

Notre Dame Sydney Law Society  
Gilbert + Tobin 2023

# Competitions Guide



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# OPPORTUNITY

## STARTS HERE

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# FOREWARD



## COMPETITIONS DIRECTOR - DOMINIQUE BERGMAN



My name is Dominique Bergman and I am the Competitions Director for 2023. I have participated in many competitions during my time at Notre Dame including Mooting, Negotiations, and the Client Interview.

These experiences have greatly improved my writing and speaking abilities with useful feedback from the experienced legal professionals who act as judges. Every time I finish a competition, I am reminded once again why I am studying law and of the career I wish to pursue.

My competition partners have become some of my closest friends and I have also been lucky to meet many wise seniors who have offered me advice from their experience at University. Never once have I felt judged while competing because of how supportive the students and staff are at Notre Dame.

I hope you will join in the Competitions this year and best of luck!

## COMPETITIONS ASSISTANT DIRECTOR - NORMA BARRIOS



My name is Norma Barrios and I am the Competitions Assistant 2023. Speaking from my own experience, involving myself in competitions has been a great way to develop my confidence while enhancing the practical skills I need for a future career in law.

It has been an incredible opportunity to meet new people and to speak to judges who are already involved in the legal profession. I am grateful to have been able to participate in such a supportive environment, where I have received beneficial advice that I will take with me when I become a lawyer.

Competitions are a great way to get out of your comfort zone and gain a better understanding of what it means to practice law. 10/10 would definitely recommend.

Hope to see you all involved in NDSLS Competitions 2023!

### BENEFITS OF COMPETITIONS

Competitions are a safe space to harness your inner Elle Woods! Each competition allows you to gain practical experience and develop the skills you will need for a future in law. Competitions develop both your oral and written communication skills and simultaneously boost your confidence. Adding competition participation also looks great on your resume and is a wonderful way to meet friends!

# President's Address

Olivia Passerini



## Welcome to the 2023 NDSLS Competitions Guide!

My name is Olivia and I am honoured to be your 2023 President and welcome you to the NDSLS Competitions Guide.

As a Law Student, there is no better way to gain valuable and practical hands-on experience than competitions at university. Competitions at Notre Dame have become an integral part of student engagement, and the NDSLS offers a plethora of competitions to help you prepare for the legal profession. Competitions we offer include mooting, client interview, witness examination, paper presentation and negotiation. Additionally, competitors are given the opportunity to be able to compete at an inter-varsity level, for the Australian Law Students Association (ALSA).

Competitions at UNDA also offer a multitude of opportunities to make new friends, refine research and presentation skills, and most importantly - strengthen your advocacy skills.

This guide has been created through the expertise of our wonderful 2023 Competitions Team, Dominique Bergman and Norma Barrios. Whether you are a new competitor or a returning one, use the knowledge within this guide to get involved with an array of opportunities to the best of your abilities.

Thank you for participating in our 2023 Competitions and Good luck!





# Address from The Head of School

Professor Michael Quinlan

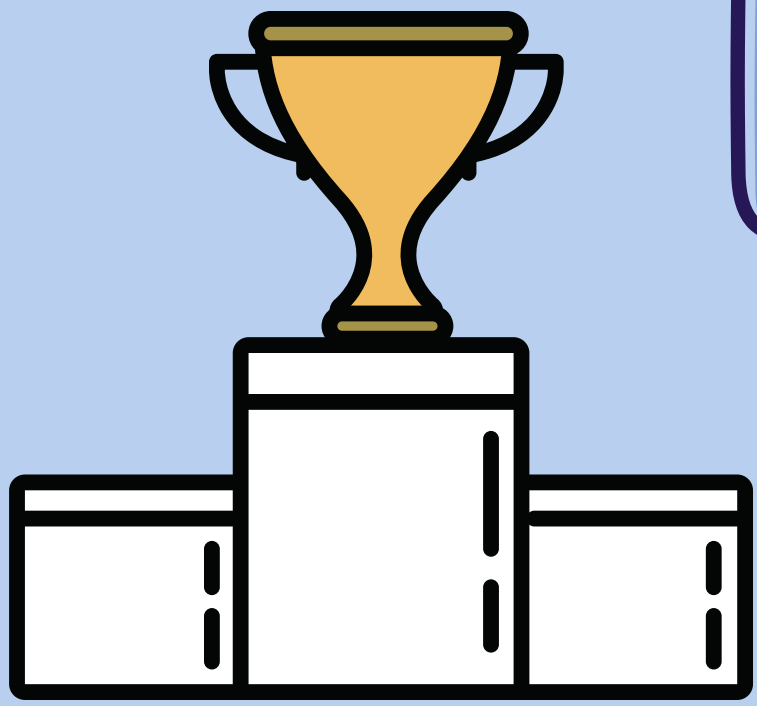
I am very pleased to commend the NDSLS Competitions Guide 2023 to you. Law students at The University of Notre Dame Australia (Notre Dame Law) are very fortunate to be assisted in so many ways during their studies by the NDSLS. The range of competitions that they facilitate for students and the production of this Guide are just some of the many activities and benefits that the NDSLS provides to students.

