

be associated with the NSLI and Marquette's Sports Law program. As the sports industry continues to expand and becomes more globalized, the NSLI's role as a leader in the study of U.S. and international sports legal, ethical, and business issues will continue to grow. As our people eagerly prepare to meet the challenges of the future, I am confident we will be successful in our efforts.



## The Growth of Sports Law at Marquette

By **Paul Anderson** (L'95), Associate Director, National Sports Law Institute, Adjunct Professor, Marquette University Law School, and Founder and Chair, Sports Law Alumni Association.

*Editor-in-Chief, Marquette Sports Law Journal, 1994-1995.*

In 1989, the *Marquette Tribune* ran a story about the creation of the National Sports Law Institute at Marquette University Law School. As an undergraduate student this seemed intriguing, but I forgot the details until entering law school a few years later. Asking about the National Sports Law Institute in the early 1990s got me nowhere, as no one seemed to know what it was. Eventually, someone pointed to Professor Charles Mentkowski who suggested contacting Professor Marty Greenberg, the NSLI Director at the time. From that first meeting with Marty in 1992, my career with the National Sports Law Institute began.

In the early days, the Institute was housed in Marquette University's Academic Support Facility. This fact went virtually unnoticed among the faculty and students at the Law School. No one seemed to have any idea where this building was (on the corner of 17th and Wells), instead pointing everyone to Marty Greenberg's office in downtown Milwaukee. At that time the Institute had its largest physical space with four offices, a waiting area, a secretarial space, a storage room and many storage closets. The space included an office for the Assistant Director, then Jim Gray (class of 1990), a space to store the *Marquette Sports Law Journal* (at the time it was not available online and there was virtually no email so we literally had a room full of thousands of issues of the *Journal*), a library, and an office for the editors of the *Marquette Sports Law Journal*. During my time as Editor-in-Chief this office consisted of the table top from a broken folding table over some crates from the bakery in the basement of the building. Perhaps due to the distance from the main law school, the number of students who were actually involved in the workings of the Institute was small. The dedicated few included Jeff Aleman, Mark Brault, Augusta Burney, Troy Cross, Pete Faust, Jessica Gelandar, April Haverty (formerly Anderson), Greg Heller, Scott Lascari, Bill Miller, Mark Ruppelt, Megan Simpson, and a few others. At that point, there was no formalized Sports Law program at Marquette so those of us interested in the Institute and sports law were involved in everything the Institute did, from national conferences and smaller speaker events, to publishing numerous newsletters and conducting research for outside organizations including the NFL, NBC, and MLB, to the production of the books *Sports Law Practice* and the first edition of *The Stadium Game*.

Of course, being so far from the actual law school was difficult. I can distinctly remember the long walk from the law school to the Institute after or between classes. The lack of respect we received from faculty, staff and our fellow classmates was also very difficult. Asking virtually any professor about sports law or the Institute, besides Professors Mentkowski or Greenberg and Dean Frank DeGuire, would typically result in a "why are you wasting your time with that?" or "don't you want to study law?" From students, there was a lot of misunderstanding as well. In my third year t-shirts were printed by the Student Bar Association mocking the *Sports Law Journal* and those involved with it. However, for those of us really involved in the Sports Law Institute at the time, we decided to ignore those who

did not know any better. We dedicated ourselves to the *Journal*, to supporting the NSLI's many events, and to the two courses (Regulation of Amateur Athletics and Sports Industry Contracts and Negotiations) available within the law school curriculum. We also started the Sports Law Society, a group that immediately piqued the interest of many students. Although, admittedly, many thought we were a group promoting participation in intramural sports at Marquette.

After Dean DeGuire stepped down, those of us then working for the NSLI were unsure about our future. Although Dean Howard Eisenberg was very supportive of the NSLI, we were still completely self funded. This meant that at the end of every fiscal year our budget would fall to zero. Those of us who were not salaried would then have to wait until revenues came in from the sale of publications or conference registration and sponsorship fees, before we would begin to see a paycheck. These problems were compounded in the mid-1990s when the Dean and faculty began to discuss the future of the NSLI, without much direct contact or input from those of us who actually worked for the Institute and supported the many activities brought to the Law School on the Institute's behalf. During this time our Director Marty Greenberg and our Associate Director James Gray resigned, and I was left as the NSLI's only employee trying to keep the Institute alive. It was a lonely time in our 17th Street offices as most at the Law School assumed I was still a student, and I had yet to develop a way to contact students and alumni to get them involved.

