

ARTS ARBITRATION AND MEDIATION SERVICES

A Program of California Lawyers for the Arts

Alternative dispute resolution uniquely tailored to the Arts & Entertainment communities.

Resolve Your Problems with:

Contract Disputes • Tenancy • Debts

Copyright Infringement • Employment

Co-authorship and other Collaboration Issues

Organization Disputes, etc.

In All Arts Fields Including:

Music • Theater • Literature • Film

Dance • Fine Arts • Graphics • Photography

Architecture • Arts Management

Conciliation

As a first step in resolving your dispute, you call A.A.M.S. We listen, get the facts and consider options with you. Upon your authorization we contact the other party to open discussions. Many disputes can be resolved with just a few phone calls. The conciliation process is voluntary, informal and confidential.

Mediation

Our mediators are available to meet with you and the other party to clarify issues and goals, explore options and assist you in creating a mutually satisfactory agreement. Your agreement can be reduced to writing and enforced in court.

Mediators do not offer legal advice, although attorneys may advise you before, during, or after mediation. However, legal representation is not required for participation in mediation, and generally the parties and mediators handle the process themselves.

Mediation is always voluntary, confidential and risk free, since the parties have complete control over the final decision.

Mediation is faster and less expensive than court, and can help keep parties working together by improving communication and providing tools to prevent future conflict.

Arbitration

Less structured than court but more formal than mediation, arbitration provides a fast, low cost alternative when parties prefer a neutral's decision over a negotiated settlement.

The parties choose from the A.A.M.S. panel of distinguished and experienced arbitrators. The arbitrator hears both sides, reviews evidence, and makes a final, binding decision within 15 days.

Parties may be represented by attorneys, but need not be.

Low Cost

Sliding scale fees based on individuals' gross incomes, businesses' gross revenues and organizations' operating budgets ensure that the costs of mediation and arbitration are never a barrier.

Meeting Facilitation

A.A.M.S. conducts planning and problem solving meetings for businesses and non-profit organizations. Facilitators assist in identifying goals, addressing interpersonal problems, improving communications and equipping organizations with tools for the prevention of future conflicts and effective decision making.

Negotiations Counseling

A.A.M.S. also provides impartial assistance with negotiations of contracts and artistic collaborations.

Sample Contract Clauses

You can prevent litigation and provide a forum to resolve disputes by providing first for mediation, and then for arbitration, if needed. Consider adding the following language to your next contract:

Mediation

All disputes arising out of this agreement shall be submitted to mediation in accordance with the rules of Arts Arbitration and Mediation Services, a program of California Lawyers for the Arts.

Mediation/Arbitration

All disputes arising out of this agreement shall be submitted to mediation in accordance with the rules of Arts Arbitration and Mediation Services, a program of California Lawyers for the Arts.

If mediation is not successful in resolving all disputes arising out of this agreement, those unresolved disputes shall be submitted to final and binding arbitration. The arbitrator shall be selected in accordance with the rules of Arts Arbitration and Mediation Services, a program of California Lawyers for the Arts. If such services are not available, the dispute shall be submitted to arbitration in accordance with the laws of the State of California. The arbitrator's award shall be final, and judgment may be entered upon it by any court having jurisdiction thereof.

Arbitration

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California Lawyers for the Arts has a full range of services:

- Referral to Attorneys
- Educational Workshops and Seminars
- Live/Work Space Hotline
- Publications
- Speakers' Bureau
- Copyright Clinics
- Conflict Resolution
- Facilitation of Negotiations

Call to become a member!

Receive events calendars and special discounts.

SAN FRANCISCO OFFICE

Fort Mason Canter, Building C, Rm. 255
San Francisco, CA 94123
Tel: (415) 775-7200 Fax: (415) 775-1143

SANTA MONICA OFFICE

1641 18th Street
Santa Monica, CA 90404
Tel: (310) 998-5590 Fax: (310) 998-5594

SACRAMENTO OFFICE

926 J Street, Suite 811
Sacramento, CA 95814
Tel: (916) 442-6210 Fax: (916) 442-6281

OAKLAND OFFICE

1212 Broadway Street, Suite 834
Oakland, CA 94612
Tel: (510) 444-6351

A.A.M.S. and C.L.A. are supported by:

The ARCO Foundation, California Arts Council (CAC), California Community Foundation, City of Los Angeles Cultural Affairs Department, 18th St. Arts Complex, Hewlett Foundation, Institute for Civil Society, National Endowment for the Arts (NEA), Los Angeles County Dispute Resolution Program, the San Francisco Mayor's Office of Community Development, and the Zellerbach Family Fund.

