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**Closed captioning transcript for the “We Are Stronger Together: Navigating Crises and Sustaining Healthy Relationships in the Era of Coronavirus” Webinar  
3.18.20**

[Description](#) | [Welcome](#) | [Jeff Lockhart](#) | [Mario Garcia Durham](#) | [Gail Boyd](#) | [Sean Dorsey](#) | [Patti Liberatore](#) | [Mark Lourie](#) | [Rhiannon Giddens](#) | [Matthew Covey](#) | [Mollie Quinlan-Hayes](#) | [Question & Answer](#)

The World Health Organization has now classified the spread of coronavirus as a pandemic, forcing cancellations of events by local mandate or out of “an abundance of caution”.

As a result, the performing arts presenting, booking and touring industry is navigating uncharted waters, as we look to both contracts—and to each other—for direction.

The partners of the Alliance for Performing Arts Conferences (APAC)\* as hosted an informative, field-wide conversation with presenters, agents, artists, and legal and emergency response experts around the current business, legal, financial, ethical and relational realities we are facing TOGETHER.

Guest speakers, in alphabetical order:

- Gail Boyd, [NAPAMA \(North American Performing Arts Managers and Agents\)](#) and [Gail Boyd Artist Management](#)
- Matthew Covey, [Tamizdat Inc.](#) and [Covey Law](#)
- Sean Dorsey, [Sean Dorsey Dance](#) and [Fresh Meat Productions](#)
- Rhiannon Giddens, [Musician](#)
- Patti Liberatore, [Miami University](#)
- Jeff Lockhart, [Kirkland Performance Center](#)
- Mark Lourie, [Skyline Artist Agency](#)
- Mollie Quinlan-Hayes, [ArtsReady](#) and [South Arts](#)

Hosted by [Kevin Spencer](#), Educator, Artist, Consultant, Social Entrepreneur.

Technical support provided by [Americans for the Arts](#).

Closed Captioning was provided by Lauren Schechter - LC Interpreting Services.

\*APAC is [Arts Midwest](#), [Arts Northwest](#), [ArtsReady](#), [Association of Performing Arts Professionals \(APAP\)](#), [Folk Alliance International](#), [North American Performing Arts Managers and Agents \(NAPAMA\)](#), [North Carolina Presenters Consortium \(NCPC\)](#), [International Performing Arts for Youth \(IPAY\)](#), [South Arts](#) and [Western Arts Alliance \(WAA\)](#).

Closed captioning transcript for We Are Stronger Together: Navigating Crises and Sustaining Healthy Relationships in the Era of Coronavirus Webinar hosted by Alliance of Performing Arts Conferences on 3.18.20.

## MARISSA

- We've just got a few more people in the waiting room coming in.
- Okie dokie.
- So hello, everyone.
- Welcome to today's webinar.
- My name is Marissa.
- I'm the field education coordinator with Americans for the arts and we've got a great program for you today.
- First some quick reminders.
- ArtsU is our e learning platform offering a variety of platforms to support your work in the field.
- You can visit the website for upcoming events.
- Please note this presentation is being recorded and the recording will be available in about 24 to 48 hours on the event page.
- Everyone who registered for today's meeting will receive an email when the recording is ready.
- Closed captions will be available for today's event.
- To turn on, please navigate to the bottom of the navigation bar and crest the CC icon.
- You can change the size of the captions by entering the subtitle settings.
- There will be time for questions at the end of the presentation.
- You can type your questions into the chat box.
- To open the chat box please press the chat feature in the navigation bar at the bottom of the screen.
- We expect many questions today so for any question we are not able to answer APAP will be creating a document to get some answers to the questions and it will be shared on the APAP resource page sometime next week.
- This webinar has a high amount of traffic and we're so grateful for you all being here.
- We can support up to 1,000 participants.
- We want to apologize in advance should you experience any difficulties today.
- I also ask that you please turn off your cameras which you can do so on the bottom left hand corner of the screen if you hit the stop video button.
- Should you have any technical issues during today's webinar please send me, Marissa@AFTA a direct message.
- First open the chat function, second click on the drop-down menu in the to field.
- Third select or type in Marissa@AFTA and then send me your message.
- With that I am pleased to pass it off to our moderator today, Kevin Spencer.
- Thank you so much.

## KEVIN SPENCER

- Thank you, Marissa.
- Thank all of you for joining us today.
- As you know the world health organization has now classified the spread of COVID-19 as a pandemic.

- Cancellation of events, out of an abundance of caution, loss of revenue, total disruption of tours, our offices, our schedules, a complete disruption of our lives.
- As a result, our community, our family, is navigating uncharted waters.
- So, we are looking to each other for direction to protect the industry that we all love so much, to protect ourselves, and to seek ways to find inspiration in flaming the fires of creativity.
- We want all of you to recognize, to know this webinar is one effort among many happening right now and will be happening in the future.
- These are first steps.
- This is not the be all end all solution.
- Today we have a panel of presenters, agents, artists, legal, and emergency response experts to help us face together the impact of this crisis.
- Over the last couple of days, I've had the privilege of talking to each one.
- To hear their voice, and to catch a glimpse of what's on their minds and in their hearts and they'll be sharing some of that with all of us today as we go through this webinar.
- Before we begin, I want to acknowledge our alliance for performing arts conferences partners and we especially want to thank Americans for the arts for assisting us with this technology and providing us with this platform.
- Thank you, Marissa, for leading us through this process.
- I want to remind everyone again this webinar is a listen only session.
- Your microphones are muted to reduce background noise and better clarity for the speakers.
- We're also providing the closed captioning option for those who want to follow along.
- There will be time for questions and answers at the end of the webinar.
- We're going to ask you to send questions to us using the chat function in the bottom right corner of the screen.
- We have a team of people screening and organizing the questions so we can address the most pressing issues in the limited amount of time we have together.
- I know you've waited long enough.
- Let's get started.
- First, I'd like to introduce the President and CEO of the Association of Performing Arts Professionals Mario Garcia Durham.
- Are you on the line with us?

#### **MARISSA**

- I think he just joined us.
- One second please.

#### **KEVIN SPENCER**

- We're going
- Mario, are you able to hear us?

#### **MARISSA**

- I think we lost him again.

- I'll keep an eye and will let you know when he's here.

## **KEVIN SPENCER**

- Great.
- As soon as he jumps back in, we'll bring him into the conversation.
- We'll move on.
- Some of the earliest cases of the COVID-19 virus in the United States were reported in Kirkland, Washington.
- The Kirkland center is the first to be affected.
- In fact, in the midst of one of their most successful years on record they were forced to go dark March second.
- Jeff Lockhart is Executive Director of KPC, and you could feel the frustration when I was talking with Jeff that so many of us are feeling.
- But you could also feel his passion.
- In Jeff's own words he would tell you his career started with his mom taking him to rock concerts in the '70s.
- He found his love.
- He's a professional musician, drummer, and never looked back but he's had a lot of challenges to face over the last month as so many of us have.
- I think it's only appropriate that as the first PAC to deal with the virus, that Jeff is the first to talk with us today.

## **JEFF LOCKHART**

- Thanks, Kevin.
- Thank you to everyone for showing up today and best wishes as we go through a difficult situation together.
- As Kevin said, Kirkland, Washington was the first city to have this outbreak start and the first death in the United States took place in our community.
- As Kevin said, the irony of this is Kirkland performance center like many small -- nonprofit performing arts centers, we have our ups and downs.
- We were actually enjoying our historic best year ever.
- Shows were selling out, couple of extra bucks in the bank.
- Busy 7 days a week.
- We worked many days to get here.
- This did not happen overnight.
- This all changed in one weekend for us.
- Since it started, the first death happened on a Saturday, but we worked with our city leader in Kirkland, the city owns our theater and we enjoy the relationship with them that way.
- From the first death we shut down completely.
- Started to spread quickly in our community through a nursing home and we completely shut down and postponed all activity from the first outbreak in the news, March second.15:19:45 We've been dark since March 2nd.

- As the news started to go and more occurrences of the virus breaking out were happening, we shut down through the end of April and we're assuming it's probably going to be longer than that because of how it's hit the Seattle area.
- Like many organizations and artists, we've been especially hit hard by this as an organization.
- Just to be transparent, our best year ever, all of a sudden overnight we're experiencing extremely difficult circumstances with profound challenges to our financial stability.
- All the clients we had, artists that rented for us have booked later on into next year and all of the presented season have as well.
- However, we don't know when we'll get back open.
- If we have staffing challenges, that's going to be a challenge too actually when we open.
- Put a ship back on the water again.
- I wish I could say I knew exactly what we're going to do today but it's kind of like building an airplane as it's flying.
- Ten-hour days as we completely switch our business model, and deal with this on a day-to-day basis.
- I was looking at some notes from two weeks ago and it was almost laughable we were talking about hand sanitization and wiping down seats.
- We have a three-legged tool, ticket sales, rental fees to support the theater.
- Two are nonexistent right now and it's put a big burden on KPC as well.
- Like you.
- Just to conclude, KPC is proud to be a gathering space to come together as a community in our culture.
- Whether we convene as a theater or not.
- We're looking at what it means to be a role in our community, to be a place to be the soul of our community as we always have.
- And we're looking at new things to do through social media and different ways to program and stay in touch.
- Like everybody else, I want to wish everyone time to hunker down and stay safe and when the green light comes back on, whenever that is, we're ready to get back at it and tear it up for music in the arts every day like we do.
- Thank you for all you do for your amazing work as colleagues as we lead our communities and look forward to working hard and staying strong for the arts in our communities together.

