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Impact of the United States Legal System on the National Collegiate Athletic Association

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The United States legal system has a pervasive effect, as well as a direct effect, on upon organizations such as the National Collegiate Athletic Association (NCAA). The direct effect is often evident to people when they either win or lose a decision in court, however, many individuals overlook the indirect effect that the legal system has upon persons and organizations in the United States. The indirect effect includes changes in the way of conducting business, increased or decreased costs, increased or decreased regulation and increased paper work and documentation. The legal system and legal process has shaped movements such as those existing for racial equality and non-discrimination based on sex, religion, national origin or handicap.

This research investigated aspects of the legal process having the most impact upon the NCAA and its way of doing business. Interestingly, it wasn't until 1970 that the judicial system had much direct impact on the NCAA. According to Horowitz and Karst (1969), five aspects of the legal process are most likely to change the way things are done. These include:

1. the judicial process: the role of courts in resolving disputes and declaring law;
2. The role of legislatures as lawmakers;
3. the role of judges in interpreting statutes and constitutions;
4. the role of the administrative process in the making and application of law; and
5. the role of the legal profession.

Litigation

Looking at direct impact of the legal system upon the NCAA since 1970, the role of the courts in resolving disputes and declaring law has been the most important factor. The first major cases directly involving the NCAA in the state appellate and federal courts located by this research occurred in 1970. A total of 28 cases were reported during the 1970s, 59 were reported during the 1980s and 9 have been reported to date in the 1990s. A summary of the number of cases that reached resolution by year is presented in Table 1.

Table 1.
Number of cases reported involving the NCAA by year from 1970 - 1994.

Year	frequency	cum. freq.
1970	2	2
1971	0	2
1972	0	2
1973	6	8
1974	3	11
1975	4	15
1976	4	19
1977	5	24
1978	3	27
1979	1	28
1980	4	32
1981	1	33
1982	5	38
1983	9	47
1984	10	57
1985	3	60
1986	5	65
1987	7	72
1988	10	82
1989	5	87
1990	2	89
1991	0	89
1992	4	93
1993	1	94
1995	1	95
1996	1	96

During the late 1960's and early 1970's, the NCAA began to take advantage of new technological developments, namely the use of television to market collegiate athletic contests and provide income to support NCAA activities and members' programs. Also, during this period the NCAA began to increase its control and supervision of intercollegiate athletics through rules regulating many aspects of sport such as numbers of coaches permitted and stricter regulation of the eligibility of players. This stricter regulation of collegiate athletics led to the increased attempts by some individuals and member institutions to circumvent its impact. Four issues stand out as probable causes for the increased involvement with the judicial system: (1) money; (2) confidentiality; (3) state actor status; and (4) drug testing.

The money issue arose with the development of "big time" television of collegiate football. Recognizing the potential to increase revenue for their own programs, the College Football Association (CFA) schools sought control over the marketing of their own games through the University of Oklahoma and Georgia cases. A total of seven visits to the federal court system was related to this issue.

Indirectly, the confidentiality issue was also related to money. Desiring to run feature articles about well-known athletes or athletic programs, the press attempted to obtain confidential NCAA investigation records of violations that resulted in disciplinary procedures and sanctions. Accounting for most of the court room visits surrounding this issue was the series of seven cases brought by Kneeland et al. related to the application of the "death" penalty given to South to Southern Methodist University for violations in their football program. Berst v. Chapman also involved financial aspects when records were requested by parties involved in a liable suit and judicial decisions were questioned.

Early cases were approached from the view point that the NCAA was a "state actor" and therefore subject to constitutional and legislative considerations that apply to government acts. Consequently, most cases resolved before 1988 applied Constitutional and § 1983 of the Civil Rights Law principles to the issues. In 1982, the U.S. Supreme Court issued two decisions, Rendell-Baker v. Kohn and Blum v. Yaretsky, that made this view of the NCAA as a state actor no longer applicable. However, it wasn't until later that the state and federal courts applied this view of the NCAA to their decisions. In 1985, the New York courts held that the NCAA was not a state actor in McHale, while the federal courts confirmed this position in 1988 with their decisions in Arlosoroff, McCormack and Tarkanian. The Sherman Antitrust Act of 1890 was also used in attempts to overturn NCAA rules and disciplinary procedures; courts held that some of its provisions apply to private parties and non-profit agencies such as the NCAA.

