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Pro bono group lends helping hand to creative arts

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A burlesque dancer who penned a stage name in 2008 recently found herself in a bind because a Texas woman with the same name objected to the dancer's use of the name and logo for her website and clothing line.

A woodwind quintet needed to re-negotiate and re-draft its recording and distribution contract with a nonprofit record company, since the parties were butting heads over the selection and number of songs to be recorded.

And, a museum of art, architecture and design in a small town in northwestern Illinois needed help after its paintings, sculptures, antique European objects and documents went missing. That's because, the museum claimed, no attorney there would step up against a prominent, politically connected businessman who had thrown the museum's possessions onto the street because he was selling the building that housed the museum.

These were just some of the variety of cases included in a bulletin sent via e-mail in September to a volunteer army of lawyers who stand ready to help the clients of the nonprofit organization Lawyers for the Creative Arts (LCA).

The 38-year-old agency is the only pro bono legal service organization of its kind in Illinois — one whose focus is on providing legal assistance to artists and arts organizations financially unable to retain legal counsel, said executive director William E. Rattner during an interview at the organization's River North headquarters.

The Law Bulletin sat down with Rattner earlier this week, which marks the Chicago Bar Association and Chicago Bar Association's celebration of Pro Bono Week in Chicago.

With a small staff, LCA has long relied on the pro bono services of lawyers in law firms and in other legal sectors. In doing so, the agency over the years has served thousands of



William E. Rattner

individuals and organizations in all areas of art and entertainment — including the literary, visual, and performing arts.

And the agency has had “no problem” finding lawyers to donate their time to help guide artists through the myriad legal problems they can face, including help in starting businesses, drafting contracts to create, exploit and distribute their work, protecting innovative designs and creations and resolving disputes, Rattner said.

“We have an awful lot of volunteers,” Rattner said. “I argue with the people who have these negative images and jokes about lawyers. They don't see what I see. They don't see lawyers, in a sense, almost competing to do pro bono work.”

Some of LCA's matters involve litigation, and many matters involve intellectual property law, Rattner said. But much of the work amounts to “bite-size” transactional matters, making the LCA an attractive pro bono opportunity for the city's many transactional lawyers.

But there are other reasons why the agency is a popular one for lawyers looking to volunteer their services.

“The clients are, by and large, fun.

You're dealing with the arts,” Rattner said.

LCA is popular among lawyers in the Chicago office of SNR Denton, which tends to have five to seven LCA matters in the works at any given time, said pro bono partner Benjamin C. Weinberg.

“The arts focus just grabs the lawyers,” Weinberg said.

The pro bono work, he said, provides attorneys with an opportunity to use their skills in an area of law “that has nothing to do with your everyday practice, but has everything to do with something that you love and feel strongly about — completely apart from being a lawyer.”

The law firm of Kirkland & Ellis LLP was among the honorees Thursday during LCA's annual benefit luncheon. The organization recognized the firm as its Distinguished Service Honoree, noting that no firm during the past three years has taken on more LCA matters than Kirkland.

Kirkland partner Barry F. Irwin is a longtime LCA volunteer. He recently led a team of Kirkland lawyers in successfully representing a world-class photographer of limited means in a dispute with a former business partner who was claiming to own all of the intellectual property rights associated with the photography he had created over the past three years. If his former business partner had prevailed on his claim, the photographer would have lost the rights to continue selling fine art prints of those images, Irwin said.

“This was the client's life, was these photos. They were his babies. It clearly meant the world to him,” Irwin said.

“He was overwhelmed with appreciation. You could just look in his eyes and you could see that he was really shocked that he was able to find someone to help him.”

The work of LCA's three-person staff — which also includes Marci A. Rolnick, the organization's legal director,

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and administrator Rose Ann Vargas — together with hundreds of volunteer attorneys affiliated with organization, makes it possible for musicians, filmmakers, photographers, dancers, singers, actors and writers — among others — to concentrate on creating, because someone else has taken care of their legal concerns, Rattner said.

The agency also conducts workshops on nonprofit incorporation and tax exemption, and seminars on the law of music, publishing, film, copyright — among others — and it matches newer volunteer attorneys with mentors.

LCA was founded in 1972, when a group of lawyers who were members of the CBA's Young Lawyers Section formed

the “Creative City Committee,” focusing on how they could help the city’s artistic community.

Scott Hodes, a partner at Bryan, Cave LLP who has represented some of the world’s best-known artists for decades, was among the organization’s founders.

“It seemed to us that this was an exciting area of the law to pursue. What would be better than to pursue trying to help artists who couldn’t afford legal counsel? That was our plan,” Hodes said.

Decades later, LCA can say that its work has helped to build a thriving artistic community in Chicago. Hubbard Street Dance Company is just one of the numerous artistic groups the organization has helped to take off.

Jerry W. Glover of Leavens, Strand & Glover LLC, a longtime LCA volunteer who serves as an officer of its board of directors, also was honored Thursday, with the LCA’s Thomas R. Leavens Award, recognizing his “distinguished service to the arts” through the agency.

LCA, Glover said in an interview, “provides essential services to people and organizations in need.”

“There is no civilization without the arts, in my opinion,” Glover said. “It would be a very, very different place without a society that, in one way or another, supports the creation of art in all of its forms.

“Consequently, if it is a legal problem that is preventing the creation of some one’s art — that’s where we come in.”