

MEDIATION BOMBAY 2.0

**INTERNATIONAL DISPUTE RESOLUTION
COMPETITION**

COMPETITION RULES

MAHARASHTRA NATIONAL LAW UNIVERSITY MUMBAI



MEDIATION BOMBAY 2.0
INTERNATIONAL DISPUTE RESOLUTION COMPETITION



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1. GENERAL – THE COMPETITION

- a) Mediation Bombay 2.0 – International Dispute Resolution Competition will be held virtually from 27-31 January 2021.
- b) The Competition aims to provide an International platform for students from across Asia’s top universities to improve their mediation and negotiation skills, step out of their comfort zone, and realize the many benefits of mediation. It provides a platform for law students to develop several ‘plus’ skills that one requires to be a successful legal practitioner. By exposing the participants to complex, contemporary simulations, the Competition is structured in a manner to encourage prospective lawyers to adapt to real life situation.
- c) The Competition comprises two separate segments:
 - The “Negotiating Pair” or the “Client-Attorney” Mediation Competition.
 - The “Mediator” Mediation Competition.
- d) The Competition shall be conducted in accordance with these rules.

2. ELIGIBILITY CRITERIA

The Following is the Eligibility Criteria for the respective segments:

- a) Negotiating Pair:
 - Only law Students may participate.
 - Participation is limited to law-students who are currently pursuing a B.A. LL. B (5 year), or a LL.B (3 year) Course from any law college/university across Asia.
 - A participant who has graduated from the aforesaid courses not less than 6 months ago as on date of the Competition is an eligible participant for the purposes of these Rules.
 - A person who has previously been a participant in one segment, in a previous edition of the Competition is not an eligible participant, for that same segment, for the purposes of these Rules.



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b) Mediator:

- Only law Students may participate.
- Participation is limited to law-students who are currently pursuing a B.A. LL. B (5 year), or a LL.B (3 year) Course from any law college/university across Asia.
- A participant who has graduated from the aforesaid courses not less than 6 months ago as on date of the Competition is an eligible participant for the purposes of these Rules.
- A person who has previously been a participant in one segment, in a previous edition of the Competition is not an eligible participant, for that same segment, for the purposes of these Rules.
- A certified mediator/ person who has mediated settlements professionally is not an eligible participant for the purposes of these Rules.

3. REGISTRATION & SELECTION PROCEDURE.

3.1. PROVISIONAL REGISTRATION

- a) Teams shall provisionally register here via their University in group of 3, i.e., Negotiating Pair (2) and a Mediator (1).
- b) Teams shall submit an application form with the relevant information as requested by the form.
- c) No payment is required to provisionally register a team.
- d) A maximum of two teams from each university are permitted to provisionally register unless an exception is provided.
- e) Cross-University teams are not permitted to register.



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3.2. SELECTION

- a) Only 24 Teams shall be selected by the Organizing Committee
- b) The Organizing Committee, in consultation with the Convener, will select the teams on the basis of the following criteria at their discretion
 - Achievements of the applying University in Negotiation and Mediation Competitions.
 - Achievements of the individual participants applying for the competition.
 - Mediation and Negotiation Courses available in the Applying University
 - ADR Events hosted by the University

3.3. REGISTRATION FEE.

- c) Only Selected Teams are required to pay the registration fees.
- d) The Registration Fee for the Teams is Rs. 9000/- (Rs. 3000/- per participant).
- e) The Registration Fee includes the following:
 - Admission to all events of the competition.
 - Including all training, opening ceremony, and valedictory ceremony.
 - Admission to Networking Sessions organized during the competition.
- f) The payment must be done via any electronic means of money transfer. Proof of payment must be attached to the final registration form.
- g) Any and all Bank Charges must be paid by the Transferor.
- h) Failure to make timely payments, or full payments will result in the forfeiture of the University's spot in the competition.
- i) The registration fee is not refundable.



