
The Study on The Influence of Differential Responsiveness of Judges in Participant Performances During Moot Court Presentations

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Abstract: Large law firms show affinity towards students who have participated in moot court. Because these understudies already spent many hours perfecting the analytical, research, and writing aptitudes that practicing attorneys must have. As a result moot court have gained high importance in the legal front but In the recent times presentation and arguments of students (mooters) in moot court competition vary from competition to competition, though academic pressures and preparation is put forth as a reason, it is apprehended that the responsiveness of judges may also be a reason for the same. Judges in moot courts occupy important role, the judges pave way for students to learn court manners and patience, in the moot court presentation. The recent behavior of students towards moot court presentation and participation gives way to apprehend that the judge's responsiveness may be a reason for differential skillful and intellect presentation in competitions. Therefore this research aims at the influence of differential responsiveness of judges in the performance of participants. by the virtue of non probability convenience sampling and using chi square tests it could be found out that There is no relationship between student opinion on differential responsiveness of judges and year of study, There is no relationship between student opinion on Influence of judges responsiveness in participant presentation and year of study. The study put forth that the performance of students in moot court competitions is influenced by differential responsiveness of judges. Therefore the study recommends that only qualified experts of the subject matter must be preferred as judges in the moot court competitions.

Keywords: moot court, judges, responsiveness, performance, participation

INTRODUCTION

Moot court is an extracurricular activity at many law schools in which participants take part in simulated court or arbitration proceedings, usually involving drafting memorials or memoranda and participating in oral argument (Lebovits, Gewuerz and Hunker, no date). A moot is a practice followed in law schools to ensure that students learn and get trained with respect to argumentative skills and court manners (Hogan, no date).

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, facts, and clarifications/corrections to which the competitors are introduced (Schepard, 2005; Pfaff, 2008).

A moot court competition simulates a court hearing in which participants analyze an issue, research the relevant law, prepare composed submissions, and present oral argument. Moot issues are typically set in areas of law that are unsettled or that have been liable to ongoing advancements (Schepard, 2005). They usually involve two grounds of appeal, argued by each side. Mooting is not the same as public speaking or debating, although it shares some common components with these activities. It is a specialized application of the art of persuasive advocacy (Schepard, 2005) (Kozinski, 1997).

Moot court competitions may be classified into 2 types. Domestic moot court competitions will in general center around municipal law, for example, criminal law or contract law, regional and international moot competitions

will in general center around subjects, for example, public international law, international human rights law, international humanitarian law, international criminal law, international trade law, international maritime law, international commercial arbitration, and foreign direct investment arbitration. Procedural issues pertaining to jurisdiction, standing, and choice of law are also occasionally engaged, especially in arbitration moots (Van den Bossche, 2005; Fu, 2008).

Large law firms show affinity towards students who have participated in moot court. Because these understudies already spent many hours perfecting the analytical, research, and writing aptitudes that practicing attorneys must have ('A Moot Court being held in the Collins Legal Center', no date). Moot court experience in the resume, makes an imminent employer realize that the student has been learning to form and communicate legal arguments for a year or more (Hogan, no date). In this juncture various law schools have ensured that students actively participate in moot court, at the same time students also ensure that they participate in moot court for professional enhancement.

But in the recent times presentation and arguments of students (mooters) in moot court competition vary from competition to competition, though academic pressures and preparation is put forth as a reason, it is apprehended that the responsiveness of judges may also be a reason for the same (Harhoff, no date; Hogan, no date; Kullmann and Kain, 2020). Judges in moot courts occupy an important role, the judges pave the way for students to learn court manners and patience, in the moot court presentation. The recent behavior of students towards moot court presentation and participation gives way to apprehend that the judge's responsiveness may be a reason for differential skillful and intellect presentation in competitions. Our team has rich experience in research and we have collaborated with numerous authors over various topics in the past decade (Deogade, Gupta and Ariga, 2018; Ezhilarasan, 2018; Ezhilarasan, Sokal and Najimi, 2018; Jeevanandan and Govindaraju, 2018; J *et al.*, 2018; Menon *et al.*, 2018; Prabakar *et al.*, 2018; Rajeshkumar *et al.*, 2018, 2019; Vishnu Prasad *et al.*, 2018; Wahab *et al.*, 2018; Dua *et al.*, 2019; Duraisamy *et al.*, 2019; Ezhilarasan, Apoorva and Ashok Vardhan, 2019; Gheena and Ezhilarasan, 2019; Malli Sureshbabu *et al.*, 2019; Mehta *et al.*, 2019; Panchal, Jeevanandan and Subramanian, 2019; Rajendran *et al.*, 2019; Ramakrishnan, Dhanalakshmi and Subramanian, 2019; Sharma *et al.*, 2019; Varghese, Ramesh and Veeraiyan, 2019; Gomathi *et al.*, 2020; Samuel, Acharya and Rao, 2020)

Therefore this research aims at finding out the influence of judge's differential responsiveness in the performances of moot court participants.

