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NEW JERSEY DEFENSE

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PRESIDENT'S LETTER

Greetings Members of the NJDA and the Judiciary. As we eclipse the first year of the Pandemic, what we expected to be a temporary disruption in the practice of law has now become a way of life. There are many things I have missed over the past year. I count among them seeing all of you in courthouses and at each other's offices. Many of us have voyaged through our legal careers together, forming friendships and shared experiences of unforgettable cases. Yes, we still see each other over a virtual link, but it is not the same. Other than a simple greeting and farewell, there is little human interaction over a Zoom deposition or court appearance. But, it has served the purpose of keeping us all fairly busy, while many others in society have suffered professionally.

As humans we always adapt and our Courts are no different. Other than a handful of in-person trials last fall, it has been over a year since most of us have stepped foot in a courthouse. However, we are about to return in a way none of us could ever have imagined. Virtual trials are coming and we all have concerns. The human interaction that we miss in our daily professional lives, will be one of the biggest gaps in an online trial. Body language, eye contact and the energy derived from standing up to cross-examine or close are not easily duplicated sitting in front of your computer screen. We appreciate the efforts made by the Courts to keep cases moving, and at the moment the virtual trial is the only alternative for those cases that cannot be resolved otherwise. So adapt, we will. The NJDA is committed to assisting members in preparing for this strange new proceeding. We continue to hold a stakeholder role on a number of Judiciary and AOC committees where we can voice our concerns. COVID conference calls continue to be scheduled as needed. Chad Moore and Juliann Alicino hosted our first virtual trial webinar at the end of February, which was a rousing success. The second installment is scheduled for March 31. We will schedule more as needed. You can help all NJDA members by reporting your experiences with virtual trials over the listserve, during a COVID conference call or by volunteering to speak at one of the virtual trial webinars. Please contact me if you can assist in any way. While we all are optimistic that the vaccines will make this a short-lived experiment, there will undoubtedly be aspects of this experience that will stay with us on a permanent basis.

On a brighter note, we hope to provide a brief respite from the woes of the past year in late June. The Annual Convention is scheduled for June 24-27, 2021 at the Otesaga Resort in Cooperstown, New York. We are optimistic that this event will remain a reality as the cases drop and vaccines increase. COVID precautions will be in place to keep all attendees safe and comfortable. As always it will be an excellent opportunity to get away for a few days, earn some CLE credits, and most importantly - see each other.

JOHN V. MALLON, ESQ.

BETTER NOT BE LATE! WORKERS' COMPENSATION OCCUPATIONAL EXPOSURE CLAIMS AND THE STATUTE OF LIMITATIONS

BY ROBERT J. FITZGERALD, ESQ.

In the recent case of *Bender v. Township of North Bergen*, Docket No. A-4564-18T3, Dec. 24, 2020, the Appellate Division addresses the statute of limitation defense between traumatic and occupational exposure claims in New Jersey workers' compensation. The petitioner, Robert Bender, worked as a police officer with the Township of North Bergen from 1979 until 2004, when he retired. In October 2007, he filed a claim petition alleging psychiatric and orthopedic injuries from occupational exposure. The claim petition was dismissed based on the petitioner's failure to file the claim within the two-year statute of limitations.

On appeal, the Appellate Division upheld the dismissal of the psychiatric component of the claim petition based on the statute of limitations. However, the case was remanded on the orthopedic claim for the workers' compensation judge to make particularized findings. Specifically, to determine whether the petitioner's orthopedic claim was filed within the appropriate statute of limitations. On remand, the remaining orthopedic component of the claim petition was dismissed "for failure to sustain the burden of proof."

The petitioner then filed an appeal of the dismissal of the orthopedic claim. He contended he did not realize until 2007 (more than two years after his 2004 retirement) that his orthopedic injuries were work-related. He claimed this his injuries resulted from "numerous falls, motor vehicle accidents, lifting stretchers" and fights during his tenure as a police officer.

The petitioner returned to work after each traumatic injury, **including three for which he filed claim petitions and received workers' compensation benefits.** He further testified his condition after each injury was tolerable. He testified, "You never heal completely from those things, but it's tolerable. You can live with it. You heal the best you can." With regard to his physical complaints, he indicated he had pain in his right knee for almost a year before seeking treatment in 2007. With regard to his shoulder, the petitioner did not seek treatment until after he filed his 2007 claim petition. For his back and neck complaints, he did not have symptoms until after he retired.

