



James Gray

## The NSLI Genesis of Genius

By **James T. Gray** (L'90), Assistant Professor and Sport and Recreation Management Program Director, Marian University, Fond du Lac, Wisconsin; partner, Pierski & Gray, LLP, Milwaukee, Wisconsin; and Member, Sports Law Alumni Association

*NSLI Manager & Assistant Director, 1990-1997.*

Sports Law? Milwaukee? Really?

At the time of its founding, in 1989, the NSLI became the first academically based Sports Law program anywhere in the world. Being the first bestows challenges and confers opportunities. The primary objection from the academy, with respect to any study of sports issues, whether it involved the law, management, ethics, or medicine, was the utter disbelief, and sometimes outright hostility, towards academically rigorous sports based learning. This reaction was stunning. For instance, nationally some of my sports law brethren contended with having their sports law courses wondrously classified as “praise worthy” as compared to “credit worthy.” For sanity’s sake, I started reading Lewis Carroll’s “Alice’s Adventures in Wonderland” and “Through the Looking Glass.”

Becoming “curiouser and curiouser,” Marquette’s approach to sports law proved to be a land of opportunity. This curious tone was embraced by the initial NSLI leaders consisting of Frank DeGuire, Jim Ghiardi, Marty Greenberg, and Chuck Mentkowski. Similarly, these men adopted a leadership style of integrity, partnership and affirmation, which encouraged everyone associated with the NSLI to learn and mature, as well as grow within their own style and approach. “We are the NSLI,” resonated throughout the entire program.

To the surprise of many, and skepticism from some, in 1990, I was hired to oversee daily NSLI operations as its first Manager, and promoted later, as its first Assistant Director. Throughout my seven year tenure, sports law, Marquette style, was fun, fascinating, and challenging. From attending Ed Garvey’s sports law seminars, featuring the bombastic Howard Cosell; to working with Jan Doleschal, Doug Chickering, and Al Bill in our pioneering inter-disciplinary approach to high school risk management learning known as, *Reduce Your Risk*; it was, indeed, a pleasure venturing to work each morning.

During the first few years of the NSLI’s existence several milestones were realized including the initial publication of the *Marquette Sports Law Journal* in 1990. This marked the first time in legal history that a law review was entirely dedicated to sports law scholarship. Our first Editor-in-Chief, John Drana, now an extraordinary sports attorney, ably nurtured and guided his editors and members in publishing four issues during one academic year and putting the *Journal* “on the map.” Similarly, the NSLI bi-monthly newsletter, *For The Record*, was the joint creation of magical graphic designer, Steve Van Lieshout, the insightful Marquette Athletic Department Public Relations Director, Kriss Schulz, and me. This publication addressed the sports law issues of the day with contributions from prominent sports industry leaders. *For The Record, Extra* was created by sports reporter, Don Watz, and was the NSLI’s primary education and networking mechanism for those within the sports media. Our mailing lists, vital and essential before the onset of the Internet and email era, were organized by the fascinating software duo of Mike Lovejoy and Mark “Turtle” Larson. Similarly, our administration duties were

exquisitely discharged by Germaine Borkowski and Maxine Plewa.

Blessings abounded during my NSLI experience. Father Roman Bernert, S.J., Marquette's Law School Chaplain, helped me grapple with University bureaucracy and politics. He exhibited a gentle, yet forceful grace in dealing with others from which I could emulate. Father Albert DiUlio, S.J., as President, recognized the NSLI as vital to the University's mission and core values. His institutional encouragement was instrumental in retaining the ongoing financial support of our founding sponsors, the Green Bay Packers, the Milwaukee Admirals, the Milwaukee Brewers, and the Milwaukee Bucks. Similarly, he lent his full backing concerning our partnership with wonderful sponsors at the Miller Brewing Company, Time Warner Cable, and Deloitte & Touche.

Another brilliant piece of good fortune was found in the character of our research assistants. They all possessed an amazing work ethic, contributed significantly to the NSLI's position as a recognized international leader of sports law learning, and remained superb individuals. The astonishing array of opportunities that our research assistants devoted their efforts, often under conditions of limited funding, strict deadlines, and lofty expectations, were nothing short of amazing. These accomplishments ranged from the publication of *Sports Law Practice* and *The Stadium Game*, to conferences such as *Sports Venues, Revenues and Values*, which addressed sports facility legal issues, and *Sports Dollars & Sense*, which examined sports employment and endorsement agreements. Among those who liberally collaborated relative to our collective efforts included: April Anderson, Paul Anderson, Jennifer Beilfuss, Augusta Burney, Mark Brault, Timon Corwin, Troy Cross, Jim Dellisse, Pete Faust, Jeff Femrite, Mike Goller, Jim Green, Michelle Martin, Bill Miller, Meg Mulcahy, Bobbi Rocquemore, Mark Ruppelt, and Anne Stemlar.

