

McGill Faculty of Law | Faculté de Droit

Moot Competition Descriptions

Descriptions des concours de plaidoirie

2024/2025

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Canadian Copyright Policy Moot

General Information	
Legal area	Copyright; intellectual property
Moot type	Preparing a memorandum for cabinet proposing a policy change in the area of copyright and intellectual property law; oral presentation accompanies proposal
Participant structure	Two teams of two students (two different policy proposals); all four participants moot orally
Number of rounds	Two
Competition location	University of Ottawa
Language	Proposal and oral presentation can be in English or French
Recommended courses	<ul style="list-style-type: none"> • Intellectual Property Law
Recent moot topics	<ul style="list-style-type: none"> • Copyright and artificial intelligence
Workload	Heavy workload from January to March
Website	https://techlaw.uottawa.ca/copyrightpolicymoot

Key Dates	
Milestone	Approximate Date (based on past years only, subject to change)
Problem released	Mid-January
Written submission deadline	Mid-March
Competition	Late March

2023/24 Mooter Contact Information	
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Concours de plaidoirie Michel-Bastarache (« Bastarache »)

Informations générales	
Domaine juridique	Droits linguistiques
Type de concours	Plaidoirie en appel; problème juridique réel ou problème fictif dépendamment de l'année
Structure des participants	Deux équipes de deux étudiants (appellant et intimé); tous les participants plaident oralement [N.B. possibilité de jumelage avec d'autres universités s'il y a uniquement deux participants de McGill]
Nombre de matchs	Deux matchs réguliers; semi-final; final
Lieu du concours	Ottawa
Langue	Français. Tous les participants doivent plaider et écrire le mémoire en français Les rencontres et les pratiques sont tenues en français; les participants devraient être à l'aise de lire et réviser le travail en français
Cours recommandés	<ul style="list-style-type: none"> • Droits linguistiques (si disponible)
Sujets de concours récents	<ul style="list-style-type: none"> • Appel de la décision <i>Quebec English School Boards Association c Procureur général du Québec</i>, 2023 QCCS 2965 dans laquelle le juge de première instance a déclaré inopérants à l'égard des commissions scolaires anglophones du Québec certains articles de la Loi modifiant principalement la <i>Loi sur l'instruction publique relativement à l'organisation et à la gouvernance scolaires</i>, LQ 2020, c 1 (« Loi ») au motif qu'ils portent atteinte de façon injustifiée à l'article 23 de la <i>Charte canadienne des droits et libertés</i> • Un renvoi fictif basé sur un litige qui est présentement en cours en Alberta portant sur le financement du Campus Saint-Jean, le seul établissement d'enseignement postsecondaire de langue française en Alberta
Charge de travail	Remise du problème et recherche pendant le semestre d'automne et les vacances d'hiver, principalement de manière autonome avec des réunions 1x/2-3 semaines en moyenne (environ 5-10 heures/semaine); recherche, rédaction du mémoire, révisions et pratiques orales en équipe janvier-mars (8-12 heures/semaine)
Site web	N/A

Dates importantes	
Étapes	Date approximative (basée sur les années passées uniquement, sous réserve de modifications)
Problème communiqué	Mi-novembre
Remise du mémoire de l'appelant	Fin février
Remise du mémoire de l'intimé	Début mars
Compétition	Mi-mars

2023/24 Coordonnées des participants	
Nom	Courriel
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Concours de plaidoirie Pierre-Basile-Mignault (« Mignault »)

