



AGMAZINE

Official Publication of the American Guild of Musical Artists
A Branch of the Associated Actors and Artistes of America • Affiliated with the AFL-CIO

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Volume 59, Number 1

EXECUTIVE DIRECTOR'S REPORT

By ALAN S. GORDON

I. Board of Governors Enacts Code of Professional Standards for Agents and Managers Representing AGMA Members

At its meeting on December 15, 2004, AGMA's Board of Governors adopted a Code of Professional Standards for agents and managers representing its members. Responding to complaints about inappropriate and unethical conduct, the Board enacted the Code as a guide for the membership in negotiating agreements with their agents and managers. The Code seeks to prohibit specific aspects of conduct that are not acceptable.

Although acceptance of this Code by agents is voluntary, we believe the Code will help our members identify

behavior that is and isn't okay. Although many agents are entirely ethical and really devote themselves to the interests of the artists they represent, the practice of inappropriately charging monthly retainer fees, charging monthly fees for expenses without accounting for those expenses, and charging commissions on benefits and payments that were negotiated by the union and not by the agent, is widespread. New York law (General Business Law, Chapter 20, Article 11, Sections 171-174) requires that an agent be licensed and prohibits unlicensed agents from suing to collect commissions, and a key court decision interpreting that law held

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AGMA Companies Perform *The Nutcracker* (See pages 6, 12, and 17 for more photos)



New York City Ballet

This performance was a special event for New York City Ballet because it was the last day of the Balanchine Centennial celebration year and the 50th anniversary of this production of the *Nutcracker*. Peter Martins decided to celebrate it by having most of his principals dance. He divided up the roles of Dew Drop and Sugar Plum and had different principals perform a different section of the roles. The dancers from left to right: Maria Kowroski, Joaquin De Luz, Charles Askegard, Yvonne Borree, Sebastien Marcovici, Alexandra Ansanelli, Darci Kistler, James Fayette, Jenifer Ringer, Nikolai Hubbe, Miranda Weese, Nilas Martins, Philip Neal, Wendy Whelan, and Jock Soto.

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FROM THE PRESIDENT LINDA MAYS



The recent U.S. presidential election proved yet again that the way to ensure significant voter turn-out is to have a highly contested election. The same holds true for AGMA. We are in the primary phase of the 2005 Board of Governors and National Officers election, which is to solicit candidates by March 1, 2005. Every member who receives this issue of *AGMAZINE* has a

vested interest in a good choice of candidates, voter participation, and the ultimate outcome of the election.

All eight National Officer positions (President, five Vice Presidents, Recording Secretary, Treasurer) and approximately one-third (1/3) of the Board's seats are open in this election. (See Board Seat Vacancy Table on page 5.)

The AGMA elected leadership directs the union and has helped to ensure the following:

- * Plan B now covers eligible over-the-counter drugs and medications.
- * AGMA collective bargaining agreements (CBA's) are better.
- * There are soloist delegates/stewards at the Metropolitan Opera and New York City Opera.
- * Per Performance Artists, Weekly Artists, and Plan Artists are actively involved in the preparation of a Plan B proposal for the upcoming Metropolitan Opera negotiations.
- * All eligible AGMA shop members are given the opportunity to cast a ballot regarding contract ratification.
- * The earlier image of AGMA as a "chorus union" is being dispelled by the active participation of working soloists.
- * AGMA members now receive help from AGMA even when they are working for non-AGMA companies.
- * AGMA has organized new dance companies, and dancers actively seek our representation.
- * AGMA is now frequently in the press.
- * AGMA is now a monthly contributor to *Classical Singer* magazine and Opera Online.
- * AGMA is a guest presenter with *Classical Singer* magazine, Opera America, National Opera Association, and Dance USA conventions.
- * AGMA is able to represent individual members throughout the term of a CBA because of AGMA staff's ability to communicate with members, company general managers, and members' agents/managers.
- * AGMA's national Smoke and Fog policy and physical safety guidelines protect the lives and careers of our members.
- * AGMA's ancillary benefits such as The AGMA Relief Fund, Union Privilege, Actors' Work Program, etc., exist to better the lives of our members.
- * AGMA developed a "Code of Professional Standards for Agents and Managers Representing AGMA Artists" (see page 13 for the Code and page 16 for a related article).

These and many other positive changes are ultimately driven by our elected leaders working responsibly with other AGMA members and professional staff to keep AGMA moving forward.

Your future is affected by each local and national AGMA election. What is your personal vision for AGMA? Start now to identify new leaders, support current leaders, and/or become a leadership candidate yourself!

March 1, 2005, is the deadline for petitions to reach the AGMA national office. Exercise your right to participate in AGMA's future.

Holiday Contributions to the AGMA Relief Fund

By Linda Mays, Chair

The AGMA Relief Fund has benefited from many innovative AGMA member projects. Board of Governors member Jonathan Curtsinger gathered together some anonymous Board members to match funds for a Board of Governors Holiday Fund Raising Campaign. As of this printing, Jonathan has spearheaded donations of just over \$5,000.

The AGMA Emergency Relief Fund Holiday Fund Drive, featuring the powerful story of Frances Ginsberg's victory over cancer as told by opera legend Beverly Sills, has resulted in many first-time donors, matching gifts, and dona-

tions to the Relief Fund in lieu of traditional holiday gifts. As an example, several holiday donations were made in honor of the Metropolitan Opera Chorus and the Grant Park Chorus. In another example, an employer donated double the amount given by one of our members, making the initial \$500 contribution generate a total of \$1,500 to the Relief Fund. Also, one of our sister entertainment unions was a first-time donor. As we continue to actively seek corporate and foundation grants, new corporations have joined our family of donors.

We are making great progress, but we need to encourage many *more* indi-

vidual, corporate, and matching donations. Emergencies caused by natural disasters, accidents, and illnesses can afflict our members. We need to be prepared to provide assistance and comfort now and in the future. You can never tell when the donors of today may be the ones in need tomorrow.

The work of the AGMA Relief Fund is confidential, but chances are we all know at least one person who has been helped by the Relief Fund in a time of crisis. The Relief Fund provides a unique opportunity to support a cause where we work side-by-side with the recipients of our generosity.

Executive Director's Report (continued from page 1)

(*Friedkin v. Harry Walker, Inc.* 90 Misc.2d 680 at 683 (N.Y. City Civ. Ct. 1977) that would-be agents cannot avoid the licensing requirement by simply calling themselves "managers". (The law is similar in California and Illinois.) The test is whether managers secure work or bookings for the performer. If they do, the law says they're an agent and they have to be licensed. If they're not, they can't sue to collect commissions allegedly due to them.

Key provisions of the Code were reviewed by both the Membership & Member Relations and Administration and Policy Committees before being adopted by the Board. Solo artists members Paul McIlvaine and Gregory Stapp prepared the final draft.

The Code is printed in its entirety on pages 13-14 of this issue. I encourage all members who work or intend to work with agents and managers to retain these pages for future reference.

II. Health Plan Changes

AGMA's Health & Retirement Plans have relocated their offices to the same address as AGMA's headquarters, at 1430 Broadway. The new offices, located on the 12th Floor, will make it much more convenient for members who need direct assistance from Plan staff.

Additionally, the Trustees of the Plans have effectuated a change in plan policy to recognize same-sex marriages. At

their meeting on December 7, the Trustees adopted a provision that redefines "spouses" so as to include same-sex couples who are married under the laws of any jurisdiction or state without regard to the state in which they reside. The Health and Retirement Plans are overseen by six union Trustees and six management Trustees.

Our union, the opera and ballet companies that employ AGMA members, and all of our Health and Retirement Plan Trustees have always taken the lead in accommodating the interests of AGMA's membership and the Plan's participants. We have long recognized the appropriateness of providing health insurance coverage for domestic partners, and extending that coverage to any of our members who are legally married in any state or country is the logical extension of that policy. Mark Weinstein, Trustee Chairman and Executive Director of the Pittsburgh Opera, agrees: "Our position is that legally married couples are entitled to the same fundamental right of access to healthcare regardless of their sex or the state where they reside."

Employer Trustees come from the Pittsburgh Opera, New York City Ballet, Lyric Opera of Chicago, and the Pacific Northwest Ballet. Union Trustees include singers from the Lyric Opera and San Francisco Opera, dancers from New York City Ballet and New York City Opera, and AGMA attorneys.

