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MOOT COURT VS. REAL COURT: BRIDGING THE GAP IN LEGAL EDUCATION

Pranjal Budhiraja

In the journey to becoming a successful lawyer, classroom theory is only half the story. The other half lies in applying that knowledge — and that's exactly where moot courts come in. Moot court competitions replicate courtroom trials, providing law students the chance to present arguments for hypothetical legal scenarios. Although they possess clear educational benefits, moot courts substantially contrast with the realities of practicing law in real court settings.

WHAT IS A MOOT COURT?

A moot court is a simulated courtroom experience where law students step into the shoes of real lawyers and argue imaginary legal cases before a panel of judges. It's more than just an academic exercise — it's a hands-on way for students to build confidence, sharpen their advocacy skills, and understand how courtroom procedures work, all in a supportive and structured setting.

The cases, often called moot problems, usually focus on complex or evolving areas of law like constitutional rights, international disputes, or environmental issues. Participants prepare both written submissions (called memorials) and oral arguments, closely mirroring what happens in real appellate courts. For many students, it's their first true taste of what it feels like to argue a case — and it's often where their passion for litigation begins.

WHY MOOT COURTS MATTER

Moot courts are more than just academic exercises. They provide essential practical training that complements theoretical legal education. Here's how:

- **Sharpening Research and Writing Skills:** Through drafting memorials, students learn to spot legal issues, explore case law and statutes, and craft strong, convincing arguments — skills that form the backbone of legal work.
- **Building Confidence in Oral Advocacy:** Arguing before a panel helps students become comfortable speaking publicly, thinking on their feet, and staying composed under pressure — all essential for courtroom advocacy.
- **Developing Critical and Analytical Thinking:** Mooting pushes students to think like lawyers by requiring them to argue both sides. It teaches objectivity, logical reasoning, and clear communication.
- **Learning Courtroom Etiquette:** From respectful language to body language, moot courts introduce students to courtroom formalities — helping them build professionalism and confidence.
- **Strengthening Portfolios:** Excelling in moot court competitions boosts a student's resume and helps in LL.M., clerkship, and job applications.
- **Exploring Legal Interests:** Moot problems span corporate law, human rights, IPR, and more — giving students a chance to explore different legal paths.
- **Preparing for Internships:** Skills developed through mooting — legal research, writing, and case analysis — are directly useful during legal internships.

LEGAL BACKING FOR PRACTICAL LEARNING

The Supreme Court stressed the significance of including practical components in legal education in the case of *State of Maharashtra v. Lok Shikshan Sanstha (AIR 1979 SC 1736)*. Likewise, in *Mohini Jain v. State of Karnataka (AIR 1992 SC 1858)*, the court affirmed that education is a basic right guaranteed by Article 21 of the Constitution, hence endorsing the incorporation of experiential learning such as moot courts.

WHERE MOOT COURTS FALL SHORT

Despite their many benefits, moot courts are **not a mirror of real courtrooms**. They are structured, predictable, and largely academic. Here are some of the key differences:

1. Language vs. Real-Time Advocacy

Moot courts emphasize refined language and organized arguments. In actual courtrooms, attorneys frequently encounter sudden interruptions, casual conversations, and the need to respond promptly — aspects that moot court fails to fully emulate. In moot courts, only the

English language is utilized, whereas in reality, various languages, including English and local dialects, are in use.

2. Academic Simulation vs. Real Stakes

Moots are scholarly in character. However, choices made in actual courtrooms have tremendous impact on people's freedom, wealth, and reputations. In actual litigation, the pressure and accountability are very different.

3. Missing the Human Element

In the real world, lawyers often find themselves navigating **emotional clients**, **unexpected twists**, and **strict rules of evidence**. Moot court, while valuable, doesn't quite capture the messier side of legal practice — the **delays, pressures, and human complexities** that lawyers face every day in actual courtrooms.

4. No Real-World Pressures

There are no actual **court costs**, **client expectations**, or **administrative burdens** in moot court competitions. This creates a learning gap when students transition to real-world practice.

5. Procedural Gaps

Procedural details that are common in real courts, like filing procedures, adjournments, evidentiary objections, and dealings with court clerks and registries, are frequently overlooked in moot problems.

A VIRAL REALITY CHECK

A video showing a judge in a courtroom with original jurisdiction recently went viral. In it, a junior attorney used a common tactic in moots: citing Supreme Court decisions to back up their claims. However, the judge identified a crucial mistake: the attorney had undervalued the significance of the facts.

The judge emphasized that facts form the basis of actual courts, particularly at the trial level. Trial courts deal mostly with fact-finding, whereas appellate courts concentrate on legal issues. With their focus on legal matters, moot courts frequently teach students to ignore the factual matrix, a behavior that is detrimental to actual litigation.

CONCLUSION: FINDING THE BALANCE

Moot courts are a legitimate part of contemporary legal education. They help students build critical advocacy skills, model the intellectual rigor of litigation, and get them ready for competitive legal settings. However, they cannot replace real-world courtroom experience.

Does this mean we should do away with moot courts? Absolutely not.

Instead, there's a growing need to **complement mootings with real-world exposure**. Law students should be required to participate in **mandatory internships** with practicing advocates and trial courts to fully appreciate the challenges of legal practice.

The ideal legal education bridges both worlds — the classroom and the courtroom.

Moot courts teach students to think and speak like lawyers. Real courts teach them to **act like one**.