

# *the*WRITS

THE OFFICIAL PUBLICATION OF THE BUCKS COUNTY BAR ASSOCIATION



FALL 2020



## Adjusting in the COVID Era

ADAPTING ASSOCIATION EVENTS TO SERVE OUR MEMBERS



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### #SAVEOURSTAGES

MUSIC IS PROBABLY THE ONE REAL MAGIC I HAVE ENCOUNTERED IN MY LIFE. THERE'S NOTHING THAT MOVES ME MORE AT THE MOMENT. IT HEALS, IT COMMUNICATES AND DOES ALL THESE

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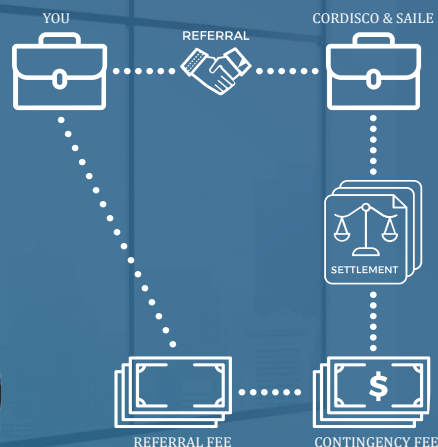
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# PRESIDENT'S MESSAGE



**Daniel Keane**  
*Bucks County Bar  
Association President*

## My Fellow Members of the Bar:

It has been an eventful year for the Association ... Opening of Assizes, WLD/BCBF St. Patrick's Day in August, Bench Bar, WLD Power Summit, Pro Bono Recognition CLE/Reception. It has not necessarily been the year that we planned for, but it has been a good year for the Association nonetheless. We now turn our attention to the final major

event of the year — the Annual Meeting and Reception on December 10th.

This year's Annual Meeting and Reception will be virtual and a conglomeration of prior years' events. We have important Association business to conduct, annual awards to present and an interesting year to reflect on. I hope you will join us for this unique Association experience.

It is worth noting that despite the external pressures on the Association in 2020, our membership numbers are up. This year has really highlighted for area attorneys why the Association is an important component of any legal practice. While the Member Services Committee and BCBA staff certainly played large roles in increasing our membership, some of the credit also goes to our members who have been active participants in Association events and who have been spreading the word to non-member attorneys that membership in the Association provides invaluable networking and educational opportunities. Please keep helping us grow the Association.

A recent experience reminded me of why I wanted to take on this job as President of the Association. I handled a matter before a Magisterial District Judge in Bucks County and as I was leaving the Judge stopped me to comment on how impressed she has been at the level of cooperation she has received from our members. The Judge went on to say that this has been a difficult process that has been made easier by the Bench and Bar coming together to make it work. On behalf of our membership I was happy to receive that praise and I echo her sentiments. From my interactions with bar associations around the state, it is clear that Bucks

**From my interactions with bar associations around the state, it is clear that Bucks County has done a tremendous job ensuring that people have access to justice during these difficult times, and that is due to the leadership of our Bench and input and cooperation of the Bucks County Bar. While the work never ends, I am confident that the Association will continue to play a large role in that process going forward.**

County has done a tremendous job ensuring that people have access to justice during these difficult times, and that is due to the leadership of our Bench and input and cooperation of the Bucks County Bar. While the work never ends, I am confident that the Association will continue to play a large role in that process going forward.

As this is my last President's Message, it is important that I thank everyone who helped make this a great year for the Association. That includes members, staff, business partners and sponsors. During my opening remarks at last year's Annual Dinner, I said that my hope for my year as President is that we leave the Association to the next leadership team in a better position than we received it. We powered through a difficult year and are now able to turn over the Association to the capable hands of Sean Gresh, Julie Goldstein and the Executive Committee, the Board of Directors, and the new Section, Division and Committee Chairs so that they can take us to the next level. I look forward to turning my attention to helping them achieve their goals. #80 out. 🍷

— Daniel Keane  
*Bucks County Bar  
Association President*

## We Welcome Your Feedback!

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# From the Editor...



**Jason R. Weiss**  
Editor, Bucks Writs

## Happy Thanksgiving?

Around this time each year, most people think about all of the hours they are going to spend gorging themselves while being around family that they may (or may not) be thrilled to be with. With food, football, and family abound, Thanksgiving is a holiday that many enjoy. Grandpa can eat all of the dessert he desires without Grandma watching

his every bite. Uncle Jerry can root for whatever team is playing against the Dallas Cowboys without disruption from his three children. And the rest of the adults can pick out a favorite “soda” to enjoy for the remainder of the evening. These are just a few of the reasons to be thankful on Thanksgiving.

Just about every family has a Thanksgiving tradition. Whether it's immediate family only or large extended-family gathering (yes, even THOSE cousins are invited), Thanksgiving is special to most. And it isn't necessarily about the holiday at all. Rather, having the time to sit and hear about all of the events that others in the family have gone through, both good and bad, is extraordinary. How often are you able to sit down with your entire family and catch up? I would imagine not very often given the speed at which the world moves.

