

Scope of the ELSA Negotiation Competition

ELSA is an organisation of European law students who seek to continuously contribute to and improve the legal education of students. In accordance with these goals, ELSA International facilitates the Negotiation Competition.

More and more academic competitions based on the art of negotiation are emerging among the ELSA network; hence, this document serves as a uniform compilation of materials in order to facilitate the implementation of the project on ELSA's local and national levels. The following materials are built on the official rules of the International Negotiation Competition.

The general purpose of the competition is to promote greater interest in legal negotiation as a fundamental skill of legal practitioners as well as to provide a basis for law students as to practice and improve their negotiation skills by means of a detailed evaluation of their performances from experienced legal practitioners.

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I. BENEFITS OF PARTICIPATING

1. Participants

As a competition of a high academic level, it combines academic education and legal practice to prepare young lawyers for their future career

- learn about negotiation techniques
- gain valuable practical experience in the field of negotiation
- expand your legal English language skills
- experience successful teamwork
- learn how to lead targeted conversations to convince the opposite side of one's own arguments
- develop a confident appearance
- Get in close contact with lawyers and law firms
- Earn university-credits
- Experience the everyday work of a modern lawyer

2. ELSA Group

It is hard-for ELSA Groups to be international and to offer projects and events that are attractive to local members and partners. Therefore, especially for the local groups, it is often not easy to demonstrate the magnitude of the ELSA Network and to show our members how international ELSA is. The ENC is a great opportunity for you to change that and to implement an international and academic event in your local portfolio.

- Fulfil vision, purpose and means by contributing to legal education
- Be an active part of the network and its events
- Be academically active
- Show internationality
- Present an international image to members, partners and university
- Create a positive relationship with your faculty by being academically active
- Include partners with modern events into your work
- Find new sponsors and partners
- Attract new members and activate passive members through your event

II. COMPETITION FORMAT

The ELSA Negotiation Competition (ENC) is a simulation of a negotiation process between two parties. For this purpose, two teams consisting of two law students and young lawyers each representing a client or a party negotiate a legal dispute. These simulations will be observed and evaluated by a panel of three judges who shall be legal practitioners allowing participants to obtain advanced skills in the field of negotiation.

1. Competition Levels

a. Rounds facilitated by ELSA

The Negotiation Competition as facilitated by ELSA falls into three categories. In order to send the potential winning team of the respective round to the INC, the organising ELSA group shall make sure, that the rounds are organised within the timeframes indicated below.

Entry into the respective round of the competition is determined as follows:

i. Local Rounds

(Between September and March, organized by the local groups)

The Local Rounds of the competition are hosted by the local ELSA group upon the assistance and guidance of the National Vice President for Academic Activities of the respective National ELSA Board. Depending on the number of teams registered, the local ELSA group may structure the competition so that several local rounds take place.

Entry into the competition: The competition on the local level is open for law students as stipulated in these Rules. The goal of the local round is to determine a local winner team that preserves access to the next level of the competition.

ii. National Final Rounds

(Between March and May, organized by the national groups)

The national final round of the competition is hosted annually by a local ELSA Group or the National Board of a–Member Country. The host will be responsible for coordinating arrangements and logistics, including but not limited to finding an appropriate venue and recruiting judges. The negotiation sessions are not open to public, except for the grand final.

Entry into the competition: Admission to the competition is primarily for the winners of the local rounds. However, in case that a particular local ELSA Group did not organise a local final, this group may directly send one team to the national final round. It is at the organiser's discretion to permit teams that have not won a local round at the time the participants register for the national final round.

b. International Negotiation Competition

(June-July)

The International Negotiation Competition for Law Students is organised, sponsored, and administered by the International Negotiation Competition Executive Committee on an annual basis and usually held in July. Firstly, having been organised in 1998, the competition has become truly international, with teams regularly competing from all over the world.

Entry into the competition: Admission to the competition is primarily reserved for the winners of the national negotiation competitions and serves to develop negotiation skills in the context of international transactions and disputes.

How to send a team to the INC: Each country is invited to send one team to the international final of the INC. It is highly recommended that the team which will represent the country is the winner of a national selection process, through a national round of competition. Currently is ELSA International working on establishing a sustainable connection with the INC in order to have involved as many ELSA National Groups in the INC as possible.

When establishing a team for the INC, it is mandatory to have at least two participating team members and highly recommended to have one national representative and one coach. The national representative, usually the VP AA or the respective director, is responsible for coordinating all local rounds and organising the national round. Furthermore, he/she will be responsible for registering the team and will be in contact with the OC for any and all practical details.

