

## **OFFICIAL SKAEL MOOT RULES 2021**

2021 Saskatchewan Association for Environmental Law (SKAEL) Environmental Law Moot

GENERAL RULES	3
1. Purpose	3
2. Definitions	3
3. Moot Oversight and Organization	3
4. Interpretation and Amendments	4
FORMAT AND STRUCTURE	4
5. General	4
6. Teams	4
7. Judges	5
8. Moot integrity	5
FACTUM	6
9. General	6
10. Format	6
11. Citations	7
12. Page Limit	7
12. Filing	8
ORAL PHASE	8
13. General	8
14. Format	8
15. Time	9
16. Courtroom Behaviour	9
JUDGING AND SCORING	10
17. General	10
18. Factum	10

19. Oral Arguments	11
20. Conflicts of Interest	11
PENALTIES	12
21. General	12
22. Factum Penalties	12
23. Oral Penalties	14
24. AWARDS	14
25. PHOTOGRAPHY AND RECORDING	15
26. SUSTAINABILITY	15

## **GENERAL RULES**

## 1. Purpose

One of SKAEL's main pillars is to encourage and foster oral and written advocacy skills in students and the public so that they are better equipped to use the law to protect the environment. SKAEL also wants to raise awareness about the field of environmental law and the environmental issues our society is currently facing today. SKAEL hopes to achieve these purposes through this moot.

This moot is intended to operate biennially during the years the Willms & Shier Environmental Moot does not run.

Due to the Covid-19 pandemic of 2020, the moot is being run in both 2020 and 2021.

These rules were developed by the Moot Committee and only apply to the 2021 competition. They are to help ensure a fair and transparent competition.

#### 2. Definitions

- 2.1. <u>Committee</u>. The Moot Committee.
- 2.2. <u>Member</u>. A member of the Moot Committee.
- 2.3. <u>Problem</u>. Refers to the problem developed by the Committee for the purpose of the competition.
- 2.4. Rules. Refers to this document.
- 2.5. Website. Means the website established at www.skael.ca.

## 3. Moot Oversight and Organization

- 3.1. <u>Moot Committee</u>. The competition is governed by the Moot Committee (the "Committee"), which shall consist of at least two members of SKAEL.
- 3.2. Origin. These rules are based on the Willms & Shier Environmental Law Moot.
- 3.3. <u>Appointments</u>. At their discretion, SKAEL may appoint individuals at any time from outside the organization to serve as Committee members.
- 3.4. <u>Responsibilities</u>. The Committee is generally responsible for running the moot as an event independent of the University of Saskatchewan, any law firm, funders, or organization, and has the following responsibilities:
  - (a) Develops, approves, interprets, and enforces the competition rules and policies;
  - (b) Formulates the moot problem;
  - (c) Receives and distributes the factum to judges;
  - (d) Formulates the teams and matches;
  - (e) Addresses clarification questions about the Rules, problem, and moot;
  - (f) Appoints clerks and judges;
  - (g) Reviews and assesses factum for penalties; and

- (h) Any other duty that relates to the general oversight and guidance of the competition.
- 3.5. <u>Clerks</u>. The Committee shall appoint a clerk for each oral match. Their responsibilities include:
  - (a) Ensuring that courtroom protocol is being followed;
  - (b) Time-keeping; and
  - (c) Assessing oral matches for penalties; and
  - (d) Any other role the Committee sees fit to ensure a fair competition.

#### 4. Interpretation and Amendments

- 4.1. <u>Interpretation.</u> The Moot Committee shall enforce and interpret the rules.
- 4.2. <u>Questions about rules</u>. Any questions concerning the interpretation or enforcement of the Rules shall be decided by the Committee.
- 4.3. <u>Additional Rules and Amendments</u>. The Committee may add or amend Rules at any time to ensure a fair and orderly competition.
- 4.4. <u>Announcements</u>. New Rules or amendments shall be announced on the website and through e-mail communications (when applicable) as soon as possible.
- 4.5. <u>No appeals</u>. All decisions, including those of the judges, Committee, and clerks are final and not subject to review or appeal except as specifically provided by these Rules.

