

SCHOOL *of* LAW

2nd NATIONAL ADR COMPETITION

2017

ADR BOARD SLCU

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ADR BOARD SLCU

RULES AND REGULATIONS

The School of Law, Christ University is conducting its **2nd National ADR Competition 2017** from 17th-19th February, 2017. The Competition comprises of the following Events: **Client Counselling, Negotiation and Mediation**, each of which highlights various skills that will set you apart from the rest. From thinking outside the box to making sure everyone gains yet no one loses, each event will test your skills as an advocate of ADR.

1. Eligibility

1.1 Only bona fide students of law Colleges/Universities pursuing a Three Year/Five Year Degree in law are eligible to participate in the competition. Participation allotments shall be made on a first-come-first serve basis.

1.2 Only one team representing a College / University can take part in each Event, implying that a maximum of 3 teams shall be permitted to take part in the Competition.

1.3 A participant can take part only in one event in the Competition and every College has the liberty to take part in one, two or all the Events. However, it must be noted that there must be separate teams for each Event representing the College/ University in the Competition and that, a maximum of 7 students shall represent their College/University in the Competition.

2. Registration and Accommodation

2.1 The participating teams are required to complete the process of Registration along with payment on or before **26th January, 2016 (11:59 PM) (SOFT COPY submissions)**. Spot registrations will not be entertained.

2.2 The first 20 teams that shall complete the process of **Provisional Registration** shall be allotted Participant slots in the Competition.

2.3 A Confirmation mail shall be sent to the Colleges/ Universities who successfully complete the process of Provisional Registration, in furtherance of which the teams shall have to send their Registration form and Demand Draft in soft copy and hard copy to the host university.

2.4 The Registration fee for every participant is Rs. 1000 and the Accommodation charge is NOT included in the same.

2.5 Every team taking part in Client Counselling and Negotiation shall have to pay Rs. 2000 if they opt for the Accommodation from the Host University and a fee of Rs. 2500 must be paid by a team for Mediation if they opt for Accommodation.

2.6 Team codes will be allotted to the respective teams after registering for the Competition and shall remain the same till the completion of Final Rounds.

2.7 Last Date for submitting the **HARD COPY** of the Registration form along with payment details is **30th January, 2017**.

2.8 The fixtures for the events will be decided by Draw of Lots conducted after the inaugural ceremony on the day of commencement of the Competition.

2.9 Accommodation shall be provided from Feb 17th 12pm- Feb 19th 12pm for not more than 7 students per Participating College / University.

2.10 All the meals will be provided by the institute during the dates of the competition to all the participants.

3. Payment Details

3.1 The **Registration Fee** is INR 1000 per participant per event.

3.2 The **Accommodation Fee** is as follows:

- INR 2000 (2 nights and 3 days stay for Participants of **Client Counselling and Negotiation**.)
- INR 2500 (2 nights and 3 days stay for Participants of **Mediation**.)

3.3 Payment must be made **ONLY** after receiving an acknowledgement mail from the Host University granting Provisional Registration. The Registration Process shall be completed only after submission of **HARD COPY** of the Registration form inclusive of payment Details to the Host University.

3.4 Payments should be made by **11:59 pm on January 26th 2017**. Failure to make payment by this time will result in forfeiture of your slots. Payment should be made in the manner prescribed below.

4. Instructions for payment

4.1 A Demand Draft (DD) shall be drawn in favor of “**Christ University**” payable at **Bangalore**.

4.2 The Demand Draft should be sent to the following address:

ADR Board, School of Law
Christ University
Hosur Road, Bangalore- 560029
Karnataka
Tel: + 91 8040129100/ 9600
E-mail: adrboard@law.christuniversity.in

NOTE: The Demand Draft should be accompanied by the duly filled ‘*Registration form*’ and the ‘*Declaration*’.

4.3 A scanned copy of the Demand Draft should be e-mailed to the ADR Board at adrboard@law.christuniversity.in. The text of the mail should also include the following details

1. Name of the College/Institution
2. DD No.
3. Date (as mentioned on the DD)
4. Amount
5. Name of the issuing bank and Place

The participants are required to E-mail the aforementioned details after confirmation of their slot through provisional registration. The Payment **MUST** be completed before **26th January, 2017**.