## **KEVIN SPENCER**

- Thank you, Jeff.
- For those of you who may have questions throughout the webinar, please use the chat function.
- We're going to ask you if you can hold off on the hellos.
- We appreciate there are so many hellos.
- And that the family is coming together.
- But if we could get you to stop on the hellos so we can sort through the questions that might be coming in, that would be incredibly helpful.
- I think we have Mario with us.
- I'm going to bring Mario back into the conversation.

## **MARIO GARCIA DURHAM**

- Can you hear me, Kevin?

## **KEVIN SPENCER**

- Yes, sir.
- Thank you.

## **MARIO GARCIA DURHAM**

- Hello, everyone.
- Thank you, Jeff, for that.
- I apologize for being late.
- I lost my computer exactly at 3 o'clock.
- I'm glad to be speaking to you all.
- I'm going to do a brief introduction.
- Thank you, Kevin, Arts Midwest, ArtsReady, folk lines international, North Carolina Presenters Consortium, International Performing Arts for Youth, South Arts, Western Arts Alliance, and performing arts colleagues.
- Mostly I want to welcome all of you and thank you so much especially during these difficult times for all your commitment, dedications and all you give and have given to the arts and your communities.
- This pandemic is impacting the globe, the nation, regions, states, communities, arts colleagues, boards and staff, you and your families.
- It's unprecedented.
- And as it barrels towards all of us, none of us know the impact.
- Some of us are feeling the impacts right now.
- If you're like me, experiencing fear, anxiety, worry about the future, whatever that future is.
- However, I still have hope and a view to life.
- Today's conversation is to identify how we can tap into the strengths of our field and the relationships and fair practices we have to soften the blow of what will inevitably be a hard and direct hit.
- Service and field organizations are monitoring the spread and impact of the virus on an hourly and daily basis and are working with other organizations to gather information and share resources.
- We're also in communication with our foundation partners in search of financial support for the field and one of the most important actions we are all taking now, thank you for those that have been asking about it,
- is working with our fellow field organizations to advocate on behalf of the performing arts to Congress which includes gathering data from the field.
- The House just passed a bipartisan COVID-19 relief package and Congress is expected to continue discussing other forms of relief.

- For today's webinar we already heard from one, we selected colleagues to share experiences in the hopes these stories will resonate with you or offer a perspective you may not be aware of or share.
- But before we hear from them, I wanted to remind you of a couple of important points.
- Right now, it is very important that we continue collectively to make a case for performing arts organization and independent artists.
- If you get requests to take a survey from APAP or any of our partners or other organizations, please take the time to do it.
- We also strongly urge you to contact your congressional representatives, that has worked in the past and can help us now greatly as we move into this.
- Now is the time to think about what you will do to help each other, after the peak of this worldwide health emergency abates.
- I do think that during and post COVID-19 the arts will play a key role in our communities.
- Allowing us to move on, to grieve, to think about what changes face us, and ultimately to celebrate.
- Thank you for this time and again thank you for participating in this call.
- It's just one of many.
- Kevin, I turn it back to you.
- Thank you.

#### **KEVIN SPENCER**

- Thank you, Mario.
- We always appreciate your leadership, your wisdom, your words of encouragement, in good times and times like now when things are challenging for so many.
- The next person we'd like to speak to all of us is Gale Boyd.
- She's an entertainment lawyer, artist manager, and the current President of the North American performing arts managers and agents, NAPAMA.
- Gale brings a really unique perspective on how the COVID-19 is impacting all segments of our community.
- Agents, artists and managers.
- NAPAMA created a COVID-19 task force and they've been providing resources to members over the last couple of weeks.
- Gale is going to bring us up to speed.
- Thank you for joining us.

#### **GAIL BOYD**

- Thank you, Kevin.
- I appreciate it and I appreciate everyone's effort in bringing us all together to really -- it's a really crucial time for all of us.
- We began learning about cancellations from members about two weeks ago when people started really panicking because they were learning that some tours were being cancelled.
- At that time, we did create a COVID-19 task force to gather information and resources for our members, and for the field at large.
- I'm going to share this in the chat space as soon as I'm done.

## MARISSA

- Gale, if you wouldn't mind speaking up a little bit, some folks have having trouble hearing you.

## GAIL BOYD

- Is this better?

## MARISSA

- Yes.

## GAIL BOYD

- Okay.
- Thank you.
- The situation is really challenging every day.
- Performances and tours have been cancelled all the way through the end of April.
- And most of us are in discussions right now about our May dates and even going into June, especially for our agents and managers who have a national act, Italy, Germany, places like that we've been told by many of them they will be cancelling through tend of June.
- It's a really crucial time.
- The way that the community has been coming together has really been great.
- But I think that we have to pay a little bit of attention to the people who are actually suffering the most so that we can all come together in the spirit of cooperation, and while most presenters have been really cooperative and working with the agents and the managers and the self-represented artist,
- there have been sum that have used the opportunity to sort of exert power over the situation when they should not have.
- So, we really appreciate the vast majority of the presenters who have worked with us.
- Some of the issues that have come up, that we really need to talk about are deposits -- whenever you have a crisis you also have an opportunity to go back and look at your contracts and look at your relationships that you have with presenters.
- And find out best ways that everybody can win.
- And if you have a situation, as many of our agents and managers do, where they receive deposits and then use those funds for expenses such as Visas and flights, if the performances then cancel
- we have to figure out an equitable way to work it out so that nobody is winning.
- But everybody will at least be on an even deal.
- even keel.
- Those are the kinds of things we've been working on with presenters because they're suffering as well.
- They're not all rich.
- They do get money from donors as well.
- We're sort of all in the same boat.
- We believe that this creates an opportunity for us to look at force majeure clauses in our contract, to look at whether there is an industrywide standard for some of these things because it's really important that we maintain relationships we've built with presenters and often it's the relationships that help smooth everything over.



- Those are the things primarily that we've been working on.
- The resilience of our field has been on display.
- Through tears and grief, the staff has been working to reserve dates.
- We're advocating on behalf of artists realities.
- Several artists have let us know; self-represented artists have let us know they have zero income for the next three months so there has to be a way that we can try to help them.
- I think this group is working on that right now.
- As Mario did express.
- So, our immediate concerns are those.
- How do we keep the music playing?
- How do we keep people dancing?
- How do we keep income coming into people who are most at risk?
- Those are our challenges.
- We feel that we are up to the challenge.
- If you will go to [NAPAMA.org/Coronavirus](https://NAPAMA.org/Coronavirus) you will see resources and frequently asked questions.
- And we look forward to working with all of you through this process.

#### **KEVIN SPENCER**

- Thank you, Gale.
- Again, when the recording goes out, after the webinar is over these resources will be available.
- But if you look in your chat right now, some of the NAPAMA members, I saw there was a link placed up to some information there.
- A lot of people have placed information up.
- Pat Owens mute your microphone; we're getting some feedback.
- Again, if anybody has questions specifically for NAPAMA or Gale, put them in the chat.
- They'll sort through them and we'll try to answer those questions as we start to wrap up at the end.
- Next we want to bring an artist into focus.
- I'd like to introduce Sean Dorsey.
- In addition to navigating the challenges plaguing every performing artist, Sean is also the founding executive artistic Director of a transgender, fresh meat productions.
- Sean, I'm going to turn this over to you.

#### **SEAN DORSEY**

- Hello.
- Thank you.
- I think I did all my technology -- there you go.
- Hello, everyone.
- Can you hear me?

#### **KEVIN SPENCER**

- We've got you, Sean.

## SEAN DORSEY

- I'm sending so much love to our arts family across the country.
- I would love to actually start with a moment of mindfulness.
- I know right now I think we're all swimming in a sea of stress hormones and cortisol.
- As I'm talking for the next few minutes, I invite you right now to take a really deep breath, wherever you are sitting or laying on your couch.
- Think about deepening your breath as I share my time with you.
- I also want to thank the wonderful person who is doing the closed captioning live today.
- I invite us to think about really thinking about disability justice, and access as a first step in our response to the virus crisis and our communications.
- I'm really grateful to the folks who put on this webinar for making that a priority.
- When the crisis began emerging, I was located in two main arts contexts.
- I'm a choreographer and artistic Director of my company, Sean Dorsey dance and I'm currently in the midst of making a new show, lost art of dreaming, exploring of all things expansive futures and expansive embodiment.
- I was in the studio with my dancers, meeting with composers, costume designers and I'm extremely excited about this new work.
- I would be waking up excited thinking about it first thing in the morning.
- The first change we had to make was a couple of weeks ago Sean Dorsey dance had been invited to do a performance at a bay area grantee gathering of a very prestigious national funder.
- It was an amazing opportunity.
- We were super honored to be asked and this was at a time when there was no mandate for general social distancing but folks who were more vulnerable -- it was recommended folks self-isolate or stay home, stay away from large gatherings.
- I think at the time it was more than 50 people.
- So, this was a couple of weeks ago and as soon as it was recommended that vulnerable populations isolate, I had to reach out and say we cannot be a part of -- I can't be a part of attending the gathering and we can't perform.
- Because my practice, my organization's practice is to assume that everybody is a vulnerable population.
- I'm not going to ask my dancers to disclose to me their HIV status, or chronic health issues, or illnesses.
- And so, we withdrew from that and the funder was very supportive of that.
- But I share that because I think it's a really important practice that we assume all of our staff and team and audiences are vulnerable populations and make decisions from that place, again thinking about disability justice.
- So, our home season was to be in April.
- That was moved about 6 to 8 days ago moved to May and we've now moved to September dates which will still be up in the air until we know more in coming months.
- As of last week, I announced suspending all in person rehearsals and that's obviously being enforced by the mandate, thank goodness the San Francisco Mayor has issued of staying at home.
- So, I'm also the artistic Director of fresh meat productions, we're a trans arts nonprofit that invests in the creative expression and cultural leadership of transgender and nonconforming communities.