The Appellate Division affirmed the dismissal of the orthopedic claim petition on remand. In its opinion on the statute of limitations issue, the court noted the workers' compensation judge's reference to the New Jersey Supreme Court's ruling:

> [T]hat in the limited class of cases in which an unexpected traumatic event occurs and the injury it generates is latent or insidiously progressive, an accident for workers' compensation\filing purposes has not taken place until the signs and symptoms are such that they would alert a reasonable person that he had sustained a compensable injury. [*Brunell v. Wildwood Crest Police Dep't.*, 176 N.J. 225, 254 (2003).]
>
> In *Brunell*, the court held the statutory requirements that an injured worker "must give notice to the employer within ninety days . . . 'of an injury,' N.J.S.A. 34:15-17, and must file a claim petition within two years of the date the 'accident' occurred, N.J.S.A. 34:15-51," 176 N.J. at 250, "do not begin to run until the worker is, or reasonably should be, aware that he has sustained a compensable injury," id. at 252.

Based on *Brunell*, more commonly referred to as the "discovery rule," the Appellate Division determined that the workers' compensation judge had correctly reasoned that, had the orthopedic condition been related to an occupational exposure, then clearly one would expect some manifestation to arise during the work exposure or within two years of the work exposure. Finding "a lack of nexus," the judge correctly dismissed the orthopedic claims because there was "no meaningful showing of any insidious progression of an orthopedic disability."

In completing its decision, the Appellate Division noted that the discovery rule was intended narrowly as to give some leeway to avoid a legitimately injured worker losing an **occupational exposure claim**. However, it remains fact that the **traumatic accident** calculation begins when the worker knows or should know he has incurred any compensable injury, the worker "must act" when he or she knows "any compensable injury" is sustained. Moreover, applying a discovery-type rule to this narrow class of accident cases will not result in the obliteration of the distinction between accidental injury and occupational disease for notice and filing purposes.

While there may be nothing particularly new about this decision or the principles discussed, the *Bender* case does highlight a common scenario when dealing with alleged occupational exposure claims. Often times occupational exposure claims are filed when a petitioner misses the statue of limitations on a traumatic accident claim. The court here confirms that a failure to file a timely claim for a few specific accident claims does not generate a theory for an occupational exposure scenario. The court will also be less generous to allow the discovery rule argument where you have a petitioner who has already timely filed traumatic claims previously. Frequently, an occupational claim petition is the first notice of work injury. Employers and carriers should always investigate prior claims through an index check and docket request to see whether a new occupational exposure claim is really an untimely traumatic claim in disguise.

Robert J. Fitzgerald is a shareholder in the Workers' Compensation Department in the Mount Laurel office of Marshall Dennehey Warner Coleman & Goggin. He devotes his entire practice to workers' compensation defense litigation, providing experienced counsel to employers and insurance carriers. He may be reached at rjfitzgerald@mdwcg.com.

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THE OTESAGA RESORT HOTEL / COOPERSTOWN, NEW YORK

Photo Credit: Otesaga Resort Hotel

PIP ARBITRATIONS MOVE TO VIDEO CONFERENCING (ZOOM) AMID PANDEMIC

BY NICOLE CASSATA, CHASAN LAMPARELLO MALLON & CAPPUZZO, PC

On March 15, 2020 Forthright Solutions, the Third Party Administrator of all PIP arbitrations in New Jersey announced that there would be no in person arbitration hearings until further notice due to the Coronavirus. Quickly thereafter, on March 21, 2020, Executive Order 107 was implemented to effectively shut down most of the business normally conducted within the State of New Jersey. While most of the legal community became immobilized during this unprecedented time, NJ PIP Arbitrations continued without interruption.

At first, all NJ PIP arbitrations continued via telephone conference. While telephone conferencing was always an option for the parties, for some Claimants and Respondents, this option was used on a limited basis before the pandemic. After the lockdown, telephone conferencing became the normal process which had to be coordinated and initiated by either or both parties in coordination with the DRPs. In consolidated cases where there were multiple attorneys and/or witnesses, conference call services were engaged by the parties to ensure the hearings could proceed smoothly. This process continued through the months of April and May, and nearly all arbitrations proceeded without adjournments.

On August 3, 2020, Forthright implemented the Forthright Videoconference Pilot Program. Initially, a handful of DRPs began using the Video Conference Pilot Program. By October 10, 2020 all 52 DRPs were trained and began conducting arbitration hearings via Forthright's Videoconference Pilot Program. The Videoconference program was set up via Zoom and the parties have the option to call in using the Zoom telephone call-in number or by utilizing the video capability. During 2020, over 4,500 hearings were conducted with at least one party utilizing the Zoom capability provided by Forthright for in-person hearings. Since full implementation of Zoom's platform in the beginning of October, 96% of all in person cases have utilized the videoconference option.