By the spring of 1997, I was told that the Institute was going to be relocated to the Law School building. Celebrating my five year anniversary with the NSLI, I tried my best to determine what I could move into a smaller space in Sensenbrenner Hall, and what I could leave behind. Eventually, I convinced the building maintenance staff to move an industrial dumpster under the window of our library and I literally dumped about three offices of material before the move.

The NSLI moved in to its new space in the Law School in the summer of 1997. During this time Dean Eisenberg created a committee to determine the future of the Institute. I was pleasantly surprised to find out that the faculty found some value in the NSLI and actually wanted to develop a Sports Law program at the Law School. Howard also wanted to ensure that the Institute was led by a fulltime member of the faculty and Professor Gordon Hylton was appointed as Interim Director. Gordon had an office in the NSLI for a short time. We also had space for some of our former library and an office for the *Sports Law Journal*.

At this point I realized that if we were to really become successful and actually deserve the interest of so many students and applicants (the evidence from the Admissions Office was available from the early 1990s showing that many students were attracted to the Law School due to the presence of the NSLI), we needed to involve our alums and our students in making sure that we really had a solid program to offer. Bill Miller (L'96) and I decided to create the NSLI's Alumni Board based on the tremendous support we had already received from so many law school alums who supported the NSLI whether they worked in sports or not. Now known as the Sports Law Alumni Association, the group includes almost 200 alums who dedicate their time to providing guidance to our students, contributing scholarship funds, sponsoring internships, and supporting and speaking at many of our events. Without the tremendous support of our alums, the Sports Law program would not have developed as it has over the past 20 years.

My second focus was to get students involved and provide them with a real opportunity to learn about and experience the sports law industry outside of the classroom. As part of this endeavor, I focused on speaker events (many of which were described in Vol. 20, #2 of this newsletter), created a network of contacts between students and alums, and worked hard to enhance our internship program.

As Gordon and I began to work together we also decided that we had to enhance the curricular aspects of what we were now calling the Marquette Sports Law program. We added several new classes to the program including an introductory course called Sports Law, two seminars, Contemporary Issues in Sports Law and Sport, Law and Society, and two workshops, Regulation of Amateur Athletics and Regulation of Professional Athletics. I also became an adjunct professor teaching the Amateur Athletics course for the first time. Over the next two years we worked hard to enhance the program for our students and alums. When Dean Eisenberg and the faculty decided that the Law School needed to hire a new full-time NSLI Director, we were ready for the NSLI and the new Sports Law program to continue to grow.

Although by this point we had dozens of alumni and hundreds of students involved in the Sports Law program, both students and alumni were worried about what the future would hold and felt that the faculty continued to dismiss the NSLI as an unimportant and non-academic part of the Law School. Professor Hylton worked hard to show the faculty that sports law was worthy of study within the Law School, and we both strived to demonstrate the NSLI's value.

Despite all of the uncertainty for the future I decided to stay because of the support I received from our students and alums, and a call I received from Professor Matt Mitten, who taught at South Texas College of Law in Houston, and would soon become our Director. I had known of Matt's scholarship in the area for a number of years, but I do not believe we had ever met. At some point during the interview process for the position he called me and made it clear to me that if he was hired, he wanted me to stay on with the NSLI and to be involved in everything that the Institute would do in the future. I had never received that kind of encouragement or commitment from anyone in the Law School. Needless to say, I decided to stay.

When Matt joined us as Director in 1999 our immediate focus included enhancing the curriculum, renaming the *Journal* as the *Marquette Sports Law Review*, proposing the creation of the Sports Law Certificate, and redesigning the NSLI's logo and publications to reflect our change in focus and our renewed commitment to be intertwined with Marquette University Law School. We immediately sought out the advice and counsel of our alums and students, asking for their continued support and also attempting to better respond to their interests and needs.

Much of what has occurred in the past decade is contained in Matt's perspective and I will not repeat it here. In my mind, the NSLI and Sports Law program have done nothing but grow in ways I could never have imagined back in 1989. For example, our Sports Law Certificate program was approved in 2000 and remains the most academically rigorous program of its type in the country. To date, 154 students have earned this Certificate and interest remains high among our student body - twenty-five students in the third year class are working toward receipt of the Certificate, forty in the second year class have begun to work toward this achievement, and eighty in the first year class have put their name on a list of those potentially interested. Throughout the past ten years, we have also continually enhanced the internship program relying on alums and members of our Board of Advisors to provide almost forty different experiences each year for our students (as listed on page 17).