Objectives

The Study uses both primary and secondary objectives, the primary objective is to find the relationship between performance and judges responsibility. The secondary object is to give effective recommendations to the problem under study.

REVIEW OF LITERATURE

Overview of moot court

Moot courts have been around since the late 1700s (Kumar and Ram Kumar, 2017). They're a law school activity and competition during which understudies participate in preparing and arguing cases in front of judges (Young, 2008). The case and sides are chosen beforehand, and understudies are given a set amount of time to prepare for the eventual trial (Calzolaio, 2015).

Moot court involves appellate cases rather than those at the trial level, which are often called "mock trials." Moot court understanding on a resume is typically considered to be more stellar than false trial experience, although mock trial experience is better than none. The judges are usually law professors and attorneys from the network, but sometimes they're actually members of the judiciary (Morley, 2007).

Understudies can join moot court in their first, second, or third year of law school, depending on the school. The procedure for selecting moot court members varies at various schools. Competition is very savage to join at some schools, especially those that regularly send winning teams to national moot court competitions.

Moot court members research their individual sides, compose appellate briefs, and present oral arguments in front of the judges (Wrightsmen, 2008b). Oral argument is typically the only chance an attorney has in an appellate court to verbally argue his case in person to a panel of judges, so moot court can be a great proving ground. Judges are allowed to ask questions at any time during the presentation, and understudies must respond accordingly (Wrightsmen, 2008a) (Irving, 2009). A profound understanding of the facts of the case, the understudies' arguments, and their opponents' arguments are required ('From Appellate Committee to United Kingdom Supreme Court : Independence, Activism and Transparency', no date; Wrightsmen, 2008a).

Role of judges in moot court

As a judge of Moot Court Competition, one is encouraged to familiarize themselves with the facts laid out in the Competition Case and spend some time thinking about the conceptual legal issues raised in the problem (Fu, 2008) (Kvaal, 2008). In addition to being aware of the facts of the Competition Case, judges should be broadly

familiar with the rules of the Moot Court Competition, Judges are asked to attend a brief meeting on the morning of the Competition, to discuss the case, rules, competition schedule and answer any questions or concerns that a judge may have regarding their role and responsibilities('Inter-american Human Rights Moot Court Competition Official Competition Rules', no date; Kvaal, 2008).

Prior to the Moot Court Competition, teams produce written arguments (commonly referred to as Memorials), and during the Competition will present oral pleadings based on the written memorials(Heyns, Taku and Viljoen, no date; Soule, 1871). Note that they can go beyond the scope of their memorials(Heyns, Taku and Viljoen, no date).

This will take place through a simulation of a courtroom scenario:

- with three judges sitting as a panel/judges bench;
- a team presenting arguments for the applicant;
- a team presenting arguments for the respondent;
- a clerk/bailiff to keep time.

Judges are encouraged to pose questions to counsel, score counsel based on the Oral Rounds Score sheet and provide constructive feedback to the mooters(Enns, 1998). Thus, the Moot Court Competition allows participants to gain and develop practical legal skill sets such as oral advocacy and written legal argument that can have positive impacts on their future career('2012–2013 National Health Law Moot Court Competition Problem', 2013). The judges mainly judge analytical and persuasive skills of students(McGreal, 2008).

Statement of Problem

In the recent times presentation and arguments of students (mooters) in moot court competition vary from competition to competition, though academic pressures and preparation is put forth as a reason, it is apprehended that the responsiveness of judges may also be a reason for the same. Judges in moot courts occupy important role, the judges pave way for students to learn court manners and patience, in the moot court presentation. The recent behavior of students towards moot court presentation and participation gives way to apprehend that the judge's responsiveness may be a reason for differential skillful and intellect presentation in competitions. Therefore this research aims at finding out the influence of judge's responsiveness in the differential presentations of participants.

MATERIALS AND METHODS

Study area

A. As the researcher intends to take an overview on the influence of judges responsiveness in student presentations, the study is divided into two categories –

1. differential responsiveness of judges
2. Influence of judges responsiveness in participant presentation.

