

## **ANNOUNCEMENT!**

**2018 University at Buffalo School of Law**

# **19<sup>th</sup> Annual Representation in Mediation Competition**

**AND**

## **1 Credit “Advocacy in Mediation” Optional Course**

UB Law School’s “Representation in Mediation Competition” is a great experience for law students. Its popularity among students has grown considerably over the last several years. **This year’s competition will be held on Saturday, November 17<sup>th</sup>** from 8:15 a.m. until 4:00 p.m.

Participation is limited to 2<sup>nd</sup> and 3<sup>rd</sup> year law students. First year students are encouraged to contact any of the student ADR (Alternative Dispute Resolution) Society officers (listed below) if they want to help run the Competition and learn from it for next year.

As an increasing number of civil legal cases are referred to mediation, it is vital that the lawyer accompanying his or her client to the mediation table has the knowledge and skill-set necessary to maximize a client’s results in this context. The interaction of lawyer and client and the use of interest-based problem solving is the focus of the Representation in Mediation Competition. The Competition consists of two rounds. Law students form attorney-client teams and are given two different dispute scenarios. The scenarios are distributed to law schools by the Dispute Resolution Section of the American Bar Association (“ABA”). As a team, students strategize and prepare to negotiate at the two mediation sessions. On the day of the Competition, the teams engage in negotiations with an opposing attorney-client team (using the two different legal disputes in a morning and afternoon round), with a professional mediator from the community at the table to facilitate. A lawyer or other professional with mediation advocacy knowledge will also be present to score the rounds and to give feedback to the teams. The students are judged on preparation, teamwork, how well the interests of the client are represented, how well the mediation process is used to promote those interests, and other elements of effective advocacy in mediation.

To learn more about the Competition and its rules (we follow the ABA rules, so students must know these for our Competition), go to the following ABA link (the 2018-2019 rules have not come out yet, but last year's rules should suffice for now, as they do not change significantly from year to year):

[https://www.americanbar.org/content/dam/aba/events/dispute\\_resolution/lawschool/representation\\_in\\_mediation\\_competition/2018/competition\\_rules2018.authcheckdam.pdf](https://www.americanbar.org/content/dam/aba/events/dispute_resolution/lawschool/representation_in_mediation_competition/2018/competition_rules2018.authcheckdam.pdf)

The two winning teams will represent our law school and will be sent to compete against several other schools at the ABA Regional Representation in Mediation Competition (the location to be determined). If one of our teams wins the Regionals, that team will be sent by the law school to the ABA National Competition in April 2019 in Minneapolis, Minnesota! Last year our team advanced to the championship round at the Regionals (but lost in a very close round), and 2 years ago, we won the Regionals and were one of ten teams to compete in the Nationals!

There is no requirement that students have any education or background in mediation or negotiation to participate in the Competition. Deadline to register for the Competition: Friday, October 5<sup>th</sup>. NOTE: if you are not taking the one credit Advocacy in Mediation Course, late registrations sent directly to Professor Sugarman will be considered.

## **There are 2 ways to participate in the Representation in Mediation Competition:**

**OPTION #1: Participating as part of a one-credit course in effective attorney advocacy in mediation, (entitled “Advocacy in Mediation” (course # 570)). Participating in this manner involves:**

1.) By Friday, October 5<sup>th</sup>, signing up for the Competition itself with a partner as a team by filling out and submitting the registration form found at <http://www.law.buffalo.edu/beyond/competitions/mediation/team-registration.html>

By submitting a registration form with both team members' names on it, you are promising that you are both going to follow through with this commitment to prepare and fully compete in good faith all day on Saturday, November 17<sup>th</sup>.

If one team member takes the one-credit Advocacy in Mediation course and the other team member decides not to take the course, this is perfectly fine. If you do not have a partner for the Competition, but would like to participate, submit your registration form with just your name on it for now, and clearly and prominently indicate on the form that you need a partner. While we cannot guarantee that we can find you a partner, we will try to randomly pair you with another student that submits a registration form that indicates the need for a partner. You cannot participate in the

Competition and receive course credit unless you have a partner. In the event we have too many registrants to accommodate in the Competition, students taking the one-credit course and third-year law students with partners would have preference, and second-year law students not taking the course would be chosen by lottery.

