

Sports Law

Fall 2009

Professor Andrew Brandt

COURSE DESCRIPTION

This course will introduce students to the core substantive areas of law relevant to the business of sports, as well as the practical application and impact of such laws. The course focuses primarily on professional sports leagues and restraints that players face. Naturally, my experiences and real-life stories will be a large part of the learning process, although not the main focus of the class.

We will have discussion in each class about current events in the sports business and legal realm; these discussions are integral to real-world deliberations of these topics.

Through classroom lectures and interactive discussions, students will gain an understanding of the creation and regulation of professional athletics, antitrust and labor law, organizational structures of leagues and associations, and labor relations. In-class problem solving will be utilized extensively to expose students to the application of the law to particular situations.

I will assign students to present cases and/or arguments in negotiations in each class. Participation in class discussions/in class exercises is *strongly encouraged* and will be weighted in the final grades.

Due to the possibility of my missing class due to other obligations and the possibility of guest speakers, the syllabus will necessarily be flexible.

REQUIRED TEXT & MATERIALS

Weiler and Roberts, *Sports and the Law* (3rd Ed.)

Additional cases and materials as assigned

SUPPLEMENTAL MATERIALS:

Regular reading of *The National Football Post* is required ☺ Also, newspapers and magazines pertinent to the sports industry is strongly suggested, especially the *Sports Business Journal* and the *Sports Business Daily*. Other important sports publications are *Sports Illustrated*, *The Sporting News*, and *the USA Today*. ESPN's *SportsCenter* and E:60 and HBO's *Real Sports* are all recommended media sources as well. Helpful websites beyond nationalfootballpost.com are *SportsBiz with Darren Rovell*, *Sports law blog*, the *HuffingtonPost*, etc.

COURSE METHOD OF INSTRUCTION:

Class sessions will follow a lecture/discussion format. I will be calling on students and will start discussions, as will experiential exercises, videos, and case studies.

PARTICIPATION:

Class participation can result in a half grade upward or downward departure (i.e. an A- to an A, or a B+ to a B). Students are expected to be prepared for every class. Attendance will be noted, but attendance is not participation! The quality of participation, as reflected in careful reading and thorough analysis of the assigned materials, is important. It is also important to build upon other students' comments. This requires attentive listening. Class participation will be judged on the basis of quality and consistency upon a weekly basis. Students are encouraged to discuss the adequacy of their participation with the professor.

EXAM/PAPER AND ASSIGNMENT POLICIES:

I will advise early in the semester as to whether there will be a paper, exam or both.

COURSE OUTLINE/CALENDAR:

The schedule below is a tentative one and is subject to change. Any changes will be announced to class members.

Weeks One and Two***Moral Integrity of the Sport: Role of the Commissioner and the Law***

Pp. 5-100; supplemental materials

Weeks Three and Four***Contract Law and the Baseball Antitrust Exemption***

Pp. 101-174; supplemental materials

Weeks Five, Six and Seven***From Antitrust to Labor Law; The Labor Exemption***

Pp. 175-262; supplemental materials, negotiation exercise

Weeks Eight, Nine and Ten***Labor Law & Collective Bargaining***

Pp. 262-361; supplemental materials, negotiation exercises.

Weeks Eleven and Twelve***Agent Representation of the Athlete***

Pp. 362-430; supplemental materials, negotiation exercise

Week Thirteen***Title IX; Miscellaneous Topics***

Pp. 904-978; supplemental materials

