

# Briefs

CIVIL REPRESENTATION ■ WORK VS. SCHOOL ■ BENCH-BAR ■ IN MEMORIAM

## Lack of Civil Representation Harms Individuals, Impacts Courts, Judges Tell ABA

**L**ack of legal representation in civil matters is hurting those individuals' cases, and is negatively impacting courtrooms, according to a survey of judges by the American Bar Association.

Approximately 1,000 state trial judges responded to the survey, which posed questions about their dockets, self-representation and the impact on the courts. More than half of the judges stated that their dockets increased in 2009, with the most common areas of increase involving foreclosures, domestic relations, consumer issues such as debt, and non-foreclosure housing issues such as rental disputes.

Sixty percent of judges said that fewer parties are being represented by lawyers, with 62 percent saying that parties are negatively impacted by not being represented. The impact is exemplified through a failure to present necessary evidence (94 percent), procedural errors (89 percent), ineffective witness examination (85 percent), failure to properly object to evidence (81 percent) and ineffective argument (77 percent).

During a time when state budgets are constrained, agencies as well as courts are being asked to become more efficient. However, the increase in non-represented parties makes this more difficult for courts. The lack of

representation has a negative impact on the court, said 78 percent of the judges, and 90 percent of judges stated that court procedures are slowed when parties are not represented.

Nearly half of the judges responding believe that there is a middle-class gap with respect to access to justice, stating that the number of people who are not represented and who do not qualify for aid has increased.

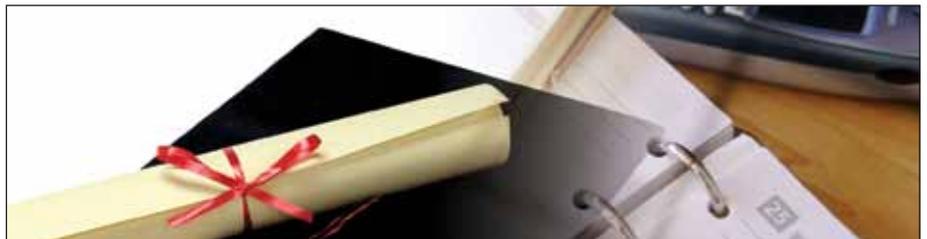
The survey of judges on the impact of the economic downturn on representation in the courts was conducted for the ABA Coalition for Justice. Respondents hailed from around the country.

## Job Experience Tops Classroom Work as Barometer for Legal Success, Survey Finds

**T**ime spent on the job is more important than time spent in the classroom when it comes to determining legal professionals' odds for success within an organization. More than half (56 percent) of lawyers surveyed recently said professional experience is the best indicator of career potential while educational background ranked second with 17 percent of the response.

The survey was developed by Robert Half Legal and was conducted by an independent research firm and includes responses from 300 lawyers among the largest law firms and corporations in the United States and Canada.

Lawyers were asked, "Which of the following is the best indicator of a job candidate's potential for success in your organization?" Their responses: Previous work experience or prestige



of previous firm or corporation (56 percent); educational background (17 percent); referral from a current employee or member of your network (15 percent); intelligence (4 percent); other (8 percent).

"For new graduates, university prestige and class ranking can be instrumental in landing a first job," said Charles Volkert, executive director of Robert Half Legal. "But as legal professionals progress in their careers, a proven track record and practice area expertise often carry more weight

with employers. These qualifications allow the law firm or corporate legal department to add bench strength and potentially expand their client roster."

"For job seekers early in their careers, it's a common catch-22 situation that they need experience to land a new position and a position to gain experience," Volkert said. He suggested contract work, part-time or temporary work or legal internships and pro bono projects in order to acquire additional expertise while conducting a job search.



## Oct. 13 is Registration Deadline for Bench-Bar & Annual Conference at Borgata

**W**ednesday, Oct. 13 is the deadline to register online for the Philadelphia Bar Association's Bench-Bar & Annual Conference at the Borgata in Atlantic City, N.J. on Oct. 15 and 16.

Fourteen CLE programs in a variety of practice areas are being planned, in which attendees can earn up to eight hours of credit (including the opportunity to earn two ethics credits). The programs will feature judges and some of the city's most well-known practitioners, who will use their expertise and experience to enlighten attendees.

A dramatic re-enactment commemorating the 275th anniversary of Andrew Hamilton's historic 1735 defense of printer John Peter Zenger will be offered for CLE credit as the opening program on Oct. 15. The case established the concept of freedom of the press and coined the term "Philadelphia lawyer." A state-of-the-court program will also be offered for CLE credit as the closing program on Saturday, Oct. 16.

CLE seminars are being planned by the Business Law Section, Criminal Justice Section, Family Law Section, Public Interest Section, Real Property Section, State Civil Litigation Section, Young Lawyers Division, Bar-News Media Committee, Federal Courts Committee and the Professional Responsibility Committee.

In addition, one of the highlights of the conference will be the Grand Reception on Friday, Oct. 15. This year's event will be held at Mixx, the Borgata's high-energy dance club.

Register for the 2010 Bench-Bar and Annual Conference at [philabenchbar.org](http://philabenchbar.org) by Wednesday, Oct. 13. Walk-in registration will be available at the Borgata in Atlantic City on Oct. 15 and Oct. 16.

## Get Published in THE PHILADELPHIA LAWYER

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Ronald B. Myrter  
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Harris Ominsky  
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Foundation Executive Director, at 215-238-6334.*

# Readers' Comments

*“Everyone I know, whether lawyer or layman, politically leftist or rightist, dislikes this decision”*

## 10 Worst Decisions

Concerning “The 10 Worst Supreme Court Decisions” in the Summer 2010 issue, in my experience, *Kelso v. City of New London* (allowing use of eminent domain taking for a private developer) is decidedly not highly controversial. Everyone I know, whether lawyer or layman, politically leftist or rightist, dislikes this decision – some because it took, if not from the poor, then at least from the not-well-off, to give to the rich; some because it violated the traditional concept of taking for a public purpose, such as for roads and schools, by apparently saying that a private

commercial use could be a public purpose if it brought in more tax money than a residence, and some don't like it for both reasons. I have never heard anybody say a good word about *Kelso*. Well, maybe I just don't know the wrong people.

**George Scott Stewart III**

## Editor-in-Chief

In the Spring 2010 issue of *The Philadelphia Lawyer* magazine, I wrote about the diversity of the Editorial Board members in my Editor-in-Chief's column. I am pleased to report that

after distribution of that issue, I heard from several Association members that historically there had been more women attorneys serving on the Board than I had reported, notably Arline Jolles Lotman and Ruth E. Ganister. Many thanks to these women for their service on the Board.

If any other readers know of women attorneys who have served on the Board prior to 2004, I would very much appreciate your contacting me so that we can develop a comprehensive portrayal of their contributions. Many thanks.

**Deborah Weinstein**

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