TASMUN XVII

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I. Introduction

The aim of this guide is to outline the general proceedings of the International Court of Justice (ICJ) at TASMUN. The procedure is based on the THIMUN ICJ procedure and loosely on the International Court of Justice Rules of Court, found in the Statue of the ICJ.

The flow of the conference should proceed naturally and there should be limited complications. It is essential that each participant understands their role in the court for the court to function efficiently and successfully.

International Court of Justice (ICJ)

The ICJ is the principal legal organ that deals with disputes between countries of the UN. It is one of two major international courts (the other being International Court of Arbitration - ICC). Furthermore, the ICJ is the only legal organ at TASMUN and therefore creates an incredibly unique opportunity for students. This opportunity comes with a vast array of responsibilities that must be met by all participants for the success of TASMAN's International Court of Justice.

The ICJ Student Officers and Participants

The participants of ICJ include the Student Officer Team, the Judges, the Advocates (applicant and respondent), witnesses, and the administrative team members. These student officers organize the court and its participants' preparation and ensure that things run smoothly, efficiently, and as accurately as possible. The Student Officers are available to be contacted. Please do so if there are any questions or concerns.

President (Head President):

The role of the president is similar to that held by the head chair. Like other committees, there is only one head chair, or in this case, one President. The President is responsible for implementing Rules of Procedure as per the Statute of the International Court of Justice. They will outline and implement the proceedings of the court. The President is referred to as President <<last name>>.

Co-Presidents (Deputy President):

The Co-Presidents in the International Court of Justice perform the same duties as deputy chairs would in other committees. They will assist the President with their many roles and will perform a variety of tasks. Like in a normal committee, chairing time amongst the President and Co-Presidents will be split. The Deputy Presidents, along with the Head President, will run the hearing of the court. The Co-Presidents are also referred to as President <<last name>>.

Advocates:

Each case in the ICJ consists of two teams of advocates. Each team is composed of two advocates each - a total of 4 advocates for a case. One of these two groups will play the role of the Prosecution or the Plaintiff. This is the team who initiated the proceedings at the court. The other team will play as the Defense or the Respondent. This is the team of advocates who will defend the allegation of the prosecution team. The Advocates act as counsel providing legal representation for their representing state to the court. Each team of advocates drafts a memorandum, a list of evidence, and a combined list of stipulations, and will examine witnesses. (These documents will be elaborated on later in the guidebook.) The advocates are the core center of the proceeding case. Any advocate in the ICJ is referred to as Advocate <<last name>> of <<country they are representing>>.

Judges:

The International Court of Justice is composed of 15 judges who are responsible for passing judgment on each of the cases brought to court, but TASMAN's ICJ judge panel size will not be restricted to 15 judges. The judges act as the delegates in the ICJ with initial opinions on each point with connections to relevant laws and evidence presented in the case. The main role of the judges is to assess the material presented by each team of advocates and deliberate on the case itself, reaching a majority judgment. It will be the judges who vote on a verdict regarding the ongoing case in the court. Judges are referred to as Judge <<last name>>.

1. II. Information for Research & Preparation

All Advocates, Judges, and Witnesses should prepare for the conference by learning more about the ICJ, international law, and some basic legal concepts.

Please see the end of this Handbook for more specific information on how you can best prepare to be an Advocate, a judge, and a witness. The final Addendum has information for the pre-conference schedule deadlines, especially for the Advocates.

A. ICJ Court Background Information & Flow

To attain a thorough understanding of ICJ court flow and international law, please visit and research the institutions at the following websites: https://www.icj-cij.org/en.

Under “The Court” there is a summary of the court’s history and jurisdiction which will give helpful background information on the courts.

B. Introduction to International Law

See Britannica’s article, “International Law”, to learn more about the following concepts. https://www.britannica.com/topic/international-law. In the court proceedings, the different sources of international law will be referenced.

1. History of International Law

2. Three Sources of International Laws
    a. Treaties
    b. Custom
    c. General Principles

3. Read Sample Cases

    a. On the ICJ website, there are many former cases listed.

    b. Sample Case - Marshall Islands v. Pakistan, India, & the U.K.

    An influential case in the ICJ concerned the Nuclear Arms Race, Obligations concerning Negotiations relating to Cessation of the Nuclear Arms Race and to Nuclear Disarmament (Marshall Islands v. Pakistan, India and the UK) (https://www.icj-cij.org/en/case/159).

