



THE LOUIS M. BROWN AND FORREST S. MOSTEN INTERNATIONAL CLIENT CONSULTATION COMPETITION, 2017

(INDIA NATIONAL ROUND)

रस्पाग क्ट्मकम्

ORGANISED BY:

Symbiosis Law School, Pune

IN ASSOCIATION WITH:

Forum of South Asian Clinical Law Teachers

FEBRUARY 03 – 05, 2017





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ABOUT THE COMPETITION

The Louis M. Brown International Client Counseling Competition was founded in 1985. In May 2010, the competition's name was subtly changed from 'client counseling' to 'client consultation.' It was felt that word 'consultation' reflects better the activity as opposed to the words interviewing, advising or counseling. The name of the Californian lawyer Forrest S. Mosten was also added to the title of the competition. The Competition is affiliated with the International Bar Association and collaborates closely with law societies and bar associations throughout the world. The Brown - Mosten Competition is an annual competition for the winners of national competitions across the world. The Winning team at India National Round would represent India in International Competition hosted by University of Kent, Canterbury, England from April 19 – 22, 2017.

The Competition promotes greater knowledge and interest among law students in the preventive law and counseling functions of law practice. It also encourages students to develop interviewing, planning, and analytical skills in the lawyer-client relationship in the law office. Interviewing and advising are a significant part of most lawyers' work. The Competition provides an opportunity for a valuable educational interchange between students, law teachers, and legal practitioners.

The Competition simulates a law office consultation in which two law students, acting as lawyers (attorneys/solicitors/legal practitioners), are presented with a client matter. The students conduct an interview with a person playing the role of the client. Students are expected to elicit the relevant information from the client, explore with the client his or her preferred outcome, outline the nature of the problem, and present the client with a means (or range of alternatives, if appropriate) for resolving the problem.

The interview with the client is then followed by a post-consultation period during which the students, in the absence of the client, analyse the interview and discuss the legal and other work to be undertaken. The interview and post-consultation period last a total of 35 minutes. The students are evaluated by a panel of judges. The students are evaluated against specific criteria that emphasize the use of listening, questioning, planning, and analytical skills in a lawyer/client interview. Once the judges have completed their evaluation of the interview, the students are called back in and the judges provide a brief critique of the team's handling of the consultation and post-consultation periods.



RULES & REGULATIONS

Dates of the Competition: February 03, 2017 to February 05, 2017.

1. <u>DEFINITIONS FOR THE PURPOSE OF THE CLIENT CONSULTATION</u> COMPETITION

The following terms have the corresponding meanings:

1.1. ADMINISTRATORS

'Administrators' means Director, Symbiosis Law School, Pune; Student Bar Chairperson and the SLSP - Student Bar Association of Symbiosis Law School, Pune and / or any other person(s) appointed to administer the Competition by the Director and /or Student Bar Chairperson and /or the said Association.

1.2. STUDENT BAR CHAIRPERSON

'Student Bar Chairperson' means the Faculty-in-Charge of the Student Bar Association of Symbiosis Law School, Pune.

1.3. *CLIENT*

The Administrators are responsible for selecting persons to play the role of the clients for each round of the Competition.

1.4. COMPETITION

'Competition' means The Louis M. Brown and Foster S. Mosten International Client Consultation Competition, 2017 (India National Rounds) organised by Symbiosis Law School, Pune in association with South Asian Clinical Forum.

1.5. DISQUALIFICATION

'Disqualification' means that the team will not be allowed to participate in the competition, shall not be awarded Certificate of Participation or any Prize and the





participating college may not be allowed to participate in any future Mooting Activities organised by Student Bar Association of Symbiosis Law School, Pune.

1.6. *JUDGE*

'Judge' means any person appointed to evaluate a participating teams' Client Consultation Session

1.7. OFFICIAL TIMEKEEPER

'Official Timekeeper' means the student appointed by the SLSP - Student Bar Association for conducting the affairs of the Chamber.

1.8. PARTICIPANT

'Participant' means a student representative from eligible Law School / Law College / University recognised by the Administrators participating in the Competition, pursuant to Rule 5.

