

Adv. Legal Aspects in Live Ent. & Sports

Connect with SPM

SPM4725 | Class # 26261 | 3 Credits | Spring 2024



Course Info

INSTRUCTOR

Brian D. Avery

Office: Florida Gym 302

Office Phone: (352) 294-6922

Email: brianavery@ufl.edu

Preferred Method of Contact: **face-to-face, remind app (Text 81010 @brianavery), and email (please include: Name, course, you have read the syllabus and referred to Canvas, and provide question)**

OFFICE HOURS

T/R 9:00 AM to 10:00 AM or by appointment (F2F or scheduled Zoom)

MEETING

TIME/LOCATION

MAT 0102 and through Canvas on UF e-Learning

(<https://elearning.ufl.edu/>) & the Canvas mobile app by Instructure

MWF period 8 (3:00 PM – 3:50 PM)

COURSE DESCRIPTION

Advanced legal aspects expand on the civil legal considerations of sport and entertainment as they relate to venue operators, agents/talent managers, talent, and patrons. Students will gain an understanding of how various bodies of substantive law are applied in the context of the sport and live entertainment industry. A case study-based approach is used throughout the semester utilizing pending and/or finalized matters of law.

PREREQUISITE KNOWLEDGE AND SKILLS

SPM 2000 & (SPM 4723 or SPM 4724) & junior standing or higher

REQUIRED AND RECOMMENDED MATERIALS

All necessary materials for this course will be provided to students. This includes required readings, case studies, multimedia resources, and access to specialized software where applicable. Students are encouraged to utilize these resources extensively to enhance their learning experience. Additional recommended materials, which may offer further insights into the course topics, will be made available throughout the semester. Stay tuned for periodic updates on supplementary resources that could be beneficial for your studies.

Selected Book References (*no required textbook*):

Cotten, D.J., and Wolohan, J.T. (2007). Law for Recreation and Sports Managers-4th Ed. Debuque, Iowa: Kendall/Hunt Publishing Company.

Coallier, J. (2017). *Artists' Management Contracts Logbook* (Ent. Business). Columbia, S.C.: Archetype Publishing Production.

Field, C. (2017). *Entertainment Law: Fundamentals and Practice*. San Diego, CA: Cognella Academic Publishing.

Waddell, R.D., Barnett, R., and Berry, J. (2007). *The Business of Concert Promotion and Touring-A Practical Guide to Creating, Selling, Organizing, and Staging Concerts*. New York, NY: Watson-Guption Publications.

COURSE FORMAT

Our dynamic course structure encompasses a blend of instructional approaches to cater to diverse learning styles. Each class will feature interactive lectures that lay the foundational knowledge, spirited discussions to encourage critical thinking, and insights from industry experts through guest speaker sessions. Engaging case studies will provide real-world context, while simulated exercises will offer hands-on experience. Collaborative group work will further enable the synthesis of ideas and the development of teamwork skills.

COURSE LEARNING OBJECTIVES:

- Analyze and apply legal terminology applicable to the sport and live entertainment industry;
- Evaluate the United States legal system and international legal systems as they apply to the sport and live entertainment industry;
- Understand which legal constructs and doctrines are implicated in a given sport and live entertainment setting;
- Analyze, work with, and develop documents common to sport and entertainment law settings, including player and entertainer contracts, venue agreements, league constitutions, tour rulebooks, and governing bodies;
- Practice negotiating techniques as they relate to a sport/entertainment contracts;
- Analyze sport and entertainment case law and evaluate the merits of matters based on plaintiff/defendant positions as they relate to changing industry trends;
- Analyze the economic, social, and political impacts of sport and live entertainment industry legal decisions;
- Analyze and apply legislation, standards, and other legal concepts related to sport and live entertainment matters; and,
- Identify a sport/live entertainment negligent act and apply the civil legal process from beginning to end by filing a mock lawsuit, conducting mock discovery, and holding a mock trial.