Finally, Plan Administrator Jackie Dowling has resigned and has been replaced by Bridget Biddle, who has worked for the Plan as a Benefits Administrator for the past three years.

Check with your tax advisor as to whether any of your AGMA dues are deductible.

VISIT US ON THE WEB:
www.musicalartists.org

2005 ELECTION PETITIONS ARE HERE!!
ALL PETITIONS MUST BE FILED WITH
THE NATIONAL OFFICE IN NEW YORK
BY MARCH 1, 2005
MAY BE MAILED OR FAXED TO: (212) 262-9088

2005 Board of Governors Election Information

Listed below are the AGMA National Officers and Board members whose terms expire this year, as well as those Board members remaining in office. See the Board Seat Vacancy Table on page 5 to determine how many seats are available in your area and category.

National Officers are elected for a two-year term; Board members are elected for three-year terms unless a seat needs to be filled for the unexpired remainder of a three-year term. Not all areas have vacancies or are entitled to seats in every category. The Census Table on page 6-7 explains how the proportion of seats is determined.

NATIONAL OFFICERS

President

Linda Mays

1st Vice President

Tim Jerome

2nd Vice President

James Odom

3rd Vice President

John Coleman

4th Vice President

Colby Roberts

5th Vice President

Burman Timberlake

Treasurer

Lynn Lundgren

Recording Secretary

Mitchell Sendrowitz

01 NEW YORK AREA

Chorister Terms Expiring

Robert Kuehn, Gregory Lorenz, Mary Meyers, Kenneth Young

Remaining in Office: Glenn Bater, Karen Grahn, Robert Maher, Louis Perry, Pamela Smith, Joseph Turi

Dancer Terms Expiring

Gerald Otte, Jonathan Pessolano

Remaining in Office: James Fayette, Stephanie Godino, Tom Patrick

Director/Stage Manager/Choreographer Terms Expiring

Bruce Donnell

Remaining in Office: Jan Holland

Soloist Terms Expiring

Jane Bunnell, David Cangelosi, William Ledbetter, Belinda Oswald, Joel Sorensen

Remaining in Office: Loretta Bybee, Osceola Davis, Frances Ginsberg, Greer Grimsley, Peter Kazaras, LeRoy Lehr, Anita Terzian

02 So. CALIFORNIA AREA

Chorister Terms Expiring

Jonathan Curtsinger, David Schnell

Remaining in Office: Scott Blois, Tim Smith, Jennifer Wallace

Director/Stage Manager/Choreographer Terms Expiring

None

Remaining in Office: Lisa Kable

Soloist Terms Expiring

None

Remaining in Office: Michael Gallup

03 CHICAGO-MIDWEST AREA

Chorister Terms Expiring

Sandra Cross, Richard Livingston, Susan P. Steele

Remaining in Office: Chuck Coyl, Lawrence Montgomery, Lorene Richardson, Jeanne Scherkenbach, Richard Similio

Dancer Terms Expiring

Sara Stewart

Remaining in Office: Michael Anderson

Director/Stage Manager/Choreographer Terms Expiring

Margaret Stenger

Remaining in Office: None

Soloist Terms Expiring

None

Remaining in Office: Buffy Baggott, Christopher Feigum

04 SAN FRANCISCO AREA

Chorister Terms Expiring

Sally Mouzon

Remaining in Office: Julianne Booth, Jay Moorhead

Dancer Terms Expiring

None

Remaining in Office: Courtney Wright Anderson

Soloist Terms Expiring

Gregory Stapp

Remaining in Office: None

05 NEW ORLEANS AREA

Chorister Terms Expiring

None

Remaining in Office: Julie Condy

06 PHILADELPHIA AREA

Chorister Terms Expiring

Evelyn Santiago-Schulz

Remaining in Office: None

Soloist Terms Expiring

None

Remaining in Office: Sara Blann

07 WASHINGTON/ BALTIMORE AREA

Chorister Terms Expiring

Paul Klingenberg, Jennie Ritter

Remaining in Office: Dorothy Bodner, Timothy Kjer

Dancer Terms Expiring

Barbara Stuckey

Remaining in Office: None

Director/Stage Manager/Choreographer Terms Expiring

None

Remaining in Office: Cathryn R. Olson

Soloist Terms Expiring

None

Remaining in Office: Paul McIlvaine, Laura Zuiderveen

(continued on page 5)

Election Information (continued from page 4)

08 PITTSBURGH AREA

Chorister Terms Expiring

None

Remaining in Office: Barbara Crigler

09 NEW ENGLAND AREA

Chorister Terms Expiring

None

Remaining in Office: Jason McStoots

Dancer Terms Expiring

Melanie Atkins

Remaining in Office: None

Soloist Terms Expiring

Marilyn Bulli

Remaining in Office: None

10 TEXAS/OKLAHOMA AREA

Chorister Terms Expiring

None

Remaining in Office: George Eison

Dancer Terms Expiring

None

Remaining in Office: Mireille Hassenboehler

11 NORTHWEST AREA

Chorister Terms Expiring

Maria Leatha

Remaining in Office: George Scott

Dancer Terms Expiring

None

Remaining in Office: Alexandra Dickson

2005 BOARD SEAT VACANCY TABLE

This chart indicates Board seat(s) available in the following categories.

| Area | Chorister/ Actor | Dancer | Director/ Stage Manager/ Choreographer | Soloist |
|-------------------------|---------------------|--------|--|---------|
| 1. New York | 3 | 2 | 1 | 3 |
| 2. Southern California | 2 | 1 | - | - |
| 3. Chicago-Midwest | 3 | 1 | 1 | - |
| 4. San Francisco | 1 | - | - | 1 |
| 5. New Orleans | - | - | - | - |
| 6. Philadelphia | 1 | 1 | - | - |
| 7. Washington/Baltimore | 2 | 1 | - | - |
| 8. Pittsburgh | - | - | - | - |
| 9. New England | - | - | - | 1 |
| 10. Texas/Oklahoma | - | - | - | 1 |
| 11. Northwest | 1 | - | - | - |

Royalties from Sound Recordings on Satellite Radio

AGMA solo artists may be entitled to royalties from the release of sound recordings made of their performances released on satellite radio and digital radio.

SoundExchange, Incorporated is a nonprofit performance rights organization designated by the U.S. Copyright Office to collect and distribute statutory royalties to featured artists from satellite and digital radio release of their work.

AGMA members should visit the SoundExchange website at www.SoundExchange.com and follow the simple prompts to find out whether they are entitled to any current or future royalty payments.

BOARD OF GOVERNORS SEAT ALLOCATION FOR 2005 ELECTION (Census Data Based on Members in Good Standing as of July 31, 2004)

| AREA | CHORISTERS/ACTORS | | | | DANCERS | | | |
|-------------------------|-------------------|------|------|------|---------|------|------|------|
| | # | 2006 | 2007 | 2008 | # | 2006 | 2007 | 2008 |
| 1. NEW YORK | 766 | 4 | 3 | 3 | 414 | 2 | 1 | 2 |
| 2. SOUTHERN CALIFORNIA | 421 | 1 | 2 | 2 | 42 | 0 | 0 | 1 |
| 3. CHICAGO-MIDWEST | 581 | 2 | 3 | 3 | 138 | 1 | 0 | 1 |
| 4. SAN FRANCISCO | 207 | 1 | 1 | 1 | 113 | 1 | 0 | 0 |
| 5. NEW ORLEANS | 29 | 1* | 0 | 0 | 3 | 0 | 0 | 0 |
| 6. PHILADELPHIA | 144 | 1 | 0 | 1 | 40 | 0 | 0 | 1 |
| 7. WASHINGTON/BALTIMORE | 323 | 0 | 2 | 2 | 66 | 0 | 0 | 1 |
| 8. PITTSBURGH | 59 | 1 | 0 | 0 | 26 | 0 | 0 | 0 |
| 9. NEW ENGLAND | 78 | 0 | 1 | 0 | 37 | 0 | 0 | 0 |
| 10. TEXAS/OKLAHOMA | 58 | 1 | 0 | 0 | 53 | 0 | 1 | 0 |
| 11. NORTHWEST | 124 | 0 | 1 | 1 | 48 | 0 | 1 | 0 |
| TOTALS | 2,790 | 12 | 13 | 13 | 980 | 4 | 3 | 6 |

The tables above and on page 7 show a distribution of the total number of seats allocated to each geographic area, to each professional category, and to each professional category within each particular geographic area. The seats are allocated according to the procedures set forth in AGMA's Constitution, including one extra seat allocated to New Orleans as permitted for a geographic area not otherwise entitled to a seat.

