

HOW TO MOOT BY M.C. RYANO & LIL' SHAUN

Court Proceedings:

- Seated at bench and bailiff will enter and say "Silence. All rise". Judge will then say to be seated.
- Judge will state the case name and the matter to be dealt with on appeal
- Judge will ask appearances
- Judge will ask for submissions of appellate to begin
- After both submissions are done there will be JUDGES DELIBERATION?
- Then decision by Judge
- Bailiff will say "Silence. All Rise." Then judge will leave court room

Court Etiquette:

- 1) **Appearance** – judge will say something like 'I will hear appearances now' and it is expected the appellant will begin their appearance.
 - a. Appearance begins with appellate counsel: "If it pleases the Court, my name is Naismith, initial M, of counsel and I appear with my friend Brown, initial T, for the appellant."
 - b. Respondent then stands up: "If it pleases the Court, my name is Naismith, initial M, of counsel and I appear with my friend Brown, initial T, for the appellant."
 - c. Judge will then state appellant to begin their submissions
- 2) **Submissions** – senior counsel for appellate will begin their submission by letting the judge know what part of the appeal they will be dealing with
 - a. After stating what counsel will be arguing they will then say "If your honour has no questions I will begin my submissions by dealing with the 1st ground of appeal"
- 3) **Hand-over** – once counsel has completed their submission they will state something along the lines of:
 - a. "Your honour that concludes my submissions in respect of ground 1 and ground 2 of the appeal. If your honour has no further questions I will now hand over to my friend, Ms Smit who will make submissions in respect of ground 3 and 4".
 - b. There must always be one counsel standing when entering their submissions unless told to sit by the judge
- 4) **Concluding remarks** – junior counsel may close their argument by re-iterating the key points of both counsel's arguments and finish with a simple statement like:
 - a. "Your honour, if you have no further questions that concludes the submissions on behalf of the respondent."