4. MEDIATION ROUNDS

4.1. GENERAL

- a) A Mediation Round, for the purposes of this competition, will involve two Client-Attorney Pairs and two co-mediators. The Negotiating Pairs will discuss the Mediation Problem and their discussion will be facilitated by the co-mediators.
- b) The client attorney pair of a University is distinct from the Mediator of the same university. They compete independently.
- c) As such a Mediator of University X, cannot mediate a round involving the Client-Attorney Pair of University X.
- d) The qualification of Mediator from University X to the elimination rounds is neither dependent on nor impacted by the qualification the Client-Attorney Pair from University X, or vice versa.
- e) A Mediation Round includes the Mediation Session, Scoring of the Session, Feedback provided by the assessors, and the preparation time.

4.2. MEDIATION PROBLEM

- a) Each Mediation Round will be based on a Mediation Problem.
- b) Mediation Problem shall consist of General Information for all parties, and Confidential Information for each party (only for Client-Attorney Pairs).
- c) Participants will receive the General Information for the Preliminary Rounds and Elimination Rounds before the start of the Competition at a date decided and communicated by the Organizing Committee.
- d) Prior to the Rounds, Client-Attorney Pairs will be informed which side to the mediation they will represent. They will be provided the confidential information accordingly.



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- e) The confidential information is provided at far shorter notice (minimum 30 minutes prior) to the participants. It is designed to test the Participants' understanding of the Problem as well as to test their quick-thinking ability and adaptability.
- f) The confidential information contains vital details regarding your side's case.
- g) Accordingly, Client-Attorney pairs shall not disclose the confidential information to anyone else at any time between the receipt of the information and the conclusion of the round for which it is applicable. (Save that disclosure by the participating pairs during a competitive session is allowed).
- h) Clarifications to the General Information so published will be provided in case deemed necessary on a date decided and communicated by the Organizing Committee.
- i) Interpretation of the Mediation Problem**
 - Teams are requested to stay within the confines of the General and Confidential Information.
 - Teams are advised not to import real world facts, news, and stats into the problem.
 - The Problems are subject to reasonable Interpretations.
 - The reasonability of such an interpretation is to be decided at the discretion of the Assessors.
 - A penalty may be levied on parties in case they deviate from facts, make up new facts, or unreasonably infer facts. This penalty is dependent on the discretion of the Assessors.

4.3. CAUCUS

- a) A Mediation Round may be aided by a caucus or private session.
 - A caucus is an individual session in which only one-party converses with the Mediator/s in the absence of the opposing party.
- b) A Caucus may be called by either party to the Mediation or by the Mediator/s.



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- c) The co-mediators have the freedom to choose whether both or one of them wish/es to facilitate the caucus.
- d) Calling a Caucus is not compulsory in this Competition.
- e) A Cross Caucus is permitted.
 - Cross caucus is one in which the Clients from either side talk to each other in the absence of their counsels, but in the presence of the Mediator; or the Counsels do the same.
- f) A caucus may be held for a maximum of 4 minutes in the Preliminary Rounds, and a maximum of 5 minutes in the Elimination Rounds. This time is included in the maximum time allowed for a Mediation Round.
- g) The Mediator is responsible for ensuring the time limits of the caucus are not violated.

4.4. ROUND STRUCTURE & FORMAT

- a) There Shall be 4 Preliminary Mediation Rounds
 - Each Client-Attorney Pair will participate in 4 Mediation Rounds.
 - Each Mediator will also participate in 4 Mediation Rounds.
- b) Based on their score, the Client-Attorney Teams and the Mediators will qualify to the elimination rounds.
- c) There shall be a quarter-final, a semi-final, and a final round.
- d) Details concerning the respective segments are provided under Rule 5.3.

4.5. TIME OF THE ROUNDS

- a) Each Preliminary Round will run for **115 Minutes**.

It shall have the following time composition:

- 30 Minutes: Preparation time with the Confidential Information
- 60 Minutes: Time for the Mediation Session (inclusive of the caucuses)
- 15 Minutes: Time taken by the Assessors to Score the Participants
- 10 Minutes: Feedback provided by the Assessor



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- b) Each Quarter-Final and Semi-Final Round will run for **140 Minutes**.

