



NLS NMC

28 April - 30 April 2023

IX National Law School Negotiation, Mediation & Client-Counselling Competition RULEBOOK

ADYA SINGH

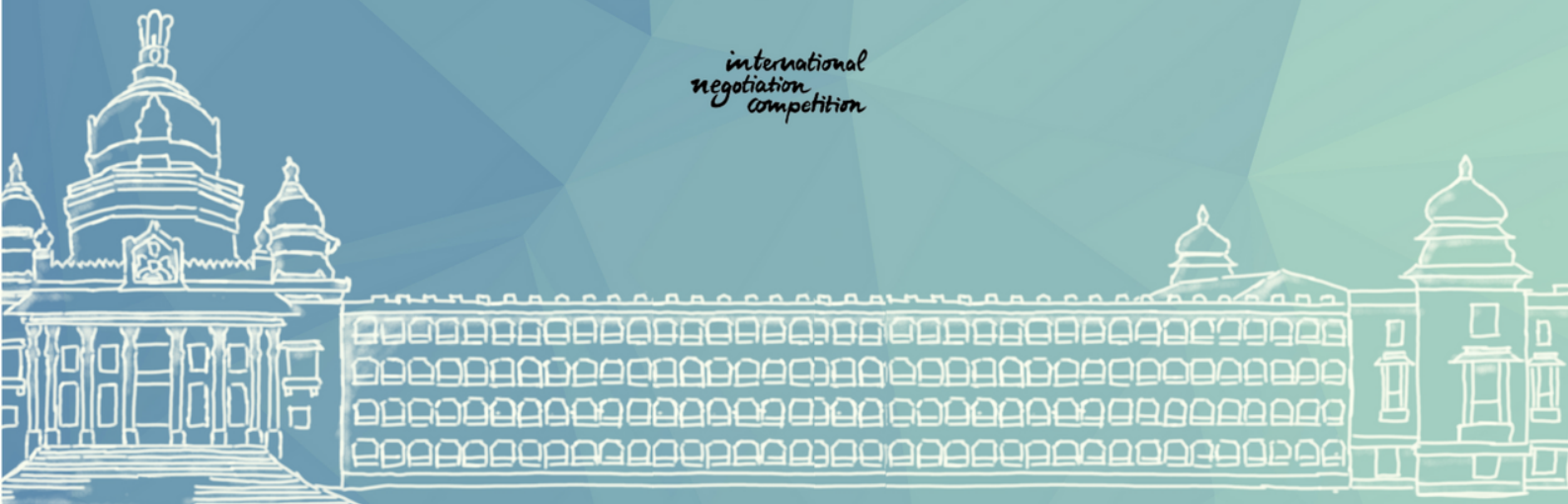
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IN COLLABORATION WITH

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negotiation
competition*



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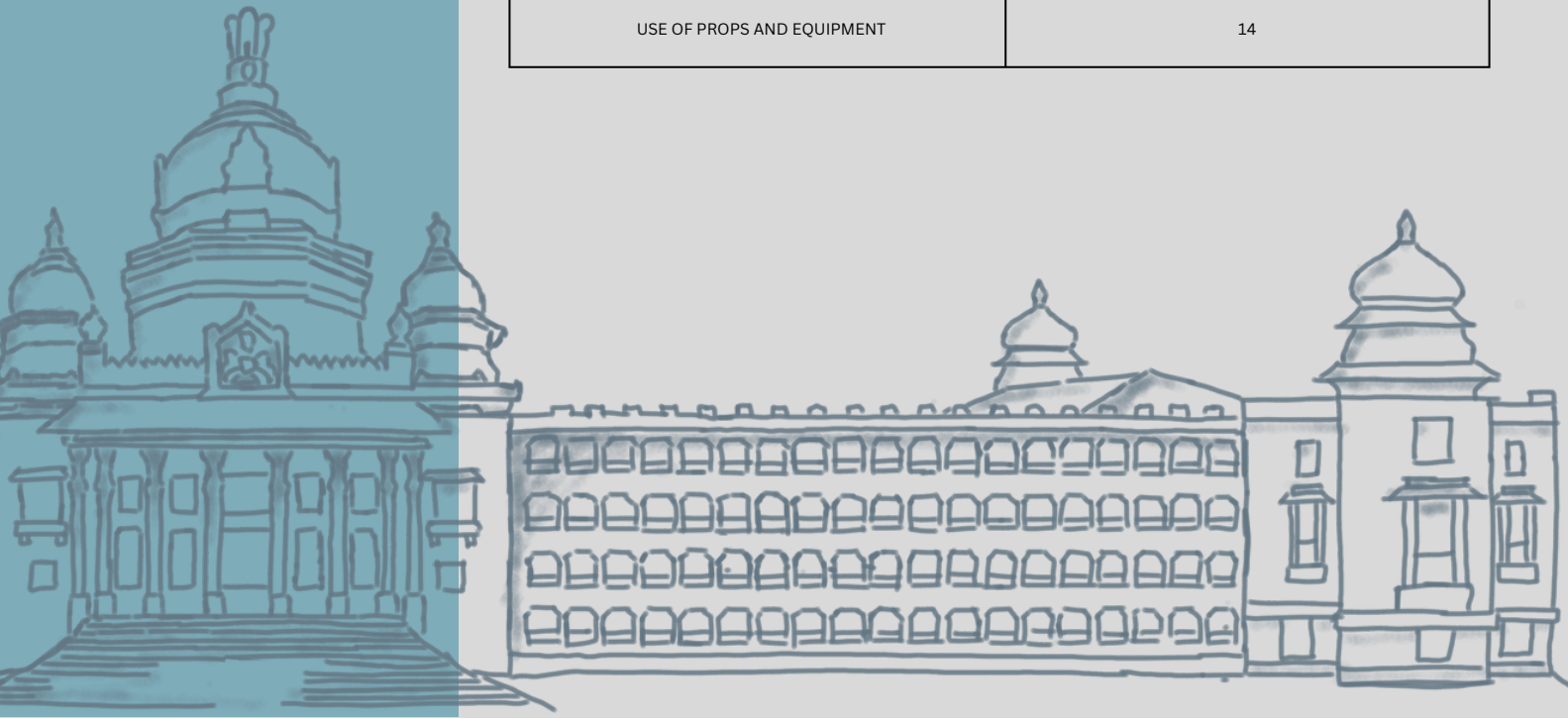
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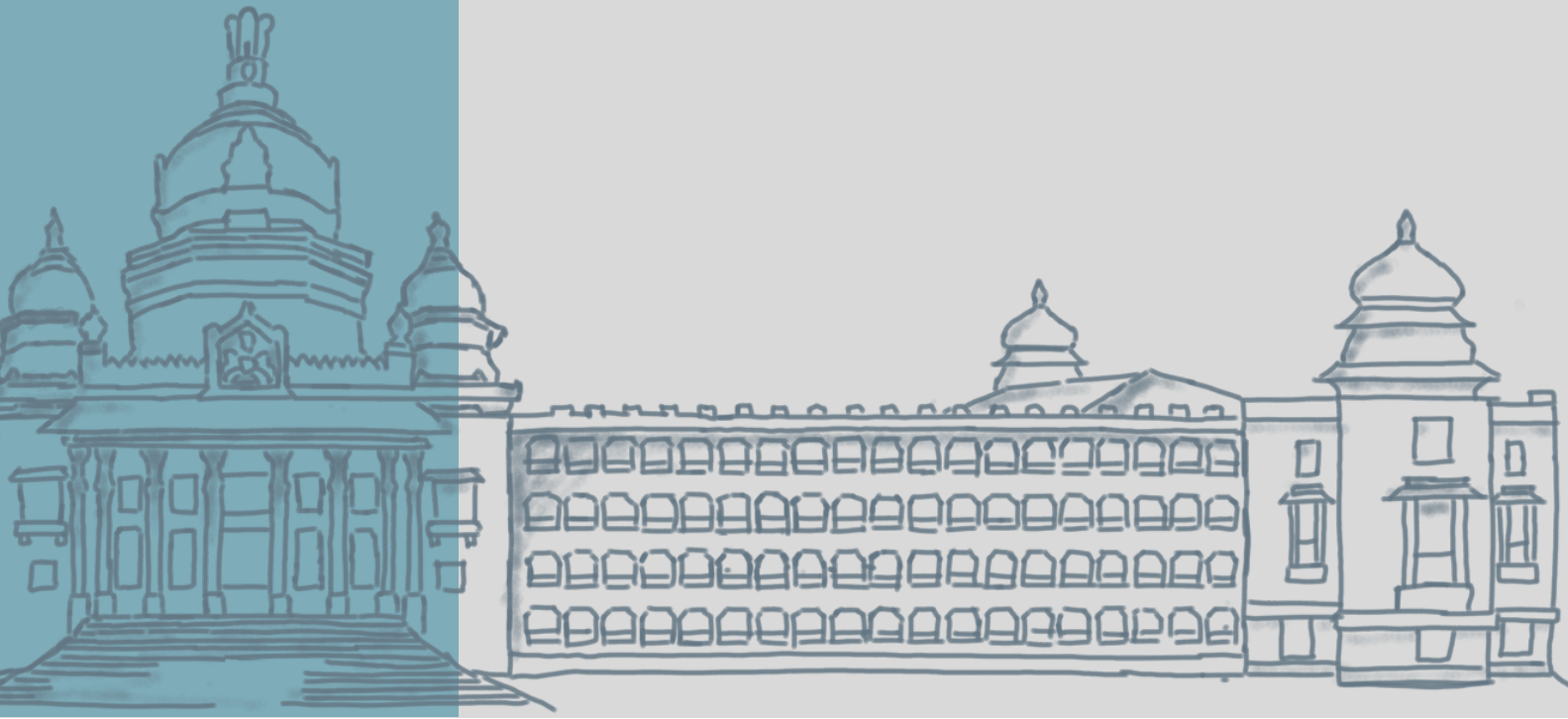
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GENERAL

