



Moots Available to UVic Law Students 2021-22 Update

Selection for Mooting Teams

Selection for mooting teams is by competition, which occurs in early September. Students cannot register for LAW 365 Legal Mooting unless they are selected to participate in a moot through the selection process. Students should therefore register in a full course load in June, and drop a course if they are selected for a moot.

Note: In any given year, it is possible that the Faculty will not participate in one or more of the moots listed in this document. Information about the mooting program for the year will be available in early September.

Researcher Position

Some moots may have a researcher position if permitted by the rules of the moot. Researchers earn slightly less credit than students who act as counsel, and do not normally travel with the team to attend the moot. Selection for researcher positions will also take place in September.

For more information about Legal Mooting, see the JD and JD/JID Planning and Course Selection Guides on the [law course registration webpage](#).

Academic Credit

Credit for moots is awarded in the spring term unless special permission is sought and granted by the Associate Dean, Academic and Students Relations. This permission will only be granted in exceptional circumstances as the moot competitions occur in the spring term. Students who participate in moots as researchers get slightly less credits than those who act as counsel, typically 1.0 unit.

Students may participate in more than one moot competition during their program, including the same moot competition. Students cannot participate in more than one moot in a single academic year. A student may be awarded credit in the second and third years of their program to a maximum of 2.0 units in either year and 4.0 units in the student's entire program, for supervised participation in mooting programs approved by the Associate Dean, Academic and Student Relations. This regulation is strictly enforced. No exceptions are permitted under any circumstances.

First-year students will not receive credit for moot competitions, though they may compete in some of the moots.

Co-op and Moot Eligibility

Co-op students may be eligible to participate in the moot program. Students must notify the Law Co-op Coordinator of their intention to participate in the moot run-offs.

Student must obtain written permission from the Law Co-op Coordinator **before** participating in the moot run-offs.

See the [Law Co-op Handbook](#) for the guidelines that will be applied in determining whether a co-op student may participate in a moot while on a work term. Each student's circumstances are unique, so decisions will be made on a case-by-case basis.

Term Programs

Preparation for moots begins in fall term and students must be available to meet with their team in both fall and spring terms. For this reason, students in Law Centre, full-time field schools or on exchange in either term cannot participate in a moot.

The Moot Competitions

Bowman National Tax Moot (1.5 Units), Toronto, Ontario (will not be offered in 2021-22)

The Donald G. Bowman National Tax Moot is named after the Honourable Donald G. Bowman, former Chief Justice of the Tax Court of Canada. The moot is an appellate level moot that focuses on the area of taxation and will give law students a chance to take part in a simulated tax court proceeding. It is held annually at the Tax Court facilities at 130 Queen Street West in Toronto.

British Columbia Law Schools Competitive Moot (UBC-UVic-TRU Moot) (1.5 Units), Victoria

The BC Law Schools Moot is a competitive appellate moot competition between UBC, UVic and TRU focussing on a question of private law (broadly contract, tort or property law). The competition is held in early February on a rotating basis amongst the Law Courts in Vancouver, Victoria, and Kamloops. Teams are composed of four students each (with the possibility of a fifth student acting as researcher/alternate). Teams subdivide into appellant and respondent pairs. Each pair prepares a factum and presents oral argument to a court consisting of three judges drawn from the Superior Courts of British Columbia. The moot problem is normally handed out in October. Factums are due in January.

Canadian Client Consultation Competition (1.5 Units), Venue TBC

The Competition simulates a law office consultation in which two law students, acting as lawyers, are presented with a client matter. The students are given a brief written memorandum that identifies the general nature of the client's problem before the interviews are held. The students conduct an interview with a person playing the role of the client. Students are expected to elicit the relevant information from the client, explain the relevant laws, present the client with their options, and assist the client to select their preferred resolution. The interview with the client is then followed by a post-consultation period during which the students analyze the interview and discuss the work to be undertaken. The interview and post-consultation period last a total of 45 minutes. The students are evaluated against specific criteria that emphasize the use of listening, questioning, planning, and analytical skills in a lawyer/client interview.

Gale Cup Moot Competition (1.5 Units), Toronto, Ontario

The Gale Moot is an appellate moot competition in the area of criminal law (including the *Canadian Charter of Rights and Freedoms* and the law of evidence). Mooters are asked to appeal from a recent decision of the Supreme Court of Canada. The moot is a national competition held mid-February in Toronto at the Osgoode Hall Law Courts (the Ontario Court of Appeal). Marks are awarded for facta and oral submissions, with the latter given more weight. The UVic team is composed of four students. The moot problem is released in October. The judges for the competition are drawn from courts across Canada, and final rounds are argued before at least one Supreme Court of Canada justice and other senior appellate level judges. Schools may moot in either English or French, with simultaneous translation provided. In some years, winners advance to an international competition that takes place in a Commonwealth country.