The Sports Law Alumni Association has also been invaluable to our success as it has created an award and scholarship fund to support our students and provides regular advice to our students and to Matt and me. During our 20th anniversary year, no less than 30 different alums have spoken to our students at lunches, panels and conferences. They are the examples of true success that our students can emulate. Perhaps most importantly they show that the Sports Law program, as it has developed over the years, is not about getting everyone a job in sports law. No program could make that promise. Although many

of our graduates do decide to work in sports law, no matter where they end up, our alums demonstrate to our students that the skills they developed through the program will serve them well.

In our 20th year, I have no doubt that the Marquette University Law School faculty now truly supports the Sports Law program and its students. This revelation was a long time in coming, as throughout our history I have constantly fought for the respect I always thought the NSLI deserved, while we focused on providing our students with the skills they needed to succeed. Today, this is not an issue. Marquette University Law School is proud of and supports the NSLI and our Sports Law program. Most important, the hundreds of students involved in the program each year receive the support and encouragement that they deserve.

Overall, the success of the NSLI and the Sports Law program has less to do with those who have served as administrators or faculty members, than it does with the many students who have dedicated their time and passion to sports law at Marquette. In addition to those I have mentioned already, we would not be where we are today without Hank Abromson, Susan Allen, Bill Appleton, Greg Babcock, Schulyer Baehman, Mike Baird, Matt Banker, Joseph Behlman, Genni Birren, Aaron Bitter, Chris Buckler, Travis Bureau, Ron Cadwalader, Nick DeSiato, Mark Dodds, Eryn Doherty, Sherrod Edwards, Jaime Erickson, Katie Featherston, Kevin Ferguson, Ali Fitzgerald, Nick Fowler, Jeremy Geisel, Greg Gill, John Gillard, Aaron Glass, Jon Gonzalez, Ian Harper, Brian Hartley, Kirsten Hauser, Brad Hoeschen, Becky Jarrett, Blythe Johnston, Susan Jones, Tiffany Jones, Tim Kraft, Jason Kuiper, Eugene LaFlamme, Spencer Larche, Chad LeBlanc, Sean Light, Basil Loeb, Ana Lynn, Danez Marrable, Judy Massuda, Erika McClean (formerly Olander), Lauren McCoy, Chris McKinney, Matt McLaughlin, Chris Meisel, Ben Menzel, Jenna Merten, Stacey Meyer, Keith Miller, Brent Moberg, Erica Morgan, Erica Moore (formerly Tripp), Matt Mountin, Dan Peterson, Michelle Pierce (formerly Weiss), Craig Pintens, Justin Pollnow, Sarah Ponath, Lindsay Potrafke, Will Pridemore, Kari Race, Mike Redding, Andrew Rhim, Megan Ryther, Nathan St. Clair, Jessica Schaak, Kristi Schoepfer, Kyle Scruggs, Andy Shiffman, Jay Smith, Mike Sneathern, Niki Sollinger, Jenni Spies, David Steffen, T.D. Stuck, Nyea Sturman, Jim Sullivan Sean Sweeney, Jeff Tanner, Danielle Thompson (formerly St. Marie), Laurie Thornton, Ante Udovicic, Josh Uller, Dirk Vanover, Melissa Vittone, Matt Weiss, Amy Worden, and many others, now alums who continue to support our program. Today we still rely on an incredible group of students led by 3Ls Jesse Baranko, Lindsay Caldwell, Ben Cohen, Adam Finkel, Lance Kearns, Kristen Knauf, Alex Porteshawver, Ethan Rector, Nick Rieder, Nick Walls, Kaitlyn Wild, 2Ls April Ashby, Ashley Fale, Laurie Frey, Matt Kleine, Todd LaForest, Rachel Lindsay, and Erin Naipo, and 1Ls Jackson Cates, Erica Inendino-Menze, Sarah Podove, Ari Sliffman, and Francesca Wood, among many, many others. These current and former students are the heart and soul of the Sports Law program at Marquette.

As we began our 20th anniversary celebration last spring, the Sports Law Society held an event commemorating a membership of over 100 members. This group does not include all of the numerous students taking sports law courses, working as interns, serving on the *Sports Law Review* and generally supporting the Sports Law program. These students are the reason why we have a Sports Law program and why we are committed to ensuring that each of them has the chance to succeed.

In 1997 I moved the NSLI into Sensenbrenner Hall. In 2004 our space changed again as our library and the offices of the *Sports Law Review* moved into the law library. Next year we will move again, this time into the new law school—Eckstein Hall. We will be in the Howard Eisenberg Suite just off of the Zilber Forum, prominently found on the first floor of the new Law School. As we look toward the next 20 years of the NSLI, it is our students and alums who will lead us. With their support the Sports Law program and NSLI cannot help but continue to grow into the future.