

RGNUL ALTERNATIVE DISPUTE RESOLUTION CELL (ADRC)

*in association with*

THE PEACEKEEPING AND CONFLICT RESOLUTION TEAM  
(PACT)

*presents*

# **1ST RGNUL SPORTS & ENTERTAINMENT LAW NATIONAL MEDIATION COMPETITION**

CHIEF KNOWLEDGE PARTNER:  
SINGAPORE INTERNATIONAL MEDIATION INSTITUTE (SIMI)

CHIEF ADVISORY ORGANISATION:  
KRIDA LEGAL

## **COMPETITION RULES**

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APRIL 12-14, 2019



**1ST RGNUL SPORTS AND ENTERTAINMENT LAW NATIONAL MEDIATION  
COMPETITION, 2019**

**I. COMPETITION BRIEF:**

With Mediation gaining traction in the recent times as a preferred means of dispute resolution, the Alternative Dispute Resolution Cell (ADRC) of Rajiv Gandhi National University of Law, Punjab, in association with The Peacekeeping and Conflict Resolution Team (PACT), is organising a first-of-its-kind Mediation Competition, which allows students to flex their advocacy muscles within the mediation process. The competition aims to provide a platform that reflects the ever-growing expectation of clients to utilise other cost-effective alternative dispute resolution mechanisms to trial. It is an ideal platform to test theory in practice by allowing the participants to represent all parties in the mediation process i.e. the client, the mediation counsel and the mediator. This competition will also provide an opportunity to the participants to develop the requisite lawyering and communication skills through various training sessions conducted by industry professionals.

The appealing and ever-growing field of Sports and Entertainment Law has been selected for this competition to expose the participants to a situation where interests of clients are multifold, often going beyond merely commercial interests. The participants are expected to take a multi-dimensional approach in reaching a settlement, showcasing the variety of fields which can be effectively be dealt with via mediation.

**II. COMPETITION RULES:**

**1.1 – Language of verbal communication**

The official language of the competition is strictly English. Communication in any other international, national or regional language during the competition rounds shall not be permitted.

**1.2 – Topic**

The competition shall be based on the theme ‘Sports and Entertainment Law’.

### 1.3 – Structure and Format

- a) The competition shall consist of two preliminary rounds, quarter-finals, semi-finals and the final. The preliminary rounds and the quarter-finals shall be held on Day Two i.e. 13th April 2019 and the semi-finals and the finals shall be held on Day Three of the competition i.e. 14th April 2019.
- b) 32 different negotiation teams and 32 individual mediators shall compete in the preliminary rounds.
- c) During each Preliminary Round, 2 negotiation teams and 2 mediators shall participate. No mediator shall be allowed to participate in a matchup involving her/his negotiation team.
- d) At the end of Day Two, top 4 negotiation teams and top 4 mediators shall be announced.
- e) The semi-finals shall follow the same format. After the semi-finals, top 2 negotiating teams and top 2 mediators shall go to the final.
- f) **Assessors** - There will be two assessors for each of the preliminary rounds. This number might increase at the discretion of the Organising Committee in the further rounds.
- g) **Participating team** - Each participating team shall consist of one student as Client, one students as Mediation Counsel and one student as the Mediator. Coaches and observers shall not be allowed to accompany the team. The roles which have been pre-assigned by the team shall be carried forward throughout the competition. The registration form requires teams to specify the roles of each individual member. Change of roles after the registration shall not be entertained.

### 2.1 – Mediation Sessions

During the Orientation on Day One, the Organising Committee will conduct a draw of lots. Every attempt will be made to ensure that no two teams compete against each other more than once in the preliminary rounds.

### 2.2 – Duration of the competition rounds

**a) Duration of preliminary Rounds, quarterfinal and semi-Final rounds**

- a. Total time (Preliminary Rounds, quarterfinals and semifinals) – 120 minutes
- b. Prep time – 30 mins, Mediation Session\* – 60 minutes, Scoring – 10 minutes, Judges' Feedback – 20 minutes

**b) Duration of Final Round**

- a. Total time for the Final – 120 minutes
- b. Prep time – 30 mins, Mediation Session\* – 90 minutes

*\*The Mediation Session time includes the caucus and the break. Ushers will be on stand-by for timely reminders during the mediation session.*

**2.3 – Breaks**

Each competing team may take one break of not more than 3 minutes during the mediation session. If one competing negotiation team calls for a break, both the teams must leave the room.

**2.4 – Caucus**

During the Mediation session, the Mediator or any of the negotiation teams may call for a Caucus, in accordance with the following provisions:

- a) Each caucus may not last longer than 5 minutes.
- b) No one is allowed to leave the room, except for the negotiation team which the mediator escorts outside, while he/she engages in a private session with the other negotiation team.
- c) During a caucus, the mediator(s) can engage in dialogue with one negotiation team – the client and counsel or there can be a caucus between the mediator(s) and both the competing clients (without their lawyers) or between the mediator(s) and both the competing lawyers (without their clients) – this is called a cross-caucus.
- d) There is no limit on the number of caucuses called. Similarly, it is not mandatory to call for a caucus. It is up to the discretion of the negotiators and mediators to call for a

Caucus. They will be assessed on the timing, reason and productivity of the caucus, if called for.