- With our small but wonderful mighty staff we were planning a whole series of events and programs this spring, free public workshop series, home season, and then in June our 19th annual fresh meat festival of trans and queer performance.
- Now we're looking at all of our programs and events from March all the way through the end of June.
- We are cancelling all in person programs and we're right now looking at how to create a really awesome virtual online festival in June.
- And I think the main thing I wanted to share with the arts family today was that myself and my organization really understand that this crisis is a challenge, and an invitation for us to really live our values as a field and as individuals.
- I know that our field has been finally talking more collectively about white supremacy, cultural equity in our field.
- I think this is the time for us to live our values and I think how we choose to respond individually and collectively is a test, a moment of testing how we live our values.
- So, it's my opinion, and the values of my organization that our first thought and our first priority in every way we respond to this crisis is thinking first about racial justice, trans justice, disability justice, cultural equity.
- My organization is literally facing losing one hundred percent of our box office for this fiscal year.
- All of our ticketed events were to be between March and June.
- But as an organization whose core values and passions are commitments to racial justice, trans justice, disability justice, and to challenging white supremacy, trans phobia, ableism, queer phobia, xenophobia, classism, capitalist based harm, we understand and are communicating that our response to this crisis must also reflect our core value.
- First thing is reach out to everybody in the fresh meat family, Sean Dorsey dance family, staff, board, dance crews, graphic designers, grant writers, photographers.
- Anybody who we committed employment and income to for this entire fiscal year which for us ends June 30 we have communicated that we are paying everyone with love in full.
- We're going to make that happen despite losing a hundred percent of our box office and other income.
- We also realized most recently that after making this commitment that we also need to follow up individually with folks to find ways that if possible we can pay folks via Venmo or PayPal so folks don't receive a check in the mail and have to navigate leaving the house and going out in public and using ATM, et cetera.
- Very quickly I would love to share some best practices.
- I'd love to suggest that funders adopt right now.
- It's felt amazing to have some funders reach out with love and to use language like we trust you and we care about your surviving and thriving.
- We love that some of our funders have immediately said we are open to changing project grants to general operating grants.
- I would love to see across the field all funders adopt that as a practice.
- To also changing timeline on payments.
- If organizations need payments sooner.
- And to remember in all these EFRTS to think about accessibility, live captioning, ASL, et cetera.
- Last I want to also speak to -- as an organization whose financial wellbeing is very much tied to year round constant touring, working with presenters -- this was already brought up, if a presenter has received funding to bring in an artist for a live engagement, of course the live engagement is not going

to happen, there will be savings on hotel and travel, can there still be payment to artists and other workers, can it be online and virtual -- for presenters to think about janitors and maintenance

- I think I should stop now because I'm probably totally over time.

## **KEVIN SPENCER**

- Thank you, Sean.
- As a matter of fact, I was just ready to step in.
- Thank you for smart words.
- And I think for calling our attention to a lot of things maybe people don't always have in the forefront of their mind.
- People know that I'm an independent artist.
- I'm a self-represented artist.
- I think one of the challenges is that when I get a phone call from a presenter, I'm one phone call that so many of these presenters are making.
- And all of us are experiencing this in very different ways.
- I think that's one of the things that makes this webinar so interesting, we're hearing all the different perspectives and our next speaker is one who brings a very unique perspective.
- I've known Patti for a long time.
- She worked for Miami university in Oxford, Ohio.
- Executive Director for the performing arts there.
- Also, the Dean for college of creative arts.
- She's been a performing arts presenter for over 30 years and most of that time she's been in higher education.
- One foot firmly planted on campus and another on the community.
- Using her words, she said she drank the Kool-Aid long ago about the power of live performance to bring people together.
- Actually, it's what brought Patti and her husband Steve together.
- In addition to being her husband, Steve is also the Vice President of Nederlander entertainment, books spaces from clubs to festivals to large arena.
- Patti's perspective is informed by both the academic and entertainment industry.
- This is another strong voice for all of us to hear.

## **PATTI LIBERATORE**

- Thank you, Kevin.
- Thank you so much.
- Thank you to Mario, and all of the organizations who come together to make this webinar possible.
- And thanks to all the people who have chimed in.
- This is obviously a very important issue for all of us to address collectively.
- I want to share a little bit of history and context for us at Miami university in Oxford, Ohio.
- It actually began for us at Miami in January.
- Miami has a significant amount of students from China and we send a lot of our students to study abroad in China.
- Third week in January we began to hear rumors that some students may have the virus.

- We were preparing for a major fundraiser, and also finishing a search for a staff member.
- The virus didn't seem that dangerous then.
- Then Tuesday, January 28th we received the first of many emails from Miami leadership about quarantining the students, advice from the health department and they'd set up a hot line for questions.
- Miraculously it seemed to blow over.
- February second, the day after the fundraiser, Miami announced the tests had come back negative and we thought we dodged the bullet.
- Then March came and it really hit hard.
- Today all essential employees are working from home, classes are virtual.
- And Oxford Ohio has its first case of COVID-19 and it's a ghost town.
- Oxford is not a huge town; Miami is a big part of it.
- It's a concern.
- A little bit about the impact on our programming.
- Our first cancellation was actually February 8.
- Each year we sponsor the Chinese New Year gala in collaboration with the Confucius institute and several organizations.
- In the midst of the chaos and our first scare, I was told the students decided not to have it.
- But the rest of the season, in short, it's all postponed and we're figuring out which dates can work for everyone.
- We're fortunate only two shows were left but oddly both were scheduled in buildings Miami doesn't own.
- A chamber series event in the Oxford community arts center.
- It's a state university in the State of Ohio.
- It's an interesting time to be in the State of Ohio right now.
- Our Governor, Mike DeWine has certainly been on the vanguard of cautionary measures.
- Rightly so.
- With the SGAERTings ban of over 100, it was clear -- I reached out to my colleague, working through the problem of the concert in the music hall, had to acknowledge they didn't have a deposit from us because that goes against state policies.
- It wasn't anything I could do about that.
- Also, I'm a presenter at a state university.
- Every day I feel fortunate to have the institutional support of Miami university.
- Now as the university is taking much of the decision-making and responsibility out of me and my staff's hands, additionally they've made great effort to take care of staff during this work from home period, providing extra paid time off.
- Partial housing refunds and I believe our leadership is doing their level best to keep the human beings safe.
- But still I'm left with a sense of powerlessness in this vacuum of not knowing what the future HOELTDZ.
- I can't be the only one who feels that way.
- Right?
- I know there are going to be budgetary consequences for this, for my program and I'm trying to get in front of that as we approach finalizing next season.
- But it's kind of hard, I will admit.
- As Kevin mentioned also my husband is a promoter.

- We've been having interesting conversations at home.
- His bosses expect him to make money on every show.
- At least the majority of them.
- We live in Cincinnati, on the Kentucky border.
- He is responsible for clubs in Kentucky, along with Cincinnati.
- It's been crazy watching him listen to edicts from two Governors.
- In the face of all the postponements, although he's been successful in rescheduling almost every show, my heart goes out to them.
- We have new limits imposed in a new appreciation for social distancing.
- Some of the things running through my mind.
- But I would say that the biggest challenge for me as the Director of the performing arts series is moving forward in a vacuum.
- I have two other staff members; they are both new to their positions this year.
- I'm trying to figure out how to make sure that working from home doesn't radically slow down our team building.
- So far, we've scheduled Google hang outs to touch base each day and catch up.
- I had some great suggestions one from the agent friend of mine who works home routinely.
- We've also been brainstorming ideas about how to remain relevant and valued during this time.
- Like many we're still figuring it out as we go.
- I'm very used to this on a certain level.
- Lack of shows and a daily structure actually seems to make it harder but I'm looking for opportunities.
- In this quiet sort of Casablanca time period my hope is my staff and I can go into a research and development phase diving deep into knowledge to find new ways to be relevant and develop office systems.
- I believe good things often come from bad and I've experienced that old truism, necessity is the mother of invention.
- So, I guess for the broader field, I think the silver lining lies in the mutuality of what we do.
- We're all true believers in the power of creativity, and the innate value of coming together to experience live performance.
- If we are to continue doing what we do and providing that for your communities, fans, for our country, we must deal with each other in good faith as decently as possible.
- So, if it's necessary that we find a new way to do business and different ways of delivering value to our communities, then I'm hoping we can figure it out now.
- Together.
- One of the reasons why I'm so grateful for this opportunity to come together as a field, at a time when we all have a lot of questions, maybe more questions than answers.
- But together I think we can figure them all out and I'm so grateful to be a part of it.
- Thank you, Kevin.
- I'll turn it back over to you.

## **KEVIN SPENCER**

- Thank you, Patti.
- I think you've said several things that are really, really important.

