prior to the commencement of each competition.

6.1.1. **Competitions Officers/Convenors** will endeavour to assign competition times that coincide with the requirements of individual teams. This is **not** guaranteed, and Competitors must be available to compete at the time assigned to them.

6.1.2. Where a round has been scheduled within the stated period of availability, a **Competitions Officer/Convenor** will not reassign draw times unless extraordinary circumstances can be demonstrated.

6.2. In circumstances where Competitors become aware that they are unable to attend their assigned time, they must notify the **Competitions Officer/Convenor**.

- 6.2.1. If notification is provided within 48 hours of the draw being released, a **Competitions Officer/Convenor** will attempt to reschedule the round. If the round is unable to be rescheduled, the Competitors are obligated to compete at the time originally scheduled;
- 6.2.2. If notification is provided 48 hours after the draw is released, but prior to 48 hours to the relevant round of the relevant competition, a **Competitions Officer/Convenor** may attempt to reschedule the round, at their discretion.
- 6.2.3. If notification is provided **less** than 48 hours prior to the relevant round of the relevant competition, a **Competitions Officer/Convenor** may reschedule the round **only if** the Competitors demonstrate extraordinary circumstances.

## 7. Arrival Times

- 7.1. Competitors must not be more than five (5) minutes late to the commencement of the round.
  - 7.1.1. The penalty under Rule { HYPERLINK \l "\_bookmark3" } may be waived at the discretion of a **Competitions Officer/Convenor** or **Vice President** if a team can demonstrate extraordinary circumstances.
    - 7.1.1.1. An extraordinary circumstance will arise where, for example, a team member has been unable to attend a round due to a medical emergency or temporary disability and has provided evidence of their condition to a **Competitions Officer/Convenor** or **Vice President** within 24 hours of the scheduled time for the round.

**Penalty:** For each five (5) minutes late or part thereof the competitors are late after the initial five (5) minute grace period, a two (2) point penalty will be applied.

- 7.2. Where a team fails to present itself at the designated time for a round of a **LSA Competition**, that team will be deemed to have forfeited that round and are disqualified from the **LSA Competition**.

**Penalty:** Any team that fails to present at their designated time without reasonable cause will be disqualified from all remaining **LSA Competitions** for the year.

## 8. Competition Structure

8.1. Each **LSA Competition** will ordinarily consist of preliminary rounds (see Rule { HYPERLINK \l "\_bookmark4" }) and knockout rounds (see Rule { HYPERLINK \l "\_bookmark8" }).

8.2. Teams will be randomly allocated to sides. Every effort will be made to ensure that teams are not disadvantaged by the draw, and do not face the same team twice.

8.2.1. For the preliminary rounds of Mooting Competitions, every effort will be made to ensure that teams moot as both Appellant and Respondent.

## 9. Preliminary Rounds

9.1. The number of preliminary rounds will be dependent on the number of entrants.

9.2. All teams will compete in each Preliminary Round.

**Penalty:** Failure to comply with Rule { HYPERLINK \l "\_bookmark5" } may result in disqualification at the discretion of the Appeals Process.

9.3. Competitors may not observe, nor are they to be briefed on, proceedings of a Preliminary Round in which they are not competing.

**Penalty:** Failure to comply with Rule { HYPERLINK \l "\_bookmark6" } may result in disqualification at the discretion of the Appeals Process.

9.4. In the case of an uneven number of teams participating in the **LSA Competition**, one team each round (the ‘odd team’) will:

9.4.1. If competing in a Mooting Competition, moot *ex parte* (i.e. without an opposition).

9.4.1.1. The odd team will be provided with example written submissions on the opposing side (e.g. if the odd team are mooting as the Appellant, they will be provided with Respondent written submissions).

9.4.1.2. As an exception to Rule { HYPERLINK \l "\_bookmark9" }, the odd team will be permitted to observe **only** the oral argument of the team on the opposing side (e.g. if the odd team are mooting appellant, the respondent) of the moot immediately preceding theirs. They may not observe any other part of that moot.

