

Sports Arbitration Moot

RULES 2024 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 to contribute 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 General Rounds of the 2024 edition of the SAM, as well as the SAM Camp, will be held online, with the SAM Elimination Rounds (i.e. the best sixteen Teams) taking place in person in Madrid (Spain). Further details regarding 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 2023 or 2024 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 years of 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 edition of the SAM as a Team member, 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. In case of multiple registrations from the same school institution, the competing Team will be the one that first completes the registration process (including the payment of the fees).

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, therefore pleading alone is not allowed. 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 2024.

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, subject to the same exception regarding Teams they may have coached.

PARTICIPATION IN THE SAM CAMP

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, or any other individuals, that are not participating in the SAM. This exclusion does not apply to coaches, who may participate in the SAM Camp together with the Team members.

Mooties must confirm their participation in the SAM Camp by no later than 30 November 2023.

Registration

REGISTRATION FORM

In order to register, each Team must complete a registration form by no later than 10 November 2023, 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 by no later than 30 November 2023.

F E E S

To enroll in the SAM, Teams will have to pay a registration fee of EUR 415 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 30 October 2023 will be reduced to EUR 315.

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 30 November 2023 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 2023.

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.

The Skeleton Arguments must be sent in PDF format. Each of the PDFs must be named as follows:

- Team Name_Skeleton_Appellant
- Team Name_Skeleton_Respondent

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 during 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

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.

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.

The list of Legal Authorities must be sent in PDF format, making sure that all hyperlinks are working. Each of these PDFs must be named as follows:

- Team Name_List of LA_Appellant
- Team Name_List of LA_Respondent

Teams must limit the attached/hyperlinked files to the relevant extracts of the supporting materials they want to submit as a certain legal authority. Therefore, it is forbidden to include the full version of a book instead of the particular extract they want to rely on. Non-compliance with the aforementioned requirements will cause the legal authorities affected to be immediately removed from the list of Legal Authorities, with no chance to submit new ones in their place.

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.

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 2023.

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.

For the avoidance of doubt, please refer to the following tab as an indication of the classic structure of a Hearing:

Appellant Pleadings	20 minutes maximum
Respondent Pleadings	20 minutes maximum
Extension allowance for questions (to be decided by the arbitrators)	20 minutes maximum
Hearing duration	Without extension allowance: 40 minutes maximum (excl. rebuttals) With extension allowance: 60 minutes maximum (excl. rebuttals)
Rebuttal and Surrebuttal	1 minute each maximum (unless otherwise agreed by the Parties)

The panel of arbitrators is responsible for the observance of time. 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.). Parties, however, shall track their time as well, in order to raise any necessary requests and/or concerns in relation to time.

Rebuttal

Teams may agree on rebuttal and surrebuttal. These shall not exceed 1 minute each, unless otherwise determined by the Panel or agreed by the Parties. The time for rebuttal and surrebuttal is not included in the 20 minutes for the oral arguments.

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.

Electronic devices

The usage of electronic devices is strictly forbidden during the SAM Elimination Rounds e.g. phones, laptops, tablets, etc. The competing Teams may rely on their phone only for the purpose of keeping track of time. It is recommended that the Teams anticipate and refer to hard copies, if so needed.

Likewise, Teams are not allowed to use materials that may be contained on their laptop, for example, a PowerPoint presentation. This applies without distinction to the SAM General and Eliminations Rounds.

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 2023.

SAM AWARD COMPETITION

The SAM Award Competition is a parallel contest organised on the occasion of the Sports Arbitration Moot. It serves the purpose of introducing Teams to the drafting process of an arbitral award.

Participation in the SAM Award Competition is open exclusively to all the Teams participating in the Sports Arbitration Moot. Since this is not a mandatory activity within the Moot, the competition is subject to the participation of a sufficient number of Teams. Confirmation in this respect will be communicated by the SAM Organization after the SAM Final.

The Teams' performance in the SAM Award Competition is evaluated independently from the Sports Arbitration Moot.

The Rules applicable to this competition are attached in Annex II.

Prizes

Upon request, each participant will receive a certificate of participation in the SAM. Additionally, there will be prizes 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 that provides the highest-scored legal study)
6. **Best Award** (collective prize for the Team with the highest-scored arbitral award as part of the SAM Award Competition)

For the purposes of giving the prizes 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 prizes will be announced during the Closing Ceremony, after the Final.

The winner of the SAM shall be awarded the sum of EUR 1,500.

Miscellaneous

FREQUENTLY ASKED QUESTIONS

Any questions related to the interpretation of the present Rules must be sent to info@sportsarbitrationmoot.com by 30 November 2023.

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.

The most frequently asked questions in relation to the conduct of the Moot, its preparation and organization are answered in a dedicated section available 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.