NOTE: For queries regarding the payment process, please contact:

S. Rishab Narayanan

+919591465291

4. Code of Conduct

4.1 The official language of the Competition shall be English.

4.2 The Participating Teams should mention only their allotted Team codes for the purpose of communication with Judges / Organisers. The identity of the Participating team or the name of their College / University shall not be disclosed to any other person during the course of the Competition. In addition, sporting any visible or distinguishable badges / card / uniform by any participant which provides an opportunity of inferring / disclosing their identity or the identity of the College / University being represented is forbidden.

4.3 The teams shall uphold the integrity of the Competition at all times and any scouting, disclosure of confidential information or any other unethical/unprofessional conduct is strictly barred; the practice of the same shall result in immediate disqualification. Any attempt to obtain the confidential information or any other information from any of the parties which may give the team an unfair advantage in the competition will result in immediate expulsion of the team and blacklisting of that college.

4.4 The use of any electronic gadgets is strictly prohibited during the rounds and the same may lead to disqualification of the teams.

4.5 All the participants are to adhere to Western Formals style of Dressing.

4.6 The ADR Board reserves the right to disqualify any team for misconduct during the competition. In case of doubts, the decision of the members of the Board shall be final.

4.7 All grievances are to be filed to the Conveners of the ADR Board.

5. Anti-Scouting Policy

5.1 Scouting in all forms is strictly prohibited. Participating Teams will not be allowed to observe the Sessions of any other team(s) taking part in any event.

Illustration: A Mediation team is restrained from attending a Negotiation session of any other team from their / other Participating University.

5.2 The teams are not allowed from contacting an external source after the disclosure of the problem or / and Confidential Information.

5.3 Scouting shall result in immediate disqualification and any decision of the ADR Board in this regard shall be final and binding upon the Participating Team.

6. Awards

6.1 Awards including a trophy and a cash prize will be provided to:

Sl. No.	Events	Amount (Rs.)
1.	Best Mediator	5,000
2.	Best Mediator, Runners up	2,500
3.	Best Advocate – Client Team	10,000
4.	Best Advocate – Client Team, Runners – up	5,000
5.	Winners, Client Counselling Competition	10,000
6.	Runners up, Client Counselling Competition	5,000
7.	Best Team (Negotiation)	10,000
8.	Best Team, Runners up (Negotiation)	5,000

6.2 All awards and certificates will be distributed at the Valedictory ceremony.

7. Overall Championship Trophy

7.1 The Overall Championship Trophy shall be presented to a team scoring maximum total points in the PRELIMINARY ROUNDS.

7.2 If the team scoring the highest points, does not win in any of the events, that shall not bar the team from being eligible to win the Championship Trophy. The criteria for the same shall be the overall performance in the Preliminary rounds and not the wins in any event/events.

8. Penalties and Disqualifications

8.1 The rules given above must be strictly adhered to by all the Participating Colleges / Universities failing which shall attract either a penalty or disqualification based on the nature of the violation which is at the discretion of the ADR Board.

9. Clarifications

9.1 For any clarifications, teams are requested to mail their queries and concerns to the ADR Board at: adrboard@law.christuniversity.in



RULES AND REGULATIONS FOR CLIENT COUNSELLING

1. Composition of the Team

1.1 Each participating team shall consist of two students from each college who shall play the role of Advocates.

2. Nature of the Competition

2.1 The Competition mirrors a law office consultation between the client and lawyers in which two law students would be acting as Advocates who are presented with a hypothetical situation which will be brought before them by a Client. The Client shall be from the Host University who would have received training from the Organizers prior the date of the Competition.

2.2 The participants are expected to extract the relevant information from the Client within the time stipulated. They may do so by conducting an **interview**, presenting the Client with legal means and a range of alternatives to resolve the problem and a final remedy which they think is adequate.

2.3 The interview with the Client is followed by a **Post-Reflection period** during which the students, in the absence of the Client, analyze the interview and discuss the course of action with the application of relevant laws.

2.4 The post reflective period will be followed by a **Question-Answer session** by the judge on the concerned matter.

3. Time Limits

3.1 Each team shall be allotted a maximum of 25 minutes to complete a Session which is inclusive of the consultation with the Client (15 minutes), the Post -Reflective (5 minutes) and the Question –Answer (5 minutes) period.

3.2 The initial 15 minutes must be utilized to interview the Client, wherein the team must attempt to extract information pertaining to the simulation, delineate the issues that have arisen, and suggest tenable solutions that may be availed of by the Client.