Course & University Policies

ATTENDANCE POLICY

Active participation is key to success in this course, and attendance is assessed through engagement in assignments, projects, presentations, and exams. You are expected to complete all coursework during the period in which it is assigned or administered. Failure to do so, whether due to absence, tardiness, or early departure, will result in a zero for that work without exception. It is your responsibility to obtain any missed information from classmates. Please note that our class attendance practices align with the University's policies, which can be found [here](#).

PERSONAL CONDUCT POLICY

Students are expected to exhibit behaviors that reflect highly upon themselves and our University. UF students are bound by The Honor Pledge which states, "We, the members of the University of Florida community, pledge to hold ourselves and our peers to the highest standards of honor and integrity by abiding by the Honor Code. On all work submitted for credit by students at the University of Florida, the following pledge is either required or

implied: "On my honor, I have neither given nor received unauthorized aid in doing this assignment." The Honor Code (<http://www.dso.ufl.edu/sccr/process/student-conduct-honor-code/>) specifies a number of behaviors that are in violation of this code and the possible sanctions. Furthermore, you are obliged to report any condition that facilitates academic misconduct to appropriate personnel. If you have any questions or concerns, please consult the instructor or TA in this class. *Violations will be reported to the Dean of Students Office for consideration of disciplinary action.*

MAKE-UP POLICY

A student experiencing an illness should visit the UF Student Health Care Center or their preferred healthcare provider to seek medical advice and obtain documentation. If you have an illness, family emergency or death, please contact the Dean of Students Office (www.dso.ufl.edu) and follow the DSO Care Team procedures for documentation and submission of a request for make-up assignment (<https://care.dso.ufl.edu/instructor-notifications/>). The DSO will contact the instructor. Do not provide any documentation to the instructor regarding illness or family emergency. This is your personal and protected information. The DSO is qualified to receive and verify the documents you provide. The instructor will follow the recommendations from the DSO. Requirements for class attendance and make-up exams, assignments, and other work in this course are consistent with university policies that can be found in the online catalog at: <https://catalog.ufl.edu/ugrad/current/regulations/info/attendance.aspx>.

ACCOMMODATING STUDENTS WITH DISABILITIES

Students with disabilities who experience learning barriers and would like to request academic accommodations should connect with the Disability Resource Center by visiting their Get Started page at <https://disability.ufl.edu/students/get-started/>. It is important for students to share their accommodation letter with their instructor and discuss their access needs, as early as possible in the semester.

COURSE EVALUATIONS

Students are expected to provide professional and respectful feedback on the quality of instruction in this course by completing course evaluations online via GatorEvals. Guidance on how to give feedback in a professional and respectful manner is available at <https://gatorevals.ua.ufl.edu/students/>. Students will be notified when the evaluation period opens and can complete evaluations through the email they receive from GatorEvals, in their Canvas course menu under GatorEvals, or via <https://ufl.bluera.com/ufl/>. Summaries of course evaluation results are available to students at <https://gatorevals.ua.ufl.edu/public-results/>.

Getting Help

HEALTH & WELLNESS

- U Matter, We Care: If you or a friend is in distress, please contact umatter@ufl.edu or 352 392-1575
- Counseling and Wellness Center: <https://counseling.ufl.edu/>, 352-392-1575
- Sexual Assault Recovery Services (SARS) - Student Health Care Center, 392-1161
- University Police Department, 392-1111 (or 9-1-1 for emergencies) <http://www.police.ufl.edu/>

