

PROTECTING YOUR POSSIBILITIES PODCAST WITH LUKE FEDLAM

Episode 33: The New Era of Athlete Empowerment | March 24, 2021

The following is a transcription of the audio podcast recording. It is largely accurate but in some cases it is incomplete or inaccurate due to inaudible passages or transcription errors.

Luke: I'm sports attorney Luke Fedlam, and welcome to the Protecting Your Possibilities podcast. Each conversation we focus on sharing information and having conversations around how athletes can best educate and protect themselves or their life outside of their sports.

Thank you so much for tuning into the protecting your possibilities podcast. I'm your host, Luke Fedlam. Excited for another episode. Because today's episode, I really feel like it encompasses so many of the episodes that we've done in the past, because it's about a broader topic called player empowerment.

And I was reading an article here recently, and it was talking about how, you know, today's generation of professional sports in particular has been dubbed the player empowerment era. And I think that as I as I saw that I challenged it a little bit, because I think it's not just with professional sports. But I think this is an era of player empowerment, period. I think that when you look at the professional levels, absolutely. We've seen significant change that has really given players kind of more power, more authority at the college level. Wow, we most definitely are seeing a time of player empowerment. And even at the high school level too we've seen a significant changes come.

So this episode today is really going to focus on what some of those changes have been. What has gotten us to this place. And what does that mean for where we go from here? What are some of the challenges when it comes to player empowerment? If you don't mind spoilers, I'll tell you, I think education is a critical component when it comes to player empowerment. But we'll get into that a little bit later.

First and foremost, thank you, again, for tuning in. Thank you, to our regular listeners for sharing your comments, sharing the podcast with others. I love doing this, I really do. I love exploring various topics. And so whenever we get feedback from listeners on topics or ideas for topics, we love it, so please keep your comments come in, please keep sharing it. And please do continue to give us the five stars whenever you can.

So let's get into this a little bit more—player empowerment. I think it's important, you know, for us to kind of set the stage for this conversation. And I think when you do that, you have to understand what are we actually talking about. And so, you know, an easy place to start would be the definition of empowerment, what exactly is empowerment? And I found an interesting definition that said, you know, it's the process of becoming stronger and more confident, especially in controlling one's life and claiming one's rights.

Now, I thought that was like, so deep when you think about it from an athlete perspective, right, the idea of claiming one's rights. So first and foremost, I think the easiest place to start is this

idea of name, image and likeness at the college level. The empowerment that comes from student athletes, potentially having the right to profit off of their own name, image and likeness, here in the very near future. That is a major, major cornerstone when it comes to player empowerment, right? The idea of claiming one's right.

So if we go even deeper into this notion of claiming one's rights, you'd realize name, image and likeness, it's really a phrase that gets used in college sports, you know, it's kind of become the marketing phrase, if you will, almost around the idea of student athletes being able to monetize or commercialize their brand and make money off of their abilities. Now, what's interesting is that it's really your persona rights, right? Your name, whatever your name is, your image and image of you and your likeness. And so there's this notion that those are all persona rights that everyone else has. And everyone else has the ability to profit off of their own persona rights, except for student athletes. And so it's this idea that from an empowerment perspective, that part of the definition to say claiming one's rights, I think, name image and likeness puts us right in that space there.

And so I think, you know, not only are we seeing it with name, image and likeness, but we also saw this past—at the beginning of the academic year 2020-2021—you know, when it was really still up in flux as to whether certain conferences would have a football season or not or what they were going to do. And we also were dealing with, and continue to deal with, issues of racial disparities, inequities, and racial violence. And you had the We Are United campaigns, right, coming from student athletes in the Big 10 student athletes in the PAC 12. And, again, empowerment, it's this idea that these student athletes can come together because of social media, and start to have a more unified voice. And I think that that's, that's kind of an interesting thing, right? That's an interesting phenomenon in the sense that sports have been around, you know, since the beginning of time, right? But if we look at kind of the modern era of sports, and if we I don't know, technically what that term is, but let's just say over the last 50-60 years, when you think about it, it's like, so much has changed, in terms of society, technology, access to information, etc. But if you look at 2006, and beyond, where social media, smartphones, and all of this is so easily accessible and readily available, you have student athletes now, and professional athletes who are able to go ahead and share their message directly with their fans directly with the audience that they want to hear that message.

So we've seen it at both the macro level and the micro level. Right at the macro level, we've got media brands that are run by athletes, right, or that are owned and operated by athletes or those who take on the athlete perspective. So you got, you know, LeBron James Uninterrupted, you've got Derek Jeter and the Players Tribune. LeBron has various production companies. Steph Curry has a production company, Russell Wilson. So there's a lot of that that's already out there. So when you think about athletes now being able to share their message directly with fans and directly with the world, as opposed to having to go through a more traditional media company. That's something where, obviously, there's a lot of power in that, because there's no editing, if you will, of what the athlete is truly trying to get out and get across.

