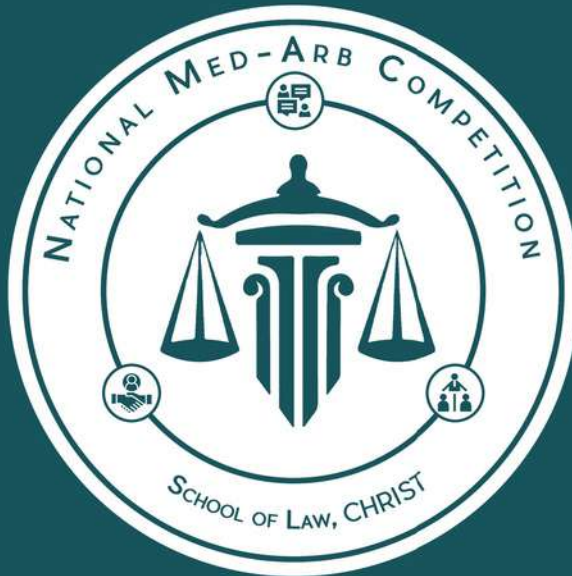




**CHRIST**  
(DEEMED TO BE UNIVERSITY)  
BANGALORE · INDIA



School of Law, CHRIST  
presents

# 3rd National Med - Arb Competition

## RULES



Dr. Fr. Benny Thomas  
Director

Dr. Jayadevan S Nair  
Dean

Dr. Sapna S  
Head of Department

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**MEDIATEGURU**  
Sharing the gift of Mediation with the World



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## I. BACKGROUND

School of Law, CHRIST (Deemed to be University), Bengaluru, is a premier educational institution embodying a strong motive of service and excellence as a part of its commitment. The Alternative Dispute Resolution Board (“ADR Board”) aims at promoting and providing learning opportunities to experience the various alternative means of dispute resolution within the legal system. The Board is committed to conducting several events in order to provide the student community with the necessary exposure to deal with aspects concerning Arbitration, Mediation, Negotiation, Conciliation etc. The Board also aspires to spread the knowledge and benefits of resorting to Alternative Dispute Resolution mechanisms. The Mediation-Arbitration (“Med Arb”) Competition is conducted with the aim of making the student fraternity accustomed to resolving disputes efficiently and to understand the benefits of the Alternative Dispute Resolution mechanisms.

In fulfillment of such goals, School of Law, CHRIST (Deemed to be University), Bengaluru, through its ADR Board cordially invites law students to participate in its 3rd National Med-Arb Competition (NMAC) to be conducted from 3rd March, 2023, to 5th March, 2023.

Med-Arb is a distinct hybrid of Alternative Dispute Resolution mechanisms which aims at developing the future members of the legal fraternity with efficient methods of resolving disputes in the legal arena.



## II. REGISTRATION PROCESS

Each University may register one team provisionally for the competition. Universities may request for additional slots which may be granted at the behest of the ADR Board. Deadline for Provisional Registration is 6th February 2023. Acceptance of Provisional Registration shall be communicated to the Universities which have applied on a rolling basis. All selected Universities are required to complete final registration by 15th February 2023.

All written submissions must be made on or before 26th february 2023

## III. TEAM COMPOSITION

### Composition of the Team:

Each participating team shall consist of 3 members. Each team in the Mediation Round(s) shall play the role of a Client and Advocate pair and 1 member as a Mediator. The team in the Arbitration Round(s) shall constitute of 2 Counsels and 1 member as an observer. (The Client-Advocate Team in the Mediation Round shall act as a pair of Counsels in the Arbitration Round, and the Mediator in the Mediation Round shall act as an observer in the Arbitration Round). No team shall be accompanied by a coach or an instructor. Requests for changes in team composition or roles should be communicated to the ADR Board by 1st March 2023. The roles of the members shall not be changed throughout the competition.



### Nature of the Competition:

All the teams shall participate in both sessions (a Mediation Session followed by an Arbitration Session) in all the rounds. There will be a provisional cap of 30 teams who will be invited from leading law schools in India (the number of teams is subject to change based on the discretion of the ADR Board).