9.4.1.2.1. The odd team will present rebuttal to the oral argument they observed.



9.4.1.3. The same judging panel that heard the round immediately preceding the ‘odd team’, which the odd team observed, will hear the arguments of the odd team.

9.4.1.4. The odd team will be deemed to have won a round if their score exceeds the average score of all other teams for that round.

9.4.1.4.1. The team’s margin will be determined by reference to the average score of all other teams for that round.

9.4.2. If competing in a Negotiation Competition or Witness Examination Competition, a ‘dummy team’ will oppose that team.

9.4.2.1. The ‘dummy team’ will not be scored.

9.4.2.2. The ‘dummy team’ will not progress to the finals.

9.5. After the conclusion of the preliminary rounds:

9.5.1. Where there are 10 or more teams competing in the **LSA Competition**, the eight teams with the highest average point score from the preliminary rounds will progress to the quarter-finals; or

9.5.2. Where there are fewer than 10 teams competing in the **LSA Competition**, the quarter-final may be replaced with a single semi-final round at the discretion of the **Vice President**.

## 10. Progression to Knockout Rounds

10.1. At the conclusion of the preliminary rounds, all teams will be ranked on a single ladder according to the process set out in this Rule.

10.2. The top (4) teams with the highest average points score from the preliminary rounds will progress to the knockout rounds.

10.3. The progressing teams will be announced after the conclusion of the Preliminary Rounds.

## 11. Tiebreaks

- 11.1. This rule applies where:
- 11.1.1. Due to a tie in the total points of two or more teams, the total number of teams that would advance from the preliminary rounds is greater than the number listed in Rule { HYPERLINK \l "\_bookmark9" } without the operation of this rule; or
  - 11.1.2. Due to a tie in the total points of two or more teams, Rule { HYPERLINK \l "\_bookmark9" } cannot be resolved without the operation of this rule.
- 11.2. The team(s) will progress according to the first of the following sequentially ordered sub-rules that applies and breaks the tie:
- 11.2.1. Where there are only two tied teams and those teams have faced each other in a preliminary round, the winner of that preliminary round shall progress; then
  - 11.2.2. Where the tied teams were judged by the same Judge, the decision of the Judge shall determine the team that progresses; then
  - 11.2.3. The team that has won the most rounds from all previous rounds shall progress; then
  - 11.2.4. The team with the higher Point Margin shall progress; then
    - 11.2.4.1. The Point Margin shall be calculated by subtracting the team's aggregate 'points against' from the team's aggregate 'points for'.
      - 11.2.4.1.1. 'Points against' means the number of points scored by the team's opponents across the Preliminary Rounds.
      - 11.2.4.1.2. 'Points for' means the number of points scored by the team across the Preliminary Rounds.
  - 11.2.5. By random automated selection where each team has the same chance of proceedings after the application of the preceding rules.

## **12. Knockout Rounds**

- 12.1. The Knockout Rounds will consist of Quarter Final, Semi Final and Grand Final Rounds.
- 12.2. Competitors may not observe, nor are they to be briefed on, proceedings of a Knockout Round unless they have been eliminated from the competition.

12.3. The draw for the Quarter Finals will be as follows:

Quarter Final 1 (QF1): Team ranked first v team ranked eighth (1 v 8)

Quarter Final 2 (QF2): Team ranked second v team ranked seventh (2 v 7)

Quarter Final 3 (QF3): Team ranked third v team ranked sixth (3 v 6)

Quarter Final 4 (QF4): Team ranked fourth v team ranked fifth (4 v 5)

12.3.1. Teams will be allocated to their sides by random draw.

12.3.2. The winner of each Quarter Final will be determined by a majority decision of a panel of judges.

12.3.3. The winner of each Quarter Final will progress to the Semi Finals.

12.3.4. Semi Finalists will be announced after the conclusion of the Quarter Finals, and teams will be informed of their side.

