



Windsor Law  
University of Windsor



**ADVOCACY & MOOTING PROGRAM**  
STUDENT MANUAL

# Windsor Law

## Advocacy and Mooting Program



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At Windsor Law, experiential learning is a key component of your legal education. The Windsor Law Advocacy and Mooting Program (AMP) exposes students to a variety of mock advocacy competitions including mooting (appellate advocacy), mock trial competitions and mock mediation, client counseling and negotiation competitions, and Indigenous dispute resolution. Windsor Law competes in different competitions each year. Please contact Ms. Brittney Murdock ([lawmoots@uwindsor.ca](mailto:lawmoots@uwindsor.ca)) or AMP Director, Professor Jasminka Kalajdzic ([kalajj@uwindsor.ca](mailto:kalajj@uwindsor.ca)) for more information about AMP.

## Application Information

The process for applying to the Windsor Law Advocacy and Mooting Program is as follows:

1. Applications are due no later than **12:00 pm on Friday, September 24<sup>th</sup>, 2021**.
  - Students will submit their **2021-2022 AMP Application** online via the Law Moots website: <https://www.uwindsor.ca/law/AMP>.
  - Students submit one application for all for-credit AMP competition teams, no matter how many teams are applied for.
  - **The Jessup and non-credit moots will maintain their own applications.** Refer online for instructions on the application processes for these moots.
  - All applications will require a cover letter **for each AMP team**, resume, unofficial transcripts and record of current courses. Please see each AMP competition description for additional information.
2. Each application is sent to the coaches for their review and consideration.
3. In light of the highly competitive applications received, the call back date and time has been set for **Friday, October 8<sup>th</sup>, beginning at 9:00 am**. This will allow coaches who wish to do so, the opportunity to interview applicants before selecting a team.
  - All team members will receive their "offers" on the same day, by email, in staggered intervals.
  - The first round of offers begins at **9:00 am** - team members will have until **10:00 am** to accept or decline.
  - The second round of offers begins at **10:00 am** - team members will have until **11:00 am** to accept or decline.
  - The third and final round of offers will begin at **11:00 am** and end at **12:00 pm** that day.

Coaches may decide to hold interviews, trials or some other selection process before finalizing a team. These processes can be held anytime between September 24<sup>th</sup> and October 8<sup>th</sup>. In some instances, therefore, final offers may not be made, and a team may not be finalized until after October 8<sup>th</sup>.

Coaches reserve the right to determine if Windsor Law will not participate in a given AMP competition this year.

## Credit Information

Students may obtain credit for participating in certain AMP competitions. Not all AMP competitions provide for academic credit. A student may only participate in one (1) for-credit moot per season. Some teams also have student researcher positions. Such positions do not necessarily earn the same number of credits as the other members of the team.

In planning a timetable, students should keep in mind that there is no guarantee that they will be selected for a team. Credits are allocated to students' winter course schedule, even though some of the work for the competition may have to be completed in the fall term.

## More Information

Students are not permitted to compete on the same team twice save in exceptional circumstances. The arbiter of "exceptional circumstances" is the Associate Dean who, in deciding the issue, must consult with the coach/supervisor of the team in question. Moreover, for practical reasons, any student who, in exceptional circumstances, is given permission to moot a second time on the same team, must receive permission in advance of the selection round so that this information may be relayed to the selectors.

A student researcher is not precluded from competing on the same team the following year.

The usual University rules regarding plagiarism apply to the written work. Plagiarism may result in disqualification of the team and disciplinary action will be brought against any student who violates this rule.

## Workshops and Advocacy Resources Hub

To support student learning, AMP will host a workshop series on a variety of topics, including Legal Reasoning, Written Advocacy and Preparing for Oral Argument. Attendance at these sessions is mandatory for all competition team members. Watch the AMP website for date and other information in the early fall.

The [Advocacy Resources Hub](#) contains a variety of useful information to help students prepare for their competitions. Past winning factums, videos of competitions and mooting tips, among other resources, are available in the Hub and are regularly updated.