## **2.5 – Judging Criteria**

The judging criteria shall be applied to the performance of both: the negotiation team as well as the mediator. There is no requirement of or reward for reaching a settlement.

## **2.6 – Assessors**

- a) The Organising Committee shall be responsible for choosing and pairing the assessors and allocating them for the different competition rounds.
- b) Utmost care shall be taken to ensure that the competing teams are assessed by different assessors in each round.
- c) The Organising Committee shall ensure that the assessors are neutral, independent, and impartial towards the teams they are assessing.

## **2.7 – Timekeeping**

- a) Responsibility for timekeeping rests with the Mediation Chamber Supervisor during the Mediation Session. The Mediation Chamber Supervisor's decision on timekeeping is final.

## **2.8 – Governing Law**

The problems may have reference to a real or fictitious place. However, and unless a problem explicitly indicates otherwise, for purposes of the competition, it is assumed that there is no governing law and that the jurisdiction applies general principles of uniform international law.

## **2.9 – Feedback**

- a) Each of the assessors shall provide feedback to the competing negotiation teams and the mediator. The assessor shall have 30 minutes for his/her entire assessment. The feedback shall be based on team's performance in the mediation of all roles.

- b) If an assessor decides to impose a penalty upon a competing team, he or she should inform the competing team concerned about the same and explain it to them. The competing teams are not allowed to show dissent as the assessors' call is final. The assessor should, however, explicitly indicate the rule violated, but shall not indicate the number of points subtracted.
- c) The assessor shall not reveal to any Team the results of their individual determinations and any Team's scores. During the feedback, assessors may refer to the Confidential Information.

### **2.10 – Handouts**

Teams may present during each Mediation only one handout, limited to one A4 sheet of paper. Copies of the handout shall be given to the Mediator and the assessors, when first produced by the team.

### **2.11 – Permitted Material during the Mediation Session**

For the Mediation Session, each competing team can bring its own prepared notes. Each team can also bring and use a calculator and a watch (stop watch, timer, etc. is allowed). Use of other electronic devices such as mobiles phones, smart watches, tablets, laptops, etc. shall not be permitted.

### **2.12 – Prohibited Assistance**

No person shall give advice, assistance or instructions to, or communicate or attempt to communicate, with any of the participants from the competing teams during the Mediation Session. Violation of this rule, regardless of the extent of the communication or who began the communication, shall result in disqualification of the whole team from the competition.

### **2.13 – Communication between Participants**

- a) Exchange and dialogue between participants, volunteers and expert assessors during the Mediation Session is not permitted.

- b) Assessors can share their insights with students about a particular Mediation Session or their practice in general after the session is over, keeping in mind impartiality, neutrality and confidentiality and independence. Therefore, there shall be no sharing of scores or content of any confidential information related to the competition problems.

## **2.14 – Winners**

The Negotiation team with the most number of points will be the winner of that round in the Preliminary Rounds. Similarly, mediators will be assessed on their combined score at the end of the two preliminary rounds.

## **2.15 – Ranking of teams after Preliminary Rounds**

- a) **Negotiating teams will be ranked and selected for the knock-out rounds in order of the following criteria:**
  - a. Total number of overall points.
  - b. Total number of score sheets designating a ‘wins’.
  - c. Greatest number of points scored during joint session.
- b) **Mediator ‘duos’ will be ranked and selected for the knock-out rounds in order of the following criteria:**
  - a. Total number of overall points.
  - b. Greatest number of points scored during Caucus.
  - c. Greatest number of points scored in Opening and Closing Statement.

## **3.1 – Competition Problem**

- a) The problem shall consist of General Information for all parties and Confidential Information for each of the requesting party and the responding party, respectively.
- b) General Information of problems will be announced online by **March 30, 2019**. Please note that Clarifications can be sought only by the teams short listed for the Competition.

- c) The confidential information shall be provided to the negotiation team and the assessors 30 minutes prior to the sessions. Mediators shall not receive any confidential information. Teams, assessors and members of the Organising Committee and anyone else who is privy to the Confidential Information shall not disclose it to others. Confidential information will remain in the custody of Organising Committee and distributed during Prep time by representatives of the Organising Committee. This shall erase any doubts / apprehensions arising out of Rule 4.1(B).

