**Information**

Greetings from the Texas Baseball Arbitration Program (TBAP), which we promise is a real thing. TBAP is approaching its one-year anniversary of existence and serves one single purpose: for UT Law students to participate in the world’s only moot court competition for baseball salary arbitration—the Tulane International Baseball Arbitration Competition (TIBAC).

You may be asking, “What the heck is a baseball arbitration?” And that’s okay! Taylor didn’t know what it was either at this time last year, and the kid single-handedly got TBAP into the finals of TIBAC (we know it’s a lot of acronyms but bear with us).

In short, each year a subset of Major League Baseball players become eligible for “salary arbitration,” where lawyers, statisticians and baseball nerds argue over what the player’s salary should be the next year. Using a player’s statistics and overall market trends, the player says I’m worth this much (a high number), the team says no you’re worth this much (a lower number), and the two sides fight it out. While 99% of cases settle, every once in a while, the player and team cannot come to an agreement, and they go to a hearing. At the hearing, the player argues he is worth the higher number, the team argues he is worth the lower number, and an arbitration panel *must* pick either one or the other (there’s no splitting the baby in the arb world).

TIBAC gives law students across the country the chance to participate in mock baseball arbitration competitions. Each school is assigned four “cases,” where they represent either a player or a team. Judges at the competition include front-office executives and in-house counsel for MLB teams, as well as MLB player agents. TIBAC provides the actual salary submissions (for example, if you represent the player, they will tell you that you asked for $3 million, and the team asked for $2 million). Then, **for each case**, you must:

* **Write a 10 page brief** arguing why your number is the correct one. This includes selecting “comparable” players who have similar statistics and features to your player, and made a salary in line with the one you are arguing for;
* **Prepare slides** and exhibits that you will use to make your argument during the competition itself;
* **Prepare rebuttal slides,** which happens after you have seen the slides that your opponent created. Here, you have the chance to respond to their arguments and comparable players and show why yours are better.

Last year, the founding members of TBAP (Bryan Hamerschlag and Taylor Hinojosa) participated without any coaching, and basically no idea what they were doing, and made it all the way to the finals. If you want to watch them lose (and see what the competition looks like), you can check that out here: <https://www.youtube.com/watch?v=sedpInLpVlQ&t=3293s>. This year, whoever participates (possibly you?!) will have much more assistance to take TBAP all the way to the promised land.

That was a ton of information thrown at you, so here is a bit more.

**Who we are:**

* **Bryan and Taylor**: two washed-up 3Ls who no longer have the vitality or desire to brave through a competition. They will be serving as coaches and advisors throughout the process and will help with preparation of all written materials and structuring arguments.
* **Matt McClendon**: since nobody cares about the aforementioned washed-up 3Ls, we thought we would get someone actually interesting on board. Matt is a former MLB first round draft pick who attended UT Law after his playing career was over. Today, he is involved in all aspects of salary arbitration for Boras Corporation—the most prominent sports agency in the baseball industry. He helps prepare for baseball arbitration year-round and does the same thing you would do for the competition dozens of times over each year. Matt will be serving as an advisor throughout the preparation process.

**About the Competition**

* TIBAC’s website is the best place to go for those who are curious and want to learn more: <https://law.tulane.edu/academics/sports/baseball-arbitration>
  + Participating law schools send teams of 2–3 members.
  + There are three opening rounds, each judged by a guest “arbitrator” from the baseball industry, including in-house lawyers and front-office executives for MLB teams, as well as sports agents
  + Playoff rounds (if applicable)
  + Info-sessions and networking and social events, which are a great way to meet lawyers practicing in the sports industry

**Dates and Logistics (estimates):**

* **Dates**
  + **December 10th:** team assignments given
  + **December 30th:** written briefs due
  + **January 6th:** exhibits due
  + **January 13th:** rebuttal slides due
  + **January 19th–21st:** competition, likely in New Orleans (see below).
* **In-person or Virtual**
  + As of now, the plan is for the competition to be *in person* in New Orleans. That would require physical presence from Jan. 19th-21st
  + TIBAC said they will let us know for sure by mid-November.

**Questions:**

* Please feel free to contact us at [texasbaseballarb@gmail.com](mailto:texasbaseballarb@gmail.com), [bryan.hamer‌schlag@utexas.edu](mailto:bryan.hamer‌schlag@utexas.edu), or [dthinojosa@utexas.edu](mailto:dthinojosa@utexas.edu).
* Bryan can also be reached by phone at 914-462-8331

**Application**

Please answer the question below. Respond via email to [texasbaseballarb@gmail.com](mailto:texasbaseballarb@gmail.com) **by November 5, 2021**. You may apply individually, or as a team of two or three participants. If you are applying as a team, you should include only one application total. Please also include your résumé(s) with your application and fill out the information sheet on the following page.

There is no specific format we are looking for—just craft the best argument. Feel free to use any charts or graphics if you feel they convey your argument effectively. Additionally, there are no page limits, but brevity is always appreciated and writing more will not be rewarded for the sake of length.

You may use any materials or research tools you want to answer the question. The links below are just suggestions for where to start looking:

* <https://law.tulane.edu/sites/law.tulane.edu/files/Files/TIBAC%20--%202018%20Salary%20Arbitration%20Guide.pdf>
* <https://blogs.fangraphs.com/lets-fix-mlbs-salary-arbitration-system-introduction/>
* <https://www.mlbtraderumors.com/2015/10/mlb-trade-rumors-arbitration-model.html>

Additionally, we recommend that you use the historical salaries of other first-year-arbitration-eligible players to structure your argument. These salaries can be found in the spreadsheet [here](https://law.utexas.edu/advocacy/imccp/2022-tulane-international-baseball-arbitration-competition/).

**Question: the Toronto Blue Jays’ young super-slugger Vladimir Guerrero Jr. is arbitration-eligible for the first time this winter. Fresh off nearly winning the AL triple crown, he asks for a $13 million salary for the 2022 season. The Blue Jays agree that Guerrero is good, but not that good. They offer him $10 million for the 2022 season. Who is correct, and why?**

**Applicant Information**

**Name(s) and year (*e.g.* Jane Doe (2L)): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

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**Email address(es): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

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**Mock trial or structured debate experience (none is okay!): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

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**Would you be okay being paired with someone you did not apply with? \_\_\_\_\_\_\_\_\_\_\_\_**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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**Anything else you want us to know?** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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