



# 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

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 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.



## 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 Gelander, 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

did not know any better. We dedicated ourselves to the *Journal*, to supporting the NSLI's many events, and to the two courses (Regulation of Amateur Athletics and Sports Industry Contracts and Negotiations) available within the law school curriculum. We also started the Sports Law Society, a group that immediately piqued the interest of many students. Although, admittedly, many thought we were a group promoting participation in intramural sports at Marquette.

After Dean DeGuire stepped down, those of us then working for the NSLI were unsure about our future. Although Dean Howard Eisenberg was very supportive of the NSLI, we were still completely self funded. This meant that at the end of every fiscal year our budget would fall to zero. Those of us who were not salaried would then have to wait until revenues came in from the sale of publications or conference registration and sponsorship fees, before we would begin to see a paycheck. These problems were compounded in the mid-1990s when the Dean and faculty began to discuss the future of the NSLI, without much direct contact or input from those of us who actually worked for the Institute and supported the many activities brought to the Law School on the Institute's behalf. During this time our Director Marty Greenberg and our Associate Director James Gray resigned, and I was left as the NSLI's only employee trying to keep the Institute alive. It was a lonely time in our 17th Street offices as most at the Law School assumed I was still a student, and I had yet to develop a way to contact students and alumni to get them involved.

By the spring of 1997, I was told that the Institute was going to be relocated to the Law School building. Celebrating my five year anniversary with the NSLI, I tried my best to determine what I could move into a smaller space in Sensenbrenner Hall, and what I could leave behind. Eventually, I convinced the building maintenance staff to move an industrial dumpster under the window of our library and I literally dumped about three offices of material before the move.

The NSLI moved in to its new space in the Law School in the summer of 1997. During this time Dean Eisenberg created a committee to determine the future of the Institute. I was pleasantly surprised to find out that the faculty found some value in the NSLI and actually wanted to develop a Sports Law program at the Law School. Howard also wanted to ensure that the Institute was led by a fulltime member of the faculty and Professor Gordon Hylton was appointed as Interim Director. Gordon had an office in the NSLI for a short time. We also had space for some of our former library and an office for the *Sports Law Journal*.

At this point I realized that if we were to really become successful and actually deserve the interest of so many students and applicants (the evidence from the Admissions Office was available from the early 1990s showing that many students were attracted to the Law School due to the presence of the NSLI), we needed to involve our alums and our students in making sure that we really had a solid program to offer. Bill Miller (L'96) and I decided to create the NSLI's Alumni Board based on the tremendous support we had already received from so many law school alums who supported the NSLI whether they worked in sports or not. Now known as the Sports Law Alumni Association, the group includes almost 200 alums who dedicate their time to providing guidance to our students, contributing scholarship funds, sponsoring internships, and supporting and speaking at many of our events. Without the tremendous support of our alums, the Sports Law program would not have developed as it has over the past 20 years.

My second focus was to get students involved and provide them with a real opportunity to learn about and experience the sports law industry outside of the classroom. As part of this endeavor, I focused on speaker events (many of which were described in Vol. 20, #2 of this newsletter), created a network of contacts between students and alums, and worked hard to enhance our internship program.

As Gordon and I began to work together we also decided that we had to enhance the curricular aspects of what we were now calling the Marquette Sports Law program. We added several new classes to the program including an introductory course called Sports Law, two seminars, Contemporary Issues in Sports Law and Sport, Law and Society, and two workshops, Regulation of Amateur Athletics and Regulation of Professional Athletics. I also became an adjunct professor teaching the Amateur Athletics course for the first time. Over the next two years we worked hard to enhance the program for our students and alums. When Dean Eisenberg and the faculty decided that the Law School needed to hire a new full-time NSLI Director, we were ready for the NSLI and the new Sports Law program to continue to grow.

Although by this point we had dozens of alumni and hundreds of students involved in the Sports Law program, both students and alumni were worried about what the future would hold and felt that the faculty continued to dismiss the NSLI as an unimportant and non-academic part of the Law School. Professor Hylton worked hard to show the faculty that sports law was worthy of study within the Law School, and we both strived to demonstrate the NSLI's value.

Despite all of the uncertainty for the future I decided to stay because of the support I received from our students and alums, and a call I received from Professor Matt Mitten, who taught at South Texas College of Law in Houston, and would soon become our Director. I had known of Matt's scholarship in the area for a number of years, but I do not believe we had ever met. At some point during the interview process for the position he called me and made it clear to me that if he was hired, he wanted me to stay on with the NSLI and to be involved in everything that the Institute would do in the future. I had never received that kind of encouragement or commitment from anyone in the Law School. Needless to say, I decided to stay.

When Matt joined us as Director in 1999 our immediate focus included enhancing the curriculum, renaming the *Journal* as the *Marquette Sports Law Review*, proposing the creation of the Sports Law Certificate, and redesigning the NSLI's logo and publications to reflect our change in focus and our renewed commitment to be intertwined with Marquette University Law School. We immediately sought out the advice and counsel of our alums and students, asking for their continued support and also attempting to better respond to their interests and needs.

Much of what has occurred in the past decade is contained in Matt's perspective and I will not repeat it here. In my mind, the NSLI and Sports Law program have done nothing but grow in ways I could never have imagined back in 1989. For example, our Sports Law Certificate program was approved in 2000 and remains the most academically rigorous program of its type in the country. To date, 154 students have earned this Certificate and interest remains high among our student body - twenty-five students in the third year class are working toward receipt of the Certificate, forty in the second year class have begun to work toward this achievement, and eighty in the first year class have put their name on a list of those potentially interested. Throughout the past ten years, we have also continually enhanced the internship program relying on alums and members of our Board of Advisors to provide almost forty different experiences each year for our students (as listed on page 17).

The Sports Law Alumni Association has also been invaluable to our success as it has created an award and scholarship fund to support our students and provides regular advice to our students and to Matt and me. During our 20th anniversary year, no less than 30 different alums have spoken to our students at lunches, panels and conferences. They are the examples of true success that our students can emulate. Perhaps most importantly they show that the Sports Law program, as it has developed over the years, is not about getting everyone a job in sports law. No program could make that promise. Although many

of our graduates do decide to work in sports law, no matter where they end up, our alums demonstrate to our students that the skills they developed through the program will serve them well.

