

# AMITY LAW SCHOOL, NOIDA

ORGANISES



27<sup>th</sup> -28<sup>th</sup> SEPTEMBER 2018

VENUE : AMITY UNIVERSITY ,SECTOR 125, NOIDA ,  
UTTAR PRADESH

## **INTRODUCTION**

Amity Law School, Noida, (ALSN) an institution of Amity University, Uttar Pradesh, is founded on real life challenges. The institution not only focuses on the legal aptitude but also on the practicality while constituting our students with the wide knowledge of law. ALSN is fully geared to provide its students with an innovative and stimulating exposure. The students are outfitted to develop a legal temper. The high standards of legal education integrate their legal concepts with an incisive and practical understanding of law. The courses here develop the general skills and core competences essential for legal education. The focus is on development of the capacity to analyze and reason, oral and written communication, knowledge application, intellectual curiosity and professional integrity.

The concept of Alternative Dispute Resolution (ADR) is that it provides a substitute to the conventional methods of resolving disputes. ADR offers to resolve various types of matters including civil, commercial, industrial and family etc., where litigation takes years to settle the disputes. ADR provides the parties with a channel to initiate a dialogue and reach the settlement expeditiously and cost-effectively. Generally, ADR uses neutral third party who helps the parties to communicate, discuss the differences and resolve the dispute. It is a method which enables individuals and group to maintain co-operation, social order and provides opportunity to reduce hostility.

Traditional arbitration involved heads of trade guilds or other dominant authorities settling disputes. The modern innovation was to have commercial vendors of arbitrators, often ones with little or no social or political dominance over the parties. The advantage was that such persons are much more readily available. The disadvantage is that it does not involve the community of the parties. Private Judges and summary jury trials are cost- and time-saving processes that have had limited penetration due to the alternatives becoming more robust and accepted.

A National Level Tournament on ADR shall be conducted by the Alternative Dispute Resolution Society of Amity Law School, Noida. The Tournament shall extend to 2 days, and the following Competitions shall be organized, namely: Mediation-Arbitration & Arbitral Award Writing Competition, Negotiation Competition and Client Counseling Competition.

The main objective of the tournament is to explore the various aspects of dispute resolution, understand its intricacies and receive a more practical understanding of the alternate methods of dispute settlement out of court, which will ultimately promote the various mechanisms of ADR. It seeks to encourage the students to bring out their latent talents, providing them with a learning experience and building their competitive spirit.

### **Eligibility criteria**

- It shall be mandatory for the participating institution to participate in all the sub-events i.e., a total of 3 teams consisting of 2 members each shall participate in the tournament.
- The participants shall be students from any year/semester of the three or five year LLB course from any Law Institute recognized by the Bar Council of India.

### **Participant's Guide:**

- The registration fee is **Rs.1500/-** for each participant(exclusive of accommodation).
- The registration fees inclusive of accommodation charges is **Rs 2000/-** per participant.
- Soft copy of the necessary documents should be sent to- [adrt2018alsn@gmail.com](mailto:adrt2018alsn@gmail.com)
- The Demand Draft (DD) should be made in the favor of 'Amity University, Uttar Pradesh' payable at 'Noida'.
- **Demand draft along with a copy of registration form(Annexure-I), travel form (Annexure-II) and negotiation simulations should reach to the given address on the specified dates-**
- **Subject to be Written on the Envelope "For 2<sup>nd</sup> Amity National ADR Tournament"**

**To,  
Prof. (Dr.) Aditya Tomer  
Addl. Director/HOI,  
Amity Law School, Noida  
Room Number 404A, Fourth Floor, I-3 Block, Amity University, Sector-125  
Noida, Uttar Pradesh, Pin- 201 313**

- Each participating college or institution must take part in **all the events.**

Med-Arb & Arbitration Award Writing

Negotiation Competition

Client Counseling Competition

- The competition is capped to the participation of 36 institutes across the nation. The registration will be accepted on **first-cum-first-serve** basis.

### **GENERAL GUIDELINES**

#### **Composition**

- Each team shall consist of 6 members for the tournament i.e. 2 members for each Competition.
- Not more than one team per institution will be permitted for the competitions.
- Cross-teams are not permitted.
- One student will not be allowed to participate in more than one competition.
- The team code shall be allotted by the host institution prior to arrival of the participants and continue to be same till the final rounds.
- The team composition shall not be altered after registration.

#### **Language**

The language of the Tournament shall be English.

#### **Dress Code**

The dress code for the Tournament shall be strictly black and white (Indian / Western) formals.

### **FORMAT OF THE TOURNAMENT**

The Alternative Dispute Resolution Tournament, consists of the following competitions under its fold-

- Mediation-Arbitration & Arbitral Award Writing Competition
- Negotiation Competition

- Client Counseling Competition

**Scoring Criteria and Structure:** Each competition in the tournament shall carry definite weightage in terms of 'Points' to be adjudged as the Winner of the Tournament in the manner as mentioned below.