It shall have the following time composition:

- 40 Minutes: Preparation time with the Confidential Information
- 75 Minutes: Time for the Mediation Session (inclusive of the caucuses)
- 15 Minutes: Time taken by the Assessors to Score the Participants
- 10 Minutes: Feedback provided by the Assessors

- c) Each Semi-Final Round will run for **110 Minutes**.

It shall have the following time composition:

- 75 Minutes: Time for the Mediation Session (inclusive of the caucuses)
- 15 Minutes: Time taken by the Assessors to Score the Participants
- 20 Minutes: Feedback provided by the Assessors

- d) The Final Round will run for **125 Minutes**

It shall have the following time composition:

- 90 Minutes: Time for the Mediation Session (inclusive of the caucuses)
- 15 Minutes: Time taken by the Assessors to Score the Participants
- 20 Minutes: Feedback provided by the Assessors

- e) The Time allotted to the Mediation Rounds may be subject to change at the discretion of the Organizing Committee and will be notified to participants if required in a timely manner.

- f) The Confidential Information for the Semi-Finals and the Final round shall be given to the Client-Attorney teams who qualify as semi-finalists minimum 5 hours before the aforesaid rounds.



5. CLIENT ATTORNEY COMPETITION.

5.1. TEAM COMPOSITION

- a) A Participating Team in this section shall mean a Negotiating Pair (2 students).
- b) In any round, one student will play the role of the client (or equivalent), and the other student shall play the role of a counsel (or equivalent).
- c) A Negotiator Code will be allotted to each team, which they shall not disclose to anyone until after the end of the competition.

5.2. NATURE AND SCHEME OF THE ROUND

- a) Prior to the Rounds, based on the General Information, teams shall be informed which sides they represent in a Mediation Round.
- b) Each Team will compete in 4 Preliminary Rounds.
- c) Teams will compete with one another with an aim to resolve a dispute/secure a transaction as is required by the General and Confidential Information.
- d) As mentioned before, each round shall have a common General Information and a separate Confidential Information available to each side, which they shall not disclose to the other side.
- e) Mediators shall only be privy to the General Information. Teams shall not share confidential information with Mediators before the round.

- **The Negotiating Pair Score sheet is provided as an accompanying document**

5.3. ROUND PROGRESSION

- a) After the conclusion of the 4 Preliminary Rounds, the 8 teams with the highest cumulative difference in scores shall progress to the Quarter Finals Round.
- b) In case of any tie in the 'cumulative difference score', the absolute scores the team has secured shall be the tie-breaker. Further tie-breakers are to be notified at the discretion of the Organizing Committee.



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- c) The Quarter Final Rounds:
- 8 teams to qualify
 - Match ups to be made on the basis of “reverse power” i.e. (1st v 8th; 2nd v 7th, etc.).
 - Side allocation to be done via draw of lots (unless provided otherwise).
 - Winners to be decided by a majority of the panel of assessors on knock out basis.
- d) The Semi Final Rounds:
- 4 winners of Quarter Finals to qualify.
 - Match ups and side allocation to be done via draw of lots (unless provided otherwise).
 - Winners to be decided by a majority of the panel of assessors on knock out basis.
- e) The Final Rounds:
- 2 winners of Semi Finals to qualify.
 - Side allocation to be done via draw of lots (unless provided otherwise).
 - Winners to be decided by a majority of the panel of assessors.

6. MEDIATOR COMPETITION

6.1. TEAM COMPOSITION

- a) A Participating Team in this section shall mean a Mediator (1 student).
- b) Mediator Code will be allotted to each team, which they shall not disclose to anyone until after the end of the competition.

6.2. ROUND FORMAT & STRUCTURE

- a) Mediators will only be privy to the General Information which is provided in advance of the rounds.
- b) Each Round will have 2 Teams (i.e., 2 co-mediators).
- c) Each Team will compete in 4 Preliminary Rounds.
- d) A Mediator competes by facilitating the discussion between the Client Attorney pairs.



