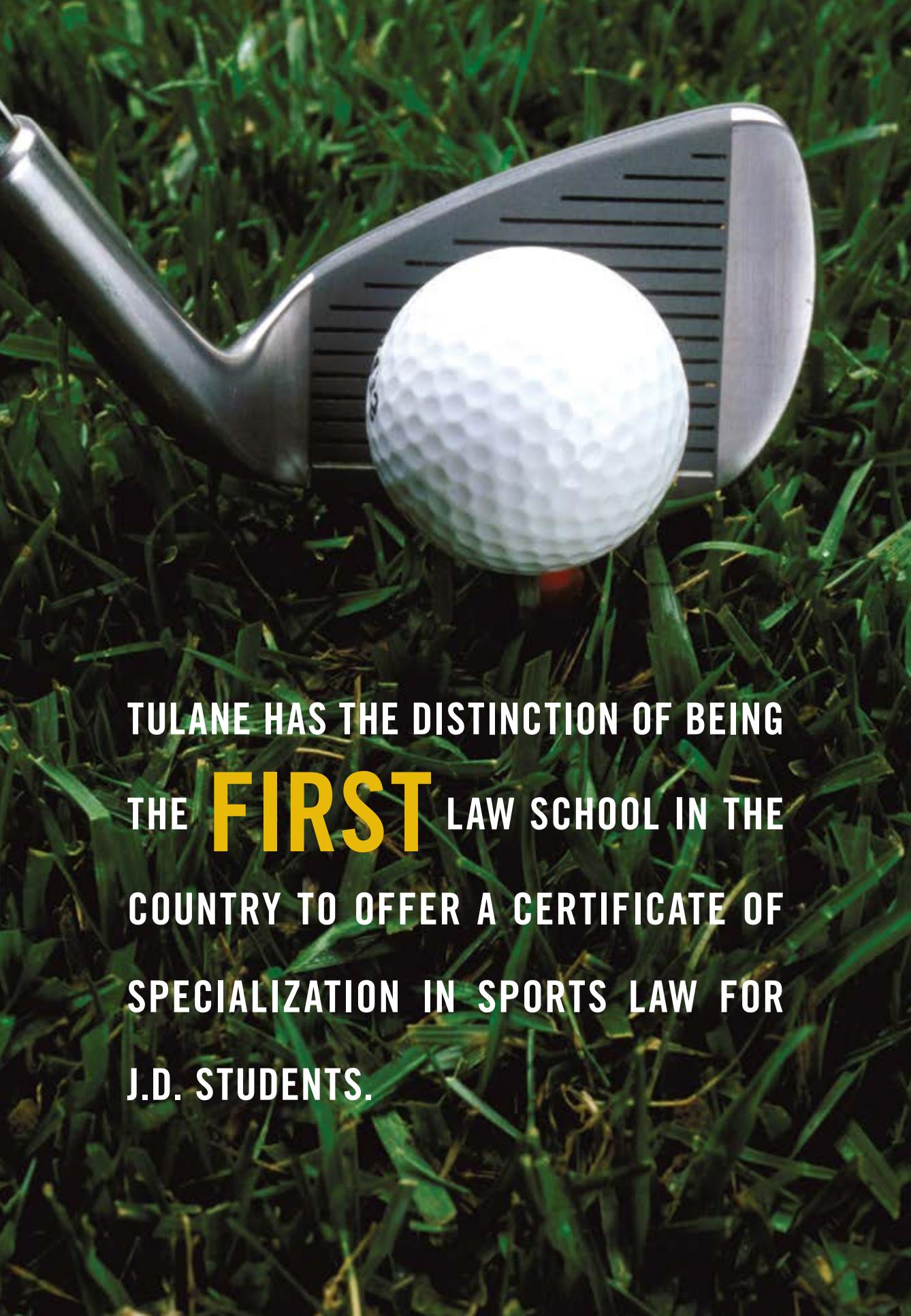


SPORTS & SOCIETY





TULANE HAS THE DISTINCTION OF BEING
THE **FIRST** LAW SCHOOL IN THE
COUNTRY TO OFFER A CERTIFICATE OF
SPECIALIZATION IN SPORTS LAW FOR
J.D. STUDENTS.

