CHAPTER 1
Getting Started in Sports Law

One of the distinctive features of the lawyering profession is that specialization, at least traditionally, has not been required. In recent decades, many lawyers have developed particular areas of practice, but others continue to work across different fields and industries. Similarly, while legal education has embraced some level of practice-area differentiation, with various law schools offering certificates of concentration or specialization in selected areas, law students throughout the country are trained to be able to practice in a variety of settings.

As a result, there is no single path into any designated area of legal specialization. The same is true for sports law. There is no single check list of courses one must take and no single set of law schools one must attend in order to be qualified to work as a lawyer in professional or amateur sports.

At the same time, sports law is distinctive in that, by comparison to many other areas of specialized legal practice, it is a field in which the supply of interested students likely far exceeds the number of available jobs. The exact number of law students interested in sports law is difficult to quantify. Still, there is some strong evidence as to the field’s popularity. The Law School Admissions Council (LSAC), which oversees the LSAT and coordinates law school applications, lists fourteen examples of “fields of law” in which JD graduates might choose to practice. Some of these are clearly fields in which jobs are available for many interested students – “Criminal Law” and “Corporate and Securities Law,” for instance. Notably, “Sports and Entertainment Law,” in which there are likely far fewer jobs, is also listed among the fields of specialization.

Our first piece of advice is directed for those thinking about law school and interested in a career in sports. It is fairly straightforward: Be realistic. Choosing to go to law school is a significant commitment of both time and financial resources. Tuition at public law schools in most states now tops $20,000 per year and private schools in many cases charge close to $50,000 a year (and, when fees are taken into account, a number have crossed that threshold). As a result the average private law school graduate owed $124,950 and the average public law school graduate just over $75,000 in law school debt. The cost of the law degree, properly measured, will also include the opportunity cost of law school, in the sense that a college graduate choosing to attend law school will have forgone at least three years of earnings in some other field.

This reality should be sobering, and the point is simply that one should bite off this kind of commitment only with great care. Given the competitiveness of sports law as a field, if all a potential student is interested in doing with a law degree is working as a sports lawyer, the risk of law school may simply be too high.

In considering a career in sports law, then, one should realize that first-choice jobs may be hard to come by and embark on a legal education only if a second or third choice in a less desirable field would also be considered worth the cost and time.

The cost of law school also offers an insight into the question of when a person considering sports law should begin the process of engaging in a self-assessment and committing
time and financial resources to the pursuit of such a career. Ideally, a person thinking about sports law has to conduct a rigorous self-assessment before committing to attend law school. There are of course many lawyers working in sports who started in, or continue to work in, other fields. But the best time to start thinking about the hard choices that a career in sports law – like a career in any area of law – will require, is before one has gotten too far along the path towards a J.D. degree.

A Personal Assessment for Law Students

Having chosen to attend law school, students will begin their legal training through a fairly standard set of courses. They will spend their first year in law school developing and honing skills in legal research in writing, as well as tackling courses like Torts (covering personal injury law), Civil Procedure, Property Law, and the like. First year law students, other than those attending on a part-time basis, are discouraged from working during the academic year but should nevertheless begin thinking about career opportunities at the earliest possible juncture.

Interest

So, is a career in sports law for you? The first thing to explore is what about sports law interests you. Are you simply a sports fan? If so, you might be better off working as a tax lawyer or a corporate lawyer and using your earnings to buy season tickets to your favorite team. Sports lawyers aren’t (typically) going to be making personnel or coaching decisions; they aren’t going to be sitting in the locker room with their baseball or football heroes. Instead, they are going to be engaged in the kinds of work that most lawyers engage in – writing and reviewing contracts, business agreements, and corporate documents; negotiating financing and other kinds of business deals; litigating cases; and advising clients on compliance with applicable laws and regulations. “It’s very sophisticated, complicated, commercial lawyering that’s required here,” says Harvard law school sports law Lecturer Peter Carfagna. “The fact that [clients may be] athletes is almost incidental to how careful the lawyering has to be.”

The sacrifices associated with positioning oneself for a successful career in sports law mean that one’s interest and commitment should be broad and sincere. A student might have a particular interest in sports because they find the industry itself compelling. Or a student might have an interest in sports generated by the peculiar business structures through which this industry operates. For some, an interest in working in sports has been deeply held for life. Mary Fitzgerald, an attorney who works for Pop Warner, traces her interest in sports law to growing up as one of eight children in New York city, where sports was “always a central factor in our lives,” according to a profile on Tulane’s Sports Law Blog. Students should assess whether their interest in sports law is sufficiently compelling to make professional sacrifices in order to pursue a job in the field.