Likewise, the SAM Organization cannot communicate a given Team's personal contact to another to help arrange rehearsal hearings. We suggest Teams adjust accordingly and consider reaching a Team through another channel.

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 at 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 SAM Elimination 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. Joining ahead of time can also be an opportunity to arrange the structure of our pleadings with the opposing Team. 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!

Annex 2

SAM AWARD COMPETITION RULES

Participation

Participation in the SAM Award Competition (the “**Competition**”) is open to any of the Teams participating in the 3rd edition of the Sports Arbitration Moot (“**SAM**”).

Each school institution may participate with only one representative Team.

Each Team can elect to pre-register to the SAM Award Competition upon enrolling on the SAM.

The participating Team’s members can only include members of the same Team that competed in the 3rd edition of the SAM (“**The Moot**”/”**The Moot Competition**”). In other words, students who have not participated with said Team in the 3rd edition of the SAM shall not be admitted.

The participating Team does not need to include all members of the respective Team that competed in the 3rd edition of the SAM. It shall be possible for the participating Teams to comprise only one or several students participating in the 3rd edition of the SAM.

Questions may be submitted to info@sportsarbitration.com.

The Competition shall only be confirmed and formally launched if at least eight Teams register to participate.

Timeline

Teams must pre-register to participate in the Competition by 10 November 2023, 23:59 CET.

Teams must confirm their registration to participate in the Competition by 14 June 2024, 23:59 CEST.

The organizers shall confirm whether the Competition shall take place and, if so, shall formally launch the Competition and send the Positions of the Parties to the registered Teams by no later than 1 July 2024.

Teams must submit their Awards by 2 September 2024, 23:59 CEST.

The results shall be announced on the occasion of the Closing Ceremony of the 4th edition of the SAM, in 2025.

The Award

The Award shall be written in English.

The Award shall contain, in the following order:

- a) A cover page;
- b) A table of contents;
- c) A summary of the undisputed facts;
- d) A summary of the Positions of the Parties;
- e) A section setting out the tribunal's detailed reasoning; and
- f) A 1-page dispositive section, which shall set out the tribunal's final decision on each of the Appellant's and Respondent's respective requests for relief as presented in the SAM Moot Case.

The Award shall be no longer than 7,000 words (seven thousand). This page limit is absolute and inclusive of all of the above-described sections (cover page, table of contents etc.).

The Award shall be written in A4 Microsoft Word format. The font shall be Times New Roman, size 12, and the line spacing shall be 1.5.

Failure to comply with any of the requirements set out in these Rules shall disqualify an Award from the Competition.

By registering for the Competition, participants undertake to comply with these Rules and

to draft their Awards without any third-party assistance, other than customary secretarial assistance. Participants should act as diligent arbitrators in a true arbitration.

Each Award shall be submitted in PDF format along with a Microsoft Word version which shall only serve verification purposes. The Award shall be anonymous, i.e. it shall not contain the name or logo of the university, the name of any of the Team members or any feature that could easily allow the jury to identify the identity of the Team.

The Awards shall be submitted to the organizers by email to: info@sportsarbitrationmoot.com

The organizers shall ensure that Awards comply with all requirements set out in these Rules and have been timely submitted. The organizers shall then transmit to the jury the anonymous PDF copies of all Awards that comply with the requirements set out in these Rules.

Evaluation criteria

The Awards shall be evaluated on a scale of 1-100, based on the following criteria:

- a) Clarity of structure and drafting (30 points);
- b) Quality of legal reasoning (30 points);
- c) Quality of factual reasoning (20 points); and
- d) Adherence to the scope of the dispute and requests made by the Appellant and Respondent (20 points). The scope of the dispute is determined by (i) the Moot Case of the 3rd edition of the SAM; (ii) the Clarifications and Answers to Questions of the 3rd edition of the SAM; (iii) any follow-up emails sent by the organizers during the 3rd edition of the SAM; and (iv) the Positions of the Parties.

For the avoidance of doubt, Teams are not confined to:

- a) The legal sources indicated in the Positions of the Parties; in application of the principle of *jura novit curia*, Teams may develop their reasoning based on additional legal sources not submitted by the hypothetical parties; and
- b) The legal sources submitted by them prior to the oral rounds of the SAM.

In case of a tie, the Team achieving the highest mark in terms of clarity of structure and drafting shall prevail. In case of a tie in terms of clarity of structure and drafting, the relevant Teams shall share their position in the overall rankings (and the Prize described in section E, if they share the first place in the overall rankings) ex aequo.

Prize

The Award achieving the highest mark pursuant to the evaluation process described in Section D shall be awarded the sum of EUR 1,000.

The three best-scored Awards shall be published on the SAM official website.