Fedullo to Outline 2014 Plans as 87th Chancellor on Dec. 10

William P. Fedullo brings the very best qualities of the Philadelphia lawyer to the office of Chancellor. Often the voice of reason no matter how difficult the issue, our 87th Chancellor is a leader and a consensus-builder with a bold vision of the Association’s future, along with a willingness to work hard to bring that vision to reality.

“We have to be the Bar Association for everybody” said Fedullo, who begins his term as Chancellor on Jan. 1. “If you don’t get involved in the Philadelphia Bar Association, with our networking activities, and opportunities to strengthen our diverse profession and improve access to justice - you’re truly missing something special.”

Bill met his wife, Shelli – a partner at Wilson Elser Moskowitz Edelman & Dicker LLP – in 1971 when Bill was a 21-year-old junior and Shelli was an 18-year-old freshman at Temple University. They married in 1974 when Bill was in his second year of law school at then Delaware Law School (now Widener).

His first law job was clerking for Judge Charles P. Mirachi Jr. From the very start of his career, Bill recognized the importance of contributing to the profession and building relationships through active involvement in the Philadelphia Bar Association and other organizations, including the Justinian Society which he also went on to lead as Chancellor.

He has been counsel to the firm of Rosen, Schafer, & DiMeo LLP since 2008. He has achieved professional distinction by obtaining seven-figure verdicts and settlements in the areas of asbestos, personal injury, and insurance defense. He serves on the Board of Directors of the Center for Global Legal Studies at Temple University and the Board of Trustees of the Delaware Law School (now Widener). He is a member of the Delaware County Bar Association, the Pennsylvania Bar Association, and the American Bar Association.

Fedullo is a partner at Rosen, Schafer, & DiMeo LLP, a firm he joined as a law clerk in 1974. He has achieved professional distinction by obtaining seven-figure verdicts and settlements in the areas of asbestos, personal injury, and insurance defense.

Insurance Exchange Now Open to Members

By Brian McLaughlin

It’s open enrollment time for health insurance, and this year it is more confusing than ever with the advent of the Affordable Care Act and all the changes it brings. For Philadelphia Bar Association members, help is here.

The Association is excited to announce the creation of the Philadelphia Bar Association Insurance Exchange website, developed in partnership with USI Affinity. You can find the Exchange at www.usiaffinityex.com/philadelphiabar.

The Exchange has been built to help all members. This is the place for partners to buy the plan that is best for their family, when the firm chooses a different carrier. This is the place for sole practitioners to find the best Individual plan to meet their needs. This is the place for administrators and firms to keep up on the latest changes with health care and find the benefit options that will set their firm apart from the competition.

The Philadelphia Bar Insurance Exchange is a private insurance exchange – a convenient and secure online portal where Bar Association members can comparison shop to find the most competitively priced health, dental, life, disability and other valuable insurance member benefits.

The goal in creating the exchange website was to give Bar Association members a single location where you can shop for all your insurance needs. Through our access to all major medical carriers and exclusive dental, life and disability programs you

Committee’s Study Shows $5B Industry Value to Area

By Jeff Lyons

The annual economic impact of the legal industry on the City of Philadelphia economy is nearly $5 billion, according to a study by Econsult Solutions Inc., commissioned by the Association’s Large Firm Management Committee (LFMC).

The report, released last month, identifies the annual economic impact at $4.91 billion, supporting 31,400 jobs and generating about $160 million in tax revenues.

Chancellor Kathleen D. Wilkinson appointed Ben Barnett of Dechert LLP and Vincent R. McGuinness of Cozen O’Connor as co-chairs of the LFMC.

The committee asked that the managing partner (or designee) for each large law firm in Philadelphia participate in the committee.

“Chancellor Wilkinson believed that we needed to rebuild the relationship between large law firms and the Philadelphia Bar

continued on page 3

continued on page 14

continued on page 16
After 37 Years, It’s Time to Exit Stage Right

By Ken Shear

Name the greatest TV series final episode...ever. “M*A*S*H”? Not bad. “Cheers”? Eh! My all-time favorite was the final episode of “Newhart.” You know the one. It’s the final scene. We find Bob in bed with his wife, played by Suzanne Pleshette, on the set of the old Bob Newhart Show. He had been dreaming the entire second series in which he played a New England innkeeper. Here they are in the first series original set with the familiar bed linen and as a viewer you just knew that something really cool was going to happen. She wakes up, turns to Bob, who says to her “Honey, you wouldn’t believe the dream I just had.” The show aired May 21, 1990 and I had already been executive director of this Bar Association for 13 ½ years.

Well, after 37 years of a great run my final episode is about to be played.

The show keeps going but a new guy is about to come on stage to guide the Association and the old guy walks into the spotlights on the stage muttering “Goodnight Mrs. Calabash, wherever you are.” Something like that.

This has been a great job. The variety of responsibilities and activities has been phenomenal. The number of people I’ve interacted with, their diversity and intellect has challenged me to truly appreciate people and the human condition. All different, unique and yet you all belong to this Association making this position as your executive director the ever-changing one it’s been.

Over the years I’ve always been struck by the manner in which this large multi-faceted organization is treated by its own members. You have used it as a gateway for lawyers to do good things for the profession and the community in which we find ourselves. And that’s appropriate.

At the same time this organization is yours and what it does, you take personally. And that’s also appropriate. Walking down the street or even in the office I’m often asked “How’s MY Bar Association?” When I respond that were doing fine there seems to be a look that says, “Ken, that’s what you’re supposed to answer. Well, we are doing fine. Are there challenges ahead? Without question. But after 211 years as an organized entity, I’m convinced these challenges will be so many bumps in the road going forward and we will continue well into the Philadelphia Bar Association’s third century.

So I extend my sincere thanks to all of you for the opportunity of a lifetime you have given me to help lead this Association.

At this point, my own Suzanne might say, “Wake up Ken. It’s all been a dream.” I don’t think so. It was real and it was terrific!!

Ken Shear has served as executive director of the Philadelphia Bar Association since 1976.
With Leadership as the Theme, a Busy Year Comes to a Close

By Kathleen Wilkinson

“Leadership and learning are indispensable to each other.”
—John F. Kennedy

I’d like to begin my final column as Chancellor by highlighting some of the achievements of the year, while recognizing the hard work of our many volunteer presenters and thought leaders in the legal and business community. In my address to the membership at our Annual Meeting a year ago, I issued a challenge to law firms and legal organizations to place renewed emphasis, value and recognition on certain important aspects of being a successful lawyer: leadership, civility, mentoring, community service and pro bono work. As we approach the end of 2013, I can’t help but reflect on how fortunate we were to be able to present such a broad scope of new programming aimed at assisting and developing leadership skills for young lawyers, women and diverse attorneys of all backgrounds, through our Chancellor’s Leadership Institute. We’ve received wonderful feedback regarding the benefits of this new program.

