

**NEW YORK STATE BAR ASSOCIATION ENTERTAINMENT, ARTS & SPORTS LAW
SECTION**

Executive Committee Virtual Meeting – (Wednesday) April 6, 2022, at 12:30 PM

Minutes of EASL EC Meeting

Attending by Virtual Conference/Telephone: Anne LaBarbera, Arlen Appelbaum, Barry Skidelsky, Barry Werbin, Bob Seigel, Carol J. Steinberg, Cheryl Davis, Christine-Marie Lauture, David Friedlander, Elissa D. Hecker, Ethan Bordman, Imraan Farukhi, Innes Smolansky, Isaro Carter, Jason Baruch, Joan Faier, Judah Shapiro, Judith Bass, Kathy Kim, Larry Sapadin, Lisa Mordkovich, Mariam Chubinidzhe, Merissa Pico, Phillip Hurwitz, Paul LiCalsi, Sarah Robertson, Sharmin Woodall, Sonia Autret, Steve Rodner, Steven Richman

- 1) Approval of March 2022 Meeting Minutes – *Isaro Carter, Sec.; Ethan Bordman, Chair; Christine-Marie Lauture, Ass't Secretary.*

Ethan Bordman (EASL Chair) called the Zoom virtual meeting to order and welcome everyone in attendance. Concerns about language in the minutes were addressed, and the March minutes were deemed approved pending the revisions.

- 2) EASL Journal Status – *Elissa Hecker*

Elissa reported that the next issue of the EASL Journal has 3-4 articles on title IX in the works. She was looking for more people to contribute and emphasized that the deadline was April 22nd. The articles don't have to be related to Title IX. Elissa also mentioned that she's always looking for people to write for the EASL blog.

- 3) Pro Bono Clinic (March 17th Recap) – *Elissa Hecker*

Elissa reported that this clinic had to be limited to fifteen volunteers. She also noted that she is in conversation with NYFA to do additional clinics between June and August. The clinic was a success. It's unclear whether future clinics will be in person, but Elissa has reported that the program has become adept at hosting them virtually, so this is always an option.

- 4) Financial Report - *Judah Shapiro, Treasurer; Merissa Pico, Assistant Treasurer*

Judah reported that he spoke with our finance liaison and is planning to go to Albany to discuss details regarding the EASL financials. What can be said is that the section has about \$100,000 to use moving forward.

Ethan reminded the Committee that we get to keep sponsorship funds for the section, so we should be considering securing more of them in the future. Membership is down, so we need to keep that in mind; Steve Richman reminded us that this membership problem was organization-wide.

Judith contributed the idea that we should have a Sponsorship committee to have a centralized and organized effort for this. Anne LaBarbera volunteered to be part of such a committee.

5) District Representatives

Ethan reported that John Bonsu resigned as the District 12 Representative. District 12 is the Bronx. Districts 6, 10, and 11 also have no representatives. Barry Werbin suggested that the Chair send an email letting the EC know which counties are covered by the districts.

6) Committee/Program Reports/Updates (ad hoc):

a) *April 1-2, 2022 – Section Caucus/House of Delegates Meeting –Ethan Bordman, Steve Richman*

The Chair reported that the most significant push at the Section Caucus was membership. EASL itself lost over 300 members at the beginning of April. The Chair also wrote an email regarding paying dues sent to everyone, including those who had paid their dues—this was by accident.

Steve Richman corroborated the Chair’s point that membership is being pushed. He also reported that the overall cost came up as a reason for people not renewing their membership. Another was that previous members disagreed with certain policy positions that the association has recently taken.

Steve reported that President Brown announced the creation of a strategic planning committee to help with the organization's overall direction “post-pandemic. Other than this and other conversations related to membership and dues, it was reportedly a quiet meeting.

b) *April 7, 2022 – The “Art” of Licensing Art: Legal and Business Considerations - Fine Arts Committee*

Carol Steinberg reported on the panelists that are secured for this event. The program will be available for 1.5 CLE credits. Sixty-one people had registered at the time of the EC meeting. For EASL members, the price is \$40 and \$100 for non-members. Students and artists may attend for \$25.