    In this instance, the Marshall Islands brought India, Pakistan, and the UK to the ICJ separately to try them for their experimental use of Nuclear weapons surrounding and in the Marshall Islands resulting in catastrophic environmental damages and the infringement of sovereignty. The Marshall Islands also intended to have proceedings against the US and several other states did not, due to these UN nations not agreeing to go to court. Although most cases pertain to war crimes the ICJ has jurisdiction over environmental cases between countries as well.

C. Important Legal Concepts

1. Sources of International Law

There are three main sources of international law: treaties, customs, and general principles.

2. Burden of proof / Preponderance of the Evidence

The Applicant/ moving party has the ultimate burden of proof. The burden of proof is **Preponderance of the Evidence**, which is the lowest burden possible. It means that the Applicant must persuade a simple majority of the Judges that its position carries its weight or is persuasive by at least 51%. For the Judges, this means that if a Judge is only 50% convinced by either side, they must vote in favor of the Respondents, as the Applicants party has not met their burden of proof.

3. The kitchen sink approach (for defendants)

Experts may disagree, but there is one principle that seems to repeat itself over and over again. Think about it and decide if it is right for you and for your case. If you are the moving party (Applicant), be specific in what you want and how you present it. Adopt a strategy of being clear and concise, stay focused, and do not allow the other side to get you muddled. If you are the responding party (Respondent), throw in everything you can, like pots and pans in a kitchen sink. Muddy the waters, confuse the issues, prevent the moving party from being clear, concise, and focused. Each of these two tactics requires great skill and demands appropriate behavior and proper legal presentation.

4. Types of Objections

Objections can be raised on the grounds of authenticity, reliability, accuracy, and/or relevance. Please see the full list at the end of this handbook for detailed information.

a. Ambiguous/Vague
b. Answer Exceeds
c. Argumentative
d. Argument Improper
e. Asked and Answered
f. Assumes facts not evidence
g. Badgering the Witness
h. Calls for Conclusion
i. Compound Question
j. Confusion of Issue
k. Continue Objecting
l. Cumulative
m. Hearsay
n. Inconsistent
o. Incorrect
p. Lack of Foundation
q. Leading Question
r. Non-responsive Answer
s. Relevancy
t. Speculation
u. Witness not competent

III. TASMUN Procedural Elements

While the Court is in session, Judges should be addressed as “Judge (name)” or “Your Honour”. Advocates should be addressed as “Counsel”, as in “Counsel for (country)”.

The outline of the proceedings of the ICJ are as follows:

1. Opening Statements
2. Presentation of Evidence and Joint Stipulations
3. Weighing of Evidence
4. Witness Examinations
5. Closing Arguments and Judges Questions to the Advocates
6. Judges Deliberation
7. Voting and Judgment Writing

1. Opening Statements

1.1. Purpose

The purpose of an Opening Statement is to tell the Court what you intend to show/ prove by the presentation of your case. It is best to say, “We intend to show...” or “We intend to prove...” etc. Never make assertions or promises to the Judges that you cannot keep. The opposing counsel will make certain that the Judges remember that you promised in your opening statement to prove something you failed to do. (Ten to fifteen minutes for each side is adequate.)

1.2. Applicant & Respondent Opening Statements

The applicant presents the opening statement first. The respondent may give its opening statement immediately thereafter. Also, it is best that one Advocate presents the opening statement; however, both may share the presenting time.

2. Presentation of Evidence and Joint Stipulations

2.1. Rules of Evidence

The presentation of evidence during trial is governed by principles called rules of evidence, which speak mainly to how the evidence is weighed, while also requesting that evidence remains pertinent to the case. Otherwise, there is some leniency for the court when it comes to the introduction of evidence.

2.2. Three Types of Evidence: Real, Joint Stipulation, & Testimonial

There are three types of evidence the court takes into consideration: real evidence, the case Joint Stipulation, and witness testimonies. Real evidence consists of objects of any kind, including papers and documents. Testimonial Evidence refers to the Witness Testimony.

2.3. Procedure of Evidence

During the Presentation of Evidence, the Advocates of each counsel go through the list of evidence they are admitting and explain what the document says.

For example, “the document says that X is blue and Y is green” (assuming it does, in fact, say that).

2.4. Objections

The Advocates may object to the evidence that the opposing counsel is presenting on the grounds of authenticity, reliability, accuracy, and/or relevance.

