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# 25 Years of Sports Law Scholarship: The History of the *Marquette Sports Law Journal/Review*

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## SPECIAL REPORT

### **25 YEARS OF SPORTS LAW SCHOLARSHIP: THE HISTORY OF THE *MARQUETTE SPORTS LAW JOURNAL/REVIEW***

PAUL M. ANDERSON\*

As one trained and experienced in the law, I recognize the great value of a publication of this nature and quality. As we know, sports and the law have become inexorably linked in modern society. We need only pick up the daily newspaper to encounter legal issues in amateur, collegiate, Olympic [sic], and professional sports. The National Sports Law Institute at Marquette University Law School has taken the lead in producing a journal completely dedicated to the scholarly treatment of sports law issues. As the legal system affects an ever-growing number of individuals in sports, the need for this journal increases.<sup>1</sup>

Originally created as the *Journal of the National Sports Law Institute*,<sup>2</sup> and first published on January 1, 1991, what was originally called the *Marquette Sports Law Journal*, and now is the *Marquette Sports Law Review*, began with these words in a Preface from then Major League Baseball Commissioner Fay Vincent.<sup>3</sup> For the past twenty-five years this publication has attempted to meet

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\* B.A. Philosophy and Economics, 1991, J.D. 1995, Marquette University. Associate Director, Sports Law program and National Sports Law Institute of Marquette University Law School. Adjunct Professor, co-faculty advisor and supervisor, *Marquette Sports Law Journal* and *Marquette Sports Law Review*. Editor-in-Chief, *Marquette Sports Law Journal*, 1994-1995.

1. Francis T. Vincent, Jr., *Preface*, 1 MARQ. SPORTS L.J. VII (1990).

2. The cover of the first issue of the Marquette Sport Law Journal included the byline "Journal of the National Sports Law Institute" under its title.

3. Vincent, *supra*, note 2. Although this publication started as the *Marquette Sports Law Journal*, it is now known as the *Marquette Sports Law Review* and will be referred primarily by that name within this report.

the needs of the sports industry by publishing thoughtful, high quality scholarship. As the *Marquette Sports Law Review* completes the publication of its twenty-fifth volume with this issue, the time is right to reflect on what has been accomplished over the past quarter century.

## HISTORY

Several national sports law organizations and prominent publications began in the 1970s. The Sports Lawyers Association began in 1974, and the American Bar Association's Forum on the Entertainment and Sports Industries began in 1977. Lionel Sobel's *Professional Sports & The Law* was published in 1977,<sup>4</sup> Edward Grayson's *Sport and the Law* in 1978,<sup>5</sup> and John Weistart and Cym Lowell's well known treatise, *The Law of Sports*, in 1979.<sup>6</sup> At around the same time, returning from a sports agent's conference in 1978, National Sports Law Institute founder Professor Martin Greenberg proposed the creation of a new sports law course at Marquette University Law School called "Negotiating and Drafting of Personal Service Contracts."<sup>7</sup> Taught for the first time in the spring of 1979, the faculty was uncomfortable with a course focused on sports law and so renamed the course "Personal Service Contracts."<sup>8</sup> To many, the law of sports did not become a legitimate area of study within the law school environment until the creation of the Association of American Law Schools section on law and sports in 1981.<sup>9</sup>

Ten years after creating his course, and with the support of the Green Bay Packers, Milwaukee Brewers, Milwaukee Bucks, Milwaukee Admirals, and Miller Brewing Company, Professor Greenberg led the law school as it created the National Sports Law Institute at Marquette University Law School on February 15, 1989.<sup>10</sup> Its initial mission was to "promote the development of ethical practices in all phases of amateur and professional sports. . . [to] seek to educate competent professionals to recognize and deal with the increasingly complex issues involving athletes, coaches, owners and other interested parties at all levels of organized sports."<sup>11</sup> In order to meet this mission, and to involve

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4. LIONEL S. SOBEL, *PROFESSIONAL SPORTS & THE LAW* (1977).

5. EDWARD GRAYSON, *SPORT AND THE LAW* (1978).

6. JOHN C. WEISTART & CYM H. LOWELL, *THE LAW OF SPORTS* (1979).

7. Martin Greenberg, *The Creation of the National Sports Law Institute*, FOR THE RECORD, Vol. 20, No. 2 (National Sports Law Institute, Marquette University Law School), April-June 2009, at 2.