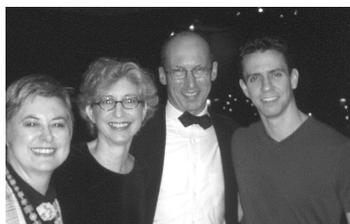
Career Transition for Dancers Annual Dinner



National Director of Policy Actors' Equity Association Mary Lou Westerfeld, Senior Advisor of Finance Actors' Equity Association Guy Pace, and AGMA President Linda Mays



New York City Ballet Principal dancers James Fayette and Jenifer Ringer, New York City Ballet General Manager Ken Tabachnik, and Yael Tabachnik

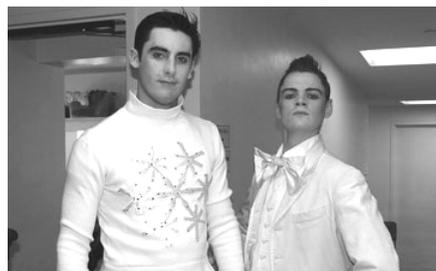


AGMA President Linda Mays, Yael Tabachnik, New York City Ballet General Manager Ken Tabachnik, and Metropolitan Opera Ballet Dancer Griff Braun



Actors' Equity Association Executive Director Alan Eisenberg and AGMA Dance Executive and Counsel Deborah Allton

AMBASSADOR THEATRE GROUP AND CENTER THEATER GROUP CO-PRODUCE MATTHEW BOURNE'S NUTCRACKER



James Leece and Philip Willingham



Clockwise: Anji Mehra, Mami Tomotami, Hannah Vassallo, Ross Carpenter, Gemma Payne and Maddy Brennan



Shelby Williams

BOARD OF GOVERNORS SEAT ALLOCATION FOR 2005 ELECTION (CONTINUED)

(Census Data Based on Members in Good Standing as of July 31, 2004)

| SM/DIR/CHOR | | | | SOLOISTS | | | | TOTALS | | | | |
|-------------|------|------|------|----------|------|------|------|--------|------|------|------|-------|
| # | 2006 | 2007 | 2008 | # | 2006 | 2007 | 2008 | # | 2006 | 2007 | 2008 | Seats |
| 162 | 0 | 1 | 1 | 811 | 4 | 4 | 3 | 2,153 | 10 | 9 | 9 | 28 |
| 32 | 0 | 1 | 0 | 94 | 1 | 0 | 0 | 589 | 2 | 3 | 3 | 8 |
| 61 | 0 | 0 | 1 | 169 | 1 | 1 | 0 | 949 | 4 | 4 | 5 | 13 |
| 20 | 0 | 0 | 0 | 83 | 0 | 0 | 1 | 423 | 2 | 1 | 2 | 5 |
| 3 | 0 | 0 | 0 | 24 | 0 | 0 | 0 | 59 | 1 | 0 | 0 | 1 |
| 9 | 0 | 0 | 0 | 55 | 0 | 1 | 0 | 248 | 1 | 1 | 2 | 4 |
| 23 | 1 | 0 | 0 | 131 | 1 | 1 | 0 | 543 | 2 | 3 | 3 | 8 |
| 8 | 0 | 0 | 0 | 13 | 0 | 0 | 0 | 106 | 1 | 0 | 0 | 1 |
| 13 | 0 | 0 | 0 | 45 | 0 | 0 | 1 | 173 | 0 | 1 | 1 | 2 |
| 9 | 0 | 0 | 0 | 38 | 0 | 0 | 1 | 158 | 1 | 1 | 1 | 3 |
| 18 | 0 | 0 | 0 | 36 | 0 | 0 | 0 | 226 | 0 | 2 | 1 | 3 |
| 358 | 1 | 2 | 2 | 1,499 | 7 | 7 | 6 | 5,627 | 24 | 25 | 27 | 76 |

Classical Singer Magazine Convention

By AGMA President Linda Mays

AGMA is proud to announce that the editors of *Classical Singer* magazine have again invited us to be presenters at their convention which will take place in New York City over Memorial Day weekend 2005. The first convention was so successful that the planning of the second annual convention is under way.

We continue to regularly provide information and articles to the magazine. Some of our contributions include answering readers' questions about AGMA singer's rights under both union and non-union contracts, and legal rights to a discrimination-free workplace.

Just prior to the beginning of the AGMA 2004 convention presentation, an AGMA member burst into the room saying that he needed to speak with the National Executive Director of AGMA. Since he was willing to discuss his issue in front of the group, our seminar began with an actual demonstration of AGMA at work. The member's contractual rights were being violated at a non-AGMA company. We found ways to help him, and, needless to say, the attendees were very impressed by this timely occurrence. Throughout the presentation, there were unsolicited testimonials about the vital benefits of AGMA membership.

At the 2004 convention, the final section of the AGMA presentation was an entire orientation to the Actors' Work Program (AWP), provided by AWP's Managing Director, Katherine Schrier. An AGMA member at the convention stated that Actors' Work Program skills acquired as a benefit of AGMA membership made it possible to stay in the business and have a dignified lifestyle.

Actors' Work Program

By AGMA President Linda Mays

AGMA members nationwide are eligible to participate in training programs including: computer classes, interview techniques, résumé preparation, job placement, and scholarship applications. These skills help members prepare for sideline jobs, parallel careers, or second careers.

Our association with Actors' Work Program is an invaluable benefit to our members.

The program's principal services are:

- * individual career counseling sessions
- * tuition assistance
- * teacher training classes
- * job search workshops
- * computer training
- * seminars on job market trends
- * job development and placement

Over the past three years, seventy-seven AGMA members have received career counseling and training, an impressive fifty-four members benefiting from AWP services in 2003 alone.

Actors' Work Program is the only comprehensive employment and training program in the country focusing on the entertainment industry community. In Kathy Schrier's own words, "Both entertainment industry unions and employers benefit from the services of Actors' Work Program. Our ability to help entertainment industry workers find non-industry work that allows them to remain in the business means that employers have a stable access to a quality workforce, and union participants are given needed support and guidance to pursue their career."

If you would like to read more about the Actors' Work Program, please see the article on page 18.

OFFICER PETITION

Nomination For NATIONAL OFFICER Of AGMA

We, the undersigned members of AGMA, in good standing, hereby nominate

_____ for _____
(Name of Member) (Name of office)
of the AGMA Board of Governors.

Print Name

Signature

| | | |
|-----|-------|-------|
| 1. | _____ | _____ |
| 2. | _____ | _____ |
| 3. | _____ | _____ |
| 4. | _____ | _____ |
| 5. | _____ | _____ |
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| 13. | _____ | _____ |
| 14. | _____ | _____ |
| 15. | _____ | _____ |
| 16. | _____ | _____ |
| 17. | _____ | _____ |
| 18. | _____ | _____ |
| 19. | _____ | _____ |
| 20. | _____ | _____ |

Ten signatures* of *members in Good Standing* are required.

**THIS PETITION MUST BE FILED WITH THE NATIONAL OFFICE
IN NEW YORK BY MARCH 1, 2005.**

I, _____, agree to run for the above office of AGMA.

Signature of Nominee

**Additional signatures are advised in the event that one or more may be invalid due to late payment of dues, inactive status or some other irregularity.*

BOARD PETITION

For Nominations of Members to the AGMA Board of Governors

We, the undersigned members of AGMA, in good standing, hereby nominate

_____ as a _____

(Name of Member)

(Soloist, Stage Dir/Mgr/Choreo, Chorister/Actor, or Dancer)

member of the AGMA Board of Governors from the _____ area.

Print Name

Signature

| | | |
|-----|-------|-------|
| 1. | _____ | _____ |
| 2. | _____ | _____ |
| 3. | _____ | _____ |
| 4. | _____ | _____ |
| 5. | _____ | _____ |
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| 7. | _____ | _____ |
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| 14. | _____ | _____ |
| 15. | _____ | _____ |
| 16. | _____ | _____ |
| 17. | _____ | _____ |
| 18. | _____ | _____ |
| 19. | _____ | _____ |
| 20. | _____ | _____ |

Ten signatures* of *members in Good Standing* are required. Both signatories and nominees must be residents of the above area or in accordance to the Constitution.