In our 20th year, I have no doubt that the Marquette University Law School faculty now truly supports the Sports Law program and its students. This revelation was a long time in coming, as throughout our history I have constantly fought for the respect I always thought the NSLI deserved, while we focused on providing our students with the skills they needed to succeed. Today, this is not an issue. Marquette University Law School is proud of and supports the NSLI and our Sports Law program. Most important, the hundreds of students involved in the program each year receive the support and encouragement that they deserve.

Overall, the success of the NSLI and the Sports Law program has less to do with those who have served as administrators or faculty members, than it does with the many students who have dedicated their time and passion to sports law at Marquette. In addition to those I have mentioned already, we would not be where we are today without Hank Abromson, Susan Allen, Bill Appleton, Greg Babcock, Schulyer Baehman, Mike Baird, Matt Bunker, Joseph Behlman, Genni Birren, Aaron Bitter, Chris Buckler, Travis Burau, Ron Cadwalader, Nick DeSiato, Mark Dodds, Eryn Doherty, Sherrod Edwards, Jaime Erickson, Katie Featherston, Kevin Ferguson, Ali Fitzgerald, Nick Fowler, Jeremy Geisel, Greg Gill, John Gillard, Aaron Glass, Jon Gonzalez, Ian Harper, Brian Hartley, Kirsten Hauser, Brad Hoeschen, Becky Jarrett, Blythe Johnston, Susan Jones, Tiffany Jones, Tim Kraft, Jason Kuiper, Eugene LaFlamme, Spencer Larche, Chad LeBlanc, Sean Light, Basil Loeb, Ana Lynn, Danez Marrable, Judy Massuda, Erika McClean (formerly Olander), Lauren McCoy, Chris McKinney, Matt McLaughlin, Chris Meisel, Ben Menzel, Jenna Merten, Stacey Meyer, Keith Miller, Brent Moberg, Erica Morgan, Erica Moore (formerly Tripp), Matt Mountin, Dan Peterson, Michelle Pierce (formerly Weiss), Craig Pintens, Justin Pollnow, Sarah Ponath, Lindsay Potrafke, Will Pridemore, Kari Race, Mike Redding, Andrew Rhim, Megan Ryther, Nathan St. Clair, Jessica Schaak, Kristi Schoepfer, Kyle Scruggs, Andy Shiffman, Jay Smith, Mike Sneathern, Niki Sollinger, Jenni Spies, David Steffen, T.D. Stuck, Nyea Sturman, Jim Sullivan Sean Sweeney, Jeff Tanner, Danielle Thompson (formerly St. Marie), Laurie Thornton, Ante Udovicic, Josh Uller, Dirk Vanover, Melissa Vittone, Matt Weiss, Amy Worden, and many others, now alums who continue to support our program. Today we still rely on an incredible group of students led by 3Ls Jesse Baranko, Lindsay Caldwell, Ben Cohen, Adam Finkel, Lance Kearns, Kristen Knauf, Alex Porteshawver, Ethan Rector, Nick Rieder, Nick Walls, Kaitlyn Wild, 2Ls April Ashby, Ashley Fale, Laurie Frey, Matt Kleine, Todd LaForest, Rachel Lindsay, and Erin Naipo, and 1Ls Jackson Cates, Erica Inendino-Menze, Sarah Podove, Ari Sliffman, and Francesca Wood, among many, many others. These current and former students are the heart and soul of the Sports Law program at Marquette.

As we began our 20th anniversary celebration last spring, the Sports Law Society held an event commemorating a membership of over 100 members. This group does not include all of the numerous students taking sports law courses, working as interns, serving on the *Sports Law Review* and generally supporting the Sports Law program. These students are the reason why we have a Sports Law program and why we are committed to ensuring that each of them has the chance to succeed.

In 1997 I moved the NSLI into Sensenbrenner Hall. In 2004 our space changed again as our library and the offices of the *Sports Law Review* moved into the law library. Next year we will move again, this time into the new law school—Eckstein Hall. We will be in the Howard Eisenberg Suite just off of the Zilber Forum, prominently found on the first floor of the new Law School. As we look toward the next 20 years of the NSLI, it is our students and alums who will lead us. With their support the Sports Law program and NSLI cannot help but continue to grow into the future.



## The National Sports Law Institute 20 Years Later

Dean Emeritus **Frank DeGuire** (L'60), Marquette University Law School, and member, NSLI Board of Advisors

The creation of the National Sports Law Institute was the vision of Professor Martin J. Greenberg. After 20 twenty years, we are able to see a prospering institution that is an important part of Marquette University Law School. However, the early days were filled with skepticism and uncertainty concerning the future of the National Sports Law Institute.

When Professor Greenberg came to me with the idea of an expanded sports law program and a national institute, I viewed it as a way to project the Law School on a wider horizon and attract highly qualified applicants for admission. Marquette was a good law school, but I thought we should be taking that next step to a higher level.

Convincing the law faculty that a sports law program was a logical step was not easy. The skepticism I mentioned was clearly present. "It's not academic enough," was the most frequent comment. Professor James Ghiardi and Associate Dean Charles Mentkowski deserve special recognition for developing a sound program and rationale for implementation. Professor Ghiardi has described this in detail in a prior article (*For the Record*, Vol. 20, #3).

From an administration point of view, funding for new programs becomes critical. The university budgets were very tight in those days, so finding some external sources of funding was necessary. Professor Greenberg and I embarked on a road trip to visit potential contributors. The professional sports franchises in Wisconsin proved to be generous partners in our venture. I recall that one of our first visits was with Judge Robert Perrins, who was then chairman of the Green Bay Packers. After carefully explaining the proposed program including the ethical aspect, the Judge asked Marquette Alum Bob Harlan to join us for further discussions. They agreed to help us with a contribution of \$50,000 and we were off and running. In later meetings with the Brewers, Bucks, and Admirals we always mentioned at the outset that the Packers were already onboard.

After the Law Faculty approved the concept of a sports law program and a National Sports Law Institute, obtaining University Administration approval was necessary. I presented the proposal to Dr. Frank Lazarus, then Vice President for Academic Affairs. He agreed to study the proposal and after several more meetings finally arrived at the same conclusion, that the NSLI could help differentiate Marquette Law School and attract high quality applicants.