Informations générales	
Domaine juridique	Droit civil
Type de concours	Cour d'appel; problème fictif; jugement de première instance de la Cour du QC fourni
Structure des participants	Duex équipes de duex participant.e.s (deux pour la partie appelante, deux pour la partie intimée); un mémoire par équipe; les quatre plaident
Nombre de matchs	Un journée de joutes préliminaires interuniversitaires. Les deux meilleures équipes vont en finale le lendemain. Des prix sont remis (meilleur mémoire, meilleure équipe, meilleur plaidoyer, etc.)
Lieu du concours	Alterne selon l'université hôte (UOttawa, UdeM, UQAM, ULaval, McGill, USherbrooke)
Langue	Français. Les mémoires et les plaidoiries sont en français. Les rencontres ont lieu en français.
Cours recommandés	Aucun
Sujets de concours récents	<ul style="list-style-type: none"> • Obligations contractuelles • Exécution du contrat • Clause d'exonération • Gestes réservés à la profession d'avocat • Responsabilité extracontractuelle • Prudence et diligence • Évaluation des risques d'un produit • Intelligence artificielle
Charge de travail	<p>Recherche et écriture des mémoires pendant la session d'automne (approx 15-20 hrs/sem). 1 séance d'environ 1h30 par semaine avec les coaches. Les coaches sont des avocates de Fasken. Elles donnent des échéanciers serrés et encadrent beaucoup; elles révisent, prodiguent des conseils et corrigent verbalement le mémoire lors de la rencontre hebdomadaire.</p> <p>Préparation des plaidoiries pendant la session d'hiver. 1 ou 2 séances d'environ 1h30 par semaine pour pratiquer les plaidoiries. Des juges sont invité.e.s lors des pratiques afin de challenger les étudiant.e.s et les préparer adéquatement aux plaidoiries. (approx 15 hrs/sem)</p>
Site web	https://concourspbmc.ca/

Dates importantes	
Étapes	Date approximative (basée sur les années passées uniquement, sous réserve de modifications)
Problème communiqué	Début septembre
Remise du mémoire de l'appelant	Fin octobre
Remise du mémoire de l'intimé	Fin novembre
Compétition	Mi-février

2023/24 Coordonnées des participants	
Nom	Courriel
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Davies Corporate/Securities Moot (“Davies”)

General Information	
Legal area	Corporate and securities law
Moot type	Appeal moot; fictitious problem; highest court in Canada with decisions below provided in the problem
Participant structure	Two teams of two students (appellant and respondent); all four participants moot orally
Number of rounds	Preliminary and finalist round (same competition weekend)
Competition location	Toronto
Language	English
Recommended courses	<ul style="list-style-type: none"> • Business Associations (highly recommended) • Securities Regulation • Corporate Finance
Recent moot topics	<ul style="list-style-type: none"> • Use of plan of arrangement provisions under the Canada Business Corporations Act in connection with a recapitalization transaction designed to reduce the subject company's outstanding indebtedness and improve its liquidity • Secondary market liability misrepresentation claim arising out of an alleged failure to disclose material information • Breach of nominate director's fiduciary duties and duty of good faith in contractual discretion claiming repudiation of the subject company's arrangement agreement
Workload	<p>Research and factum drafting during winter semester, mostly self-directed with meetings 1-2x/week on average (approx. 1-3 hours/week)</p> <p>Factum drafting and revision throughout January</p> <p>Intense oral team practices in February 1-2x/week with coaches and guest lawyers and 1-2x/week without coaches</p>
Website	None

Key Dates	
Milestone	Approximate Date (based on past years only, subject to change)
Problem released	Early January
Appellant factum due	Early February
Respondent factum due	Early February
Competition	Early March

2023/24 Mooter Contact Information	
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Gale Cup Moot

General Information	
Legal area	Criminal law
Moot type	Appeal moot; the case is always a recent Supreme Court decision (usually a 5-4 split), which is then appealed to a fictional higher court
Participant structure	Two teams of two students (appellant and respondent); all four participants moot orally
Number of rounds	Preliminary and finalist round (same competition weekend)
Competition location	Toronto (Osgoode Hall)
Language	Participants can write and plead in English or French; the two-person team must plead in the same language
Recommended courses	<ul style="list-style-type: none"> • Criminal Procedure • Evidence (Criminal Matters) • Any other criminal law courses
Recent moot topics	<ul style="list-style-type: none"> • 2024: <i>R v Beaver</i> • 2023: <i>R v Lafrance</i>
Workload	<p>Intensive research and factum drafting in the Fall, through the winter break, and in early January, including multiple drafts and significant feedback from coaches. Meetings during evenings and weekends</p> <p>Intensive preparation and practice for the oral pleadings in January and February, including one practice per week with coaches and external lawyers/judges. Practice sessions typically last 4-5 hours in the evening</p> <p>Appellant workload is heavier early on (since they write the first factum) and the respondent workload is heavier later on (since they reply to the appellants, and are simultaneously conducting practice sessions for their oral pleadings)</p>
Website	https://www.galecupmoot.com

