Ethics Resources for Case Competitions

What is essential for case teams:

- Effective theory application (framework, analysis, logical order, compelling argument)
- Presentation skills (confidence, posture, body language, composure, clarity, coherence)
- Dilemma articulation and analysis (concise, clear, aligned with the framework, etc)
- Recommendations and applicability (multiple stakeholders, potential for greatest good, least harm, etc).

Recommended books:

  http://www53.homepage.villanova.edu/james.borden/vsb1001/Goodpaster.pdf

Eller Ethics Case Competition – video of winning team’s presentation, 2011

http://www.eller.arizona.edu/buzz/2011/nov/ethics.asp

see following link for videos of top 4 place teams, 2011 and 2010:

http://ethics.eller.arizona.edu/competition/winners.asp

Association for Practical and Professional Ethics

http://www.indiana.edu/~appe/ethicsbowl.html

- Includes some helpful links (see under “cases, rules, and guidelines”) to:
  - 2012 Championship cases
  - 2011 Regional ethics bowl cases
  - 2012 Judge guidelines (see below)
  - Judge’s score sheets (see link in website for pdf)

Markkula Center for Applied Ethics, Santa Clara University

http://www.seu.edu/ethics/practicing/decision/framework.html

- Framework for thinking ethically – nice summary

1 We thank Dr. Abe Bakhsheshy, University of Utah, David Eccles School of Business, for this framework.
From UCF Case Studies in Ethics class
(http://sites.google.com/site/ucfcasestudiesinethics/idh3939h-syllabus)²

Course goals:

- Demonstrate an understanding of the ethical dimensions of personal, societal, and professional life.
- Demonstrate knowledge of major ethical concepts and theories and use these concepts and theories where applicable to examine and interpret interdisciplinary cases raising significant ethical issues.
- Apply creative problem-solving strategies to specific ethical dilemmas.
- Actively engage in ethical dialogues by critically discussing and evaluating moral issues.
- Articulate effectively, argue persuasively, and think critically about moral judgments.
- Demonstrate the ability to work towards a consensus in making ethical decisions and show an appreciation of the challenges and complexities of arriving at such decisions.
- Develop research skills and written and verbal expression.
- Take responsibility for and ownership of their own personal ethical development.

Readings:

² Has great links and powerpoints in syllabus.
Reasonable disagreement

The ethical case studies are designed to address controversial issues about which intelligent, thoughtful people can reasonably disagree. The scores of the teams, therefore, should be based on the quality of their arguments, not on whether or not they adopted one position rather than another. The team that makes the strongest argument should win the most points. Moral decisions are made case by case based on applying critical thought to difficult situations. When evaluating teams, judges should not let whether or not they agree with the team’s conclusion influence their assessment.

Research

Successful presentations should include a clear and detailed understanding of the facts given in the case. Since cases often involve details that are not general knowledge, research will often be necessary. Students should be prepared to identify sources of facts gained through independent research. While research is helpful, even necessary as a learning tool, judges should focus predominantly on the quality of arguments presented.

Presentation style

The focus of the ethics bowl is on the arguments the students provide. This means that judges must evaluate, and only evaluate, a team on aspects of its presentation that relate directly to the four criteria identified on the judge's score-sheet. Judges may not consider in their scoring other aspects of the team's presentation (e.g. the voice quality of presenters, whether they maintain eye contact with the judges, etc.) .

Moral theories

Judges should be looking for good arguments that employ clear ethical principles. This does not require that teams put those arguments explicitly within some formal ethical theory. What really matters is that they grasp important ethical principle(s), and are able to clearly articulate and defend them well against critique. For example, if a team has a good argument about fairness they should be rewarded for this, whether they drape it in the clothing of Rawls' Veil of Ignorance or some other theory or just leave it in plain English. The above should not be interpreted to mean that teams should be discouraged from using ethical theory. Rather, if they do they should clearly explain the theory(ies) and not merely drop names (a really good argument based on such theories is possible).

Posing questions in the commentary

In their commentary (Rule 6), Team 2 may also pose questions to Team 1, but Team 1 is under no obligation to answer any or all of Team 2's questions. Team 1 should, however, be able to answer the most important question or two (in the event that there are more than two questions). When scoring team 2's commentary, judges should consider that questions raised during the commentary should address truly substantive issues both in relation to team 1’s presentation and the moderator's question. A “question shower”, in which Team 2 attempts to dominate Team 1’s response to Team 2's commentary simply by posing a large laundry list of questions, should not merit a high score.
Scoring note

At the end of each round you should enter the following scores:

a) The presenting team’s presentation score,

b) The presenting team’s response to commentary and judge’s question score (this is one score),

c) The responding team’s commentary score.
From Baruch College ethics bowl training website:

http://www.baruch.cuny.edu/facultyhandbook/documents/Ethicsbowltrainingpacket.doc

The Centre for Applied Ethics: http://www.ethics.ubc.ca/

(*Check out the documents section for a discussion of corporate ethics).

Discussion Questions

- What does it mean to be ethical?
- What is the difference between an ethical person and an unethical person?
- What is the difference between ethical and unethical organizations?
- Do ethics differ depending upon culture, time period, geographical location, common practices, the law, etc.?
- Are there some ethical principles that are the same for every culture, time period, etc.? If so, what are they?
- Are there some violations of ethics that are worse than others? How can we decide which unethical behaviors are worse than others?
- As a society, how do we decide what is ethical, enforce those decisions, and punish those who violate our ethical standards?
- Are Americans ethical? Do we/they define and enforce ethical values effectively?