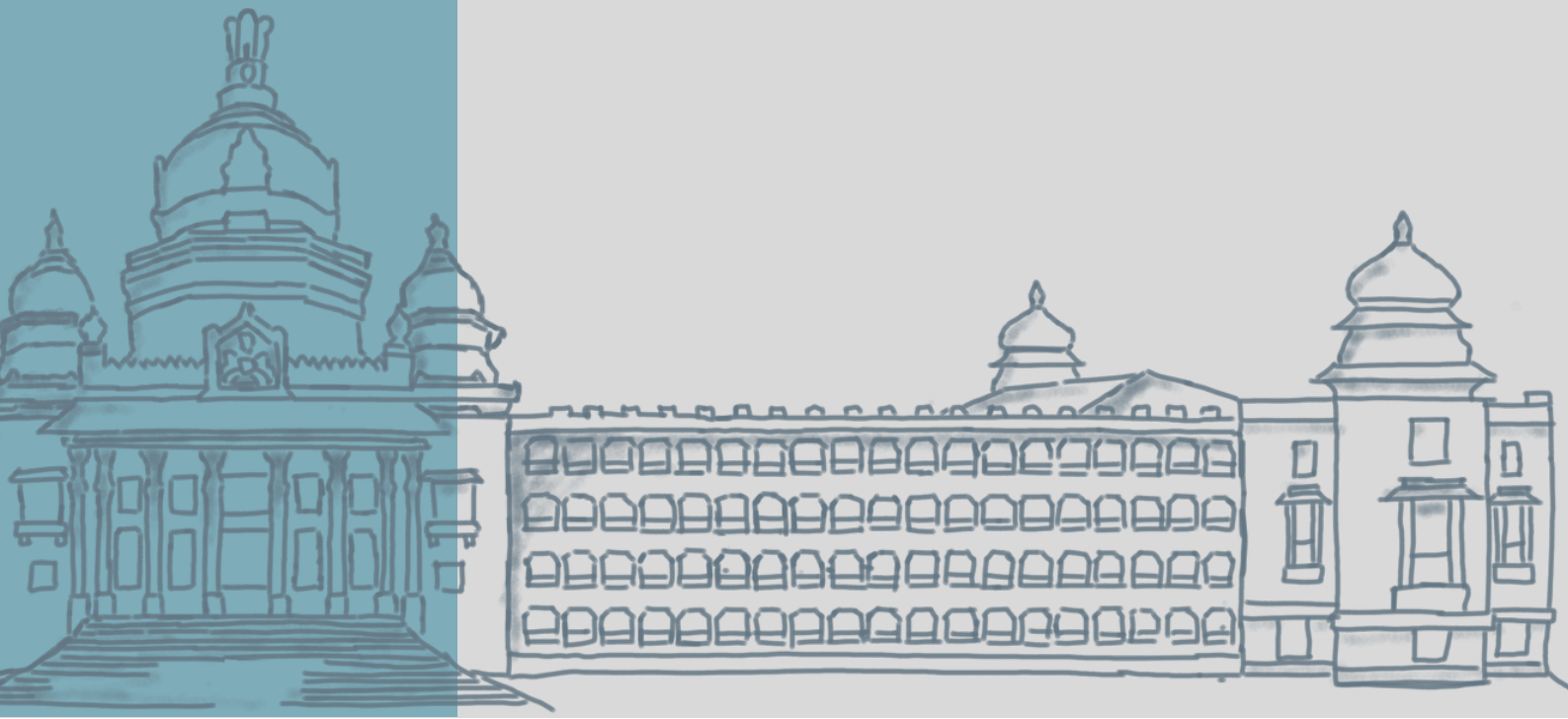
THE COMPETITION

The IX National Law School - Negotiation, Mediation & Client Counselling Competition ("NLS NMC") shall be conducted in accordance with these rules. NLS NMC shall consist of four distinct segments:

- The Negotiation Segment (National Qualifier for the International Negotiation Competition 2023)
- The Mediation (Client/Attorney) Segment
- The Mediation (Mediator) Segment
- The Client Counselling Segment

ELIGIBILITY CRITERIA

- Rules regarding Eligibility shall be the same as those mentioned in the Structure Document released before.
 - It is clarified that no student shall be allowed to participate, who on the date of the commencement of the competition, has ceased to be a part of the qualifying degree programme.
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GENERAL

OFFICIAL LANGUAGE

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

CODE OF CONDUCT

§ The ADR Board, NLSIU reserves the right to disqualify any team or participant or impose any other penalty for any kind of misconduct on the part of any team member or coach, during the competition. In case of any doubt/dispute, the decision of the ADR Board shall be final.

§ Misconduct includes, but is not restricted to:

- Disclosure of identity to other participants during the course of the round or to any judge.
- Scouting and sharing of confidential information or particulars of the problems.
- Any attempt to obtain confidential information with regard to the problems of either Negotiation or Mediation or to obtain problem particulars with regard to the Client Counselling segment.



GENERAL

- Any other conduct which may give a team an unfair advantage over the other teams.

§ All teams, participants, coaches and assessors are bound by the NLSIU, Code to Combat Sexual Harassment. Any violation of the same will result in strict action as per the Code.

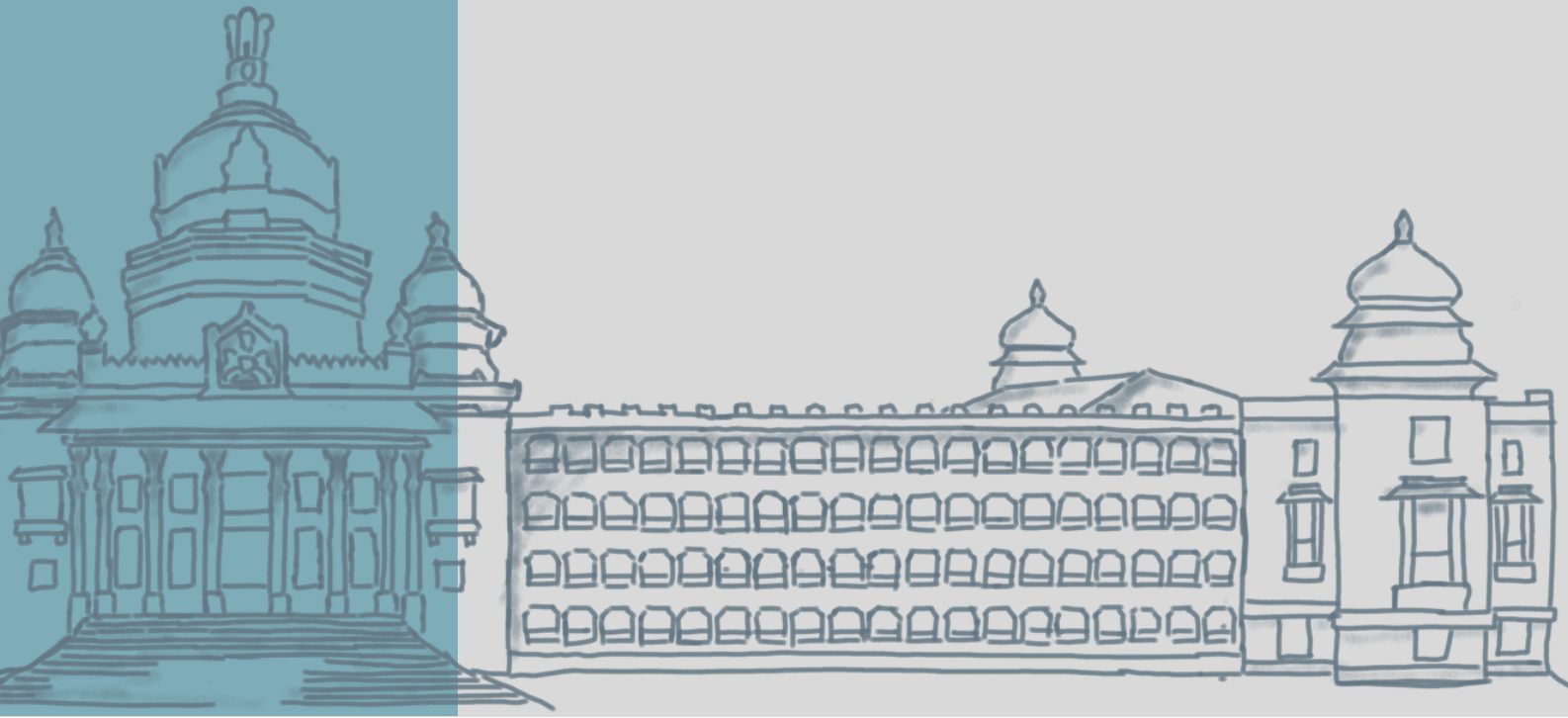
GRIEVANCE REDRESSAL

§ All grievances shall be addressed to the Convener and Joint Convener, Alternative Dispute Resolution Board, NLSIU. Their decision regarding the same shall be final.

[The code can be accessed here.](#)

POWER TO REMOVE DIFFICULTIES

§ The ADR Board, NLSIU reserves the right to add, modify, or repeal any rule, in order to remove difficulties. Any change in the rules will be communicated via email.



GENERAL

RULES OF PARTICIPATION

§ For all four segments, the teams shall be divided into two groups on the basis of draw of lots at the time of registration.

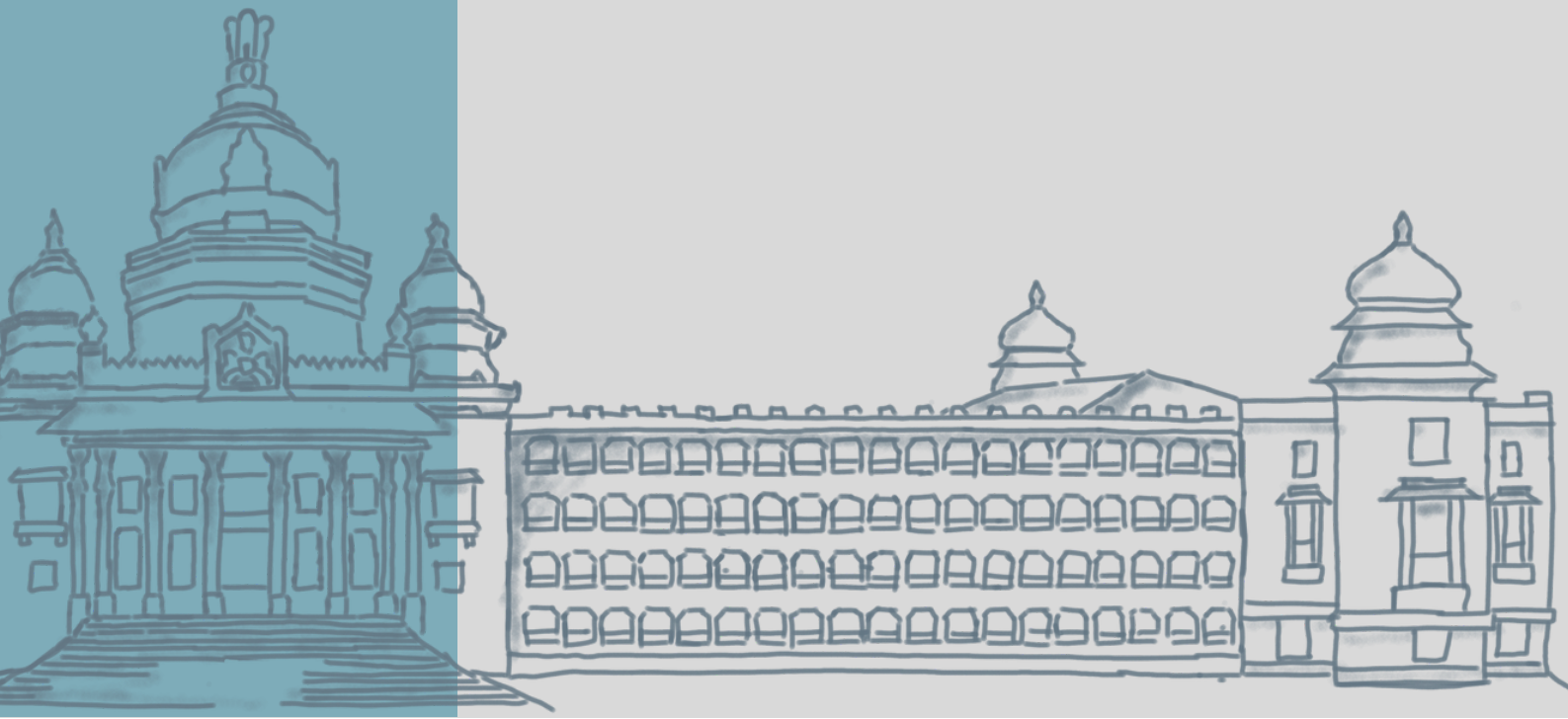
Provided that, upon the failure of the team to pick up a code, the ADR Board, NLSIU reserves the right to pick up a code on such team's behalf.

§ Each team in each group shall compete in two preliminary rounds in two different rooms across two days.

§ The matchups shall be released on the basis of team codes.

§ In each segment, with the exception of the Client Counselling segment, the teams shall, upon breaking, qualify for the quarter-final rounds. Teams participating in the Client Counselling segment shall break directly to the semi-final rounds.

