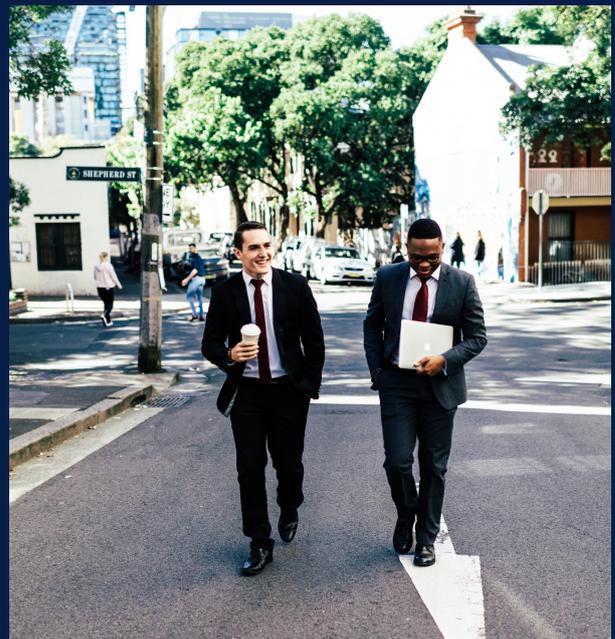
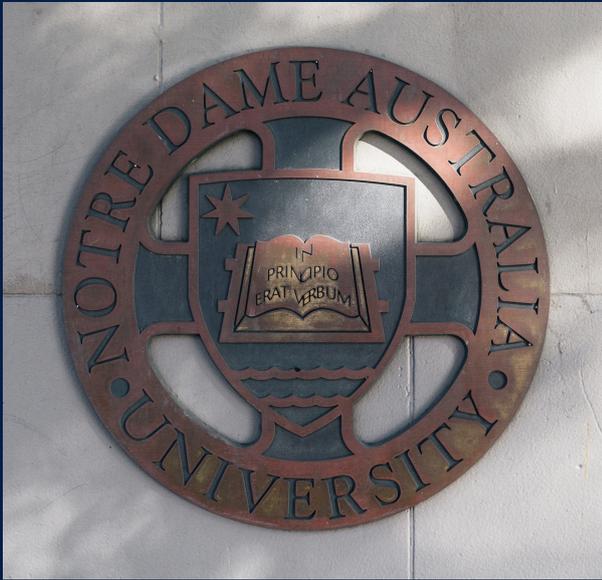


NDSLS 2021 COLLEGE OF LAW



Competitions GUIDE

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Foreword

FROM THE COMPETITIONS DIRECTOR

LUCAS ULLMANN



To all those who have read this guide before, welcome back; to those who have not, welcome. I hope that your experiences in the Notre Dame School of Law are both educational and otherwise rewarding. And an important part of that education and reward is participation in competitions such that you may gain an invaluable insight into actual life as a legal practitioner.

BENEFITS OF PARTICIPATION

Many will not participate for fear of making a fool of themselves; but no one is naturally good at something complex without trying and failing at it a few times. Therefore the existence of the master requires the existence of the fool. So looking like a fool should not be a barrier to participation. Participation in the competitions is not merely useful in the competition setting and bragging to friends; the skills learnt are abstractable to broader life; all of the competitions involve persuasion, critical thought and careful articulation. All of which are useful skills

WHAT CAN MY EXPERIENCE TEACH YOU?

In my first semester in the School of Law, I did not participate in the competitions. I was afraid of going against more experienced students while having literally no experience and no idea how these competitions worked. However, this is why we hold a junior moot in the first semester of each year; to alleviate some of this fear and hesitation. However, some of you will still be afraid and hesitant to participate; which is why the NDSLS will also hold a junior moot competition in semester two. During my second semester, I decided to just participate in the open moot, and let what may happen happen. With my teammate, we achieved second place. Which just goes to show that you can do well regardless of your experience. So I urge you to just try!

President's Address



EBONY BILLET

Welcome to the 2021 NDSLS Competitions Guide!

I am immensely pleased to commend the NDSLS Competitions Guide to you. Competitions at Notre Dame have become an integral part of student engagement. The NDSLS offers a plethora of competitions to help you prepare for the legal profession. Notably, these include mooting, client interview, witness examination, paper presentation and negotiation.

The competitions that the NDSLS offers, provides you with practical skills when you enter the legal profession and a new level of confidence to be able to network. Further, competitors are given the opportunity to be able to compete at an intervarsity level, for the Australian Law Students Association (ALSA).

Participating in competitions provides you with the opportunity to gain an invaluable experience to be able to research both effectively and efficiently.

The 2021 competitions guide will provide you with an array of opportunities to get involved in and what is required of you for each competition.

Seize every opportunity given to you.

God bless.

Dean's Address



PROFESSOR MICHAEL QUINLAN

I am very pleased to commend the NDSLS Competitions Guide 2021 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.