8. *Id.*

9. SPORTS LAW AND REGULATION 6 (Joseph Gordon Hylton & Paul M. Anderson, eds., 1999).

10. *Id.*

11. *MU Establishes National Sports Law Institute*, MARQUETTE UNIVERSITY NEWS & VIEWS, Vol. 15, No. 12, Feb. 24, 1989, at 1.

Marquette University Law School students in the development of the Institute and the Sports Law program, the Institute created the *Marquette Sports Law Journal* in the spring semester of the 1989-1990 academic school year.

Although prominent sports-based journals have been around since the 1970s (i.e. the *Journal of Sport and Social Issues* began in 1977), the first publication with a partial focus on sports law was the American Bar Association's Forum on the Entertainment and Sports Industries newsletter, the *Entertainment and Sports Lawyer*, first published in 1982. The University of Miami was the first law school to publish a journal with a partial focus on sports law when it published the *Entertainment and Sports Law Journal*, starting in 1984 and ending as the *University of Miami Entertainment and Sports Law Review* in 1997. Both of these publications split their focus between sports and entertainment law, often focusing the majority of their pages on entertainment law issues. The publication of the *Marquette Sports Law Journal* in 1990 was groundbreaking as for the "first time in legal history. . . a law review was entirely dedicated to sports law scholarship."<sup>12</sup>

Other publications soon followed, as the *Seton Hall Journal of Sports Law*, eventually known as the *Journal of Sports and Entertainment Law*, published its first issue in 1991. Although not published by a law school, the *Journal of Legal Aspects of Sport*, published originally by the Society for the Study of the Legal Aspects of Sport and Physical Activity (now the Sport and Recreation Law Association), was also first published in 1991. The *International Sports Law Review* (Pandektis), published by the International Association of Sports Law, began in 1992. The *Villanova Sports & Entertainment Law Forum*, now the *Jeffrey S. Moorad Sports Law Journal*, published its first issue in 1994, as did the *Sports Lawyers Journal*, published by the Sports Lawyers Association and edited by students at Tulane University Law School.

Since this time many other publications have entered the arena. Today several other law schools publish journals focused on sports law scholarship (i.e. Willamette, Mississippi, DePaul, St. John's, and Fordham),<sup>13</sup> and following the lead of Miami and Villanova, others expand their coverage to include sports and entertainment law scholarship (i.e. Berkeley, Harvard, Denver, Arizona

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12. James Gray, *The NSLI Genesis of Genius*, FOR THE RECORD, Vol. 20, No. 3 (National Sports Law Institute, Marquette University Law School), July-Sept. 2009, at 3. A graduate of the class of 1990, Professor Gray was the first Assistant Director of the National Sports Law Institute and was instrumental in the creation of the Marquette Sports Law Journal.

13. These journals include the *Willamette Sports Law Journal*, the *Mississippi Sports Law Review*, the *DePaul Journal of Sports Law & Contemporary Problems*, the *St. John's Sports Law Journal*, and the *Fordham Sports Law Forum* published periodically as part of the *Fordham Intellectual Property, Media & Entertainment Law Journal*.

State, Texas, and Virginia).<sup>14</sup> Over the past twenty years, “as the number of journals devoted to sports and entertainment proliferated” this competition has made it “challenging to ensure publication of high-quality articles,”<sup>15</sup> but Marquette has continued to dedicate its resources to producing a high quality sports law review.<sup>16</sup> In addition, the law school changed the name of this publication from the *Marquette Sports Law Journal* to the *Marquette Sports Law Review* in 2000 with the publication of Volume 11, Number 1. This name change reasserted the *Sports Law Review*’s preeminence in the field as at the time it was the only sports law review published at an American law school.

## CONTENT

Over the past twenty-five years, Marquette University Law School students have consistently published two issues of the *Sports Law Review* each year (in fall and spring), for a total of fifty issues and 13,182 pages. These fifty issues have included 276 articles, seventy student comments, and twenty eight essays.<sup>17</sup> The typical issue contains six articles and one student comment, along with two to three other documents (i.e. indices, surveys, etc.). The average length of an issue of the *Review* is 270 pages, while the longest issue was 550 pages,<sup>18</sup> also containing the most documents ever published with seventeen articles, one foreword, an international perspective, and an index. Two other issues were a relatively short 122 pages long.<sup>19</sup> The average length of the publications included in the *Review* is twenty-six pages, with the longest article coming in at 154 pages,<sup>20</sup> and the shortest at six pages.<sup>21</sup>

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14. These journals include the *Berkeley Journal of Entertainment & Sports Law*, the *Harvard Journal on Sports & Entertainment Law*, the *University of Denver Sports and Entertainment Journal*, the *Arizona State University Sports and Entertainment Law Journal*, the *Texas Review of Entertainment and Sports Law*, and the *Virginia Sports & Entertainment Law Journal*.

