

# Commentary to the 2019 Pax Moot Rules and Procedures

## 1. Introduction & Purpose

Pax Moot is a specialized moot court competition focused on private international law issues. Cases are typically focused on European Law, however the moot court competition is open to universities in all countries and regions. Since a few significant changes have been made to Pax Moot this year, this commentary is intended to clarify some of the issues and confusions that may arise from the new rules and procedures.

## 2. Written Submission

This year is the first year we introduced a written submission to the competition. This is mainly to ensure that each team has a thorough understanding of the subject, and to avoid clarification issues right before the oral rounds. Teams are expected to submit brief summaries of the arguments and analysis they found in the case, and will be graded based on the organization and quality of their research, however, the score given to each written submission will only be used in the determination of the “Best Written Submission Award” and will not have a detriment effect in the oral rounds<sup>1</sup>, nor will teams have to qualify for the oral rounds in any way through the written submission.

Also, teams are encouraged not to deviate completely from their written submissions during the Oral Rounds, however, we recognize that this is very hard to enforce and hence will not be formally penalizing any deviations.

## 3. Organization of the Oral Rounds

The Oral Rounds will be separated into two phases. In the first phase, the General Rounds (4 rounds total), each team compete with a systematically assigned opponent to ensure that no teams will compete with the same team twice, and each team will plead two-times as Claimant, and two-times as Respondent. A scoring system similar to that of the written submission will be used to determine the winner of that particular round. This is to allow for some structure and regularity in the decision making of the judges, but the scores of each round will not carry beyond that round.

Winners of each General Round will gain 1 tournament point, meaning the total points a team may have after 4 General Rounds is 4 tournament points. The 4 teams that have the highest number of tournament points will enter into the semi-final rounds. If there is a tie in tournament points, only then would the total amount of scoring points be used to determine the team that will move forward.

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<sup>1</sup> See comment 3: only in case of a tie in the number of overall wins between teams and in case of a tie in total speaker scores, the team with the highest score on their written memorials shall be selected.

#### 4. Format of Oral Pleadings

The Pax Moot pleading format aims to encourage flexibility and preparation from participating teams. In total, each team will be given 30 minutes of pleading time per round. This time will be separated into two 15-minute segments that will alternate between the teams.

Most notably, after each segment teams will be allowed a 2-minute window to ask questions to the opposing team. This is a new implementation this year and we must rely on the teams to engage in this process in good faith. Questions may be direct challenges to the opponent's position, but they should not be rhetorical. The 2-minute limit also includes both the time to ask and answer questions, hence we expect each segment to be followed by only 1-2 questions from the opposing team. Teams that do not wish to ask questions may also waive this period by indicating to the presiding judge.

#### 5. Judge/Coach Participation

Due to the implementation of the General Rounds (which requires extra presiding judges, time keepers, etc.) we encourage each team to officially nominate a coach as part of the team, and have the coach come with the team to the competition.

During the Oral Rounds, each coach will be assigned in different rooms save for the room their team is pleading in and assist the lead judge in hearing the case. The coach may act as a coordinator for the team but will no longer be allowed to instruct the team on their pleadings, as they will have heard arguments from other participating teams.