In 1993, Tulane University Law School drew upon its great heritage to become the nation's first law school to offer a certificate of specialization in sports law for J.D. students.

The program is a natural fit for the New Orleans area. Consider that the Superdome and Smoothie King Center are only a 10 minute ride away from the Law School, putting students within easy access to leading athletes, sports business leaders, and sports lawyers who come to town to attend the year-round slate of major sports events and conventions.

The steady pulse of this thriving athletic center is distinguished by the remarkable and regular stream of activity here: Superbowls, PGA tournaments, NCAA Men's and Women's Final Fours, Olympic Track and Field Trials, Sugar Bowls, professional tennis tournaments, BCS National Championship Games, NBA All-Star Games, the New Orleans Saints, Pelicans, Voodoo and Zephyrs, NCAA conventions, NFL owners' meetings, sporting goods and equipment trade shows, and coaches' conventions.

In this heady environment, Tulane Law School has taken the lead to create a program that will enable students to understand and deal with the challenging legal and business problems regularly confronting people in the sports industry.

JUST THE FACTS

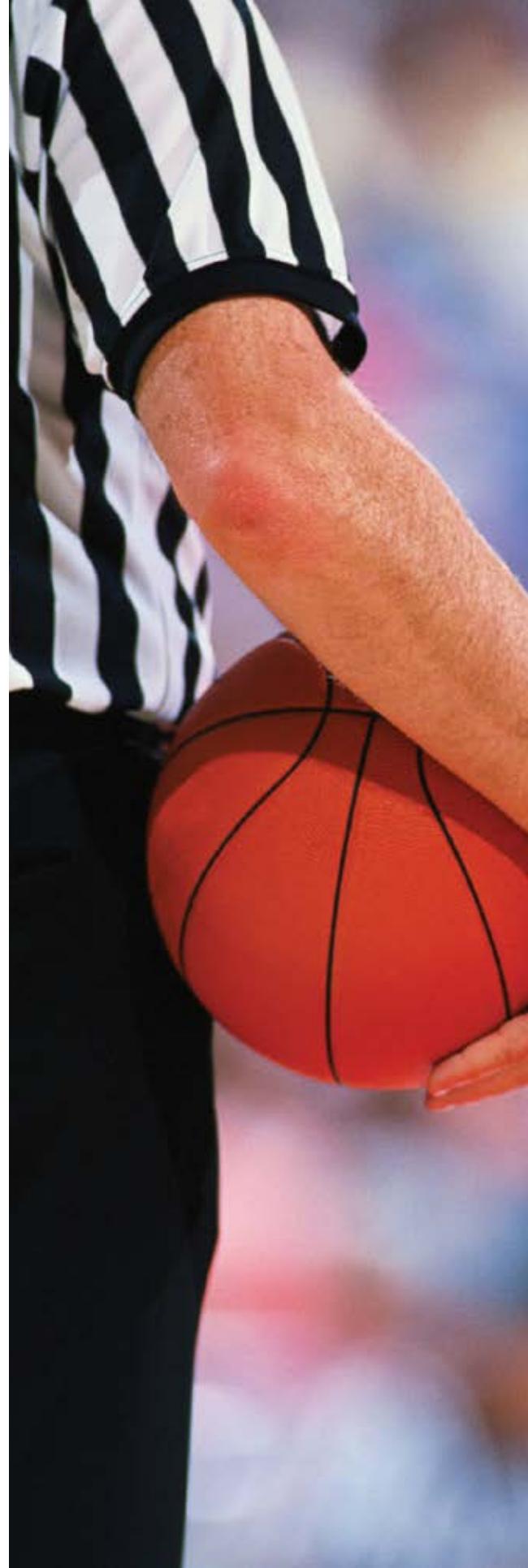
Sports fans love the vital stats on their favorite players. If law school programs had baseball cards, ours would contain the following:

