

**TULANE UNIVERSITY LAW SCHOOL  
SPORTS LAW SOCIETY**

10TH ANNUAL NATIONAL BASEBALL  
ARBITRATION COMPETITION (2017)

**OFFICIAL RULES**

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### Section I: Administration

1. The Tulane University Law School Sports Law Society organizes the National Baseball Arbitration Competition. These rules reference the National Baseball Arbitration Competition Committee (“Committee”), which is a component organization of the Sports Law Society. The Committee directly administers the competition by coordinating the joint efforts of student participants, guest arbitrators, and the competition’s staff.
2. The Committee will consider the submission of exhibits to constitute each team members’ attestation that the entire team has complied with all provisions of these rules.

### Section II: Competition Overview

The National Baseball Arbitration Competition is a simulated salary arbitration competition modeled closely on the procedures used by Major League Baseball (“MLB”) and the Major League Baseball Players Association (“MLBPA”). Like most law school moot court competitions, the National Baseball Arbitration Competition's main goal is to provide participants with the opportunity to sharpen their oral and written advocacy skills. The competition, however, is unique in that it allows law students to sharpen these skills within the specialized context of MLB salary arbitration proceedings.

### Section III: Recommended Reading

The Committee highly recommends all student competitors to read “A Most Interesting Part of Baseball’s Monetary Structure – Salary Arbitration in its Thirty-Fifth Year” by Ed Edmonds. The citation is: 20 Marq. Sports L. Rev. 1 (2009). After reading the article, students will have a better understanding of MLB salary arbitration, and be better prepared for this competition’s cases. In addition, please review the 2012 Major League Baseball Collective Bargaining Agreement (“CBA”) for current arbitration rules.

### Section IV: Teams

1. Each team entering the competition must submit a registration form and the applicable entry fee. A team will not be registered until the Committee receives both. Registration will close on November 1, 2016, or once teams from forty different schools are registered, whichever occurs first.
2. Entry Fee
  - a. The early entry fee for teams with two members is \$575
  - b. The early entry fee for teams with three members is \$600.
  - c. The late entry fee for teams with two members is \$600.
  - d. The late entry fee for teams with three members is \$625.

3. A school may indicate its desire to send two teams to the competition. Schools will be notified after the signup period has concluded as to whether there is space to accommodate a second team.
4. Each team must consist of two or three law students attending the same American Bar Association (“ABA”) approved law school. Only individuals pursuing a J.D. or L.L.M. degree are eligible to participate.
5. Schools that have a qualifying internal competition may register a team without specifying the team member names in the registration form. In that case, the registration form must include the contact information of the person in charge of the school’s internal qualifying competition. In addition, the school must submit the applicable entry fee for a team with two members (\$575 if early or \$600 if late). If the winning team of the internal qualifying competition has three members, the team must render the remaining balance.
6. After a registration form and entry fee have been submitted, a team must obtain approval from the Committee to substitute a team member.

#### Section V: Venue Rules

By participating in the competition, team members agree to refrain from disturbing any furniture, equipment (including projectors), or competition materials in the Lavin-Bernick Center or Weinmann Hall. Any issues regarding room assignments, time changes, or the specific placement of judges shall be left to the behest of the Committee.

#### Section VI: Competition Mechanics

1. The Committee will randomly divide the pool of 40 teams into four groups of 10.
  - a. If there are an irregular number of teams for any reason, then the Committee retains the power to format the competition in the best interest of the rest of the participating teams.
2. The Committee will create three different salary arbitration cases. Each case will include the Player’s filing number and the Club’s filing number. The Committee will then assign teams to a side—Player or Club—for two cases, and to **both** sides for one case. Teams will be required to prepare oral presentations and exhibit books for each of the four assignments.
  - a. All teams in a group will have the same assignments.
  - b. The players used in this competition are Major League Baseball players eligible for salary arbitration in this year’s round of arbitration. Teams must ignore anything occurring after the cases are released.
  - c. Each case’s filing numbers are projections of the Committee in an attempt to create the most realistic hearings possible.
3. The Committee will post cases to the competition’s website on November 30, 2016.