Harold G. Fox Intellectual Property Moot (1.5 Units), Toronto, Ontario

The Harold G. Fox Moot focuses on intellectual property law. The moot is intended to promote the furtherance of education in the intellectual property field, and to provide participants with the opportunity to interact with jurists of the Supreme, Ontario, and Federal Courts and experienced practitioners of intellectual property law. It is named in honour of the late [Harold G. Fox](#), one of Canada's leading intellectual property scholars and advocates. The website: <http://ipmootcanada.ca/>

Jessup Moot (2.0 Units), Venue TBC

The Jessup is the largest moot competition in the world, attracting participants from over 500 law schools in more than 80 countries. It is named after Philip Jessup, who once served on the International Court of Justice. The competition is a simulation of a fictional dispute between countries before the International Court of Justice. It involves arguing a hypothetical case on topical issues of international law. The hypothetical case usually involves topical issues in international law. Each team normally consists of five competitors (four mooters plus an alternate/researcher). Each team must prepare to

argue on behalf of both the Applicant and Respondent in the case, and must produce a written "memorial" for each side. Each round, two competitors from a team will argue one side of the case (chosen at random). A third team member may be seated at the bar table, but may not present argument. National champions go on to represent Canada in the international competition.

Kawaskimhon Moot (1.5 Units), Venue TBC

This is a national Aboriginal moot that brings together law student teams from universities across Canada. "Kawaskimhon" means "speaking with knowledge." The Kawaskimhon National Aboriginal Moot is open to Aboriginal and non-Aboriginal students. The host university selects a legal issue that is important to Aboriginal peoples. In accordance with the spirit and way of Kawaskimhon, the moot is a non-competitive event. The format of the moot is designed so that it respects and incorporates Aboriginal values and concepts of dispute resolution. The host school decides the moot format. The moot may or may not involve traditional appellate mooting; however, it usually involves the presentation of a 20-minute argument and consensus building. The moot may involve the use of a talking circle or other indigenous processes to resolve the legal issues that arise from the selected topic. The students will meet to negotiate the legal problem according to their assigned roles and engage in critical comparative discussions

Western Canada Trial Competition (MacIntyre Cup) (1.5 Units), Venue TBC

This is a trial advocacy competition involving the mock-trial of a criminal prosecution. Each trial takes half a day of the competition which is scheduled on a Friday and Saturday in mid-February. First and second place teams go to Ottawa for the Sopinka Cup National Trial Advocacy Competition in March. Each team consists of two students who have not previously been competitors in the moot or called to the bar in any jurisdiction. The *MacIntyre Cup* competition is open to one team from each of the western law schools: UVic, UBC, TRU, University of Alberta, University of Calgary, University of Saskatchewan and University of Manitoba. The host law school enters two teams in the competition.

Willms & Shier Environmental Law Moot (1.5 Units), 2021-22 Online

The Willms & Shier Environmental Law Moot is Canada's first and only national moot court competition devoted to environmental law. Its goal is to promote awareness of the growing role of environmental issues in contemporary legal practice and public life while enhancing law students' written and oral advocacy skills. Complete with factums and oral argument before a Canadian appellate court of last resort, the moot brings together law students, judges, leading lawyers and legal academics to explore cutting-edge environmental law issues. The proceedings are in English.

Wilson Moot (1.5 Units), Toronto, Ontario

The Wilson Moot was established in 1992 to honour the outstanding contribution to Canadian law made by Madam Justice Bertha Wilson. The spirit of this moot is to promote justice for those traditionally

disempowered within the legal system, and, in particular, to explore legal issues concerning women and minorities. Section 15 of the *Canadian Charter of Rights and Freedoms* often features prominently in the arguments. Each school enters a team of two appellants and two respondents. A fifth student may act as a researcher for the team. Facta are usually due at the end of January and the oral part of the competition is usually held in late February. It is always held in Toronto. There are separate team awards for both the written and the oral argument portions of the moot. Oral argument consists of a preliminary round, during which the mooters compete twice against their counterparts from other law schools, and a final round. The top two schools after the preliminary round compete against each other in the final.

Updated 25 June 2021

