WINTER 2006 ELECTIVE COURSE INFORMATION
UMKC School of Law

COURSE NAME: Sports Law

COURSE NUMBER: Law 890

PROFESSOR: Greg Cotton

ESSENTIAL PREREQUISITES: None

DESIRABLE PREREQUISITES: None

COURSE BOOKS:
Sports Law and Regulation Cases, Materials, and Problems
By Mitten, Davis, Smith, Berry 2005

METHOD OF GRADING & APPRAISAL OF STUDENT FOR GRADE:
The course will be graded on the basis of a single, three-hour closed-book final examination, class participation and attendance.

Twenty percent (20%) of the points making up your final grade in this class will be based on your class participation and attendance. Students are expected to have read the materials assigned for each class, and be prepared to brief the cases and to discuss the assigned materials.

SUMMARY DESCRIPTION OF COURSE:
The course examines amateur and professional sports law issues, focusing on the regulation of interscholastic, intercollegiate, Professional and Olympic sports. The course may include such topics as constitutional law, tort law, contract law, Title IX gender discrimination, federal disability discrimination laws, the legal characterization of college athletes, regulatory authority of the National Collegiate Athletic Association, antitrust law, international law affecting Olympic sports, trademark and unfair competition law, and regulation of private sports associations, intellectual property, sports broadcasting, and player agent representation issues.

COURSE CONTENT:
Subject Matter to Be Covered from the Text

1. Introduction to the Study of Sports Law
   a) What is Sports Law?
   b) The Significance of Sport and Sports Law
   c) Is the Study of Sports Law Marginalized?

2. Regulating Interscholastic (High School) Athletics
   a) Regulatory Framework for Interscholastic Athletics
   b) State Action
   c) Athlete Eligibility Issues
   d) Constitutional Issues
3. Regulating Intercollegiate Athletics
   a) Intercollegiate Athletics: The NCAA and the Rise of Regulation
   b) Defining the Student-Athlete and University Relationship
   c) First Amendment Rights Issues
   d) Judicial Deference to the NCAA
   e) The NCAA Rules Infraction Enforcement Process
   f) Antitrust Limitations on NCAA Regulatory Authority

4. Coaches Contract and Related Issues
   a) Is There a Property Interest in a Coaching Position
   b) Compensation Issues
   c) Contract Negotiation Exercise

5. Regulating Professional Athletics
   a) Origin and Evolution of Modern Professional Sports Industries
   b) Overview of the Legal Framework
   c) Internal League Governance and Commissioner Authority
   d) Antitrust Disputes Between Rival Sports Leagues and Organizations

6. Labor Law and Labor Relations
   a) Intersection of Antitrust and Labor Law
   b) Collective Bargaining in the Professional Sports Industries
   c) Drugs and Professional Team Sports

7. Regulating Agents
   a) The Nature of the Relationship
   b) Ethical Issues

Potential Additional Subjects to be Covered

A. Practical Considerations
   a. How do you get started practicing “Sports Law”
   b. Generalist vs. Specialist
      i. Antitrust
      ii. Intellectual Property
      iii. Finance
      iv. Business Transactions
      v. Rule Enforcement
      vi. Worker’s Compensation
      vii. Lease Negotiations and Agreements
      viii. Tort Law and Assumption of Risk
   c. The Art of the Deal and Dispute Resolution
   d. The Operations Side
      i. Compliance Issues Landlord / Recreation Authority
      ii. Suite and Concession Agreements
      iii. Insurance Issues
      iv. Sponsorships and Corporate Partnerships
      v. Registration and Enforcement of Logos and Trademarks
      vi. Corporate and League Reporting and Compliance
   e. Litigation Management
B. Stadium Financing and Naming Rights
   a. Process
      i. Enabling Document review
      ii. Sales Method and Marketing
      iii. Negotiation
      iv. Implementation and Service
   b. Negotiation of Agreement
      i. term
      ii. cooperation (*Buffalo Bisons* case)
      iii. compensation
      iv. expenses
      v. intellectual property rights
   c. Stadium financing options (focus on Missouri and Kansas)

C. Comparison of Emerging Issues in Professional and Minor League Sports
   a. New Media Broadcast Rights (Pod-casts, Pay-per-view, interior footage)
   b. Antitrust and the Single Entity System (*Copperweld* case)
      i. Per se vs. Rule of Reason
      ii. What are pro-competitive benefits? Which ones “count”? 
      iii. Revenue sharing and other alternatives
   c. NASCAR model
      i. independent contractors
      ii. no collective bargaining
      iii. promoter / sponsor instead of joint ownership or shared interest

D. Gender Equity Issues (from Text)
   a. Historical Perspective
   b. Gender Based Exclusion From A Particular Sport
   c. Equal Athletic Participation Opportunities, Benefits, and Treatment
   d. Adverse Effects of Title IX and Policy Implications

E. Potential Guest Lecturers
   a. representation of the Major League Baseball Player’s Association
   b. representation of major sports franchise
   c. athlete representation
   d. representation of sports regulatory agencies
   e. representation of National Federation of State High School Associations

F. Potential Value-Added Projects
   a. Draft Mock *Lease / Use Agreement* for Stadium / Arena
   b. Draft Mock *Naming Rights Sponsorship Agreement*
   c. Agent Negotiation and Salary Cap Management
   d. others

**RELEVANCY OF COURSE FOR CAREER PURPOSES:** The Sports Law Course is a survey course that will provide students a theoretical and practical framework to understanding the amateur and professional spots industries and to enable them to determine if their interest can develop into a career.