

## Coding Our Judges Off of Schools and Individuals When is it Necessary?

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### Abstract

When examining issues that arise from tournament management, a chief concern among tournament administrators is the quality and size of their respective judging pools. In accordance with the AFA Code of Standards, many coaches try to avoid a “conflict of interest” by coding their judges off of particular schools and/or individuals when sending in their entry. Given that this coding process is self-regulated and highly dependent on individual ethics, coaches are left with no steadfast rules to dictate when a restriction is necessary and when it is not. This paper examines the coding process, the reasons coaches currently use to apply restrictions, the implications of this practice, and suggestions to refine it.

### Background

In the hopes to govern and regulate forensics competitions, the American Forensic Association created a Code of Forensics Program and Forensics Tournament Standards for Colleges and Universities in 1982. Last amended in 2005, the code sets forth guidelines in the following articles: Competitor Standards, Competitor Practices, Tournament Practice, Adjudication Procedures, Penalties, and Amendments. Most relevant for this paper is Article III: Tournament Practice.

As outlined by this code of standards, when hosting a tournament “tournament directors must ensure that all participants compete on a more or less equal basis” (Louden, 2006, p.5). To facilitate this process, the code details stipulations that should be followed when assigning judges. These include, but are not limited to:

1. A judge shall not be assigned to judge his/her own team
3. A judge shall not judge debaters or speakers where there is a conflict of interest possible, such as:
  - a. The judge has previously coached in college a debater or speaker he/she is to hear,
  - b. The judge was, within the last two years, the coach of the school whose team or speaker he/she is to hear,
  - c. The judge was, within the last two years, an undergraduate forensics competitor at the school whose team or speaker he/she is to hear.
4. Prior to the start of the tournament, all judges shall have an opportunity to declare themselves

ineligible to hear specific debate teams, speakers, or events. (Louden, 2006, p. 5-6)

To adhere to these stipulations, specifically to avoid the “conflict of interest” “prior to the start of the tournament” by “declaring themselves ineligible,” some directors will note judging restrictions on their entry form when they send it to the tournament director.

### Current Practices

While the actual practice of noting a judging restriction is relatively simple, determining what circumstances call for a judging restriction is a convoluted process highly dependent on individual ethics. The code of standards created by the AFA merely provides examples of when a conflict of interest may be possible rather than defining and limiting the “conflict of interest” clause to specific situations. This predicament has forced directors to identify situations that may be perceived as a conflict of interest and lead to inconsistent decisions across forensics programs.

To get a better understanding of varying directors’ decisions when it comes to coding off judges against individuals and teams, I asked a wide spectrum of directors to email me their thoughts on the issue. Specifically, they were asked to discuss the rules they use to decide whether or not to implement a judging restriction. Often these directors will be referred to as “respondents” and their identities will remain anonymous. Additionally, situations I have witnessed or discovered through face to face communication were added to the responses I received to assemble some idea of current practices. Current coding practices can be divided up into two areas: coding a judge off of an entire squad and coding a judge off of a particular individual.

The most widely used reason by directors to restrict a judge from judging an entire school comes from the code of standards’ most specific regulation. Most coding restrictions stem from students’ and coaches’ past affiliations with other programs. However, affiliation is a vague term as well. The code of standards makes it clear that if the judge is a former undergraduate forensics competitor or coach of a school, they should be coded off of that school for the next two years. But, there are other instances when a director may see an individual as a part of their team and use this same affiliation justification

to either code a judge off of their team or ask the judge to code themselves off of the team.

For example, some directors extend this affiliation to alumni who may be at other schools, but have come back to coach their team for a weekend, a day, or sent topics to the team via email. In this instance, some directors will ask the alumnus to code themselves off the team. This affiliation is also extended to judges who may have traveled with a team earlier in the year as a hired judge. The respondent who uses the travel tenet explains, "Once you have traveled in a van with a team, even if you are from another school, then you have a connection to that team and so should be coded (off of that team)." While these are just a few justifications for restricting a judge from an entire school and probably not comprehensive, they represent reasons not explicitly covered by the code of standards and add to the inconsistent nature of current practice. Yet, another dimension of current practice lies in the reasons to code a judge off of particular individuals.

