

SPORTS LAW 483 § A

FALL 2026 WED 6:30 p.m. – 9:40 p.m.

Professor Jonathan Smith

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REQUIRED TEXT

Sports Law Practice, Gray, James T., 3d edition. (selected chapters only). Additional cases, statutes, collective bargaining agreements, articles, podcasts, videos, sample contracts, and current industry materials will be posted to the Lexis Course page or linked in this syllabus. Because sports law is developing rapidly, some supplemental materials may be updated during the semester.

COURSE DESCRIPTION

This course provides an in-depth exploration of the legal principles and issues pertinent to the sports industry. Students will examine a range of topics, including contract negotiation, corporate and agency law, and liability concerns. Through a combination of lectures, case studies, and practical exercises, students will gain a comprehensive understanding of how the law impacts athletes, teams, and sports organizations.

The course emphasizes hands-on learning, with students participating in simulated client representation and negotiation exercises. Assignments will include drafting contracts, engaging in negotiation exercises, and resolving real-world legal scenarios. By the end of the course, students will have developed the skills necessary to effectively navigate the complex legal landscape of the sports industry and to provide sound legal advice and representation to clients. This course is essential for anyone interested in pursuing a career in sports law or enhancing their understanding of the legal challenges in the sports sector.

ATTENDANCE, GRADES, MIDTERM/FINAL & LATE POLICY

ATTENDANCE:

You should attend every class. WSCL written policy for students whose class regularly meets twice per week, is that upon your fifth absence, you will fail this course and receive a grade of 0.0 (on the 4.0 scale). See Student Handbook, § 5.13. For students whose class meets once per week, if you are absent for an entire, or substantially all, of a three hour class period, you will have accumulated two official absences. If, however, you are absent for only half of a three hour class period or a significant portion thereof, you will accumulate just one absence.

GRADES

PARTICIPATION & PROFESSIONALISM (P&P): (20%)

Success in law school involves an active learning environment. This class is most productive (and fun!) if you have thought about the material and are willing to discuss it. In order for this class to have its intended purpose, there must be active student participation. Quality is valued over quantity for volunteer participation, and all views are welcome. 20% of your final course grade will be based on the quality and quantity of your contributions to class discussions, attendance, punctuality, conduct during class time, and overall professionalism.

You may not record this class without my prior approval. Students in violation of these policies may be referred to the Associate Dean for Academic Affairs.

MIDTERM – Multiple Choice Examination: (20%)

FINAL – Negotiations and Joint Final Contract: (60%)

The final exam will consist of two main components: a final negotiation exercise and the submission of a final joint contract.

1. Final Negotiation Exercise:

Students will engage in a final negotiation exercise with their opposing counsel, building upon the preliminary negotiations from the midterm. Students must collaborate with their opposing counsel to negotiate a final contract that meets both clients' objectives. The negotiation will be conducted during class time, and students are expected to come prepared with a refined strategy and an understanding of potential compromises. The final negotiation will be assessed on the students' ability to work collaboratively, negotiate effectively, and achieve a balanced contract that satisfies both clients. The negotiation process and effectiveness will be a significant part of the final exam grade.

2. Final Joint Contract Submission:

After the negotiation exercise, students must submit a final joint contract that represents the agreed-upon terms reached during the negotiation. The final contract should be detailed, legally sound, and reflect the successful integration of both clients' objectives. It should demonstrate the students' ability to draft a professional and enforceable agreement. The final joint contract must be submitted by the start of class on the due date. Late submissions will incur a grade penalty.

LATE POLICY

As a professional, you are responsible for submitting all assignments on time. A late assignment is one submitted any time after it is due. Your assignments must be emailed to me as a Microsoft Word attachment prior to the start of class on the date it is due. Your final must also be uploaded to TurnItIn.

