



WELCOME!

An NJVLA Guide for New *Pro Bono* Attorneys

On behalf of the staff and Board of Directors of New Jersey Volunteer Lawyers for the Arts, welcome to NJVLA. We are thrilled to have you join our team of outstanding *pro bono* attorneys who provide a myriad of legal services to the arts community throughout the great Garden State.

We provide legal services to individual artists and arts and cultural organizations that have arts-related legal issues. NJVLA artists practice in every imaginable artistic discipline – visual artists, musicians, songwriters, poets, dancers, filmmakers, writers, photographers and the occasional sushi chef. Similarly, arts-related legal issues run the gamut from copyright and trademark; to contracts between an author and a publisher, between a songwriter and an agent, between a visual artist and a gallery, or between a musician and a record label; to tax issues for artists; to landlord/tenant and real estate issues concerning studio space; to trusts and estates for artists; to formation of non-profit organizations. There is no other organization in the State of New Jersey that provides *pro bono* legal services in these areas of the law to artists and

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arts and cultural organizations, particularly to low-income artists.

NJVLA *pro bono* attorneys have many opportunities to help the artistic community in a number of ways, requiring varying amounts of time commitment:

- **Legal Lines:** A Legal Line is a free, one-time telephone consultation between an artist or representative of an arts or cultural organization and an attorney to discuss a particular arts-related legal issue. The average Legal Line runs between 30 and 60 minutes. In a Legal Line consultation, the attorney should only give legal advice – the attorney is not obligated to take any action on behalf of the client such as making telephone calls or drafting documents. If you are not able to resolve the issue with the client during one telephone call, please instruct the client to contact NJVLA in order to set up a new Legal Line. If the client wishes to hire you to do legal work beyond the scope of the assigned Legal Line, you must make clear to him or her that the engagement does not involve NJVLA, you must notify the client of your proposed charges for any additional legal work outside the scope of the Legal Line, and you must enter into a separate retainer agreement with the client.
- **Law Faxes:** Like a Legal Line, a Law Fax is a free, one-time telephone consultation between an artist or representative of an arts or cultural organization and an

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attorney to discuss a one- to three-page legal document, such as a draft agreement. The average Law Fax consultation runs between 30 and 60 minutes. Again, like with the Legal Line, in a Law Fax, the attorney should only give legal advice regarding the content of the document in question, such as explaining unclear terms and suggesting additional provisions that would further protect the parties to the agreement and modifications to existing language. For client requests falling outside the scope of the Law Fax consultation, such as when a client requests that the attorney substantially redraft the document, please see the information under “Legal Lines.”

- **Full Service:** For matters that cannot be resolved with a single telephone call between a client and an attorney, NJVLA provides Full Service referrals. In a Full Service representation, the client becomes a full-fledged client of the attorney. Types of Full Service matters include litigation, negotiation, document drafting and filing, and representation in court. Accepting Full Service representations is an exciting and valuable way for attorneys, particular attorneys newer to the profession or to a particular practice area, to gain hands-on experience in areas such as copyright litigation and agreement drafting.

Unlike Legal Lines and Law Faxes, which are available to any artist or arts or cultural organization, Full Service is

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available only to those clients that meet NJVLA's *pro bono* guidelines. Under our current guidelines, NJVLA provides Full Service referrals to individual artists who, if single, have an annual gross income of \$30,000 or less or, if married or cohabiting, \$50,000 or less, with a \$2,000 credit per dependent regardless of marital status. NJVLA determines the eligibility of non-profit arts and cultural organizations for Full Service referrals on a case-by-case basis, in general to organizations with an annual budget of \$750,000 or less.

- **Courtesy Attorney Lists:** For clients whose needs are outside the scope of NJVLA's menu of legal services (for example, where a client does not qualify financially for Full Service representation or where the matter is not sufficiently arts-related), NJVLA provides Courtesy Attorney Lists. These are lists of attorneys practicing in a particular subject area who might be willing and able to take a matter for a client on a fee basis. NJVLA does not endorse any particular attorney on the list, and NJVLA is not involved in any way in attorney-client representations that arise out of the provision of Courtesy Attorney Lists. Attorneys are not obligated to accept matters referred to them by NJVLA in this manner.
- **Speaker's Bureaus:** NJVLA finds attorneys to speak on a wide variety of legal topics for many organizations in New Jersey.

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- **NJVLA Workshops and Continuing Legal Education Programs:** NJVLA presents a wide range of programs, both for artists and for attorneys.
- **Publications:** NJVLA maintains a website featuring publications on a variety of legal topics. Attorneys are encouraged to write pamphlets on topics of interest to them for circulation by NJVLA.
- **Board Matching:** NJVLA helps non-profit arts and cultural organizations in New Jersey to find attorneys to sit on their boards of directors.

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Rights and Responsibilities

Responsibilities

An NJVLA *pro bono* attorney is consistently compassionate and professional in delivering legal services.

An NJVLA *pro bono* attorney is committed to providing the highest quality of services to all NJVLA clients.

An NJVLA *pro bono* attorney treats all clients with respect and takes the concerns of all NJVLA clients as seriously as he or she would the concerns of a paying client.

An NJVLA *pro bono* attorney returns telephone calls to all NJVLA clients in a timely fashion.

An NJVLA *pro bono* attorney will not accept a matter referred to him or her by NJVLA if the referral could result in a conflict of interest.

An NJVLA *pro bono* attorney recognizes that he or she is taking referred matters directly and not acting as an agent of NJVLA.

Rights

An NJVLA *pro bono* attorney has the right to be treated with respect and courtesy by clients and NJVLA staff.

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An NJVLA *pro bono* attorney has the right to decline any matter that is offered to him or her by NJVLA, for any reason.

An NJVLA *pro bono* attorney has the right to withdraw from any matter referred to him or her by NJVLA at any time, pursuant to the relevant rules of practice, provided he or she immediately notifies both the client and NJVLA of the decision to withdraw.

An NJVLA *pro bono* attorney has the right to ask NJVLA for assistance, such as a consultation with another attorney in the field or research assistance from NJVLA law student interns.

An NJVLA *pro bono* attorney has the right to refuse to provide *pro bono* assistance to any NJVLA client who requests services beyond the scope of the initial NJVLA referral.

An NJVLA *pro bono* attorney has the right to refuse service to any client referred by NJVLA if the client's behavior is offensive to the attorney, provided he or she immediately notifies NJVLA of the decision to refuse service.

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NJVLA wants your experience as an NJVLA *pro bono* attorney to be a valuable and enjoyable one. If you ever have any questions or have any sort of problem with a client, please contact Executive Director Tracey I. Batt, Esq., at 856-963-6300 or director@njvla.org. Thank you so much for making this wonderful contribution to the Arts Community in the great Garden State

NJVLA is the recipient of grant awards from the New Jersey State Council on the Arts; The Geraldine R. Dodge Foundation; and The IOLTA Fund of the Bar of New Jersey.



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Please sign below and return to Executive Director Tracey I. Batt, Esq., via fax at 856-963-6301 or via email at director@njvla.org. Thank you.

I have read the NJVLA Guide for New *Pro Bono* Attorneys and understand all of my rights and responsibilities as an NJVLA *pro bono* attorney.

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Signature

Date

Please print your name:

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