

Monday, August 13, 2007

### **Wills, musicians, and intellectual property.**

Â Image from Library of Congress's website.Â On the first day of property law class, the professor asked how many students had not read their apartment leases. At least one fourth raised their hands. Similarly, how manyÂ of you -- lawyers and non-lawyers -- have wills? Â The topic of wills still strikes me as dry. However, a trial lawyer colleague once told me he likes doing such work, because it helps people with a basic legal need.Â Wills at once serve the needs of the hyper-capitalists and those of more modest means. In that regard, one day I asked a self-professed communist lawyer -- a very likeable person when I get beyond his politics -- how he jibed his communism with his wills practice. He replied that he limits such work to helping people of more modest means. Next time I see him, I may ask if wills have a place in a utopian workers' paradise. I suppose he will respond that once such a dream is achieved, who needs wills?

Â Well-known writer Neil Garman is on a mission for creative people to have wills. He includes a sample will on his blog. While it is important to consult a lawyer for such work, perhaps more people will have wills than not have them when a sample is freely available to them; I give no opinion on the sample, not having read it closely, and not being a wills lawyer, myself.Â Â Mr. GarmanÂ knows of too many instances where creative people do not protect their intellectual property with wills, and he is spreading the gossip of wills to solve the problem. If Joseph Kosuth, Leslie Marmon Silko, R. Crumb, and Ben KatchorÂ came to a wills lawyer for assistance, then a dry-sounding law practice wouldÂ become fascinating in terms of the clients involved. Of course, when a lawyer knowsÂ his or her services are very meaningful and helpful to clients and society, that can transform otherwise dry-seeming work to rewarding work; the same goes for any work in any field. Jon Katz.

Posted by Jon Katz in Jon's news & views at 00:00