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# Silvers' Star Rises

By ANDY DANZO

Today, Dean A. Silvers enjoys a busy entertainment law practice and is a successful, award-winning film producer who has produced five nationwide distributed films in just three years. But he remembers the lean days right after law school, when he hawked chocolate chip cookies from a shopping bag on the streets of New York City. "Here I was with all these degrees and making \$2,500 a year," Silvers says, "and most of that was from cookies, not legal fees."

Silvers, the producer of the 1996 hit film "Flirting with Disaster," graduated from UB Law in 1979. He stuck around Buffalo long enough to pick up a Ph.D. in mass media. In 1981, he headed off to practice law in his native New York City. Back then, his office staff consisted of the answering machine in his Forest Hills studio.

"I always said I wanted to work for myself," he chuckles, "but the truth is, I couldn't get a job." Looking back, he regrets not a minute of it. "Slowly, I built a practice in arts and entertainment. You could always find someone starting a new band who wanted you to be their lawyer — for free."

Even by late '70s standards, Silvers wasn't exactly your conventional law student. The "large, shaggy-headed creature," as one faculty member recalls

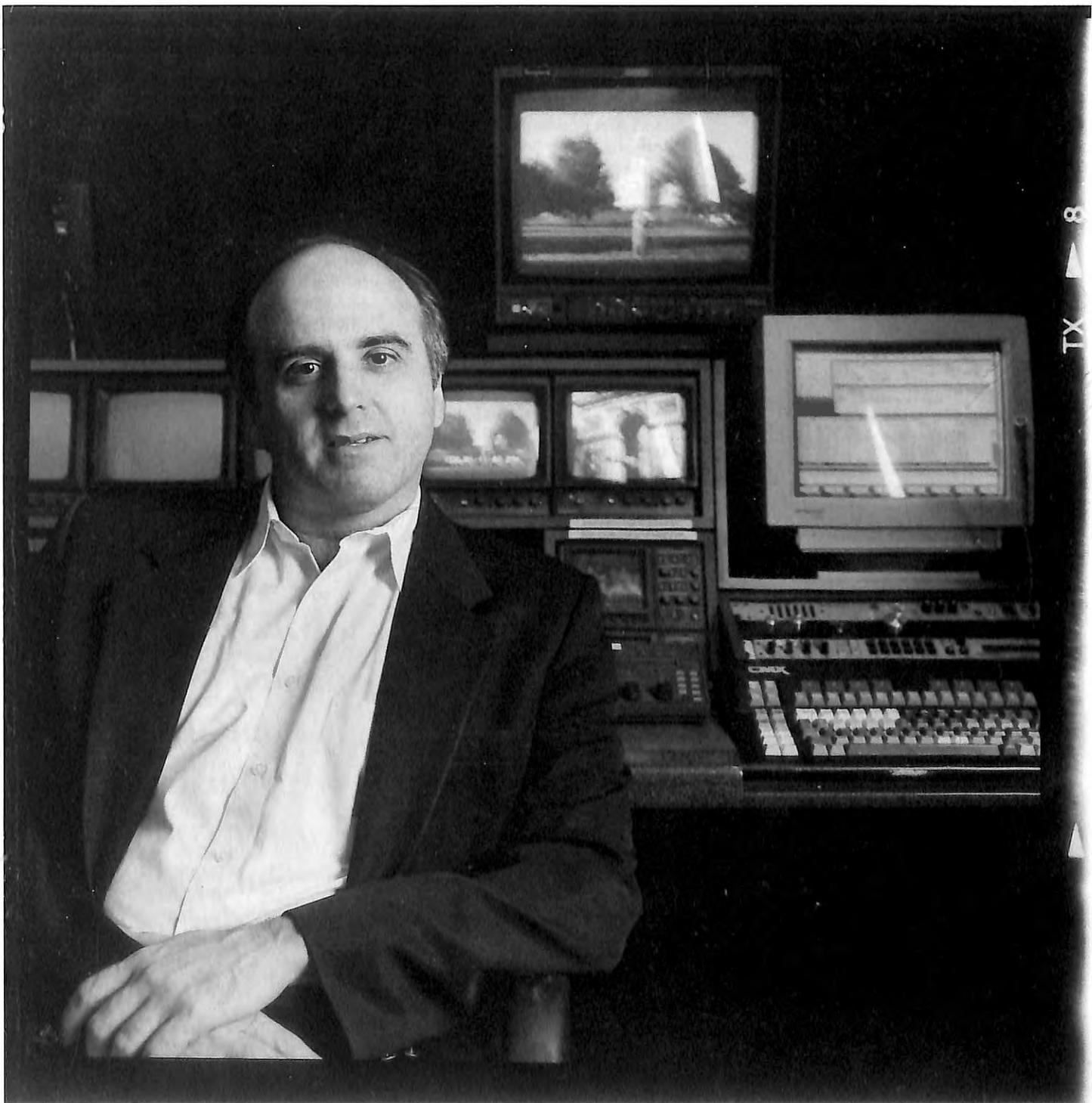
him, was at least as interested in camera angles as trial technique, although he insists it didn't start out that way. "I really wasn't one of those who since the age of 3 wanted to work with a movie camera," he says.