## FORMAT AND STRUCTURE

#### 5. General

- 5.1. <u>Competition problem.</u> The Committee shall be responsible for formulating the moot problem. The Committee may seek outside assistance (from anyone other than the judges) in developing the problem.
- 5.2. <u>Evaluation.</u> Both the factum and oral arguments are subject to evaluation for the purpose of determining prizes and standings.
- 5.3. <u>Type of court</u>. The moot is a simulated appeal of a judicial decision to the hypothetical highest court, the Supreme Environmental Law Court of Canada (SELCC), which is equivalent to the Supreme Court of Canada.
- 5.4. <u>No Evidence</u>. Parties are not permitted to introduce new evidence and must rely solely on the factual record presented to the lower court being appealed from.
- 5.5. <u>Language</u>. All correspondence, pleadings, oral presentations, and proceedings shall be in English.
- 5.6. <u>Precedent</u>. The normal rules of precedent and stare decisis apply as if the SELCC was the Supreme Court of Canada.
- 5.7. <u>Due dates</u>. Due dates shall be posted on the competition website as soon as practicable. Unless otherwise stated, the due date for the appellant factum is March 10, 2021 and the respondent's factum is due on March 17th, 2021.

5.8. <u>Clarifications</u>. Students may submit questions clarifying the problem or moot process by the deadline to be set by the Committee. Clarifications shall be posted on the competition website.

#### 6. Teams

- 6.1. General eligibility. The competition is generally open to students enrolled in the course.
- 6.2. <u>Assignments</u>. Each team shall be assigned as Appellant or Respondent. The teams shall represent their assigned party for both the factum and oral phase.
- 6.3. <u>Composition of teams</u>. Each team consists of three members. Each member must participate in the oral arguments in some capacity.
- 6.4. <u>Exception</u>. A team may consist of less or more members at the discretion of the Committee.
- 6.5. <u>Proxy team/member</u>. At the discretion of the Committee, they may appoint any person(s) from outside the course to a team or create a team made up of individuals outside the course, but only for the purpose of ensuring a fair and comprehensive competition.

## 7. Judges

- 7.1. <u>General eligibility</u>. The Committee shall appoint judges in their sole discretion, choosing from among the members of the Canadian bar, bench, and academy. Judges do not need any specific qualifications, subject to the Rules regarding conflicts of interest, but are generally expected to
  - a) Have expertise in litigation, environmental law, and any other relevant areas of law;
  - b) Not be part of the Moot Committee; and/or
  - c) Be an active member of the Law Society or have graduated from an accredited law school.
- 7.2. <u>Bench memorandum</u>. Prior to the oral competition, the Committee shall distribute to judges a Bench Memorandum that summarizes the case and provides relevant guidance for judging. The judges shall keep its contents strictly confidential.
- 7.3. <u>Confidentiality</u>. Any person not authorized to have the Bench Memorandum who comes into possession of it shall immediately return it to a member of the Committee without studying its contents and shall permanently delete any electronic version of it when applicable.

## 8. Moot integrity

- 8.1. <u>Outside assistance</u>. No one other than the student teams may participate in preparing or presenting the team's oral arguments.
- 8.2. <u>Feedback</u>. Notwithstanding the above, students may seek general feedback from faculty members, peers and practitioners, or any other individual, but that the feedback must be limited to general advice about legal principles, presentation or litigation techniques, or the structure/organization of a team's argument. Members cannot seek feedback for the purpose of forming any substantive portion of their arguments.

8.3. <u>Assistance from other teams.</u> Teams may discuss the case, issues, arguments, notes, or any other drafts or documents with each other, so long as such engagements comply with these Rules.

