



FILMMAKERS LEGAL CLINIC
AT THE CENTER FOR VISUAL ADVOCACY

2023 Annual Report



CARDOZO
Benjamin N. Cardozo School of Law

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Letter From the Director

Dear Friends,

This past year was a transformational one for the Filmmakers Legal Clinic. Our filmmakers emerged from the pandemic with renewed energy to tell the stories that had been hard to film in the past few years. Questions of democracy, equity, climate, history, and international and social disruption rose to the fore as our filmmakers worked to tell the stories that would draw attention to these issues.

The FLC was busier than ever as students worked to support our filmmakers and video journalists in this storytelling. As the only Filmmakers Legal Clinic (FLC) at Cardozo is a unique law school clinic providing pro bono transactional, intellectual property and First Amendment legal services to independent filmmakers. A vital resource for New York filmmakers, the clinic is invaluable to creatives and journalists who need high-level legal expertise while working with limited resources.

The Clinic's focus on providing intensive student training in cutting-edge legal advocacy continues, and our students are entering the profession with a breadth and a depth of legal training of which we are deeply proud. Our students worked with more than 45 films and hosted more than 20 separate educational programs, trainings and pop-up legal clinics.

We expanded the FLC website to provide legal empowerment to a broad group of independent filmmakers, journalists and artists and serve as a resource for social justice advocates. We grew the work of the Center for Visual Advocacy, which advances visual advocacy by amplifying under-told stories and by educating and empowering the filmmakers who bring them to the public, to house the FLC and all of the adjacent work that we do.

In an increasingly divided world, we believe in the power of visual advocacy to unite. We continue to provide meaningful resources for creatives doing this important work, and work to lower the legal hurdles facing independent filmmakers and video journalists. Our students are leaving with an interdisciplinary set of practice-ready skills that prepares them for an increasingly complex world where questions of artificial intelligence, intellectual property, ownership and use are at the forefront of some of the most thorny legal questions.

We could not be more proud of our work in getting important stories told and in training the next generation of legal advocates. Your support and commitment to our mission and our work mean the world to us, and we eagerly await all that we can accomplish together in 2024.

Michelle Greenberg-Kobrin

Clinical Professor of Law

Director of the Filmmakers Legal Clinic

Director of the Center for Visual Advocacy

Senior Heyman Fellow and Director of the Leadership Program
at the Heyman Center on Corporate Governance

About Us

The Filmmakers Legal Clinic (FLC), formerly known as the Indie Film Clinic, provides free transactional, intellectual property and First Amendment legal services to visual advocates, filmmakers and video journalists working to highlight social justice issues and diversify the stories that are told through film.

We empower independent filmmakers to navigate contractual, legal, and business issues, allowing their diverse voices and points of view to reach audiences. We achieve our mission by providing filmmakers with individualized transactional legal representation and providing community partners with educational services such as pop-up legal clinics and “know your rights” trainings.

The FLC fills a significant gap for social justice advocates. Technological innovation over the past decade has dramatically democratized access to traditional filmmaking tools, bringing quality cameras and intuitive video editing tools into the hands of much of the US population, regardless of age, income level, race, ethnicity, educational attainment, or geographical location. This remarkable phenomenon has spurred an explosion in content creation at many levels, including unprecedented interest in social justice documentaries



*A film still from
El Cartel Cubano*

and films by and about people whose voices have historically been marginalized or denied a platform. One of the last barriers-to-entry of filmmaking for this group is the prohibitive cost of the legal services that are an effective precondition to protecting their works, securing insurance, and distributing their films. In filling this void, the FLC provides these filmmakers with a path to reach their audiences.