Late assignments will receive point deductions. Do not plagiarize. Do not use generative AI in a manner that violates the Honor Code and constitutes plagiarism. Any violation of the Honor

Code will result in the student receiving a “0” in the course as well as possible referral to the Honor Code Committee.

OUTSIDE PREPARATION:

You should anticipate that, on average, preparing for class will take you a minimum of two hours for every one hour of class time. To restate with specificity and at risk of redundancy: because Sports Law is a three-unit class, you should estimate your preparation for class to require six (6) or more hours outside of class to complete.

LEARNING GOALS

During this course, students should be able to:

- Understand key legal principles and issues in sports law.
 - Draft comprehensive and legally sound sports-related contracts.
 - Employ effective negotiation strategies in sports law contexts.
 - Analyze and resolve legal issues in hypothetical sports scenarios.
 - Present legal arguments clearly and persuasively in written and oral forms.
 - Recognize and address ethical dilemmas in sports law practice.
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OFFICE HOURS

By appointment - Please email me directly to schedule an office hour appointment.

DISABILITY SERVICES STATEMENT:

Western State College of Law provides accommodations to qualified students with disabilities. The Disabilities Services Office assists qualified students with disabilities in acquiring reasonable and appropriate accommodations and in supporting equal access to services, programs, and activities at Western State College of Law.

To seek reasonable accommodations, a student must contact Senior Assistant Dean Donna Espinoza, Student Services Director and Disabilities Services Coordinator, whose office is in Room 276. Dean Espinoza's phone number and email address are: (714) 459-1117; despinoza@wsulaw.edu. When seeking accommodations, a student should notify Dean Espinoza of her or his specific limitations and, if known, her or his specific requested accommodations. Students who seek accommodations will be asked to supply medical documentation of the need for accommodation. Classroom accommodations are not retroactive, but are effective only upon the student sharing approved accommodations with the instructor or professor. Therefore, students are encouraged to request accommodations as early as feasible with Dean Espinoza to allow for time to gather necessary documentation. If you have a concern or complaint in this regard, please notify Dean Espinoza; or please notify Dean Halim Dhanidina at hdhanidina@wsulaw.edu or (714) 459-1168. Complaints will be handled in accordance with the College of Law's "Policy against Discrimination and Harassment."

SYLLABUS:

1. The listed chapters and corresponding page numbers reference our course textbook, Sports Law Practice, Gray, James T., 3d edition
2. Additional designated Readings/Materials are posted on the Lexis Course page, or you are provided a direct link or case opinion cite.

WEEK:	TOPICS:	READING/ASSIGNMENT:
WEEK 1: AUGUST 19	Introduction to Course Introduction to Sports Law and the Sports Industry	READ: Gray, Chapter 1 REVIEW: 2023 NBA-NBPA Collective Bargaining Agreement : Table of Contents; Article XXXI, §§ 1-2; and Article XXXIV. READ: NFLPA, "How the NFLPA Works" .
WEEK 2: AUGUST 26	Sports Contracts I: Player and Employment Agreements	READ: 2023 NBA-NBPA Collective Bargaining Agreement : Article II, §§ 1-4, and assigned provisions of Exhibit A, the Uniform Player Contract. READ: NFL Standard Contract review the NFL CBA overview and NFL contract-language overview for context. LISTEN: Conduct Detrimental, "NFL Contract Negotiated Provisions"
WEEK 3: SEPTEMBER 2	Sports Contracts II: Endorsement, NIL, Sponsorship, Licensing and Services	READ: California Education Code § 67456 (focus on compensation, professional representation, disclosure, and conflicts with team contracts).