The drug testing issue arose later as the NCAA did not implement required drug testing and signed consent forms until the mid 1980s. Since challenges to the drug testing procedures used by various institutions and the NCAA appeared after the decisions holding the NCAA was not a "state actor", no successful challenges to the NCAA program have been reported. However, the method used by lawyers to counter this holding has also changed. Presently, lawyers attempt to have these procedures overturned by bringing suits in state courts charging institutions with violations of state constitutional and statutory provisions. The few cases that have been resolved show that programs instituted by state supported institutions (Derdeyn) are more likely to be over turned that those conducted by private institutions (Balley & Hill).

While it is likely that the NCAA will continue to be involved in cases, a dramatic decrease in the number of court visits has occurred after the decisions of the 1980s that dealt with television revenue and programming, state actor status and Sherman Antitrust conditions. If the current trend continues, the 1990s will see approximately 16 such legal actions. This would be the lowest total for a decade since the initiation of legal actions in 1970.

Legislation

While a second major factor for many changes in organizations that are produced by the legal system has been the adoption of statutes, only one statute adopted during this period directly affected the NCAA. That statute being The Amateur Sports Act of 1978 which designated the United States Olympic Committee as the organization having control over international competitions and ended a dispute between the NCAA and the Amateur Athletic Union (AAU). Other legislation that has passed with potential to have some impact includes the following: Anti-Drug Abuse Act; Prohibited Distribution of Anabolic Steroids Act; Americans with Disabilities Act of 1990; Freedom of Information Act of 1964; and Section 504 of Rehabilitation Act of 1973. As mentioned earlier, § 1983 of Civil Rights Law and the Sherman Antitrust Act have been used in attempts to over turn NCAA rules and disciplinary procedures. The Sherman Act has not proved helpful to plaintiffs in disputes with the NCAA and since § 1983 applies to

state actions its value to plaintiffs has been limited. Three decisions have involved Title IX complaints or clarifications. The NCAA visited the courts to be declared as a representative of member institutions in Title IX complaints, however, the courts held that the NCAA could not stand in for member institutions. Thus, Title IX complaints will continue to be brought against individual institutions rather than the NCAA so long as NCAA rules are "gender blind or neutral."

Statistical Analyses

Two statistical analyses were completed using the data. It was hypothesized that visits to the courts would arise equally in the circuit courts and the various states as indicated by actions in the federal district and state courts. The frequency of actions in these courts was plotted and Chi Square was used to determine whether differences in the frequency of action were due to chance. The analyses compared (1) the frequency of judicial activity in the various circuit courts and (2) the frequency of judicial activity in the various states.

The first Chi Square analysis looks at the distribution of the 28 cases that occurred in the 10 circuit courts. The results of this analysis are displayed in Table 2. The actual number of cases conducted in each circuit court is reported in the row labeled "observed" while the number of cases expected if they were due to chance alone is indicated by the "expected" row.

A Chi Square value of 17.00 was obtained for this analysis. This value was significant at the .05 level of probability, meaning that only 5 per cent of the time would these differences among the Circuit Courts be expected due to chance. Therefore, according to this analysis, only the 6th and 7th Circuit Courts reviewed the number of cases that would be expected if chance alone were operating. The 5th, 9th and 10th Circuit Courts reviewed more cases than would be expected by chance while the remaining Circuit Courts reviewed fewer cases than would be expected by chance.

The second Chi Square analysis, summarized in Table 3, looks at the court appearances in the state appellate courts and the federal district courts located in the respective states. A total of 60 cases were located in 22 states and the District of Columbia. The remaining states had no cases in either the appellate court or federal district court. The column labeled "Appearances" indicates the number of cases that were reported in the courts serving the state. With a total of 60 cases located in the state appellate courts or the federal district courts of that state, chance would expect about 1.2 cases to appear in each of the 50 states and the District of Columbia.

Table 3. Frequency of NCAA Court Appearances in District and State Courts.