3.3 After the interview session, the Client will leave the room, and the next 5 minutes of the Round are to be utilized to assess the problem (Post-Reflective), in which the student will ascertain the relevant course of action to be undertaken and summarize the Session and the consequent remedy.

3.4 After the Post-Reflective Session, for the next 5 minutes the judges will question the participants on the relevant area of law, knowledge of law, and their remedies which has been suggested by the participants.

3.5 No additional time will be given to any team to complete the Session.

4. Use of Props and Materials

4.1 The participants are permitted to bring books, stationery and office furnishings for their use during the session. While in electronic items, only laptops may be used as a part of the office set up, however they cannot be used for any research.

5. Marking Criteria

5.1 The Participating Teams will be evaluated by the judges based on the following criteria:

Sl. No.	Particulars	Marks
1.	Establishing an Effective Professional Relationship	10
2.	Presentation	10
3.	Introduction and Initial Discussion	10
4.	Obtaining Information and learning the Client's Goals, Expectations & Needs	10
5.	Problem analysis	10
6.	Courses of Action	10
7.	Assisting the Client to Make an Informed Choice	10
8.	Concluding the Interview and Teamwork	10
9.	Post Interview Reflection Period	10
10.	Ability to answer the Judge's questions	10
	TOTAL	100

6. Scoring Criteria

6.1 The 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 Final Points across rooms along with relative rank within the room, to arrive at a Final Points. The teams with the top eight Final Points (numerically the lowest eight) shall qualify to the Quarter- Finals. In case of ties (where Final Points are the same), priority would be given to teams with the higher marks obtained in point 5, subsequently in point 1 and lastly on the basis of scores obtained in point 10.

6.2 The method of Calculation for Final Points is:

Final Points obtained = Round Rank 1 (Room) + Round Rank 1 (Absolute)

Illustration:

Team Code	Round 1 Marks	Round 1 Rank (Room)	Round 1 Rank (Absolute)	Final Points
PRELIMS 1- CLIENT COUNSELLING				
Room 1				
A	86	2	4	6
B	94	1	1	2
C	75	4	9	13
D	80	3	7	10
Room 2				
E	88	1	3	4
F	69	4	11	15
G	84	2	6	8
H	77	3	8	11
Room 3				
I	92	1	2	3
J	71	3	10	13
K	85	2	5	7
L	67	4	12	16

In the above group of 12 teams, the eight teams with the top eight Final Points (numerically the lowest eight) shall qualify to the Quarter- Finals. Therefore, Teams B(2points), I(3points), E(4points), A(6points), K(7points), G(8points), D (10points) and H(11points) qualify.

7.3 The principle of reverse power room allocation shall be utilized for the Quarter- Finals and the Semi- Finals, based on the Final Points of the qualifying teams in the previous Rounds.

Illustration: Team A, B, C, D, E, F, G and H are 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.

7.4 Teams in Client Counselling Competition qualify from the Quarter- Finals to the Semi-Finals on the principle of Knock- outs only. However, the teams going in the same room will be deemed to be against each other i.e. the winner of each room shall qualify to the next higher round.

Illustration:

Team Code	Marks	Team Qualified
KNOCKOUT – CLIENT COUNSELLING		
ROOM 1		
A	92	A
D	88	
ROOM 2		
B	91	B
C	89	

In the above group of 4 teams, on basis of the principle of knockout, Team A and Team B qualify for the Final round, irrespective of the absolute scores of the team.

5. Selection of Clients

5.1 The ADR Board, Christ University School of Law shall be responsible for the selection of individuals to play the role of the Client in each of the Rounds and shall also provide them with a rigorous training program to ensure adeptness in the rounds.



ADR BOARD SLCU

RULES AND REGULATIONS FOR MEDIATION

1. Composition

1.1 There shall be three participants per team from a College/ University taking part in the Mediation Event consisting of a Mediator and an Advocate – Client team.

1.2 Switching of roles between the Mediator and the Advocate- Client Team is impermissible. However, the Advocate – Client team can interchange their roles during the Competition. Nevertheless, once a role is selected, they shall be in that role till the completion of that Round.