The FLC has benefited from the support of its partners, including the **Laurie M. Tisch Illumination Fund**, whose support has led to the exponential growth of the clinic, and the **Legal Clinic Fund**, a collaborative fund to support the growth and sustainability of legal clinics across the United States that seek to advance and defend First Amendment rights, media freedom and transparency in their communities and nationally. The fund is supported by **The Abrams Foundation, Democracy Fund, Heising-Simons Foundation** and **The Klarman Family Foundation**. **The Miami Foundation** serves as fiscal sponsor for the fund. The clinic is also supported by the **Miranda Family Fund**, the focus of which includes creating opportunities for artists of color, promoting diverse representation in all levels of government, increasing and protecting reproductive rights and building resilient systems in Puerto Rico. The clinic also appreciates the support of our alumni and individual donors.



The Center for Visual Advocacy

Sitting at the intersection of law, film and social justice, the mission of The Center for Visual Advocacy (CVA) is to advance visual advocacy and amplify under-told stories by educating and empowering the filmmakers, video journalists and documentarians who tell them. With visual media nearly ubiquitous and calls for social and environmental justice reverberating loudly, this area is of vital importance—and growing. Lawyers and the law can—and must —advance equality and social justice using tools beyond impact litigation. Visual media has a proven track record of changing hearts and minds, effectively shifting public perception and triggering policy changes. Lawyers are necessary to ensure that storytellers are protected from legal liability and to help them maintain critical ownership of their IP and understand their First Amendment rights. The CVA aims to be at the center of this developing field.

The Role of Visual Advocacy

The power of visual media, including photography and film, to portray issues and show stories in a way that creates a shared language between storyteller and audience is significant. When done well, visual advocacy sparks empathy, understanding and, crucially, public engagement. Things we see change our perception of the world and how we interact with those around us: Consider how the horrific video of George Floyd's murder by police galvanized people to take to the streets, or the cultural impact of increased LBGTQIA+ representation in media.

Though litigation and legislative action are the technical tools for policy changes, shifts in public opinion are necessary to implement transformative, lasting reforms. Visual advocacy aims to perform this essential function: It targets the environment in which a court case may be decided or legislation may be enacted. A more receptive public is not just more likely to understand the issues at play but also more likely to embrace change.

Strategy for Impact

At the CVA, we believe in the power of visual media to effect social change. To further our core mission, we provide free legal services through the FLC, work with our community partners to provide trainings and resources to empower creators and partner with our clients, festivals and partner organizations to promote works that highlight struggles of underrepresented communities. Our client representation supports filmmakers to ensure they are sufficiently protected to tell their stories. We then aim to help distribute these works to a broad audience by working with community organizations, educational institutions, film festivals and other partners.

The Filmmakers Legal Clinic at the CVA

Drawing on core strengths of the Benjamin N. Cardozo School of Law, including its pioneering experiential learning model, its top-ranked Intellectual Property and Information Law Program, and its longstanding commitment to public service, the FLC was established to aid independent filmmakers and video journalists at a time when few such resources existed. Under the leadership of Professor Michelle Greenberg-Kobrin, the clinic adjusted its focus to intentionally elevate social justice projects, with a goal of diversifying the stories being told through film. This makes the clinic's home at The Center for Visual Advocacy (CVA) a perfect fit.

The clinic has represented hundreds of films since its inception, many of which have gone on to appear in the most prestigious international film festivals, including Cannes, Sundance, SXSW, the Tribeca Festival, the LA Film Festival, Big Sky Documentary Film Festival, Hot Docs, and DOC NYC.

Students in the FLC and Advanced FLC learn essential skills to be excellent deal makers and wise counselors who can see how disparate elements fit into the larger transaction. The clinic shapes students into lawyers who are capable of bringing people together and finding solutions that benefit all parties. The work of the clinic is an amalgam of several distinct practice areas—intellectual property, First Amendment law, corporate law, contract drafting, negotiation, leadership and employment law—and in each one of these areas, Cardozo offers vast resources.

Highlights: 2022–23 Clinic Events

Pop-Up Legal Clinics

The FLC ran a number of pop-up legal clinics with partner organizations, including the Sundance Institute, Ghetto Film School and The Black TV & Film Collective. This allowed clinic students to provide tailored legal advice quickly to more than 20 filmmakers.