Key Dates	
Milestone	Approximate Date (based on past years only, subject to change)
Problem released	Early October
Appellant factum due	Early January
Respondent factum due	Mid-January
Competition	Early February (though in previous years it was later)

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Julius Alexander Isaac Moot (“Isaac”)

General Information	
Legal area	Discrimination law; critical race theory; varied legal questions
Moot type	Appeal moot; fictitious problem; appealed to the fictitious Diversity Court which allows both critical race theory based and legal arguments
Participant structure	Two teams of two students (appellant and respondent); all four participants moot orally
Number of rounds	Preliminary and finalist round (same competition weekend)
Competition location	Toronto
Language	English
Recommended courses	<ul style="list-style-type: none"> • Critical Race Theory
Recent moot topics	<ul style="list-style-type: none"> • Constitutionality of the <i>Safe Third Country Agreement</i> • Race-conscious criminal sentencing
Workload	<p>Research and factum drafting during fall semester, mostly self-directed with meetings 1x/2 weeks on average (approx. 5-10 hours/week)</p> <p>Factum drafting and revision over winter break</p> <p>Oral team practices in January 2x/week</p>
Website	https://www.blsacanada.com/isaac-moot

Key Dates	
Milestone	Approximate Date (based on past years only, subject to change)
Problem released	Mid-October
Appellant factum due	Early January
Respondent factum due	Early January
Competition	Early February

2023/24 Mooter Contact Information	
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Kawaskimhon Aboriginal Law Moot

General Information	
Legal area	Aboriginal and Indigenous law
Moot type	“Kawaskimhon is a nêhiyawêwin (Cree language) word that means “speaking with knowledge.” The Kawaskimhon moot stands out from all other moot competitions in that it centers Indigenous legal orders alongside federal, provincial, and international law. The moot is consensus-based and non-adversarial. Students are given a fact pattern and divided into teams that represent each party to the case being addressed.” Source: https://shorturl.at/BOP15
Participant structure	Two teams; one team of two and one team of three; while teams of three are permitted, teams of two are more common
Number of rounds	One, comprising of two days of negotiations
Competition location	Thompson Rivers University in Kamloops, BC
Language	Submissions and pleadings can be French or English or bilingual; if teams want to negotiate in French then they must request a French table for the negotiation
Recommended courses	<ul style="list-style-type: none"> • Aboriginal Law Field School • Any negotiation or mediation focused courses
Recent moot topics	<ul style="list-style-type: none"> • Trans Mountain Expansion Project: the key objective is to negotiate and finalize a new governance framework/agreement for Pípsell, including the Pípsell Corridor and the Pípsell Area, with terms that are agreed to by all participating parties (e.g. governments, Indigenous nations, etc.) (2024) • Coastal Gaslink pipeline in BC (2023)
Workload	Moot takes place entirely in the winter semester Heavy workload from mid-January to the end of February, including weekly meetings with coaches and teams Teams are assigned at the same time as registration in mid-January, after which time more intense preparation begins
Website	https://www.tru.ca/law/contact/national-aboriginal-moot.html

Key Dates	
Milestone	Approximate Date (based on past years only, subject to change)
Problem released	Mid-December
Registration deadline and team assignment	Mid-January

Team's position paper due	Late February
Competition	Early March

2023/24 Mooter Contact Information	
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Laskin Moot