That takes us to the year 2020. Whoever thought of a Pandemic Thanksgiving? It certainly has the potential to make for a hilarious family comedy or a terrifying horror movie at the same time — which, in my mind, quite accurately describes the year 2020. Here's to hoping that your Thanksgiving is more like the comedy and not the horror film.

Wishing all of our members and the community a very Happy Thanksgiving. 🦃

— Jason R. Weiss

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## Need a Lawyer?

Welcome to the **Bucks County Bar Association's Lawyer Referral and Information Service (LRIS)** serving all of Bucks County. The LRIS is a public service of the non-profit Bucks County Bar Association. Each year the LRIS responds to thousands of callers, referring them to attorneys with experience in the appropriate area of law or to area agencies able to provide assistance.

Persons identified as needing legal representation and who do not claim inability to pay an attorney will be referred by LRIS to a participating attorney. LRIS participation is open to all Bucks County Bar Association members having their primary office in Bucks County.

You can contact  
the LRIS at  
**215-348-9413.** 🦃







# Pro Bono Honor Roll

July 1 through September 30, 2020

THANK YOU to all attorneys who volunteer valuable time to provide high quality legal representation to Bucks County residents. You ensure that there is justice for all. Your pro bono efforts achieved a range of favorable outcomes — from obtaining final Protection from Abuse (PFA) Orders for victims of domestic violence, to preparing wills for senior citizens, to obtaining bankruptcies and expungements in order to provide someone a second chance, to preventing evictions and foreclosures, and more. Thank you, too, to those who provide financial assistance through donations and arbitration allowances. Your contributions allow Legal Aid of Southeastern PA to continue to provide high quality legal representation. We could not assist as many individuals without all of you.

## A

Anonymous  
Hugh Algeo IV  
Wendy Ashby

## B

Robert Badman  
Hal Barrow  
Cynthia Bashore  
David A. Baun  
Joseph Blackburn  
Gerald L. Bowen, Jr.  
Kevin Bradway  
H. Jeffrey Brahlin  
Brenden E. Brett  
Christopher J. Brill  
Richard Brown  
Sarah Brucie  
William Buchanan  
Dawn Burke

## C

Maureen Carlton  
William Casey  
Christine Cattani  
Jahn Chesnov  
Julius J. Ciesielka, Jr.  
Patricia Cooley  
John F. Cordisco  
Jennifer Courtney  
Robert Cox  
Joseph Cullen

## D

Lauren D'Alessandro  
Robert DeBias  
Thomas Donnelly  
Timothy Duffy

## E

Susan Levy Eisenberg

## F

John Farrell  
Frank A. Farry  
Jill Fein  
Kaitlin Files

## G

Martin Ghen  
Kyong Ha Growney

## H

Kevin Hand  
Elissa Heinrichs  
Robin S. Holmes

## K

Robert Katzenstein  
John Kenney  
John Kerdock  
Barbara Kirk  
Thomas Kopil

## L

Gavin Laboski  
Joshua Losey  
Richard Lyons

## M

Christopher Mahoney  
Amanda Malamud  
Joseph Marinaro  
Brian Mauro  
Tina Mazaheri  
Michael Meginniss  
Diane Mellot  
Barbara R. Merlie  
Kristine Michael  
William Moore  
Robert B. Murray, Jr.

## N

Brian Newman

## P

Thomas Panzer  
Michael Parlow  
L. Stephen Pastor  
Jennifer Pierce  
Catherine Porter

## R

Edward T. Rostick  
Jason Rubenstein  
Jonathan J. Russell

## S

Russell P. Sacco  
Aimee Schnecker  
Michael Shelton  
Stephanie Shortall  
Adam Silverstein  
Chris Little Simcox  
Mindy Snyder  
Amir M. Stark  
Joel Steinman  
Edward R. Sutton

## T

Yvette Taylor-Hachoose  
Eric Tobin  
Jeffrey Toner  
Jill E. Trayer

## W

Joanna Waldron  
Edward Wild  
Keith Williams  
Shari R. Gelfont Williams  
Donald Williford  
Josephine Lee Wolf

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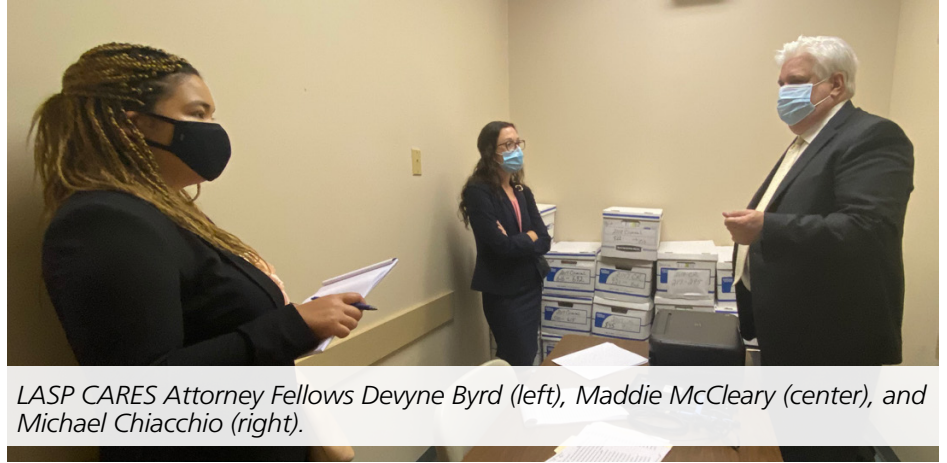
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# LASP's Bristol office coordinates all-out eviction prevention effort in Bucks County