§ The breaks shall be decided on the basis of cumulative relative scores.



GENERAL

§ In the event of a tie between two teams, the tie shall be resolved on the basis of:

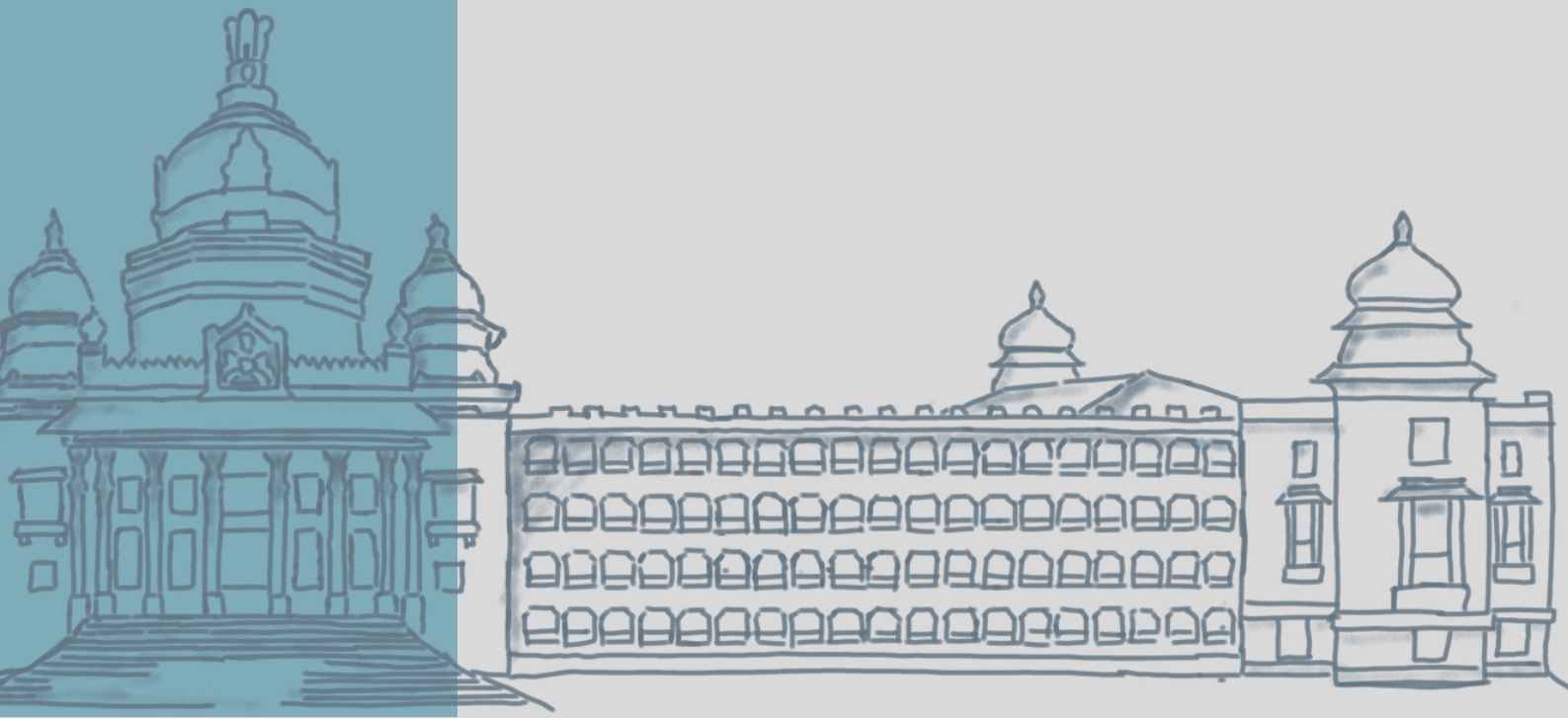
- o First, the aggregate points of certain components in the score sheets of all judges assessing the round. The aforementioned components shall be notified in the score sheet that shall be released to the participants in advance, and
- o Second, if and only if the tie is not resolved by the aforementioned method, on the basis of a coin toss.

§ The match-ups of all post-break (knock-out) rounds shall take place on the basis of reverse power allocation.

Illustration:

For instance, if teams A, B, C ... H qualify (in that order on the basis of rank), the match ups shall be A versus H and B versus G

§ All post-break rounds shall be knockout rounds, with the team winning their respective round proceeding to the next round.



GENERAL

AWARDS

The following awards shall be given:

§ Winner, Negotiation Competition. They will receive a cash prize of INR 25,000 and shall qualify to represent India at the International Negotiation Competition 2023.

§ Runners-up, Negotiation Competition. They will receive a cash prize of INR 15,000.

§ Winner, Mediation (Client-Attorney) Competition. They will receive a cash prize of INR 25,000.

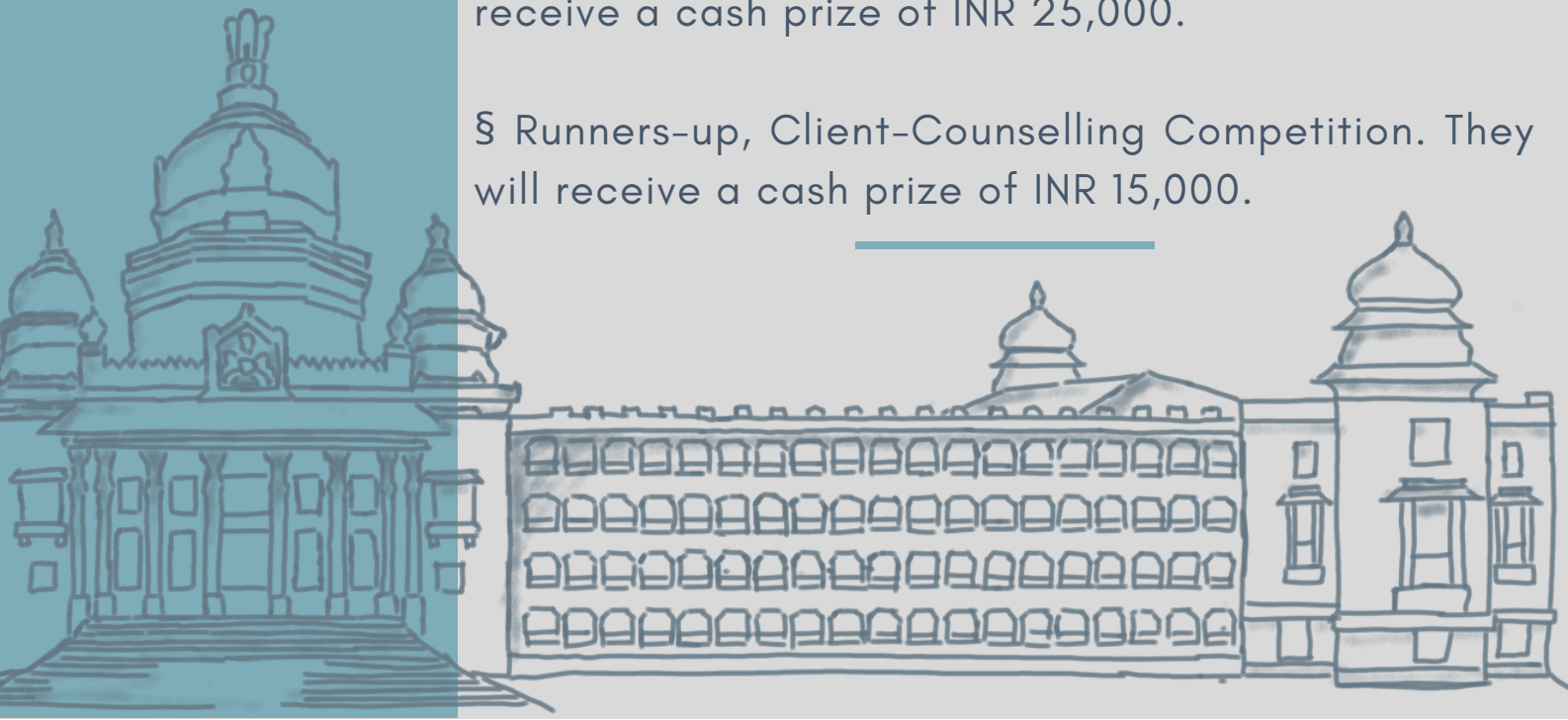
§ Runners-up, Mediation (Client-Attorney) Competition. They will receive a cash prize of INR 15,000.

§ Best Individual Mediator. They will receive a cash prize of INR 15,000.

§ Second Best Individual Mediator. They will receive a cash prize of INR 10,000.

§ Winner, Client-Counselling Competition. They will receive a cash prize of INR 25,000.

§ Runners-up, Client-Counselling Competition. They will receive a cash prize of INR 15,000.



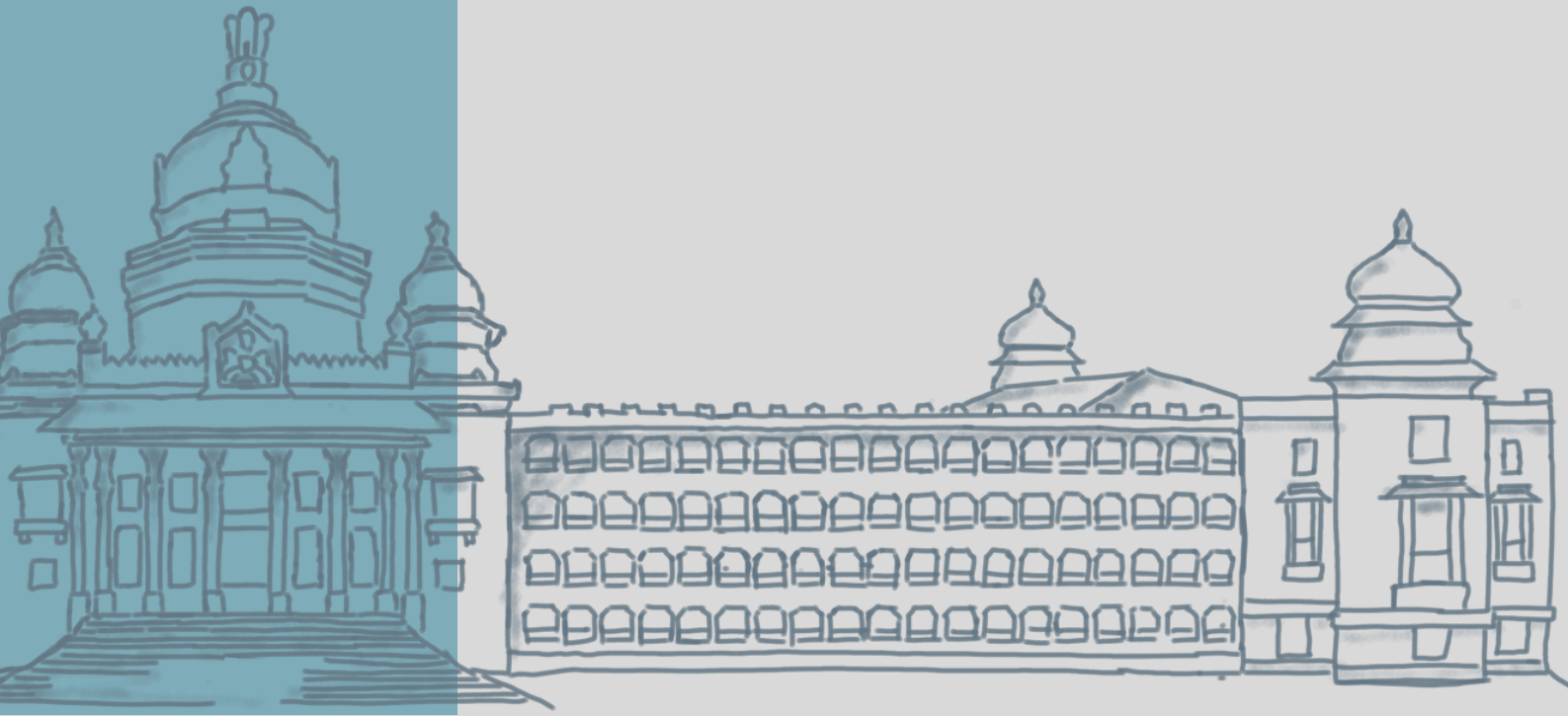
DRESS CODE

§ Each member of the Participating Team shall be dressed in formal (Indian or Western) for the duration of the Competition.

