

Need Sports Agents Who Are “No Men”

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Sometimes Deion Sanders says things that sound responsible, such as talking to young NFL players prior to the start of the lockout and making them understand that there is “going to be a famine” (in his words). The demand of lockout loans and agent switching is proof that Sanders was correct in his statement. Other times, Sanders seems to defend athletes for their actions when they do not deserve any support. Recently, Sanders said something that I wholeheartedly agree with and hope that many agents read and take to heart. In an interview, he stated,

“It’s hard to talk to a person when they have millions man because there is so much noise in their life. Everybody around them is employed and they have ‘yes men.’ You gotta start hiring a ‘no man.’ Somebody who is going to tell you no and somebody who is going to tell you the truth and a lot of these guys don’t...”

Is that not exactly what an agent is supposed to be? If agents are not acting as “no men” then their clients should be dropping them immediately. If for some reason the athlete does not like that option, then he should be hiring a **“manager”** who is above the agent and can override his decisions, because the last thing an agent should be is a “yes man.” But there really is no excuse for an agent to reject being the **“no man.”**

The agent is the fiduciary of his athlete clients. An agent certainly breaches his fiduciary duty to his clients when he acts negligently or negligently fails to act on his clients’ behalf. Notice that nowhere in that statement does fiduciary duty account for following the clients’ wishes. If following the clients’ wishes, and thereby becoming a “yes man” is actually contrary to how the agent should act according to his fiduciary duty to do what is best for his clients (notice again, not necessarily what the clients think is in their best interests), then he could be considered to be acting negligently.

Think of your relationship with your clients. Whether or not it will lead to a successful breach of contract case against the you later on, is that really the type of agent you want to be?