Carol also reported that she spoke on Artists' Rights at NYFA's Professional Development Program held at the Huntington Arts Council. It was very well received.

c) *May 12, 2022 - Spring Meeting with Stan Soocher – Motion Pictures Committee*

The Chair reported that the Spring meeting Entertainment Year in Review is all set. Bob Seigel said they've contacted the DGA, producer's guild, and SAG-AFTRA, who are willing to put together a PowerPoint presentation.

d) *Welcome, New Section Co-Chairs and Student Liaisons:*

i) Young Lawyers Section – Mariam Chubinidzhe

Mariam re-introduced herself to the EC, and we welcome her back!

ii) Theatre and Performing Arts – Avita Delerme

Avita introduced herself to the EC, and we welcome her to the EASL EC!

iii) Young Lawyers Section Student Liaison – Lisa Mordovich

Lisa is a law student and introduced herself to the EC; we welcome her to the EASL EC!

iv) Chair needed for Publicity, Privacy, and Media Committee

Ethan reminded the EC that we need a new chair for the Publicity, Privacy, and Media Committee because the previous chair stepped down.

7) Other Initiatives and New Business:

a) *EASL By-Laws – EASL EC review; Barry Skidelsky*

Barry Skidelsky reported that there is now a redlined and clean copy that has been distributed to the EC for everyone's review. He explained a few of the changes, including the clarifications on specific definitions (i.e., the "Executive Committee") and substantive changes, including eliminating the Second Vice-Chair position and the provision concerning floor motions at the Annual Meeting.

Steve Richman let us know the process for getting the bylaws approved. Once we get a final clean version, we will have a full section meeting to approve, and then we will email Andrew Brown and the EC with a copy to NYSBA General Counsel and ask the NYSBA EC to ratify and approve the proposed/modified bylaws. At that point, it would go on the consent calendar for June.

Phillip Hurwitz asked how the question and voting process would occur. Judy Bass asked whether we would be able to amend the bylaws at this meeting (because we can only amend and adopt new bylaws at the Annual Meeting). Barry Werbin noted that this was a good question. Judy also mentioned that that the entire EC was not present at this meeting to move to submit these amendments to NYSBA and we should wait until they can vote too. What followed was a conversation on whether we

would vote on adopting the proposed/modified bylaws now or during the next meeting. The discussion concluded with the agreement that we would move on this matter at our May EC meeting and Barry Werbin clarified that a one-page overview will be included to the proposed changes to the bylaws.

b) *EASL Mentorship Program*

The Chair briefly asked for any volunteers in the mentorship program. If anyone is interested, he asks that we email him.

c) *Sponsorships for Future EASL Events*

The Chair briefly reiterated that we would be developing a committee for sponsorships.

d) *Talent Agencies Act of New York*

Steve Richman reported that the budget was still not adopted though a scheduled meeting concerning this is on the calendar. There will be an update on this at the next meeting, however.

e) *Program on NY & CA Freelancer Laws*

Bob Seigel mentioned that he, Diane, Anne (LaBarbera), and Rosemarie are interested in putting together a CLE program concerning the New York City Freelance Isn't Free statutes and California law concerning freelancers and employment.

Anne elaborated on these laws' importance, and current relevance given the new remote work landscape; she also mentioned how they might seek co-sponsorship with the Employment Law section. Carol Steinberg suggested they get in touch with the Freelancer's Union.

8) Chair's Remarks

Ethan reiterated the importance of membership and getting our numbers up to get our second delegate back. He mentioned that we would be working on that, especially with student membership. Also, Lisa has volunteered to help us with our social media presence to advertise our events better. Guidelines will be put together on that front.

9) NYSBA CLE Department – Bridget Donlon

Bridget was interested in following up with Anne LaBarbera on the Freelance Isn't Free Program. She also wanted to get the Spring Meeting details finalized to be marketed effectively and in advance—she mentioned that having names is most helpful before ramping up marketing.

10) Future EC Meetings - Save the Date:

The next EASL EC Meeting will be Wednesday, May 4th, 2022, from 12:30 pm – 2 pm.

Future Meeting Dates are as follows:

June 1st, 2022

July/August – No meeting

September 7th, 2022

October 12th, 2022

November 2nd, 2022

December 7th, 2022

11) Adjournment. The EC meeting was adjourned at 1:48 pm.

Respectfully submitted,
Isaro Carter, EASL Secretary