

## **MODEL RELEASE FORM:**

Whenever you are photographing people, you must be aware of the individual's rights to privacy and publicity and the laws that pertain to such rights. Basically a Model Release is a simple legal device stating that the person you are photographing has given his or her consent to be photographed and grants permission to use the images for commercial purposes. Properly using a good Model Release will protect you from invasion of privacy lawsuits; failure to use one will expose you to possible litigation and greatly limit the use of your images.

Privacy rights are covered by law and you need to fully understand these rights. The law of privacy protects individuals and puts limits on how and where you may take photographs. You cannot go onto private property or intrude into a person's private space such as a home or office to take photographs without permission. Public display or publication of photos that imply embarrassing or untrue situations is also prohibited. And you cannot use someone's picture or name for advertising and trade purposes without that person's written authorization.

Pictures of people appearing in connection with editorial and newsworthy events do not require signed model releases. Photographers are protected by the First Amendment. They do not need permission for photographs appearing in publications which serve the public interest, provided there is a reasonably close relationship between the person shown and the subject in question. Always make sure that individuals in photographs are identified correctly. False statements about the photographs as well as incorrect titles and captions can also create problems.

Photographs of political figures and famous personalities in the public eye can be published almost everywhere without releases. The exception to this rule comes in advertising, where by law celebrities are given "rights to publicity," the rights to commercial use of their name and images. In some states this may also continue past an individual's death. The privacy and personal rights of celebrities must also be taken into account. And you cannot harass someone or intentionally inflict emotional distress when trying to get a photograph.

The Model Release on page 6-3 allows for the photographer to use the model's image for advertising and trade purposes. This release covers a wide range of uses. Compare it to the other releases featured in this section before deciding which is best for your use.

Getting someone to sign a Model Release is not as difficult as it may seem. Most people will feel flattered to sign a release and professional models will sign them as a matter of course. Also, make sure that friends and acquaintances who pose for you sign model releases. For additional information see short form release.

---

## **MODEL RELEASE SHORT FORM:**

The Model Release Short Form is sometimes called a pocket release. This type of release is easy to understand and proves to be less intimidating for someone to sign. Many photographers prefer using this type of model release because it is easier to get signed.

While the Model Release Short Form is certainly better than nothing, it does not provide the overall protection of larger and more comprehensive model releases. Every time you remove some language from a release, you are also removing some degree of protection.

This release can be photocopied or printed then cut down to a 4"x 5" size that will easily fit your pocket or camera bag. Always make sure that you have plenty of releases on hand.

You need to have a signed release for each modeling session because each set of pictures requires its own release. Always have models sign your release during the photography session. This is much easier than getting them to sign at a later date. Having a witness signature is usually not necessary, however, it can be helpful if a question is later raised about the validity of the release.

When exhibiting work in a gallery or museum, photographers usually do not need signed model releases. The absence of much case law in fine art photography indicates that the risks are low. Another reason is the limited exposure this type of photography gets; the use of an image might not come to the attention of the subject in a photograph. However, if you are photographing nudes or scantily clad models, it is very important to get signed model releases. Publishers will always require signed releases for nudes. And if you are creating controversial photographs of individuals, it is a good precaution to obtain signed releases.

For a legal document to be a binding contract, "in consideration of" must be given by both parties. The model is giving something, therefore the photographer must give something in return. It is always wise to give at least a small payment as consideration. The amount is not as important as the exchange of something of value. Usually a person will sign a release for a small sum of money or for a photograph. Payments made by check provide the best proof of payment.

Code your slides and prints with the letters MR to indicate that a Model Release is available. Keep your releases in a safe place and make sure that you can find them when they are needed. The best way to store releases is in a separate file of their own, filed by the photo file number that you have assigned to the shoot or the individual photo. Never say that you have a signed Model Release if you do not.

---

## **MODEL RELEASE FOR MINORS:**

The laws protecting minors are strict. Before photographing minors, it is very important to know and understand these laws, which can vary from state-to-state. In most states anyone under the age of eighteen is considered to a minor, but in some states a person must be twenty-one before reaching the age of majority. If you have questions regarding what age constitutes minority or other laws pertaining to minors, check with an attorney.

