

Sports Lawyers and How to Get in the Game

[by Frank C. Lee]

Think you'll be a sports lawyer and represent professional athletes? Think you'll rub elbows with the rich and powerful? Think you'll bask in the limelight as your client's "go-to" guy?

Think again.

There are about as many misconceptions as to what sports lawyers actually do as there are professional athletes, with the reality of the rigors of the profession far less glamorous than one may imagine.

"There is also a misunderstanding that a 'sports agent' is the same as a 'sports lawyer,'" said Professor Paul Anderson, associate director of the National Sports Law Institute at Marquette University Law School in Milwaukee, WI.

"They are not the same thing, as there is no requirement or need for agents to be lawyers," said Mr. Anderson, supervisor of the Marquette Sports Law Review and editor of the Journal of Legal Aspects of Sport.

Marquette University Law School's Sports Law Program provides the nation's most comprehensive offering of sports law courses and student internships with sports organizations.

"Sports lawyers are everywhere. Keep in mind, any lawyer who represents a school district in an eligibility dispute or an athlete trying to participate in a sport is a 'sports lawyer,'" Mr. Anderson said.

All Marquette University Law School students are eligible to participate in the Sports Law Program by enrolling in sports law courses, which include law as it pertains to issues related to amateur and professional athletes and organizations.

"Our program at Marquette University Law

School is the only sports law program of its kind in the country," Mr. Anderson said.

"However, only a limited amount of what we do talks about 'sports agency.' This is not a lucrative field for lawyers...unless you already know a high-profile athlete."

Instead, the curriculum at Marquette University Law School's Sports Law Program focuses on topics such as tort law, contract law, Title IX gender discrimination, federal disability discrimination laws, and the legal characterization of college athletes.

At the professional level of athletic competition, course topics include antitrust, labor, contracts, regulation of private associations, player representation, intellectual property, and sports-broadcasting issues.

"Maybe 3% of lawyers actually are athlete representatives," Mr. Anderson said. "Sports lawyers are team counsel, NCAA counsel, athletic directors, compliance officers, general managers, sponsor representatives, etc."

Under the supervision of the National Sports Law Institute's directors, Marquette University Law School students have the opportunity to gain valuable legal and business experience by participating in semester-long volunteer sports law internships.

"The reality for students and practitioners is that being a sports fan is not part of practicing sports law," Mr. Anderson said.

"In addition, the laws and cases impacting the sports industry change almost daily, and sports law practice demands an incredible amount of constant work to keep on top of the industry."

Marquette University Law School's internship program includes placement with the Marquette University Athletic Department, the Miller Brewing Co., the Milwaukee Brewers, the Milwaukee Bucks, and the Milwaukee Tennis & Education Foundation.

"Some people are former athletes or are interested in sports in general, but the variety of students I have seen is virtually endless," said Mr. Anderson.

An amateur athlete is one who is not generally financially compensated for his or her talents, whereas professional athletes are. Many college athletes receive scholarships, but they are still considered amateurs because they are not compensated directly.

"For sports lawyers, in general, the field is much more diverse. The competition is increasing each year as every sport or athletic enterprise realizes the need for lawyers," Mr. Anderson said.

Most professional athletes have agents who negotiate contracts on behalf of their clients. Many state legislatures now require agents to register with some type of administrative agency in an attempt to regulate the industry.

"Many sports lawyers work for teams and leagues and athletic departments, although



in many of these positions, they are of counsel from major law firms," Mr. Anderson said.

Those wanting to find out more about what it takes to be a sports lawyer can turn to the Sports Lawyers Association, a nonprofit, international, professional organization whose goal is the understanding, advancement, and ethical practice of sports law.

"Most sports lawyers do not represent what I think your question assumes as 'glamorous clients,' i.e., athletes. Most are normal lawyers who happen to have sports clients," Mr. Anderson said.

"While it could be glamorous, I guess, to work for a team or league, the lawyers I know understand this as 'work,' and there is no more glamour involved in sports practice than in any other form of legal practice.

"If a lawyer thinks of it as a glamorous position, then they are in the field as a fan and not a lawyer first as they should be."

Whatever the level of athletic competition, a good sports lawyer requires the same skills as any good attorney.

"Incredibly strong research and writing skills, a passion for the position...and a dedication to understanding business, marketing, law, and all other facets of an industry in order to succeed," said Mr. Anderson.