FLC x Sundance: Legal Empowerment Series

This was the second year the Filmmakers Legal Clinic served as official partner of the Sundance Film Festival. The clinic provides ongoing training for Sundance Institute filmmakers and holds an annual clinic for documentary and narrative filmmakers.

New York State Multicultural Creativity Summit

The FLC was delighted to present at the sixth annual New York State Multicultural Creativity Summit, hosted by the Motion Picture Association in partnership with Empire State Development and the New York Film Festival. Filmmakers received an overview of the resources available through the clinic as well as a broad sense of the major legal issues facing filmmakers.

FLC x Ghetto Film School: Legal Empowerment Series

The FLC and the Ghetto Film School continued a fruitful partnership, hosting a three-part legal empowerment series throughout the semester that covered film financing, entity formation and an overview of copyright law. The series put the emphasis on filmmakers protecting themselves so their works can succeed.

FLC x NYU Production Lab: Lunch and Learn

FLC and NYU Production Lab have continued a productive partnership. FLC provided monthly legal trainings to members of NYU Production Lab on forming a creative business, reading contracts, protecting works with copyright, and an overview of using music in film.

FLC x NYU Tisch

The FLC was invited to present a primer on Copyright For Filmmakers to an undergraduate class on feature film producing at NYU Tisch.

Miranda Family Fellows

The FLC led small-group discussions where Miranda Family Fellows asked about their most pressing legal concerns. Topics that the clinic addressed included how to best understand and negotiate different terms in a contract, and questions about ownership and copyright.

Highlights: 2022–23 Film Projects

FLC served 31 clients in the 2022–23 academic year, out of approximately 77 applications, bringing the total number of filmmakers represented to over 237. Of the projects taken on, approximately 87% were directed, produced or told the story of diverse communities traditionally underrepresented in the industry. FLC student spent hundreds of hours in the service of our filmmaker clients, providing strategic counsel and essential legal resources such as subject and location releases, guidance on copyright law including fair use and music licensing, and assistance with entity formation. A selection of representative projects includes the following:

Saund vs Cochran

Saund vs Cochran is a hybrid animated and archival feature documentary about a Sikh American who ran for Congress and won in 1956. The election took place at a time when two Congressional candidates couldn't have been more different from each other—a wealthy aviatrix and a local farmer of Indian descent—and became a highly entertaining drama. The race prompted an 80% voter turnout and concluded with Dalip Singh Saund (D) defeating Jackie Cochran Odlum (R) to become the first-ever Asian member of the U.S. Congress. He represented California's 29th District for three consecutive terms.



*A film still from
Saund vs Cochran*

For Fear of Kofi

For Fear of Kofi is an in-depth investigation into circumstances surrounding a police shooting that took place at the University of Florida in Gainesville on March 2, 2010.

Timetracker

Timetracker follows Jack Powers, a brilliant 60 year old man recently released from a 33 year federal prison stay, 22 of which were spent in extreme solitary confinement. The film accompanies Jack as he navigates reentry, wandering the American West in a rehabbed RV looking for a better life and a sense of peace with his past.

El Cartel Cubano

El Cartel Cubano is a feature documentary that tells the story of the complex and beautiful Caribbean island of Cuba, reflected through 60+ years of its post-revolution cinema, posters, and the artists behind these creations. As the Cuban people continue to endure political and social upheaval, local artists continue to fight for freedom of expression. *El Cartel Cubano* explores how these posters (*carteles*), a beloved and enduring form of expression and activism, continue to be visible in the daily lives of Cubans and serve as a true reflection of Cuba.

Fly in Power

Fly in Power follows Charlotte, a Korean massage worker and core organizer of Red Canary Song, a social justice collective of Asian diasporic massage workers, sex workers and allies who base build through mutual aid. The story focuses on the ways in which the incarceration system is pitted against Asian migrant women and their survival.

Balloon Boy

Balloon Boy is a short archival documentary that revisits a specific “fake news” event, the flight of an experimental balloon purportedly with a six year old trapped inside, and examines the power and influence of mass media on modern society.