## **FACTUM**

#### 9. General

- 9.1. <u>Factum required</u>. Each team shall submit a single factum by the posted deadline to the Committee.
- 9.2. <u>Publication</u>. Each factum will be placed on the competition website and will be publicly accessible.
- 9.3. <u>Format</u>. Each factum shall comply with the formatting and citation requirements outlined in these Rules.
- 9.4. <u>Plagiarism</u>. Factums shall not represent any ideas, writing, or any other intellectual property of another person as if they were one's own. This includes any pieces of writing that is word-for-word or is paraphrasing without proper acknowledgement.
- 9.5. <u>Review</u>. The Committee shall receive the factums and review them for penalties before distributing them to the judges.
- 9.6. <u>Distribution</u>. Judges for the preliminary rounds shall receive and evaluate the factum for the teams they will be judging in the oral phase in advance of the oral competition.
- 9.7. <u>Evaluation</u>. Judges evaluating the oral arguments are not to take the factums into consideration when grading the teams, and shall use them for the sole purpose of providing better context to the team's oral arguments.

#### 10. Format

- 10.1. <u>Type.</u> Each factum shall be in Windows-compatible Microsoft Word format.
- 10.2. <u>General</u>. Each factum shall follow the template found published on the SKAEL Moot webpage.
- 10.3. <u>File name</u>. The name shall conform to the following naming convention: "SKAEL Moot Team [number] [party] Factum [year].doc" (ex. SKAEL Moot Team 1 Appellant Factum 2021.docx)
- 10.4. <u>General</u>. Each factum shall conform to the following requirements, as adapted from the Rules of the Supreme Court of Canada.
  - (a) Page size: letter (8.5 x 11)
  - (b) Font face: Times New Roman
  - (c) Font size:
    - (i) Regular text: 12-point
    - (ii) Citations: 10-point
  - (d) Line spacing:
    - (i) Regular text: 1.5 lines

- (ii) Citations: Single
- (iii) Quotations: Single and indented
- (iv) Headings over two or more lines: Single
- (e) Margins: Minimum of 2.5 cm, excluding page numbers

#### 10.5. Pages.

- (i) Cover: Follows the formatting as seen in Appendix 1
- (ii) Table of Contents: Follows immediately after the cover page and contains a detailed list of the contents of each section (in the order in which they appear) with corresponding page numbers in the column on the right
- (iii) Paragraph: Every paragraph in Parts I to V of the factum must be numbered consecutively in the left margin
- (iv) Page numbers: Pages must be numbered consecutively in Arabic numerals, with the exception of the following:
  - (1) The cover and any inside cover pages; and
  - (2) The table of contents, which use lower-case Roman numerals
- 10.6. <u>Parts.</u> The factum shall include the following Parts:
  - (a) Part I: Overview and Statement of Facts
    - (i) Appellant: a concise overview of the position and statement of facts
    - (ii) Respondent: a concise overview of the position, their position with respect to the Appellant's statement of facts, including any other facts not mentioned in the Appellant's factum that the respondents consider relevant
  - (b) Part II: Questions in Issue
    - (i) Appellants: Concise statement of the questions at issues
    - (ii) Respondents: A concise statement of their position with respect to the Appellant's questions
  - (c) Part III: Argument
    - (i) The counsel's argument setting out concisely the questions of law or fact
  - (d) Part IV: Submissions in Support of Costs
    - (i) Submissions, if any, in support of the order sought concerning costs
  - (e) Part V: Order Sought
    - (i) A concise statement of the order(s) sought
  - (f) Part VI: Table of Authorities
    - (i) A table of authorities, arranged alphabetically and setting out the paragraph numbers in Part III where the authorities are cited; and
  - (g) Part VII: Legislation at Issue
    - (i) A list of the provisions of any statute, regulations, rule, or by-law at issue.

## 11. Citations

- 11.1. <u>General</u>. Factum shall use footnotes. They are not to use in-text citations, endnotes, or text boxes
- 11.2. <u>Guide</u>. Citation style shall conform the most recent edition of the Canadian Guide to Uniform Legal Citation. If there are any discrepancies between the Saskatchewan Court of Queens Bench Citation Guide and the Canadian Guide to Uniform Legal Citation, either will be accepted.

## 12. Page Limit

- 12.1. Words. The factum from Part I to V shall not exceed 7,500 words.
- 12.2. <u>Application</u>. The limit applies to all words including headings, text, citations, paragraph numbers, etc.