Final approval by the University President was required. Marty Greenberg and I met with Father John P. Raynor, S.J. to seek such approval. Noting the affirmative vote of the Law Faculty and Academic Affairs, Father Raynor was impressed that we were able to obtain funding from sources that normally would not contribute to university appeals. He also proved to be an enthusiastic supporter of the NSLI. Professor Greenberg's prior comments described the grand press conference in Grimmelmann Hall that publically announced that NSLI was alive (*For the Record*, Vol. 20, #4).

And so, twenty years later, the hard work of those associated with the NSLI has demonstrated that confidence in Martin Greenberg's vision was not unfounded.



Nicola Sollinger

## The Development of Sports Law at Marquette

**Nicola Sollinger** (L'03), Counsel, Octagon, McLean, Virginia, and Member, Sports Law Alumni Association

People often ask me, "How did you get involved with sports law?" I begin with the enduring story of how my dad and I always made time to watch Wisconsin Badger and Green Bay Packer football games during the fall weekends or found ourselves glued to the television for two weeks during the Olympic Games. Sports were our connection. So naturally I began to follow sports, in addition to playing sports. I was never a stellar athlete, but I started finding the business behind the sports industry interesting.

When I was in college, "Jerry Maguire" was a blockbuster hit, and the appeal of working in the sports industry was heightened with the phrase, "Show Me the Money." Despite the glamorization of the agency life, I had no interest in pursuing such a path, but I was unsure of how I could find another career path in sports. I started reaching out and was able to secure an internship at a three-person sports agency/law firm during my last year of college. Although none of the agents went to Marquette Law School, all knew about the sports law program there, so I decided to look into what the school offered. At the time (even though it was only ten years ago), only two schools, Marquette and Tulane, had established sports law programs. Other law schools only had a sports law journal, perhaps one or two sports and entertainment law classes, and a small student-run sports society. As I researched both Marquette and Tulane, I decided that Marquette was a better fit for me for the following reasons: the internship programs, numerous alumni working in sports, a combination of professors and sports lawyers teaching the courses, and the variety of such courses. Marquette was the all-inclusive package I was looking for.

Every law school student remembers the trials and tribulations of first year. The numerous cases, the fear of the Socratic Method, the near-nervous breakdowns during exam week, and the constant question of "What did I get myself into?" To balance the stress of first year, I, along with several other first year students, found refuge in the National Sports Law Institute office. Professor Anderson always welcomed us into the office, and even as first-year students, he provided us with opportunities to discuss what sports law is, from volunteering at the annual NSLI conference to writing articles in the *For the Record* newsletter. To this day, I recall writing my first case summary about the Baltimore Ravens and a trademark infringement claim. Access to the NSLI expanded my knowledge of what careers are available in sports law, and how valuable a law degree can be when pursuing the dream sports job. Prior to Marquette, I thought jobs were only available at teams, leagues, agencies, and colleges. However, the sports law program brought in speakers who may not work in the traditional roles we often hear about on ESPN or read in Sports Illustrated.

One of most valuable aspects of the Sports Law program is the internship opportunities. Nothing in the classroom can compare to the real world experience. During my second year, I found myself interning in Miller Brewing Company's legal department. When most people think Miller, they first think beer, but Miller's involvement with sports is worldwide and ranges from venue sponsorships to athlete endorsements. My start date at Miller was September 11, 2001. The events that day changed the nature of my internship as I spent the semester reviewing force majeure clauses in every Miller sports-related agreement. That internship exposed me to a variety of agreements that are similar to the agreements I draft and review today. However, it wasn't until my internship at the United States Olympic Committee that I realized how important the Sports Law program was. When I interviewed with the USOC, I emphasized my sports laws courses, especially the Amateur Sports Law course taught by Professor Matt

Mitten. Looking back, I truly believe that the Sports Law program was a selling point in securing the USOC internship. Based on what I learned in the Amateur Sports Law course, I knew about several important USOC cases and the structure of the USOC. My supervisor stated that it made sense to offer the USOC internship to a student enrolled in a sports law program. My participation in the Sports Law program was beginning to open doors. And whenever there was an opportunity for an internship, Professors Mitten and Anderson were there to provide guidance and helpful recommendations.

When I made my decision to attend Marquette University Law School in the fall of 2000, little did I know that I would end up at one of the biggest sports marketing, event management, and athlete representation firms in the world. The courses, internships, and opportunities led me to the USOC and eventually to Octagon, where I am currently Counsel and work primarily on golf, tennis, basketball, and special events, as well as with Olympic and Action Sports athletes.

When I am asked about how I ended up at Octagon or in the sports law industry, I simply state, “the Sports Law program at Marquette.” It’s a simple answer, because it’s true. The Sports Law program was my foundation. The support from the Marquette faculty and staff and the NSLI are outstanding, and there truly is no other program like the Marquette Sports Law program. I am truly indebted to the Sports Law program, the National Sports Law Institute, and the countless opportunities afforded to me at Marquette.



Brent Moberg

## Marquette Sports Law: A Launching Pad for Learning and for Careers

By **Brent Moberg** (L’04, M.B.A. ‘04), Director of Compliance, University of Notre Dame, Notre Dame, Indiana, and Member, Sports Law Alumni Association

*Executive Editor, Marquette Sports Law Review, 2003-2004, and NSLI Research Assistant 2002-2004.*

As a young alumnus, my years as a student at Marquette University Law School were spent at a time when the National Sports Law Institute and the Sports Law program were no longer in their infancy. Accordingly, while I did not experience the early years of the NSLI and Sports Law program, as it grew and searched for its place within the law school, I was instead the beneficiary of the hard work of others that preceded me in shaping the program and was able to take advantage of opportunities for learning as the program continued to evolve.

While I can hardly deny that I have always been a huge sports fan, or that my years as an undergraduate at the University of Notre Dame had sparked early thoughts of investigating opportunities for a career in sports, the Sports Law program is not what brought me to Marquette. In fact, apparently before I had grasped the concept of due diligence, I applied for admission to the Law School without fully researching the opportunities at Marquette. At that time, I had no knowledge that the National Sports Law Institute or Sports Law program even existed. I simply decided that, although I was unsure what I wanted to do after law school, Marquette Law School was the place for me. However, throughout orientation and the first weeks of school as a 1L, when asked why I had come to Marquette and what I planned to do after law school, answering, “I’m not sure yet,” seemed rather thin when compared to, “I’m here for sports law” echoed by so many of my classmates. However, although I had been unsure of my own path, I quickly became involved in the various opportunities available through the Institute.

