

AMERICAN BAR ASSOCIATION
LAW STUDENT DIVISION

2016 – 2017

ARBITRATION
COMPETITION

**Regional Competition
Administrative Guide**



**ARBITRATION COMPETITION
REGIONAL COMPETITION ADMINISTRATIVE GUIDE**

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**AMERICAN BAR ASSOCIATION
LAW STUDENT DIVISION**

**ARBITRATION COMPETITION
REGIONAL COMPETITION ADMINISTRATIVE GUIDE**

Introduction

This competition provides law students with legal training in arbitration, and promotes excellence in arbitration advocacy.

The Law Student Division provides assistance and a Regional Competition Administrative Guide to the host schools. The host school is to designate a full or part-time faculty or staff member, who cannot be a Team Coach, to act as the Regional Host School Competition Administrator (“Competition Administrator”) and who can be assisted by faculty, staff, and students who are not competing. In addition, each Competition Administrator is assigned an Arbitration Competition Subcommittee Member as a consultant and adviser.

The administration of regional competitions involves:

- 1) Identifying a location and rooms to hold the competition
- 2) Recruiting judges
- 3) Providing information to visiting teams and judges prior to the competition
- 4) Pre-competition logistics management
- 5) On-site logistics management
- 6) Orienting competitors
- 7) Briefing judges
- 8) Scoring
- 9) Resolving disputes
- 10) Announcing results
- 11) Distributing copies of the Judges’ Evaluation Forms, original Comment Sheets, and copy of the Win/Loss Record & Master Score Sheet (“Master Score Sheet”) to competitors.
- 12) Sending original score sheets back to the ABA Law Student Division Chicago Office by hard or scanned copy.

Location and Room Requirements

As soon as the school has been selected to host, the Competition Administrator should reserve sufficient rooms for the competition. The rooms required are listed below:

- Registration / check-in area – usually right outside the orientation room.
- Team Hospitality Room for teams to congregate during breaks – if large enough, this room can be used for the coaches and team orientation session, and lunch.
- One competition room (courtroom or rooms with moveable tables or chairs) per each two teams that will hold at least 16 people. Each regional host school should expect 12-14 teams, so you should set aside six to seven competition rooms. Only four teams advance to the semifinal round and two teams to the final round. See Appendix G for suggested room setup options.

- One room for the arbitrator judges briefing, which takes place before each round. Expect three judges for each competition room per round.
- Administrative headquarters, usually a conference room, for tallying the scores, etc.
- If resources are available, you may set aside individual practice rooms for the teams.

Recruiting Judges for the Competition

You should have three judges per each competition room. It is suggested that you recruit an additional 25% more judges than you need, to cover inevitable last-minute cancellations. You must have a minimum of two judges per competition room. Begin recruiting judges at least six to eight weeks prior to the competition. If, three weeks prior to the competition, you don't have sufficient judges, you should notify your designated Arbitration Competition Subcommittee Member, who can provide suggestions for finding additional judges.

Recommended places from which to recruit judges:

- Alumni
- American Arbitration Association Neutrals
- JAMS Neutrals
- Neutrals from other arbitration organizations
- Local Arbitrators and ADR Lawyers
- Former Judges
- Local ADR Organizations
- Local (city, county, state) Bar Association
- ABA Section of Dispute Resolution
- ABA Law Student Division

One of the three judges in each room should have significant arbitration experience. He or she should be designated the Chair of the Arbitration Panel. Please attempt to balance the arbitral judge panels by age, gender, racial, and ethnic background to the extent possible.

Information for Teams and Arbitrator Judges before the Competition

Teams

A sample introductory e-mail message is included in Appendix I. This message should be sent to your teams four to five weeks prior to the competition – immediately after you are notified which schools are attending your regional competition. The ABA Law Student Associate Director must be copied on this introductory message.

Please note that the teams will be waiting for you to contact them prior to arranging travel accommodations. Because of this, you should contact them earlier than four to five weeks, if possible.

In the introductory email:

- Introduce yourself, and include your contact information.
- Provide the address of the competition location, including closest intersections.
- Provide the name and address of the designated competition hotel, including the group name, group rate, and deadline for booking to obtain the group rate. Most hotels will

allow a three-week cutoff, if you explain that you won't know who your competitors are until four weeks out.

- Provide the day and time of the first scheduled event, day and time of the last scheduled event, and travel times to and from the airport.
- Provide airport information, especially if there is more than one local airport.

A follow-up e-mail message should be sent two weeks prior to the competition. A sample is included as Appendix J. Include:

- Recommended means of transportation (drive, taxicab, shuttle, subway, etc.).
- Parking information (free, on street, pay lot, meter etc.), including maps if necessary.
- Seasonal weather expectations during the time of the competition.
- Competition schedule.

Arbitrator Judges

A sample invitation and selection form is included in Appendix K. This message should be sent (via regular mail or e-mail) to your potential judge pool at least six to eight weeks prior to the competition. Include:

- Background information about the competition and why it is so important to the competitors.
- What's in it for the Arbitrator Judges.
- What they have to do to prepare for the competition.
- Time and date of rounds; include the judges' briefing in the start time.
- Address of competition location, including closest intersections.
- More details to follow to those who volunteer.
- Remember to attach the selection form.

A sample judge confirmation message is included in Appendix L. Your message should include:

- Time and date of rounds they've been assigned.
- Address of competition location, including closest intersections.
- Beginning time of the judges' briefing, followed by the start and end time of the competition.
- Parking information (free, on street, pay lot, meter etc.), including maps if necessary.
- Attach copies of the Competition Case File and Rule 7 (Competition Procedures).

Logistical Support (Pre-Competition)

ABA Law Student Division

Provides Competition Administrators with contact information for their assigned Arbitration Competition Subcommittee Member.

- Posts the competition problem (case file) and rules to the Arbitration Competition webpage.
- Makes the regional assignments and provides the Competition Administrators with the list of schools that have been assigned to their region and advises the competitors of the region to which they have been assigned.

- Assigns team designations and creates team pairings.
- At the Competition Administrator's request, can send electronic "Invitation to Judge" messages to ABA members on behalf of the host school.
- In the event of inclement weather, or any unforeseen emergency, that may necessitate delaying or cancelling the competition, making decisions on how to proceed in consultation with the Host School Administrator and the Arbitration Subcommittee.

Regional Host Schools

- 1) Selects a group of volunteers (students and/or staff) to
 - a) Make photocopies of documents listed in items 3, 4, and 5 below.
 - b) Assist with compiling packets and folders prior to competition.
 - c) Greet competitors and judges as they enter the building and help to direct people on site.
 - d) Calculate scores and enter them into the Master Score Sheets.

- 2) Arrange for catering (lunches for coaches and competitors in one room; food for judges in a separate room, and a light reception for the evening where semi-finalists are announced).

- 3) Organize and compile packets of material for competitors to include:
 - a) Competition schedule.
 - b) List of schools and team designations.
 - c) Team pairings, listing room numbers/names for each round. The competitors' version may include school names.
 - d) Floor plan or map of campus.
 - e) List of restaurants in the neighborhood and/or near the competition hotel.
 - f) Transportation information.
 - g) Name badges with students' names and their team designations. You may wish to place these on the outside of the packets so they're easier to identify.

- 4) Organize and compile packets of material for the Arbitrator Judges to include:
 - a) Competition schedule.
 - b) Competition Case File.
 - c) Instructions for Arbitrator Judges (Appendix C); sample Evaluation Forms and Comment Sheets (Appendix D); and the Timekeeping Sheet (Appendix E).
 - d) Team pairings, listing room numbers/names for each round. The judges' version must not include school names.
 - e) Schedule listing round, room number, and judges assigned to that room (see Appendix M for example). Judges should not see the same team twice, if at all possible. If a judge must see a team again, try to make sure the team represents the opposite party from the previous round. This is not an issue during the first two rounds. You may move your judges around, but not the teams, during the first two rounds.
 - f) Generic name badge, "Arbitrator Judge," for each judge.