Bristol Managing Attorney Joshua Goldblum estimates that LASP has represented more than 100 Bucks County renters at eviction hearings since Gov. Wolf's moratorium ended Aug. 31, and the cases are continuing to come in. LASP's entire Bristol office, together with LASP CARES Attorney Fellows, LASP interns and community volunteers, have been engaged in the effort since landlord-tenant hearings resumed in September.

Goldblum observed that the eviction crisis is going to worsen in Bucks County and beyond. He pointed to the Oct. 22 *Spotlight PA* story by Charlotte Keith. The story, which can be found at the *Spotlight PA* website, states, "While moratoriums delay eviction filings, relief programs directly provide aid to help keep tenants in their homes. An estimated 15% of Pennsylvania renters will face eviction in January 2021, according to a study of census data



LASP CARES Attorney Fellows Devyne Byrd (left), Maddie McCleary (center), and Michael Chiacchio (right).

commissioned by the National Council of State Housing Agencies."

In addition to providing free legal representation at hearings, LASP's effort also includes making sure that clients know about rental assistance funding available in Bucks County. The goal is to keep clients in their apartments once the Centers for Disease Control moratorium ends Dec. 31. Bucks County Housing Link (800-810-4434)

is the main contact for Bucks County residents who need rental assistance.

Michael Chiacchio and Kate Roth, both CARES Attorney Fellows based in Bristol, have helped to coordinate LASP's county-wide effort, which is separate from the pro bono initiative in the Morrisville magisterial district court.

If you have questions or require assistance, do not wait to contact Bucks County Housing Link. ➡



## CLE Marathon Day



# LASP'S DOYLESTOWN OFFICE HAS MOVED!

LASP's Doylestown office moved to two new locations this fall. On September 18, 2020, staff members who handle Protection from Abuse (PFA) matters moved to 224 N. Main Street in Doylestown. On October 19, 2020, other staff based in Doylestown moved to the fourth floor of The Almshouse, 1260 Almshouse Road in Doylestown. LASP's Almshouse office will handle custody, children and youth, and elder law cases.

The move was necessitated by Bucks County's sale of its building at 50 N. Main St.

To speak to a staff member in either Doylestown location, you still can call 215-340-1818. LASP offices are currently closed to the public due to COVID-19, but all LASP staff are working.

LASP also has a Bucks County office in Bristol. LASP has continued to serve clients throughout the pandemic. 🐾



*LASP's Almshouse Office, which opened Oct. 19, handles mainly custody, children and youth, and elder law matters. The address is 1260 Almshouse Road, Doylestown, on the fourth floor.*



*Mardi Busanus, longtime LASP volunteer, prepares the new Protection from Abuse (PFA) office at 224 N. Main St., Doylestown. Moving day was Sept. 18.*



*Amidst boxes to unpack at LASP's new Almshouse office, Staff Attorney Rhonda Sherrod speaks with a client about her case.*

