



National Attraction

Vibrant and Mature, Marquette's Pioneering Sports Law Institute Draws Students from Coast to Coast

Tori Watson grew up in Texas. She got a bachelor's degree from Abilene Christian University and a master's degree from Baylor. Her first choice for her next destination? Milwaukee and Marquette University Law School.

Lauren Malizia got her undergraduate degree at Virginia Commonwealth University in her hometown of Richmond, Va., and had no connection to Wisconsin. She's now a second-year student at Marquette Law School. "It's great," she said. "I love it."

Sarah Padove grew up in northwestern Indiana and went to Indiana University. Next? "This was what I wanted to do," she said of Marquette Law School, where she is now a third-year student.

They are part of a wave that has been picking up momentum for more than two decades: students from across the country who have made the Law School their first choice because of its distinguished and distinguishing program in sports law.

Now 22, the National Sports Law Institute, which is part of the Law School, has come of age. It is closely bonded with the sports law program itself, which has its roots in courses that were offered in the decade leading up to the NSLI's formal establishment in 1989. Together, they are impressive, confident adults, with bright futures.

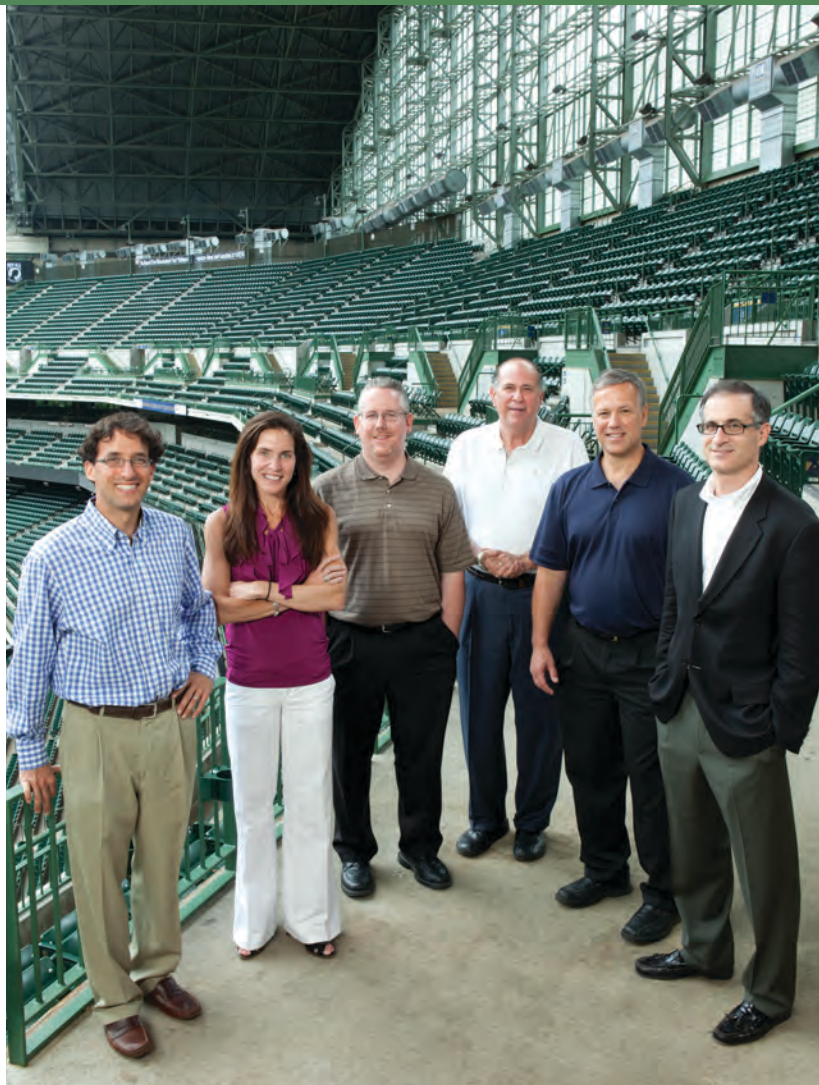
The heart of sports is competition. The heart of law schools is to help people form themselves into lawyers. But the law school world also has its competitive aspects. Having programs that make an institution stand out and that attract top-notch students from across the country is important. For Marquette University Law School, sports law is such a standout.

In many ways, sports law is simply a lot of fields of law applied to sports issues—contracts, torts, labor, intellectual property, taxation, antitrust, business law, and so on. Professor Matt Mitten, director of the Marquette's National Sports Law Institute, said that the course in amateur sports law which many second-year students take touches on some 12 areas of the law.