- 5) Create, label, and compile folders for competition rooms:
 - a) Label folder with round number and room number. If possible, use a different color folder for each round. (One folder per competition room.)
 - b) Compile each "round" folder with

- i) Two sets of stapled Evaluation Forms and Comment Sheets for each judge (*i.e.* six sets). Use single-sided copies so that judges can more easily refer to their paperwork. Ideally, if you're using colored folders for each round, the color of the forms should match the color of that round's folder. This makes it easier for the scorekeepers to keep track of which documents belong with which round.
 - ii) Tent cards for each judge that say, "Arbitrator _____." Fill in the blank with each judge's last name.
- 6) Signage (can be 8 ½ x 11 paper). Brightly colored paper works best.
- a) Directional signs directing people (competitors, coaches, judges) to their respective rooms.
 - b) Signs on doors for Judges' Briefing Room, Competitors' Hospitality, and Orientation Room
 - c) For posting on competition doors:
 - i) Quiet - Competition in Progress – Do Not Enter
 - ii) List room number and the teams (by designation, not school name) competing in the room by round.

Logistics (On Site)

Teams

- 1) Place registration/check-in desk in or near hospitality room for signing in competitors and distributing certificates of participation and team tent cards. (Don't forget pens for teams to use when signing in.). The sign-in sheet should not be distributed to the teams in advance.
- 2) Serve lunch in team hospitality room.
- 3) To facilitate the scoring process, the Evaluation Forms should be collected from the Arbitrator Judges as soon as they are completed and **before** the critique period begins. Before leaving the hearing room, the Competition Administrator or Assistant collecting the Evaluation Forms should review the Arbitrator Judges' computations to confirm that each judge has entered a score between 1-10 within each criterion; there are no ties; there are no half points; and that the judge's "winning" team in that round received the higher score. The Arbitrator Judges may retain their written Comments Sheets to provide the teams feedback. The Competition Administrator or Assistant should collect the judges' Comment Sheets after the feedback period to distribute to the teams later that day.

Arbitrator Judges

- 1) Serve breakfast, lunch, or light snacks in the judges' room.
- 2) Provide "Arbitrator Judge" name badges.
- 3) Have extra pens and pads of paper available.
- 4) If at all possible, make sure the judges don't see the same team twice. If necessary, move judges, not teams, for the first two rounds. You must have fresh judges for the final round.

Food and Beverage Cost Saving Ideas for Host Schools

- 1) Partner with hotels with free breakfasts
- 2) Use ABA Leverage to set up your hotel block: www.ABALeverage.org
- 3) Schedule sessions that don't overlap, or leave sufficient time in between rounds so students can leave campus to eat
- 4) Provide food for sale by law school snack bar or school groups
- 5) Cut alcohol from reception
- 6) Get snacks from Costco or Sam's for reception rather than catering
- 7) Limit snacks at reception
- 8) Provide activities other than eating at reception like guest speakers, entertainment, or karaoke
- 9) Serve water only lunch (rather than soft drinks)
- 10) Serve a light lunch like granola, cookies, chips, whole fruits rather than a heavy meal
- 11) Get coupons from local restaurants for competitors with competition badge
- 12) Cut dessert from lunch

Competition Rooms

- 1) Rooms should be set up with tables to resemble an arbitration conference room. The exact room configuration will vary depending upon whether a seminar, class, or courtroom is used. (see Appendix G for a sample room setup)
- 2) Post signs on doors
 - a) Quiet - Competition in Progress - Do Not Enter
 - b) List of teams competing in that room by round for the two qualifying rounds. If possible, list by day and start time. Remember to use team designations, not school names.
- 3) Place water, cups, and napkins for judges and competitors in the competition rooms.
- 4) Place tent cards with each judge's last name in front of their chairs. The Chair of the Arbitrator Panel should sit in the middle.
- 5) Place one pen and two sets of evaluation forms on the table in front of each Arbitrator Judge's seat.
- 6) Have the Competition Administrator or Assistants available to collect the Evaluation Forms from the judges when they are completed before the critique period begins and bring them to the scoring room. Before leaving the hearing room, the Competition Administrator or Assistants collecting the Evaluation Forms should review the Arbitration Judges' computations to confirm:
 - a) The Arbitrator Judge's name, date, room, and round;
 - b) Each team's designation;
 - c) That the Arbitrator Judge has entered a score between 1-10 in each criterion, that there are no ties and no half points; and
 - d) Verify that the Arbitrator Judge's "winning" team in that round received the higher score.
- 7) Have the Competition Administrator or Assistants available to collect the judges' Comment Sheets after the feedback period to distribute to the teams later that day.

Scoring Room

A conference room works well, especially if you have two or three people tabulating scores. A larger room will be required if you decide to allow team coaches / representatives to observe the tabulation process. You will also need the following in your scoring room:

- 1) Calculators
- 2) Laptop with Excel version of the Master Score Sheet loaded
- 3) Paper Master Score Sheet
- 4) Refreshments for scorekeepers (food and beverages)

Rule 8 states that Teams are ranked as follows:

1. Win/loss record
2. Number of judges' votes
3. Overall team score/points
4. Previous head-to-head competition (To easily record the head-to-head team comparison, the Competition Administrator should use the team pairing schedule and highlight the winning team from each room.)
5. Strength of schedule, based on number of ballots won by opponent
6. Random coin toss

To ensure that the proper W/L is marked, Competition Administrators **must** input each judge's score for the two teams s/he observed into the same column. For example, in round 1, let's say Judge Rayburn's evaluation form is the first form the Competition Administrator picked up when preparing to input scores into the Master Score Sheet. That makes Judge Rayburn Judge 1. Thus, Judge Rayburn's scores for Aqua and Blue must be input into the Judge 1 column so that the determination of who received that judge's vote can be made by looking at the scores. See Rule 8 for additional details on scoring.

Information for Teams at the Competition (Team Orientation)

- 1) Competitors learn their team designations when they sign in at the registration/check-in desk.
- 2) Introduce Competition Administrators and advise where to find them throughout the competition. If possible, request your law school Dean welcome the teams to the school; otherwise Competition Administrators should welcome the competitors.
- 3) After ascertaining that no Arbitrator Judges are in the room, invite Team Coaches to introduce themselves and their team members (not identifying home school).
- 4) Review information in the competitors' packet; ensure everyone sees each item in the packet.
- 5) Review competition format (see Rules 5&6)
 - a) There are two qualifying rounds, with each team advocating on behalf of the claimant and respondent in different rounds. The top four teams will advance to the semifinal round. The two winning teams will meet in the final round.

- b) Each round takes three hours – one hour for each team to present its case, 30 minutes for judges to independently evaluate the teams, and 30 minutes for Arbitrator Judges to critique both teams together in the same room.
- 6) Review competition procedures and room set-up (see Rule 7)
- a) Teams are to remain anonymous. If Arbitrator Judges ask what schools the teams represent or what part of the country they are from, teams are to explain that the rules prohibit them from answering that question.
 - b) Student Lawyers are to remain seated during examinations. If space permits, lawyers may stand during opening and summation or exhibit presentations, at the discretion of the Chair.
 - c) Claimants sit on the judges’ left; respondents are to sit on the judges’ right.
 - d) Lawyers are to sit closest to the judges on either side of the conference table; witnesses should sit farthest so they are in the judges’ sightlines.
 - e) If space permits, the witnesses, while undergoing examination, may be seated at the end of the table opposite the Arbitrator Judges.
- 7) Ask if there are any questions and answer them to the best of your knowledge. If necessary, you may contact your “on call” Arbitration Competition Subcommittee Member.