1.9. Participating Team

'Participating Team' means a team of two student representatives from eligible Law School / Law College / University recognised by the Administrators participating in the Competition, pursuant to Rule 5.

1.10. PENALTY

'Penalty' means Raw Point deducted for violation of any Rule pursuant to Rule 12

1.11. PROBLEM

'Problem' means the situational Proposition supplemented in written / oral form to the Client to create actual Client Consultation stimuli for the Competition by the Administrators to demonstrate before the Participating Team on which they will be judged.



1.12. *RULES*

'Rules' means the Official Rules of the Competition and any applicable Supplementary Rules.

1.13. SUPPLEMENTARY RULES

'Supplementary Rules' means additional rules or clarifications applicable to the Participating Teams, which are approved by the Student Bar Chairperson for the Competition.

2. GENERAL INFORMATION

- 2.1. Symbiosis Law School, Pune, will be hosting the Indian National Rounds of the Louis M. Brown and Foster S. Mosten International Client Consultation Competition, 2017 focusing on a particular area of law specified under Rule 9.
- **2.2.** All consultation situations will be based on these topics. Each round, however, will involve a different client and a different situation.
- 2.3. The Louis M. Brown and Foster S. Mosten International Client Consultation Competition, 2017 (India National Rounds) has been conceived to promote greater knowledge and interest amongst law students in the preventative law and counselling functions of law practice.
- **2.4.** The Competition also aims to encourage students to develop interviewing, planning, and analytical skills in the Attorney Client relationship. The Client Consultation Competition will be held at Symbiosis Law School, Pune from February 03 05, 2017.





3. ORGANISATION OF THE COMPETITION

3.1. ADMINISTRATION

This National Round of the Competition is organised by the SLSP - Student Bar Association of *Symbiosis Law School, Pune* in association with *Forum of South Asian Clinical Law Teachers* to select the Best Team amongst all the Law Schools / Colleges / Universities over India to represent India and their Institution in the International Rounds of *The Louis M. Brown and Foster S. Mosten International Client Consultation Competition*, 2017.

3.2. Interpretation of Rules & Regulations

The Administrators shall serve as the final arbiter of the implementation and interpretation of these Rules and of any Supplementary Rules. Administrators reserve the right to amend or supplement any rule.

4. COMMUNICATION MEDIUM OF THE COMPETITION

The competition shall be in English language.

Brown - Mosten

5. ELIGIBILITY & PARTICIPATION

5.1. ELIGIBILITY

(a) Only Law Colleges/Universities recognized by the Bar Council of India are eligible to participate.





(b) Only the bona fide students pursuing LL.B. in Three Year / Five Year Degree programmes in aforementioned institutions, during the current academic year are eligible to participate.

5.2. TEAM COMPOSITION

- (a) The maximum number of Participants per team shall be restricted to 2.
- (b) Only **ONE** Team is allowed per Institution / University.

5.3. Anonymity of the Participant

- (a) Participants may introduce themselves to the court by their individual code. However, the team's Law School / College / University name should not be mentioned at any time.
- (b) Further, all team members, coaches, advisors and observers shall refrain from identifying the Identity of their Institution any time and in any manner, including, but not limited to, wearing and carrying any identifying items, such as badges, blazers, tie or pins or carrying identifying material (such as a books with a Law School / College / University logo, or college seal.)
- (c) The identity of the team must not be disclosed to the judges. Any such disclosure shall lead to disqualification under Rule 12.

6. REGISTRATION

6.1. The maximum number of participants per team shall be restricted to 2.





6.2. Each of the members of the participating team shall duly complete the Registration Form attached herein and send it to the Administrators at the stipulated address as mentioned under, along with the Registration Fee (Demand Draft):

Dr. Atmaram Shelke

Faculty In-Charge, SLSP – Student Bar Association,

Symbiosis Law School,

New Viman Nagar Campus,

Opp. Pune International Airport,

VIP Road, Viman Nagar,

Pune - 411014

6.3. The Registration of the Competition is a two – tier procedure and the number of participating teams is limited by *first come first serve basis*.

