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AGENTS Too often, profits overshadow ethics

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Second of two parts Terry Sullivan is best known as the prosecutor who broke the John Wayne Gacy mass murder case.

But five years after getting Gacy convicted, private attorney Sullivan started a second career. He became a sports agent.

"Not an agent," he corrects. "I'm a sports attorney. And I don't think it's shifting careers. I think everything I've learned as a trial lawyer is put to its best use in dealing with contracts and specialty negotiations. The field of entertainment and sports law is something I enjoy."

Sullivan, whose clients include Cubs Dave Martinez and Manny Trillo, isn't unique. Steve Zucker, who represents Bears quarterback Jim McMahon and several other Bears and pro athletes, also started as a trial attorney. He worked in the Chicago corporation counsel's office during Richard J. Daley's

administration.

Later as a criminal defense attorney, he represented such clients as publisher Larry Flynt, Ron LeFlore of the White Sox and "Spider Dan" Goodwin, who attempted to climb the Hancock Building. But his legal career took a backseat when Zucker met McMahon through his friend, Jerry Argovitz, who was McMahon's first agent. Argovitz left the business and McMahon asked Zucker to represent him.

Players associations estimate that as many as half of all sports agents are attorneys. In recent

years, as multimillion-dollar contracts and novel benefits such as deferred salaries and annuities have become part of players' benefit packages, the attorneys have incorporated tax planners and investment counselors on their representation teams.

The expanding role of sports agents also has spawned large multipurpose companies like Pro Serve and International Management Group, large companies with attorneys, marketing strategists, investment planners and others on staff to handle every facet of a player's career.

If agent-attorneys have been responsible for helping athletes gain financial standing, they also are the ones who have suffered from the profiteers eager to seize upon the get-rich-quick aura of the business: There are no prerequisites to becoming an agent. "People who just call themselves agents have no rules to follow," Sullivan said. "That's why you see the scum hus

tling every single college player and other people's clients. They don't have a code of ethics." White Sox general manager Larry Himes said he has dealt with agents "who didn't even have the home phone numbers of the player they represent. That's sad, but that's the state of the game."

Skokie agent Jack Childers' Talent Services Inc. is one of only six firms in the nation the National Football League Players Association asked to serve on the union's collective-bargaining screening committee. Yet it was not able to sign one top football draft pick this year. "We understood why when all the stories started coming out about **Norby Walters** (who is being investigated for alleged illegal payments and coercion of college prospects)," son Michael Childers said. **Walters** signed seven first-round picks. "We know things like this have gone on in the past, but it's incredible when you're regarded as one of the best in the industry and yet you talk to the college kids and all they care about is dollars and cents. And all some of these guys (agents) look at is their 5 or 10 percent." Agent registration by the NFLPA, the NBA Players Association and soon the Major League Players Association does not protect rookies coming into the league because they are not yet union members. Agents have attempted to police their own through a national organization formed 10 years ago, the Association of Representatives of Professional Athletes, but membership is voluntary. "What we have always attempted to do was bring agents under guidelines of ethical conduct," vice president Leigh Steinberg said. "But the people who are in it are the ones following the rules. The people who aren't in it aren't following rules."

Some agents may be becoming scapegoats for players whose career fortunes have waned or who mismanaged their own finances. "I think you are seeing it happen," Rich Brinkman,

executive director of ARPA. "You're seeing a lot of firing of agents, but it may not be the agent always at fault. Athletes have always had things done for them and they aren't always willing to admit they might be to blame for something."

Every agent has heard "the horror stories."

"I've talked to college players and what I heard going on was just terrible," Zucker said. "They're offered money, drugs, women, all while they still have their eligibility. That's what you're competing against. You know, you walk into the home of a ghetto kid and throw \$20,000 at his mother and he's going to sign with you - and it's wrong."

Michael Childers, whose father's family business is 22 years old, has encountered the same thing. "It's a big problem. All some of these guys look at is if they can represent a first-round pick, they can take their 5 or 10 percent and make lots of money. It's a big problem and it makes it very difficult if you are ethical to compete with people like that."

The problem goes beyond competition to public perceptions that all agents are wheeler-dealers in it for power and a fast buck.

"I think fans are somewhat justified (in being cynical toward agents)," Zucker said. "So many players have been hurt by agents in so many different ways, whether it's teams avoiding them or investments they put players in. There is nobody to control it."

"I think too many agents worry about their own ego. They try to get all the publicity on how much they got for their client and get their name in the paper, but they're not doing the right thing."

George Andrews, a Chicago attorney who represents a number of NBA players, echoes the same belief. "There are a lot of agents who bask in the spotlight," said Andrews, whose clients include Magic Johnson, Isiah Thomas and Mark Aguirre. "Whether my name is in the paper or not is really irrelevant. But a lot of guys try to draw the spotlight to themselves for their own reasons."

"They will be out there telling how much they got for this or that player. There's a lot of self-promotion going on. I don't do things like disclose salary information. I think it's a breach of ethics."

The difference is lawyers have a code of ethics. "There's a difference in the standards we are held to," Sullivan said. "I don't ever intend to not be a lawyer."

Andrews, who became a sports attorney in 1973 "when the concept was very, very remote," believes strongly that only lawyers or accountants should be permitted to become agents. "You should have a license that you've established by going through some degree of schooling," he said. "But I don't want to create a situation where young people are barred from entering into it. I think the whole quality of our profession needs to increase because it's still an emerging field."

And, despite its weeds, a necessary one to cultivate, agents insist.

"There are bad apples that spoil the bunch," Childers said, "but look at an Ozzie Newsome whom we represent, an all-pro tight end with Cleveland who's going to be set for the rest of his life for what we've done on his behalf."

Steinberg, who will represent Bears top pick Jim Harbaugh, requires his clients to establish or be involved in charitable programs. His first Bears client, Ted Albrecht, set up "The Teddy Bear Club for Kids" at Shriners Hospital for Crippled Children.

"There's a definite need for agents," Zucker said. "I don't think a football player who wants to make a team should be in there fighting with management because it could affect the way he plays and affect the way management looks at him. Let the agent do that. The player shouldn't be in that position."

Steve Zucker (right) and Bears QB Jim McMahon arrive in Los Angeles last November. Jack Childers (center), president of Talent Network Inc., is flanked a number of years ago by two stars then on his roster - the Cubs' Ernie Banks (left) and; the Atlanta Braves' Henry Aaron.

Credit: Philip Ramey

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