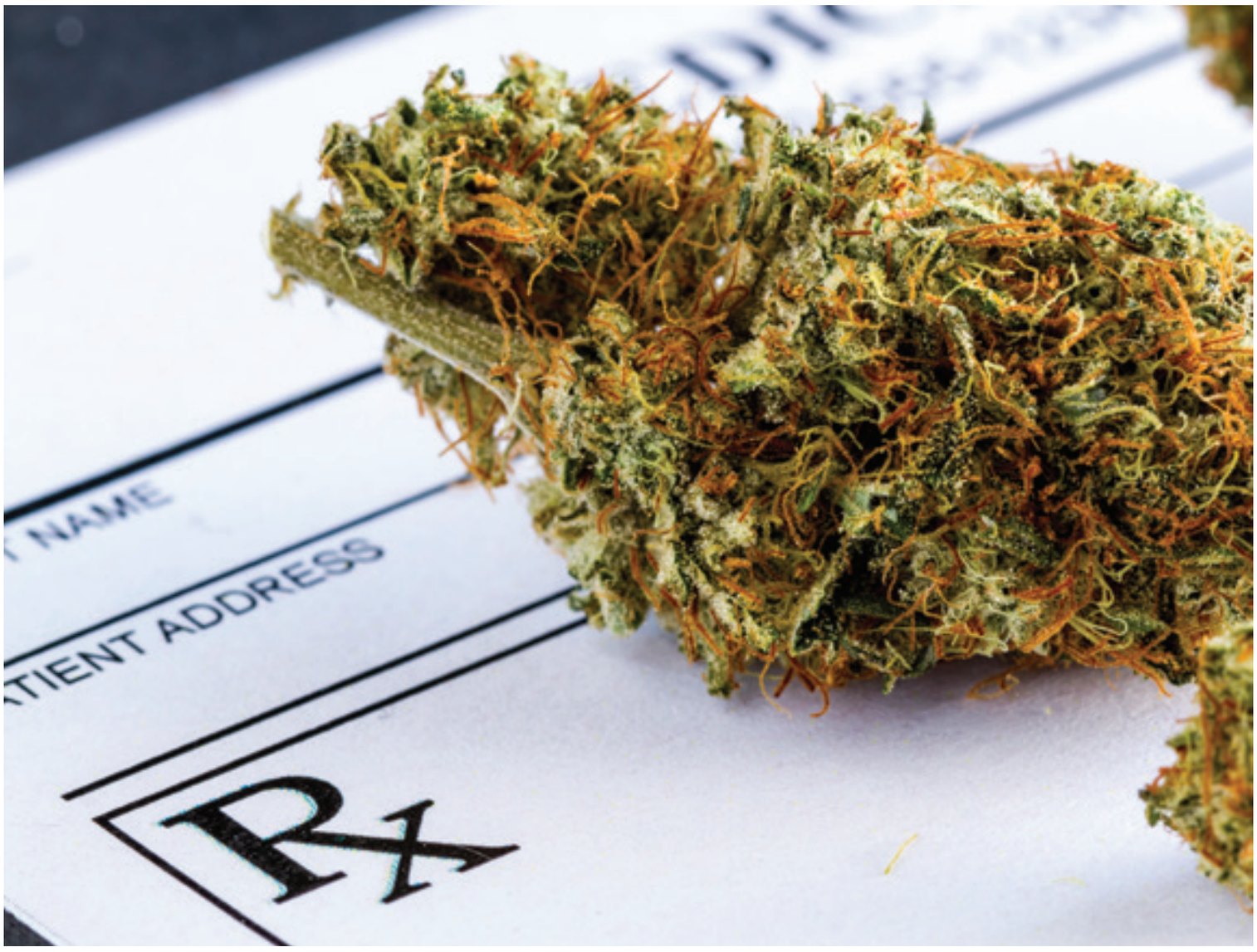
Forthright's Videoconference program has allowed for the PIP community to continue moving their cases with the same rules applying as if the parties were physically in front of the DRPs. As a Respondent's counsel, we prepare, review and argue as if we were sitting in the DRP's office. Having eliminated travel time to hearings, Zoom has given both sides the opportunity to have back to back hearings proceed seamlessly. Further, for DRP offices that are not located in close proximity to the parties, the parties now can attend the hearing via videoconference and not feel as if they did not attend the hearing in person.