15. Charles Sullivan, *The Buzzer Sounds for the Journal of Sports and Entertainment Law*, 24 J. SPORTS & ENT. L. 1 (2014).

16. The second longest similar publication, Seton Hall’s *Journal of Sports and Entertainment Law*, which began in 1991, ended in 2014 with Volume 24, Number 1.

17. Any student written article published in the *Sports Law Review* is designated as a comment. All other articles have no designation unless they are “essays,” shorter works often espousing the author’s opinion on a recent issue.

18. Volume 12, Number 1, the Fall 2001 issue including the first Marquette University Law School faculty symposium, *Sports Law: A Law Faculty’s Individual and Collective Perspectives*.

19. Volume 3, Number 1, the Fall 1992 symposium issue for the *The First Annual Sports Dollars & Sense Conference: A Symposium on Sports Industry Contracts and Negotiations*, and Volume 13, Number 2, the Spring 2003 issue.

20. James B. Perrine, *Media Leagues: Australia Suggests New Professional Sports Leagues for the Twenty-First Century*, 12 MARQ. SPORTS L. REV. 703 (2002).

21. Alfred Dennis Mathewson, *Ali to Flood to Marshall: The Most Triumphant of Words*, 9 MARQ. SPORTS L.J. 439 (1999).

Reflecting the many areas of law that regulate and impact the sports industry, the following eleven areas of law (ranked from most to least coverage) have been the focus of the most publications with the *Sports Law Review* over the past twenty-five years;

- Gender equity law,
- Constitutional law,
- Intellectual property law,
- Tort law and Regulation of the NCAA,<sup>22</sup>
- Contract law,
- Labor law,
- Antitrust law,
- Alternative dispute resolution,
- Ethical issues in sports, and
- Civil Rights Law.

Given the topic coverage within the *Sports Law Review* perhaps it is not surprising that many of its articles and reports have been frequently cited. According to the Shephards database on LexisAdvance, and the Keycite database on WestLawNext, the following articles have been cited to the most within other scholarship:<sup>23</sup>

1. National Sports Law Institute of Marquette University Law School, *Survey: Sports Law in the State of Wisconsin*, 15 MARQ. SPORTS L. REV. 425 (2005),
2. Jan Stiglitz, *Player Discipline in Team Sports*, 5 MARQ. SPORTS L.J. 167 (1995),
3. Alfred Dennis Mathewson, *Symposium: Race and Sports: Essay: Black Women, Gender Equity and the Function at the Junction*, 6 MARQ. SPORTS L.J. 239 (1996),
4. W. Kent Davis, *Why Is The PGA Teed Off at Casey Martin? An Example of How the Americans With Disabilities Act (ADA) Has Changed Sports Law*, 9 MARQ. SPORTS L.J. 1 (1998),
5. Ray Yasser, *Essay: A Comprehensive Blueprint for the Reform of*

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22. These topic areas tied in the amount of coverage.

23. In 1999, as part of the ten year anniversary of the creation of the National Sports Law Institute and recognizing that the *Marquette Sports Law Journal* had been an “important participant in the past decade’s debates over sports law and sports policy,” the Institute published a book featuring selected articles from the Journal’s first decade. SPORTS LAW AND REGULATION, *supra* note 10, at 7.

