

## **For Power and Glory: State-Sponsored Doping and Athletes' Human Rights**

The Article explains the effects of state-sponsored doping of athletes, first making the distinction between voluntarily taking performance enhancing drugs and the involuntary forcing of doping agents upon young athletes. It then gives a brief history of doping in East Germany and China, two countries found to have forced young athletes to take performance enhancing drugs prior to world competitions, focusing primarily on swimmers. Next, the interplay between the involuntary doping and the violation of the athletes' human rights is analyzed, concentrating on how individual athletes should be treated when taking doping agents is forced upon them by governments and the opportunity to compete without the use of these substances is not an option. Finally, it states that increased awareness of this matter, as well as increased regulation by the organizations governing international competition, will be the most effective method in resolving this crime against competition, but more importantly against human rights.

## **Athletic Scholarships as Unconscionable Contracts of Adhesion: Has the NCAA Fouled Out?**

The Article defines what an athletic scholarship actually is and explains the common misconceptions that the general public and especially the student-athletes have dealing with these contracts. It first states that scholarships are only for a duration of one year and must be renewed each and every year by the institution. It continues by stating that schools may decide not to renew a student-athlete's scholarship for almost any reason without facing any penalty, contrasted with a student-athlete being forced to sit out of competition for a year if he/she decides to transfer. It also explains portions of the National Letter of Intent and how it is written to favor the NCAA and the member institution over the student-athlete. Finally, it provides arguments for making the scholarship process more student-friendly and provides suggestions for accomplishing the necessary changes.

## **Civil Rights**

The Article details the history and development of Title IX and its implementing regulations as applied to intercollegiate athletics, highlighting the inequities that have often resulted from its interpretation and application to college programs. It then analyses the recent Office of Civil Rights' (the division of the Department of Education that interprets and implements Title IX's regulatory structure and oversees collegiate adherence to Title IX) proposal to allow institutions to use electronic surveys to comply with prong three of the (in)famous "Three Prong Test". The Article concludes that the survey scheme is a good step forward in correcting inequities while preserving opportunities for women, but underlines some weaknesses in the OCR's proposal and suggests some ways to correct these shortcomings. Ultimately, the Article concludes that schools should be allowed to measure genuine interest in athletic participation among both male and female undergraduates and develop appropriate programs to meet these needs without adhering to the strictures of proportionality so prevalent in institutions today.

## **Fantasy Baseball**

This comment uses the current issues arising in fantasy baseball to answer the question of who owns Major League Baseball statistics. It uses the *C.B.C. Distribution and Marketing, Inc v. MLB Advanced, L.P.* (MLB Advance Media) case to discuss how the court will answer this question. The comment first analyses this case using trademark laws and then using copyright law. The comment concludes that the MLB will not likely will not have a strong case on either trademark or copyright.

A Sure Bet: Why New Jersey Would Benefit From Legalized Sports Wagering – Michael Levinson

This Article explores the idea of legalizing sports wagering in America. The author explains the current stance on sports wagering and explains why this negativity exists and what some states that have legalized wagering have done to keep the potential for corruption in check. The article considers the issue in New Jersey, which has legalized casinos within its borders but has not yet made wagering on sporting events (other than horse races) legal. The author discusses how the legalization of sports wagering in New Jersey could positively impact the state and articulates the specifics that such wagering legislation would need to include in order to keep the potentially negative effects at bay. Finally, the article examines both the problems posed by the proposed legislation as well as the difficulties New Jersey will have to overcome from numerous organizations in trying to get this type of legislation to take effect.

## The NHL Lockout: The Trickle-Down Effect on European Hockey – Anders Etgen Reitz

This article explores the impact the National Hockey League's (NHL) lockout had on other hockey organizations during the 2004-2005 season, specifically the Swedish Hockey League (SHL). The author notes the differences between the two leagues, pointing out that when players from the NHL went to the SHL for that season, the terms they agreed to were much different and, in many cases, worse than those they had in their contracts with the NHL. The article outlines the obstacles these players had to overcome to be able to play for the SHL, and postulates as to why these players elected to take these risks and make the move. The author notes the effects this temporary move had on the SHL itself, namely on its players and their fears regarding job displacement. In conclusion, the author details the economic effects this move had on both the NHL and the SHL.

Fourth Down and an Appeal: The Nonstatutory Exemption to Antitrust Law in *Clarett v. National Football League* — Jeffrey Hoffmeyer

Abstract:

This Article explores the non-statutory labor exemption to anti-trust laws. The author details the development of the nonstatutory exemption via labor law and the application of the exemption to sports law. The Article focuses on *Clarett v. NFL*, and uses Maurice Clarett's failed attempt to enter the NFL draft early despite a collective bargaining agreement term imposed by the NFL. The court ruled that the eligibility requirements which forbade Clarett from early draft eligibility were shielded from antitrust liability due to the nonstatutory labor law exemption. The Article focuses on different tests proposed by circuit courts and the Supreme Court. For now, it is unclear how the current Supreme Court would decide this issue.

Boxing: Why It Should Be Down for the Count — *Antoinette Vacca*

This Article details the negative effects of boxing. The Article explores the medical problems associated with boxing, including: vision problems, paralysis, coma, death, Alzheimer's disease, Parkinson's disease and Pugilistic Dementia. The author focuses on real life examples as well as medical testimony, and also considers the harmful effect of boxing on children. Additionally, the author details the negative costs that boxing is transferring to society. The author suggests possible government intervention as well as detailing previous government attempts at fixing this problem, describing these attempts as, "too little too late."



## **Rooney Rule**

This Article will summarize the history of the National Football League's "Rooney Rule" as well as the history of affirmative action law. The author then analyzes the Rooney Rule as an affirmative action policy. This analysis includes a scenario proposing an alternative NFL mandate analyzed against the criterion of affirmative action, discusses how litigation against the Rooney Rule might be based, and provides several recommendations on introducing the rule to other leagues or organizations whose hiring practices have come into question by minority activist groups.

## **Orphans**

This article addresses the need for change in organized youth sports. This article focuses on how parental involvement may potentially destroy a child's motivation and capacity to participate, in sports, beyond organized youth sports. The author proposes that new laws should be passed in order to prevent parental sports rage; and that the focus of youth sports should be moved from winning to a focus on developing children physically and mentally.