Born in Brooklyn, Silvers originally wanted to be a rabbi. He went to the State University of New York at Stony Brook, then decided to spend his junior year abroad at Hebrew University. It was 1973, and when the bullets started flying he hooked up with an NBC crew, covering the Mideast war as a production assistant.

After returning, he enrolled in rabbinical college in Philadelphia. The school required students to also take a secular program of study, so Silvers chose communications. That eventually led him to Boston University and a master's degree in film and broadcasting. From there he enrolled at UB Law, attracted by the then-new Baldy Center for Law and Social Policy. By this time, the rabbi idea was history. "It just didn't work out," Silvers says.

The same could have happened with law school, where Silvers recalls the first year as not entirely comfortable. "When I came in there, my background was religious studies and philosophy," he says. "The learning curve was enormous." During that difficult year, he remembers looking for guidance to Barry B. Boyer, now dean, and Thomas

*Even by late '70s standards, Dean A. Silvers wasn't exactly your conventional law student. Today, he's an award-winning film producer.*



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*Dean Silvers '79*

PHOTO: DENNIS KLEIMAN

E. Headrick, now UB provost. "They helped someone like me who was not your cookie-cutter type law student," he says. "They said you didn't have to be a traditional lawyer."

Silvers also has fond memories of Professor John Henry Schlegel as well as Professor Emeritus Jacob D. Hyman, who suggested that he pursue an independent study program in his second year. "Don't think you are an outsider, you can use this in your life," he recalls Hyman urging him.

"These professors were real heroes to me," Silvers adds, "and I don't use that term lightly."

Before long, things began to turn around. He edited *The Opinion* and wrote a column. Silvers started to like living in Buffalo, too. First he had a place on the West Side, then he moved to Amherst. He remembers people helping

one another during the Blizzard of '77. "It had a small community feeling," he says of the city. "And I'm still an avid Bills fan. It's like a disease."

He became interested in the First Amendment and its application to the relatively new medium of cable television. It was cutting-edge, exciting stuff. "By the second year of law school I really started to enjoy it," Silvers says. But he still didn't know exactly what he wanted to do with his life. Boyer, he recalls, helped push him to apply his cable TV research to a dissertation, which is what he did.

J.D. and Ph.D. in hand, he returned to New York City in 1981 with "tons of education" but no job offers. He took whatever work he could find to pay the rent on his \$186-a-month studio in Queens. "I did collections for dentists and doctors," he says. "I did real estate



***"Mr. Boyer and Mr. Headrick helped someone like me who was not your cookie-cutter type law student. They said you didn't have to be a traditional lawyer."***



**“What  
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closings for friends. I got free meals. ... I knew the best pay phone booths to work out of. They were my office.”