There are also practical advantages of arbitrating a case via Zoom versus arbitrating over the telephone. The most important advantage is that it allows the parties the ability to observe the DRPs reactions to the arguments being made. This provides some possible insight as to how the DRP may rule on the issue.

Prior to coronavirus, as a Respondent's counsel, our firm attended 95% of all hearings in person. The videoconference program has become the closest opportunity we have to being in person and provides our clients with the same level of defense quality.

Going forward, Forthright has advised that for now there is no scheduled date to return to "in person" hearings. If and when that day does come, the video conference option will remain intact. Parties that choose to call in can continue to "call in" using the Zoom phone number or use the videoconference option.

For now, we continue to zoom through our arbitrations.



HOW CHANGING CANNABIS LAWS ARE AFFECTING HR POLICIES IN NEW JERSEY

BY ASHLEY L. TOTH, ESQ. AND MICHAEL SANTITORO

In a relatively short period of time, cannabis has undergone vast and rapid changes in both policy and culture. In the 1990's, only five states plus Washington, D.C., had marijuana laws permitting medical use. Now, 33 states permit medical marijuana use and 11 permit recreational use. Federal laws still prohibit the use and possession of marijuana, however, the federal government has largely permitted the states to regulate and enforce the industry.

The rapid expansion of state cannabis laws, however, has left employers struggling to ensure that they are in compliance with state and federal employment laws. In this article we discuss the current status of marijuana usage laws in New Jersey and set-forth a "step-by-step" guide to ensure that your business's policies are compliant with all federal and state laws.

Step 1: New Jersey Guidelines for Medicinal Marijuana Usage

New Jersey has approved marijuana use for medicinal purposes. On July 2, 2019, Governor Murphy signed into law the Jake Honig Compassionate Use Medical Cannabis Act, *N.J.S.A.* 24:6I-2, *et seq.* (Honig Act), which replaced the prior Compassionate Use Medical Cannabis Act. The revised Act permits individuals to

use medicinal marijuana for the treatment of "debilitating conditions." According to New Jersey's Division of Medicinal Marijuana a debilitating condition includes the following:

- Amyotrophic lateral sclerosis
- Anxiety
- Cancer
- Chronic Pain
- Dysmenorrhea
- Glaucoma
- Inflammatory bowel disease, including Crohn's disease
- Intractable skeletal spasticity
- Migraine
- Multiple sclerosis
- Muscular dystrophy
- Opioid Use Disorder
- Positive status for Human Immunodeficiency Virus (HIV) and Acquired Deficiency Syndrome (AIDS)
- Post-Traumatic Stress Disorder (PTSD)
- Seizure disorder, including epilepsy
- Terminal illness with prognosis of less than
  12 months to live
- Tourette Syndrome
- Opioid use disorder[1]

https://www.nj.gov/health/medicalmarijuana/pat_faqs.shtml

The Honig Act also creates employment protections for any employee who is a registered qualifying patient. Specifically, it prohibits "adverse employment action" against any employee who is a registered, qualifying patient based solely on the employee's status with the commission. While the Act does not require an employer to accommodate the medical use of marijuana in the workplace, it forbids adverse employment actions against employees who use medicinal marijuana outside of the workplace based upon their health care provider's order.

So what does this mean for employers? The Act itself establishes a procedure employers must follow when an employee tests positive for marijuana. If an employee (or prospective employee) tests positive for cannabis, the employer is required to offer an opportunity for the employee to present a valid medical explanation for the result, including proof of registration with the commission or authorization from a health care practitioner for use of medical cannabis. If an employee demonstrates that he or she is a valid medical marijuana user, the employer cannot use that alone as a basis to take adverse employment action.

The New Jersey Supreme Court in Wild v. Carriage Funeral Holdings, Inc., 241 N.J. 285, 227 A.3d 1206 (2020), provided further employee protections by holding that a medical cannabis patient can assert a claim for employment discrimination under the New Jersey Law Against Discrimination (NJLAD) for an adverse employment action based on an employee's off-site medical cannabis use.

Step 2: Develop Company Policies and Procedures to Address New Jersey's Medicinal Marijuana Usage Laws

It is important to thoroughly review your company's policies and procedures to be sure that an applicant or current employee is not discriminated against due to their authorized use of medicinal marijuana. For example, if your company has a policy of drug testing applicants/employees, be sure that no individual is denied employment or terminated for their off-duty usage of medicinal marijuana. Employee protections exist for off-duty medical marijuana usage, but do not permit individuals to use medical marijuana at the workplace or to work under the influence.

