



WALSH FAMILY LAW MOOT

Marking Guide – Factum

Team Names: _____

Team #: _____

1. Stylistic Considerations

- Did the factum comply with all formal requirements?
- Were proper sentence and paragraph structure and sequence used?
- Did the factum contain grammatical or spelling errors?
- Was the language clear and comprehensible (effective use of “plain English” principles)?

Please score between 1 and 5:

1=Inadequate

2=Adequate

3=Good

4=Very Good

5=Excellent

1 2 3 4 5

COMMENTS (IF ANY)

2. Authorities and Citations

- Were sufficient and proper legal citations applied consistently throughout?
- Did counsel rely on appropriate and strong authorities?
- Was a sufficiently broad range of authorities cited?

Please score between 1 and 5:

1=Inadequate
2=Adequate
3=Good
4=Very Good
5=Excellent

1 2 3 4 5

COMMENTS (IF ANY)

3. Organization of Issues

- Was there a clear and correct statement of the facts and issues?
- Were the issues organized and did they flow in a logical order?
- Were the issues discretely divided or were they convoluted?
- Was there appropriate use of sub-headings, etc.?

Please score between 1 and 5:

1=Inadequate
2=Adequate
3=Good
4=Very Good
5=Excellent

1 2 3 4 5

COMMENTS (IF ANY)

4. Development of Arguments

- Were the arguments presented in a persuasive and compelling manner?
- Did counsel apply the correct substantive law in crafting legal arguments?
- Was appropriate weight given to each issue with a focus on counsel's strongest arguments or were there unnecessary arguments?
- Did counsel effectively apply the law to the facts?
- Were the arguments creative and/or original or was it merely a restatement of the lower court decisions?

Please score between 2 and 10:

2=Inadequate

4=Adequate

6=Good

8=Very Good

10=Excellent

2 4 6 8 10

(This question is given more weight than the other questions.)

COMMENTS (IF ANY)

TOTAL FACTUM MARK = _____/25



WALSH FAMILY LAW MOOT

Marking Guide – Oral Argument

1. Preparation and Organization of Argument:

- Did moter provide an introduction or ‘road map’?
- Were the arguments organized in a logical sequence?
- Did moter sufficiently integrate oral arguments with written arguments?
- Did moter conclude with a concise and effective summary of the arguments?

2. Speaking Ability and Delivery:

- Did moter address the bench and opposing counsel appropriately?
- Did moter interrupt the bench?
- Did moter display appropriate court etiquette in general?
- Did moter make eye contact with the bench?
- Did moter maintain composure under stress?
- Did moter employ appropriate speed and tone in his or her submissions?
- Was moter able to speak from memory or a brief outline or was moter reading his or her submissions?

3. Responses to Questions from the Bench:

- Was moter adequately prepared to answer questions from the bench?
- Did moter address the issue or were answers evasive?
- Were questions handled properly and did moter re-direct the court’s attention back to the issues effectively?
- Did moter make concessions where appropriate and in an effective manner?

4. Development of Arguments and Overall Persuasion:

- Was moter sufficiently familiar with the issues?
- Were the arguments developed in a persuasive manner?
- Were concessions made only where necessary and in the proper manner?
- Did moter efficiently allocate time among the arguments with a focus on the strongest arguments?
- Was effective use made of the best authorities and the best policy arguments?
- Did moter sufficiently integrate the facts into his or her arguments?
- Did moter address and appropriately dispose of opposing counsel’s arguments?

JUDGES' MARKING SHEET

JUDGE:

COURTROOM:

MOOTER:

ROUND:

1. Preparation and Organization of Argument

Mark (circle one) 2 4 6 8 10
INADEQUATE ADEQUATE GOOD EXCELLENT OUTSTANDING
Comments, if any:

2. Speaking Ability and Delivery

Mark (circle one) 2 4 6 8 10
INADEQUATE ADEQUATE GOOD EXCELLENT OUTSTANDING
Comments, if any:

3. Responses to Questions from the Bench

Mark (circle one) 2 4 6 8 10
INADEQUATE ADEQUATE GOOD EXCELLENT OUTSTANDING
Comments, if any:

4. Development of Arguments and Overall Persuasion

Mark (circle one) 4 8 12 16 20
INADEQUATE ADEQUATE GOOD EXCELLENT OUTSTANDING
Comments, if any:

TOTAL ORAL ARGUMENT MARK: _____ /50