



Garden State CLE  
 21 Winthrop Road • Lawrenceville, New Jersey 08648  
 (609) 895-0046 fax- 609-895-1899  
[Atty2starz@aol.com](mailto:Atty2starz@aol.com)

## Video Course Evaluation Form

Attorney Name \_\_\_\_\_

Atty ID number for Pennsylvania: \_\_\_\_\_

Name of Course You Just Watched \_\_\_\_\_

### Please Circle the Appropriate Answer

Instructors:      Poor              Satisfactory              Good              Excellent

Materials:        Poor              Satisfactory              Good              Excellent

CLE Rating:      Poor              Satisfactory              Good              Excellent

**Required:** When you hear the bell sound, write down the secret word that appears on your screen on this form.

Word #1 was: \_\_\_\_\_ Word #2 was: \_\_\_\_\_

Word #3 was: \_\_\_\_\_ Word #4 was: \_\_\_\_\_

What did you like most about the seminar?

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

What criticisms, if any, do you have?

\_\_\_\_\_  
 \_\_\_\_\_

I Certify that I watched, in its entirety, the above-listed CLE Course

Signature \_\_\_\_\_ Date \_\_\_\_\_

# **GARDEN STATE CLE LESSON PLAN**

**A 1.0 credit course**

**FREE DOWNLOAD  
LESSON PLAN AND EVALUATION**

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## **REPRESENTING A CHILD BASKETBALL PRODIGY**

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**With**

**Robert Ramsey  
Garden State CLE Senior Instructor**

**And featuring**

**Francis J. Masciocchi  
Attorney**

### **Program description**

Every once in a while a client will come into your office and say, “My kid is a basketball prodigy!” And you know what? Every once in a while the kid is a prodigy. This 1 credit CLE will advise you on how to handle a client with an athletically gifted child.

## **I. Introduction**

- **The child who has an upper level skill in any sport can utilize that for educational purposes**
- **Can get child into college but must be on top of that in order to open doors**
- **Recruiting is so intense – big business, students are being “used” to earn money for the college, so colleges are trying to get best product for the school, better product = better revenue**
- **Division 3 schools are starting to get some notice but not as much as Division 1 schools**

## **II. Role of the Parent**

- **Parent comes into office and says that child is a prodigy**
- **Attorney has an important role to play**
- **NCAA has guidelines for parents of student athletes**
  - **Bill Jackson helped his son (Dashawn Jackson) apply for schools and wanted to be the point/contact person for his son**
  - **Eagles put a stop to this and said they would only communicate with the agent or the athlete directly**
- **Pro active parent – must be careful because rules that apply to agents (lack of contact, gifts, exchanges, money) apply to parents as well to a lesser extent**
- **Parent who is going to all practices and volunteers to do things can also be interpreted as quid pro quo**
- **NCAA.org – page for parents**
- **Schools also have things on their websites for parents**
- **Advise client in more detail about parent responsibilities**

## **III. Role of attorney**

- **Child is 14-15, parents think prodigy, coach recognizes talent – what does an attorney say?**
- **Be honest with parents**
- **Rules are the same no matter what level the school**
- **Good to direct your client with appropriate fit for the student athlete**
- **Once athlete is approaching that point in their career – must be careful and must go in with clean hands**

- **Can see how the student plays, talk to the coach – see how he plays before advising on what school or likelihood of getting into school and which one**
- **Parent can hire an attorney but have to be careful when using “agent” – can’t have an agent for NCAA**
- **Must advise parents that attorney is not an “agent”**
- **Attorney, parents, and agent must all follow the rules – don’t go out of way to grease palms, innocent donation, innocent offer of gifts or help because that can be construed as a violation**
- **Can circulate tape to schools but don’t do anything that is quid pro quo**
- **Offering to pay coach for trip to see child seen is a violation**
- **Get coach at high school to contact college coaches for recommendation**
- **Try to solicit student for the talent level of the student, also assess what is feasible for the client/student – location of school, etc.**
- **Can review scholarship packages that have been offered to the student**
- **Attorneys have to be careful because you can only be a “family attorney” not an agent for the student – be careful when dealing with the school because school can decide not to get involved because there is an attorney involved**
- **Assess what client needs are – not every parent is oblivious to sports world – most are pretty well educated – have a minimum of what they want to do**
- **When client comes in – ask what they want to do – ask father what he wants to do – have a rough idea of where they want to go**
- **Contacted school and coach came out to take a look at student**
- **Depending on sport, maturity line is different – take into consideration age v. athletic ability**