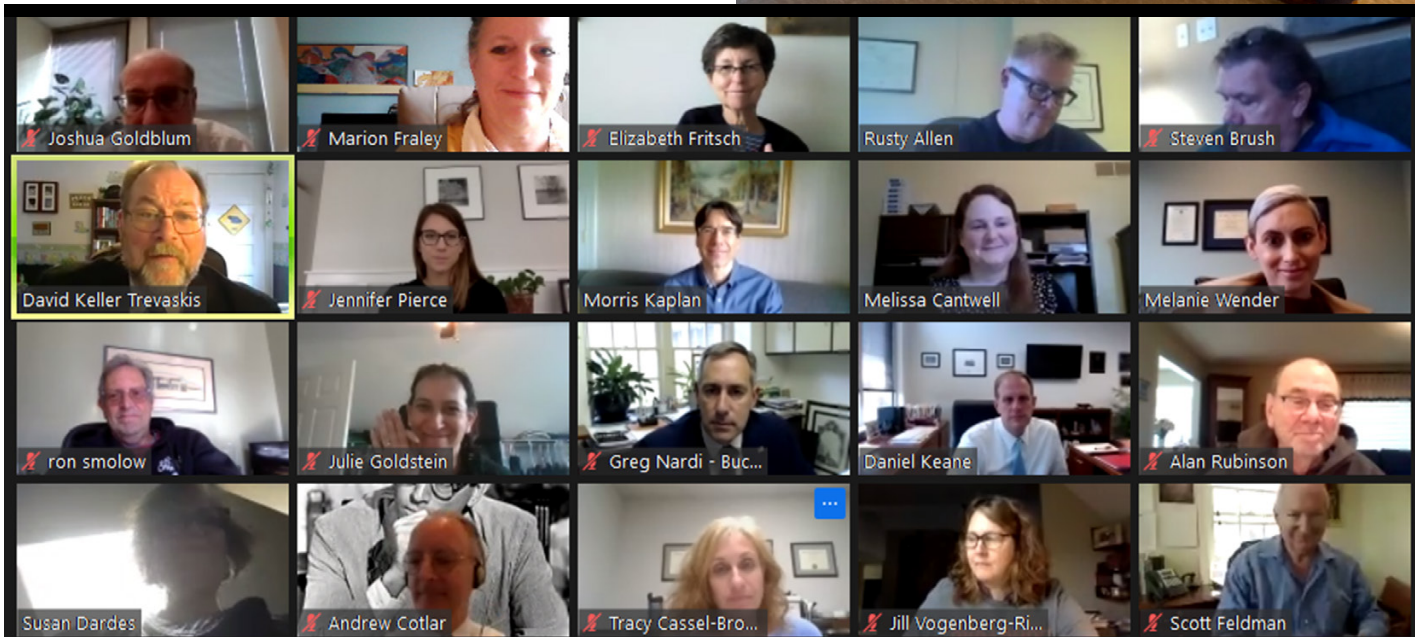


# Celebrating Pro Bono Service in Bucks County!

As part of the celebration of the 12th National Pro Bono Week, Bucks County lawyer Ronald J. Smolow of Newtown was recognized with a 2020 PBA Pro Bono Award on Oct. 27 for his support of low-income tenants facing eviction. PBA President David Schwager presented the award after a program on "Pro Bono in the Age of Covid-19" presented by PBA Pro Bono Coordinator David Trevaskis. Smolow was honored for his innovative eviction project. Last fall, after several years of research and development, he helped form a pro bono program that provided attorney representation and rental assistance to poor tenants facing eviction in the County. Building on funding provided by the United Way of Bucks County toward rental assistance for tenants, Smolow helped bring together a partnership between the Bucks County Bar Association, the Bucks County Opportunity Council, Legal Aid of Southeastern Pennsylvania and the Bucks County Division of Housing and Human Resources.

Additionally, 13 member attorneys were recognized as 2020's 'Bucks Keystone Attorneys' for devoting over 50 hours to Pro Bono legal services for the community in the past year.

Thank you to the over 225 members of BCBA who let us know about their Pro Bono service in the community! 🙌