Step 3: Recreational Usage of Marijuana in New Jersey: It's Complicated

New Jersey voters approved a measure in November to legalize recreational marijuana. Governor Murphy, however, has not yet signed a Bill to make this legalization come to fruition. The New Jersey Legislature has been working to pass the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act (NJCREAMMA) which primarily concerns the development, regulation, and enforcement of activities associated with the personal use, by persons 21 years of age or older. Due to concerns over the Bill's lack of uniformity of penalties for underage users, Governor Murphy has not yet approved it.

The New Jersey's Senate Judiciary Committee scheduled a vote on February 15, 2021 on a new "clean-up" bill aimed at resolving differences over the provisions related to underage marijuana usage. The cleanup bill makes possession of any cannabis a civil penalty of up to $50 for people ages 18 to 21.

In addition to legalizing cannabis use amongst adults, the NJCREAMMA contains employment protections that would prohibit employers from taking adverse employment action against employees or applicants based on their use of cannabis. The bill states in pertinent part:

> No employer shall refuse to hire or employ any person or shall discharge from employment or take any adverse action against any employee with respect to compensation, terms, conditions, or other privileges of employment because that person does or does not smoke, vape, aerosolize or otherwise use cannabis items, unless the employer has a rational basis for doing so which is reasonably related to the employment, including the responsibilities of the employee or prospective employee.

Notably, the bill does not contain an express private right of action for violations of this provision; nor does the NJLAD provide employee protection for recreational marijuana use. As discussed in more detail above, the NJLAD provides "disabled" employees protection from adverse employment actions based upon their classification or use of medicinal marijuana. The NJLAD, however, does not apply in the arena of recreational marijuana use. Presumably, however, litigation on this particular employment topic is inevitable. In order to avoid liability, be sure to update your company's policies and procedures in accordance with the changing laws.

Cannabis laws across the country will continue to change and impact employment policies and laws, and these latest developments in New Jersey are sure to follow suit. Best practices call for closely monitoring legislative developments and the effects they will have on your company's employment policies and procedures.

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[1] Patient must be undergoing medication assisted therapy (MAT).

Ashley L. Toth is a shareholder in the Employment Law Practice Group in the Mount Laurel office of Marshall Dennehey Warner Coleman & Goggin. Michael Santitoro is a Law Clerk in the practice group as well as the Founder and Vice President of the Rutgers Cannabis Law Association. Ms. Toth may be reached at altoth@mdwcg.com.

DEFENDING COMMERCIAL PROPERTY OWNERS FOR CRIMINAL THIRD PARTY ACTS

BY JAMES H. FOXEN, METHFESSEL & WERBEL, P.C.

Defending a commercial landowner for injuries arising out of the criminal acts of third parties is a common issue handled by the defense bar. Commercial property owners have long been the target defendants in cases of liability stemming from the criminal acts of others. Over the last few years we have seen an increase in the filing of complaints in the Superior Court of New Jersey concerning incidents arising out of these violent and usually unpredictable acts. Recently our Courts have issued important published and unpublished decisions which guide us in the defense of these matters.

By way of history, owners of commercial property are typically not responsible for the criminal acts of third parties. That general rule does allow for exceptions largely based on an analysis of whether the premises owner exercised reasonable care, which is given case by case consideration. In addressing an owner's liability to prevent third party criminal conduct, the Supreme Court adopted a "totality of the circumstances" analysis. As we see in *Clohesy v. Food Circus Supermarkets, Inc.*, 149 N.J. 496 (1997), this standard encompasses all matters considered by "a reasonably prudent person" and incorporates fairness considerations for imposing a duty, the foreseeability of the third-party conduct, and "whether the premises owner exercised reasonable care under the circumstances." In Clohesy, plaintiff had finished grocery shopping and was abducted from the parking lot while loading her vehicle. Police reports contained in the record showed that sixty criminal incidents had been reported in or around the store in a two and one-half year period preceding the incident. Despite the criminal activity, no prior incidents bore any resemblance to the attack upon the victim.

In cases like Butler v. Acme Markets Inc., 89 N.J. 270 (1982), courts explored prior on site criminal activity when making determinations as to the foreseeability of such conduct. In *Butler* plaintiff sued Acme Market for personal injuries claiming that Acme had been negligent in failing to warn and to provide a safe place in which to do business. Seven muggings had occurred on the Acme premises in a year's time, five of which occurred at night over the four months preceding the attack. The Supreme Court found that the business invitor is in the best position to provide either warnings or adequate protection for its patrons when the risk of injury is prevalent under certain conditions. That, combined with the public interest in providing patrons a reasonably safe place to shop allowed for a duty to be imposed on the commercial property owner.

