

# Starmaker panelist Deutsch wrote book on talent flow to States

TORONTO — Welcome to the U.S.A.

For the scores of Canadian actors, actresses, and other entertainment professionals aspiring to the American 'honey pot syndrome' (more work, exposure, and financial reward), the step southward isn't easy. Still, it can be done and that message was conveyed to Canadian actors and entertainers by New-York-based U.S. immigration lawyer Howard Deutsch at the second Starmaker! seminar series Oct. 26-27 at the Sutton Place Hotel.

Deutsch, whose international law-firm Deutsch and Salberg has brought in 500 to 1,000 entertainers and industry professionals (most on a temporary basis) since he began helping Canadian talent enter the U.S. four-and-a-half years ago, noted that "in terms of 'making it,' the focus now for everything is the U.S." For Canadians, as for other foreigners, it's a market that by virtue of its size affords increased fame and money (a Canadian actress, thanks to greater residuals from a larger audience, can make 10 times what she could earn at home, says Deutsch). That the American market also is home to most North American film, TV, cable product, and the largest number of channels and distribution, also accounts for the attraction. As to the amount of work Canadians have found in the U.S., Deutsch speculates it's because they're more talented (with c.v.s ranging from commercials to dancing and, of course, the ability to do any accent) whereas American performers are specialists (making careers out of singular gimmicks, like pulling a face).

Describing the perception of American talent agents of Canadians as "a very highly trained and competitive pool of talent," Deutsch explained "they wouldn't get jobs here if they weren't, because the immigration process is so byzantine and awful." In addition, says Deutsch, and this isn't admitted at the union level, is the strong orientation of AFTRA, the Screen Actors Guild, and Equity toward keeping Canadian performers out. However, on the how-to of getting there, two avenues are permanently open via the much-valued Green Card or, providing temporary work access, the H-1 permit. Although the Green Card isn't easily obtained by the average performer, the H-1s can also be a hassle. However, with one criterion for the latter including "professionals of distinguished merit and ability" in their own specialty, ad-

mission exceptions do exist.

Being a famous filmmaker or director, for example, makes admission easier. As well, with the number of Canadians wanting to enter the U.S., another edge would be the interest expressed by a major American studio in, say, a Canadian actor. Should that Canadian be essential to that studio and indeed exceptional, the strong Califor-

nia studios can win out. "The U.S. Immigration and Naturalization Service is clearly pressured by big corporations," says Deutsch. For Canadians wanting to practice their entertainment craft and possibly find a permanent solution to their work problems, the trick is not only having talent, charisma, and luck but also plotting and planning — and

then well in advance.

Referred to by Deutsch as "game-planning," the mechanics involve being informed about U.S. immigration procedures and the difficulties, making generous assumptions about what will happen along the way, and then working back. Even without particular rules favoring Canadians other than proximity to the U.S.

("though, if anything, Canadians have it easier" observed Deutsch), an H-1 visa can normally be obtained within two months' time. Recently increased from two to three years of temporary work and residence, immigrants on an H-1 can apply for a further two plus one year period, provid-

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Deutsch

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ing a maximum of six years' time in which to obtain the Green Card.

Getting the Green Card is also predicated on the would-be immigrant having a permanent job offer and then one that's inherently permanent. Shooting a movie for example,

isn't permanent, whereas something lasting three years or more (such as a revue or long-running TV series) is. Faced by not-insignificant legal fees ranging from \$3-5,000 U.S., many performers can't get that far. For the likes of producers and filmmakers (positions considered down south as work, not entertainment), Deutsch suggests a trick used by his firm to avoid the U.S. Department of Labor. Simply

put, if such professionals can form a company in Canada or a branch of it in the U.S., they can get in for three years. By making it function fully for one year, they can obtain the Green Card.

"If you have the slightest excuse to work and form a company in Canada, do so. It could be the trick that saves you, the key to the golden door," said Deutsch. "Any Canadian film producer can do it through a

personal holding company (which is already an immigration vehicle)," he added. Another trick for Canadians to note is that while more film business lies in Los Angeles, it's there SAG, Equity, and the others have the greatest influence and hence the Immigration and Naturalization Service is harder. Thus, Deutsch encourages his Canadian clients to file applications in New York City.

Asked whether he believes the flow of Canadian talent to the U.S. can or will ever be stemmed, Deutsch offered up a very bilateral perspective. "I think the talent's going both ways and those Canadians in the U.S. largely never intend not to come back to Canada," he said. Interestingly, while his *Getting Into America* (written for his clients) has sold some 25,000 copies since May 1984, Deutsch's advice on getting into America is also being aimed at those already there. Deutsch is currently writing a 500-page textbook of his best seller for lawyers in the U.S.