But with the always-increasing general interest in sports nationwide, the additional amounts of money involved, and the enhanced complexity of issues that arise, the need for legal involvement in sports has grown. What unfolds off the field, it seems, is often at least as important as what happens on the field.

Consider some of the major sports stories of this year: The National Football League dispute over a new collective bargaining agreement between owners and players, resolved in late July after a lockout that began in February; the National Basketball Association labor-contract dispute, which continues at this writing; the also-continuing saga of ownership and control of the Los Angeles Dodgers baseball team, which even has brought divorce law into the sports picture; and the deep troubles of numerous football teams, arising from violations of National Collegiate Athletic Association rules.

All of those situations—and many more instances, often routine—put lawyers in pivotal positions. "Sports, at bottom, rests on a series of agreements," Mitten said. Creating, interpreting, enforcing, renegotiating, and disputing agreements—all of this is the arena of lawyers. ▶▶



A successful season for the Milwaukee Brewers on the field, a successful relationship between the Brewers and Marquette University Law School off the field: Left to right, Teddy Werner, Brewers' senior director of business operations; Marti Wronski, vice president and general counsel of the team; Professor Paul Anderson, associate director of the National Sports Law Institute; Adjunct Professor Marty Greenberg; Professor Matt Mitten, director of the NSLI; and Rick Schlesinger, the Brewers' chief operating officer. The three Brewers' officials, all lawyers, teach a course, "Legal and Business Issues in Baseball," at the Law School.

THE ORIGINS OF MARQUETTE'S PROGRAM

The birth of the sports law program at Marquette can be traced to Martin J. Greenberg, L'71, a Milwaukee lawyer who has been an adjunct faculty member at the Law School since 1973, when he began teaching a real-estate law course. Greenberg was a passionate fan of Marquette sports and was personally close with people such as then-basketball coach Al McGuire.

Greenberg said that in about 1978, he went to a conference in Ft. Lauderdale, Fla., on regulation of sports, which brought together sports agents, officials from sports teams, and others. It hit him at the conference that sports law was going to be a big field in coming years. He came back to Milwaukee and told then-Dean

Robert F. Boden that the Law School "should get ahead of the game by offering a sports law course." Greenberg taught the first such course, "Negotiating and Drafting of Personal Service Contracts," in 1979.

As law became more central to sports through the 1980s, Greenberg worked to conceive the idea of a sports law institute. He took the idea to then-Dean Frank C. DeGuire and Professor Charles W. Mentkowski. Greenberg said that an institute not only could provide specialty courses, but could make the Law School a center of legal scholarship around sports issues and a resource on the subject for attorneys and others around the United States. DeGuire encouraged Greenberg to seek external funding for such a center.

With the help of Mentkowski and others, Greenberg solicited—and gained—the support of key sports leaders throughout the state, beginning with officials of the Green Bay Packers and including Allan (Bud) Selig, then president of the Milwaukee Brewers and now commissioner of baseball. The National Sports Law Institute, the first effort of its kind in the United States, was unveiled in February 1989, and Greenberg was its director for eight years. Initially met with some skepticism even within the

Law School and housed in a separate building, the NSLI came to be a central part of the Law School's identity.

Along the way, the program has also received support from others with longtime connections to the Law School and the larger University. For example, Joseph E. Tierney III, L'66, his wife, Kay, Journalism '66, and his sister, Mary Alice Tierney Dunn, Speech '72, support a number of partial scholarships for editors of the *Marquette Sports Law Review*. They are following a tradition established by the late Joseph E. Tierney, Jr., L'41, and his wife, the late Bernice Young Tierney, Journalism '37.

In the late 1990s, then-Dean Howard B. Eisenberg decided that if the program was to improve, it needed to

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be headed by a full-time professor. Greenberg said that this “made all the sense in the world.” That led to Mitten’s leaving a tenured position at South Texas College of Law in Houston and joining Marquette Law School in 1999. “Matt Mitten has meant enormous things to the program, as far as growth,” Greenberg said. “I think we gave them a good foundation and Matt has taken it to the next level.”

A WIDE-RANGING AND VARIED PROGRAM

Mitten said that the program now offers 14 courses. A number of full-time faculty members offer one or more courses involving sports law, and the adjunct faculty is also extensive. The former include Professor Matt Parlow, associate dean for academic affairs, and Professor J. Gordon Hylton. The adjunct faculty includes three top officials of the Milwaukee Brewers. Rick Schlesinger, chief operating officer; Marti Wronski, vice president and general counsel; and Teddy Werner, senior director of business operations—all lawyers—are teaching a course this fall, “Legal and Business Issues in Baseball.”

