

NLS NEGOTIATION MEDIATION & CLIENT COUNSELLING COMPETITION

14TH-17TH APRIL , 2016



REGULATIONS

1. The Competition

These Regulations shall regulate all aspects of the NLS Negotiation, Mediation & Client Counselling (NMC) Competition 2016, which is an endeavour by the Alternative Dispute Resolution (ADR) Board of the National Law School of India University (NLSIU) to promote ADR in a litigiously tedious society.

It shall consist of three distinct competitions:

- The Negotiation Competition

(National Qualifier for the International Negotiation Competition, 2016)

- The Client Counselling Competition

- The Mediation Competition

(Automatic qualification to the ICC International Commercial Mediation Competition, Paris in 2017)

2. Eligibility

- Only bona fide students pursuing a three year LL.B. degree or a five year B.A. LL.B. / B.Sc. LL.B. / B.S.L. LL.B. / B.B.A. LL.B. / B.Com. LL.B. degree in India or an equivalent degree elsewhere are eligible to participate in the competition.



NLS NEGOTIATION MEDIATION & CLIENT COUNSELLING COMPETITION

14TH-17TH APRIL, 2016



3. Official Language

- The Official Language of the competition shall be English. All written or oral submissions before the judges shall be in English.

4. Code of Conduct

- Participants shall not reveal their identity or that of their University to any judge or participant during the course of the competition.
- Scouting as well as sharing of confidential information or problem particulars shall make the team liable for disqualification.
- Any attempt to obtain the confidential information (negotiation and mediation) or any other information regarding any of the parties, which may give the team an unfair advantage in the competition shall result in immediate disqualification of the team and blacklisting of the respective college/school/university from all future events at NLSIU.
- The ADR Board, NLSIU reserves the right to disqualify any team for any kind of misconduct during the competition. In case of doubts, the decision of the Alternative Dispute Resolution (ADR) Board shall be final.



NLS NEGOTIATION MEDIATION & CLIENT COUNSELLING COMPETITION

14TH-17TH APRIL, 2016



5. Grievance Redressal

- All grievances shall be addressed to the Convenor of the ADR Board, NLSIU. The decision of the Board shall be final in all respects.

6. Power to Remove Difficulties

- The ADR Board reserves the right to add, modify or repeal any rule, in order to remove difficulties.

7. Rules of Participation

- A participant may be a part of the team in a maximum of two competitions.
Provided that if both such teams qualify then the University shall choose any one, which shall qualify for the post-break rounds.
- Each team shall compete in two different rooms in the preliminary rounds across two days.
- There shall be three rooms in each competition (negotiation, mediation and client counselling) on each day of the preliminary rounds, i.e. 15th and 16th of April. Each team shall face one room on each day.
- The team match-ups for the negotiation and mediation competitions, and the room allocation for the client counselling competition, for the preliminary rounds shall be made by excel-sheet randomization.



NLS NEGOTIATION MEDIATION & CLIENT COUNSELLING COMPETITION

14TH-17TH APRIL, 2016



Provided that this shall not prevent the ADR Board from making changes in order to accommodate clashes in the schedule.

- In all three competitions, teams shall qualify from the Preliminary rounds to the Quarter-finals on the basis of the following mechanism:

The marking method shall combine a team's absolute rank across rooms along with relative rank within the room, to arrive at an aggregate rank. The teams with the lowest eight aggregate ranks shall qualify to the Quarter-finals.

In case of ties (where aggregate ranks are same), priority would be given to teams with higher wins, subsequently to net absolute scores and lastly on the basis of scores of the highest marked member.