- I do think that we're going to see a paradigm shift in the way that we all run our businesses and the way that we present live entertainment.
- Again, I'd like to emphasize that from the perspective of APAP and the other organizations, this is first steps.
- This webinar today is the toe dip into hearing from everybody about what's happening, and how everybody is dealing with this crisis in a different way.
- And with every person that I listen to, I get a different perspective.
- And I understand problems in a completely different way.
- And I understand that everybody is being hit differently than I am.
- So, I appreciate that perspective very much.
- Our next panelist is Mark Lourie, Vice President of development at Skyline artist agency.
- This is a long-standing boutique agent that represents a wide range of artists from legendary folk, rock, just about everything in between.
- Mark is the head of the contemporary arm of the agency and represents darling side, the brothers -- so many OIRS.
- I'm going to turn this over to Mark, let him share some of his thoughts with us.
- I had a great conversation with Mark yesterday, so I know he has lots of things to share.
- Thank you.
- I'm going to turn this over to you.

## **MARK LOURIE**

- Thank you, Kevin.
- Everybody hears me okay?
- Let me start by first saying that I know much of the audience is a performing arts end of the industry.
- I just want to mention that I do represent mostly artists who play hard ticket promoter and club dates although some of my acts, we BANG owe three plays a lot of PAC dates as well.
- But here at Skyline we have a separate and dedicated performing arts nonprofit team led by Andrea, and her assistant Ben Rossman who I'm sure many of you know.
- My perspective is a little bit more as a responsible agent and a hard ticket agent with shorter lead time typically.
- This crisis first began impacting me when an associate questioned if he should go to ILMC in Europe around March fifth.
- But in a way things moved so quickly by the next week I had an artist Kaitlyn KAN tee who happened to be six months pregnant who decided to cancel her three dates at the end of March on advice of her doctor, not to be flying around.
- And then I think for most of us probably the dam really broke about the 12th or 13th I think honestly after President Trump's first speech in which he kind of looked like a deer in the headlights a little bit.
- I think that was a note to a lot of people that this could be a bit of a challenge.
- And at first it was oh, the first two weeks of March everybody realized they had to cancel.
- But very quickly it turned to all of March, and then not very much longer all of April.
- Honestly, I'm cancelling pretty much everything in May right now, at least tour dates.
- We're still kind of crossing our fingers that some of the Memorial Day weekend festivals will survive but some as you've seen in the last day or two --
- New Orleans jazz fest, Bonnaroo pulled the plug.

- Now I'm hoping June is maybe the worst.
- Of course, we don't know that.
- I think one of the greatest challenges particularly for agents in terms of what to do with rebookings is we don't know when this is going to all pass.
- I have actually moved some tours or some dates, clusters of dates into late June.
- Even mid-June.
- But at this point we don't even know if those will also need to be moved again.
- Needless to say, it's been incredibly challenging in that regard.
- And for the artists, of course, I don't have any but I am aware of two or three artists who are just about to start or were just in the beginning of a CD release tour.
- That's got to be just brutal.
- They will lose that momentum of that whole release timeframe.
- That's something that's kind of hard to get back.
- They can certainly reschedule but the timing is going to be all off.
- It's a pretty tough time, especially artists at the lower or middle rung of the ladder who don't have the cushion to self-support.
- I have seen some interesting fundraising efforts, live streaming of shows, fan-based fundraisers.
- Things like that.
- And I think you'll see some more of that in the near future.
- And then next problem that agents are dealing with is that -- I'm sure you buyers are feeling it too, there's an absolute feeding frenzy for fall dates.
- Maybe some of you had your seasons booked so it's not quite so much the situation but for the hard to get dates it's crazy out there right now and everyone is rushing as fast as they can to gobble up the dates.
- For me I've pushed the tours into January or February on purpose to avoid the rush.
- On a more positive note I will say it does really feel like we're all in this together.
- The buyers have been even more responsive I think in the last week or so.
- Everybody is trying to do the best they can.
- There seems to be very, very little spirit of tension.
- Everyone seems to be cooperating the best they can.
- And I think that's a good thing.
- I think in the long run we are bringing each other together through this.
- And realizing that we're all really on the same team here trying to promote live music.
- Also from this I will say I personally am incredibly fortunate to have some really, really great artists who have on purpose come to me to openly express concern for me and how much of a workload this must be, particularly where I'm doing -- if anything more work just to move dates or cancel dates and therefore not make money.
- So that's been very up lifting.
- And in that regard, I will mention one thing that I can't speak for other agencies but an area that probably isn't talked about very much.
- In small agencies like Skyline or other small agencies who don't have \$100,000 artists, of course the whole agency doesn't have an enormous safety valve of money to help everybody survivor.
- And a lot of smaller agents, smaller companies are on commission.
- Very much like the artists we don't get paid until the date plays so there will be a great income loss for a while for a lot of agents and I'm sure that's going to be extremely difficult to navigate.



- So, my biggest concern right now is the welfare of my artists, whether I can get enough replacement dates in the crowded environment to help them.
- I think there are a few opportunities for the industry as a whole.
- I think we're all going to learn to be a little more agile, and maybe as an agency the fact that we are a smaller agency and more agile, that some of the larger agencies will have more trouble both being there for the buyers and the artists and that of course opens opportunities for feel who feel they're not being represented correctly or whatever.
- We always prided ourselves on being a pretty adaptive and agile agency.
- I consider that certainly a potential long-term benefit.
- And this will pass.
- People need music.
- And people will be out there to see music again.
- We just don't know when.

### **KEVIN SPENCER**

- Thank you.
- Thanks very much.
- Again, everybody brings different perspective to this crisis.
- Thanks for sharing with us.
- I am watching the chat and so I'm seeing so many things hitting along the chat there along the lines of legal issues, questions about Visas, that sort of thing.
- I do want to let you know that we do have a speaker who is going to speak to some of those questions that you have.
- Please just stay tuned for that.
- I do want to bring in our next speaker.
- This is Rhiannon Giddens, a native of Greensboro, North Carolina, alumna of the North Carolina school of science and mathematics.
- Founding member of the chocolate drops and 2000 graduate where she studied opera.
- In addition to work with the Carolina chocolate drops, she's joining us today from Ireland after she faced multiple cancellation of dates in the middle of the tour in Australia.
- Cut short in Australia, cancelled the tour in Japan.
- Now she's in Ireland.
- I'm sure she really has absolutely no idea what time zone she's in or at least her body doesn't.
- I do know she has some really good ideas to share.
- Thanks for joining us.

### **RHIANNON GIDDENS**

- Thanks for having me.
- It's a bit crazy.
- I have to say.
- But I'm so excited that we're using this technology to come together as a community because it's really what we have to do.

- As you mentioned, I was in Australia, just ahead of all the border closings trying to figure out what to do, dates were cancelled, luckily the one in Melbourne went ahead and I know I'm going to be able to pay my crew and artists -- my musicians for the whole tour even though we didn't get to do all of it.
- My main thing was to make sure that my people get paid.
- I'm in a fairly fortunate position because I didn't have a lot of stuff scheduled through the spring.
- University gigs are cancelled, my opera is probably going to get canned I've been working on for a couple of years.
- I am feeling it but I'm also on a -- I'm in the middle of a McArthur.
- If that continues who knows.
- At the moment I'm not worried about myself as much as I'm worried about a bunch of people, a bunch of my friends, people I work with, my cushion is not huge, but I know I'm not stressing.
- I can pay my rent.
- My main thing has been what about all the folks, not just artists of course but people behind the scenes who don't have the cushion.
- When there is an eviction, and they can't pay their rent, that's something so hard to come back from.
- It's like how can we support them in this period, hopefully it's a short gap period but we don't know -- all we can do is plan for the immediate right now which is -- sorry, I just repeated myself.
- As you mentioned I don't know what time zone I'm in.
- As I was thinking about trying to look at resources and what was going on, I've been chatting with Amanda Palmer who has an amazing connection with her -- direct connection with her fans through pay tree on, this idea of trying to get the resources for people.
- I started looking and there are actually quite a few things going on.
- Quite a few resources.
- Emergency grants.
- Lots of people kind of grappling with this, and there are a couple of aggregate sites that are really good.
- But I kind of started going I feel like we need something that is kind of a hub of what's going on.
- Everything is shifting to online.
- And I'm finding out there are things -- kind of like there's the idea of the resources and making sure everybody is connected as possible with what's going on.
- Then there is this idea of people starting to put stuff online, people starting to stream.
- There is a stay at home festival this weekend, one in Canada going on, a weird streamathon that is put on today or about to happen.
- I can't remember what time zone it was in.
- And I keep hearing from so many people who would be in the audience.
- They're just like tell me how to support artists.
- How can I pay -- how can I give them money?
- How can I keep the music going at least through the screen?
- And so, my whole thing is trying to figure out an infrastructure online for that, a way to facilitate the public going straight to artists, not just music.
- But dance, writers, visual arts.
- There's a lot of things that are kind of being started here and there and everywhere.
- feel like it would be a great opportunity to kind of pull it together so that people could just go okay, how can I reach somebody or do this?