The idea behind the Chancellor’s Leadership Institute was to teach lawyers the tools and skills they need to succeed in today’s legal world. By creating new opportunities for leadership and development of our lawyers, we can meet the challenges of a constantly evolving profession.

Philadelphia District Attorney R. Seth Williams kicked off our Institute in February where he discussed his path to public service. Montgomery County District Attorney Risa Vetri Ferman, state Rep. Kate M. Harper, former state Rep. Kathy Mandero and Judge Renee Cardwell Hughes, new CEO of the American Red Cross of Southeastern PA, shared their journeys through politics, government and community service, with inspiring thoughts on leadership in March. Retired Judge Kathryn Streeter Lewis and Emilie R. Ninan, president of the North American South Asian Bar Association and managing partner of Ballard Spahr’s Wilmington office, discussed their unique leadership styles. We received excellent advice on how to get ahead from Judith M. von Seldeneck, founder, chair and CEO of Diversifed Search, the first search firm to place women and minorities in professional positions.

One of the highlights of the Chancellor’s Leadership Institute program was on Sept. 19, when Golden Globe Award-winning actress Jill Eikenberry, one of the stars of the groundbreaking television series “L.A. Law,” discussed her role of a lifetime to play fictional L.A. lawyer Ann Kelsey, and her own battle against breast cancer.

We also welcomed two panels of women leaders of affinity bar associations, a discussion on four generations in the workplace, and 20th Century Associates applied for and obtained from the American Civil Liberties Union to assist and develop leadership skills in a Bench-Bar program this year. Few such rights have been recognized in civil matters where basic human needs such as shelter, health, safety, sustenance and child custody are at stake. But the demand has surged for civil legal representation on behalf of the poor, whose ranks have swollen following one of the worst recessions in the nation’s history. Those needs have been unmet due to reductions in federal and state funding and a tight private fund-raising environment that have resulted in layoffs of legal aid staff and office closings.

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GREEN RIBBON TIP

For Confidentiality’s Sake: Shred, Don’t Recycle

By Nancy S. Cleveland

Paper consumption and disposal can carry considerable cost and environmental impact for law firms. While many firms are turning to paperless documentation and delivery (highly recommended best practices), few can do away with paper altogether. Last month, we discussed some green printing techniques and paper options, but what about greening your documents’ end of life? Confidentiality considerations make legal documents poor contenders for weekly curbside recyclables. Finding a secure disposal provider who is environmentally responsible is key. Two companies that provide such services locally are Shred-it and Iron Mountain.

Shred-it not only has a great reputation for document security (trusted by the world’s top intelligence and security agencies), but all of the paper they shred is recycled and made into consumer items such as paper towels and plates. It is estimated that one tree is saved by filling two Shred-it secure document containers. Their annual customers receive a certificate each year indicating how many trees they saved. In addition to recycling 100 percent of their paper, Shred-it plans to green its fleet over time by acquiring hybrid and electric trucks and has already launched pilot projects for fuel efficient trucks equipped with auto-shutdown technology that reduces emissions. Although they operate globally, Shred-it is also a member of the Sustainable Business Network of Greater Philadelphia.

Iron Mountain is a leading storage and information management company that offers secured document disposal and takes sustainability seriously. Not only are they the world’s largest provider of recycled shredded paper, Iron Mountain also uses a portion of their shredded paper to generate energy. In 2011, they incinerated 8.5 million pounds of material, creating enough energy to power more than 400 homes. Iron Mountain is also aggressive about its operational sustainability. Iron Mountain won the 2011 GreenFleet Award for Private Sector Fleet and have been added to the FTSE4Good Index, an index listing companies that meet globally recognized corporate social responsibility standards.

You may be wondering, “What’s better for the environment, recycling or incineration?” From a material resource side, recycling prevents the procurement and processing of virgin raw materials. From an energy perspective, incineration creates energy that, likely, would otherwise be produced by burning fossil fuels. Life cycle assessment studies tend to highlight the environmental benefits of recycling over incineration. Whether it’s waste-to-energy or waste-to-recycled paper products, research your shredder and make sure your documents don’t become waste-to-landfill.

Stay tuned. Next month we will discuss low-carbon IT – learn how computer power management can save lots of energy.

Nancy S. Cleveland is a member of the Green Ribbon Committee, a LEED Accredited Professional, and a principal and co-founder of Resonate LLC, a strategic sustainability consulting firm. Resonate provides services and tools that enable companies to systematically integrate social, environmental and economic factors into their planning and decision-making processes.
Funding, Caseload Issues Plague Public Defenders

By Regina M. Parker

The U.S. Supreme Court unanimously announced on March 18, 1963 in Gideon v. Wainwright that the Sixth Amendment guarantees to every criminal defendant the right to a lawyer, even if they cannot afford one. Fifty years later, this promise is not being fulfilled by our nation’s indigent defense system— a system characterized by inadequate funding, personnel shortages and high caseloads. On Nov. 7, the Public Interest Section hosted the CLE program “Fulfilling Gideon’s Promise: Strategies from Chief Public Defenders.” The panel, moderated by Mary Catherine Roper, counsel at the ACLU, included Malia Brink, adjunct professor at Georgetown University Law Center, and solo practitioners Albert Joseph Flora and Michael Drossner.

The most important sentence in Gideon is that “in our adversary system of criminal justice, any person haled into court, who is too poor to hire a lawyer, cannot be assured a fair trial unless counsel is provided to him,” Professor Brink said. “Not only do you have a right to counsel, you have a right to a fair trial.”

The panelists explained that we still face many challenges in ensuring equal access to justice. A major problem is that there are no uniform national or statewide standards with respect to the provision of indigent defense. While many places do provide excellent public defense and zealous representation, it is not the norm. Across the nation, the right to counsel is being violated.

Another problem is that the public defender systems are underfunded and staffed by overworked lawyers. Most states, counties and municipalities have refused to provide funding necessary for counsel and equal justice. Due to inadequate funding, the processing of human beings through the courts has become a reality. Across the nation, many judges tolerate inadequate representation because it allows them to process cases quickly. Judges conduct hearings in which poor people appear without lawyers. Others proceed with representation from lawyers they met only minutes before the hearing and will never see again. Even when representation lasts for more than a few minutes, it is often provided by lawyers struggling with enormous caseloads, who attempt to represent more people than ethically possible.

Roper explained that locally, The Philadelphia Public Defenders Office provides training and supervision which are seldom seen in other counties. Flora and Drossner explained that many counties do not have sufficient resources in place to provide similar training that is offered in Philadelphia. In most counties, the public defenders are handling cases on a part-time basis while operating a private practice. Flora explained that when he started in Luzerne County, he had lawyers with no desks, phones or computers. After proposing to decline juvenile cases due to the inability to ensure that his staff was equipped to provide competent representation, he received funding to create a new model unit for representation of juveniles. He proposed having lawyers fully trained in juvenile law, implementing the performance guidelines by the Juvenile Defenders Association of Pennsylvania, and having a social worker on staff. However, he continued with an overwhelming adult caseload and received no assistance from the courts or the county. Flora said he had to choose between getting fired and getting disbarred for providing incompetent representation. In 2012, he filed suit against the county for funding.

