

INTRAMURAL SPORTS LAW NEGOTIATION COMPETITION



Fall 2019

The Sports Law Intramural Negotiation Competition will be a two-day event. The first day of the Competition, Saturday, November 2, 2019, will consist of two preliminary rounds and a semifinal round that will engage the teams in different types of negotiation situations. The top two teams will advance to the Final Championship Round on Wednesday, November 13, 2019. The purpose of the Competition is to develop participants' negotiation skills and to create competitive, prepared teams for national competitions by exposing competitors to different negotiation formats. Each round is structured to provide participating students with a different negotiation experience that Marquette Sports Law Negotiation Teams may experience at various national competitions.

I. PARTICIPATION

A. Application Process

Students interested in participating in this competition will submit a resume and an application to the Board for their consideration. After reviewing and evaluating all submissions according to the criteria listed below in section B, the Board shall select the pool of competitors, with final approval by the faculty advisors. After the creation of the competitor pool, participants will be allowed to request who they would like to be partnered with for the competition. These requests will be reviewed by the Board and the Board will make the final decision in assigning participants to two-person teams.

B. Competitor Eligibility Criteria

To be eligible for selection to participate in the Sports Law Intramural Negotiation Competition, a student will be evaluated based on the following criteria:

Requirements:

- Dues-paying Member of the Sports Law Society
- Good academic standing with Marquette University Law School
- Second-year law student

Preferred Qualifications:

- Pursuing Sports Law Certificate
- Past or current enrollment in ADR and/or Sports Law courses
- Prior mediation, arbitration, and/or negotiation experience

II. PROBLEMS

A. General

The first round focuses on the negotiation of a coaching contract. The second round features the negotiation of an athlete sponsorship deal. Both teams will receive the general facts and separate confidential facts describing the interests of their respective sides. Teams will have ten days to prepare.

B. Questions about the Problems

Any questions about the problems, or clarifications on the facts contained within the problems, or about the rules of the Competition need to be addressed no later than **five (5) days** before the first round of the Competition (**Monday, October 28, 2019 by 5 PM CST**). Questions should be sent to all members of the Sports Law Competition Board (Marnae Mawdsley, Maggie Frawley, Ashley Graves, and Andrew Mentzer). Answers to questions and any clarifications will be sent out to all competitors, unless it relates to confidential facts, in which case, any response will be directed to the appropriate teams.

C. Reasonable Inferences and Self-Serving Facts

Teams may only use the facts provided in each problem. Teams may **not** make up self-serving facts but may make reasonable inferences using common sense.

No outside information will be allowed for the first day of competition on **Saturday, November 2, 2019**. Any outside information used for the final day of competition on **Wednesday, November 13, 2019**, must be submitted to all members of the Sports Law Competition Board (Marnae Mawdsley, Maggie Frawley, Ashley Graves, and Andrew Mentzer) no later than **five (5) days** before the final round of the Competition (**Friday, November 8, 2019**) by **5 PM CST**. No more than **three (3) sources** will be allowed per team. If a team decides to conduct outside research, it must disclose where the cited statistics originated or the reference for any information is based. The team must provide copies of that information to the Chair for each judge. If a team discloses their outside research during the competition to the opposing team, it must be able to provide copies of the information to the opposing team. If a team fails to do such, the judges will deduct points from the teams overall score. If a judge in his or her discretion finds the violation was intentional or there were multiple violations, the judge may award the round to the opponents of the team committing the violation.

III. NEGOTIATION FORMAT

A. General Format

The Competition will consist of two rounds, a semifinal round and a final round for the top two teams. Each round will consist of a 45-minute negotiation (which may include two 3-minute breaks per session, one break per team); a 5-minute period for teams to analyze and evaluate their performance, a 10-minute self-analysis period (5 minutes per team) in front of the judges; 5-minute period for judge feedback; and a 5-minute deliberation period for the judges for a total of 70 minutes per round. The four teams selected to compete in the semifinal round will be given their prompts immediately and will have one-hour to prepare for the semifinal.

B. Breaks during Round

Two breaks of no more than 3-minutes each may be taken during a round. Each team is allowed only one 3-minute break. The 45-minute period will continue during any such break. Both teams must leave the room during a break.

