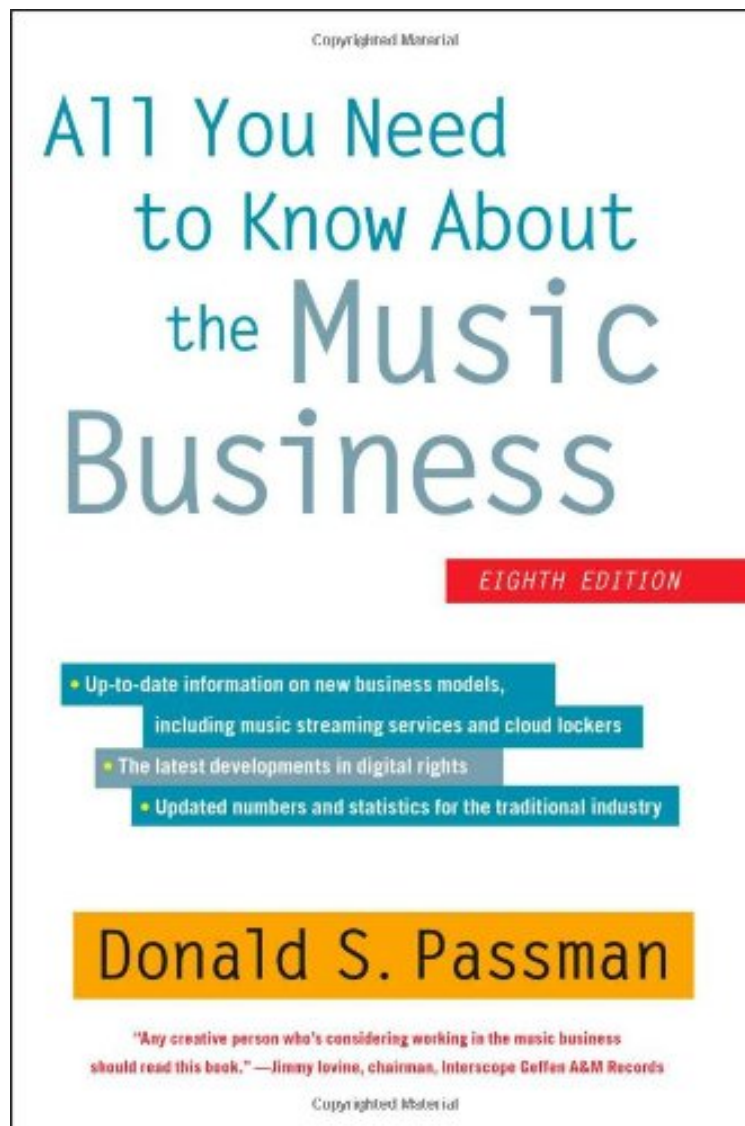


All You Need to Know About the Music Business: Eighth Edition

Donald S. Passman

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Great book !0 of 0 people found the following review helpful. Five StarsBy MPAGreat book to learn the ropes, it should be a must have if your in the music world.

The definitive, essential guide to the music industry, now in its eighth edition revised and updated with crucial information on the industrys major changes in response to rapid technological advances and economic uncertainty. The past two decades have seen file-sharing technology and digital streaming services transform the music business from top to bottom, and the changes keep coming at breakneck speed. How are record labels adapting to the demand for instantly accessible, low-cost music while coping with piracy? And what does it all mean for aspiring and established artists today? Donald Passman, one of the most trusted music lawyers in the country, offers his sage advice for creating, selling, sharing, and protecting your music in the Information Age in this updated eighth edition of *All You Need to Know About the Music Business*. Called the industry bible by the Los Angeles Times, Passmans comprehensive guide which has sold hundreds of thousands of copies over the past twenty years draws on his unparalleled experience and up-to-the-minute knowledge of industry trends. Executives and artists, experts and novices alike, will benefit from Passmans detailed yet easy-to-understand explanations of the latest technology, legalities, and practices shaping the music business, such as: Royalties for music transmitted via digital down- loads, streaming services, cloud lockers, and apps Updated licensing regulations and industry agreements The most recent recording and music publishing deals The new challenges for performing rights societies He also gives guidance on the basics, such as how to: Select and hire a winning team of advisors personal and business managers, agents, and attorneys and structure their commissions, percentages, and fees in a way that will protect you and maximize these relationships Master the major and finer points of contract negotiations Navigate the ins and outs of songwriting and music publishing Maximize concert, touring, and merchandising agreements Anyone interested in making and marketing music musicians, songwriters, agents, promoters, publishers, managers, and record company executives needs this crucial text to keep up with the frenetic pace of technological and legal change. No one understands the music business better than Passman. Let him show you how to make it in one of the worlds most dynamic and challenging industries.