ACADEMIC RESOURCES

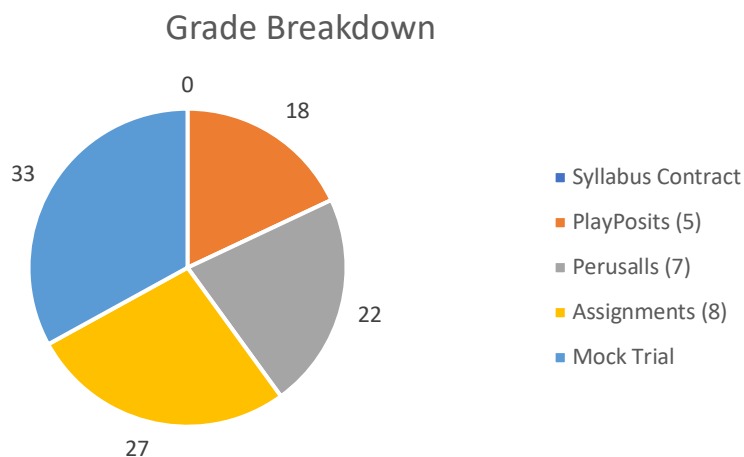
- E-learning technical support, 352-392-4357 (select option 2) or e-mail to Learning-support@ufl.edu. <https://lss.at.ufl.edu/help.shtml>
- Career Connections Center, Reitz Union, 392-1601. Career assistance and counseling. <https://career.ufl.edu/>

- Library Support, <http://cms.uflib.ufl.edu/ask>. Various ways to receive assistance with respect to using the libraries or finding resources.
- Teaching Center, Broward Hall, 392-2010 or 392-6420. General study skills and tutoring. <http://teachingcenter.ufl.edu/>
- Writing Studio, 302 Tigert Hall, 846-1138. Help brainstorming, formatting, and writing papers. <http://writing.ufl.edu/writing-studio/>
- Student Complaints On-Campus: <https://sccr.dso.ufl.edu/policies/student-honor-code-student-conduct-code/> On-Line Students Complaints: <http://distance.ufl.edu/student-complaint-process/>

Grading

Student performance is the bedrock of the grading system in this course. Assessment includes, but is not limited to, examinations, assignments, in-class activities, presentations, class participation, and projects. Your final grade will reflect the sum of points collected over the semester, translated into a letter grade according to the fixed grading scale provided in the syllabus. Please note that the grading scale is applied rigorously and will not be modified. Requests for grade alterations based solely on dissatisfaction with overall academic performance will not be entertained. For transparency and tracking, grades will be regularly updated and can be accessed through the CANVAS platform.

Assessments	Points	Grade % (Approx.)
Syllabus Contract	1	0
PlayPosits (5)	80	18
Perusalls (7)	100	22
Assignments (8)	120	27
Mock Trial	145	33



Syllabus Contract Agreement: In keeping with the legal nature of this course, your acceptance of the syllabus will be formalized through a Syllabus Contract Agreement. This emphasizes the significance of understanding and adhering to legal documentation. Please download the agreement from Canvas, review the terms thoroughly, complete the necessary fields, and affix your signature to confirm your understanding and commitment to the course requirements.

Interactive Case Studies with PlayPosit: Through PlayPosit, we will delve into legal case studies that serve as practical applications of our theoretical readings. This platform will allow us to critically analyze real-world scenarios and apply the legal standards we learn about in our readings.

Collaborative Learning with Perusall: Perusall will host our reading assignments and videos, inviting an interactive study experience. You're encouraged to actively engage with the material by highlighting text, posing insightful questions, and contributing informative commentary on negligence-related content. Enrich our collective understanding by sharing additional resources, such as relevant articles, industry insights, and pertinent videos, that offer further context to our discussions.

Targeted Assignments: Your assignments will provide opportunities to apply the legal concepts learned to real-life incidents in sports or entertainment settings. These tasks are designed to enhance your understanding of legal principles in practical contexts.

Mock Trial Experience: The course will culminate in a comprehensive two-week mock trial, synthesizing all that we have learned through case study analyses. You will be assigned a role on either the defense or plaintiff side, collaborating with your team to simulate the entire trial process, from filing legal complaints to engaging in courtroom proceedings.