### Structure of Rounds:

1. Preliminary Rounds
2. Quarter Final Rounds
2. Semi-Final Rounds
3. Finals

All Competing Teams shall participate in the Preliminary Round. The Client-Advocate/Counsel-Counsel pairs shall advance separately, and the Mediators shall advance separately. The Top 8 Client-Advocate/Counsel-Counsel pairs and Top 8 Mediators from the Preliminary Rounds shall participate in the Quarter Final Rounds.

The top 8 Client Advocate/ Counsel-Counsel Pairs shall be ranked based on the cumulative score (Total of the Scores Obtained by them in the Mediation and the Arbitration Session). Top 8 mediators shall be ranked on the basis of their individual scores obtained during the mediation session. In case of a tie, the tie breaking criteria attached in Annexure C shall be followed for all rounds.





All the Rounds from the Quarter Final Rounds shall be knockout rounds. The Quarter-Final Round shall have a total of 4 rounds.

Example: Aryan and Rao are the Client- Advocate/Counsel- Counsel Pair of Team A and shall be competing against Team B, composed of Ayyapan and Vasuki. The Mediators are Kumar and Koka, belonging to Team C and D, respectively.

The qualifying client-advocate/counsel-counsel pair shall be determined based on which team obtains the highest cumulative score in that round alone. The cumulative score is a total of the scores obtained by the Client Advocate/Counsel-Counsel pairs in the Mediation and Arbitration Session. The Mediator shall qualify based on who scores the highest individual in the Mediation Session. The Higher scoring mediator shall qualify to the Semi Final round.

The Highest Scoring Client-Advocate/Counsel-Counsel pairs and The Highest Scoring Mediator in their respective Quarter Final round shall participate in the Semi-Final Round. The Highest Scoring Client-Advocate/Counsel-Counsel pairs and The Highest Scoring Mediator in their respective Semi-Final round shall participate in the Final Round.

The Round Structure may be changed at any point before the start of the competition at the discretion of the organisers. The changes, if any, shall be communicated to the participants as required.





## IV. CODE OF CONDUCT

The official language of the Competition shall be English. The Participating Teams should mention only their allotted Team Codes for the purpose of communication with Judges/Organizers. The identity of the Participating Team or Members or the name of their College/University shall not be disclosed to any other person during the course of the competition in any form other than to the organising committee, whether directly or indirectly. 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 Law College/ University being represented, is strictly forbidden.

### Anti-Scouting:

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

Participating Teams will not be allowed to observe the Sessions of any other team(s) taking part in any event excluding the Final Rounds of the Event.

Scouting shall result in immediate disqualification and any decision taken by the ADR Board/organising committee in consonance with the ADR Board Faculty Coordinators in this regard shall be final and binding upon the Participating Team(s).

The use of any electronic gadgets during the Rounds is strictly prohibited and violation of the same shall lead to disqualification.



## V. DRESS CODE

All the participants are to adhere to Western Formals/Business Formals style of dressing. The ADR Board reserves the right to disqualify any team for misconduct during the competition. In case of doubts, the decision of the Student Conveners and the Faculty Coordinators of the Board shall be final.

## VI. MEDIATION SESSION

Structure of the Mediation Session:

A Mediation Session will consist of 2 Co-Mediators and 2 Client-Advocate teams from different teams. One team will represent the Requesting Party, while the other team will represent the Responding Party. In a team, the Client-Advocates of the Mediation Round(s) shall become Counsels for the Arbitration Round(s). The Mediator becomes the researcher/observer subsequent to the Mediation Round, for the Arbitration Round.

The Client-Advocate Team will represent the side allocated to them by the Organising Committee by virtue of the draw of lots. The sides and the co-mediator shall be intimated to the Participants 30 minutes before the release of the confidential information.



