

BOOK REVIEW

SPORTS LAW: CASES, DOCUMENTS, AND MATERIALS

Walter T. Champion, Jr.

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Walter Champion (Texas Southern University School of Law) offers a comprehensive introduction to sports law in his recent work, *Sports Law: Cases, Documents, and Materials*. Champion is also well-known for his *Sports Law in a Nutshell* now in its third edition (2005). Clear and easy to read, Champion's experience in teaching and writing in this area is apparent. Divided into 13 chapters, this hardbound law school text is a useful addition to sports law literature.

Champion's *Preface* proclaims that sports law is a relatively new discipline and is a "hodgepodge" of already established legal subjects including contracts, torts and constitutional law. By now, many sports law practitioners and academicians would disagree with his assertion. Still, Champion maintains that his goal is to introduce future practitioners to the various legal concepts and documents that they might address in their professional careers. At first glance, this focus might seem to exclude non-law students or others who are interested in sports law from his primary audience. However, the organization of Champion's text is straight forward and to the point so that even those whose career ambitions only tangentially touch sports law should be satisfied with his no-nonsense approach.

Chapter 1 is an unusually brief section entitled *Introduction*. In a mere six pages, Champion efficiently sets the tone for brevity in this textbook while effectively dividing sports law into professional sports and amateur sports. It is quite apparent that he is up to date in his research as he references recent issues in sports law such as performance enhancing drugs (as current as 2004) in this first chapter. Champion maintains this straight forward structure throughout the text which proves to be effective and enhances the book.

Champion divides the next chapter, *Contracts*, into eight subsections including *Why Sports Contracts are Different*, *Formation*, *Standard Player's*

Contract, Specialty Clauses, Terminations (including *Assignments* and *Remedies*), *Defenses, Negotiating The Contract*, and finally *Coaches*. Champion has developed an excellent framework to present this material in a clear and concise manner. In fact, he provides a very nice outline in each subsequent chapter in this textbook as well. This aids students and professors accordingly.

It is apparent in this chapter that Champion has spent considerable effort to offer major sports contracts cases from 1902 through 2002. This provides an historical context allowing the reader to appreciate that contract issues have been prevalent and remain important in the world of sports law. He further provides practitioner-oriented contracts clauses which address significant issues in any sports contract, but especially in coaches' contracts. Champion then offers his first *Questions and Discussion* section at the end of the chapter. These are found at the end of each chapter of the book and effectively tie together and summarize the content for the reader before moving on to the next chapter. These questions, much like the text, are usually brief and to the point.

In Chapter 3 *Agents*, the numerous cases involving player agents mesh well with other parts of the chapter, including an excerpt from an actual application for certification as a Major League Baseball Players Association (MLBPA) player agent. Champion also focuses on National Collegiate Athletic Association (NCAA) concerns with agents, collective bargaining issues, and the regulatory environment surrounding sports agents. Again, the chapter's *Questions and Discussion* section provides simple yet effective discussion issues for students and instructors, and numerous journal and law review articles for additional research (and commentary).

Labor Law and Antitrust Law are addressed in Chapters 4 and 5. The study of labor and employment law and antitrust law present some of the more challenging issues for students and academics. For those who have little exposure to the study of employment law generally, and for those who have not studied antitrust law Champion offers a straight-forward approach to both of these interrelated subjects. For example, in the *Labor Law* chapter, Champion presents the issues involving the various players associations and their relationship with management (owners). Accordingly, in the *Antitrust* chapter, Champion discusses the Sherman Act and its impact on professional sports leagues including a nice discussion of baseball's outdated reserve system (and the National Football League's (NFL) corollary the "Rozelle Rule"), all in the realm of the federal National Labor Relations Act (NLRA). He goes further by offering excerpts from the NFL collective bargaining agreement as it was current through 2003. Labor issues involving strikes,

lockouts, unfair labor practices and grievances are briefly but thoroughly discussed. The *Antitrust* chapter is almost 80 pages, but that simply reflects the author's desire to include less abridged cases likely due to the breadth of the subject matter.

Interestingly, Champion places *Torts* as his Chapter 6. Most texts address this subject earlier. Almost 100 pages long, this chapter addresses the variety of legal issues associated with negligence, intentional torts (including defamation and invasion of privacy), products liability, worker's compensation, and Champion even ventures into more unique areas involving school, as well as coach and referee liability. Champion's success in the *Torts* chapter, as in his other chapters, is that he has an effective yet simple outline for the reader involving that particular subject area. This outline is extremely useful for instructors. It also allows the introduction of supplemental material from instructors who prefer to add value to their sports law courses through the use of online teaching tools such as *Blackboard* or the more traditional course packet materials and handouts. Inclusion of recent cases such as *Benejam v. Detroit Tigers, Inc.* (2001) allows teacher and student alike to consider contemporary issues involving potential liability in which, as in this case, a minor was injured by a baseball bat fragment at a professional baseball game.

One of the strengths of Chapter 7, *Criminal Liability*, is that Champion addresses violence in sports from both an American and Canadian perspective. He also addresses international issues involving Hooliganism. Overall the criminal law chapter is quite brief and concludes in only 18 pages.

In Chapter 8, *Athletic Eligibility*, Champion covers a wide latitude of issues including eligibility, "no pass, no play" rules, "red-shirting" (i.e., the process of holding back students academically in order to eventually gain a physical maturity advantage), issues related to high school athletic associations, and even issues related to athletes with disabilities in both amateur and professional sports. A discussion of whether or not the NCAA is considered a state actor is also included as Champion includes the *NCAA v. Tarkanian* (1988) case, which held that the NCAA is not a state actor. Champion also addresses whether or not student-athletes are considered employees and even includes the *Rensing v. Indiana State Univ. Board of Trustees* (1982) decision to demonstrate that the answer consistently remains, "no."

In an interesting Chapter 9, *Discipline*, Champion offers an amalgamation of punishment issues involving due process considerations, the role of the league commissioners, drug testing concerns and even legal considerations involving terminating employees.

The final chapters begin with Chapter 10, *The NCAA*, involving the organization's administration, agent issues, eligibility and discipline issues (including the "death penalty" punishment exacted on Southern Methodist University and its football program as a result of improprieties in the 1980s). Champion then moves to *Women and Sports* (Chapter 11). He provides issues related to discrimination, harassment and Title IX in a simple, yet effective, way. In *International Law*, Chapter 12, Champion's focus is clearly on the Olympics. He includes a discussion of the Olympic Movement generally, but also offers a discussion of international doping (i.e., drug testing) issues and fine discussion of the Court of Arbitration for Sport. In his final Chapter 13, *Intellectual Property*, the various forms intangible property rights related to patents, copyrights, trademarks and licensing are offered as well. Champion even discusses the role of property rights related to broadcasting of sporting events as well.

Champion's *Sports Law: Cases, Documents, and Materials* is suitable for any law school sports law course and for those who have already had an introduction to the American legal system. The text is not for those who have no experience studying law, but if the instructor could provide his or her own introduction to law, this text could still fit the bill. The well-written and organized format (not to mention its selling price and relatively slim size) should make this work a serious contender for casebook adoption consideration. Additionally, it should provide other law school casebooks with formidable competition. *Sports Law: Cases, Documents, and Materials* is consistent with other law school books in its straight forward and no-frills presentation as boldface text is the most creative aspect of its production and there is no glossary. The utilization of *Sports Law: Cases, Documents, and Materials* could also be considered by graduate students, educators, and those individuals interested in sport law who are outside the law school community.

Adam Epstein
Central Michigan University