It was at the fall Alumni Career Panel that I first became aware of the possibility of NCAA Compliance as a career option while speaking with an alumnus working in the field. As the first year progressed, following the fall “Intellectual Property Issues in Sports” Conference and Master of the Game Award Dinner, I began to more seriously and concretely consider the pursuit of sports law. I then received a fall sports law internship at the University of Wisconsin-Whitewater, and attended a summer NCAA Compliance Conference, none of which had been a blip on my radar when I entered law school, or before I understood the value of professional networking, something that I quickly learned through my association with the NSLI.

During my second year at Marquette, I began to take the available sports law courses and participated in both the *Marquette Sports Law Review* and *Intellectual Property Law Review*, recognizing that pursuing a sports law related topic enhanced my enthusiasm for learning substantive issues in intellectual property law. The sports law courses themselves further energized my learning experience, providing exposure to numerous areas of law that I might not have otherwise encountered during law school. Because of the NSLI and the Sports Law program, law school became an entirely new experience for me, as with each new law school course, I increasingly found connections to sports, fueling my passion for both sports and the law.

In the spring of my second year, yet another opportunity presented itself with the arrival of the JD/MBA in Sports Business dual degree program. As my second summer began I found myself once again doing something through Marquette Sports Law that I had never previously contemplated, pursuing a business education. Thankfully, once again the Sports Law Program had presented a new avenue to enhance my learning in areas of sports law and sports business.

During my final year at Marquette I continued with my established pattern of attending conferences and making essential contacts with alumni and others in the sports industry. I also worked in internships with a local high school athletic department, a stadium naming rights project in minor league baseball, and in the Marquette Athletic Department’s Compliance Office. I constantly pursued opportunities available through the NSLI while completing both degree programs. As my time at Marquette came to a close, although I chose to pursue a career in sports, it was readily apparent to me that my association with the NSLI and the Sports Law program had provided an exceptional foundation for my legal education that could have equally set me on a more traditional path to success in the practice of law.

As I reflect now, I cannot overstate my gratitude to all those associated with the National Sports Law Institute. Since leaving Marquette, I have been honored to remain connected with the Sports Law program in various ways through the efforts of Paul Anderson, have been excited to speak to students at the law school while visiting Amateur Sports Law Workshops and Alumni Career Panels, and was able to host internships for Sports Law students during my time at Northern Illinois University. The young lawyers associated with the NSLI and Sports Law program continue to be of the highest quality, and the events hosted by the NSLI stand as superb opportunities for both attorneys and students to gain knowledge and expand professional networks by interacting with industry leaders throughout the sports law landscape.

I am honored and humbled to offer my congratulations to the National Sports Law Institute and to the Sports Law program on an amazing twenty years. There is no doubt the Marquette Sports Law program stands as the premier Sports Law program in the world, offering superb educational opportunities for attorneys and law students in a multitude of sports law and sports business areas. Under the leadership of Director Matt Mitten and with the tireless efforts of Associate Director Paul Anderson in building and enhancing the Sports Law Alumni network, the future is bright for Sports Law at Marquette with

amazing events and future elite sports lawyers on the horizon. Along with my fellow alumni, I am proud of the achievements of those that follow and look forward eagerly to what lies ahead.



Lauren McCoy

## The Pursuit of Sports Law (or How I Learned to Love the Law)

By Lauren McCoy (L'09), Murrysville, Pennsylvania, and Member, Sports Law Alumni Association

My search for the perfect law school four years ago was directed primarily towards sports law. It was my one great passion that I often encouraged with dreams of grandeur. Ironically, it was during a sporting event that I discovered the National Sports Law Institute. As I went through the brochures I had collected while watching basketball on television, it was my belief that the best sports law programs would have no more than a few courses. But when I opened Marquette's brochure and discovered its impressive sports law curriculum, I immediately knew that Marquette was my first choice.

When I applied to Marquette, I utilized that single-minded focus and wrote of my perceptions of sports law in my admissions essay. I wrote specifically of my feelings after a thrilling basketball game that ended with a gut-wrenching buzzer beater. At the time, that was the whole of my knowledge of sports law. While aware of the business aspects, I saw myself participating in the splendor and attending all sporting events, without taking in much of the substance of what sports law entails. In fact, all I knew is that I wanted to be a lawyer who worked in sports. Choosing Marquette and the NSLI turned out to be one of the best decisions of my life, in terms of nurturing and supporting my dreams, and preparing me for success as an attorney.

I quickly discovered during my first year at Marquette that I was among familiar company. Many of my fellow students had traveled hundreds of miles to Marquette just for the opportunity to study sports law. The NSLI had become a nationally recognized leader of sports law curriculum and part of Marquette's appeal by the time I enrolled in the fall of 2006. While the first year students have to wait until our second year to get fully involved in the program, we were welcomed from day one through a sports law mixer and other related activities. Apart from classes, there were a number of events and social outings conducted by the NSLI and the Sports Law Society, meant to introduce us to others who chose a similar career path and how they got to where they are now. These events also increased our knowledge of sports law and current events, and made me that much more excited to learn about sports law.

The successes of the NSLI and the Sports Law program became more recognizable to me based on my own experiences by the time I was able to take sports law classes. I was so focused on getting my Sports Law Certificate that, during my second year at Marquette, I only took classes directly connected to the Sports Law program or perspective courses intended to supplement the requirements for the Sports Law Certificate. In these courses I learned about more than just sports law, I also gained the necessary tools to be a successful lawyer. As I grew fond of various legal fields and felt that I improved my skills as a future lawyer, I quickly realized that sports law is simply the study of law in a sports setting. This theory helped amplify my confidence as an attorney, because I was able to learn all I needed, while following a career that I loved.

Furthermore, the Sports Law program made me become a better writer through the *Marquette Sports Law Review*. Working on a legal publication is often tedious and time-consuming, but I would do it all

again if I had to because that experience was undoubtedly useful when I wrote and then sought publishers for my own legal analysis. Without the knowledge and contacts I gained through the NSLI, I would not have had an article published before I left law school.