If you want to be in music, you have to read this book. Adam Levine, lead singer and guitarist, Maroon 5 About the Author Donald S. Passman practices law in California and has specialized in the music business for more than thirty years, primarily representing talent. He lives in Los Angeles. Excerpt. Reprinted by permission. All rights reserved. *All You Need to Know About the Music Business* 2 How to Pick a Team GETTING YOUR TEAM TOGETHER Lets talk about the professionals youll need to maximize your career and net worth. The main players are your: 1. Personal manager 2. Attorney 3. Business manager 4. Agency 5. Groupies With respect to number 5, youre pretty much on your own. As to the others, lets take a look: BUSINESS PHILOSOPHY Before we talk about the specific players, let me share a bit of personal philosophy. (If share is too California for you, try Let me tell you some of my personal philosophy, or the New York equivalent, Yo, listen up, Im talkin to you.) Take a hard look at some facts: 1. You are a business. Even though your skills are creative, youre capable of generating multimillions of dollars, so you have to think of yourself as a business. 2. Most artists dont like business. This is not to say you arent good at it. Some artists are unbelievably astute in business. However, those folks are the minority, and whatever their love and skill for business, their love and skill for creating and performing are much bigger. So even if youve got the chops to handle your own business, its not the best use of your time. 3. Success hides a multitude of sins. This is true in any business, from making widgets to making records. If youre successful, you can get away with sloppy operations that would bankrupt you if times were bad. For example, putting all your pals on the payroll, buying lots of non-income-producing assets (such as houses, jets, and other things that cost you money to maintain), as well as an overindulgence in various legal and illegal goodies, can easily result in a crash and burn if your income takes even a small dip, much less a nosedive. You can make more money by cutting costs than you can by earning more income (see page 417 for proof of this), so the time to operate efficiently is NOW, not later. 4. Your career is going to have a limited run. Dont take offense at this limited can mean anything from a year to fifty years, but its going to be limited. In most other careers, you can expect to have a professional life of forty years plus, but as an entertainer in the music business, this rarely happens. And the road is strewn with carcasses of aging rock stars who work for rent money on nostalgia tours. So take the concentrated earnings of a few years and spread them over a forty-year period, and youll find that two things happen: (a) the earnings dont look quite as impressive; and (b) this money may have to last you the rest of your life. Its certainly possible to have a long, healthy career, and to the extent you do, the need for caution diminishes radically. However, even the best entertainers have slumps, and very few have lengthy careers. So its best to plan as if your career isnt going to last, then be pleasantly surprised if it does. Setting yourself up so that you never have to work doesnt stop you from working all you like it just becomes an option, not an obligation. HIRING A TEAM The way you pick your professional team will either set up your career and finances for life, or assure you a place on the next Electric Prunes tour. So be very careful and pay attention personally to the process of assembling them. I know you dont like to deal with this stuff, but its your career and your money, and you have to do it every now and then. If you

pick the right people, you can set your life on automatic pilot and just check up on it periodically. If you pick the wrong people and set it on automatic pilot, you'll smash into a mountain before you know what happened.

