

Engagement Contracting Terms Reference Sheet

Deal Memo:

A two-page summary of the engagement with all terms. Deal memos should include a confirmed date, description of services (performance, workshop, Q&A) a reference to the attached tech rider, and payment schedule. They can be structured to serve as a legally binding contract if the full contract is not signed within a defined number of days.

Confirmation of Terms:

A written agreement, confirmed by both the venue and manager that states the following

- The artist/show being performed
- Number of shows
- Dates of shows
- The fee
- Outline of production schedule

Acceptance of terms:

Actions that accept the terms of the engagement without written or verbal confirmation such as: any payments received by artist, public publicity, announcement of show dates, selling tickets, use of artist image by presenter.

Contract:

A legally binding agreement between two or more parties that creates enforceable obligations. It gives each party the right to demand execution of the agreed-upon described services and the ability to seek legal remedies if those duties are breached.

Engagement Contract

Terms agreed upon by both Presenter and Artist/Manager for the engagement and artist services.

Should include:

- Parties to the contract: their complete addresses & contact information



- Schedule of Services: performances, workshops, load-in/load-out
- Fee and Payment Schedule/Details: how, when, and to whom
- Presenter and Artist Responsibilities (such as housing, transportation, freight, technical requirements, etc.)
- Crediting & Billing
- Marketing and Publicity Materials (parameters of use and terms)
- Force Majeure and Cancellation
- Visas (who is responsible for them, are they needed?)
- State Tax Withholding
- Insurance requirements
- Venue Exclusivity
- Reproduction, Licensing, and Rights
- Indemnification clause
- Territory Law
- Additional Documents Integral to the Contract (such as the technical rider)

Exclusivity:

Each venue defines their exclusivity, describing a limit of time before and after their engagement the artist can perform inside of a specific mileage radius.

Force Majeure:

A clause defining liability in the case of an unforeseeable and unavoidable event that causes the engagement not to happen.