The most prominent of the adjunct faculty: Bud Selig, who has led baseball since 1992. He was named distinguished lecturer in sports law and policy earlier this year. Selig has been a supporter of the National Sports Law Institute since its founding and has given several lectures to law students each spring since 2009. He teaches, together with Mitten, a course in professional sports law. In a recent conversation, Selig said that he enjoyed teaching at the Law School and has been impressed by the quality of the students and the quality of the questions he gets from them.

Baseball Commissioner Allan (Bud) Selig was named distinguished lecturer in sports law and policy at the Law School in 2011. Selig has supported the sports law program since its founding in 1989. ▶

Joe Trevino, current editor-in-chief of the *Marquette Sports Law Review*, said, “I can’t imagine there’s another school that has a professor anything like Bud Selig. His coming to class is just an unbelievable experience.”

“Marquette was an easy choice because it is far and away the best sports law program in the country,” said Trevino.

Course work is only part of the program. If you want the whole experience, and particularly if you want to be one of about 25 law graduates each year who earn a National Sports Law Institute specialty certificate, there are multiple aspects to the program, including:

Internships. More than a dozen professional sports teams, universities and colleges, and other organizations with involvement in the sports world regularly bring Marquette Law School students to work alongside professionals on the legal aspects of their businesses. Peter Prigge, for example, has worked in his first two years in law school in the athletic departments at Marquette and at the University of Wisconsin–Green Bay, and has taken part in research work of the National Sports Law Institute itself. He said that the internships are valuable ▶▶



not only for the experience, but for what they will do to improve his appeal to potential employers. “My experience will help separate me from other people,” he said.

Marquette Sports Law Review. The review publishes articles on sports law, business, and ethical issues written by law professors, sports lawyers, industry professionals, and students. Participation in the review is a requirement for receiving the specialty certificate. It is an established part of the program, having been set up in 1989.

The Sports Law Society. Some students refer to it as the social arm of the program. It is the largest such organization in the Law School, with more than 100 student members at any time. It offers frequent programs, including both professional-development sessions and social opportunities such as trips to sports events. Many first-year students who intend to become part of the sports law program get involved, even though they can’t begin taking sports law classes until their second year.

The annual conference on sports law. A major event for the program, the conference over the years has featured many of the leading experts on sports and law, discussing such matters as gender equity, labor, antitrust, and intellectual property law in sports. This year’s conference is scheduled for October 21 at Eckstein Hall.

Students interested in sports law are required to meet the same first-year requirements as other students. In their second year, they can take two courses that are prerequisites for enrolling in all other sports law courses. The two courses are introductions to amateur sports law and professional sports law. About a quarter of all students in the Law School take at least one of the introductory courses. Advanced courses include sports industry taxation, comparative and international sports law, and practical workshops in college sports, professional sports league governance, and sports marketing.

Mitten said he would like to see the program continue developing its international dimensions, noting that the sports industry is becoming more globalized. Pursuant to an agreement with the United States Olympic Committee, the National Sports Law Institute is creating an electronic digest and summary of Court of Arbitration for Sport awards, which are forming a body of Olympic and international sports law precedent

In pursuit of its international goals, the Law School also has

begun offering a one-year program leading to a master’s degree (LL.M.) in sports law, open to lawyers from other countries. So far, two people have completed the degree, one from Japan and one from Canada.

The research focuses for students involved in the program have included a database of contracts of college coaches, built under the leadership of Professor Paul Anderson, associate director of the sports law program. The database of more than 400 contracts is believed to be one of the most thorough of its sort in the country. When *USA Today* did a series of stories on compensation for college football and basketball coaches in 2010–2011, the National Sports Law Institute became a partner with the newspaper and the source for most of its data.

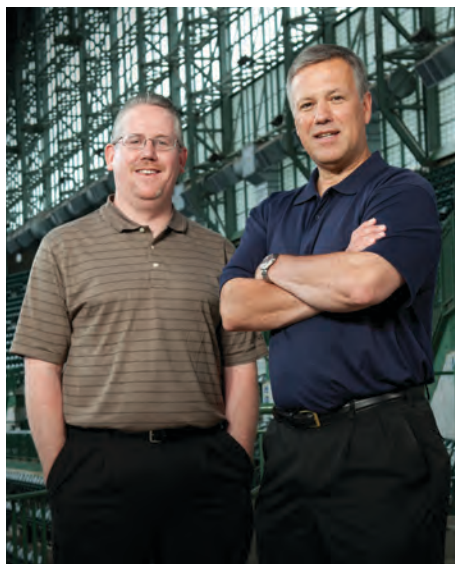
“College coaching contracts are unique,” Anderson said. “They are not typical employment contracts.” The compensation for coaches often includes pay for work connected to summer sports camps, athletic shoe deals, and television programs featuring the coach.