State	Appearances
Louisiana	6
Kansas	6
California	5
Massachusetts	5
Washington, DC	5
Nevada	4
Oklahoma	4
Texas	4
Colorado	2
Maryland	2
Pennsylvania	2
South Carolina	2
Washington	2
Alaska	1
Arizona	1
Georgia	1
Illinois	1
Kentucky	1
Michigan	1
Mississippi	1
Ohio	1
Rhode Island	1
Virginia	1
All Others	0
Total	60

The Chi Square value of 127.61 obtained in this analysis was significant well beyond the .01 per cent level. Therefore, less than 1 per cent of the time would these results occur by chance. Looking at Table

Table 2.

Chi Square Analysis of the Frequency of Court Appearances by Circuit Court.

	Circuit Court										
Frequency	1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th	Total
observed	1	0	1	2	7	3	3	1	4	6	28
expected	2.8	2.8	2.8	2.8	2.8	2.8	2.8	2.8	2.8	2.8	28

3, more trials were located in Louisiana, Kansas, California, Massachusetts, Nevada, Oklahoma, Texas and Washington, D.C. than would be expected by chance. About the same number of cases were brought in the other states listed in Table 3 as would be expected by chance and fewer cases than would be expected by chance occurred in the states not listed (all others). According to these two analyses, the location of the individual and/or member school does have some bearing on whether the NCAA will become involved with the judicial system.

Discussion

Taking an overall look at the decisions, the following items were designated by several courts as being important factors when upholding NCAA rules and procedures. These items were as follows:

1. The NCAA followed proper rule making procedures;
2. The NCAA rules are neutral in terms of protected categories such as gender, race, and alienage (For example, when the rule was not neutral in terms of alienage, the courts did not support the rule);
3. The NCAA Constitution specifies the purposes of the organization and when a rule had a rational relationship with these purposes, the courts supported the rule; and
4. NCAA Constitutional purposes looked at with favor by the courts included:
   a. protect the health and well-being of athletes
   b. provide for equality in competition
   c. prevent exploitation of athletes
   d. maintain amateur status of athletes

Several themes with regard to issues appear when reviewing the cases. The most frequently adjudicated issue dealt with NCAA rules, particularly regarding eligibility. Subheadings that would fall under the issue of eligibility include such topics as alienage, grade point requirements, age issues, transfer issues, and participation in foreign sports organizations. Limitations upon the number of coaches that could be employed also generated legal action. A federal issues theme was also apparent during the 1970s and during most of the 1980s. Highlighting this issue was the question of whether the NCAA was a "state actor." Constitutional protections were sought under the Due Process, Commerce and Equal Protection clauses. Statutory provisions appearing in litigation included the Civil Rights Act, Sherman Antitrust Act and Title IX. Other legal issues raised in the various courts included: standing, confidentiality of records, attorney fees, whether participation was a right or privilege, injunction procedures, royalty payments, tax questions, and whether state statutes applied to the NCAA.

Table 4 presents a summary of the cases reviewed grouped under the issue or issues litigated. The cases represented 14 different types of issues that have been litigated, including: (1) rules and sanctions; (2) antitrust activities; (3) confidentiality; (4) drug testing; (5) contract rights; (6) rights or privilege; (7) royalties; (8) injunctions; (9) Title IX; (10) attorney fees; (11) state action-federal question; (12) standing; (13) state law jurisdiction; and (14) tax questions. Several cases are listed more than once as they litigated more than one issue. For example, Gaines v. NCAA involved litigations in both the Rules and Sanctions and Sherman Antitrust categories. As a result, a wide variety of the NCAA's activities have received legal scrutiny and the NCAA has most often been supported by the courts' decisions.

The legislative activities that have impacted the NCAA and its members include the Amateur Sports Act of 1978, the Anti-Drug Abuse Act of 1988, the Anti-Drug Reorganization and Coordination Act, the Professional and Amateur Sports Protection Act of 1992, and the Prohibited Distribution of Anabolic Steroids public law. Perhaps the legislation having the greatest impact on the NCAA was the Amateur Sports Act of 1978 which made the United States Olympic Committee (USOC) the sole governing body of international competition. Prior to this time, the NCAA and the Amateur Athletic Union (AAU) were feuding over the certification of athletes for competition in their sponsored events. After the NCAA threatened to boycott AAU sponsored competitions, congress stepped in and forced a resolution of the issue. The other legislation impacted both the NCAA and USOC-AAU with purposes that are evident from their titles.

