

The Development of Arbitration Legal Studies In Brazil (or How the Vis Moot Can Change Your Life)

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With the upcoming 2017 edition of the Willem C. Vis International Commercial Arbitration Moot Court Competition (the "Vis Moot"), the eyes of the international arbitral community are turned - maybe more than ever before - to Brazil. That is because the arbitration rules that will apply as the basis for the competition's fictional dispute will be, for the first time, that of a Latin American arbitral institution: the Center for Mediation and Arbitration of the Brazil-Canada Chamber of Commerce.

Curiously, law schools in Brazil in general are still taking their first steps in adopting and promoting arbitration and other dispute resolution-related subjects. In fact, the overwhelming majority of courses do not have "arbitration" or "ADR" in their syllabus and the few ones that do offer these disciplines offer them as elective courses.

This situation is also in dire contrast to the current arbitration practice in Brazil. With an effective and up-to-date legal framework and a broad acceptance from the business community (and even for the State entities), who wish to opt-out from the local judiciary, arbitration has firmly established itself in the country over the last years.

Recently, some extension or post-graduate courses have presented themselves as makeshift solutions for the market's demand for lawyers with an expertise in the field. In this sense, law firms and law associations are increasingly making the case for turning arbitration and ADR mandatory disciplines in law schools across the country.

It is in this context (familiar to several other countries besides Brazil) that the Vis Moot immensely contributes to the formation and development of young legal professionals, filling a gap in the local legal education and getting students acquainted to areas of law traditionally neglected by the universities.

A proof of this statement comes from the fact that, despite the scenario just described, Brazil has almost 30 teams participating in the Vis Moot this year, with universities from virtually all regions of this continental country, placing the country among those with most expressive participation in number of teams.

Particularly in 2016, Brazil had a historical run in the Vis Moot: besides the record number of 21

participating universities (which placed the country 3rd in number of teams), Brazilian universities attained top positions in the overall ranking. Four teams advanced to the eliminatory rounds: PUC-PR (semi-finals), PUC-SP (quarterfinals), Universidade Positivo (round of 32) and UniCuritiba (round of 64). In the Vis East Moot, the “sister” competition taking place in Hong Kong, PUC-SP was the only Latin American university competing, having advanced to the eliminatory rounds (a feat repeated in the three previous editions of the competition).

Commonly held by professionals as one of the most innovative and productive legal educational experiences nowadays, the competition’s relevance as a practical experiment is widely recognized by local Brazilian law firms. In fact, top arbitration lawyers seek to participate in the competition (and in the several pre-moots that precede it), apart from the traditional networking and exposure, to scout for talented young practitioners to fill highly disputed positions in their law firms.

This should come as no surprise. Some of the characteristics the students create or develop over the competition are highly sought after by any law firm: pro-activity, resiliency, being able to work in a group, leadership, advocacy skills etc. (apart from other less obvious but nevertheless useful features, such as a high tolerance to sleep deprivation).

In this sense, it is clear that the Vis Moot is more than an educational tool, serving as a valuable exercise of law practice – arguably one of the closest you could get to the real deal while still an undergraduate student.

Besides, depending on the dedication and the performance of the competitors (known as mooties), the Vis Moot can generate unique opportunities to students. Indeed, there are several cases of students from Brazil and other nationalities that were offered internship positions in major international law firms, arbitration centers and other institutions following their participation in the competition. The social aspect of the Vis Moot experience is also well known – lasting friendships are formed, fruitful partnerships are created, and eventually even couples are put together.

These opportunities of exchange and growth are certainly advantageous to all law students, regardless of their nationalities. However, they are all the more appealing when one considers the standpoint of aspiring lawyers coming from places such as Brazil and others not as integrated to the global economy or the international arbitral community. In these cases, these opportunities become truly unique.

In the end, it is also the intensity of the Vis Moot experience as a whole that defines the kind of results that will be reaped from participating in the competition – a hard working student will make the most of it, and there is plenty to be made. Whether it is on the educational, professional or personal level, the Vis Moot can mean a lot to anyone who wish to be a part of it (and give up some or all weekends from October to April), to a point that it wouldn’t be an exaggeration to say that the Vis Moot can change your life.