With its focus on **“providing an excellent standard of training for the profession”** Notre Dame Law provides students with a law degree which is not only academically rigorous, but which also **assists students to develop their practical skills in such areas as public speaking, advocacy and alternative dispute resolution**. These skills are developed in the formal courses but participation in competition provides another **opportunity to work on honing these skills for future use in your career**. Participation in competitions particularly - but not only – if you perform very well in them, are **very valuable additions to a curriculum vitae**. The strongest performers in NDSLS competitions are also well placed to be invited to participate in other domestic and internal competitions. In short there are many sound reasons for every student to carefully review this Guide and to look for opportunities to participate in the competitions it describes.

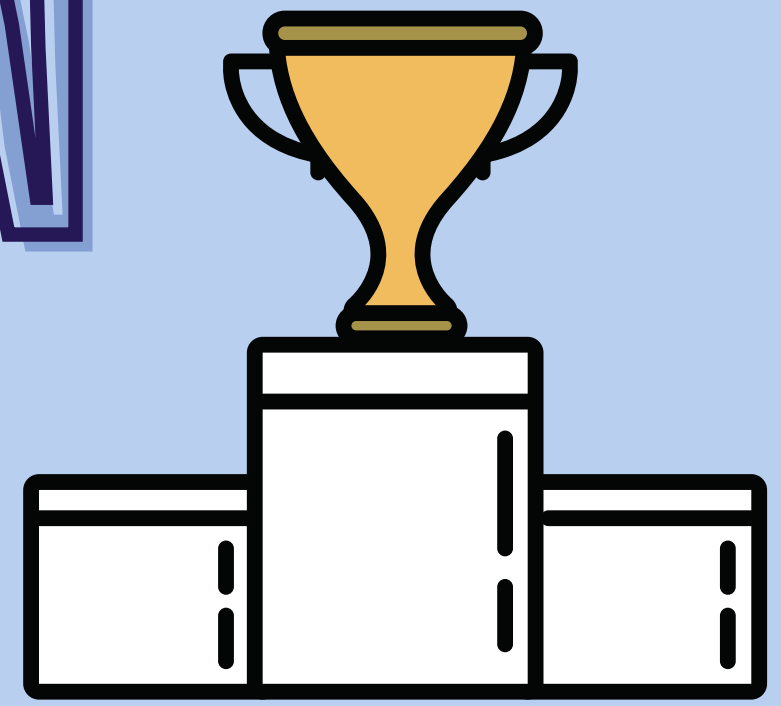
Studying at Notre Dame Law and assisted by the NDSLS, Notre Dame Law graduates are **well prepared for employment in the legal profession and for other careers**. This Competitions Guide provides students with important and valuable information to assist them in planning their participation in competitions which will assist them in obtaining employment in the environment most suited to their many particular gifts and talents.

Notre Dame Law students should be justifiably proud of their School and of the achievements of their peers. I encourage all students to carefully review the contents of this Competitions Guide and to continue the tradition of participation and success of our students and graduates.