NLS NEGOTIATION MEDIATION & CLIENT COUNSELLING COMPETITION

14TH-17TH APRIL, 2016



Illustration:

METHOD OF CALCULATION OF BREAKS

Team Code	Round 1 Marks	Round 1 Rank (Room)	Round 1 Rank (Absolute)	Round 2 Marks	Round 2 Rank (Room)	Round 2 Rank (Absolute)	Agg. Rank
	PRELIMS I- CLIENT COUNSELLING			PRELIMS II- CLIENT COUNSELLING			
	ROOM 1			ROOM 2			
A	90	1	3	86	2	5	11
B	85	2	5	95	1	1	9
C	65	4	12	62	4	12	32
D	75	3	8	71	3	9	23
	ROOM 2			ROOM 3			
E	89	2	4	88	2	4	12
F	94	1	1	94	1	2	5
G	67	4	11	77	3	7	25
H	79	3	7	68	4	10	24
	ROOM 3			ROOM 1			
I	80	2	6	91	1	3	12



NLS NEGOTIATION MEDIATION & CLIENT COUNSELLING COMPETITION

14TH-17TH APRIL, 2016



J	91	1	2	83	2	6	11
K	69	4	10	66	4	11	29
L	73	3	9	75	3	8	23

Aggregate Ranks Formula= Round 1 Rank (Room) + Round 1 Rank (Absolute) +
Round 2 Rank (Room) + Round 2 Rank (Absolute)

In the above group of 12 teams, the eight teams with the lowest aggregate ranks qualify to the Quarter-finals. Therefore, Teams F (5), B (9), A (11), J (11), E (12), I (12), D (23) and L (23) qualify.

- The principle of reverse power room allocation shall be utilized for the Quarter-finals and the Semi-finals of the Client Counselling Competition, based on the aggregate of the scores of the qualifying teams in the previous round.

Illustration:

Teams A, B, C, D, E, F, G and H were ranked 1 to 8 respectively in the Preliminary Rounds. In the Quarter-finals, Teams A, B, G and H shall compete in Room 1. Teams C, D, E and F shall compete in Room 2.

Teams A, B, C and D were ranked 1 to 4 respectively in the Quarter-finals. In the Semi-finals, Teams A and D shall compete in Room 1. Teams B and C shall compete in Room 2.

- The team grouping for the negotiation and mediation competitions for the Quarterfinals and the Semi-finals shall be in accordance with the principle of reverse



NLS NEGOTIATION MEDIATION & CLIENT COUNSELLING COMPETITION

14TH-17TH APRIL, 2016



power matchups based on aggregate of the scores of the qualifying teams in the previous round.

Illustration:

Teams A, B, C, D, E, F, G and H were ranked 1 to 8 respectively in the Preliminary Rounds. In the Quarter-finals, Team A and Team H shall face each other. Team B shall face Team G. Team C shall face Team F. Team D shall face Team E.

- Teams in the negotiation and mediation competitions shall qualify from the Quarterfinals to the Semi-finals and from the Semi-finals to the Finals on the basis of the principle of knock-outs, i.e. the winner of each round shall qualify to the next higher round. Similarly, the winner of the Final Round shall be declared the winner.

Illustration:

In the Semi-finals, Team A and Team D face each other while Team B and Team C face each other. Team A and Team C win their respective rounds. Both the teams qualify, irrespective of the absolute scores of the teams.

7. Awards

- Best Client-Advocate Team (Mediation)

The Best Client-Advocate Team (Mediation) shall automatically qualify along with their designated mediator for the ICC International Commercial Mediation Competition, Paris in 2017.



NLS NEGOTIATION MEDIATION & CLIENT COUNSELLING COMPETITION

14TH-17TH APRIL , 2016



- Best Client Advocate Team, Runners up (Mediation)
- Best Individual Mediator
- Runners-up Individual Mediator
- Best Mediation Team

The best team on the basis of aggregate scores of the client-Advocate pair as well as their designated mediator in the two preliminary rounds shall be awarded the prize for the Best Mediation Team.

- Winner of the Client Counselling Competition
- Runners-up of the Client Counselling Competition
- Winner of the Negotiation Competition

The Winner of the Negotiation Competition shall qualify to represent India at the International Negotiation Competition at the University of Lucerne, Switzerland in 2016.