Information for Arbitrator Judges at the Competition (Judges Briefing)

- 1) Introduce Competition Administrators. Advise how and where they may be reached throughout the competition.
- 2) Review Appendix C (Instructions for Arbitrator Judges).
- 3) Review the competition format (see Rules 5&6)
 - a) There are two qualifying rounds, with each team advocating on behalf of the Claimant and Respondent in different rounds. The top four teams will advance to the semi-final round. The two winning teams meet in the final round.
 - b) Each round takes three hours – one hour for each team to present its case, 30 minutes for judges to evaluate, and 30 minutes for Arbitrator-Judges to critique both teams.
- 4) Review the Evaluation Forms and Comment Sheets. Explain that the Competition Administrator or Assistant will pick up the Evaluation Forms **before** the feedback period, but leave the Comment Sheets for the judges to use during their feedback. The Competition Administrator or Assistant will pick up the Comment Sheets after the feedback session, or judges may be asked to return the Comment Sheets to the Competition Administrator on their way out.
- 5) Explain the importance of the competition as a learning opportunity for the students and that one of the most valuable components of the competition is receiving feedback from practicing bar members and arbitrators. When giving oral critique at the end of the arbitration session, it is recommended that judges identify a couple of things the teams did well and a couple of opportunities for improvement. Be sure that all critiques are constructive in nature. Please do not limit your comments to telling the teams that they “did a good job.”

- 6) When deciding which team, in your opinion, won the round, do not base your decision on the merits of the case, only on the teams' performances.
- 7) All three judges do not have to unanimously declare a winner—it is okay to have a split decision. That is why the judges should independently complete their Evaluation Forms. Further, there cannot be any ties on the Evaluation Form—one team must receive a higher score than the other from each judge.
- 8) The announcement of the top four teams will be made in a central location. There should be no announcement of who won individual rounds. Arbitrator Judges may be present in the room when the advancement announcement is made, as long as these judges are finished judging the competition.
- 9) Ask if there are any questions and answer them to the best of your knowledge. If necessary, contact your “on call” Arbitration Competition Subcommittee Member.

Scoring

It is recommended that two to three people score the Master Score Sheet. If possible, have two people **independently** enter the figures individually on two Master Score Sheets to ensure accuracy and eliminate calculation errors. At the discretion of the Competition Administrator, team coaches or representatives may be invited into the scoring room to observe the tallying process. This promotes transparency.

Because the third determinative measure is total score/points, the competition requires three scores for each team in the preliminary rounds. If there are more than three Arbitrator Judges in a round, the Competition Administrator will employ a random selection process to determine which judge's Evaluation Form and Comment Sheet will be excluded before any scores are examined, reviewed, or tabulated. The excluded forms and comments should not be shared with the affected teams.

For the semifinal and final rounds only, whenever possible Competition Administrators shall impanel an odd number of Arbitrator Judges. The winner shall be determined by a majority of winning votes. In the event of an even numbered panel of 4 or more judges, one judge's score will be randomly excluded as set forth above.

- 1) The scoring sheets (Appendix F) are comprised of two parts:
 - a) *Master Score Sheet*—Enter each individual judge's vote (W=Win/L= Loss) on the top side of the diagonal; and the score from that judge's Evaluation Form in the bottom of the diagonal. Mark a W for the winner of each round. (There should be an equal number of Ws and Ls for each round.) Enter number of rounds won.
 - b) *Semifinal Round and Final Round Bracket* – Record the team pairings for the semifinal round, which teams advanced to the final round, and which team won the final round.
- 2) Teams are ranked as follows:
 - a) Win/Loss record, as determined by the number of judges who scored the team higher (2-0, 1-1, or 0-1);
 - b) Number of Arbitrator-Judges' votes (a win can be 3-0 or 2-1);

- c) Overall team score/points;
 - d) Previous head-to-head competition (To easily record the head-to-head team comparison, the Competition Administrator should use the team pairing schedule and highlight the winning team from each room.);
 - e) Strength of schedule, based on number of ballots won by opponent;
 - f) Random coin toss.
- 3) All determinations by Arbitrator Judges relating to the scoring of the teams and their performances are final and binding and are not subject to review, complaint, or protest except as provided in Rules 11, 13, and 14.
 - 4) After the qualifying rounds, the top four teams will advance to the semifinal round. The two winning teams will meet in the final round. See Rule 3 for the pairings for the semifinal and final rounds.

Resolving Disputes

- 1) An Ombuds rules on and resolves complaints, rule violations, and disputes that occur during a competition. If a member of the Arbitration Competition Subcommittee is present during the competition, that member shall be the Ombuds, so long as the dispute/complaint does not involve that member's team. If no Subcommittee member is present, the Competition Administrator shall appoint an Ombuds and an Alternate. Ombuds and Alternates may be faculty members from the Host School, a professional from the community, or the Competition Administrator. The Ombuds shall act in accord with the competition rules, unless the matter involves an Ombuds who has a conflict of interest as determined by the Competition Administrator, in which case the Alternate shall act.
- 2) A violation of the rules governing the Arbitration Competition may subject a violator to a sanction as determined by the Ombuds. Sanctions may include a loss instead of a win, a lowering of the team score, disqualification from the competition, or any other appropriate sanction. Any sanction shall be commensurate with the violation, and the Ombuds will determine the degree of prejudice incurred by an opposing team or benefit gained by the violating team. The Ombuds may also determine that the violation was unintended and harmless error. A decision need not be made if the violation did not affect the result of a round or the outcome of the competition. The decision of the Ombuds is final and will not be reviewed except under extraordinary circumstances and in the discretion of the Arbitration Competition Subcommittee.

A violation of a rule by a coach, observer, or other person associated with a law school may subject the team from the law school to a sanction depending on the severity of the violation. Anyone may notify the Ombuds of a purported violation.

All protests arising out of the competition round are considered waived unless the protest is brought to the attention of the Ombuds before the beginning of the judges' critique.

The Ombuds, in consultation with anyone deemed appropriate by the Ombuds, shall promptly decide whether a violation has occurred and issue a penalty or resolve the dispute. The decision shall be made based on the nature of the offense or rule violation and: (1)

whether the report is timely, (2) whether the offended team could have or did neutralize the effects of the offense; (3) what best promotes the objectives of the competition, and (4) what is fair to all teams.

The Ombuds may discuss the violation or dispute with the Arbitrator Judges Panel and allow it to consider the matter in making its decision. **If the sanction is to be disqualification, the Ombuds, before imposing the sanction, is to attempt to immediately contact an Arbitration Subcommittee Member, who may overrule the decision of the Ombuds and impose a different sanction.** If an Arbitration Subcommittee Member is unavailable, the decision of the Ombuds is final and will not be reviewed except under extraordinary circumstances and at the discretion of the Arbitration Competition Subcommittee.

The Competition Administrator is to advise the Law Student Division Chicago Office of any dispute and its resolution in a post-competition report.

Complaints and protests should only be made for a significant violation of the rules, and are not intended to and should not become part of the competition. The failure of a team or law school to timely report a violation or dispute in accord with these rules shall be a waiver of the provisions of these rules.

Announcing Results

The Competition Administrator must announce the teams that will advance to the semifinal round. Immediately after the announcement, the Competition Administrator must make available to the competitors a copy or copies of the Master Score Sheet in Appendix F. Competition Administrators may post a single copy of the Master Score Sheet in such a manner that all coaches/teams may review the scores.

Students should receive copies of their Evaluation Forms on site. However, the originals retained by the Competition Administrator must be returned to the Chicago office at the conclusion of the competition by hard or scanned copy. Teams should also receive the original judges' Comment Sheets. The Chicago Office does not need copies of the Comment Sheets.

