GUESS WHAT?

1/3 $771B $149B

$18B $39B $100B
WHAT IS ENTERTAINMENT LAW?

Depends on who you talk to.
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WHAT IS ENTERTAINMENT LAW?

Entertainment law is not a specific area of law, but various areas of the law that pertain to individuals and businesses in entertainment-related industries.

- Contracts
- Real estate
- Family
- IP
- Criminal
- Labor & Employment
A Day in the Life: The Work Week

**Money Mondays** – Accounting, billing, banking, marketing

**Tuesday – Thursday** – Client work

**Follow up Fridays** – Client development & maintenance, post office and mailbox runs, read industry-related articles and catch up on the law.

**Strategic Saturdays** – Continue work from Friday and analyze the current status of the business and where I want to take it.

**Sunday** - Rest
A Day In The Life: Clients

Clients
• Production companies/independent producers
• Talent
• Crew/crewing companies
• Tour & production management companies
• Live entertainment companies
• Restaurants/caterers
• Non-entertainment clients
A Day In The Life: The Work

Work

• Drafting, reviewing, and negotiating contracts;
• Assisting clients with content and music clearances;
• Conducting legal review of audio and visual content;
• Handling trademark and copyright issues;
• Drafting and reviewing policies; and
• Seeking and connecting clients with opportunities, people, and resources that will help them achieve their goals.
A Day In The Life:  
Client Development/Marketing

Client Development/Marketing

• Client referrals
• Attend industry conferences and events.
• Member of various legal organizations.
• Attend CLE sessions and legal conferences.
• Active in arts-related organizations
• Have a website and an email address that does not end in gmail.com, aol.com, outlook.com, hotmail.com
• LinkedIn, Twitter and Facebook
A Day In The Life: Keeping Up with the Industry & the Law

Read industry magazines & books - TV/Film

• Variety
• Hollywood Reporter
• Contracts for the Film & Television Industry, Mark Litwak
• Dealmaking in the Film & Television Industry, Mark Litwak
A Day In The Life:
Keeping Up with the Industry & the Law

Read industry magazines & books - Music

- Billboard magazine
- *Everything You Need to Know About the Music Business*, Donald Passman
A Day in the Life: Keeping Up with the Industry & the Law

2. Attend CLE sessions

3. Read legal articles, newsletters and resource books
   • A Practical Guide to Media Law, Ashley Messenger

3. Join legal organizations
   • DC Bar Arts, Entertainment, Media & Sports section (MD & VA equivalents)
   • American Bar Association
   • Black Entertainment & Sports Lawyers Association (BESLA)
   • Washington Area Lawyers for the Arts (WALA)
A Day in the Life: Tips & Lessons Learned – The Work Week

• Treat your legal practice like you treated your corporate or private practice position. It is critical to staying focused and on track.

• Structure the entire work week to strike a good work/life balance.

• Create invoices promptly because they are time consuming, even with detailed timekeeping records. Getting behind in billing is a nightmare!

• Double entry accounting is for the birds, but necessary for the firm’s accounts to be accurate. Just do it.
A Day in the Life: Tips & Lessons Learned - Clients

- When pricing a job, double the time that you think it will take to complete the job. That’s usually a more realistic estimate.

- Do not lie to your clients about your ability. It’s one thing to have little experience. It’s another to have no experience. If research and/or a call to an attorney with the requisite experience is not possible, don’t take the work.
A Day in the Life: Tips & Lessons Learned - Clients

• Creative clients are usually serious, but informal in their dealings with one another. They want short documents written in plain English. Honor that, when possible. If it’s not possible, explain and do your best to keep things brief.

• Teach your clients how to use your services.
A Day in the Life:
Tips & Lessons Learned – The Work

• I love the work!

• The ebb and flow of work is similar to other areas of law. It’s pretty steady, but there are slow and busy periods.

• It pays to manage clients’ expectations regarding how fast you can turn work around. Communicate, communicate, communicate!

• Connect with a network of other small or solo attorneys. They will keep you sane.
A Day in the Life: Tips & Lessons Learned – Client Development/Marketing

• Hang out where the clients that you want hang out.
• Business cards still matter.
• Having a website and a business email address that does not end in gmail.com, aol.com, outlook.com, hotmail.com, etc. goes a long way to legitimate your business to others.
A Day in the Life: Tips & Lessons Learned – Client Development/Marketing

• Trying to have a presence in all places is not an effective client development or marketing strategy. Being everywhere with nothing to show may be worse than being absent. Set up a few tentpoles (e.g., 2 or 3 social media sites you will participate on; 1 or 2 conferences that will attend annually) and build around them.

• Trial and error is good! It takes time to find your groove in your practice and that translates to your clients. It’s ok. Things change, but you’ll be fine.
A Day in the Life: Surprises

• That the fear and insecurity I initially felt was just a blip on the screen;

• That clients came faster than expected;

• That television production is a large part of my portfolio;

• That there is an amazing network of small firm and solo practitioners, so I was never alone; and

• That I get to do this work everyday.
STARTING YOUR FIRM
Starting Your Firm: Finding Your Focus

BE HONEST!!

• About why you’re starting your practice
• About why you want to do entertainment law
• About what you love about entertainment
• About what you hope to accomplish.
Starting Your Firm: The Mechanics

Learn what it means to have your own firm.

- PMAS Basic Training & Successful Small Firm Course
- Read “How to Build and Manage an Entertainment Law Practice” by Gary Greenberg (ABA book)
- SCORE DC (www.washingtonscore.org);
- Small Business Administration (www.sba.gov)
Starting Your Firm: The Mechanics

1. Research & test drive software, apps, etc.
2. Crunch the #s, draw up a plan & launch
3. Basic Training & Beyond
4. Research insurance carriers
5. Successful Small Firm Practice Course

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Starting Your Firm: Vendors

- **Office Space/Mailbox** – Home office, OSI Office only plan, UPS mailbox
- **Telephone** – RingCentral (VoIP); Samsung Galaxy (cellphone)
- **Equipment** – 2 Dell touchscreen laptops, two 22” Dell touchscreen monitors, HP Photosmart 7520 all-in-one printer; ScanSnap ix800
- **Operating system** - Microsoft 365 Home; Exchange Online (Plan 1) (Outlook email)
- **Computer security** – Bitdefender Total Security Multi-Device 2017 (antivirus); Malwarebytes; Private Internet Access (VPN)
- **Bank**– Bank of America (operating & IOLTA accounts)
- **Accounting** – QuickBooks Pro (www.intuit.com)
Starting Your Firm: Vendors

- **Timekeeping/Billing/Credit Card Payments** – QuickBooks Pro & LawPay

- **Case Management** – QuickBooks, OneNote, Workshare (www.workshare.com)

- **File Storage** – Hon 3-drawer lateral file (bought used); Seagate Central (3 TB); OneDrive

- **Healthcare** - Carefirst (medical); Davis Vision (vision); Cigna Dental

- **Insurance** – USI Affinity (malpractice); Standard (income replacement if disabled); MetLife (life & AD&D)

- **Website, graphic design, logo** – Target Public Marketing (www.targetpublic.com); Erika Gordon (www.erikagordon.com)

Starting Your Firm: Getting to Know the Industry & the Law

• Read, watch and consume as much information (from reputable sources) as you can about the industry or industries you want to serve so you understand
  • the product(s)
  • the process
  • the players
  • the flow of money
  • how the law relates to each bullet point
Starting Your Firm: Marketing

• DO WHAT FEELS RIGHT TO YOU!

• Website

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