- We're the first, and still only one of few schools in the country, to offer a Sports Law certificate of specialization. You earn it by completing a prescribed curriculum of subjects critical to a comprehensive understanding of the field, including two sports law courses covering professional and amateur sports.
- Our Sports Law Society regularly meets with important sports figures to hash out legal issues, and often sponsors public programs involving sports attorneys and business leaders.
- Our students annually edit *The Sports Lawyers Journal*, a national legal journal published by the Sports Lawyers Association. First published in 1993, the Journal has enjoyed impressive success as the most widely read legal sports journal in the country. *The Sports Lawyers Journal* also creates the legal problem for the Mardi Gras National Moot Court Competition held annually.
- Tulane law students have the opportunity to contribute to *The Sports Lawyer*, a monthly online newsletter written by our students. The newsletter has wide circulation among the nation's sports lawyers. The Sports Lawyers Association and the Tulane Sports Law Press also generate *The Sports Law Weekly*, an electronic newsletter that provides a concise summary of current sports law cases, news, and developments.





- Program director Professor Gabe Feldman joined the Tulane Law School faculty in 2005, after nearly five years as an associate at a Washington, D.C. law firm. He has extensive experience in the sports law field, including the representation of a variety of sports entities while in private practice, and he has continued his involvement with several different sports organizations. In 2010 Professor Feldman became Tulane's Associate Provost for NCAA Compliance. Professor Feldman has co-authored a casebook, *Sports Law: Cases & Materials*, and has spoken at conferences and panels throughout the country. He is also quoted regularly in the national media.
- Our students have the opportunity to intern for many professional sports teams such as the New Orleans Saints, New Orleans Pelicans, New York Jets, and the Tulane Athletics Department.
- Each year, the Sports Law Society hosts a National Baseball Arbitration and a Pro Football Negotiation Competition. These competitions emulate real-world salary arbitration and are modeled on procedures used by Major League Baseball and the National Football League.
- One of the professionals in our Career Development Office (CDO) works year-round to develop a network of contacts for our students interested in sports law careers. This CDO staff member also serves as liaison to the Sports Law Society and engages in employer development on behalf of our students.
- Each spring, Tulane's Moot Court Board hosts the Mardi Gras National Moot Court Competition based on a contemporary legal problem confronting the sports industry. Students assist in developing the problem and organizing the competition. The case problem and winning briefs are published every year in *The Sports Lawyers Journal*.
- Tulane's Continuing Legal Education Office co-sponsors the Sports Lawyers Association's annual three-day seminar held in a different city each year. Students may attend this outstanding event at no charge and can assist in developing the program. Dozens of Tulane law students have attended this premier conference of sports lawyers that has recently been held in San Francisco, Washington, D.C., San Diego, Orlando, Philadelphia, Baltimore, Phoenix, Toronto and Boston.
- In addition to enrolling in sports law courses, students have the opportunity to work with faculty as research assistants or pursue directed research on a specific area of sports law.



The Sports Law Certificate

To earn the certificate of specialization in sports law, students take a comprehensive set of courses, many of which would be present in any well-rounded legal education:

- All first-year courses
- Antitrust
- Labor Law
- Income Tax
- Intellectual Property
- Sports Law: Antitrust & Labor
- Sports Law: International & Intellectual Property

Three additional credits from among the following offerings:

- Alternative Dispute Resolution
- Business Enterprises
- Income Taxation
- Intercultural Negotiation & Mediation
- Mediation
- Negotiation & Mediation Advocacy
- Sports Law Seminar
- Any other course in the area of dispute resolution or negotiation approved by the program director.

The law school curriculum also includes many elective courses that would benefit students interested in the sports industry, such as:

- Administrative Advocacy
- Administrative Law
- Arbitration
- Copyright
- Entertainment Law
- Immigration Law
- Insurance
- Partnership Taxation
- Patent Law
- State & Local Government Law
- Trademarks & Unfair Competition





A SPORTS LAWYER
REPRESENTS CLIENTS
IN LEGAL AREAS IMPLICATED IN
THE CONTEXT OF THE **SPORTS**
INDUSTRY.

WHAT DO SPORTS LAWYERS DO?

So you want to be a sports lawyer. Sounds interesting, but you may be surprised to learn that there is no defined area of law called “sports law.” Rather, a sports lawyer is simply an attorney who represents clients in matters involving one or more legal areas that are implicated in the context of the sports industry.

