

FOREWORD



By Professor Anthony Cabot, Distinguished Fellow of Gaming Law,
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Welcome to the 2023 edition of the *Nevada Gaming Lawyer* magazine. As the outgoing Distinguished Fellow of Gaming Law at the UNLV William S. Boyd School of Law, I am honored to use this *Foreword* to highlight critical connections between the gaming bar and the law school.

As a young lawyer, I felt many colleagues did not respect gaming law as a legal discipline. The academic community, with some exceptions, also dismissed it as unworthy of serious study. Yet, gaming law is a complex field involving various disciplines, including regulatory law, public policy, psychology, sociology, political science, mathematics, economics, and others.



Gaming also is a significant industry rivaling or exceeding sports, movies, and music. We should not dismiss the importance of gaming regulation to society. Effective gaming regulation allows governments to achieve public goals like raising taxes, increasing jobs, promoting tourism, or minimizing problem gambling.

Founded in the global gaming center, the Boyd School of Law was the natural venue for the evolution of gaming law from a legal topic to a separate discipline. The gaming law program is as old as the law school. My involvement began in 2002 after Bob Faiss and I took over the gaming law class from Shannon Bybee. It was the start of a 21-year relationship.

For many years, we co-taught an introduction to gaming law. But, the interest and proliferation of gaming brought new issues and the demand for gaming law education. So, from a single class, we expanded to ten courses covering many gaming law-related topics, including sports wagering, tribal gaming, gaming technology, resort law, and federal gaming law. The law school's advisory committee has helped to develop the curriculum.

We have been fortunate to attract many outstanding adjuncts to teach these classes. They include Mark Lerner, Greg Gemignani, Jennifer Roberts, Terry Johnson, Katie Lever, Uri Clinton, Becky Harris, and Daron Dorsey. We also welcomed visiting professors Keith Miller, from Drake Law School, and Kathryn Rand and Steven Light from the University of North Dakota.

Under then Dean Dan Hamilton's leadership, the law school responded to the demand for gaming law education from practicing attorneys looking to enter

the field. We created the only program offering an LL.M. in Gaming Law and Regulation. The school has welcomed about a hundred lawyers from diverse backgrounds and places. We have had post-graduate students from Bangladesh, Brazil, Colombia, Dominican Republic, Greece, France, India, Ireland, Korea, Macau, Mexico, Puerto Rico, Taiwan, The Bahamas, Uganda, and Ukraine. Two of the inaugural class of 2016 became Chairs of the Nevada Gaming Control Board. Others have taken leadership positions in the gaming community.

Besides education for law students, the gaming law program at Boyd School of Law thrives on being a thought leader for best gaming law and regulations practices. We attempt to do this in several ways. I am proud of the UNLV Gaming Law ("Journal"). It is published by the students of the Boyd School of Law and funded by the International Masters of Gaming Law, the State Bar's Gaming Law Section, and individual contributions from practicing attorneys. The Journal is the only gaming law dedicated Journal at an ABA-accredited law school. It analyzes the law and policy implications of gaming case law, legislation, administrative regulations, and important gaming legal events. The student staff regularly produce significant legal scholarship on gambling and commercial gaming.



Until the pandemic, the law school hosted distinguished speakers on gaming law topics at least four times each school year. These events attracted attendees from the government, academics, law, the press, and the public. The Gaming Law Society, an organization of students interested in gaming law as a career, organized three events. The fourth is the annual Bob Faiss lecture. These free events allowed bar members to get continuing legal education credit and should resume later this year.

We also occasionally host conferences, but only when a topic arises that is genuinely significant to the future of gaming law and regulation. The most recent conference covered privacy and the impact of artificial intelligence. These conferences are academic, but also have an immediate and practical side.

