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## Attorney's Bar

*presents*

# 1st National Mediation Competition, 2023

in collaboration with MNLU Aurangabad

(23 June-25 June 2023)

### Knowledge Partners



Nishith Desai Associates  
LEGAL AND TAX COUNSELING WORLDWIDE

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# ABOUT

## **Attorney's Bar**

Attorney's Bar is a legal platform that provides a variety of resources and opportunities for law students and professionals to stay informed and grow in their field. The platform shares news updates and organizes events such as Moots, Courses, Workshops, and several other competitions which allow the legal fraternity to gain valuable knowledge and experience. The courses and workshops cover a wide range of legal topics and are designed to deepen an individual's understanding and skills in a specific area. Overall, Attorney's Bar serves as a valuable resource for law students and professionals looking to stay current and advance in their careers.

## **Maharashtra National Law University - Aurangabad**

The Maharashtra National Law University Aurangabad, one of the newly established NLUs, is located just outside the main city, spread over 50 acres and is set against the backdrop of lush green hills. The campus includes a freshly completed and functional 'Centre of Excellence' building, a frequently updated library, which is home to a near-exhaustive collection of books, a gym, a dining hall, student centres, open garden-like settings, 5 storey hostel buildings for both male and female students (to be completed in the coming months) and the provision of access to most of the renowned databases. This makes our NLU a force to reckon with and puts it on the path to achieve its objective of imparting quality legal education while stimulating the development of relevant auxiliary skills.

## **Centre for Alternative Dispute Resolution (CADR)**

The Centre for Alternative Dispute Resolution is an initiative to promote academic research on themes pertaining to Alternate Dispute Resolution. The Centre strives to contribute to the vision and mission of MNLUA of developing human beings who are technically sound, socially relevant, and emotionally strong by imbibing the skills of ADR methods like active listening, understanding other's points of view, discussions, empathy, rational thinking and community interest.

# ABOUT

## **Nishith Desai Associates**

Founded in 1990, Nishith Desai Associates (NDA) has earned the reputation of being Asia's most Innovative Law Firm and the go-to specialists for companies around the world, looking to conduct businesses in India and for Indian companies considering business expansion abroad. In fact, NDA has been the proud recipient of the Financial Times-RSG award 4 times in a row, (2014-2017) as the Most Innovative Indian Law Firm. Their forte lies in providing innovative and strategic advice on futuristic areas of law such as those relating to Blockchain and virtual currencies, Internet of Things (IOT), Aviation, Artificial Intelligence, Privatisation of Outer Space, Drones, Robotics, Virtual Reality, Ed- Tech, Med- Tech & Medical Devices and Nanotechnology with their key clientele comprising of marquee Fortune 500 corporations.

## **Indian Institute of Arbitration & Mediation (IIAM)**

IIAM Mediation and Conciliation is based on the Mediation Rules published by the Indian Institute of Arbitration & Mediation (IIAM), which is intended to help parties and mediators to take maximum advantage of the flexible procedures available in mediation for the resolution of disputes quickly and economically. IIAM is a member of Asia-Pacific Centre for Arbitration & Mediation ("APCAM") and where the parties seek to resolve any international dispute under the IIAM Mediation Rules, they are deemed to have agreed to resolve such disputes as per the Mediation Rules of APCAM. This help the business community to resolve their international commercial and business disputes by mediation under a single set of Mediation Rules and with a uniform fee structure in all the APCAM member countries to minimize the hassle of adhering to different laws or fees of different institutions.

## **PSL Advocates & Solicitors**

PSL Advocates & Solicitors is a new-age boutique law firm offering specialised legal services to leading Indian and multi-national corporations, Sovereign States, Financial Institutions, Government Instrumentalities including Public Sector Undertakings, Royal Families and Individuals.

PSL (formerly known as PAMASIS Law Chambers) was renamed in 2017 and has been consistently recognized and awarded by various international and national publications. The team at PSL comprises of a group of dynamic counsels with rich experience who come across as a close knit group that really value their relationships with clients. PSL offers its expertise in areas of International Arbitration, Litigation, Insolvency & Bankruptcy, White Collar Crimes and Corporate Commercial & Advisory. You can read our client testimonials here.

# ABOUT THE COMPETITION

Attorney's Bar is collaborating with Maharashtra National Law University, Aurangabad, in order to organize the '1st National Mediation Competition, 2023'. Through this competition, we aim to encourage the students to utilize their advocacy, analytical, and social skills to come together and work as a team and draw suitable alternatives to achieve a win for everyone.

The competition is aimed to furnish a strategy that indicates the ever-growing expectation of clients to utilize other cost-effective option dispute resolution devices to trial. It is an excellent program to examine the theory in practice. It enables the participants to embody all parties in the mediation procedure, i.e., the client, the mediation counsel, and the mediator

. This competition will also furnish an alternative for the participants to formulate the requisite lawyering and communication skills through several training sessions administered by business professionals. We are thrilled to start this tradition and make history with this edition.