To object, the Advocate simply says, “I object, your honour, Hearsay,”. The objection will be noted, and in the weighing of evidence by the Judges, the Judges may sustain the objection if they agree with the Advocate making the objection, and the statement, document, etc. cannot be heard/seen, or “admitted into evidence”.

If the objection is overruled, the Judges oppose the objection, and the statement, etc., can be heard/seen or considered as evidence (Note that Presidents hold the power to overrule any objections under their discretion, although the other Judges should be consulted on complex matters.)

3. Weighing of Evidence

The Weighing of the Evidence is crucial in deciding the factors and information that comprise the case. Usually, each Judge is given one or two pieces of evidence to read/study and report/summarize his/her findings regarding information contributing to the case to the entire body of Judges. Judges should inform themselves on the writer, or maker and/or source of the evidence. Remember, we are trying to determine the authenticity, reliability, truth, and, of course, the relevance of the evidence.

The individual pieces of evidence presented by each party can be viewed in the same manner as the entire case under the Burden of Proof, regardless of which side is requesting its admissibility. Ask "Is it persuasive by 51%?"

The evidence is given a low, medium or high weight in the parameter of the case. It is important to note that its weight is also dependent upon whether or not the piece is biased. Of course, some evidence is given more weight or credence than others, but the question of a "preponderance of the evidence" is the burden to be met. If at the end, the moving party has met its burden, it wins, if not, it loses.

4. Witness Examinations

The examination of each witness follows this outline:

4.1. Direct Examination

The witness is questioned by the Advocate team which called on them

The Witnesses should be very well-prepared, i.e., well-coached. Witnesses should know what questions you intend to ask them on direct examination, what answers are expected (as long as they are truthful), and, most important, what questions to expect on cross-examination.

Advocates may **not** ask **leading** questions. Leading questions are those questions that suggest the answer by the very nature of the question. "You saw him, didn't you?" "You are a good student, are you not?"

Second, Advocates **cannot** ask **hearsay** questions. Hearsay is difficult to define, and there are many exceptions to the rule. Basically, you cannot ask a witness about an out-of-court statement or act allegedly made by someone other than the witness. It is testimony a witness provides that is not based on personal knowledge but is a repetition of what someone else said. It is usually not admissible because it is impossible to test its truthfulness on cross-examination.

Example:

- "Ms. Miller, what did Mr. Anderson say?" - *Objection, hearsay!*
- Why?
- *Because Mr. Anderson is not available to be cross-examined to determine the veracity/truth of the matter stated.*

You can ask Ms. Miller what he (Ms. Miller said), but not what someone else said unless it is an exception to the rule, e.g. a party, or in certain circumstances, a witness to the case.

4.2. Cross Examination

The opposing side questions the witness

- It is meant to create a dispute about the witness's statements, and/or to place the witness's credibility (believability) into question. This includes the witness's demeanor.
- The questions asked must relate to the questions asked during direct examination

- We say that they cannot exceed, or be outside, the scope of the direct examination of the witness. Cross-examination is an art. No hearsay is allowed, but, if done properly, **every** question should be a leading question. Essentially, you tell the witness what you want him/her to say by leading, e.g. "You were lying when you said you saw the defendant in the store, weren't you?" "Isn't it true that the person you saw was not the defendant, but someone else?" You direct the answers, and most, if not all answers, should be either a "YES" or a "NO" (although witnesses often may explain their yes or no answers).

4.3. Re-direct Examination

The first Advocate team can ask further questions to the witness.

4.4. Re-cross Examination

The opposing counsel can ask further questions.

If at any point the Advocates have no further questions, say either "no further questions," or even "no questions". Strategy and timing are very important.

4.5. Judge Questions the Witness

Technically, at any time during the testimony of a witness, a judge, subject to the approval of the President(s), may ask a question of the witness. However, rather than interfere with the flow of testimony, it is prudent for Judges to wait until all direct testimony and cross-examination of a witness is completed, at which time Judges will have the opportunity to ask questions of the witness.

Advocates: Try to reinforce the credibility of your witnesses for truth and accuracy, while attempting to establish that the credibility of certain opposing witnesses is poor. **Never**, ask a witness a question to which you yourself do not know the answer. **Never** ask a witness "WHY"! **Do not** argue with a witness! Further, only one Advocate from a team should question a witness, not both Advocates. This is true whether on direct or cross-examination. The principles directed at achieving truth generally fall under the headings of trustworthiness and relevance. The basic criterion for the admissibility of evidence is trustworthiness. The object is to ensure that only the most reliable and credible facts, statements, and/or testimony are presented to the triers of fact.