		READ/WATCH: FTC, “Disclosures 101 for Social Media Influencers” and the short video available through the FTC Endorsements, Influencers, and Reviews resource page. OPTIONAL LISTEN: SportsWise, Episode 107: “College Sports Contract Madness”.
WEEK 4: SEPTEMBER 9	Title IX in Sports	READ: Gray, Chapter 11. READ: 20 U.S.C. § 1681; 34 C.F.R. § 106.37(c); and 34 C.F.R. § 106.41. READ: 1979 Policy Interpretation: Title IX and Intercollegiate Athletics and 1996 Clarification of the Three-Part Test REVIEW/WATCH: U.S. Department of Education, “Title IX and Athletics”, and PBS, “Origins of Title IX”
WEEK 5: SEPTEMBER 16	College Athletics I: Amateurism and Antitrust	READ: O’Bannon v. NCAA, 802 F.3d 1049 (9th Cir. 2015) READ: NCAA v. Alston, 594 U.S. 69 (2021), including Justice Kavanaugh’s concurrence OPTIONAL LISTEN: NCAA v. Alston oral argument
WEEK 6: SEPTEMBER 23	College Athletics II: NIL, Revenue Sharing and Athlete Status	READ: NCAA Division I Settlement Resources: “Question and Answer: Implementation of the House Settlement” (May 2026) and “House Settlement: A Guide for Schools.” READ: Congressional Research Service, “College Athlete Compensation: Impacts of the House Settlement”.

		READ: Johnson v. National Collegiate Athletic Association, 108 F.4th 163 (3d Cir. 2024). together with the CRS summary of Johnson.
WEEK 7: SEPTEMBER 30	Athlete Agents, Regulation and Professional Responsibility	READ: Gray, Chapter 11. READ: Sports Agent Responsibility and Trust Act, 15 U.S.C. §§ 7801-7807 (begin with § 7801 and use the linked navigation for the remaining provisions). READ: California Miller-Ayala Athlete Agents Act, Bus. & Prof. Code §§ 18895-18897.97 READ: FTC, “If You Represent Student Athletes, Comply with SPARTA”, and selected provisions of the NBPA Regulations Governing Player Agents.
WEEK 8: OCTOBER 7	Sports Management Advisory Team Structure	READ: NFLPA Regulations and Code of Conduct Governing Registered Player Financial Advisors READ: California Rules of Professional Conduct: Rules 1.1, 1.6, 1.7, 1.8.1, 1.15, 5.4, and 7.2. READ: SEC, “SEC Halts Scheme Defrauding Pro Athletes”.
WEEK 9: OCTOBER 14	MIDTERM	MIDTERM
WEEK 10: OCTOBER 21	Athlete Health, Safety, Torts and Risk Management	READ: Knight v. Jewett, 3 Cal. 4th 296 (1992), and Kahn v. East Side Union High School District, 31 Cal. 4th 990 (2003)

		REVIEW: NCAA Concussion Safety and Management resources, including the current Concussion Safety Protocol Checklist. WATCH: PBS FRONTLINE, League of Denial: The NFL's Concussion Crisis
WEEK 11: OCTOBER 28	Sports Business: Media, Intellectual Property, Sponsorship and Integrity	READ: Zacchini v. Scripps-Howard Broadcasting Co., 433 U.S. 562 (1977) (case opinion PDF). READ: C.B.C. Distribution & Marketing, Inc. v. Major League Baseball Advanced Media, L.P READ: NCAA, "Sports Betting Integrity Violations Involving Four Men's Basketball Student-Athletes Occurred at Alabama State" (June 5, 2026). OPTIONAL: NCAA Sports Wagering E-Learning Module.
WEEK 12: NOVEMBER 4	Open Negotiation and Contract Workshop	Open Negotiation and Contract Workshop
WEEK 13: NOVEMBER 10 **NOTE THIS WEEK'S CLASS WILL BE HELD ON A TUES**	FINAL NEGOTIATIONS	In-Class Final Negotiations Due: Students negotiating on 11/10 must submit Final Joint Contract by 11/13. Email Professor Smith by 7pm. Must be in Word format. Must also be Upload to TurnItIn.
WEEK 14: NOVEMBER 18		In-Class Final Negotiations Due: Students negotiating on 11/18 must submit Final Joint Contract by