- Intercollegiate Athletics*, 3 MARQ. SPORTS L.J. 123 (1993),
6. Laura Lee Stapleton & Matt McMurphy, *The Professional Athlete's Right of Publicity*, 10 MARQ. SPORTS L.J. 23 (1999),
  7. Timothy Davis, *Symposium: Race and Sports: African-American Student-Athletes: Marginalizing the NCAA Regulatory Structure?*, 6 MARQ. SPORTS L.J. 199 (1996), and P. Michael Villalobos, *The Civil Rights Restoration Act Of 1987: Revitalization of Title IX*, 1 MARQ. SPORTS L.J. 149 (1990),
  8. Sanjay Jose' Mullick, *Browns to Baltimore: Franchise Free Agency and the New Economics of the NFL*, 7 MARQ. SPORTS L.J. 1 (1996),
  9. Jim Thurston, *Chemical Warfare: Battling Steroids in Athletics*, 1 MARQ. SPORTS L.J. 93 (1990), and Rodney K. Smith, *A Brief History of the National Collegiate Athletic Association's Role in Regulating Intercollegiate Athletics*, 11 MARQ. SPORTS L. REV. 9 (2000), and
  10. T. Jesse Wilde, *Gender Equity in Athletics: Coming of Age in the 90's*, 4 MARQ. SPORTS L.J. 217 (1994), Gregor Lentze, *The Legal Concept of Professional Sports Leagues: The Commissioner and an Alternative Approach from a Corporate Perspective*, 6 MARQ. SPORTS L.J. 65 (1995), and Roger I. Abrams, *Symposium: The Curt Flood Act: Before the Flood: The History of Baseball's Antitrust Exemption*, 9 MARQ. SPORTS L.J. 307 (1999).

In order to enhance the quality of the articles submitted and to focus particular issues on the examination of current topics in the sports industry, the *Sports Law Review* began publishing symposium issues in 1992. The first two included materials originally created for the National Sports Law Institute's *Sports Dollars & Sense Conference* presenting symposiums focused on sports industry contracts and negotiations.<sup>24</sup> These issues included articles from high profile individuals in the sports industry, such as David Falk, Professor Gary Roberts, Brian Burke, and Donald Fehr.<sup>25</sup> The *Sports Law Review* again published articles created as part of the National Sports Law Institute's annual conference in 1999 (Volume 9, Number 2), with a symposium connected to its 1998 *Sports Law in the 21<sup>st</sup> Century* conference; in 2000 (Volume 10, Number

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24. Volume 3, Number 1, Fall 1992, and Volume 4, Number 1, Fall 1993.

25. David Falk, *The Art of Contract Negotiation*, 3 MARQ. SPORTS L.J. 1 (1992); Gary Roberts, *Interpreting the NFL Player Contract*, 3 MARQ. SPORTS L.J. 29 (1992); Brian Burke, *Negotiations Involving Agents and General Managers in the NHL*, 4 MARQ. SPORTS L.J. 35 (1993); Donald Fehr, *Union Views Concerning Agents: With Commentary on the Present Situation in Major League Baseball*, 4 MARQ. SPORTS L.J. 71 (1993).

2), with a symposium connected to its 1999 conference *Sports Facilities and Development*; and in 2004 (Volume 15, Number 1), with a symposium connected to its 2003 *International Sports Law & Business in the 21<sup>st</sup> Century* conference. Other topical symposium issues have focused on

- Race and Sports (Volume 6, Number 2, Spring 1996),
- Ethics and Sports (Volume 7, Number 2, Spring 1997),
- Disability Issues in Sport (Volume 8, Number 2, Spring 1998),
- The Curt Flood Act (Volume 9, Number 2, Spring 1999),
- John Rocker (Volume 11, Number 2, Spring 2001),
- Title IX at Thirty (Volume 14, Number 1, Fall 2003),
- Alternative Dispute Resolution in Sports (Volume 16, Number 1, Fall 2005),
- Doping in Sports: Legal and Ethical Issues (Volume 19, Number 1, Fall 2008),
- Labor and Employment Law Issues in Sports (Volume 20, Number 1, Fall 2009), and
- Title IX at Forty (Volume 22, Number 2, Spring 2012).

The *Sports Law Review* has also published symposium issues featuring individuals with close connections to the National Sports Law Institute and Sports Law program at Marquette. Published in the Fall 2001 issue (Volume 12, Number 1), the first symposium issue of this type, *Sports Law: A Law Faculty's Individual and Collective Perspectives*, included articles from the Marquette University Law School faculty connecting their areas of expertise to the sports industry in new and interesting ways.<sup>26</sup> A second Marquette University Law School faculty symposium was published in the first issue of the current volume (Volume 25, Number 1) last fall.

