

Q: When and Why Do I Need a Lawyer?

A: If you're lucky, at some point in your screenwriting career you will need a lawyer. This may sound contrary to the old joke about how to kill a deal (answer: get lawyers involved!), but it's true. The fact is lawyers on both the talent and studio sides are necessary parts of every deal that gets done, every script that gets bought and every film or pilot that gets produced. The reality is that it's not whether you need a lawyer, it's when.

So when do you need one? As soon as anyone is interested in optioning or buying your material, if not sooner. Like an agent, a lawyer is an essential player on your team. Your agent gets your name and script out there to potential buyers and knows who's interested in what and who's buying what. The agent will also negotiate the main points of your deal, usually dealing with a business-affairs executive (who is also typically a lawyer) at a studio or production company. Here is where your lawyer comes in.

The job of the writer's lawyer differs from the agent's, but it is just as essential. The lawyer negotiates each nitty-gritty detail of your deal (and often the main deal points too) with the buyer's lawyers. His priorities are to protect you and maximize your profit. While the agent is most concerned with the big picture, the lawyer is concerned with negotiating every aspect of the deal, from bonus and contingent compensation to sequel and remake royalties, from perks to tickets to the premiere. A good lawyer knows how to maximize each facet of his client's deal and knows exactly what to ask the studio, how to ask for it and how far the studio will bend. The lawyer will read and comment on the studio's draft agreements

until both sides have a deal they can live with. Your lawyer will also read your material (especially when he's deciding whether to represent you) and may offer notes if you want them, but his job isn't to be an editor or agent. The rule of thumb is that the agent gets you the job and the lawyer makes sure you get the best deal possible.

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firms that represent talent in L.A. and New York and that have long-standing relationships with agencies, studios, networks and producers. Some even specialize in representing screenwriters. Like

an agent, your lawyer will likely charge a commission on the money you earn from the deals he negotiates for you — usually around 5 percent. Of course, it goes without saying that the main qualities to look for in a lawyer, besides knowledge and experience, are honesty and integrity. Your lawyer is legally obligated to be committed to you and to your best interests.

Like every other relationship in Hollywood, your relationship with your lawyer will most likely arise through a pre-existing relationship. Clients obtain lawyers, and vice versa, mostly through referrals from agents, managers, other lawyers, other clients, producers or friends. Cold-calling and mass e-mails rarely work. So, when you need a lawyer (and hopefully you soon will), ask your agent, manager, friends and other screenwriters for referrals. If you hear the same name several times, chances

are he or she is worth a call.

Q: How Do I Choose a Lawyer?

A: Your lawyer will very likely know the lawyers with whom he negotiates. For being in such big cities, the entertainment legal communities in Los Angeles and New York are surprisingly small. Everybody knows everyone, and they all do business together. With that in mind, you should look for a lawyer with experience in the entertainment industry. There are many boutique entertainment

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