# A Summer St. Patrick's Day

August 27, 2020





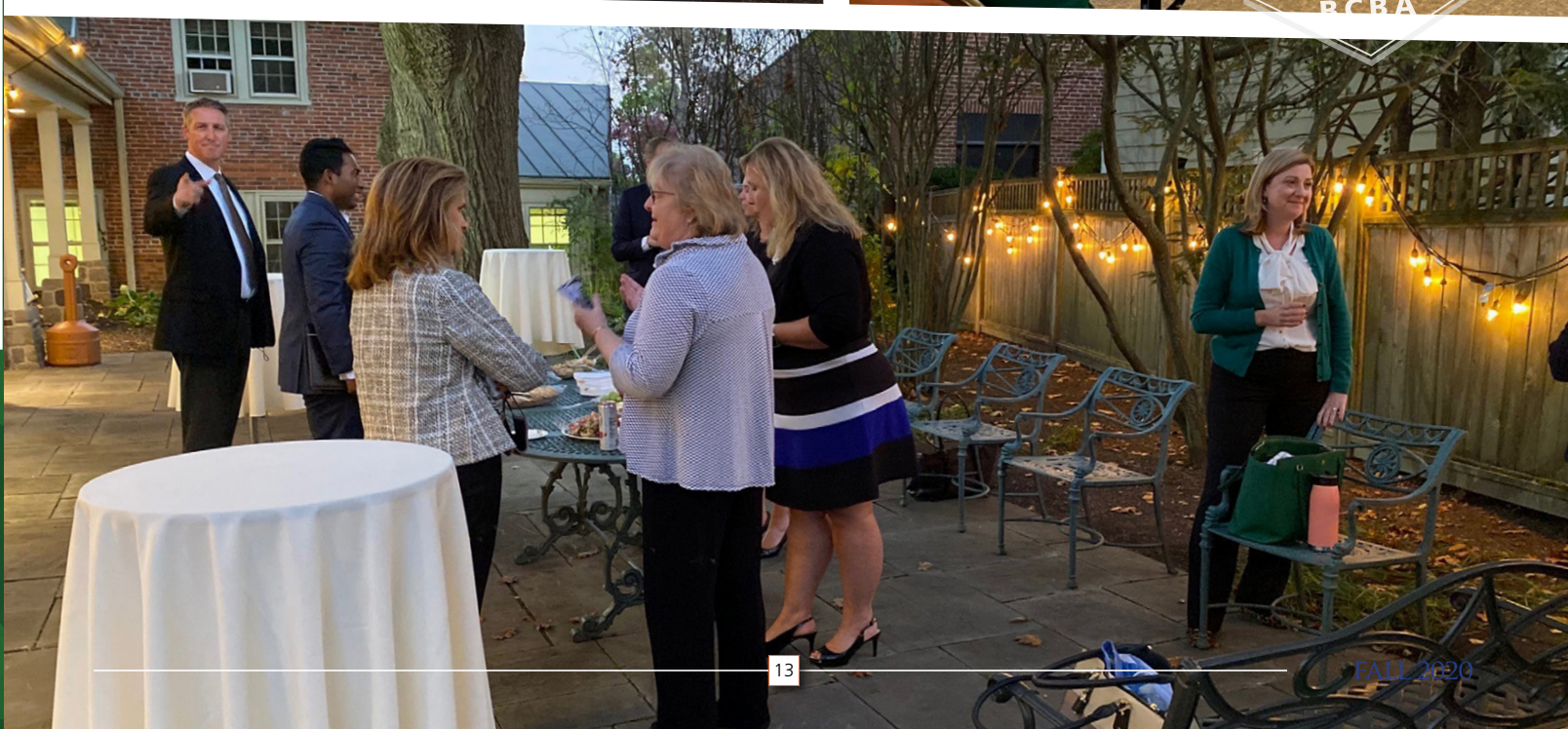
# 10th Annual BCBA Women's Power Summit

October 15, 2020

Panel discussion on the topic of "Surviving Law & Parenting in the COVID Era"

**Featured panelists:**

Gina F. Rubel, Esq., CEO, Furia Rubel Communications Inc.  
Lisa Corr, School Psychologist, Central Bucks School District  
Christina M. Reger Esq., Law Offices of Christina Reger, LLC





# BUCKS COUNTY SHERIFF'S PATHFINDER INITIATIVE

By Chris Serpico

## **The death of Daniel Prude in Rochester, New York this past March,**

and the subsequent brouhaha that followed the mentally ill man's death while in the custody of the police, shined the national spotlight on an issue that had long been simmering beneath the surface throughout the country: How can law enforcement officers more effectively respond to the increasing numbers of mentally ill individuals with whom they interact?

In August, the Bucks County Sheriff's Department instituted its Pathfinder Initiative whereby "deputies with appropriate training would be placed into courtrooms within the Justice Center where their assistance would be most needed."

Under the leadership of Corporal Todd Kessler, the purpose of the program is to "take new approaches to individuals who come into the Courthouse in crisis or go into crisis to allow for the safest possible outcomes."

A veteran of the Gulf War, Corporal Kessler has struggled himself with minor PTSD symptoms as a result of which he became increasingly interested in learning about methods by which emotionally fraught situations involving people experiencing mental health issues could be "defused" safely before a tragedy occurred. His interest was particularly sparked after he watched an HBO documentary called "Crisis Cops" that told the story of how two San Antonio policemen changed the dynamics of how officers in that Texas police department learned to more effectively respond to issues involving individuals who presented with mental health challenges.



## **The Bucks County's Crisis Intervention Team members receive intensive training in developing skills to more effectively respond to situations involving the mentally ill.**

A member of the Bucks County Sheriff's Department for eight years, Kessler is a member of Bucks County's Crisis Intervention Team, which consists of members of local police departments and sheriff's deputies in Bucks County who have received intensive training in developing skills to more effectively respond to situations involving the mentally ill.

Initially, Kessler attended and completed a rigorous forty-hour course in negotiating skills presented by the Philadelphia Police Department. Following that, he was one of thirty law enforcement officers from across the county who was trained in understanding how to respond to situations

involving people experiencing mental health crises offered under the guidance of counselors from Lenape Valley Foundation.

With a trained psychologist on the team, the members of the group are prepared to aid local police when called upon in a crisis. One seemingly minor but important step Kessler has made recently was having the Radio Room take note of those officers on duty who have received Crisis Intervention Training (CIT), so that in an emergency they can be alerted to assist local law enforcement.

When I asked him for an example of how the Task Force has defused a dangerous situation, he recalled an instance where he was assisting in the service of a PFA order on an individual when he was advised at the door by the man's nephew that the person they were looking for was downstairs in the basement threatening to kill himself with a knife. Because of his knowledge and training, he and the officers with him were able to persuade the person in crisis to put down the knife and come out safely without harming himself, the officers, or anyone else in the house.





**Among the skills he's acquired that he now tries to teach to those he instructs are: improving active listening skills, de-escalation techniques, better communication methods, and learning how to "lower the temperature of the situation at hand."**

The key in such situations, according to Kessler, is to "look for ways to defuse what's happening." He tries to look for alternative paths in order to find a safe outcome for everyone. Among the skills he's acquired that he now tries to teach to those he instructs are: improving active listening skills, de-escalation techniques, better communication methods, and learning how to "lower the temperature of the situation at hand."