Arts Arbitration and Mediation Services
A Program of California Lawyers for the Arts
1641 18th St.
Santa Monica, CA 90404

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the Arts

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California Lawyers for the Arts

LAWYER REFERRAL SERVICE

- Half-hour consultation with an experienced attorney. Phone consultations can be arranged.
- \$20 for members of C.L.A., \$30 for nonmembers; referral fee covers up to half-hour consultation. Pre-payment required.
- Locating an attorney usually takes 3 to 5 business days.

We handle all arts related issues, including:

- Copyright
- Contract drafting, review and negotiation
- Nonprofit incorporation
- Landlord/Tenant
- Tax
- Employee/independent contractor
- Mediation and Arbitration

Call C.L.A. to start the referral process:

Oakland 510/444-6351
San Francisco 415/775-7200 (x111)
Santa Monica 310/998-5590

State Bar Certification Number 0021

Arts Arbitration and Mediation Services

ARBITRATION FEE SCHEDULE

INITIATING ARBITRATION

ADMINISTRATIVE FEE: \$25
FILING FEE: Based on the Sliding Scale

CLAIMANT: Both fees are due at the time of filing a *Demand for Arbitration or Arbitration Submission Agreement*.

RESPONDENT: Both fees are due at the time of filing either a *Response to the Demand for Arbitration* (or 5 days prior to the arbitration if no *Response* is filed) or an *Arbitration Submission Agreement*.

ARBITRATOR'S FEES

The Arbitrator contributes the first six hours of their time including prehearing conferences and arbitration hearings. Thereafter the Arbitrator's fee is \$150 per hour.

POSTPONEMENT FEES

Any party requesting a continuance is required to pay a postponement fee of \$75.

See A.A.M.S. Arbitration Rules for further details.

SLIDING SCALE

Individual		Business Gross Revenue	
Gross Income	Fee	& Organization Budget	Fee
\$0-\$10,000	\$0	\$0-\$50,000	\$25
\$10-\$15,000	\$25	\$50-\$200,000	\$50
\$15-\$20,000	\$35	\$200-\$500,000	\$100
\$20-\$25,000	\$45	\$500,000-\$1 million	\$150
\$25-\$30,000	\$55	over \$1 million	\$250
\$30-\$40,000	\$65		
\$40-\$50,000	\$75		
\$50-\$60,000	\$100		
over \$60,000	\$250		

Please Note:

A.A.M.S. Staff has the authority to reduce or waive any fees based on extenuating circumstances or financial need.

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CONCILIATION/MEDIATION FEE SCHEDULE

ARTS MEDIATION

The administrative fee for each party is based on the sliding scale and is payable before each session. The two mediators donate their services for up to six hours. Thereafter, the fee is \$150 per mediator per hour.

NON-ARTS/COMMERCIAL OR COURT REFERRED MEDIATION

An administrative fee of \$150 per party is applied and payable before each session. The mediators donate their services for up to three hours. Thereafter, the fee is \$150 per mediator per hour.

CONCILIATION

Disputes that do not reach a mediation session but are resolved with the assistance of A.A.M.S. are subject to the sliding scale fees, payable by each party at the time the matter is resolved.

MEETING FACILITATION

Meeting Facilitation fees are based on the business and organizational sliding scale and are payable per session.

SLIDING SCALE

Individual		Business Gross Revenue	
Gross Income	Fee	& Organization Budget	Fee
\$0-\$10,000	\$0	\$0-\$50,000	\$25
\$10-\$15,000	\$25	\$50-\$200,000	\$50
\$15-\$20,000	\$35	\$200-\$500,000	\$100
\$20-\$25,000	\$45	\$500,000-\$1 million	\$150
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over \$100,000	\$250		

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