The Citicorp atrium became a favorite hangout. He remembers using a pay phone in there steadily for several months. But the creme de la creme had to be the Waldorf. “They had a little memo pad and a rose,” he says. “The booth was very spacious.”

By this time, Silvers was in his early 30s. His parents weren't thrilled, but he was happy. “It was great,” he says. “I went out with friends. I was inspired. ... I was off doing 70 different things.”

The evolution to entertainment lawyer began somewhere in the mid-'80s at a health club in Queens. Silvers met a producer who was interested in reviving a cable music show called “The Blue Jean Network.” He began to work on this project. Soon after, he was asked to be the lawyer for a new rock group being formed by model Kelly Emberg. The evolution continued as a friend-of-a-friend introduced Silvers to a CBS Records jazz executive, which led to an introduction to jazz great Wynton Marsalis. Silvers negotiated a cable deal for Marsalis' manager and did some work on a Montreux Jazz Festival appearance. He also represented Mike Mainieri, another prominent jazz musician.

For a time, he led a double life. He would work with small clients during the day, then go off to meet Kelly Emberg and Rod Stewart for dinner. He was also spending a fair amount of time in the library,

boning up on recording law so he could negotiate contracts.

Before long, however, he had to hire two associates to help with all the work. “I started making a living, much to the happiness of my parents,” he says. “Now I was an entertainment lawyer, not a collections lawyer or a chocolate chip cookie lawyer.”

Then someone asked if he was a film and television lawyer. “I said sure,” Silvers recalls. “They gave me scripts to read. I had about 50 scripts.”

It was another learning experience. In this case, the lesson was that independent filmmakers are not particularly interested in what lawyers think about plot and dialogue. “What they really want is for you to raise money,” Silvers says. And they don't want to pay up front, he adds. Silvers' counteroffer: Give me credit as co-producer and I'll be your film lawyer.

Between 1988 and 1991, Silvers ended up with producing credits for three low-budget but not entirely shabby films: “The Sun and the Moon,” with Jose Ferrer in 1988;

*David Patrick Kelley, left, and Ben Stiller in “Flirting with Disaster”*



PHOTO: BARRY WETCHER

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"Resident Alien," a 1991 feature with John Hurt, Fran Lebowitz, Quentin Crisp and Sting; and "Unconquered," a 1989 CBS Movie of the Week, written by Pat Conroy, author of *Prince of Tides*, that was nominated for an Emmy. Silvers says "Unconquered" was the only one that made any real money. It was also one in which he played a significant role, spending weeks working with the writer. After that, he was hooked for good.

But Silvers was still pretty low in the industry pecking order, and a lot of his work was still coming through friend-of-a-friend connections. That's how he got involved in "Mole People," a story about the shadowy denizens of New York's abandoned rail tunnels. It was one of those projects in which concept outpaced execution, and it fell to Silvers to find someone who could write the screenplay. One of the samples he got was a script called "Spanking the Monkey" by a writer named David O. Russell. The HBO deal for "Mole People" eventually fell through, but Russell became Silver's friend and client.

By this time, Silvers had already made another important connection, this one with Marlen Hecht, a talented New York film editor. Hecht already owned her own post-production editing company, and the way Silvers tells it, she got the mistaken impression that he was some kind of senior media executive. She started calling him up for lunch. He took a liking to her aesthetics. They formed a production collaboration — and got married.

In April 1993 they were having dinner in Russell's Upper West Side apartment. The mood was somber. Russell was approaching his mid-30s without a significant credit to his name. Silvers remembers the aspiring writer-director lamenting that he didn't know what to do, where to go. Then there was one of those transformative moments. Let's just

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do it, Silvers proclaimed. Let's just go out and do "Spanking the Monkey" ourselves.