It is important to understand that a crisis situation can arise at any time in any place in the Courthouse. Although it might appear that the criminal courts are the most likely place for such an event to occur, there have also been emergencies that suddenly arose in civil court, domestic relations, the security line, and even in the arbitration room! Accordingly, Kessler offers a four-hour training session to tipstiffs, receptionists, security line staff, and other courthouse personnel so they are better equipped to handle a mental health emergency when they are presented with such a scenario.

There's little doubt that the Pandemic has put more and more people on edge, as it has become increasingly difficult to see your doctor or obtain prescription medications. However, as a result of the Pathfinder Initiative, it's likely that with increased training and awareness, Bucks County's sheriffs will be better able to effectively defuse potentially explosive situations. As Corporal Kessler says, "We may not have a say in what the world gives us, but we do have a say in how we respond." 🗝



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# BENCH BAR 2020

**TIME:** Friday, September 25th, 6:09pm.

**LOCATION:** Northampton Valley Country Club  
(The Augusta of Lower Bucks)

**THE PLAYERS:** Puglia, Keane, Nardi

*The following is a paraphrased conversation that may or may not have taken place at the above time and location, with all appropriate social distancing measures in place.*

**PUGLIA:** Boy that escalated quickly. I mean, that really got out of hand fast.

**NARDI:** It jumped up a notch.

**KEANE:** It did, didn't it?

**PUGLIA:** I'm proud of you fellas. You kept your head on a swivel. That's what you've got to do when you're in the middle of a vicious cockfight.

*(The men proceed to hug it out)*

**END SCENE.**

Here is the Committee that was created:

Hon. Robert Baldi

Megan Brooks

Brendan Callahan

Tim Duffy

Rob Gordon

Emma Kline

Hon. Jeff Finley

Chris Mahoney

Joanne Murray

Jeremy Puglia

Aimee Schnecker

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Dan Keane

Josephine Lee

Dianne Magee

Hon. James McMaster

Dawn Padanyi

Shauna Quigley

Michael Shelton

Tyler Tomlinson

Melanie Wender

Elaine Yandrisevits

## WHAT A YEAR IT WAS TO CHAIR THE BENCH BAR COMMITTEE.

I've received many congratulatory emails, calls and texts since the Conference ended. And, while I am humbled at the gesture, I can't help but think that these accolades are misplaced, as it is not just one person that runs the Bench Bar Conference. It's just far too big of a task. When Dan Keane told me that his first three choices for Bench Bar Chair said no, and that he was down to me, I was happy to say yes. My first order of business was to establish a Committee of BCBA Members whose experience at Bench Bar ran the gamut. I wanted attorneys who had been going for 20+ years. I wanted those who had gone to a few. I wanted to reach out to members who hadn't gone in a few years, and those who had never been to one.

If you want to know why the Bench Bar Conference was such a success this year, and why we had the most attendees in the history of our Association (161), this group of people is why. Greg Nardi is why. The BCBA Staff (Barb, Emily, Kristen, Dylan, Lynn) is why. Dan Keane is why. Thank you Committee, Greg, the Staff, and Dan for your tireless commitment to making the Conference a true success.

Next year we (hopefully) make our way to Crystal Springs. Melanie Wender, who was instrumental in our initial plans for Skytop, will be running the show. I can't wait to see what she has in store for us. No doubt it will be the best Bench Bar since Hershey.

Respectfully,  
Jeremy D. Puglia







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# Legacy

By Dianne C. Magee

## I have two confessions to make.

One, I am officially old. I became a grandmother to a perfect baby girl on September 11! And so far, being a grandparent is incredibly easy and nothing like parenting at all. I'm sleeping through the night, I'm not breast-feeding, I'm not changing diapers, and my clothes are staying relatively clean. The painful reason for my unencumbered lifestyle, though, is that I can't have any physical contact with Isabel because she's stuck in the Dominican Republic, about 1500 miles from Bucks County. The U.S. State Department has conspired to keep us apart. Her mother's visa application has been pending for some seven months now. Although Isabel is a United States citizen, it seems that since she won't be able to run for President in the future, her presence in this country is not considered urgent. And, because I'm officially old, it's not safe for me to visit her in a place which our government deems to be at a Level 4 on the coronavirus scale. Hence, my grandmaternal urges must be satisfied by glimpses of the cutest baby ever on FaceTime, at times when she's almost always sleeping. I just hope that she arrives here before she's walking and while I still am.

Two, while my skills as a grandparent have yet to be tested, I have officially failed as a parent. My son, Isabel's father, enrolled in (screams of terror) LAW SCHOOL in August! Having been on the inside of this profession for decades (I am officially old) and, therefore, knowing it, warts and all, perhaps mistakenly, I'd always wanted something better for my children and had actively discouraged them from venturing into the law. My sentiments were analogous to those of Willie Nelson and Waylon Jennings in "Mammas Don't Let Your Babies Grow up To Be Cowboys," just in reverse. While the cowboys recommend to "(l)et 'em be doctors and lawyers and such," I think I'd be happy if my son had decided to go home on the range, rather than to Civil Procedure class.