2.) Registering for the 1 credit course by sending an email to [law-advocacy@buffalo.edu](mailto:law-advocacy@buffalo.edu) by October 12<sup>th</sup> expressing your commitment to sign up for the course.

3.) Mandatory attendance at two classes on attorney advocacy in mediation in advance of the Competition (Class one on Saturday, October 6<sup>th</sup> from 9:30 a.m. to 12:30 p.m. (complimentary coffee and breakfast to be served) and Class two on Saturday, October 27<sup>th</sup> from 9:30 a.m. to 12:30 p.m.—both classes would meet in O'Brian room 108); and, (b.) mandatory attendance at a further 3 hour class after the Competition at a time and venue to be mutually determined (including a complimentary celebratory meal for your efforts). There will be required readings regarding effective mediation advocacy.

4.) Participating in the Representation in Mediation Competition on Saturday November 17<sup>th</sup> (from approximately 8:00 a.m. to 4:00 p.m.). From 3:00-4:00, a post-competition reception with some of the lawyer volunteers will be held while we await the final scoring results.

5.) Writing a short reflective paper on the Competition experience and what you learned about effective client advocacy at the mediation table (and integrating concepts from the required readings). This paper is due within 2 weeks after the Competition.

NOTE: If you have already received course credit last year, you may not do so again, but you CAN still fully participate in the Competition (see Option 2 below).

## **OPTION #2: Participating, but NOT for course credit.**

**Participating in this manner involves:**

1.) By Friday, October 5<sup>th</sup>, signing up with a partner as a team by filling out and submitting the registration form found at:  
<http://www.law.buffalo.edu/beyond/competitions/mediation/team-registration.html>

By submitting a registration form with both team members' names on it, you are promising that you are both going to follow through with this commitment to prepare and fully compete in good faith all day on Saturday, November 17<sup>th</sup>.

If one team member takes the one-credit Advocacy in Mediation course and the other team member decides not to take the course, this is perfectly fine. If you do not have a partner for the Competition, but would like to participate, submit your registration form with just your name on it for now, and clearly and prominently indicate

on the form that you need a partner. While we cannot guarantee that we can find you a partner, we will try to randomly pair you with another student that submits a registration form that indicates the need for a partner. You cannot participate in the Competition and receive course credit unless you have a partner. In the event we have too many registrants to accommodate in the Competition, students taking the one-credit course and third-year law students with partners would have preference, and second-year law students not taking the course would be chosen by lottery.

2.) One member of your team (although preferably both) MUST come to an informational session during the first portion of the Advocacy in Mediation class on Saturday, October 6<sup>th</sup> from 9:30 a.m. (complimentary coffee and breakfast will be served) to 11:00 a.m. (full class goes until 12:30 p.m. if taking the one credit course referenced above) in O'Brian Room 108. This attendance of at least one member of your team is mandatory for your team to compete (unless you have special permission from Professor Sugarman for neither to attend). The informational session on October 6<sup>th</sup> will contain important information about the Competition and will get into general mediation advocacy concepts. If you are not taking it for credit, you do not have to stay for the second part of the first class or come to the second Advocacy in Mediation class (on Saturday, October 27<sup>th</sup> from 9:30 a.m. to 12:30 p.m. in O'Brian Room 108), although you may attend both (not for credit) if you would like to improve your skills, and perhaps enhance your chances of success in the Competition (please let Professor Sugarman know in advance if you choose to do this).

3.) Participating in the Representation in Mediation Competition on November 17<sup>TH</sup> (approximately 8:15 a.m. to 4:00 p.m.). From 3:00-4:00 p.m., a post-competition reception with some of the lawyer volunteers will be held while we await the final scoring results.

**If there are any questions or concerns**, please contact one of the officers of the ADR Society: Ally Frainier (President) [anfraini@buffalo.edu](mailto:anfraini@buffalo.edu); Tom Grenke (Vice-President) [trgrenke@buffalo.edu](mailto:trgrenke@buffalo.edu); Pia Perfetto (Secretary) [piaperfe@buffalo.edu](mailto:piaperfe@buffalo.edu); or, Rochel Estaquio (Treasurer) [rocheleu@buffalo.edu](mailto:rocheleu@buffalo.edu). Or email the Advocacy Center at [law-advocacy@buffalo.edu](mailto:law-advocacy@buffalo.edu) or Professor Sugarman at [stevesug@buffalo.edu](mailto:stevesug@buffalo.edu).