



# 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



Matthew Mitten

### The National Sports Law Institute: 1999-2009

By **Matthew Mitten**, Professor of Law and Director, National Sports Law Institute of Marquette University Law School

I have had the pleasure of serving as the Director of the National Sports Law Institute (NSLI) since August 1999. The NSLI's 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 Marquette University Law School (MULS) students as well as current and future leaders in the sports industry. The NSLI's national reputation, affiliation with an excellent law school, and history of providing a forum for balanced discussion of current sports law issues were some of the many factors that attracted me to Marquette. But the most important reason was the outstanding group of people associated with the NSLI, the Law School, and its Sports Law program.

To be successful and to fulfill its potential, a specialized institute associated with a law school must have the strong support of its dean and faculty. When I interviewed to be the NSLI's director in October 1998, it was apparent that Dean Howard Eisenberg believed the NSLI and the Sports Law program were important parts of the Law School. He made it clear that he and the Law School would provide the necessary resources for the NSLI and the Sports Law program to become the nation's best sports law institute and educational program. Dean Eisenberg always was true to his word, and Dean Joseph Kearney has been equally supportive.

The NSLI has an active and engaged Board of Advisors, which consists of more than 50 sports lawyers, industry professionals, and law professors (including several of my MULS faculty colleagues). The collective

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involvement and efforts of this outstanding group of men and women establishes a bridge between our Sports Law program and its students and the national and international sports law and business communities. To provide a few illustrative examples: Marty Greenberg, the NSLI's founder and a 1971 alumnus, has been actively involved in the NSLI and our Sports Law program for more than 20 years as an adjunct faculty member, teacher, scholar, internship sponsor, and student mentor. Major League Baseball Commissioner Bud Selig, who provided financial support to establish the NSLI and a member of the NSLI's Board of Advisors since 1989, guest lectured four times in my Professional Sports Law course during the 2009 spring semester and hopefully will do so again in the future. Ron Walter, the Vice President and Alternate Governor for the Milwaukee Bucks, served as Chair of the NSLI's Board of Advisors, established a student internship with the Bucks, and is an adjunct professor who has taught a sports law course at our law school. Mike Cramer, a 1978 alumnus of MULS who now is a Clinical Assistant Professor in New York University's Preston Robert Tisch Center for Hospitality, Tourism and Sports Management, created a unique internship that enables a Marquette law student to intern for six months with Hicks Sports Group in Dallas, the holding company for the Dallas Stars NHL club and Texas Rangers MLB team. Gary Way, managing attorney of Nike's Sports Law Practice Group, established an externship exclusively for our law students. Elsa Cole, the NCAA's general counsel, has been a presenter at NSLI conferences and has hired several Marquette law students as summer interns. Jan Doleschal, former commissioner of sports and athletics for Milwaukee Public Schools, has been a conference speaker and has supervised internships for law students interested in high school sports governance and risk management business and legal issues.

During my tenure as NSLI director, the Marquette Law School faculty has been very supportive in many ways, including their unanimous approval of my proposals to create a Sports Law Certificate for J.D. students, a joint J.D./M.B.A. in Sports Business degree, and an LL.M. in Sports Law degree for those with foreign law degrees. Associate Deans Shirley Wiegand, Peter Rofes, and Bonnie Thomson have been instrumental in the establishment of these educational programs as well as several new sports law courses. In addition, several faculty members, including Professor Gordon Hylton who served as NSLI interim director from August 1997-July 1999, contributed articles and essays to a 2001 MULS faculty symposium issue for the *Marquette Sports Law Review* (suggested by Professor Scott Idleman) and have made presentations at NSLI conferences regarding how their respective legal specialties regulate the sports industries.

The NSLI would not have achieved its current level of excellence, and our Sports Law program would not be the nation's best and most comprehensive, without the dedicated efforts of Paul Anderson, the NSLI's associate director and a 1995 MULS alumnus. In addition to teaching three sports law courses as an adjunct professor and mentoring many sports law students, Paul oversees the NSLI's day-to-day operations, research efforts and publications, and student internship program. Paul receives substantial assistance from several Marquette law student research assistants who engage in research and compile data for NSLI publications such as *You Make the Call. . .* and *Sports Facility Reports*.

In addition to Marty Greenberg, Mike Cramer, and Paul Anderson, many other MULS alumni regularly participate in NSLI programs and activities as conference speakers and/or sponsors of sports law internship opportunities. Several of them have provided valuable career advice and mentoring to Marquette sports law students, who come from all over the United States to pursue the NSLI's Sports Law Certificate as well as from foreign countries such as Canada and Japan to earn an LL.M. in Sports Law.

The NSLI's 20-year history of success in providing high quality sports law education and service to the sports industry is attributable to its greatest asset: the hundreds of people who have been and continue to

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.



Paul Anderson

## 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 Gelandner, 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