2021 *Calendar of Events* ✨

✨ *Semester One*

15 - 28 MARCH

NEGOTIATIONS

29 MARCH - 4 APRIL

NEGOTIATIONS GRAND FINAL

12 - 25 APRIL

JUNIOR AND OPEN MOOT

26 APRIL - 2 MAY

**JUNIOR AND OPEN MOOT
GRAND FINALS**

10 - 16 MAY

CLIENT INTERVIEW

17 - 23 MAY

**CLIENT INTERVIEW GRAND
FINAL**

Semester Two

26 - 30 JULY

ORIENTATION WEEK

16 - 29 AUGUST

WITNESS EXAMINATION

30 AUGUST - 5 SEPTEMBER

**WITNESS EXAMINATION
GRAND FINAL**

13 - 26 SEPTEMBER

JUNIOR AND OPEN MOOT

4 - 10 OCTOBER

**JUNIOR AND OPEN MOOT
GRAND FINALS**

18 - 24 OCTOBER

PAPER PRESENTATION



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. The email 'competitions@ndsls.org.au' should be your first point of call for all problems.
 - 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 PART 1

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 – email competitions@ndsls.org for further information.
4. Registrations must be received by the allocated date. Late entry is 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 14.

COMPETITOR'S OBLIGATIONS PART 2

1. 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 or intentional ethical violation.
2. The preliminary decisions in regards to the above, however, the final decision resides in the joint agreement of the President of the Law Society.
3. It is at the discretion of teams, whether they wish to use books, notes, and other materials including props. They must, however, be realistic.
 - a. With Paper Presentation, students may opt to utilise a whiteboard, overhead projector or a customised powerpoint to assist or supplement their presentation.
4. Responsibility rests with the student participants 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.
5. Competitions 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.
6. The Competitions Director will be contactable via email: competitions@ndsls.org. Any other correspondence will not be considered official.
7. 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. 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. After 24 hours a forfeit will automatically be applied and the team disqualified from the competition.

COMPETITOR'S OBLIGATIONS PART 3

- 1.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 Director.
- 2.Whilst all attempts will be made there is no guarantee or obligation placed on the Competitions Director to reallocate time-slots in the event that a participant is unable to compete.

OBSERVOR'S 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 negotiation 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' negotiation session to the conclusion of the last self-analysis. Any communication breaching this rule may result in disqualification.

OBLIGATIONS OF THE NDSLS PART 1

- 1.The Competitions Director will adhere to the 'Competitions Timeline' as published on the NDSLS Website during 'O Week'.
 - 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.The Competitions Director will endeavour to ensure minimal clashes between Competitions timetabling and Law School class timetabling.
 - a.Competition rounds will generally be held in the common university lunchtime (12:30-1:30pm) and evening (4:30pm onwards) to help ensure minimal clashes.

OBLIGATIONS OF THE NDSLS PART 2

1. The competitions 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.
2. By midnight on the day, one week prior to a scheduled competition round, the Competitions Director will email competitors their competitions password for the website which will allow them access to their problem, applicable law, brief or any other relevant documents.
 - a. In regards to Client Interview, by midnight on the day, one week prior to a scheduled competition round, the Competitions Director will email clients a brief containing a fact scenario outlining their personality and the legal problem.
3. 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. This decision shall be final.
4. 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.
5. 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.

OBLIGATIONS OF THE NDSLS PART 3

1. 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).
 - a. The NDSLS is not under any circumstances obliged to invite a competitor to compete at ALSA.
 - b. 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.
 - c. If suitable, then the Competitions Director 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.
2. 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.



Dress Code

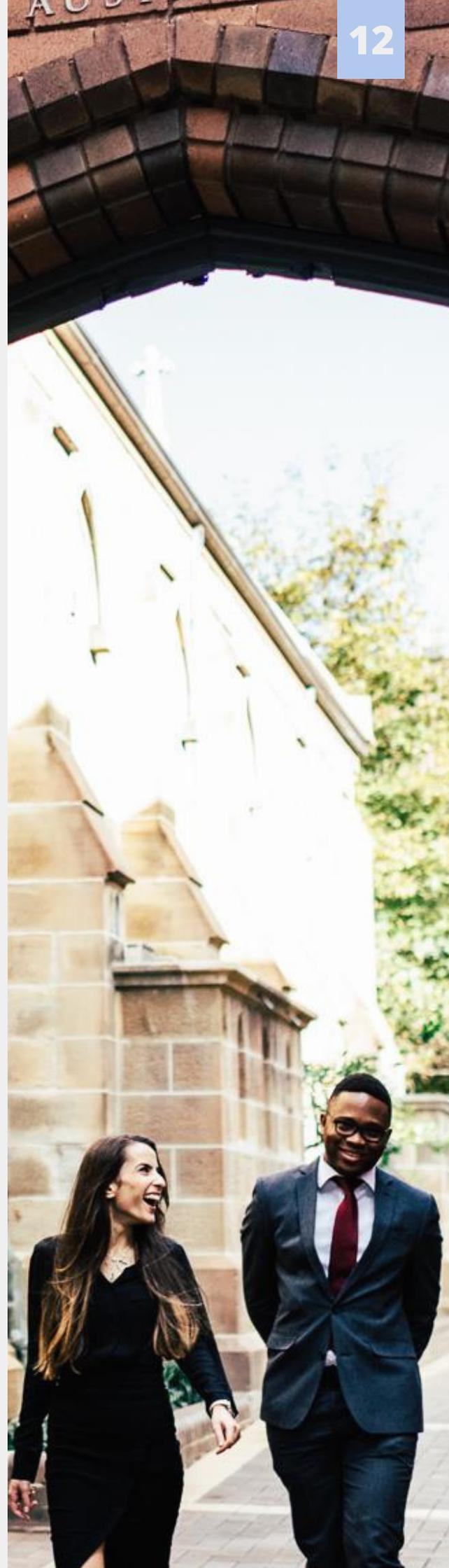
The legal profession requires you to always be dressed in corporate attire. As such, it is a requirement that those participating in the NDSLS Competitions are dressed appropriately.