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# DEFINITIONS

1. **“Breakout Rooms”** pertains to the virtual sub-meeting rooms on the designated virtual platforms (as agreed by the organizing committee) that are used for the main rounds, confidential information, distribution, and caucus breakout sessions.

2. **“Competition Problems”** pertains to the problem framed by the organizing committee to be used throughout the competition, in the competition sessions/rounds.

3. **“Competition”** pertains to the “National Mediation Competition, 2023” organized by Attorney’s Bar in collaboration with Maharashtra National Law University, Aurangabad.

4. **“Confidential Information Session”** pertains to the time in which the participating teams will analyze the confidential information. This time the paired mediators’ can discuss or plan the further strategy for the competition round.

5. **“Confidential Information”** pertains to the essential key points provided to the participating teams concerning the party they represent.

6. **“General Information”** pertains to factual information about a Competition Session, which shall be available to all competitive Teams.

7. **“General Lobby”** pertains to the virtually created room (as agreed by the Organizing Committee) where all parties and assessors will assemble before the Main Round commences and to which a Negotiating Team documents during a Caucus. The Session Supervisors and all members furnishing specialized aid to parties and assessors will continue existing in this General Lobby throughout. It can be considered a waiting room.

8. **“Administrators”** pertains to Attorney’s Bar and team.

9. **“Institution/s”** pertains to all Colleges and Universities across India.

10. **“Mediator”** pertains to a participant who has enrolled or is appointed as a Mediator

11. **“Main Round”** refers to the phase of the Competition Session instantly pursuing the Confidential Information Session, where the Teams are commissioned to reconcile the Competition Problem.

12. **“Session Supervisor”** pertains to the member/s of the Organizing Committee appointed as such, in charge of supervising the steady procedure of every Competition Session.

13. **“Negotiating Team”** pertains to a team comprising two participants - one Counsel and one Client - from the same institution.

14. **“Organizing Committee”** – The Organizing Committee for the Competition refers to Attorney’s Bar and team.

15. **“Penalty”** pertains to the reduction in marks or disqualification of participants or any other disciplinary procedure taken by the Organizing Committee on reporting any infringement of these regulations.

16. **“Problem Committee”** pertains to the Attorney’s Bar and team, accountable for drafting and participating in the Competition Problem(s).

17. **“Advanced Rounds”** refer to the Quarter-Final Round, Semi-Final Round and Final Round.

18. **“Registration Fee”** pertains to the expense to be paid by Selected Teams for participation in the competition.

19. **“Room Coordinator”** pertains to a member/s of the Organizing Committee appointed as such, in charge of supervising the steady procedure of a special Competition Room.

20. **“Rule”** pertains to a special individual regulation comprised in this Rulebook, along with the sub-rules/ suggests thereunder. The Participants are considered to understand and submit these regulations on the report of their enrollment in the Competition.

# GENERAL RULES AND INFORMATION



**Language** - The official language of the competition shall be English.



**Dates of the Competition** - 23-25 June 2023



**Dress Code** - The Dress code for Competition is Western Business Formal.



**Eligibility** - 1. All law students (5-year integrated or 3-year course) enrolled in any University in India are competent to register for the Competition.

2. Every university may enroll a maximum of six teams.

3. By pertaining to the competition, the teams shall be considered to have accepted the regulations, terms, and circumstances of the circumstances as asserted in this document.



**Team Composition**- Every participating team shall comprise of three students (one student as Client, one student as Counsel, and one student as the Mediator).



**Clarification**- Clarifications regarding the Negotiation Problem or the Rules may be requested online at [attorneysbar@gmail.com](mailto:attorneysbar@gmail.com).



**Anonymity**- Each team shall be allotted a team code upon final registration. Teams are forbidden from disclosing their identities to the judges or other participating teams, and must only use their respective team codes for all correspondence for the purpose of this Competition except with the administrators. Disclosure of identity shall ensure immediate disqualification.

# IMPORTANT DATES

PARTICULARS	DATE
Last date for Provisional Registration (revised)	31 May 2023
Last date for Final Registration	10 June 2023
Release of Problem	13 June 2023
Last date of Seeking Clarification	17 June 2023
Dates of the Competition	23-25 June 2023

- UNLESS SPECIFIED OTHERWISE, THE DATES MENTIONED SHALL REFER TO 11:59 PM (INDIAN STANDARD TIME/IST) ON THAT DATE. FOR E.G., THE LAST DATE FOR REGISTERING IS JUNE 10, 2023, WHICH SHALL BE INTERPRETED AS JUNE 10, 2023, 11:59 PM (IST).
- THE ADMINISTRATORS RETAIN THE AUTHORITY TO CHANGE THE DEADLINES FOR ANY INDIVIDUAL TEAM.