- They just go to this hub and the links are all there, or the people can post -- we can get a calendar going of all the streaming things that are going on.
- I'm kind of thinking behind the scenes at the moment.
- Because I have a lot of free time right now.
- But that's my main concern.
- How do we help ourselves in the community?
- And also, another thing that I really want some established artists to start to say hey, I want to reach out, and I remember what it was like when I started out.
- I want to donate to this thing to help these artists.
- You know?
- I think it's kind of like in the non-arts world, these billionaires, it's kind of like there are people who have resources.
- I think it would lift people up if really big people were saying hey, we see, we remember.
- These are just ideas.
- I'm working on something with someone on my team.
- We've kind of tentatively called it art lives on.
- We're trying to start to gather stuff up to be on that website.
- We've grabbed a domain name.
- I don't know if that's catchy enough.
- I'm also thinking we need to brand it, make it catchy.
- We need to have it so people can remember it easily, go there, and then kind of shoot out to where they want to go.
- The idea is landing page, if you're an artist go here.
- Here are your resources.
- You don't know how to use this or what streaming platform?
- Here you go.
- The other part would be for the audience.
- Oh, you want to see some of this kind of music, or you want to know what is streaming or if there's a Facebook live going on or whatever.
- It's kind of a massive concept but I think it's possible with the right tech team.
- I'm just -- it's the way that I feel like I'm sort of obsessed with.
- If there's ways to figure that out, and to get people paid for what they're putting out, because there's also this idea that just start filming yourself and throw it out there because you want to keep putting your art out.
- We have to figure out a way to monetize this or at least support the people doing it in a financial way because we don't know how long this is going to be.
- So, to end it, I think it could be something that lives on past when we kind of get back to being out in front of people because I think there's always going to be an aspect with us now.
- I think we all see how easy it is to disrupt the global capitalism that we've kind of gotten sunk into.
- We have to support each other.
- So anyway, that's it.
- This is just one artist trying to figure out how to help people.
- That's all.

## **KEVIN SPENCER**

Closed captioning transcript for We Are Stronger Together: Navigating Crises and Sustaining Healthy Relationships in the Era of Coronavirus Webinar hosted by Alliance of Performing Arts Conferences on 3.18.20.

- Thank you.

## **RHIANNON GIDDENS**

- And I'm jet lagged.

## **KEVIN SPENCER**

- Thank you.
- So good ideas, good ideas about creating a hub.
- That information is a great idea.
- As artists it's important that we recognize we don't want to cut the venue out of the place.
- Venues are a place of live performance.
- So, finding this balance, finding the way this new paradigm is going to work allows for live performances as well as this hub of clearinghouses.
- Everybody needs to be able to come together and come up with some really good solutions that work for all of us.
- I'm continuing to see so many of the questions that are the legal questions that are popping up there.
- And I want to quickly move into our next speaker.
- Matt Covey has worked in music and arts since 1996.
- He is a founding member of Tamizdat.
- He is with knitting factory records.
- He has extensive experience and understanding of the entertainment industry as a whole.
- He's here to address some legal issues that all of us are confronting.
- Some of you more than others in regard to Visas, contracts, those sorts of things.
- Matthew, I am going to turn this over to you, my friend.

## **MATT COVEY**

- All right.
- I think in six minutes I'm not going to be able to cover an awful lot of the questions that I'm seeing.
- And I also want to make sure people understand that obviously this is a lawyerly disclaimer.
- All of us are dealing with very complex issues right now.
- And the nuances of those issues are going to make each situation specific and case specific.
- So, advice that I'm giving right now needs to be taken as general.
- And it's here to give you ideas to work with.
- But I urge you, if as you muck through all the various disasters that we're all mucking through, that you be very specific and get advice where you need advice specific to your situation.
- I'm going to talk about two things really quickly.
- The big question in regarding Visas and the big question regarding contracts.
- I hope this very cursory summary is helpful to some of you.
- I think in the Q & A we can get into more detailed questions to a point. Regarding Visas, we are working closely with Heather noon at the league of American orchestras.
- I want to encourage you to look at the website they run, artist from abroad website or to Tamizdat website for Visas, what is happening, who is able to travel.

- At this point pretty much nobody.
- But there's a lot of information there about -- that's relevant to an artist who had Visas or are midway in the process and can help people figure out where to go from that.
- I'm sure we can put up the URLs in the notes afterwards.
- The primary question of course for presenters and agents and managers who are working with international artists is we got a Visa.
- Or we already filed a petition.
- Everything has been cancelled.
- Can I change those dates?
- The basic answer to that is no.
- Once you file a petition, or once a Visa is issued those dates are fixed and you can't change them.
- That's the law.
- That being said, I'm aware there's a coalition of bay area arts organizations that have been talking to Nancy Pelosi's office and I know that Heather noon and at the American league spoke to ombudsman yesterday and over the coming days Thomas DOD and the league will be working with arts organizations to put together lobbying work done focused on CIS's own application of its rules in the hopes that we can develop protocols with them for amending Visa durations without having to go through all the expenses of filing a new petition.
- I don't know if it's going to work but some initial indications from CIA indicate it's not absolutely impossible.
- Stay tuned to see if there's any luck on that front.
- They are very aware that this is a debilitating situation for our sector and hopefully over time in coming months there's going to be a way to address that.
- That's a Visa question.
- I think the big question regarding contracts, every contract is different.
- What I'm going to talk about here is generalized.
- I think a lot of people are wondering what happens to all these contracts for all these performances.
- Hopefully the large organizations have legal departments explaining what's in the contracts and explaining how to sort this out.
- Basically, all this comes down to the question of force major.
- Most contracts between venues and artists have a clause.
- There is not a fixed definition of what it is, under U.S. law.
- But under most jurisdictions -- even if the contract doesn't have a force majeure clause, the doctrines of impossibility, impracticability, doctrines that apply in different jurisdictions or states, one of them would probably enforce the terms of the contract.
- If you can't perform the contract, chances are there's some legal mechanism to allow that contract to be re-discussed.
- Normally in the event of a force majeure cancellation, if neither party has performed any element of the contract, meaning no deposit has been sent, then the force majeure excuse s the contract.
- Basically, neither party has to do anything, and the contract is void.
- you have a contract, but nothing has happened and now you can't execute then it just disappears.
- That's usually the way it works.
- Obviously before you ignore a contract you should get advice about it but that's typically the way it works.

- Big question now for both artists and presenters is what to do about those contracts partially executed, meaning there's been a deposit already been issued.
- Does the force majeure event require the return of the deposit?
- I think there are three considerations that are important here, ranging between legal considerations, ethical, humanitarian considerations.
- The first is legal consideration.
- What does the contract say?
- A well drafted contract will have addressed what happens in the event of a force majeure cancellation.
- If the topic is addressed in the contract, then it's obviously enforceable.
- Whether that is humane or not is another question and should happen in a good faith conversation between the parties in the contract.
- Normally, however, the first -- before we talk about failing to execute the contract, the first conversation
- I think a lot of people are having this already when I talk to presenters and artists is whether the date can be rescheduled.
- Many contracts stipulate both parties engage in a good faith effort to reschedule the performance.
- And the artist will keep the deposit pending the rescheduling.
- In many contracts that window is three months, the rescheduling period.
- Obviously, I would recommend that a good faith situation -- six or 12 or possibly 18 months.
- That seems reasonable.
- Something that would be weird to not extend that and have everyone agree to that.
- I think if the rescheduling event is impossible, venues and artists need to look to any insurance coverage they have and evaluate whether insurance would cover the loss of the deposit or for the loss of revenue.
- In the interest of fairness generally you look to mitigate the liabilities of both parties.
- If, for example, a venue has insurance to cover the loss of fees to an artist, but the artist doesn't have insurance to cover the loss of work that would be an important factor in a good faith negotiation.
- That's really general.
- I'm out of time.
- But again, I would encourage you to in regard to Visas, keep track -- look to Thomas Dodd's website for updates on news about Visas.
- And advocacy work being done there.
- Or look to the league of American orchestras website also for that same kind of information.
- I think that's it, Kevin.

## **KEVIN SPENCER**

- Thank you very much.
- I would encourage everybody to look at those resources.
- NAPAMA is doing work around that as well.
- Check that website for that information.
- Again, we're seeing tons of questions popping up in the chat.
- We recognize that we are going to go long.
- We're going to extend this to five o'clock.

- If you want to stay, attendees, if you want to stay on the webinar with us, we'd encourage you to do that.
- We have one more speaker, one more panelist we'd like to bring in right now.
- This is really appropriate.
- Mollie Quinn LAN Hayes has served as the deputy direct LOOR of south arts, southern states, and very appropriate to today's conversation, Mollie is also the Director of the south arts national initiative called ArtsReady that provides emergency preparedness for arts organizations.
- You've probably seen Mollie at conferences doing these sessions.
- She's also cochair of the steering committee of the national coalition of arts preparedness and emergency response.
- The COVID-19 crisis is exactly what Mollie urges arts organizations to be ready for.
- I'm going to turn this over to Mollie.
- I know she's probably has a ton of resources she's going to make available that she just can't cover in the amount of time.
- Thank you, Mollie, for being here, for being in this really important place as we start to kind of wrap up this conversation.
- Thanks very much.