Method of study

Determining the Responsiveness

This Research gathers information relevant topic uses and analyses existing information for the prescribed aim. This Research relies on a wide range of methods for collecting, analyzing and interpreting different forms of information. Research leads through a twofold process using responses

- First, studying the differential responsiveness of judges in moot court competitions. This provides an overall picture and identifies where significant issues require further examination.
- A narrower inquiry that examines the influence of students due to judges behavior. Such an enquiry may use triangulated research methodologies to delve into underlying issues and seek more specific information (Figure 1).

Considering these two stages with respect to the moot court competitions, the inquiry shall be based on varying demographic indicators that includes the students year of study.

These two determinants are extracted from students from both 3year and 5year law courses. Herein referred to as students with the help of questionnaire. The responses are tested against years of study because inductive reasoning may be affected by this factor.

Type of research

1. Applied Research
2. Quantitative Research
3. Explorative Research
4. Comparative research
5. Descriptive research

Data collection

Present study is based on Primary as well as Secondary sources of data, which are as –

1. Primary Sources – Primary data is collected by collecting questionnaire from general public
2. Secondary Sources – Secondary data is collected through literature of N.G.O. reports, Government Reports, Websites, Research Articles, Newspapers

Variable used

1. Independent variable: year of study (Table 1)
2. Dependent variable: 1. differential responsiveness of judges
2. Influence of judges responsiveness in participant presentation.

Statistical Tool used

Chi square analysis

Sample size Calculation

A sample size of 1731 is chosen by which 723 respondents are in the age group 18-30, 753 respondents in the age group 31-40, 220 respondents are in the age group 31-40 and 35 respondents are above 51 years. The study uses this distribution of frequency because it is a non probability convenience sampling method.

Tables and Calculation

In this study for each issue a survey is done where a sample size mentioned is taken and the percentage is also mentioned, to determine the validity and the determine the study results chi- square analysis and correlation symmetric measures method is used. when the Pearson value of 'Asymp. Sig' value is less than 0.05, the alternate hypothesis is considered and when the Pearson value 'Asymp. Sig' value is greater than 0.05, the null hypothesis is accepted. For determining the hypothesis the variables are cross tabulated.

Hypothesis

H₀ : the performance of students in moot court competitions is not influenced by differential responsiveness of judges

H₁: the performance of students in moot court competitions is influenced by differential responsiveness of judges

RESULT AND DISCUSSION

a. Differential responsiveness of judges

H₀ : there is no relationship between student opinion on differential responsiveness of judges and year of study

H₀ : there is a relationship between student opinion on differential responsiveness of judges and year of study (Table 2).

The behavior and responsiveness of judges in moot court sessions may be classified into two type's namely active and passive response. The students who are the participants of moot court competitions recognize unanimously that there is a differential response of judges in moot court sessions.

The asymptotic significance value of pearson chi square is 0.110 which is greater than 0.05, which proves that there is no relationship between the independent and dependent variable. As a result, the null hypothesis is accepted (Table 3).

b. Influence of judges responsiveness in participant presentation.

H₀: there is no relationship between student opinion on Influence of judges responsiveness in participant presentation and year of study

H₀: there is a relationship between student opinion on Influence of judges responsiveness in participant presentation and year of study (Table 4)

The students who are the participants of moot court competitions recognize unanimously that there is an influence differential response of judges in presentations during moot court sessions.

The asymptotic significance value of pearson chi square is 0.110 which is greater than 0.05, which proves that there is no relationship between the independent and dependent variable. As a result, the null hypothesis is accepted (Table 5).

The current study results reveal that, The behavior and responsiveness of judges in moot court sessions may be classified into two type's namely active and passive response. The students who are the participants of moot court competitions recognize unanimously that there is a differential response of judges in moot court session. The behavior of students during presentations is based on the responsiveness of judges in moot court sessions which may be either active or passive response. The students who are the participants of moot court

competitions recognize unanimously that there is an influence differential response of judges in presentations during moot court sessions.

The current study is influenced by awareness of the competition and subject matter. The systematic nature of science involves the use of both inductive and deductive research strategies. Inductive reasoning involves the formulation of a general principle or theory based on a set of specific observations. Conversely, deductive reasoning involves the formulation of specific observational predictions based on a general principle or theory, this principle is magnified or becomes easy to implement when educational knowledge of individuals.

The study includes 2 main parameters which are discussed in the study are, differential responsiveness of judges and Influence of judges responsiveness in participant presentation.

When the current study is compared with other common law countries, it could be found out that most States do not proceed with prior research based approaches towards women affected by armed conflict thereby giving no scope to contrast.

Therefore the study recommends that only qualified experts of the subject matter must be preferred as judges in the moot court competitions.