# COMPETITION DATES



## Semester One

## Semester Two

### CLIENT INTERVIEWS

WEEK 7

3RD - 7TH APRIL

GRAND FINAL

WEEK 8

17TH - 21ST APRIL

### MOOTING JR & SR:

WEEK 11

8TH - 12TH MAY

GRAND FINAL

WEEK 11

15TH - 19TH MAY

### NEGOTIATIONS

WEEK 3

7TH - 10TH AUGUST

GRAND FINAL

WEEK 8

14TH - 17TH AUGUST

### MOOTING JR & SR:

WEEK 9

4TH - 7TH SEPTEMBER

GRAND FINAL

WEEK 11

11TH - 14TH SEPTEMBER

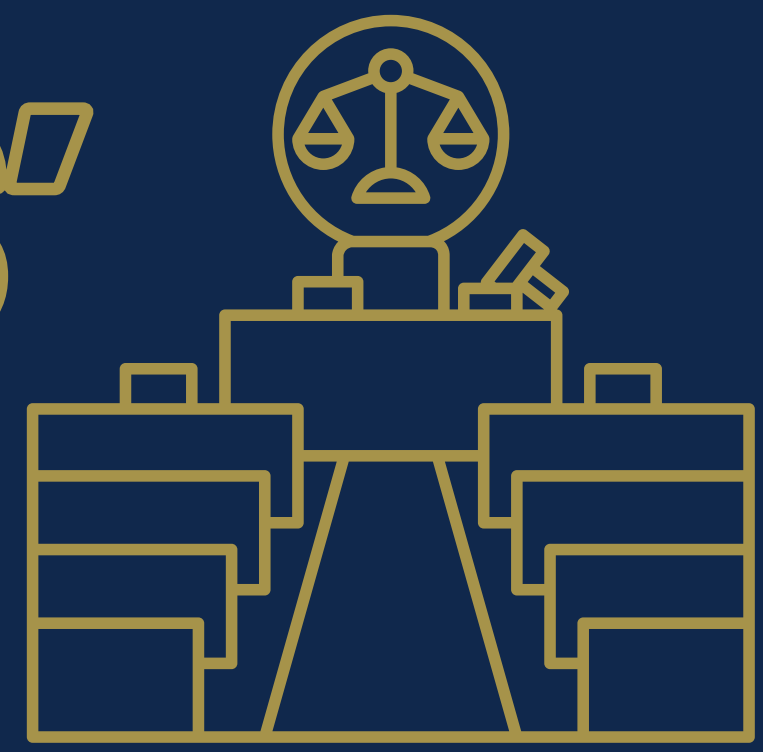
Click here  
@ndsls  
to see updates  
on upcoming  
competitions



Scan here  
to check out the  
Competitions Calendar !

\*NOTE: THESE DATES ARE SUBJECT TO CHANGE  
UPON THE COMPETITIONS TEAMS' DISCRETION  
AS PER THE GENERAL PRINCIPLES.

# COMPETITIONS' OVERVIEW



## CLIENT INTERVIEWS

Client Interviews involve two competitors working as a team of lawyers. You will ask the client questions to ascertain their situation and then offer legal advice. The competitors are only given a brief memorandum about the client's matters, at least 3 days before the competition. The judge will also confer with the client regarding the proposed course of action.

### AIMS:

- Ask questions.
- Establish rapport with the client,
- Gather information regarding your clients' matters and provide them with preliminary advice.

### JUDGEMENT:

You will not be judged on how much advice you give, but on the quality of your correspondence and teamwork. This includes how well you, as a team, draw out the main subject matter from the client, such as the issue, the client's objectives and what course of action will be best suited for them.

### BASIC RULES:

- Competitors will have 30 minutes to conduct the interview with the Judge keeping time.
- Competitors will also be able to call a break and have 5 minutes to confer privately anytime within the 30 minute interview (during which the official timer will be paused).
- After the interview, competitors will have ten minutes to reflect on your performance to the judge (it is expected they will summarise the interview, indicate the scope of the legal work to be undertaken and state the legal issues that should be researched).
- Teams are free to use books, notes and other materials throughout the interview and self-reflection period.
- Further details of Client Interview can be found under the 'Client Interview' page of the NDSLS website.