Over the last few years we have seen courts focus more on the foreseeability of third party conduct, even providing a roadmap to the plaintiff's bar as to how to establish a duty and thus succeed at the summary judgment phase. These cases can be won by the defense if plaintiff's counsel fails to follow the roadmap set out for them. Setting up a strong defense sometimes means watching the case unfold rather than taking an aggressive position.

We see that courts will not hesitate to extend their focus to criminal conduct in the vicinity of the property and surrounding neighborhood, thus potentially exposing a property owner to liability just for staying open or maintaining assets in a high crime neighborhood. This is true even when the property at issue has no history of dangerous crimes.

In Peguero v. Tau Kappa Epsilon, 439 N.J. Super. 77 (App. Div. 2015), the Appellate Division further developed case law addressing a commercial property owner's liability for the criminal acts of third parties.

In *Peguero*, plaintiff brought a negligence action against the National Fraternity, Tau Kappa Epsilon, the local fraternity chapter and others for allowing an altercation to erupt which ended in gunfire. There was no evidence indicating that it was reasonably foreseeable that plaintiff would have been shot while attending the fraternity event. Looking to the foreseeability of the alleged crime, the Court in *Peguero* noted that foreseeability is essentially based on defendant's knowledge of the risk of injury and that in the end a Court should assess the totality of the circumstances that a reasonable person would consider relevant in recognizing a duty of care to another. It was considered that there had never been any pattern of violent criminal conduct at the fraternity house that should have alerted the defendants that an unknown third party would pull out a gun and shoot another guest.

In White v. Getty Petroleum Marketing, Inc., 2015 WL 9902673 (App. Div. 2016), an often-cited unpublished decision issued after *Peguero* in 2016, plaintiff alleged injuries sustained when he was shot by a third party on defendant Getty's property in Trenton. The trial court granted defendant Getty's motion for summary judgment, finding the shooting was unforeseeable. That decision was later upheld at the appellate level. Plaintiff supplied reports and deposition testimony from two experts, both of whom opined that defendant breached a duty of care to plaintiff by failing to provide

adequate security for customers. The Appellate Division noted that neither expert provided any statistical support for his opinion; nor did either present any competent evidence showing a pattern of violent behavior at the gas station. Foreseeability of conduct is determinative when addressing whether a duty of care was owed to an injured plaintiff.

In *White*, the Appellate Division looked directly at the property owners' experience and knowledge in dealing with violent crimes. Specifically, the Court cited to *Peguero*, noting that summary judgment was affirmed in *Peguero* where "there was no evidence showing that it was reasonably foreseeable that plaintiff would have been shot by a third party while attending a fraternity event." Specifically the *Peguero* court noted that there was no track record of violent acts on the property and that there were no prior incidents involving weapons on the property.

Notably, in the *White* case, there was discussion of the commercial property being a gas station located in Trenton. Expert reports found that this particular section of Trenton was a "high crime neighborhood" and was in an area where "gang members congregated." At the trial level is was determined that no duty existed, even in light of the "totality of the circumstances" in that, while the majority of Trenton is a high crime area, plaintiff failed to present evidence demonstrating that criminal conduct of this nature should be anticipated by a property owner. There was no proof offered of any violent crimes occurring on the property in the three years preceding the accident. Instead the argument concerning foreseeability revolved around the gas station being operated around the clock in an area of this state that is generally "engulfed in criminal activity."

Viewed collectively, these cases generally require expert opinion specific to the property in question to establish foreseeability through prior criminal acts on or around the property.

In conclusion, when cases such as these come in the door, defense counsel should take an aggressive approach on investigation. You should begin to research the area involved, determine what if any past criminal activity has occurred in the neighborhood and on the client's property. If your research establishes no history of criminal activity in and around the property, a summary judgment motion would be warranted. Whether a duty exists, is a question of law for the courts to decide. If you have a sense that prior criminal conduct is an issue for your defense let plaintiff do the work.

We should also be mindful that the alleged violent actor is typically uninsured or would be the subject of an intentional act policy exclusion. Accordingly, they are rarely brought into the case as a direct defendant. If that individual is identified, he or she should be brought into the lawsuit as a third party. The defense of a property owner is assisted by allocating blame to the attacker, as a sufficient allocation of fault to the wrongdoer will minimize your client's exposure. In the instance where a criminal actor initially is unidentified, consider filing a third party complaint against "John Doe" defendants to preserve all claims and defenses.

