

M A R Q U E T T E

S P O R T S L A W



MARQUETTE
UNIVERSITY

LAW SCHOOL



S P O R T S L A W

Marquette's Sports Law Program provides the nation's most comprehensive offering of sports law courses and student internships with local sports organizations as well as opportunities to become a member of the *Marquette Sports Law Review* and the Sports Law Moot Court team. Our broad, well rounded curriculum is designed to provide Marquette law students with both a theoretical and practical education concerning legal regulation of the amateur and professional sports industries, thereby enhancing their attractiveness to sports industry employers.

Sports law students learn about many specialized areas of law with general application outside the sports industry (eg- antitrust, labor, intellectual property, federal disability discrimination laws, etc.) and develop contract negotiation, business planning, and transactional skills. They also learn how several related areas of law combine to govern a complex industry and how courts resolve competing policy concerns when different bodies of law intersect. Virtually all of the knowledge and skills developed by students in sports law courses and internships are readily transferable and useful in serving clients in other industries.

All law students may take up to six hours of graduate credit in courses offered by other Marquette University colleges, after obtaining the requisite approval. For example, sports law students can supplement their legal education with graduate level business courses. These courses will facilitate students' understanding of business issues arising in the sports industry.

Some of our sports law students have also gained valuable summer internship experience with the National Collegiate Athletic Association, the United States Olympic Committee, and Southwest Sports Group, Inc. Some of our recent alums are employed by the Green Bay Packers, Turner Broadcasting Systems, the Milwaukee Bucks, the Milwaukee Wave, the University of Southern California, Street & Smith's Sports Business Daily, the University of Wisconsin-Whitewater Athletic Department, The Leib Group - Advisors to the Sports and Entertainment Industry, and the University of Wisconsin-Parkside, among other organizations.

Founded in 1989, the National Sports Law Institute (NSLI) is affiliated with Marquette's sports law program. Its mission is to be the leading national educational and research institute for the study of legal, ethical, and business issues affecting amateur and professional sports from both an academic and practical perspective. It provides educational opportunities for law students as well as current and future leaders in the sports industry. The NSLI provides a national forum for discussion and consideration of American and international sports issues and encourages input by persons and organizations with a wide range of viewpoints. The NSLI seeks to promote a legal environment in which sports at all levels of competition will flourish. In an effort to achieve these goals, the NSLI sponsors high quality national conferences and symposia and disseminates knowledge through publication of thoughtful scholarship in the *Marquette Sports Law Review*. It also serves as a resource for the media and public. As a part of Marquette University, a Catholic Jesuit university, the NSLI is committed to searching for truth, discovering and sharing knowledge, fostering professional excellence, developing leaders, and serving those in the sports industry. Although the NSLI will not espouse any particular ideological viewpoint, it will seek to promote ethical and moral practices within the sports industry as a means of furthering Marquette University's mission.



NSLI SPORTS LAW CERTIFICATE

Students graduating from the Marquette University Law School are eligible to earn a Sports Law Certificate from the National Sports Law Institute. In the semester of his or her graduation the NSLI will present the Certificate and a medallion to each student who has satisfied the following requirements:

1. Both introductory sports law survey courses (3 credits): Amateur Sports Law and Professional Sports Law.
2. A sports law workshop (2 credits): Amateur Sports Law Workshop, Sports Industry Legal and Business Practices, or Sports Venues: From Election Day To Game Day.
3. A sports law seminar (2 credits): Sports Law and Society Seminar, or Selected Topics in Sports Law.
4. Topics in Advanced Legal Research - Sports Law (1 credit).
5. One of the following courses: Alternative Dispute Resolution, Arbitration Workshop, Mediation Workshop, or Negotiation Workshop.
6. One or more of the following substantive law courses that significantly impact the sports industry:
 - Antitrust Law
 - Business Associations
 - Constitutional Law 2: Speech and Equality
 - Copyrights
 - Disability Law
 - Education Law
 - Federal Income Taxation of Individuals
 - Labor Law
 - Trademarks
7. *Marquette Sports Law Review* staff position for a full academic year.
8. A one semester NSLI sponsored volunteer sports law internship.

Marquette Sports Law Review

Established in 1990, the *Marquette Sports Law Review* was the first scholarly review to focus on legal, ethical, and business issues related to professional and amateur athletics. The *Reviews* produced and edited by Marquette Law students, who earn academic credit for their work. It publishes articles and essays submitted by sports lawyers, sports industry professionals, law professors, and law students on a broad range of sports-related topics.

