

## **LEGAL ETHICS FOR ENTERTAINMENT LAWYERS**

### I. Introduction of Panel

- a. Former Chief Justice of the Texas Supreme Court, Wallace Jefferson
- b. Steve McConnico, Partner, Scott Douglas McConnico
- c. Lawrence A. Waks, Partner, Jackson Walker – Moderator

### II. Perspective of Panel – Generally

- a. Chief Jefferson – as a justice, a judge, what type of legal ethics issues have you reviewed and opined on?
- b. Steve, you are one of the most well-known defenders of lawyers in malpractice and related claims, could you give us your general perspective on legal ethics issues as they might relate to the entertainment business?

### III. Conflicts of Interest

- a. Simultaneous representation, e.g., representing a band, a band company, a band and its management
- b. Label and artist
- c. Writer and publishing company
- d. Film production company, film financier, case and crew, distributor, P&A, etc.
- e. Former clients (departed band member, eg.)

### IV. Competence

- a. New York and California law – where do you need vs. have to be licensed?
- b. Unique regulations, eg., California talent agency rules; NY and California statutes on minor contracts
- c. Union/Guild issues
- d. International issues/laws – language and custom challenges

### V. Cutting Edge

- a. The law isn't keeping up with technology and digital content/delivery

- b. How do you get the law established in new areas, what can you ethically advocate?

VI. Fee Arrangements

- a. Often “novel” in entertainment area
- b. Who pays fees? Parents? Label or studio? Insurer? Who is client?
- c. Back-end? Deferrals, points, royalty shares [Hoover-Slovacek case], contingent interest in contracts

VII. Multiple Roles

- a. Lawyer/Agents
- b. Lawyer/Managers
- c. Lawyer/Band member/Actor

VIII. Confidentiality

- a. Unique confidentiality concerns
- b. Extraordinary precautions/measures