RESIDUAL

The ADR Board, NLSIU may take such other measures are required for the orderly and fair conduct of the Competition. The ADR Board's interpretation as to the implementation of the Rules shall be final.

GENERAL



CLIENT COUNSELLING SEGMENT

COMPOSITION OF TEAMS

Each team shall consist of two students.

NATURE OF THE SEGMENT

§ The segment shall simulate a client interview at a lawyer's office.

§ Each round shall be divided into two segments, i.e.

- (a) client consultation session and
- (b) post-consultation session.

§ In the client consultation session, participants shall be expected to elicit information from the client, briefly analyse the issues, and make preliminary recommendations to the client.

§ The client consultation session shall be followed by a post-consultation session during which the participants, in the absence of the client, shall be expected to legally analyse the various issues that the case presents, and discuss the future course of action.



CLIENT COUNSELLING SEGMENT

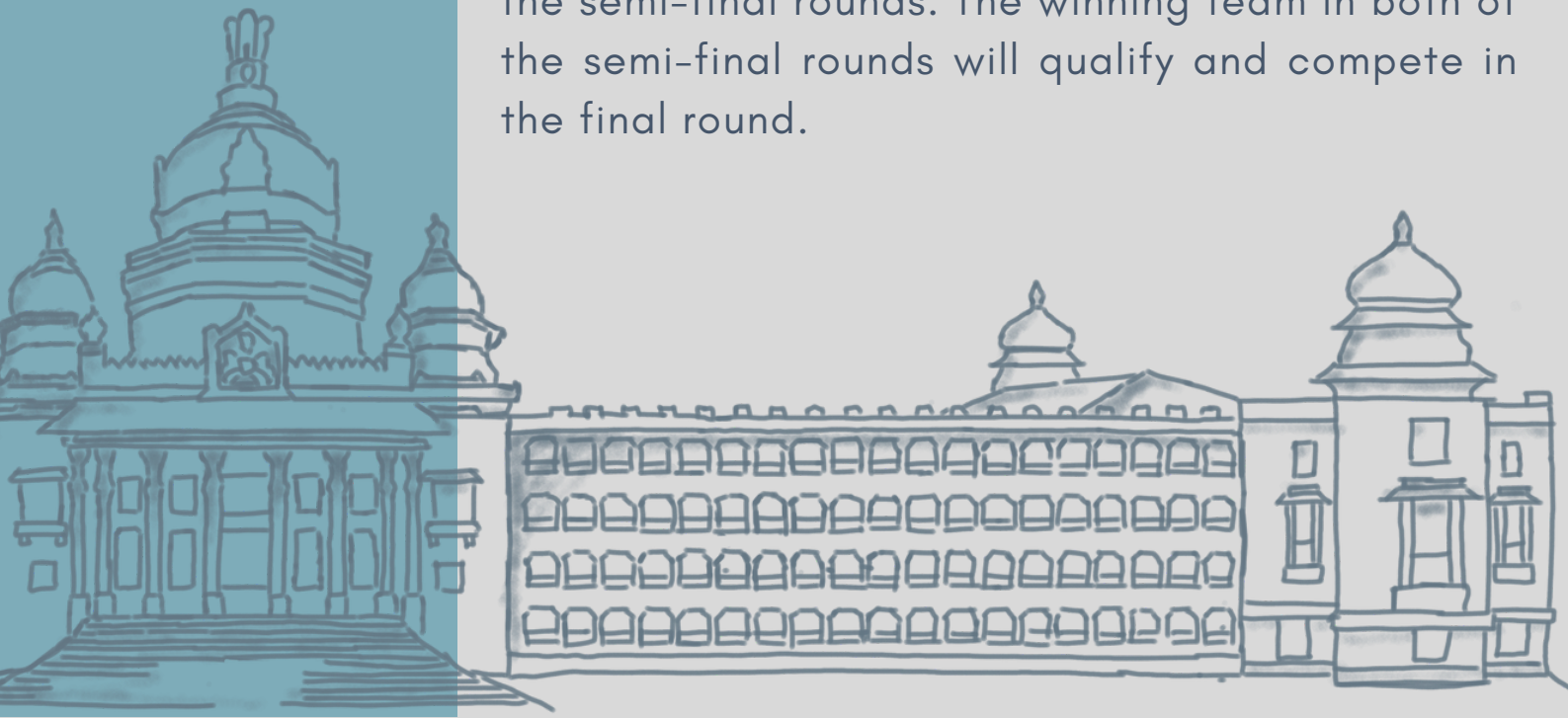
They shall further discuss the suggestions made by them to the client, and whether they could have used a better approach in the session. The judges may also question the teams on their presentations.

§ It is clarified that participants shall tender legal advice to the client, referring to the laws prevailing in the country of their residence.

§ Participants are advised that they must keep in mind professional rules of ethics and conduct as applicable to lawyers, and act accordingly during the round. It is clarified that all participants, regardless of their country of residence, shall be deemed to be subject to professional rules of ethics and conduct as issued by the Bar Council of India under the Advocates Act, 1961.

ROUNDS

§ The competition shall consist of two preliminary rounds, following which, four teams with the highest cumulative relative score shall qualify to the semi-final rounds. The winning team in both of the semi-final rounds will qualify and compete in the final round.





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CLIENT COUNSELLING SEGMENT

§ The winner of the final round shall be declared the winner of the Client Counselling Competition.

COMPETITION TOPICS

The broad area of law for all the rounds shall be released in advance. They shall be in the form of an Office Memo written by the Office Secretary for the concerned lawyers.

TIME LIMITS

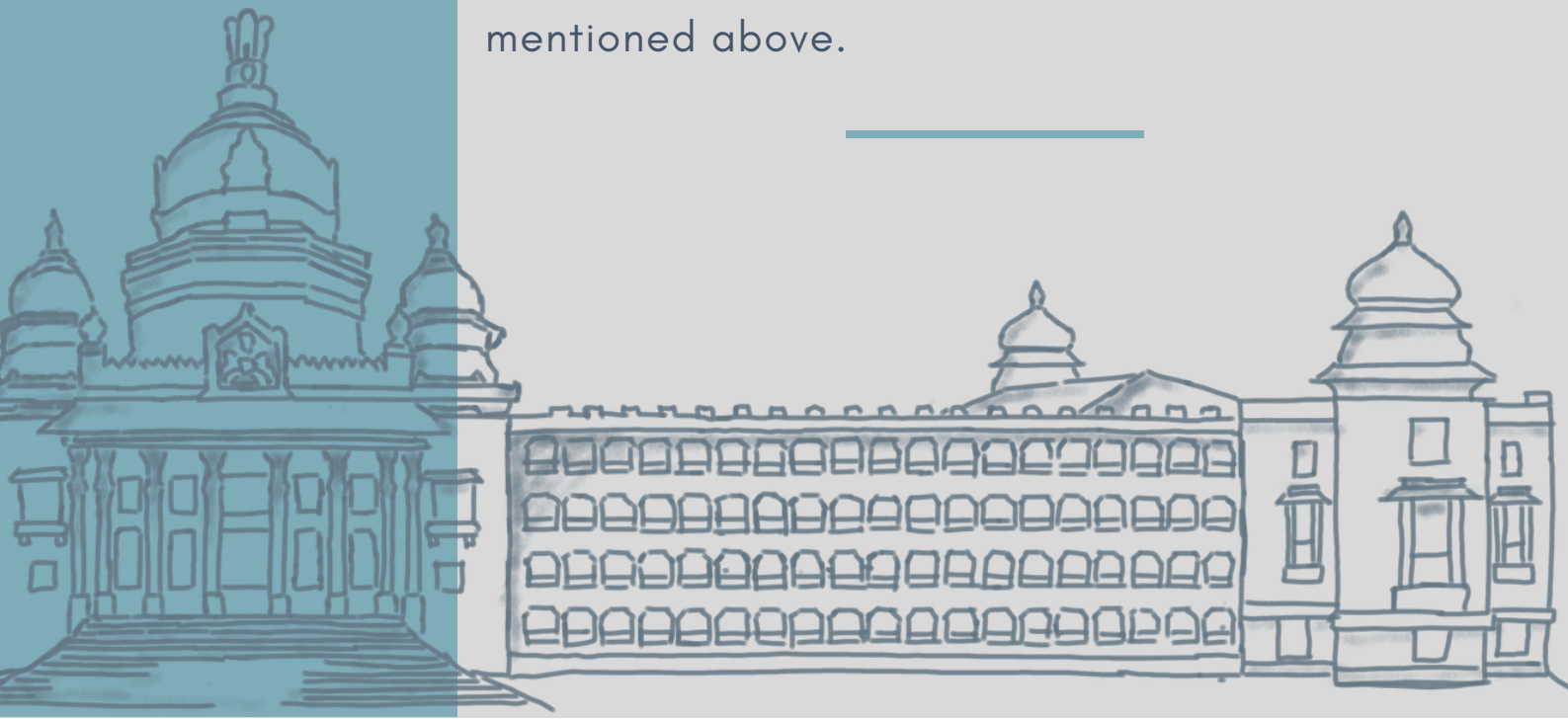
The Client Consultation Sessions shall of the following lengths respectively:

§ Preliminary Rounds I and II - 25 minutes

§ Semi-Final Rounds - 30 minutes

§ Final Round - 45 minutes

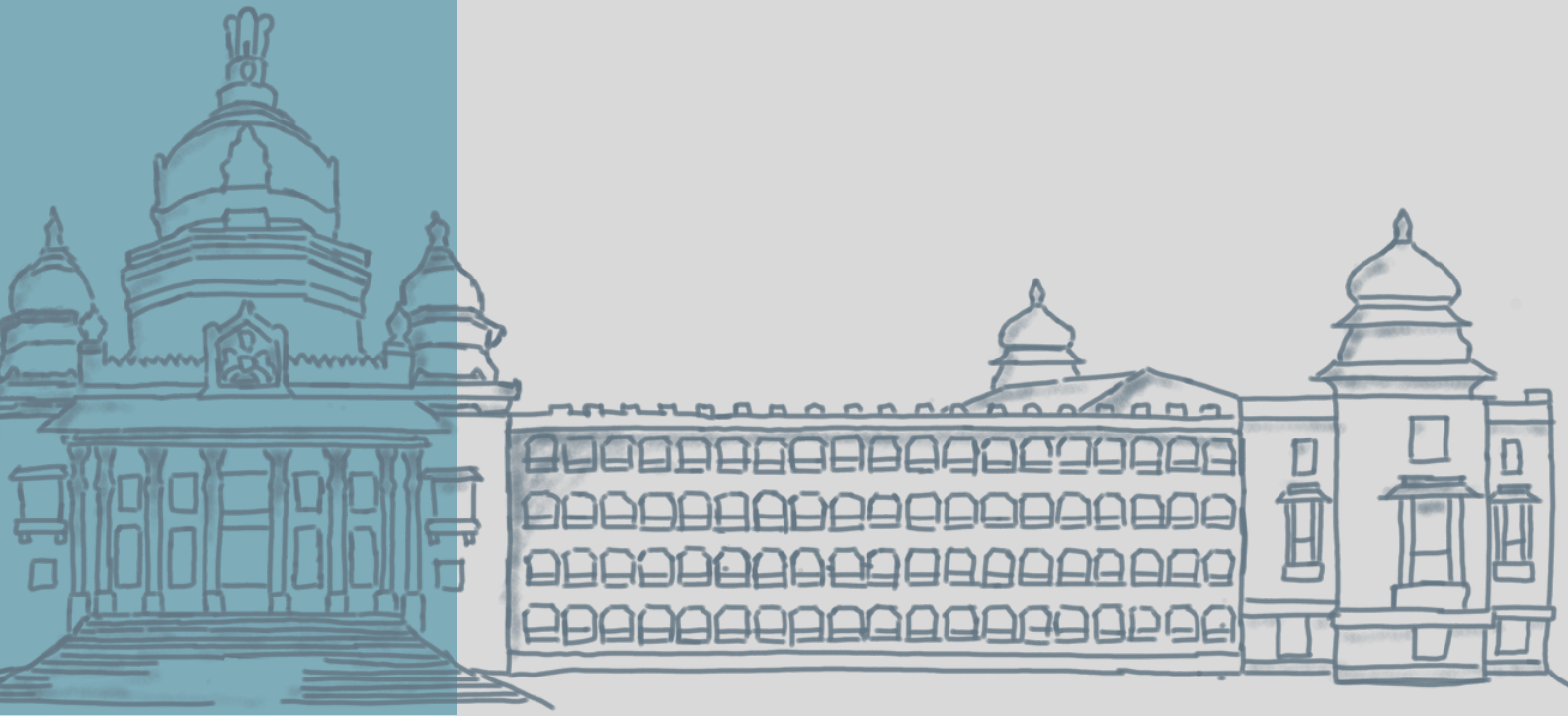
In each of the preliminary rounds, teams shall have 5 minutes for the Post Consultation Session. In the semi-final and final round, 10 minutes shall be provided to each team for the same. This Post Consultation Round is *in addition* to the time mentioned above.



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 any other relevant materials into the room.

CLIENT COUNSELLING SEGMENT



NEGOTIATION SEGMENT

COMPOSITION OF TEAMS

Each team shall consist of two students.

NATURE OF SEGMENT

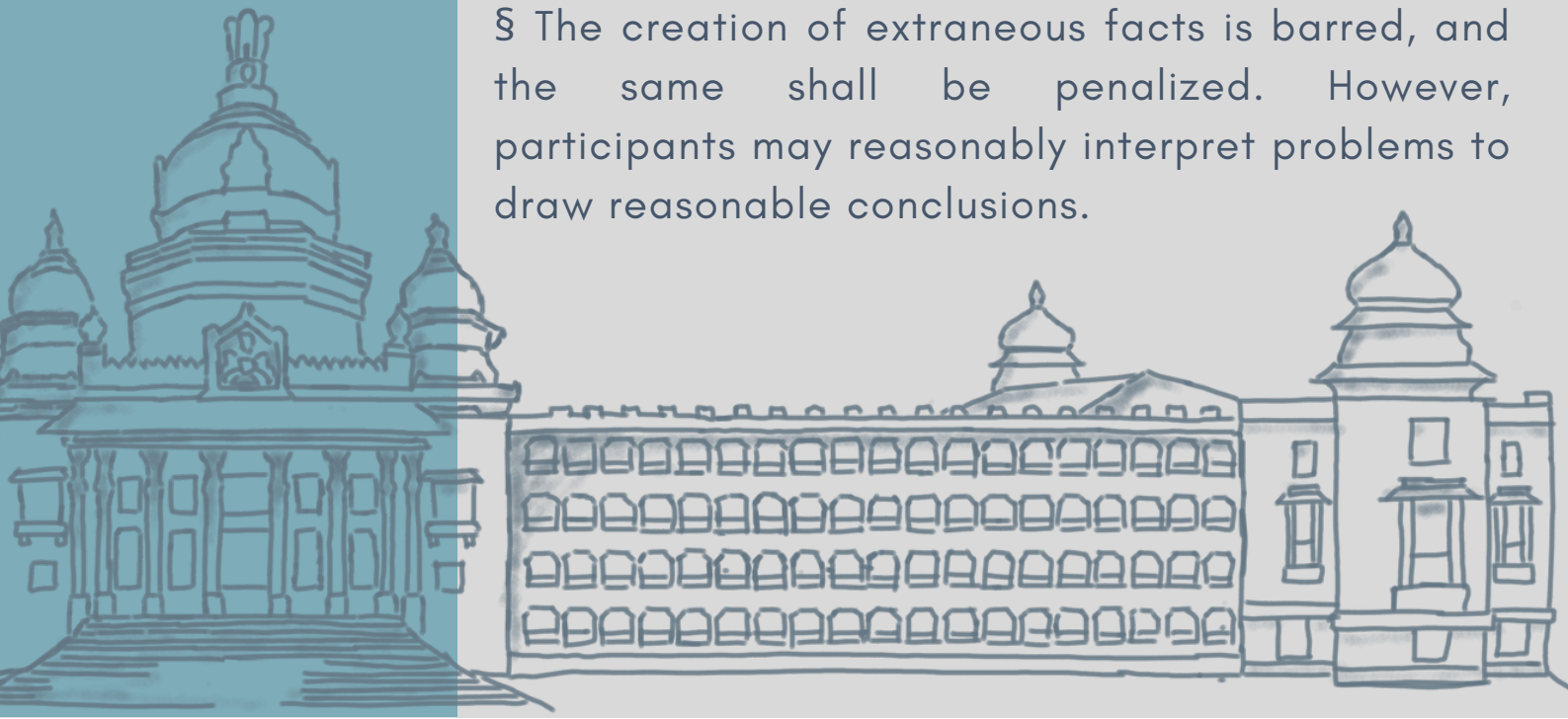
§ The segment seeks to simulate a negotiation between teams based on some common facts and different confidential information privy to each side.

§ Teams are allowed to be accompanied by a coach who shall be permitted to discuss the confidential information with their respective teams during their preparation time.

§ The coach shall be permitted to watch the round of their respective team but shall not be allowed to communicate with the team during the round.

§ Role allocation shall be made clear within each problem.

§ The creation of extraneous facts is barred, and the same shall be penalized. However, participants may reasonably interpret problems to draw reasonable conclusions.



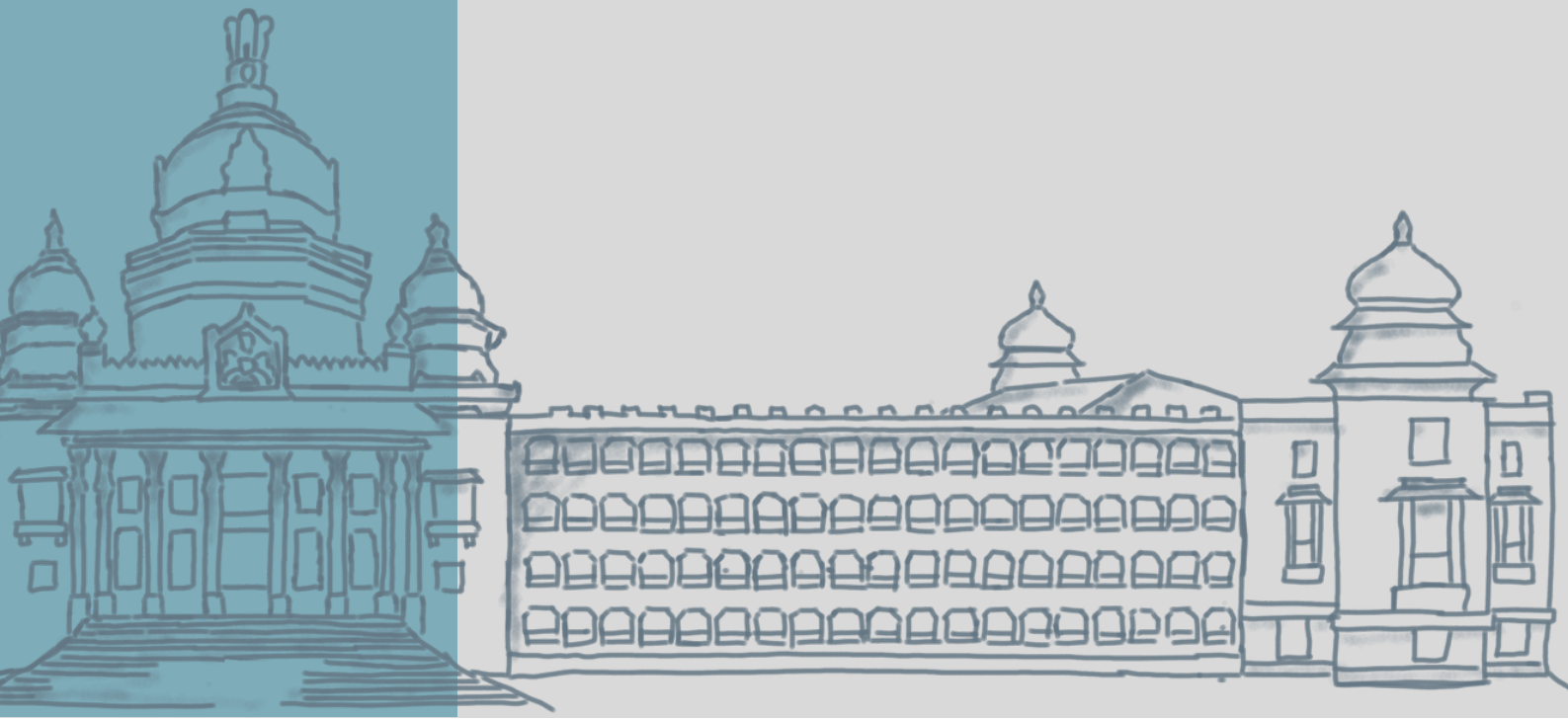
NEGOTIATION SEGMENT

PROBLEMS

§ The general set of facts for the preliminary rounds shall be released in advance. During the Preliminary Rounds and Quarter Final Rounds, the party that a team shall represent during a round will be intimated to them 30 minutes prior to the commencement of the rounds. The confidential information for the same shall also be released at such time.

§ The confidential information for the semi-final rounds shall be released 40 minutes prior to the round whereas the confidential information for the final rounds shall be released 60 minutes before the commencement of the round.

§ It is clarified that the amount of time available to the participants after release of confidential information in any round may be changed at the discretion of the ADR Board and the same shall be notified in advance.