## **MOLLIE QUINIAN-HAYES**

- Thank you, Kevin.
- You can hear me all right?
- I have to say none of us was prepared for COVID-19.
- But what I would like to do to share with you today are some basic concepts and principles around readiness and how to -- when you're in the middle of an incident how to work effectively and safely, and then make some suggestions about some short term things you might be able to do.
- Again, this is going to be a long conversation.
- So, there's a lot we won't be able to cover today.
- I would also encourage you to bookmark [ArtsReady.org](https://www.artsready.org). Our website.
- APAP has a bunch of wonderful resources as does NAPAMA.
- We're all trying to post things as quickly as we find them.
- There are some great lists about emergency grants for individual artists.
- Other webinars to speak to particular parts of our industry.
- So please use that as a resource.
- Some of the basic concepts of readiness are redundancy, and dispersion.
- Redundancy meaning that things live in multiple places.
- Paper, in paper and in the cloud.
- Just having duplicates of things, important information, so if you don't have access to it in one place you can get it from another.
- Another real important concept is dispersion.
- Particularly dispersion of information.
- We all work in nonprofit arts organizations or management companies.
- Hardly ever think about how we can pull all the information out of our brain and share it with someone else.

- But I encourage you to start thinking about that way so that if someone is out of commission, or unavailable, that there is dispersion of information.
- I also really encourage you, and this is what we've been hearing through this entire webinar, communication is incredibly necessary with our partners, with stakeholders, with donors, and transparency.
- None of us knows what's going on, and I think we're only going to be able to help each other best if we are very transparent and open with each other.
- Another concept to think about now that you are facing what we would call disruption of your critical business functions.
- Thinking about how to protect and eventually how to restart your critical business functions is something to think about.
- Those critical business functions are your people.
- Your facility.
- Or facilities.
- Your IT.
- Your messaging and communications.
- Your programs, your insurance and financial status.
- Think about how you are going to respond and try to protect things related to those particular business functions.
- What are some things you might be able to do right now?
- One is that with this kind of fallow time I encourage you to think about doing some planning and documentation that in a normal situation you would not have the opportunity to do.
- As I said, a lot of us don't have any opportunity for cross training in regular daily life.
- Make this an opportunity to have your staff members interview each other, document their processes to each other, so you not only have a hard record of what are the procedures, what are the procedures, policies, protocols.
- Have that documented and also have a person who has a background of that information.
- There are a couple of tools that have morbidly common names.
- Drop dead book has all that information.
- What somebody needs to do to pick up tomorrow and help with your functions.
- The other is a bug out box.
- Many of you had to leave your place of work very quickly.
- Did you know what you needed to take with you?
- Now you're probably realizing what your people need to do to be able to work from home and you probably didn't have all those things in effect.
- Go ahead and document those.
- Think about security.
- Obviously, security of your hard assets, facilities, but also the fact that there are some bad actors out there who will use the nonprofit and artists' names in sham fundraisers and things.
- I would just keep track of where you're being spoken about in the online world and make sure that no one is taking advantage of that.
- Advocacy for relief.
- There's been a lot in the chat box about federal relief and we need to make sure nonprofits are covered as well as self-employed individuals including artists and cultural workers.
- Be loud and vocal at this time.



- Another few things that you can think about would be, again, mentoring and partnering and collaborating.
- Talking with those people and spending that rich time that we don't always have if we're just running through a conference.
- I would say these connections, whether it's webinars or one on one conversations, let's really use this time to build those connections and make our community sector stronger.
- I would also encourage you to think about, again, collaborations, job shares.
- If you're having to lay people off, perhaps you can work with a couple of fellow organizations and have one finance person that you all share in and keep things running for a while.
- The last thing and it might seem a little dire but think about writing an organizational will.
- Of course, it's our hope that we're all going to come back from this healthy.
- But the truth is some of us may not.
- There was a really amazing theater company here in Atlanta for 40 years and just had a couple of troubled years, financially had to close the doors.
- They walked out of the doors.
- No archiving of the incredible history.
- No handing over to students some of the materials.
- You might think about if things do unfortunately resolve themselves in a negative way, how will you make sure your assets and your history are at least passed on and shared with the community so that is not lost?
- I think I will stop there.
- Again, I'll mention artsready.org. We'll continue to post information.
- You can sign up for the free newsletter.
- We're sending alerts out a regular basis.

## **KEVIN SPENCER**

- Thank you, Mollie.
- I think at this point we've got a group of people who have been reading through the chat.
- Boy, that chat feed is moving rapidly.
- I'm going to turn this over to Krista.
- And have her -- I know she's been triaging basically those questions as they've come through the chat.
- Be able to put some of those out there to see if members of the panel can answer those in the time that we have remaining.
- Krista, I'm just going to place this in your hands.
- I will be here when you're done.

## QUESTION AND ANSWER PORTION

### **KRISTA BRADLEY**

- Thank you, Kevin.
- Can everyone see and hear me okay?

### **KEVIN SPENCER**

- We can.

### **KRISTA BRADLEY**

- Gosh, I want to first do a shout out to Sarah, and Kaitlyn for triaging these questions and thank you all for being on this call.
- All the questions that you have.
- The questions fall into a couple of different categories.
- I'll just go through the overview of them, and let's see if we can get some answered.
- They fall into the category of immediate response questions, what do the recovery packages have?
- Are #17BD contractors independent contractors being addressed?
- Will agencies be able to tap into small business?
- What do we know about the not for profit ability to tap into some?
- Is there a way to standardize something, COVID-19 clauses and contracts?
- What are the ways that we can use this opportunity to create some better protocols that we can all follow?
- Then questions about immediate changes of practices.
- How are we marketing, are there ways to connect to audiences and communities in a different way?
- How do we actually use streaming?
- And then some longer-term things about once we get through the very immediate pieces of this how do we make sure we're not creating spikes in our work?
- There was a couple of questions referring to that is flatten the curve idea.
- Many of you are worried about once we get out of this, is there going to be such a rush for dates?
- I think -- somebody mentioned.
- I think Mark.
- Will there be such a rush for dates that we'll have a feeding frenzy and we'll not do a great service to our own programs and our audiences.

- So, I just want to give you a little overview there.
- Let's start at the beginning about immediate responses.
- I don't know who wants to answer this.
- But just questions about how are independent contractors being recognized, seen, and addressed?
- Will we be putting efforts and show casing the fact that this issue is really impacting the gig artist, the independent contractors, the small businesses.
- And people are wondering what is the current platform for that?
- What kind of advocacy things are happening?
- And how we're moving that forward.
- I'm not sure who wants to take that on the panel.
- That seems to be one of the biggest questions we're getting.

#### **MARISSA**

- I'd like to invite all the panelists to turn on their cameras, so we have all of you with us during this Q & A portion.
- Thank you.

#### **GALE BOYD**

- Krista, I'd like to say that's one of the biggest groups of questions that we get at NAPAMA because so many of our agents and managers are independent contractors.
- If you're working on a percentage of what your artists earn and if you've been working for a year, year and-a-half to put a tour together and then it falls apart, 10, 15, 20 percent of nothing is zero.
- That's the shape that so many are in.
- I'm being asked questions all the time about making sure that we talk about the independent agent and manager while we are trying to get help for the artist.
- We're sort of being left out a little bit in the discussion and we want to make sure we are included in the discussion of whatever might be available to us.

#### **KRISTA BRADLEY**

- Thank you, Gale.
- Mario, I'm not sure if you want to actually respond but I can certainly give a little information for what's happening with CAG.
- I can kick that off.
- All the service organizations are working together to create a brief that represents how this is impacting our industry.
- And sees this as an opportunity to make sure that we are really clear about our entire industry, from those on stage to those backstage to those that are helping get artists to audiences.
- Managers, agents, producers, as well as arts organizations.
- So, I can say as we just looked at a draft of this brief today, that yes, independent contractors, individual artists, agents, managers, producers are being recognized in that template.
- I'm here to say to you that your advocates and those working hard to advocate to our Congress see you and are making sure that they're part of the brief.

- We know there are other packages coming.
- I would stress it's important to survey, respond, any way you can so we can capture the stories and the full impact this is having on the industry wherever you might be in this family.
- If that helps.
- Mario, you want to add anything?

## **MARIO GARCIA DURHAM**

- Sure.
- Can you hear me?
- Great.
- Thank you for saying that.
- I wanted to even in the bleakest of times, and we haven't seen the full scale of what's to come, now is the time to think about identify, communicate with representatives.
- Politics is local.
- Your local representatives, when they hear from you, when they hear about the need for artists, contractors needing to be paid, industry needing attention.
- I cannot tell you how important that is.
- If we don't do that we should not be surprised if we get no or minimal support.
- We've got to be at the table.
- Starting in your own communities believe it or not is the best way.
- You can also contact national representatives, et cetera.
- But I guarantee you when phone calls come in people are communicating the urgency of the situation to make sure we are at the table.
- You are at the table when these decisions are being made, as community members, as contributors to the community it's critically important now.
- It really does work.
- If you can please use this time to identify.
- Reach out to us if you have any questions.
- Also, the CAG group, et cetera.
- A lot of resources.
- We all need to join together.
- Because it has worked in the past, 15 million dollars stimulus when I was there at the NEA.
- It really does work.
- I encourage you if you can, please please please pick up the phone, communicate in some way.
- It makes a difference.

## **KRISTA BRADLEY**

- There are also some options on APAP's websites and some colleague websites that have letters that you can send.
- I also know there's an IATSE movement so you can sign onto that and be responsive.
- We'll get those links to you.

- There was a question about how do we get the message out to funders, primarily foundations, that they need to accommodate and eventually reform processes to arts organizations, especially those who won't have the resources available to get their assistance.
- Mario, or anyone else want to address that question?