Pre-team Strategies Since you wouldn't open a store without something to sell, before you start assembling a team, you want to be sure your music is ready for the big time. And how do you know when it's ready? You ask your tummy. Do you believe, in your gut, that your music has matured to the point that you're ready for a professional career? If the answer is yes, then you're ready. (Tummies are reliable indicators once we learn how to listen to them and dismiss the goblins that yell, "You're a phony and nobody wants you. Even the superstars have these goblins; they've just learned to ignore them.") The first thing is to record your music. The recording doesn't have to be expensive or elaborate with the advent of relatively inexpensive multitrack recorders, synthesizers, and computer recording software, you can get a very professional sound in your bedroom. The important thing is to capture your energy, enthusiasm, and drive. You know what I mean. A word about what kind of music to make. It's simple: you make the music that moves your soul. No one has ever had a serious career by imitating others, or trying to guess what the public wants. And I'll tell you a secret: What the public wants is someone whose music resonates from their heart. Doesn't matter whether you're the commercial flavor of the month, or an obscure blend of reggae and Buddhist chants. All the superstars I've known have a clear vision of who they are and what their music is. So you've got a killer recording and you're ready to boogie. Next question is whether you want to sign to a record company or do it yourself. We'll discuss that question later (on page 70), but the first things you do are the same whether you're looking to sign to a company or go it on your own: namely, you have to build a fan base and, also, build what the industry calls a story. A story is something that comes after the line "You won't believe what's happening with this artist!" In other words, something that sets you apart from the pack. So how do you get yourself a fan base and a story? A lot of artists start by playing whatever local gigs they can get. This is not only to attract fans, but also to tighten up their musical chops and get experience playing live. At the shows, get your fans to sign onto your email list. It's crucial to build a database (as we'll discuss in a minute), and many artists give away something (pins, stickers, etc.) to everyone who signs up. Even if you only add a few new folks at each gig, you can eventually get a following that spreads the word and grows itself virally (assuming your music doesn't suck). Another way to build the database is by giving a free song to anyone who signs onto your email list for the first time. There's software to capture email addresses in exchange for songs at places like CASH Music (www.cashmusic.org), FanBridge (www.fanbridge.com), and Bandcamp (<https://bandcamp.com>). Of the three, CASH Music has the advantage of being an open source (and free), as it's based on the principle that everyone donates resources and uses the platform to help other artists. You can also expand your base by giving away songs in exchange for Tweets on Twitter, using something called Tweet for a Track (Tweet for a Track tools are located at the cleverly named www.tweetforatrack.com.) If you want a one-stop shop for all these schemes, sites like BandPage offer a full set of tools (www.bandpage.com). Once you have a list, stay in touch with your fans on a regular basis. Direct them to your sites on YouTube, Facebook, Twitter, SoundCloud, Tumblr, Bandcamp, Instagram, Meerkat, Periscope, etc., and promote yourself through email and text messaging. When you contact the fans, have something interesting to say. Give away tickets. Give away songs. Give away merchandise. Release video footage of yourself. Raffle off your collection of sponges. Don't be afraid to tell your fans what you want them to do: Come to a show. Email clubs saying they want to see you. Write about you on their Facebook pages. Tell their friends about your music. Write to bloggers about you. And speaking of bloggers, it's important for you to write to bloggers yourself. A lot of them love to hear from artists who genuinely like their blog (insincere kissing-up doesn't work, unless you're really good at it). A good database can also put your booking strategy on steroids. Facebook Insights and Google Analytics let you see where your fans are clustered, so you can strategically target those markets rather than just booking gigs in East Bumbleton and hoping the farmers show up. A great way to build visibility is by getting your songs placed on TV shows or in commercials. Sites like Music Dealers (www.musicdealers.com), Pump Audio (www.pumpaudio.com), Jingle Punks (www.jinglepunks.com), Secret Road (www.secretroad.com), and Zync (www.zyncmusic.com) can help with that. You won't likely get much money for the use of your recording, but you'll spread your music to a wider base. However, if it's a big enough use, and you wrote the song, you can earn some decent monies from airplay of the TV show or commercial (these are called performance royalties, which we'll discuss on page 240). This kind of activity can also get you noticed by a music publisher, who may give you money for your songs. (We'll talk a lot about publishers in Chapter 16, but essentially they handle the business of songwriters, as opposed to the business of recording artists.) If you get noticed by a tastemaker (an important blogger, journalist, radio station, etc.), be sure to connect with them on Twitter and say thanks. Apart from building goodwill with the tastemaker, it hopefully spreads your name to their audience. Similarly, it can help expand your base if you're able to connect with other artists on Twitter and start a tweety conversation. Fans love to eavesdrop on artists talking shop, and you can also get exposed to their fans. When you're more established, give your database fans a chance to get your music ahead of everyone else. Tell them about a secret show. Let them have first crack at your tickets. Some bands do lifecasting, where they communicate with fans a number of times each day. For example, they might iChat on the way to a gig; blast out backstage updates through Twitter; send pictures of themselves onstage through Instagram; forward videos of themselves in the bathtub with rubber duckies, etc. Of course, with all these techniques, be sure to stay on the right side of the line between keeping