Joint JD/MBA Program

Marquette University currently offers a joint JD/MBA program through its Law School and College of Business Administration that enables students to earn both degrees in less time than if each degree were pursued separately (typically a total of four years). Interested students may choose to integrate the study of law and business by simultaneously earning both degrees. By also earning the NSLI's Sports Law Certificate, students have the opportunity to combine their knowledge of sports law with a graduate business education that will provide them with a unique package of academic credentials that promises to be attractive to sports industry employers. The Law School and College of Business presently are exploring the possibility of creating a concentration in Sports Business as part of Marquette's joint JD/MBA program.



C U R R I C U L U M

AMATEUR SPORTS LAW. 3 Credits.

This course covers various amateur sports law issues and focuses on regulation of interscholastic, intercollegiate, and Olympic sports. Topics covered may include constitutional law, tort law, contract law, Title IX gender discrimination, federal disability discrimination laws, the legal characterization of college athletes, regulatory authority of the National Collegiate Athletic Association, antitrust law, resolution of disputes affecting Olympic sports, trademark and unfair competition law, and regulation of private sports associations.

AMATEUR SPORTS LAW WORKSHOP. 2 Credits.

A practical workshop applying the legal doctrines and theories covered in Amateur Sports Law to current legal and business issues affecting the regulation and governance of intercollegiate athletics and the operation of a university athletic department. Topics covered and practical skills developed may relate to NCAA and athletic conference regulation, internal athletic department governance, risk management, Title IX gender equity compliance, athletic event management and sponsorships, contract negotiation and drafting, and trademark licensing. Amateur Sports Law is a prerequisite.

COMPARATIVE SPORTS LAW. 2 Credits.

This course compares how sports and athletic competition (particularly Olympic sports) are governed by the American and Australian legal systems as well as the Court of Arbitration for Sport. Specific topics covered may include drug testing, disputes regarding selection for Olympic teams and results of athletic competitions, athletic governing body disciplinary authority over athletes, tort and criminal liability for harming others during athletic competition, and discrimination in athletics on the basis of disability.

CONTEMPORARY LEGAL ISSUES - "SPORTS INDUSTRY CONTRACTS AND NEGOTIATIONS." 1 Credit. The study of the formation, interpretation, negotiation and tax implications of sports industry contracts with emphasis on team-player agreements, agent contracts, sports marketing contracts, collective bargaining agreements, and facility leases and related agreements. Special attention is given to the ethical rules governing lawyers in their interactions in the sports industry. Professional Sports Law is a prerequisite for this course.

PROFESSIONAL SPORTS LAW: 3 Credits.

This course covers various legal issues affecting professional sports and focuses on antitrust, labor, contracts, regulation of private associations, and player representation issues. It may also cover intellectual property and sports broadcasting issues.

SELECTED TOPICS IN SPORTS LAW SEMINAR.

2 Credits. This seminar explores selected topics pertaining to professional and amateur sports. Topics may vary from semester to semester. The seminar features presentations by members of the Marquette faculty pertaining to sports law issues in their fields of study. Each student in the seminar will write a substantial research paper on a specific topic chosen in consultation with the instructor.

SPORT, LAW AND SOCIETY SEMINAR. 2 Credits.

An exploration of the sociological and historical significance of organized sport in American culture. Special emphasis will be placed on the way in which American sports have (and have not) been regulated by the state over the past century and a half and on the legal consequences of the regulatory schemes that have been adopted. Assignments will include both secondary and primary materials. In lieu of a research paper, students will submit several short essays. Either Amateur Sports Law or Professional Sports Law is a prerequisite for this course.

WORKSHOP IN SPORTS LAW - "SPORTS INDUSTRY LEGAL AND BUSINESS PRACTICES."

2 Credits. A study of the operation and financing of professional sports franchises from a legal perspective. Special attention is paid to employment issues, taxation, stadium and arena leases, and broadcasting and sponsorship agreements.

WORKSHOP IN SPORTS LAW - "SPORTS VENUES: FROM ELECTION DAY TO GAME DAY."

2 Credits. The course is dedicated to the study of the legal, financial, developmental, and political creation of sports facilities in the United States examining such areas as the reasons for the proliferation of sports facilities; sports facility financing and funding and the debate over the use of public tax dollars to pay for sports venues; the creation of stadium or taxing authorities; facility leases; litigation challenging government participation in financing and referendums; cost overruns, insurance, and the ADA; team relocation and retention issues; the facilities arms race in colleges and universities; and trends for the future of stadium development.

WORKSHOP: TOPICS IN ADVANCED LEGAL RESEARCH - SPORTS LAW. 1 Credit.

This workshop focuses on advanced legal research methods and sources related to amateur and professional sports. Sources include administrative materials, treatises, practice materials, association regulations, commercial databases, and the Internet. Students will prepare a major project (pathfinder) that will describe and document their particular research methods used concerning a topic approved by the instructor. This workshop may be used to satisfy the advanced legal research requirement.

INDEPENDENT STUDY IN SPORTS LAW.