# 2021-2022 Moot Offerings

Currently offered moots will be applied for in one online application. A personalised cover letter will need to be submitted for each competition you choose to apply for, so please have all materials ready to ensure a simple application process. All supporting documents must be in PDF file format. The AMP online application can be accessed via the [AMP website](#). Please consult each moot or advocacy competition description carefully for any specific instructions and/or application requirements.

## Aboriginal Moot (Kawaskimhon)

**Course Credits:** 4

**Competitors:** 4

**Coach:** Sylvia McAdam

**Date:** March, 2022

**Location:** TBD

The Aboriginal Moot is a national moot held every year at a different place in Canada. It focuses on Aboriginal Law issues. The Kawaskimhon National Aboriginal Moot is open to Aboriginal and non-Aboriginal students. Kawaskimhon means “Speaking with Knowledge”. 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. It usually involves a presentation of a 20-minute argument and consensus building. The host school decides the moot format. The preparation of a factum will be required from each team. This event is a two-day forum. On the first day participants present oral arguments based on written submitted factums or other legal documents. At the end of the first day, the host law school prepares a cultural night, which usually includes a banquet, singers, and dancers. Kawaskimhon participants are required to work toward reaching consensus on the mooted problems or issues by the end of the second day. Previous moots have addressed band membership rights, territorial overlaps, the effects of hydro projects on Indigenous lands and territories, Métis rights and Aboriginal heritage.

## Bowman National Tax Moot (Donald G.)

**Course Credits:** 4

**Competitors:** 4

**Coach:** Marcela Aroca

**Date:** March 4-5, 2022

**Location:** Virtual

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 was founded by Professor Emir Aly Crowne-Mohammed and Professor John Weir, both of the University of Windsor. The Moot is an appellate level moot that gives 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.

For more information: <http://www.bowmantaxmoot.com>

## Canadian Client Consultation Competition

**Course Credits:** 4

**Competitors:** 4

**Coaches:** Justice Sharon Murphy and Ashley Lavigne

**Date:** March 4-5, 2022

**Location:** In-person (Western University, London, ON)

The Canadian Client Consultation 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.

For more information: [www.clientconsultationcomp.ca](http://www.clientconsultationcomp.ca)

## Canadian National Negotiation Competition (CNNC)

**Course Credits:** 4

**Coaches:** Gemma Smyth & Charles Campbell

**Competitors:** 2-4

**Date:** TBD

**Location:** Virtually

The Canadian National Negotiation Competition (CNNC) provides a means for law students to practice and improve their negotiating skills. The competition simulates legal negotiations in which law students, acting as lawyers, negotiate a series of legal problems. The simulations deal with the same general topic, but the negotiation situation varies with each round and level of the competition. The winners of the CNNC will have the right to advance to the 2021 International Negotiation Competition.

## Gale Cup

**Course Credits:** 4

**Coach:** David Tanovich

**Competitors:** 4

**Date:** March 4-5, 2022

**Location:** In-person (Toronto)

The Gale Cup is Canada's premier national bilingual mooting competition, bringing together teams of law students from 15 to 20 law schools across the country to moot a criminal law case. Named after former Ontario Chief Justice George A. Gale, the Gale Cup encourages excellence in oral advocacy by bringing together Canadian law school students in a forum that simulates as closely as possible the appellate court experience. The Gale provides a particularly valuable experience for students in that it uses real judges versus lawyers and takes place at the Ontario Court of Appeal at Osgoode Hall in downtown Toronto.

For more information: <https://www.galecupmoot.com>

## Harold G. Fox Moot Intellectual Property Moot

**Course Credits:** 4

**Coach:** Jenna Wilson

**Competitors:** 4

**Date:** February, 2022

**Location:** TBD

The Harold G. Fox 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 Fox Moot is sponsored by DLA Piper (Canada) LLP and administered by a committee of judges and practitioners (the Fox Moot Committee) and Elysia Karabegovic (the Fox Moot Administrator).