More important than classroom knowledge, the NSLI gave me actual business experience and contacts. All students seeking the Sports Law certificate are required to complete a sports-related internship during their second or third year. Each student is given the chance to meet with Professor Anderson to discuss their specific interests in sports law. This information is used to match each participating student to an appropriate internship. I was fortunate enough to work with the Milwaukee Bucks and later the Hicks Sports Group in Texas. Through these internships, I began to pick up on the day-to-day responsibilities of legal counsel for a professional team, received the experience I will need to pursue this career in the future, while establishing contacts I could maintain through the rest of my career.

These professional sports internships are just one of the many opportunities that allow students each year to gain experience in the illusive world of sports. Sports internship opportunities are exceedingly rare, and it is great to have a place like the NSLI as a starting point. Additionally, the various internships available to students have the effect of enhancing one's general base of legal knowledge. I have no doubt that I will be a better lawyer in the future, regardless of whether I obtain sports-related employment, because of the experience and contacts I gained through the Sports Law program.

In twenty years, the NSLI has come a long way. The program has been able to grow in terms of size and recognition, at Marquette Law School and in the greater sports law community, under the guidance of Professors Anderson, Greenberg and Mitten along with the countless others who have made the program what it is today. Their enthusiasm for sports law and their desire to teach others has inspired many students like me, and I, for one, will be forever grateful for the education I received under their tutelage. My experiences with the NSLI taught me the lessons I needed to be a successful attorney and the tools required to achieve that same success in sports law. I have no doubt that the NSLI and the Sports Law program will continue to guide future students in the same way.



Alex Porteshawver

## Marquette University & Sports Law: A Winning Combination

By **Alex Porteshawver** (L'10), Editor-in-Chief, *Marquette Sports Law Review*, 2009-2010.

The presence of the National Sports Law Institute is why I decided to come to Marquette University Law School. After spending two years heavily involved with the program, I feel that I could not have made a better decision. The Institute and the Sports Law program have provided me with so many opportunities to pursue my passion. While I admit that I really had no idea what it meant to be a sports lawyer, I quickly learned that it was not just about sports law. To be successful in the sports world, you must be a fantastic lawyer, with knowledge in a wide variety of areas.

I had great opportunities to build this foundation in my first year courses, and then dove in to the sports law curriculum my second year. I have taken courses focused on the general practice of professional sports law, the legal issues and trends surrounding stadiums and venues, and have conducted in-depth legal research on a current sports law topic. Perhaps the best experience for me thus far, is my time spent as a member of the *Marquette Sports Law Review*. I made sure to take advantage of this great opportunity my second year, and worked hard to grasp sports law concepts while I reviewed and edited articles. I am even more excited about the current academic year and am privileged to serve as the

Review's Editor-in-Chief. I know this upcoming year will teach me invaluable legal writing and editing skills, managerial skills, and help me better understand a variety of legal issues and trends. I expect it to be challenging, but also immensely rewarding.

I also am excited about my internship with the Southeast Wisconsin Professional Baseball District. Arranged by the Institute, this internship allowed me cultivate my passion for baseball, and to dive into facility finance, operation, and management. More important, Professor Anderson considered my specific interests when placing me in this internship.

Finally, the network of individuals that students have access to is truly great. These individuals are employed in a variety of areas and fields, but are always willing to speak with students whether it is at an informal lunch meeting or during the annual sports law conferences. Each event I attend helps me to realize just how much this program has meant to Marquette Law School graduates in their personal and professional development. I also understand more and more that the success of the program is due not only to the continued support of the alumni, but to the continued hard work of Professors Anderson and Mitten. I feel fortunate for the time I have spent in the program.



Nick Walls

## My Sports Law Experience at Marquette University Law School

By **Nick Walls** (L'10), President, Marquette University Law School, Sports Law Society.

As a first-year student arriving at Marquette University Law School, I was a little overwhelmed, and I was not quite sure what direction I would take. I had heard about the Sports Law program but it was more of a vague concept than anything concrete. Fortunately, I got involved with the Sports Law program right away and did not stop. I am now a third year student with the prospect of graduation on the horizon. As a result of being involved with the Sports Law program, the unsure and overwhelming feeling I had as a first year student has been replaced with direction and purpose.

As I mentioned earlier, sports law was a vague concept to me at first, and I was not sure how it would apply in a classroom setting. Through the various sports law courses I have taken one thing has become very clear; sports law is not a specific discipline, rather it encompasses a number of different legal disciplines. It ranges from constitutional and tort law in a college or high school setting, to contract and property law in the professional setting. Beyond the classroom, I have also become involved in the Sports Law Society, which is the social arm of the Sports Law program that is run by students. In its own way, the Society helped me grow as a sports law student. It allowed me to feel comfortable around my classmates and professors, which quelled any apprehension I had towards pursuing sports law. Currently, I am the president of the Sports Law Society, and I hope to help have that same effect on this year's 1L class.

The National Sports Law Institute is another aspect of sports law at Marquette University Law School. It is unique in that it is a sports law organization directly associated with a top law school. The benefit of that unique attribute is that Marquette University Law School is the epicenter of developments within sports and the law. I had underestimated the breadth and depth of the program before I began school here but have since began to grasp the caliber of people the Institute attracts. Just this last semester one of my sports law classes had the opportunity to hear Major League Baseball Commissioner Bud Selig guest lecture on four separate occasions. Additionally, with the Institute located right here at our law

school, Marquette and Milwaukee plays host to a number of different conferences and gatherings each year, which serve as invaluable networking opportunities for a student looking to get into the sports law field.

In the future I hope to be employed in the sports law field in some capacity. If this becomes a reality I will no doubt employ the knowledge and skill I have acquired from the Sports Law program at Marquette University Law School.

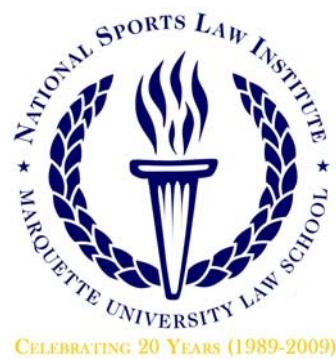
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## Sports Law Research Website

The National Sports Law Institute of Marquette University Law School has created a free sports law research website — <http://law.marquette.edu/jw/research>. The site provides links to useful information for sports lawyers, sports law students and faculty, sports journalists, and sports industry professionals. Information that can be found on the site includes:

- Sports Law Cases
- Sports Law Periodicals
- Sports Law Documents
- Sports Law Academic Resources
- Sports Organizations
- International Sports Law Resources
- General Sports Law Research Information
- Sports Facility Research

The site also contains links to other Institute websites including:



- The NSLI's Organizational Documents webpage → <http://law.marquette.edu/jw/sldocs>.

