

For The Record



The Official Newsletter of the National Sports Law Institute

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THE NSLI: A FOURTEEN MONTH UPDATE

By: Paul M. Anderson, Editor

Since the last NSLI update appeared in the June/July 1995 issue of **For The Record**, the National Sports Law Institute sponsored a wide variety of activities and programs. What follows is a summary of these various activities and programs from the end of 1995 until today.

Marquette Sports Law Journal

Under the leadership of Editor-In-Chief, John P. Gillard, Jr., two issues of the *Journal* were produced during the 1995-96 academic year. The articles in the *Journal* focused on:

- The Amateur Sports Draft
- Legal Counsel for Sporting Events
- The Commissioner in Sports
- Student Athlete Drug Testing
- English Boxing Contracts
- The NCAA Early Draft Entry Rule
- Liability for Lightning on a Golf Course

The *Journal* also published a symposium issue dealing with Race, Sports, and the Law. This issue presented articles from a wide variety of experts in the field, examining issues ranging from black sports agents as role models, to ethnic team names and logos.

Under the new leadership of Editor-In-Chief Andrew Rhim, the *Journal* is presently publishing Volume 7, Number 1. This issue will contain articles focusing on such issues as the duty of care applicable to student-athletes, and sports marketing and the law. Volume 7, Number 2 will be a special symposium issue on Sports and Ethics.

NSLI CALENDAR

MARCH 6-8, 1997

"The Tenth Annual Sport, Physical Activity, Recreation and Law Conference."

Sponsored by the Society for the Study of Legal Aspects of Sport and Physical Activity.

Radisson Barcelo Hotel, Orlando, Florida.

For further information call 413-545-5063

MARCH 11, 1997

"Sports Officials and the Law"

Sponsored by the National Sports Law Institute

Marquette University Law School, Milwaukee, Wisconsin

For further information call 414-288-5815

MARCH 18, 1997

"Race, Sports and the Law"

Sponsored by the National Sports Law Institute

Marquette University Law School, Milwaukee, Wisconsin

For further information call 414-288-5815

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- SPECIAL RELATIONSHIP BETWEEN A STUDENT-ATHLETE AND COLLEGE, pgs. 4-5.
- SPORT AND THE LAW OR SPORTS LAW, pgs. 6-7.
- BOOK ANNOUNCEMENT: INTERNATIONAL SPORTS LAW AND BUSINESS, pgs. 7-8.

In April of 1996, the NSLI hosted the third annual *Marquette Sports Law Journal* dinner. This program honored the current editors and members for their outstanding work on the *Journal*. Approximately 30 Marquette Law School alumni attended the dinner where the new editorial board was introduced.

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Joseph E. O'Neill Award & Scholarship

This award was created to honor the memory of Milwaukee Bucks general counsel, Joseph E. O'Neill, and to recognize competency and ethical conduct in amateur and professional sports. The award was established by the O'Neill family, the Milwaukee law firm of Davis & Kuelthau, of which O'Neill was a partner, and the NSLI soon after Joseph O'Neill's death in October of 1992.

During the third annual **Sports Venues, Revenues & Values Conference**, the third O'Neill award was presented to Joseph E. Tierney, Jr., for his work as President & Chief Financial Officer of the Bradley Center, Chairman of the Board of the Pettit National Ice Center, legal counsel for philanthropists Jane and Lloyd Pettit, and for his work with the Greater Milwaukee Open. In addition, the second Joseph E. O'Neill Scholarship was given to 1996 Marquette Law School graduate William S. Miller who will produce an article focusing on sports ethics in the *Marquette Sports Law Journal*, Volume 7, Number 2.

The Stadium Game

In October of 1996, the NSLI published an 800 page treatise entitled **The Stadium Game**. This book is the first of its kind which focuses on every aspect of stadium and arena financing, negotiations, leasing, and economics. The book was developed over the last four years drawing on the NSLI's experience gained through the last three **Sports Venues, Revenues & Values Conferences**. The book contains chapters dealing with the intricacies of leasehold agreements, chapters reviewing stadium economics and financing, and 400 pages of sample agreements. For further information call the NSLI at 414-288-5815.

Sports Venues, Revenues & Values Conference

The NSLI and Deloitte & Touche, LLP,
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co-sponsored the third annual **Sports Venues, Revenues & Values Conference** on October 17-19, 1996, in Milwaukee, Wisconsin. Ellerbe Beckett and SMG served as associate sponsors. The conference analyzed stadium and arena leases from a legal, economic and public policy perspective. The 1996 conference attracted approximately 100 attendees from across North America.

The third conference provided attendees with lease updates and over 400 pages of specialized materials focusing on issues ranging from franchise relocation to stadium referenda. Conference presenters addressed issues including; naming rights agreements, stadium and arena financing, legislation dealing with franchise relocation, and stadium design.

