

An excerpt from...

STRAIGHT

AHEAD

A COMPREHENSIVE GUIDE TO THE BUSINESS OF JAZZ*

*[WITHOUT SACRIFICING DIGNITY OR ARTISTIC INTEGRITY]

Responsibility eBook

As a part of the *Straight Ahead Advice* blog

www.outwardvisions.com

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*A free excerpt on artist and representative responsibilities from **Straight Ahead: A Comprehensive Guide to the Business of Jazz (Without Sacrificing Dignity or Artistic Integrity)** by author [Marty Khan](#). **Straight Ahead...** is available in print and digital formats at www.outwardvisions.com. This excerpt can be found in PART II, Chapter 3 – The Agent.*

2. What are an agent's responsibilities?

An agent's job is to secure performance engagements, handle all of the legalities and financial elements governed by the contracts in a timely and thorough manner, and ensure that all of the artist's and presenter's needs directly related to the performance are properly satisfied to the best of his or her ability. That means they must keep the artist informed about engagements both as they develop and when they're secured; and must provide all of the pertinent information needed to perform those gigs through properly detailed itineraries (see p 417 for a sample). In addition, they must handle all of the presenter's promotional and publicity needs, unless there is a label or other outside professionals handling those responsibilities. In that case, the agent must act as liaison between the presenter and the appropriate parties who are providing those services.

Ideally, once an artist arrives in the city (or venue, for home-based engagements), there should be a coordinated flow of events that ends with the artists' arrival at the hotel (or wherever else they choose to end the day). The job of the agent is to facilitate all of the needs associated with performance, allowing the artist to focus as much as possible upon the music.

3. How do the agent's responsibilities to the client sit in relation to the responsibilities to the agency?

This is a somewhat flexible concept that often is taken by less scrupulous agents as license to consider their own interests over the best interests of their artist. Unquestionably, an agent must always be aware of the best interests of *all* the artists on the roster in a holistic manner that simultaneously serves both agency and artists.

The agent who simply tries to get the most money out of a sponsor, with no real concern as to the economic repercussions for the sponsor, is both shortsighted and irresponsible toward the other artists on the roster. Charging one or two thousand dollars more than a market will bear may result in losses to the sponsor that can create a domino effect of cancellations and renegotiations for other artists, and sometimes the demise of the smaller-scale sponsors.

Even if the sponsor is able to absorb a significant loss, it can still result in a mistrust of the agent, totally eliminating the possibility of future engagements for other artists on that agent's roster. Therefore, the agent should always protect the roster by properly balancing the financial interests of both sides.

Sometimes an agent may undersell one artist to advance another's potential. It's extremely common for an agent to use a high-profile artist as something of a battering ram, forcing the sponsor to book artists in whom they have less interest, or making them pay higher prices than an artist may deserve. On the other hand, successful deals made with an agent may result in a sponsor's willingness to embrace a lesser-known artist on the trust and good faith developed through previous successful engagements.

Part of the challenge to the agent is to deliver the best results for an individual artist while increasing opportunities for the others on the roster based on a history of success with the sponsors.

4. What are the artist or manager's responsibilities to the agent?

The artist or manager must provide all of the pertinent information that the agent needs to do the job. That means consistently updated schedules, all of the information relating to the artist's ensembles, current promotional materials and a complete contract rider that covers all the artist's needs in relation to live performance and touring, etc. This information should be provided honestly, in a timely fashion and in a spirit of mutual benefit.

Sidemen should not be promised unless they can be delivered. Unnecessary equipment should not be requested. Fees should be paid in a timely fashion. Furthermore, it should be understood that the artist becomes the agent's representative on the road, meaning that artists must not only comport themselves professionally, honorably and respectfully, but also should not compromise the economic integrity of the agent in collecting fees and paying expenses incurred on the road (such as hotel room service, etc.) I once represented an artist who was not paid in full by a West Coast clubowner, and then shorted me that amount from my commission. I was forced to collect that money from a presenter 3000 miles away just to get what I was entitled to receive for work I had performed properly. That is *not* acceptable behavior.