The panelists offered solutions to the problem of securing a meaningful right to counsel, including, implementing performance and caseload guidelines, adopting an administrative mechanism for declining cases, and securing funding for the public defenders office.

Regina M. Parker (RParker@tetralaw.com), an associate with Thomas, Thomas & Hafer LLP, is an associate editor of the Philadelphia Bar Reporter.
** RULES & PROCEDURE COMMITTEE **

** Tort Talk Tracks Litigation Trends **

By Annie M. Kelley

Attorneys are always looking for new research tools and ways to keep up on the latest cases and trends in Pennsylvania civil litigation law.

Cummins is the creator and writer of Tort Talk, which has been selected and honored by both the ABA Law Journal and LexisNexis as one of the top insurance law blogs, as well as one of the Top tort law blogs in the United States. Cummins gave a very informative and entertaining presentation on current tort law, filled with video clips from popular television shows and movies, at the Nov. 6 meeting of the Rules and Procedure Committee.

Cummins initially started the blog as an extension of what he learned as a law clerk. By reading updates and Pennsylvania Law Weekly, Cummins established the site as a research and educational tool. Tort Talk has a variety of search tools, including narrowing research to a particular topic. Through "search this blog," one can type in any topic and scroll through a list of relevant cases.

Another helpful tool on the blog is the Post-Koken Scorecard, wherein automobile cases since the Koken decision are sorted by county in a comprehensive list. There is also a Facebook Discovery Scorecard and Products Liability Restatement Scorecard, which, similarly, are continually updated with new decisions on these hot topics.

Tort Talk also provides links to other websites and blogs, and is a good place to start legal research on a particular topic and to stay on top of recent cases of note. Cummins brought attention to notable cases and changes in rules that affect Pennsylvania civil litigation.

Cummins pointed out that Pennsylvania Rule of Civil Procedure 212.3 may require by order that various parties attend the pre-trial conference, including an insurance or similar representative who has authority to negotiate and settle the case. Even if not specified in an order, regardless, they may be required to be promptly available by phone. Cummins recommended that one way to preemptively address this issue is to talk to opposing counsel and request that the judge that a claims representative participate by phone.

By way of hot legal topics, Cummins brought attention to cell phones and punitive damages, noting that there is a split of authority of whether punitive damages are allowed in an accident claim caused by a driver using a hand-held device. Likewise, there is no appellate court decision for concrete guidance on Facebook discovery issues. Here, a split of authority appears to be trending toward no constitutional right to privacy or privilege to prevent disclosure, especially on a public page. A good practice tip is to include interrogatories including username and password, and to cover these questions at depositions as well.

The issue of whether discovery of communications between an attorney and a medical expert is also expected to be a recurring issue. Post-Koken issues such as consolidation versus severance, bad faith claim split from UIM claim, trial institution of authority of whether punitive damages are allowed in an accident claim caused by a driver using a hand-held device are continually updated with new decisions on these hot topics.

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The issue of whether discovery of communications between an attorney and a medical expert is also expected to be a recurring issue. Post-Koken issues such as consolidation versus severance, bad faith claim split from UIM claim, trial evidence of assurance, and delay damages, are all trial issues that can be easily decided by the judge.

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To read the full article, visit philadelphia.bar.org. For more articles like this, subscribe to the Philadelphia Bar Reporter.

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** December CLE Calendar **

These CLE programs, cosponsored by the Philadelphia Bar Association, will be held at The CLE Conference Center, Wanamaker Building, 10th Floor, Suite 1010, Juniper Street entrance unless otherwise noted.

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** Live & Simulcast Seminars **

- Dec. 2: Corporate Compliance and Ethics
- Dec. 2: Handling Multi-jurisdictional Child Custody Disputes
- Dec. 2: PA Inheritance Tax Exemption for Family Owned Business
- Dec. 4: MBA Concepts for Lawyers
- Dec. 4: Success with Summary Judgment Motions - How to Win Before Trial
- Dec. 5: Primer on Mechanics’ Liens and Bond Claims
- Dec. 5: 11th Annual Real Estate Institute (PA Convention Center)
- Dec. 6: From File to Trial: It’s Keys to Success in Court and Beyond
- Dec. 9: Municipal Liability Actions
- Dec. 10: CLE Ethics Fun with Snaz Carter
- Dec. 11: Time Mastery for Lawyers
- Dec. 11: 2013 Public Interest Law Day
- Dec. 12: How to Prepare Federal Estate & Gift Tax Returns
- Dec. 12: Ethics: POTHOURI
- Dec. 12: Abe Lincoln, Sydney Car ton & the Art of Aspiration
- Dec. 12: Intersection of Baseball & the Law
- Dec. 12: Law Marketing & Advertising Ethics
- Dec. 12: Fee Practices, Pointers & Traps of Fee Agreements
- Dec. 12: Privilege Worth Protecting?: Bringing Third Parties into Attorney-Client Interviews
- Dec. 12: Assisting a Colleague in Distress
- Dec. 13: Fixing the Failed Development Project in the Common Interest Community
- Dec. 13: Sophisticated Issues for Family Lawyers
- Dec. 13: Current Issues in Nursing Home Litigation
- Dec. 17: Collecting & Enforcing Judgments
- Dec. 17: Drafting a Last Minute Estate Plan for a Sick or Dying Client
- Dec. 17: Retirement Planning for Attorneys
- Dec. 18: iPad for Legal Professionals (AIL Intro & iPad Basics; PAI: Advanced iPad Topics)
- Dec. 19: Steve Stark: (A) Legal Writing, Persuasion in the Smart Phone Age; (B) Speaking to Win
- Dec. 19: Criminal Law Update 2013
- Dec. 20: IP Law Primer

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** Video Seminars **

- Dec. 3: How to Handle a Workers’ Comp Mediation
- Dec. 5: Law Marketing & Advertising Ethics
- Dec. 9: Litigation Technology Workshop
- Dec. 16: Abe Lincoln, Sydney Car ton & the Art of Aspiration
- Dec. 16: Working OUT: Developments in the Employment, Labor and Benefits Law for LGBT Individuals in Pennsylvania
- Dec. 18: The Anatomy of Pennsylvania’s New P3 Infrastructure Act
- Dec. 20: Privilege Worth Protecting?
- Dec. 20: Tackling the Tiger of E-Discovery: Real-World Perspectives from the Bench, Bar and Consultant/Vendor Worlds
- Dec. 23: Drafting Employee Handbooks
- Dec. 27: Buying a Vacation Home
- Dec. 30: Death & Taxes
- Dec. 31: Title Insurance 101

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** Distance Education – Live Webcasts **

** Live Webcasts **

If you can’t watch it live, sign up now & get credit when you watch it later (you’ve got 3 months after the webcast date).