people intrigued and becoming the pompous egomaniac at the party. And just as importantly, make sure you stay focused on your music as the first priority, with marketing as the second. Some people recommend no more than an hour a day on social networking/promotion, so that you don't use up all that creativity and have none of it left for your music. There are obviously a lot more ways to market yourself, so let your imagination take flight and go for it. A number of websites can help with marketing, both in terms of specific tools and general advice, but because I don't use them myself, I can't really recommend any particular one. When I asked some friends, they suggested CASH Music, BandPage, Bandcamp, Hyperbot, and Taxi. Okay. So let's assume you've decided you want to sign to a record company (we'll discuss later, on page 73, whether you actually want to sign or not, but for now, let's assume you do). In this day and age, before you sign, the companies expect you to have a decent-size fan base and hopefully one or two other goodies in your story, like positive words from an important tastemaker. And even after you've done that, and even though most labels have scouts monitoring the Internet for hot new artists, unless a lot of people are going nuts over you, it's not likely anyone will call out of the blue. As with most things in life, you gotta make it happen yourself. And now, ladies and gentlemen, a bit of a bummer: The major record companies (not so much the independents) don't listen to new artists' material unless they're submitted by someone in the business. It's usually a manager or attorney, though it could be an agent or a respected tastemaker. (I hate delivering bad news, but look at the bright side: I just saved you two months of waiting for a form email that says they won't consider your stuff because it didn't come from someone in the biz.) The reason is that record companies can get 300 to 400 submissions per week, and restricting who can send in material is one way to regulate the floodgates. However, it's also a Catch-22: How can you get your music heard if you're not already connected in the business, and how do you get connected in the business if you can't get heard? Don't despair; I'm going to give you the key to the door. The key consists of finding yourself a lawyer or manager to shop your music, which leads nicely into our next topic. Whos on First? The first person on your team is almost always a manager or a lawyer. In your baby stages, the manager is not likely to be someone in the business; it's more likely a friend or relative with a lot of enthusiasm. While this can be a major plus (as we'll discuss in more detail when we talk about managers on page 28), it may or may not get your music to the record companies. So if you have an inexperienced manager, or if you have no manager at all, an industry lawyer can really help. Record companies prefer to deal with people they know, so your music will get heard much faster, and by more important people, if it's submitted by an industry lawyer. It's much easier to get a music lawyer than a manager. Why? Because the time required of a lawyer is minimal compared to the time a manager has to devote. The manager is expected to help you with songs, image, bookings, babysitting, etc., but the lawyer only has to spend a few hours getting people to check out your music. It's the lawyer's relationships—not their time—that count. A word of caution about hiring a lawyer to shop your music. Most of the lawyers consider it important to maintain their credibility with the record companies, and thus will only shop artists they really believe in. Unfortunately, there are a few who will shop anything that walks in the door as long as they get paid a fee. Being shopped by one of these sleazoids is no better than sending the music yourself, and may be worse, because the record companies know these lawyers don't screen out any of the garbage, so their clients' music goes to the bottom of the pile. To prevent your music from being thrown out with the tuna cans, you should carefully check out the references of any lawyer you're thinking of using. Ask them for the names of people whose music they've shopped (both successfully and unsuccessfully, so they don't just give you the few success stories that slipped through the cracks), then call up the references and find out how it went. You can also check around other industry sources to see who's legit. (We'll talk more about checking references later on.) You'll of course need a lawyer and manager even if you don't go the record-company route, and the criteria for hiring them (which we'll discuss in the next chapters) is exactly the same. A business manager (the person who handles your money, investments, etc.) is usually the last on board for the opposite reason of why the lawyer is first: It's expensive (in terms of staffing and labor) for a business manager to take you on, and new artists need a lot of work just to keep financially afloat. Another reason they come on last is that very few business managers are willing to take a flyer with a totally unproven, unsigned artist; the business manager's potential upside is not nearly as great as a personal manager's or agent's, and yet they have to incur substantial expenses. (As you'll see in Chapter 4, business managers aren't paid as much as agents or personal managers.) But don't sweat it. Until you have some decent money coming in, you don't need a full-fledged business manager. A good accountant can take care of your tax returns and answer basic questions. The Search Where do you find warm bodies to begin assembling your team? Well, start with the age-old ploy of asking every human being you know for a recommendation. Talk to people involved in music, even if it's only your high school choir's piano accompanist. You can lead yourself into any unknown arena by diligently following your nose, and the music business is no exception. You'll be amazed how many things fall into your life when you open yourself up to the possibilities. The only frustrating part is that the people you really want don't have time for you in the beginning. (Be assured, as soon as you're successful, they'll fall all over you and say they knew it all along.) The major players are almost all in Los Angeles and New York, with a growing number in Nashville, though of course that leans heavily to country. That isn't to say there aren't qualified people in other places—there most certainly are—but the music industry is centered in these three towns, and the people who live there usually have more experience. On the other hand, major managers are increasingly popping up in other places. For example, I've dealt with managers of world-class artists who

live in Vancouver, Atlanta, Austin, Philadelphia, and Boston. However, the better ones spend a lot of time on airplanes visiting Los Angeles, New York, and/or Nashville. Here are some specific suggestions for building your list:

1. AllAccess There's a website called www.AllAccess.com that has a pretty comprehensive online directory of people in the music biz. I'm told it's updated often, and it has the major advantage of being free. You'll need to register for the site (don't be intimidated by the radio station questions anybody can register), then click on Industry Directory.

2. Hits Magazine Hits is the MAD magazine of the music biz. It's full of current news and gossip, reported with a college-humor-magazine style, and is very funny reading. (www.hitsdailydouble.com)

3. Billboard Magazine Billboard is the major industry trade magazine, with lots of news, interviews, charts, and other goodies. (www.billboard.com)

By no means are these three an exhaustive list of sources; they just happened to be the ones lying nearby when I grabbed for something to give you. Frankly, I've been doing this long enough to know everybody I need to get to, and I don't use references on a routine basis. So don't take my suggestions as gospel. Check the Internet for more references.

Here are some more ideas for developing your list of potential team members:

1. Read interviews with industry figures online and in music publications, and note the names. As we just discussed, the major industry trade magazine is Billboard, a weekly publication that's available at newsstands and online. Here are some major consumer magazines (meaning magazines for fans, as opposed to trade magazines that are geared to business people), in alphabetical order: (a) Music Connection, www.musicconnection.com. (b) Spin, www.spin.com. (c) Vibe, www.vibe.com. (d) Rolling Stone, www.rollingstone.com.

2. Watch for quotes, stories, or blurbs about music industry people online, in the newspapers, on radio, and on TV.

3. Try these online places: TAXI (www.taxi.com), Music Business Registry (www.musicregistry.com), RecordXpress (www.recordxpress.net), PureVolume (www.purevolume.com), and Songwriter 101 (www.songwriter101.com).

4. Some artists list the names of their professionals, together with their jobs, on their websites, info page of Facebook, or in tour programs.

5. The liner notes of CDs (not that you buy any of those...) often list managers, lawyers, business managers, or agents in the Special Thanks section. Unfortunately, they may only list the people's names and not their roles (so you might end up managed by someone's yoga instructor if you're not careful). Still, when you're compiling a list of names, every little bit helps. Using the above and anything else you can think of, write down the names and develop a hit list. Just keep moving forward—follow any lead that seems promising. Once you assemble a bunch of names, prioritize who you want to contact first. If you've heard any names from two or more sources, the odds are you are on to a person who is somebody, and he or she should move up in priority. Also look for the professionals surrounding people whose music you admire and whose style is similar to yours. While this is less critical with lawyers and business managers, it's important to make sure that agencies, and especially personal managers, handle your style of music. For example, the agent who books Wayne Newton is not likely to book Lil Wayne, and I guarantee you they have different managers. On the other hand, you may be surprised to find that acts just as diverse are represented by the same agency (with very different individual agents). And the legal and business management lives of different artists are a lot alike. Rock n rollers (like Green Day, the Rolling Stones, etc.) and divas (like Adele, Barbra Streisand, etc.) have similar needs in music publishing, record royalties, touring, merchandising, sponsorship, etc. Once you've prioritized your list, start trying to contact the people on it. It's always better to come in through a recommendation, friend of the family, etc., even if it's only the person's dry cleaner. But if you can't find any contact, start cold. You can try calling people on the phone, but expect a lot of unreturned phone calls, or at best to be shuffled off to an underling. That's okay—talk to the underling. Be sure you're brief and to the point if you get someone on the phone, because these folks are always in a hurry. It's a good idea to rehearse your rap with a friend in advance. You can try emailing folks, with a brief story about yourself and a link to your music. Be short and straightforward—good people are always busy, and you'll be lucky to get five seconds of their attention. If you can't grab 'em fast, they'll hit delete. Repeated emails to the same person help get their attention, and may even have the subliminal effect of making your name sound familiar if anyone ever asks. It can also be annoying and get your name into their spam filter, so don't overdo it. You could also use that old-fashioned thing you may remember, called the U.S. Mail. Since so few people do that anymore, you might even get more attention. In this case, include CDs or a USB stick, pictures, hundred-dollar bills, and anything else to distinguish yourself. (I once had a guy send me a recording stuffed inside a rubber chicken. For real.) If you've gotten any local press, that's a good thing to add. Use a yellow highlighter so they don't have to search the page for where you are. Just like the emails, be short and sweet, or you're off to the round file. However you approach it, expect a lot of unacknowledged letters and unanswered emails, but don't get discouraged. If you successfully snag someone's attention but find out they can't get involved with you, ask who they would recommend. This is valuable for two reasons: First, you've got a lead from someone actually in the industry. Second, when you reach out to the recommended person, you can tell them So-and-so told you to contact them. If So-and-so is a big enough name, it should at least get your phone call or email returned. (Maybe.) Someone, somewhere, will nibble, and you can parlay it into real interest by being persistent. All the superstars I've known have heaping helpings of drive and perseverance, and they'll continually hound people to further their careers. So hang in there and keep following up, despite the discouragements thrown in front of you. Virtually every record company in America passed on the Beatles and Elton John, so don't expect people to be any smarter about your music. And don't get discouraged—it only takes one enthusiastic person to get the ball rolling. Screening the Sharks So you've honed your

