



LESS CONFLICT. MORE PURPOSE.

FORM FOR TRACKING USE OF CPR'S YOUNG LAWYER RULE (R. 12.5) IN ARBITRAL PROCEEDINGS

In order to train the next generation of lawyers and increase the diversity of lawyers appearing before arbitral tribunals, CPR has added to its domestic and international arbitration rules a [Young Lawyer Rule](#) (Rule 12.5), which encourages tribunals to permit junior lawyers to examine witnesses and present arguments if lead counsel and the client agree.

A number of CPR neutrals have reported that they have successfully utilized the Young Lawyer Rule during their arbitral hearings. In order to monitor and track the Rule's usage and impact, we've created this short form to provide you with an opportunity to describe your experience with the Rule.

CPR encourages you to bring Rule 12.5 to the parties' attention. Sample language you may consider including in a procedural order or other communication with the parties is provided below.

Please return completed form to Helena Taveras Erickson at herickson@cpradr.org

1. Did you highlight Rule 12.5 to the parties during the pre-hearing conference, in a procedural order or otherwise?

Yes
 No

2. Did a less experienced/more junior attorney examine witnesses and/or present oral arguments during the arbitral hearing?

For Claimant(s):

Yes
 No

For Respondent(s):

Yes
 No

3. Counsel for Claimant(s):

Lead counsel (*lawyer who primarily spoke*):

Male
 Female
 Person of Color
 otherwise self-identified as diverse

Secondary counsel (*less experienced/more junior lawyer*):

Male
 Female
 Person of Color
 otherwise self-identified as diverse



4. Counsel for Respondent(s):

Lead counsel (*lawyer who primarily spoke*):

- Male
- Female
- Person of Color
- otherwise self-identified as diverse

Secondary counsel (*less experienced/more junior lawyer*):

- Male
- Female
- Person of Color
- otherwise self-identified as diverse

5. How long had the **less experienced/more junior attorney** been practicing law:

For Claimant(s):

- 1-5 years
- 6-9 years
- 10+ years

For Respondent(s):

- 1-5 years
- 6-9 years
- 10+ years

6. Please include any comments, questions or observations here:

SAMPLE LANGUAGE TO INCORPORATE INTO PROCEDURAL ORDERS OR OTHERWISE

In accordance with the new Rule 12.5, lead counsel are encouraged to permit more junior lawyers with significantly less arbitration experience than lead counsel to examine witnesses at the hearing and present argument. Experienced counsel may assist.

12.5 In order to support the development of the next generation of lawyers, the Tribunal, in its discretion, may encourage lead counsel to permit more junior lawyers with significantly less arbitration experience than lead counsel to examine witnesses at the hearing and present argument. The Tribunal, in its discretion, may permit experienced counsel to provide assistance or support, where appropriate, to a lawyer with significantly less experience during the examination of witnesses or argument. Notwithstanding the contents of this Rule 12.5, the ultimate decision of who speaks on behalf of the client in an arbitration is for the parties and their counsel, not the Tribunal.