Conclusions

The NCAA has been impacted by the legal system just as have many other institutions, associations, businesses and individuals. Most of the legal attention given to the NCAA has been through the courts, both state and federal. In some of these cases, legislation that was not originally considered to be directed against amateur sports was used as the vehicle to gain entry into the courts. Most notable of these situations was the use of the Sherman Antitrust Act to challenge NCAA rules about eligibility, sanctions and number of coaches. Few legislative enactments have been directed toward the NCAA; the one exception to this statement is the Amateur Sports Act of 1978 designating the USOC-AAU as the governing body for international competitions.

For the most part, the NCAA has enjoyed sup-

Table 4. Summary of Issues Present in Cases Reviewed

Rules and Sanctions
Arlosoroff v. NCAA
Associated Students CSU, Sacramento v. NCAA
Banks v. NCAA (2 cases)
Buckton v. NCAA
Butts v. NCAA
California State Univ., Hayward v. NCAA
Collier v. NCAA
Colorado Seminary v. NCAA (2 cases)
English v. NCAA (2 cases)
Gaines v. NCAA
Graham v. NCAA
Hennessey v. NCAA
Howard Univ. v. NCAA (2 cases)
Jones v. NCAA (1975)
Justice v. NCAA
Karmanos v. Baker (2 cases)
McCormack v. NCAA
NCAA v. Johns Hopkins Univ.
NCAA v. Owens
NCAA v. Tucker
NCAA v. U of Nevada, Reno
Parish v. NCAA (3 cases)
Shelton v. NCAA
Spath v. NCAA
Univ of Okla. v. NCAA (1977)
Weiss v. ECAC & NCAA
Wiley v. NCAA (2 cases)

Confidentiality
Berst v. Chapman (2 cases)
Kneeland v. NCAA et al. (7 cases)

Drug Testing
Bally v. NCAA, Northeastern Univ (2 cases)
Derdeyn v. Univ of Colorado
Hill v. NCAA (4 cases)
O'Halloran v. U of Wash, NCAA (3 cases)

Title IX
NCAA v. Califano (2 cases)
Pavey v. U Alaska v. NCAA

State Action-Federal Question
Arlosoroff v. NCAA
Associated Students CSU, Sacramento v. NCAA
Buckton v. NCAA
Butts v. NCAA
Colorado Seminary v. NCAA (2 cases)
Graham v. NCAA
Hawkins v. NCAA
Hennessey v. NCAA
Howard Univ. v. NCAA (2 cases)
Jones v. NCAA (1983)
Justice v. NCAA
Karmanos v. Baker (3 cases)
LA BOE v. NCAA (2 cases)
McCormack v. NCAA
McDonald v. NCAA
McHale v. NCAA
NCAA v. Gillard
NCAA v. Miller
NCAA v. Tarkanian (3 cases)
Parish v. NCAA (3 cases)

Sherman Antitrust
AIAW v. NCAA (2 cases)
Banks v. NCAA (2 cases)
Gaines v. NCAA
Hennessey v. NCAA
Howard Univ v. NCAA (1 case)
Justice v. NCAA
Jones v. NCAA (1975)
Law v. NCAA
McCormack v. NCAA
NCAA v. U of OK, GA (6 cases)
Univ of Okla v. NCAA (1977)
Warmer Amex Cable

Contract Rights
Cox Broadcasting
Cox Cable Tucson
Hawkins v. NCAA
Hennessey v. NCAA
NCAA v. Hornung

Rights or Privilege
Justice v. NCAA
Karmanos v. Baker (2 cases)
LA BOE v. NCAA (2 cases)
NCAA v. Gillard
Colo Seminary v. NCAA (2 cases)