12.3.4.1. Teams will be allocated to their sides by random draw.

12.4. The draw for the Semi Finals will be as follows:

Semi Final 1 (SF1): QF1 Winner v QF4 Winner

Semi Final 2 (SF2): QF2 Winner v QF3 Winner

12.4.1. The winner of each Semi Final will be determined by a majority decision of a panel of judges.

12.4.2. The winner of each Semi Final will progress to the Grand Final.

12.4.3. Grand Finalists will be announced after the conclusion of the Semi Finals, and teams will be informed of their side.

12.4.3.1. Teams will be allocated to their sides by random draw.

12.5. The draw for the Grand Final will be as follows:

SF1 Winner v SF2 Winner

12.5.1. The winners of the Grand Final will be announced at the conclusion of the Grand Final.

### **13. Withdrawals during Knockout Rounds**

- 13.1. Where a team withdraws from a finals round, the next-most qualified team will be asked to take their place. If the next-most qualified team refuses the offer, the second next-most qualified team will be asked to compete, and so on until a team accepts or all teams have refused.
- 13.2. If all teams refuse the offer to compete, the team who would have competed against the withdrawn team shall proceed to the next round.
- 13.3. No special consideration or extension of time will be granted to a team that accepts the offer to compete.

#### 14. Forfeits

- 14.1. A forfeit will be considered to have occurred where a team withdraws after the opponent's written submission has been released.
    - 14.1.1. Any withdrawal before that time will trigger an *ex parte* moot, or a dummy round, in accordance with Rule { HYPERLINK \l "\_bookmark7" }.
  - 14.2. Any team who forfeits will:
    - 14.2.1. Be deemed to have lost that round. The team will be deemed to have a mark of zero for that round.
    - 14.2.2. Be excluded from progressing through to the Knockout Rounds.
    - 14.2.3. Be ineligible for any awards.
15. Any team whose opponent forfeits a round will moot *ex parte* or compete in a dummy round, in accordance with Rule { HYPERLINK \l "\_bookmark7" }.

#### 16. Appeals

- 16.1. For all rounds except the grand final, teams may appeal a decision of a Judge or panel of Judges of any **LSA Competition** to the **Vice President**.
- 16.2. Appeals must be sent by email to an address nominated by the **Vice-President/Director** within 24 hours of the end of the round to which the complaint pertains.
- 16.3. The decision of the **Vice President** will be made within 24 hours of the receipt of the appeal. The **Vice President's** decision is final.

16.4. If an appeal is upheld, the **Vice President** may do anything in their power, including:

16.4.1. Moderating the scores of a preliminary round or final;

16.4.2. Voiding the result of a final;

16.4.3. If the round or final was recorded, ordering that the round/final be judged by a new Judge or panel of Judges; and/or

16.4.4. Ordering that a final be held again with the same/different problem.

## 17. **Judging and Scoring**

### 17.1. **Eligibility**

17.1.1. To judge a **LSA Competition**, other than a First Year Competition, a Judge must have broken to the quarter-finals of that competition, competed in that competition externally, or be a person with suitable legal qualifications or relevant experience.

17.1.2. To judge a First Year Competition, a Judge must have broken to the quarter-finals of the relevant First Year or Open Competition, competed in that competition externally, or be a person with suitable legal qualifications or relevant experience.

17.1.3. Where a competition has participants under the age of 18, all Judges must hold a **Working with Children Check**.

### 17.2. **Training**

17.2.1. All Judges must attend, in the year they wish to judge, a Judge Training Session for the Competition they wish to Judge.

17.2.1.1. Judges may apply to the **Officer/Convenor** or **Vice President** to be excused from attending judge training.

### 17.3. **Use of Technology**

17.3.1. Judges are permitted to use any relevant technology to assist them in judging any round of a **LSA Competition**.

### 17.4. **Materials**

17.4.1. Prior to their round, judges will be provided with:

17.4.1.1. All relevant written materials for their competition;

17.4.1.2. A summary of the key rules of the competition;

17.4.1.3. A scoresheet; and

17.4.1.4. Scoring notes.

17.5.       **Scoring**

17.5.1. Judges must follow the judging guide and scoring notes when determining a team's score and the results of a final.