list, run up hours of chasing people, and hopefully found two or three nibbles on your line. At this point, you should fly, drive, bus, or hitchhike to meet these people in their natural habitat. You cant tell everything from a phone call; you want to see their body language, meet their associates, see if they work out of a trailer, etc. Basically, use your instincts to feel how they vibe you, and dont be afraid to trust your gut. If you think youre meeting with a piece of slime, you probably are. But if they dazzle you, be even more cautious charming crooks are the most dangerous! The fact that someone works with a lot of big names is helpful, but not a final determination. There have been a lot of big names associated with disasters over the years. Heres a bit of personal history to illustrate: When we first got married, my wife and I decided to buy a vacuum cleaner. For reasons I still dont understand, we called a door-to-door salesman. This buzz-cut, square-jawed man bounced into the house and fractured my pinkie with his handshake. Buzz used the vacuums suction to pick up seven-pound metal balls, then used it to slurp up some blue gunk that hed poured on our carpet. He started bragging about how hed sold vacuum cleaners to the wives of several celebrities, and while he was rattling off a list of big names, I said, Excuse me, but do these people know anything about vacuum cleaners? The point, as Im sure you see, is that a big-name celebrity isnt necessarily a good recommendation. It may just mean the celebrity pays no attention to his or her business, or that the celebrity is an imbecile. So how do you protect yourself? Like this: References. Have the potential team member give you references. And check them out carefully. In asking for references, its important to get people at your level of success. The fact that someone takes good care of their biggest client doesnt mean he or she will give you the same attention, or even have the time to take care of you. Odd as it seems, some people dont even pay much attention to their big-name clients, usually because theyre too busy. Theres an old joke (based on truth) about a major artist who couldnt get his lawyer on the phone to fire him. Also, try to get the reference from someone whos been using this professional for a while, so you dont just get a report on their honeymoon period. Although it may seem obvious, be sure the professionals expertise is in music. There are brilliant real estate accountants who would be lost in the music business, just as the opposite is true. In fact, even people with extensive film, television, or book expertise may not understand music. So be sure youre talking to someone who does. Use Your Other Team Members. You should consult the other members of your team anytime you hire someone. First, you want their input and suggestions, and second, these people have to work together, so you want to be sure youre hiring someone who can get along with the team. But beware of this: Benjamin Franklin once said (and Im too lazy to look up the exact quote, so Ill paraphrase it) that when you gather a group of people for their collective wisdom, you also gather their collective prejudices and hidden agendas. In other words, there will almost always be a political reason why your other team members want something, and this may or may not coincide with your best interests. For example, a business manager may have just referred a very important client to a personal manager. The personal manager may therefore be pushing you toward this particular business manager in order to pay back the favor, regardless of whether the business manager is right for your situation. (I dont mean to make you paranoid; most people are ethical and wont recommend someone unless they genuinely believe he or she would be the best person for the job, even if its a payback. But a great deal of politicking goes on in the music business, just like any other business, and you should be aware of it.) So, always ask people why theyre making a recommendation, rather than just the bottom line of who you should use. Make them give you specific, factual reasons. Facts are something you can evaluate yourself, and you should make the final decision. Look Beyond the Sales Pitch. Everybody looks great when theyre selling. When you interview someone, all the sellers attention is focused on you, and you are absolutely the most important creature on the planet. This is almost never the case when you actually get down to business; the realities of other peoples needs take their toll. Its extremely difficult to know this in your first meeting, as giving good interview can take people very far in their professions. So how do you get beyond this? Once again, you have to check their references very carefully. Ask the references about their entire experience of working with this person, such as their promptness in returning phone calls, how fast he or she gets work done, whats their zodiac sign, etc. Its a good idea to make a list of questions in advance, so you dont forget anything. Dont be lulled by promises that sound unbelievably fantastic. If they sound too good to be true, they probably arent. Many people will promise things they cant possibly deliver, just to get the job. They figure you wont fire them when they cant deliver, because they know most artists dont like to make changes in their lives. (These are the same people who will stop returning calls if your star fades.) They also figure they have to lie just to ace out the next guy, who they assume is also lying to you. The truth is that there are no real miracle workers. The secret of success in the music business is no different from that in any other business intelligent planning, solid work, and smart execution. Promises of shortcuts usually dont come through. Who Does the Work? Ask exactly who is going to be involved in your day-to-day work. It may not be the person youre meeting with. This isnt necessarily bad, but you should be aware of it from the start, and you should meet the people who will be involved. All professionals use staff people, some to a greater degree than others. With some firms the staff people divide and multiply like paramecia, so the people youre meeting today may be gone in six months. Other places are more stable. So ask, and also ask your references. Fees. Never hesitate to ask what someone is going to charge you. I know its an uncomfortable subject, but bring it up anyway you can be in for some seriously rude surprises if you dont. And when you do raise the topic, be particularly wary of someone who gives you a vague answer. (If you really cant stomach a fee discussion, have another team member do it for you.) Personality. Its a myth to think any one