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NEWS

90 DAYS UPDATE

*90 Days*, the NFB's hit of the Montreal and Toronto Festivals, is continuing its pattern of success across the country. Still running strong in Toronto, where it is into its tenth week, *90 Days* is playing in Ottawa, Winnipeg and Vancouver and opened November 8 in Halifax and in Burlington, Ontario. It is scheduled to open soon in Edmonton and other Canadian cities. The winner of a Gold Ducat awarded at the 35th International Filmweek Mannheim 85 (West Germany), *90 Days* will be released in the United States this spring by Cinecom International Films and in Canada has been purchased by First Choice/Superchannel and CBC-TV. The tale of two modern men and their misadventures with the opposite sex, this feature comedy was directed by Giles Walker.

YORKTON

*Le Vieillard et l'enfant*, *Street Kids*, *Elk Island*, and *The Painted Door* earned awards at the 21st Yorkton Short Film and Video Festival October 30 to November 3. Special Jury Awards went to *Street Kids*, a graphic black and white animation film about juvenile prostitution, directed by Peg Campbell and produced by Jennifer Torrance in the NFB's Pacific Region; and *Le Vieillard et l'enfant*, a one-hour drama based on the childhood memories of the celebrated Canadian writer Gabrielle Roy. The film stars Jean Duceppe, Lucie Laurier and Patricia Nolin and was directed by Claude Grenier.

The Golden Sheaf Award for Best Nature/Environment film was presented to *Elk Island*, a half-hour documentary on the man-made wildlife



• Scene from *90 Days* now playing across Canada

sanctuary just outside the bustling city of Edmonton. A Northwest Studio production, *Elk Island* was directed by James Jeffrey. *The Painted Door*, produced by Atlantis Film Ltd. in collaboration with the NFB, walked away with three Golden Sheaf Awards. Actress Linda Goranson earned the Golden Sheaf for best actress; Joe Wisenfeld received the best scriptwriter award, and the Superchannel best script cast award of \$1,000; and *The Painted Door* was presented with the Golden Sheaf for best drama production under 30 minutes.

ATLANTIC FESTIVAL

Five National Film Board productions and veteran NFB sound editor Les Halman received awards and honors at the Atlantic Festival Atlantique held in Halifax, October 23 to 26. Les Halman, who joined the Film Board in 1956, received the Special Award of Excellence presented by the Festival and ATV (CTV's Atlantic affiliate) for his outstanding work in training and assisting young filmmakers in the Atlantic region. Among his film

credits are *Volcano: An Inquiry into the Life and Death of Malcolm Lowry* and *One Man*.

Awards of Merit for production went to *Alden Nolan*, a half-hour documentary directed by Jon Pederson; *L'autre côté de la glace*, a short documentary directed by Serge Morin and Guy Dufaux in which a hockey game transcends the ice rink to become a metaphor for the social realities of Acadia; and Betty Arsenault's *Bateau Bleu, maison verte*, an impressionistic documentary capturing the atmosphere of an Acadian village. The hour documentary *In Love and Anger: Milton Acorn*, directed and edited by Kent Martin, earned Awards of Merit for both editing and direction. John Brett's *Where the Bay Becomes the Sea*, a half-hour examination of the unique ecosystem of the Bay of Fundy, received Awards of Merit for production, cinematography, editing and scriptwriting; and *Une Faim qui vient de loin*, a half-hour documentary on obesity directed by Claudette Lajoie Chiasson earned an Award of Merit for direction.

Koerner to top spot  
at Ontario Arts Council

TORONTO — Sonja N. Koerner took a slight step upward Oct. 23 when she succeeded outgoing Ontario Arts Council chairman Donald W. McGibbon. Koerner, the council's vice-chairman from 1982 on, officially assumed her new post Nov. 1. The appointment caps nine years of Council service and volunteer work with such arts organizations as the Toronto Symphony and Art Gallery of Ontario for Koerner, a Lima, Peru native now living in Toronto.

At an informal open-house held by the Council to mark Koerner's succession and show off its newly-renovated quarters, the retiring McGibbon (vice-chairman from 1976-82 and chairman from 1982-85) provided a breakdown of spending initiatives created so far by \$1 million of the extra \$2 million received last summer from the new Liberal government. While the new outlays ranged from a \$30,000 development program to benefit Franco-Ontarian playwrights and theatre companies to \$200,000 annually to enable arts periodicals to increase fees of writers, Ontario film and video makers received a boost in the form of an extra \$100,000 annually for productions of "exceptional merit"

The summer's \$2 million boost raised the council's funding to \$24,817,000, a record figure that Council executive director Walter Pitman anticipates will create between 20 to 30 new programs in addition to the 72 it currently has going (and which are now undergoing a comprehensive, first-time evaluation).

Koerner's appointment, as with the 11 other Ontario Arts Council Board members, is made by a provincial order-in-cabinet and runs for a three-year term without remuneration.

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