## 13. Filing

- 13.1. <u>General</u>. The factum shall be filed as a single document electronically to the e-mail address as indicated on the website.
- 13.2. <u>Timing</u>. The factum is considered filed at the time it was received by the e-mail account, as indicated by the time stamp on the e-mail.
- 13.3. Due date. The factum is due by the time as indicated on the website.
- 13.4. Revisions. Once a factum is filed, it may not be revised or resubmitted.
- 13.5. <u>Intellectual property</u>. Upon filing, the factum and all intellectual property rights associated with it become the property of the Committee.
- 13.6. <u>Proof of service</u>. Teams shall not serve factums on opposing parties. No proof of service is required.

## **ORAL PHASE**

#### 14. General

- 14.1. <u>Structure</u>. Each oral match consists of two teams, one representing the Appellant and the other representing the Respondent, as they were assigned for the factums by the Committee.
- 14.2. Rounds. The oral phase of the competition takes place on a single day and consists of two Rounds,
  - (a) <u>First Round</u>. The Committee shall randomly match an Appellant with a Respondent team to argue against. The Committee shall strive to ensure that teams do not compete against the same one in the second round. Teams will be arguing the same side of the argument as their factum.
  - (b) <u>Second Round</u>. The Appellant team and Respondent teams will switch sides and orally argue the opposite side of their factum. Teams in this round will not be constricted by arguments made in their factum.
- 14.3. Electronic appearance. Each round shall occur by counsel and judges appearing by video conferencing software.
- 14.4. Counsel in the same room. Counsel are encouraged to deliver submissions separately and not be in the same room as each other. If counsel is able and chooses to deliver their arguments in the same room as their team-mates, they shall be 6-feet apart and wear masks when not speaking.
- 14.5. <u>Judges</u>. Each round is evaluated by a panel of three judges. In exceptional circumstances, the Committee may allow a match to be judged by fewer or more than three judges.

- 14.6. <u>Scope of argument</u>. Counsel are permitted, but not required, to refer to their factums. At the same time, counsel are not limited to their factums and may depart from them in their oral arguments.
- 14.7. <u>Defaulting</u>. If any team is missing a member, the remaining member(s) and the other team shall still present their oral arguments in all Rounds.

#### 15. Format

- 15.1. <u>Structure</u>. The order of argument in each match shall generally consist of the following:
  - (a) First counsel for the Appellant
  - (b) Second counsel for the Appellant
  - (c) First Counsel for the Respondent
  - (d) Second Counsel for the Respondent
  - (e) Appellant's reply (if applicable)
- 15.2. <u>Appellant's reply</u>. The Appellants have the option to reply and can be presented by first, second, or third (where applicable) counsel.

#### **16.** Time

- 16.1. General. Each oral argument will be 80 minutes, allotting 40 minutes to each team of three.
- 16.2. <u>Allotting time</u>. Before the match, each team shall indicate to the clerk how they wish to allocate their time among its counsel, and in the Appellant's case, its reply.
- 16.3. <u>Max allotted time</u>. Each team can allocate up to 16 minutes to any one counsel and the Appellant's may reserve up to three minutes for a Reply if applicable. Extra time at the end of one counsel's argument cannot be transferred to other counsel or the Reply.
- 16.4. <u>Time Keeping</u>. The clerk assigned for each round shall keep time and display time remaining at suitable intervals. The only official time of the oral match is that which is indicated by the clerk.
- 16.5. <u>Personal time keeping</u>. Counsel are permitted to use a personal device (watch, cell phone, etc.) strictly for the purpose of keeping time.
- 16.6. Extension of time. Unless granted leave to speak further, counsel shall stop delivering their arguments when time is up. The presiding judge may, in their discretion, grant a brief extension of time to allow counsel to make concluding remarks or answer any outstanding question(s).

## 17. Courtroom Behaviour

- 17.1. Attire. Counsel and judges shall dress in normal business attire. Robes are not required.
- 17.2. <u>Decorum.</u> Judges shall be addressed and referred to in gender-neutral terms, such as "Justice (Surname)", or "Justices".
- 17.3. <u>Improper behaviour</u>. Teams shall refrain from any behaviour that distracts judges or opposing teams, or that could be reasonably considered as disruptive, disrespectful, disparaging, or otherwise unsporting.