For more information: <https://ipmootcanada.ca/>

## Immigration Refugee Citizenship Law Moot

**Course Credits:** 4

**Coach:** Farah Saleem

**Competitors:** 4-5

**Date:** March 10-11, 2022

**Location:** Virtual

The ILM is Canada's first moot focusing solely on immigration, refugee and citizenship law. The French/English bilingual Moot's purpose is to provide a unique opportunity for law students, judges, decision-makers, academics, and practitioners from the public and private sectors to meet and debate problems of current importance in the fields of immigration, refugee and citizenship law.

The inaugural ILM was held on March 11 & 12, 2021 with twenty-five students participating from six law schools across the country. Seven judges from the Federal Court and more than 60 lawyers volunteered their time to make the inaugural Moot a great success.

For more information visit: <https://ilm-cpdi.ca/>

## Jessup International Law Moot

**Course Credits:** 6

**Coach:** Scott Robinson & Flavia Zaka

**Competitors:** 4-5

**Date:** February, 2021

**Location:** In-person (Winnipeg)

**Applications for this Moot must be submitted by filling out the [2021-22 Jessup International Law Moot online application](#) by 5:00 pm ET, Friday, September 10, 2021. Team to be selected by September 20 in order to give students the opportunity to apply to other Moots.**

The Philip C. Jessup International Law Moot Court Competition is the world's largest moot court competition, with participants from over 700 law schools in 100 countries and jurisdictions. The Competition is a simulation of a fictional dispute between countries before the International Court of Justice, the judicial organ of the United Nations. One team is allowed to participate from every eligible school. Teams of law students prepare oral and written pleadings arguing both the applicant and respondent positions of the case. These teams compete against one another through the presentation of oral and written pleadings to address timely issues of public international law in the context of a hypothetical legal dispute between nations.

Written pleadings are prepared and submitted in the Fall semester. Oral pleadings are practiced and submitted in the Winter semester. The top teams from the Canadian national competition then have the opportunity to attend and compete at the International Rounds in Washington D.C. in March, against the top teams from all over the world.

For more information: <https://www.ilsa.org/jessuphome>

## Julius Alexander Isaac Moot (Diversity Moot)

**Course Credits:** 4

**Coaches:** Danardo Jones

**Competitors:** 4

**Date:** Feb. 4-5, 2022

**Location:** In-person (Toronto)

BLSA Canada first held what was then known as the Annual Koskie Minsky Diversity Moot Competition in 2008. In 2012, the Moot was named after the late Chief Justice of the Federal Court of Appeal, Julius Alexander Isaac, the first Black judge to sit on the Federal Court of Canada.

Since its inception, the unilingual moot has focused on an area of law in which issues of equity and diversity arise, often incorporating elements of critical race theory into the problem. The Black Law Student Association of Canada administers the Julius Alexander Isaac Moot in collaboration with law firms, law schools and community organizations.

For more information: <http://www.blsacanada.com/julius-alexander-isaac-moot/>

## Mathews Dinsdale Labour Arbitration Moot

**Course Credits:** 3

**Coach:** Thomas Kuttner

**Competitors:** 2

**Date:** February 11-13, 2022

**Location:** Ontario Labour Relations Board, Toronto, ON

**Special Requirements:** This moot is only open to 2L students

Labour law has a unique advocacy component, not always found in other types of litigation.

Every January, teams from law schools across Canada join together for a weekend to compete in a simulation of a grievance arbitration hearing before tri-partite panels. Truly a national event, competitors include teams from all over Canada. The oralists, coaches, panellists and other invitees from the labour law community join at the offices of Mathews Dinsdale for an opening reception on Friday night. The competition then officially begins Saturday morning at the Ontario Labour Relations Board. Each team presents once as union counsel, and once as management counsel.

