

**TULANE UNIVERSITY LAW SCHOOL
SPORTS LAW SOCIETY**

**NATIONAL BASEBALL ARBITRATION
COMPETITION
2015**

OFFICIAL RULES

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Section One: Administration

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, judges, and the competition’s staff.

Section Two: Overview of the Competition

The National Baseball Arbitration Competition is a simulated salary arbitration competition modeled closely on the procedures used by Major League Baseball (MLB). 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's salary arbitration proceedings.

Section Three: 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 salary arbitration in MLB, and be better prepared for this competition’s salary arbitration cases. In addition, please review the most recent Major League Baseball Collective Bargaining Agreement for current arbitration rules.

Section Four: 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 once forty teams are registered.
2. Entry Fee
 - a. The entry fee is non-refundable.
 - b. The early entry fee for teams with two members is \$530
 - c. The early entry fee for teams with three members is \$570.
 - d. The late entry fee for teams with two members is \$560.
 - e. The late entry fee for teams with three members is \$600.

3. A school may indicate its desire to send two teams to the competition. Schools will be notified on December 12, 2014 whether there is space to accommodate a second team.
4. Each team will 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 during the competition's semester are eligible to participate.
5. Schools that have a qualifying internal competition may register a team without specifying the team members' 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 (\$530 if early or \$550 if late). If the winning team of the internal qualifying competition has three members, the team must render the remaining balance by December 29, 2014.
6. Before the brief-filing deadline, a team must obtain approval from the Committee to substitute a team member.
7. After the brief-filing deadline, team members may not be substituted, except for good cause such as serious illness or other extreme circumstance.
8. Each team must report the names of all faculty members or coaches who will attend the reception via email at tulane.baseball.arbitration@gmail.com.
 - a. Use "Reception – [School Name and Team Number]" as the e-mail's subject line.
 - b. The RSVP deadline is December 20, 2014.

Section Five: Venue Rules

By participating in the competition, team members agree to refrain from moving any furniture or disturbing any equipment, including but not limited to any projectors or handouts, in any of the arbitration rooms. Any issues regarding rooms, time changes, or the specific placement of judges in rooms shall be left to the behest of the Committee.

Section Six: Competition Mechanics

1. The Committee will randomly divide the pool of 40 teams into two groups of 20. Then, the Committee will randomly divide each group into two sub-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 final submitted offer and the Club's final submitted offer. The Committee

will then assign teams to a side - Player or Club - in each case. Teams will be required to prepare oral presentations, exhibits, and briefs for their assignments. In addition, teams will also be assigned one of the three players for which they will be responsible for preparing oral presentations and exhibits for **BOTH** sides.

- a. All teams in a sub-group will have the same assignments.
 - b. The players used in this competition are actual Major League Baseball players eligible for salary arbitration in the upcoming round of arbitration. Teams must ignore **anything** that happens to the three subject players after the cases are released. Each case's final submitted offers are projections created by the Committee in an attempt to create the most realistic salary arbitration cases possible.
3. The Committee will post the salary arbitration cases to the competition's website by November 30, 2014.
 4. For each assignment, teams will write a brief, prepare any necessary exhibits, and prepare for oral argument.
 5. Teams will be power ranked based on brief quality as compared to all other briefs in their sub-group.
 - a. Within each sub-group, the best brief per case will receive 20 points, second best will receive 18 points, third best will receive 16 points, and so on.
 - b. The total sum of a team's brief points will determine its position in the sub-group's power ranking.
 6. The Committee will post all briefs to the competition's website.
 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, the top four teams in sub-group 1A will argue against the bottom four teams in sub-group 1B, and vice-versa. Likewise, the top four teams in sub-group 2A will argue against the bottom four teams in sub-group 2B, and vice-versa. All those matchups will be randomly picked and posted to the website prior to competition. For example, the first ranked team in sub-group 1A will argue against three of sub-group 1B's bottom ranked teams. On the other hand, the fifth-ranked team in subgroup 1A will argue against three of sub-group 1B's top ranked teams.

