

CONTENTS OF A MOOT MEMORIAL

Clinical Course – Moot Court

Understanding structure, purpose and drafting of each component

Clinical Course – Moot Court

Structure • Purpose • Drafting • Common Mistakes

Learning Objectives

Identify every component of a moot memorial

Understand the purpose of each section

Learn the basic drafting approach

Recognise common memorial-drafting mistakes

What is a Moot Memorial?

- A written legal submission prepared by a moot team.
- Presents facts, issues, law, authorities and arguments.
- Provides the written foundation for oral submissions.
- Must comply with the specific rules of the competition.

Why is a Memorial Important?

Helps judges understand the dispute and legal issues.

Shows the team's research and legal reasoning.

Provides authorities supporting each proposition.

Creates a structured roadmap for oral arguments.

A good memorial is persuasive—not merely descriptive.

Structure of a Moot Memorial

1. Cover Page
2. Table of Contents
3. List of Abbreviations
4. Index of Authorities
5. Statement of Jurisdiction
6. Statement of Facts
7. Issues Raised
8. Summary of Arguments
9. Arguments Advanced
10. Prayer

1. Cover Page

Identifies the competition, case and side represented.

Usually contains: competition name/year, court/forum, case title, party names, side represented and team code.

Follow the prescribed colour and anonymity requirements.

Never add personal details unless the rules permit them.

Cover Page — Drafting Tips

The cover page is the first impression of the memorial.

Follow the competition brochure exactly.

Check team code, party designation and case title.

Do not improvise colours, headings or identifying information.

Formatting rules vary between competitions.

2. Table of Contents

Provides a roadmap of the memorial.

Lists all major headings and sub-headings.

Must show correct page numbers.

Headings must correspond exactly with the memorial.

Keep numbering and hierarchy consistent.

Table of Contents — Example

I. Statement of Jurisdiction

II. Statement of Facts

III. Issues Raised

IV. Summary of Arguments

V. Arguments Advanced

VI. Prayer

Tip: Generate/update the table only after final pagination.

3. List of Abbreviations

Lists shortened terms used in the memorial.

Use recognised and necessary abbreviations.

Maintain the same abbreviation throughout.

Include abbreviations appearing in footnotes where required.

Avoid creating unnecessary abbreviations.

Abbreviations — Example

SC — Supreme Court

HC — High Court

Art. — Article

Sec. — Section

SCC — Supreme Court Cases

BNS — Bharatiya Nyaya Sanhita

4. Index of Authorities

Lists the legal authorities relied upon.

May include cases, statutes, constitutional provisions, books, articles, reports and international instruments.

Organise authorities clearly according to the competition rules.

Ensure every important authority cited in arguments can be traced.

Index of Authorities — Categories

A. Cases / Judicial Decisions

B. Constitutional & Statutory Provisions

C. Books & Articles

D. Reports / International Instruments

E. Other permitted sources

Always follow the prescribed citation style.

5. Statement of Jurisdiction

Explains why the court/forum has authority to hear the matter.

Identifies the relevant constitutional, statutory or procedural provision.

Should be concise and legally supported.

Do not argue the merits of the case here.

Key question: “Why can this Court decide this dispute?”

Jurisdiction — Drafting Approach

Identify the source of jurisdiction.

State the relevant Article/Section/rule.

Connect the provision to the present proceeding.

Keep the statement precise.

Example: “The Hon’ble Court has jurisdiction to entertain the present matter under Article ____ of the Constitution.”

6. Statement of Facts

Presents the material facts relevant to the dispute.

Usually arranged chronologically.

Should identify parties, important events and procedural history.

Facts should be drawn faithfully from the proposition.

The selection of facts may reflect the side's case, but must remain accurate.

Statement of Facts — DOs & DON'Ts

DO: Be concise, chronological and relevant.

DO: Highlight facts material to your issues.

DON'T: Invent facts.

DON'T: Distort or suppress material facts.

DON'T: Turn the facts section into an argument.

Rule: Facts first; legal analysis later.

7. Issues Raised

Issues are the legal questions the Court must determine.

They must arise from the facts and dispute.

Each issue should be clear, specific and legally determinable.

Avoid combining unrelated questions.