Illustration: If A and B are the Advocate – Client team, A can be the Advocate for the Preliminary Round and B can be the Advocate for the Quarter- Finals. But once A takes up the role of an Advocate in the start of Preliminary Rounds, he shall continue to be an Advocate during the entire Preliminary Rounds.

2. Nature of Competition

2.1 A Mediation Session will consist of two Mediators (**Co-Mediators**) and two parties to the dispute represented by an **Advocate – Client Team** on each side.

2.2 The two Mediators will be from different teams and will be Co- Mediating with an aim of reconciling the differences between the parties. There will be two Advocate – Client Teams representing the parties to the dispute. They shall be make efforts to amicably resolve the dispute in the presence of the Mediators.

2.3 Each Round will have a **Common set of facts** and **Confidential Information**. The Common set of facts shall be known to both Advocate- Client Teams as well as the Mediators. The Confidential Information shall be known to only the Advocate- Client Teams to which they relate to. Both the Advocate- Client Teams will have different set of Confidential Information. The Co- Mediators have to facilitate an agreement between the disputing parties have to be able to put forth all their problems and reach a cordial solution.

3. Time Limit

3.1 Each Mediation Session shall be for 30 minutes and no extra time will be granted.

3.2 A mediation Session comprises of:

- (a) Opening Statement of Co-Mediators [4 mins]
- (b) Opening Statement of Advocate-Client Team [3 mins each]
- (c) Caucuses and Conferences [18 mins] (Co-Mediators have the discretion)
- (d) Closing Statement of co- Mediators [2 mins]

3.3 It is the Mediators' discretion as to how they want to conduct the session including any procedure they deem fit for mediation.

3.4 There shall be a Post- Mediation Session for 5 minutes. During this Session, the judges may ask questions to the teams.

4. Caucuses and Conferences

4.1 Caucuses are meetings that the Mediator holds with only one side of the conflict. The disputants can clarify their interests, position and solidify their strategies and goals.

4.2 During each Mediation Session, it is to the Mediators' discretion as to when to call for Caucuses or Conferences. However, the Mediator has to call for caucus and a conference **at least once** to facilitate the mediation.

4.3 A Caucus or a Conference has to be in accordance with the following provisions:

- The Caucuses will occur between the Mediators and one Advocate – Client Team at a time.
- During Caucus, the other party shall leave the room. It is quintessential that party which has stepped out of the room ensures that they shall not communicate anything to anybody outside the room. In case, they are found communicating with anyone the ADR Board holds the right to disqualify such team(s).
- In a Session of Conference, both the parties shall remain in the same room.

5. Marking Criteria

5.1 The Mediators will be evaluated by the judges based on the following criteria:

Sl. No.	Particulars	Marks
1.	Opening statement	10
2.	Establishing Professional Relationship with the parties	10
3.	Identifying Key issues of Dispute	10
4.	Understand the needs and interests of the parties	10
5.	Knowledge and Application of Law	10
6.	Propose creative Settlement possibilities	10
7.	Ability to Contribute to an effective process and outcome	10
8.	Effective use of Conference and Caucus	10
9.	Closing Statement	10
10.	Ability to answer Judge's questions	10
TOTAL		100

5.2 The Client- Advocate will be evaluated by the judges based on the following criteria:

Sl. No.	Particulars	Marks
1.	Advocate- Client's opening statement	10
2.	Teamwork between Advocate and Client	10
3.	Caucus	10
4.	Conference	10
5.	Willingness to reach an amicable solution	10
6.	Strategic use of facts and confidential information	10
7.	Advocating Client's Interests	10
8.	Relationship building and Problem solving	10
9.	Closing Statement	10
10.	Ability to answer Judge's questions	10
TOTAL		100

6. Scoring Criteria

6.1 The Mediators and the Advocate-Client team shall be scored on the criteria as given above. It is to be noted that the qualification of a Mediator is **independent** of the qualification of the Advocate-Client team i.e. the qualification of a mediator to the next round does not necessarily imply the qualification of the respective Advocate-Client team. They shall advance in the rounds in their individual capacity of either an Advocate-Client team or as a Mediator.

6.2 The 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 Final Points across rooms along with relative rank within the room to arrive at a Final Points. The teams with the top eight Final Points (numerically the lowest eight) shall qualify to the Quarter- Finals.

In case of ties (where Final Points are the same), priority would be given to teams with the higher marks obtained in point 5, subsequently to point 1 and lastly on the basis of scores obtained in point 10.

