



## INSTRUCTIONS FOR THE 7<sup>TH</sup> ANNUAL NATIONAL INTER-UNIVERSITY CONSTITUTIONAL LAW MOOT COURT COMPETITIONS

PROPOSED TO TAKE PLACE ON 29<sup>TH</sup> AND 30<sup>TH</sup> OCTOBER 2020

### 1. Introduction

The Center for Health, Human Rights and Development (CEHURD) convenes the Annual National Inter-University Constitutional Law Moot Court Competitions. Since 2014, the moot court competition has seen more than ten (10) law schools in Uganda participate. The moot court competition is geared towards inculcating a better understanding of the Justiciability of the Right to Health and other human rights guaranteed by the Constitution of the Republic of Uganda, 1995 and recognized in several international instruments.

It also aims at aiding law students to improve their public speaking skills and give them an experience of the litigation process in Uganda. The CEHURD moot has built a cohort of young lawyers who appreciate the right to health and its Justiciability within the confines of Uganda's legal system.

The CEHURD Moot 2020, is based on practice directions and the timelines will be modelled according to the practice directions given, to give the students a wholesome experience of the court process and prepare them for future litigation.

The moot is modelled according to the High Court (filing of pleadings, written submissions and preliminary rounds), Court of Appeal (semi-finals) and Supreme Court of Uganda (final round).

### 2. Timelines

DATE	ACTIVITY
11 <sup>th</sup> June 2020 at 12:00pm	Announcement of the CEHURD 2020 moot.
21 <sup>st</sup> August 2020	Release of the CEHURD Moot 2020 Moot problem and instructions.

28 <sup>th</sup> August 2020 at 2pm	Virtual call to guide participants
4 <sup>th</sup> September 2020 at 5:00pm	Deadline for teams to file pleadings and supporting affidavit as Applicant
14 <sup>th</sup> September 2020 at 5:00pm	Deadline for teams to file pleadings and supporting affidavit as Respondent.
25 <sup>th</sup> September 2020 at 5:00pm	Deadline for teams to file a rejoinder (if any) as Applicant.
2 <sup>nd</sup> October 2020 August 2020 at 5:00pm	Deadline for teams to file written submissions as Applicant.
8 <sup>th</sup> October September 2020 at 5:00pm	Deadline for teams to file written submissions as Respondent.
16 <sup>th</sup> October 2020 at 5:00pm	Deadline for teams to file rejoinder written submissions as Applicant.
29 <sup>th</sup> October 2020	Opening Ceremony for the CEHURD Moot 2020, Preliminary rounds and semi-finals
30 <sup>th</sup> October 2020.	Finals and awards ceremony

### 3. Structure of the moot

The moot competition shall be structured as per the following format:

- Filing of pleadings (Notice of Motion) including 1 affidavit.
- Filing of written submissions
- Preliminary oral rounds (*one as an Applicant and the other as a Respondent*).
- Semi-finals rounds (*the 4 teams with the highest score*)
- Finals rounds (*the 2 teams with the highest score from the semi-final rounds*)

### 4. Filing of pleadings and preliminary oral rounds

Teams to compete against each other during the filing of pleadings, filing of written submissions and the preliminary oral rounds will be chosen through a computer software where all participating teams will be

allocated a random team code and their opponents chosen randomly. Only the CEHURD team will know which university corresponds with which team code.

Each team will have an opportunity to act both as an Applicant and as a Respondent.

Each preliminary round shall last for 1 hour with the total speaking time for each team being 20 minutes. The Applicant may use an extra 5 minutes for rebuttal and rejoinder and the Judge shall take the remaining 15 minutes to address the teams on the gaps in their cases. Teams have discretion on how they will allocate the given time

Marking criteria for oral presentations.