- Dec. 2: Corporate Compliance and Ethics
- Dec. 3: Sophisticated Issues for Family Lawyers
- Dec. 5: Primer on Mechanics’ Liens and Bond Claims
- Dec. 9: Municipal Liability Actions
- Dec. 12: Criminal Law Update 2013
- Dec. 17: Collecting & Enforcing Judgments
- Dec. 19: 20th Annual Auto Law Update
- Dec. 20: IP Law Primer

** Online CLE **

Delivered over the Web at your convenience. We call this 24/7 CLE. When you need the information (or the credits), log on to our Online Campus and find a course that meets your needs: a recording of a seminar, with the materials in convenient searchable PDF format. Start it today, watch some tomorrow and more in the coming weeks. Finish it within three months, and get credit when you’re done.

www.pbi.org 800-932-4637
Adversity Familiar Foe for Diaz, Negrin

By Mary-Kate Breslin

Two life-changing events at young ages led Romulo L. Diaz Jr. and Richard Negrin toward the path of legal careers and leadership. Diaz and Negrin shared personal accounts of tragedy, success, and what has led them to where they are today at the Nov. 8 Chancellor’s Leadership Institute program co-sponsored by the Hispanic Bar Association.

A Texas native, Diaz is currently vice president and general counsel for PECO. He acts as chief legal officer for the company and oversees PECO’s legal affairs in Pennsylvania, in addition to PECO’s claims and security departments. When asked what made him become a lawyer, Diaz immediately confessed, “It happened in junior high.” He described a serious car accident in which his mother was injured. His mother made her first courtroom appearance as a witness in the subsequent civil trial – an experience which left a lasting impression on the young Diaz. He recalled his mother’s attorney treating her poorly, disrespecting her and generally not having much concern for justice or his mother’s feelings. This lawyer’s behavior left Diaz thinking, “This is something I’d like to do and I think I can do better.”

Growing up in a small town in Texas, Diaz was the first in his family to graduate from high school. He said, “With leadership, you have responsibilities to protect your people… the lessons learned about leadership and failures have propelled me along the way.” For much of his career, Diaz held several legal, management and policy positions at the Federal Energy Regulatory Commission and the U.S. Department of Energy. After moving to Philadelphia in 2002, he joined the city Law Department, and served as Philadelphia City Solicitor from 2005 to 2008.

So what made Negrin become a lawyer? And what turned him into a strong leader? Negrin, deputy mayor for administration and coordination, Negrin oversees Philadelphia’s Office of Human Resources, the Office of Information Technology and the Procurement Department. Previously, Mayor Nutter appointed Negrin to be executive director of the Board of Revision of Taxes. Negrin was previously Associate General Counsel of ARAMARK Corp., a litigator at Morgan Lewis, and a prosecutor in the Philadelphia District Attorney’s Office.

“Every single individual has to take ‘blow after blow’ and still be able to move on,” Negrin said. “This enables someone to stay level headed in a crisis – to take ‘blow after blow’ and still be able to continue in a positive way.”

On the topic of hiring, Diaz reflected, “People tend to look at a piece of paper and think that defines a person,” he said. Great academic achievements are not always the best indicators of future success, Diaz advised, “Every single individual has to take responsibility for his or her careers.”

The Trustees of the Campaign for Qualified Judges would like to thank the following firms and individuals for upholding the quality of the Judiciary through their contributions:

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- Kathleen D. Wilkinson

By Mary-Kate Breslin (marykatebreslin39@gmail.com), an associate city solicitor in the Philadelphia Law Department, is an associate editor of the Philadelphia Bar Reporter.
Sections Schedule Year-End Events

The Association’s sections and committees have planned their annual receptions and awards ceremony. Registration is available at philadelphiabar.org.

- *The Workers’ Compensation Section Annual Holiday Party* is Wednesday, Dec. 4 at 6 p.m. at Vie (by Cescafe), 600 N. Broad St. Includes top shelf open bar, extensive hors d’oeuvres, pasta-seafood bar, sushi station and valet parking. Judiciary are invited complimentary. Tickets are $50 for Association members, $25 for law student members, $15 for non-members. Tickets in advance are available at philadelphiabar.org.

- *The State Civil Litigation Section Annual Reception* is Monday, Dec. 9 from 5:30 to 7:30 p.m. at Estia, 1405 Locust St. Tickets are $40 for section members, $25 for law student members and $20 for non-members. Tickets include open bar, hors d’oeuvres and buffet stations. Philadelphia Court of Common Pleas President Judge Pamela Pryor Dembe will be honored and special recognition will be given to the good works of Philadelphia VIP.

- *The Probate and Trust Law Section Annual Meeting and Reception* is Monday, Dec. 9 from 5 to 7 p.m. at Ballroom South at the Four Seasons Hotel Philadelphia, One Logan Square. The reception is complimentary to members of the Probate and Trust Law Section and is sponsored by BDO USA, LLP; Pennsylvania Trust Company; and Sotheby’s. The reception includes open bar and heavy hors d’oeuvres. Tickets will not be distributed for this event.

- *The Criminal Justice Section Annual Holiday Reception and Awards Ceremony* is Tuesday, Dec. 10 from 6 to 8 p.m. at Radisson Blu Warwick Hotel, Crystal Ballroom, 220 S. 17th St. The Justice Thurgood Marshall Award will be presented to Judge Lydia Y. Kirkland (Ret.). The Henry Czajowski Award will be given to Common Pleas Courtroom Operations Michael Spaziano, Chief, and Administrative Officers Michelle Arlene, Robert Basillo, Janette Coladonato, Gino Giacomucci and Michael Lanzalotti. The event includes open bar and heavy hors d’oeuvres. Tickets are $55 for members, $45 for public interest and government attorney members and $65 for non-members.

- *The Public Interest Section Annual Awards Ceremony and Reception* is Wednesday, Dec. 11 at 5:30 p.m. at Crystal Tea Room Atrium on the 9th Floor of the Wanamaker Building, Market and Juniper streets. The Awards Ceremony begins at 5 p.m. in The CLE Conference Center on the 10th floor. Tickets are $50 for public interest and government attorney section members, $65 for public interest and government attorneys and $75 for non-members.

- *The Young Lawyers Division Annual Holiday Party, Award Ceremony and Gift Drive* is Thursday, Dec. 12 at Brit Philly, 1318 Chestnut St., from 5:30 to 8:30 p.m. The event features the presentations of The Craig M. Perry Service Award to Alex Braden of Reed Smith LLP; The F. Sean Peretta Service Award to Samuel Reed III, Teacher/Consultant, The Philadelphia Writing Project, Teacher, Beeber Middle School; and The Vision Award to White and Williams LLP. Celebrate the end of the year with holiday cheer and friends of the YLD. Help support Project HOME and Cradles to Crayons and bring an unwrapped toy or gift or make a monetary donation! Tickets are $45 for YLD members, $55 for Association members, $35 for YLD public interest or government employee members, $25 for law student members and $15 for non-members. Tickets include open bar and buffet stations.