Anyway, as an officially old person, what do I know? So far, Kevin seems to be enjoying his first few months as a 1L and is thriving on racking up stress points as a new, sleep-deprived parent and bleary-eyed student. I must say that his law school experience is very different than



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mine, especially since he's taking all of his classes virtually. Imagine that! There's no seating chart, no trembling in fear that your name will be called to answer questions about the one case you forgot to brief. The Socratic method is alive and well, but in a kinder and gentler sense. Eliminating the element of scary surprise, a small group of students in each class is picked in advance to be prepared to discuss certain topics and cases on certain days. Wouldn't that have been great? I could probably have avoided my hypertension medication (even at my now advanced age) if my law school professors had been so kind and accommodating. The students seem more interested in collaboration, too, and work on projects together. I remember the days of rushing to the library



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right after an assignment was made in hopes of beating the cutthroats before they systematically removed all of the relevant pages from the books. Although law school, of course, still requires a tremendous amount of reading, and Kevin did purchase some heavy books, a lot of material is accessible right on the computer. Computer-based legal research was in its neonatal infancy when I was in school.

My ABA *Voice of Experience* and Kevin's *Student Lawyer* journals arrived together in the mail last week. I read them both, and Kevin will read them later, when he has time after first semester exams and writing projects. Both periodicals were inspirational. The pandemic has thrust law students and aspiring lawyers into uncharted territory. For many, their traditional careers are on hold, as law firms cancelled internships and eliminated or delayed jobs, and bar exams weren't given. The students and young lawyers discovered, however, that, even though they may be working alternatively and/or remotely, the legal profession and attorneys are essential, despite our governor's edict to the contrary. They found the pandemic to provide many new opportunities for lawyers to render service to others. Isn't that, really, what it all should be about? At the other end of the age spectrum, the incoming chair of the Senior Division of the ABA said much the same thing in highlighting the Division's competence, commitment and caring. Another Senior article, entitled "Make Your Own Drug Deal," sounded interesting, too, until I realized that it was an instructional primer on how to save on prescription drugs, which I won't need when I stop practicing law.

I am still old, and jaded, but maybe I wasn't such a bad parent after all. I think I taught my children to think for themselves and to make their own choices. Kevin made the right choice for him, and now we're all on the same page! 🐦



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# #SAVEOURSTAGES

NIVA | NATIONAL INDEPENDENT VENUE ASSOCIATION

By Scott L. Feldman

**MUSIC IS PROBABLY THE ONE REAL MAGIC I HAVE ENCOUNTERED IN MY LIFE. THERE'S NOT SOME TRICK INVOLVED WITH IT. IT'S PURE AND IT'S REAL. IT MOVES, IT HEALS, IT COMMUNICATES AND DOES ALL THESE INCREDIBLE THINGS. (TOM PETTY)**

When the wildly popular Korean boy band, BTS, cancelled their Asia-Pacific tour in February, ripples of concern were felt here, all the way in the United States. By the end of February, Khalid, Green Day and Ben Harper had cancelled their Asian tour dates. Within several weeks, the concert industry worldwide had ground to a halt. Locally, small and mid-size concert and entertainment venues were among the first businesses to close and would be among the last to re-open. Most of these theaters, bars, comedy clubs and concert halls are independently owned small businesses.

Before long, the National Independent Venue Association (NIVA) was created to "fight for venue survival amid mandated, extended shutdowns." Some 450 members in 43 states were part of the initial founding and by June, the organization grew to over 2,000 members, representing venues ranging in size from 250 capacity to 18,000. Fundraising and Congressional lobbying efforts were underway.

On July 22, the bipartisan Save Our Stages Act was introduced by Senators John Cornyn (R) and Amy Klobuchar (D), who stated:

*Minnesota's concert halls, theatres, and places of entertainment, like First Avenue in Minneapolis, where Prince famously performed, have inspired generations with the best of local music, art, and education. This legislation would help ensure that small entertainment venues can continue to operate, and serve our communities for generations to come.*

By August, U.S. Senate Minority Leader Charles Schumer had joined as a co-sponsor and a similar bill was introduced in the House of Representatives. From NIVA's press release, per its Executive Director, Rev. Moose:

*Local independent scenes are the cultural lifeblood of our communities as well as an economic driver throughout America. A Chicago study last year showed that for every \$1 spent on a ticket at a local venue, \$12 of economic activity was generated for area businesses such as restaurants, retailers, and hotels. These mom and pop venues are unable to fully reopen until well into 2021 due to safety concerns posed by large gatherings. These institutions draw most of their revenue from acts that tour the United States, and until it's safe to gather people en masse, it won't be possible for venues to bring back their staff, which is one reason why the Paycheck Protection Program (PPP) does not work for this industry.*



Of course, there are cynics who correctly assumed that despite these broad and heroic efforts, Congress would be slow to address the live music industry's concerns. As of this writing, the concert business is among several industries whose financial difficulties remain and are unlikely to be resolved any time soon.