Another important point—you might think the primary role for a sports lawyer is as a player’s agent, the individual who represents a professional athlete in contract negotiations with a team. But opportunities to become a player’s agent are rare. Other possibilities are more likely, and you might represent athletes or players in other contexts...

You could be counsel to one of the several hundred individual teams in major and minor sports leagues.

Go this route, and you’ll find yourself negotiating contracts with the team’s players, coaches, and other employees. Or, you might be negotiating leases with the stadium or arena, the practice facility, or the preseason training facility. You might find yourself coordinating litigation of all types, including labor, tort, trademark, or contract cases; handling grievances filed by players under the collective bargaining agreement or player contract; handling salary arbitration cases in baseball or hockey; and representing the team in all legal matters with the league.

You could be a lawyer for a player union.

As a union lawyer, you could find yourself involved in collective bargaining or handling the legal issues related to a strike or lockout. You might handle grievances filed for arbitration under a collective bargaining agreement. You might get involved in negotiating or administering a group licensing program, or in protecting the intellectual property rights that the union and players own. Or you might be instrumental in setting up and administering an agent certification program that screens and regulates the agents who negotiate contracts for the players.

You might end up negotiating endorsement deals or television or movie contracts for high-profile athletes.

You may represent a baseball or hockey player in salary arbitration. You could find yourself handling an immigration matter for a foreign player, or an appearance contract for a professional golfer or tennis player. You might become an expert in the substance abuse area and handle appeals of suspensions for positive drug tests. Or you might find yourself suing player-agents for negligence or malfeasance in the representation of players or the stewardship over their affairs. The range of issues in which athletes require legal representation is immense, and sports lawyers get involved in all of them.

You might represent the major or minor leagues themselves.

In this capacity, you could engage in collective bargaining with the players’ union, handle grievance arbitration, and deal with labor litigation at the National Labor Relations Board. You might advise the league commissioner on the legality of proposed rules or agreements, negotiate radio or television contracts, defend the league in suits challenging its rules and policies. Then there is establishing drug testing policies, negotiating trademark and licensing contracts, or acting as league liaison with various team counsels.

How about representing sports facilities and their management?

There are a host of contractual agreements to be negotiated for the facility, including those with sports teams, concessionaires, architects, government authorities, and contractors. You may also be asked to coordinate with outside counsel the defense of personal injury suits arising from injuries suffered by patrons of the facility.





Recent Sports Law Society Speakers from:

New York Jets
 Oakland Raiders
 New Orleans Saints
 New Orleans Pelicans
 Buffalo Sabres
 Los Angeles Lakers
 San Francisco Giants
 Advantage International
 SMG Sports Agency
 Octagon Sports Agency
 Tulane University Athletics
 National Basketball Association
 National Football League
 Sanex WTA Tennis Tour
 International Court of Arbitration for Sport
 Major League Baseball Players Association

Recent Sports Law Society Programs on:

Summer Internships in Sports Law
 Financing New Sports Facilities: Legal & Political Issues
 Annual Tulane National Baseball Arbitration Competition
 Annual Tulane Pro Football Negotiation Competition



Then there is representing sporting goods or equipment manufacturers or suppliers.

You would likely find yourself negotiating and enforcing sales, distribution, endorsement, and marketing contracts. There may also be the chance to lead a legal defense against personal injury claims arising from product defects. In the intellectual property area, you might get involved in creating, acquiring and protecting trademark or patent rights.

Representing coaches is always fun.

This is not confined to getting the coach out of a jam after he's slung a chair across the basketball court. Attorneys most often are negotiating employment contracts, endorsement deals, media appearances, and speaking fees. But you could also find yourself representing the coach in matters involving alleged infractions of NCAA or league rules.

You could represent a university.

There are any number of issues here, including negotiating and enforcing contracts for coaches and athletic administrators, defending the school against a wide variety of athletics law suits, developing compliance procedures for NCAA rules, representing the institution in infractions and eligibility matters before NCAA committees, and negotiating and enforcing facility, sponsorship, and event contracts.