5. Admission of Evidence & Objections

The Admission of Evidence is the formal process of admitting the Evidence the court can base its judgment on. The opposing counsel may again object to evidence admission on the grounds of **authenticity, reliability, accuracy, and/or relevance,** and based on the discussion on objections made in the weighing of evidence, the Presidency will either sustain or overrule the objections.

The Advocates should keep in mind that the reliability or accuracy of a piece is taken into account when weighing the evidence. Therefore, the Court may admit the evidence, but only give it limited weight in relation to the other evidence presented. Generally, doubts as to trustworthiness (authenticity) and relevance, assuming they are well presented, are the better objections for keeping evidence from being admitted. The rules of evidence are intended to aid in the search for the truth. Therefore, a judge who feels that he/she would give certain evidence undue weight or would be greatly prejudiced by seeing or hearing it, would not allow that evidence to be presented.

It's important to remember: The Advocates are there to present evidence to the Judges' role is to consider it, the statements of Advocates throughout the case are **not** evidence.

6. Closing Arguments and Judges Questions to the Advocates

6.1. Purpose

Closing Arguments sum up the case and tie together the evidence and the legal elements. It is during the Closing Argument when the Advocates put everything together and argue what it all means, says, or concludes.

6.2. Prayer

During the closing speeches, the final "prayer" must be stated by the Advocates. Remember: the prayer is what each side is requesting for judgment, usually making it best for the Advocates to state what they think the issues are, what the answers to those issues are, and what the decision (or their "prayer" from the court) should be. If damages are involved, it is incumbent upon the Advocates to state what amount(s) they think the Court should award -- and **why.**

6.3. Flow of Procedure

The closing arguments are the last thing the Advocates present to the court.

6.3.1. Applicant Prayer

The applicant party goes first but may reserve part of its time to speak again after the respondents.

6.3.2. Respondent Prayer:

The responding party goes next.

6.3.3. Reserved Time for either Applicant:

The moving party may use up the time it has reserved. Therefore, the applicants can further refute points the respondents raised

6.3.4. Judges' Questions

The Judges ask the Advocates their questions. As this is the only chance for the Judges, every Judge should participate. Questions are meant for clarification of issues, facts and points of law and the Judges should not take on an adversarial role when asking questions. This is the time for Judges to go through their notes and the evidence admitted, and ask the burning questions they have been waiting to ask. Judges, be sure to direct your questions to one Advocate or the other, by specifically referring to the "Advocate (or counsel) for the Applicant" or "Advocate (or counsel) for the Respondent". (Allow about an hour, with an extension of 15 minutes, if necessary.)

6.4. Logistics

30-minutes maximum for each applicant 30-minutes maximum for respondents

7. Judges' Deliberation

The Advocates are not in the room during deliberations, and no further evidence can be taken. During the first part of deliberation, a stroophole vote is held. Judges each take turns saying who they would vote for at this point (and why). Then the Judges determine what issues/questions are to be discussed before a decision can be reached and the final vote is taken.

There are usually 5-10 issues that are then discussed and determined, starting with the most relevant/highest requested. Once each issue is determined, it should be fairly easy for the Court to reach a decision/judgment/verdict. Judges may change their minds several times during deliberation as new ideas are discussed. Therefore enough time to thoroughly discuss the issues should be given.

8. Voting and Judgment Writing

After deliberation, the case is voted on. All Judges, as well as the Registrar and Vice-President vote. If the vote is a tie, the President may cast their vote to decide the case.

Remember: if a Judge would like to grant any part of the Applicants prayer based on the evidence submitted, they must vote for the Applicants. The decisions of the Judges are separated into several groups with several titles. The position with the most votes is called the "Majority Opinion". Some Judges may agree with the decision, but for different reasons. They write a "Separate, But Concurring Opinion". Those Judges who voted for the minority opinion, who arrived at a different decision, will write a "Dissenting Opinion". Finally, there may be Judges who dissent, but they differ on the reasons why. They may write a "Separate, But Dissenting Opinion". Finally, each group writes a judgment, detailing what side they rule in favor of, what parts of the prayer they answer, and explaining their reasoning by listing the evidence supporting their judgment. A template for the format of the judgments will be provided at the time of the writing.

