

“Band Whisperer’ Explains How To Keep Your Band Together” by Lee Jay Berman

KEEPING THE BAND TOGETHER... As every musician knows, this can sometimes be tougher than a two-dollar steak. Fragile egos, clashing visions and money challenges can all put a strain on any band. To find out what can be done to help artists and bands navigate these turbulent waters, professional voice coach Lisa Popeil sat down for a chat with an expert on the subject. He’s Lee Jay Berman, a mediator based in Los Angeles who specializes in mediating partnership issues in the music and entertainment business. Known as the “Band Whisperer,” Berman gets to the heart of matter.

Music Connection: What’s the most common problem that bands are facing?

Berman: Band members often feel like each is giving more than they receive. So each feels under-appreciated all the time. Put four people together who all dream to be rock stars with a hunger, an appetite, and a sense of entitlement for acclaim and you’ve got four people who feel they’re not receiving their fair share.

I surveyed four band members once and asked, “What percentage out of 100% do you feel you deserve?” When I tallied it up, the total came to 210%!

MC: If you could only give one piece of advice to a band, whether emerging or established, what would you advise?

Berman: It is vital that bands schedule business meetings, separate from rehearsals. The biggest problem I see is that bands will meet to refine the music but not meet to deal with their business issues. Meetings should be held when there are NOT problems—clearing the air BEFORE problems come up.

We have become a “politically correct” society where we won’t discuss issues we don’t agree on. So it’s not surprising when band members have different interests, they don’t have the skills to talk it through in a non-emotional way. Highly charged emotional issues, such as “Who gets how much of the revenues” gets swept under the rug.

They want to talk about the music, sets, costuming, venues or choosing a name, rather than talk about important things like money, ownership of the band name and publishing.

MC: It is better to have a clear-cut leader from the outset?

Berman: If someone is charismatic, attractive and a leader, it’s best to acknowledge that at the outset. Eventually, that person will feel exploited if the split is even. It’s a common problem.

By giving the “rock star” member higher compensation, it’s an incentive to keep them around. Otherwise, when the going gets tough, they might just leave. The member who leaves to pursue a solo album has only a 5% chance of success, so then everyone loses.

MC: What is the role of the band’s manager in all this?

Berman: As soon as something comes up as an issue, it’s time to discuss it. Waiting only makes it scarier, more difficult and more expensive. No difficult conversations get better by avoiding them over time.

MC: At what point might a professional mediator, such as yourself, be brought in?

Berman: When there’s enough at stake financially, often at about 12 months in. There are volunteer, community mediation programs available to more beginning bands.

MC: Is the mediation process like therapy, where you all meet once a week?

Berman: No. When a band has money, problems, talent and a brand that’s marketable, we go into a room, close the door and work it out that same day. But it could take 12 hours.

MC: At what point in a band’s career might the services of a mediation attorney be needed?

Berman: Actually, conflict within a band can arise AFTER a successful first album or when a member, such as the lead singer, is thinking of leaving for a solo career.

MC: What other suggestions can you give to bands to help them mend their differences and move forward?

Berman: My article “13 Tools for Resolving Conflicts” is available online at <http://mediate.com/articles/bermanlj3.cfm>. My site is <http://leejayberman.com>.

For somebody who loves music, there can be no greater tragedy than a band that can’t get along and breaks up before they’ve done their best work together.

This article previously appeared at

Lee Jay Berman began as a full-time mediator in 1994, successfully mediating over 1,300 cases in his 15 years. He mediates privately as well as through the American Arbitration Association. He is a Fellow with the International Academy Mediators, a Diplomat with the California Academy of

Distinguished Neutrals, was Mediator of the Year for the U.S. Bankruptcy Court in 2006, and was named to the Daily Journal's Top Neutrals in 2008. Also a prominent trainer in the field, Mr. Berman founded the American Institute of Mediation and was Director of Pepperdine's "*Mediating the Litigated Case*" program from 2002-2009.