ADR TOURNAMENT POINTS	WINNERS	RUNNERS UP	SEMI FINALISTS	PARTICIPATION
Negotiation	10	8	5	2
Med-Arb*	10	8	5	2
Client counseling	10	8	5	2

\* The score of the Arbitral Award writing **shall not be considered** for the Tournament Points.

**Eligibility for ADR Tournament:**

- **The winner of the ADR Tournament will be given a Champions Trophy (Rolling).**The Teams will have to participate in all three Competitions in the ADR Tournament in order to be eligible to win the Rolling Trophy of the ADR Tournament.
- Penalty Deductions, if any, shall be considered in calculating the Tournament Points for the ADR Tournament.

**Tie-Breaker System:** In case of two or more institutes having the same number of tournament points, the ADR Champion shall be decided on the basis of the following tie breaker method-

- a. The institute with the highest number of wins.
- b. In case the tie continues, the institute with the highest number of runners-up.
- c. In case the tie still stands, the institute with the highest number of semi – finalist.
- d. In case the ties still continues, the institute with the highest number of quarter- finalist.
- e. If the tie still continues, the decision of the organizing committee shall after due considerations, decide the issue.

**Decision:** The decision of the judges shall be final and binding and the decision of the Organizing Committee shall be final and binding in regard to the interpretation of Rules and any query.



## **MED-ARB & AWARD WRITING COMPETITION**

### **1. Team Composition:**

The team shall comprise of one Mediator and one Arbitrator. The Arbitrator will also have to write an award once immediately after the preliminary round of Med-Arb Competition.

*Note: The Arbitration award shall be written on the basis of the observations during the Med-Arb round. Hence, the arbitrators are suggested to take notes during the proceeding.*

### **2. Brief about the event**

The Med-Arb Competition is a hybrid of Mediation and Arbitration. In the initial phase, the presiding neutral third-party acts as a mediator and coaches (or) encourages the parties towards a settlement. In the shadow of Med-Arb, the participants first, try and resolve the dispute through mediation, failing which the parties adopt the process of arbitration.

### **3. Time frame**

- Each participant (Mediator + Arbitrator) in the **Preliminary Round** will be allotted 10 minutes each (7+3) in which, 7 minutes is for the participant to resolve the dispute amicably and 3 minutes are for the judges to cross-question the participants.
- Each participant (Mediator + Arbitrator) in the **Quarter-final Round** will be allotted 12 minutes each (9+3) in which, 9 minutes is for the participant to resolve the dispute amicably and 3 minutes are for the judges to cross-question the participants.
- Each participant (Mediator + Arbitrator) in the **Semi-final Round** will be allotted 15 minutes each (12+3) in which, 12 minutes is for the participant to resolve the dispute amicably and 3 minutes are for the judges to cross-question the participants.
- Each participant (Mediator + Arbitrator) in the **Final Round** will be allotted 20 minutes each (15+5) in which, 15 minutes is for the participant to resolve the dispute amicably and 5 minutes are for the judges to cross-question the participants.

#### 4. Judging Criteria

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

Particulars:	Maximum Marks:
Presentation	15
Knowledge of Law	25
Application of Law	25
Mediation and Arbitration Skills	35
<b>Total</b>	<b>100</b>

\*Note: The decision of the Judges shall be final. Hence it cannot be disputed at any given stage of the Tournament.

#### **ARBITRAL AWARD WRITING**

##### **1. Brief about the event**

The Arbitral Award Writing Competition shall be conducted pursuant to Mediation Arbitration Session. The Format of the competition shall be written and decision of arbitrator shall be binding on parties and their decision would be called 'Award'.

##### **2. Competition Format:**

**Time frame:** Each participant shall be allotted 1 hour to write the complete award.

Books and Bare Acts are permitted. However, the same will not be provided by the host institute. Participants are required to bring their own material.

##### **3. Guidelines for the Competition:**

- Arbitrators should keep in mind at all times that awards are primarily written for the parties. For these purposes, awards should be in a format and layout which aids the communication of the arbitrator's decision and invites reading. They may be written as a flowing narrative dealing with the evidence as it arises naturally in the sequence of things or, where there are many different issues, on an issue-by-issue basis, dealing with the evidence and argument applicable to each issue separately.