One of the greatest joys of the forensics community can also be one of its greatest detriments, the tight-knit and intertwined relationships that our activity fosters. The most common reason a director would code a judge off of a specific person is best described by one respondent as "a significant interpersonal history that would harm the objectivity of my judge and/or cause the student being judged unreasonable tension." Most of the directors who responded acknowledged that they would code off their judge from a specific person on another team that the judge may be dating or had past romantic/sexual relations. Other significant interpersonal histories that have resulted in judging restrictions derive from family relationships, marriages, and in even some cases heated disputes. The other major restriction on the individual level is if a judge for some reason has coached a student or helped them on a particular event either in person or via some other medium. However, one respondent explained that in this case she would narrow the restriction beyond the individual level and the judge would just be coded off of the student's specific event that was coached.

Whether it is on the team, individual, or even event level, it is certainly current practice for directors to implement judging restrictions that are not explicitly covered by the AFA's Code of Standards. While interpreting these standards and extracting ideals that are then applied to specific situations that may arise is an honorable endeavor, there are implications of this practice that weigh certain circumstances over others or foster unforeseen effects.

### Implications

The implications of the current coding practice can be examined by looking at circumstances that could call for restrictions that currently are over-

looked and effects of the current process that may be more damaging to the activity than the benefit of a perceived level playing field created by the Code of Standards.

Initially, a variety of issues come up when trying to decide whether a judge, put on an entry, should have any restrictions put next to their name. Many of these considerations are discussed earlier, but there are some considerations that have been overlooked, not enforced, or not deemed as influencing factors on a judge's impartiality. Some circumstances include, but are not limited to:

1. Hired judges teaching at the same school or attending the same school as some of the competitors could lead to a biased judgment. The AFA's *Code of Standards* only mentions coaches or undergraduate forensics competitors. Therefore, a student could be judged by one of their professors or one of their fellow classmates in a round.
2. High school summer camps have become so prevalent across the country they bring their own batch of possible restrictions. Out of the top 20 programs at the AFA-NIET in 2008, 12 of these teams have summer camps. Out of the top ten programs in the open division of the NFA National Tournament in 2008, seven of these teams have summer camps. Additionally, there are several camps hosted by colleges and universities not on these lists, a handful of camps hosted by independent organizations, and some hosted by high schools. Several of these camps hire coaches and students from a wide variety of different teams. With that noted, should the relationships made at summer camps disqualify judges from judging students who may have been colleagues only the summer before? Should the hiring of a counselor during the summer create the same affiliation to the host school as if that same person was hired throughout the year to be a judge?
3. From the same strain of thought, as collegiate programs continue to reach out to high schools, should restrictions be implemented to protect coaches and students from conflicts in this arena as well? If a judge coached an incoming freshman in high school at a summer camp or was a part-time coach for the high school, should they be regulated by the same two-year affiliation guideline as if the student was coached by the same person in college? On the flipside, if a high school coach is hired to be a judge at a tournament, should they be coded off of former students and alumni from that high school?
4. Transfer students are greatly affected by these regulations as well. If six students from the same team transfer to six different four-year programs after competing for two years, should the coach of that community college program code themselves off of those six students for the next two years?

The same situation could be applicable, probably in a smaller scale, to students transferring from one four-year program to another. This list of restrictions could become rather large, especially in areas where two-year and four-year programs compete against one another regularly.

