

TEXAS' LONG HISTORY OF PRO BONO WORK IN THE ARTS

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Published: Dallas Bar Association Headnotes

March 2019

One of the most rewarding aspects of any legal career is giving back to the community. As attorneys, we have numerous opportunities to change lives through pro bono work. You may not be aware, but Texas has a long history of providing pro bono legal assistance to artists through Texas Accountants and Lawyers for the Arts (“TALA”). An attorney seeking to volunteer with TALA need not have any background in art in order to provide this type of pro bono legal aid. Rather, knowledge of basic legal principles and a desire to have fun are really the only prerequisites for a licensed Texas attorney to take a case from TALA.

TALA was founded in 1979 in Houston, Texas to provide pro bono legal and accounting services to visual artists and arts-related non-profit organizations. Since that time, TALA has helped thousands of artists (matching over 250 cases per year) throughout Texas. TALA’s headquarters are now centralized in Austin, Texas. Recently, the Dallas Association of Young Lawyers awarded TALA a grant to help market the organization in the Dallas/Fort Worth area and to encourage pro bono representation of this type in our own backyard.

TALA circulates a list of open matters to its registered volunteer attorneys and accountants every month. This list includes service requests from photographers, painters, musicians, filmmakers, arts publishing companies, arts education programs, theater and dance companies, writers and inventors. Volunteer attorneys may select as many or as few cases as desired. The volunteer attorney then advises TALA of an interest in taking on a particular case or cases. In response, TALA confirms a “match” between the attorney and the artist. TALA will provide background materials and forms for use with frequently requested matters, and also offers numerous training sessions throughout the year to help volunteers better navigate specialized issues in the arts. A volunteer attorney’s case choice may take into consideration such things as the anticipated time commitment based on the scope of the work requested, personal interests, and the geographical location of the artist and/or attorney. TALA services the entire state of Texas, but most requests are generated out of Austin, Dallas, and Houston.

TALA cases are always interesting and run the gamut from reviewing intellectual property concerns to establishing a non-profit or LLC. Often, artists merely need help understanding a contract. Examples of recent legal cases include an author needing assistance registering a copyright for his book, a musician needing assistance reviewing a producer agreement, and a photographer seeking help negotiating the terms of a photo license for album cover art. For volunteer patent attorneys, the United States Patent and Trademark Office has selected TALA as one of the very few organizations nationwide authorized to assist with the USPTO Patent Pro Bono Program.

In addition to taking case assignments directly from TALA, Texas attorneys may also participate in pro bono work in the arts through community outreach. TALA provides numerous speaking engagement opportunities every year for those who wish to share their legal knowledge in an educational format. In our experience, seminars and panel discussions providing information about business issues for artists are widely attended and greatly appreciated.

Personally, TALA has given us both the opportunity to assist with such diverse and meaningful projects as facilitating the creation of sculptures for the blind, retrieving royalty payments from a major network's copyright infringement of an artist's work, negotiating public art education projects, forming a dance company, drafting commission agreements, presenting practical career information to art students at both the high school and college levels, addressing risk management issues affecting artworks in transit and storage, providing the basics of insurance coverage for artists, organizing and participating in legal clinics for TALA members, and filing copyrights and trademarks. We have also participated in providing legal aid and educational programs for independent filmmakers, hip hop musicians, and fashion designers.

TALA cases provide a wonderful break from the typical day-to-day practice of law. The wide range of artists you will assist through TALA are always as appreciative, respectful, and fun to work with as you might expect, and we can attest to this. The cases are also relatively simple and finite by nature, too. TALA does not offer pro bono work in family law, criminal law, or litigation matters.