

Next Level Agent Questionnaire

This questionnaire was designed to help you and your family, organize your thoughts and simplify the agent selection process. Not all of these questions will apply to your situation and some may seem “easy” to answer. But it is the agent’s reactions, depth of knowledge, and sincerity, which will make a difference in this process. All NFLPA certified agents can be reviewed at www.nflpa.org.

Getting to Know the Agent

- Where and when did you graduate from law school?
- If you are not a lawyer, what is your educational background?
- Have you ever been disbarred, suspended, reprimanded, censured or otherwise disciplined or disqualified as an attorney or as a member of any other profession?
- Are there currently any complaints or charges pending against you regarding your conduct as an attorney or as a member of any other profession?
- Have you ever been implicated or investigated for any violations of NCAA or professional league rules?
- How many years of experience in the sport representation business do you have?
- How many other agents work for you or in your firm?
- How is your firm organized? How do you fit into that organization?
- Do you have ownership interests in your company? (Are you a firm or agency partner or strictly an employee?)
- Does your firm provide services in seeking product endorsements? Trading cards?
- Would you or another associate in your firm be dealing with me on a day to day basis?
- Are you an NFLPA certified contract advisor?
- Are you registered with the National Football Leagues Players Association? National Basketball Players Association?
- Did you take the NFLPA Collective Bargaining Agreement Test? What was your score? If you did not take the test, why not?
- Have you ever broken any state statutes?
- What is your philosophy on negotiating contracts? Holding out?

Self Inquiry

- Why do you want me as a client?
- If most draft contacts are “slotted”, why do I need an agent?
- Where did you get your information about me?
- What have you heard about me from professional teams?
- What future do you see for me in the NFL?
- What do you feel I should be doing to better my chances to make an NFL team?
- What will you do to prepare me for the NFL draft?
- What are my weaknesses and how would you fix them?

Potential Conflicts

- How many players are you looking to sign for this draft?
- How many players do you currently represent? Your entire firm?
- How many players do you represent at my position? Are they veterans or rookies?
- How do you deal with the conflict in representing players in the same position?
- Does your firm provide financial planning services? If so, what are they?
- If your firm does not provide financial management or planning services, do you have any fee arrangements (referral fees) with financial management firms to whom you refer players?
- Do you invest players' money?
- **(If an UNDERCLASSMAN)** What advice would you give me in regard to going out early?
- Do you recommend that I sign over power of attorney to you?

Contract Issues

- What percentage will you charge for representing me? Is the percentage graduated, that is, does the percentage decrease as the amount of the contract you negotiate increases?
- Are your fees negotiable?
- Are you willing to represent me for less than your standard fee?
- How and when are you to be paid?
- Who will be negotiating my contract?
- What is the duration of the agreement?
- Have you ever represented a player on an hourly rate basis? If so, what rate did you charge?
- If your firm negotiates endorsement contracts, what percentage do you charge for this?
- What services do you offer to your clients other than contract negotiations (financial planning, tax advice, etc.)? Do you mind if I use my own accountant or financial planner?
- What happens to our agreement if I fail to make the team; if I am waived; or if I get injured?
- Are you willing to delete the #6 expense clause in the Standard Representation Agreement relating to reimbursement of your expenses?

- What is included in your percentage fee: filing tax returns, basic legal advice, setting up bank accounts, local endorsement supply agreements of cars, furniture or other products, wills, advice relating to home purchases?
- What are the procedures for terminating the agreement?

Past/Current Representation

- Can you supply me with a list of current and former clients? Can you provide me with their telephone numbers?
- How many players have you lost, what was the reason for their departure? Can you provide me with a list of their phone numbers?
- Has a player ever fired you? If so, who, when and why?
- Have you ever fired a player? If so, who, when and why?
- Has the NFLPA or other regulating entity ever disciplined you?
- Have you ever had a complaint filed against you? How was it resolved?
- Have you ever filed a complaint against another agent or player? How was it resolved?
- Who do you consider to be your top clients?
- What have you done to advance the careers of your clients on and off the field?
- What are your strengths and weaknesses as an agent?

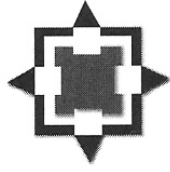
Contact Knowledge

Connections to teams

Size of Client base

Business Issues

- What kind of contract do you think I ought to structure?
- What deals have you negotiated for other players you represent? How were they structured?
- Tell me about your most difficult negotiations and how you handled them?
- Are there tax advantages to structuring a contract a certain way that would result in more money to me?
- If you have a financial department to your firm, what are your thoughts of me using outside investment counsel?
- Explain the salary caps and rookie pool to me and explain how they may affect me.
- Do I have the potential for endorsements?
- Where do you believe I will be drafted?
- What is your view on my participation at the combines?
- Should I begin working out with a personal trainer? If so, who pays for that? If you do, will you charge those costs back to me?
- If I am likely to be a free agent, how can you help maximize my chances of making a team?
- Are there ways to get around the salary caps? What are they? Have you used these methods with players you represent? Are they consistent with the NFLPA, NBPA, MLBPA contract?



10 Commandments for Choosing an Agent

1. **It's OK to Talk But Be Prepared:** The athlete, as well as family members, can talk to agents who come calling before an athlete's eligibility ends. HOWEVER, the athlete cannot sign a contract to retain an agent or make an oral commitment to hire an agent until he has completed his eligibility,
2. **Take Nothing of Value:** Neither the athlete, his parents, nor other relatives can receive anything of value from an agent prior to the end of the athlete's college eligibility,
3. **Don't Be In A Hurry:** Because you cannot sign a contract until you have completed your eligibility, take your time evaluating agent options. Have other trusted advisors (family, athletic departments, family counselors) conduct the initial interview and then schedule additional interviews with the agents of interest. Show them you are business minded in your approach,
4. **Shop Around:** The old saying "It's not the hospital, but the doctor that will treat you" applies here. Your agent should be honest, trustworthy, and financially accountable. You will have a contractual business relationship with the agent. Any contract you sign should be read over by an attorney not affiliated with the agent nor the process. Call the NFLPA or visit www.nflpa.org for more information,
5. **Check References:** Get names and phone numbers of current and former clients of the agent candidates. Pay attention to the treatment of players who fell in the draft or out of favor. Remember, you're looking for an attorney with experience, team contacts, knowledge of your position, and a positive cash flow to help with expenses.
6. **Check With Your Coach, AD, or Athletic Panel:** Your coach's many years of experience dealing with scouts, agents, and others in the process can be valuable. Keep them informed to the agents and their activities with you. But, be aware of who represents the coach,
7. **Seek Financial and Accounting Advice:** An agent might write a bad contract, but a bad financial person can bankrupt you when this is over, SO CHOOSE CAREFULLY! Don't pick the guy who gives you money for a car or line of credit. He just put you in debt! Also, separate your agent from the money process.
8. **Help Prepare Your Draft Strategy:** Once you choose an agent, his next step is draft preparation- training, team interviews, Wonderlic exams, etc. Be aware of who is paying for the training and facilities. You need to be comfortable with the strategy and your input to the decision. Remember, he works for you!
9. **Continue to Evaluate Your Agent and Your Relationship:** Make sure to keep an original of the contract you signed. Pay attention to see if the promises made to you during the process are coming true: it an indicator of things to come.
10. **Don't Compare One Contract to Another:** Agents like to say their contracts are better than another agents, but team philosophies about signing players, funds available, your projected playing time, etc. are different from team-to-team, player-to-player, and therefore contract-to-contract. You can get contract information from the NFLPA in order to compare, but happy clients are the best resource.