- *The Tax Section Annual CLE Meeting and Dinner* will be Monday, Dec. 16 beginning at 2:30 p.m. at The Ritz-Carlton, 10 Avenue of The Arts, 2nd Floor Petite Ballroom.

  The program begins with the CLE program “Tax Consequences of Litigation Settlements and Awards” from 3 to 5 p.m. Two substantive CLE credits as well as 2.0 CP credits are available. Join Us for dinner following the CLE program with evening speaker Paul Levy, President and CEO, The Center City District.

- *The Family Law Section Annual Dinner and Award Presentation* will be Tuesday, Dec. 17 from 5:30 to 8:30 p.m. at The Pyramid Club, 1735 Market St., 52nd Floor. The Herbert R. Weiman Jr. Award will be presented to Ourania Papademetriou of Philadelphia VIP. Tickets are $75 for members and First Judicial District employees and $85 for non-members. Includes drink ticket, hors d’oeuvres and a three-course dinner. Cash bar available. Advanced registration is required by Friday, Dec. 13.

- *The Senior Lawyers Professional and Public Service Committee Holiday Party* will be Tuesday, Dec. 17 from 5 to 7 p.m. at The Palm, 200 S. Broad St. The event is complimentary for members of the committee.

Through a limited-time promotion to Philadelphia Bar Association members, Uber is excited to offer all NEW Uber users a FREE Uber ride up to $20 by visiting www.uber.com/go/PhilaBar.

Uber is an iPhone/Android app that lets you tag your location and summon a professional driver to your side within minutes. Once in the car, the driver will take you wherever you need to go. The fare is billed to your card, with no need to tip, so you don’t have to worry about handling cash.

This offer is for services provided exclusively by Uber. Philadelphia Bar Association serves solely as a promotional partner.

Real Property Section Chair Richard Vandervliced is joined by Judith Berkman (left) and City Councilwoman Maria D. Quinones-Sánchez at the Section’s Nov. 7 Annual Reception at Estia. Quinones-Sánchez and Philly Land Bank Alliance were presented with the Harris Ominsky Good Deed Award at the event.
SOLO AND SMALL FIRM COMMITTEE

Build Your Business as LRIS Panelist

By Lauren A. Strebel

For a relatively small amount of money, solo and small firm practitioners can increase their book of business by utilizing a service the Philadelphia Bar Association has provided since 1949.

At the Nov. 12 meeting of the Solo and Small Firm Management Committee, Charlie Klitsch, the Association’s director of public and legal services, discussed the nuts and bolts of the Association’s Lawyer Referral Information Service (LRIS). The session was moderated by Joni J. Berner of Berner Klaw & Watson, co-chair of the Solo and Small Firm Management Committee.

LRIS is one of the oldest referral services in the country. For decades it has fulfilled its dual purpose of giving members of the public access to justice and providing lawyers an opportunity to gain business.

How does a lawyer qualify to receive referrals through LRIS? Minimum requirements for panel membership include at least one year of experience as a licensed Pennsylvania lawyer, professional liability insurance, membership in the Philadelphia Bar Association and good standing with the Disciplinary Board and the Lawyers Fund for Client Security.

How does a lawyer qualify to receive referrals through LRIS? Minimum requirements for panel membership include at least one year of experience as a licensed Pennsylvania lawyer, professional liability insurance, membership in the Philadelphia Bar Association and good standing with the Disciplinary Board and the Lawyers Fund for Client Security.

Nearly 30,000 people contact LRIS each year seeking legal help. Behind the scenes, LRIS has staff attorneys who screen the potential clients to determine what type of legal services they need; whether they can afford an attorney; and whether the service could be rendered on a contingent fee basis. If it is clear during that initial screening that the potential client cannot afford a lawyer and the matter is not customarily handled on a contingent fee basis, he will be referred to a relevant legal service provider or other agency that may be of assistance. If the potential client is referred to a lawyer through LRIS, the fee arrangement will be negotiated between the client and the lawyer.

Klitsch said LRIS matches clients and lawyers based on practice area. When lawyers fill out their application, they pick up to 25 of the more than 150 practice areas available. Once LRIS determines what legal services the client needs, the relevant panel is selected, and the system chooses the attorney with the oldest date of the last referral.

Some practice panels require that the lawyer must meet specific experience requirements. For instance, the lawyer may be required to have taken a certain number of CLE credits in the field of law or to have handled a specified number of relevant cases. However, there is a waiver request that can be filled out if the lawyer has other proof of skill.

Nearly all areas of law are represented by LRIS practice panels. The panels are determined by requests from the community and the development of new concentrations of law. When demand declines, panels may disappear.

For the service, LRIS receives an annual membership fee of $350 from the lawyer, the $30 initial consultation fee charged to the client and a percentage of the fee paid or awarded on the matter referred. In return, the lawyer receives more clients without having to spend on advertising. Last year, lawyers with LRIS earned about $4 million in fees.

LRIS has an oversight committee that occasionally implements new policies and procedures to match the evolving nature of the profession. For instance, to encourage attorneys to select practice areas they excel at, they will be limited to selecting panels in fewer practice areas. LRIS also expects to revamp its website, engage in social media efforts to communicate with clients, begin new advertising strategies aimed at increasing traffic to its website and clarify the rules concerning fees owed to LRIS on referred matters.

Lawyers interested in receiving referrals through LRIS may apply by logging on to the Association website through the Member Center or by contacting Charles Klitsch at 215-238-6326 or cklitsch@philabar.org.

Podcast Spotlight

Visit philadelphiabar.org for a podcast from this Bar Association event.

Use your QR code reader to link directly to this resource.

By Lauren A. Strebel (lauren.a.strebel@gmail.com), a third-year student at Earle Mack School of Law at Drexel University, is an associate editor of the Philadelphia Bar Reporter.

Naturalization Speakers

Comcast Network’s Lynn Doyle (above, from left), U.S. District Court Judge Cynthia M. Rufe and John Encarnacion of the Board of Governors were speakers at a Nov. 21 naturalization ceremony at the U.S. Courthouse. Brian Chacker of the Board of Governors (right photo) was a speaker at a Nov. 7 naturalization ceremony presided over by U.S. District Court Judge Timothy J. Savage. Both ceremonies were sponsored by the Philadelphia Bar Association. More than 150 people were naturalized at the events.
Firm Helps ACLU Fight Same-Sex Marriage Ban

By Rebecca Santoro Melley

This summer, Hanley Aronchick Segal Pudlin & Schiller, together with the American Civil Liberties Union, filed the first federal constitutional challenge to Pennsylvania’s ban on marriage by same-sex couples and its refusal to recognize marriages entered into by same-sex couples in other states. When the ACLU asked our firm to take on the matter, we jumped at the chance, and we now represent 25 Pennsylvanians, including both unmarried same-sex couples who want to marry in their home state and couples who have married in other states. The case, Whitewood v. Wolf, is now pending in the Middle District of Pennsylvania.