# REGISTRATION DETAILS

## General

- Each team shall provisionally register for the competition by filling out the online registration form latest by May 25, 2023. The online google form for Provisional Registration that needs to be filled is available at: <https://forms.gle/1W8oRX5DM9F5jw2u8>.
- The Organizing Committee will communicate the acceptance of the provisional registration and email the final registration form for the completion of registration formalities. The teams are strongly encouraged to complete the registration form at the earliest possible. The Final Registration form is also available at: <https://forms.gle/Zw5cR9vrt3RaEezCA>
- The registration form requires teams to specify the roles of each individual member. Once registered, a team will not be permitted to vary the composition of the team in any manner. Changes, if any, may only be made with the express permission of the administrators (at their discretion), if the due reason is shown for the same.
- The registration is restricted to a maximum of 40 teams for this competition.

## Registration Fees

1. The registration fee for the competition is INR 4,500. This fee is non-refundable and has to be paid by all teams.
2. There shall be no refund of the registration fee under any circumstance unless the competition is called off.
3. The administrators reserve the absolute discretion to refuse or cancel the registration of any team.

## Bank Details

The participants can send the money through-

- a. BHIM-UPI supported apps, like Google pay or Phone Pay on the number – 9690129566
- b. NEFT or any other possible way on the account:
  - Account Number – 1070104000116657
  - Bank Name - IDBI Bank
  - IFSC CODE – IBKL0001070
  - Name of the Account Holder – Abhinav Kathuria

# COMPETITION FORMAT

## General

- The competition shall comprise of two Preliminary Rounds, pursued by the Quarter-Finals, Semi-Finals, and Final rounds.
- The Preliminary Rounds shall be merit-based rounds. The advance rounds will be knock-out rounds.

## Structure

1. The Competition will be held virtually over an online platform, which shall duly be communicated to the teams.
2. Four Participating Teams will participate in one Competition Round: Two Negotiating Teams (the Requesting and Responding Parties respectively), and two Mediators from two distinct Participating Teams.
3. The Team Members of a Negotiating Team need not be physically attending in the same room for the objective of participating in a Competition round/Session.
4. To avoid any conflict of interest, the Organizing Committee will attempt to ensure that the Mediators are not assigned to Competition Sessions in which any Negotiating Team belongs to the same Institution as that of the Mediator.

## Caucus

1. A Caucus (i.e., a personal session) may be named by a Negotiating Team or by the Mediators.
2. During the interval of the Main Round, the Breakout Room assigned for the Rounds shall purpose as the Caucus Breakout Room.
3. The Room Coordinator will promote the activity of parties to the General Lobby from the breakout room and vice-versa.
4. A Caucus may remain for a maximum of 5 minutes. The Mediators will be accountable for governing the Caucus and attaching to the time barrier. Nonetheless, in case the caucus gets on beyond the designated time period, participants will be evaluated on the timing, justification, and productivity of the expansion.
5. There is no barrier on the number of caucuses called. Likewise, it is not necessary to call for a caucus. It is up to the constraint of the negotiators and mediators to call for a Caucus. They will be examined on the timing, justification, and productivity of the caucus, if called for.

# COMPETITION ROUNDS- TIME AND GUIDELINES

## 1. TIME DIVISION

Sr. No	Rounds	Time Division
1	2 Preliminary Rounds	45 minutes
2	Quarter- Final Round	50 minutes
3	Semi- Final Round	60 minutes
4	Final Round	90 minutes

## 2. STRUCTAL GUIDELINES

### A. PRELIMINARY ROUNDS

1. All Negotiating Teams and Mediators will participate in two Preliminary Rounds.
2. During each Preliminary Round, 2 negotiation teams and 2 mediators shall participate. No mediator shall be enabled to participate in a match-up implicating their negotiation team.
3. Every session will be assessed and scored by Expert Assessors appointed by the Organizing Committee.

### B. ADVANCED ROUNDS

1. The Advanced Rounds shall be Knock-Out Rounds and each Negotiating Team/Mediator defeating in each room will authorize for the successive stages.
2. The positions played by the Negotiating Teams (Requesting /Responding party) and the pairings will be agreed upon by draw of lots.
3. The Organizing Committee reserves the right to make any differences to the equipment in order to prevent the Mediator and Negotiating Team from being the same team in the same Mediation Room.

# COMPETITION PROPOSITION

## General

1. Every Competition Problem comprises of General Information, allocated to all Teams, and Confidential Information for the Requesting Party and Responding Parties allocated before the respective Competition sessions.
2. There will be Five (5) different Competition Problems obtained during the Competition: different propositions for each round.