- c. In each round, the team with the highest oral argument score will receive a win (“W”) and the team with the lowest oral argument score will receive a loss (“L”).
 - d. Teams are allowed to see the numerical value of each round after the score sheet has been turned in and recorded by the Committee. Teams are only permitted to see their NUMERICAL value and not their win or loss.
8. After the preliminary rounds, the top two teams with the best W-L record in each sub-group will advance to the quarterfinals. In the case of a tie, total margin of victory in oral arguments plus power ranking points as determined by brief scores will serve as the tiebreaker. For example: Team 1 went 3-0 with scores of 90-80, 80-70, and 70-60; their powering ranking was 14. Team 2 went 3-0 with scores of 95-90, 85-80, and 75-70; their power ranking was 20. The tiebreaker score for Team 1 would be $(90-80)+(80-70)+(70-60)+14$; or 44. The total tiebreaker score for Team 2 would be $(95-90)+(85-80)+(75-70)+20$; or 35. In this case Team 1 would be the winner of the tiebreaker. If a second tiebreaker is needed total oral argument points will serve as the final tiebreaker. Should teams still be tied, a coin flip will be administered.
9. Playoff Rounds
- a. Quarterfinals: The winners of sub-group 1A will argue against the winners of sub-group 1B and the winners of sub-group 2A will argue against the winners of sub-group 2B. 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. All teams will have prepared for one of the two sides they will be assigned prior to the competition.
 - 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. All teams will have prepared for one of the two sides they will be assigned prior to the competition.

Section Seven: Briefs

1. Section VI(E)(10)(a)&(b) of the CBA governs the scope of permissible information.
2. Sources of Information
 - a. Any player’s performance 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, ESPN, Baseball-Reference, Baseball Prospectus, and Fangraphs.

- b. Other statistics (i.e., statistics that are not a player's performance statistics) and non-statistical information may be obtained from any publically available news material.
 - c. Basic Sabermetric stats may be used sparingly at the competitor's discretion; these should be explained in detail.
3. Briefs shall not exceed ten (10) pages, exclusive of cover page and optional table of contents, but inclusive of any charts, tables, lists, or other appendices. Footnotes also count towards the page limit. 1 point will be deducted for each page exceeding the 10-page limit.
4. 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. The use of any other type of font will be grounds for a penalty. 1 point will be deducted from overall brief score for incorrect font in the body of the brief and 1 point will be deducted from overall brief score for incorrect font in footnotes or graphs/charts.
5. Briefs must be double-spaced, except footnotes, argument headings, and extended quotations.
6. No formal citation style is required; however, all citations should allow the Committee to quickly and easily verify the accuracy of the information. Generic citations such as "mlb.com" or "espn.com" do not allow the Committee to quickly and easily verify the information and will be grounds for deduction at the discretion of the brief grader.
7. Briefs must be bound on the left using a paper size of 8 ½ x 11" and 1-inch margins all around. Stapling down the left side is not sufficient binding and will lead to a 1 point deduction from the total brief score.
8. Briefs must include a color-coded cover page: red for submissions representing the Player and blue for those representing the Club. Colored text boxes over white pieces of paper are not sufficient. Pages that are red or blue as a result of "shape fill" will be found as not in compliance with these rules. The entire page should be either red or blue. Failure to comply will lead to a 1-point deduction from overall brief score. The cover page should only include the team's number, the case, and the side represented. Any identifying information, other than the team number, anywhere on the submission, is forbidden and will result in a 1-point deduction from overall brief score.
9. Service of Briefs
 - a. Each team must serve two (2) hard copies and one (1) electronic copy of each brief. Hard copy submissions should be addressed to:

Tulane University Law School
Attn. Sports Law Society

John Giffen Weinmann Hall
6329 Freret St.
New Orleans, LA 70118

Electronic submissions to:
tulane.baseball.arbitration@gmail.com

- b. Service Deadlines
 - i. Electronic copies must arrive via e-mail and hard copies must arrive at the law school by January 12, 2015 at 5:00 pm **central time**.
1. Teams that fail to submit either their hard or electronic copies by the deadline will receive an initial 5-point penalty against their brief score, with an additional 3-point penalty for every subsequent 24-hour period that their brief is late.
 - c. Method of Delivery
 - i. The Committee will not verify receipt of individual briefs; thus, the teams are encouraged to employ a delivery method that provides clear proof of the date of arrival. The service date is the date of arrival.
 - ii. The electronic copy of the brief must be sent as a Portable Document Format file (PDF). Failure to comply will result in a 1-point deduction from overall brief score.
 - iii. The subject line of the electronic brief submission must be “TNBAC Brief Submission – Team [Insert Team #]”. Failure to comply will result in a 1-point deduction from overall brief score.
 - iv. The email attachment must contain only the electronic copies of the submitted brief.
 - v. The email and the attachment must be free of viruses or any other files.
10. The Committee will post electronic copies of all briefs to the competition’s website no later than January 14, 2015.
11. A team may not revise or amend its brief after submission, even if the deadline for submission has not yet passed.