¿Y Tu Abuela Donde Esta?

¿Y Tu Abuela Donde Esta? chronicles the contemporary manifestation of the economic and social histories of the Black experience in Panama. It shows how the implications of Panama’s unique colonization, the impact of the West Indian migration, and the role the United States played in influencing the development of race and nationalism, has far reaching consequences for Afro-Panamanians today.

Grievings

“Grievings” or *“Chardi Kala”* is a family saga in twelve episodes about one family’s emigration from rural Afghanistan, to Kabul, through refugee camps, and the Hindu pogroms in India after the Gandhi assassinations, to arrive in New York.

Yachatzt

Yachatzt is a fictional short film about a woman caring for her mother who has Alzheimer's, while reconnecting with her Jewish faith.

Interception: Jayne Kennedy an American Sportscaster

Interception: Jayne Kennedy an American Sportscaster is a documentary short that tells the story of Jayne Kennedy, the first African-American female sportscaster at CBS's NFL Today.

You Must Be Proud

You Must Be Proud explores how LGBTQ+ people find self-love despite the rise in homophobia and transphobia as the filmmakers follow Pride organizers in three different locations across the US.



Film Profile: *Sankofa Chicago*



A film still from *Sankofa Chicago*

Sankofa Chicago is a three-part docuseries that examines American History curricula used in Chicago public schools and asks audiences to contemplate the consequences of teaching American history without the narrative of the origins of Black people and other people of color. Through a series of interviews with CPS stakeholders—parents, teachers, students—*Sankofa Chicago* reveals that insufficient historical information is available on American slavery and other past events regarding Black and brown people. The documentary draws on the meaning of Sankofa, a Ghanaian philosophy which emphasizes the importance of knowing one's history to comprehend the present. Through personal narratives and historical context, the first episode of *Sankofa Chicago*, which won Best Education Film at the 2021 Cannes World Film Festival, demonstrates how Sankofa can aid in understanding our cultural heritage and identity, and how Sankofa can inspire us to confront the legacy of slavery, colonialism, and systemic racism that still shape our world today. The second episode, *Sankofa Chicago: The Untold*, exposes the inadequacies of American History curriculums in Chicago Public Schools, explores methods of enhancing the current History and Social Science curriculum, and emphasizes the significance of accurate representation and continuous learning, encouraging viewers to question conventional narratives and pursue a more nuanced understanding of American history.

Student teams from the Filmmakers Legal Clinic have worked closely with Vanessa Wright, the Director/Producer of the *Sankofa Chicago* docuseries, in connection with

LLC formation, fair use guidance, and assistance securing E&O insurance to prepare episodes 1 and 2 of *Sankofa Chicago* for the film festival circuit and distribution.

“Working alongside the Filmmakers Legal Clinic students at Cardozo School of Law has been an eye-opening experience. Their profound knowledge of subjects like fair use, O&E insurance, and more has dramatically enriched my learning, and their enthusiasm for my docuseries is nothing short of motivating. Through this collaboration, their invaluable support and vital assistance have ensured the legal groundwork for my docuseries, allowing me to move forward with confidence and purpose.”

—**Vanessa Wright**, Director/Producer *Sankofa Chicago*



Highlights: 2022–23 Client Achievements

Balloon Boy had its world premiere at the Mammoth Lake Film Festival, was shown at the Rooftop Films Summer Series, the Tallgrass Film Festival, the DocuWest Documentary Film Festival and won Best Short Director—International at the Melbourne Documentary Film Festival.

Call me Dancer (previously titled *Bombay Ballet*) premiered at the Santa Barbara International Film Festival, was the opening night selection of the NY Dance on Camera Festival presented by Dance Films Association and Film at Lincoln Center. The film won the Art of Storytelling Award at Doc Edge, New Zealand's premier international documentary film festival, and the Audience Award for Best Documentary Feature at the Berkshire International Film Festival. Producers Leslie Shampaine and Pip Gilmour received the Excellence in Documentary Directing at the NY INdian Film Festival.

