



For The Record

The Official Newsletter of the National Sports Law Institute

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THE NATIONAL SPORTS LAW INSTITUTE CELEBRATES ITS 20TH ANNIVERSARY

*The 2009 issues of **For The Record** will include reports and perspectives from current and former leaders of the NSLI. The first perspective in this issue is from NSLI founder Martin Greenberg (L'71), the NSLI's Director from 1992-1998 and former chair of the NSLI's Board of Directors. Professor Greenberg continues to teach two sports law courses at the Law School. The second perspective is from William Miller (L'96), NSLI consultant from 1993-1996, and founding member and first chair of the NSLI's Alumni Board (now the Sports Law Alumni Association).*



Martin Greenberg

The Creation of the National Sports Law Institute

By **Martin Greenberg**, Greenberg & Hoeschen, Member, Southeast Wisconsin Professional Baseball Park District, and Member, National Sports Law Institute Board of Advisors

After receiving an exceptional legal education at Marquette University Law School (Marquette), I joined the law firm of Shea, Hoyt, Greene, Randall & Meissner in 1971. In the fall of 1973, I was approached by Dean Robert Boden to become a Lecturer in Law at Marquette, which eventually became an assistant professorship during which I taught Property I, Property II and Advanced Real Estate Transactions.

While real estate was my first love, Marquette basketball was closely behind. The cherished friendships and memories of my relationship with Al McGuire, Rick Majerus, and Hank Raymonds, and numerous players will always be a highlight of my life. Sports and the law then was a natural.

In 1978 I attended a conference in Fort Lauderdale, Florida, to learn about the regulation of sports agents. Upon my return from the conference, I visited with Dean Boden and explained that sports law would become a burgeoning specialty – an area of interest not only to law students but to

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lawyers -- and that Marquette should get ahead of the game by offering a sports law course.

Marquette's first sports law course was entitled "Negotiating and Drafting of Personal Service Contracts," which I proposed in 1978 and taught for the first time in spring of 1979. The faculty at that time would not approve a course entitled Sports Law. By 1981 the title of the course was shortened to "Personal Service Contracts."

Marquette and Milwaukee was the perfect place for the development of a specialized center for the study of sports law. Milwaukee is a "great sports town," enriched not only by its professional teams – the Milwaukee Brewers, Milwaukee Bucks, Milwaukee Admirals, and Green Bay Packers – but by a tradition of excellence in college athletics. By the '80s, lawyers off the field had become just as important as coaches and managers on the field, and training law students and lawyers in the law of sports became the next logical step.

I took the idea of a sports law institute to my dear friends, Deans Frank DeGuire and Chuck Mentkowski. I recommended a sports law institute that would: 1) create specialty courses in sports law; 2) make Marquette a center for the advancement of sports law education and ethics in sports; 3) make Marquette a sports law resource center for attorneys, journalists, and academics; 4) create a continuing Law Review of high academic quality and 5) sponsor sports law conferences; and 6) create community outreach programs.

In order to create a sports law institute, capital was required. Through the generosity of the Green Bay Packers, Milwaukee Brewers, Milwaukee Bucks and Milwaukee Admirals, \$500,000 was pledged to fund an Institute over a four-year period. In 1992, Miller Brewing Company became another sponsor.

The National Sports Law Institute was founded on February 15, 1989, with a press conference announcing its creation. Soon after, an Advisory Board was created including such notable members of the sports community as Al McGuire, Coach; Bud Selig, former owner of the Milwaukee Brewers and current MLB Commissioner; Judy Sweet, former NCAA Senior Vice President; Jerry Reinsdorf, Chicago Bulls and White Sox owner; Stanley H. Kasten, former President of the Atlanta Hawks and Atlanta Braves; Susan O'Malley, former president of the Washington Bullets; Glenn Rivers, former Marquette player and current Boston Celtics coach; Gary Bettman, Commissioner of the National Hockey League; and Richard Berthelsen, legal counsel for the National Football League Players Association.

Attorney John Wendel served as the initial NSLI Director, a position I assumed on August 15, 1992 and served in until November of 1998.

The first issue of the *Marquette Sports Law Journal* was published in the fall of 1990 and has been published on a regular basis ever since.

During my Directorship the Institute:

- (1) Produced a Risk Management Program for Milwaukee high schools entitled *Reduce Your Risk*;
- (2) Helped produce a two-volume series on the practice of sports law entitled "Sports Law Practice," published by Michie and Company in 1993, and by Lexis Law Publishing in 1998;

- (3) Helped to create the Wisconsin Sports Authority, a quasi-public sports organization which marketed Wisconsin sports assets and organized amateur and professional sporting events in the state of Wisconsin;
- (4) Created the Master of the Game Award which is presented to a person who has made significant contributions to the sports industry and who exemplifies the highest levels of professionalism. During my tenure the Master of the Game Award was given to Al McGuire in 1992, Bart Starr in 1994, Hank Aaron in 1995, and Bob Harlan in 1997;
- (5) Created the Sports Business Forum to address the economic issues of the business of sports. The inaugural meeting occurred on January 10, 1991, featuring Jerry Reinsdorf, owner of the Chicago Bulls and White Sox. Other guests included Dick Schultz, former NCAA Executive Director; Richard Berthelsen, general counsel of the National Football League Players Association; Sal Bando, former general manager of the Milwaukee Brewers Baseball Club; Bob Harlan, former president & CEO of the Green Bay Packers; Bud Selig, then president & CEO of the Milwaukee Brewers Baseball Club; and Brian Burke, former Vice President for the National Hockey League;
- (6) Created and offered more sports law courses than any law school in the country. Those courses included: The Law of Amateur Athletics; Contemporary Issues in Sports Law and Sports Industry Contracts and Negotiations;
- (7) Sponsored national conferences including *Sports Dollars and Cents* in Milwaukee, October 22-24, 1992; and in Los Angeles, October 28-30, 1993; and *Sports Venues, Revenues and Values*, 1994-1996 in Milwaukee, on topics relating to the sports facility boom.

Without the support of Frank DeGuire and Chuck Mentkowski, this would not have been a possibility. Without the hard work of Jim Gray, Paul Anderson, Bill Miller, and others, the substance of this enterprise would not be what it is today.

And finally, without the generosity of Bud Selig, Herb Kohl, Jane and Lloyd Pettit, Bob Harlan, and Bill Schmus, along with the organizations that they represent, the idea to establish a sports law institute would never have had the ability to develop and to come to fruition.

I am very proud that the National Sports Law Institute is now celebrating its 20th anniversary.