Findings

1. There is no relationship between student opinion on differential responsiveness of judges and year of study.
2. There is no relationship between student opinion on Influence of judges responsiveness in participant presentation and year of study
3. The behavior of students during presentations is based on the responsiveness of judges.
4. The responsiveness of judges may be active or passive.
5. The students who are the participants of moot court competitions recognize unanimously that there is an influence differential response of judges in presentations during moot court sessions.

Recommendations

1. Only qualified subject experts must be put up as judges.
2. Separate training must be given to judges before the commencement of competitions.
3. Judges must hear both sides effectively.

Our institution is passionate about high quality evidence based research and has excelled in various fields ((Pc, Marimuthu and Devadoss, 2018; Ramesh *et al.*, 2018; Vijayashree Priyadharsini, Smiline Girija and Paramasivam, 2018; Ezhilarasan, Apoorva and Ashok Vardhan, 2019; Ramadurai *et al.*, 2019; Sridharan *et al.*, 2019; Vijayashree Priyadharsini, 2019; Chandrasekar *et al.*, 2020; Mathew *et al.*, 2020; R *et al.*, 2020; Samuel, 2021)

CONCLUSION

Based on the above discussion it could be found out that, there is no relationship between student opinion on differential responsiveness of judges and year of study, There is no relationship between student opinion on influence of judges responsiveness in participant presentation and year of study, The behaviour of students during presentations is based on the responsiveness of judges and that the responsiveness of judges may be active or passive, based on these findings a conclusion can be arrived stating that the performance of students in moot court competitions is influenced by differential responsiveness of judges. Therefore the study recommends that only qualified experts of the subject matter must be preferred as judges in the moot court competitions.

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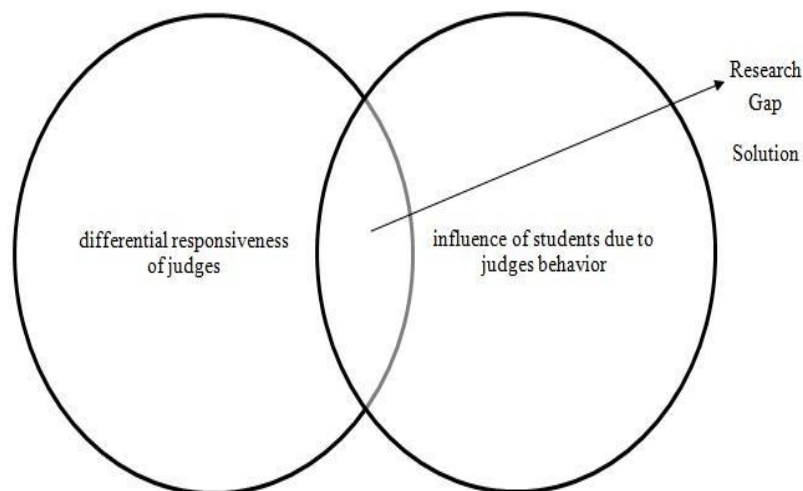


Fig.1: Research gap solution

Table 1: Sample size and Frequencies

Year of study		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	1	129	8.0	8.0	8.0
	2	273	16.9	16.9	24.9
	3	304	18.8	18.8	43.7
	4	565	34.9	34.9	78.6
	5	346	21.4	21.4	100.0
	Total	1617	100.0	100.0	

Table 2 : Student’s opinion on differential responsiveness of judges

Crosstab					
		Student’s opinion on differential responsiveness of judges			Total
		yes	no		
Year of study	1	89	40		129
	2	187	86		273
	3	195	109		304
	4	385	180		565
	5	238	108		346
Total		953	664		1617

Table 3: Chi Square Tests

Chi-Square Tests			
	Value	df	Asymptotic Significance (2-sided)
Pearson Chi-Square	145.361 ^a	4	.110
Likelihood Ratio	144.695	4	.110
Linear-by-Linear Association	106.251	1	.010
No of Valid Cases	1617		

Table 4: Students opinion on Influence of judges responsiveness in participant presentation

Crosstab				
Count				
		Students opinion on Influence of judges responsiveness in participant presentation		Total
		yes	no	
Year of study	1	78	51	129
	2	175	98	273
	3	192	112	304
	4	351	214	565
	5	166	180	346
Total		862	755	1617

Table 5: Chi Square Tests

Chi-Square Tests			
	Value	df	Asymptotic Significance (2-sided)
Pearson Chi-Square	109.306 ^a	4	.110
Likelihood Ratio	111.493	4	.110
Linear-by-Linear Association	7.029	1	.008
N of Valid Cases	1617		