El Cartel Cubano was a Grant Recipient of the Fall 2023 ScreenCraft Film Fund.

Fly In Power was featured in Forbes magazine and shown at the Asian American International Film Festival, the Los Angeles Asian Pacific Film Festival and the International Institute of GO ARTS UCLA.

JustUs had its first theatrical showing at FilmScene, Iowa City's nonprofit cinema, was featured in the *Des Moines Register*, and is now streaming on Tubi and AppleTV.

For Fear of Kofi has been shown in over 25 film festivals and has won Best Feature Documentary at the Toronto Movie Awards, Best Feature Documentary at the Hong Kong Indie Film Festival, the Donald E Lacy, Jr Social Justice Award at the Studio City International Film Festival, the Award of Merit at the Impact DOCS Award, and Best Documentary at the SCREEN ATX Film Festival.

Pay or Die premiered at SXSW 2023, was an official selection at DC/DOX, the Milwaukee Film Festival, Minneapolis Film Festival, Virginia Film Festival and closed the 2023 Human Rights Watch Film Festival. It was awarded Best Feature Documentary at Rhode Island International Film Festival. It has been featured in articles by CBS News, NPR, Variety, Deadline, and the Hollywood Reporter among other news outlets. MTV Documentary Films acquired rights to the film out of its SXSW showing. The film will open theatrically at New York City's IFC Center on November 1, followed by a nationwide rollout. Paramount+ will begin streaming the movie on November 14th, World Diabetes Day.

Mridu Chandra of ***Saund vs Cochran*** was awarded the ITVS Humanities Documentary Development Fellowship, funded by the National Endowment for the Humanities as well as a JustFilms Collection grant from the Ford Foundation.

The Irritable Heart was nominated for Best Documentary at the Montreal Independent Film Festival.

Timetracker was a Grant Recipient of the Fall 2023 ScreenCraft Film Fund.

Yachatz was an Official Selection at the Pasadena International Film Festival.

Biking While Black was an Official Selection at the Seattle Black Film Festival, the Black Film Festival of New Orleans, SPE Media Festival and has been screened at the Better Cities Film Festival as well as the California Bicycle Summit.



Leadership



Michelle Greenberg-Kobrin

Clinical Professor of Law and Director of the Filmmakers Legal Clinic

Director, Center for Visual Advocacy

Senior Heyman Fellow and Director of the Leadership Program at the Heyman Center on Corporate Governance

Michelle Greenberg-Kobrin teaches and directs the Filmmakers Legal Clinic, which provides pro bono legal services and training on legal issues to filmmakers and video journalists around the world. She is also the Director of the Center for Visual Advocacy, which serves as a hub for activists, artists, academics and professionals seeking to harness the power of visual advocacy to move the social justice needle.

She is also the Founding Director of the Leadership Program at the Heyman Center on Corporate Governance. Previously, she was Dean of Students and Lecturer-in-Law at Columbia Law School. She teaches in the areas of intellectual property, transactional law, corporations, negotiation and leadership. As a leading film lawyer, she has lectured at film festivals around the world on issues related to copyright, production, distribution and licensing.



Liza Schaeffer

Clinical Fellow at the Filmmakers Legal Clinic

Liza Schaeffer is the Clinical Fellow of the Benjamin Cardozo School of Law's Filmmakers Legal Clinic. She was formerly Senior Counsel for Broadway Technology (now a part of Bloomberg) where she oversaw all commercial contracting, information security and internal compliance matters. Before going in-house, Liza was a member of the Salans/Dentons intellectual property team and advised clients in the luxury, fashion, beauty, e-commerce and start-up sectors. A native French speaker, Liza was also an active member of Dentons' French desk, a special cross-border practice group composed of bilingual, French-speaking lawyers. She studied politics and French at the University of Virginia before earning her law degree from Cardozo. Her areas of expertise include copyright, trademark, licensing and distribution deals, complex commercial transactions, privacy and cybersecurity.



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