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# TRAILBLAZERS

SPORTS/GAMING/ENTERTAINMENT LAW



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Arthur Bryant, the former Chairman and Executive Director of Public Justice, started and leads Bailey & Glasser's Oakland, CA, office. He has won major victories and made new law in civil rights, consumer protection, constitutional law, toxic torts, access to justice, class actions, and mass torts. *The National Law Journal* has twice named him one of the 100 Most Influential Attorneys in America.

### Why did you become a lawyer?

I have wanted to be a lawyer since I was 14 years old because I wanted to make the world a better place. It was the single best way I could see to make a difference. I knew politics was an option, but saw most political decisions as compromises based not on the merits—right and wrong—but on money, connections, and power. I thought some things, like racism, sexism, and discrimination, shouldn't be subject to compromise and that, as a lawyer in the courts, I and my clients could fight and stop them. We could, of course, compromise if we wanted, but, if we didn't, the decision was supposed to be based on the merits—right and wrong.

### What was the genesis of the idea/path that has made you a trailblazer?

In 1982, in private practice, I was astonished to learn that Philadelphia excluded women from its public, academic Central High School because it had a "separate but equal" high school for girls. I proved the schools weren't equal and got women admitted. In 1984, after I joined Public Justice, the National Women's Law Center asked me to try the country's first Title IX case against a school for discriminating against its women athletes. When we started to prove Temple University's separate athletic programs for men and women were not providing equal opportunities, athletic financial aid, or treatment, the school settled. A few years later, Brown University decided to fight and lost at every turn, helping make new law advancing gender equity nationwide.

### What sort of change has resulted from Title IX?

Enormous change, but not enough. The concept is simple: equality. Title IX prohibits sex discrimination in all schools that receive federal funds. It has had done incredible good—opening up numerous programs, jobs, and opportunities. As a result, more females are involved in higher education and sports than ever before. But, in athletics, most schools *still* aren't in compliance. In the last year alone, over a dozen colleges tried to eliminate women's (or men's) teams in violation of Title IX. So, the athletes fought and, at almost every school, they won.

### What bearing will this have on the future?

Next year is Title IX's 50<sup>th</sup> anniversary. The publicity and enforcement efforts accompanying that will have a major impact. Responsible schools are finally going to get into compliance. Colleges and universities that refuse to do so are going to face litigation from their students, us, and others. And they'll have little choice. Title IX is the law.

### What is the greatest danger to America's system of justice?

Beyond global warming, climate chaos, and Covid-19, the greatest danger to our system of justice is the frontal assault taking place on the rights to vote and a day in court in America. Voter suppression, gerrymandering, and Supreme Court rulings, including on the Voting Rights Act, are closing the democratic process. Forced arbitration, federal preemption, class actions bans and abuses, and unjustified secrecy are closing the courthouse doors. If people can't vote or get justice in the courts, they'll seek it in the streets. Our system will be destroyed, because it is no longer a system of justice.

### What advice would you give to prospective and current lawyers?

Try to spend your time fighting for justice and things you believe in. Your mind, heart, and spirit will thrive. You will help people and make the world fairer. Try not to spend your time arguing for things you don't believe in. You will become alienated from your job, be miserable, or, worse, end up believing things because someone paid you to say them. You could also make the world much worse. Hold fast to your integrity, your beliefs, and your love for others. It will make you a better and happier lawyer and person.

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ON BEING NAMED A  
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SPORTS LAW TRAILBLAZER

ARTHUR BRYANT'S HISTORIC TITLE IX WORK ENSURES THE EQUAL  
PROTECTION OF STUDENT-ATHLETES ACROSS THE COUNTRY.



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