**THIS PETITION MUST BE FILED WITH THE NATIONAL OFFICE
IN NEW YORK BY MARCH 1, 2005.**

I, _____, agree to run for the Board of AGMA.

Signature of Nominee

**Additional signatures are advised in the event that one or more may be invalid due to late payment of dues, inactive status or some other irregularity.*

A R E A N E W S

WASHINGTON/BALTIMORE



Elizabeth Futral (Elvira) in Baltimore Opera Company's production of *I Puritani*, with Eleni Kallas, AGMA Mid-Atlantic Area Representative



AGMA chorus members from Washington National Opera's production of *Billy Budd*: (left to right) David Morris, John Bowen, John Boulanger, Matthew Osifchin, Alan Garcia, Will Parker, Vito Pietanza, Jeffrey Tarr, and Bryan Jackson.



AGMA chorus members in Baltimore Opera's production of *Fanciulla Del West*: (left to right) Michael Bevard, Frederic Rey, William Jones, Matthew Price, Michael Ege, Scott P. Elliot, Johnathan Manley Hudson, and John Artz.



Washington/Baltimore Area Committee at December meeting: (left to right) Jean Crichton, Alan Reed, Vickie Miller, Teresa Reid, Shawnee Ball, Tim Kjer (Chair), Bryan Jackson, Cristy Langan, and Mid-Atlantic Area Representative Eleni Kallas. Missing from photo: George Ingram, Cathy Olson, and Lourdes Elias.

IN MEMORIAM

Sally Amato
 Mark Arvin
 Silvio Barto
 Semiha Berksoy
 John Fleming
 Luis Forero
 Dale K. Huffman
 Carlos Kleiber*
 Serge Lavoie
 Victoria De Los Angeles

Dame Alicia Markova
 Frank Maxwell*
 Robert Merrill
 Salvatore Randazzo
 Nell Rankin
 Hal Roberts
 Charlotte Schockley
 Stephen Somiak
 Zachary Solov
 Gerard Souzay

Warren Spears
 Renata Tebaldi
 Arthur Thompson
 Basil Thompson
 Herbert Wernicke
 Kari Windingstadt
 Ignatius Wolfington*
 Rachael Yocom*

*Indicates a distinguished individual in a related profession.

SOUTHERN CALIFORNIA

By Beth Millman, Southern California Area Representative

Negotiations with the Los Angeles Opera concluded last fall and the shop and the Board of Governors ratified the new five-year contract. A tentative agreement was reached with Opera Pacific. Ballots will be mailed out to the Opera Pacific shop to vote on the new contract shortly.

Negotiations began November 22, 2004 with the Los Angeles Master Chorale. The negotiating committee members include Scott Blois, Amy Fogerson, Michael Geiger, Marie Hodgson, Bob Lewis, Susan Taylor Mills, David Schnell, and Burman Timberlake. Deborah Allton is the chief negotiator and is working with the committee and Area Representative Beth Millman. All are focused on negotiating the best contract possible for the Los Angeles Master Chorale membership.

The Southern California Area Representative continues her outreach to San Diego and Arizona members and can be reached at AGMALosAngeles@aol.com or at (323) 469-0696 for any issues or questions.

For those members in the Southern California region who are looking to make some changes in their lives and careers, check out the article on the Actors' Work Program on page 18. This program might be just what you are looking for.

Here's to a prosperous 2005!

SAN FRANCISCO

By Nora Heiber, San Francisco Area Representative

New Company Manager, CEO, Signatory and Contract in the Bay Area

AGMA is happy to welcome San Francisco Ballet's new Company Manager, Robert Russo, and San Francisco Opera's new Executive Director, Keith Cerny, to the Bay Area. We look forward to productive and enjoyable working relationships with both of them. We are also excited and proud to announce the addition of Salt Lake City's Ballet West to AGMA's list of signatories. Linda Bartlett and Nora Heiber will be negotiating a new contract with Ballet West in March. More news to come in our Spring issue. And, last, but not least, the successful completion of the San Francisco Symphony Chorus contract negotiations, after completing two other extremely difficult negotiations in the area (SF Ballet and SF Opera) in 2004, was certainly a welcome way to bring in the New Year. Long-time member of the SF Symphony Chorus, Pamela Sebastian, offers her enthusiastic support of the outcome of these negotiations with the following words:

"I joined the San Francisco Symphony AGMA Chorus in 1976. Unlike our colleagues across the street in the San Francisco Opera Chorus, we hardly dared think of ourselves as professional musicians. Even though we did actually go on strike for one evening twenty or so years ago, it often seemed as if we were a band of scared little people, grateful to be paid for doing what we loved, but afraid to rock the boat or ask for much more than a cost-of-living increases, lest we all disappear. We were far from united in terms of sticking up for ourselves or for our rights as union members.

"What a change these days! As I witnessed our latest negotiating process it became clear that we are not only willing to fight for ourselves and the value of our work (as evidenced by the countless hours of leafleting during performances and the garnering of support from our patrons, fellow union members (AGMA and our sister unions), the SF Labor Council, the SF Symphony Board of Directors, and city funding agencies), but one might even say that we are leading the way for our colleagues across the country. Under the superb and imaginative leadership of AGMA's Director of Legal Affairs, Linda Bartlett (so much power in such a small package!), our Area Rep Nora Heiber, and our tireless negotiating committee (Howard Baltazar, Brenda Bonhomme, Kevin Gibbs, Maria Meyers, Jay Moorehead, David Peters, Diane Terp, David Varnum, and Sonja Wohlgemuth), we were able to break radical new ground, the most significant being the negotiating of an annual compensation guarantee. Also new to our contract is a three-hearing process for non-reengagement that includes AGMA and neutral party involvement in the final decision, participation in the Symphony's 403b plan, first-time fees for solo memorization, section leaders and chorus soloist understudies, and premium pay for certain holidays and daytime rehearsals, as well as AGMA's national Smoke and Fog policy. Moreover, we were able to secure increases in all existing fees as well as sick leave and notification requirements for cancellations and add-on performances.

"There is still much work to be done, but we are certainly on our way."

SOUTHERN

By John Hanriot, Southern Area Representative

A Lifetime of Service

What does it mean to be a Union Member? Is it only about having a card and paying your dues on time, or should there be something else that links Union members together? That "something else" is loyalty and service to one another, and Mary Bertucci is a fine example. Mary was recently honored for her lifetime of service to AGMA. A member of the Union for over fifty years, and a member of the New Orleans Opera Chorus for as long, Mary has been one of the most active members of the Union in the New Orleans shop. As a former member of the Board of Governors, Mary holds the honor of "Life Member for Distinguished Service." She has served as a member of the negotiating committee



Southern Area Representative John Hanriot, Karen Kalin, Honoree Mary Bertucci, AGMA Board member Julie Condy and New Orleans Opera ChorusMaster Carol Rausch

at the New Orleans Opera and as an Area Representative for the greater New Orleans area.

On November 19 of last year, Mary was honored with a dinner at Emeril's Delmonico in New Orleans. She was joined by her colleagues, Board member Julie Condy, and long-time friend and fellow chorister Karen Kalin, as well as New Orleans Opera ChorusMaster Carol Rausch and AGMA Southern Representative John Hanriot. After dinner she was presented with a signed certificate of appreciation which was decorated with a picture of New Orleans' Old French Opera House.

Mary Bertucci is the true embodiment of what it is to be a Union Member!

THE NUTCRACKER

Atlanta Ballet



Jonah Hooper and Kristine Necessary

San Francisco Ballet



Moises Martin and Brett Bauer



Elana Altman

Ballet San Jose



Patricia Perez, Erin Duffy and Raymond Rodriguez

Ballet West



Steven Davis, Alison Harvey, Nick Mullikin



Maureen Choi



Garrett Anderson



CODE OF PROFESSIONAL STANDARDS FOR AGENTS AND MANAGERS REPRESENTING AGMA ARTISTS

This Code sets forth the standards of professional conduct and preferred business practices governing the relationship between members of the American Guild of Musical Artists and the Agents and Managers that represent them.

This code may be used to assist Agents/Managers and AGMA Artists in negotiating and arriving at a fair, equitable and mutually beneficial business relationship. Each Agent/Manager and Artist who utilizes all or parts of this Code shall strive to attain, achieve and maintain the most exemplary levels of quality, honesty and integrity.