- Arbitrators may consider using short sentences. As soon as a sentence ceases to have a clear and logical link to the preceding sentence, arbitrators should write a new paragraph. Arbitrators should use numbered paragraphs. The award should also include informative headings and sub-headings. A table of contents is especially helpful in lengthy awards. To the extent possible, awards should avoid using technical or legalistic expressions and should be written in plain and simple language which sets out the decision in a coherent and unambiguous manner.
- While drafting an award, arbitrators should also consider the wider audience who may read and are invited to take actions in relation to the award, including judges exercising a supportive or supervisory role and/ or third parties (such as insurers) whose interests may be affected by it. An award should contain sufficient information to enable its audience to understand the issues and/or its meaning without the need to make further enquiry into the matter. Arbitrators should not attach extensive documents to the award and/or refer to documents attached to the award. If it is necessary to refer to key documents it is good practice to quote the relevant passage(s)/part(s) in full. However, sometimes, arbitrators may attach certain documents to the award, such as the terms of reference, provisional orders and/or earlier awards when required under the relevant rules or for ease of reference.

***Note: The above mentioned guidelines should be treated as mere suggestions, interpretation of which and the format of the award shall be at the discretion of the Arbitrator.***

## **NEGOTIATION COMPETITION**

### **(RULES & REGULATIONS)**

#### **1. Brief about the event**

In Negotiation competition, each team shall consist of an attorney and a client who will negotiate with the differing party in the most adept manner. Here where two parties in a conflict or dispute



reach a settlement between themselves that they can both agree on. Negotiations are reached through discussions made between the representatives of the parties without any involvement of the third party.

## 2. Competition Format:

### *General Guidelines-*

- i. Each team is required to submit a negotiation simulation in soft as well as hard copy format on/or prior to the specified date. The Negotiation Simulations should be construed in a reasonable manner and any interpretations made by the Participating Teams should only be limited to drawing rational inferences. Excessive interpretation and creation of new facts by the Participating Teams will attract a penalty. Clarifications, if any, associated with a Negotiation Simulation should be sought by a Participating Teams from the Organising Committee before the specified date. In case of any doubts, the interpretation supplied by the organizing committee shall remain the official interpretation of a Negotiation Simulation.
- ii. Please note the Negotiation Simulation shall not exceed more than 5 Pages (exclusive of Cover Page).
- iii. Formatting Features of the Simulation: 12, Times New Roman, 1.5 Line Spacing and Justified Text.

## 3. Time frame:

- **The Preliminary Round** will have a Time Limit of 30 (thirty) minutes for conclusion of a Negotiation Session. Each team shall be allotted 15 (fifteen) minutes, in which the teams shall conclude their deliberations. The time allotted shall be inclusive of opening statement, post negotiation analysis statement, question-answer round.
- **The Quarter Final Rounds** shall consist of Eight qualifying Teams with the highest score in the Preliminary Round. The Quarter final Rounds will have a Time Limit of 40 (forty) minutes for conclusion of a Negotiation Session. Each team shall be allotted 20 (twenty) minutes, in which the teams shall conclude their deliberations.

- **The Semi-Final Rounds** shall consist of Four Qualifying Teams. The Semi-Final Rounds will have a Time Limit of 50 (fifty) minutes for conclusion of a Negotiation Session. Each team shall be allotted 25 (twenty-five) minutes, in which the teams shall conclude their deliberations.
- **The Final Round** will have a Time Limit of 60 (sixty) minutes for conclusion of a Negotiation Session. Each team shall be allotted 30 (thirty) minutes, in which the teams shall conclude their deliberations.

*Note: The qualification to semi finals and final round shall be on elimination basis.*

#### 4. Judging Criteria

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

Particulars:	Maximum Marks:
Opening Statements	10
Team Co-ordination	10
Knowledge of Law	10
Recognition of Key Issues of Dispute	10
Establishment of Relationship with Opposite Party	10
Consideration of the Best Interest of the Party	15
Solutions Suggested	15
Negotiation Analysis Statement	10
Response to Questions	10
<b>Total</b>	<b>100</b>

\*Note: The decision of the Judges shall be final. Hence it cannot be disputed at any given stage of the Tournament.

The Judges will also take into account the following:

- **Alternative Courses of Action:** Consistent with the analysis of the client's problem, develop a set of potentially effective and feasible alternatives, both legal and non-legal.

