

He was a boy, really. A Black boy in a white city. And his world had just collapsed.

Three years earlier, in 1991, Chris was 14 and a high school freshman in Salt Lake City, in a class of 50 with whom he shared neither skin color nor religious beliefs.

He lived with his mother, who longed to see him in a more diverse academic environment, where through friends, sports, and smaller classes he might thrive.

Although having meagre means, she somehow managed (with the school's help no doubt) to enroll him in Rowland Hall, a diverse, academically demanding and highly regarded private school. His testing scores for admission warranted his repeating freshman year, but Chris's social acceptance in his new environment made him more engaged in all aspects of his schooling, and his easygoing manner made instant friends.

As he began at his new school in the Fall of 1991, Chris was approached by the basketball coach to recruit him for the J.V. basketball team. Chris had never played on a school basketball team before, but he took to the sport with alacrity.

By the beginning of his senior year, 18-year-old Chris was a starter on the varsity team, a solid, dependable player. He hoped, with luck, to be recruited to play at some college, with a basketball scholarship making higher education affordable for him. Inquiries were already coming in from colleges.

But over the summer before his senior year, Roland Hall and its basketball coach parted ways, with some ill feeling. The former coach found a new position at a rival regional school.

That Fall, Roland Hall's basketball season began extremely well, winning its first eight games, beating that rival team by 31 points. But just two days after this decisive victory, disaster struck.

In the mid-1990s, Utah was still a paternalistic society, with the Mormon Church's heavy influence felt everywhere. Challenges to authority were not welcomed, and the Utah High School Activities Association, with its authority encompassing all high school athletics, was particularly inflexible. It had a rule that high school students could enjoy not more than four years of ELIGIBILITY in any sport.

Rowland Hall's former basketball coach, who three years earlier had recruited Chris to play basketball on the J.V., and smarting from his team's recent drubbing by Rowland Hall, now filed a complaint with the Activities Association that Rowland Hall was fielding a player in his fifth year of eligibility. This coach knew that Chris had never played any sport on any team until he had come to Rowland Hall. He was aware that Chris was only beginning his fourth season on the basketball court. But he also knew that Chris had had one year at a public high school before coming to Rowland Hall, so Chris, under the Activities Association's rules, was in his fifth year of eligibility, even though it was only his fourth playing season.

The Activities Association pounced on Rowland Hall and Chris, banning Chris from basketball, and stripping the team of its five wins in the games in which Chris had played. The team's record went from 8-0 to 3-5.

Chris and his teammates were crushed. Chris's hopes of college basketball were over. His mother's dreams of possibilities for her only child were dashed, and she felt unfairly so.

Using all of her savings, she retained a lawyer to challenge the Activities Association in two administrative hearings, but there his pleas were rebuffed. That lawyer, having exhausted all of Chris's mother's savings, told her she should drop her petition and "get on with their lives - accept the inevitable."

In desperation Chris's mother turned to the father of one of Chris's teammates, a lawyer named Bob, and asked if he might help. He agreed to assist her pro bono.

But there had never been a successful challenge to a ruling of the Activities Association. It was, after all, Utah, and there one did what the religious and secular authorities demanded.

Bob immediately drafted a temporary restraining order and filed it with the trial court. Because this was Utah, this challenge immediately got media attention.

The trial judge told the Activities Association that unless it agreed to immediately call a special meeting of the Activities Association's Board of Trustees, and to waive their \$2300 fee for calling such a meeting, he would grant the T.R.O.

With television cameras and the local press in attendance, Bob argued at that special meeting that Chris, after all, had played no school sports anywhere until his freshman year at Rowland Hall; that there was perhaps a malign bias by the complaining rival coach; and that Chris's entire future was imperiled by the strict application of the eligibility rule to a situation it was not created to address.

After this impassioned plea, the Activities Association said that with grave reservations it would give Chris an exception to re-join his team.... BUT, because Rowland Hall had been negligent in allowing Chris to play, it would punish the school and the team. Irrespective of how many games the team might win that season, it would not be allowed to participate in the "Big Dance," the post-season state-wide playoffs, and the dream of every high school basketball player.

Bob told the Activities Association that by punishing the whole team, they had just traded one plaintiff for twelve. Bob amended the complaint to add the additional plaintiffs and sought a preliminary injunction, asking for an expedited hearing.

The press noticed. The television networks noticed. This kind of challenge just wasn't done in Utah. It threatened the top-down autocratic rule.

As the litigation quickly progressed, the players were required to sit for depositions, and legal papers flew. The challenge became the opening story on each evening's television news, and the newspaper editorials condemned Bob for "wasting" the court's time to challenge the august Activities Association.

Finally the date for the Preliminary Injunction hearing arrived, just one week before the Big Dance.

Seven of the boys were called to the witness stand and cross-examined by the Activities Association's attorneys. The boys gave as good an account for themselves in the witness box as they had all season on the basketball court. After testifying, the boys were excused to head to their divisional playoff game in Dugway, UT, some 70 miles away - so they left not knowing whether their season would continue.

The trial court judge heard closing arguments, and recessed, hoping to provide a decision later that day.

With what must have been superhuman effort, less than an hour later the judge reconvened the court, and read his lengthy opinion, finding in favor of the boys on all counts. Notably, he quoted the inscription just below the statue of Blind Justice atop the Old Bailey courthouse in London: "Protect the innocent and the children; punish the wrongdoers."

Bob, thrilled for the boys, was anxious to get the news to them, but there was no immediate way to do so in that pre-cellphone era.

So he drove the 70 miles to the playoff game, arriving just as the boys finished their pre-game warmups. Bob simply flashed a smile and signaled "thumbs up."

The boys were jubilant. By the end of the first quarter, against a formidable foe that had had an undefeated season, the boys led 22-2. They played with a confidence and energy that was exhilarating to see.

When the game was over the boys advanced to the regional playoffs, and won that game as well.

THEY HAD EARNED THEIR INVITATION TO THE BIG DANCE!

The Big Dance was held in Cedar City, Utah, a six-hour drive from Salt Lake.

The boys played their first game there and won, but their joy was short lived. The Activities Association had filed an emergency appeal to the Utah Supreme Court, asking for an expedited hearing. The Supreme Court granted their request and had set 10 a.m. the next morning in Salt Lake to hear arguments on the appeal.

Bob and his wife drove back to Salt Lake overnight, Bob writing his arguments while his wife drove.

The media went crazy, having closely followed this saga for several weeks - in Salt Lake even national programming was pre-empted so that reporters could report from the steps of the Utah State Capitol, where Utah's Supreme Court sits. The boys, six hours away in Cedar City, were hounded by the local press there and television cameramen. It was a circus.

Back in Salt Lake, the Supreme Court heard argument, then reserved decision, promising an opinion later in the day.

Bob and his wife drove back to Cedar City, learning en route that the Supreme Court had ruled in the boys' favor 2-1, and the boys therefore could continue in the Big Dance.

Although the boys didn't win the entire state tournament, they did well, and enjoyed the biggest thrill of their young years - playing in the Big Dance.

Chris had been able to play the last quarter of the season, and his college prospects were enhanced, thanks in part to the media frenzy surrounding his case.

At the celebratory season's-end dinner, Bob was given a basketball autographed by all of the players, and inscribed with their effusive thanks.

Twenty-six years later that basketball remains Bob's proudest possession.