Overview

This competition is designed to acquaint the law student participants with advocacy in alternative dispute resolution processes, specifically in mediation. Mediation aims to avoid the expense of litigation through negotiation between two or more parties facilitated by an agreed-upon third-party mediator. Participants will compete and advance in teams of two, with one team member acting as the lawyer and the other team member acting as the client. If the team advances, the team members will switch roles in the next round. A member of the Moot Court Executive Board will act as the mediator. The mediator’s role is to facilitate consensus by validating and normalizing opposing points of view, and finding and analyzing options for resolution of the dispute. In this competition, the mediator plays a limited role, allowing the competitors to drive the mediation process.

How to Enter

The sign-up sheet will be posted on the Moot Court Bulletin Board on Thursday, January 12\textsuperscript{th}. The deadline to sign-up is 5 p.m. on Monday, January 16, 2012. Sign up with a partner if possible. If you are unable to sign up with a partner, the Moot Court Executive Board will try to match you up with a partner. After the sign-up deadline, the Round 1 problem will be distributed.

Dates

<table>
<thead>
<tr>
<th>Event</th>
<th>Date</th>
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<tbody>
<tr>
<td>Sign-Up Deadline:</td>
<td>January 16, 2012 @ 5pm</td>
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<tr>
<td>Round 1 Problem Distributed:</td>
<td>January 16, 2012 sometime after 5pm</td>
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<td>Round 1 Begins:</td>
<td>January 17, 2012</td>
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<td>Quarterfinal Round Begins:</td>
<td>January 24, 2012</td>
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<td>Semifinal Round Begins:</td>
<td>January 26, 2012</td>
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<td>Final Round:</td>
<td>February 1, 2012; banquet to follow</td>
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<tr>
<td>Regional Competition:</td>
<td>March 3 &amp; 4, 2012 (subject to change)</td>
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General Rules & Guidelines

- Problems for each round will be distributed via email.
- The sessions will consist of a 35-minute mediation followed by a 5-minute self-evaluation for each team, and a 5-minute critique period for each team.
- Each team may take one caucus of no more than 5 minutes during the mediation session. Taking a caucus does not suspend time on the 35-minute mediation session;
time continues to run. The team calling for the caucus may request that the other team leave the room so they can speak with each other and the mediator in private.

- Business attire is required.
- Facts referenced during mediation sessions must be consistent with the problem. Competitors may not make up facts.
- No substantive outside research is permitted or necessary. Competitors may reference only the resources listed below as well as any other resources related to mediation tactics and strategy in general.
- Competitors may not confer with other teams about particular problems or strategy until all teams have completed the round. Each side will receive confidential information that must remain confidential.

**Judging Criteria**

- Understanding and effectively serving client interests.
- Preparation.
- Effective use of the mediator.
- Teamwork between attorney and client.
- Relationship and rapport with opponents.
- Information gathering and communications skills.
- Ability to adapt to developing situations.
- Generating and selecting creative options.
- Professionalism and ethics.
- Self-evaluation.

**Resources**

The following materials are on reserve:


Useful online resources:

- [http://www.pon.harvard.edu/tag/mediation/](http://www.pon.harvard.edu/tag/mediation/)
- [http://www.americanbar.org/groups/dispute_resolution/resources.html](http://www.americanbar.org/groups/dispute_resolution/resources.html)