Based on the panellists' scoring, the Moot Committee determines the two finalists, who are announced at a Saturday night banquet. These finalists then go on to compete against each other for the Mathews Dinsdale & Clark National Labour Arbitration Competition Trophy on Sunday morning.

For more information: <http://www.mathewsdinsdale.com/students/national-labour-arbitration-competition/>

## Ontario Trial Lawyers Association Moot (OTLA)

**Course Credits:** 4

**Coach:** Francine Herlehy

**Competitors:** 3

**Date:** TBD

**Location:** TBD

The Ontario Trial Lawyers Association (OTLA) was founded in 1991 in response to an overwhelming need in Ontario for an organization of lawyers acting for Plaintiffs. OTLA has over 1000 members and is comprised of plaintiffs' lawyers from Ontario, out-of-province Members from New Brunswick, Prince Edward Island, Newfoundland, Nova Scotia, Quebec, Manitoba, Saskatchewan, Alberta and British Columbia, along with the United States. OTLA also has a strong core of law clerks, articling students and law students. Members of OTLA are dedicated to the preservation and improvement of a civil justice system which is equally accessible to all and which fully and fairly protects the rights of those who have suffered losses as a result of the wrongdoing of others.

The competition involves the trial of a civil action and features opening and closing arguments, examination-in-chief and cross-examination of witnesses. The participants include Queen's University, University of Ottawa, University of Western Ontario, University of Windsor and Osgoode Hall Law School. The team is comprised of two counsel and one witness. Witnesses must memorize their part and are crucial to the competition, thus travel, accommodation and meal expenses are, within reason, covered by the OTLA.

## Tort Law Moot

**Course Credits:** 4

**Coach:** Irina Rosca

**Competitors:** 4

**Date:** February 18-20, 2022

**Location:** Virtual

The Tort Law Moot is Canada's first moot focusing solely on tort and insurance law. It is designed to promote advocacy and excellence in the fields of tort and insurance law. The Moot was founded by Shima Heidari, an alumni of Windsor Law. The Tort Law Moot is an appellate level moot that gives law students a chance to take part in a simulated appeal proceeding. The Moot will provide participants with the opportunity to interact with jurists of the Provincial Courts and with experienced practitioners in the field.

## Walsh Family Law Moot

**Course Credits:** 4

**Coach:** Cynthia Nantais

**Competitors:** 4

**Date:** March 4, 2022

**Location:** In-person (Toronto)

The National Family Law Moot Competition was established to foster relations between Law Schools and practitioners; to encourage the study of family law; and to increase knowledge amongst law students.

All Law Schools are invited to take part in this moot. The Law School will select a team of between two and four members in accordance with the Family Law Moot Competition Selection Policy.

The Moot will be judged by leading Ontario family law practitioners and judges who will assist in the drafting of the moot problem and grading of factums.

For more information: <http://afccontario.ca/walsh-moot/>

## Walsh Negotiation Competition

**Course Credits:** 4

**Coach:** Nikita Mathew, Sophia Cripouris, Kevin Mac Neil, and Sabrina Mangiapane

**Competitors:** 4

**Date:** March 5, 2022

**Location:** In-person (Toronto)

**Application Requirements:** Students must have completed, or currently be enrolled in, Family Law (LAWG-5843)

In 2015, the Association of Family and Conciliation Courts Ontario, the Ontario Court of Justice, and the Supreme Court of Justice launched the Walsh Family Law Negotiation Competition which is run concurrently with the litigation moot. The negotiation competition is based on an American Bar Association model negotiation competition but rooted in the Ontario family law context. It helps students hone their negotiation skills and provide them with fantastic exposure to family law negotiation processes.