How will we, as a team, evaluate ethical issues and formulate plans for solving ethical dilemmas?
A Framework for Ethical Decision-Making: Version 6.0 Ethics Shareware (Jan. '01)

Adapted from Michael McDonald[1] With additions by Paddy Rodney and Rosalie Starzomski[2]


1. Collect information and identify the problem.

1.1. Be alert; be sensitive to morally charged situations Look behind the technical requirements of your job to see the moral dimensions. Use your ethical resources to determine relevant moral standards [see Part III]. Use your moral intuition.

1.2. Identify what you know and don’t know While you gather information, be open to alternative interpretations of events. So within bounds of patient and institutional confidentiality, make sure that you have the perspectives of patients and families as well as health care providers and administrators. While accuracy and thoroughness are important, there can be a trade-off between gathering more information and letting morally significant options disappear. So decisions may have to be made before the full story is known.

1.3. State the case briefly with as many of the relevant facts and circumstances as you can gather within the decision time available

• What decisions have to be made?

• Who are the decision-makers? Remember that there may be more than one decision-maker and that their interactions can be important.

• Be alert to actual or potential conflict of interest situations. A conflict of interest is "a situation in which a person, such as a public official, an employee, or a professional, has a private or personal interest sufficient to appear to a reasonable person to influence the objective exercise of his or her official duties. " These include financial and financial conflicts of interest (e.g., favouritism to a friend or relative). In some situations, it is sufficient to make known to all parties that you are in a conflict of interest situation. In other cases, it is essential to step out a decision-making role.[3]

1.4. Consider the context of decision-making Ask yourself why this decision is being made in this context at this time? Are there better contexts for making this decision? Are the right decision-makers included?

2. Specify feasible alternatives.

State the live options at each stage of decision-making for each decision-maker. You then should ask what the likely consequences are of various decisions. Here, you should remember to take into account good or bad consequences not just for yourself, your profession, organisation or patients, but for all affected persons. Be honest about your own stake in particular outcomes and encourage others to do the same.

3. Use your ethical resources to identify morally significant factors in each alternative.

3.1. Principles These are principles that are widely accepted in one form or another in the common moralities of many communities and organizations.

• Autonomy: Would we be exploiting others, treating them paternalistically, or otherwise affecting them without their free and informed consent? Have promises been made?
•**Non-maleficence**: Will this harm patients, caregivers, or members of the general public?

•**Beneficence**: Is this an occasion to do good to others? Remember that we can do good by preventing or removing harms.

•**Justice**: Are we treating others fairly? Do we have fair procedures? Are we producing just outcomes? Are we respecting morally significant rights and entitlements?

•**Fidelity**: Are we being faithful to institutional and professional roles? Are we living up to the trust relationships that we have with others.

3.2. **Moral models** Sometimes you will get moral insight from modelling your behaviour on a person of great moral integrity.

3.3. **Use ethically informed sources** Policies and other source materials, professional norms such as institutional policies, legal precedents, and wisdom from your religious or cultural traditions.

3.4. **Context** Contextual features of the case that seem important such as the past history of relationships with various parties.

3.5. **Personal judgements** Your judgements, your associates, and trusted friends or advisors can be invaluable. Of course in talking a tough decision over with others you have to respect client and employer confidentiality. Discussion with others is particularly important when other decision-makers are involved, such as, your employer, co-workers, clients, or partners. Your professional or health care association may provide confidential advice. Experienced co-workers can be helpful. Many forward-looking health care institutions or employers have ethics committees or ombudsmen to provide advice. Discussion with a good friend or advisor can also help you by listening and offering their good advice.

3.6 **Organized procedures for ethical consultation** Consider a formal case conference(s), an ethics committee, or an ethics consultant.

4. **Propose and test possible resolutions.**

4.1. **Find the best consequences overall** Propose a resolution or select the best alternative(s), all things considered.

4.2. **Perform a sensitivity analysis** Consider your choice critically: which factors would have to change to get you to alter your decision? These factors are ethically pivotal.

4.2. **Consider the impact on the ethical performance of others** Think about the effect of each choice upon the choices of other responsible parties. Are you making it easier or harder for them to do the right thing? Are you setting a good example?

4.3. **Would a good person do this?** Ask yourself what would a virtuous person – one with integrity and experience – do in these circumstances?

4.4. **What if everyone in these circumstances did this?** Formulate your choice as a general maxim for all similar cases?

4.5. **Will this maintain trust relationships with others?** If others are in my care or otherwise dependent on me, it is important that I continue to deserve their trust.
4.6. **Does it still seem right?** Are you and the other decision-makers still comfortable with your choice(s)? If you do not have consensus, revisit the process. Remember that you are not aiming at “the” perfect choice, but a reasonably good choice under the circumstances.

5. **Make your choice.**

5.1. **Live with it**

5.2. **Learn from it** This means accepting responsibility for your choice. It also means accepting the possibility that you might be wrong or that you will make a less than optimal decision. The object is to make a good choice with the information available, not to make a perfect choice. Learn from your failures and successes.

**Postscript**

This framework is to be used as a guide, rather than a “recipe”. Ethical decision-making is a process, best done in a caring and compassionate environment. It will take time, and may require more than one meeting with patient, family, and team members.

Feel free to share this framework with others. If you reprint or distribute it, please let the author know. Comments are welcomed. All substantive comments and requests to the author at: mcdonald@ethics.ubc.ca

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