When used in this Code, the word "Agent" includes every agent, manager, personal representative, person and business entity representing AGMA Artists for the purpose, in whole or in part, directly or indirectly, of securing performance bookings or other employment for such Artists and who conduct compensation negotiations with regard to the employment or services of such Artists.

I. Essence of the Code

1. An Agent's relation and obligation to Artist shall be that of a fiduciary, and each Agent shall perform in such a manner as to advance and protect the best interests of each represented Artist.

2. An Agent is further obliged to maintain strict confidentiality about an Artist's personal information, opinions, discussions, consultations, correspondence, contractual deliberations, etc., shared, developed or gleaned during the course of this fiduciary relationship, as well as any information, derived from any source, that is potentially damaging or injurious to an Artist. No Agent may breach such confidential trust for any purpose, including an Agent's personal memoirs, without a specific written prior release from the Artist.

3. The respective responsibilities of each party shall be specifically set forth by the Artist and the Agent in a written agreement, which agreement may freely incorporate therein, portions, or the entirety, of this Code. No such agreement shall be valid for a term in excess of three (3) years, nor can it renew itself.

4. No Agent shall charge any Artist a retainer or other regularly recurring fee, or any charge for expenses that are not specified and completely documented.

5. Every Agent shall be entitled to receive and collect commissions from an Artist in accordance with the schedule and provisions set forth in this Code for any and all employment secured by such Agent for, and performed by, such Artist.

6. No Agent shall charge, or attempt to collect, commissions from any Artist for per-diem, transportation, housing, or other advances or reimbursements made to Artist by others for Artist's expenses.

7. An Agent shall be entitled to be reimbursed by Artist for

all reasonable expenses actually incurred by the Agent, with the Artist's prior consent, on Artist's behalf, but Agent must account to the Artist for all such expenditures. The Artist shall have the right to examine the pertinent books and records of the Agent at reasonable times.

8. No Agent shall discriminate against or in favor of any Artist because of his or her race, sex, age, national origin, disability, religious affiliation, sexual orientation, or membership in AGMA or other labor organization.

9. Every Agent shall promptly forward to Artist all communications from AGMA that are addressed to Artist as well as all business or personal communications addressed to Artist in care of Agent.

10. Artist shall fully, fairly and completely abide by all of his or her obligations to Agent.

11. An Agent may terminate his or her agreement with an Artist if the artist fails to remit appropriately due commissions to the Agent in a timely manner. An Artist may terminate his or her agreement with an Agent if the Agent breaches his or her fiduciary duty to the Artist, rejects any offer of employment for the Artist without the Artist's informed consent, or fails to pay over to such Artist in a timely manner any monies due to the Artist. An Artist may also terminate said agreement if the Agent should fail to secure any present or future employment for the Artist during the first ___ consecutive days of said agreement. [Note: Depending on the level of experience of the Artist, it is recommended that 90-270 days be entered as appropriate.] By mutual agreement, Agent and Artist may determine to jointly terminate their agreement at any time.

II. Reciprocal Responsibilities of AGMA Artists and their Agents

1. AGMA Artists recognize their obligation to perform engagements booked on their behalf by the Agent with the Artist's consent and to pay, on a timely basis, all appropriate commissions due to the Agent for any such engagements. These obligations continue even after the termination of the agreement between the Artist and the Agent for any engagements previously booked by Agent with the Artist's consent. Artists shall also be obliged to pay the appropriate commission(s) in the case of any engagement that materializes from an offer that was pending at the time of said termination, regardless of who actually finalized the terms of the engagement. For a period of twelve (12) months following said termination, any reengagement of the Artist by any employer to whom the former Agent had introduced the Artist and for whom the Artist had worked during the final twelve (12) months prior to said termination, shall oblige the Artist to pay said former Agent a split or reduced commission of no less than five percent (5%).

(continued on page 14)

Artists/Agents Code (continued from page 13)

2. Where the Guild Security Provision of any collective bargaining agreement between AGMA and an employer requires that an Artist be or become, and subsequently remain, a member of AGMA in good standing as a condition of employment, Artists shall comply fully with that provision, and no Agent shall represent an Artist that does not so comply.

3. Whenever any agreement between an Artist and an Agent is terminated, the Agent shall issue promptly a letter acknowledging such termination, which letter shall include a final financial statement and a list of all future engagements booked by that Agent for that Artist as well as any pending offers of engagement.

4. The maximum amount that an Agent may spend for advertising or promotion on behalf of any Artist without the Artist's specific written advance consent is \$_____ at any one time and not more than \$_____ per year. [Note: Depending on the financial resources of the Artist and the business practices of the agent, it is recommended that \$20.00-\$200.00 and \$100.00-\$800.00, respectively, be entered as appropriate.] No less frequently than once each calendar quarter, agent agrees to furnish the Artist itemized statements of all expenditures incurred since the previous such statement for advertising, promotion and any other purpose, according to the original bills.

III. Maximum Commissions

1. No Agent may charge a commission on per diems, housing, round-trip travel, health and retirement benefits or on any AGMA-covered compensation that is less than AGMA scale plus 10%. "AGMA scale" shall be deemed to include contractual rehearsal and overtime pay as well as per-performance or weekly performance fees as required by the relevant collective bargaining agreement. At the Agent's request, AGMA shall make available to Agent copies of the AGMA collective bargaining agreements which incorporate this information.

2. The maximum commissions which Agent may receive from the fees paid to the Artist for all engagements booked by the agent with the Artist's consent shall be as follows:

- | | |
|--|-----|
| (a) Operatic engagements, including operetta, singspielsmusicals and other staged performances | 10% |
| (b) Dance engagements | 10% |
| (c) Regular concert engagements, including symphony orchestra, oratorio and recitals (except that no commission shall be charged for any recital given at risk and expense of Artist, or for the expense of engaging an accompanist) | 20% |
| (d) Broadcast of any live performance (of additional overscale compensation received by Artist) | 10% |

- | | |
|---|-----|
| (e) Civic and community engagements [e.g., service clubs, sporting events, public ceremonies, religious services] | 15% |
|---|-----|

- | | |
|--|-----|
| (f) Release in other media (of additional overscale compensation received by Artist) | 15% |
|--|-----|

3. In those cases where Agent shall be entitled to commissions for the release of Artist's work product in any other medium, Agent shall be entitled to continue to receive such commission, even after the termination or expiration of the term of the agreement between Agent and Artist, for whatever period of time in which Artist continues to receive monies, royalties or other financial considerations.

4. Upon receipt of contractual fees by the Artist or other person authorized by the Artist, commission shall be promptly payable by the Artist to the Agent. In cases where Artist has not been paid because of Artist's absence from performance without just cause, Artist shall remain responsible for payment of agreed commissions. In the absence of an advance, specific, written authorization from the Artist for each such occurrence, no Agent may intercept or in any manner arrange for any fees to be delivered to any person or any entity other than the Artist.

5. Agents shall not charge any commission on bookings arranged, secured and negotiated solely by the Artist. Artist shall fully coordinate and apprise Agent of any and all activities and commitments in this area.

IV. Deal Memorandum

1. Agents shall execute a Deal Memorandum with Artists for each and every employment opportunity obtained by an Agent for an Artist.

2. Each and every Deal Memorandum shall include the specific requirements of the engagement, including dates and times of performances and rehearsals, and the compensation due to Artist, and the amount of commission owed by reason of such compensation.

3. Each and every Deal Memorandum shall also include the arrangements for Artists' transportation, housing, per-diem or reimbursed expenses, required publicity arrangements and other relevant terms relating to the performance of the engagement. Any so-called "lump-sum fees" which incorporate per-diems, housing, travel or other non-commissionable benefits, must be broken down on a separate schedule which specifically identifies the accurate net amount subject to the commission.

4. Nothing in any agreement between an Agent and an Artist or in any Deal Memorandum shall contain any provision less favorable to the Artist than those set forth in this Code.

V. Resolution of Disputes

Disputes arising between an Artist and an Agent shall be governed by, and resolved pursuant to, the law(s) of the state having jurisdiction over such dispute.

AREA MEETINGS

CHECK THE INFORMATION BELOW FOR SCHEDULED MEETINGS IN YOUR AREA. FOR UPDATES AND FURTHER INFORMATION, CONTACT YOUR LOCAL AREA CHAIRPERSON OR CHECK OUR WEBSITE: WWW.MUSICALARTISTS.ORG

AREA 1 NEW YORK

AREA MEMBERSHIP MEETING
DATE: MONDAY, FEBRUARY 7, 2005
TIME: 6 P.M. - 8 P.M.