# NEGOTIATIONS

Negotiations involves two teams going head to head in a mock mediation. After receiving general and confidential fact, it is up to the teams of solicitors to attempt to resolve the matter.

## AIMS:

- Identify your clients interests
- Represent and advocate your client's objectives
- Reach an outcome in the negotiation that satisfies your client's objectives

## JUDGEMENT:

- Competitors will not be judged on the outcome of the negotiation but rather how well they were able to best satisfy their client's objectives.

## BASIC RULES:

- Each team will contain two competitors.
- The Negotiations will occur for a time of 30 minutes.
- Each team will be able to call a break and have 5 minutes to confer privately anytime within the 30 minute interview (during which the official timer will be paused).
- Each team will be given 10 minutes to reflect on their performance to the judge after the Negotiation (during which the opposition will leave the room).
- Teams are free to use books, notes and other materials (excluding IT) throughout the interview and self-reflection period.
  - Mobile phones are only permitted for the purpose of time-keeping.
- Further details of Client Interview can be found under the 'Negotiations' page of the NDSLS website.



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# MOOTING



StevensVuaran Lawyers

The Mooting Competition is a simulated appeal in a superior court. Two teams comprising of two participants will receive a mock fact scenario containing judgments from the lower court and grounds of appeal. You are to decipher whether the lower court decision was correct.

Teams will have to allocate themselves the titles of Senior and Junior counsel and based on the facts, teams must argue their clients' position. Expect to be questioned by the judges as they test you to see just how well you know your facts and the cases surrounding a particular point of law.

## AIMS:

- Complete a written submission containing your arguments.
- Compete in an oral competition to defend your client

## JUDGEMENT:

Teams will be judged on how well they know their facts, how well they think under pressure and how well they argue their position on the grounds of appeal.

## BASIC RULES:

- Junior Mooting is for students in years 1 and 2 while Senior Mooting is for year 3 and above.
- The mooting scenario will be provided to competitors at least 4 days before the competition.
- All submissions are to be submitted to the 'Submissions Dropbox' on the Competitions website by 11:59pm the night before the competition.
- Further details of Mooting Rules can be found under the 'Mooting' page of the NDSLS website.

DON'T FORGET TO  
[Click here](#)  
[@ndsls](#)  
to see updates  
on upcoming  
competitions!

# Competitions Continued:

## WITNESS EXAMINATION

This competition is a simulation of a civil or criminal trial. Participants can either act as barristers or witnesses. There are two barristers and two witnesses per competition to provide prosecution and defence the opportunity to examine and cross-examine both witnesses.

### AIMS:

- The barrister aims to extract information from the witness.
- The witness aims to provide information consistent with their given brief

### JUDGEMENT:

Teams will be judged based on their ability to observe court etiquette and their questioning

## PARTICIPATING AS A CLIENT WITNESS

Non-competitor participation is only needed for the client interview and the witness examination. Participants will be needed during both competitions, and will not be judged. Clients should ask questions based on their provided fact scenario and the answers/advice provided by the competitors. Witnesses must answer questions in accordance with the fact scenario provided to them, witnesses are permitted to create their own facts as long as they are not contradictory to the provided facts.

## PAPER PRESENTATION

This competition requires participants to individually draft a written paper addressing a legal issue. This will be coupled with a 25 minute oral presentation; 15 minutes of speaking and 10 minutes for questions by a panel of judges.

### JUDGEMENT:

Participants will be judged based on the quality of the written paper as well as the quality of the presentation.