5. When it comes to freelance judges, those that may be hired by several different programs or host schools on several different weekends, should they only be considered affiliated with a program if they travel with that school? If they come to the tournament on their own and either commute or are put up by the hiring party, is there a conflict of interest at the next tournament?
6. What are the coding parameters for different types of relationships? For example, when a coach of one team is dating a student from a different team should the coach be coded off of just that student or should the student be coded off of all of the coach's team to avoid tension? (Ex. Why did you coach your team so well they are beating me at tournaments?) Should the parameters be different if the relationship is between a coach of one team and a coach of a different team? Is any restriction necessary if coaching has not taken place across the two teams or is the possibility of tension in the home a worthwhile justification for restrictions? (Ex. Your student beat my student, go sleep on the coach.) If the relationship is between a coach and a hired judge with no affiliation, should the hired judge be coded off of the coach's team? (Ex. You gave my student a six in that round? Go sleep on the coach!) How long should the restriction be in effect? If a relationship ends is the two years that most other restrictions follow enough time or should two people who date and then break up be a permanent restriction?
7. Probably the most accepted form of bias in the forensics community that rarely even brings up the thought of a possible restriction is close friendships. We spend a great deal of time worrying about school affiliations and romantic relationships, but sometimes a best friend may be on a team other than one's own. While I agree with one respondent's comment, "Just because someone is your Facebook friend doesn't mean you can't judge him/her," the role Facebook and other social networks play in shrinking an already tight-knit community can not be discounted. It goes without saying that technology continues to make our world smaller and smaller, but this factor makes it seem that the sheer number of best friends living miles apart is not making an impact on our judges' impartiality. The fact is these networks provide yet another means for people to stay close and only reinforces a predicament that was certainly taking place decades before networks like Facebook were ever invented. Different roles that these friends may play - whether they are a coach, judge, and/or

student - may affect what kind of restriction should be enacted, if any.

Despite these circumstances, the current coding process has implications that may be more damaging to the activity than the benefit of a perceived level playing field created by the Code of Standards. What makes these issues more destructive than the above circumstances not currently addressed is that all of these issues take place presently within the accepted system under the shroud of fair play. Some issues that deserve consideration may include:

1. The biggest issue facing the current practice is the high dependence on individual ethics. The coding system is currently self-regulated, meaning directors and hired judges are the only people who truly know if a restriction is necessary and it is up to their ethics to do the right thing. But, the right thing is not agreed upon by the community, so it always seems as if someone is trying to get a competitive edge or is trying to be too careful. One respondent explained the situation when she wrote, "The current way of allowing people to code themselves off creates lots of disparity between those teams who want to avoid bias at all costs on one end and those who like a pool filled with 'friends and family'." Taking motive out of the equation, another respondent wrote, "Given that each person is responsible for his/her school's coding, s/he might accidentally forget to code against someone. Also, because of the lack of additional restrictions that are commonly agreed upon, additional coding beyond the AFA *Code of Standards* is not consistent." Whether the coding is competitively motivated or not, it is clear that the practice is not consistent and thus hardly living up to its original cause to create a more or less equal playing field for students.
2. The ethical variations between directors and judges can also cause inconsistencies and blame placing at tournaments. For example, if a judge travels with Team A to a tournament, then the next weekend is hired by the tournament or another team and Team A shows up to the tournament, it is up to the judge to know that they should have coded themselves off of Team A. However, sometimes this is not the case and Team A will either say something the day of the tournament, not knowing the judge was going to be there, or keep quiet and hope for the best. Either way, the tournament director is left with little recourse, as rescheduling that judge the day of the tournament can become very difficult, especially if that tournament is nationals. In that judge's defense though, not every tournament advertises who is coming to the tournament and few advertise which specific students are coming. Judges and directors could list every team and individual that a judge should be coded against in precaution that they

