



# Outlining an Argument

---

# What should be included in your outline...

- Introduction
- Roadmap
- Major arguments
- Sources – rules, case, commentary, etc.
- Record citations
- Conclusion

# Introduction

- Greet the arbitrators
- If you are first on your team to present then introduce yourself and your partner
- If you are second on your team to present then reintroduce yourself
- Ask the arbitrators if you may reserve time for rebuttal
- Wait for the arbitrators cue and then begin the introduction to your argument

# Making an Effective Roadmap

- Clearly and concisely convey your main arguments
  - “I will be presenting three main arguments today...”
- Create a layout that does not invite questions
- Speak slowly so the arbitrators are able to write down your main points

# Sources and the Record

- Articles/Rules – include article/rule number and content summary
- Commentary – title, author/editor, edition, page number, content summary
- Case Law – case name, court, year, content summary
- Record – page number, paragraph number, name of document

# The Tribunal does not have jurisdiction to decide the question of removal of Dr. Mercado

- Agreement of Parties – broad language [Cl. Ex. 1, R. 9, ¶ 15.1]
- CIETAC Art. 22: arbitrators must “remain independent of the parties and treat them equally”
- Fundamental right to choose counsel – Born, ICL, 3 ed, p. 345
- *Hrvatska* case
  - Respondent’s late appointment of counsel (who was a member of the same barrister’s chamber as the arbitrator) created reasonable doubt as to the impartiality and independence of Tribunal. The Tribunal removed counsel.

← Record

← Rules

← Commentary

← Case law

# Conclusion

- Create a concise “canned” conclusion that includes all of your main arguments
- Try to incorporate favorable facts so they stay with the arbitrators
- If you run out of time, ask arbitrator if you can briefly conclude