General Information	
Legal area	Administrative and constitutional law
Moot type	Appeal moot; fictitious problem; highest court in Canada with decisions below provided in the problem
Participant structure	Two teams of two students (appellant and respondent); all four participants moot orally
Number of rounds	Preliminary and finalist round (same competition weekend)
Competition location	Rotates Canadian cities, hosted by law faculties (recently: Calgary, Halifax, Quebec City)
Language	Bilingual: at least one participant (out of four) must moot in English and one in French; factum arguments must be written in the language they will be pled; opposing teams may plead in either language with simultaneous translation available Meetings and practices are conducted bilingually; participants should be comfortable reading and editing each other's work in both languages, but can choose their language of writing
Recommended courses	<ul style="list-style-type: none"> • Judicial Review of Administrative Action (highly recommended)
Recent moot topics	<ul style="list-style-type: none"> • Judicial review of the Commissioner of Privacy and Technology's decision to sanction a corporation for data scraping (division of powers for new artificial intelligence laws, section 96 CA jurisdiction of federal Parliament to create a tribunal to adjudicate disputes) • Judicial review of the Chief Electoral Officer's decision to cancel a federal election due to nation-wide protests (impact on section 3 <i>Charter</i> rights) • Judicial review of the Correctional Service of Canada's decision to allow the statutory release of an offender instead of referring the decision to the Parole Board of Canada (issue of standing for criminal trial witnesses)
Workload	Research and factum drafting during fall semester, mostly self-directed with team meetings 1x/2 weeks on average (approx. 10 hours/week on average); first factum draft due in December Factum drafting and revision over winter break, mostly independent work with one or two team meetings required Finalizing factums and preparing oral arguments in January, followed by intense oral team practices with external judges in February 1-2x/week (approx. 10 hours/week plus revisions and individual practicing, total 15-20 hours/week)
Website	https://laskin.ca

Key Dates	
Milestone	Approximate Date (based on past years only, subject to change)
Problem released	Mid to late September
Appellant factum due	Late January
Respondent factum due	Early February
Competition	Last weekend of February / first weekend of March

2023/24 Mooter Contact Information	
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Philip C. Jessup International Law Moot (“Jessup”)

General Information	
Legal area	Public international law
Moot type	Simulation of a fictional dispute between countries before the International Court of Justice
Participant structure	Applicant team + Respondent team; 4-5 participants who can all moot orally
Number of rounds	6 rounds (3 for Applicant team; 3 for Respondent team)
Competition location	Regional round: rotating Canadian city (recently in Ottawa and Winnipeg) Finals: Washington, DC
Language	English
Recommended courses	<ul style="list-style-type: none"> Public International Law (required by the Faculty)
Recent moot topics	<ul style="list-style-type: none"> Every year there are four different issues that arise from one long fact pattern 2024: traitors and crooks, issues related to the right to political expression, statelessness, the right to a nationality, and the scope of the United Nations Security Council's authority in the pacific settlement of disputes 2023: the interpretation of a peace treaty, deadly attacks in allegedly occupied territory, unilateral economic sanctions, and the legal consequences of failing to dispose of hazardous waste properly
Workload	<p>Research and memorial drafting in fall semester (memorial is due in early to mid January); workload for research & writing will be equivalent or more to a single course</p> <p>Oral arguments practice in winter semester, including moot practices 1-2x/week</p>
Website	Official website: https://www.ilsa.org/about-jessup/ Regional website: https://jessupmoot.ca/

Key Dates	
Milestone	Approximate Date (based on past years only, subject to change)
Problem released	Mid-September
Appellant memorial due	Early to mid-January
Respondent memorial due	Early to mid-January
Regional competition	Late February
Final competition	Late March to early April

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Sopinka Cup

General Information	
Legal area	Criminal law
Moot type	Trial level; oral advocacy only with no written requirements
Participant structure	One team of two
Number of rounds	<p>Two rounds:</p> <ul style="list-style-type: none"> • Provincial (called Coupe Guy-Guérin in Quebec, from which two teams are selected to move to the next round) • National (only if selected) <p>The team's position may change between the two rounds</p>
Competition location	<p>Provincial: Montréal (Palais de Justice)</p> <p>National: Ottawa</p>
Language	<p>Bilingual moot, no restrictions on the language chosen</p> <p>The same team can have teammates perform in two different languages if desired</p>
Recommended courses	<ul style="list-style-type: none"> • Evidence (either civil or criminal, just to have the basics) • Any criminal law courses • Any trial advocacy courses
Recent moot topics	<ul style="list-style-type: none"> • Aggravated assault and self defense (a girl's ex-boyfriend punches her new boyfriend in a bar, they all have criminal records and credibility of witnesses is not great. The girl had initially cheated on her ex-boyfriend, who was her new boyfriend's boss. Texts and phone conversations after the punch seem to show that the girlfriend is blackmailing the ex for money) • Bomb in a car that explodes, and the victim dies.
Workload	<p>Generally spread out throughout the year. No deadlines before the competition. Preparation begins after the problem is released, even before parties receive their position.</p> <p>Typical weekly workload is 2-3 hours of individual work, 4-hour team meeting, and 2-hour team meeting with coaches.</p> <p>No written component so focus is on the development and practice of oral advocacy skills (questioning witnesses, controlling the narrative, presenting your client, telling a story, linking evidence to law, selecting a "théorie de la cause", etc.). Little legal research required. Essentially a mock trial (call witnesses, make objections, argue motions, make opening/closing statements, etc.)</p>
Website	https://www.actl.com/home/awards-competitions-grants/sopinka-cup

