

Sports Arbitration Moot Rules —

2023 EDITION



SPORTS
ARBITRATION
MOOT

The Sports Arbitration Moot

The Sports Arbitration Moot (the “**SAM**”) is an annual team competition for students in law schools. Moot competitions are fundamental tools for the legal education of future practitioners, who get to develop their advocacy skills while completing their studies. The SAM aims at contributing to the creation of a broader and more knowledgeable sports arbitration community.

The SAM consists of a competition where teams will make oral submissions as Appellant and Respondent. The 2023 edition of the SAM will be held online, with the Final Rounds (i.e. at least the best eight teams) taking place in person. Further details regarding the venue and the SAM Organization’s contribution to the teams’ travel expenses will be disclosed in due course. The calendar of the SAM can be found on the SAM’s website.

The SAM is entirely conducted in English.

Eligibility

MOOTIES

Any student enrolled in a law faculty in 2022 or 2023 can participate in the SAM, irrespective of their law degree (undergraduate, LLM, PhD, etc.).

However, except with the permission of the SAM Organization*:

1. Mooties who are qualified in systems where there is no Bar should not have more than two-year post-qualification experience.
2. Mooties who are qualified in systems where there is a Bar should not have any post-qualification experience.

* To request a waiver, please contact the SAM Organization at info@sportsarbitrationmoot.com.

An individual student that has already participated in a previous SAM edition, may only participate again as a coach.

LAW SCHOOLS

All law schools are eligible to participate in the SAM. Schools that are not law schools but offer a law degree are also eligible.

Each school can only enroll one team. The selection of the team should be done at the level of the law school.

COMPOSITION OF TEAMS

Teams must be composed of at least two and a maximum of six students.

Teams are free to decide how they allocate the workload. Oral arguments are made by two team members at a time. These team members can change between oral rounds (the “Hearings”).

Once the team registration is confirmed, no members may be dropped or added without special permission. Any changes in the composition of the team must be specifically communicated in writing to, and confirmed by, the SAM Organization, by no later than 31 January 2023.

COACHES

Teams can have coaches to train and assist them. Coaches do not need to be affiliated with the law school and can also be students. SAM’s ambassadors and arbitrators can also act as coaches. Coaches need to be registered together with the team. Coaches cannot plead in oral rounds but there is no restriction on the amount of assistance they can provide. When providing their assistance, coaches should bear in mind that the SAM’s goal is to be a learning experience for students.

ARBITRATORS

Arbitrators in the SAM can come from any legal system. Coaches can act as arbitrators,

except for the teams they have coached. SAM's ambassadors can also act as arbitrators.

PARTICIPATION IN THE SAM

Participants in the SAM will be directly eligible to participate in the SAM Camp – a daily two-to-three-hour course held for five days in preparation for the SAM.

The SAM Camp is not open to students that are not participating in the SAM.

Mooties must confirm their participation in the SAM Camp by no later than 31 October 2022. Coaches may participate in the SAM Camp together with the team members.

Students should attend minimum 80% of the activities of the SAM Camp. Those participants who have schedule conflicts should contact the SAM Organization for further information.

Registration

REGISTRATION FORM

In order to register, each team must complete a registration form by no later than ten days before the SAM Camp, available on the SAM's website. After registering, the team will receive an e-mail with further instructions to proceed with the payment of the registration fee and to confirm its presence in the SAM Camp.

F E E S

To enroll in the SAM, teams will have to pay a registration fee of EUR 400, which covers participation in the Moot and the SAM Camp (the registration fee includes a team of up to six Mooties plus a coach, if any). Registration prior to 17 October 2022 will be reduced to EUR 300.

The payment of the registration fee can be made either by the students, the law school or a sponsor (e.g. law firms, companies, associations, etc.).

The registration fee must be paid by 21 November 2022 in order to participate in the Moot, unless the SAM Organization has specifically agreed to a later date.

Once the registration fee has been received by the SAM Organization, a confirmation letter will be sent to the teams by email.

The registration fee will not be refunded to teams withdrawing after 31 December 2022.

Structure of the Moot

SKELTON ARGUMENTS AND LIST OF LEGAL AUTHORITIES

Contrary to other moots, the SAM does not have written submissions.

However, one week prior to the start of the oral rounds, teams shall submit¹ two sets of documents (in total four documents, two for Appellant and two for Respondent²), which shall consist of:

1. A Skeleton Argument for each party (Appellant and Respondent), i.e., a one-page document (Times New Roman, size 11) with bullet points structured in the order in which they intend to address their oral pleadings. A model for skeleton arguments will be provided in due course by the SAM Organization.

These skeleton arguments will be essential to guide arbitrators through the team's arguments in the oral rounds.

Parties should, to the extent possible, follow an argumentation in line with their skeleton arguments. That said, Parties are not bound to those arguments and can come up with new ones as they advance in the Oral Rounds.

Appellant and Respondent will receive the counterparty's skeleton argument one day prior to the Hearing. However, they are expected to be prepared for any argument that may be raised by the counterparty.