# DRESS CODE

Mirroring a real Legal Firm and Corporate environment, Competitors of the NDSLS 2023 Competitions are required to observe the 'NDSLS Competitions Dress Code' as follows:

- Ladies are required to wear a business suit or otherwise, dress pants or skirt with a tailored blouse.
- Gentlemen are required to wear a business suit, or tailored pants, a work shirt and tie.
- Otherwise general appearance (i.e Hair and Accessories) are to be neat and tidy at all times



# General Principles



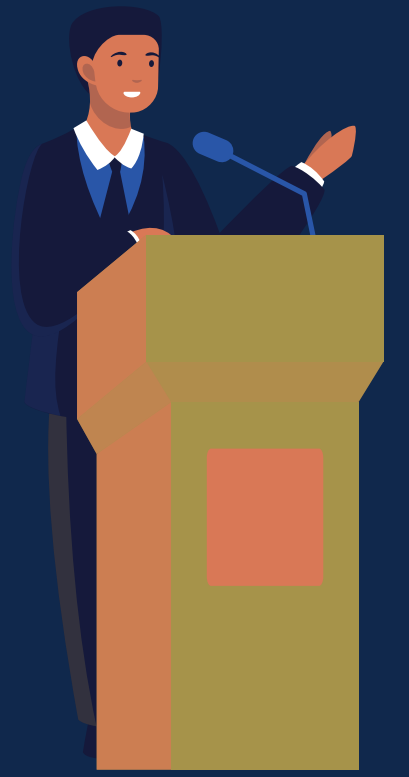
## **GENERAL RULES**

1. This document provides the rules, which shall govern participation in the Notre Dame Sydney Law Society ('the NDSLS') Competitions.
2. The Competitions fall within the portfolio of the 'Competitions Director', who shall be responsible for the enforcement of these rules and the overall supervision of the competitions.
  - a. All decisions of the Competitions Director are final unless otherwise specified in this document.
3. Email 'competitions@ndsls.org.au' for any problems, queries or concerns.
  - a. Similarly, correspondence should be via student (Notre Dame) emails. Any other source shall not be deemed as official.
4. All competitions are run in accordance to the NDSLS rules – competitors should familiarise themselves with these rules before competing.

## **COMPETITOR'S OBLIGATIONS**

1. Participation in Competitions signifies an agreement to abide by the rules and guidelines set out within this document.
2. Participation in the Competitions is open to all students currently enrolled in a 'Bachelor of Laws' at the University of Notre Dame Sydney Campus.
3. In order to participate in the NDSLS Legal Skills Competitions, students must submit their registration to the Competitions in the method that he/she prescribes.
  - a. Registration must be made through online forms. Should there be any issues with the chosen form of registration please email competitions@ndsls.org
4. Registrations must be received by the allocated date. Acceptance of late entries will be at the discretion of the Competitions Director.
5. In keeping with the professional expectations of the NDSLS, we request you comply with the guidelines of the Dress Code, observable at page \_.
6. The Competitions Director reserves the right to disqualify any team or participant for:
  - a. A breach of the rules in this document.
  - b. A breach of any University and/or Law School rules.
  - c. Conduct that is not befitting to the competitions including, but not limited to:
    - i. Being late or failing to turn up to a competition;
    - ii. Failing to respect the authority or misleading judges or organisers;
    - iii. Failing to show suitable respect or misleading fellow competitors;
    - iv. Making a serious ethical violation.
7. The preliminary decisions in regards to the above, however, the final decision resides in the joint agreement of the President of the Law Society.
8. It is at the discretion of teams, whether they wish to use books, notes, and other materials. They must, however, be realistic.
9. Responsibility rests with the attending NDSLS members (presumed to be the Competitions Director or Assistant Director) for timekeeping and for adherence to allotted time periods and breaks. However, if resources and volunteers are available, timekeepers or timekeeping devices may be provided, but no individual associated with a participant may act as timekeeper in a competition involving such participant.
10. Competitors are not permitted to use mobile phones during the preparation or judging period, except as a time keeping device. This must be made clear to the judge who must be able to monitor the device's use.
11. The Competitions Director will be contactable via email: competitions@ndsls.org. Any other correspondence will not be considered official.
12. Once competitions have commenced, there shall be no modifications made to teams subject to the Competition Director's discretion.
  - a. Modifications to teams may be made at the latest 24 hours prior to the nominated time for round one.
  - b. For the Mooting competitions, modifications may be made to a team at the latest 24 hours prior to the due time for the submission of outline of arguments – subject to the approval of the Competitions Director. e time-slots in the event that a participant is unable to compete.