1 or 2 Credits. Students who register for independent study do directed reading and prepare a research paper under the direction of a member of the full-time faculty. The paper is similar to that required for a seminar.



Sports Law Internships

Under the supervision of the National Sports Law Institute's directors, Marquette University Law School students have the opportunity to gain valuable legal and business experience by participating in volunteer sports law internships for one semester. Current internship sponsors include Conference USA, GameBreakers, Inc., the Marquette University Athletic Department, Miller Brewing Company, the Milwaukee Brewers, the Milwaukee Bucks, the Milwaukee Rampage, the Milwaukee Tennis Classic Foundation, ScheerGame, LLC, and the University of Wisconsin-Whitewater Athletic Department.

Southwest Sports Group LLC Internship

Students participating in Marquette's Sports Law program are eligible to participate in a unique six month internship program with Southwest Sports Group LLC, the holding company for the Dallas Stars National Hockey League Club, Texas Rangers Major League Baseball Team, Mesquite Championship Rodeo, and other sports enterprises. Each year, one Marquette law student will be selected to work full time during the summer in Dallas, Texas with Southwest Sports Group's General Counsel and other key company executives on a wide variety of sports-related legal and business issues. The intern will attend Southern Methodist University Law School during the subsequent fall semester as a visiting student while continuing to work with Southwest Sports Group on a part time basis.

Sports Law Moot Court Team

If you are interested in oral argument as well as the written word, you may want to try out for Marquette's Sports Law Moot Court Team. Selected team members participate in the Mardi Gras Invitational National Sports Law Competition held in New Orleans each year.

F A C U L T Y



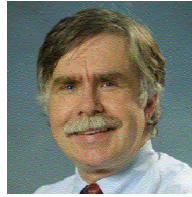
Matthew J. Mitten is Associate Dean for Academic Affairs, Professor of Law and Director of the National Sports Law Institute at Marquette University Law School where he teaches courses in Amateur Sports Law, Professional Sports Law, Comparative Sports Law, and a Sports Law Seminar. He formerly

practiced antitrust and intellectual property law with Kilpatrick Stockton, LLP in Atlanta, Georgia from 1984-1989, taught at South Texas College of Law in Houston, Texas from 1990-1999 and at the University of Toledo College of Law, and served as a visiting lecturer in sports medicine at The University of Tennessee Graduate School of Medicine. Professor Mitten earned a BA in economics from The Ohio State University and his JD, magna cum laude, from the University of Toledo College of Law. He is a member of the Order of the Coif and served on the *University of Toledo Law Review* editorial board. He is a former Chair of the American Association of Law Schools' Section on Law and Sports, and current chair of the National Collegiate Athletic Association's Committee on Competitive Safeguards and Medical Aspects of Sports, and a member of its Drug Test Appeals Sub-Committee. Matt also is a member of the Sports Lawyers Association and the American Bar Association's Entertainment and Sports Law Section as well as a member of Marquette University's Gender Equity Committee for Athletics.



Paul M. Anderson is the Associate Director of the National Sports Law Institute of Marquette University Law School where he is an Adjunct Assistant Professor. He is a 1995 graduate of Marquette University Law School where he received the first Joseph E. O'Neill scholarship for sports ethics and is the founder

and Chairman of the NSLI's Alumni Board. A former Editor-in-Chief of the *Marquette Sports Law Journal*, Professor Anderson is currently the Supervisor of the *Marquette Sports Law Review* and the Editor of the *Journal of Legal Aspects of Sport*. He is the author of numerous articles and several books including *Major League Leases: An Overview Of Major League Facility Leases And How They Are Negotiated* (2001) (with William Miller). Anderson designs and edits the Institute's newsletters and websites, and is the Vice-Chair of the Sports and Entertainment Law Section of the State Bar of Wisconsin and a member of the American Bar Association's Forum on the Sports and Entertainment Industries, the Sports Lawyers Association, and the International Association of Sports Law. Professor Anderson teaches "Topics in Advanced Legal Research - Sports Law," co-teaches the "Selected Topics in Sports Law - Seminar," and has co-taught the "Sport, Law and Society" Seminar and taught "Regulation of Amateur Athletics."



Professor J. Gordon Hylton is a member of the Marquette Law School faculty whose specialties include legal and constitutional history, property law, and the law of sports. He is a graduate of Oberlin College, the University of Virginia Law School, and holds a Ph.D. in the History of American Civilization

from Harvard University. Professor Hylton is currently a member of the executive board of the Association of American Law School's Section on Law and Sports and of the National Sports Law Institute's Board of Advisers. From 1997 to 1999 he was the Interim Director of the National Sports Law Institute. A specialist in the history of sports law, he teaches "Professional Sports Law," the "Sport, Law and Society" seminar, and a course on the history of sports in the United States in the Marquette History Department. In the sports law area, he is the author of *Sports Law and Regulation* (1999) (with Paul Anderson) as well as articles on Jackie Robinson and the integration of baseball, the constitutionality of public financing of stadiums, baseball's antitrust exemption, grievance arbitration in sports, and the publicity rights of professional athletes.