- Runners-up of the Negotiation Competition
- Overall Winners, NLS Negotiation, Mediation & Client Counselling (NMC) Competition 2016



NLS NEGOTIATION MEDIATION & CLIENT COUNSELLING COMPETITION

14TH-17TH APRIL, 2016



MLP



NLS NEGOTIATION MEDIATION & CLIENT COUNSELLING COMPETITION

14TH-17TH APRIL, 2016



CLIENT COUNSELLING COMPETITION

1. Composition of teams

- Each team shall consist of two students

2. Nature of the Competition

- The competition shall simulate a session of a client at a lawyer's office.
- Each round shall be divided into two segments, i.e. (a) client consultation session and (b) post consultation session.
- The client consultation session with the client shall be followed by a post-consultation session during which the participants, in the absence of the client, shall be expected to analyze the interview and discuss the future course of action.

3. Rounds

- The competition shall consist of two preliminary rounds, following which, the top eight ranking teams shall proceed to the Quarter Finals. The same shall be followed by the Semi- Finals and the Finals.



NLS NEGOTIATION MEDIATION & CLIENT COUNSELLING COMPETITION

14TH-17TH APRIL , 2016



4. Competition Topics

- The broad area of law shall be specified in the office memos, which shall be released in advance for each problem.

5. Time Limits

- Each team shall be allotted a maximum of 25 minutes to complete the session in all rounds except the finals. This shall be inclusive of the client consultation session as well as the post consultation session.
- Client Consultation Session- 20 minutes
- Post Consultation Session- 5 minutes. The judges may question the team on the strategy adopted by them in this duration.
- The final round shall consist of a 30 minute long client consultation session followed by a post consultation analysis of 5 minutes.

6. Use of Props and Equipment

- Participants are not expected to bring any props or office furnishings for use in the rounds. It is clarified that there shall be no weightage whatsoever in the marking criteria for the same. Provided that this shall not be construed as a prohibition against bringing books or other relevant materials into the room.





NEGOTIATION COMPETITION

1. Composition of Teams

- Each team shall consist of two students.

2. Nature of Competition

- The competition seeks to simulate a bipartite negotiation between teams based on some common facts and different confidential information privy to each side.
- Each round shall be divided into two segments, i.e. (a) negotiation session and (b) self-analysis session.
- Negotiation Session- In light of the confidential information, teams shall discuss the strengths of their case, keeping in mind their weaknesses and try to reach the best possible outcome from the perspective of both their clients.
- Self-Analysis- Teams must analyse their performance in the negotiation session.

The self-analysis shall take place in the absence of the opposite party.

In the course of this session, the students must identify the strengths and weaknesses of the approach they adopted in the Negotiation session.



NLS NEGOTIATION MEDIATION & CLIENT COUNSELLING COMPETITION

14TH-17TH APRIL , 2016



The team should also be prepared to respond to questions from the judges concerning the team's performance.

In addition, the team may use this as an opportunity to explain why it chose a particular approach or even a specific tactic.

The judges may take into consideration for scoring purposes anything said during the self-analysis session.

3. Problems

- The general set of facts for all the rounds shall be released in advance. The party a team must represent shall be released fifteen minutes before their rounds. The confidential information shall also be released at such time.

4. Rounds

- The competition shall consist of two preliminary rounds, following which, the top eight ranking teams shall proceed to the Quarter Finals. The same shall be followed by the Semi- Finals and the Finals.



NLS NEGOTIATION MEDIATION & CLIENT COUNSELLING COMPETITION

14TH-17TH APRIL , 2016



5. Time Limits

- Each round shall extend to a maximum of 55 minutes in all rounds except the Finals. This shall be inclusive of the negotiation session as well as the self-analysis session for each team.
- Negotiation Session- 45 minutes
- Self-Analysis Session- 10 minutes (Five minutes per team). The judges may question the team on any stance taken during the negotiation.
- The final round shall consist of a 70 minute long negotiation session followed by self-analysis sessions of 5 minutes per team.