#### **MARIO GARCIA DURHAM**

- I can start off.
- Generally, you should all know that even starting some weeks ago we were contacting grant makers in the arts.
- They are involved in deep conversation regarding this.
- Again, it's having a voice at the table, the hurt that artists are having, organizations, agents and managers are having to let them know what is going on.
- We've already begun discussions.
- They sent out an email yesterday or today -- time is so wacked right now.
- But they are looking at the issue and very actively trying to address the issue.
- We're going to keep on it.
- It's not solved yet but I wanted to let you know that's going on on our front.

#### **KRISTA BRADLEY**

- Great.
- Move on unless somebody else wants to answer that or has anything else to share.
- There are specific questions and confusion around the national guidelines of CDC, and the local regional guidelines that people have.
- So, the CDC might be talking about 8 weeks out.
- Your local government might be talking about six weeks out.
- That's causing a lot of confusion and challenge evidently and there is a question about whether we should be thinking industrywide a little more collectively about how to navigate that.
- Or is there something that will supersede one over the other since it's such a -- it's so disconnected.
- Is there something from an industry standpoint that we can take forward as a way to standardize the way that we are being nimble and responsive?
- anybody?
- Okay.

#### **MARIO GARCIA DURHAM**

- Krista, sorry, I'm not trying to dominate the conversation.
- I do know that on behalf of all the service organizations and field organizations part of this call, we're all watching to see what clarity we can offer.
- I quite frankly feel there hasn't been clarity and it is confusing.
- We're going to do our best to help guide you as we learn the information, speaking on behalf of all of us.

#### **KRISTA BRADLEY**

- Great.
- Let's move into some immediate ways to respond to this.
- There are some questions about is it better to postpone dates and not augment fees?
- Or should we be paying out existing contracts to the best of our abilities and then rebooking at reasonable fees?
- So, artists and managers aren't bearing the brunt of lost work.
- I wonder if agents and presenters might want to address that.

#### **MARK LOURIE**

- I can speak to what we have done but I didn't quite get the first part.
- Was the questioner saying they are paying contracts even though it is a cancellation or postponement due to the current crisis?

#### **KRISTA BRADLEY**

- I think its confusion about what to do.
- Should they postpone dates and pay out what they can or postpone dates and pay a small fee?
- Should they move to another -- think about augmenting fees?

#### **MARK LOURIE**

- I can only speak to my own experience and what Skyline as an agency, our response to this was.
- It's interesting because it was such a fast-moving issue.
- In the very beginning we had a conference talking about this isn't really here yet.
- But some presenters could come to us and say gee, it's not really a crisis but it's not selling well.
- We'd like to reschedule or cancel a date.
- To me that would be a very difficult conversation, and certainly not necessarily a legitimate -- it's certainly not a force majeure.
- And it would be a questionable discussion.
- But then quickly in a matter of days it went to certain edicts were coming from the government.
- I think someone else, Matt mentioned once a government, whether it's local, County, state or whatever, says you can't go out or you can't gather in these numbers, then we felt that is a definite force majeure.
- It's not the venue or the promoter's fault.
- But I guess I'll go to a more global point.
- This is a business of relationships.
- Particularly artists, the level I represent, and this agency represents, most of our dates are not one-off dates.
- There are some but most are performing for an arts center we have multiple artists playing over a period of years.
- Or the very same artist plays over a period of years.
- With promoters and clubs, far more dramatic.
- You have to be in this together.

- We were never going to enforce a force majeure over this crisis once it became a legit crisis.
- Instead, our strategy was to immediately hop on calling even proactively before some of the individual communities had matched others with more strict regulations.
- And then you have issues of if you're on a tour and some of the tour is dropping because one place is more strict than another.
- Then the tour drops because you can't afford to do the tour.
- We were out there proactively calling people as soon as we knew it was probably inevitable.
- Our goal was picking a reschedule date. No harm done to everybody.
- The venues are certainly losing money too.
- Of course, the artists are in tough shape.
- But you have to have EM there.
- At the higher ends of the industry there are some people trying to insist on force majeure.
- I've heard a couple of stories.
- Not even at the very high end.
- But I think that's a mistake.
- And we want everyone to survive.
- The question then became where do you move it to?
- I know it's probably very different for a seasonal PAC.
- Like I said when I started, I moved some March and April stuff to late June and my fingers are crossed.
- I may do that work a third time.
- I don't know.
- But I think that's the answer.
- I think most of the presenters are in the right saying it's a force majeure frankly.
- Certainly, in the last couple of weeks.

## **JEFF LOCKHART**

- If I could add to that, because we were so early in this at Kirkland performance center.
- Really echo what Mark said on the performing arts side.
- We were fortunate most of the shows, 15 or 20, three quarters were sold out.
- As Mark said we took the good faith route and had direct conversations with agents and artists.
- Other than one or two that didn't work out and are still deciding, everybody rebooked.
- We're not doctors or have a crystal ball, we started looking at September and October, got our calendars out.
- Today I got a couple of emails to some artists today, full contract that we had agreed to earlier with the agreement that we don't know what's going to happen.
- For us individually, communicating, not without contracts on each other, and as mark said, these are artists, many with a long-standing relationship with, or many new ones, our intention is to rebook every single show at the guarantee we originally did.
- Knowing as the news develops, we'll take it a step at a time.
- For us that simple approach worked well.

## **RHIANNON GIDDENS**

- Is it okay?

- Just because there's so much that is structural and it's so important.
- What occurs to me as I listen to all this is that this is exactly the stuff the audiences and also a lot of artists take for granted.
- We've taken this whole system for granted for however long it's been going on.
- I think this is an opportunity to also expose that to not just those of us who just show up and we do the show, and then we go to the next show.
- Everybody has this interlocking thing.
- But also, to the folks who are supporting the concerts by showing up and paying the tickets, and I think it's also an opportunity to pull back the curtain and say look, this is an interlocking thing that pumps a lot of money into the economy.
- I think it's an opportunity to really focus on that and to engage the public even more with realizing how much -- my whole thing about the stop gap and trying to figure out what to do during the down time is really to keep things going so when we go back to the venues -- you know what I mean?
- The goal is to not replace it with online content.
- It's to keep it going so we can get back to what we do which is what people want which is the live stuff.
- I want to just say that, and I'll go back on mute.
- As an artist listening, I'm coming to it going everybody should be coming to it like this.
- We should all be knowing more about what's going on.
- I'll shut up now.

#### **GALE BOYD**

- What Mollie was saying earlier about the importance of absolute transparency, because if, for example, a deposit has already been paid to the agent with the understanding that the agent is going to buy flights and leases from that deposit and then reschedule it for the same amount of money but you're out of the costs for the flights you already bought, you have to have an important conversation with the presenter about maybe help with the change fee or something like that because otherwise the artist and agent is losing.
- That was my contribution.
- We have an important conversation about that.

#### **MARK LOURIE**

- I'll just agree with you on that.
- In fact, I had a couple of situations like that where we did have some costs that had occurred because of very late cancellation.
- This was in the early going.
- I had one show that cancelled on the morning of the show because it was a sold-out show in a theater.
- The presenter didn't want to lose it.
- This was the most hectic couple of days.
- The 12th and 13th of March.
- They felt of course the pressure of the community.
- Should we be putting this show on and putting a thousand people in a room right now?
- So, it cancelled on the morning of.



- But we even had conversations the day before, like call us before the band drives from three hours away and let's make the decision.
- But there had been other expenses already gone.
- We'd done some negotiation in a couple of those where the presenters were cooperative understanding the burden to the artists that had been spent.
- I'm sure there's promotional burden on the side of the venue too.
- Those discussions are fine.
- Any time someone goes into it knowing that no one is at fault.
- We want this to work out.
- We want to rebook it.
- You should be able to have that discussion without a lot of tension and it should work out.

#### **KRISTA BRADLEY**

- Thank you all.
- Related to this, is a question about people that have already booked their season for next year.
- How to figure this out in terms of having enough real estate in their season to be able to rebook.
- And not cannibalize their ticket sales if they also booked different or similar artists in the same genre.
- Wondering what advice people have about that or thoughts about how to do that.

#### **KEVIN SPENCER**

- I think that's going to be one of the biggest challenges.
- Everybody starts to look at rescheduling and rebooking.
- That's going to be the biggest challenge.
- Where do all of these dates fit into schedules that we've already been working on for several months?
- I no longer work as a performer like I used to.
- All of my work is residency work.
- It's a little bit easier for me to reschedule the work that I do because I don't need to be in the venue space.
- I don't need to have an open theater.
- I can come into a community and do the work that I do without worrying about what's happening, and the theater space.
- But I do think -- I think that's going to be the biggest challenge.
- In my conversation with Patti, Patti, feel free to chime in here, I think one of the big challenges or concerns you have is where is your budget even going to be in the fall?
- Because you're talking about a university campus.
- What happens if students don't come back to school or if parents don't want students coming back to school?
- The tightness of your community.
- What does that look like and how does that impact what money you even have available to spend on a season next year?

#### **PATTI LIBERATORE**

- Those are all very real concerns.
- I will say though that I think once these quarantines and bans are lifted, people are going to come out in droves and they're going to want a place to go.
- If you've got good stuff for them, they're going to be showing up.
- So, I got to hold onto that hope, so it gives us something to hang onto as we move forward.
- And I just feel like that is it.
- Otherwise it's just a big shuffle.
- We don't know.
- We don't know what will happen.
- But it is a concern.