This site contains links to many sports industry documents that are available online, including professional sports league collective bargaining agreements, NCAA manuals & publications, college coaching contracts, international competition rules and decisions, state high school athletic association manuals, and various federal government materials related to sports.

- The NSLI's Sports Links webpage → <http://law.marquette.edu/jw/links>.

This site contains an extensive listing of links to webpages within the sports industry, including links in the following categories: Sports and Sports Law on Twitter, Sports and Sports Law Blogs, Sports News, Sports Law Periodicals, Sports and Sports Law Academic & Research Organizations, Sports and Sports Law Information, NSLI Sports Law Career Website, Professional Sports Organizations, Amateur Sports Organizations, International Sports Organizations, Other Sports Organizations, Sports and Sports Law Membership Associations, State/City Bar Sports Law Committees/Divisions/Sections, Sports and Sports Law Conferences & Seminars, and many other useful sites.

## **THE NATIONAL SPORTS LAW INSTITUTE: THE DEVELOPMENT OF THE SPORTS LAW PROGRAM**

Founded in 1989, the National Sports Law Institute (NSLI) is affiliated with Marquette's Sports Law program. Its 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. During 2009, each issue of **For The Record** provides a retrospective on various areas the NSLI has focused on for the past 20 years. This final issue focuses on the academic components of Marquette University Law School's Sports Law program.



CELEBRATING 20 YEARS (1989-2009)

### **SPORTS LAW CURRICULUM**

The first sports law course taught at Marquette was Negotiating and Drafting of Personal Service Contracts, taught by Professor Martin Greenberg for the first time in the spring of 1979. By 1981 the course was renamed Personal Service Contracts.

By the time the National Sports Law Institute was founded in 1989, the curriculum had expanded to include two courses, Sports Contracts and Negotiations and Regulation of Amateur Athletics. By 1994 a Contemporary Issues in Sports Law Course had been added to the curriculum.

In 1997, under the direction of the Sports Law Committee appointed by Dean Howard Eisenberg and the guidance of Interim Director J. Gordon Hylton, the curriculum expanded to include six courses:

- Sports Law, a 3 credit open enrollment course,
- Sports Industry Contracts and Negotiations, Regulation of Amateur Athletics, and Regulation of Professional Athletics, all 2 credit workshops, and
- Contemporary Issues in Sports Law and Sport, Law and Society, both 2 credit seminars.

In 1999, under the guidance of Director Matt Mitten, the curriculum was reorganized and expanded to include seven courses:

- Professional Sports Law and Amateur Sports Law, both 3 credit open enrollment courses,
- Sports Industry Contracts and Negotiations and Sports Industry Legal and Business Practices, both 2 credit workshops,
- The Sport, Law and Society seminar and a new seminar called Selected Topics in Sports Law, and
- A legal research workshop called Topics in Advanced Legal Research: Sports Law.

Over the past decade, further refinements have been made to the curriculum. The Sports Industry Contracts and Negotiations workshop has been replaced by two new workshops titled Sports Venues: From Election Day to Game Day and Representing Professional Athletes and Coaches. A new Amateur

Sports Law workshop has been added to the curriculum. An International Sports Law seminar and an Accounting and Tax Aspects of Professional Sports workshop have also been offered periodically.

The current sports law curriculum at Marquette remains the most extensive in the United States and includes the following courses:

1. Amateur Sports Law
2. Amateur Sports Law Workshop
3. Current Issues in Sports Law: Sports Industry Governance (a new course added in 2009)
4. Professional Sports Law
5. Representing Professional Athletes and Coaches Workshop
6. Selected Topics in Sports Law Seminar
7. Sport, Law and Society Seminar
8. Sports Industry Legal and Business Practices Workshop
9. Sports Venues: From Election Day to Game Day Workshop
10. Topics in Advanced Legal Research: Sports Law

### **SPORTS LAW FACULTY**

Over the past 20 years, Marquette University Law School has benefited from the expertise of many highly qualified full time and adjunct professors who have taught various sports law courses at the law school. These faculty members include

- Paul Anderson (L'95), Adjunct Professor of Law and Associate Director of the National Sports Law Institute, Regulation of Amateur Athletics, The Law of Amateur Athletics, Amateur Sports Law Workshop, Sport, Law and Society Seminar, Selected Topics in Sports Law Seminar, and Topics in Advanced Legal Research—Sports Law.
- Mary K. Braza, Partner and Chair, Sports Industry Team, Foley & Lardner LLP, Milwaukee, Wisconsin, Current Issues in Sports Law: Sports Industry Governance.
- Patricia Cervenka, Professor of Law and Director, Marquette University Law Library, Selected Topics in Sports Law Seminar.
- Shawn Eichorst (L'95), Executive Associate Athletic Director, University of Wisconsin, Madison, Wisconsin, Amateur Sports Law Workshop.
- James Gray (L'90), Sport & Recreation Management Program Director, Marian University, Fond du Lac, Wisconsin, Regulation of Amateur Athletics and Contemporary Issues in Sports Law.
- Martin J. Greenberg (L'71), Managing Partner, Greenberg & Hoeschen, LLC, Chair of the Board, Wisconsin Sports Development Corporation, and Member, Southeast Wisconsin Professional Baseball Park District, Sports Contracts and Negotiations, Regulation of Amateur Athletics, Sports Venues: From Election Day to Game Day, and Representing Professional Athletes and Coaches.



**CELEBRATING 20 YEARS (1989-2009)**

- Brad Hoeschen (L'01), Partner, Greenberg & Hoeschen, Milwaukee, Wisconsin, Representing Professional Athletes and Coaches.
- J. Gordon Hylton, Professor of Law, Marquette University Law School, Milwaukee, WI, and Visiting Professor of Law, University of Virginia, Charlottesville, Virginia, Sport, Law and Society and Selected Topics in Sports Law Seminars, and Sports Law.
- Robert E. Leib, President and CEO, Leib Advisors, LLC, & THE LEIB GROUP, LLC, Mequon, Wisconsin, Accounting and Tax Aspects of Professional Sports Workshop.
- Jim McKeown, Partner, Chair, Antitrust Practice Group, Foley & Lardner LLP, Milwaukee, Wisconsin, Current Issues in Sports Law: Sports Industry Governance.
- Matthew Mitten, Professor of Law and Director of the National Sports Law Institute, Amateur Sports Law, Comparative Sports Law, Professional Sports Law, and the Selected Topics in Sports Law Seminar.
- Kathryn Statz (L'00), Associate Athletic Director, Varsity Sports, DePaul University, Chicago, Illinois, Amateur Sports Law Workshop.
- Ron Walter, Vice President and Alternate Governor, Milwaukee Bucks, Inc., Milwaukee, Wisconsin, Sports Industry Legal and Business Practices.