But you also think about the idea that athletes are able to literally get on Twitter, TikTok, Instagram, whatever their platform of choices, and just share their message directly from themselves. I mean, we just saw that here. You know, just recently, when you look at the social media outcry, when we saw women's basketball for their march madness NCAA Tournament on the women's side, that their weight room was nonexistent. And you know, it was captured by a lot of the student athletes and put out on social media and shared and retweeted and all that kind of stuff. And then ultimately, they ended up with a facility that was at least comparable to

what the men's tournament participants had access to. So the power of social media, in giving players a voice is truly something that's come in this empowerment age.

You know, I'd also bring up the high school level, right, which is, I think, something that a lot of people don't even think about, but at the high school level, obviously social media exists, but then you have companies, you know, like Overtime, that is focused on giving a platform to these high school basketball and football players to show where they showcase their talents in a way that they know other young people are wanting to receive and consume that kind of information. And to that point, now you have overtime, creating Overtime Elite, which will be a high school basketball league for you know, 16, 17, 18-year-olds, where they'll get paid as professionals, and it's for the elite of the elite. And when you think about that, it's just, again, another layer, two, this level of player empowerment.

But here's the thing, and this is where I feel like we could have a challenge which is empowerment without education is hollow. Right now, I'm not trying to sound deep, I don't have some, you know, fancy equation that I could put out there, you know, that would become bumper stickers or rubber wristbands or whatever. I just want to say that if you are looking for empowerment, but that empowerment is not created on the foundation of education, then it's just going to be hollow. It's not, it's not going to be long lasting.

Education is critical. Understanding what opportunities you have understanding the risks that come with those opportunities. Being able to articulate what it is that you are looking to achieve and gain the education in order to do that, to me is a critical piece to player empowerment. And you all have heard me talk in a lot of past episodes about the importance of education. And sorry, not sorry, I need to bring it up again.

Because when you think about let's just say name, image and likeness, the opportunity to have access to profiting off of your persona rights, your name, your image, your likeness, and other entrepreneurial opportunities, if you're a student athlete, and you don't understand how contracts work, or you don't understand how it works, when someone wants to represent you, and how do you hold that person accountable? How do you have someone working for you, when you're 18, 19, 20-years-old, and you maybe have never worked for someone else yourself before, it's this idea of now to truly be empowered is to have the education so that you can then hold others accountable. Right. And so there has got to be an emphasis on education as part of empowerment, for us to continue to see these positive changes towards athletes being recognized as more than an athlete, and acknowledged in all of the opportunities that they have outside of their sports.

So education is that critical component, even if you're at the professional level, and at the pro level, I feel that there are—I start to see opportunities where pro athletes have the ability to meet different sponsors of their professional sports team that they play for, they're able to network and meet with other city leaders in the place in which they play. Understanding the value, understanding and being educated on how to efficiently and effectively network. How to build relationships. How to be able to understand the best steps forward to maximize your opportunities for off the field, or post-sports careers. That's so important. That's empowerment, empowerment is being able to what did the definition say? Right, the process of becoming stronger and more confident, **especially in controlling one's life and claiming one's rights**. So becoming stronger and more confident in knowing that I have a plan for when I'm done playing this sport, I have a plan for what I want to do outside of sports, I have a plan for what I want my brand to be beyond just being an athlete, right? Being able to take control of that.

Being able to build relationships, to set yourself up for success in all of the endeavors that you want to be involved in outside and beyond your sport. That's empowerment.

And that empowerment comes from being educated in the areas that you find interesting. Being educated in the areas where maybe you struggle, maybe you're not that comfortable networking, maybe you're not that comfortable having a conversation with other leaders, other business leaders or what have you. That is to me, where you have to reach out to say, Okay, how can I improve on this? How can I get better at networking as an introvert, let's say? or How can I start to learn about how deals get put together in an independent and unbiased way, as opposed to only hearing about deals from someone who wants me to actually execute the deal.

These are areas in which to continue to be empowered, to continue to take control of your life, to continue to claim your rights. There has to be a foundation and education. There has to be an awareness of what you are looking to achieve, and what skills, network and abilities you need in order to do that. All of that comes together and can help athletes continue to be empowered.

I think that as we look at the impact that LeBron James, Kevin Durant, Steph Curry, all very involved and engaged Andre Iguodala as well. I mean, a lot of athletes and I could go on and on and on. But a lot of these athletes have changed the game for other athletes coming up, you have young athletes that look at them to say, Wow, they took equity ownership in an opportunity. Now I understand what ownership is a little bit more, right. I mean, that's where I feel like we're gonna continue to see positive change. But to ensure that the change is positive, there has to be education, and understanding the skills necessary in order to continue to be empowered.

So my thoughts on player empowerment, I think the we're in a great, a great age of college, professional, and even high school sports, where player empowerment has really kind of taken hold a little bit more. And I think it's critical that we continue to feed that empowerment with education so that athletes can continue to have that positive impact on themselves, their families, in their communities.

I love this topic. I could go on and on. But I'm gonna end it here, because we may do some kind of spin offs of this discussion, and look at some ways in which individual athletes are really kind of taking hold of player empowerment, and driving it forward.

So keep listening. Please do share this podcast with others. Feel free to leave any comments, feel free to reach out to me at Luke Fedlam. On most social media platforms, you can connect with me. share with me your ideas, your thoughts, and I really appreciate you listening and look forward to talking to you again real soon. Have a great day.

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