6.3 The method of Calculation for Final Points is:

Final Points obtained = Round Rank 1 (Room) + Round Rank 1 (Absolute)

Illustration:

Team Code	Round 1 Marks	Round 1 Rank (Room)	Round 1 Rank (Absolute)	Final Points
PRELIMS 1- MEDIATION				
Room 1				
A	86	2	4	6
B	94	1	1	2
C	75	4	9	13
D	80	3	7	10
Room 2				
E	88	1	3	4
F	69	4	11	15
G	84	2	6	8
H	77	3	8	11
Room 3				
I	92	1	2	3
J	71	3	10	13
K	85	2	5	7
L	67	4	12	16

In the above group of 12 teams, the eight teams with the top eight Final Points (numerically the lowest eight) shall qualify to the Quarter- Finals. Therefore, Teams B(2points), I(3points), E(4points), A(6points), K(7points), G(8points), D (10points) and H(11points) qualify.

6.4 The principle of reverse power room allocation shall be utilized for the Quarter- Finals and the Semi- Finals, based on the Final Points of the qualifying teams in the previous rounds.

Illustration:

Team A, B, C, D, E, F, G and H are 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.

6.5 Teams in Mediation Competition qualify from the Quarter- Finals to the Semi- Finals on the basis of the principle of Knock- outs only. However, the teams going in the same room will be deemed to be against each other i.e. the winner of each room shall qualify to the next higher round.

Illustration:

Team Code	Marks	Team Qualified
KNOCKOUT – MEDIATION		
ROOM 1		
A	92	A
D	88	
ROOM 2		
B	91	B
C	89	

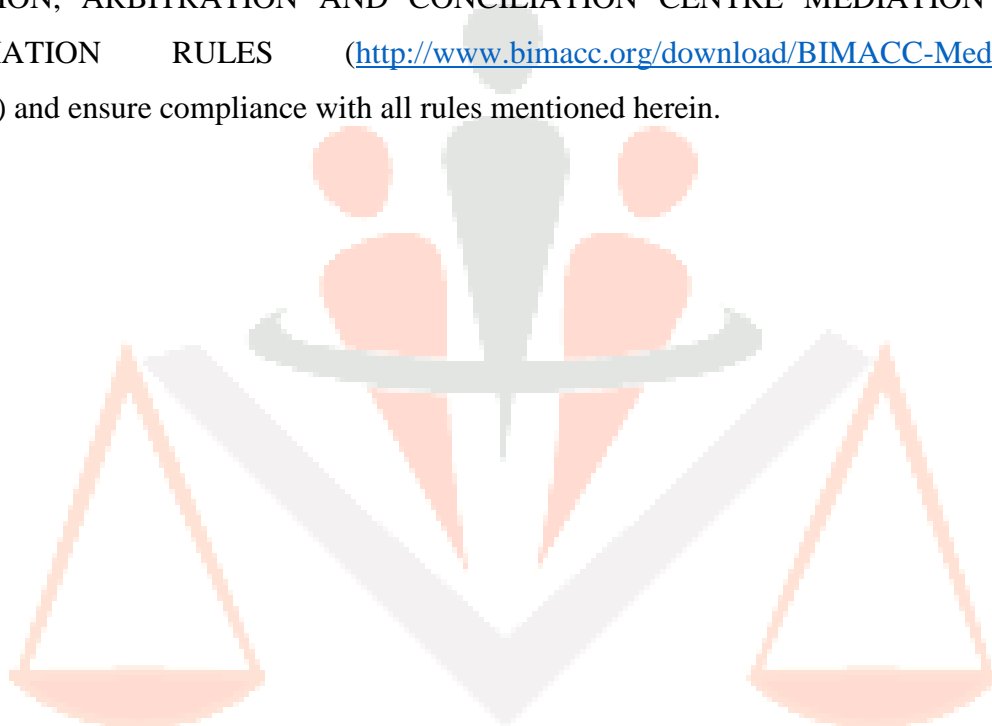
In the above group of 4 teams, on basis of the principle of Knock- out, Team A and Team B qualify for the final round, irrespective of the absolute scores of the team.