Whitewood is a multi-party federal-court litigation, and we anticipate that its trial will concern a diverse set of legal and factual issues. It proceeds like many large federal-court litigations, beginning with gathering facts and researching law, drafting a complaint, conferring with opposing counsel, beginning discovery and opposing motions to dismiss. This is what Hanley Aronchick litigators, including my fellow associate Dylan Steinberg and shareholders Mark Aronchick and John Stapleton, do at a high level every day. Although we typically are preparing for complex business-related trials, the key skills don’t vary much across the differing subjects of our cases. And in this case, because of the scope of the legal issues involved, we’re bringing to bear not only our litigation skills, but also an interdisciplinary approach drawing on Helen Casale’s family law expertise.

The Whitewood case is deeply personal not only for our clients, but also for thousands of other couples across Pennsylvania and the nation who want to express their love and commitment to their partners through marriage. Helena and Dara, for example, are two of our clients who live in Philadelphia, where they work as a teacher and emergency room doctor. They were married in Connecticut in 2010, while they were living in New York. New York recognized marriages of same-sex couples beginning in the summer of 2011, but in the fall of 2011 Helena and Dara left New York for Philadelphia. The purpose of their move was to be closer to their families because they were planning to soon have a child of their own, but the cost of their move was that they became “unmarried” in the eyes of the state. Helena and Dara’s baby girl was born in May 2013, and because of Pennsylvania’s refusal to recognize her parents’ marriage, she had only one legally recognized parent until her second-parent adoption was completed in September.

Helena and Dara – and all of us working on their behalf – hope that their marriage will be recognized in Pennsylvania before their daughter is old enough to know that the Commonwealth does not now consider her family to be deserving of the same respect and protections afforded to other families. The case is about the closest personal relationships and fundamental rights of Helena, Dara and our other clients.

While Pennsylvania hasn’t yet joined the 16 states now recognizing marriages of same-sex couples – although we have no doubt that it one day will – I have already enjoyed the professional rewards of working on a case with the ACLU. Seth Kreimer, Penn Law professor and chair of the legal committee of the ACLU’s Philadelphia chapter, taught constitutional litigation to Dylan, John and me, and we agree that working on a case with a favorite professor is a rare professional highlight. More broadly, the depth of knowledge, commitment to the cause and collegiality of the ACLU attorneys with whom we have partnered – including, in Philadelphia, Mary Catherine Roper and Molly Tack-Hooper – are evident in every interaction. It is an honor to be working with them in – in the ACLU’s words – “defending liberty where it began.”
Understanding Exchange-Traded Notes

By Jackie B. Lessman

Exchange-traded notes (ETNs), which are unsecured debt securities, are similar to the more familiar exchange-traded funds (ETFs) in that both trade on an exchange and track a benchmark index. However, there are important differences between the two. In this month’s interview, I sat down with the Philadelphia Investment Director for PNC Wealth Management®, David F. Huting, CFA, to discuss some of the characteristics of ETNs.

**What are the basic characteristics of exchange-traded notes?**

ETNs are unsecured debt instruments mostly issued by large banks and bear the credit risk of the issuing firm. They provide investors with returns linked to the performance of an underlying index. Maturities of ETNs are typically 10 or 30 years but can be shorter or longer.

ETNs do not make interest payments, instead paying the holder an amount determined by the performance of the underlying asset minus any fees at maturity. Additionally, ETNs trade on exchanges throughout the day at prices determined by the market, similar to stocks or ETFs but unlike bonds that trade off exchanges in the over-the-counter (OTC) market or trade infrequently on exchanges.

**What is behind the recent, high-profile headlines generated by ETNs?**

Investors appear to have embraced exchange-traded products (ETPs), making them the fastest growing investment product over the last decade with almost $1.2 trillion invested in and more than 1,400 different ETPs available as of April 2012, according to Bloomberg. In our opinion, some of the recent growth in ETNs can be attributable to the Securities and Exchange Commission’s action in 2010 to stop approving new funds that make significant use of derivatives. This ruling affected ETNs as they fall under the Investment Company Act of 1940 (1940 Act) but does not affect ETNs, which are governed by the Securities Act of 1933. This permits ETN issuers to utilize derivatives, allowing for numerous structures not achievable by ETFs and other products governed by the 1940 Act.

**What are some of the advantages of ETNs?**

The primary appeal and benefit of ETNs is the access they provide investors to exposures in nontraditional asset classes that normally are only accessible through derivatives or securities that invest in derivative products. Second, when compared with alternative products, ETNs offer a more tax-efficient way to invest. Third, the return of an ETN may have much less tracking error compared with other investment vehicles that attempt to replicate returns on the same underlying asset. Finally, in comparison to over-the-counter products providing similar returns, such as structured notes, ETNs may have more liquidity because they can be bought or sold on an exchange during normal trading hours.

**What about the risks?**

Credit risk is inherent in ETNs because they are unsecured debt obligations of an issuer, and in the case of default, investors may lose some or all of their investment. They also carry market risk, as ETNs can be linked to a number of different underlying assets, indexes, strategies, and benchmarks and derive their

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With Many Thanks, A Busy Year Wraps Up

By Aneesh A. Mehta

As this is the end of the calendar year, so too ends my term as Chair of the Young Lawyers Division. In the holiday spirit, I would like to use my final column to list why I’m thankful to be living in Philadelphia and a member of the Philadelphia Bar Association and what I’m hopeful for in the future.

First off, I am thankful for our public interest community, which is the best in the country. Especially during the holidays, we see the very best and brightest of Philadelphia donate their time, expertise and money to help those in need. I’m hopeful the Civil Gideon initiative is able to push forward, and legal counsel is provided, as a matter of right and at public expense, to low-income persons in civil legal proceedings where basic human needs are at stake, such as those involving shelter and child custody.

I’m thankful for folks like Alex Braden, of Reed Smith LLP, our Craig M. Perry Service award winner who finds time to volunteer for Philadelphia VIP, the Homeless Advocacy Project and numerous other nonprofits in the Philadelphia area. I’m thankful for folks like Samuel Reed, our Sean F. Perretta Award winner, who is a teacher, creator of the Boys Write Now program and education advocate in Philadelphia. And I’m thankful for the generosity of White and Williams, LLP, our Vision Award Winner, for supporting so many of the YLD’s projects this year. I’m hopeful you will join us during our Annual Holiday Party at Bru on Dec. 12, honoring all three awardees.

I’m thankful to have served with Chair-Elect Ed Beitz, Maria Harris, Dan Gillin, Eileen Carroll, Jeff Rosenthal and the whole YLD Executive Committee. You all are the best. I learned so much about leadership, commitment and charity from all of you. And I hope, if you see or work with someone on the executive committee, you thank them for all the hard work they’ve done promoting justice and representing the term Philadelphia lawyer. Here’s just a short list of what they were able to do this year:

- John S. Brandywine Mock Trial Competition
- Board Observation Program
- Law Week
- A Night of Comedy that Cares Fundraiser
- Diversity Scholarship Reception
- Family Event at Smith’s Playground
- 20/20 Event at Yards Brewery
- Six Legal Advice Live Events
- School Supply Drive
- Holiday Gift Drive
- And more than 70 other events!