6.4. PROVISIONAL REGISTRATION

- (a) Interested Institute / University are required to PROVISIONALLY REGISTER first with the Administrator on adr@symlaw.ac.in by December 20, 2016 (Tuesday). On confirmation of the slot for your Institution / University by the Administrator, you are required to follow the below mentioned procedure.
- (b) There will be a registration fee of Rs. 3,500 / per team payable through Demand Draft. The demand draft should be DRAWN in favour of "DIRECTOR, SYMBIOSIS LAW SCHOOL, PUNE" PAYABLE AT PUNE

6.5. REGISTRATION

(a) The participation of the Provisionally Registered Institution / University shall be confirmed only upon receipt of an e-mail of participation from the official e-mail ID of the Principal / Director / Vice Chancellor / Head /





- Faculty-in-Charge, Moot Court of the Institution / University along with the scanned copy of the Demand Draft of Rs. 3500/-
- (b) Participating teams are required to send the e-mail & scanned copy of the Demand Draft and Registration Form at adr@symlaw.ac.in on or before December 31, 2016. (Saturday)
- (c) Subsequent to the acknowledgment of the receipt of the soft copy of the Demand Draft by the Administrators, the teams shall be required to send the hard copy of the registration form along with the hard copy of the demand draft on or before January 11, 2017. (Wednesday)
- **6.6.** No change in the names of the participants shall be permitted after the receipt of the Registration Form, except at the sole discretion of the Administrator, on receipt of such request.

6.7. THE REGISTRATION FEE SHALL BE NON-REFUNDABLE

6.8. The envelope containing the Demand Draft and the Registration Form should mention: "Registration for The Louis M. Brown and Foster S. Mosten International Client Consultation Competition, 2017 (India Rounds)" at the top of the envelope.

6.9. Post-Arrival Registration

- (a) All the registered teams are required to be present in person on February 03,
 2017 (Friday) before 03:00 p.m. at Symbiosis Law School, New Viman Nagar Campus, Pune for confirmation of their participation.
- (b) All the participants shall carry their College / University Identity Cards at the time of registration as well as at all times thereafter, during the competition.
- (c) Participants are advised to carry photocopies of all duly filled forms that have been submitted to the Administrators.





6.10. ORIENTATION PROGRAMME

- (a) The orientation will be held on **February 03, 2017** (**Friday**) at **05:00 p.m.** at New Viman Nagar Campus, Symbiosis Law School, Pune.
- (b) Participants will be briefed about the details of the event, wherein they are welcome to seek clarifications.
- (c) Draw of lots for determination of fixtures will be carried out during this session.

7. ROUNDS.

7.1. Number of Rounds:

- (a) Two Preliminary Rounds,
- (b) Semi Final Rounds, and
- (c) Final

7.2. DRESS CODE

- (a) The dress code shall be Formal Clothes during the competition rounds i.e. Blazer, Shirt, Trouser, Tie and Formal shoes for Male Counsel and Blazer, Formal Top / Shirt, Trouser / Office Skirt and Sandals / Formal Women Footwear for Female Counsel.
- (b) The Administrators suggest that the Counsel preferably be in advocate's attire i.e. Black and White Combination.



7.3. PRELIMINARY ROUNDS

- (a) There will be two preliminary rounds of Consultation Session.
- (b) Preliminary Rounds will be held on February 04, 2017 (Saturday), and the top six (06) teams shall go to the Semi Final Round on the basis of highest total of the team scored in both rounds.
- (c) In case of a tie for the 6th place, all the tied teams will be eligible to go to Semi Finals.

7.4. SEMI-FINAL ROUND / FINAL ROUND:

- (a) The Semi Final Rounds shall be held simultaneously in different rooms judged by different panel of judges.
- **(b)** Top two (2) teams from the Semi Final Rounds shall go to the Finals of Indian National Rounds on the basis of team scores.
- (c) In case of a tie for the 2nd place, all the tied teams will be eligible for finals.
- (d) Semi Final Rounds and Final Round will be held on February 05, 2017 (Sunday)

7.5. RESULTS DYOWN - WOSTON

- (a) Results will be announced within 60 minutes after the completion of the Preliminary and Semi - Final Rounds. The Final result and the winners of the various categories will be announced only during the Valediction / Prize Distribution Ceremony.
- (b) Participating Teams who were not able to qualify to Final are required to stay back and attend Final Rounds and Valedictory / Prize Distribution Ceremony on February 05, 2017 (Sunday).