17.5.2. Judges must award each team a different score – no draws are possible.

17.5.3. Where there is more than one judge, each judge will be asked to produce an individual decision.

17.5.3.1. Where there are three or more judges on the bench, the bench must reach a majority decision.

17.5.3.2. If a bench consists of more than one judge in the Preliminary Rounds, the judges' scores will be averaged for the purposes of rankings.

17.5.4. Judges must not announce a winner or scores after the round is concluded but may provide verbal feedback at their discretion as long as such feedback does not indirectly reveal the result of the round.

17.5.5. Judges must submit each score or result to a **Competitions Officer/Convenor** within 24 hours.

17.5.6. Scoresheets must include comments justifying the score for each criterion.

17.5.7. Judges must retain all scoring notes:

17.5.7.1. For a preliminary round, until 72 hours after the conclusion of all preliminary rounds in the **LSA Competition**; or

17.5.7.2. For a knockout round, until 72 hours after the end of all rounds in that final.

17.5.8. Judges may be contacted by a **Competitions Officer/Convenor** or **Vice-**

**President/Director** regarding a score and must, if requested:

17.5.8.1. Provide additional commentary or justification for their score; and/or;

17.5.8.2. Reconsider and, if appropriate, modify their score.

## **18. Conflicts of Interest**

18.1. A Judge must not judge a competitor with whom they have a conflict of interest.

18.1.1. A conflict of interest arises between a Judge and Competitor where, on the balance of probabilities, the relationship between the Judge and Competitor would give rise to an actual bias in favour or against the Competitor or be perceived as giving rise to a bias in favour or against the Competitor.

18.1.1.1. A conflict of interest is presumed to arise where the Judge and competitor:

18.1.1.1.1. Are siblings, child and parent, cousins, aunt/uncle and niece/nephew or any other close family relationship; or

18.1.1.1.2. Are currently engaged in a sexual and/or emotional relationship; or

18.1.1.1.3. Were engaged in a sexual and/or emotional relationship within the past twenty-four (24) months.

18.1.2. A conflict of interest will arise where, due to previous personal or professional dealings, the relationship between the Judge and the Competitor creates a serious risk that the Judge will not fairly judge the Competitor.

## **19. Timekeeping**

19.1. Responsibility for timekeeping and adherence to allotted time periods and breaks rests with the Judges.

19.2. Competitors may use an electronic timing device (e.g. phone) for timekeeping purposes during all competitions.

19.3. If resources and volunteers are available, timekeepers and timekeeping devices may be provided and, in such cases, timekeepers will be solely responsible for all time-keeping and time-related penalties.

19.4. Decisions by judges as to elapsed times are final and non-reviewable.

## 20. Outside Assistance

20.1. Teams involved in **LSA Competitions** are not permitted to receive assistance from any person outside of their team.

### 20.1.1. Examples of Outside Assistance

20.1.1.1. Conducting a practice round judged by a non-team member constitutes outside assistance.

20.1.1.2. Participating in **LSA** sanctioned workshops does not constitute outside assistance.

20.1.2. If teams are uncertain on what constitutes assistance, they should contact a **Competitions Officer/Convenor** or the **Vice President** for advice.

**Penalty:** Any contravention of Rule { HYPERLINK \l "\_bookmark10" } is considered cheating and, at the discretion of the **Vice President**, may result in a penalty or disqualification from the **LSA Competition** for which assistance was rendered.

## 21. Use of Technology

21.1. Competitors may not use electronic transmission devices at any time during the round (excepting the use as timekeeping devices, see Rule { HYPERLINK \l "\_bookmark9" }).

21.1.1. Electronic devices include, but are not limited to: laptops, mobile phones and tablet computers.

21.1.2. Rule { HYPERLINK \l "\_bookmark11" } does not apply to electronic transmission devices that are required for medical purposes.

**Penalty:** Any contravention of Rule { HYPERLINK \l "\_bookmark11" } may result in disqualification or a deduction of points at the discretion of the Appeals Process.