



## Why We Need To Teach More About ADR Competitions In Legal Education

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In the rapidly changing landscape of legal practice, Alternative Dispute Resolution (ADR) has emerged as an invaluable arena for law students and professionals to develop essential skills. While legal education traditionally focuses on litigation and courtroom proceedings, ADR competitions offer a

unique opportunity for students to hone their abilities in areas that are becoming increasingly important in modern legal work. Through these competitions, participants engage in simulated scenarios that reflect real-world disputes, enhancing their skills in negotiation, communication, ethics, and legal strategy. These challenges enable students to experience first-hand how to resolve disputes outside of traditional legal proceedings, preparing them for the multifaceted nature of today's legal practice.

ADR competitions are typically structured around four primary pillars: Negotiation, Client Counselling, Mediation, and Mediation-Arbitration (Med-Arb). Each of these pillars serves as a distinct learning platform, providing students with the opportunity to tackle different types of disputes and legal dynamics.

## 1. Negotiation Competitions

Negotiation competitions revolve around the process of dialogue between two parties who seek to resolve a dispute or reach an agreement on terms. In these competitions, teams are often divided into two roles: the Client and the Counsel. The negotiation task requires participants to engage with both general information (shared between the parties) and confidential information (unique to each party), which is strategically disclosed during the discussions. The ultimate goal is to craft mutually beneficial solutions, striking a delicate balance between advocacy and compromise. While traditional litigation focuses on a winner-takes-all approach, negotiation teaches students the art of collaboration, strategic thinking, and mutual understanding.

In these competitions, success isn't defined by securing the highest stakes for a single party but by creating solutions that meet the legitimate interests of both sides. Negotiation competitions encourage participants to understand underlying interests, beyond positions and demands, which is a skill that every lawyer needs to develop for effective dispute resolution. The ethics of negotiation are emphasized, as participants must navigate the fine line between advocating for their clients and preserving the integrity of the process. By engaging in negotiation, students learn not only how to craft deals but also how to build long-term professional relationships and develop the trust essential in any legal practice.

## 2. Mediation Competitions

Mediation takes the collaborative approach a step further by introducing a neutral third party, the mediator, who helps facilitate the dispute resolution process. Unlike negotiation, where each party seeks to assert their interests, mediation creates an environment of cooperation and creative problem-solving. Through mediation competitions, students experience the role of the mediator, learning how to guide discussions and help parties find common ground. The mediator's primary role is not to impose a solution but to foster an atmosphere where the disputing parties can come together voluntarily to reach a resolution.

In these competitions, participants assume the roles of both the client and the counsel, but the mediator holds a unique responsibility to ensure that all voices are heard and that the parties understand one another's perspectives. Mediation is a crucial skill for legal professionals in numerous fields, from family law to business disputes. Through the mediation competition, students gain conflict resolution skills that enable them to facilitate more amicable solutions and help parties navigate emotionally charged situations. The role of the mediator in fostering constructive dialogue underscores the importance of empathy and emotional intelligence in legal practice. This is a skill that helps in resolving disputes effectively and can be applied to many situations outside of formal legal proceedings.

## 3. Client Counselling Competitions

Client Counselling competitions offer a unique challenge: students must step into the shoes of a legal advisor and engage with a client who is facing a hypothetical legal dilemma. The task is not merely to provide legal information but to understand the client's needs, gather pertinent information, and offer guidance that is both practical and informed by the law. The success of these consultations depends heavily on the participant's ability to build trust with the client, actively listen to their concerns, and offer solutions tailored to the client's circumstances.

These competitions simulate the client-lawyer relationship and provide a safe space for students to practice the skills necessary for effective

counsel. The ability to listen attentively, ask the right questions, and provide clear, actionable advice is crucial in all legal contexts. Students must also navigate ethical considerations throughout the process, ensuring they respect confidentiality and remain impartial in their advice. Client Counselling competitions require participants to balance technical legal knowledge with the soft skills needed to build rapport with clients, making it an essential part of a comprehensive legal education. By participating in these competitions, students learn how to become trusted advisors, a skill that is critical in all areas of law.

## 4. Med-Arb Competitions

Med-Arb competitions, a hybrid of mediation and arbitration, are one of the more innovative forms of ADR competitions. In this format, the process begins with mediation, where a neutral mediator helps the parties negotiate a solution. If mediation fails, the mediator transitions into the role of an arbitrator, rendering a binding decision. This combination of collaborative negotiation and decisive arbitration reflects a growing trend in modern dispute resolution, particularly in complex commercial and international disputes.

Participants in Med-Arb competitions must exhibit the ability to adapt to both the flexibility of mediation and the formality of arbitration. They are evaluated not only on their mediation skills, such as fostering dialogue and overcoming impasses but also on their advocacy skills, as they present evidence and arguments in the arbitration phase. This dual responsibility sharpens participants' critical thinking and decision-making abilities, making them versatile practitioners in the field of ADR. Med-Arb competitions offer students a comprehensive understanding of the dispute resolution continuum, which is increasingly important for resolving conflicts efficiently in today's fast-paced legal environment.

Despite the immense value of ADR competitions, they are often relegated to extracurricular status or remain underfunded in law school programs. This is a missed opportunity. As the global legal market becomes more focused on cost-effective, efficient, and client-friendly solutions, lawyers must be trained in ADR techniques alongside traditional litigation methods. ADR is no longer an "alternative" but a core aspect of legal practice, with

mediation and arbitration increasingly used in commercial contracts, labour disputes, and international negotiations.

Law schools must do more to integrate ADR into the curriculum. These competitions offer much more than a chance to practice legal strategy, they provide a platform for students to develop essential skills such as negotiation, ethical decision-making, and emotional intelligence. By encouraging ADR training, law schools can produce well-rounded legal professionals who are equipped to handle the diverse challenges of modern practice. ADR competitions are much more than academic exercises. They are pivotal in shaping the next generation of legal professionals. By offering students the opportunity to engage in negotiation, mediation, client counselling, and Med-Arb, these competitions foster critical thinking, empathy, and ethical decision-making, skills that are indispensable for modern legal practitioners. Law schools should prioritize ADR education, ensuring that all students have the opportunity to develop the full range of competencies necessary for effective legal practice. In an era where legal practice is increasingly client-centric and focused on out-of-court resolutions, ADR competitions are not just a supplementary part of legal education, they are integral to shaping the lawyers of tomorrow.

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