- 1) Competition Administrators are expected to make photocopies of the completed evaluation forms in between the rounds after the scores have been entered into the Master Score Sheet.
- 2) The photocopied Evaluation Forms, original Comment Forms, and a photocopy of the Master Score Sheet should be distributed following the conclusion of the second round. The photocopied Evaluation Forms, original Comment Sheets, and photocopy of the Master Score Sheet from the semifinal and final rounds should be distributed following each round. The easiest way to distribute the forms is to insert them into individual envelopes, which have previously been labeled with each team's designation.

Score Sheet Review Period

Score sheets may be reviewed for mathematical errors for fifteen (15) minutes following the distribution of the Master Score Sheet. If a mathematical error is identified during the Review Period, corrections shall be made before beginning the semifinal round. Corrective computations shall be an open process. Failure to raise any objection to the computations on the Master Score

Sheet within the Review Period shall be a defense to any subsequent protests following the preliminary rounds.

Advancing to the National Finals

The first place team from each Regional Competition shall be invited to participate in the National Finals Competition, which typically occurs towards the end of January. Additional invitations may be issued as provided in Rule 3 on Team Pairings. These invitations are generally not determined and extended until after Thanksgiving.

Reporting Results to the ABA Law Student Division

On the Monday following the Regional Competition, the Competition Administrator should e-mail or fax to the Chicago office the following scoring documents:

- 1) Master Score Sheet
- 2) Semifinal Round and Final Round Brackets (identified by team designations and corresponding school names)

Within five days following the Regional Competition, the Competition Administrator should forward to the Chicago office the original Evaluation Forms as completed by the judges, in either hard or scanned copy. The Competition Administrator should keep a copy of these documents. The Chicago office does not need copies of the Comment Sheets.

Questions / Comments

Questions about the Arbitration Competition in general, rules interpretation, and the National Finals Competition may be directed to:

American Bar Association
Law Student Division
Attn: Arbitration Competition
321 North Clark Street, 18th Floor
Chicago, Illinois 60654

Ph: 312.988.5621
Fx: 312.988.6033
ac@americanbar.org

Competition information is available on the competition's web site at www.ambar.org/lstdac.

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Appendix A

Sample Regional Competition Schedule

Morning, Day 1

Round 1

8:00 am to 9:00 am	Welcome for Competitors & Coaches (<i>Identify the room name/number and its floor.</i>)
8:30 am to 9:00 am	Arbitrator Judges Briefing – (<i>Identify the room name/number and its floor.</i>)
9:00 am to 11:00 am	Arbitration Hearings (teams, coaches, and observers leave room at the end of the hearing, but return in 30 minutes for the critique)
11:00 am to 11:30 am	Arbitration Judges Break and Independently Complete Evaluation Forms
11:30 am to 12:00 pm	Arbitration Judges Critique both Teams together (maximum of 15 minutes per team)

Afternoon, Day 1

Round 2

12:00 pm to 1:30 pm	Lunch (Competitors & Coaches) – (<i>Identify the room name/number and its floor.</i>)
1:30 pm to 2:00 pm	Arbitrator Judges Briefing – (<i>Identify the room name/number and its floor.</i>)
2:00 pm to 4:00 pm	Arbitration Hearing (teams, coaches, and observers leave room at the end of the hearing, but return in 30 minutes for the critique)
4:00 pm to 4:30 pm	Arbitration Judges Break and Independently Complete Evaluation Forms
4:30 pm to 5:00 pm	Arbitration Judges Critique both Teams together (maximum of 15 minutes per team)
5:30 pm to 7:00 pm	Reception—Announcement of Semi-Finalists, Publishing of Master Score Sheet, and Distribution of copies of Evaluation Forms and original Comment Sheets.

After the two qualifying rounds, the top four teams will advance to the semifinal round. The two winning teams will meet in the final round.

Morning, Day 2
Semifinal Round

8:00 am to 9:00 am	Welcome for Competitors & Coaches – (<i>Identify the room name/number and its floor.</i>)
8:30 am to 9:00 am	Arbitrator Judges Briefing – (<i>Identify the room name/number and its floor.</i>)
9:00 am to 11:00 am	Arbitration Hearings (teams, coaches, and observers leave room at the end of the hearing, but return in 30 minutes for the critique)
11:00 am to 11:30 am	Arbitration Judges Break and Independently Complete Evaluation Forms
11:30 am to 12:00 pm	Arbitration Judges Critique both Teams together (maximum of 15 minutes per team)

Afternoon, Day 2
Championship Round

12:00 pm to 1:30 pm	Lunch for Competitors & Coaches – (<i>Identify the room name/number and its floor.</i>)
1:30 pm to 2:00 pm	Arbitrator Judges Briefing – (<i>Identify the room name/number and its floor.</i>)
2:00 pm to 4:00 pm	Arbitration Hearing (teams, coaches, and observers leave room at the end of the hearing, but return in 30 minutes for the critique)
4:00 pm to 4:30 pm	Arbitration Judges Break and Independently Complete Evaluation Forms
4:30 pm to 5:00 pm	Arbitration Judges Critique both Teams together (maximum of 15 minutes per team)
5:00 pm	Regional Winner Announced

Host schools may vary the schedule, so long as the time allotment for the arbitration hearings, Arbitrator Judges' evaluation preparation, and the critique session remains as follows:

Arbitration Hearings	120 minutes
Arbitration Judges Break and Evaluate	30 minutes
Arbitration Judges Critique Teams	30 minutes

Appendix B

Arbitration Competition Team Pairings 10-Team Regional Competition

	Room 1	Room 2	Room 3	Room 4	Room 5
Round 1	Aqua vs. Blue	Chartreuse vs. Evergreen	Fuchsia vs. Green	Ivory vs. Khaki	Lavender vs. Magenta
Round 2	Magenta vs. Ivory	Blue vs. Fuchsia	Evergreen vs. Lavender	Green vs. Chartreuse	Khaki vs. Aqua

Round 1 Claimant
Round 2 Respondent

Aqua
Chartreuse
Fuchsia
Ivory
Lavender

Round 1 Respondent
Round 2 Claimant

Blue
Evergreen
Green
Khaki
Magenta

**Arbitration Competition Team Pairings
12-Team Regional Competition**

Round 1	Room 1 Aqua vs. Blue	Room 2 Chartreuse vs. Evergreen	Room 3 Fuchsia vs. Green	Room 4 Ivory vs. Khaki	Room 5 Lavender vs. Magenta	Room 6 Navy vs. Orange
Round 2	Orange vs. Ivory	Blue vs. Navy	Evergreen vs. Lavender	Green vs. Aqua	Khaki vs. Chartreuse	Magenta vs. Fuchsia

Round 1 Claimant
Round 2 Respondent
 Aqua
 Chartreuse
 Fuchsia
 Ivory
 Lavender
 Navy

Round 1 Respondent
Round 2 Claimant
 Blue
 Evergreen
 Green
 Khaki
 Magenta
 Orange

**Arbitration Competition Team Pairings
14-Team Regional Competition**

Round 1	Room 1 Aqua vs. Blue	Room 2 Chartreuse vs. Evergreen	Room 3 Fuchsia vs. Green	Room 4 Ivory vs. Khaki	Room 5 Lavender vs. Magenta	Room 6 Navy vs. Orange	Room 7 Purple vs. Red
Round 2	Red vs. Lavender	Khaki vs. Aqua	Evergreen vs. Navy	Blue vs. Purple	Green vs. Ivory	Magenta vs. Chartreuse	Orange vs. Fuchsia