(c) The Administrators would not be posting any Certificate of Participation to the Team who is absent from the Final Rounds and Valedictory / Prize Distribution Ceremony.

8. COMPETITION PROCEDURE

8.1. General Guidelines and Structure:

- (a) The Competition shall consist of two stages: Consultation and Critique Session.
- **(b)** The teams will have a maximum of 35 minutes.
- (c) During this period of 35 minutes if necessary, the competing students can consult any books or laptop, which they may bring with them.
- (d) In both the Interviewing and Counseling stage (Consultation Session) as well as Post Interviewing and Counseling Stage (Critique Session), one member of the team should take the lead role and the other should take supplementary role.
- (e) There should be good Co ordination between the two team members throughout the 35 minutes period.

8.2. *CONSULTATION:*

- (a) The consultation period shall be for 25 minutes.
- **(b)** The time period will start from the moment the client enters the chamber.
- (c) The time period is meant to be used for inter alia consultation with the client during which participants are expected to elicit the relevant information,





- outline the problem, find the clients expectations and propose a solution or other means of resolving the problem.
- (d) During the consultation, the Participant may use books, notes and other materials. The Participant may carry their own office props (Dictaphones, Files, Glass, Tissues, etc.) and any other material to furnish their consultation room or for other relevant purposes.
- (e) No extension of Time will be provided to the Participants.
- (f) However, in case of any reasonable circumstances, the Judge(s) may provide an extra one minute to the team after which the client would necessarily leave and the post-consultation period would begin.
- (g) If the extended (one minute) consultation session allows an opportunity for the Participating Team to gather more information than other team, such circumstance would be taken into consideration by the judge(s) in making their decision.
- **(h)** Judge(s) / Administrators may, **penalise** participant that allow the interview session to run longer than the stipulated time period pursuant to Rule 12.

8.3. CRITIQUE:

- (a) The critique period shall be for 10 minutes.
- (b) During the Critique / Post Consultation period of 10 minutes when the client will not be there, the students will have to summarise the interview, analyse the problem and indicate the course of action to be undertaken.
- (c) If the team exceeds the time allocated, the Participants will be **penalised** for same pursuant to Rule 12.
- (d) During this time the judges may also seek clarifications from the teams regarding their approach, analysis of the issues and may question the



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(India National Rounds)

participants on matters deliberated upon or mentioned by the participants or the client during the consultation period.

9. APPLICABLE LAW

The problems shall be broadly based on but not completely limited to the following laws and participants are expected to have knowledge of any other ancillary laws and procedures:

- (a) Laws for Consumer Protection
- (b) Law of Contract
- (c) Law of Tort

10. PARAMETERS FOR JUDGING THE PARTICIPANT

10.1. ESTABLISHING THE WORKING ATMOSPHERE AND PROFESSIONAL APPROACH

Participating Team is able to establish the beginning of an effective professional relationship and working atmosphere and, if and when appropriate, oriented the client to the special nature of the relationship, including confidentiality, explanation of fees and responding to client's concerns, mutual obligations and rights, duration and plan of the consultation, etc., in a courteous, sensitive and professional manner.





10.2. Eliciting the problem of the client and the tools used in so doing.

Participating Team is able to learn how the client viewed his or her situation, using a combination of listening and questioning, drawing out both information and emotions of the client, as appropriate, to develop a reasonably complete and reliable description of the problem.

10.3. CLIENTS' GOALS, EXPECTATION AND NEEDS

Participating Team is able to learn the client's goals and initial expectations; modified or developed these as necessary.

10.4. Analysis and formulation of the problem with precision

Participating Team is able to analyse the client's problem with creativity and from both legal and non-legal perspectives, resulting in a clear and useful formulation of the problem.