## *Illustration*

*In a particular court hall, Team 'A' Client-Advocate act as Requesting Party in Mediation and Team 'B' Client Advocate acts as the Responding Party in Mediation, competing against each other. Co-Mediators/Researchers from Team 'C' and Team 'D', respectively, will act as Co-Mediators for Team 'A' and Team 'B' in the court hall.*

## Release of Confidential Information

Confidential information for each Mediation round shall be released

- 30 minutes before the Mediation session for the Preliminary and Quarter Final Rounds.
- 40 minutes before the Mediation Session for the Semi-Final Round.
- 50 minutes before the Mediation Session for the Final Round.

Participants are strictly instructed to keep the contents of the Confidential Information exclusively to themselves. The participants shall be required to submit their mobile phones and electronic devices to the person who is in charge of the Confidential information rooms and they can only be collected when the participants are leaving the confidential information rooms. Any violation of this rule shall result in immediate disqualification. In this regard, the discretion of the ADR Board shall be final.





## Caucus

Mediators will have the opportunity to call for one or multiple Caucuses during each Mediation Session. A Caucus, throughout the round, may last a maximum of 10 minutes. It is the discretion of the Mediators to call for a Caucus. While one team is participating in the Caucus, the other team will be asked to leave the Court Hall by a member of the Organising Committee (OC) of the ADR Board for a specific period of time after which they will be requested to enter the Court Hall again.

The Team that is not a part of the caucus must not disturb the other team during their caucus and this shall be strictly monitored by the ADR Board Organising Committee Member. Any violation will lead to negative marking.

The ADR Board's call in consultation with the Faculty Co-ordinators shall be final and binding in this regard.

## Time Allotment

Mediation Session: 45 minutes + 2 Minutes for post discussion and evaluation

- Opening Statement of Mediators (5 Minutes)
- Opening Statement of Client-Advocate Team (3 Minutes each)
- Caucuses and Conference (25 minutes)
- Closing Statement of Client-Advocate Teams (3 Minutes each)
- Closing Statement of Co-Mediators (3 Minutes)
- Post- Mediation Session (2 Minutes)

Note: There will be a 20 minutes break in between the Mediation Session and the Arbitration Session during which teams are required to prepare for the forthcoming Round of Arbitration.



## VII. ARBITRATION SESSION

### Structure of the Arbitration Session:

An Arbitration Session shall include 2 or 3 Arbitrators depending on the rounds of the competition (2 arbitrators for the preliminary round and three arbitrators for the quarter-final, semi-final and final), 4 Counsels (2 from each participating side). The Team representing the Requesting Party in the Mediation Session of that round shall be the Claimant in the Arbitration Session. The team representing the Responding party in the Mediation Session of that round shall be the Responding Party in the Arbitration Session. The Judges will play the role of Arbitrators. Participants may be required to deal with certain designated issues during the rounds. The participants must nevertheless be prepared with the entire case. The mediators in the Mediation Session of that round shall act as observers in the same court hall for the arbitration session.

**Note:** The Confidential Information released in a particular round shall only be used for the mediation session of that round and shall not be used for the arbitration session.

### *Illustration*

*Client-Advocate of Team 'A' and Team 'B' representing a particular party in the Mediation Session will act as the advocates for the same party in the Arbitration Session. 'C' and 'D' who are the mediators in the Mediation Session shall become the observers in the Arbitration Session.*



## Time Allotment

- Arbitration Session: 40 Minutes + 6 minutes for Rebuttals and Sur- Rebuttals in total
- Each Party will not be permitted to speak for more than 23 minutes including rebuttals and Rebuttals.. The time split among the speakers for each team (not exceeding 23 minutes per team) may be decided amongst themselves and intimated to the Court Clerk at the beginning of the Round. The time splits shall apply to all the competition rounds.

## Written Submissions for Arbitration Session

Teams are required to draft written submissions for the Requesting Party (claimant in the arbitration session) as well as the Responding Party (respondent in the arbitration session). The last date to submit the written submissions is 28th February, 2023.

All the participants are requested to submit a soft copy of both the written submissions in PDF and Word format to [adrboard@law.christuniversity.in](mailto:adrboard@law.christuniversity.in)

Format and templates for the written submissions (memorial) will be shared to all selected teams email.