Round 1 Claimant
Round 2 Respondent

Aqua
Chartreuse
Fuchsia
Ivory
Lavender
Navy
Purple

Round 1 Respondent
Round 2 Claimant

Blue
Evergreen
Green
Khaki
Magenta
Orange
Red

Appendix C

Instructions for Arbitrator Judges

Thank you so much for being an Arbitrator Judge, because we could not have a successful competition without you! Below is an overview of the competition and what your role will be:

1. **ARBITRATION PANEL:** The arbitration panel should consist of 3 members, with 1 acting as Chair to make evidentiary and other decisions during the hearing. If a panel has fewer than 3 members, 1 member should still be appointed Chair. Decisions of the Chair are final.
2. **HEAD-TO-HEAD:** You will watch two teams compete head-to-head in an arbitration hearing. Teams have prepared both sides of the case; however, they have been assigned which side they will represent in this round. You are to evaluate the teams on their advocacy skills and not on the merits of the case.
3. **TEAM COMPOSITION:** Teams are comprised of 4 students, 2 who will act as attorneys, and 2 as witnesses. In a rare situation, a team may only have 3 members, with 2 members acting as attorneys and 1 member playing both witnesses.
4. **TEAM IDENTITY:** Teams will be assigned a neutral designation so you do not know what law school they attend. Please do not ask the students where they are from. However, if you recognize any law student, notify the administrator **before** the hearing begins so that you can be moved to another hearing room.
5. **TEAM SIDES:** Claimants will sit to the judges' left and Respondents to the judges' right.
6. **FORMAT OF ROUND:** The round will last for 180 minutes:
 - 120 minutes for the hearing (60 minutes for each side to present its case),
 - 30 minutes for the judges to independently complete their Evaluation Forms and Comment Sheets with the teams out of the room, and
 - 30 minutes of judges' feedback and critique with both teams in the room as the same time (with the Panel giving each team about 15 minutes of feedback).

Teams may use their 60 minutes anyway they wish and are responsible for keeping track of their own time; however, the Arbitration Chair should make sure that teams do not exceed their 60 minutes. One Panel Member should be appointed Timekeeper.

7. **HEARING PROCEDURES/RULES:** The specific competition procedures regarding the hearing, time, proceedings, evidence, exhibits, and grading are contained in Rule 7 of the Arbitration Competition Rules. If you do not have a copy, ask for one. However, here is an overview of some of those rules:
 - a. The Chair shall swear in or affirm all witnesses at the beginning of the hearing before the openings: "Do you swear that your testimony shall be the truth?"
 - b. **Lawyers will sit during all phases of the hearings and need not stand for any objection or presentation.** However, at the Chair's discretion, lawyers and witnesses may stand for an exhibit presentation or during opening and summation.
 - c. Panel Members may ask appropriate questions of the student lawyers only during opening and

summation, but may not ask the witnesses any questions during their examinations.

- d. The student attorney who is responsible to direct or cross-examine a witness may make appropriate objections. **Keeping in mind that this is an arbitration and not a civil trial, you are guided, but not bound by, the Federal Rules of Evidence.**
- e. Objections that the evidence presented is not contained in the case file or that a team is violating a competition rule should rarely be sustained and only if the violation is substantial and there is no other remedy for the claimed violation. Opposing teams may impeach a witness if the witness introduces facts beyond her/his statement.
- f. Teams may and are encouraged to bring and use visual aids, including power point presentations. They are responsible to bring and operate any equipment. While the use of technology is permitted, scoring should focus on student lawyer advocacy skills, and their use of sophisticated software should not be overvalued.

8. **EVALUATION FORMS AND COMMENT SHEETS:** Once the 120-minute hearing is complete, teams should be excused from the room so that you can independently complete your Evaluation Forms and Comment Sheets. Please make sure the team that you thought should win the round, has the higher score. No ties or half points are allowed. The Evaluation Forms will be collected by the Host Administrator **before** you bring the teams back for their critique. During your critique, please do not divulge which team received the higher score.

You may keep your Comment Sheets with you while you provide the teams feedback; however, please do not give the teams your Comment Sheets as they will be picked up by the Host Administrator **before** you leave and distributed to the teams later. Please provide constructive criticism and feedback to the teams on these Comment Sheets because they are the only written feedback they will receive.

Again, thank you for agreeing to be an Arbitration Judge during this competition, because we couldn't do it without you!

Appendix D
ABA Law Student Division Arbitration Competition Team Evaluation Form

Arbitrator Judge _____ Date ___/___/___ Room _____ Round _____

The number 10 is at the high end of the performance scale, and the number 1 is at the low end of the scale. You should grade compared to the performance of a law student advocate (and not based on the expected performance of a new or experienced lawyer) with 5 being an average, good grade. No half points or decimals.

10 Superior 8 Excellent 6 Very Good 5 Good 4 Fair 2 Marginal 1 Poor

***** NO TIES BETWEEN TEAMS *****

1 st Claimant Name (opening statement)	2 nd Claimant Name (summation)	Claimant Team Color	Respondent Team Color	1 st Respondent (opening statement)	2 nd Respondent (summation)
		Opening Statement (Only one student may be scored for the opening statement; the other student is scored for the summation) Well organized and structured Persuasive and interesting story/avoided arguing the case Explanation of understandable facts Explanation of supportive law Effective responses to any questions			
		Direct Examinations Proved prima facie case Presented persuasive and interesting case Sufficiently detailed and orderly questioning Proper question form/avoided leading the witness Submitted relevant and reliable evidence Avoided objectionable questions, statements, evidence Proper foundation and effective use of exhibits Appropriate redirect, if needed			
		Cross-Examinations Effective supportive cross-examination Effective discrediting cross-examination Proper leading and understandable questions Submitted relevant and reliable evidence Proper foundation and effective use of exhibits Proper strategic decision to object or not object Effective structure and order			
		Attorney and Witness Interaction Witness well prepared and credible Witness provides complete, yet concise, answers Effective witness direct examination Witness composure during cross-examination			
		Summation (Only one student may be scored for the summation; the other student is scored for the opening statement) Well organized and structured Appropriate balance of facts, law, and reasons Persuasive and interesting Complete, yet concise Effective Responses to any questions			
		Skill in Meeting the Opponent's Case Skill in responding to the actual evidence/testimony presented as well as opposing counsel's arguments/case theory			
		Overall Presentation Well Prepared for Case and Issues that Arose Effective Overall Presentation			
1 st Claimant Total	2 nd Claimant Total			1 st Respondent Total	2 nd Respondent Total
Claimant Team Total		<u>NO TIES BETWEEN TEAMS and totals for each team cannot exceed 120 points!!</u>		Respondent Team Total	

***** Team with the highest points is the winner on your ballot. Ensure the team point total aligns with your decision. *****

ETHICS

Claimant Team

Based on your observation, do you believe the team violated the ethical standards of the legal profession? For example, did the team misrepresent material facts or invent self-serving material facts?

TEAM VIOLATED ETHICAL STANDARDS

If team violated ethical standards, was the ethical violation so severe that, in your judgment, the team should be disqualified from the competition? Select one:

YES, DISQUALIFY NO, DO NOT DISQUALIFY

Please explain in detail:

Respondent Team

Based on your observation, do you believe the team violated the ethical standards of the legal profession? For example, did the team misrepresent material facts or invent self-serving material facts?

TEAM VIOLATED ETHICAL STANDARDS

If team violated ethical standards, was the ethical violation so severe that, in your judgment, the team should be disqualified from the competition? Select one:

YES, DISQUALIFY NO, DO NOT DISQUALIFY

Please explain in detail:

TEAM EVALUATION—COMMENT SHEET

These comments provide the only written feedback the teams will receive. Complete each category and make brief comments, positive or negative, or both. These comments will be useful during your oral critique of the teams, and you may tell the students whatever comments you have written. Be sure that your oral critique and written comments are consistent.