Royalty Payments
Cox Cable Tucson
Natl Assoc. Broadcasters

Injunctions
NCAA v. Owens
Univ of Okla. v. NCAA (1977)
U Texas v. NCAA

Attorney Fees
Buckton v. NCAA

Standing
Peebles v. NCAA (3 cases)

Subject to State Laws
Kneeland v. NCAA (7 cases)
NCAA v. Miller

Tax Questions
NCAA v. Commissioner IRS
NCAA v. Kansas Dept Revenue
Natl Collegiate Realty

port of the legal system which recognizes it as playing a vital role in the governance of amateur athletics. Perhaps this situation is best illustrated by the following which was made while the court ruled against the NCAA's television policy governing college football games. "The United States Supreme Court, while holding against the NCAA has acknowledged its value in regulating intercollegiate sports" (NCAA v. University of Oklahoma and University of Georgia 82 L.Ed.2d at 84 (1984)). After an increasing number of actions were brought against the NCAA in the 1970's and 1980's, the number of visits by the NCAA to the nation's courts has dropped dramatically.

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References

Amateur Sports Act of 1978. 36 U.S.C.A. §§ 371-396 et seq.

Anti-Drug Abuse Act of 1988.

Anti-Drug Reorganization and Coordination Act. P.L. 99-570 100 Stat. 32307 Title 7 (U.S. Oct., 1986).

Horowitz, H.W. and Karst, K.L. Law, Lawyers and Social Change. Indianapolis: Bobbs-Merrill, 1969.

Professional and Amateur Sports Protection Act of 1992. 102 P.L. 599; 28 U.S.C.A. §§ 3701-3704.

Prohibited Distribution of Anabolic Steroids. 100 P.L. 690, § 2403.

Sherman Antitrust Act of 1890, 15 U.S.C.A. §1 et seq.

The Civil Rights Act of 1964 (1970), 42 U.S.C. §1983.

Title 22, Chapter 26, 22 U.S.C. @ §1981 (1993). Repealed earlier section dealing with armed forces participation in international athletics.

Cases

Arlosoroff v. NCAA and Duke University, 746 F.2d 1019 (4th Cir., 1984).

Association for Intercollegiate Athletics for Women v. NCAA, 558 F. Supp. 487 (D.C. D.C. 1983).

Association for Intercollegiate Athletics for Women v. NCAA, 735 F.2d 577 (D.D.C. 1984).

Associated Students Inc. of California State University-Sacramento v. NCAA, 403 F.2d 1251 (9th Cir. 1974).

Bally v. NCAA, 707 F. Supp. 57 (D. Mass. 1988).

Bally v. Northeastern University, 532 N.E.2d 49 (Mass. 1989).

Banks v. NCAA, 977 F.2d 1081 (7th Cir. 1992).

Banks v. NCAA, 113 S.Ct. 2336, 124 L. Ed.2d 247, 61 U.S.L.W. 3771, May 17, 1993.

Berst, Smith and the NCAA v. Chipman, 653 P.2d 107 (Kan. 1982).

Berst, Smith and the NCAA v. Chipman, 653 P.2d 106 (Kan. 1982).

Blum v. Yaretsky, 457 U.S. 991, 102 S.Ct. 2777, 73 L.Ed.2d 534 (1982).

Buckton et al. v. NCAA, 366 F.Supp. 1152 (D. Mass. 1973).

Buckton et al. v. NCAA, 436 F.Supp. 1258 (D. Mass. 1977).

Butts v. NCAA and LaSalle University, 600 F.Supp. 73 (E.D. Penn. 1984).

Butts v. NCAA and LaSalle University, 751 F.2d 609 (3rd Cir. 1984).

California State University, Hayward, et al. v. NCAA, 47 Cal. App.3d 533, App. 121 Cal. Rptr. 85 (1975).

Collier v. NCAA 783 F. Supp. 1576 (Rhode Is. 1992).

Colorado Seminary (University of Denver), 417 F.Supp. 885 (D. Colo. 1976).

Colorado Seminary (University of Denver), 570 F.2d 320 (10th Cir., 1978).

Cox Broadcasting Corp. et al. v. NCAA, 297 S.E.2d 733 (Ga., 1982).