LOCATION:
ACTORS' EQUITY BUILDING, 14TH FLOOR
165 WEST 46TH STREET
BETWEEN BROADWAY & 6TH AVENUE
GUEST: SARAH A. STACKPOLE, MD
SPEAKS ON "NOISE EXPOSURE ISSUES
FOR PERFORMERS"

AREA 2 SO. CALIFORNIA

NO MEETING SCHEDULED AT THIS TIME.

AREA 3 CHICAGO-MIDWEST

DATE: SUNDAY, FEBRUARY 27, 2005
TIMES:
SOCIAL AND COCKTAILS: 5:00 PM
DINNER BUFFET: 5:45 PM
BUSINESS MEETING: 6:15 PM

LOCATION:
THE EXCHEQUER RESTAURANT AND PUB
226 SOUTH WABASH AVENUE, CHICAGO
CONTACT AREA CHAIR JIMMY ODOM AT
(773) 271-0902 OR BY E-MAIL AT
JODOM@MUSICALARTISTS.ORG

AREA 4 SAN FRANCISCO

AREA MEMBERSHIP MEETING
DATE: MONDAY, FEBRUARY 21, 2005
TIME: 6 P.M. - 8 P.M.

LOCATION:
WAR MEMORIAL OPERA HOUSE
5TH FLOOR CHORUS ROOM

AREA 5 NEW ORLEANS

NO MEETING SCHEDULED AT THIS TIME.

AREA 6 PHILADELPHIA

NO MEETING SCHEDULED AT THIS TIME.

AREA 7 WASH./BALT.

DATE: SATURDAY, MARCH 5, 2005
TIME: 6 P.M. - 7 P.M.

LOCATION:
THE WASHINGTON OPERA STUDIO
6925 WILLOW STREET NW
WASHINGTON DC

CONTACT: ELENI KALLAS
E-MAIL: AGMADC@COMCAST.NET

AREA 8 PITTSBURGH

ANNUAL MEETING NORMALLY
SCHEDULED FOR SEPTEMBER.

AREA 9 NEW ENGLAND

NO MEETING SCHEDULED AT THIS TIME.

AREA 10 TEXAS/OKLAHOMA

NO MEETING SCHEDULED AT THIS TIME.

AREA 11 NORTHWEST

PORTLAND MEETING
DATE: FEBRUARY 19, 2005
TIME AND LOCATION INFORMATION
WILL BE FORTHCOMING

AGMA PLAN B CONTRIBUTING EMPLOYERS

AMERICAN REPERTORY THEATRE
AQUILA THEATRE COMPANY
ASCENSION MUSIC CHORUS AND
ORCHESTRA INC.
BALLET HISPANICO
BALLET TECH FOUNDATION, INC.
BALTIMORE OPERA COMPANY, INC.
BOSTON LYRIC OPERA
CENTRAL CITY OPERA ASSOCIATION
CHAUTAUQUA OPERA ASSOCIATION
CHICAGO OPERA THEATRE
CINCINNATI OPERA ASSOCIATION'
CITY CENTER 55TH STREET
CLASSIC STAGE COMPANY
DALLAS OPERA
FLORENTINE OPERA COMPANY, INC.
FLORIDA GRAND OPERA
GOTHAM CHAMBER OPERA, INC.
GRANT PARK MUSIC FESTIVAL
HOUSTON GRAND OPERA
JENA COMPANY
JOFFREY BALLET OF CHICAGO
KAYE PLAYHOUSE AT HUNTER COLLEGE
LOS ANGELES OPERA
LYRIC OPERA OF CHICAGO
LYRIC OPERA OF KANSAS CITY
MELODIOUS ACCORD
MICHIGAN OPERA THEATRE
MOVIN' OUT BROADWAY
MOVIN' OUT TOURING COMPANY
MUSIC BEFORE 1800, INC.
MUSICA SACRA
NEW YORK CITY OPERA
NEW YORK CONCERT SINGERS, INC.
NEW YORK GRAND OPERA SOCIETY,
INC.
OPERA COMPANY OF PHILADELPHIA
OPERA PACIFIC
OPERA THEATRE OF SAINT LOUIS
PHILHARMONIC ORCHESTRA OF
NEW JERSEY
PITTSBURGH OPERA, INC.
PORTLAND OPERA ASSOCIATION, INC.
SAN DIEGO OPERA ASSOCIATION
SAN FRANCISCO OPERA ASSOCIATION
SANTA FE OPERA
SEATTLE OPERA ASSOCIATION
TRI-CITIES OPERA
WASHINGTON NATIONAL OPERA
WESTERN OPERA THEATER

The AGMA Artist/Agent Code: A Singer's Perspective

By Paul McIlvaine

Part 1: HOW THE CODE CAME ABOUT

MY OWN STORY

After singing for several seasons in the Washington Opera chorus, I made a decision to strike out as a solo artist. As a fledgling solo artist, I had to arrange all auditions and engagements by myself. Several years later, I had successfully performed a number of major roles with some of the smaller opera companies in my local area. I was starting to have a "track record," but was approaching the limits of what I could achieve under my own management. I found I was spending time in self-representation that would have been better devoted to artistic matters.

During a voice lesson one day, my teacher mentioned that she recently spoke with an agent friend of hers in New York who wanted to add an individual of my voice type to his roster of singers. He was the founder of a small, startup artist management agency that seemed perfect for an artist like me at my stage in my career. At my urging and with my teacher's recommendation, I arranged to sing for him in New York City. He subsequently asked me to join his roster and return to New York City to negotiate an artist management contract.

Since I had never entered into an artist management contract, I tried to find out something about them. I called a number of my friends and colleagues (including some who had previously been under artist management) for general advice on any industry standards and specific advice on what should be included in an artist management contract. I was shocked by the lack of knowledge on this subject of virtually everyone I spoke to. I did hear that commissions of 10% for opera and 20% for concerts were what most artists paid. Other than this, I was largely on my own. The only other advice I received was from a colleague who said, "Don't sign anything dumb."

This placed me in the uncomfortable position of having no way to identify any

customary industry practices or "standard" artist management provisions. I felt at a distinct disadvantage in my forthcoming negotiation. I found no person or place to go for the impartial information I needed, because there was no repository or reliable source of industry standards and practice. Nevertheless, I used my best judgment and limited experience to guess at what should be in a contract. Fortunately for me, my first agent was an honest person who thoroughly answered all my questions and proposed a very fair and reasonable contract. Still, I took a day to thoroughly read and understand the contract before signing it.

In retrospect, the conclusion of this negotiation process also commenced the communication process. We both gained respect for each other and learned how to communicate with each other. We continued this communication during our association, which was both personally and professionally rewarding. He was an honest agent whose integrity was beyond reproach.

TODAY'S STORY

This same scenario, of a fledgling artist trying to "break in" to this industry, largely continues to this very day. The young artist — particularly one in their first negotiations for artist management/representation — needs to know about any customary industry practices or "standard" artist management contractual clauses.

Too many music schools and related institutions consider education in the business aspects of a performing arts career to be "nice to have," but not an essential topic to address. Consequently, this very necessary education is not included in many performing arts curricula. The result is that most artists — especially entry-level performers — are at a decided disadvantage, because a very experienced agent usually is the first to propose the specifics of an artistic management contract, while an inexperienced

artist has few places to go for education or impartial advice.

Virtually anyone can become an agent or manager. There are currently no certification, experience, or educational requirements to become one. There are no industry standards and no industry professional society in the classical singing and performance industry. There is potential for abuse.

A worst case scenario goes something like this: An inexperienced artist, fresh out of a music school with no artistic business education, receives a proposed contract from an agent who tells them that the contract is the standard one and is okay to sign because "a lawyer wrote it." The artist truly believes that his or her path to artistic and financial success is assured by joining the roster of any agent, and signs the contract without even reading it or receiving a copy. Reality arrives simultaneously with the first bill.

A number of AGMA members have asked for help with resultant agent/artist problems. Although AGMA negotiates minimum fees, work rules, and other items with signatory companies, AGMA does not negotiate artist management contracts on behalf of its members. Currently, the artist and the agent/manager are the only two principals involved in negotiating an artist management contract. Hence, anything that AGMA can do to assist its members will be of immediate benefit.