In addition to articles from Marquette's faculty, in 2006, the *Sports Law Review* published a symposium featuring articles from members of the National Sports Law Institute's Board of Advisors (Volume 17, Number 1).<sup>27</sup> In addition,

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26. See for example, Ralph Anzivino, *Reorganization of the Professional Sports Franchise*, 12 MAR. SPORTS L. REV. 9 (2001). Professor Anzivino teaches bankruptcy at the law school and is a well-known scholar in this area. His article has become one of the most cited articles ever published in the *Sports Law Review* and has been requested by and relied upon by many in the sports industry.

27. Made up of sports lawyers, sports industry executives and professionals, sports law professors and teachers, and others, the Board of Advisors contributes "to the advancement of knowledge regarding legal, ethical, and business issues affecting the sports industries," provides "advice and guidance on matters affecting Marquette University Law School's Sports Law Program," attends Institute events and "participate in the governance of the NSLI," and assumes "other duties and responsibilities (including service on committees) that further the NSLI's best interests." Board of



recognizing “the support and leadership of Marquette’s Sports Law program alumni,”<sup>28</sup> in 2010 (Volume 21, Number 1) the *Sports Law Review* published an issue featuring articles written by Sports Law program alumni.<sup>29</sup>

Overall, symposium issues allow the *Sports Law Review* to continue to attract high quality scholarship and to focus this scholarship on timely topics in order to provide readers with diverse perspectives on interesting current legal issues in the sports industry. Perhaps it is no coincidence that these symposium issues have also been the longest issues published with the first Marquette University Law School faculty symposium issue the longest issue at 550 pages, the issue focused on the 40<sup>th</sup> anniversary of Title IX next at 502 pages, the Sports Law program alumni symposium issues at 463 pages, and the Institute Board of Advisors’ symposium issue at 457 pages.

In addition to these symposium issues, the *Sports Law Review* has also included several other types of publications, including:

Surveys: Since 2004, the *Sports Law Review* has published an annual survey in each spring issue providing an overview of important cases and other developments impacting the sports industry.<sup>30</sup> In 2011, this survey replaced the National Sports Law Institute’s *You Make the Call* . . . newsletter as the primary resource for Institute member’s providing annual information on current developments in sports law.<sup>31</sup> The *Sports Law Review* has also published two surveys of Wisconsin law supported by the Sports & Entertainment Law Section of the State Bar of Wisconsin,<sup>32</sup>

#### International Sports Law Perspectives: Recognizing the

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Advisors, <https://law.marquette.edu/national-sports-law-institute/board-advisors>.

28. Paul Anderson, *Foreword: The National Sports Law Institute’s Sports Law Alumni Association*, 21 MARQ. SPORTS L. REV. 1, 1 (2010).

29. This issue was published with the support of the National Sports Law Institute’s Sports Law Alumni Association, whose members “along with our students (our future alums) . . . are the lifeblood of the Sports Law program at Marquette University Law School.” *Id.* at 2.

30. *See for example*, Brent C. Moberg, *2003 Annual Survey: Recent Developments in Sports Law*, 14 MARQ. SPORTS L. REV. 603 (2004).

31. *Recent Developments in Sports Law* (formerly *You Make the Call* . . . ), <https://law.marquette.edu/national-sports-law-institute/recent-developments-sports-law-formerly-you-make-call>.

32. National Sports Law Institute of Marquette University Law School, *Survey: Sports Law in the State of Wisconsin*, 15 MARQ. SPORTS L. REV. 425 (2005) & National Sports Law Institute of Marquette University Law School, *Survey: Entertainment Law in the State of Wisconsin*, 17 MARQ. SPORTS L. REV. 519 (2007).

globalization of the sports industry, the *Sports Law Review* published its first *International Sports Law Perspective* in 2000, with Professor Jack Anderson's article on criminal violence in sport from a British and Irish perspective.<sup>33</sup> Since then the *Sports Law Review* has consistently sought to feature perspectives from international authors, most recently publishing Professor Shuli Guo's study of his native China's impact on the Court of Arbitration for Sport;<sup>34</sup>

Indices: From 1993 until 1997, the *Sports Law Review* periodically included an index containing information about various materials published or held by the National Sports Law Institute.<sup>35</sup> This index was replaced by the index of *Sports Law in Law Reviews and Journals*, in the fall of 1997;<sup>36</sup>

Special Reports/Features. In the fall of 1991, the *Sports Law Review* published its first Special Feature. Written by Professor Bernard Maloy, this feature provided practical risk management guidance to sports facility managers.<sup>37</sup> Eventually called Special Reports, other reports have been on sports gambling<sup>38</sup> and assaults on sports officials;<sup>39</sup>

Other publications: Over the years the *Sports Law Review* has published many other types of documents, including prefaces,<sup>40</sup>

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33. Jack Anderson, *International Sports Law Perspective: Citius, Altius, Fortius? A Study of Criminal Violence in Sport*, 11 MARQ. SPORTS L. REV. 87 (2000).