CLAIMANT TEAM

Arbitrator Judge _____ Date ___/___/___ Room _____ Round _____

Team Designation _____ Round _____

	Student Lawyer 1	Student Lawyer 2
Opening statement or Summation		
Direct Examination		
Cross-Examination		
Attorney and Witness Interaction		
Skill in Meeting the Opponent's Case		
Overall Presentation		

TEAM EVALUATION—COMMENT SHEET

These comments provide the only written feedback the teams will receive. Complete each category and make brief comments, positive or negative, or both. These comments will be useful during your oral critique of the teams, and you may tell the students whatever comments you have written. Be sure that your oral critique and written comments are consistent.

RESPONDENT TEAM

Arbitrator Judge _____ Date ___/___/___ Room _____ Round _____

Team Designation _____ Round _____

	Student Lawyer 1	Student Lawyer 2
Opening statement or Summation		
Direct Examination		
Cross-Examination		
Attorney and Witness Interaction		
Skill in Meeting the Opponent's Case		
Overall Presentation		

Appendix E Judges' Timekeeping Sheet

The Chair will appoint a member of the Arbitration Judges Panel to serve as Timekeeper. Each team will have 60 minutes to present its case during the hearing, although not all the time has to be used. The timekeeper should use this sheet to keep track of the time and should stop each team after its 60 minutes has elapsed.

Claimant's Team: _____ Respondent's Team: _____

OPENING STATEMENT		
	Claimant _____	Respondent _____
CLAIMANT'S CASE		
	Direct & Redirect	Cross
Claimant's 1 st Witness:	_____	_____
Claimant's 2 nd Witness:	_____	_____
TOTALS	_____	_____
RESPONDENT'S CASE		
	Cross	Direct & Redirect
Respondent's 1 st Witness:	_____	_____
Respondent's 2 nd Witness:	_____	_____
TOTALS	_____	_____
SUMMATION		
	Claimant _____	Respondent _____
TOTALS	_____	_____

Appendix F
Arbitration Competition
Win/Loss Record & Master Score Sheet

Team Designation	Round 1 Votes*					Round 2 Votes*					Preliminary Totals	
	Judge 1 W/L / Score	Judge 2 W/L / Score	Judge 3 W/L / Score	Overall Wins/Points	Round 1 Winners**	Judge 1 W/L / Score	Judge 2 W/L / Score	Judge 3 W/L / Score	Overall Wins/Points	Round 2 Winners**	Total # of Judges' Votes	# of Preliminary Rounds Won***
Aqua												
Brown												
Chartreuse												
Chestnut												
Fuchsia												
Green												
Ivory												
Khaki												
Lavender												
Magenta												
Navy												
Orange												
Purple												
Turquoise												

Yellow												
Violet												
Grey												
Olive												
Pink												
Scarlet												

*Enter each individual judge's vote (win = W / loss = L) on the top side of the diagonal; and the score from that judge's score sheets in the bottom of the diagonal.

**Mark a W for the winner of each round. (There should be an equal number of Ws and Ls for each round.)

***Enter number of rounds won.

Arbitration Competition
Semifinal and Final Round Brackets

Semifinal Round

Final Round

Regional / National Winner

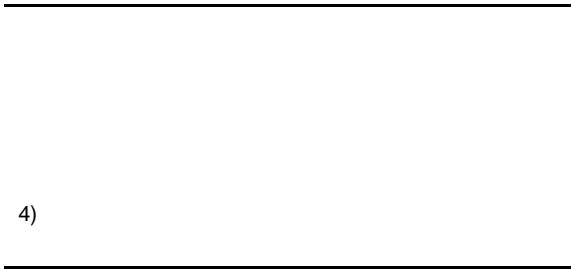
Team Color

Point Total

Team Color

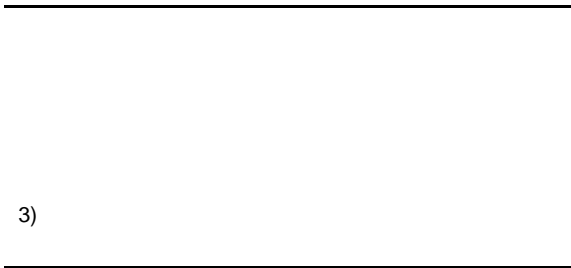
Point Total

1)

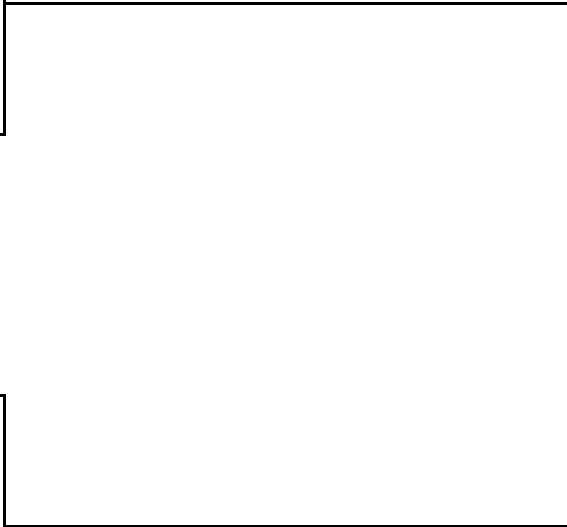


4)

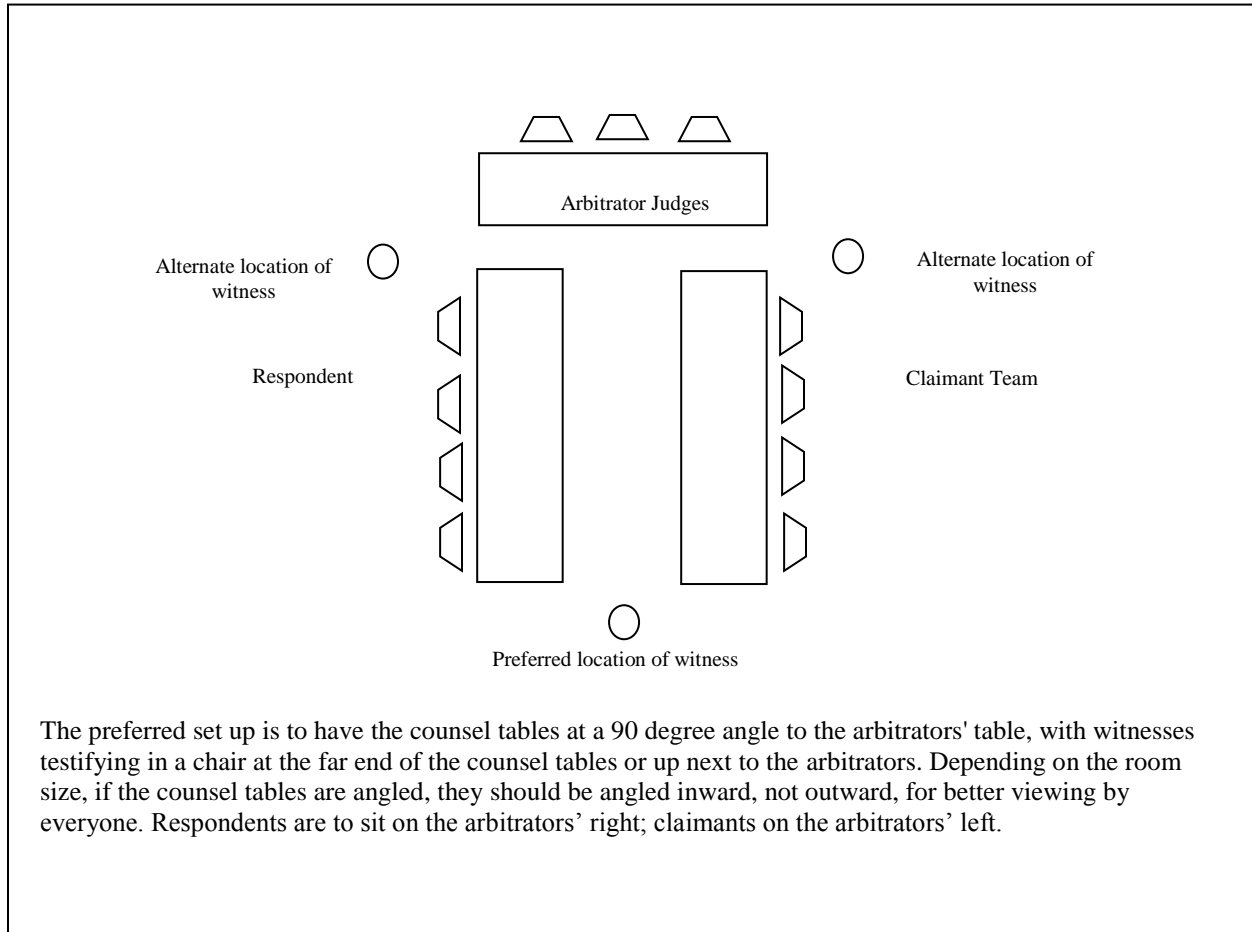
2)



