



INTERNATIONAL  
**OMBUDSMAN**  
ASSOCIATION

## **First Annual IOA Student Writing Competition**

*Graduate and law students are invited to submit articles arguing for a statutory privilege for organizational ombudsmen.*

### **Topic**

The law currently recognizes a number of privileges, for example between doctor and patient, attorney and client, priest and penitent, and mediator and disputant. All such privileges are designed to encourage open communication, although the number and extent of these privileges varies from state to state. Many organizational ombudsmen believe that a similar privilege is warranted to protect the confidentiality of their communications with visitors.

For this article, assume that you are advising the legislature in your state in support of a privilege for organizational ombudsmen. Identify and discuss the legal and policy issues that the legislature should consider. Be sure to include the arguments against a privilege and explain why they should not be dispositive.

### **Award**

The author of the winning article will receive a cash prize of **\$2,500** and an invitation to the IOA Annual Conference in April 2010 in **New Orleans** to receive the award. IOA will provide registration, airfare and lodging for the conference. The winning article may also be published in the Journal of IOA.

### **Eligibility**

The competition is open to any student in good standing at any law school or graduate program in dispute resolution. Authors need not be members of IOA.

### **Deadline**

Submissions are due **November 15, 2009**.



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## Additional Resources

### Rules

A committee appointed by IOA will judge submissions anonymously and select the winning article. The committee will be comprised of full members of IOA. Submitted articles will be judged on the following criteria: persuasiveness; organization; quality of analysis; quality of research; and quality of the writing. The committee reserves the right not to award the prize.

Articles must be in English, formatted for standard 8.5 x 11 inch paper with one-inch margins, double-spaced, 12-point type, and less than 5,000 words, including citations, following the Chicago Manual of Style. Articles must be submitted electronically in Microsoft Word format to [profdevelopment@ombudsassociation.org](mailto:profdevelopment@ombudsassociation.org). Each article should have a title page including the author's name, school and contact information. The author's name or other identifying information may not appear elsewhere in the submission. Submission of a manuscript authorizes IOA to edit and publish the article in Journal of IOA, although publication is not guaranteed. Submitted articles will not be returned.

Submissions must be original, unpublished work. Articles may be prepared to satisfy a course requirement or for other academic credit. Co-authored papers are eligible but the prize will be awarded to only one individual. Employees and Board Members of IOA and Professional Management Associates, LLC, and their immediate families or household members are not eligible to participate. Void where prohibited. Any taxes are the responsibility of the winner.

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*Before submitting an article, students may want to consult the following resources for more information about organizational ombudsmen. These are not intended to limit the authorities and materials that may be used in a submission.*

### International Ombudsman Association

- The mission of IOA is to advance the profession of organizational ombudsman and ensure that practitioners are able to work to the highest professional standards. [IOA Website](#), [IOA Code of Ethics](#),
- [IOA Standards of Practice](#)

### Journal of IOA

- The only professional periodical dedicated to issues relevant to the organizational ombudsman issues. [JIOA Website](#)

### Case Law & Statute

- *Shabazz v. Scurr*, 662 F. Supp. 90 (S.D. Iowa 1987)
- *Kientzy v. McDonnell Douglass Corp.*, 133 F.R.D. 570 (E.D. Mo. 1991)
- *Garstang v. Superior Court*, 39 Cal. App. 4th 526 (1995)
- *In the Matter of Sky Capital LLC*, Exchange Act Rel. 55828 (May 30, 2007)
- *Cotrone v. Marquette University*, 2007 U.S. Dist. Lexis 41930 (E.D. Wis. June 8, 2007)
- *S.S. v. Alexander*, 143 Wn. App. 75; 177 P.3d 724; 2008 Wash. App. LEXIS 333 (2008)
- Federal Rules of Evidence, Rule 501
- Federal Administrative Dispute Resolution Act, 5 U.S.C. §§ 571 *et seq.*
- American National Red Cross Governance Modernization Act of 2007, 36 U.S.C. §§ 300101-300112
- California Evidence Code, §§ 1115-1128

### Secondary Sources

- [American Bar Association Standards for the Establishment and Operation of Ombuds Offices](#)
- [IOA Guidance on ABA Standards](#)
- [A Guide for Federal Employee Ombuds](#)
- [Report for the President on the Use and Results of Alternative Dispute Resolution in the Executive Branch of the Federal Government](#)