2. Description of the Simulation Process

a. Timeframes of the simulation process

Preparation

- A determination of the team roles done through a draw
(at least 4 days prior to the competition);
- Full disclosure of the documents to the teams, including the Confidential Facts and Common Facts
(at least 3 days prior to the competition);

Pre-Negotiation Period *(5 min per team)*

- Self-introduction by the teams
- Presentation of the tactics and aims during the negotiation in front of the judges without the other team being present

Negotiation Period *(up to 60 min dependent on the case and the number of teams)*

- Presentation of the main arguments
- Trying to find the zone of possible agreement
- Aiming to reach an agreement or at least a common ground
- Both teams can request an up to 5 min break from the negotiation

Self-Reflection Period *(5 minutes for the preparation + 5 min per team)*

- Both teams are allowed to prepare for the self-reflection period, without a presence of the judges
- Self-evaluation by the participants of their performance in front of the judges
- Reflecting on the success of their strategy

Feedback by the judges *(up to 10 min)*

- The judges provide a direct feedback to teams at the conclusion of the Negotiation Session

b. Example of a schedule

12:00 - 12:10 p.m.

Pre-Negotiation Sessions with Judges. (The team with the designation letter closest to the beginning of the alphabet goes first in odd-numbered rounds; the team with the designation letter closest to the end of the alphabet goes first in even-numbered rounds.)

12:10 - 01:10 p.m.

Negotiation. Each team may call one five-minute break during the 60-minute negotiation session and any such breaks will not extend the time.

01:10 - 01:30 p.m.

Preparation for reflection.

Two successive 5-minute reflections.

01:30 - 01:45 p.m.

Judges give the teams feedback on the negotiation (with both teams present).

III. EXTERNAL RELATIONS

1. Benefits of participating as an External

- Contact with students
- Giving students the opportunity of practicing their negotiation skills as well as their legal English language and thus expand the practical component of legal education
- Presence on all promotional materials
- Platform to give visibility to your firm/company amongst the student community in your country as well as the whole international ELSA network
- Helping shape the future generation of lawyers

2. Fundraising

As in every event, one very crucial point comes up and that is the financial question! In order to facilitate your hunt for financial partners and the establishment of a budget, we have set up an example of the most common expenses you will come across while organising your event.

- Opening ceremony
- Travel expenses for participants, judges to the national/European/international rounds
- Travel expenses for ELSA officers
- Gala ball/reception/get together after the competition
- Copies
- Marketing materials
- Venues
- Accommodation
- Refreshments and food
- Prizes for the winning teams

Bear in mind that this is subject to changes according to the different requirements in different countries.

You will also need non-financial support with the following:

- **Judges** – you will need experienced negotiators and lawyers to evaluate the performances of your participants
- **Trainings and coaches** – Negotiation is not easy, so you need someone to teach your participants some negotiation techniques or legal English
- **Scenarios** – This can sometimes be difficult. You will need, depending on how many participants you will have, between two and four scenarios. Ask partners or maybe teachers and professors if they can provide you with cases. As an example to them for what you will need, you can use the model scenario in these materials.

It should be noted that sometimes a partnership in kind is more advantageous than a financial partnership since it will be easier for you and will cover some expenses such as venues and copies. As you seek partners, it might be helpful to offer them advantages, some of which can be as follows:

- Speech/presentation (possibly during the opening ceremony)
- Logo on marketing materials/website
- Contact with potential employees
- Long term partnership with ELSA (Groups)
- Distributing merchandise

IV. BRANDING OF THE PROJECT: UNIFORM MARKETING MATERIALS

In order to implement the ENC as a unified project among the ELSA network, it is extraordinarily important to ensure that students as well as externals perceive the competition as a project of high academic quality.

By using the official logo as well as corporate templates for marketing materials, we can manage to build a brand of the project that is universally recognized when publishing any materials in the context of promotion or fundraising.

For this purpose, you will find the following materials attached to this document:

- The official logo of the ELSA Negotiation Competition
- A template for Microsoft Word that you shall use for the presentation of any text, such as scenarios, score sheets, etc.
- Stock photos that may be used for the creation of promotion materials
- ENC Brochure

V. ANNEXES

1. ENC Rules
2. Tutorial: how to organise an ENC round
3. Scoresheets
4. Judge Pack Guide
5. Certificate Template
6. Media Card example
7. Draft email to externals
8. Draft Sponsorship Packages
9. Templates and Marketing Materials (Certificates, Word template, Logos, Stock Photos, Posters, Flyers, ENC Brochure)
10. PPT-Presentation with example case

CONTRIBUTORS

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