34. Shuli Guo, *International Sports Law Perspective: China and CAS (Court of Arbitration for Sport)*, 25 MARQ. SPORTS L. REV. 301 (2014).

35. See for example, *Index: MSLJ Backissues, For the Record and For the Record Extra Newsletters, and Videos Available Through the National Sports Law Institute*, 3 MARQ. SPORTS L.J. i (1993).

36. *Index: Sports Law in Law Reviews and Journals*, 8 MARQ. SPORTS L.J. 180 (1997). The index surveys sports law articles published in any legal periodical over the previous six month period. It has been published in every issue of the *Sports Law Review* since 1997.

37. Bernard Maloy, *Special Feature: Planning for Effective Risk Management: A Guide for Stadium and Arena Management*, 2 MARQ. SPORTS L.J. 89 (1991).

38. Ante Udovicic, *Special Report: Sports and Gambling a Good Mix? I Wouldn't Bet On It*, 8 MARQ. SPORTS L.J. 401 (1998).

39. Troy Cross, *Assaults on Sports Officials*, 8 MARQ. SPORTS L.J. 429 (1998).

40. See for example, Judith M. Sweet, *Preface*, 1 MARQ. SPORTS L.J. VIII (1991). This preface is in the form of a letter published at the beginning of the Spring 1991 issue. At the time Ms. Sweet was

forewords to symposium issues, introductions, dedications, tributes, government reports and clarifications,<sup>41</sup> book reviews, and lectures and speeches.<sup>42</sup> Since its creation, the *Sports Law Review* has also included detailed biographical information on each author at the beginning of each issue within a contributors section.

## AUTHORS

Many authors have contributed their publications to the *Marquette Sports Law Review* over the past twenty five-years. With the *Review's* focus on providing quality scholarship that can impact the industry, perhaps it is not surprising that the majority of the scholarship has been written by practicing lawyers and law professors. Law students are the next largest group of authors, although much of their work has been on surveys and indices. After law students, professors from non-legal disciplines like sports management, and professionals who work within the sports industry, like WADA Director David Howman,<sup>43</sup> round out the list of the most common types of authors found in the *Sports Law Review*.

A list of authors with the most publications within the *Sports Law Review* includes many with close ties to the Institute and Sports Law program at Marquette University Law School, including, in descending order of amount published

- 1) Professor Martin Greenberg, founder of the National Sports Law Institute of Marquette University Law School,
- 2) Professor Paul Anderson, Associate Director, Sports Law program and National Sports Law Institute of Marquette University Law School,
- 3/4/5 tied) Professor Matthew Mitten, Director, National Sports Law Institute and LL.M. in Sports Law Program for Foreign Lawyers; Professor Gordon Hylton, Marquette University Law

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the President of the NCAA and athletic director at the University of California, San Diego.

41. Within each Title IX Symposium, the *Sports Law Review* included copies of various governmental reports and other documents specific to developments in gender equity law at the time. See for example, Gerald Reynolds, *Further Clarification of Intercollegiate Athletics Policy Guidance Regarding Title IX Compliance*, 14 MARQ. SPORTS L. REV. (2003).

42. See for example, Hayden Opie, *Eight Annual Robert F. Boden Lecture: Drugs in Sports and the Law – Moral Authority, Diversity and the Pursuit of Excellence*, 14 MARQ. SPORTS L. REV. 267 (2004).

43. David Howman, *Supporting the Integrity of Sport and Combating Corruption*, 23 MARQ. SPORTS L. REV. 245 (2013).

School; and Professor Richard McLaren, Professor of Law, Western University, London, Ontario, Canada, and Member, Court of Arbitration for Sport,

- 6/7 tied) Professor Timothy Davis, John W. & Ruth H. Turnage Professor of Law, School of Law, Wake Forest University, and Professor Alan Pogrozewski, St. John Fisher College,
- 8/9/10 tied) Professor Roger I. Abrams, Richardson Professor of Law, Northeastern University School of Law; Professor John Wolohan, David B. Falk College of Sports and Human Dynamics, Syracuse University; and Professor William Miller, Chair and Associate Professor, Health, Exercise Science & Sport Management, University of Wisconsin – Parkside.