GRADUATION

As much as sports has boomed, the number of jobs in which a legal background is *required* remains relatively small. And entry-level jobs in the professional sports industry are especially difficult to find, mainly because sports entities rarely hire lawyers out of law school, drawing more often from lawyers with practice experience. The situation for jobs in collegiate athletics is more promising, Anderson said.

Many of the current students know it will be a challenge to get a good position. But they are also confident that what they are learning in the program can be valuable in positions not directly related to sports.

“The reality is that many value the program for adding to their training as future lawyers and for providing them with a way to learn about the law in the context of something they find interesting, the sports industry,” said Anderson. Mitten observed, “Most sports law program alumni are engaged in the practice of general or specialized law with firms, which may or may not have some sports-industry clients. But virtually all of the knowledge and skills learned in sports law courses can be readily transferred to representing clients in other industries.”



◀ Professor Paul Anderson and Professor Matt Mitten

“The Marquette University Law School sports law program is a world quality think tank relative to all sports—from amateur to professional to international.”

—Shawn Eichorst, L'95

Director of Athletics at the University of Miami

One often-valuable plus connected to the sports law program: Marquette's Sports Law Alumni Association, created in 1997. It is a resource for networking for both graduates and current students, not only in finding job opportunities but in staying in touch with what is happening in the field, based on other people's experiences, and in maintaining social connections among graduates.

Shawn Eichorst, L'95, recently named director of athletics at the University of Miami, called the National Sports Law Institute “a world quality think tank relative to all sports—from amateur to professional to international.” Eichorst termed his experience in the Law School exceptional. “The people, the coursework, and the city were outstanding,” he said. “I was exposed to a great environment, and we had passionate educators.”

Eryn Doherty, L'00, was deeply involved in the sports law program as a student and loved it. She is not involved in sports law now—she is assistant general counsel and executive director for labor relations for Sony Pictures Entertainment in Los Angeles. But she remains a big fan of the program. “It pointed me in the direction of the field I'm practicing in, which is labor law,” she said.

In her first year out of Law School, Erica Reib, L'11, is working for a small law firm in Mequon, Wis., doing employment law. She said that she likes both the job and living in the Milwaukee area, which would never have been the case if the Law School hadn't drawn her from her native Pennsylvania.

“It worked out really well,” Reib said of her Law School experience, which included being editor-in-chief of the *Marquette Sports Law Review*.

Jaime McGaver, L'07, is one of several graduates working in a growing field: overseeing compliance by college programs with both the law and the rules of the NCAA. She is assistant director of compliance for Marquette. McGaver said that she has seen a shift in compliance work in favor of hiring people with law degrees. “A lot of this stuff is written by lawyers for lawyers,” she said. With a law degree, “you're able to approach things with an understanding of what are the negatives and what are the right routes to go through in problem-solving.”

Her law degree and the sports specialty background allow her to bring a wider range of abilities to an employer, McGaver said. “The more hats you can wear, the more people are going to want to keep you around.” Sports law alumni also can be found overseeing other parts of collegiate athletics departments, ranging from marketing to academic success.

Michael Sneathern, L'02, grew up in southern California. “I'm one of the many who have been attracted from across the country,” he said. “The sports law program is the primary reason why people from outside the region, outside the Midwest and Milwaukee and the state of Wisconsin, come to Marquette Law School.”

Sneathern got an internship with the Milwaukee Bucks as part of his Marquette Law School experience, and he has stayed on. He is now associate general counsel for the basketball club.

“Having had no connection to it, Milwaukee might have been the last place I thought I'd live,” Sneathern said. “The sports law program and the school led me here.”

As the director, Mitten wants to see the sports law program build step by step on its success, continuing to attract people to Marquette and Milwaukee. With the opening of Eckstein Hall a year ago, the National Sports Law Institute is in a better physical setting than ever and is ready to pursue a path of steady growth and improvement in quality, Mitten said.

And that's what you'd want of a young adult, isn't it? To pursue quality, to show maturity and steadiness of purpose, to focus on accomplishing big things, to contribute to the world. At 22, the sports law program is doing those things.

“It's the best in the country,” said Craig Pintens, L'01, senior associate athletic director for marketing and public relations at the University of Oregon.

“I would call it a resounding success,” said Greg Heller, L'96, senior vice-president and general counsel of the Atlanta Braves. “It's been very well received nationally, and what it's done for the Law School and the University as a whole has been tremendous.” He said that he is glad he was part of the program and glad he's still involved with it.

For Greenberg, “It's all like a dream come true.” ■