Key Dates	
Milestone	Approximate Date (based on past years only, subject to change)
Problem released	Late October (though it was earlier in previous years)
Provincial competition	Early February (must be held one month before nationals)
National competition	Mid-March

2023/24 Mooter Contact Information	
Name	Email Address
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Willem C. Vis International Commercial Arbitration Moot ("Vis")

General Information	
Legal area	International commercial law
Moot type	Fictitious problem between two private parties at an arbitral tribunal; multiple agreements, correspondence, reports, etc. make up the problem package, usually centered around an industry or industry issue
Participant structure	Four participants; entire team pleads for claimant or respondent (assigned by moot and changes between rounds); two participants argue procedure and two argue merit
Number of rounds	Pre-moots: optional practice competitions hosted in cities around the world or virtually, generally coaches insist on participating in at least two pre-moots Friendlies: informal competitions for additional practice with teams from other law schools, organized by team and coaches Official competition: rounds rounds with successful teams proceeding to final elimination rounds Team can attend as many "pre-moots" and "friendlies" as they desire in addition to the official competition; McGill typically attends approximately three pre-moots in person
Competition location	Pre-moots: various locations (typically attended by McGill team: New York, Buenos Aires, Paris, Hague) Friendlies: virtual Official Competition: Vienna
Language	English
Recommended courses	<ul style="list-style-type: none"> • Private International Law (highly recommended) • Extrajudicial Dispute Resolution • Any other courses on arbitration
Recent moot topics	Always a contractual dispute between two parties resulting in private arbitration. Recent topics have included: <ul style="list-style-type: none"> • Contract between a tier 1 and tier 2 supplier of car parts for optical systems; seller experienced a cyberbreach buyer was misled into transferring payment to a fraudulent account; buyer refuses to pay • Contract to manufacture and sell drones to a government, cancelled by a subsequent government on allegations of corruption and misrepresentation of the original contract; applicability of the arbitration clause to the state
Workload	Independent research and training throughout the fall semester: 3 hours of coaching/week plus learning how to use arbitration legal databases, learning the area of the law

	<p>Specific research and memo drafting in November and December in collaboration with team, on average 20+ hours/week and 60+ hours/week in intense periods with significant evening and weekend work required</p> <p>Coaches are extremely hands on during the whole process and provide lots of feedback and training, as well as participating extensively in the memo drafting process</p> <p>Continued work on second memo throughout winter break and early January</p> <p>Oral preparation for pre-moots and friendlies in January and February before competitions</p> <p>Significant travel involved, requiring time away from school and missed classes; possible overlap with organized recruitment</p> <p>Participants required to organize travel and logistics, including sourcing partial funding through grants</p>
Website	https://www.vismoot.org

Key Dates	
Milestone	Approximate Date (based on past years only, subject to change)
Problem released	Early-October
Claimant memorandum due	Early December
Respondent memorandum due	Mid-January
Pre-moot competitions	<p>Throughout January and February. Sample dates based on pre-moots typically attended by McGill:</p> <ul style="list-style-type: none"> • New York: early February • Buenos Aires: late February/early March • Hague: mid-March
Official competition	Week before Easter (e.g. late March, but usually early April)

2023/24 Mooter Contact Information	
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Willms & Shier Environmental Law Moot