Section Eight: 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, 2014.

- a. Thus, a team may introduce **any** information, including comparative baseball salaries, published or made known on or before November 30, 2014, even if the information was not included in its brief or the opposition’s brief.
 - b. **Any** information, including comparative baseball salaries, published or made known after November 30, 2014, is inadmissible.
3. Teams may not introduce information about **anything** that happens to a case’s subject player after the cases are released.
4. If a team acts in violation of section 8.2 or 8.3, or if they provide information that is known to be factually incorrect, the opposing team should object to the arbitrator **immediately**. No objections will be allowed once the hearing has concluded.
5. Only two team members may participate in any given round of arbitration.
6. If a team has three members, all members must participate in at least one round of arbitration.
7. 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
8. Team members may divide the time allotment amongst themselves as they wish.
9. The aforementioned time constraints are inclusive of any questions posed by the arbitrators.
10. 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.
11. A maximum of two faculty members or coaches per team may enter the arbitration room. They may not interrupt the proceedings in any way.
12. Should an entire team miss any one of their scheduled oral arguments for reasons other than serious illness or uncontrollable circumstances (ie. a “no show”) 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 they must notify the Chairs of the competition at least one hour prior to their scheduled argument.

13. Basic Sabermetric stats may be used sparingly at the competitor's discretion; these stats should be explained in detail.
14. Judges may deduct, at their discretion, for a team using a player in their oral argument that was not in their written brief.

Section Nine: Scoring

1. Brief Scoring

- a. Members of the Committee will serve as anonymous brief judges. The briefs are blind-graded, meaning that brief judges will have no knowledge of the identifying information of any particular law school or team member.
- b. Each judge will evaluate the briefs based upon a standard scale.
- c. The standard scale 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 standard scale.
- b. The standard scale will be posted in the competition's website along with the salary arbitration cases.
- c. If there is a panel of three arbitrators in any of the playoff rounds, a simple majority of the arbitrators determines the round's winner.
- d. If there is a panel of two arbitrators in any of the playoff rounds, the Committee will randomly select one judge's ballot prior to the beginning of the round. In the event of a tie vote, the randomly selected judge's ballot will be excluded.
- e. Judges' oral argument scores for each team shall be deemed **final and non-appealable**.
- f. The team's margin of victory will be calculated by subtracting the losing team's point total from the winning team's point total.
- g. Teams that wish to review their oral argument score sheets may ask for the score sheets at the competition's reception table.
- h. In the event that a team forfeits a round due to an unforeseeable occurrence (i.e. serious illness), the team's scheduled opponent will be declared the winner of that round. Should a team with a forfeited win be involved in a tiebreaker, only the rounds argued by all teams involved will count toward the tiebreaker (i.e. the forfeited round for one team will be thrown out for all teams in the tiebreaker).

Section Ten: Assistance

1. A team may only receive limited faculty assistance. Team members may discuss the mechanics of salary arbitration with faculty members or coaches. However, team members shouldn't ask faculty members or coaches to review or edit their briefs.
2. Only team members may conduct research.
3. Only team members are allowed to create any presentation or other materials used.
4. After the brief is filed, team members may receive assistance in the preparation of their oral arguments.
5. The Committee will consider a submitted brief to constitute each team members' attestation that the entire team has complied with all provisions of this section.

Section Eleven: Penalties

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

Section Twelve: Information

1. The Committee will post any additional information to the website or send it out via email.
2. Any request for information or rule interpretation should be sent to Drew Respass or Hamilton Wise via email at tulane.baseball.arbitration@gmail.com

Section Thirteen: Interpretation of the Rules

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

Section Fourteen: Supplemental Rules and Standards

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