In addition, James Nafziger, Visiting Boden Professor, the Thomas B. Stoel Professor of Law and Director, International Law Programs, at Willamette University College of Law, in Salem, Oregon, and Hayden Opie, the Director of Studies, Sports Law Program, Law School, at the University of Melbourne, in Victoria, Australia, have each visited the Law School for one semester and taught an International Sports Law course.

## INTERNSHIP PROGRAM



Since 1990, the National Sports Law Institute has developed and sponsored internship experiences for Marquette University Law School students. Today, under the supervision of the National Sports Law Institute's directors, students have the opportunity to gain valuable legal and business experience by participating in one semester volunteer sports law-related internships with several local sports teams and organizations as well as college and high school athletic departments.

Over the past twenty years the NSLI has offered internships with many organizations, including Conference USA, GameBreakers, LLC, Doleschal Sports Law Risk Management Program (Start Playing Safe), the Great Midwest Conference, Greenberg & Hoeschen, Intersport, The Leib Group, LLC, Marquette University's Athletic Department, MillerCoors (formerly Miller Brewing Company), the Milwaukee Brewers, the Milwaukee Bucks, the Milwaukee Mile, the Milwaukee Public Schools, the Milwaukee Wave, the Milwaukee Rampage, the Milwaukee Tennis & Education Foundation, Northern Illinois University, Pierski & Gray, LLP, the Pettit National Ice Center, ScheerGame Sports Development (formerly Stadium Game Management Group), South Milwaukee High School, the Southeast Wisconsin Professional Baseball Park District, \$port\$Bi\$ Cable Television Program, Team Marketing Report, Time Warner Cable, the University of Wisconsin—Green Bay, the University of Wisconsin - Madison, the University of Wisconsin-Milwaukee, the University of Wisconsin - Parkside, the University of

Wisconsin - Whitewater, Wedge Real Estate Acquisition, Wilson Sporting Goods, Wisconsin Sports Authority, Wisconsin State Fair Park, and the Wisconsin Sports Development Corporation

The National Sports Law Institute has also created an internship with Hicks Sports Group LLC, the holding company for the Dallas Stars National Hockey League club, Texas Rangers Major League Baseball team, and Mesquite Championship Rodeo. Each year a Marquette student is selected to work full-time during the summer and fall semesters in Dallas, Texas with Hicks Sports Group's Associate Counsel and other key company executives on a wide variety of sports-related legal and business issues while taking courses at Southern Methodist University's Dedman School of Law.

In addition, the NSLI has created an externship for students with the NIKE Legal Department at the company's world headquarters in Beaverton, Oregon. Each year a Marquette student is selected to work for a semester with NIKE's Sports Law Practice Group on a variety of sports-related legal matters, while taking courses at Lewis & Clark Law School.

Sports Law program students have been successful in obtaining internship experiences with organizations including the NCAA, United States Olympic Committee, the Charlotte Bobcats, Cleveland Browns, Mandalay Entertainment Group, Octagon, IMG, and many other organizations.

#### **MARQUETTE SPORTS LAW REVIEW (formerly MARQUETTE SPORTS LAW JOURNAL)**

Established in 1990 as the *Marquette Sports Law Journal*, the *Marquette Sports Law Review* was the first United States scholarly publication to focus on legal, ethical, and business issues related to professional and amateur athletics. Now in its nineteenth volume, the *Sports Law Review* is produced and edited by Marquette University Law School students and publishes articles and essays submitted by sports lawyers, sports industry professionals, law professors, and law students on a broad range of sports related topics. Since 1990, several hundred Marquette University Law School students have served as both members and editors of the *Sports Law Review*.

Several faculty members have served as faculty advisors for the *Sports Law Review* over the past two decades including, Professor John Kircher, Professor J. Gordon Hylton, Professor Matt Mitten and Professor Paul Anderson. In addition, an Advisory Board of Marquette University Law School faculty members assists in selecting the winner of the Joseph E. O'Neil Prize given to the student who produces the best student article published each year. An *Editors Alumni Board* made up of past Editors-in-Chief of the *Sports Law Review* provides periodic guidance to the current editors and faculty advisors.



The 2009-2010 *Marquette Sports Law Review* editorial board {from left}, Kristen Knauf, Alex Porteshawver, Jessica Baranko, and Lindsay Caldwell.

## **SPORTS LAW CERTIFICATE**

Since 2000, Marquette University Law School students (and SMU Law School students participating in Marquette's sports law exchange program with SMU) have had the opportunity to earn the National Sports Law Institute's Sports Law Certificate upon graduation from Marquette. In order to earn the Certificate, students must complete all of the following requirements:

1. Both introductory sports law survey courses (3 credits): Amateur Sports Law and Professional Sports Law.
2. A sports law workshop (2 credits): Amateur Sports Law Workshop, Representing Professional Athletes and Coaches, Sports Industry Legal and Business Practices, or Sports Venues: From Election Day To Game Day
3. The Selected Topics in Sports Law Seminar, the Sports, Law and Society Seminar, or a research paper on a sports law topic in another Law School seminar (2 credits).
4. Topics in Advanced Legal Research - Sports Law (1 credit).
5. One of the following courses: Alternative Dispute Resolution, Arbitration Workshop, Mediation Workshop, or Negotiation Workshop.
6. One or more of the following substantive law courses that significantly impact the sports industry: Antitrust Law, Business Associations, Constitutional Law 2: Speech and Equality, Disability Law, Education Law, Federal Income Taxation of Individuals, Intellectual Property Law, or Labor Law.
7. *Marquette Sports Law Review* staff position for a full academic year.
8. A one semester NSLI sponsored volunteer sports law internship.

Through the fall of 2009, 154 students have earned the NSLI's Sports Law Certificate.

