

NATIONAL LAW SCHOOL

**NEGOTIATION, MEDIATION &  
CLIENT COUNSELLING  
COMPETITION**

OFFICIAL

# Rulebook

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# General

# 01

## 1.1. COMPETITION FORMAT

- 1.1.1.** For all four segments, the teams shall be allotted team codes. The matchups shall be released on the basis of these team codes.
- 1.1.2.** Each team shall compete in two preliminary rounds, which will be held Online across two days (11<sup>th</sup> – 12<sup>th</sup> May 2024).
- 1.1.3.** 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. All post-break rounds shall be held at the NLSIU campus on 13<sup>th</sup> July 2024.
- 1.1.4.** In the event of a tie between two teams, the tie shall be resolved on the basis of the aggregate points of certain components in the score sheets of all judges assessing both the preliminary rounds. The aforementioned components shall be notified in the score sheet that shall be released to the participants in advance.
- 1.1.5.** The matchups 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... G and H qualify (in that order on the basis of rank), the match ups shall be A versus H, B versus G, and so on.*
- 1.1.6.** All post-break rounds shall be knockout rounds, with the team winning their respective round proceeding to the next round.

## 1.2. OFFICIAL LANGUAGE

- 1.2.1.** The Official Language of the competition shall be English. All submissions before the judges shall be in English.

## 1.3. CODE OF CONDUCT

- 1.3.1.** The ADR Board, NLSIU reserves the right to disqualify any team or impose any other penalty for any kind of misconduct on the part of any participant during the competition. In case of any doubt or dispute, the decision of the ADR Board shall be final.
- 1.3.2.** Misconduct includes, but is not restricted to:
- 1.3.2.1. Disclosure of identity to other participants during the course of the round or to any judge.
  - 1.3.2.2. Scouting and sharing confidential information or particulars of the problems.
  - 1.3.2.3. Any attempt to obtain confidential information of Negotiation or Mediation problems or to obtain confidential problem particulars with regard to the Client Counselling segment.
  - 1.3.2.4. Contacting the drafters of the problems or any other individuals who are expressly barred from consultation.
  - 1.3.2.5. Any other conduct which may give a team an unfair advantage over the other teams.

All teams, participants, and assessors are bound by the NLSIU Code to Combat Sexual Harassment, 2019. Any violation of the same will result in strict action as per the Code. [The code can be accessed here.](#)

## **1.4. GRIEVANCE REDRESSAL**

- 1.4.1.** All grievances shall be addressed to the Convenor and Joint Convenor, Alternative Dispute Resolution Board, NLSIU. Their decision regarding the same shall be final.

## **1.5. POWER TO REMOVE DIFFICULTIES**

- 1.5.1.** The ADR Board 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.

## **1.6. DRESS CODE**

- 1.6.1.** Each participant shall be dressed in formal (Indian or Western) for the duration of the Competition.

## **1.7. PHOTOGRAPHY / FILMING**

- 1.7.1.** Participants and Judges are deemed to have agreed to the use of photography and videorecording by the ADR Board during the entire duration of NLS NMC 2024. The ADR Board reserves the right to record all rounds conducted during the competition. In case any judge in the Preliminary Rounds is unable to connect or drops off the call during the round, they will be sent the recording and asked to evaluate the teams on the basis of the same.
- 1.7.2.** The ADR Board reserves the right to livestream the Final Rounds of each segment on their social media handles and the participants and judges are deemed to have consented to this.

- 1.7.3.** Any individual seeking exclusions to the abovementioned points of photography and videorecording may convey the same to the ADR Board by sending an email to **adrboard@nls.ac.in** OR **nmc@nls.ac.in**, with the subject 'Request for exclusion from Photography/Filming', no later than the commencement of the competition.

## **1.8. DIGITAL GUIDELINES**

- 1.8.1.** This section shall be applicable to the preliminary rounds of all segments of the competition.
- 1.8.2.** The preliminary rounds of the X NLS NMC will be conducted on the video-conferencing platform, Zoom. All the post-break rounds will be conducted on the NLSIU Campus physically.
- 1.8.3.** The Mode of Communication for the preliminary rounds between the Host Institution and members of Selected Teams shall be email and 'WhatsApp Messenger' application, unless specified otherwise.
- 1.8.4.** For the preliminary rounds, every team is required to have the necessary electronic equipment along with a stable internet connection. Any issues with respect to the device failure, connectivity issues etc. shall be the responsibility of the team itself.
- 1.8.5.** Every team shall, as far as possible, participate in the session while being seated in rooms with a professional / solid colour background. The camera of the electronic gadget being used by the team must clearly show the participants and the surroundings of the room they are seated in.
- 1.8.6.** In the event of any of the participants in a round facing technical/ audio-video/ network issues, such that they exit the Competition Room, or are unable to engage properly, a time of 5-7 minutes shall be provided for said participants to reconnect with alternative internet connection/s. The

affected participant must immediately contact the ADR Board in case of any such issue and provide updates regarding the problem at their respective end.