By that point in his career, Silvers felt fully geared to be a successful lawyer-producer, but in retelling the story he still seems a little surprised at the audacity of the proposal. "I think I had just seen one of those Mickey Rooney-Judy Garland movies where someone says, hey, let's put on a play," he offers.

With a plot that could make Demi Moore blush, "Spanking the Monkey" is not the kind of high concept that has commercial success written all over it. The story, which involves a college kid who gets seduced by his bedridden mother, was described by Time as "alternately droll and disturbing." Silvers says he and Russell raised about half the \$80,000 filming budget from friends. They got Jeremy Davies, who portrayed a heroin addict on "Melrose Place," to play the lead. Then, after coming up with another \$40,000 for post-production work, they took it to the 1994 Sundance Film Festival.

Critics loved it. "Spanking the Monkey" took the Sundance Audience Award for Best Film, and it went on to land on numerous Best-of-the-Year lists.

Before long, Silvers and Russell were working on their next film, "Flirting with Disaster." This time they had big-name veterans like George Segal, Mary Tyler Moore, Lily Tomlin and Alan Alda. They teamed them with the younger Ben Stiller, Patricia Arquette and Tea Leoni in a kooky cross-country quest involving an adoptee's search for his birth parents.

"Flirting" was released in 1996 by Miramax, the Oscar-collecting studio founded by former Buffalo rock impresario Harvey Weinstein. Silvers and Weinstein never met in Buffalo and their later collaboration was pure coincidence,

according to Silvers. "We talked about it once and said, isn't it funny," he recalls.

In a sense, however, there is another Buffalo connection in the film. About halfway through, there is a scene in which a truck flattens a post office. Silvers claims credit for the postal destruction, explaining that it was a way to introduce a pair of gay federal agents who are key dominoes in the story's conclusion. "We had to find a way to get the FBI or the ATF involved, and as a lawyer I knew that post office destruction would be a federal offense," he says. "I think (former) UB Law professor Al Katz told me that in criminal law. It's funny what sticks in your mind."

"Flirting" didn't aspire to the cult status of "Spanking the Monkey," but it garnered plenty of good reviews for laughs and showed up on a number of year-end lists. It also firmly established the producing credentials of the UB Law grad. When Silvers' next film, "Manny & Lo," came out later in 1996, the *New Republic's* Stanley Kauffmann began his review by noting: "The first zing of interest in 'Manny & Lo' (Sony Pictures Classics) came from something that doesn't often register, the names of the producers. Dean Silvers and Marlen Hecht were involved in the production of David Russell's two films, 'Spanking the Monkey' and 'Flirting with Disaster,' so clearly they have an eye for new talent. That eye has worked again."

Silvers, however, has yet to go Hollywood. He holds a post as distinguished professor at the Fordham University Graduate School of Business Administration, and he maintains a full-service law practice in Manhattan.

Silvers' latest producing efforts are with Marlen Hecht, putting together the production of "Committed," Lisa Krueger's second film, for Miramax; and with Sundance Film Institute head Michelle Satter on "Eva Luna," an adap-

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tation of the Isabel Allende novel to be directed by Michael Radford ("Il Postino") for Lakeshore/Paramount. The screenplay will be penned by Antonio Skarmeta, on whose novel "Il Postino" was based.

Now Silvers is adding screenwriting and directing to his resume with a film titled "Rock the Boat" due out later this year. The story involves idealism, an environmental cleanup gone awry, and something someone once did in a gray area of law. Talking a mile a minute during a break from editing, Silvers says he thinks it's important to apply a light touch to heavy issues. He describes "Rock the Boat" as "somewhere between Ingmar Bergman and Jim Carrey." He is also busy writing a new screenplay which he intends to direct.

If there's an undercurrent of self-deprecating humor in Silvers, it's OK, he can afford it. In the world of movies, they take him quite seriously now. ■



*Lily Tomlin and Alan Alda in  
"Flirting with Disaster"*