

NSLI 35th Anniversary - The Beginning

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My Marquette University Law School journey started as an Assistant Law Professor in 1973, approximately three years after I graduated. I was hired by Dean Robert Boden to teach the real estate courses at the law school.

I had played basketball in high school and was not only a student of the game but enjoyed playing. While at Marquette, I became best friends with Marquette's Assistant Basketball Coach Rick Majerus.

My wife, Bev, and I were intricately involved in recruiting Marquette basketball players. We also maintained close relationships with those players and acted as surrogate parents while they matriculated at Marquette.

Coach Majerus opened my eyes to the fact that sports is not merely a competitive game but is a regulated industry. An industry that is subject to the law of contracts, torts, anti-trust, labor, agency, tax, all of which were the subjects of courses taught at Marquette.

In 1978, I approached Dean Boden and asked him if I could attend a course relative to the regulation of sports agents in Fort Lauderdale, Florida. Upon my return from the conference, I indicated to Dean Boden that Sports Law would become a burgeoning specialty, an area of interest not only to law students, but also to lawyers, and that Marquette should get ahead of the game by offering a sports law course.

When I suggested that we should offer a sports law course, which was first taught in 1979 and called Sports Law, the then faculty of Marquette would only approve a course entitled Personal Service Contracts, which was eventually known as Representing Professional Athletes and Coaches in Contract Negotiations.

Marquette and Milwaukee was and continues to be the perfect place for the development of a specialized center for the study of Sports Law. Milwaukee is a great sports town known not only for its professional teams, Milwaukee Brewers, Milwaukee Bucks, Milwaukee Admirals, and the nearby Green Bay Packers, but also for a tradition of excellence in college athletics. By the 1980s, lawyers off the field had become just as important as the coaches and managers on the field. Training law students to practice law in the area of sports became the next logical step.

I then took the idea of forming a Sports Law Institute to Dean Frank DeGuire, Professor Jim Ghiardi, and Assistant Dean Charles Mentkowski. My plan for the recommended Sports Law Institute was to: (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 Sports Law a resource for attorneys, journalists, and academics; (4) create a Sports Law Journal of the highest academic quality; (5) sponsor Sports Law conference in Milwaukee and elsewhere; (6) create community outreach programs; (7) increase admissions from students from out of state of Wisconsin; and (8) create a job market for NSLI placements.

The idea of a National Sports Law Institute was not a well-received concept at its inception. Common faculty complaints included: (1) that there's no such thing as sports law; (2) sports law would be demeaning to the educational integrity and reputation of Marquette University Law School; (3) a sports law institute would distract from resources from other legitimate academic areas; and (4) this was Greenberg's idea as to how to conduct pick-up games at the Marquette Gym.

Regardless of its detractors, my three mentors, DeGuire, Ghiardi, and Mentkowski, were going to make certain that Marquette had a specialty in sports law. Money carries a big stick. Through our joint efforts \$500,000 was raised to start the National Sports Law Institute through the generosity of the Brewers, the Bucks, the Packers, the Admirals, Mrs. Pettit, and Miller Brewery.

So, on February 15, 1989, a press conference was held at the Law School in which Dean DeGuire announced the formation of the National Sports Law Institute as affiliated with Marquette Sports Law Program, with a mission to be the leading national educational research institute for the study of legal, ethical, and business issues affecting amateur and professional sports from both an academic, business, and practical perspectives.

Soon thereafter, an Advisory Board was created with 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 Milwaukee Bucks coach; Gary Bettman, Commissioner of the National Hockey League; and Richard Berthelsen, legal counsel for the National Football League Players Association.

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 then.

Attorney John Wendel served as the initial NSLI Director, a position I assumed on August 15, 1992 and served in until November of 1998. 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 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;
- (5) 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;
- (6) 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; and
- (7) 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;
- (8) Marquette University Law School, through its National Sports Law Institute, became a community partner in the sports affairs of Milwaukee.

From its meager beginnings, the NSLI has become a major force in sports law, a nationally recognized area of law that Marquette University Law School specializes in. Fourteen faculty members, seventeen courses and workshops, an ability to obtain a Sports Law Certificate, an ability to obtain advanced and combined degrees, an array of local and national sports intern opportunities, and an opportunity to be part of the longest continuing Law Review in sports law in the country.

So now, what was a dream has metamorphized into one of the leading sports law program in the United States and has set the standard for sports law in the country. The NSLI and Marquette University Law School have been able to attract students from cities, states, and countries all over the world. The Sports Law Program and the NSLI have turned Marquette University Law School into a national law school. But most importantly, it has influenced other law schools around the country to incorporate sports law courses into their curriculums and to recognize that sports law is a substantive area of the law.

And my dream of Marquette law students becoming players in the sports industry and holding employment therein has come to reality.

Not only are NSLI Alumni employed at sports law firms and sports agencies, they are also employed at universities from coast to coast, including Arizona State, Notre Dame, Harvard, Clemson, South Alabama, and Miami, to name a few. We can also find them in the NCAA, CAA, Big West Conference, Missouri Valley Conference, Orlando City Soccer Club, Major League Baseball's Commissioner's Office, Dallas Cowboys, Green Bay Packers, Orlando Magic, Milwaukee Bucks, San Antonio Spurs, Pittsburgh Pirates, Milwaukee Brewers, Atlanta Braves, NASCAR, United States Olympic and Para-Olympic Committee, NBC Universal Media, and the Walt Disney Company.

Certain thank-yous are definitely in order.

To Charles Mulcahy and Jerry Boyle, who led the way for the Woolsack Society to lend financial support early on to the NSLI.

Thank you to my three mentors – Dean Frank DeGuire, Assistant Dean Charles Mentkowski, and Professor Jim Ghiardi, who saw the vision and who fought the battle to have the NSLI as part of the Marquette family.

Thank you to Commissioner Bud Selig and Packers President Robert Harlan, whose money was first in and who legitimately believed that a sports law specialty would benefit Marquette University Law School and was a legitimate academic pursuit.

Thanks for the gracious help of Herb Kohl, Joe Tierney, Miller Brewery, Bill Schmus, and Jane Pettit in their underwriting of the National Sports Law Institute.

Also thank you to Jim Gray for his amazing contributions at the very inception and commencement of the National Sports Law Institute through his years of service. And to Paul Anderson and Bill Miller to give substance and character to sports law.

Thanks to the thousands of students who have matriculated Marquette's Sports Law program over the past 30+ years and who came here from cities and states other than Milwaukee, Wisconsin, to benefit from sports law education, and who have made the Institute what it is today and now hold sports law employment around the country.

Thanks to Matt Mitten, Paul Anderson, and Dean Joe Kearney, who have taken the National Sports Law Institute to the next step to being one of the best of its kind in the nation, offering substantive academic opportunities for students.

Yes, Vince Lombardi once said, "Perfection is not attainable, but if you chase perfection, we can obtain excellence." And Matt, Paul, and Joe have brought excellence to Marquette University Law School.

Finally, thank you to my wife, Bev, without whom none of this would have been possible without her fervent trust in my crazed vision and whose gentle hand and brilliant mind pushed me ever forward whenever I felt discouraged.

Thank you and Be the Difference.