And yet, the music never stopped. Many popular heritage acts, think everyone from Elton John to Widespread Panic, made certain archival concerts available on multiple livestream platforms, such as YouTube. Fans could gather around their big screen in the safety and serenity of their own homes, and enjoy their favorite artists. Other smaller and regional acts perform free live sets on Facebook, and accept donations. On May 29, Boston favorites Dropkick Murphys performed a free livestream concert from their beloved Fenway Park with no fans in attendance. Theirs was a benefit performance, accepting donations for Habitat for Humanity and other worthy causes. Still other artists recorded and/or performed live shows for their internet fans and charged modest pay per view fees.

These various free, fundraiser or low cost livestreams continue. On October 16 through October 18, NIVA streamed the Save Our Stages Virtual Music Festival on YouTube to raise money for their emergency relief fund. More than 35 artists, including Miley Cyrus, Foo Fighters, Reba McEntire, The Roots and Dave Matthews, contributed exclusive performances, which were recorded live in various independent concert venues across the U.S.

Live concerts returned as well, sort of. Although the aforesaid independent theaters and venues have been left out in the cold, paying fans have been welcomed into the cold. As Summer gave way to Fall, the live music industry figured out that outdoor socially distanced shows could be the ticket. Thus, the Drive In concert was born. In our area, the first such shows were held in the parking lot of Citizens Bank Park. Tickets — in three price tiers — were sold per car, rather than per person. Although the band (or comedian) indeed performed live on a stage, there was no P.A. system. Rather, the music was streamed into your car's FM stereo. Likewise, attendees were generally required to



stay in their cars: No tailgating, no soccer chairs and no mingling with your friends in other vehicles.

This quickly gave way to a more user friendly drive-in experience. Several promoters, bands and improvised outdoor venues determined that each paying car could additionally have their own sitting/dancing space adjacent to the driver's side of their vehicle. So, in a checkerboard fashion of alternating vehicles and sitting areas, attendees were socially distanced and the music was indeed live and loud. Such events have been held at non-traditional sites including drive-in movie theaters (Frederick, MD and Scranton, PA), arena parking lots (Wilkes-Barre, PA), and fairgrounds (Augusta, NJ).

Finally, concerts have been held outdoors with seating in designated "pods." Various venues booked shows through early November, often in temperatures better suited to football games.

One such concert series ("Events at the LNC") took place at the Theodore Pitcairn estate, alongside the Pennypack Park in Huntingdon Valley, PA. The estate is a unique 110-acre "gentleman's farm," part of which is also known as the June Fete fairgrounds. Denny Horn explains that he began promoting concerts at the Lords New Church (a/k/a the LNC Event Hall) in mid-2019. With a modest capacity of 125, the facility had been hosting weddings and corporate events, and wanted to expand to live music. Just as his reputation was growing and ambitious bookings, including a multi-band festival, were set for 2020... the pandemic! In due course, and recognizing the potential of the unique and sprawling grounds of the estate, Denny found that he could host Covid compliant concerts on the adjacent one-acre grassy "sheep fold." He marked out eight-foot square pods surrounded by a six-foot perimeter on each side. Tickets were generally sold in pairs and priced at \$20-\$30 each. Attendees could bring their own food, drink, chairs and blankets. Masks were required to be worn at all times other than when seated in one's pod. A proper stage, sound and lights were rented and food, drink and craft vendors were welcomed. Performers included Philly favorite Richard Bush (formerly of the A's), up and coming bands like Dogs in a Pile, and a variety of cover bands. To further build its brand and the community at large, Events at the LNC also presented free weekend afternoon shows.

Denny already knew that he was in the right place at the right time, recalling the distinct energy he felt the very first time he toured the farm and facilities. He describes being able to keep the music alive by bringing live concerts



**DENNY FOUND THAT HE COULD HOST COVID COMPLIANT CONCERTS ON THE ADJACENT ONE-ACRE GRASSY "SHEEP FOLD." HE MARKED OUT EIGHT-FOOT SQUARE PODS SURROUNDED BY A SIX-FOOT PERIMETER ON EACH SIDE... ATTENDEES COULD BRING THEIR OWN FOOD, DRINK, CHAIRS AND BLANKETS. MASKS WERE REQUIRED TO BE WORN AT ALL TIMES OTHER THAN WHEN SEATED IN ONE'S POD.**

to entertainment starved fans during the pandemic as a "win-win."

Unfortunately, the extended outdoor concert season has since ended. Shorter days and gloomy conditions describe not only the weather but also the outlook for many performance spaces. Promoters, venues and artists will need to stay creative and imaginative in order to ply their trade over the coming months. Live music is slowly returning to traditional indoor settings, but only to those venues fortunate enough to be able to function financially at a mere fraction of their pre-pandemic capacity. Other venues will never reopen, and we will collectively suffer their loss. 🐦





# YOUNG LAWYERS' DIVISION -BONFIRE-

*October 9, 2020*

On Friday, October 9, 2020, the Young Lawyers' Division hosted a family friendly bonfire party at Shady Brook Farms' Fall Fest. BCBA Members and their families enjoyed a private bonfire, great food, live music and all of the Fall activities offered by Shady Brooks Farms' Fall Fest. Thank you to everyone who attended and to Shady Brook Farm for the much needed fun and relaxation!





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