

**WESTERN STATE UNIVERSITY
COLLEGE OF LAW
SPORTS LAW
COURSE 438A
SPRING 2012
PROFESSOR DANIELLE VAN LIER**

COURSE POLICIES & SYLLABUS

TEXTS:

Required: Yasser, *et. al.*, *Sports Law: Cases and Material* (7th ed. 2011)
Fajans & Falk, *Scholarly Writing for Law Students* (3d ed. 2005).

Please bring the required texts to all classes.

COURSE OBJECTIVES AND COVERAGE:

This course is designed to introduce students to the legal, business, and policy issues and disputes that arise in the world of amateur and professional sports. The course will approach the topic from the perspective of various players in the sports industry, such as the sports lawyer, the corporate counselor, the university administration, team management, various sports regulatory bodies, the athletes and the fans. The casebook generally introduces the various subject areas in sports law through a Problem hypothetical, followed by cases and materials useful in resolving the problem; accordingly, in-class problem solving will be utilized extensively to expose students to the application of the law to particular situations. To successfully complete this course, you must regularly prepare for, attend, and actively participate in class.

POLICIES:

GRADING

This course does not have either a midterm or a final examination. In place of exams, student grades are based upon class participation, in-class and take-home activities, and a research and writing project.

As the class is geared to satisfy the upper-division writing requirement, all students must complete a research and writing project on a current legal issue relating to sports. The research project must include citations to legal authorities, such as published cases, and secondary authorities, such as law reviews and other scholarly writings.

ATTENDANCE AND PARTICIPATION

Each student is expected to attend class fully prepared to discuss the assigned materials and to present their analyses of the assigned Problem hypotheticals set forth in the reading. For most of the assignments, you will find one or more assigned problems, which appear in the casebook and which we will discuss in class. In some instances, these problems may be approached through a

“role-play” simulation in which you assume the role of a party or attorney in the case. This can lead to spirited and stimulating discussion, but only if the students are thoroughly prepared. You will, therefore, be expected to have read and briefed each case and any supplemental reading in the weekly assigned reading, except where reading is identified as optional. You will also be expected to have read any assigned problems and to have thought about the solution. In thinking about the problems, be prepared to give advice or your views, where requested, or to take a position on the dilemma or issue presented

Unless otherwise instructed, you are responsible for all materials assigned in the reading list and you are expected to prepare the readings assigned on the syllabus, regardless of where we are on the syllabus in the class lectures.

Attendance and participation are required. Failure to be prepared for or contribute meaningfully to class may be counted as an absence. Late arrival or early departure may result in an absence for that session. Rules regarding absences found in the Student Handbook will be applied. Participation, including in-class exercises and the papers prepared by the students in connection therewith, will count toward the course grade.

OFFICE HOURS & APPOINTMENTS

I will not keep office hours on campus, so I encourage questions via email and will consider out-of-office consultations, if necessary, which should be scheduled via email.

COURSE WEBSITE- MANDATORY ENROLLMENT

A course website will be available on Lexis/Nexis Webcourses. *You are required to enroll on the website as soon as possible after the beginning of the semester. Please be advised that you will be responsible to stay aware of any changes made to the syllabus, readings assignment, etc., on the course website.*

COURSE CONTENT AND ASSIGNED READING:

Please note: the reading assignments below will change periodically throughout the semester for a number of reasons, including to accommodate guest speakers. Students are required to check for any syllabus updates on the class website on a regular basis and, at least, every Friday before a scheduled class.

The readings from Scholarly Writing for Law Students are mandatory, but you may generally complete them at your own pace unless otherwise instructed. The assignments below (preceded by SW) represent the reading for each week.

WEEK 1

Amateur Sports and the Law

Pages 1 – 5

Legal Relationships in Amateur Sports: Athletes' Rights, pages 7 - 28

SW – Introduction: Scholarly Writing in Law School, pages 1-12

WEEK 2

Amateur Sports and the Law

Coaching and Institutional Contracts, pages 28-52

Amateur Sports Associations: Rules Procedures, Eligibility

Threshold Constitutional Issues, pages 55-80

SW – Inspiration: Choosing a Subject and Developing a Thesis, pages 14-45

WEEK 3

Amateur Sports Associations: Rules Procedures, Eligibility

National Collegiate Athletic Association Enforcement Issues, pages 80-86 (skim)

General Eligibility Issues, pages 86 – 120

SW – The Mostly Research Stage, pages 46 -56

WEEK 4

TBD

☞ **Due: Paper Topic** ☞

WEEK 5

TBD

WEEK 6

TBD

WEEK 7

TBD

SW – The Writing Process: Getting it Down on Paper, pages 57 – 73

☞ **Due: Research Paper Outline** ☞

WEEK 8

TBD

SW – The Writing Process: Revising and Polishing, pages 74-97

WEEK 9

TBD

SW – Footnotes and the Ethical Use of Borrowed Materials, pages 98-116

✍ Due: Research Paper First Draft ✍

WEEK 10

TBD

SW – Writing with Care, pages 117-134

WEEK 11

TBD

SW – Writing with Style, pages 135-152

WEEK 12

TBD

WEEK 13

TBD

WEEK 14

TBD

✍ Research Paper Due TBD ✍