3)



Appendix G Room Setup Option



Appendix H

Sample Message from Competition Administrator to Host School Teams

This message should be sent to the host school's team from someone with authority such as the law professor in charge of your Board of Advocates or ADR Board, or Dean of Student Affairs.

Dear Teams and <Faculty Adviser>:

We are pleased that you will be representing the <Your Law School Name> this weekend at the Regionals of the American Bar Association's Law School Division Arbitration Competition. Please know that the <Competition Administrators> have been working very hard to make this a good experience for all teams.

The following information provides additional instructions for teams competing from our school.

SPECIAL INSTRUCTIONS FOR TEAMS AND COACHES FROM THE HOST SCHOOL

To avoid even the appearance of bias, please adhere to these guidelines:

1. Try to act like a visitor to our school. Try to blend in with the other competitors. For example, avoid mentioning your house is two blocks away.
2. Make sure you are not carrying anything that says <University Name> or <Law School Name>.
3. On the day of the competition, please do not go to places in our school that the other competitors would not go to. This includes offices, lockers, key accessed library study rooms, and classes.
4. Try not to interact with students or professors from our school who may be in the building during the competition. If you need to respond to someone, please do so quietly and quickly.
5. Please do not approach the Competition Administrator or students working the event unless it is with a tournament related question of the nature you would ask if you were at another school. For the most part, those questions should be handled by your Team Coach.
6. On the day before the competition, we will send your Team Coach a list of arbitration judges that we expect may be in your competition rooms. Please look over this list in your Team Coach's office, and let us know ASAP if you recognize any of the names on the list. You may not keep a hard copy of that list. We have already attempted to pull people we think you know.
7. Undoubtedly, there will be judges you DO know who are in other rounds. They will be instructed not to interact with you. Please do not interact with them.
8. On the day of the competition, do not volunteer helpful information to others who might appear "lost." This includes not volunteering instructions to places in the building or locations in the local area. This might give the impression that you are "signaling" to your judges that you are from here. If you are asked for information directly by a

competitor or coach from another school, quietly and discreetly answer their question. (We don't want to be rude!)

9. Please quietly tell your Team Coach about anything that seems inconsistent with these guidelines. S/he will discuss them with me if necessary.
10. Like all competitors, you may not tell a judge what school you are from, even after the round. If another competitor or coach asks, you may tell them quietly and discreetly. Do not ask other competitors what school they are from.
11. Your Team Coach may have additional rules which you should follow.

These instructions are not intended to make you nervous, but are intended to benefit all of us. The important thing is just to concentrate on your rounds. Do well. I know you will.

Come see me next week!

<Professor / Dean _____>

Appendix I

Sample Introductory Email Message from Host School to Competing Teams

(Date)

(Designated Contact Person)

(Law School)

(E-mail Address)

Dear (Designated Contact Person):

The _____ Law School will host an ABA Law Student Division Regional Arbitration Competition, under the direction of (host Competition Administrator's name). The competition will be held on (dates), at (include the address).

On _____, _____ all participating law school teams and coaches will meet at 8:00 am in (room name/number) for the Orientation. We will serve coffee and rolls (or whatever food and drink you plan to serve). Each team will be given its team designation at that time. We anticipate that the competition will end on _____, _____ at approximately 5:00 pm.

We have made arrangements for competitors to stay at _____ Hotel, which is located at _____. The hotel is approximately _____ miles from the law school. The hotel is offering a special group rate of \$_____ to competitors who make their reservations by (group rate deadline date). To make your reservations, call the hotel at 800/____-____ and mention that you are with the _____ Law School.

_____ is the closest airport to our law school. Please allow _____ minutes to travel from the airport to the hotel or _____ minutes to travel from the airport to the law school.

We are looking forward to hosting your school at the Regional Arbitration Competition. Please direct any host school-related questions to me. My office number is (phone number and extension); my e-mail address is _____. Any general competition-related questions should be directed to the ABA Law Student Division at 312.988.5622 or ac@americanbar.org.

Sincerely,

(Your Name)

(Your e-mail address)

(Your phone number)

Appendix J

Sample Follow-Up Message from Host School to Competing Teams

(Date)

(Designated Contact Person)

(Law School)

(E-mail Address)

Dear (Designated Contact Person):

The ____ Law School is finalizing preparations for the ABA Law School Division Regional Arbitration Competition and wanted to provide you with last minute details.

As we mentioned in our previous message, the law school is located ____ miles from the hotel. The recommended means of transportation from the hotel to the law school is (driving / taking public transportation / taxicab). Please note that if you choose to drive, you will need to park your car in the ____ lot located at _____. [Host schools should provide specific parking instructions.]

November weather here in (city/state) can be rather (warm, cool, rainy, etc.). We recommend that you plan for temperatures with highs in the ____ and lows in the ____ at night.

The competition schedule is attached for your review. Remember, the orientation starts at 8:00 am _____ morning.

See you in a couple of weeks.

Sincerely,

Your Name

Your Phone Number

Your E-mail Address

Appendix K

Sample Invitation Message from Host School to Potential Arbitrator Judges

Dear (Potential Judge):

The _____ Law School will host an ABA Law Student Division Regional Arbitration Competition on (dates). We would like to invite you to participate as an Arbitrator Judge for the competition, which simulates a realistic arbitration hearing.

This competition provides law students with legal training in arbitration and promotes excellence in arbitration advocacy. Participating students prepare and present an arbitration case and are involved in opening statements, witness examinations, exhibit introductions, evidentiary presentations, and summations.

Last year's arbitration judges told the competition organizers that they really enjoyed working with the students. They appreciated the opportunity to give back to the profession. One of the most valuable components of this great learning opportunity for students is receiving feedback from practicing bar members and arbitrators. This year, the case involves _____.

The rounds will be held _____ and _____, November ___ and ___.

Round 1	_____	, November ___	(8:30 am to 12:00 pm)
Round 2	_____	, November ___	(1:30 pm to 5:00 pm)
Semifinal Round	_____	, November ___	(8:30 am to 12:00 pm)
Final Round	_____	, November ___	(1:30 pm to 5:00 pm)

If you are willing to serve as an Arbitrator Judge, **please provide your information on the attached form.** We need approximately [39 for 10-team regional / 45 for 12-team regional / 51 for 14-team regional] judges for the regional competition. **If you have any colleagues who may be interested in participating as volunteer judges, please forward this message to them and ask them to complete the form.**

We will provide the case file and competition rules to you a couple of weeks prior to the competition. Reviewing these materials is the only preparation required of you.

