



Ted Baer: Solo Practitioner Of Counsel, LaPolt Law, P.C.

[by Regan Morris]

Entertainment lawyer Ted Baer has worked in virtually every area of show business: production, financing, distribution, writing, and even acting. LawCrossing talks with Baer about his expertise in the business of film and why he loves balancing his legal practice and the creative process of writing.

Baer started his legal career with the Navy during the Vietnam War. Like many of his generation, Baer was constantly concerned about getting drafted. So he joined the Navy Reserve after graduating from Duke University Law School and served four-and-a-half years as a judge advocate, or JAG, representing sailors.

Baer says that he handled about 400 cases in that time and the experience taught him that he didn't want to be a litigator or a judge. A scholar of constitutional law, Baer said he was always on the lookout for an AWOL sailor keen to make a constitutional case against the war. Even though he encountered dozens of AWOL sailors, he never met one morally opposed to the war. Generally, they were just young men breaking the rules for an extra day with a girlfriend.

After serving his time, Baer spent a year in New York City as a "vagabond" songwriter, recording fifteen songs and selling one. Baer said he knew then that he wanted a career in the arts; so after a year, he joined Columbia Pictures as a junior attorney. A year later, he moved to a law firm, joining Arrow, Silverman and Parcher as an associate specializing in music law.

"[The firm] represented people like Paul Simon and Art Garfunkel, the Rolling Stones, and a bunch of really big acts—although I didn't work on any of that work. I got the junior kind of work, but it was an interesting introduction into music contracts and music negotiation," Baer said. "I was the only associate for 10 lawyers in the areas that dealt with contract negotiations. So that was a challenge, and it was fun."

When the law firm split up, Baer decided he wanted to work more in the business affairs of movie and television production, so he accepted a job with CBS Entertainment in New York, handling negotiations for programming, which included parades and movies of the week. At that time, CBS was optioning American classics to turn into movies, and Baer was in charge of acquiring rights to the books.

An entertainment career for many means moving west; and for Baer, that opportunity came in 1981, when he was promoted to Vice President, Business Affairs, in Los Angeles. In 1983, he moved to MGM/UA Television.

And then Baer had an epiphany. He realized he was working more and more on his own writing than concentrating on other people's scripts. He realized he wanted to interact more on the creative side with the writers and directors, not just when negotiating their contracts.

Baer left business affairs in 1984 and started a production company. He negotiated with MGM and kept an office on the lot.

"I decided that I would try my hand at optioning screenplays and trying my hand at that because I love the creative process and because I was always writing and always writing late at night or early in the morning and lawyering most of the time," he said.

But Baer says he was somewhat naive about the time it would take to set up and produce deals in Hollywood. He was soon wooed back by MGM to set up a new business affairs unit for United Artists Television. During that

transition, Baer realized his best bet would be to start his own firm, working in business affairs and representing writers.

"I really wanted to be working with the talent. That's where my passion was," he said.

His first client had the rights to Rod Serling's *Twilight Zone*; and Baer negotiated all the contracts for the new series, which introduced him to a new pool of writers.

"The second opportunity was one of those rare synchronicities. I was introduced to a guy who needed a lawyer because his lawyer had a conflict of interest. And he ended up being a really talented and really gifted writer named David Warfield, who was dating a young writer named Callie Khouri," he said. "She had a script she was trying to get made called *Thelma & Louise*."

Baer represented Khouri, who eventually won an Oscar for *Thelma & Louise*.

"From the beginning, I've always read material from writers I work with, and I have to understand the material and like the material," he said. "It's hard for me to take the time I do with all clients. Whether I loved it or not didn't matter that it got sold; it got sold. It was such a joy to work with her, and I worked with her for many years."

Those first few writers helped Baer expand his practice, and now he represents dozens of artists. More recently, he assisted the Tupac Shakur estate in the financing and distribution of the documentary *Tupac: Resurrection*, which is based on the late rapper's life.



Baer, who lives in Santa Barbara and generally commutes to Los Angeles several times a week, is on the board of the Santa Barbara Film Festival. He urged entrepreneurial attorneys interested in blending law with creative arts to start their own firms. When Baer first started, he had to study for and pass the California bar 20 years after passing the New York bar, because he didn't need to be a member of the bar when

he worked in business affairs. He worked from an office in his backyard in West L.A. while he built up the firm.

"I studied for three months, which was a task," he said. "Of course, I had three kids running around as I was doing this. They'd come home from school and want to play basketball or read or something. But I took the bar, I passed the bar, and I stayed in my

back office for a while and helped produce a television series out of my back office."

The television series was a kids program, which starred a very young Juliette Lewis.

"The parents would come to the back, and we'd be signing deals in my backyard with a bunch of kids running around," he said. "It was never dull."