Cox Cable Tucson, Inc. v. Ladd and NCAA et al., 795 F.2d 1479 (9th Cir. 1986).

Derdeyn v. University of Colorado, Boulder, 832 P.2d 1031 (Col. 1992).

English v. NCAA, 439 So.2d 1218 (La., 1983).

English v. NCAA, 441 So.2d 747 (La., 1983).

Graham v. NCAA and University of Louisville, 804 F.2d 953 (6th Cir. 1986).

Hawkins, et al. v. NCAA 652 F. Supp. 602 (C.D. Ill. 1987).

Hennessey v. NCAA, 564 F.2d, 1136 (5th Cir., 1987).

Hill v. NCAA, 801 P.2d 1070 (Cal. 1988).

Hill v. NCAA, 273 Cal.App.3d 402 (1987).

Hill v. NCAA, 276 Cal.Rptr. 319 (Cal. 1990).

Hill v. NCAA, 865 P.2d 633 (Cal. 1994).

Howard University v. NCAA, 367 F.Supp. 926 (D.D.C. 1973).

Howard University v. NCAA, 510 F.2d 213 (D.C. Cir., 1975).

Howard University v. NCAA, 675 F.Supp. 652 (D.D.C. 1987).

Jones v. NCAA et al., 392 F.Supp. 295 (D. Mass. 1975).

Jones v. Wichita State University and NCAA, 698 F.2d 1082 (10th Cir., 1983).

Justice v. NCAA, 577 F. Supp. 356 (D. Ariz. 1983).

Karmanos v. Baker, NCAA et al., 617 F.Supp. 809 (E.D. Mich. S.D. 1985).

Karmanos v. Baker, NCAA et al., 816 F.2d 258 (6th Cir., 1987).

Kneeland, et al., v. NCAA, et al., 650 F.Supp. 1047 (W.D. Tex., 1986).

Kneeland, et al., v. NCAA, et al., 650 F.Supp. 1064 (W.D. Tex., 1986).

Kneeland, et al., v. NCAA, et al., 650 F.Supp. 1076 (W.D. Tex., 1986).

Kneeland, et al., v. NCAA, et al., 806 F.2d 1285 (5th Cir., 1987).

Kneeland, et al., v. NCAA, et al., 850 F.2d 224 (5th Cir., 1988).

Kneeland, et al., v. NCAA, et al., 856 F.2d 191 (5th Cir., 1988).

Kneeland, et al., v. NCAA, et al., 488 U.S. 1042, 102 L. Ed.2d 991, 109 S. Ct. 868 (1989).

Law v. NCAA, 902 F. Supp 1394 (D. Kan., 1995).

Louisiana State Board of Education v. NCAA, 273 So.2d, 912 (La., 1973).

Louisiana State Board of Education v. NCAA, 277 So.2d, 443 (La., 1973).

McCormack v. NCAA, 845 F.2d 1338 (5th Cir., 1988).

McDonald v. NCAA and California State University Long Beach, 370 F.Supp. 625 (C.D. Calif. 1974).

McHale v. Cornell University and NCAA, 620 F. Supp. 67 (N.D. N.Y. 1985).

National Association of Broadcasters et al., v. Copyright Royalty Tribunal et al., (includes NCAA as an Intervenor), 675 F.2d 367 (D.D.C., 1982).

NCAA v. Califano, AIAW, NEA and USNSA, 444 F.Supp. 425 (D.Kans. 1978).

NCAA v. Califano, AIAW, NEA and USNSA, 622 F.2d 1382 (10th Cir., 1980).

NCAA v. Commissioner of Internal Revenue, 914 F.2d 1417 (10th Cir., 1990).

NCAA v. Gillard and Mississippi State University, 352 S.2d. 1072 (Miss. 1977).

NCAA by and through Bellarime College v. Hornung, 754 S.W.2d 855 (Ky. 1988).

NCAA v. Johns Hopkins University, 483 A.2d 1272 (Md, 1984).

NCAA v. Kansas Department of Revenue, 781 P.2d 726, (Kan., 1989).

NCAA v. Miller, 795 F. Supp. 1476 (Nev. 1992).

