

PEDS 3420 Managing the Legal Aspects of Sport
Fall 2002
TTH 11-12:15
114 Ramsey Center

Dr. Sarah Fields

Office: 363 Ramsey Center

Office Hours: TTH 12:15-2 and 3:15-4
and by appointment

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Course Goals: To provide for each student a broad introduction to the United States legal system and to the major cases and laws which make up “sports law.”

Required Texts:

Michael E. Jones, *Sports Law* (New Jersey: Prentice Hall, 1999)

Charles E. Quirk, ed., *Sports and the Law: Major Legal Cases* (New York: Garland Publishing, 1999)

Recommended Text:

Walter Champion, *Sports Law in a Nutshell*, 2nd ed. (Minneapolis: West Publishing, 2000)

Grades:

Grading is on a 100 point scale [100-90=A; 89-80=B; 79-70=C; 69-60=D; 59-0=F].

25% Socratic Discussion and summary—each student will sign up for one essay in Quirk and will be responsible for summarizing the cases described in the chapter (2-3 typed pages total due at the end of the class period in which essay is discussed) and will also be the point person for class discussion about that chapter. In order to prepare for this, you should use the Lexis-Nexis Academic Universe program (available through Galileo) and other research tools to look at any published decision in its entirety and/or to do some research on the cases or topic in law journals or newspapers. Think of the summary as a mini-research paper and think of yourself as the expert on that topic for the class discussion. The summary should be 1/3 summation, 1/3 research, and 1/3 critique. The written summary is worth 15 points and the in-class discussion is worth 10 points.

25% Research Paper on sports law case of choice (5-10 typed pages). Describe and critique the case, explain how it connects to other legal cases. What is your opinion of the decision and why? [more information will be distributed later in the term]

25% Midterm examination

25% Final examination (non-comprehensive)

Note: No late papers will be accepted without my advance permission and those late papers may be subject to penalty. Failure to attend on the day of your Socratic discussion and summary without informing me at least 2 hours before class will result in a zero.

You may only reschedule your Socratic discussion one time for an emergency. Prior approval is also required for missing an exam or the exam will be scored a zero.

All readings/briefs should be done by the first day of a topic. We will not necessarily discuss the readings in the order in which they are listed and any reading could be discussed on any day that we are considering the topic.

Attendance Policy:

Regular attendance and participation is expected. Excessive absences (more than 5) may result in at least one letter-grade reduction.

Academic Integrity

All acts of dishonesty in any work constitute academic misconduct and the Academic Misconduct Disciplinary Policy will be followed in the event of suspected academic misconduct. All papers and exams must be your own work. All sources that you use (either directly or indirectly) must be cited in a consistent manner. Any student violating these policies will receive a zero for the assignment and may fail the course.

Disability Accommodations

To request disability accommodations, contact Disability Services 542-8719. After initial arrangements with that office, contact me.

Cell phones and beepers are prohibited from this class and if they go off, you will be asked to leave the class.

Class Schedule (subject to change):

T 8/20 Introduction

TH 8/22 How the Legal System Works

T 8/27 Reading and Briefing Legal Cases

TH 8/29 Collegiate Sport and the NCAA

Read: Jones ch.1; In Quirk: Frerich's "Not the Same Game" pp. 32-35; McKale's "Books and Bulldogs" pp.63-66; Craciun's "The Letter of Intent" pp. 198-200; Kanzius and Quirk's "Agents, Athletes, and Academics" pp. 201-205; Johnson's "Minnesota Gopher Basketball" pp. 205-214.

T 9/3 Collegiate Sport continued

TH 9/5 Olympic and International Sport

Read: Jones ch.2. and pp. 151-158; In Quirk: Cohen's "Amateurs, Professionals, and Eligibility for Americans in the Olympics" pp. 40-47.

T 9/10 Women and Sport

Read: Jones ch.3; In Quirk: Holliday, "The Quest for Gender Equity" pp. 260-

267; Wiles, “Let’s Play, Too” pp. 268-279; Turner, “Little League Baseball” pp. 280-282; Pingel, “Barely There” pp. 283-287; Austin, “Major League Baseball Called for Balk!” pp. 288-296.