- **Client's Goals and Expectations:** Learn the client's goals and initial expectations; modify or develop them as necessary.
- **Client's Informed Choice:** As appropriate, assist the client in his or her understanding of problems and solutions and in making an informed decision.
- **Description of the Problem:** Learn how the client views his or her situation, using a combination of listening and questioning, drawing out both information and emotions of the client, as appropriate, to develop a reasonably complete and reliable description of the problem.
- **Effective Conclusion:** Conclude the interview skillfully and leave the client with a feeling of reasonable confidence and understanding, with appropriate reassurance, and with a clear sense of specific expectations and mutual obligations to follow.
- **Moral and Ethical Issues:** Recognize, clarify and respond to any moral or ethical issue(s) which may have arise, without being prejudicial in judgment.
- **Overall Rating:** Synthesize the above criteria as relevant in an overall rating/scoring.
- **Post-Interview Reflection:** signifies the feeling which their own client feels, the strengths and limitations of their interviewing and counseling skills, their handling of the substantive aspects of the client's problems (legal and non-legal), provided for an effective follow-up.
- **Problem Analysis:** Analyze the client's problem with creativity and from both legal and non-legal perspectives, resulting in a clear and useful formulation of the problem.
- **Teamwork:** As collaborating counselors, work together as a team, with flexibility and an appropriate balance of participation.
- **Working Atmosphere and Professionalism:** Establish the beginning of an effective professional relationship and working atmosphere and, if and when appropriate, orient the client to the special nature of the relationship, including confidentiality, explanation of fees and responding to client's concerns, mutual obligations and rights, duration and plan of the consultation, etc., in a courteous, sensitive and professional manner.
- **Please Note:** The client is also entitled to speak during the Negotiation Proceedings.

***The top ranked Participating Team in the Final Round will be adjudicated as the winner of the Competition.***

\*Note: The decision of the Judges shall be final. Hence it cannot be disputed at any given stage of the Tournament.

## **CLIENT COUNSELLING COMPETITION**

### ***(RULES & REGULATIONS)***

#### **1. Brief about the event**

The competitors conduct an initial interview with a person playing the role of the client and then address both the client's legal and non-legal issues in Client Counseling Competition.

#### **2. Competition Format:**

##### ***General Guidelines-***

Use of props is allowed (**Note:** electronic devices may be used as props but cannot be used during the session.)

Each Counseling Session is divided into three parts:

- Consultation
- Post-Consultation
- Critique

#### **3. Time frame:**

- **The Preliminary Round** will have a Time Limit of 25 minutes for Client Counseling Session inclusive of the consultation, post-consultation & question answer round.
- **For Quarter-Final Rounds**, the 8 (eight) qualifying teams will have a Time Limit of 35 minutes for Client Counseling Session inclusive of the consultation, post-consultation & question answer round.



- **For Semi-Final Rounds**, the 4 (four) qualifying teams will have a Time Limit of 45 minutes for Client Counseling Session inclusive of the consultation, post-consultation & question answer round.
- **For Final Rounds**, the 2 (two) qualifying teams will have a Time Limit of 60 minutes for Client Counseling Session inclusive of the consultation, post-consultation & question answer round.

#### 4. **Judging Criteria:**

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

Particulars:	Maximum Marks:
Presentation	20
Problem Analysis	25
Knowledge and Applicability of Law	20
Post Interview Reflection	25
Ability to Answer Questions	10
<b>Total:</b>	<b>100</b>

\*Note: The decision of the Judges shall be final. Hence it cannot be disputed at any given stage of the Tournament.

The judges may also take account of the following –

- Alternative Courses of Action
- Client's Goals and Expectations
- Client's Informed Choice
- Description of the Problem Effective Conclusion
- Moral and Ethical Issues
- Overall Rating
- Post-Interview Reflection
- Problem Analysis



- Teamwork
- Working Atmosphere and Professionalism

### **PRIZES**

The University shall award prizes worth Rs. 65,000/- in the following categories

The winner of the Tournament:

<b>Title</b>	<b>Prizes</b>
Winner of the Tournament	Rolling Trophy + Rs. 5,000/-
Winners Med-Arb Team	Trophy + 12,000/-
Runners Up Med-Arb	Trophy + 6,000/-
Winners Negotiation Competition	Trophy + 12,000/-
Runners Up Negotiation Competition	Trophy + 6,000/-
Winners Client Counseling	Trophy + 12,000/-
Runners Up Client Counseling	Trophy + 6,000/-
Best Arbitral Award Writer	Trophy + 6,000/-

### **IMPORTANT DATES**

<b>Submissions:</b>	<b>Date:</b>
Last Date to Register on Google Link	01 <sup>st</sup> September, 2018
Last Date of Submission of Registration Form, DD and Travel Form (Softcopy)	04 <sup>th</sup> September, 2018
Last Date of Submission of Registration, Travel Form and DD (Hardcopy)	10 <sup>th</sup> September, 2018
Release of Negotiation Problem for Preliminary Round	12 <sup>th</sup> September, 2018
Last date to seek clarification with respect to the Released Problem	15 <sup>th</sup> September, 2018
Release of Clarifications of Negotiation Problem	17 <sup>th</sup> September, 2018
Last date for submission of the Negotiation Simulation (Softcopy)	20 <sup>th</sup> September, 2018
Last date for submission of the Negotiation Simulation (Hardcopy)	24 <sup>th</sup> September, 2018

**Contact-**

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