### LEADERSHIP

The success of the *Marquette Sports Law Review* depends almost entirely on the students at Marquette University Law School. Approximately 1,300 Marquette University Law School students have served in various capacities as members and editors of the *Sports Law Review* the past twenty-five years. Of this group, 221 students have served as editors with titles ranging from Managing Editor to Articles Editor, Student Articles Editor and Lead Articles Editor. While on average there have been a consistent four editorial board members, the smallest editorial staff had only two members for Volume 8, Number 1, the fall 1997 issue, while the largest had seven editors for both issues of Volume 2, in 1991 and 1992. On average, twenty students serve as members of the *Sports Law Review* each year, with the smallest staff for Volume 8, Number 1, with the aforementioned two editors and eleven members, and the largest staff for Volume 16, with thirty-nine total staff members (five editors, twenty nine members, and five associate editors).

No matter how large the staff has been, or the titles associated with the members and editors, the student Editor-in-Chief has been relied upon to ensure that the *Sports Law Review* continues to publish consistently high quality scholarship. Perhaps most notably, twelve of the twenty-five individuals listed below are women, including eight of the last ten individuals selected for this important leadership role<sup>44</sup>.

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44. In addition, the Editor-in-Chief for Volume 26 will be Meghan Pirics.

*Marquette Sports Law Journal/Review*  
Editor-in-Chief<sup>45</sup>

<u>Name</u>	<u>Volume/Issue/ Year</u>	<u>Class of</u>	<u>Current Information</u>
Hugh O'Halloran	1/1/Fall 1990	1989	Partner, Holland & Hart, LLP, Jackson, Wyoming
John Drana	1/2/Spring 1991 2/1/Fall 1991 2/2/Spring 1992	1992	President, The Drana Group SC, Milwaukee, Wisconsin
Daniel Muza	2/2/Spring 1992 3/1/Fall 1992 3/2/Spring 1993	1993	Reff Baivier Birmingham & Lim SC, Oshkosh, Wisconsin
David Delaney	3/2/Spring 1993 4/1/Fall 1993 4/2/Spring 1994	1994	Dave Delaney's Columbia Buick Pontiac GMC, Hanover, Maryland
Paul Anderson	4/1/Fall 1993 4/2/Spring 1994 5/1/Fall 1994 5/2/Spring 1995	1995	Associate Director, Sports Law program and National Sports Law Institute of Marquette University Law School, Milwaukee, Wisconsin
John Gillard, Jr.	6/1/Fall 1995 6/2/Spring 1996	1996	Brodek & Gillard, S.C., Racine, Wisconsin
Andrew Rhim	7/1/Fall 1996 7/2/Spring 1997	1997	Examining Attorney, U.S. Patent & Trademark Office, Alexandria, Virginia
Troy Cross	8/1/Fall 1997 8/2/Spring 1998	1998	Assistant District Attorney, Columbia County District Attorney's Office, Portage, Wisconsin
April Haverty	9/1/Fall 1998 9/2/Spring 1999	1999	Director, Office of Grants & Contracts, Medical College of Wisconsin, Wauwatosa, Wisconsin
Eryn Doherty	10/1/Fall 1999 10/2/Spring 2000	2000	Vice President, Labor Relations, Sony Pictures Entertainment, Culver City, California

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45. Some editors are listed with more than two issues because in addition to the normal two issues they completed, they also completed issues from the prior staff.