For more information: <http://afccontario.ca/walsh-moot/>

## The Wilson Moot

**Course Credits:** 4

**Competitors:** 4

**Coach:** Tess Sheldon

**Date:** February 25-26, 2022

**Location:** TBD

The Wilson Moot was founded in 1992 and cared for throughout the years by Melanie Aitken, the former Commissioner of Competition for Canada. It was conceived to honour the outstanding contribution to Canadian law made by the late Honourable Bertha Wilson and, in the spirit of this contribution, to promote justice for those disempowered within the legal system. The goal of The Wilson Moot is to explore legal issues concerning women and minorities, and thereby promote the education of students and the legal profession in these areas of pressing concern. It is the hope that such a moot constitutes an appropriate tribute to an esteemed jurist and addresses issues not otherwise raised in the traditional mooting curriculum.

Among the topics chosen for past Wilson Moots are the Charter implications of the taxation scheme for child support payments, freedom of religion in the context of state-funded education, a challenge to the anti-terrorism provisions of the Criminal Code and the Crown's obligation to provide programming to ameliorate the effects of a disability with respect to a specific group and a provision of the Alberta Human Rights Act that allows parents to opt their children out of sexual education classes. Last year's problem focused on issues concerning the adoption of aboriginal children by non-aboriginal parents and the protection of the rights of aboriginal parents and children in private adoptions.

For more information: <http://www.thewilsonmoot.com/index.html>.

## Warren K. Winkler Class Action Moot

**Course Credits:** 4

**Competitors:** 4

**Coach:** Jasminka Kalajdzic

**Date:** TBD

**Location:** TBD

The annual Warren K. Winkler Class Action Moot gives law students practical, hands-on exposure to the class certification hearing, a form of litigation that often involves very high stakes and interesting factual and legal issues. As former Chief Justice Winkler has remarked, class actions play an increasingly large role in the Canadian legal landscape. Class actions on behalf of hundreds of thousands of consumers, institutional abuse survivors, and victims of faulty products and drugs, have improved access to justice and effected policy changes.

Unlike most other moots which take place in an appellate court setting, and thus require only arguments on points of law, the Winkler Class Actions Moot is a certification hearing argued at the motions court level. Consequently, students must argue both the law and the evidence before the court, as well as craft novel legal arguments. In the final round, mooters compete before a panel of judges from the Ontario Court of Appeal and Superior Court of Justice.

The problem is usually released in October. McCarthy Tetrault hosts a Moot Strategy Session in Toronto in November to provide participating students with an opportunity to hear from plaintiff and defence counsel about the basics of the class certification hearing and to get tips for approaching the issues in the problem.

Preference will be given to students who have taken, or are currently taking, the Class Action Seminar.



## Alternative & Internal Moot Offerings

### CUSLI Business Law Case Competition (not-for-credit)

**Course Credits:** None

**Coach:** Werner Keller

**Competitors:** 4 (2 law students & 2 MBA students)

**Date:** TBD

**Location:** TBD

**Application Requirements:** Participants in this moot are traditionally students enrolled in Business Agreements (LAWG-5971-62) with Professor Keller. At this time, this moot will not be open to external applicants.

This is an interdisciplinary case study competition that will bring together students from graduate law and business faculties to jointly problem-solve a given real-world issue. The case presents two companies (one American, one Canadian) looking to achieve a mutually beneficial business transaction. Each company will be represented by interdisciplinary teams of four (4) graduate students, two (2) law and two (2) business. The competition will have three general phases; negotiation preparation, negotiation practice, and negotiation agreement submission. Teams will be measured according to their ability to successfully navigate the complexities of the transactional situation, advocating for their company's priorities while at the same time acknowledging the need for compromise with their negotiation counterparts to create an agreement palatable to both parties.

### Lerners Moot (internal)

**Course Credits:** None

**Faculty Advisors:** Ruth Kuras and Margaret Liddle-Kwan

**The Lerners Moot is temporarily suspended for 2021-2022 and will likely resume in 2022-2023.**

The Lerners Moot is a non-credit internal moot competition held annually at Windsor Law in January and supported by the Lerners LLP law firm. The four top student mooters in the first-year law Legal Research and Writing Course (LAWG-5807) Moot Court Advocacy Program are invited to compete in the Lerners Moot, where a panel of three judges hears appeal arguments by the finalists in Moot Court. A Top Oralist is selected by the judges upon completion of the Moot.