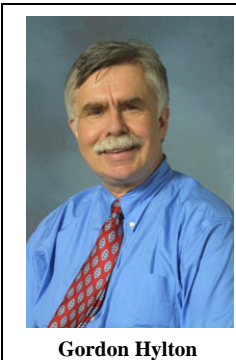
Among my NSLI career highlights and fond memories, I enjoyed a surprise telephone call from Al McGuire. He called me only once, and it was during a solar eclipse. He inquired as to the well being of our Institute. Wendy Selig-Prieb, and her husband, Laurel, thoughtfully assisted with securing guest speakers, such as Hank Aaron, Jerry Reinsdorf, Bud Selig, and Sal Bando. They also helped us initiate our successful Sports Law Internship program. The unparalleled kindness and incomparable understanding of Beverly Greenberg in providing Time Warner Cable emergency funding to secure a private plane to fly Hank Aaron, who was our *Master of the Game* award recipient in 1995, roundtrip from Atlanta to Milwaukee due to a business crisis he was confronting at the time, saved Marquette University from certain public embarrassment.

Bob Harlan is a true gentleman, as is Bart Starr. Given their stature, I was pleasantly surprised that they answered their own phones, and graciously gave their time to our events and endeavors. Joe Tierney, Jr. addressed a letter to me, which included a contribution from the Milwaukee Admirals. When I opened the envelope and saw the check, and its amount, it was thrilling and gratifying to be the initial recipient of such generosity. I enjoyed our sports law radio and sports law television forays with Bob Menard and Len Kasper serving as our technical engineers. During the midst of the NFLPA's decertification challenges, Dick Berthelsen willingly flew from Washington, D.C. to Milwaukee to address our NSLI Sports Business Forum luncheon program, and gently reminded me at the time that he worked for an "association" and not a "union." David Falk, in the midst of "Jordan Mania," and also at the height of his basketball agency career, eloquently spoke at our conference and willingly shared his expertise with our conference attendees. Similarly, Don Fehr, a true educator, allocated his time, on a few occasions, to address our conferences. He remarked at the time, "I love education."

Internationally, the NSLI served as an inspiration for sports law learning. Some of the partnerships we fostered included the Anglia Ruskin University Sports Law program with Edward Grayson, Simon

Gardiner, John O’Leary, Alexandra Felix, Mark James, John White and Andrew Caiger; the Australian and New Zealand Sports Law Association with Hayden Opie, Malcolm Speed, Brian Ward and Ian Fullager; the Griffith University Sports Law program with Andy Gibson; the University of Cape Town with Rochelle LeRoux and David Woolfrey; the University of Johannesburg with Steve Cornelius and Paul Singh; along with the Asser Institute with Rob Siekmann and Jan Willem Soek. These relationships resulted in rich initiatives that mutually benefitted our respective institutions and those affiliated with them.

Success is often measured by whether one left a place better as compared to one’s initial arrival. With respect to the National Sports Institute: I think so.



Gordon Hylton

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## The National Sports Law Institute's Transitional Era

By **J. Gordon Hylton**, Professor of Law, Marquette University Law School, Visiting Professor of Law, University of Virginia, Charlottesville, VA, and member, NSLI Board of Advisors.

*NSLI Interim Director, 1997-1999.*

I do not remember when I first heard of the National Sports Law Institute, but I was certainly aware of its existence in the early 1990s when I was a professor at Chicago-Kent College of Law. I had long been a sports fan and a student of sports history, and as a law professor, I was obviously interested in sports law as well. The presence of the Institute was a factor in my decision to come to Marquette as a visiting professor in the fall of 1995 and to join the faculty permanently in the spring of 1996.

Although I initially had some difficulty finding the National Sports Law Institute—at that time it was located on 17<sup>th</sup> Street rather than in the law school—the then Director and Assistant Director, Marty Greenberg and Jim Gray, enthusiastically welcomed me to Marquette and gave me a blanket invitation to participate in NSLI activities. My involvement with the Sports Law program was perhaps foreshadowed on my first day at Marquette when the first law student that I met was Bill Miller who, unbeknownst to me, was already extensively involved with the program. (I introduced myself to Bill because I knew no one, but he was wearing a Chicago Blackhawks jersey, and I did know about the Blackhawks.)

I was a regular attendee at the NSLI programs in from 1995 and 1997, and during one semester I helped teach the “Contemporary Issues in Sports Law” seminar. I also proposed my own sports law seminar focusing on the history of the regulation of the sports industry, a proposal that was enthusiastically supported by Marty Greenberg and Jim Gray. (The course eventually appeared in the curriculum as the “Sport, Law, and Society” seminar.)

In the spring of 1997, Mike Waxman and I were appointed to a committee by Dean Howard Eisenberg to consider the future role of the National Sports Law Institute and the Sports Law program in the Marquette University Law School. In the process we confirmed what we already knew: the Institute was widely recognized for its contributions to the sports industry and that sports law was a major attraction to students applying to Marquette.