7. Written Submission

7.1 There will be no written submission for the mediation rounds.

8. Procedural Technicalities

8.1 All mediators must follow Rule 7 of the BANGALORE INTERNATIONAL MEDIATION, ARBITRATION AND CONCILIATION CENTRE MEDIATION AND CONCILIATION RULES (<http://www.bimacc.org/download/BIMACC-Mediation-Rules.pdf>) and ensure compliance with all rules mentioned herein.



ADR BOARD SLCU

RULES AND REGULATIONS FOR NEGOTIATION

1. Nature and Composition of Team

1.1 Each participating team shall consist of two students from a College/ University.

2. Objective

2.1 The object of the Negotiation Competition is to provide a means for law students to practice and improve their Negotiating skills.

3. Time Limit

3.1 Each participating team will participate in a 35-minute Negotiation Session which will be inclusive of **Opening Statements** and **Deliberations** by each team. The Deliberations will be followed by a 5-minute (per team) period of **Post-Negotiation Analysis** and a **Question-Answer** session by the judges for each team.

3.2 Each Round that shall continue for a maximum of 45 minutes (35 + 5 + 5).

4. Confidential Information

4.1 Confidential Information shall be released to the respective teams 5 minutes before the commencement of the negotiation session. This Information should not be disclosed to any other participant at any time during the course of the Competition.

5. Strategy Paper

5.1 Each team will be required to submit a Strategy Paper on the Preliminary Round problem. The papers would be provided to the judges at the time of Rounds, and may be used by them to aid in their marking or for questioning the teams during self-analysis. The soft copy of the Strategy Paper must be submitted by **12th February, 2017** and three sets of hard copy should be brought by the teams at the day of arrival of the Competition which shall be collected by the Organizers before the draw of lots.

The strategy paper shall include the following components:

- I. Brief Facts
- II. Issues Involved
- III. Laws Applicable
- IV. Interests of First Party
- V. Conflicting Interests of Second Party
- VI. BATNA (Best Alternative To Negotiated Agreement)
- VII. Arguments

Note: Teams have the option to include additional components, if necessary, however they cannot edit or exclude any of the components listed above. Additional marks of 20 is reserved for the strategy paper for the prelims. The language of the Competition and the proceedings is English and the strategy papers should be in the following format:

Font-Times New Roman

Size-12

Line Spacing – 1.5

Further, two copies from each side one in Microsoft word and one in PDF format should be sent. The team codes have to be written on the right top most corner of the first page of the paper. The name of the university or participant should not be disclosed in the paper, failing which it will attract penalty.

5.2 Each strategy paper must not exceed 5 sides. (Inclusive of all contents)

5.3 The soft copies of the strategy paper should be emailed to : adrboard@law.christuniversity.in. The subject of the mail should be - “**Strategy Paper : *team code***”. The hard copies of the strategy paper should be submitted at the time of arrival for the competition.

6. Marking Criteria

6.1 The Negotiators will be evaluated by the judges based on the following criteria:

Sl. No.	Particulars	Marks
1.	Opening Statement	10
2.	Co-ordination among team members	10
3.	Knowledge of Law	10
4.	Identifying Key issues of Dispute	10
5.	Application of Law to Facts	10
6.	Establishment of Relationship Between Parties	10
7.	Consideration of Best Interest of Party	10
8.	Originality in Suggested Alternative Courses of Action	10
9.	Post Negotiation Analysis	10
10.	Ability to answer judge's questions	10
TOTAL		100

7. Scoring Criteria

The teams shall qualify from the Preliminary Rounds to the Quarter- Finals on the basis of the following mechanism:

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ADR BOARD SLCU

OFFICIAL SCHEDULE

DATE	EVENT
10th January, 2017	Release of Rules and Registration Details.
26th January, 2017	Last date of Registration (Soft Copy).
30th January, 2017	Last date for submission of Hard Copy of Registration.
2nd February, 2017	Release of Negotiation Problem – for Preliminary round.
6th February, 2017	Last Date for seeking Clarifications with regard to the Negotiation Prelims Problem.
12th February, 2017	Last Date for submission of Strategy paper (Soft Copy). [Three sets of Hard Copy of the same must be submitted to the Organisers prior the draw-of-lots after the arrival of the Participants in the Host University]
14th February, 2017	Release of Mediation Problem – for Preliminary round.
17th February – 19th February, 2017	Inauguration, Rounds and Valedictory.

CONTACT DETAILS

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For further updates visit our website at – www.law.christuniversity.in/adrslcu