General Information	
Legal area	Environmental law
Moot type	Appeal moot of a real case or problem; highest court in Canada
Participant structure	One team of three students
Number of rounds	One
Competition location	Toronto
Language requirements	English
Recommended courses	None
Recent moot topics	<ul style="list-style-type: none"> • Contaminated sites • Carbon tax • Climate change
Workload	<p>Research and factum drafting during fall semester, mostly self-directed with meetings according to student's initiative</p> <p>Work required over holiday break</p> <p>Coaches available for meetings as needed</p> <p>Multiple practice sessions for mooting in the winter semester</p>
Website	http://moot.willmsshier.com/

Key Dates	
Milestone	Approximate Date (based on past years only, subject to change)
Problem released	September/October
Appellant or Respondent factum due	<p>January</p> <p>Note that both teams will represent both appellant and respondent in different rounds of pleadings despite only submitting one of the two factums</p>
Competition	Late February

2023/24 Mooter Contact Information	
Name	Email Address
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Wilson Moot

General Information	
Legal area	Constitutional (<i>Charter</i>), administrative – focus on legal issues concerning women and minorities
Moot type	Appeal moot; fictitious problem
Participant structure	Two teams of two students (appellant and respondent); all four participants moot orally
Number of rounds	Preliminary and finalist round (same competition weekend)
Competition location	Toronto
Language	Bilingual moot; participants can submit and plead in either English or French
Recommended courses	<ul style="list-style-type: none"> • Judicial Review of Administrative Action • Administrative Process • Discrimination and the Law
Recent moot topics	<ul style="list-style-type: none"> • Judicial review of a decision made by the Deputy Regional Commissioner to not transfer a transgender inmate to a gender appropriate prison, and whether the decision is in violation of the inmate's ss 7 and 15 <i>Charter</i> rights; whether the court should order the inmate to be transferred and damages should be awarded as remedies under s 24 • Judicial review of a remote working policy; whether the policy which led to the termination of an employee, infringes on the employee's ss 7 and 15 <i>Charter</i> rights and whether damages should be awarded as appropriate remedies under s 24 • Challenge of a city bylaw banning permanent and temporary overnight shelters in city parks, which ordered the eviction of homeless encampment residents; whether the bylaw infringes on the ss 7 and 15 rights of encampment residents; whether the bylaw should be declared to be of no force or effect pursuant to s 52 of the <i>Constitution Act</i>
Workload	Research and factum drafting in December and January Oral argument practice begins at the end of January and continues until the moot in the end of February
Website	http://www.thewilsonmoot.com

Key Dates	
Milestone	Approximate Date (based on past years only, subject to change)
Problem released	Late November
Appellant factum due	Late January
Respondent factum due	Late January
Competition	Late February

2023/24 Mooter Contact Information	
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Warren K. Winkler Class Actions Moot (“Winkler”)

General Information	
Legal area	Class actions
Moot type	Certification moot; plaintiff and defendant motion records are provided including statement of claim, affidavits, various exhibits; tams argue a motion to certify the proposed class
Participant structure	Two teams of two students (plaintiff and defendant); all four participants moot orally
Number of rounds	Preliminary and finalist round (same competition weekend)
Competition location	Toronto
Language	Moot and written submissions in English; coaches are bilingual
Recommended courses	None
Recent moot topics	<ul style="list-style-type: none"> • Environmental law pleadings of private nuisance and violations of EPA for water and air pollution (2024) • Privacy law pleadings against an app company including intrusion on seclusion tort and violations of PIPEDA (2023) • Charter pleadings against the government for pandemic-related restrictions on inter-provincial travel (2022) • Product liability pleadings against a pharmaceutical for product side effects (2021)
Workload	<p>Research and factum drafting starting in mid-November, mostly self-directed with 1 to 3 meetings in the fall semester to get organized</p> <p>Factum drafting and revision over winter break and into January</p> <p>Oral team practices throughout late January and February</p>
Website	None

Key Dates	
Milestone	Approximate Date (based on past years only, subject to change)
Problem released	Mid to late November
Plaintiff factum due	Mid-January
Respondent factum due	Late January/early February
Competition	Mid to late February/early March

2023/24 Mooter Contact Information	
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Please Note:

This resource was prepared by participants of the McGill Faculty of the Law 2023/2024 Moot program, workload and other details may vary year to year depending on coaches and competition dates.