- may be at the tournament, but “not knowing someone was going to be there” is a common defense.
3. Following that same line of logic, many directors and judges are unclear of where the responsibility to place restrictions lies. As many respondents noted, the responsibility DOES NOT lie with the tournament director. Also, directors can not code judges from other teams off of their students and for good reason as this power could be used for a competitive edge. The responsibility lies with the judge. However, a judge may not believe they are biased against a student/team, know that an individual is uncomfortable with that person judging them, or realize that activity with a team earlier in the year requires a judging restriction and the judge does not code themselves off of that individual/team. Once again, the current system is vague making an argument for or against coding in particular situations just as valid because there is no standard.
  4. All of this discussion of coding and disclosure of conflicts brings up a whole heap of privacy issues. Does the forensics world really want to start keeping tabs on all of the issues judges may have with students and vice versa? While the umbrella term of “significant interpersonal history” is a solid phrase to encompass a variety of conflicts, judging restrictions for each particular judge may become an ever changing laundry list of single individuals.
  5. Whether it is a response to the privacy issue above or some other reason, it has become a common practice for judges that should be coded off of individuals to code themselves off of entire teams. One respondent when writing of restrictions that “can be pretty arbitrary and capricious” explained that a judge may not want to judge any student from a school because they may be having a conflict with the coach of that particular school. The respondent elaborates explaining this coach needs to “grow up and develop a clearer professional attitude. He’s there to assess student performances, not pass judgment on those students’ coach. That kind of attitude can be damaging to the activity.” Another potential reason directors or judges do this team coding rather than individual coding is because they think it will be easier for the tournament director. Several respondents, who schedule several different sized tournaments, explained this is not the case. Also, this same course of action should not be taken by the tournament director. If a judge is coded off of an individual, the tournament director should not extend that restriction to an entire team.
  6. Another concern of the current coding practice and perhaps the future of this practice as well, is the number of restrictions placed on a single judge. At local tournaments or at nationals if a judge has too many restrictions they become use-  
less to the tournament director, but at most tournaments these judges still receive credit for being a full-time judge. At nationals, there have been judges coded off of three of the five teams with the largest entries and were not able to judge a full-time commitment purely due to restrictions. Another example was a judge that was coded off of five different teams and also could not fulfill their commitment. This hardly seems fair to judges who cover the same amount of slots, but judge more rounds because they have less restrictions. On the other hand, we still want judges to list any restrictions they may have to try and keep a level playing field. Overly restricting judges could quickly leave tournaments gasping for more judges, which may already be taking place with only the two-year affiliation rule.
  7. One interesting note is the seemingly arbitrary nature of the number of years set in AFA’s *Code of Standards*. It does not seem that two years prevents any conflicts that one year or three years would not also prevent. One respondent explained, “I try to code off any person that has coached or even traveled with a team while any student on that team was competing. This creates some issues in our region where...teams like to consider someone clean after two years even though they will be judging former teammates, students, and even lovers.” This response also brings up the question of whether every restriction should follow the two years suggested for some restrictions in the code or if the time of a restriction is based on a case by case basis. The code sets the two years for the “students and teammates” mentioned in this respondents comment, but no time is set in the code for the “lovers” restriction. Another explanation for the two years set forth in the code may be an effort to keep graduate assistants from judging their former teammates. However, for graduate students who go to school for three years or start judging professionally that third year, they would still be judging teammates who were freshman when they were seniors.
  8. Finally, our activity prides itself on providing our students with educational benefits that will transcend forensics and aid them in life after college. However, are we robbing our judges from the educational experience that comes with making tough decisions that need to be backed up with strong reasoning when we take the pen out of their hand with a restriction? One respondent commented on this very situation when they wrote that the current system “doesn’t force the coach/Grad Assistant to develop and justify their judging criteria. It enables them to avoid making some professional decisions, and that’s not necessarily good.”

### Possible Changes

It seems pretty clear that some changes need to take place to the current system in order to develop some consistency across forensics programs; however, determining how to accomplish this feat is no easy task. The array of possible changes to current practice span from more rules to no rules, everything in between, and devices to try and handle things that are currently done. This paper, as a prompt for further dialogue at the developmental conference, will list solutions proposed by several individuals and some of the justification for each and save in-depth discussion about feasibility, benefits, drawbacks, implications, etc. for the conference.

