

The Award Criteria

- Candidate may be a lawyer or non-lawyer and must have at least five years experience in sports law or a sports field in general. Candidate does not have to be currently active in the sports industry. Award can be made posthumously.
- Candidate exhibits “service-above-self” attitude. This would have been demonstrated by a record of community involvement, public service, or other engagements that clearly have had a positive, motivating effect on others.
- Candidate must be regarded as a person with high integrity and ethics and possess the qualities held in highest regard by those in the field of sports law.
- Candidate must have a consistent record of presenting the practice and/or theory of sports law in a positive light to the sports world and the public in general.

Nomination Process

- Nominations are accepted from active members of the Sports Lawyers Association and members of the Selection Committee.

Selection Committee

- The Selection Committee is, at a minimum, composed of three representatives of the association. At the discretion of SLA’s president, the Selection Committee can be expanded to include not more than seven members, and one member of the committee serves as chairperson.

Presentation of the Award

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- The *Award of Excellence* is presented during the Sports Lawyers Association

Public Relations

- The Sports Lawyers Association engages in focusing attention on the award through its contacts with the sports media and sports broadcast industry.



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Sports Lawyers Association

Award of Excellence



MARVIN J. MILLER

2004 Winner: Marvin J. Miller

Marvin Julian Miller was born in New York City on April 14, 1917 and raised in Brooklyn. His father, Alexander Miller, was a salesman in the garment district and a devoted Giants fan; his mother, Gertrude Wald Miller, was an elementary school teacher. Marvin studied first at the University of Miami and then at New York University, where he received a B.S. degree in economics in 1938. In the same year he married Theresa Morgenstern; they had two children, Peter, born in 1945, and Susan, born in 1949.

After graduation from NYU, Marvin Miller worked briefly for the New York City Welfare Department and went on to positions as a staff economist at the War Production Board and an economics and disputes hearing officer for the War Labor Board. In the post-war period he worked for the United States Department of Labor's Conciliation Service. After brief stints with the International Association of Machinists and the United Auto Workers, he was hired in 1950 as a research economist for the United Steelworkers of America. There Miller worked with general counsel Arthur Goldberg to develop the Steelworkers' innovative and successful post-war collective bargaining strategy. When Goldberg left to become President John F. Kennedy's Secretary of Labor, Miller became the union's chief economist and negotiator, and assistant to Steelworkers president David J. McDonald.

In December 1965 former Philadelphia Phillies all-star pitcher Robin Roberts, representing the Major League Baseball Players Association, contacted Marvin Miller about the newly-envisioned position of full-time Executive Director of the MLBPA. After a long interview process and discussions with all the major league teams, against the back-drop of the Sandy Koufax-Don Drysdale holdout in the spring of 1966, Miller was elected to the new post by an overwhelming majority of players, managers, coaches and trainers. He was joining an organization that lacked staff, adequate office space, a war chest and the full confidence of its constituency. Visionary player-advocates like Roberts and Phillies delegate Jim Bunning were the exception in a culture bound by paternalism, sentimentality and deep divisions based on age, ethnicity, race and status.

When Miller began as Executive Director, major league baseball was at a crossroads. Television revenue had increased dramatically but the owners, armed with a reserve rules system that bound every professional baseball player for his entire career to the franchise that had "drafted" and signed him (unless sold to another organization), were keeping salaries, pensions and other benefits at pre-television-era levels. In 1966 the average salary of a major league player was \$19,000 a year; the minimum annual salary of \$6,000 was only \$1,000 above the 1947 minimum.

“When Marvin Miller retired in 1983 he was widely considered to be the most effective labor leader of his

Miller applied his expertise as a labor economist and negotiator, as well as his human relations and organizing skills, to his new job, and scored some significant bargaining victories. His first Basic Agreement, signed in 1968, doubled pension levels, raised salary minimums and addressed a variety of player complaints about working conditions. These gains and new licensing arrangements which directly benefited players, plus Miller's frequent tours of training camps and open-door policy at his New York office, soon overcame player resistance.

In 1969 Curt Flood, an African-American and the St. Louis Cardinals' star center fielder, was abruptly notified that he had been traded to the Philadelphia Phillies. He decided to wage a legal battle against being uprooted and traded as merchandise against his will. After warning Flood of the tough struggle ahead and possible damage to his career prospects, the MLBPA Executive Board, on Miller's recommendation, agreed to back the effort and cover Flood's legal and travel expenses. Miller arranged for Flood to be represented by Arthur Goldberg. After a series of appeals, the case, technically a challenge to baseball's longstanding exemption from the anti-trust laws, reached the U.S. Supreme Court. In June 1972 the Court ruled, in a 5 to 3 decision, in favor of the owners.

In 1972, a majority of team owners, together with Baseball Commissioner Bowie Kuhn, were determined to reverse the union's recent progress and hold the line on pensions.

The players went on strike on April 1, 1972. A settlement was reached on April 13th. A total of eighty-six games had been cancelled in what was the first successful strike in the history of professional sports. With this demonstration of solidarity the balance of power between players and owners had shifted significantly, laying the groundwork for some changes to come.

In 1975 pitchers Andy Messersmith of the Los Angeles Dodgers and Dave McNally of the Montreal Expos, whose 1974 contracts had been renewed without their signatures or consent, filed grievances against the unilateral renewal procedure. In effect, it was a challenge to the Reserve Clause, with the owners refusing to negotiate. Peter Seitz's arbitration decision in the case, delivered on December 23, 1975, upheld the players. The 1976 Basic Agreement included a guarantee of "the right of players under their present contracts to become free agents" after serving six years with the team that first signed them. Miller was immediately hailed as baseball's "Great Emancipator."

When Marvin Miller retired in 1983 he was widely considered to be the most effective labor leader of his generation. He continues to be active as a consultant to the Players Association and a frequent commentator on labor relations in sports, labor and economic history and current affairs. Miller has been the recipient of many honors and awards. *Sport Magazine* in 1982 called him "one of the five most powerful men in sports," and ESPN-TV in 1999 deemed him fourth among the ten "most influential in all sports in the twentieth century."

Previous Award Recipients

1991 Alan I. Rothenberg

1992 Anita L. DeFrantz

1993 Lloyd E. Shefsky and John F. Wendel

1994 Gary Bettman and Jay Moyer

1997 Reuven J. Katz

2000 Stanley H. Kasten