**1.8.7.** Use of any electronic devices, other than the device used to access the Competition's Videoconferencing platform, is not permitted during the round. Photographing and screen recording by the teams during the round is also forbidden.

**1.8.8.** Members of the same team need not login from the same device or from the same place for the purpose of the preliminary rounds.

## **1.9. RESIDUAL**

**1.9.1.** The ADR Board may take such other measures as 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.





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# Negotiation

# 02

## **2.1. COMPOSITION OF TEAMS**

- 2.1.1.** Each team shall consist of two students.

## **2.2. NATURE OF COMPETITION**

- 2.2.1.** The segment seeks to simulate a negotiation between teams based on some common facts (General Information) and information privy to each side (Confidential Information).

## **2.3. ROUNDS**

- 2.3.1.** The competition shall consist of two preliminary rounds (online), following which the top eight teams with the highest scores shall proceed to the Quarterfinals (offline). The matchups of the post-break rounds shall be based on reverse power allocation.
- 2.3.2.** Qualification of teams from the Quarterfinals to the Semifinals and subsequently from the Semifinals to the Finals shall be on the principle of knockouts, based on the decision given by a majority of the panel of judges.
- 2.3.3.** In case of a split decision amongst the panel in the Quarterfinals or Semifinal rounds, the scores of the teams per all the judges on the panel will be added and the team with the higher score will win the round. The winner of the Finals shall be declared based on the decision given by a majority of the panel of judges.

## 2.4. PROBLEMS

- 2.4.1. The general set of facts shall be released in advance. The party that a team will represent during a round will be intimated to them at the same time as the Confidential Information is made available to them.
- 2.4.2. The creation of extraneous facts is not permitted. However, participants may interpret problems to draw reasonable conclusions.
- 2.4.3. For both the preliminary rounds, the confidential information will be sent to the teams on **9 May 2024 at 11:59 PM (IST)**.
- 2.4.4. For the post-break rounds, the Confidential Information will be shared with the team on campus physically prior to the commencement of the round.

**Quarterfinals:** The Confidential Information will be released 30 minutes prior.

**Semifinals:** The Confidential Information will be released 45 minutes prior.

**Finals:** The Confidential Information will be released 45 minutes prior.

- 2.4.5. For all post-break rounds, the teams will not be allowed to use any electronic devices for research or communicate with any third person during the time after the release of confidential information and for the duration of the round.
- 2.4.6. The amount of time available to the participants after release of confidential information may be changed at the discretion of the ADR Board. However, the Board shall ensure that the teams receive the same amount of time.

- 2.4.7.** 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.

## **2.5. ROUND DURATION**

- 2.5.1.** Preliminary Round I and II (online) – 40 minutes
- 2.5.2.** Quarter Final Round – 40 minutes
- 2.5.3.** Semi-Final Rounds – 60 minutes
- 2.5.4.** Final Rounds – 60 minutes
- 2.5.5.** Provided that the round duration may be changed at the discretion of the ADR Board before the release of the confidential information.



# Mediation

# 03

### 3.1. COMPOSITION OF TEAMS

- 3.1.1. Each participating team in the Client-Attorney Segment shall consist of 2 students.
- 3.1.2. Each participating team in the Mediator Segment shall consist of 1 student.
- 3.1.3. The Client-Attorney pair and the Mediator representing a university shall be considered to be two distinct teams and the qualification of one neither guarantees nor depends on the qualification of the other.
- 3.1.4. As far as possible, no Mediator will mediate a round with a Client-Attorney team from the same university.

### 3.2. NATURE OF COMPETITION

- 3.2.1. A Mediation session shall comprise of two competing teams, with two team members on each side representing the parties to the dispute, aiming to negotiate a transaction or resolve a dispute in the presence of a mediator.
- 3.2.2. 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.

## 3.3. ROUNDS

### CLIENT-ATTORNEY SEGMENT

- 3.3.1. The competition shall consist of two preliminary rounds (online), following which the top eight teams with the highest scores shall proceed to the Quarter-Final rounds (offline). The matchups of the post-break rounds shall be based on reverse power allocation.
- 3.3.2. 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.
- 3.3.3. In case of a split decision amongst the panel in the Quarter-Final or Semi-Final rounds, 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 based on the decision given by a majority of the panel of judges.