- **The Mediator Score sheet is provided as an accompanying document.**

6.3. ROUND PROGRESSION

- a) The round progression criteria for the Mediators will be exactly the same as that of the Negotiating pair (mentioned in Rule 5.3).
- b) In case of any tie in the absolute scores, the marks scored in the ‘management of mediation process’ shall be the tie-breaker. Further tie-breakers are to be notified at the discretion of the Organizing Committee.

7. MODE OF CONDUCT

7.1. PLATFORM

- a) The competition (all rounds, ceremonies and networking sessions) will be conducted virtually on the platform Airmeeet.
- b) Each participant will be given a unique link to join their respective rooms, in which the rounds, caucuses and CI discussions will take place, beforehand. The participant must adhere to the given links and must not divulge the same to others (including the members of their teams).
- c) All participants must strictly follow the instructions given by the organizing committee regarding navigation on the virtual platform. Non-compliance with the same will lead to disqualification of the team (Refer Rule - 9).
- d) A Technical Orientation Session along with a platform trail will take place on the day designated for the training session for the participants.
- e) Any doubts or queries regarding the technical aspects of the competition must be clarified with the organizing committee soon after the orientation and before the dates designated for the competition.
- f) The mode of communication with the teams and further instructions will be notified to the teams shortly.



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- g) Screen sharing options will be available to the participants. However, participants are recommended to make scarce use of the same, only to share very important documents, which have to be shared with the organizing committee beforehand (Refer Rule 12*i*), with others.

7.2. DEVICES & CAMERA

- a) Each participant must have access to a laptop or a desktop computer in order to participate in this competition. Each participant must log in only through one device. The participants must not login to the platform through other mobile devices like Phones, Tablets, etc.
- b) Each participant must have access to a stable internet connection with a speed of at least 20 Mbps and a backup internet connection in the case of disruption in/ failure of their primary internet source. Use of an Ethernet cable is recommended to connect to the internet, as it will greatly improve video and audio quality. If a Wi-Fi connection is being used, the participants are requested to keep their devices in close range at all times.
- c) Participants are required to use the latest version of Firefox or Google Chrome (Participants are expressly instructed not to use Safari or Internet Explorer). The participants are also required to test their microphones and cameras beforehand to ensure that they are clearly audible and visible during the rounds.
- d) The participants must keep their devices charged at all times and must also have a UPS/Battery Backup for the Electronic Gadget they use. It is also recommended that the devices have a constant power supply.
- e) Each participant shall be seated in a professional setting with a solid background/ against a wall and must assure that there is no disturbance/ noise from the surroundings. The venue must be a quiet location which can be closed and private and which has adequate and reliable internet activity and a proper seating arrangement. Locations in open spaces or hallways or cybercafes or similar areas are strictly not permitted.



- f) In the event a participant faces any technical/network issues and disconnects from an ongoing round, a maximum of 5 minutes will be given to the said participant to reconnect with alternative means, in case of a preliminary rounds. If such participant is unable to reconnect within the prescribed time, the round shall progress in their absentia and the scoring will be done accordingly.
- g) In the event a participant faces any technical/network issues and disconnects from an ongoing round, a maximum of 10 minutes will be given to the said participant to reconnect with alternative means, in case of quarters, semis and the final round. If such participant is unable to reconnect within the prescribed time, the team to which such participant belongs shall stand knocked out and the opposite team shall be adjudged the winner of the round.

8. AWARDS

8.1. MAIN AWARDS

1) Winner Trophy – Negotiating Team

To be awarded to the Negotiating team declared as winner of the Final Round of the Competition, which will include additional benefits.

2) Runner-up Trophy – Negotiating Team

To be awarded to the Negotiating Team that finishes second in the Final Round of the Competition, which will include additional benefits.

3) Winner's Trophy – Mediator

To be awarded to the Mediator declared winner of the Mediator Finals, which will include additional benefits.

4) Runner-up Trophy – Mediator

To be awarded to the Mediator who finishes second in the Mediator Finals, which will include additional benefits.