- 17.4. <u>Video</u>. Counsel shall keep cameras on for the duration of the round, unless it interferes with the quality of the audio, in which case, they may turn off their video with permission from the judge.
- 17.5. <u>Electronic devices</u>. Counsel are permitted to use laptops during the oral match.
- 17.6. <u>Online Backgrounds.</u> Counsel are asked to position themselves with a webcam background that is not distracting and allows counsel to be easily seen.
- 17.7. Communication.
  - (a) Where applicable, co-counsel may communicate with each other only in writing.
  - (b) Counsel at the podium may communicate with co-counsel only with the bench's permission (ex. to retrieve documents, obtain information sought by the bench, to consult them, etc.).
  - (c) All communication shall be done discreetly and sparingly to avoid any disturbances to the bench or opposing counsel.
  - (d) No other documents or materials may be submitted to a judge.
  - (e) Communication between counsel and any other individuals during a match is strictly prohibited.
- 17.8. <u>Spectators</u>. The online nature of the 2021 Moot means that there will be no spectators unless special permission is granted.

## **JUDGING AND SCORING**

#### 18. General

18.1. <u>Merits</u>. Judges shall evaluate factums and oral arguments on the basis of the quality of advocacy, and not the merits of the case.

#### 19. Factum

- 19.1. <u>Evaluators</u>. Each factum shall be evaluated by the judges and Committee (for penalties only).
- 19.2. <u>Evaluation</u>. The procedure for determining the final score shall adhere to the following procedure for each team:
  - (a) The Committee shall receive the factum and review it for penalties.
  - (b) The Committee shall then distribute the factum to the judges who will be evaluating that team's oral arguments.
  - (c) After reviewing the factums, judges shall at their sole discretion score each factum out of 100, based on a rubric provided by the Committee, recording their evaluation on the official factum score sheet.
  - (d) The Committee shall collect the sheets and average the scores together.
  - (e) Penalties as determined by the Committee shall be deducted from the averaged score to achieve the final score for that team.
- 19.3. <u>Penalties</u>. Judges shall not deduct points for penalties as prescribed by these Rules (although a judge's impression of a factum, and ultimately their final evaluation, may be

- affected by any penalties they observe themselves) and shall not be informed of any penalties determined by the Committee.
- 19.4. <u>Feedback</u>. Teams will receive a copy of their evaluation forms after the completion of the competition.
- 19.5. <u>Additional considerations</u>. When evaluating, each judge shall take into consideration the fact that the Respondents have had the opportunity to see and learn from the Appellant's factum.

## 20. Oral Arguments

- 20.1. Evaluators. Oral arguments are evaluated by judges and the clerk (for penalties only).
- 20.2. Evaluation. The final scores are to be determined as follows:
  - (a) After each round, judges shall at their sole discretion score each factum out of 100, based on a rubric provided by the Committee, recording their score on the official oral match score sheet.
  - (b) The Committee shall receive the scores given by the judges and average them together.
  - (c) The Committee shall deduct any penalty points as noted by the clerk.
- 20.3. <u>Ties</u>. If any teams representing the same party have the same score, the team with the higher factum score shall be ranked higher.
- 20.4. <u>Ties after factum scores</u>. If teams representing the same party continue to be tied after taking into account the scores from the factum, the ranking shall be determined as follows:
  - (a) The team with more Distinguished Oralist votes shall be ranked higher.
  - (b) If the teams continue to be tied, the Committee shall break the tie with a coin toss.
- 20.5. <u>Feedback</u>. Judges are invited to provide general feedback for oralists at the end of each round
- 20.6. <u>Considerations</u>. When evaluating oralists, judges may take into consideration the following factors:
  - (a) Professionalism
  - (b) Knowledge
  - (c) Respect
  - (d) Effective oration
  - (e) Responsiveness to questions
  - (f) Time management

#### 21. Conflicts of Interest

- 21.1. <u>Judges</u>. Judges cannot have a substantial personal, family, or professional relationship with a student that might reasonably create an apprehension of bias or appearance of impropriety. Being acquainted with a student does not constitute a conflict of interest.
- 21.2. <u>Identifying a conflict</u>. Judges shall be diligent in reviewing the oral schedule to identify any potential conflicts before the competition, but if at any point during the competition, a judge discovers they may have a conflict of interest, they shall recuse themselves from judging the team.