Martin J. Greenberg is in private law practice, specializing in the areas of real estate, corporate, entertainment and sports law. Greenberg is also a managing member of ScheerGame Sports Development, LLC, a sports facility development company, and CEO of ScheerGame Real Estate Development, LLC. He is an Adjunct

Professor of Law at the Marquette University Law School and has taught real estate and sports law courses for well over 29 years. Greenberg is also a Visiting Professor at Anglia University, Chelmsford, England. At Marquette he teaches courses titled "Sports Industry Contracts and Negotiation" and "Sports Venues: From Election Day to Game Day." Greenberg was the founder and Director of the National Sports Law Institute of Marquette University Law School from November of 1989 to April of 1997, and is the former Chair of the NSLI Board of Directors. The Institute has established the Martin J. Greenberg Award for Excellence in the Study of Sports Law in honor of his contributions to the Sports Law Program and the NSLI. Greenberg was also awarded the 2001 Joseph O'Neill Award. Greenberg has authored or co-authored several books including *Sports Law Practice* (1993 & 1998), *The Stadium Game* (1996) and *The Stadium Game, Second Edition* (2001).



Adjunct assistant professor **Ron Walter** is the Vice President – Alternate Governor of the Milwaukee Bucks and a partner in Foley & Lardner's Milwaukee office. In his duties with the Bucks, Mr. Walter has served as the club's legal counsel since 1992 and has responsibilities that include the team's business and

legal affairs. Professor Walter is the Vice Chair of the National Sports Law Institute's Board of Advisors and teaches "Sports Industry Legal and Business Practices" at Marquette University Law School.



Adjunct assistant professor **Shawn M. Eichorst** is the Director of Intercollegiate Athletics at the University of Wisconsin-Whitewater. As Athletic Director he is responsible for overall policy development and budget and personnel management for 20 intercollegiate athletic programs, which consist of

approximately 50 professional staff and 540 student-athletes. He is a member of the Chancellor's Administrative Cabinet, a member of NCAA Student-Athlete Reinstatement Committee and Chairperson for the WIAC Council of Athletic Directors. A graduate of the University of Wisconsin-Whitewater where he was the captain of the football team, Professor Eichorst is also a graduate of Marquette University Law School and a founding member of the NSLI's Alumni Board. Professor Eichorst teaches the "Amateur Sports Law" Workshop.



Adjunct assistant professor **Kathryn D. Statz** is Associate Director of Athletics at DePaul University where she oversees men's and women's track, women's soccer, men's golf, and men's and women's cross country programs, certifies eligibility of all student-athletes on a yearly basis

and administers the NCAA compliance program for all sports. Professor Statz, one of Conference USA's three representatives to the NCAA Management Council, is a member of the National Association of Collegiate Woman Athletics Administrators and the National Association of Athletics Compliance Coordinators. A graduate of Mundelein College and the Marquette University Law School, Professor Statz is the NSLI Alumni Board's liaison to the NSLI's Board of Advisors. Professor Statz co-teaches the "Amateur Sports Law" Workshop.



NSLI Board of Advisors

Our Board consists of a very distinguished national group of sports industry professionals and academics who provide advice and guidance regarding the NSLI's educational programs and activities, internships and career opportunities for our law students, and other matters.

Sports Law Alumni Association

All graduates of Marquette's Sports Law program are invited to join the Sports Law Alumni Association. This organization's activities are directed by the members of the Alumni Board who raise funds for the Alumni Scholarship Fund, participate in career panels that provide guidance and advice to sports law students, and support the NSLI and Marquette's Sports Law program.

Sports Law Society

Marquette's Sports Law Society provides you with a built-in network of fellow students with similar interests. The Society hosts guest speakers and sponsors various social events.

NSLI AWARDS & SCHOLARSHIPS

Professional Achievement Awards

Master of the Game Award
Joseph E. O'Neill Award
Annual Sports Law Alumni Award

Student Achievement Awards

Annual Alumni Scholarship
Carl Scheer Venue Excellence Award
Francis D. and Jane Keogh Kelly Scholarship
Joseph E. O'Neill Prize for Student Writing
Joseph E. Tierney, Jr. Award
Martin J. Greenberg Award

NATIONAL SPORTS LAW INSTITUTE

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ASSOCIATE DIRECTOR: Paul M. Anderson, Adjunct Assistant Professor of Law and Chair, NSLI Alumni Board

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