NEGOTIATION SEGMENT

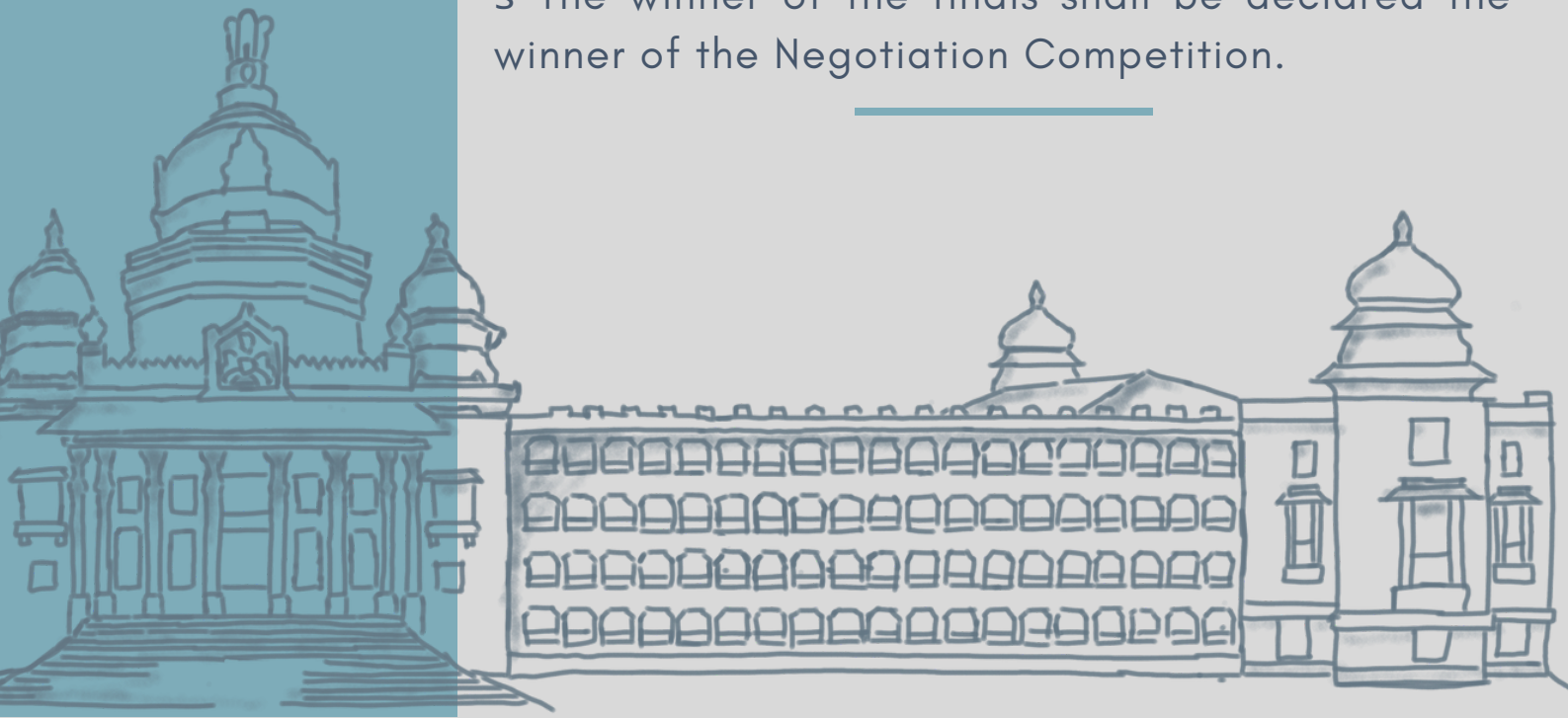
ROUNDS

§ The competition shall consist of two preliminary rounds, following which, eight teams with the highest cumulative relative scores shall proceed to the quarter-final round. The match-ups of the post-break rounds shall be on the basis of reverse power allocation.

§ Qualification of teams from the quarter-final round to the semi-final and subsequently from the semi-final to the final round shall be on the principle of knockouts, based on the decision given by a majority of the panel of judges.

§ The winner of the finals shall be declared on the basis of the decision given by a majority of the panel of judges. In case of a split decision amongst the panel in the knock out round, the scores of the teams per all the judges on the panel will be added and the team with the higher score would win that round.

§ The winner of the finals shall be declared the winner of the Negotiation Competition.



TIME LIMITS

§ Preliminary Round I and II - 40 minutes

§ Quarter Final Round- 50 minutes

§ Semi-Final Rounds - 60 minutes

§ Final Rounds - 75 minutes

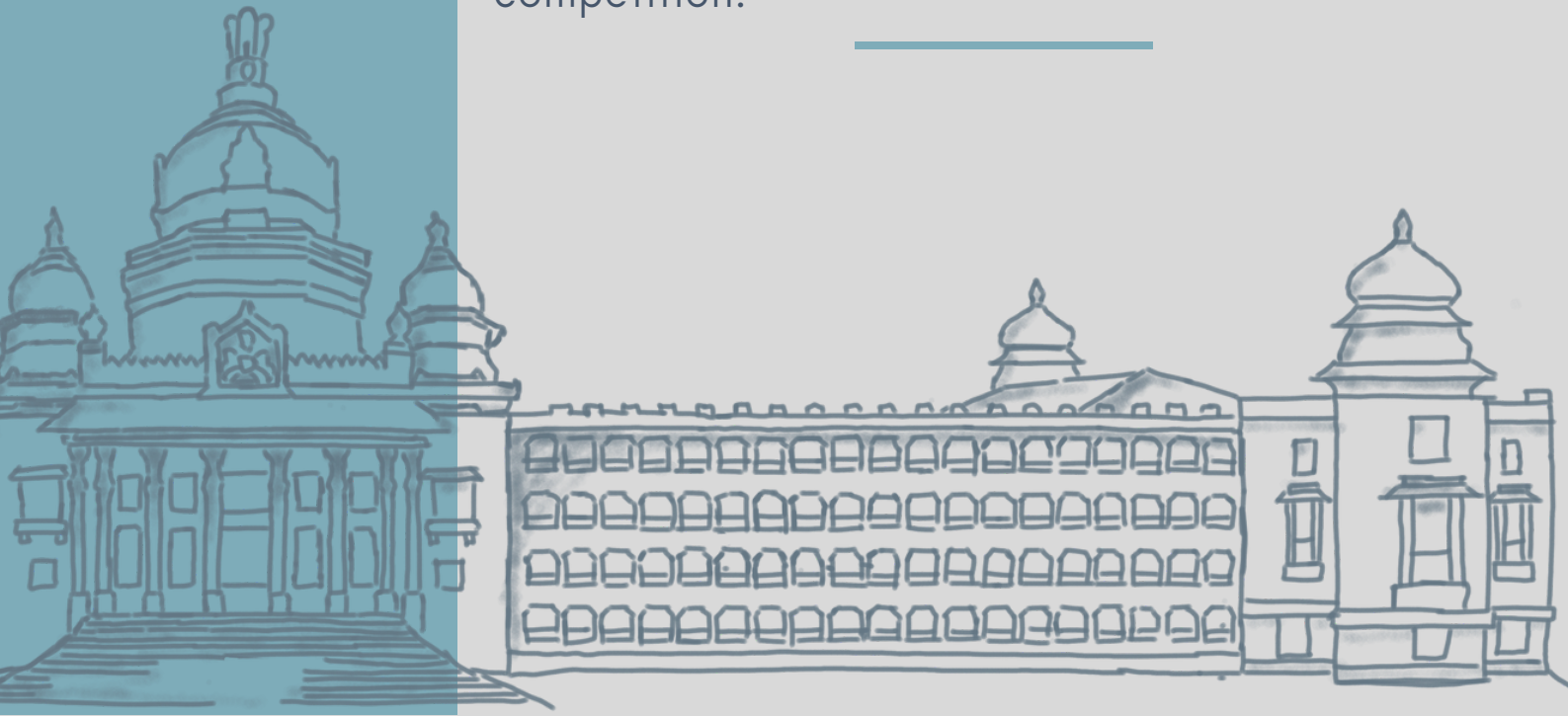
Provided, that the time limits may be changed at the discretion of the ADR Board before the release of the confidential information.

NEGOTIATION SEGMENT

CONFIDENTIAL INFORMATION

§ The teams shall not disclose their confidential information to any other participant throughout the competition.

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



COMPOSITION OF TEAMS

Client-Attorney Segment

§ Each participating team shall comprise of 2-4 students.

§ In a round, any two members shall play the roles of client and attorney, or attorney and attorney, based on the facts of the problem. They may interchange these roles amongst themselves or amongst the other two members for the subsequent rounds.

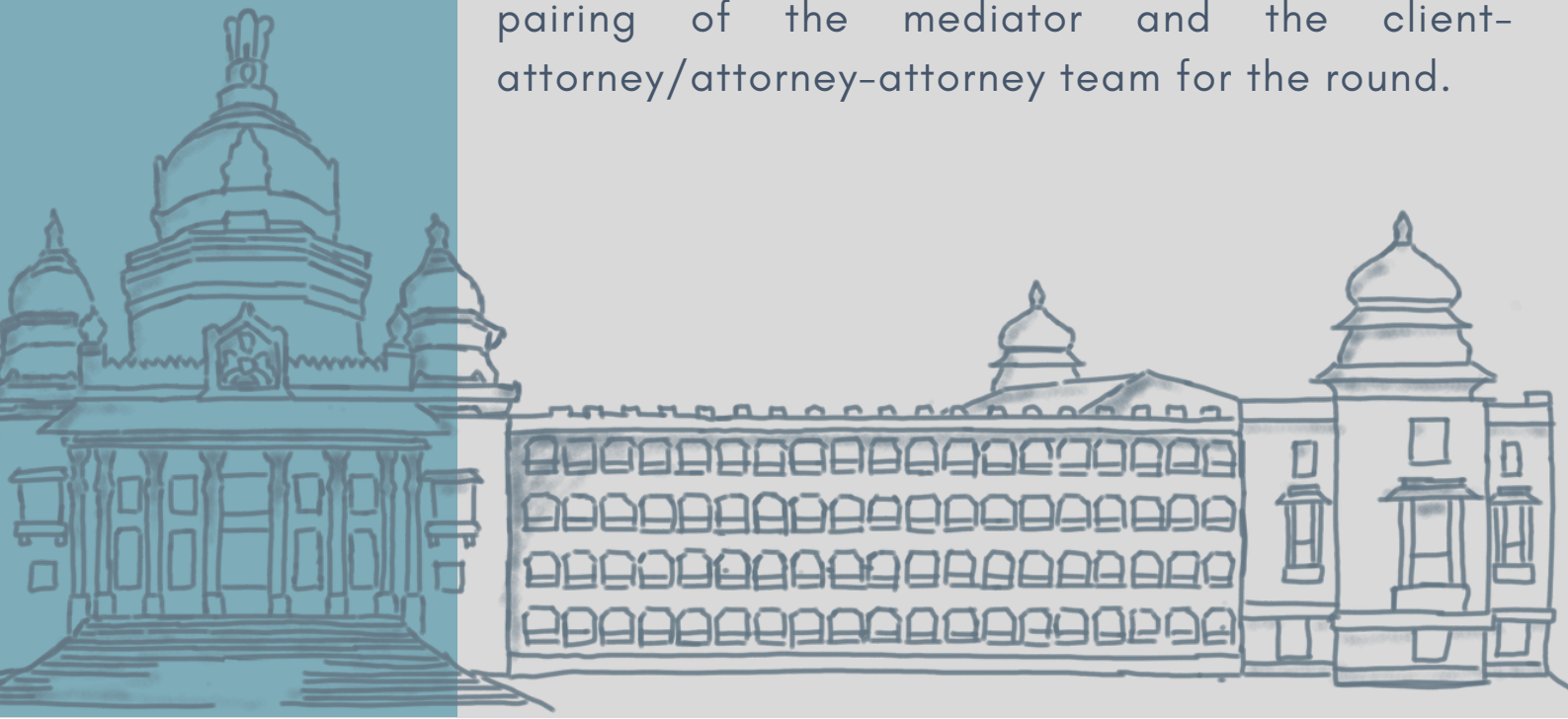
Mediator Segment

§ Each participating team shall comprise of 1-2 students.