10.5. SUGGESTING ALTERNATIVES

Participating Team is consistent with the analysis of the client's problem, developed a set of potentially effective and feasible alternatives, both legal and non-legal.

10.6. ALLOWING THE CLIENT TO INFORMED CHOICE

Participating Team has appropriately, assisted the client in his or her understanding of problems and solutions and in making an informed choice, taking potential legal, economic, social psychological consequences into account.





10.7. EFFECTIVE CONCLUSION OF THE COUNSELLING SESSION

Participating Team is able to conclude the interview skilfully and left the client with a feeling of reasonable confidence and understanding, with appropriate reassurance, and with a clear sense of specific expectations and mutual obligations to follow.

10.8. TEAM WORK

The Participants are able to work as collaborating counsellors, worked together as a team, with flexibility and an appropriate balance of participation

10.9. MANAGEMENT OF ETHICAL AND PROFESSIONAL RELATION WITH THE CLIENT – DEALING WITH EMOTIONAL AND LEGAL NEEDS OF THE CLIENT.

Participating Team is able to recognise, clarify and respond to any moral or ethical issues which may have arisen, without being prejudicial in judgments.

10.10. POST INTERVIEW SESSION INTERACTION WITH THE JUDGES/AMONG THEMSELVES

During the follow up phase, the Participating Team is able to provide evidence of having recognised their own and the client's feelings, the strengths and limitations of their interviewing and counselling skills, their handling of the substantive aspects of the client's problems (legal and non-legal), provided for an effective follow-up.

11. SCOUTING

No member of any Participant Team will be permitted to hear the Session in any other Chamber. The Administrators shall take strict action, including Disqualification from the



Brown - Moster

(India National Rounds)

competition, against any team found to be scouting through a team member or through any other means.

12. PENALTY AND DISQUALIFICATION

The Administrators reserve the right to penalise the Participating Team on the following grounds:

- (a) Extending the Consultation Session beyond 25 minutes.
- **(b)** Extending the Critique Session beyond 10 minutes.

The Administrators reserves the right to disqualify the Participating Team on the following grounds:

- (a) Skipping or Missing Client Counselling Session allotted;
- (b) Scouting;
- (c) Reveal of Identity (Non Compliance with Anonymity).

13. GRIVIENCE COMMITTEE

If any participant has any grievance they may approach the Administrator, pursuant to which the Grievance Committee comprising of Director, Symbiosis Law School, Pune; Member, Steering Committee, The Louis M. Brown and Forrest S. Mosten International Client Consultation Competition, India Chapter and a Judge present on all the days of the Competition. The decision of the Committee shall be final and binding.



14. ACCOMMODATION & BOARDING.

- **14.1.** The last date for sending the Travel Plan is **January 15, 2017 (Sunday).**
- **14.2.** The Administrators will provide accommodation and boarding during the dates of the competition i.e. February 03, February 04 and February 05, 2017.
- **14.3.** The Administrators will not provide any travel allowances but may take care of local conveyance during the days of the Competition.
- **14.4.** The Local teams shall not be provided with accommodation or travel assistance.
- **14.5.** Furthermore, the Administrators are only responsible for picking up teams from the place of arrival. Conveyance shall be provided from the accommodation to the venue during the competition.
- 14.6. The Administrators shall not be responsible for providing conveyance after the Competition and for the departure of the participants.
- **14.7.** Participants desiring to reach early or depart late must make their own arrangement for stay earlier / beyond the time stipulated above and should inform the Administrators by **January 15, 2017** (Sunday) failure to which No Local Conveyance & Accommodation will be provided by the Administrators.
- 14.8. The teams would be responsible for any damage at the place of stay and would have to compensate for the same. The Administrators will not be responsible for the same.
- **14.9.** Accommodation will be provided only for 2 participants, the participants will themselves be responsible for bearing the expenses of any person accompanying them.





