

**Aerial Accident Case (Icara v. Mercuria)**  
Rules and Procedures as established by the ICJ  
April-May 2009

**Case Trial and Court Objectives**

The International Court of Justice will conduct a hearing to resolve the dispute between the State of Icara and the State of Mercuria regarding specific international legal obligations and claims for damages. The court will consist of one Chief Justice and three Associate Justices. The primary function of the Chief Justice (Jared Boyer) will be to lead and mediate the proceedings of the actual trial. The first Associate Justice (Liz Muir) will be responsible for timing the oral arguments on the official ICJ stopwatch and give time signals to the participating parties. The second Associate Justice (Brooks Courtright) will dually function as the Court Registrar and keep a written record of the proceedings. Because this record will be imperfect, both Counsels are encouraged to post electronic links to sources cited in their electronically posted memorials. The third Associate Justice (Amanda Kruse) will be responsible for asking predetermined questions during the designated Question and Answer period of the trial. Pursuant to the intended goals of the ICJ, the Court will conduct a trial consisting of oral arguments that will take place May 2, 2009. After which, the Court will render a judgment that will be passed down on May 4, 2009. In order to most effectively reach such a decision, the ICJ is requesting that both Counsels take into consideration and subsequently abide by the aforementioned detailed rules and procedures.

**Trial Rules and Procedures**

The trial will consist of the following:

- A. Opening Arguments (20 minutes for each party)
  - B. Court-led Question and Answer Period (5 minutes for each party)
  - C. Recess (20 minutes)
  - D. Rebuttals (15 minutes for each party)
  - E. Summary/Closing Arguments (5 minutes for each party)
- Total trial time: 110 minutes

**1. Opening Arguments**

Each party will independently have 20 minutes to present their opening statements to the Court. These initial presentations from both Counsels will go uninterrupted and the Court will not tolerate objections or interruptions from the opposing side at any point in the trial. Exceptions to this rule include minor digressions in the form of impromptu questions from the Court designed to clarify specific terms or positions. At no point during the trial will either Counsel be allowed to call for witnesses or expert opinion. Because the defined events surrounding the accident have been given to all parties, they preclude the need for the interpretation of these events by witnesses. The Associate Justice in charge of timekeeping will give nonverbal time signals (on official ICJ notecards) after every 5 minutes. A nonverbal 2-minute warning will be given in addition to a final 30-second announcement. These time signals will be given during both the Opening and the Closing Arguments. The Chief Justice will kindly ask the acting

Counsel to stop their presentation at the conclusion of each party's individually allotted time.

## **2. Question and Answer Period**

Associate Justice Kruse will lead a designated Question and Answer session. This portion of the trial will draw from established questions from the Court to be disseminated to both Counsels on April 27, 2009 after an initial review of the Memorials. The Court maintains that the advanced time given to both parties to find specific answers to these questions is critical in that it provides the opportunity for the Counsels to be adequately prepared for this portion of the trial. Although this part of the trial is constructed solely to question the parties involved, the Court reserves the right to ask questions at any point during the proceedings.

## **3. Recess**

The Court believes that the overall quality of the trial will be bolstered with the inclusion of a designated recess period. The Chief Justice will announce the start of the recess and the end of the Questions and Answer Period and it will last 20 minutes at most. During this time the Counsels are encouraged to review the statements made by the opposing party and strategize proper responses that may have been unforeseen prior to the opening statements. The Court will also gather to discuss the initial proceedings and reorganize itself accordingly.

## **4. Rebuttals**

During this portion of the trial, the Court will allow for each side to make a 20-minute presentation rebuking the claims set forth by the opposing Counsel in the Opening Arguments. The Court notes that it is critical that either party only address and refute claims made by the opposition. During the rebuttal period the opposing parties will be allowed to discredit claims made in the other's written memorial. For this reason, written counter-memorials need not be presented. This rule will be strongly followed to avoid tangential or extraneous arguments taking away from the efficiency of the court proceedings.

## **5. Summary/Closing Arguments**

The Counsels from the State of Icara and the State of Mercuria will be allotted 5 minutes each for an uninterrupted summary of their position. These closing arguments are designed to function as a short overview of each party's argument. This will be the last official opportunity for each party to persuade the Court to rule in their favor before a final judgment is rendered.