Provided, that the client-attorney/attorney-attorney pair and a mediator from the same university shall not participate in the same room in a particular round.

In the event that a mediator and a client-attorney/attorney-attorney pair from the same college have been matched for a round, the ADR Board, NLSIU reserves the right to change the pairing of the mediator and the client-attorney/attorney-attorney team for the round.

MEDIATION (CLIENT- ATTORNEY/ ATTORNEY- ATTORNEY AND MEDIATOR) SEGMENT





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MEDIATION (CLIENT- ATTORNEY/ ATTORNEY- ATTORNEY AND MEDIATOR) SEGMENT

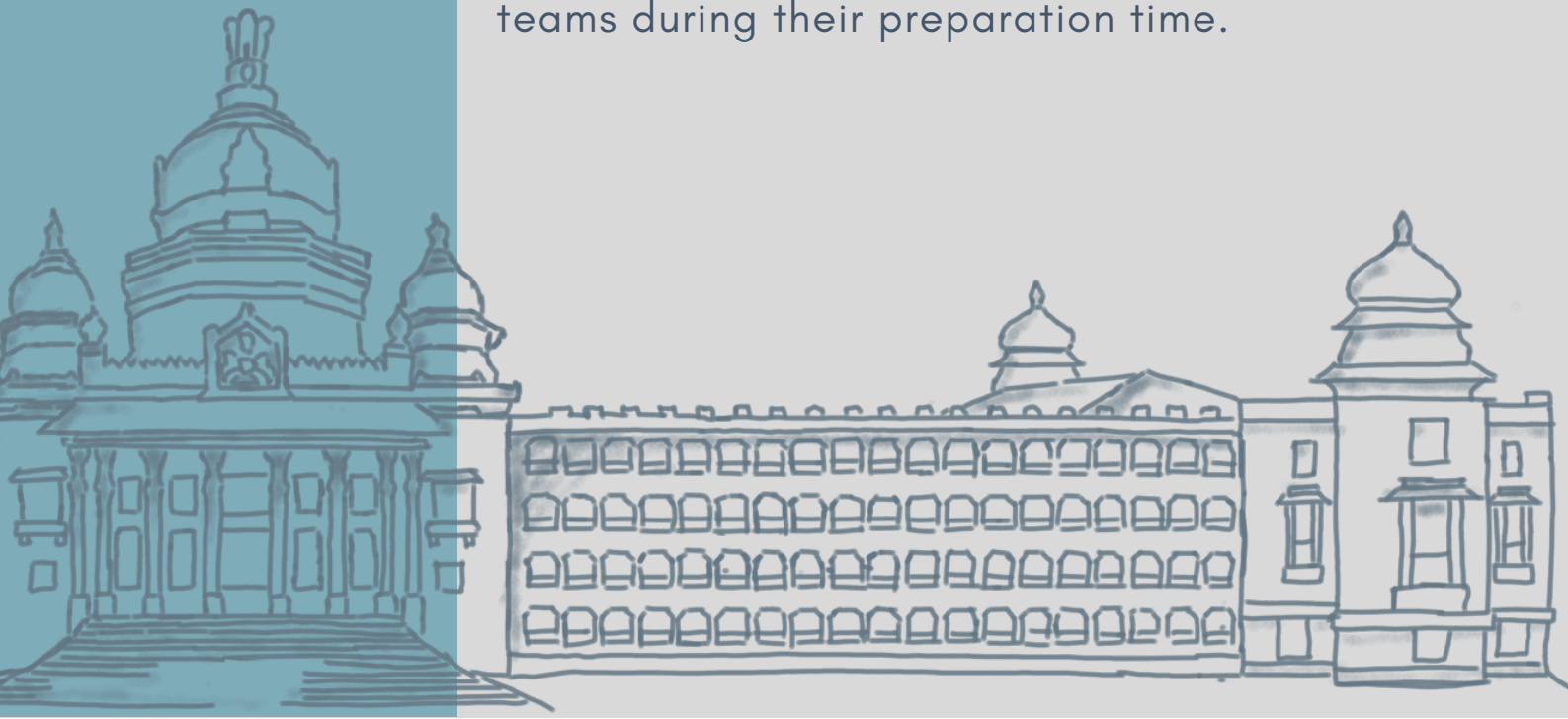
§ The client-attorney/attorney-attorney pair and mediator representing a university shall be considered to be two distinct teams and the qualification of one does not guarantee or depend on the qualification of the other.

NATURE OF COMPETITION

§ A Mediation session shall consist of two competing teams, with two team members 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 a mediator.

§ Each round shall have a set of common facts and different confidential information for each side. Mediators shall only be entitled to common facts, and confidential information shall not be shared with them at any time before the round.

§ Teams are allowed to be accompanied by a coach who shall be permitted to discuss the confidential information with their respective teams during their preparation time.



**MEDIATION
(CLIENT-
ATTORNEY/
ATTORNEY-
ATTORNEY AND
MEDIATOR)
SEGMENT**

§ The coach shall be permitted to watch the round of their respective team but shall not be allowed to communicate with the team during the round.

§ Role allocation shall be made clear within each problem.

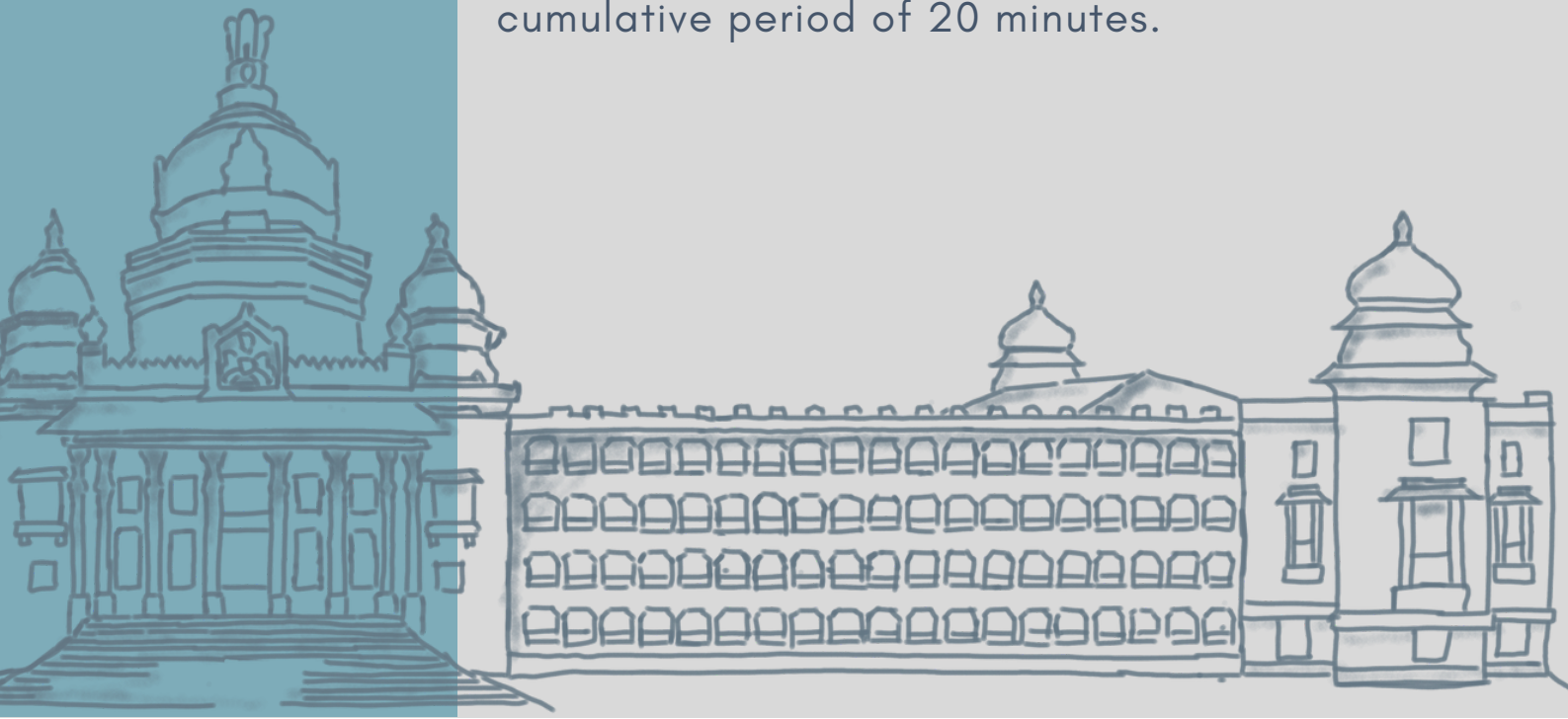
§ The mediators may conduct a caucus.

Provided, that in the preliminary rounds, each mediator may call as many caucuses as they deem fit, for a cumulative total period of 5 minutes each.

Provided, that in the quarter-final rounds, the mediator may call as many caucuses as they deem fit, for a cumulative total period of 10 minutes.

Provided, that in the semi-final rounds, the mediator may call as many caucuses as they deem fit, for a cumulative period of 15 minutes.

Provided, that in the final round, the mediator may call as many caucuses as they deem fit, for a cumulative period of 20 minutes.



**MEDIATION
(CLIENT-
ATTORNEY/
ATTORNEY-
ATTORNEY AND
MEDIATOR)
SEGMENT**

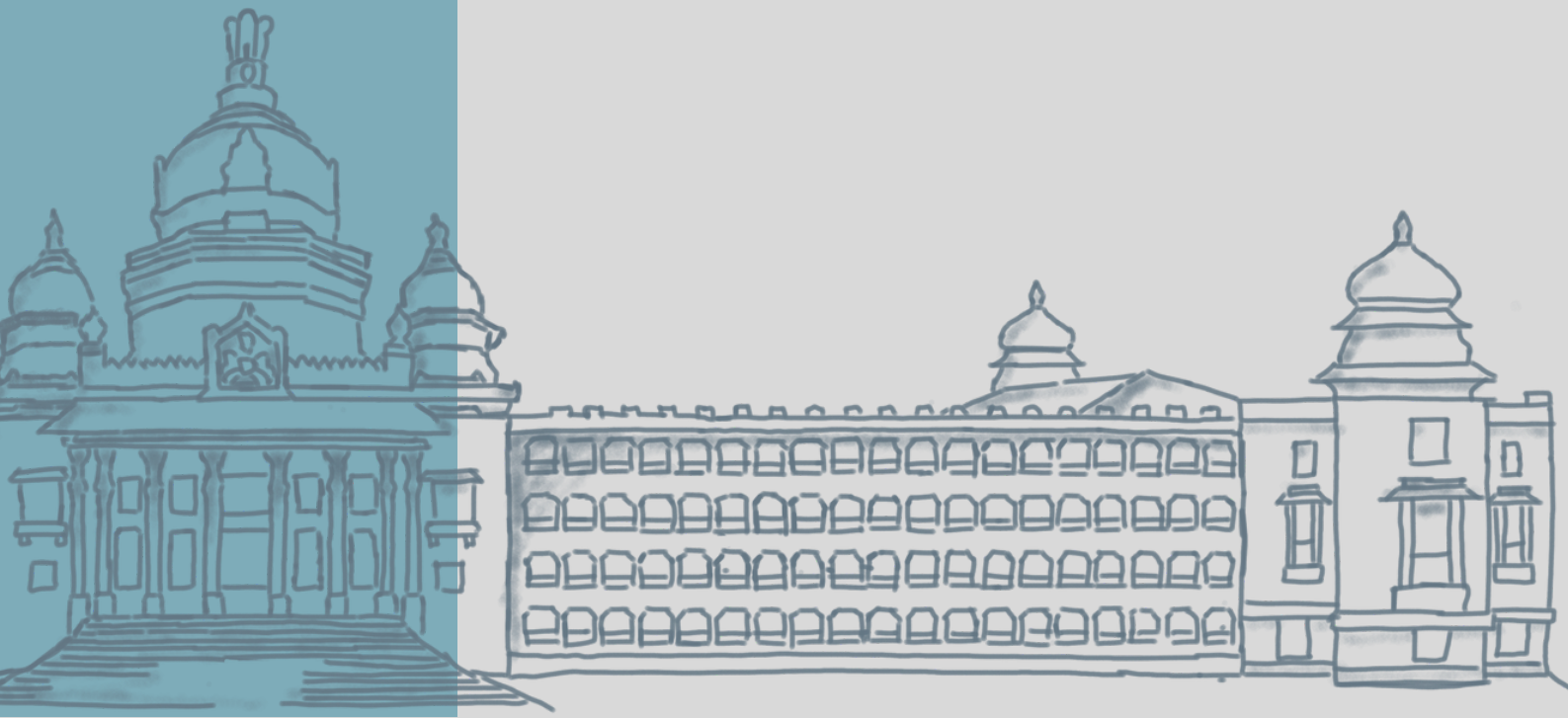
§ The mediator or any member of either team may call a cross-caucus.

