

# WHAT IS SPORTS LAW?

*by Jill Pilgrim, Esq.*

In this inaugural column of **LEGAL NOTES**, I thought it appropriate to answer the never asked question: What is sports law? Most athletes, coaches, parents, fans and lawyers assume that there is this entity called "sports law." After all, if there are sports lawyers, there must be a body of sports law, right? Well, not exactly.

There is no one body of rules, regulations, or cases that constitute the law of sports. There are, however, several bodies of law that intersect with, and impact upon, the participation of athletes in sports activities. These include: advertising law, anti-trust law, civil rights law, contract law, corporate law, defamation law, education law, labor law, municipal law, not-for-profit corporation law, personal injury law, real estate law, tax law and others. When assessing the legal implications of a decision or action in the sports area, one must first assess what body of law or laws are involved.

For example, a professional athlete who has been offered a management contract by a sports agent should consult a lawyer who is knowledgeable in at

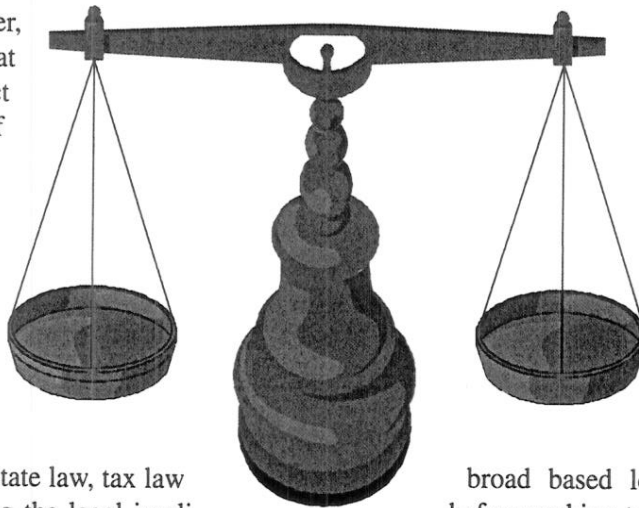
least the following areas: contract law, labor law, and tax laws. The lawyer must also be familiar with the league and player association rules of the sport involved.

A college student who is being offered the opportunity to appear in a print and television advertisement to endorse a product for pay, should be advised by an attorney who is well versed in the rules and regulations of the National Collegiate Athletic Association (NCAA).

An investor seeking to purchase a sports franchise should seek the legal advice of a person who is experienced in corporate law, corporate finance law, contract law, real estate law, tax law, and municipal law.

I often advise young attorneys to seek as broad based legal experience as possible, before seeking to specialize in "sports law." A sports lawyer is merely a well rounded attorney with a client involved in sports. Likewise, I advise those seeking the services of a "sports lawyer" to be sure to question the prospective lawyers carefully about their experience.

A lawyer who has represented professional athletes



sued by an injured spectator. A skilled negotiator with no litigation experience will not be able to advise a club on personal injury law and litigation strategy.

Jill Pilgrim is a corporate attorney who heads a three person New York City based private law practice. Ms. Pilgrim obtained her B.A. from Princeton University and her J.D. from Columbia University Law School.

Ms. Pilgrim began her career as a tax and corporate attorney with Willkie, Farr & Gallagher, where she handled securities, tax and not-for-profit law matters. In 1986, Ms. Pilgrim joined Cowan, Liebowitz & Latman where she was an associate in the corporate department working on matters involving major record labels, theater, book publishing, and sports law. She has developed a clientele of her own which includes entrepreneurs, businesses, athletes and per-

Pilgrim joined Kurzman Karelsen & Frank in 1988, as Counsel, bringing her private practice to that firm. Pilgrim & Associates was established on January 1, 1990.

In April of 1994, Ms. Pilgrim was appointed to the Temporary New York State Commission on Brooklyn Recreational Facilities, by Brooklyn Borough President Howard Golden. Ms. Pilgrim is the founder and president of the Center For the Protection of Athletes' Rights, Inc. She also serves on the Board of Directors, and Executive Committee, of the Brooklyn Sports Foundation: a not-for-profit organization seeking to build an amateur athletic facility -- Sportsplex -- in the Borough of Brooklyn. Ms. Pilgrim is vice-president of the Friends of Princeton Track and was selected to serve a two year term on the Princeton Alumni Council Executive Committee (1993-95).

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