The law school also was the genesis of four books on gaming regulation. We created the UNLV Gaming Press with Professor David Schwartz from the UNLV Gaming Research Center, which has published three books on gaming law. These included *Regulating Land Based Gaming*, which I co-edited with Professors Ngai Pindell and Brian Wall, *Regulating Internet Gaming*, and *Sports Wagering in America* with Professor Keith Miller. Law schools also lacked a casebook focused on the gaming industry, so Drake Law School professor Keith Miller and I authored *The Law of Gambling and Regulated Gaming: Cases and Materials* by Carolina Academic Press.



The program has thrived because of the support of the industry and regulators. Three groups that have provided significant support are the State Bar's Gaming Law Section, under the leadership of Jeff Rodefer; the San Manuel Band of Mission Indians; and Entain. The Gaming Law Section has been generous by funding an annual scholarship, the Gaming Law Journal, and supporting the gaming law classes. The San Manuel Band of Mission Indians made a generous gift to create a Tribal Governance and Gaming Program. Their gift supports a professor-in-residence, a visiting professor, and a program administrator who will create opportunities for interdisciplinary dialogue and research on governance, regulation, and economic development issues. The Boyd School of Law has developed online courses on tribal governance and gaming regulation, expanded its Tribal Law practicum, and has conducted an annual symposium on emerging topics and issues of interest to Native American gaming. Professor Addie Rolnick oversees the program with the support of Distinguished Fellows John Tahsuda III and Jennifer Carleton. The San Manuel Band of Mission Indians also provided funds for a scholarship for an LL.M. student in gaming, with a preference given to tribal citizens and indigenous students.

We have also expanded the program in partnership with Entain under the guidance of Martin Lycka. We launched a new online training program in gaming



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law and regulation for the industry, welcoming lawyers and laypersons. This online training program is for operators, regulators, and others in the gaming industry. Well-known gaming lawyers and industry veterans, including Alan Feldman, Dayvid Figler, Quinton Singleton, and Bill Buffalo, are instructors. They created and teach these mostly asynchronous programs. The program prepares professionals for the gaming industry's sophisticated regulatory and operating challenges.

The law school also has collaborated with other university departments. UNLV hosts the International Center for Gaming Regulation and is the world's leading international gaming regulation research and education entity. It specializes in research, executive education, advisory practices, and developing leadership councils that routinely assess and recommend improving international gaming regulations.

In 2016, Richard Schuetz raised the idea of having a center at the UNLV dedicated to gaming regulation. Mark Lipparelli, Bo Bernhard, and I ran with the idea. The new center would become a joint venture between the law school and the International Gaming Institute. The center launched with initial funding from Gaming Laboratories International and Wynn Resorts, and additional assistance from the Nevada Legislature.

As you can see, the gaming law program at the Boyd School of Law is vibrant and, under Dean Leah Grinvald continues expanding by looking for opportunities to serve better the gaming bar, the community, and the gaming industry.

It has been a fulfilling 20 years, and I am grateful to my friends and colleagues who have contributed their time and money to the program. ■

Anthony N. Cabot retired in May 2023 as the Distinguished Fellow of Gaming Law at the UNLV William S. Boyd School of Law, where he taught gaming law. Before joining the Boyd School of Law as a Distinguished Fellow in March 2018, Professor Cabot practiced gaming law for 37 years and was a former chair of the gaming law practice and executive committee member at Lewis Roca Rothgerber Christie LLP.

Professor Cabot is a prolific author on gaming law. Besides numerous journal articles, he has authored or edited thirteen books on gaming-related topics including *Sports Wagering in America: Policies, Economics, and Regulation* (2018), *Regulating Land-based Casinos* (2d. ed. 2018), *The Law of Gambling and Regulated Gaming: Cases and Materials* (2d. ed. 2015), *Regulating Internet Gaming: Challenges and Opportunities* (2013), and *Practical Casino Math* (2d ed. 2005)

Professor Cabot is a founder and past president of the International Masters of Gaming Law, past president of the Nevada Gaming Attorneys Association, and past general counsel to the International Association of Gaming Attorneys.