

NCAA Claims that Decision which U.S. Supreme Court has Agreed to Review Blurs the Line Between Student and Professional Athletes

By [Harvey R. Linder](#)
December 16, 2020

Today, December 16, 2020, the U.S. Supreme Court agreed to review a lower court decision that the NCAA says blurred “the line between student-athletes and professionals”.

Originally, a lower court barred the NCAA from capping education-related compensation and benefits for student-athletes in Division I football and basketball programs. The Supreme Court’s decision to hear the case comes after a three-judge Panel of the 9th U.S. Circuit Court of Appeals ruled in May. The Panel had upheld a lower court ruling brought by former West Virginia University football player Shawne Alston and others.

The NCAA complained that the lower court’s ruling “effectively created a pay-for-play system for all student-athletes, allowing them to be paid both ‘unlimited’ amounts for participating in ‘internships’” and an additional \$5,600 or more each year they remain eligible to play their sport.

The NCAA wanted the court to stay the case while it made its own internal rule changes. Currently, the NCAA is in the process of changing its rules to permit athletes to be compensated for the use of their names, images, and likenesses. The NCAA argues that this change should open opportunities for athletes to be paid for endorsement and sponsorship deals, as well as for appearances and for the promoting of products or events on social media accounts.

The case will be argued in 2021 with a decision expected before the end of June.

The foregoing content is for informational purposes only and should not be relied upon as legal advice. Federal, state, and local laws can change rapidly and, therefore, this content may become obsolete or outdated. Please consult with an attorney of your choice to ensure you obtain the most current and accurate counsel about your particular situation.



[Harvey R. Linder](#) is a partner at Culhane Meadows PLLC in the firm’s Atlanta office. A seasoned arbitrator, mediator, GC and senior executive, he is particularly well-equipped to guide clients through matters involving employment law, complex business transactions, class actions, securities (FINRA), and a variety of commercial disputes.

About Culhane Meadows – *Big Law for the New Economy*®

The largest woman-owned national full-service business law firm in the U.S., Culhane Meadows fields over 70 partners in ten major markets across the country. Uniquely structured, the firm's Disruptive Law® business model gives attorneys greater work-life flexibility while delivering outstanding, partner-level legal services to major corporations and emerging companies across industry sectors more efficiently and cost-effectively than conventional law firms. Clients enjoy exceptional and highly-efficient legal services provided exclusively by partner-level attorneys with significant experience and training from large law firms or in-house legal departments of respected corporations. U.S. News & World Report has named Culhane Meadows among the country's "Best Law Firms" in its 2014 through 2020 rankings and many of the firm's partners are regularly recognized in Chambers, Super Lawyers, Best Lawyers and Martindale-Hubbell Peer Reviews.