Minors have the same rights to privacy and publicity as adults, however they do not have the authority to sign a Model Release for a photographer. Therefore, whenever you are photographing minors and your situation requires a release, you must have a parent or guardian sign it. The signature line for the parent or guardian is the primary difference between an adult release and one for a minor. For added protection, it is also a good idea to have a witness sign your minor's release. If you are in doubt about a person's age, play it safe by asking to see a driver's license or some other form of identification.

Laws are particularly strict regarding photography of children in the nude. You must be especially careful with this type of photography and you must fully understand the laws pertaining to it. Parents also need to be aware of these laws, because they can apply to you photographing your children.

As a general rule, you should always have an attorney check your legal documents, especially if they pertain to anything that might be controversial or involves large sums of money.

Several releases have been provided for you in this section, and each has different wording. Look them over and decide which is best for your purposes. The Model Release For Minors features the strongest wording and offers the photographer the most protection.

Whichever release form you use, have releases signed during the photography section. Also, keep them in a safe place so they can be easily located if needed.

This release and others should be printed on your stationery to give a professional appearance and show that you are a legitimate photographer.

---

## **PROPERTY RELEASE FORM:**

Whenever you are photographing private property or photographing on private property, consider getting a Property Release signed by the owner. This is especially advisable if you are using the photographs for advertising or other commercial purposes.

A Property Release is similar to a Model Release in that it gives you certain rights. It is a contract between the photographer and the property owner detailing usage rights. Obtaining a signed release will minimize your exposure to law suits and can increase the sales potential of your images.

You must also be aware of what you can and cannot photograph, and remember that laws change from state-to-state and country-to-country. Be sure that you have the right to photograph your subject. There are definite limitations on photographing currency, stamps, stocks and bonds, secret government information, judicial proceedings, military installations, and medical operations. Frequently art galleries, museums, and theaters will also have restrictions on photography.

When photographing in federal buildings, you need to have written consent from the agency occupying the building. As a general rule, avoid photographing any areas posted or known to be high security, top secret, or restricted, especially in military installations. This is also a good rule to follow whenever you are photographing in private buildings or property.

When taking photographs in public buildings, especially if you are taking them for news purposes, it is usually alright to photograph in the building's entrances, lobbies, corridors, foyers, or auditoriums.

Whenever you are photographing in public parks (national, state, county or city) you are generally required to obtain a special permit. Depending on your use, usually there is either a nominal charge or no charge for these permits.

If you are photographing items belonging to others, such as clothing, art objects, jewelry, cars, boats, pets, props, etc., and if the owner can be identified from the property, it is a good idea to get a signed release.

Property releases should be signed at the time the property is used, and if possible make a payment (even if it's only a token payment) to the owner of the property. Make certain that whoever signs your release has the authority to sign it and is of legal age. Completely fill in the blank lines and obtain the signature of a witness if possible.

Code your slides and prints with the letters PR to indicate that a Property Release is available. Keep your releases in a safe place and make sure that you can find them when they are needed.

---

Finally, if you have any questions or are in doubt about this form or others featured in this publication/templates, it is strongly suggested that you seek legal guidance from an attorney.

---

For additional information on model releases, you might consider reading some of the following books:

[Legal Handbook for Photographers: The Rights and Liabilities of Making Images](#)

[ASMP Professional Business Practices in Photography](#)

[The Law, In Plain English, For Photographers](#)

Available from: [Amazon.com - Art & Photography Books](#)

---

Thank you for downloading our Photography Release Forms, the forms are for your personal use only and are not to be resold or distributed to other photographers.

I hope that you will find the release forms beneficial to your photography career. Also, be sure to tell your photography friends about them, because they might also want to some for their own photography use.

Also, the Photography Release Forms are just one of the chapters in our publication: [Creating A Successful Career In Photography](#) by Dan Fear.

To see the full list artist forms available please visit: <http://art-support.com>.

Thank you again for purchasing our forms,

Dan Fear

Art-Support

<http://art-support.com>

*Release forms and information are from: Creating A Successful Career In Photography  
Copyright 1993 – 2007 by Dan Fear and Art-Support. All Rights Reserved.*

---