## **PENALTIES**

#### 22. General

- 22.1. <u>General</u>. Penalties can be discretionary or non-discretionary.
- 22.2. <u>Non-discretionary</u>. Non-discretionary penalties must be applied where, in the opinion of the individual designated to assess penalties, the factum or oral argument does not substantially comply with the Rules.
- 22.3. <u>Discretionary</u>. The person designated to determine violations has the discretion as to whether a penalty should be assessed, what penalty to apply, or both. Whether the penalty applies or not, discretionary penalties must be proportional to the seriousness of the violation.
- 22.4. <u>Assessors</u>. The Committee has the authority to assess penalties for the factum while clerks have the authority to assess penalties for oral arguments. Committee members have the authority to make final determinations for penalties for oral arguments when they are challenged by a team.
- 22.5. <u>Fairness</u>. Teams against which penalties are assessed have the right to know the case against them and to make submissions to the Committee/clerk before the penalty is finally assessed, so long as the competition is not unduly delayed.
- 22.6. <u>Duplication</u>. A penalty cannot be applied more than once for the same offence.
- 22.7. <u>Attention</u>. Any team member or judge may raise a violation of these Rules to the Committee (for factums) and clerk (for oral matches), which shall be taken into consideration by the respective assessor.
- 22.8. <u>Application</u>. Penalties are applied equally to all counsel of the penalized team, regardless of who committed the violation.

## 23. Factum Penalties

#### 23.1. <u>Factum penalties</u>. The following constitute as penalties:

VIOLATION	PENALTY
Filing a factum after the deadline	Non-discretionary 5 points for every 12 hours that has elapsed after the factum filing deadline
Incorrect paper size	0.5 point for each page on which a violation occurs, to a maximum of 5 points
Incorrect, incomplete or missing page numbers	0.5 point for each page on which a violation occurs, to a maximum of 5 points
Incorrect font face or size	1 point for each page on which a violation occurs, to a maximum of 5 points

Incorrect, incomplete or missing paragraph numbers	0.5 point for each page on which a violation occurs, to a maximum of 5 points
Incorrect line spacing	0.5 point for each page on which a violation occurs, to a maximum of 5 points
Incorrect margins	1 point for each page on which a violation occurs, to a maximum of 5 points
Incorrect, incomplete or missing counsel information	2
Incorrect, incomplete or missing Cover	2
Incorrect, incomplete or missing Table of Contents	2
Missing Part or inclusion of unenumerated Part	2
Failure to include required material in a Part or inclusion of inappropriate material in a Part	2
Part IV, Submissions as to Costs, in excess of 1 page, after factum is adjusted to eliminate any other formatting violations	2
Inclusion of footnotes, endnotes, text boxes, headers or footers (except for page numbering)	1
Failure to remove tracked changes, comments or formatting marks	1
Improper file name	1
Violation of citation style	Discretionary 0.5 points for each incorrect citation up to a maximum of 5 points
Violation of length	Non-discretionary 0.5 points for every 150 words over the limit, to a maximum of 15 points
Violation of plagiarism	Penalties will be to the discretion of the Committee
Violation of outside assistance	Penalties will be to the discretion of the Committee.
·	

23.2. <u>Notification</u>. The Committee shall determine a total sum of penalties assessed and notify each team of their penalties as early as possible. No additional penalties shall be assessed against a factum after the Committee notifies a team of their penalties, subject to appeals.

- 23.3. <u>Appeals</u>. Any team can appeal a factum penalty to the Committee by following this procedure:
  - (a) The team shall e-mail the committee within one business day of receiving notice of their penalties asking for an appeal.
  - (b) Within two business days, the Committee shall explain their reasoning for the penalty.
  - (c) The team has one business days to provide a response for why the penalty should not have been assessed.
  - (d) The Committee shall re-evaluate the penalty and notify the team of their final decision and reasoning within two business days.
- 23.4. <u>Appeal decisions</u>. The decisions of the Committee are final and cannot be further appealed.