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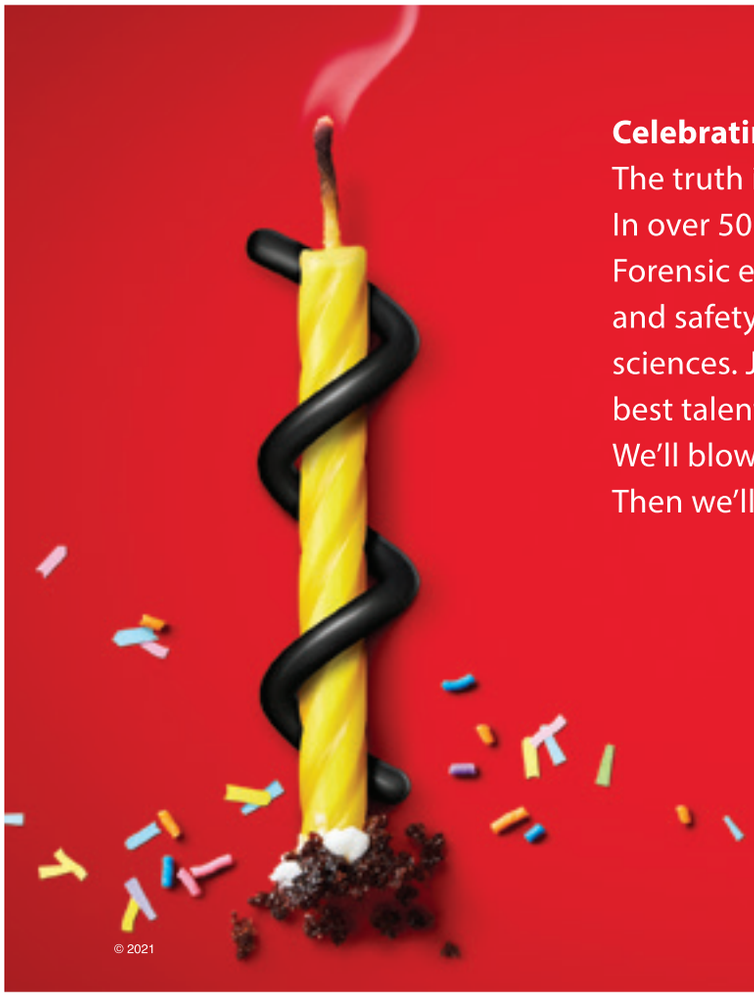

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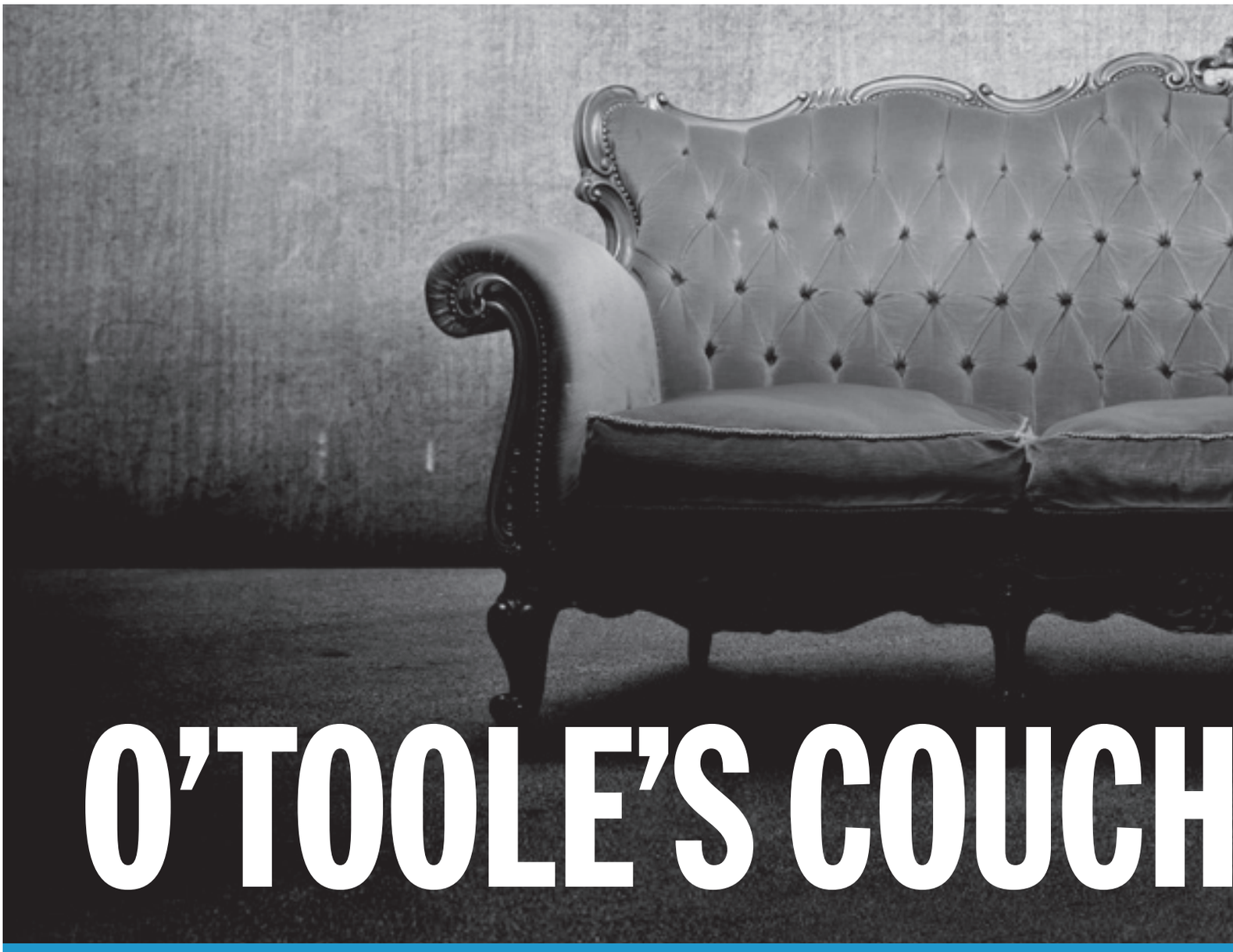