Provided, that the aforementioned delineation of timings with respect to regular caucuses also applies to cross-caucuses.

Explanation: A cross-caucus refers to a private session which involves the mediator (calling for the cross-caucus) and any one participant from each team.

§ Creation of extraneous facts is not permitted and teams shall be penalized for the same.

However, teams may reasonably interpret the problem and draw reasonable conclusions.





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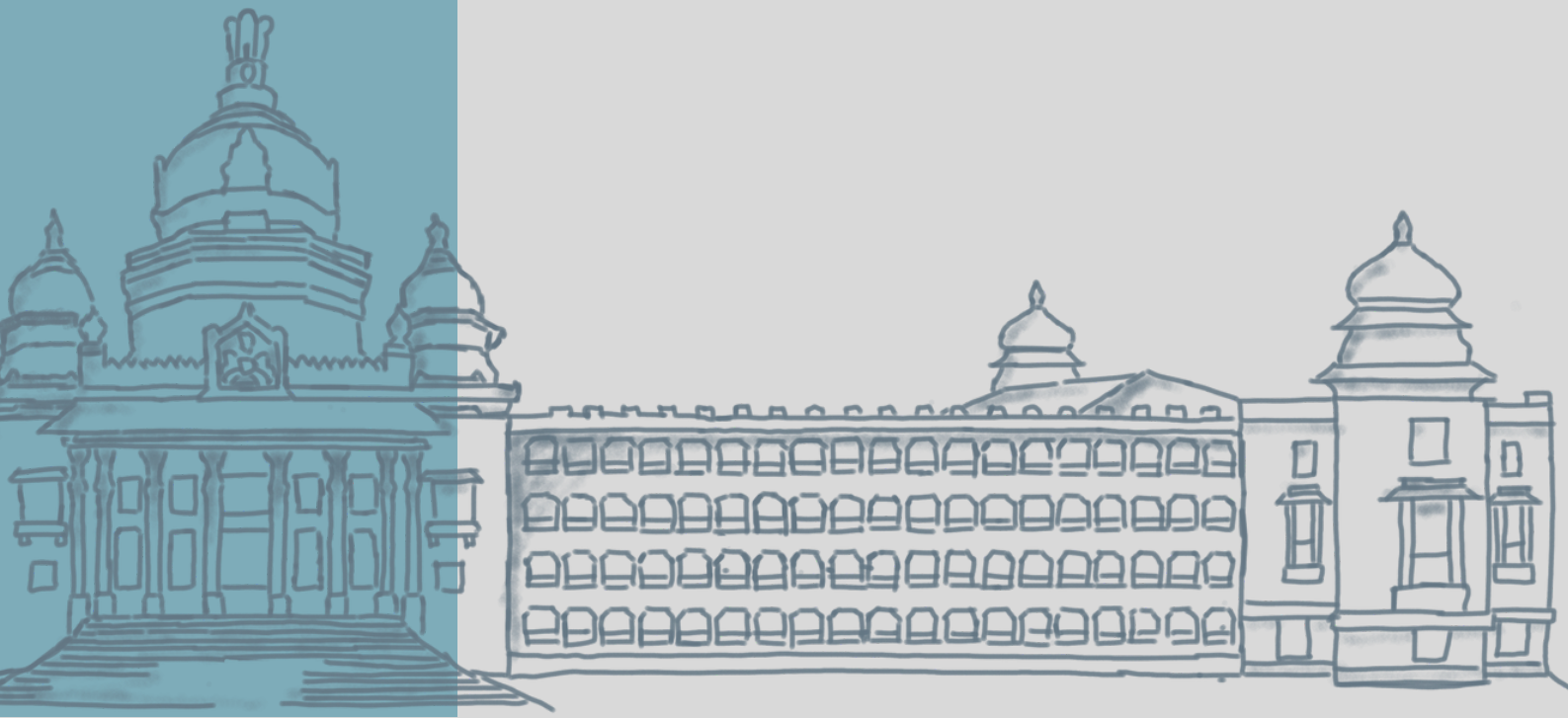
MEDIATION (CLIENT- ATTORNEY/ ATTORNEY- ATTORNEY AND MEDIATOR) SEGMENT

PROBLEMS

§ The general set of facts for the preliminary rounds and quarter final rounds shall be released in advance. The party that the team shall represent during a round will be intimated to them 30 minutes prior to the commencement of the preliminary rounds. The confidential information shall also be released at such time.

§ The confidential information for the semi-final rounds shall be released 40 minutes prior to the round whereas the confidential information for the final rounds shall be released 60 minutes before the commencement of the round.

It is clarified that the amount of time available to the participants after release of confidential information in any round, may be changed at the discretion of the ADR Board and the same shall be notified in advance.

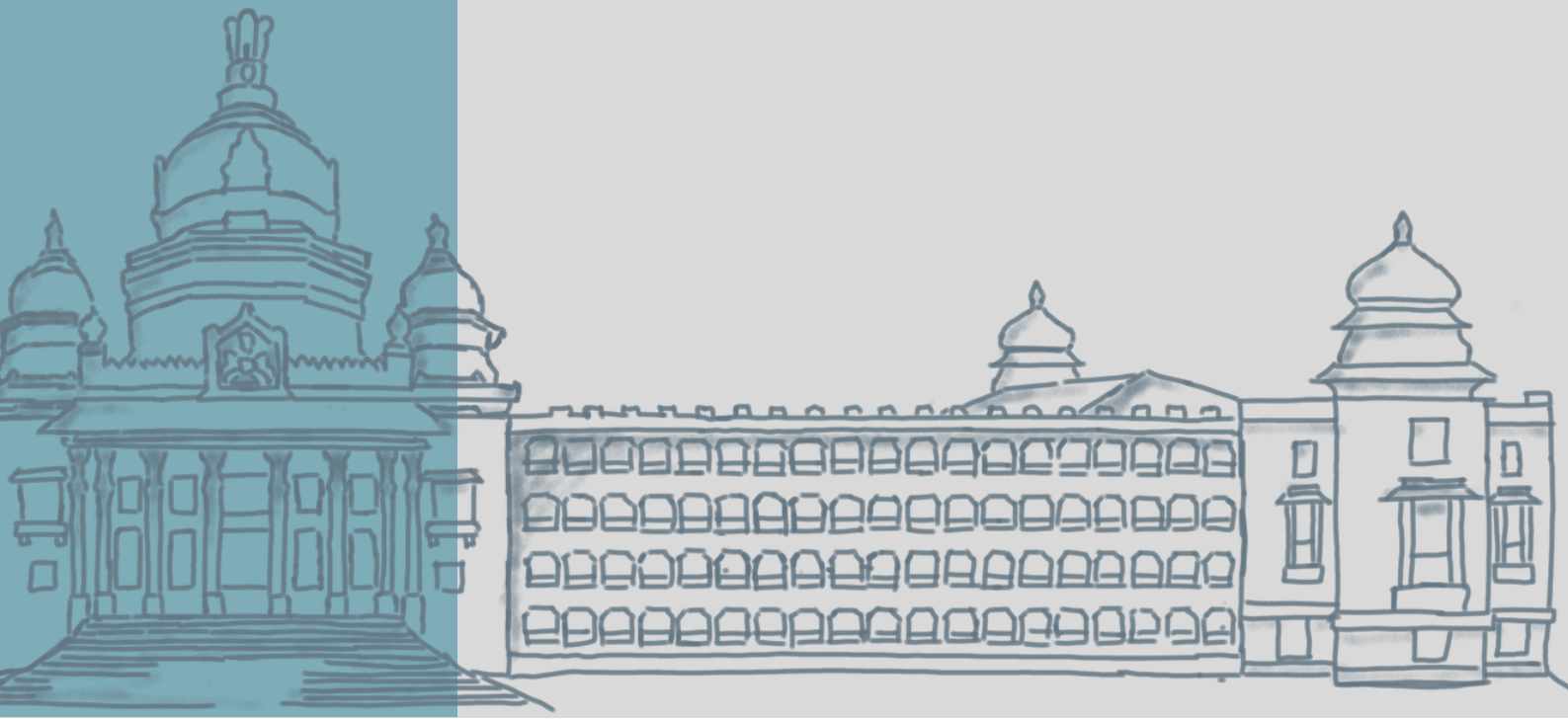


MEDIATION (CLIENT- ATTORNEY/ ATTORNEY- ATTORNEY AND MEDIATOR) SEGMENT

ROUNDS

§ The competition shall consist of two preliminary rounds, following which, eight teams from the Mediation (Client-Attorney/Attorney-Attorney) Segment with the highest cumulative relative scores shall proceed to the quarter-final rounds. Moreover, following the preliminary rounds, four teams from the Mediation (Mediator) Segment with the highest cumulative relative scores shall proceed to the quarter-final rounds. The matchups of the quarter-final rounds shall be on the basis of reverse power allocation.

§ Qualification of teams from the quarter-final round to the semi-final and subsequently from the semi-final to the final round shall be on the principle of knockouts, based on the decision given by a majority of the panel of judges. In case of a split decision amongst the panel in the knockout round, the scores of the teams per all the judges on the panel will be added and the team with the higher score would win that round.





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MEDIATION (CLIENT- ATTORNEY/ ATTORNEY- ATTORNEY AND MEDIATOR) SEGMENT

§ The Mediator's semi-final rounds will involve mediating the quarter-final rounds of the Mediation (Client-Attorney) segment, and the Mediator's final rounds will involve mediating the semi-final rounds of the Mediation (Client-Attorney) segment. The finals of the Mediation (Client-Attorney) segment shall be mediated by the winner of the Mediation (Mediator) segment.

§ The winner of the finals shall be declared as the winner of the Mediation (Client-Attorney) and Mediation (Mediator) Competitions.

TIME LIMITS

§ Preliminary Round I and II - 40 minutes

§ Quarter Final Round- 50 minutes

§ Semi-Final Rounds - 60 minutes

§ Final Rounds - 75 minutes

Provided, that the time limits may be changed at the discretion of the ADR Board before the release of the confidential information.





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CONFIDENTIAL INFORMATION

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

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

MEDIATION (CLIENT- ATTORNEY/ ATTORNEY- ATTORNEY AND MEDIATOR) SEGMENT

