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2017 Course Brochure

 **American Law Institute**  
CONTINUING LEGAL EDUCATION



45<sup>TH</sup> ANNUAL CONFERENCE  
and LIVE VIDEO WEBCAST

# Legal Issues in Museum Administration

*Cosponsored by the Smithsonian Institution*

WEDNESDAY - FRIDAY | MARCH 29 - 31, 2017  
BELO MANSION AND PAVILION  
MARRIOTT CITY CENTER | DALLAS

**REGISTER ONLINE**

[www.ali-cle.org/CY005](http://www.ali-cle.org/CY005)  
1-800-CLE-NEWS [253-6397]

**16.75 CLE CREDIT HOURS,  
INCLUDING  
1.0 HOUR OF ETHICS**



## Steering Committee

**Lori Breslauer**  
General Counsel,  
The Field Museum of Natural History

**Danielle Fisher**  
Assistant General Counsel,  
Smithsonian Institution

**Virginia Gomez**  
Assistant General Counsel,  
Smithsonian Institution (*Co-Chair*)

**Lauryn Guttenplan**  
Associate General Counsel,  
Smithsonian Institution (*Co-Chair*)

**Marianna Horton Mermin**  
Senior Associate Counsel,  
The Solomon R. Guggenheim Foundation

**Stephanie Villasenor**  
General Counsel,  
Norton Simon Museum

## Faculty

**Danee Gaines Adams**  
Privacy Officer,  
Smithsonian Institution

**Kim Askew**  
K & L Gates LLP  
(*ALI Member*)

**Katherine Bartell**  
Assistant General Counsel,  
Smithsonian Institution

**Kenneth Bennett**  
Director of Security,  
Dallas Museum of Art

**Jeffrey N. Blair**  
General Counsel and  
Assistant Secretary,  
Philadelphia Museum  
of Art

**Hillary Bober**  
Digital Archivist,  
Dallas Museum of Art

**William J. Bridge**  
Associate Professor,  
SMU Dedman School  
of Law

**Stephen W. Clark**  
Vice President, General  
Counsel and Secretary,  
The J. Paul Getty Trust

**Brendan M. Connell, Jr.**  
Managing Director  
and Counsel for  
Administration, The  
Solomon R. Guggenheim  
Museum

**Mikka Gee Conway**  
Assistant General Counsel,  
The J. Paul Getty Trust

**Michael J. Cooney**  
Nixon Peabody LLP

**Laura Damerville**  
Assistant General Counsel,  
Smithsonian Institution

**Gavin Delahunty**  
Hoffman Family Senior  
Curator of Contemporary  
Art, Dallas Museum of Art

**Sarah Ebel**  
Staff Attorney, The Field  
Museum of Natural History

**Marguerite Steed Hoffman**  
Marguerite Steed Hoffman

**Brent Huddleston**  
Haynes and Boone, LLP

**Laurie Kosanovich**  
General Counsel, Rock  
and Roll Hall of Fame and  
Museum

**Amy D. Lamberti**  
Assistant Counsel,  
The Metropolitan  
Museum of Art

**Michael B. Law**  
Associate Counsel,  
Marine Corps Combat  
Development Command,  
United States Marine Corps  
Museum

**Judith Leonard**  
General Counsel,  
Smithsonian Institution  
(*ALI Member*)

**Claudia Sanchez**  
Associate Registrar,  
Amon Carter Museum  
of American Art

**Alexis M. Sandler**  
Associate General Counsel,  
The Museum of Modern Art

**Jessica E. Sanet**  
Assistant General Counsel,  
Smithsonian Institution

**John Sare**  
Patterson Belknap Webb  
and Tyler LLP

**Christine Steiner**  
Withers Bergman LLP

# PROGRAM

For full program details, please visit  
[www.ali-cle.org/CY005](http://www.ali-cle.org/CY005)

## Faculty (cont'd.)

**Jeremy Strick**  
Director, Nasher Sculpture  
Center

**Stephen K. Urice**  
Professor of Law, University of  
Miami School of Law

**Elizabeth Varner**  
Staff Curator, U.S. Department  
of Interior, Interior Museum  
Program

**Dr. Andrew Walker**  
Director, Amon Carter Museum  
of Art

**Paul J. Ward**  
Vice President for Legal Affairs  
and Government Relations,  
General Counsel and Secretary,  
Southern Methodist University

**Jeffrey Williams**  
Major, Texas Department  
of Public Safety, Criminal  
Investigations Division

**ALI CLE Program Attorney:**  
Jaimee Taibi ([jtaibi@ali-cle.org](mailto:jtaibi@ali-cle.org))

### ALL TIMES CENTRAL

**March 28, 2017**

**4 - 6 PM** Early Registration

**March 29, 2017**

**8:00 AM** Registration and  
Continental Breakfast

**9:00 AM** Administrative Remarks  
– *ALI CLE Staff*

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### VIDEO WEBCAST SEGMENT A

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**9:05 AM** Introductory Remarks