8.2. SPECIAL AWARDS

- 1) Best Upcoming – Negotiating Team.
 - 2) Best Upcoming – Mediator.
 - 3) Best Teamwork – Negotiating Team.
 - 4) Best Opening Statement – Mediator.
- The Organizing Committee may give out additional prizes as Special Awards.

8.3. CERTIFICATES

- a) All participants of the competition will be provided Certificates.
- b) All Main Awards and Special Awards shall be accompanied by a ‘Certificate of Merit’.

8.4. VALEDICTORY CEREMONY

- a) All participating teams shall attend the Valedictory Ceremony held on the last day of the Competition.
- b) No Awards, including certificates of participation, would be awarded in absentia.

9. DISQUALIFICATION & PENALTIES

9.1. DISQUALIFICATIONS

- Subject to the discretion of the Organizing Committee, a Team may be disqualified if/when/in case of:
 - a) Substantial non-compliance with the rules.
 - b) Causes disciplinary problems on the virtual platform.
 - c) Discloses the confidential information of a Mediation Round, in any manner whatsoever which is not allowed by the Rules.



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- d) Discloses the team code, or insinuates to an Assessor the name of the University the team is from.
- Any decision to disqualify a Team will be formally communicated to the University of the concerned team by the Organization Committee.
- For the Purpose of this Rule, Team means either a Negotiating Pair or a Mediator.
 - Therefore, the disqualification of a Mediator of University X would not mean the disqualification of the Negotiator Pair of University X.

9.2. PENALTIES

- Subject to the discretion of the Organization Committee, the Assessors may impose a maximum Penalty of 10 marks per Mediation Round if the Participating Team:
 - a) Imports facts or makes up facts that are not provided in the General Information or Confidential Information, such that it causes prejudice to the other competing teams.
 - b) Does not adhere to the time limits set out in Rule - 4.5 or otherwise intimated by the Competition Organizers.
 - c) Does not adhere to the Dress Code - 12(c).
 - d) Does not adhere to the Official Language Rule - 12(f).

10. GRIEVANCE REDRESSAL

- a) All grievances regarding disqualification, penalty, other violation of these Rules, or an equity policy violation shall be addressed to the Organizing Committee.
- b) Every effort will be made to resolve the Grievance at the earliest.
- c) Each aggrieved party shall have adequate opportunity to be heard.
- d) Grievances other than those regarding equity policy violations shall have a reasonable limitation period which at the very latest coincides with the last day of the competition.



- e) To clarify, a grievance of such nature may be filed within reasonable limitation period and no later than the valedictory ceremony of the Competition.

11. THE ORGANIZING COMMITTEE – RESIDUARY RULES

- a) The Organizing Committee's decision on any matter in the lead up to the Competition and during the Competition is final and conclusive.
- b) The Organizing Committee may take any other reasonable measures that may be required for the efficient conduct of the Competition.
- c) The Organizing Committee's interpretation as to the implementation or applicability of the Rules is final and conclusive.

12. MISCELLANEOUS

a) Accommodation:

- No Accommodation is required by the participants owing to the virtual nature of the competition.

b) Coaches & Observers:

- Coaches and Observers are permitted to accompany teams.
- Teams must intimate the Organizing Committee in case they wish to bring a Coach.
- Coaches may not assist the teams during the Mediation Session.
- Anyone may be a Coach, except a person who is also an assessor in the Competition.
- Coaches may not disclose confidential information to third parties.

c) Dress Code:

- Members of the Participating Teams shall be dressed in formal attire for the duration of the competition. Both Western and Indian Formals are permitted.
- This includes the opening and valedictory ceremony.



d) Equity Policy: [To be notified at a later date]

- The Competition shall have an Equity Policy.
- The Equity policy operates as a separate document from these Rules.
- An equity policy briefing will be provided to the teams on the 1st Day of the Competition.

e) Notice:

- Notice given to the Participating Teams' contact person or any other individual member shall be deemed to be notice to the entire team.
- Notice shall be given to the Organizing Committee when a mail is sent at mediationbombay@gmail.com, during the duration of the competition.

f) Official Language:

- The Language of the Competition is English.
- Use of unparliamentarily language; discriminatory language is prohibited.
- Official Communication in any other language during a Mediation Round will reflect negatively.

g) Photography and Videography:

- Participants agree to being photographed and their rounds video-taped during the Competition.
- These photos shall remain the property of MNLU M.
- Participants, Coaches, Observers may not take any photos, videos, or voice recordings. However, permission to do so may be granted by the Organizing Committee

h) Score Sheets:

- Participants may request access to their score sheets.
- This must be done at end of the competition and by writing a mail to mediationbombay@gmail.com
- Only the participants requesting the score-sheets will be provided with the same on the email address mentioned in the request.



i) Technology and Additional Materials:

- Use of a Simple Calculator is permitted.
- No calculators will be provided. Teams are advised to get their own calculators.
- For their own use, teams may bring to the Round any printed material or soft copies thereof that they have used for preparation as well as any stationary they intend to utilize during the round.
- The teams must share all the documents intended to be shared with the opposing party and/or the mediator/s prior to the round with the organizing committee.

j) Withdrawals & Blacklisting

- A University which has committed to participate may be blacklisted from participation in future events if it withdraws from the competition after such commitment, thereby prejudicing all other participating teams.
- A decision to do so is dependent on the discretion of the Organizing Committee, but must be taken after giving an opportunity to the withdrawing University to provide a justification for their withdrawal.



13. SCORE SHEET FOR NEGOTIATING PAIR

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SCORING SHEET FOR NEGOTIATING PAIR

Expert Assessor (Name):

Assessment Room (Number):

Negotiating Party (Team Code):

_____ Requesting Party

_____ Responding Party

ROUND DETAILS (TICK IN THE BOX)

PRELIMINARY	QUARTER FINAL	SEMI FINAL	FINAL
<input type="checkbox"/> Round 1 (28/01 Morning)	<input type="checkbox"/> (30/01 Morning)	<input type="checkbox"/> (30/01 Evening)	<input type="checkbox"/> (31/01 Evening)
<input type="checkbox"/> Round 2 (28/01 Afternoon)			
<input type="checkbox"/> Round 3 (29/01 Morning)			
<input type="checkbox"/> Round 4 (29/01 Afternoon)			



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Negotiating Pair – Score Sheet

1-2 = Poor	3-4 = Satisfactory	5-6 = Good	7-8 = Very Good	9-10 = Excellent
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NO.	CRITERIA	MARKS
1.	<p>COMMUNICATION SKILLS</p> <ul style="list-style-type: none">• Effective Opening Statement.• Clear Verbal & Non-verbal Communication.• Technique in Responding to the Opposing Party or the Mediators.• Engaging with the Counterpart.• Building Relationship and Trust with the Opposite Party or the Mediators.• Demonstrating Active Listening Skills.• Formulation and Presentation of Proposals.• Ability to Summarize and Reframe.	
2.	<p>EFFECTIVE INFORMATION GATHERING</p> <ul style="list-style-type: none">• Asking Open-Ended Questions.• Probing for Interests & Identifying Common Interests (If Any).• Seeking Clarifications when Required.• Identifying Opposing Parties' BATNAs and WATNAs.	
3.	<p>MANAGEMENT OF THE MEDIATION PROCESS</p> <ul style="list-style-type: none">• Effectively Allocating the Time Towards Different Phases of the Process.• Use and Timing of Caucus (If Any).• Teamwork & Communication Between Client and Attorney Pair• Demonstrating a Clear Role Division Between Client Attorney Pair.	
4.	<p>EFFECTIVE USE OF MEDIATORS</p> <ul style="list-style-type: none">• Constructive Use of Mediators in Working Towards a Resolution.• Constructive Use of Mediators in Building Relationship with the Other Party.• Utilization of Mediators' Assistance in the Process• Engagement with and response to Mediators' Intervention	
5.	<p>ADVOCACY AND ADVANCING INTERESTS</p> <ul style="list-style-type: none">• Identification of Interests – As Different from their Positions.• Strategic and Appropriate Disclosure of Confidential Information.• Identification and Prudent Assertion of their own BATNA.• Ability to Address and Work Through Impasse (If Any).• Negotiating Collaboratively in Good Faith.• Professional Conduct in Carrying out Negotiation.	