TH 9/12 Women and Sport continued

T 9/17 Women and Sport continued

TH 9/19 Contracts and Sports Agents

Read: Jones ch.5. and pp. 159-189

T 9/24 Contracts and Agents continued

TH 9/26 Labor and Antitrust

Read: Jones ch.4; In Quirk: Johnson’s “When Professional Sport is Not a Business” pp. 149-165; Katz’s “Let the Bidding Begin” pp. 166-175; Stiglitz’s “Baseball Owners Called ‘Out’ for Collusion” pp. 176-183; Flamm’s “Joe Kapp’s Fight for Free Agency” pp. 184-186; Terry’s “Tight End Madkey Blocks Commissioner Roselle” pp. 187-189; Allyn’s “These People Just Plain Don’t Like Each Other,” pp. 190-194; Murphy’s “Oscar Robertson” pp.195-197.

Midterm Questions Distributed

T 10/1 Labor and Antitrust continued

TH 10/3 Labor and Antitrust continued. Also review for Midterm.

T 10/8 MIDTERM—BRING BLANK BLUEBOOK TO CLASS

TH 10/10 Torts: Intentional Torts

Read: Jones ch.6 pp. 95-97 and 106-111; In Quirk: “Tortious Impact” pp. 3-7.

T 10/15 Torts: Intentional continued and Negligence

Read: Jones ch.6 pp. 97-106; In Quirk: Siler’s “In Jeopardy” pp. 8-10; Lee-Sammons’ “Negligence and Liability” pp. 11-14; Huddleston’s “Coaches Legal Duty” pp. 14-17; Neymeyer’s “Fans Strike Out” pp. 24-27.

TH 10/17 Torts: Negligence continued

T 10/22 Torts: Negligence continued

TH 10/24 Torts: Negligence continued

T 10/29 Business of Sport: Professional Leagues

Read: Jones ch. 6; In Quirk: Holm’s “The NFL-AFL Merger” pp. 237-244; Allitt’s “The Land of the Free Disputes Homes for the Braves” pp. 221-223; W. Quirk’s “Fear, Attack, and Pressure” pp. 224-233; Brooks’ “Colts Gallup to

Indianapolis” pp. 233-236, Lucas’ “Commissioner Kuhn Victorious over Owner Finley” pp. 88-91; Dolan’s “George Steinbrenner’s Bronx Zoo” pp. 92-96; Johnson’s “In the Groove? The Legal War over Golf Clubs” pp. 97-110.

TH 10/31 NO CLASS--FALL BREAK

T 11/5 Business of Sport: Pro Leagues continued

TH 11/7 Business of Sport: Pro Leagues continued

T 11/12 Business of Sport: Intellectual Property and Broadcasting

Read: In Quirk: Seiken’s “The NCAA and the Courts” pp. 56-62; Murphy’s “Sports Broadcasting” pp. 215-220.

TH 11/14 Criminal Law and Gambling

Read: Jones pp. 130-138; In Quirk: Radtke’s “Two All-Pros Collide” pp. 85-87; Quirk’s “Baseball’s Big Inning” pp. 111-120; Hovett’s “Beating the Spread” pp. 121-124; Quirk’s “Jack Molinas” pp. 125-128; Kolbe’s “Fast Balls and Fast Bucks Don’t Mix” pp. 129-132 and “A Gridiron Hero Self Destructs” pp. 133-136; Rodgers’ “Charlie the Hustler and the Hall of Saints” pp. 137-142.

T 11/19 Criminal Law and Gambling continued

TH 11/21 Racial Discrimination

Read: Jones pp.138-142; In Quirk: Schulte’s “Wyoming’s ‘Black Fourteen” pp. 247-250; Gable’s “White Ball/Black Ball” pp. 251-254; Rodger’s “The Stone Left Unturned” pp. 255-259. **Research Paper Due by 4:45 p.m. in my mailbox in the HPB/PE-SS Support Area on the third floor of the Ramsey Center between room 358 and the Conference Room.**

T 11/26 ADA/Rehabilitation Act

Read: Jones pp. 142-143

TH 11/28 NO CLASS—THANKSGIVING

T 12/3 Drug Testing

Read: Jones pp.30-35; In Quirk: Feuerhelm’s “The Win at Any Price Syndrome” pp. 71-77; Sitz’s “To Play or Not to Play” pp. 78-84.

TH 12/5 Wrap up and review for final exam.

FINAL EXAM: MONDAY DECEMBER 16, 2002 8-11 A.M. Bring a blank blue book.