2. A list of Legal Authorities with the case law, doctrine, commentary, etc. on which each party (Appellant and Respondent) will rely. This document should not exceed two pages and should contain the names of a maximum of twenty (20) legal sources on which each party relies (including case law and legal authorities). A model list of Legal Authorities will be provided in due course by the SAM Organization.

Appellant and Respondent shall be bound by the list of Legal Authorities during the General Rounds. This means that in making their oral pleadings in the General Rounds, Appellant and Respondent should not invoke Legal Authorities that are not on their lists, except if prompted to by the Panel or in their rebuttal.

¹ Teams should send the documents to the SAM Organization at info@sportsarbitrationmoot.com.

² For the avoidance of doubt, each SAM Team must prepare to act as Appellant and as Respondent. This means that each SAM Team is expected to file skeleton arguments and list of legal authorities on behalf of Appellant and of Respondent.

ORAL ARGUMENTS

Structure of Hearing

The number and type of oral rounds will depend on the number of teams participating in the Moot. This information will be provided during the month of December 2022.

In each oral round, each team will have 20 minutes to make its oral arguments (only two team members can plead in any given round; the division of the allocated time is left up to the team to decide). This means that there will be a total of 40 minutes per oral round, which arbitrators can decide, at their discretion, to extend up to 60 minutes for questioning, bearing in mind the principle of equality between the Parties.

Prior to the start or at the beginning of the Oral Rounds, the two Teams competing against each other should aim to reach an agreement regarding how the pleadings will be structured and the time will be split. In the absence of an agreement, the Panel shall decide.

The Panel shall at all times have total control of the Hearing and act as they would in a real hearing (including by interrupting a line of reasoning, asking questions, asking the Parties to address arguments in a different order, etc.).

Rebuttal

Teams may agree on rebuttal and surrebuttal. These shall not exceed 1 minute each, unless the Parties otherwise agree.

Taking of notes and communication with other team members

At any point during the Hearing, Teams are allowed to take written notes.

Oralists are allowed to communicate with each other during the Hearing provided that this does not disrupt the smooth running of the Hearing. Other team members (and coaches) are not allowed to communicate with the two oralists during the Hearing.

Virtual Hearing Protocol

The Virtual Hearing Protocol is attached as Annex I.

SCORING

The score will be on a scale of 1 to 100, taking into account the following factors:

1. A maximum of 10 points for preparation for the Hearing (namely, the team's capability of presenting itself at the oral rounds as if it was an actual Hearing).
2. A maximum of 15 points for the organization of the arguments (the team's capability of following a structure, presenting conclusions, etc.).
3. A maximum of 20 points for knowledge of the case (the team's capability of making references to the case, pinpointing the right part of the document they're referring to, leading the arbitrators through the relevant exhibits, etc.).
4. A maximum of 20 points for legal study (the team's capability of referring to legal authorities and case-law, using legal materials, etc.).
5. A maximum of 10 points for persuasion in argument presentation.
6. A maximum of 10 points for time management.
7. A maximum of 15 points for handling questions from the arbitrators.

The scores will be reflected in a scoring sheet which will be provided to the arbitrators by the SAM Organization in due course.

The elimination rounds will depend on the number of teams participating in the Moot. This information will be provided during the month of December 2022.

Awards

Upon request, each participant will receive a certificate of participation in the SAM. Additionally, there will be awards for:

1. **Best Team** (collective prize for the team that wins the Final)
2. **Best Appellant** (collective prize for the team that gets the highest score while acting as Appellant)
3. **Best Respondent** (collective prize for the team that gets the highest score while acting as Respondent)
4. **Best Oralist** (individual prize for the best oralist)
5. **Best Legal Research** (collective prize for the team who provides the highest scored legal study)

For the purposes of giving the awards for Best Appellant, Best Respondent, Best Oralist and Best Legal Research, only the scores of the General Rounds will be taken into account. The award for Best Team will be given to the winner of the SAM. All awards will be announced in the Final.

Others

FREQUENTLY ASKED QUESTIONS

Any questions related to the interpretation of the present Rules must be sent to info@sportsarbitrationmoot.com by 30 November 2022.

The response to any questions referring to unclear issues, or clarifications that the Organization considers must be made, will be published on the SAM's website.

PRIVACY AND DATA REGULATION

The General Data Protection Regulation (GDPR) applies to the SAM.

The Moot is an educational event and it is necessary that personal data be collected for the operation of the event. The SAM Organization will not disclose any personal data to third parties unless your specific permission has been obtained. If you have concerns or queries about the way your data is being used, please contact the SAM Organization.

CONTACT DETAILS

All communications regarding the SAM must be sent by email to the SAM Organization to the following email address: info@sportsarbitrationmoot.com. Contact shall be made by the Team's contact email address exclusively. Such email address shall be indicated by the Team in the registration form.

Annex

VIRTUAL HEARING PROTOCOL

The SAM competition is mainly composed of oral rounds, during which mooties will have the opportunity to practice their oral advocacy skills. To ensure that as many Teams as possible can join the competition, the oral rounds will take place online via videoconference, except for the Final Rounds, which will be held in person.