O'TOOLE'S COUCH

Back in the 50's (before many of you were even born,) my parents weren't keen on "allowances." They believed that if we wanted something more than the necessities, we should go out and earn the money ourselves. It was this philosophy that got my brother, me, and our cousin Lee, up early on snowy mornings for shoveling jobs. Back then, there were a lot more snow storms, or at least it seems that way. There was one rule my Mother had – We had to shovel our driveway first and the driveways of our elderly neighbors – free of charge, of course. While Mrs. Schmidt and Mrs. Conover couldn't afford to pay us, they always provided hot chocolate and donuts after their shoveling jobs were completed. I must say that my Mother inspected our work to ensure it was up to her good standards. Certainly, it was a lot of work, but when completed, we were proud of ourselves for having helped these old souls. (They were probably younger than I am now.) The ladies also assured us that we would be included in their Rosary prayers. What more could we ask for?

After doing the same route for several years, we had our price schedule down pat. Just about everyone knew our prices were "rock bottom." Driveway - $10, Sidewalk and dig out car - $5 each. Misc. - $3. Of course, there were exceptions. Mr. Ryan's driveway was really long so we charged him $15. Mrs. Gruber's porch required a lot of detail work so we charged her $15 also. We didn't realize that other neighborhood kids were charging twice as much, but we did get more jobs.

We never had any trouble collecting our fees, except for Mr. Lang who was dissatisfied with our work and refused to pay us. (Of course, I remember this.) The problem was quickly resolved when my Dad went over and talked to him. Way to go Dad!

: HARD AT WORK

Joe, Lee and I continued our shoveling business until we went off to college – Villanova, of course. (Snow shoveling didn't help any with that expense!) Some of our clients' children still live in the neighborhood. If they're shoveling snow, I'm thinking they get more than $10 a driveway.

When the warm weather arrived, we opened a lemonade stand at the corner of Sanford Avenue and Laurel Avenue. This involved many trips to my Mother's kitchen to keep our pitcher full. For this business endeavor, we charged 50 cents for a 6-ounce cup of lemonade. Additionally, we charged 10 cents for one of my Mother's homemade oatmeal cookies. Unfortunately, our profits weren't that great, because we ate most of the cookies.

Our last economic undertaking was raking leaves in the fall. We never developed a big client base, probably because the work wasn't that hard, the lawns weren't that big, and the season made people want to be outside to do their own yards. In spite of the slow business, we still provided free services to our elderly neighbors. Then on Saturday nights, our family enjoyed a home-made apple or cherry pie from these grateful ladies.

Looking back, I realize these experiences taught us to be hard-working and generous to people who are less fortunate. We also learned how difficult it is to make a living! I hope this article motivates you young parents to come up with "jobs" your children (teens) might be capable of. (We have been known to reach out to one of our neighbor teens in an IT emergency. They know all about that stuff.)

In closing, I thought you'd like to know we just paid $125 to have our driveway plowed!

Stay warm; stay healthy; and have a happy 2021!

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