



CSLS

CURTIN STUDENT LAW SOCIETY

**Negotiation Competition 2018
Competition Rules**

1. Registration

- 1.1 By entering this competition, all Competitors agree to be bound by the rules outlined in both this document and the CSLS Competition Regulations 2018.
- 1.2 By entering this competition all Competitors consent to their image being photographed, filmed and published by CSLS. Competitors may request not to be photographed, filmed or published at the Competitions Director's discretion.
- 1.3 Competitors may register by completing the electronic sign-up form advertised to all CSLS members.
- 1.4 Competitors must register in teams of two (2).
- 1.5 No Competitor may register for more than one team.
- 1.6 Each team of two (2) competitors must register by the registration date as set by the Competitions Director.

2. Competition Structure and Problem Question Release

- 2.1 The Client Interview Competition is comprised of Preliminary Rounds and a Grand Final.
- 2.2 The draw for the Preliminary Round will be released and communicated to the Competitors prior to the release of the Problem Question.
- 2.3 The Problem Question will be released and communicated to all Competitors, at their designated email address given at registration, 7 days prior to the first Preliminary Round, or Grand Final, commencing.
 - 2.3.1 Negotiation Questions will involve two sets of information: first, a common set of facts known to all teams ('General Information'); and second, additional confidential information known only to the teams representing a particular side in the negotiation ('Confidential Information').

3. Preliminary Rounds

- 3.1 Each team will compete in one (1) Preliminary Round.
- 3.2 Competitors may not observe, nor are they to be briefed on, proceedings of a Preliminary Round in which they are not competing.

Penalty: Any contravention of 3.2 may result in disqualification at the discretion of the Competition Director.

- 3.3 All teams will be ranked on a single ladder. The top two (2) teams will progress to the Grand Final.
- 3.4 Judges are not permitted to disclose the outcome of a negotiation to the competitors, but are permitted to give general feedback so long as it is not obvious from that feedback which team won and lost.
- 3.5 Competitors may request to access their team scoresheets after all Preliminary Rounds have been completed and these will be provided to them by the Competitions Director within a reasonable timeframe.
- 3.6 Competitors may not request to view the scoresheets of other teams.

4. Progression to Grand Final

- 4.1 The top two (2) teams with the two highest scores in the Preliminary Rounds will progress to compete in the Grand Final.

5. Grand Final

- 5.1 Competitors that have been eliminated from the Competition may observe the Grand Final.
- 5.2 The winners of the Grand Final will be announced to Competitors within a reasonable timeframe after the end of the Grand Final.

6. Judging and Scoring

- 6.1 All judges must have suitable legal qualifications or relevant experience. Judges will be judges, legal practitioners, legal academics, notable students or past students, or others with demonstrated relevant experience in competitions, and/or relevant professional experience.
- 6.2 Prior to the client interview, judges will be provided with:
 - a) The Problem Question;
 - b) The score sheet; and
 - c) A copy of the Competition Rules.
- 6.3 Judges will award each team a score out of a total team score of one-hundred (100).
- 6.4 Judges must award each team a different score; no draws are possible.
- 6.5 When there is more than one judge, each judge will be asked to produce an individual score sheet. The judges scores will then be averaged for the purposes of determining the Competitors' placement on the ladder.

- 6.6 Judges must not announce a winner after the client interview is concluded but may provide further verbal feedback at their discretion so long as such feedback does not indirectly reveal the winner or the loser of the client interview.
- 6.7 Judges may not allow Competitors to take their scoresheets.
- 6.8 Judges may, if they wish, request that observers and competitors leave the room while they confer. Outside of this discretion, observers may watch all segments of a round.

7. Timekeeping and Spectating

- 7.1 Responsibility for timekeeping and adherence to allotted time periods and breaks rests with the Competitions Director.
- 7.2 Competitors may use an electronic timing device (e.g. phone) for timekeeping purposes during a negotiation.
- 7.3 If resources are available, timekeepers and timekeeping devices may be provided and in such cases timekeepers will be solely responsible for all time keeping and penalties. A Competitions Officer may act as a timekeeper.
- 7.4 Observation of the Competition is encouraged, however potential for disruption must be minimised. Spectators should not enter or leave the room whilst a competitor is speaking.

8. Research, Preparation and Electronic Devices

- 8.1 All research and preparation for the rounds must be conducted solely by team members. Team members may receive general advice and assistance with respect to skills relevant to the competition and feedback on practices prior to the release of the question. After the release of the question and until the completion of the Competition competitors may not seek out and receive any advice or assistance.

Penalty: Any contravention of 8.1 may result in disqualification or a deduction of points at the discretion of the Competitions Director and Competition Judges.

- 8.2 Competitors **are prohibited** from using electronic devices at any time during their fixture. This rule does not affect the operation of 7.2.
 - 8.2.1 Electronic devices include but are not limited to; laptops, mobile phones, tablets and calculators.
 - 8.2.2 Rule 8.2 does not apply to electronic devices that are required for medical purposes.

Penalty: Any contravention of 8.2 may result in disqualification or a deduction of points at the discretion of the Competitions Director and Competition Judges.

9. Structure of the Negotiation

- 9.1** Each round should last for sixty-five (65) minutes.
- 9.1.1** First, forty (40) minutes are devoted to the negotiation between the teams.
- 9.1.2** As part of the session each team may take one break of no more than five (5) minutes for the team to discuss strategy privately. The forty (40) minute period continues to run during any such break. During a break, teams may not confer with any other person.
- 9.1.3** There will be a warning one (1) minute before the end of the negotiation.
- 9.1.4** A competitor must stop speaking when asked to do so by the judge.
- 9.2** Second, teams will have a twenty-five (25) minute post-negotiation period. This period is to be separated into:
- 9.2.1** Five (5) minutes where both teams leave the room and privately analyse their performance in preparation for evaluation by the judges.
- 9.2.2** At the end of the five (5) minute reflection period, the judges will conduct a coin toss to determine which team is to go first in the self-analysis. When the team that is to self-analyse re-enters the room, the other team must be separated until it is their turn to self-analyse.
- 9.2.3** Each team is allotted a period of ten (10) minutes for self-analysis.
- 9.2.4** The team should analyse their performance in the negotiation by answering the following questions:
- In reflecting on the entire negotiation, if you were to be faced with a similar situation again, what would you do the same and what would you do differently?
 - How well did your strategy work in relation to the outcome?
- 9.2.5** Teams should be prepared to respond to questions from the judges concerning the team's performance. In addition, the team may use this as an opportunity to explain why it chose a

particular approach or specific tactic. The judges may take into consideration, for scoring purposes, anything said during this session. Judges may conclude this session with a general critique of the team's performance.

- 9.3** During the interview, the team may use books, notes and other materials.

Penalty: If a Competitor is more than five (5) minutes late for the commencement of the round, a penalty of two (1) marks per five (5) minutes or part thereof shall be applied to their final score.