Docket Manager Tool: Located at the bottom of each module page on Canvas, the docket manager is a unique tool that simulates the case management systems utilized by legal courts. It will monitor and confirm your completion of each module's requirements, ensuring you are on track with your weekly tasks. Be sure to regularly consult this feature to stay updated on your progress.

For more detailed information on assignments, grading, and additional course components, please check the relevant sections on Canvas.

GRADING SCALE

In our course, grading is conducted with careful attention to detail and fairness. You can expect a grading turnaround time of approximately 7-10 days for all assignments, during which either I or a graduate assistant will review your submissions. Once completed, your grades will be posted on Canvas. If you believe there's an error in your graded work, don't hesitate to reach out to either of us for a review. It's important to note that we adhere to a strict no-rounding policy for grades; the marks you receive are final as per the assessment criteria. For a comprehensive understanding of the grading system, including how numerical scores translate to letter grades, please refer to the University of Florida Grading Policies and the scale below. These resources will offer you detailed information on the university's grading standards and procedures. More detailed information regarding current UF grading policies can be found here: <https://catalog.ufl.edu/UGRD/academic-regulations/grades-grading-policies/>.

Any requests for additional extra credit or special exceptions to these grading policies will be interpreted as an honor code violation (i.e., asking for preferential treatment) and will be handled accordingly.

A	A-	B+	B	B-	C+	C	C-	D+	D	D-	E
100-94	93-90	89-87	86-83	82-80	79-75	74-70	69-67	66-63	63-60	59-55	54-0
Outstanding - 4.0-3.67 GP		Good - 3.33-2.67 GP			Average - 2.33-1.67 GP			Below Average - 1.33-.67 GP			Fail - 0 GP
The assignment is well above the minimum requirements, well organized, analytical rather than descriptive, and includes excellent grammar and spelling.		The assignment is somewhat above minimum requirements, organized, more descriptive than analytical, and contains minimal grammar and spelling issues.			The assignment meets most of the criteria with average organization, is descriptive rather than analytical, and includes poor grammar and spelling.			The assignment does not meet the minimum criteria.			The assignment does not meet the criteria.

Weekly Course Schedule

Our course is structured into seven comprehensive modules that will be covered throughout the semester. Each module is designed to build upon the last, culminating in a mock trial that integrates the concepts and knowledge from all seven modules. Detailed information about each module, along with associated assignments and their due dates, can be found on Canvas. This structure is intended to provide a progressive learning experience that will not only educate but also engage you in practical applications of the course material.

WEEKLY SCHEDULE

Modules	Dates	Module Topics	Assessments Due
1	<i>See Canvas</i>	This module will provide insight into the totality of the sport and entertainment industry related to legal considerations.	<i>See Canvas for Due Dates</i>
2		This module presents a general overview of the legal process. We will discuss the differences between court districts, from state to federal. We will examine jurisdiction considerations, legal documents, terminology, and the process of a lawsuit, which is mapped beginning to end from a 30,000-foot view.	
3		This module is an introduction to risk management practices that go beyond mitigation and elimination. We focus on legal risk management in the sense that the incident has already occurred.	
4		This module is a deep dive into what negligence is and is not. We examine detailed examples of negligence in the field of sport and entertainment and look at the degrees of negligence where a breach has occurred.	
5		This module covers a very difficult and complex subject, so we will peel back the layers of what defenses to unintentional torts are. We'll discuss the means that entities and organizations have at their disposal to defend themselves from a legal standpoint.	
6		This module will examine defense options for intentional torts like property crimes and crimes by people against others. We will look at examples of assault, defamation of character, trespassing, and the infliction of emotional distress in the workplace.	

7	This four-week module is an applied learning segment that will utilize all course content prior to now. Each week, you will get a new case study to research, evaluate, and argue your specific perspective. Through the case study process, you will use our course content to identify specific aspects of duty of care, negligence, torts, and risk assessments in case examples.	
---	--	--

Mock Trial - The two-week mock trial is a culmination of all our course content, including the case study examinations. You will be assigned to either the defense or prosecution's team. You and your legal team will review the case presented and progress through the full trial process from filing a complaint to an actual trial.