#### 24. Oral Penalties

- 24.1. <u>Penalties</u>. The clerk assigned to each match shall announce any violations as they occur and teams shall cease committing that violation immediately.
- 24.2. <u>Disputing penalties</u>. If any team disputes a violation assessed by the clerk, a member of the Committee shall be notified upon completion of the match, who then shall make a final decision after hearing both the clerk and team's position on the matter. The member may consult one of the judges from the match in their deliberations.
- 24.3. <u>Deducations</u>. Each violation shall be a 5-point deduction from a team's score.
- 24.4. <u>Exceptional circumstances</u>. In extreme cases, clerks and members have the authority to impose greater penalties, such as higher deductions, disqualification, or apologies.
- 24.5. <u>Discretionary violations</u>. Penalties for the violation for the following rules shall be applied at the clerk's discretion:
  - (a) Format/procedure of oral argument (ie. order of counsel);
  - (b) Improper behaviour;
  - (c) Communication;
  - (d) Spectators:
  - (e) Time-keeping;
  - (f) Going over time (subject to any leave);
  - (g) Outside assistance; and
  - (h) Electronic-devices.
- 24.6. <u>Exceptions</u>. The clerk shall not assess any penalties for violations of the following:
  - (a) The content of oral arguments;
  - (b) Attire;
  - (c) Decorum; or
  - (d) Extension of time.
- 24.7. Appeal. The decisions of the Committee are final and cannot be further appealed.

## 25. AWARDS

25.1. <u>Identity</u>. The identity of award winners shall be kept strictly confidential until they are announced.

- 25.2. <u>Factum general</u>. One award is available for the factum that receives the highest score.
- 25.3. <u>Standings</u>. The teams with the three highest scores from the oral matches shall be placed in First, Second, and Third places.
- 25.4. <u>General oralist.</u> Awards are available for the two top-scoring oralists, determined by each judge casting four Distinguished Oralist votes per match in any way among any oralist who appeared before them.
- 25.5. <u>Penalties</u>. Penalties for oral argument scores do not affect Distinguished Oralist votes, but judges may take into consideration any penalties they observe when distributing their votes.

## 26. PHOTOGRAPHY AND RECORDING

- 26.1. <u>General prohibition</u>. Photographing, audio-recording, or video-recording of oral arguments are prohibited except with the authorization of the Committee.
- 26.2. <u>Formal</u>. The Committee has the exclusive right to create, reproduce, share, broadcast, and use still/moving images, sound recordings, or transcripts of oral matches, and other competition events.
- 26.3. <u>Consent</u>. All competitors, judges, participants, and spectators shall be deemed to have consented to being photographed, recorded, or transcribed for any purpose connected with the competition, including advertising and promotion.

## 27. SUSTAINABILITY

- 27.1. <u>Definition</u>. Sustainability includes environmental, social, and economic considerations.
- 27.2. <u>Dedication</u>. The SKAEL Moot shall strive to be as ecologically sustainable as possible. The Committee shall make best efforts to identify and pursue all opportunities to minimize environmental impacts of the competition and promote sustainable practices.

#### **APPENDIX 1**

SKAEL MOOT COMPETITION [YEAR]

SECC File Number: #-#-#

# IN THE SUPREME ENVIRONMENTAL LAW COURT OF CANADA (ON APPEAL FROM THE [PROVINCE] COURT OF APPEAL)

BETWEEN:

[PARTY]

APPELLANTS (Appellants)

- and -

[PARTY]

RESPONDENT (Respondent)

## FACTUM OF THE APPELLANTS/RESPONDENTS [PARTY]

Pursuant to Rule X of the SKAEL Moot Official Competition Rules [YEAR]

TO: THE REGISTRAR OF THE

SUPREME ENVIRONMENTAL LAW COURT OF CANADA

AND TO: ALL REGISTERED TEAMS