## **J.D./M.B.A. IN SPORTS BUSINESS PROGRAM**

In 2002, prompted by the recommendation of its Board of Advisors, the National Sports Law Institute proposed the creation of a J.D./M.B.A. in sports business. The proposal was approved by the Law School and Marquette's College of Business Administration in 2003. The program enables students to earn both degrees in less time than if each degree were pursued separately (typically a total of four years). By also earning the National Sports Law Institute's Sports Law Certificate, Marquette students have the opportunity to combine their knowledge of sports law with a graduate business education that will provide them with a unique package of educational credentials that promises to be attractive to sports industry employers. Graduates acquire knowledge and understanding of the theoretical and practical legal and business issues likely to be encountered by sport organizations in the 21st century. The hallmark of the joint degree program is the readily transferable legal and business knowledge and skills learned in both programs, which can be applied to a wide range of employment opportunities outside the sports industry. Graduates of the joint program include: Henry Abromson (L'04), corporate, intellectual property, sports & entertainment and cyber law, Abromson Law Group, Frederick, Maryland; Brent Moberg (L'04), Director of Compliance, University of Notre Dame, South Bend, Indiana; Megan Ryther (L'07), Associate Attorney, Quarles & Brady LLP, Milwaukee, Wisconsin; Brent Showalter (L'07), Associate Attorney, Ice Miller, Indianapolis, Indiana; and Andrew David Hohenstein (L'09), Associate Attorney, Ropes & Gray LLP, Boston, Massachusetts.

## **L.L.M. IN SPORTS LAW**

In 2007, Marquette University's Board of Trustees approved the offering of a Master of Laws (LL.M.) in Sports Law for those with non-U.S. law degrees. This is the first graduate degree in Sports Law offered by a United States law school. The program provides lawyers trained at foreign law schools with both theoretical and practical education concerning legal regulation of the United States amateur and professional sports industries as well as Olympic sports. The first student to receive the L.L.M. in Sports Law will be Tasuku Horita (Japan) who will graduate in December, 2009.

## **SPORTS LAW SOCIETY**

In 1992, in response to the interest of students who wanted to learn more about sports law while supporting the National Sports Law Institute, several students formed the Sports Law Society. Over the past two decades hundreds of students have joined the Society, culminating in a membership of 107 students in 2009. Members of the Sports Law Society continue to assist the Directors of the National Sports Law Institute by supporting the Institute's events and research projects. The Society co-sponsors Marquette's annual sports law golf outing and hosts many sports industry speakers. The Society also hosts many social events for its members including tours of sports facilities, attendance at games, and work with various charitable organizations (e.g., the Wisconsin Sports Development Corporation and Midwest Athletes Against Childhood Cancer Fund).

## **SPORTS LAW COMPETITIONS**

For the past ten years, the National Sports Law Institute has sponsored a team of Marquette University Law School students who compete in the Mardi Gras Invitational National Sports Law Competition at Tulane University Law School. The 2010 Sports Law Moot Court team consists of 3Ls Jessica Baranko, Lindsey Caldwell and Nicole Standback.

Since 2009, the National Sports Law Institute has also sponsored a team of Marquette students who compete in the Annual National Baseball Arbitration Competition held at Tulane University Law School. The 2010 team consists of 3Ls Scott Chandler and Brittany Van Roo.

## **STUDENT AWARDS, SCHOLARSHIPS & WRITING COMPETITIONS**

During the past twenty years the NSLI has established several student awards and scholarship funds to provide financial support to students including the following:

- Created in 2009, the **Anne Wall Brand Protection Award** is given annually to the J.D. or joint J.D./M.B.A. student at Marquette University who is judged to have written the best article on "sports brand protection."
- Created in 2004, the **Annual Sports Law Alumni Achievement Award** is given to a second year student based on his or her performance in sports law courses taken at the Law School, membership in and performance as a member of the *Marquette Sports Law Review*, membership in and service to the Marquette University Law School Sports Law Society, and attendance at, and service to, NSLI and Sports Law Program events and activities.

- Created in 2001, the **Annual Sports Law Alumni Scholarships** are awarded annually to the editors of the *Sports Law Review*. The scholarship fund is supported by members of the Sports Law Alumni Association as an expression of their support for the Institute, Sports Law Program, and particularly the *Marquette Sports Law Review*.
- Created in 1997, the **Francis D. & Jane Keogh Kelly Scholarship** recognizes a student in the Sports Law Program at Marquette for his or her excellence in the study of sports law and his or her service to the Sports Law Program. It is given each year to the Editor-in-Chief of the *Marquette Sports Law Review* in support of his or her extraordinary service to the Sports Law Program.
- Created in 1995, the **Joseph E. O'Neill Prize for Student Writing** is awarded to the student who has published the best article in the *Marquette Sports Law Review* during the current academic year as judged by the *Sports Law Review's* Advisory Board.
- Created in 2000, the **Joseph E. Tierney Jr. Award** is given annually to the student in the Sports Law Program who graduates with the highest grade point average in sports law classes taken while completing the requirements for the Sports Law Certificate.
- Created in 2002, the **Martin J. Greenberg Award for excellence in the study of sports law** is given annually to the third year law student who has excelled in the study of sports law and service to the Sports Law Program.
- Created in 1997, the **Martin J. Greenberg Venue Award** was created through the generosity of the Greenberg family trust and is given annually to a student in the "Sports Venues; From Election Day to Game Day" Seminar taught by Professor Martin J. Greenberg for his/her performance in the class and contribution to the Sports Law Program at Marquette University Law School.

In 2009, the NSLI created the **National Sports Law Student Writing Competition**. The goal of this annual competition is to encourage law student scholarship on current topics in sports law. Any law student in good standing who is currently attending an accredited law school within the United States and its territories may enter the competition. The winner of the competition receives complimentary registration for the National Sports Law Institute's annual fall conference and an offer to publish his or her article in the *Marquette Sports Law Review*.



**CELEBRATING 20 YEARS (1989-2009)**

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**For The Record** is a forum for sports law, business and ethical issues. It endeavors to provide current, practical information as well as public policy and scholarly viewpoints that are of professional and academic interest to NSLI members and interested parties.

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The opinions expressed in **For The Record** are those of the authors and do not represent the opinions, policies, or views of the NSLI, Marquette University Law School, or Marquette University.

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