<u>Name</u>	<u>Volume/Issue/ Year</u>	<u>Class of</u>	<u>Current Information</u>
Kristi Schoepfer	11/1/Fall 2000 11/2/Spring 2001	2001	Associate Professor, Winthrop University, Rock Hill, South Carolina
Benjamin Menzel	12/1/Fall 2001 12/2/Spring 2002	2002	Attorney, The Schroeder Group, S.C., Waukesha, Wisconsin
Kristin Muenzen	13/1/Fall 2002 13/2/Spring 2003	2003	Attorney, United States Department of Justice, Environment & Natural Resources Division, Washington, DC
Thomas Stuck	14/1/Fall 2003 14/2/Spring 2004	2004	Attorney Advisor, National Security Agency's Office of General Counsel, Fort George G. Meade, Maryland
Michael Baird	15/1/Fall 2004 15/2/Spring 2005	2005	Corporate Counsel, ULINE, Milwaukee, Wisconsin
Jenni Spies	16/1/Fall 2005 16/2/Spring 2006	2006	Assistant District Attorney, Milwaukee County District Attorney's Office, Milwaukee, Wisconsin
Lindsay Sadlowski	17/1/Fall 2006 17/2/Spring 2007	2007	Federal Judicial Law Clerk, US District Court for the Southern District of Ohio, Cincinnati Ohio
Spencer Larche	18/1/Fall 2007 18/2/Spring 2008	2008	Associate, Johnstone, Adams, Bailey, Gordon & Harris, LLC, Mobile, Alabama
Tiffany Haas	19/1/Fall 2008 19/2/Spring 2009	2009	Legislative Counsel, Communications Director, U.S. House of Representatives, Office of Congressman Donald Payne, Jr., Washington, DC
Alex Porteshawver	20/1/Fall 2009 20/2/Spring 2010	2010	Energy Program Coordinator, City of San Joaquin, San Joaquin, California
Erica Reib	21/1/Fall 2010 21/2/Spring 2011	2011	Member, Employment Law Practice Group, O'Neil, Cannon, Hollman, DeJong & Laing S.C., Milwaukee, Wisconsin
Joseph Trevino	22/1/Fall 2011 22/2/Spring 2012	2012	Associate, SmithAmundsen LLC, Milwaukee, Wisconsin
Courtney Hall	23/1/Fall 2012 23/2/Spring 2013	2013	General Counsel, Freedom Ventures LLC, Louisville, Kentucky
Stephanie Horner	24/1/Fall 2013 24/2/Spring 2014	2014	Faust Lawyers, San Diego, California
Taylor Wilson	25/1/Fall 2014 25/2/Spring 2015	2015	Current Editor-in-Chief, May 2015 graduate

In addition to their leadership as students, in the fall of 2002 this group also became the *Sports Law Review Editors Alumni Board* providing guidance and counsel to future student leaders of the *Sports Law Review*.

Many Marquette University Law School faculty members have also served to guide the *Sports Law Review* over the past twenty-five years. Professor Jack

Kircher served as the first faculty advisor until 1997, when he joined a group of faculty members who now make up the *Sports Law Review's* Advisory Board. Other faculty members who have served on this Board include Professor Paul Anderson, Dean Howard Eisenberg, Dean Frank DeGuire, Professor Jim Ghiardi, Professor J. Gordon Hylton, Professor Charles Mentkowski, Professor Matt Mitten, Professor Andrea Schneider, and Professor Phoebe Williams. In their roles with the National Sports Law Institute Professor Martin Greenberg and Professor James Gray advised the *Sports Law Review* from 1990 until 1997. Professor Paul Anderson has served as co-faculty advisor and review supervisor since 1996, and Professor Matt Mitten has served a co-faculty advisor since 1999.

### CONCLUSION

In 1979, Professors Weistart and Lowell began their seminal sports law treatise, noting that at the time there were questions as to “whether there really was any such thing as ‘the law of sports’ [sports law].”<sup>46</sup> Even in 2015, many in the sports industry and legal community still question whether the practice and study of sports law is a worthy endeavor as “[s]ports law is not seen as a field in itself, let alone as a discipline that can be studied.”<sup>47</sup> Through the creation of the National Sports Law Institute and its Sports Law program, Marquette University Law School has been the leader in attempting to answer this question and has found the study and practice of sports law a worthy endeavor for law students, law professors, and practicing lawyers alike. This leadership is often best epitomized by the continued publication of the *Marquette Sports Law Review*, as the articles within continue to analyze the ways that the law impacts, regulates, and changes the sports industry. Although much has been written in the pages of this *Review* already, “[t]his is not to suggest, however, that there are no interesting sports issues left to be pursued. Indeed, the exploration has probably only just begun.”<sup>48</sup>

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46. WEISTART & LOWELL, *supra* note 7, at xviii.

47. PAUL M. ANDERSON, *SPORTS LAW: A DESKTOP HANDBOOK* Introduction (1999).

48. WEISTART & LOWELL, *supra* note 7, at xviii.