## Confidential Information (CI)

- The Confidential Information shall be emailed to the participants on the email ID's furnished, and
- The Negotiating Teams shall have access to the CI 30 minutes prior to the rounds

## Interpretation of Proposition

- The General Information on Competition Problems will be shared via mail.
- The Teams must depend merely on the facts remembered in the Competition Problem. Neither the Negotiating Teams nor the Mediators are authorized to establish any new facts or alter any of the facts of the Competition Problem but may make an adequate inference(s) only from the facts provided in the problem.
- Failure to stay within a reasonable interpretation of the Negotiation Proposition may result in a Penalty. In case of any doubt in the understanding or interpretation of any matter concerning the Competition, the decision of the Competition Administrator will be final and binding.
- The Organizing Committee has the single and sole right to administer anything and everything pertaining to any competition problem.

# SCORING & PENALTIES

## Scoring Criteria

1. Through the Competition, the Negotiating Teams and Mediators will be assessed and marked individually and may authorize for the successive Competition Sessions, unassisted of each other.
2. The achieving standards for Negotiating Teams and Mediators may be found in the Scoring Sheets.
3. TIE-BREAKERS
  - Negotiating Teams and Mediators will be ranked and assigned primarily for the purpose of overall scores.
  - In case of a tie in the score of two or more Negotiating Teams in the Preliminary Rounds or the Knock Out Rounds, the Negotiating Team that will progress to the next round shall be agreed on the purpose of (i) firstly, the total number of score sheets designating 'wins', and (ii) secondly, a considerable quantity of points scored during the joint session.
  - In case of a tie in the score of two or more Mediators in the Preliminary Rounds or the Knock Out Rounds, the Mediator who will progress to the next round shall be agreed on the basis of (i) firstly, the greatest number of scores ensured during Caucus and (ii) secondly, a considerable number of points scored in the Opening and Closing Statement.

## INFRINGEMENT OF THE RULES

- Any infringement of the regulations will be punished by the Organizing Committee, either by way of reduction of degrees or by disqualifying the entire Team from the Competition.
- Non-compliance with the teachings of the Organizing Committee by the member/s of any Selected Team shall occur in a liability, which be agreed by the Expert Assessors evaluating the respective Main Round.
- Every Penalty for any infringement of the regulation may be assessed on Teams by the Organizing Committee. The apprehensive Team will be provided a reasonable opportunity to indicate result in why penalty should not be assessed on it. The ruling of the Organizing Committee shall be final.

# MISCELLANEOUS RULES

1. The above regulations are accountable to alter and improvement as agreed by the organizing Committee. All measures will be undertaken for reasonable and standardized procedure of the Competition. The ruling of the Organizing Committee in all courses regarding the Competition shall be ultimate.
2. Information given to any participant of a team shall be deemed to be communicated to the whole team.
3. The Propositions are neither intended to nor attempt to resemble any incident or any person, living or dead. Any such resemblance is purely coincidental. The Propositions are a fictitious factual account prepared for the present Competition only and they do not attempt to influence or predict the outcome of any matter whatsoever.
4. Time and deadlines will pursue Indian Standard Time (IST). Rounds will be adjusted/scheduled, as far as possible, to avoid extreme inconvenience/ problems to teams and judges across different time zones.
5. The Organizing Committee, through the Rules Committee and the Organizing Committee, has the sole authority to settle ambiguities or inconsistencies pertaining to the Rules, if any.
6. The Administrators reserve the right to amend, alter, vary or change, in any manner whatsoever, the Rules governing the Competition, which would be communicated to the teams within a reasonable period.
7. All Communications, Queries and Clarifications in relation to the Competition may be emailed to [attorneysbar@gmail.com](mailto:attorneysbar@gmail.com). Any such examinations and clarifications by Selected Teams must remember their Team ID in the content of the email.

# PRIZES & AWARDS

PARTICULARS	CASH PRIZE
<b>Best Negotiating Team</b>	<b>INR 11,000/-</b>
<b>Best Mediator</b>	<b>INR 5,500/-</b>
<b>Runner-Up Negotiating Team</b>	<b>INR 5,500/-</b>
<b>Runner-Up Mediator</b>	<b>INR 2,500/-</b>
<b>Best Team in Preliminary Rounds</b>	<b>INR 4,000/-</b>

## Internship Opportunity

Internships may be offered awarded along with cash prizes to the wiing

**A. 3 internship slots at Nishit Desai Associates.**

**B. 6 Internship slots at PSL Advocates & Solicitors**

Any such decision pertaining to the same shall solely be taken by the organizing committee and law firm.

# Contact Us for Further Inquiries

**Any queries shall be directed to the following persons -**

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## Follow Us

Follow us on all social media platforms by clicking the below-provided link, and join the **WHATSAPP Groups** for regular updates from Attorney's Bar, via link available here: <https://chat.whatsapp.com/DP27n24dapqKzFz3NJnDP5>



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