NBA Answers a Number of Questions About Season Resumption

Article By
Jack Blakey
Squire Patton Boggs (US) LLP
Sports Shorts

- Entertainment, Art & Sports
- Coronavirus News
- All Federal

Wednesday, June 10, 2020

Since our last article about the challenges faced by the NBA as a result of COVID-19, the NBA’s Board of Governors voted to resume the season on 31 July at Disney World Orlando.

The Board of Governors is made up of the owners of each NBA team and voted 29-1 to resume the season. As predicted, the season’s resumption involves a modification of the usual season format.

Return to basketball

Not all NBA teams will be returning to action on 31 July in Orlando. The NBA has invited all teams that are currently in playoff contention based on the existing conference standings. The teams will compete in eight regular season games each, which will determine the end of season rankings for the playoffs and should grant teams ample time to be fully match fit for the playoffs.

The Milwaukee Bucks, Los Angeles Lakers, Boston Celtics and Toronto Raptors had already qualified for the playoffs by the time the season was suspended. With only eight games remaining, the Miami Heat, Indiana Pacers, Philadelphia 76ers, Los Angeles Clippers, Denver Nuggets, Utah Jazz, OKC Thunder and Houston Rockets have now secured their place in the playoffs. This leaves four playoff spots (two per conference) available. In the East, Brooklyn Nets, Orlando Magic and Washington
Wizards have been invited to compete for the remaining playoff spots whilst, in the West, Memphis Grizzlies, Portland Trailblazers, New Orleans Pelicans, Sacramento Kings, San Antonio Spurs, Phoenix Suns and Dallas Mavericks have been invited to compete for the two remaining playoff spots. However, Dallas has already virtually secured one spot.

Due to the decrease in regular season games, the NBA has created a new play-in tournament to determine who clinches the eighth seed in the playoffs. If the gap between eighth place and ninth place in either conference is less than five wins at the end of the regular season, such teams will compete in a mini playoff. Ninth place will have to win 2-0 to advance, whilst eighth place need only one victory.

The NBA playoffs will maintain the traditional playoff format with best-of-seven series at each stage from the first round to the NBA Finals, which will conclude no later than 12 October, with the following season commencing in December.

**NBA Draft**

With these details now approved, the NBA Draft can proceed at the end of the season. Sports Shorts has previously posted a Guide to the NBA Draft.

The Draft Lottery is scheduled to take place on 25 August, which is the process by which teams that do not qualify for the playoffs are allocated their place in the order for the NBA Draft. In summary, the three teams with the worst regular season records receive the most lottery ‘tickets’ and, therefore, have the best chance of having the winning ticket, which means they receive the first pick in the NBA Draft. The other non-playoff teams also receive (a smaller number of) lottery tickets depending on their regular season records. The teams that have been invited to Orlando but do not qualify for the playoffs will join these other teams in the Draft Lottery.

The NBA Draft is scheduled to take place on 15 October whilst the free agency period leading into the new season is tentatively set to commence on 18 October.

**NBA Personnel**

Going forwards, NBA teams will submit team personnel medical records to the NBA. Such records will be evaluated by a panel of medical physicians who will review the individual’s risk of contracting the virus and the likely severity at which they could suffer from the virus.

The league is reportedly particularly concerned with some team coaches who are older than their counterparts and, therefore, could be more vulnerable to the virus. Head coaches may have more limited access to their teams on the bench during games, restricting interactions to the locker room. If this was not applied as a blanket rule to all NBA teams, it would pose a significant disadvantage to teams whose older coaches cannot access the team bench in game. However, applying a different set of rules to an individual because of their age could amount to age discrimination, presenting another obstacle to the NBA, which wishes to resume proceedings in as safe and controlled manner as possible.
Remaining challenges

NBA fans will be thrilled to learn this news but implementing such a plan will require immense infrastructure and careful medical measures.

Players, and potentially their families, will be stationed at Disney World Orlando during the season where basketball matches will be held and players will be living onsite in the hotels. This aims to create a bubble and limit the risk of any person onsite from contracting coronavirus. Now that the Board of Governors has approved the format, the NBA will seek approval from the Players Association to “finalize a comprehensive season restart plan [and] a rigorous program to prevent and mitigate the risk related to Covid-19, including a regular testing protocol and stringent safety practices”.

© Copyright 2020 Squire Patton Boggs (US) LLP

Source URL: https://www.natlawreview.com/article/nba-answers-number-questions-about-season-resumption