	FINAL NEGOTIATIONS/ COURSE DE-BRIEF	11/20. Email Professor Smith by 7pm. Must be in Word format. Must also be Upload to TurnItIn.
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Western State College of Law – Programmatic Learning Outcomes

Western State College of Law’s curriculum is designed so that every student achieves a level of competency prior to graduation in each of the eight Programmatic Learning Outcomes listed below:

(1) Doctrinal Knowledge

Students will demonstrate knowledge of substantive and procedural law in the core curriculum subjects, including Contracts, Criminal Law, Criminal Procedure, Torts, Real Property, Business Association, Evidence, Civil Procedures, Constitutional Law, Estates, Community Property, Remedies, and Professional Responsibility.

(2) Practice Skills

Students will demonstrate the development of other law practice skills. Each student’s chosen outcomes within this category will be varied based on the student’s particular interests, coursework and work experiences. They may include, but are not limited to, the following topics: oral presentation and advocacy; interviewing; counseling; client service and business development; negotiations, mediation, arbitration, or other alternate dispute resolution methods; advanced legal research and writing (excluding purely academic papers and the first four units earned in introductory first-year legal research and writing class); applied legal writing such as drafting contracts, pleadings, other legal instruments; law practice management or the use of technology in law practice; cultural competency; collaboration or project management; financial analysis, such as accounting, budgeting project management, and valuation; cost benefit analysis in administrative agencies; use of technology, data analyses, or predictive coding; business strategy and behavior; pre-trial preparation, fact investigation, such as discovery, e-discovery, motion practice, assessing evidence, or utilizing experts; trial practice; professional civility and applied ethics; a law clinic that includes a classroom component; or a legal externship that includes a classroom component.

(3) Legal Analysis

Students will demonstrate the ability to identify the factual and legal issues implicated by a fact pattern and to appropriately use cases (including identifying the salient features of an appropriate precedent case, identifying legally significant similarities or differences between the precedent case and a fact pattern and explaining why those are legally significant) and rules (including the

ability to connect legally significant facts in a fact pattern to the rule) to predict how a court would decide the issue. Students will also demonstrate the ability to identify and evaluate the public policies of a precedent case or rule, and be able to evaluate how public policy can impact the application of a rule to the legal issue.

(4) Legal Research

Students will demonstrate the ability to locate relevant legal authority using a variety of book and electronic resources, and to properly cite to such legal authority.

(5) Communication

Students will demonstrate the ability to communicate both orally and in writing in a manner appropriate to a particular task to effectively convey the author or speaker's ideas. This includes audience sensitivity in written and oral communication (the ability to adopt a tone, style and level of detail appropriate to the needs, knowledge and expertise of the audience); and written communication basic proficiency (the ability to use the conventions of grammar, spelling, punctuation, diction and usage appropriate to the task and sufficient to convey effectively the author's ideas).

(6) Advocacy of Legal Argument

Students will demonstrate the ability, in both oral and written formats, to evaluate the legal, economic and social strengths and weaknesses of a case and use case and statutory authority as well as public policy to persuade others. Making policy-based arguments includes the ability to identify and evaluate the public policies of a precedent case or rule and their implications, and be able to assert such appropriate arguments to support a particular application or distinction of a precedent case to a legal controversy or a particular resolution of the application of a rule to the legal controversy.

(7) Client Sensitivity and Cultural Competency

Students will demonstrate an awareness of clients' needs and goals, including a sensitivity to clients' background and circumstances (including, but not limited to, socio-economic, gender, race, ethnicity, educational, disability and/or religious background(s)), the ability to make decisions that reflect an appropriate focus on

those needs and goals, and awareness that cultural issues may affect the relevance of facts and application of the law.

(8) Legal Ethics

Students will demonstrate the ability to identify ethical issues in law practice contexts and make appropriate decisions to resolve such issues.