Marking criteria	Marks allocated
Preparation and familiarity with facts	20
Structure of Legal Argument	20
Knowledge & Application of Law	20
Organization, Presentation, Speaking Ability	20
Responsiveness to Questions	10
Courtroom Etiquette	10
Total marks	100

**5. Semi-finals and final rounds**

Presentation as Appellant or Respondent during semi-finals and finals will be determined based on the team with the higher marks becoming the Applicant. The winning teams from semi-finals will proceed to the final round.

Teams are requested to come ready with Grounds of appeal for or in response to the Appellant's case in preparation for the Semi-final round (Appeals Court) and Final Round (Supreme Court) should they make it that far.

Marking criteria for oral presentations.

Marking criteria	Marks allocated
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Preparation and familiarity with facts	20
Structure of Legal Argument	20
Knowledge & Application of Law	20
Organization, Presentation, Speaking Ability	20
Persuasiveness and Advocacy	10
Courtroom Etiquette	10
Total marks	100

### **6. Dress code**

Teams are expected to come fully robed and ready to appear before the High Court and all other higher courts.

### **7. Raising of preliminary objections**

The team members shall not raise preliminary objections on points of law but may highlight the same within their written submissions and oral arguments for comment by the judge.

### **8. Team Code**

The team code must be ascribed on the top right corner of the cover page. Nowhere in the pleadings and written submissions should the team mention the name of its university or make reference to it.

### **9. Team constitution**

Each participating university is expected to have a maximum of 2 participants for the moot.

### **10. Pleadings**

Each team must prepare and file pleadings in 4 (four) copies. The affidavits/written statements filed should be restricted to the facts provided within the moot problem but need not be commissioned.

#### Marking criteria for Pleadings

<b>Marking criteria</b>	<b>Marks allocated</b>
Knowledge of Law and Facts	40
Use of proper procedure and format	40

Respecting time schedules set	20
Total marks	100

### 11. Moot registry

The moot registry shall be CEHURD and all subsequent pleadings and written submissions shall be filed in pdf via email at these email addresses: [wasswa@cehurd.org](mailto:wasswa@cehurd.org) and [wakikona@cehurd.org](mailto:wakikona@cehurd.org)

The moot registry shall then acknowledge receipt of the filed document and forward the received documents to the competing university's contact person to respond accordingly.

A file of the filed documents shall be compiled by the moot registry and forwarded to the judge set to determine the matter to grade the teams.

### 12. Written submissions

Each participating team must prepare and file written submissions as an Applicant and also as a Respondent. Written submissions must be a maximum of 10 pages with a spacing of 1.5. Authorities referred to must be attached to the written submissions.

#### Marking criteria for written submissions

Marking criteria	Marks allocated
Knowledge of Law and Facts	20
Proper and Articulate Analysis	20
Correct format and Citation	20
Extent and Use of Research	30
Respecting time schedules set	10
Total marks	100

### 13. The Judges

Each preliminary rounds will be presided over by a single judge while a panel of three judges will preside over the semi-final rounds. The final round will be heard by a panel of five judges.

The average of the marks obtained in the pleadings, written submissions and preliminary oral rounds will constitute the mark that qualifies one to move on to the semi-finals.

Judges are expected to question and challenge oralists to seek clarification and assess their knowledge of the law. Judges are encouraged to adopt styles that they are most comfortable with. It is important to remember at this stage that the role of the judge in a Moot Court Competition is one that is meant to encourage rather than discourage.

#### **14. Awards.**

The following awards will be given by organizers after the final round:

- First Place
- Second Place
- Best Overall oralist
- Best written submissions for Applicant.
- Best written submissions for Respondent.
- Each team member will receive a certificate of participation.
- The Best Overall oralist will receive an internship placement at CEHURD.

For any queries or clarifications please call Paul Wasswa on 0785882809 or Rose Wakikona on 0774033436 or send an email on [wasswa@cehurd.org](mailto:wasswa@cehurd.org), [wakikona@cehurd.org](mailto:wakikona@cehurd.org) and [info@cehurd.org](mailto:info@cehurd.org)

**GOOD LUCK!**