IV. Addendum A: JUDGE RESPONSIBILITIES

The cases brought to the ICJ are ruled upon by a panel of 10-18 Judges. It is the Judges' role to evaluate the evidence presented by each side of the case according to legal principles and to deliver an unbiased and well-substantiated judgment at the end of the case. Given these tasks, the Judges have certain responsibilities to fulfill before and during the conference.

1. Preparation

Much of the Judges' work takes place during the conference. However, they are responsible for their preparation in understanding what the ICJ is, the nature of international law, important legal concepts, the procedure our Model ICJ follows, and the case being judged on at the conference. There will also be a requirement for judges to submit a judge's report prior to the conference.

See and research the ideas in this handbook for recommendations.

The ICJ allows Judges some latitude in the investigation during the case. Therefore, some preparation and background research beforehand is appropriate.

a. What not to research

If the court is addressing an open case, Judges should not read any information about the ICJ case that is being debated. Judges should only read the prescribed general information about the ICJ, international law, etc., and the specific case information that is shared with them by the StOff. Judges are also not allowed to reference information evidence beyond the specified ICJ date.

b. TASMUN Court Materials

Read all material sent to you by the ICJ StOffs and the originally filed pleadings on the ICJ website.

V. Addendum B: ADVOCATE RESPONSIBILITIES

The preparation required of the Advocates prior to the ICJ must be extensive and it is essential to the program. The Advocates must write a memorandum, gather pieces of evidence to support their case, prepare witnesses, who will give their testimony on the case during the conference, and create a list of agreed-upon facts with the opposing Advocate team called the Joint Stipulation.

***None of these responsibilities should be left to the last minute
***Devise a plan to best present the case and divide the responsibilities

There are two types of Advocates: the **applicants** and the **respondents.**

1. Memorandum

1.1. Introduction to Memorandum

The Memorandum is a document that outlines the events and facts of the case. It includes any tables, charts, or maps that may be useful.

The Memorandum will serve as a research report for the Judges and your opposing Advocates. The Memorandum should be a party's view of the pertinent facts and legal principles as espoused by its Advocates. It need not give away trial strategies; however, it should present a party's position, and the facts and points of law (citations may be included) to be applied. It may contradict points that are anticipated to be raised by the opposing party.

1.2. Applicant's "Prayer"

Additionally, in the applicant party's case, your **prayer** to the court, which is what rules you would wish from the court in terms of consequences or compensation from the other party is to be included at the end. If damages are involved, it is incumbent upon the Advocates to state what amount(s) they think the Court should award (make sure to have proof of the damage in your evidence packet).

1.3. Logistics of Memorandum

1.3.1. Due dates

See the public list of due dates, provided by chairs, to prepare for these proceedings.

1.3.2. Length & Format

- Title page
- 2-3 pages

1.3.3. Bibliography

Both teams' memoranda should also include a bibliography of the sources you used with citations of these sources throughout the document. We must emphasize that **no plagiarism will be tolerated** and that we will be checking your memoranda to ensure no part was plagiarized.

2. Joint Stipulation

In the Stipulation, both Advocate teams will list any treaties or contracts both countries are signatory to (relevant to the case) or any facts (as specific as possible) and events which none of the two sides dispute. Communication with the opposing Advocate team is essential to write the joint stipulation.

3. Evidence List

3.1. Evidence list Description

The list includes the title of each piece of real evidence you will present, its author, the date, and the source (link to website) of the document by which we can access the document in its entirety. Real evidence includes every piece of evidence you will use to convince the court of your legal argument, these can be any legal documents, articles, or papers from reliable sources.

3.2. Official ICJ Documents

We encourage you to use valuable documents from the ICJ website for research (http://www.icj-cij.org/); however, you may not use these as evidence, only as a guideline for your preparation.

3.3. TASMUN Evidence List Descriptions

There will be between 10 pieces (TASMUN) of real evidence. For documents exceeding 15 pages in length, please specify which 10 pages are most important since we will not be able to print out more for the hard copies of evidence we have at the conference. It's important to note that if you want the court to consider something, you must put it in your formally submitted evidence otherwise the court cannot consider it.

4. Witnesses

4.1. Number of Witnesses

You may call upon two witnesses and up to three at TASMUN to provide testimony as evidence to the Court.

