



**HLS**

**Sports Law Clinic**

**Guide**

**2021/22**

**Office of Clinical and Pro Bono Programs**

**WCC 3085**

**[clinical@law.harvard.edu](mailto:clinical@law.harvard.edu)**

## **SPORTS LAW CLINIC 2021/22**

### **INTRODUCTION**

Welcome! Continuing in the tradition of Professor Paul Weiler's renowned Sports Law Program, the HLS Sports Law Clinic began in 2007, under the direction of Professor Peter Carfagna, who also teaches several Sports Law courses.

### **PARTICIPATION**

Participation in the clinic is by permission of Prof. Carfagna. Students submit applications to the Office of Clinical and Pro Bono Programs (OCP). OCP handles registration and enrolls students into the Clinic when placements are finalized. Liz Solar, Director of Externships, works closely with Prof. Carfagna to place students in host organizations. Liz handles all administrative matters. You must attend one of Professor Carfagna's courses detailed below.

Acceptance and placement with host organizations is coordinated between the sponsoring organizations, Prof. Carfagna, and Liz Solar. Priority in the clinic will go to students who have not previously participated in the clinic and have met all clinic requirements.

Students who have previously participated in the clinic should first meet with Prof. Carfagna to discuss their interest in returning to a prior placement or going to a different organization.

### **PLACEMENT PRIORITY**

Placement priority will be given to Students who take the (fall) Advanced Drafting course, due to the fact that most Placements require the hands-on negotiating and drafting skills covered by this course in the context of studying a wide variety of Sports Venue Marketing/Sponsorship Agreements.

Highest placement priority will be given to Students who take the (fall) Advanced Contract Drafting Course and the (fall) Sports and the Law: Examining the Legal History and Evolution of America's Three "Major League" Sports: MLB, NFL and NBA because many Placements also require the theoretical/historical Sports Law background covered in this Course, which is annually updated to cover the current cutting-edge issues in Sports and the Law.

Available courses:

- 1) Sports Law: Advanced Contract Drafting; (Fall)

2) Sports and the Law: Examining the Legal History and Evolution of America's Three "Major League" Sports: MLB, NFL and NBA; (Fall)

3) Sports and the Law: Representing the Professional Athlete. (Winter)

Please note that these courses **do not** have seats reserved for clinical students. It is your responsibility to enroll in one of these classes in order to be considered for participation in the clinic.

The Sports Law Clinic encourages students who meet the course requirements and who are interested in Sports Law work to submit their application. A select group of students will be offered Sports Law placements. The clinic is competitive and acceptance is not guaranteed.

### **SPORTS LAW PLACEMENTS/ORGANIZATIONS: Where you can work**

#### **Existing Sports Law Organizations:**

Many students will be placed with legal departments of major sports leagues or sports franchises, with law firms and lawyers representing individuals, teams, leagues, or other sports related organizations which have previously hosted HLS interns. The Sports Law Clinic has a variety of placements that have consistently hosted students; however, this list is subject to change and cannot be guaranteed year to year.

A representative list of placements includes the following: Legal Department of MLB; NFL; Patriots; Celtics; Red Sox; Brooklyn Nets; Concussion Legacy Foundation; MLBPA Legal Department; LPGA legal Department; Excel Sports; and the Wasserman Agency. A full list of organizations who have agreed to host students and to review resumes is made available in the fall.

Placement Sponsors review your Letters of Interest and resumes – and some organizations conduct interviews.

**PLEASE NOTE:** There is a requirement that if a student applies, is selected, and offered a position/placement, they will accept the offer. If a student is rejected from placement(s) and if there are openings in other organizations, we may consult with you to submit your application accordingly.

#### **Creating New Placements:**

Students are also permitted and encouraged to create their own placements with new organizations provided they meet the requirements outlined in this Guide. Students may set up placements with an organization with which they've previously worked or have

connections, or students may reach out to new organizations that have not had any previous contacts with HLS.

### Requirements

In order to qualify as an acceptable New Placement, students must be engaged in legal work and the student's work must be supervised by a licensed attorney. All placements must comply with HLS, ABA, state and federal guidelines, pertaining to clinical internships. Students may contact Liz Solar with any questions about clinic requirements. Students may NOT be paid and earn academic credit in any clinical placement. There are no exceptions this rule. Please review the HLS Handbook of Academic Policies.

### **Reaching out to Organizations:**

Students planning to develop their own placement must first email Prof. Carfagna or Liz Solar describing their interest in reaching out to a particular organization. Students must identify a supervising attorney at any potential organizations, which also must be communicated to Prof. Carfagna and Liz Solar.