I would truly like to thank the entire Philadelphia legal community for contributing to our Night of Comedy that Cares fundraiser. We were able to donate almost $20,000 to the Bar Foundation, while raising awareness of the Foundation’s amazing works. I hope, as you plan your budgets for next year, you keep the Bar Foundation in mind, as there are still many that can use the assistance next year.

I’m thankful to the Philadelphia Bar Association Board of Governors, Chancellor Kathleen Wilkinson, and especially the staff for their unwavering support for the YLD this year. I hope and wish Bill Fedullo and Al Dandridge the best of luck in the coming years.

I’m thankful that Ken Shear decided to stick around for one more year, his mentorship and leadership have helped shape and mold the Philadelphia legal community for 37 years. Good luck Ken! And I hope everyone realizes how fortunate we are to have Mark Tarasiewicz to lead us as we move forward.

I’m thankful for my wife and daughter. And I’m hopeful you are OK with me being at home more next year, now that my term as chair is done.

And I’m thankful to you, the reader, who’ve tagged along with me all year long. I hope you know how much it means to hear that someone is actually reading.

Thank you all, and if I don’t see you soon, have a happy holiday and a happy new year!

Aneesh A. Mehta (aneisha@kbklaw.com), an associate with Volpe and Koenig, P.C., is chair of the Young Lawyers Division.
Food Lover Loved People Even More

By Eli D. Bockol

Having penned the column “Feasts to Famine” for nearly 37 years, appearing regularly under the pseudonyms, Fatty R. Bockol, and eventually Skinny D’Bockol, you might assume that my father was a lover of food. But what he really loved was people. And sharing good food, often through deliciously written restaurant reviews, was one of the many ways he showed it.

Dad founded Serendipity Day Camp while a student at Haverford College in 1963. It was the first utilization of the campus in the summer months and the first integrated day camp on the Main Line. The camp is still thriving today and is a huge loving link between the Ardmore Community and Haverford College.

My father began his law studies at Vanderbilt University in 1964. Upon my marrying my mother in ’65 they decided to return to Philadelphia the following year where Dad resumed his studies at Villanova School of Law. After graduation he was honored to serve as an Assistant District Attorney under Arlen Specter. His years in this office were honed by hard work and the camaraderie of friendships formed with rising legal talents, including Gov. Ed Rendell and former District Attorney Lynne Abraham. Private practice followed as an associate at Goodis, Greenfield, Henry, Shaiman and Levin and subsequently forming a partnership with Michael J. Rotko, who later became U.S. Attorney in the Eastern District of Pennsylvania. Since 1986, my father practiced with pride as a sole practitioner in Montgomery County.

Dad served as chair of the Board of Gaudenzia Foundation since 1980, Pennsylvania’s most important nonprofit organization for treatment of drug and related dependencies, with treatment centers throughout Pennsylvania, Maryland and Delaware. During his tenure, Gaudenzia pioneered cutting edge models of treatment, engaged populations previously not served and evolved into a proud industry leader. In May of this year, my father received Gaudenzia’s Humanitarian Award, the most prestigious honor accorded by the organization.

For many years Dad enjoyed traveling the world with my mother, Anne, who is owner of Performance Tours, a special-interest group travel company. Their irrepressible joy at meeting new friends combined with their passion for travel provided a lifetime of happy memories. Recently, my father co-authored with my brother, Joseph, the biography of former Philadelphia Eagles owner: “Jerry Wolman: The World’s Richest Man.”

Over the years, Dad delighted in the growth of Philadelphia’s restaurant scene from mainly garden-variety fare to a landscape propagated with the finest world-class cuisine. What remained constant was his uniquely irreverent, humorous style of conveying culinary commentary and the great joy he took in delivering it to you. As the Philadelphia Bar Reporter’s special contributing editor, Dad’s articles had led the bellies of the legal community for the past four decades. Hearts and minds often followed.

BENE VIXIT VITAM

Richard Max Bockol

Phillips Receives VIP Volunteer Honor

Philadelphia VIP recognizes Kristine A. Phillips as Volunteer of the Month for her commitment to helping keep low-income Philadelphians in their homes. Phillips is a partner at Willig, Williams & Davidson.

She began volunteering with VIP in 2006. She handled 37 VIP cases, 29 of which are mortgage foreclosure cases, and has provided more than 230 hours of pro bono services to VIP clients. Her practice areas include residential and commercial real estate. Her expertise in these specialty areas allows her to provide expert legal counsel to VIP clients facing mortgage foreclosure. “I feel most comfortable volunteering my time for something that I would have a better chance of helping people with,” Phillips said on why she chooses mortgage foreclosure cases.

She has served as a VIP attorney for the Philadelphia Residential Mortgage Foreclosure Diversion Program since the program’s inception in 2008. The mediation program allows low-income homeowners to negotiate face-to-face with lenders’ representatives in an effort to save their homes. “That program is extremely worthwhile to people who are trying to save their homes. I have seen it do wonders in forcing communication between the borrowers and lenders and having the housing counselors there to help as well. The service is invaluable,” she said.

The program was featured in a New York Times article that also highlighted the pro bono service that Phillips provided to a low-income homeowner. She represented Christopher Hall, a 42-year-old former union roofer who was unemployed and facing the foreclosure of his home. Kristine spoke with an attorney from Hall’s lender, Bank of America, and negotiated a six-week extension period that allowed the housing counselor to seek lower mortgage payments. Phillips says the notoriety of the case caught the attention of an anonymous donor from New York who contacted her and offered to assist with Hall’s mortgage.

Whenever her time permits, Phillips takes on a VIP case and we are eternally grateful to her for choosing VIP as the agency of first-choice when seeking pro bono opportunities. “I have felt supported throughout every single thing I have done for VIP,” she said.

For more information on placing a Lawyer to Lawyer referral ad, please contact LANA EHRLICH at 215-557-2392 or lehrlich@alm.com.
Bar Foundation

Much Accomplished, Much to Do in 50th Year

One hundred fifty years ago, Abraham Lincoln gave the Gettysburg Address. He never really imagined the import and relevance of his words to today. He was concerned with the division in our country which was “testing whether [the] nation so conceived [in Liberty], and so dedicated [to the proposition that all men are created equal], can long endure.” We too are facing a great division in our society. Today it is one of financial disparity. Unfortunately, those living at or below the poverty line are increasing in numbers and have an increasing need for legal services.

At the 35th Annual Andrew Hamilton Benefit at WHYY on Nov. 16, we honored a special group of individuals whose hard work and devotion equal Abraham Lincoln’s passion for conquering this divide. Sheila and Edward Chacker were honored as Pillars of Justice for their extraordinary philanthropy in the area of public interest legal services. The Chackers lead by example, providing decades of outstanding financial support to the Bar Foundation, CLS, VIP and numerous other public interest legal services agencies.