The online oral rounds will be conducted through the Zoom platform. For this, each Team will need at least a camera and a microphone. Teams are free to join together from the same location or to have their participants join from different locations. Teams are strongly encouraged to use a desktop or laptop device, with an external or integrated camera. Otherwise, participants may also join in using their phones or tablets. Participants should ensure that their devices support Zoom and that they have sufficient battery to last throughout the oral round.

Teams are encouraged to keep a smartphone or tablet, having at least a 4G data connection and mobile hotspot functionality, available as a backup internet connection at all times during the Hearing.

Furthermore, Teams are encouraged to join from a quiet location, where they will not be disturbed, with appropriate lighting and a stable internet connection.

SCHEDULE

Two weeks before the start of the oral rounds, each Team will receive the following information via the Team e-mail account:

- The date and time of the Team's oral rounds.
- The information about the Teams that they will be competing against.
- A Zoom link to access the virtual hearing room.

The times of the oral rounds are displayed in Zurich local time (GMT+1). The SAM Organization will endeavor to accommodate different time zones when preparing the schedule. However, please contact the Organization if your Team has any specific issues with the schedule of the oral rounds.

JOINING ZOOM

If you don't have an account with Zoom, please sign up at <https://zoom.us/signup> using your email. Make sure to use your full name, to ensure you are allowed into the Hearing room.

Please join the Zoom session 15-10 minutes before the oral round is scheduled. You will be placed in the Waiting Room and the host will let you in. Once you enter the room, please change your name following these instructions:

- If your Team is joining the session from the same physical location, use the Team Name (e.g. "Uni. Zurich");
- If your team is joining from different locations, use the Team Name followed by the participant's name and surname (e.g. "Uni. Zurich-Christina Martin").

Teams will also be provided with the SAM's official background for the Zoom video, one for the Appellant and another for the Respondent. Please make sure to use the relevant background according to the party you are representing.

The Zoom session will have break-out rooms for the Appellant, the Respondent and the Panel. Participants will be allocated to their break-out rooms by the host whenever necessary, including during the Panel's deliberations.

The Panel's deliberations will be held at the end of the oral hearing, for a maximum of 10 minutes. The Panel will then return to the main room to give feedback to the Teams, without divulging their scores. The scores will be collected by the SAM Organization to establish who will proceed to the next Rounds.

HEARING ROOM ETIQUETTE

To ensure that the Hearing runs smoothly and there are no interferences:

Team members who are not pleading must switch off their cameras during the pleadings and mute themselves;

Team members who are pleading must mute their microphones when not speaking.

If the Team is joining collectively from a same location, the camera shall be directed solely towards the oralists.

TECHNICAL ISSUES

If a connection is lost due to a technical issue, Teams and arbitrators shall try to re-establish the connection. If it is impossible for technical reasons to complete the argument within the allotted hour, the presiding arbitrator may extend the time for up to one hour of extra time. This extra time is only meant to address technical issues and not to extend the oral hearing for the purpose of extending the time for presenting arguments.

If a connection to an arbitrator is lost during the oral hearing, the two remaining arbitrators should wait for no more than 5 minutes for the arbitrator to reconnect. If the arbitrator does not reconnect in the aforementioned period, the two remaining arbitrators shall continue to conduct the oral hearing. Each arbitrator shall score only the oralists he/she has heard. For the oralist(s), the missing score will be reached by adding the average of the two arbitrators who were in attendance throughout the online session.

If a second arbitrator experience technical issues and cannot be reconnected within 15 minutes, the remaining arbitrator will complete the argument and a single score will be entered for each oralist for that argument and multiplied by three.

DISPLAY OF EXHIBITS

Teams are allowed to display exhibits on the screen. However, they are advised against doing so, since this will deviate the arbitrators' attention from the oral pleadings to the exhibits.

We recommend that you print out the case and the exhibits, and that you direct the arbitrators' attention to the relevant exhibits during your presentation, using page numbers and paragraphs.

External exhibits are strictly forbidden. Teams must only use the exhibits provided in the Case.

RECORDINGS

Teams are allowed to record the oral rounds, provided all attendees agree at the beginning of the oral round. Recording by one Team should not disturb the smooth running of the Hearing.

The elimination rounds will be recorded by the SAM Organization and Livestreamed on YouTube.

PRACTICE SESSIONS

Teams are encouraged to practice their pleadings before the oral rounds begin. Feel free to connect with other Teams to practice your arguments. Mock hearings organized between Teams will not count for the scoring in the official competition.

Once the oral rounds schedule is published, Teams must not hold practice sessions with teams they will come up against during the general oral rounds.

CONSENT

By participating in the SAM, all participants consent that photographs and/or digital images (such as screenshots) may be taken for the use of promotional and/ or educational materials of the SAM. Participants agree to the use of their images for the described purposes and acknowledge that their identity may be revealed in connection with the published image(s). Participants authorize the use of these images without requesting any compensation. Consent to the use of photographs or any digital means can be withdrawn at any time by written notification to info@sportsarbitration.com.

Best of luck and get your game on!