Please contact me directly at (phone number, including extension) or (e-mail address) if you have any questions.

Sincerely,

Your Name
Your Phone Number
Your E-mail Address

**American Bar Association • Law Student Division
Regional Arbitration Competition**

ARBITRATOR JUDGE PREFERENCE FORM

[Mr./Ms./Honorable]

Cell phone: (____) _____

Email: _____

(PLEASE PRINT NAME)

Fax: (____) _____

[Address]

PLEASE MAKE SURE TO PROVIDE US WITH A COMPLETE MAILING ADDRESS

_____ **Yes, I am able to serve as an arbitrator judge for one of the ABA Law Student Division Regional Competition rounds and have indicated my availability below.**

_____ **Round 1**
_____, November ____, 8:30 am to 12:00 pm

_____ **Round 2**
_____, November, ____, 1:30 pm to 5:00 pm

_____ **Semifinal Round**
_____, November ____, 8:30 am to 12:00 pm

_____ **Final Round**
_____, November ____, 1:30 pm to 5:00 pm

_____ **No, I am not available this time around but am interested in serving as a volunteer judge. Please keep me on your distribution list.**

Please mail (or email) this form to:

_____ Law School

ATTN: _____

You can also fax it to my attention at ___/___-____. Please call me at ___/___-____ with questions.

Appendix L

Sample Arbitrator Judge Confirmation Message from Host School

Thank you for volunteering to serve as an arbitrator judge at the ABA Law Student Division Regional Arbitration Competition.

Per your request, you are scheduled to judge Round ____ at the ____ Law School, (address, including city/state/zip). To gain access to the law school, you will need to enter the facility on ____ Street.

[Host schools should provide specific parking instructions, such as... We have reserved a few parking spaces in the faculty parking lot at _____. Unfortunately, we were unable to reserve spaces for all 20 of the judges. Once they are taken, you may park your car in the ____ lot located at _____. When you check in with the competition administrators, please let them know that you parked in this lot. They will need to provide campus security with the make and model of your car, as well as the license plate number.]

Judging will begin with a 30-minute briefing session, which will start at _____. The three-hour round will conclude at _____. We will provide competition judges with (coffee and rolls for morning rounds; fruit/cookies and soft drinks for afternoon rounds; lunch).

Please find attached to this message the Competition Case File, Instructions for Arbitrator Judges, and Competition Rule 7.

Thank you in advance for the generous donation of your time to help our future lawyers improve their arbitration advocacy skills.

Sincerely,

Your Name
Your Phone Number
Your E-mail Address

Appendix M

Sample Arbitrator Judges' Room Assignment

Round 1

_____, 9:00 am to 12:00 pm

Room 123

Anton Dubramov (Chair)
Angela Jones
Steven Medina

Room 231

Jennifer Molina (Chair)
Maxwell Anderson
Susan Alexander

Room 128

Honore Valencia (Chair)
Iqbal Patel
Frances O'Donnell

Room 234

Ralph Everson (Chair)
Johnson Vidale
Michele Foster

Room 131

Ahmed Mohammed (Chair)
Burt Cummings
Denise Weatherstrom

Room 241

Miguel Rodriguez (Chair)
Carole Young
Veronique Sebastian

(Be sure to create a judges' room assignment for each round, keeping in mind that the number of rooms required for the two preliminary rounds is different from the number of rooms required for the semifinal and final rounds.)

Appendix N

Outline for Orienting Coaches and Teams

- 1) Competitors learn their team designations when they sign the sign-in sheet at the registration/check-in desk.
- 2) Introduce Competition Administrators and advise where to find them throughout the competition. If possible, have your law school dean welcome the teams to the school; otherwise Competition Administrators should welcome the competitors.
- 3) After ascertaining that no judges are in the room, have team coaches introduce themselves and their team members.
- 4) Review information in the competitors' packets, making sure everyone sees each item in the packet.

The packets should include:

- a) Competition schedule.
 - b) List of schools and team designations.
 - c) Team pairings, listing room numbers/names for each round. The competitors' version may include school names.
 - d) Floor plan or map of campus.
 - e) List of restaurants in the neighborhood and/or near the competition hotel.
 - f) Transportation information.
 - g) Name badges with students' names and their team designations. You may wish to place these on the outside of the packets so they're easier to identify.
- 5) Review competition format (see Rules 5&6).
 - a) There are two qualifying rounds, with each team advocating on behalf of the claimant and respondent in different rounds. The top four teams will advance to the semifinal round. The two winning teams will meet in the final round.
 - b) Each round takes three hours – one hour for each team to present its case, 30 minutes for judges to evaluate and 30 minutes for judges to critique both teams.
 - 6) Review competition procedures (Rule 7) and room set-up (Appendix G).
 - 7) Ask if there are any questions and answer them to the best of your knowledge. If necessary, you may contact your "on call" Arbitration Competition Subcommittee Member.
 - 8) Remind participants that coaches may not have direct communication with any of the arbitrator judges until the judge's participation in the competition is complete.

Appendix O

Outline for Briefing Arbitrator Judges

- 1) Introduce Competition Administrators and advise where to find them throughout the competition.
- 2) Review information in the Arbitrator Judges' packet.
The packets should include:
 - a) Competition schedule.
 - b) Competition rules.
 - c) Competition case file.
 - d) Judges' instructions (Instructions for Arbitrator Judges & Instructions for Hearings for Judges – Appendices C&D from Competition Rules)
 - e) Sample evaluation forms.
 - f) Team pairings, listing room numbers/names for each round. The judges' version must not include school names.
 - g) Schedule listing round, room number and judges assigned to that room (see Appendix M for example). Judges should not see the same team twice, if at all possible. If a judge must see a team again, try to make sure the team represents the opposite party from the previous round. This is not an issue during the first two rounds. You may move your judges around, but not the teams, during the first two rounds.
 - h) Generic name badge, "Arbitrator Judge," for each judge
- 3) Review competition format (see Rules 5&6)
 - a) There are two qualifying rounds, with each team advocating on behalf of the claimant and respondent in different rounds. The top four teams will advance to the semifinal round. The two winning teams will meet in the final round.
 - b) Each round takes three hours – one hour for each team to present its case, 30 minutes for judges to evaluate and 30 minutes for judges to critique both teams.
- 4) Review Appendix C (Instructions for Arbitrator Judges) of the competition rules.
- 5) Review the Evaluation Forms and Comment Sheets. Explain that the Competition Administrator or Assistant will pick up the Evaluation Forms **before** the feedback period, but leave the Comment Sheets for the judges to use during their feedback. The Competition Administrator or Assistant will pick up the Comment Sheets after the feedback session, or ask the judges to return the comment sheets to the Competition Administrator on their way out.
- 6) Explain the importance of the competition as a learning opportunity for the students and that one of the most valuable components of the competition is receiving feedback from practicing bar members and arbitrators. When giving oral critique at the end of the arbitration session, it is recommended that judges identify a couple of things the teams did well and a couple of opportunities for improvement. Be sure that all critiques are constructive in nature. Please do not limit your comments to telling the teams that they "did a good job."
- 7) When deciding which team, in your opinion, won the round, do not base your decision on the merits of the case, only on the teams' performances.

- 8) All three judges do not have to unanimously declare a winner—it is okay to have a split decision. That is why the judges should independently complete their Evaluation Forms. Further, there cannot be any ties on the Evaluation Form—one team must receive a higher score than the other from each judge.
- 9) The announcement of the top four teams will be made in a central location. There should be no announcement of who won individual rounds. Arbitrator Judges may be present in the room when the advancement announcement is made, as long as these judges are finished judging the competition.
- 10) Ask if there are any questions and answer them to the best of your knowledge. If necessary, contact your “on call” Arbitration Competition Subcommittee Member.