6. Confidential Information

- Confidential Information shall be released to the teams fifteen minutes before the commencement of the negotiation session. The teams shall not disclose this information to any other participant for the remainder of the Round.
- Disclosure of confidential information by any team before or after their own round shall be grounds for immediate disqualification from the competition.





MEDIATION COMPETITION

1. Composition of Teams

- Each participating team shall comprise of three students. Each team shall identify one member as the designated Mediator of the team. The other two members shall play the role of client and advocate and may interchange these roles amongst themselves in different rounds. Provided that the Client-Advocate pair and their designated mediator shall not participate in the same room in a particular round.

2. Nature of Competition

- A Mediation Session shall consist of two competing Teams, with two team members (Client-Advocate pair) on each side representing both the parties to the dispute, aiming to negotiate a transaction or the resolution of a dispute in the presence of two mediators.
- Each round shall have a set of common facts and different confidential information for each side.
- Each mediator shall conduct at least one Caucus. A caucus refers to a private session between any of the parties and the mediators whereas a conference refers to the negotiations and mediation in presence of both parties.
- Each round shall be divided into two segments, i.e. (a) mediation session and (b) self-analysis session.



NLS NEGOTIATION MEDIATION & CLIENT COUNSELLING COMPETITION

14TH-17TH APRIL, 2016



Mediation Session- In light of the confidential information, teams shall discuss the strengths of their case, keeping in mind their weaknesses and try to reach the best possible outcome from the perspective of both their clients.

- Self-Analysis- Teams and mediators must analyse their performance in the mediation session.

The self-analysis shall take place in the absence of the other participants in the round.

In the course of this session, the students must identify the strengths and weaknesses of the approach they adopted in the Mediation session.

The team should also be prepared to respond to questions from the judges concerning the team's performance.

In addition, the team may use this as an opportunity to explain why it chose a particular approach or even a specific tactic.

The judges may take into consideration for scoring purposes anything said during the self-analysis session.

3. Problems

- The general set of facts for all the rounds shall be released in advance. The party a team must represent shall be released fifteen minutes before their rounds. The confidential information shall also be released at such time.



NLS NEGOTIATION MEDIATION & CLIENT COUNSELLING COMPETITION

14TH-17TH APRIL , 2016



4. Rounds

- The competition shall consist of two preliminary rounds, following which, the top eight ranking teams shall proceed to the Quarter Finals. The same shall be followed by the Semi- Finals and the Finals.

5. Time Limits

- Each round shall extend to a maximum of 1 hour in all rounds except the Finals. This shall be inclusive of the mediation session as well as the self-analysis session of each team.
- Mediation Session- 45 minutes
- Self-Analysis Session- 16 minutes (four minutes per team and per mediator). The judges may question the team on any stance taken during the negotiation.
- The final round shall consist of a 65 minute long negotiation session followed by selfanalysis sessions of 4 minutes per team and per mediator.



MLP



NLS NEGOTIATION MEDIATION & CLIENT COUNSELLING COMPETITION

14TH-17TH APRIL, 2016



6. Confidential Information

- Confidential Information shall be released to the advocate-client teams fifteen minutes before the commencement of the mediation session.

The teams shall not disclose this information to any other participant for the remainder of the Round.

- Disclosure of confidential information by any team before or after their own round shall be grounds for immediate disqualification from the competition.

Ganesh A Khemka
Convener
Mob. 94634 41118
ganeshak@nls.ac.in

Aditya Wakhlu
Jt. Convener
Mob. 96206 23352
adityawakhlu@nls.ac.in

ALTERNATIVE DISPUTE RESOLUTION BOARD
NATIONAL LAW SCHOOL OF INDIA UNIVERSITY, BANGALORE