## VIII. GUIDELINES FOR WRITTEN SUBMISSIONS

Each Participating Team shall prepare Memorials on behalf of the Claimants (Statement of Claims) and Respondents (Statement of Defence) between 10-20 pages.

Each Memorial should be maximum of 20 pages.

Any changes made to the soft copies after submission and subsequently produced during the rounds will be disqualified. The decision of the Student Convenors and the Faculty Coordinators of the ADR Board would be final in this regard.

### Format of Submission

Each of the memorials should contain all of, and only, the following components in the following order:

1. Cover page
2. Table of Contents
3. Index of Authorities
4. Statement of Jurisdiction
5. Statement of Facts
6. Issues Raised
7. Summary of Arguments
8. Arguments Advanced/ Pleadings
9. Prayer






The page must have 1-inch margins from all sides. The text font and size for the written submissions must be Times New Roman, size 12 with 1.5 line spacing with justified alignment for the text. The footnote style to be followed is the 20th Edition Bluebook Citation and the text font of the footnotes must be Times New Roman, size 10 with 1.0 line spacing, margin of 1-inch to be used and the text must be justified. There must be no other additional space between two footnotes. Character spacing should not be condensed in any manner.

### Arbitral Award :

The participants who are acting as observers are required to draft an award, in accordance with the Arbitration and Conciliation Act, 1996. The award shall be prepared by all teams during the competition. The Arbitral Award should not exceed 10 pages and should broadly contain the following:

- I. Heading
2. Date, Identification of the Parties and Method of Appointment of Arbitrator
3. Nature of Award
4. Brief on Nature of the Dispute
5. Brief on Procedure Adopted
6. Issues of Facts and Law
7. Summary of both the Parties
8. Relevant Facts and Laws Applicable
9. Reasons and Conclusion
10. Interest and Liability if applicable, with cost mentioned
- II. Finality and Enforceability





The page must have 1-inch margins from all sides. The text font and size for the written submissions must be Times New Roman, size 12 with 1.5 line spacing and the text must be justified. The footnote style to be followed is the 20th Edition Bluebook Citation and text font of the footnotes must be Times New Roman, size 10 with 1.0 line spacing, a page margin of 1 inch on all sides must be maintained, the text must be justified. There must be no other additional space between two footnotes. Character spacing should not be condensed in any manner.

**Note:** *Arbitral Award* includes an *Interim Award* as defined in the Arbitration and Conciliation Act, 1996. However, unless required, Arbitrators are not expected to draft *Interim Awards*.

The Award shall be drafted during a time specified by the Organising Committee during the course of the competition.

(the decision of the ADR Board in consultation with the ADR Board faculty co-ordinators shall be final and no appeal shall be entertained)

## Time Keeping

The Organising Committee Member supervising the session shall be the official timekeeper. Teams have the responsibility to adhere to the time limit. Participants must note that they can only speak for the allotted time limit, as mentioned above. The Organising Committee member shall notify teams about the remaining time during the round.

Judges will be advised to not give any additional time and hence participants must adhere to the time split mentioned for the respective rounds.

## IX. MARKING CRITERIA

For the Mediation Session:

CRITERIA OF EVALUATION	MAXIMUM MARKS	MARKS ALLOTTED
Opening Statement	10	
Establishing professional relationship with parties	10	
Identifying key issues of the dispute	10	
Propose creative settlement possibilities	10	
Ability to contribute to an effective process and outcome	10	
Effective use of conference and caucus	10	
Closing statement	10	
Post session, self-evaluation of the dispute	10	
Code of conduct and control of the session	10	
Understanding the needs and interests of the parties	10	
<b>TOTAL</b>	<b>100</b>	

## Marking Criteria for the Client:

CRITERIA OF EVALUATION	MAXIMUM MARKS	MARKS ALLOTTED
Client Opening Statement	10	
Teamwork between Advocate and Client	10	
Caucus	10	
Conference	10	
Willingness to reach an amicable solution	10	
Strategic use of facts and confidential information	10	
Generating and selecting creative solutions	10	
Relationship building and problem solving	10	
Closing Statement	10	
Post session self-evaluation of dispute	10	
<b>TOTAL</b>	<b>100</b>	