4. For each assignment, teams will submit a brief (outlining exhibits), an exhibit book (outlining and supporting oral arguments), and prepare an oral argument.
5. Teams will be ranked within their group based on brief and exhibit quality.
  - a. Within each group, the best submission per case will receive 10 points, second best will receive 9 points, third best will receive 8 points, and so on. Thus, the best possible score is 40 and worst possible score is 4.
  - b. The total sum of a team's points will determine its position in the group's power ranking.
6. The Committee will post all exhibits to the competition's website January 16, 2017 to allow opposing teams to "exchange" exhibit books in advance of hearings.
7. Three Preliminary Rounds:
  - a. The Committee will assign a salary arbitration case to each of the three preliminary rounds.
  - b. Throughout the three preliminary rounds, teams within Group A will argue against teams within Group B, and vice-versa. Likewise, teams within Group C will argue against teams within Group D, and vice-versa. All matchups will be randomly picked and posted to the website on January 16, 2017.
  - c. In each round, the team with the highest oral argument score will receive a win, and the team with the lowest oral argument score will receive a loss.
  - d. Teams are allowed to see the numerical score of each round after score sheets have been submitted and recorded by the Committee, but not whether they won or lost until the three preliminary rounds have been completed.
8. After the preliminary rounds, the top two teams with the best win-loss record in each sub-group will advance to the quarterfinals. In the case of a tie, total margin of victory in oral arguments will serve as the tiebreaker. In the case of need for further tiebreaker, the team with the higher power ranking will advance.
9. Playoff Rounds
  - a. Quarterfinals: The winners of Group A will argue against the winners of Group B and the winners of Group C will argue against the winners of Group D. The teams will reargue one of the three cases.
  - b. Semifinals: The winners of the quarterfinal matchups will advance to the semifinals. They will be notified of the player and side they will argue for this round upon completion of the semifinal round. Teams **must** be prepared to argue either side of the case for which they have prepared both sides. Should this case be selected, the higher seeded team will have preference in choosing their side.
  - c. Finals: The winner of each semifinal matchup will advance to the finals. The teams will be notified of the player and side they will argue upon completion of the

semifinal round. Again, teams **must** be prepared to argue either side of the case for which they have prepared both sides. Should this case be selected, the higher seeded team will have preference in choosing their side.

### Section VII: Briefs and Exhibits

1. Section VI(E)(10)(a)&(b) of the CBA governs the scope of permissible information.
2. Sources of Information
  - a. Player statistics must be obtained from a publicly available and reliable source of information (including, but not limited to, MLB's official website, a Club's official website, Baseball-Reference and FanGraphs).
  - b. Other information may be obtained from any publically available and reliable material.
  - c. Advanced statistics may be used at the competitor's discretion, but do bear in mind that they must be thoroughly explained.
3. Briefs shall serve as outlines of corresponding exhibit books for each case (see examples on the competition's website).
  - a. Each brief may not exceed 10 pages, exclusive of cover page and optional table of contents, but inclusive of footnotes, charts, tables, lists, or other appendices.
  - b. The font of the brief's body must be 12-point Times New Roman and the font of the brief's footnotes must be 10-point Times New Roman.
  - c. Briefs must be double-spaced, except footnotes, headings, and extended quotations.
  - d. No citations are required for statistical information; however, any citations to non-statistical information should allow the Committee to quickly and easily verify the accuracy of the information.
4. Exhibit books shall serve as slides to accompany oral argument and must include all relevant information to be covered in each case's opening remarks. Submitted exhibits **must** include all comparative player salaries to be used in opening remarks, but need not include any rebuttal slides, which may be added into hard copies after electronic submission (see examples on the competition's website).
  - a. Each exhibit may not exceed 50 pages.
5. Service
  - a. Each team must submit one electronic copy of **each** brief and exhibit.
  - b. All four electronic briefs must be submitted together by e-mail to [tulane.baseball.arbitration@gmail.com](mailto:tulane.baseball.arbitration@gmail.com) as Portable Document Format ("PDF") files by January 6, 2017 at 5:00 PM **central time**. The subject line should read "TNBAC

Briefs—[Team number].” File names should read “Brief.[Player last name/Club city].pdf.”

- c. All four electronic exhibit books must be submitted together by e-mail to [tulane.baseball.arbitration@gmail.com](mailto:tulane.baseball.arbitration@gmail.com) as PDF documents by January 13, 2017 at 5:00 PM **central time**. The subject line should read “TNBAC Exhibits—[Team number].” File names should read “Exhibit.[Player last name/Club city].pdf.”
  - d. Teams **must** provide at least one bound hard copy exhibit book to opposing counsel at the start of each hearing, one bound hard copy exhibit book to arbitrators at the start of each preliminary round, and three bound hard copy exhibit books to arbitrators at the start of quarterfinal and semifinal rounds. In addition, teams must have exhibit books available in PowerPoint format on a zip drive for projection should they reach the finals (the only round in which projectors may be used).
  - e. Teams that fail to submit either the briefs or exhibits by the corresponding deadlines will receive an initial 2-point penalty against their score, with an additional 2-point penalty for every subsequent 24-hour period that their brief is late.
6. The Committee will assign matchups and post electronic copies of exhibits to the competition’s website no later than January 16, 2017.
  7. Teams may not make material changes to their exhibits for their Opening Arguments after submitting them. Whether or not a change is material is up to the discretion of the judge(s) and the Committee. However, teams may revise or amend the rebuttal portion of their exhibits after submission.
  8. Teams may may not use the same exhibits or written materials as any other team, including teams from the same school. Doing so will result in a deduction in points for both written materials and exhibits.