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Negotiating Pair – Score Sheet

6.	WORKING TOWARDS RESOLUTION <ul style="list-style-type: none">• Creative Option Generation – Brainstorming & Packaging.• Weighing the Options vis-à-vis their Interests/Limitations.• Reality Testing & use of Objective Criteria in Option Selection.• Reflecting the Interests in Outcomes.• Recording Outcomes of the Session.	
TOTAL SCORE:		<u> </u> /60





14. SCORE SHEET FOR MEDIATOR

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**SCORING SHEET FOR
MEDIATOR**

Expert Assessor (Name):

Assessment Room (Number):

Mediator (Team Code):

ROUND DETAILS (TICK IN THE BOX)

PRELIMINARY	QUARTER FINAL	SEMI FINAL	FINAL
<input type="checkbox"/> Round 1 (28/01 Morning)	<input type="checkbox"/> (30/01 Morning)	<input type="checkbox"/> (30/01 Evening)	<input type="checkbox"/> (31/01 Evening)
<input type="checkbox"/> Round 2 (28/01 Afternoon)			
<input type="checkbox"/> Round 3 (29/01 Morning)			
<input type="checkbox"/> Round 4 (29/01 Afternoon)			



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Mediator – Scoring Sheet

1-2 = Poor	3-4 = Satisfactory	5-6 = Good	7-8 = Very Good	9-10 = Excellent
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NO.	CRITERIA	MARKS
1.	<p>COMMUNICATION SKILLS</p> <ul style="list-style-type: none">• Effective Opening Statement.• Clear Verbal & Non-verbal Communication.• Using Neutral Language.• Demonstrating Active Listening Skills; Addressing Emotional Concerns.• Ability to Summarize and Reframe.• Ability to Remain Patient and Professional at all times.	
2.	<p>EFFECTIVE INFORMATION GATHERING</p> <ul style="list-style-type: none">• Asking Open-Ended Questions.• Probing for Interests & Identifying Common Interests (If Any).• Seeking Clarifications when Required.• Identifying Parties' BATNAs and WATNAs.	
3.	<p>MANAGEMENT OF THE MEDIATION PROCESS</p> <ul style="list-style-type: none">• Effectively Allocating the Time Towards Different Phases of the Process.• Managing Equal Speaking Time Between the Parties.• Use and Timing of Caucus (If Any).• Flexibility in Adapting to the Needs of the Parties; Use of the Agenda.• Building Trust in Joint and Private Sessions.	
4.	<p>CO-OPERATION BETWEEN THE CO-MEDIATORS</p> <ul style="list-style-type: none">• Relationship building with the co-mediator.• Clarity in Role Division.• Time Division Between the Two Mediators.• Effective Facilitation and Smooth Conduct of the Process.	
5.	<p>MAINTAINING NEUTRALITY AND IMPARTIALITY</p> <ul style="list-style-type: none">• Respecting the Confidentiality of the Private Sessions (Caucus), No Disclosure Unless Authorized by the Parties.• Identifying and Addressing Power Imbalances (If Any).• Maintaining Neutral and Even-Handed Body Language.• Seeking Reference to Objective Criteria.• Remaining Facilitative and not Providing Advice.	



Mediator Scoring Sheet

6.	FACILITATING THE SOLUTION <ul style="list-style-type: none">• Facilitating a Transition from Positions to Interests.• Assisting Parties in the Brainstorming of Options.• Assisting Parties in Weighing the Options.• Refraining from Evaluating the Options.• Reality Testing.• Recording Outcomes of the Session.	
TOTAL SCORE:		<u> </u> /60