# General Principles Continued



## **COMPETITOR'S OBLIGATIONS CONTINUED**

13. After 24 hours a forfeit will automatically be applied and the team disqualified from the competition.
14. If a team is unable to participate in a particular round after the commencement of competitions, the team must forfeit, unless suitable arrangements can be made. This will depend on:
  - a. The availability of judges and venues;
  - b. The availability of the opposing team to reschedule;
  - c. The reason for inability to compete; Discretion of the Competitions
  - d. Director.
15. Whilst all attempts will be made there is no guarantee or obligation placed on the Competitions Director to reallocate

## **OBSERVERS OBLIGATIONS**

1. Observation of the Competition is encouraged, however potential for disruption must be minimised.
  - a. Observers should not enter or leave the room during the competition session or the self-analysis period.
  - b. Judges may, if they wish, request that observers leave the room while they confer. Apart from that discretion, observers may watch all segments of a round.
  - c. No observer shall attempt to communicate in any way with any team members from the beginning of the participants' competition session to the conclusion of the last self-analysis. Any communication breaching this rule may result in disqualification.

## **NDSLS OBLIGATIONS**

1. The Competitions Director will adhere to the 'Competitions Calendar' as published on the NDSLS Website.
  - a. This timetable may be subject to change depending on judges and venue availability and the Law School class timetable.
2. The Competitions Director will update all competitors of changes to the timetable, if and when they arise.
3. Competition rounds will generally be held in the evening (4:30pm onwards) to help ensure minimal clashes.
4. The competition's structure is set forth as:
  - a. All competitors compete in each preliminary round of the competition.
  - b. With the aim to pass on those who are stronger in the teams, the highest-ranking teams from across the preliminary rounds, as determined by aggregate scores, according to ALSA Rules 3.5.1.2.1 – 3.5.1.4, advance to the Semi and Grand Finals.
  - c. The remaining competitors from each round are ranked on a reserve list according to their scores and in the event that a competitor is unable to participate in the Grand Final, that competitor's position is filled by the competitor ranked highest on the reserve list.
5. All decisions of judges in all competitions are final. In the event of a tie, the aggregate scores of the competition will be used to make a final decision.
6. This decision shall be final. Any concerns or appeals regarding competitions must be made initially to the Competitions Director for adjudication.
  - a. An appeal must be either administrative or equitable in nature. The results of a competition cannot be appealed purely on the grounds of a disagreement.
  - b. In the event that the dispute involves the Competitions Director personally, the President may be substituted.
    - i. In the event that the dispute involves the President personally, the Vice President may be substituted.
  - c. If you are unhappy with the decision of the Competitions Committee you may appeal to the Executive of the NDSLS. This is the final level of appeal.
7. If a party wishes to compete in a competition, representing NDSLS, they must first get the permission of the Competitions Director or President of the Law Society.
  - a. If there is more than one party interested in the position, the Competitions Director will organise a selection process.
8. Subject to the discretion of the NDSLS, the winner(s) of the Competitions may be invited to represent the NDSLS and the University of Notre Dame Sydney at the Australian Law Students Association Annual Conference (ALSA).
9. The NDSLS is not under any circumstances obliged to invite a competitor to compete at ALSA.
10. The Competitions Director may, if necessary, invite a runner up to attend in the event that the winner(s) is unable to attend the ALSA Conference.
11. If suitable, then the Competitions Director in conjunction with the discretion of the NDSLS Executive, may also invite persons who did not participate in the competition, but who are of a high standard and thus suitable for national representation. The NDSLS is under no obligation to provide financial support to those invited to compete at the ALSA Conference.
12. All rules in this document are applied at the discretion of the NDSLS and may be edited, amended or applied in any way that they see fit. This should only occur in the interest of equity, fairness or efficiency.

# CONTACT US



**Competitions Director**

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**Competitions Assistant Director**

Norma Barrios

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**President**

Olivia Passerini

[president@ndsls.org](mailto:president@ndsls.org)



**Vice President**

Brooke Nguyen

[vicepresident@ndsls.org](mailto:vicepresident@ndsls.org)



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