### MEDIATION SEGMENT

- 3.3.4. The top 4 mediators with the highest scores from the preliminary rounds shall mediate the Quarter-Final rounds of the Mediation segment. The 4 Quarter-Final rounds shall be judged by 2 benches and thus, each bench would assess 2 mediators. Each bench shall decide and advance one mediator and thus, 2 mediators shall proceed to the Semi Final rounds. These 2 mediators shall mediate the Semi-Final rounds and one shall be adjudicated the winner.
- 3.3.5. The winning mediator shall mediate the Final round of the Mediation segment.

## 3.4. PROBLEMS

- 3.4.1. The general set of facts shall be released in advance. The party that a team will represent during a round will be intimated to them at the same time as the Confidential Information is made available to them.
- 3.4.2. The creation of extraneous facts is not permitted. However, participants may interpret problems to draw reasonable conclusions.
- 3.4.3. For both the preliminary rounds, the confidential information will be sent to the teams on **9 May 2024 at 11:59 PM (IST)**.
- 3.4.4. For the post-break rounds, the confidential information will be shared with the teams in-person prior to the commencement of their round.

**Quarterfinals:** The Confidential Information will be released 30 minutes prior.

**Semifinals:** The Confidential Information will be released 45 minutes prior.

**Finals:** The Confidential Information will be released 45 minutes prior.

- 3.4.5. For all post-break rounds, the teams will not be allowed to use any electronic devices for research or communication with any third person, after the release of the Confidential Information, as well as for the duration of their round.
- 3.4.6. 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, as long as it is ensured that the teams are receiving the same amount of time.
- 3.4.7. 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.

### **3.5. ROUND DURATION**

- 3.5.1.** Preliminary Round I and II (online) – 40 minutes
- 3.5.2.** Quarter Final Round – 40 minutes
- 3.5.3.** Semi-Final Rounds – 60 minutes
- 3.5.4.** Final Rounds – 60 minutes
- 3.5.5.** Provided that the round duration may be changed at the discretion of the ADR Board before the release of the confidential information.
- 3.5.6.** The Mediator and both the Client-Attorney Teams will have the opportunity to call for one caucus each during a Mediation Session. Each caucus may last for a maximum of five minutes each (for the Preliminary rounds and the Quarterfinals), and 7 minutes each (for the Semi-Finals and the Finals). During a caucus, the concerned Client-Attorney team will stay in the room while the other Client-Attorney team shall leave the room and remain outside till the caucus ends.
- 3.5.7.** The clock for the round will not be paused during the caucus i.e., the time for caucus is included within the total time stipulated for the rounds.



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# Client Counselling

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## 4.1. COMPOSITION OF TEAMS

- 4.1.1. Each team shall consist of two students.

## 4.2. NATURE OF THE SEGMENT

- 4.2.1. The segment shall simulate a client interview at a lawyer's office.
- 4.2.2. Each round shall be divided into two parts, i.e.
- 4.2.2.1. Client Consultation Session and
  - 4.2.2.2. Post-Consultation Session.
- 4.2.3. In the client consultation session, participants are expected to elicit information from the client, briefly analyze the issues identified, and tender preliminary recommendations and legal advice to the client.
- 4.2.4. The client consultation session shall be followed by a post-consultation session during which the participants, in the absence of the client, are expected to legally analyze the various issues that the case presents and discuss the future course of action. They shall 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.
- 4.2.5. All participants, regardless of their country of residence, shall be deemed to be subject to the professional rules of ethics and conduct as issued by the Bar Council of India under the **Advocates Act, 1961**.

### 4.3. ROUNDS

- 4.3.1.** The competition shall consist of two Preliminary Rounds (online), following which, four teams with the highest scores shall qualify for the Semi-Finals (offline). The winning teams of the Semi-Final rounds shall compete in the Finals.

### 4.4. COMPETITION TOPICS

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

### 4.5. ROUND DURATION

- 4.5.1.** The Client Consultation Sessions shall of the following duration:

Preliminary Rounds I and II – 25 minutes  
Semi-Final Rounds – 30 minutes  
Final Round – 45 minutes

- 4.5.2.** The Post Consultation Sessions shall of the following duration:

Preliminary Rounds I and II – 5 minutes  
Semi-Final Rounds – 10 minutes  
Final Round – 10 minutes

- 4.5.3.** This is *in addition* to the time specified for the Client Consultation Session.

## **4.6. USE OF PROPS AND EQUIPMENT**

- 4.6.1.** Participants are not expected to bring any props or office furnishings for use in the rounds. There shall be no weightage in the marking criteria for the same.