#### **IV. What about talented children but have no educational ability**

- **Little can be done about that**

- **Some schools will take an athlete with academic challenges**
- **Need to find a school that will go out of the way for student athletes who need academic assistance**
- **Need to direct parents toward certain schools that will be beneficial to the student/athlete**
- **Need an honest assessment with parents as to what they intend to get out of it**
- **Need to be sure that client is the son/daughter – not the parents – need to communicate this to parents**
- **Deal with student who is interested in this type of success – as opposed to parent is dragging student along**

**V. Other sports**

- **Handle cases differently depending on sport?**
- **Check out schools to determine how injuries can affect**
- **Insurance policies in place for student athletes who are injured**
- **Baseball gives option to go to school for four years or forego college and play ball in the minors and mature as a player**
- **Calculated assessment as to how important a college education is to your client**
- **Gifted in academic ability – don't want to forego college**
- **Maybe set up college fund just in case down the road the child wants to go to college when baseball career does not work out**
- **Factor into the analysis the position that baseball player plays – this effect injuries**
- **Analyze talent then determine what position the athlete plays and then whether to go to minor league or go to college**
- **Need to develop skill set – better training and development is in minor league unless a really good college program, i.e. Arizona State**
- **Have to assess education from a top rated school vs. playing at a well regarded school for that particular sport but maybe not as academically challenging**
- **Need to make a life choice that may not be in your best interest**

- **Parents have to understand that may be selling their souls for a small compensation**
- **Attorneys can negotiate a signing bonus with professional ball club – not an issue of NCAA requirements/guidelines**

#### **VI. Female Athletes**

- **Leverage under Title IX for female players [Public Law No. 92-318, 86 Stat. 235 (June 23, 1972) codified at 20 USC Sections 1681 through 1688]**
- **Can negotiate a good deal**
- **Schools are aware of law and don't want to violate**
- **Softball, golf – depends on whether it is a major sport at the particular school**
- **Coaches get involved and send out tapes to schools**

#### **VII. Attorney business**

- **Fairest way is on a retainer basis**
- **Most people cannot afford to pay hourly**
- **Watch rules because cannot say “if I get you a particular deal then you pay me X money later” – cannot do under NCAA rules**
- **Be honest with parents about child's abilities**
- **Competitive field, lots of good if not better candidates from the client**
- **Be aware that there are other people that can provide same talent that child can provide**

#### **VIII. Transfers between schools**

- **Typically when there is a match with a school they stay at the school**

#### **IX. How to make the next leap to professional sports**

- **Most kids have gone through camps and have an agent but did not make the cut but still trying to go pro**
- **Outside NCAA scrutiny by this time**
- **Agent must be careful when they get involved so playing time is done and only then can they get involved**
- **“red shirting” – you are the one of the best players on the team and still have to wait until play is over – cannot do anything until playing time for school is over**

- **if player wants to go pro while still in school, then must make public declaration in order to get around NCAA regulations – let school know**
- **FIBA – international basketball league – alternate route from NBA, also for soccer**
- **US agent certification is not recognized by FIBA until you register to that governing authority and be registered as an agent**
- **Most of the international leagues are all members of FIBA so they follow their rules**

#### **X. Soccer**

- **In US – becoming more popular with American schools**
- **Need to look for the colleges that have strong soccer programs**
- **There are Division 1 schools and more schools are paying more attention to the sport**

#### **XI. Lacrosse**

- **Not widespread around US – more East Coast sport**
- **Focus on schools that offer the program**

#### **XII. Hockey**

- **Northern schools offer hockey**
- **Good teams in northern region of the country**
- **NCAA issues still apply if playing at an NCAA school – most colleges are part of the NCAA**
- **NCAA restrictions apply no matter what sports**

#### **XIII. Tennis**

- **NCAA rules apply**
- **Concern with how often going to play, what type of training and medical care will they get from the school if the child plays**
- **Many schools provide health insurance for players to cover injuries**

#### **XIV. Why is Basketball more attractive than other sports**

- **More colleges can afford BB team as opposed to football program**

- **Not as dangerous a sport as football**
- **Football is a close #2**
- **Bigger TV money per game is from football but BB is catching up**
- **March Madness is expanding and catching on**
- **Baseball and hockey are different because you can play these games right out of high school**

**XV. Community College programs**

- **More now than before**
- **Good college coaches being hired**
- **Good springboard who has to build academics a little to pad resume/application to get into Division 1 school**
- **Must go to community college with a good coach to make you more attractive to a Division 1 school**



## **XVI. Coaches**

- **Some get paid well and are not as good a coach as others getting paid less**
- **If they win, it generates revenue for the school – so coaches get paid more**

## **XVII. NCAA agents exam**

- **Pay \$1500 fee**
- **Sit for 2 days and answer a questionnaire**
- **Football is more difficult to get**
- **Baseball does not have a specific requirement**