15. ADMINISTRATORS' POWER

- **15.1.** All Participants are expected to maintain decorum in the Chamber during the competition and are expected to conduct themselves in a manner befitting the legal profession. The Administrators reserve the right to take appropriate action for any unethical, unprofessional and immoral conduct.
- **15.2.** The Administrators' decision as regards the interpretation of rules or any other matter related to the competition will be final and binding.
- **15.3.** If there is any situation which is not contemplated in the rules, the Administrators' decision on the same shall be final and binding.
- **15.4.** The Administrators reserve the right to vary, alter, modify, or repeal any of the above rules without any prior notification, if so required and as they may deem appropriate.

16. SCHEDULE

| EVENT | DEADLINE |
|--|------------------------------|
| Last Date for Provisional Registration | December 20, 2016 (Tuesday) |
| Last Date for submission of Demand Draft and Registration Form (Soft Copy) | December 31, 2016 (Saturday) |
| Last Date for submission of Demand Draft and Registration Form (Hard Copy) | January 11, 2017 (Wednesday) |
| Submission of Travel Form | January 15, 2017 (Sunday) |
| Dates of the Competition | February 03 – 05, 2017 |



17. CONTACT INFORMATION.

Prof. (Dr.) M.R.K. Prasad,

Dr. Atmaram Shelke,

Member, Steering Committee, The Louis M. and Forrest S. Mosten Brown Client Consultation International

Faculty - In - Charge, SLSP - Student Bar Association, Symbiosis Law School, Pune

Competition, India Chapter

Postal Address:

Symbiosis Law School, New Viman Nagar Campus, Opp. Pune International Airport, VIP Road, Viman Nagar, Pune - 411014

E-mail ID: adr@symlaw.ac.in

FOR ANY CLARIFICATION / QUERY YOU MAY CONTACT THE BELOW **MENTIONED PERSON:**

Student - In - Charge

Ridhish Rajvanshi, Co - Convenor, SLSP - Student Bar Association: +917768061261

Varuna Agrawal, Student Co-Ordinator, International Moots & ADR, SLSP – Student Bar Association: +91 99217-48018

Registration:

Steffi Punnose, Member, SLSP – Student Bar Association: +91 97667-11258

Aditya Sharma, Member, SLSP – Student Bar Association: +91 83870-30303

Student Hospitality (Accommodation and Conveyance):

Nishitaa Kaushik, Member, SLSP – Student Bar Association: +91 94228-19230

Siddhant Bhargava, Member, SLSP – Student Bar Association: +91 70665-40689





REGISTRATION FORM

| NAME OF THE INSTITUTE: | |
|------------------------------------|---------------|
| | |
| | |
| E-mail id of Moot Court Committee: | |
| Counsel 01: | |
| Name: | |
| Year, Course: Gender: | Self-Attested |
| Email ID: | Photograph |
| Contact No.: | |
| | |
| Counsel 02: | |
| Name: | |
| Year, Course: Gender: | Self-Attested |
| Email ID: Brown - Moste | Photograph |
| Contact No.: | |

THE COUNSELS ARE BONAFIDE STUDENTS OF THE COLLEGE.

(BY SENDING THIS REGISTRATION FORM, THE PARTICIPANTS AGREE TO COMPLY WITH THE RULES & REGULATIONS OF THE COMPETITION)

Signature & Seal of the Head of the Institution





TRAVEL PLAN

| NAME OF THE COLLEGE: | |
|----------------------|--|
| TYTE | |
| | |
| | |
| COUNS | SEL 01: |
| 1. | Date of Arrival: |
| 2. | Mode (Train / Airways / Bus): |
| 3. | (Train / Airways / Bus) Number: |
| 4. | Time of arrival of Train / Airways / Bus: |
| <i>5</i> . | Other Details (eg. Name of Airline, Bus Service etc.): |
| | |
| | |
| COUNS | SEL 02: |
| 1. | Date of Arrival: |
| 2. | Mode (Train / Airways / Bus): |
| 3. | (Train / Airways / Bus) Number: |
| 4. | Time of arrival of Train / Airways / Bus: |
| <i>5</i> . | Other Details (eg. Name of Airline, Bus Service etc.): |

TO BE EMAILED TO THE ADMINISTRATORS AT: adr@symlaw.ac.in

ON OR BEFORE JANUARY 15, 2017