Sports Law Practice

This two-volume text has sold over 1000 copies world wide since its introduction in 1992. Volume One contains over 1,300 pages of materials on sports law, including; contracts, collective bargaining, licensing and sponsorships. Volume Two contains over 700 pages of sample agreements. Since 1992 this text has been updated with a supplement each year. The 1996 cumulative supplement will be published in the Spring of 1997 and will contain over 500 pages of updated materials in a two volume set. For ordering information call the Michie Company at 1-800-446-3410.

NSLI Newsletters

In the last fourteen months eight issues of **For The Record** have been published presenting timely articles on issues such as; property rights in sporting events, the Australian Super League, stadium safety in Britain, local government response to franchise relocation, race and intercollegiate sports, and Indian gaming revenues.

For The Record EXTRA has published an update on stadium and arena construction in the four major sports.

In the Spring of 1997, the NSLI will introduce a newsletter focusing exclusively on Sports Facilities. This newsletter will provide updates and information on stadium and arena issues to the sports facility industry.

Risk Management

During the last fourteen months, the NSLI has continued to implement its "Reduce Your Risk" program through instruction to Wisconsin high schools, and through instruction in the Regulation of Amateur Athletics class in the Law School.

Over this last fourteen months NSLI staff, often with the assistance of students from the Law School, have presented the risk management program to dozens of high schools in Wisconsin. As an outgrowth of this program, the NSLI took part in a risk management conference at Anglia Law School, in Chelmsford, Essex, England. The NSLI will hold a comparative British/American risk management seminar on March 12, 1997.

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Sports Law Education & Exchange Program

During the Spring Semester of 1997 the NSLI introduced a new Law School course entitled "Current Issues in Sports Law Workshop." This course will focus on drafting sports law documents and as a special endeavor, Law School faculty and other experts will apply their area of expertise to the sports industry.

The NSLI developed a sports law exchange program with the Anglia Sports Law Research Centre of Anglia Law School, Chelmsford, Essex, England. As part of this exchange Anglia lecturers Alexandra Felix, Simon Gardiner, John O'Leary, Dean John White, and Ph.D. student Mark James, have visited Marquette Law School and presented papers to the law school and Milwaukee community. NSLI Director Martin Greenberg, NSLI Assistant Director James Gray, and Marquette Law School alumni Paul Anderson and James Green, visited Anglia Law School and took part in the Research Centre's first conference "Managing Safety in Sport." Marquette Law School student Nicole Rizzo and Anglia Law School student Nades Raja were the first students to take part in the exchange program.

NSLI Events, Conferences and Consulting

In May of 1996 the NSLI hosted a dinner in the honor of former Marquette University president Albert J. DiUlio, S.J. The NSLI also co-hosted a tribute to NSLI chairman and Marquette Law School professor emeritus, Charles W. Mentkowski in September of 1996.

During the last fourteen months the NSLI has also participated in several conferences around the world. NSLI Director Martin Greenberg participated in the "Financing Sports Facilities" conference in April of 1996, sponsored by Minnesota Legal Education, and the Brookings Institution's conference entitled "The Economics of Sports Stadiums," in October of 1996. The NSLI staff also participated in DePaul College of Law's conference entitled "Legal Issues in Intercollegiate Athletics," and the State Bar of Wisconsin's Sports and Entertainment Section's panel entitled "Stadium Finance and Other Issues Concerning the Creation of Sports Facilities," at the Midwinter Convention in January 1997.

Over this period the NSLI has also participated in major consulting projects with the North American Basketball Association, the Milwaukee Brewers, the Baltimore Orioles, the NFL, the Washington Post, NBC, and the San Diego Union Tribune.

Internships

The NSLI has continued to offer sports law related internships each academic semester for Marquette Law students. At present time the NSLI offers internships with Miller Brewing Company, the Milwaukee Brewers, Conference USA and the Milwaukee Public Schools.

Sports Law Commentary

Over the last fourteen months the NSLI has continued to be a resource providing sports law research and commentary for sports

writers, broadcasters and numerous publications. NSLI staff have provided commentary on stadium and arena issues in Milwaukee, Baltimore, Buffalo, Nashville, Cleveland, Indianapolis, Miami, and San Diego. The NSLI has provided research and commentary to Financial World, the Washington Post, the Cleveland Plain Dealer, the Denver Post and numerous other news sources, dealing with issues such as, Major League Baseball's new collective bargaining agreement and the lack of a permanent commissioner, Tiger Woods' and other recent endorsement contracts, NCAA rules violations and academic standards, naming rights deals and stadium financing, and the negotiation and politics involved in developing a new sports facility.

Summary

The preceding overview illustrates the breadth of the educational projects that the NSLI has been and continues to be involved with. The NSLI's reach extends to law schools, amateur athletic groups, professional sports, government and state agencies in North America, and an international sports law network which includes England, Australia, Japan, Norway, Malaysia, and other countries around the world.



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