4.2. Witness Requests & Determination

When choosing witnesses consider how their expertise and position would support your other evidence.You will submit your recommendation of real people you would like to act as witnesses (e. g. A minister of India or the Ambassador of the UK to the Marshall Islands).

If you have a member of your school team that you think would make a fitting witness, you may propose that to the StOff. Additionally, the StOff may find participants from the corresponding delegation of your witness' member state at the conference who are willing to take on this role for questioning in the ICJ.

Once a witness is selected, the StOff will then put you in contact with this participant and it will be your job to prepare them for questioning before the conference.

4.3. Preparing the Witnesses

The preparation of the witness is crucial, witnesses should be prepared long before the program. Witnesses can be prepared by providing them background information on their character, ensuring they have a basic understanding of the case, and predicting possible common cross-examination questions.

5. Speeches

The speeches held by both Advocate teams according to procedure and schedule, referenced in the Procedural Elements section, provide a unique opportunity to both strengthen one's own case as well as rebuttal the opposition. It is important to be prepared to conduct your speeches clearly and audibly.

Keep in mind that while speeches allow for the Advocates to attempt to persuade the Judges and open them up to a new perspective or highlight possibly unnoticed details within evidence, nothing from the speeches themselves can or will be taken as concrete evidence by the Judges, as only what is brought up by the witnesses and what is seen in the evidence list and joint memorandums will be taken into consideration by the Judges.

All participants must remember, the statements of Advocates can not be taken as fact. They do not count as any form of evidence, and any assertion made by an Advocate which is not backed up by reliable evidence can not be used to substantiate a judgment.

Often, it is not the brightest Advocate who "wins" a case, but the one who is the best prepared. Due dates for everything listed above and any additional information will be sent to the Advocates during the preparation period before the conference.

VI. Addendum C: WITNESS RESPONSIBILITIES

1. General Introduction: How to prepare

a. Do NOT stick to a script, as Judges and the opposing Advocate team will ask questions that may be difficult to answer if one is not well versed on the subject.

b. Know who you are representing, and, if they have committed any crimes, know them to adequately defend yourself.

c. Be confident and stand by your position, **do not change your story.**

2. The Witness can listen to the:
    a. Opening Statements
    b. Presentation of Evidence and Joint Stipulations
    c. Weighing of Evidence
    d. Closing Arguments and Judges Questions to the Advocates

3. The Witness will be subject to questioning from the Advocates *as well as* the Judges

List of Objections During Witness Examination

Objection	**Explanation**
Ambiguous/Vague	When a statement or question is unclear, unspecific, and requires explanation and facts.
Answer Exceeds	When an answer to a question exceeds the concern and scope of the question itself.
Argumentative	When questions do not educe facts and are prejudicial (for example... ad hominem or attack on the individual)
Argument Improper	When the opposition's argument is prejudicial or has misquoted information, made up facts, and information you can oppose
Asked and Answered	When the witness is asked a question, it cannot be asked again. If the person questioning the witness finds information that contradicts the witnesses' answers, they have to take on a charge of impeachment, where a new question is asked regarding the contradictory evidence found
Assumes facts, not evidence	Witnesses have to testify on facts and evidence included in the evidence packet.

Badgering the Witness	When questioners are quarreling with, displeasing, provoking, and harassing the witnesses on the stand.
Calls for Conclusion	When questions draw out conclusions and not facts, one that implies a hidden conclusion.
Confusion of Issue(s)	When discussing an issue, irrelevant to the issue discussed at hand.
Continue Objecting	When objections against a side are continuous and impair the participation and presentation of arguments by the side.
Cumulative	When a piece of information has been proven, additional proof would be considered unnecessary and cumulative.
Hearsay	When information is stated by a third party, outside the court's presence.
Inconsistent	When a team uses two arguments that are contradicting
Incorrect	When a team states false information that can be proven untrue and incorrect
Lack of Foundation	When a question or a piece of information is asked or stated with no relevant timeframe, relevance, or importance to the arguments/case discussed at hand.
Leading Question	When a question is asked suggesting what exactly is the witness supposed to answer.
Non-responsive Answer	When an answer doesn't answer the questions asked.
Relevancy	When a question asked is irrelevant or is questioned for its relevancy along with the testimony presented to the court.
Speculation	When a guess, conjecture, supposition, or assumption is presented in a discussion, case, or evidence.

Witness not competent	When the witness's knowledge is minimal and lacking, where the witness is unable to formulate a good convincing testimony.