#### **KRISTA BRADLEY**

- Yeah.
- Thanks, Patti.
- I think that's a really good reminder.
- It's a good segue into just how do we sort of use this time to reframe and take this opportunity to connect with audiences in a different kind of way.
- There are a lot of questions about how are people using live streaming?
- How are people using technology?
- How are presenters finding ways to make sure their communities can still connect with and tap into creative responses in a time of big challenges?
- And how do we use this to underscore the power that we know the arts have?
- Both in good times and in bad.
- So those are a series of questions.
- But just what are people thinking about doing, presenter wise, to keep connected with your audiences?
- What are artists doing to connect with their fans?

#### **SEAN DORSEY**

- I can share a couple of things we've been talking about as a staff and as artists.
- There is some internal excitement about some new opportunities I think to reach folks who may not be located in the bay area.
- We're looking at -- we were going to be having a free in person workshop series in the bay area in San Francisco in the spring and we're looking at that to be a series of free online workshops.
- Movement workshops, warmups, meditation, breath, et cetera.
- I think thinking about transgender and gender nonconforming and queer communities, so many folks live in isolation or have circumstances where they cannot connect with that kind of workshop content, basically in most places across the US.
- There's a really exciting way for us to also extend and deepen our reach and connection with communities.
- We're super excited about the crisis having forced us to think creatively about how we can do and continue some of our programming.

- And then I just want to also add around online virtual video programming that as an artist, with the last question, a way that I think navigating some of the facility real estate, looking forward and rebooking dates.
- Knowing that we can't fit all of our rebook dates into facilities in the next fiscal year, using virtual, video, online platforms is a way to keep that artist's relationship with audiences.
- Again, maybe in new ways through workshops or live streaming performances.
- And so on.

## **MARK LOURIE**

- I will just add there already are certainly a number -- probably a large number of artists who are putting streaming shows up, accepting -- whether they're doing a Venmo donation thing or more of a formal fundraiser.
- I am aware of two venues who have written to me and said we could offer this to cooperate with one of my artists to put on a virtual show from their living room in coordination with a hosted event by the venue.
- I think you're going to see at least short-term a rapid growth of that happening right now.
- I am aware of a fairly large platform provider who is going to probably launch very soon with monetization of that artist through the virtual world and we're probably going to deal with that for a little while.
- It could end up being a great thing for the industry that it grows to a bigger thing as an adjunct to live touring for certain artists or whatever.
- But I think they're going to have to do some of that right now to get by.

## **MARK LOURIE**

- It's paramount that we educate the audience.
- Music has been so devalued with the wallpaperings of music everywhere, and what's happening with Spotify.
- I think not just music but obviously all performance.
- But the audiences have to be educated.
- There's so much that goes on, it's not just turn it on.
- I think this is again another opportunity to educate them.
- They want to help.
- They want to support.
- When I tell people about -- they say how do we get the money to the artists?
- Let's tell them.

## **KRISTA BRADLEY**

- Yeah.
- Thank you.
- Mark, what was that platform?
- Can you tell us what that is right now?

## MARK LOURIE

- There is not one that's up -- well, there probably is.
- I'm not aware of exactly.
- I would not claim to be a tech expert by any means.
- I think there is one.
- But I'm not at liberty to say.
- But I have heard there is going to be a fairly large launch pretty quickly.
- people will hear about it.
- You'll be able to -- I don't even know exactly how it will work but I know they're going to have better monetization, simpler to do, if you want to host your own web streaming live event you'll be able to do that.

## KRISTA BRADLEY

- Thanks.
- That's great.
- There are a lot of questions about that.
- I think that's something we'll definitely want to do as a subsequent webinar and lift up some ways people are doing that.
- We hear that loud and clear.
- I think we are very close to time.
- I guess I would ask one last question.
- What are some creative ways to keep our communities connected to the arts other than live streaming?
- Are there some things the presenters are doing right now?
- Sean shared some of his experiences.
- Are there things you're doing to stay connected to your audiences?
- Patti?
- Jeff?

## JEFF LOCKHART

- What we're doing, we are figuring out how to do live streaming things.
- At first, before -- funny how things change.
- We were going to bring in local artists, artists in the Seattle area and perform on the stage and live stream out except now you're not supposed to gather more than ten people so that's out the window.
- Live streaming is going to be what we're doing.
- We've documented the shows over the years, and we'll do creative things around that.
- Probably 25-minute bursts and things like that.
- Also, we're a nonprofit.
- We have a great staff and great board and volunteers.
- To connect, we're getting on the phone.
- Calling people and just appreciate old school hearing from us.
- Our tag line is to come together and be a community connected by culture.

- That's in good times and bad times.
- If there's ever a time to be connected by culture, it's this.
- Also, hopefully in Kirkland we're not a community connected by culture just at show times but we're always a community connected by culture.
- Certainly, we want to get back out and hit the stage hard again.
- But sending thank you cards.
- It's amazing how people appreciate hearing from us.
- I just work the phones all day and say we're with you.
- We're thinking about you.
- I know it's tough times.
- You might have lost somebody.
- Whether it's through the arts or interpersonal relationships.
- But we're motivated by the arts.
- Certainly, we can't do it on stage, so we'll be connected to people.
- That's what it's all about.
- As I said before, we're trying to fly a plane while building it.
- That's what we're doing.

#### **KRISTA BRADLEY**

- Thanks, Jeff.

#### **GALE BOYD**

- At NAPAMA our motto is cooperative voice in a competitive field.
- We're stronger together.
- We're in this together.
- I have no doubts we'll make it through this.

#### **KEVIN SPENCER**

- That is a beautiful way to start to wrap up our time together.
- We've had a great conversation.
- I want to say thank you to the hundreds of people who stayed with us through the entire webinar.
- We've covered a lot today.
- There are a lot of things to think about.
- A lot of things to kind of develop. I think it's really important as we start to advocate for what we need.
- As a community we come together around a shared message.
- It's so important that you fill out those surveys that are going to be emailed to you from the different organizations seeking that information.
- But it's also really important that we develop that message ourselves so that when we reach out to legislators, to our Congress people and Senators, we're all coming with a singular voice around the shared message.
- We speak in unity with that very collaborative cooperative voice.

- I want to remind everybody this is the first of many things we're doing.
- And that we will be doing.
- It was important for us to have this session today because we needed to hear from all the centers of our community.
- Sectors of our community, to give people a chance to be heard.
- In the future we're going to be able to be more specific issue oriented because we've heard so much today.
- From so many of you, and literally reading through the hundreds of comments in the chat room we recognize some people are walking away slightly frustrated.
- We get that.
- Because there are so many questions that didn't get answered and we're going to continue to find ways to address those questions.
- Dough don't want you to think this is the only thing we're doing.
- If your question wasn't answered or if you need additional information, please reach out to us.
- Look for the recording of this webinar.
- There will be resource materials connected to that as well.
- As we wrap this up we want to say a huge thank you to all of the panelists that joined us today, to all of you who joined us today.
- We feel like this was an important first step.
- We want to say thanks to Marissa for helping us through the technology.
- The Americans for the arts, for providing this platform.
- And for all of our partners at the alliance for performing arts conferences for their cooperation in helping organize today's webinar.
- I think Gale said it best.
- We have to remember we're family.
- And we are stronger in this when we approach it together.
- Stay in touch.
- Be kind to one another.
- Stay safe.
- Be healthy.
- And as difficult as it is in a community like ours, practice social distancing.
- One quick reminder, don't forget to wash your hands.
- So, I think on that note, I think -- I see Mario is going to pop in.
- I thank you for the opportunity to be the host of this webinar.
- I'm going to -- anybody else wants to wrap anything up here, I appreciate everybody joining us today.

## **MARISSA**

- Thank you, Kevin.
- I want to reiterate my thanks to everyone.
- All of our panelists and everyone who participated in today's webinar.
- We are stronger together, navigating crises and sustaining healthy relationships.
- Tomorrow Americans for the arts will be hosting another webinar, Coronavirus, what we know and how to move forward.
- It's free and open to all.

- Specifically tailored to local arts agent east and organizations.
- Join me and other staff.
- Staff from the national coalition for arts preparedness and emergency response, expert on mindfulness and mental health, and staff on the endowment for the arts for actions to take, including planning to consider handling grant funded projects, managing stress.
- This briefing will also include an update on the status of congressional action on the impact of economic stimulus funding and how it relates to the arts sector.
- Email me if you have questions about registering.
- Also find information on the website.
- A reminder today's event was recorded and will be available for replay in about 24 to 48 hours.
- Everyone who registered for today's event will receive an email when the recording is ready, and it will include additional resources for you to use.
- Artsu for Americans.org for other training and resources.
- Thank you so much for joining us again today.
- I'm going to leave the chat up since people are still chatting.
- But you can start to leave the webinar if you're ready and I'll stay on another few minutes so people can type their last thoughts into the chat box.
- Thank you again.

#### **KEVIN SPENCER**

- Thank you, everybody.
- 17:01:56 Thank you panelists.
- 17:01:58 Everybody did such a great job.
- 17:02:01 So much amazing information came out today.
- 17:02:01 Thank you.
- 17:02:04 I know it's a crazy time for everybody.
- 17:02:07 Thanks for making this time available.
- 17:02:09 Be safe.

#### **GALE BOYD**

- Thank you for moderating, Kevin.

#### **KEVIN SPENCER**

- My absolute privilege.
- Be safe.
- Don't touch your face and wash your hands.