## Marking Criteria for the Advocate:

CRITERIA OF EVALUATION	MAXIMUM MARKS	MARKS ALLOTTED
Advocate Opening Statement	10	
Teamwork between Advocate and Client	10	
Caucus	10	
Conference	10	
Willingness to reach an amicable solution	10	
Strategic use of facts and confidential information	10	
Advocating Client's Interest	10	
Relationship building and problem solving	10	
Closing Statement	10	
Post session self-evaluation of dispute	10	
<b>TOTAL</b>	<b>100</b>	

## For the Arbitration Session

### Marking Criteria for the Advocate:

CRITERIA OF EVALUATION	MAXIMUM MARKS	MARKS ALLOTTED
Knowledge of Facts and Evidence on record	10	
Proper articulation of issues	10	
Knowledge of Law	10	
Interpretation and Application	10	
Skill of Advocacy	10	
Persuasiveness and Response to questions	10	
Use of authorities in persuading arbitrators	10	
General Impression and Mannerism	10	
Identification of issues	10	
Nature of relief sort	10	
<b>TOTAL</b>	<b>100</b>	

## Marking Criteria For Arbitral Award:

CRITERIA OF EVALUATION	MAXIMUM MARKS	MARKS ALLOTTED
Structure of Award	10	
Cogent, Completeness, Certainty, Finality, and Enforceability	10	
Identification of issues and nature of relief sought	10	
Originality in Presentation	10	
Grammar and Style of presentation	10	
<b>TOTAL</b>	<b>100</b>	



## X. SCORING CRITERIA

### I. For Mediators

The mediator scores obtained in the Mediation session in the Preliminary Round shall be ranked and the top 8 Mediators shall qualify for the Quarter Final Round, and the highest scoring mediator from each session shall qualify for the subsequent round. In case of a tie, whoever has scored higher under criteria 3 of the Mediator Scoresheet shall be considered to break the tie, in case of a further tie, criteria 4 shall be considered, if such a tie persists, criteria 10 shall be considered to break the tie.

The decision of the Judges shall be final and binding on the participants, no disputes with regard to the scores shall be entertained by the ADR Board and any such practice shall lead to immediate disqualification of the team.

### 2. For Client-Advocate (also acting as Counsel-Counsel for Arbitration)

The cumulative score obtained in the Mediation and Arbitration Session in the Preliminary round shall be ranked and the top 8 pairs shall qualify to the Quarter Round. From the Quarter Final round, the highest scoring mediator from each session shall qualify for the subsequent round. In case of a tie, whoever has scored higher under criteria 2 of the Client Advocate Scoresheet shall be awarded the round, in case of a further tie, criteria 7 of the Marking criteria shall be used, in case the tie further persists, criteria 6 of the Marking Criteria for the client and advocate shall be used to break the tie.

*The Client-Counsel/Counsel-Counsel pairs are A1, A2, A3, A4, A5, A6, A7, A8, A9, A10, A11, A12, A13, A14, A15, A16, A17, A18, A19 and A20.*

*The Mediators are B1, B2, B3, B4, B5, B6, B7, B8, B9, B10, B11, B12, B13, B14, B15, B16, B17, B18, B19, B20.*







For the purpose of qualification to the Quarter Final rounds, the 8 highest scoring Client-Counsel/ Counsel-Counsel pairs shall qualify.

In the Quarter Final, Session 1 will have team A12 as the Requesting Party/Claimant and A15 as the Responding Party. B5 and B6 shall be the mediators. Session 2 will have team A11 as the Requesting Party/Claimant and A14 as the Responding Party. B7 and B9 shall be the mediators.