personality style is more effective than any other (assuming you don't hire a wuss). Screamers and table pounders, if they're smart and knowledgeable, can get a lot out of a deal, but no more than those who speak quietly, if they're smart and knowledgeable. Some people work with a foil, and some with a sabre. Both styles can be effective. Remember, you're hiring people to guide your professional life, not to travel on the tour bus. It's nice if you strike up a friendship with your professionals, but it's not essential. (However, with your personal manager, I think you need at least a solid rapport, if not a true friendship.) I'm not suggesting you hire someone you really dislike, or someone who has the personality of a salamander, but I am saying these folks don't have to be your pals. In fact, some amount of distance is often helpful. Just as doctors can't operate on their own relatives, one of the main things a professional does is bring some objectivity to your life. There is a wonderful story about Genghis Khan, the great warrior. In the midst of a pivotal battle for his empire, involving thousands of troops on both sides, an aide went into Khan's tent and was surprised to find Khan himself sitting there. The aide said, How can you be in your tent? The troops need your command, and the battle is at a critical point. Khan replied, I found myself getting angry over a turn in the battle, and I can't think straight when I'm angry. I came in here to cool off before deciding the next move. Think about that. If even Genghis had to detach from his emotions to do the best job, who are you and I to do any better? When I have legal problems, I hire a lawyer. This may sound strange to you, but I get emotional about my own problems (just as you do), and I don't trust my judgment when I'm too close to the situation. So I hire someone who isn't. In sum, a bit of distance from your professionals is not a concern, but you should feel comfortable enough to have an easy communication with your team. If you think you'll dread talking to one of them, look for someone else. **Decide Now Confirm Later.** Make a decision reasonably quickly, but confirm it slowly. In other words, once you've hired somebody, continue to watch them carefully (to the extent you can stand to do it). The fact that someone came in with rave reviews doesn't mean they'll be right for you, so consider them on probation until you've seen enough to merit your trust. And don't just take another team member's word that it's working. Force yourself to follow their moves in the beginning, and you will earn the right to relax later. Remember: No one pays as good attention to your business as you do.