SUCCESS AND STUDY TIPS

Welcome to a journey of learning where enthusiasm meets dedication. As your guide, I am highly approachable and value honesty above all. My teaching style is animated and enthusiastic --- and sometimes I can be overwhelming and quick (ask me to slow down, if need be), but I firmly believe that by reviewing the lectures and actively participating, you will set yourself on a path to success.

Remember, there are no bad questions—only missed opportunities to understand better. If there's something you're unsure about, I encourage you to ask. While I may not take formal attendance, I am observant and take note of who is present, engaged, and contributing to our class discussions. Debate and challenge are not just welcomed but expected; they are the crucible in which we forge a deeper understanding.

We all have unique insights to offer, and I anticipate learning from you just as much as you do from me. Let's collaborate to make this learning experience one where the exchange of knowledge is mutual. My aspiration for you is high—I hope to see you surpass my achievements by using this course to advance beyond the learning curves I encountered in my career and educational journey.

Let's make the most of this academic term by engaging fully, staying informed, and embracing the collective wisdom of our class.

Course Flexibility: Please note that, when necessary, I reserve the right to make modifications to the syllabus, including changing examination and assignment dates, as well as updating the course content. Any changes will be clearly communicated in class and posted on the course website. You are responsible for staying informed about and adapting to these updates.

Copyright Acknowledgement: All materials provided for this course are protected by copyright. They are for educational purposes within this course and must not be shared or used beyond the scope of our classroom without permission.

Legal Disclaimer: It's important to understand that the information we discuss in class does not constitute legal advice. Should you require legal counsel, I encourage you to utilize the campus legal resources available to you or consult with a professional attorney.

Privacy: Our class sessions may be audio-visually recorded for students in the class to refer back to and for enrolled students who are unable to attend live. Students who participate with their camera engaged or utilize a profile image are agreeing to have their video or image recorded. If you are unwilling to consent to have your profile or video image recorded, be sure to keep your camera off and do not use a profile image. Likewise, students who unmute during class and participate orally agree to have their voices recorded. If you are not willing to consent to have your voice recorded during class, you will need to keep your mute button activated and communicate exclusively using the "chat" feature, which allows students to type questions and comments live. The chat will not be recorded or shared. As in all courses, unauthorized sharing of recorded materials is prohibited.

For in-class recording, the following statement related to Florida's House Bill 233 is suggested but not mandatory:

Students are allowed to record video or audio of class lectures. However, the purposes for which these recordings may be used are strictly controlled. The only allowable purposes are (1) for personal educational use, (2) in connection with a complaint to the university, or (3) as evidence in, or in preparation for, a criminal or civil proceeding. All other purposes are prohibited. Specifically, students may not publish recorded lectures without the written consent of the instructor.

A "class lecture" is an educational presentation intended to inform or teach enrolled students about a particular subject, including any instructor-led discussions that form part of the presentation, and delivered by any instructor hired or appointed by the University, or by a guest instructor, as part of a University of Florida course. A class lecture does not include lab sessions, student presentations, clinical presentations such as patient history, academic exercises involving solely student participation, assessments (quizzes, tests, exams), field trips, private conversations between students in the class or between a student and the faculty or lecturer during a class session.

Publication without permission of the instructor is prohibited. To "publish" means to share, transmit, circulate, distribute, or provide access to a recording, regardless of format or medium, to another person (or persons), including but not limited to another student within the same class section. Additionally, a recording, or transcript of a recording, is considered published if it is posted on or uploaded to, in whole or in part, any media platform, including but not limited to social media, book, magazine, newspaper, leaflet, or third party note/tutoring services. A student who publishes a recording without written consent may be subject to a civil cause of action instituted by a person injured by the publication and/or discipline under UF Regulation 4.040 Student Honor Code and Student Conduct Code.