#### Section VIII: Oral Arguments

1. Section VI(E)(10)(a)&(b) of the CBA governs the scope of permissible information.
2. Oral arguments will only reference information available on November 30, 2016.
  - a. Any information, including but not limited to comparative baseball salaries, published or made known after November 30, 2016, is inadmissible.
3. If a team acts in violation of section 8.1 or 8.2, or if they provide information that is found to be factually incorrect, the opposing team must object to the arbitrator immediately. No objections will be allowed once the hearing has concluded.
4. One laptop computer is permitted for use in the hearing room for the purpose of forming rebuttals and fact checking opposing counsel. Team coaches may not use computers.

5. Two team members **must** participate substantively in each round of arbitration, but may divide the time allotment as they wish. Whether or not members participation is substantive is up to the discretion of the judge(s) and Committee.
6. If a team has three members, all members must participate in at least one round of arbitration.
7. During opening remarks, teams **may not** use comparable player salaries not included in their exhibits submitted electronically.
8. A maximum of two coaches per team may be in the hearing room. They may not make objections or interrupt the proceedings in any way.
9. All rounds will last 45 minutes. The format will be as follows:

Player's Side Opening Remarks	15 minutes
Club's Side Opening Remarks	15 minutes
Player's Side Rebuttal	7.5 minutes
Club's Side Rebuttal	7.5 minutes
10. The aforementioned time constraints are inclusive of any questions posed by arbitrators.
11. A team may ask for additional time to respond to a question asked prior to time expiring. The arbitrator, at his or her discretion, may grant such a request.
12. Should an entire team miss any of their scheduled oral arguments for reasons other than uncontrollable circumstances, they will forfeit that round and all subsequent rounds. They will also be banned from participating in the Tulane National Baseball Arbitration Competition for two years. Should an event arise where a team cannot compete in any of their oral arguments, refund of the entry fee will be at the Committee's discretion.
13. Advanced statistics may be used at the competitor's discretion, but do bear in mind that they must be thoroughly explained.

#### Section IX: Scoring

1. Written Material Scoring
  - a. Members of the Committee will serve as anonymous judges. Briefs and exhibits will be blind-graded, meaning that the Committee will have no knowledge of the identifying information of any particular law school or team member.
  - b. Each judge will evaluate written materials based upon a provided scoring guide.
  - c. The guide will be posted in the competition's website along with the salary arbitration cases.

2. Oral Argument Scoring:

- a. Each arbitrator will evaluate the oral arguments based upon a provided scoring guide.
- b. The guide will be posted in the competition's website along with the salary arbitration cases.
- c. Should panels of arbitrators hear playoff rounds, a simple majority of the arbitrators determines the round's winner.
- d. Arbitrators scoring shall be deemed final and non-appealable.
- e. The team's margin of victory will be calculated by subtracting the losing team's point total from the winning team's point total.
- d. Teams that wish to review their oral argument score may do so after score sheets have been submitted and recorded by the Committee. Teams will not know whether they won or lost until the three preliminary rounds have been completed.
- f. In the event that a team forfeits a round due to an unforeseeable occurrence, the team's scheduled opponent will be declared the winner of that round (with no point differential).

Section X: Assistance

1. Team members may discuss the mechanics of salary arbitration with faculty members or coaches; however, faculty members may not be involved in research or creation of any presentation materials used.
2. After exhibits have been filed, team members may receive assistance in the preparation of oral arguments.

Section XI: Penalties

The Committee, in its sole discretion, will assess penalties for violation of these rules. Uniform penalties will be assessed for each type of violation.

Section XII: Rule Interpretation

The Committee, in its sole discretion, shall interpret these rules. All decisions are final.

Section XIII: Supplemental Rules

The Committee, in its sole discretion, may create additional rules and standards to address situations not presently covered or contemplated by these rules.

#### Section XIV: Information

1. The Committee will post any additional information to the website or send it out via e-mail.
2. Any request for information or rule interpretation should be sent to Spencer Low via e-mail at [tulane.baseball.arbitration@gmail.com](mailto:tulane.baseball.arbitration@gmail.com).