CHANGING A TEAM MEMBER Here's what to do if something goes wrong on your team: Even if they never pay much attention to business, I've never met an artist who doesn't have a built-in radar that tells them when something is wrong. So if you're feeling weird, then, Houston, we have a problem. It may be that things aren't being handled right. Or maybe you just don't feel comfortable talking to one of the team members. Ignoring the issue doesn't help any more than turning up the car radio to drown out a rattle in the engine. It's like a quote I once heard attributed to Dick Gregory: I read so much about the bad effects of smoking that I got scared and gave up reading. So deal with problems head on. **Talk About Your Problems** I know confrontation is difficult. I have never known an artist (or anyone else, for that matter, other than a few ornery jerks who've been divorced five times) who enjoys confrontation. But for your team members to do an effective job, you must have an open communication with them. If you can't bring yourself to talk directly to the person who is bugging you, talk to another team member and make sure they carry the message. Fast. Nothing is worse than letting small things snowball to the point that they build into a major drama. If you discuss them when they're small, they can usually stay small. Often they're just innocent misunderstandings. If you talk frankly about your problems, and they still aren't getting solved, make a change. No one has the right to expect a lifetime contract with you. People and circumstances change over the years; those who were spectacular for you at one point in your life may no longer be interested in you (if your career has taken a nosedive, if they've lost interest in their job, etc.). Or they may no longer be capable of handling you (if they were unable to grow with you and your career is soaring, or if you have changed careers and their expertise is in the wrong area, etc.). I respect and admire loyalty, but blind loyalty does no one a favor. To me, loyalty means you don't turn your head and run off with every pretty face that walks by (and as you get more successful, pretty faces come out of the woodwork to try to seduce you, literally and figuratively). But loyalty is a two-way street, meaning you're entitled to the same commitment from your professionals. You're only obligated to stick with someone as long as they're doing a good job for you. If you're not getting the service you want, then loyalty means you discuss it with them and tell them what needs to be changed. (Again, if you don't want to do it directly, do it through another team member.) If things still aren't being done right, and you're sure your complaints were clearly communicated, make a change. But do it for the right reasons, not the wrong ones.

Lost Confidence It pains me a bit to give you this next piece of advice, but you should have it. Once you've lost confidence in someone, it's almost impossible to continue with them. It's like falling out of love; it isn't easy to fall in again. I say this sadly, because many times we lose confidence in people for the wrong reasons. It may be that someone with a political ax has buried them unjustly; it may be that they are doing a terrific job, but they have the personality of a stop sign and treat you rudely or bore you to death; it may be they have just delivered bad news to you (firing such a person is known as shooting the messenger, from ancient Greek times, when a messenger bringing bad news was killed); it may be they have done a terrific job on everything important in your life, but screwed up paying your bills one month, so you had no electricity and your spouse refuses ever to see their face again; or it just may be an uneasy feeling in your stomach that you don't trust them. When you find yourself in this situation, again, I urge you to talk to the person openly (directly or through another team member) and tell them how you feel. (I know this is easy for me to say, and I admit it's difficult for me to do as well. But I force myself, and most of the time I find that the problem is a simple mistake

thats easily fixed. And even if it isnt, I always feel better just from processing it.) If you talk things out and the situation doesnt get any better, split. **COCKTAIL PARTY TALK** Let me say a word about cocktail party talk. In college, we used to play a kind of poker called roll your own. In this game you get five cards, then draw additional cards (like in regular five-card draw). Finally, you arrange your cards in any order you want before flipping them over one at a time and betting on each card. After flipping the first three cards, everybody at the table looks like they have a spectacular hand. There appear to be straights, flushes, straight flushes, three of a kind, high pairs, and every other imaginable configuration to make you want to drop out and give up the pot. However, when it comes to flipping over the last couple of cards, most of the hands are mediocre. Ive always thought cocktail party talk is the same as flipping only the first three cards. Everyone sounds like a genius; everyone has just pulled off the greatest deal since the Louisiana Purchase. The truth, however, is in the last two cards, which you never see. The million-dollar deal turns out to be a hundred-thousand-dollar deal, with the other nine hundred thousand being there only if the artist achieves massive success (not that a hundred thousand isnt a decent amount of money, but it aint a million). Nobody talks about their screw-ups, because self-aggrandizement is part of the dance of the sand crabs that is ritualized at cocktail parties. The whole point of this is to say that you shouldnt take casual talk at face value. Especially if someone has an editorial point of view, like a manager trying to convince you to leave your current manager for the terrific things he or she can do for you. (Lawyers, of course, would never do such a thing. And if you buy that, I have some land in Florida we should discuss.) So make your own evaluations in the realistic light of day.