NCAA v. Owens, 555 P.2d 879 (Okl., 1976).

NCAA v. Jerry Tarkanian, 488 U.S. 179, 102 L. Ed. 469, 109 S. Ct. 454 (1988).

NCAA v. Tucker, 476 A.2d 1160 (Md. 1984).

NCAA v. University of Oklahoma and University of Georgia, 463 U.S. 1311, 77 L. Ed.2d 1294, 104 S. Ct. 1 (1983).

NCAA v. University of Oklahoma and University of Georgia, 464 U.S. 913, 78 L. Ed.2d 253, 104 S. Ct. 272 (1983).

NCAA v. University of Oklahoma and University of Georgia, 468 U.S. 85, 82 L. Ed.2d 70, 104 S. Ct. 2948 (1984).

NCAA and West Coast Athletic Conference v. University of Nevada, Reno, 624 P.2d 10 (Nev. 1981).

National Collegiate Realty Corporation and the NCAA v. Board of County Commissioners of Johnson County, 690 P.2d 1366 (Kan. 1984).

O'Halloran v. University of Washington v. NCAA, Third-party-defendant, 672 F. Supp. 1380 (W.D. Wash. 1987).

O'Halloran v. University of Washington et al., 679 F.Supp. 997 (W.D. Wash., 1988).

O'Halloran v. University of Washington and NCAA, 856 F.2d 1375 (9th Cir., 1988).

Parish v. NCAA, 361 F.Supp. 1214 (W.D. La. 1973).

Parish, et al., v. NCAA, 361 F.Supp. 1220 (W.D. La. 1973).

Parish, et al., v. NCAA, 506 F.2d 1028 (5th Cir. 1975).

Pavey v. University of Alaska v. NCAA and AIAW 490 F. Supp. 1011 (Alaska 1980).

Peebles v. NCAA, 1988 U.S. Dist. LEXIS 17247 (D.S.C. 1988).

Peebles v. National Collegiate Athletic Association, 723 F. Supp. 1155 (E.D. Va. 1988).

Peebles v. NCAA, 887 F.2d 1080 (D.S.C. 1989).

Rendell-Baker v. Kohn 457 U.S. 830, 102 S.Ct. 2764, 73 L.Ed.2d 418 (1982).

Schubert v. NCAA, 506 F.2d 1402 (7th Cir. 1974).

Shelton v. NCAA, 539 F.2d 1197 (9th Cir., 1976).

Spath v. NCAA, 728 F.2d 25 (1st Cir., 1984).

Tarkanian v. NCAA, 741 P.2d 1345 (Nev. 1987).

Tarkanian v. NCAA, 810 P.2d 343 (Nev. 1989).

Trustees of the California State Colleges and Universities v. NCAA, 82 Cal. App.3d 461 (1978).

University of Minnesota v. National Collegiate Athletic Association, 422 F.Supp. 1158 (D. Minn. 1976).

University of Minnesota v. NCAA, 560 F.2d 352 (8th Cir., 1977).

University of Minnesota v. NCAA, 434 U.S. 978, 54 L. Ed.2d 472, 98 S. Ct. 600 (1977).

University of Oklahoma v. NCAA, 561 P.2d 499 (Okla, 1977).

University of Oklahoma and University of Georgia v. NCAA, 546 F. Supp. 1276 (W.D. Okla., 1982).

University of Oklahoma and University of Georgia v. NCAA, 707 F.2d 1147 (10th Cir., 1983).

University of Oklahoma and University of Georgia v. NCAA, 601 F. Supp. 307 (W.D. Okla., 1984).

University of Texas v. NCAA, 685 S.W.2d 409 (Tex.App. 3 Dist., 1985).

Warner Amex Cable Communications v. ABC, ABC Sports and NCAA, 499 F. Supp. 537 (S.D. Ohio, E.D. 1980).

Weiss v. Eastern College Athletic Conference and the NCAA, 563 F. Supp. 192 (E.D. Penn. 1983).

Wiley v. NCAA, et al., 612 F.2d 473 (1979).

Wiley v. NCAA, et al., 446 U.S. 943, 64 L. Ed.2d 798, 100 S. Ct. 2168 (1980).