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Theater Law

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and all those who love the theater*

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Preface

Fueled by student demand, the number of law school courses focusing on entertainment law has skyrocketed during the past two decades. This, in turn, has led to a plethora of casebooks. While each differs in approach and arrangement, all share one basic trait: an emphasis on television and film and an almost complete absence of materials dealing with the theater.

Yet, as the oldest of the performing arts, theater has much to offer in the way of historical instruction. At the same time, it remains an important source of employment and enjoyment for millions of Americans. Indeed, at this very moment a play or musical is being performed—or planned—just a stone’s throw from where you are sitting.

The value of studying theater as part of a well-rounded legal education has not gone completely unrecognized. Even before this book got underway in July 2001, Columbia University already offered a highly-respected theater law seminar, and while our work was progressing Professor Catherine Bigley McGovern at DePaul University began offering a course in theater law (January 2003). Also during this time Professor Rosalind S. Lichter at Yeshiva University (November 2001) and Professor John J. Cannon at Villanova University (April 2003) both organized theater law symposia. It is our hope that this book will spur even more law schools to embrace the subject.

A few procedural matters should be noted. First, the research for this book closed at the end of February 2004. Second, we have been liberal in our editing and normally have not indicated where text or footnotes have been deleted or repositioned. Third, the notes and problems that appear at the end of each section are an integral component of the book, and therefore should be given the same attention as the principal readings. Fourth, at various points in the notes you will be referred to one of the book’s appendices, each of which reproduce a sample form of agreement. At such times you should turn to the indicated appendix and study it with care. Finally, for those without a stage background, Chapter 1 contains numerous suggestions for becoming better acquainted with the field. Of course, the best way to learn about the theater is to simply go to a show.

In closing, we hope you will enjoy using this book as much as we enjoyed writing it, and to that end we invite your comments and suggestions. All such thoughts can be sent to Professor Robert M. Jarvis, Nova Southeastern University Law Center, 3305 College Avenue, Fort Lauderdale, FL 33314-7721, telephone (954) 262-6172, telefax (954) 262-3835, e-mail jarvisb@nsu.law.nova.edu.

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All the world's a stage,
And all the men and women merely players.
—*William Shakespeare (1564–1616)*

All the world's a stage and most of us are desperately
unrehearsed.
—*Sean O'Casey (1880–1964)*

If all the world's a stage, I want to operate the trap door.
—*Paul Beatty (1962–)*