**9:10 AM** **Negotiating Special  
Art-Related Contracts**

**9:15 AM** **Case Study I:  
Public Art Contracts**

**9:40 AM** **Case Study II:  
Performance Art  
Contracts**

**10:05 AM** **Case Study III:  
Conceptual Art Contracts**

**10:30 AM** **Summary and Questions**

**10:40 AM** Networking and  
Refreshment Break

**11:00 AM** **Hot Topics in Intellectual  
Property**

**12:00 PM** **Legislative Update**

**12:20 PM** Break-Out Networking  
Box Lunches

### NETWORKING LUNCHESES

Informal sessions for participants from  
similar work environments to meet  
and exchange ideas.

March 30, 2017

VIDEO WEBCAST SEGMENT B

- 1:30 PM** New Developments in Employment Law
- 2:15 PM** Employment Classification Conundrums
- 3:00 PM** Networking and Refreshment Break
- 3:15 PM** Non-Resident Alien Employees, Visitors, Performers and Students: Visa and Tax Issues
- 4:00 PM** Museums as Neighbors: Legal Challenges
- 5:00 PM** Institutional Ethics: The Director's Voice
- 5:45 PM** Adjournment for the Day
- 6:00 PM** Reception at the Nasher Sculpture Center

- 7:45 AM** Continental Breakfast and Networking Session

VIDEO WEBCAST SEGMENT C

- 8:30 AM** Museum Records: Management, Disclosure, and Litigation Holds
- 9:15 AM** Privacy Law Basics
- 9:30 AM** Privacy in Practice: Privacy Review Process and Case Studies
- 10:15 AM** Networking and Refreshment Break
- 10:30 AM** Non-Profit Tax Law: What's Trending
- 11:30 AM** In-Kind Gifts: Valuation, Recognition and Thorny Intellectual Property Issues
- 12:30 PM** Lunch (*on your own*)

ATTEND EVENING RECEPTIONS  
AT THESE RENOWNED MUSEUMS!

NASHER SCULPTURE CENTER

Located in the heart of the Dallas Arts District, the Nasher Sculpture Center showcases one of the finest collections of modern and contemporary sculptures in the world, the Raymond and Patsy Nasher Collection, featuring more than 300 masterpieces by Calder, de Kooning, di Suvero, Giacometti, Hepworth, Kelly, Matisse, Miró, Moore, Picasso, Rodin, Serra and more. Visit [www.nashersculpturecenter.org](http://www.nashersculpturecenter.org) for more information.

DALLAS MUSEUM OF ART

Established in 1903 and located in the vibrant Arts District, the Dallas Museum of Art (DMA) ranks among the leading art institutions in the country and is distinguished by its innovative exhibitions and groundbreaking educational programs. At the heart of the Museum and its programs is its global collection, which encompasses more than 22,000 works and spans 5,000 years of history, representing a full range of world cultures. Visit [www.dma.org](http://www.dma.org) for more information.

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## VIDEO WEBCAST SEGMENT D

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**1:30 PM** **Litigation Update**

**2:15 PM** **Concurrent Sessions**

- Museum Investment Practices
- Conservation and Other Legal and Practical Issues for Registrars\*
- Ethics Roundtable\*

**3:15 PM** **Networking and Refreshment Break**

**3:30 PM** **Concurrent Sessions**

- Music, Video, and Other Intellectual Property Licensing
- Special Loan Issues: When Your Lender is Someone Else's Borrower and Other Surprises\*
- Ask the GC (Almost Anything)\*

**4:30 PM** **Speed Networking and Refreshment Break**

**5:00 PM** **Private Collectors and Public Museums: The Dallas Dynamic**

**5:45 PM** **Adjournment for the Day**

**6:15 PM** **Reception at the Dallas Museum of Art**

**March 31, 2017**

**8:15 AM** **Networking and Continental Breakfast**

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## VIDEO WEBCAST SEGMENT E

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**9:00 AM** **Ethics and Professional Responsibility for Museum Counsel**

**10:00 AM** **The Federal Connection: Dealing with Federal Entities and Requirements**

**10:45 AM** **Networking and Refreshment Break**

**11:00 AM** **External Threats to the Museum: Terrorism, Active Shooters, and "Open Carry" Laws**

**12:15 PM** **Closing Remarks**

**12:30 PM** **Adjournment**

*\*Not recorded or webcast*



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*"The conference is always so helpful in my daily job. So glad to be able to attend!"*