C. Permissible Materials

Competitors may use limited materials outside those provided by the Competition. Competitors are limited to charts and graphs, previously prepared notes in any format, calculators and stopwatches. Each team is allowed to utilize two (2) charts or graphs during each round of the Competition. These charts or graphs must be created by the competitors themselves using the facts and confidential facts given to them. If a team decides to use a chart or graph, they must provide five (5) total copies of the chart or graph during the Competition: one (1) chart or graph for each team and three (3) charts or graphs for the three judges that will be present in the room.

No other technological devices may be used for additional research, including computers, iPads, cellular phones, and other similar electronic communication device during the Competition or to present any of the information. Competitors are not allowed to use the calculator function on their computers, iPads, cellular phones, or other similar electronic communication device during the Competition.

Permitted materials may be used only while both parties are presenting during the negotiation session; they may not be used during the self-analysis in front of the judges. No prepared materials may be presented or handed out during the self-analysis, except, if any, as specifically authorized by the fact pattern

Any questions about whether additional materials fall within these guidelines should be submitted within **five (5) days** of the Competition date (**Monday, October 28, 2019 by 5 PM**

CST). If a team attempts to use unauthorized materials, the judges may award the round to the opponents of the team committing the violation.

D. Observers

Teams may have observers sit in during a negotiation session. However, due to the potential for disruption of the competition, observers are discouraged from leaving the room after the commencement of the negotiation session through the end of the judges' comments. Observers are not allowed to enter once the negotiation has begun. Observers must maintain silence throughout the session.

IV. SELF-EVALUATION

A. Format

Following the 5-minute preparation for self-analysis, each team will have the opportunity to analyze their team performance before the judges. This self-analysis will take place outside the presence of the opposing team. The teams closest to the front of the alphabet will go first during the first preliminary round. The teams closest to the back of the alphabet will go first during the second preliminary round. For the teams in the Championship Round, the team with the lower overall score from the preliminary round based on the judging criteria will go first in the self-analysis.

B. Content

Students must address three questions during the 10-minute self-analysis:

1. In reflecting on the entire negotiation session, if you faced a similar situation tomorrow, what would you do the same?
2. In reflecting on the entire negotiation session, if you faced a similar situation tomorrow, what would you do differently?
3. How well did your negotiation strategy work in relation to the outcome?

Teams should also be prepared to answer any additional questions that the judges might have concerning the team's performance during the session. In addition, the team may use this self-analysis as an opportunity to explain why it chose a particular approach or tactic as well as describe anything else relevant to their performance. The judges may consider anything said during this session for scoring purposes.

V. COMMUNICATION

During the rounds, the breaks during the rounds prior to the judge's critiques, and all breaks during the rounds, the competitors **may not communicate** with any person for any reason. This includes contact with other competitors, students, judges, professors, mentors, or anyone located in the facility during these times. No cellular phone or email communication is permitted during this time.

VI. JUDGING AND SCORING

The Evaluation Criteria Forms and Feedback and Comment Sheets provide the only written feedback the teams will receive. Further, at the completion of each round the judges will have ten (10) minutes to provide critique of both teams' performance during the round. The Evaluation Criteria Forms and Feedback and Comment Sheets should not be given directly to the competitors by the judges.

VII. ADVANCEMENT

Each team will negotiate in two preliminary rounds on **Saturday, November 2, 2019**. Following the completion of each preliminary round on Saturday, the Board will compile the judging records and numerical scores for each team. The top four teams selected for the semifinal round will be announced that day, and will compete in the semifinal following such announcement. The two winning teams to compete in the final round will be announced in an email on Saturday afternoon. The top two teams will advance to the final Championship Round to be held on **Wednesday, November 13, 2019**.

VIII. QUESTIONS

Any questions, comments, or concerns should be directed to the Board through the Chair, Marnae Mawdsley, at marnae.mawdsley@marquette.edu, and the Vice Chairs, Maggie Frawley, at maggie.frawley@marquette.edu, Ashley Graves, at ashley.graves@marquette.edu, and Andrew Mentzer, at andrew.mentzer@marquette.edu. Any logics, scoring issues, or other issues that cannot be resolved within these rules or issues that arise during the Competition, will be resolved by the Board. All decisions made by the Board are final.