

Accelerated Route to Fellowship in International Arbitration (*Ireland Branch*)

How to Apply

In order to be considered for this programme, please send your full CV to info@ciarb.ie. Should you be successful in your application, you will be contacted regarding registration and payment. Please note that CV's are processed in batches and as such response may not be immediate. You will be contacted should you be successful in your application.

Accelerated Route Details

What is the aim of the programme?

To provide a fast-track route to Fellowship through the International Arbitration Pathway. The Accelerated Route to Fellowship has been designed for busy professionals who have substantial unassessed knowledge and experience of International Arbitration. The aim of the programme is to assess whether the candidate has the knowledge required to apply the principles and procedure of International Arbitration using arbitration legislation based on the UNCITRAL Model Law and Arbitration Rules and is capable of writing a reasoned and enforceable International Arbitration Award.

Candidates must evaluate their personal suitability to undertake the programme, appreciating that the assessments are intensive and that they will be assessed against standard benchmarks.

This programme focuses on the process, practice and procedures in International Arbitration which is an essential requirement for qualification as a Fellow and for those who aim to practice as an International Arbitrator.

What are the learning outcomes?

On successful completion of this course candidates will be able to:

- Identify and explain in depth all the key elements of the International Arbitration process
- Evaluate issues and apply the principles of the UNCITRAL Model Law appropriately
- Demonstrate practical skill in carrying out the tasks required in preparing for and progressing an International Arbitration
- Demonstrate skill in controlling an International Arbitration, communicating effectively with the parties, applying the UNCITRAL Arbitration Rules and adopting appropriate procedures.

What is covered withing the syllabus?

- Arbitration agreements
- The legal framework: the importance of the seat, the New York Convention, procedural laws, and procedural rules conflict of laws, the Rome Convention
- The use and adoption by State entities of the UNCITRAL Model Law
- The UNIDROIT Principles of International Commercial Contracts
- Types of Arbitration: ad-hoc, institutional, documents only, time limited
- Commencement of the Arbitration, terms of reference
- Obligations of the Tribunal, responsibilities and obligations of the parties
- The Arbitrator's terms and conditions of appointment
- An Arbitrator's jurisdiction and powers
- Challenges to jurisdiction, conflicts of interest
- Managing the Arbitration process: communications, preliminary meeting, interlocutory matters, dealing with factual and opinion evidence and disclosure of documents
- Security for costs
- Presenting the claim and the defence: alternative methods
- Preparation for and procedure at a typical hearing, contrasting common law and civil law jurisdictions
- Essentials of an enforceable Award

- Costs, offers and interest, alternative approaches in different jurisdictions

What are the entry requirements?

In order to register for the Accelerated Route to Fellowship, candidates must submit evidence to show:

- They have a minimum of 5 years of practical experience of international arbitration either as a representative or an international arbitrator
- Have completed or be exempt from Module 2 Law of Obligations
- They have substantial knowledge of the framework of international arbitration
- They can recognise and evaluate evidence
- They can significantly evaluate and apply the principles and requirements of an international arbitration
- They can noticeably demonstrate practical skill in the carrying out of tasks required in preparing for and progressing an international arbitration.

Candidates enrolling on any Ciarb course/assessment are required to ensure that their command of spoken and written English is adequate for the course/assessment for which they have applied. Ciarb does not require any evidence of this standard prior to enrolment on a course/assessment. However, it is the candidate's responsibility to ensure their English language skills are at a Professional Working Proficiency level, in order to meet the required standard when enrolling for any Ciarb course/assessment. It is recommended that candidates have achieved a standard that is, as a minimum, equivalent to the International English Language Testing System (IELTS) level 7 or a score of 94-101 in the Test of English as a Foreign Language (TOEFL) system. *(Please note that we do not require an official IELTS or TOEFL result).*

How is the programme delivered?

This is an assessment programme as opposed to a teaching module. Learning will be based on private study prior to the oral assessment workshop, reinforced by tutor input and peer discussion during the workshop.

The programme is delivered over two days. Following this candidates will be given 48 consecutive hours within a 5-day window to submit their answers online for the final assessment. The programme dates advertised are the dates when candidates will be required to attend the assessment workshops.

Will the modules be recorded?

Tutorials will not be recorded. CI Arb is committed to supporting candidates to be successful in their courses and to achieve successful outcomes in their assessments. We therefore strongly recommend candidates attend all scheduled tutorials.