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\*Discounts valid on new registrations for in-person course only; may not be combined with other discounts. Offer expires 3/10/17

## ADDITIONAL INFORMATION

### HOTEL ACCOMMODATIONS


A room block has been reserved at the **Dallas Marriott City Center**, 650 North Pearl Street, Dallas, TX 75201. Room rate: \$190 per night, single or double occupancy. These rooms will be held as a block, unless exhausted, until **March 7**, at which time they will be released to the general public. Registrants must make their own hotel reservations and indicate that they are part of the American Law Institute group to qualify for rooms in the block. To secure your hotel reservations call **1-800-228-9290**. Confirmations will be sent by the hotel. Please read the hotel cancellation policy carefully.

The program will be held just a few blocks away at the historic **Belo Mansion and Pavilion**, 2101 Ross Avenue, Dallas, TX 75201.

Complimentary WiFi will be available in the meeting rooms.

Go to [www.ali-cle.org/CY005](http://www.ali-cle.org/CY005) for more info about: **Registration/cancellation/requirements for persons with disabilities/scholarships**

### STUDY MATERIALS

 **Going green in 2017!** Course materials will be available in electronic format for download the week before and during the course. **Print materials will not be distributed.** All registrants are advised to bring laptops or tablets to the course to view the course materials, including updates.

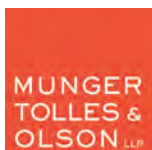
### MANDATORY CLE CREDIT

Virtually all ALI CLE programs receive CLE credit in **AK, AL, AR, AZ, CA, CO, CT, DE, FL, GA, HI, IA, IL, IN, KS, KY, ME, MN, MO, MS, MT, NC, ND, NE, NH, NJ, NM, NV, NY, OH, OK, OR, PA, PR, SC, TN, TX, UT, VA, VI, VT, WA, WI, WV** and **WY**. Upon request, ALI CLE will apply for CLE credit in **ID, LA, and RI**. This course is expected to qualify for **16.75** credits, including **1** ethics credit, in 60-minute MCLE jurisdictions; and for **20.1** credits, including **1.2** ethics credits, in 50-minute MCLE jurisdictions. In NY, the in-person course is appropriate for both newly admitted and experienced attorneys. For specific information on CLE or other professional accreditation in your state, please e-mail the MCLE Team at [TeamMCLE@ali-cle.org](mailto:TeamMCLE@ali-cle.org), go to <http://www.ali-cle.org/mcle>, or call 1-800-CLE-NEWS.

### SPECIAL SCHOLARSHIP ASSISTANCE

A limited number of full tuition scholarships are available for those who cannot attend **Legal Issues in Museum Administration** without financial support. Persons interested in applying for scholarship assistance should submit a statement justifying their request and a personal resume to "Museums Scholarships" at [LIMASCHOL@ali-cle.org](mailto:LIMASCHOL@ali-cle.org). Scholarships are awarded on the basis of professional relevance and financial need. Scholarship applications must be received by **Tuesday, January 31, 2017**.

WE ARE PLEASED TO THANK THE FOLLOWING SPONSORS OF THIS YEAR'S PROGRAM:



**Patterson Belknap**

**Willis Towers Watson** 

**withers Bergman** <sup>LLP</sup>

# LEGAL ISSUES IN MUSEUM ADMINISTRATION

*Museum directors, administrators, trustees, legal counsel, and others involved in museum operations attend this "go to" conference year after year!*

This annual conference delivers an unparalleled level of information and networking opportunities for dedicated museum professionals. Join us this year in Dallas at the beautiful Belo Mansion, in the heart of the Dallas Arts District, to learn from a diverse and knowledgeable faculty comprised of in-house museum counsel, private practitioners, museum directors, and other non-profit professionals. Get important tax, legislation, and case law updates, while exploring the most current developments in fields central to all museum operations.

Below is a sampling of the topics and developments to be explored at this year's program.

- Special types of art contracts
- Institutional ethics and private collecting
- External threats to the museum: terrorism and "open carry" laws
- Hot topics in intellectual property
- Overview of privacy law and practical applications
- Developments in employment law, classification of employees, and tax treatment of non-resident aliens
- Museum records management and disclosure policies and practices
- Dealing with federal entities
- In-kind gifts and valuation of donations of technology services
- Ethics and professional responsibility for museum counsel

For customized learning and for networking with faculty and attendees from across the country, don't miss the popular Wednesday **break-out lunch sessions** and Thursday **afternoon concurrent sessions**, plus **two evening networking receptions** at the Nasher Sculpture Center and the Dallas Museum of Art.

*"This course was excellent as always.  
Leaders in the field are the best part of the program."*

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