Child performers and creators

Adults and platforms should not take the wealth created by a child's work.

THE POSITION

Weak trust and accounting rules allow adults to control income produced by a child's work, image, or regular appearance. That is economic dispossession, not ordinary family management. A child should have a protected share that cannot be waived. Matilda Law supports placing 50% of income mainly produced by a child's work into a trust, with clear accounting and recordkeeping for family videos, influencer content, streaming, and other digital work.

Illinois already requires a trust deposit that can reach 50% of gross earnings from qualifying content focused entirely on a child. California requires 65% of a proportionate share in some cases. California's Coogan framework and New York law set a 15% floor for covered performer contracts. National law should follow the stronger principle: adults may manage a child's work, but they should not spend the wealth that work creates.

SOURCES

Illinois Public Act 103-0556

Requires part of the earnings from qualifying online content featuring children to be placed in trust.

California SB 764

Protects a child's share of earnings from certain online content by requiring a trust deposit.

New York EPTL § 7-7.1

Requires 15% of a covered child performer's gross earnings to go into a trust account.

GENERAL INFORMATION

This guide gives general information, not legal advice or representation. Laws and deadlines vary by place and circumstance. Check current official sources before acting.