AGMA'S ACTION

In response to these member concerns, AGMA considered a wide variety of options: At one end of the spectrum, creating AGMA-managed system of authorized agents mandated for exclusive use by its membership with an expanded system of arbitration; at the other end, merely warning *caveat emptor* (let the buyer beware) to the membership.

(continued on page 17)

A Singer's Perspective (continued from page 16)

After considerable deliberation over the course of 2004, the Board of Governors decided that the most immediate and effective way to assist its membership was to prepare and promulgate a voluntary code of professional standards for agents and managers representing AGMA artists:

- * To help members who currently use artist managers.

- * To educate members who will use agents/managers in the future to better prepare them for their first, and subsequent, negotiations.

- * To provide a fair and equitable standard for the classical performing artist management industry.

This voluntary code recognizes that each situation is different and no single artist management contract or code of conduct fits each and every situation. Therefore, the Code is a

starting point, like a suit off the rack, that is expected to need some "tailoring" to make it fit each artist's and agent's unique circumstances.

The Code was not created to give "one-sided advantage" to either artists or agents. It represents the best judgment of the Board of Governors as to what constitutes a fair, equitable, and mutually beneficial business relationship. This is the only way for a voluntary code to achieve credibility and usefulness.

On December 15, 2004, the AGMA Board of Governors unanimously approved a motion to adopt and promulgate an AGMA code that sets forth the standards of professional conduct and preferred business practices governing the relationship between members of the American Guild of Musical Artists and the agents and managers who represent them. Thus, the Code has been born.

FEEDBACK

Comments and improvement suggestions for the Code are solicited from both artists and agents/managers.

Please address all comments on this article and/or the Code to: AGMA@MusicalArtists.org.

Paul McIlvaine is a member of the Board of Governors of the American Guild of Musical Artists from the Baltimore/ Washington area, who first proposed the idea of a voluntary code. He is a tenor and has appeared with The Virginia Opera, Greater Buffalo Opera, Washington Opera, and Opera Orchestra of New York. He also produces and delivers a Master Class Seminar entitled "Managing Your Artistic Business."

Watch for Part 2: "How to Interpret the Code" in the next AGMAZine.

THE NUTCRACKER

Houston Ballet



Richard Tullius, Sara Webb Bardo, Jason Chinaea, President George Bush, Barbara Bush, and C.C. Cooper



Pamela Lane and Ilya Kozadayev



Maria Phegan

New York City Ballet



Amar Ramsar as Mouse King



Jonathan Stafford as Mother Ginger



Toy Soldiers



Jenifer Ringer and James Fayette (Sugar Plum and Drosselmeier)

Union Plus Benefits

The last AGMAZine highlighted one of the great benefits Union Plus has for AGMA members – Health Services. In this issue you will be receiving a copy of the Union Plus brochure along with your AGMAZine. In the next AGMAZine you will have the chance to see how much money AGMA members have saved by renting cars, buying flowers and getting legal advice through Union Plus. It's in the millions!

Do yourself a favor. Check out the incredible services and discounts available to you as a member of AGMA. Do you have post-holiday debt? Do you want to save on a computer? Do you want to send flowers for Valentine's Day? Union Plus can help you. Tax time is coming soon! Make use of the online Tax Service Union Plus offers.

Go to www.unionplus.org and find out exactly what programs AGMA members are eligible to use by clicking on the "Show me ALL my Union Plus Benefits" button and filling in the blanks. You'll be glad you did.

New Year, New You!

By Beth Millman, Southern California Area Representative

Happy New Year to all and best wishes for a healthy and productive 2005.

Since it is the New Year, many members may be reevaluating their lives. Maybe you have been struggling to pay the bills and want to find a parallel career that uses your talents and skills, and yet still allows you to pursue your craft. Or perhaps you have decided that 2005 is the year to find a new career, but you are unsure what to do, what skills you have, how they would transfer to a new career, or even what would be a good career path for you to follow. If this describes you, the Actors' Work Program may be just the program that can jump-start your life. Not just for actors, the Actors' Work Program assists singers, dancers and production staff in identifying and obtaining side-line, parallel and second careers through career counseling, special seminars, job training, classes, some tuition assistance, and by maintaining a listing of job opportunities.

The Actors' Work Program is administered by the Actors' Fund of America, a non-profit organization founded in 1882, helping entertainment professionals in theatre, television, film, radio, music, opera and dance. The Actors' Work Program is one of many valuable services that AGMA members in good standing can take advantage of through the Actors' Fund.

The Actors' Work Program can help you develop the skills to find meaningful employment whether you choose to remain active in your field, or whether you have decided to pursue an alternative career. Thousands of industry professionals have taken advantage of the Actors' Work Program's job search and resume writing workshops, computer training classes, and career counseling.

If you are wondering if this program could be for you, below is a personal survey that the Actors' Fund publishes to help you explore your feelings and to determine whether the Program can be of assistance to you. Check any statement to which you would answer yes:

- * Do I often have the feeling that something is wrong in my career, but I don't know what to do about it?
- * Do I often feel that I've given "the business e.g., opera, dance" my all and it's time to try something new?
- * Do I believe that exploring other careers means that I am a failure?
- * Do I honestly believe that working in "the business" is the only work I can do? (Ask yourself this question: Is it possible that I can be a winner in two fields?)

* Do I believe that I can use my talents in a satisfying fashion in other fields but am afraid that exploring a second career will force me to lose work in the opera or dance world?

* Am I afraid of taking action because I fear change and trying something new?

* Am I staying in "the business" even though I am not earning very much money, because I've invested a lot of time and training in it? (Be bold enough to consider that no matter what your investment, it is never a valid reason not to take the necessary steps to raise your income by developing new job market skills.)

* Am I afraid to admit to myself that my career has fallen short of my expectations?

* Would I be relieved if I could find meaningful work in another field?

* Would I welcome the opportunity to study something new but am worried about what my peers would think? (All of the interviews through the Actors' Work Program are confidential.)

If you answered yes to any of these questions, consider giving the Actors' Work program a call. You must attend an orientation meeting that runs approximately two hours. After the orientation, an individual appointment with a career counselor is scheduled as soon as possible. In Los Angeles, orientation is held twice a month, on Monday, and runs approximately two hours. In New York, orientation is every Monday except for legal holidays, from 12:00 - 2:00 p.m.

AGMA members who do not live in New York or California can receive help from the Actors' Work Program's New York or California offices by phone, fax or email. For those members who live in the Southern California region, but outside the Los Angeles area, the program will work with you to schedule your individual counseling session after the orientation on the same day, but you must arrange this with a career counselor **before the orientation, in advance**. If you live east of the Mississippi, contact the Actors' Work Program's New York office and if you live west of the Mississippi, contact the Actors' Work Program's California office.

For more information on the Actors' Work Program, the phone number in New York is (212) 354-5480 and in Los Angeles (323) 933-9244. Or, look on the Actors' Fund website at: www.actorsfund.org or <http://www.actorsfund.org/human/work.html>. Take that first step and make 2005 a year to remember.

MEMBERSHIP DEPARTMENT NEWS

HAVE YOU RECENTLY MOVED?

If you change your mailing address, it is important that you notify AGMA's Membership Department in writing. Additionally, AGMA's Retirement Plan and Health Fund Plans must also be notified separately.

RECEIVE YOUR BILL BY E-MAIL?

Yes, the Membership Department has the ability to send bills by e-mail. If you would like to receive your bill by e-mail, please contact the Membership Department at: membership@musicalartists.org.

CONTACT LIST OF ASSISTANCE, MEMBER-ONLY SERVICES, AND DISCOUNTS

AGMA Emergency Relief Fund

The AGMA Emergency Relief Fund provides emergency assistance to AGMA members. To make a donation or for more information, contact Susan Davison at:

AGMA Emergency Relief Fund
1430 Broadway, 14th Floor
New York, NY 10018; or
Telephone: 1-800-543-AGMA (2462)
E-mail: susan@musicalartists.org

If you are in need, call an intake worker at The Actors' Fund, which administers the AGMA Emergency Relief Fund:

East Coast: 212-221-7300 or 1-800-221-7303
Midwest: 312-372-0989 or 1-800-221-7303
West Coast: 323-933-9244 or 1-800-221-7303

AGMA Retirement and Health

For assistance with AGMA Health Plan A and B, AGMA Pension Plan, and AGMA Retirement Plan, contact AGMA Retirement and Health at:

New Address: 1430 Broadway, 12th Floor
New York, NY 10018
Telephone: 212-765-3664
E-mail: agmaretirement_health@yahoo.com

For assistance with AGMA Health Plan B, contact Administrative Services Only at 1-866-263-1185.