How will I be assessed?

Assessment of this programme is split into three parts, all of which must be passed:

- **Assessment 1 (*Oral Exercises*)**
 - An interactive 2 day assessment in a series of workshops, where situations will be presented to candidates in groups for their consideration. Candidates' knowledge, judgment and interactive/self-presentation skills are assessed by oral exercises. Candidates are permitted to use any materials they wish throughout the workshops.
 - This assessment is on a pass or fail basis. Candidates must pass all the workshop sessions. Candidates who fail the workshop will be required to re-sit this assessment.
- **Assessment 2 (*Written Exercises*)**
 - Written exercises before and during the 2-day workshops:
 - One written exercise on arbitration law to be submitted before the assessment workshops (10%)

- One written exercise on arbitration law to be submitted during the workshops (20%);
 - Two written exercises to be submitted during the workshops (10% each)
 - One written exercise to be completed overnight (30%)
 - A final written exercise (20%)
 - Candidates must achieve a minimum overall mark of 55% to pass this assessment.
- **Assessment 3 (*Award Writing Exam*)**
 - This assessment is completed via LearnADR, CIArb's online learning platform. Candidates will be given 48 consecutive hours within a 5-day window to submit their decision online. Candidates must achieve 70% to pass the assessment.

Assessment 3 is split into 2 Parts:

Stage One

This consists of the papers in the case. They are sufficient to enable you to grasp the nature of the case and the likely legal problems. Most of the documents are extracts only. You should consider the introductory sections you intend to include and the matters of law and fact disputed by the parties. Stage One of the assessment is released via LearnADR 10 days before the assessment start date.

Stage Two

This is the equivalent of the hearing stage. It includes your record of the meeting. This records the oral evidence and arguments the adjudicator has heard, as well as any other relevant documents. From all the evidence you must make findings of law and findings of fact. Different candidates will no doubt make different findings. This is of no consequence, except that it means there are a great many possible answers to the question. When you have made your finding, write the remaining parts of your Decision. It must be a final Decision as regards the issues you decide. Stage Two is released

at 12pm noon London Time on the assessment start date via LearnADR too. Stage 2 will be available for 5 days from the assessment start date and within those 5 days, you will have 48 consecutive hours to submit your decision back onto LearnADR.

Results are dispatched to candidates approximately twelve weeks from the date of the submission of the assessment.

“Please note: Success in the assessment is directly linked to tutorial attendance. Please ensure you attend all of the tutorials and engage with the tutor. The tutorials are your opportunity to ask the tutor any questions you may have and gain further understanding on any course topics you feel you need further clarity on.”

What is the programme fee and what does it include?

The programme fee is €2,000.00. The fee includes registration on the programme, the first attempt at the assessments and study materials. Candidates are advised to refer to the Fee Terms and Conditions which details other fees that may be relevant.

What happens when I register for the course?

Upon successful registration on the programme, candidates will receive confirmation they are booked on the programme and a payment link. Joining instructions and course materials will be sent to candidates approximately 2 weeks before the course start date by email.

Candidates will be provided with an electronic copy of a Workbook to assist them with their studies together with a suggested reading list. It is recommended that candidates are familiar with the UNCITRAL Model Law and Arbitration Rules and the substantive law in their respective jurisdiction together with the relevant Act(s) and Scheme(s) and important case decisions (where applicable). Candidates should also refer to the recognised standard textbooks to supplement their study in their respective jurisdiction where these are available.

What is CI Arb’s policy on cancellation of courses?

Ciarb reserves the right to cancel or change the date, venue or content of programmes and the names of speakers, lecturers and tutors. Candidates will be provided with adequate notice of any change. If Ciarb has to cancel a course, candidates will be provided with a full refund or the opportunity to transfer their registration to the next course. Should a candidate wish to cancel/defer their registration of a course, notification must be received in writing to info@ciarb.ie. Deferral charges apply. Please refer to the Fee Terms and Conditions for full details.

What is my next step when I complete the programme?

On successful completion of this programme, candidates will:

- Be eligible to apply for Member grade of Ciarb, and take advantage of a range of educational and professional benefits; and
- Be eligible for a Peer Interview for Fellowship.
- Candidates are only eligible to apply for the relevant membership grade for a maximum of 2 years after having successfully completed the course & assessment.