**Non-compliance with this rule by any person associated with the team may lead to disqualification of the team concerned.**

### **3.2 – Clarifications of the Competition Problems**

- a) All efforts shall be made to ensure that the Problems are neatly drafted. Requests for clarifications regarding the problem or its interpretation shall be made on or before **April 3, 2019**. Any such request shall be made by email to [adrc@rgnul.ac.in](mailto:adrc@rgnul.ac.in).
- b) Clarifications can be requested only for ambiguity or possible errors, but not to inquire about further information, as the Problems are self-contained. The drafting committee shall address all the clarifications via email by **April 5, 2019**.

### **4.1 – Participation in the Competition**

- a) The teams shall be registered on a ‘first come first served’ basis.
- b) The registration is restricted to a maximum of 30 teams for this competition.

#### **4.1 – (B) Declaration of Participation**

- a) A maximum of 2 teams from the host University (i.e., RGNUL, Punjab) shall compete at the competition, thus making the maximum number of participating teams 32 in total.
- b) The Organising Committee for this competition has no conflict of interest to declare.

### **4.2 – Eligible Students and Application**

- a) The competition is open to full-time law students (5 year and 3 year course) registered in any University in India for the academic year 2018-2019. Only students studying law may participate in the competition. LLM students are not eligible to participate in the competition.
- b) Each university may nominate a maximum of two teams. By applying for the competition, the teams shall be deemed to have accepted the rules, terms and conditions of the conditions as stated in this document.
- c) **For Provisional Registration, each team must submit the Google Form latest by March 17, 2019.**

#### **4.3 – Registration Fees**

Upon acceptance of the team by the Organising Committee, the team must pay the full registration fees which is **Rs.6000/-** within 48 Hours. There shall be no refund of the registration fee in any circumstances, unless the competition is called off by the Organising Committee for reasons that shall be provided during such an event.

#### **4.4 – Contact Details of the Team**

Once the list of selected teams is announced, each team will be given a team code for the purpose of the Preliminary Rounds draw.

#### **5.1 – Statement of Trust by Assessors**

- a) All assessors shall provide to the Organising Committee a Statement of Trust declaring his/her neutrality, impartiality and independence to assess the teams of the competition and disclosing any conflict of interests with the participants, or the university, if it may cause a hindrance to the assessment of the round.
- b) The Organising Committee can disqualify an assessor from assessing a Mediation Session if the Organising Committee believes that his/her relationship with a team member threatens his or her neutrality, impartiality and independence.

#### **6.1 – Penalties and Disqualification**

- a) If a violation of the Rules is believed to have been committed by a team or one of its members, the Organising Committee may in its own absolute discretion, upon its own initiative or complaint from another team or assessor, impose a penalty or disqualify the whole team.
- b) The Competition Grievance Panel shall be informed before any action of disqualification is taken. The panel shall consist of the head of the host institution, a representative of the chief partnering organisation, the chief coordinator of the Organising Committee, and two assessors from the panel of assessors.
- c) A maximum of five points may be deducted from the overall score for any violation of Rule 1.1, 2.2, 2.3, 2.4, 2.10 of the Competition Rules 2019.
- d) Disqualification from the competition may be imposed on any violation of Rules 2.11, 2.12, 3.1 and 4.2 of the Competition Rules 2019.

## **7.1 Awards and Prizes**

- a) The Organising Committee shall acknowledge the participation of all the teams and assessors at the competition with appropriate tokens of appreciation. Certificates shall be provided to all those who have registered with the Organising Committee and are present for the Valedictory function.
- b) **The top awards are:**
  - Winning Negotiation Team
  - Runners-up Negotiation Team
  - Winning Mediator
  - Runners-up Mediator
  - ‘Best Negotiation Team’ in the Preliminary Rounds
  - ‘Best Mediator’ in the Preliminary Rounds

- ‘Best Mediation Plan’ in the Preliminary Rounds
- Two Meritorious Negotiation Teams - the Winning Negotiation Team and another, selected by The PACT jury at the competition, will be awarded automatic qualification to represent India in Singapore, at the International Mediation Competition to be hosted by Singapore International Mediation Institute (SIMI), in August 2019.
- The Winning Mediator will be awarded an internship opportunity for up to 6 weeks with the Pepperdine School of Law, Straus Institute for Dispute Resolution.
- Global Academy for Advocacy in Dispute Resolution will also be providing scholarships to the Winners and meritorious participants to attend the GAADR Programme.

### **8.1 – Organising Committee’s power to take additional measures**

The Organising Committee may take such other measures as are required for the orderly conduct of the competition.

### **8.2 – Interpretation of Rules**

The Organising Committee’s interpretation as to the implementation of the Rules shall be final and conclusive.

## **III. FOR CORRESPONDENCE:**

<b>Faculty Coordinator:</b>	<b>Student Coordinator:</b>	<b>Organising Committee Head:</b>
Dr. Gurmanpreet Kaur	Komal Parakh	Uday Agnihotri
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All queries and requests for information can be directed to the Organising Committee at our official email ID: [adrc@rgnul.ac.in](mailto:adrc@rgnul.ac.in).