The Actors' Fund — General Services

For more information, please contact:

East Coast: 212-221-7300 or 1-800-221-7303
E-mail: lsegison@actorsfund.org
Midwest: 312-372-0989 or 1-800-221-7303
E-mail: dtowne@actorsfund.org
West Coast: 323-933-9244 or 1-800-221-7303
E-mail: intakela@actorsfund.org
Website: www.actorsfund.org

The Actors' Fund — The Actors' Work Program

For employment and training information and services, contact:

In the New York Area, call 212-354-5480;
E-mail: blevinso@actorsfund.org
In the Chicago Area, call 312-372-0989;
E-mail: dtowne@actorsfund.org
In the Los Angeles Area, call 323-933-9244, ext. 50;
E-mail: ltrotter@actorsfund.org
Website: www.actorsfund.org/actors/human/work.html

Artists' Health Insurance Resource Center — The Actors' Fund

This resource offers comprehensive health insurance information. Obtain information from their website at www.ahirc.org. E-mail them at: AHIRC@actorsfund.org. Or send your inquiries by mail to: The Actors' Fund, National Headquarters, 729 Seventh Avenue, 10th Floor, New York, NY 10019. If you need to speak with someone, call The Actors' Fund in New York at: 212-221-7300, ext. 165, or in Los Angeles at 323-933-9244, ext. 32.

TEIGIT (The Entertainment Industry Group Insurance Trust)

TEIGIT administers health insurance plans for members of participating associations in the arts and entertainment industry. To find out if you are eligible, to enroll, or to have your questions answered:

Telephone: 212-758-5675; or
Toll-free: 1-800-886-7504
Fax: 212-888-4916
Website: www.teigit.com
E-mail: teigit@teigit.com

Union Privilege

Union Privilege, created by the AFL-CIO in 1986, takes advantage of the collective buying power of large numbers of union members to provide you and your families with valuable consumer benefits. Contact them at:

Address: 1125 15th Street, NW, Suite 300
Washington, DC 20005
Toll-free Union Plus Benefits Number: 1-800-452-9425
Telephone: 202-293-5330
Fax: 202-293-5311
Website: www.unionplus.org

The Conrad Cantzen Shoe Fund

Conrad Cantzen left money to create a fund to help out-of-work actors get shoes for auditions. One can get reimbursed for up to \$40.00 for shoes. Contact the Actors' Fund for more information (see The Actors' Fund — General Services, left column).

Career Transition for Dancers

The Career Transition for Dancers (CTFD) was established to give dancers the opportunity to obtain the knowledge and skills necessary for new careers after dance. Nationwide and local assistance includes career counseling and reference materials, scholarship aid, peer support and mentoring programs.

Website: www.careertransition.org
Toll-free Career Line: 1-800-581-CTFD (2833) — nationwide career-counseling and referrals for dancers outside of NYC and LA

CTFD office in New York

The Caroline & Theodore Newhouse Center for Dancers
165 West 46th Street, Suite 701
The Actors' Equity Building
New York, NY 10036-2501
Phone: 212-764-0172
Fax: 212-764-0343
E-mail: info@careertransition.org

CTFD office in Los Angeles

5757 Wilshire Boulevard, Suite 902
Los Angeles, CA 90036-3600
Phone: 323-549-6660
Fax: 323-549-6810
E-mail: info-la@careertransition.org

Actors Federal Credit Union

Actors Federal Credit Union is a full-service non-profit financial institution serving the entertainment community throughout the U.S. Credit Union member benefits include more than 150 ATM's in the NY metropolitan area as well as standard banking services, often at lower cost. Main office: 165 West 46th Street, 14th Floor

New York, NY 10036
Phone: 212-869-8926
Website: www.actorsfcu.com
E-mail: mresources@actorsfcu.net

Raffle at The Metropolitan Opera

By Linda Mays, AGMA President and Emergency Relief Fund Chair

All segments of the Metropolitan Opera AGMA shop contributed to the success of the December 18, 2004, AGMA Emergency Relief Fund 50/50 Raffle, which raised over \$4,000 for the Relief Fund. The first prize (cash) was won by stage-hand Thomas Ellin who graciously donated part of his winnings back to our Fund.

Our members solicited additional prizes (valued at over \$4,500) from the Lincoln Center area and other parts of the country. They include:

Bed, Bath, and Beyond: Gift Certificate
 Marty Singleton: Home Gifts
 Met Grand Tier: Dinner for Two
 L'Occitane: Gift Certificate
 Kangol Hat & Glove Set
 Mark Oswald: Voice Lesson
 Reebok Int'l Concept Store: Certificate
 Animazing Gallery: Disney Sculpture
 Nick and Toni's: Brunch for Two
 Sound, Body & Soul: Facial Rejuvenation
 Shun Lee: Dinner for Four
 Perry Ellis Fragrance for Women
 Reebok: Gift Certificate
 Equinox Gym: Three Month Full Access
 Rignana Chianti (2000 Riserva)
 Nejla Hennard: Massages
 Lexa Roséan: Tango Lesson

Dr. Andrew Was: Chiropractic Treatment
 Sara Erde: Flamenco Lessons
 Jacques-Imo's: Dinner for Two
 Annelies Richmond: Yoga Session
 Balducci's: Gift Certificate
 Suzanne Falletti: Custom Jewelry
 Taresa Carusa: Gift Certificate
 Connie Green: Repatterning Session
 Deanne Lay: Pilates Session
 Alice's Tea Cup: Tea for Two
 Scott J Salon and Spa: Certificate
 Perry Ellis Fragrance for Men
 Pomodoro: Brunch for Four
 Gotham Gardens: Gift Certificate
 Dr. Jay Handt: Chiropractic Treatments
 Elena Doria: Voice Lesson, age 8-16
 Claremont Riding Academy: Birthday Party for 15

Our special thanks go to: Board of Governors member Belinda Oswald, for keeping track of the prizes; April Haines, for any and all calligraphy needs; Patricia Steiner, who kept track of the raffle tickets, money, and stubs; Carole Wright, for soliciting at least two-thirds of the prizes; and Elaine Young, for designing and maintaining the display boards and selling the most tickets.

An army of ticket sellers, prize procurers and cheerleaders includes AGMA members:

| | | |
|-------------------|-------------------|------------------|
| Jean Braham | Sandra Bush | Suzanne Falletti |
| David Frye | Constance Green | Ellen Lang |
| Gregory Lorenz | Rob Maher | Anne Nonnemacher |
| Charlotte Philley | Deborah Saverance | Marty Singleton |
| Bernie Waters | Kenneth Young | |

We owe special thanks to Metropolitan Opera General Manager Joseph Volpe for allowing our raffle to take place; Director of Human Resources Ann Marie Hackett for guiding and strategizing to maximize our potential; James H. Naples, House Manager, for showing us how to raise the profile of our event; and Fred Mills, Met Restaurant Associates, for donating an enticing prize; and the cafeteria employees for their patience and encouragement.

During the weeks before the drawing, raffle tickets were in great demand as the amount of the cash prize grew. Our members, buying and selling, told heartwarming anecdotes about friends and acquaintances who had been assisted by the Relief Fund.

On the day of the event, John Fischer, Director of Music Administration, drew the first prize winner, and stars of the broadcast of *Tannhauser*, Michelle DeYoung (Venus), Roy Cornelius Smith (Heinrich), and Charles Taylor (Biterolf) created a festive event



Raffle held during *Tannhauser*: (left to right) Charles Taylor (Biterolf), Roy Cornelius Smith (Heinrich), Michelle DeYoung (Venus) and AGMA President and Relief Fund Chair Linda Mays.

and gathered a crowd as they drew the names of the remaining thirty-seven lucky winners.

The Raffle illustrated the sheer might of our membership when working together, committed to the common goal of creating a safety net for our colleagues in times of crisis.



Front row: (left to right) Charles Taylor, Elaine Young, Roy Cornelius Smith, Michelle DeYoung, Belinda Oswald, Linda Mays, Sandra Bush, Carole Wright, Suzanne Falletti; second row: April Haines, Jean Braham, Patricia Steiner and Deborah Saverance.