In Session 1, if Team A15 has a higher cumulative score in the mediation and arbitration session compared to Team A12, then Team A15 shall qualify to the Quarter Final Rounds. If Mediator B6 has a higher score in the Mediation Session compared to B5, then B6 shall qualify to the Semi Final Rounds. This knockout system shall apply to all sessions in each Round of the Competition excluding the Preliminary Rounds.

### 3. Best Arbitral Award

The Best Arbitral Award shall be given to the highest scoring Arbitral Award amongst all the awards drafted and submitted at the end of the Arbitral Award writing round after the conclusion of the preliminary round.

### 4. Best Preliminary Team

The highest scoring team from the Preliminary Rounds of both, Mediation and Arbitration, shall be adjudged as the Best Preliminary Team. The total of all the scores obtained, by the three members of a team, shall be calculated for this purpose.





5. The following awards shall be given to the teams participating in the Final Rounds:

a. Best Mediator

The highest scoring mediator in the Final Round shall be adjudged as the Best Mediator.

b. Second Best Mediator

The second highest scoring Mediator in Final Rounds shall be adjudged the Second Best Mediator.

c. Best Med-Arb Client-Advocate Team

The highest team score obtained after taking the cumulative score of both the sessions, Mediation and Arbitration, in the Final Rounds shall be adjudged the Best Med-Arb Client Advocate Team.

d. Second Best Med-Arb Client-Advocate Team

The second highest team score obtained after taking the cumulative score of both the sessions, Mediation and Arbitration, in the Final Rounds shall be adjudged the Second Best Med-Arb Client Advocate Team.

6. Best Memorial

The highest cumulative average score of both the memorials submitted shall be considered for the award of Best Memorial.

*Note: No scoresheets of any round of any team shall be displayed to the participants during the competition. Teams may request for the scoresheets of their rounds alone, after the conclusion of the competition.*

## XI. PENALTIES

If Participating Teams are found acting contrary to the rules of the competition, then the following action will be taken

Sl. No.	CRITERIA	PENALTY
a.	Sharing/ Discussing the Confidential Information	Disqualification from Competition
b.	Breaching Memorial Anonymity	Disqualification from Competition
c.	Incorrect/ Inadequate order of contents required	2 Marks each
d.	Incorrect Formatting in Footnotes or Main content of Memorial	1 Mark each
e.	Exceeding the page limit of main content	2 Marks per page
f.	Incorrect or Inadequate Information/ Incorrect formatting of cover page	2 Marks



## XII. AWARDS

Participation Certificate will be given to all the participants. In the advanced rounds, starting from Quarter Finals till the Finals, Certificate of Appreciation would be provided. Following awards will be distributed during the Valedictory ceremony:

- Best Preliminary Med-Arb Team
- Best Mediator/Arbitrator
- Second Best Mediator
- Best Med-Arb Client Advocate Team
- Second Best Med Arb Client Advocate Team
- Best Arbitral Award
- Best Memorial



### XIII. CLARIFICATIONS

For any clarifications, regarding the problem or the conduct of the competition, teams are requested to mail their queries and concerns to the ADR Board at: [adrboard@law.christuniversity.in](mailto:adrboard@law.christuniversity.in) by 16th February 2023.

### XIV. GRIEVANCE REDRESSAL/DISPUTE RESOLUTION

All grievances are to be addressed to the ADR Board by sending an email to the ADR Board ([adrboard@law.christuniversity.in](mailto:adrboard@law.christuniversity.in)) within one hour of the occurrence of the dispute/grievance. Non compliance with this requirement will amount to a waiver of the dispute and subsequent filing of such grievance, post the time allotted, will not be entertained. Decisions on all grievances shall be taken by the Student Conveners and the Faculty Coordinators of the ADR Board and such decisions shall be final and binding on all participants.

### XV. AMENDMENTS MADE TO THE POLICY

All participants must take note of the fact that the ADR Board holds the power to make amendments to this Policy, from time to time. It is the duty of the participants to remain informed of the updated Policy of the Board. The decision of the Student Conveners, along with the advice of the Faculty Coordinators of the ADR Board, shall be final and binding for matters not mentioned in the Policy.







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