1. Add more regulations to AFA's *Code of Standards*, to rectify some of the vague and unaddressed situations. One respondent noted, "I think an additional set of agreed upon guidelines beyond the *AFA Code of Standards* would help bring everyone on the same page. We would then all know what to expect regarding coding against students for judging purposes. This would help tournament hosts as well, since any codings missed by the entering school could be caught by the host with such a list." This would be a strong solution, but may be difficult to come up with procedures, as another respondent noted, that would cover "some strange and unthought-of circumstance."
2. Have a neutral officiating organization judge tournaments across the country. One respondent with this idea explained, "Forensics stands essentially alone among all sports, arts, and other academic competitions in having people with a vital stake in the competition judging that competition. One person outside forensics compared it to Phil Jackson coaching the Eastern division semifinals while his team waits to play the winner. Nobody would accept that as legitimate... We must find and train a cadre of unaffiliated judges OR have teams agree not to attend some tournaments so their judges can be critics. This used to happen naturally in the old days when a host school didn't compete. We also must accept more non-forensics people as critics, and get comfortable with more diverse, realistic perspectives from people who may not always reward formulas and norms that we have fortified." This may seem idealistic on the forefront, but the benefits of such an idea warrant further discussion and research.
3. To combat the unequal share of judging due to restrictions, numerous restrictions could make one a part-time judge. One suggestion was that "if you have more than one school restriction, you should not be counted as a full-time judge." This probably would be best paired with a suggestion offered by a different respondent who suggested that schools be required "to have a certain number of their judges be 100% clean or no judge can have more than one conflict." Limiting the number of conflicts a judge may have would still allow there to be some coding off, keep it under control, and allow the judge to pick the restriction that would best limit their bias. If they could not narrow this to one restriction then they would not be considered a full-time judge.
4. Establish some form of a strike system for judges. This is not a new idea, but it may be time to rehash the arguments for both sides of this issue. The respondent who suggested this idea explained that in this system "tournament directors would list judges three days before the tournament, and then teams would anonymously strike a certain number of judges. Those with a lot of strikes could be removed from the pool and warned that they need to work on their skills/bias/compartment or they won't be hired again."
5. Review the list of judges for a tournament and the people the judge has suggested coding themselves off of and then let other attending teams make suggestions to that list. If multiple suggestions come in, then that team or person would be added to that judge's restrictions. This suggestion, also coming from a respondent, would help catch restrictions that may have been forgotten, but may add to the current problem of too many restrictions and other issues that may accompany that situation.
6. Notify the tournament director of judging situations that would NOT cause a conflict. We spend so much time on who judges should not judge sometimes we forget to mention who they can. For example, one respondent explained, "I will usually send a note to a tournament director indicating who my novices are so that they know my former students in the judge pool do not know those individuals and could judge them if necessary." In addition to novices, this could also go for transfers and, in the second year of a restriction, people who are going into their second year of a team.
7. Reconsider the two-year affiliation rule. Some of the more experienced respondents do not seem to think that two years of coding is necessary. One respondent, with some 40 plus years of experience, argued, "If I had an undergraduate student transfer to another school and continue to compete...in order to help make that student feel more comfortable, I might try to avoid judging him/her, at least for a semester." Another respondent, with the same amount of experience if not more, echoed the first respondent's sentiments almost exactly with a suggested restriction time of a

“semester/quarter of competition.” Reconsidering the amount of time restrictions are expected to continue could be a compromise, but may still allow for some of the “significant interpersonal history” issues along with the questions of how long to keep different restrictions intact.

### Conclusion

Coding judges off of different teams and students can be a very complex issue because of the many number of variants that are thrown into the equation. As stated earlier, judging restrictions were put into place to help tournament directors ensure that all students competed on a more or less equal playing field. However, forensics, at its heart, is a subjective activity and no matter how many restrictions we put on judges, there is always an advantage or disadvantage to students that is going to slip through the cracks. I feel more restrictions or even the restrictions currently deemed acceptable by the forensics community only create more problems than they are worth. The only restriction a judge should have is against the program they are hired by at that tournament. We should put the responsibility of training ethical judges back on those that are hiring them, whether it is the host or the attending school. There is a lot to learn from facing and making tough decisions. If a judge presides over a round that has their best friend, their significant other, and a member of their alma mater in it, maybe the judge will be forced to judge the round based on who gave the best performance – which should be their task anyway. And if a judge is not being objective, despite their connections to people in the round, then those complaints should be taken up with the hiring party, so that if the hiring party feels that the judge is being biased, the situation can be dealt with and used as a learning experience. One of the most highly respected individuals in this activity responded to the idea of judging restrictions with the following statement:

After a semester/quarter of competition ... I would not restrict myself. I do this because I know that I am a fair and objective judge - I can evaluate a performance based on the performance - not on how well I may know the student, not on how well I like or dislike that student, and certainly not on how competitive my program might be as opposed to their program etc. We need to start to be honest with ourselves - and being ethical in all factors of our activity. Trust is a key element.

### Reference

Louden, A. (2006). *AFA Code*. Retrieved July, 30, 2008, from <http://www.americanforensics.org/documents/afacode.html>

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