It is an opportunity to prepare for your future career and allows you to develop a 'ready to work' attitude early on.

Competitors of the NDSLS 2021 Competitions are required to observe the 'Notre Dame Sydney Law Society Competitions Dress Code'. This means:

- 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.

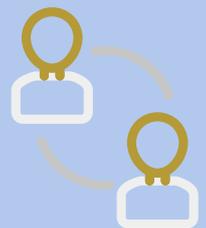
PLEASE ENSURE YOU ARE DRESSED APPROPRIATELY.



THE Competitions

CLIENT INTERVIEW

The client interview competition is a competition in which a team's ability to provide a client with oral legal advice is tested. Each team will receive a set of facts a week prior to the competition, the interview itself is 40 minutes for the interview, plus a 10 minute debrief afterwards. The judge will award a mark based on the quality of the interview and the team's ability to cooperate. Note that it is each team which is awarded points, not each team member. This competition is two rounds, which run over a two week period, plus a grand finale the following week.



NEGOTIATIONS



In the negotiation, each team is presented with a set of facts one week prior to the negotiation and negotiates with another team to reach an agreement on behalf of their clients. One set of general facts is provided to both teams, however a set of confidential facts is also provided which represent their client's interests. Teams comprise of two people, and teams are scored for their time management, preparation, reasonability and (of course) achieving the client's interests. Each negotiation will last 40 minutes with a 10 minute debrief afterwards. There will be two rounds of negotiations over a two week period plus a grand final over the course of the following week.

MOOTING

Junior and Open Moot participants are given a fact scenario which has been appealed by a lower court. A memorandum of advice is to be composed and submitted prior to the event. Each team consists of two participants, one of which will adopt the role of senior counsel and the other junior counsel. Each moot will last 40 minutes with 10 minutes of feedback following. Again, two rounds will be held over the course of two weeks with a grand final the following week. Teams will be judged based on their ability to orally argue legal points and their observation of court etiquette.



WITNESS EXAMINATIONS



The witness examination competition is a simulation of part of a civil or criminal trial. Participants can either act as barristers or witnesses. The aim of the barrister is to extract information from the witness; while the aim of the witness is to provide information consistent with the brief which will have been provided. There are two barristers and two witnesses per competition to provide prosecution and defence the opportunity to examine and cross-examine both witnesses. The two rounds of examinations will occur over the course of two weeks with a grand final the following week. Teams will be judged based on their ability to observe court etiquette and their questioning.

PAPER PRESENTATION

The paper presentation is a competition in which participants are required to draft a written paper addressing a legal issue, and the presentation of that paper to an audience and a panel of judges. The presentation should approximate 15 minutes plus a subsequent 10 minute question time. Participants participate without a teammate. Only one round of presentations occur over only one week without a grand final. Participants will be judged based on the quality of the written paper as well as the quality of the presentation.



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.

Inter-Varsity Competitions

External competitions are also available for some of the more experienced competitors. These competitions could lead participants around the nation or even the world. Stay tuned on the NDSLS social media pages and our website, as more information is released!!



Intervarsity Competitions include:

AAT MOOT

ALLEN & OVERY PRIVATE LAW MOOT

ALFRED DEAKIN INTERNATIONAL COMMERCIAL ARBITRATION (ICA) MOOT

AUSTRALIAN ACADEMY OF LAW: ANNUAL ESSAY PRIZE

AUSTRALIAN ITALIAN LAWYERS ASSOCIATION (AILA) ESSAY COMPETITION

NEGOTIATING OUTCOMES ON TIME (NOOT) COMPETITION

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**NOTRE DAME SYDNEY LAW SOCIETY
2021**