Frame issues so they can be answered through legal reasoning.

Issues — Example

Issue I: Whether the impugned action violates the fundamental right to equality?

Issue II: Whether the restriction imposed by the State is constitutionally valid?

Issue III: Whether the petitioner is entitled to the relief sought?

Tip: Avoid framing an issue that already assumes the conclusion.

8. Summary of Arguments

Provides a concise overview of the team's case.

Summarises the main argument under each issue.

Mentions the central legal principle and its application.

Should be persuasive but substantially shorter than Arguments Advanced.

Do not simply copy paragraphs from the detailed arguments.

Summary — IRAC in Brief

I — Issue: What is the legal question?

R — Rule: What legal principle applies?

A — Application: How does it apply to the facts?

C — Conclusion: What should the Court conclude?

Use this structure to keep the summary focused.

9. Arguments Advanced

The core and most substantial part of the memorial.

Develops each issue through detailed legal reasoning.

Uses statutes, constitutional provisions, precedents and other authorities.

Applies legal principles to the facts.

Ends each major submission with a clear conclusion.

How to Build an Argument

1. State the proposition.
2. Identify the governing law.
3. Cite the authority.
4. Explain/interpret the legal principle.
5. Apply it to the proposition's facts.
6. Address the likely counterargument.
7. Conclude the submission.

IRAC / CRAC Method

IRAC: Issue → Rule → Application → Conclusion

CRAC: Conclusion → Rule → Application → Conclusion

Use headings and sub-headings for each issue.

Every major proposition should have legal support.

The argument should connect law + authority + facts.

Using Case Laws Effectively

Do not merely list cases.

Identify the legal principle established by the case.

Distinguish ratio decidendi from observations/obiter where relevant.

Explain why the precedent applies to the present facts.

Prefer binding precedents where available.

Use persuasive authorities strategically.

Using Statutes & Constitutional Provisions

Quote or refer to only the relevant provision.

Explain the legal meaning and purpose.

Read connected provisions together where necessary.

Support interpretation with judicial decisions.

Apply the provision to the facts.

Avoid reproducing legislation without analysis.

10. Prayer / Relief Sought

The final substantive section of the memorial.

States precisely what the party asks the Court to grant.

Must be consistent with the issues and arguments.

Relief may include dismissal/allowance, declaration, directions, compensation or other permissible relief.

Keep it concise and legally realistic.

Prayer — Basic Format

“WHEREFORE, in light of the facts, circumstances and arguments advanced, it is most respectfully prayed that this Hon’ble Court may be pleased to:”

1. Grant/deny _____;
2. Direct/order _____;
3. Grant any other relief deemed appropriate.

Check the competition rules for the exact required wording.

Memorial at a Glance

COVER PAGE → Identity

TABLE OF CONTENTS → Roadmap

ABBREVIATIONS → Short forms

AUTHORITIES → Legal sources

JURISDICTION → Power of Court

FACTS → What happened

ISSUES → What must be decided

SUMMARY → Case in brief

ARGUMENTS → Why your side should win

PRAYER → What you want

Common Mistakes

Ignoring competition rules

Incorrect pagination or headings

Wrong case citations

Using irrelevant authorities

Argumentative Statement of Facts

Unsupported legal propositions

Copy-pasting instead of analysing

Inconsistent citation/formatting

Prayer inconsistent with arguments

Introducing new arguments at the oral round

The 5 Cs of a Strong Memorial

CLARITY — Is the argument easy to understand?

CONCISENESS — Have unnecessary words been removed?

CONSISTENCY — Are format and citations uniform?

CORRECTNESS — Are law, facts and authorities accurate?

CONVINCING ANALYSIS — Have law and facts been connected?

Final Takeaway

A memorial is not a collection of case laws.

It is a structured legal argument supported by authorities.

Every section has a distinct function.

Every argument should connect LAW + AUTHORITY + FACTS + CONCLUSION.

Always read the competition rules before beginning the memorial.

Classroom Exercise

Take any moot proposition.

Identify the parties and forum.

Draft 3–4 issues.

Identify the jurisdictional provision.

Select 5 relevant authorities.

Prepare a 150-word summary of arguments.

Draft a short prayer.

Discuss: Which facts support each issue?