### Zuber Moot (internal)

**Course Credits:** None

**Faculty Advisors:** Ruth Kuras and Margaret Liddle-Kwan

**Dates:** TBD

**Application Requirements:** This moot is open to second and third year students only. Instructions on how to apply will be made available to students during the fall 2019 semester.

For over 47 years, the Zuber Moot has been a tradition at Windsor Law, and this year is no exception. The Zuber Moot is Windsor Law's upper year competitive moot and is open to all second and third year law students.

Besides looking great on your resume and transcript, the Zuber Moot provides an opportunity for students to gain experience in competitive mooting. It also gives those who are considering a career in litigation a chance to practice their oral advocacy skills. The finalists will have the amazing opportunity to argue their final case in front of real judges.

Those who wish to register must sign up in teams of two, and indicate whether they wish to appeal a criminal or constitutional matter.

A special note to those participating in the OCI process; the Zuber Moot schedule has been designed to accommodate the OCI agenda.

## Reimbursement of Expenses for Advocacy Competitions

The law school will support costs of advocacy competitions, specifically:

- a. Cost of hotel (room and taxes only) and transportation for all participants. Whenever possible students are expected to share accommodations.
  - i. Hotel costs will only be covered during the mooting period. It is at the student's expense should they wish to arrive earlier or depart later than the predetermined mooting period for their particular moot competition.
- b. If air or train travel is required, all reservations are made through Brittney Murdock ([lawmoots@uwindsor.ca](mailto:lawmoots@uwindsor.ca), ext. 2921). Please keep boarding passes, train tickets, and taxi receipts to submit to Brittney Murdock post-travel.
- c. Gas receipts will be required from all students driving their automobile.
  - i. Only gas will be reimbursed. Students are not eligible to receive reimbursement for mileage.
  - ii. Gas receipts are only reimbursable during travel for the moot competition. A student will not be reimbursed for any gas expenses incurred after they have reached their end destination.
- d. Reimbursement cannot be made without original receipts. Students are required to submit their receipts **no later than within 72 hours upon return from their travels.**
- e. The following per diem amounts for meals have been approved:

Breakfast:	\$13.00
Lunch:	\$22.00
Dinner:	\$35.00
- f. Any meals that are provided by the host organizer will not be eligible for reimbursement.
- g. Please note that students must do all photocopying and binding of materials at the law school during office hours. Third party copying costs will only be reimbursed in special circumstances.

In order to receive reimbursement for any eligible expenses incurred during travel, students are required to submit a Supplier Direct Deposit form directly to Accounts Payable in the Finance Department. Contact Brittney Murdock ([lawmoots@uwindsor.ca](mailto:lawmoots@uwindsor.ca), ext. 2921) to obtain said form.

## Paul Martin Library Services for AMP Participants

1. Research Training – moot problems often require specialized research tools and techniques. Moot teams should send an email to [lawreference@uwindsor.ca](mailto:lawreference@uwindsor.ca) to request training sessions or appointments with a reference librarian for research advice.
2. Moot Team Printing – the Faculty of Law provides resources to off-set the costs of printing for competitive moot teams. To participate, moot team members should request the service at the Law Library circulation desk. Alternatively, documents on a USB stick can be brought to the General Office during normal business hours with a request to use the copier. Note that spiral binding can only be done at the General Office; if you require special card stock for factum covers, please give two weeks' notice to [uwlaw@uwindsor.ca](mailto:uwlaw@uwindsor.ca).
3. Award Winning Moot Team Factums – All moot team members are reminded that for the past few years, the Paul Martin Law Library has been collecting award winning moot factums. These documents are available online in the AMP [Advocacy Resources Hub](#) and at: <http://www.uwindsor.ca/law/library/289/law-library-course-reserves-list>.