

MOOT COURT
An Avenue to
Human Rights Education

Edited by
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Moot Court : A Brief Introduction

Anuradha Banerjee

According to the definition of Moot court, it is a method of teaching law and legal skills that requires students to analyze and argue both sides of a hypothetical legal issue using procedures modeled after those employed in state and federal appellate courts.

A moot court is an extracurricular activity at many law schools in which participants take part in simulated court proceedings, which usually involves drafting briefs (or memorials) and participating in oral arguments. The term derives from Anglo-Saxon times, when a moot (*gmot* or *emot*) was a gathering of prominent men in a locality to discuss matters of local importance. The modern activity differs from a mock trial, as a moot court usually refers to a simulated appellate court or arbitral case, while a mock trial usually refers to a simulated jury trial or bench trial. Moot court does not involve actual testimony by witnesses, cross-examination or the presentation of evidence, but is focused solely on the application of the law to a common set of evidentiary assumptions to which the competitors must be introduced. In most countries, the phrase "a moot court" may be shortened to simply "a moot" and the activity may be called "mooting". Mooting is the oral presentation of a legal issue or problem against an opposing counsel and before a judge. It is perhaps the closest experience that a student can have whilst at university of appearing in court.

Moot court helps students learn to analyze legal issues; its basic purpose is to teach students the practical side of practicing law. Typically, law students are given a detailed hypothetical fact scenario that must