

MEMORANDUM

To: Gary Mulder
Association Director
Protestant Church-Owned Publishers Association

From: Brian Flagler

Date: April 25, 2017

RE: Proposed Legal Hotline Services for PCPA Members

This memo summarizes the terms on which Flagler Law Group proposes to offer Legal Hotline services to PCPA members. As we have discussed, these services are similar to the services FLG currently offers to members of the Evangelical Christian Publishers Association and the Evangelical Press Association. Please consider the description below as a rough first proposal to trigger thought and discussion. We are open to customizing the service to meet the needs of PCPA and its members.

PCPA LEGAL HOTLINE

FLG would offer the Legal Hotline service as a benefit to PCPA members at no cost to PCPA. Interested members would contact PCPA expressing interest. PCPA would confirm the organization is eligible for the service and then introduce the organization to FLG via email. FLG would then sign an engagement letter with the member and bill the member directly. We would likely need to limit the Hotline to no more than ten (10) PCPA members at any given time.

Although FLG typically requires an advanced fee deposit for new clients, we would waive this requirement for PCPA Legal Hotline members. Finally, FLG would sign an engagement letter with PCPA which confirms FLG is solely responsible for the legal advice provided through the Hotline and FLG would indemnify PCPA from any claims arising from FLG's services.

Scope of Service

The PCPA Legal Hotline would provide access to an experienced publishing law firm regarding questions in the following *Scope of Service*:

- Pre-publication review
- Rights questions
- First Amendment matters
- Fair use
- "Hot news" doctrine
- Copyright law
- Libel/defamation
- Questions regarding agreements with freelancers
- Digital publishing
- Infringement
- Text and image permissions
- Marketing and advertising clearance

Eligibility and Fees

The PCPA Legal Hotline is intended for use by PCPA members which do not currently have access to experienced publishing counsel. To help guide these members as they establish their pre-publication rights clearance standards and publishing procedures and encounter other questions within the *Scope of Service*, Flagler Law Group offers to answer questions posed by subscribers via phone or email. A subscriber's questions may use a total of up to five (5) hours of attorney time. Flagler Law Group makes its attorneys available to offer these hotline services at a ***Thirty Percent (30%) discount*** off of their regular rates. [Note: 2017 rates are partner, \$475/hour; associate, \$310/hour]

Using the Hotline

Organizations subscribing to the PCPA Publishers Legal Hotline service will have access to the hotline via phone or email. Answers will be returned to the organization the same business day if possible or latest the following business day, with the exception of limited office closures communicated in advance via email to subscribers. Matters that require research or specialized expertise from our national network of attorney specialists will receive an acknowledgment and an estimated response time.