The most likely scenario, though, is that you will develop expertise in an area of law with application to any number of industries and that you will work with a wide variety of clients. Your background in sports law, however, will position you to take special advantage of opportunities that arise for representation in the sports context. And if you're determined and proactive, you could find yourself attracting sports clients or being hired by the sports employer of your dreams.

You probably get the idea now. Sports law has a long reach into many substantive areas of law. Remember, the foundation beneath your sports law certificate will be three years at Tulane Law School gaining a superlative overall legal education. You will leave Tulane with a deep and abiding love for the power and elegance of the law. You will leave with the skills to practice law anywhere in the world, in any field you choose. Consider the sports certificate as an extra point in your favor.

Recent Articles in the Tulane-Edited Sports Lawyers Journal

- No Tying in Football? Reexamining the Sale of NFL Tickets
- Taxation of Professional U.S. Athletes in the U.S. and Canada
- Liability of High Schools and Coaches for Injuries to High School Pitchers' Arms
- Right of Publicity
- "Like Any Other Girl": Male-to-Female Transsexuals and Professional Sports
- How Do You Regulate Bad Spectator Sportsmanship?
- College Athletics and Workers' Compensation for Injured Student-Athletes
- Major League Baseball's New Drug Policy
- Trademark, Goodwill, Brand Devaluation, and the Neo-Political Correctness of College Athletics
- State-Sponsored Doping and Athletes' Human Rights
- Athletic Scholarships as Unconscionable Contracts of Adhesion
- Fantasy Trademark and Copyright Protection
- Boxing: Why It Should Be Down for the Count
- How Parents are Ruining Organized Youth Sports
- Status of Amateur Sports Officials
- European Sports, the Transfer System, and Competition Law
- University Liability for Field-Rushing Injuries
- Mixed Martial Arts: The Evolution of a Combat Sport and its Laws and Regulations
- Under Further Review: How NFL Network is Violating the Sherman Act
- Black and Blue: An Examination of Trademarking University Color Schemes
- The Robinson Rule: Models for Addressing Race Discrimination in the Hiring of NCAA Head Football Coaches
- The Tax-Exempt Status of the NCAA: Has the IRS Fumbled the Ball?
- High Standards for High School Athletes: Defamation Law and Tomorrow's Starts
- Flying Objects: Arena Liability for Fan Injuries in Hockey and Other Sports



Sports Law Courses

Sports Law: Antitrust & Labor

This 3-credit course examines how the antitrust and labor laws apply to the unique relationships in the sports industry. The course focuses on the ways the antitrust and labor laws have shaped virtually every aspect of professional and amateur sports – ranging from salary caps and age restrictions to television deals and team relocations.

Sports Law: International & Intellectual Property

This 3-credit course examines how intellectual property laws apply to the sports industry and analyzes various facets of the international sports world. The intellectual property aspect of the course focuses on trademark law and the evolving right of publicity laws. The international sports aspect of the course focuses on issues that arise in various foreign professional sports leagues as well as the Olympics, including drug testing rules, free agency rules, and amateurism.

Sports Law Seminar

This course gives law students a thorough look into one or more aspects of sports law. The seminar topic varies each year.

The other curricular requirements for the sports law certificate, listed on page 3, involve areas of law that those who represent clients in the sports industry must frequently confront or skills that they must frequently employ – antitrust, labor and employment, intellectual property, taxation, business organization, and dispute resolution.



We admit it. Not all of our students who study sports law end up practicing sports law right out of law school, some because that is not what they want to do, many because the number of sports-related jobs for lawyers just coming out of law school with no practice experience is very limited. But the purpose of our sports law program is not just to lead our graduates immediately into careers in the sports industry. Rather, it is also to provide students with an educational capstone experience. While we do put our law students in good positions to obtain jobs in the sports industry, we also prepare law students to be the best lawyers they can be by giving them the opportunity to bring the knowledge they have acquired in several substantive courses to bear on many issues facing an interesting and complicated industry. This is exactly what practicing lawyers do. Even though they may be experts in a particular area of law, they need to have a good sense of how other areas relate to the industry in which they work.



 **Tulane
University**
LAW SCHOOL

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Sports & Society www.law.tulane.edu/sports