The Clinic has developed materials that can be used to introduce the Clinic to prospective placements. Please contact Liz Solar at [esolar@law.harvard.edu](mailto:esolar@law.harvard.edu) to obtain copies of these materials. The materials include an introductory letter, Supervisor Handbook, and an OCP letter concerning supervisor obligations.

### **TERMS/CLINICAL CREDITS: When you can work**

Students have the option of working during fall, winter, or spring terms. Fall term is available to students who have previously worked with an organization and may return to work remotely, from campus, with the same organization during fall.

Fall and Spring students may work for 2, 3, 4, 5 credits, which are equivalent to, on average, 8, 12, 16 or 20 hours per week for 12 weeks.

Winter students are required to work full-time (40 hours per week) for two clinical credits, preferably on-site at their organizations. The vast majority of placements occur during Winter Term.

### **APPLICATION PROCESS: What you need to do**

1. Review the list of placements that will be made available in the fall.
2. Rank your **four top choices** in order of preference. Send an email to [clinical@law.harvard.edu](mailto:clinical@law.harvard.edu) and to Peter Carfagna at [pcarfagna@law.harvard.edu](mailto:pcarfagna@law.harvard.edu) . In the email, please indicate in which courses you are enrolled. The email should also

contain separate word document cover letters/statements of interests for each organization and which semester you prefer, according to when each organization has indicated that they will take students.

3. Students must also include their current resume, which will be shared with placements.
4. The email should also contain a statement acknowledging that if your application is sent to any of the organizations listed in your email that you will accept whichever organization selects you. (That is, saying no after an organization says yes is not an option.) We also encourage students to have a willingness to consider Placements which remain open if your top 4 choices do not work out.
5. Applications for winter and spring terms are due by **5pm on Friday, October 8**. Applications should be sent to [clinical@law.harvard.edu](mailto:clinical@law.harvard.edu) with a copy to [pcarfagna@law.harvard.edu](mailto:pcarfagna@law.harvard.edu) with subject matter re: Sports Law Clinical Application.
6. Students interested in a fall placement should reach out to Liz Solar [esolar@law.harvard.edu](mailto:esolar@law.harvard.edu) or Peter Carfagna [pcarfagna@law.harvard.edu](mailto:pcarfagna@law.harvard.edu).

#### **SELECTION PROCESS: How you will get chosen**

Final placement decisions are made by the Placement Sponsor and Prof. Carfagna. The applicant's class performance in the Sports Law classes is also significantly taken into account. Many placements conduct telephone and in-person interviews, if local.

**WHEN YOU WILL KNOW:** We will make every effort to advise students of their placements by the dates listed below.

Winter term: December 3, 2021

Spring term: January 07, 2022

#### **FUNDING**

Funding for winter students, who travel to placements **that are not located in their hometown** are eligible for reasonable travel and housing expenses. Students should consult the OCP website for guidelines and the funding application.

<https://hls.harvard.edu/dept/clinical/funding/>

#### **HLS PRO BONO REQUIREMENT**

Many of the Sports Law placements do not satisfy the HLS Pro Bono requirement.

## **INTERNATIONAL STUDENTS**

All J.D. students in F-1 student status are required to obtain Curricular Practical Training authorization. Students must complete a Curricular Practical Training application provided by the Office of Clinical and Pro Bono Programs to get authorization.

**IMPORTANT: Students cannot start their clinical placement until they have received Curricular Practical Training authorization** and obtained their update I-20 form **through the Harvard International Office.** **NOTE:** International JD students are only eligible for CPT if they have been in active F-1 student status for the previous academic year.

- International JD students in F-1 student status may not participate in Advanced Continuing Clinicals.
- International LLMS with F-1 status are not eligible to apply for U.S based externship placements.

## **CLINIC REQUIREMENTS**

Students are required to submit one reflection essay at the end of their winter term. For fall and spring terms students are also required to submit one reflection essay, if students are not returning to the same organization. Suggested essay topics are provided in the **Student Guide to Clinical and Externships & Independent Clinical Placements**, which will be provided to all students participating in the Sports Law clinic and is also available on the OCP website.

## **GRADES**

Students will receive a separate clinical grade, on the H, P, LP, F grading scheme. Supervising attorneys will submit written evaluations and recommend grades to Prof. Carfagna for his review.

Questions? Please contact Liz Solar at [esolar@law.harvard.edu](mailto:esolar@law.harvard.edu) or 617-495-3765.