The Philadelphia Bar Foundation Pro Bono Award, honoring outstanding pro bono efforts of a local law firm or corporate legal department, was presented to TE Connectivity, Ltd. The company’s legal department has partnered with Philadelphia VIP in a wide range of efforts of a local law firm or corporate legal department, was presented to TE Connectivity, Ltd. The company’s legal department has partnered with Philadelphia VIP in a wide range of organizations serving low-income Philadelphia communities. Over the last two years, more than 19 attorneys and law clerks of the TE Connectivity Law Department have volunteered for multiple events – offering free one-on-one consultations for 37 small business owners and micro-entrepreneurs.

The Philadelphia Bar Foundation Award (formerly the Louis D. Apotheker Award) was presented to a terrific human being and exceptional public interest attorney, Judith Bernstein-Baker, executive director of HIAS Pennsylvania. For more than 40 years, Judi has been a tireless advocate for immigrants and other vulnerable populations. Her hands-on approach to helping the newest (and often the most vulnerable) members of our society overcome legal and economic barriers exemplifies the highest ideals of public interest lawyering.

As my first year of my term as president comes to a close, I am proud that my co-trustees and I have accomplished a tremendous amount:

- A new executive director, Jessica Hilburn-Holmes;
- The creation of a scholarship fund in memory of Philadelphia Court of Common Pleas Judge Albert W. Sheppard;
- A three-day CLE trial advocacy program at Rutgers School of Law – Camden for 40 nonprofit attorneys endowed by the R. Nicholas Gimbel Fund for Legal Excellence;
- Ten new members in the Andrew Hamilton Circle for a total increase to our Endowment of $100,000; an increase in participants to the Board Observation Program from just under 20 in 2012 and 2013 to just over 30 in 2014;
- A site development agreement for the Equal Justice Center;
- An endowment that has reached $7 million dollars. Never ones to rest on our laurels, we at the Bar Foundation want to take giving and philanthropy to an even higher level in celebration of the Bar Foundation’s 50th Anniversary.
- We will be holding 50 meetings/events to honor our past presidents and spread the message of the Bar Foundation;
- We will raise $5 million in a Gold Ribbon Campaign, through new memberships to the Andrew Hamilton Circle; a 50th Anniversary Gala at the National Constitution Center on Nov. 8, 2014; and the establishment of the Equal Justice Center.

Our goals for the next 12 months can only be achieved with your collective enthusiasm and support. We ask you to join us as we embark on this special year and dedicate ourselves as lawyers and leaders in our community to the great task of securing equal access to justice for all, and ameliorating the forces that divide us.

Deborah R. Gross (debiric@bernardegross.com) of the Law Offices of Bernard M. Gross, P.C. is president of the Philadelphia Bar Foundation.

Large Firm Study

continued from page 1

Association and that large firms can and should play a significant role in the Bar Association and that the Bar Association had to work to become more relevant to attorneys who practice in large firms,” said Barnett.

The committee’s goal for the first year was to find out two things - what makes Philadelphia a unique community to practice law and the financial impact of our law firms in the Greater Philadelphia economy.

“There was very little in terms of hard data about the economic impact of law firms in the Greater Philadelphia area and based on a recommendation from one of our Committee members we decided to commission ESI to prepare an economic impact report,” Barnett said. “We asked ESI to look at the total legal market – law firms, in-house positions, law schools, courts, as well as businesses that are critical partners such as court reporters, videographers, trial graphics, legal staffing, eDiscovery vendors, etc.”

The LFMC was surprised and pleased with the results of ESI’s analysis. The report found that while there have been some significant changes in the legal market in the past five years, the impact to the Greater Philadelphia economy is significant.

“Finally, and perhaps most importantly, our tradition of legal excellence coupled with advances in technology are allowing LFMC law firms to compete for and get legal work on a global, national and regional basis. Our hope is that the ESI report will help us in our future discussions with elected and public officials so that policy decisions at the local level will support the future growth and vitality of our critical industry,” Barnett said.

“The results show that not only does the legal industry have a tremendous positive impact on Philadelphia but the impact spills into the entire Philadelphia region,” Wilkinson said.

“This is a proud moment for the Philadelphia Bar Association to be able to quantify our economic value to the entire region, while we continue to promote the important work of the justice system as a whole.”

To download the ESI report, visit philadelphiabar.org.
Sheila and Edward F. Chacker (left photo) were honored as Pillars of Justice for their philanthropy for public legal services at the Andrew Hamilton Benefit on Nov. 16 at WHYY. VIP’s Ourania Papademetriou (above, from left) with TE Connectivity’s Jennifer Prisco, John Jenkins, Cindy Geib, Lee Zimmerman and VIP’s Sara Woods after TE Connectivity was honored with the Philadelphia Bar Foundation Pro Bono Award.

Judith Bernstein-Baker, executive director of HIAS Pennsylvania, was the recipient of the Philadelphia Bar Foundation Award.

Michael and Michelle Kichline.

Chancellor-Elect Bill Fedullo and Shelli Fedullo.

Amy B. Ginensky (from left), Leslie John and Bar Foundation President Deborah R. Gross announced that the Bar Foundation’s 50th Anniversary Gala will be held Nov. 8, 2014 at the National Constitution Center. More than 350 people attended this year’s gala at WHYY, which raised more than $250,000 for public interest legal services in the area.
MLK Awards Breakfast to Honor Difference Makers

The Barristers’ Association of Philadelphia will hold its annual Martin Luther King Jr. Day Awards Breakfast on Monday, Jan. 20 at 8 a.m. at Loews Philadelphia Hotel, 1200 Market St. The Barristers’ will honor local attorneys and jurists who have made important, long-lasting contributions to the Philadelphia community. The Barristers’ 2014 honorees, like those who have come before them, are dynamic change agents and represent the very best of Dr. King’s dream.

Immediately following the Breakfast, we are proud to continue the service component of the Annual Dr. Martin Luther King Jr. Memorial program. In celebration of one of our nation’s greatest advocates, the Barristers’ will host its second annual Young Orator’s Program at the Philadelphia Electrical and Technology Charter High School, 1420-22 Chestnut St. There, Barristers’ and local law students will teach high school students effective ways to advocate for themselves, their families, and ultimately, their communities through persuasive and informational speech. We hope to inspire these students toward becoming the next generation of Philadelphia lawyers.

Sponsorships are available for the Awards Breakfast. All sponsors receive a full-page ad in our souvenir program booklet. Direct all questions regarding the Barristers’ Annual Dr. Martin Luther King Jr. Memorial Breakfast to barristersmlkbreakfast@gmail.com or Monique Myatt Galloway, Barristers’ President-Elect and Breakfast Co-Chair at mgalloway@ktmc.com. For more information on the event or the Barristers’ Association, visit www.phillybarristers.com.

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Savings are always important but perhaps the most important part of the exchange is the team behind it. The benefits specialists at USI Affinity are experts in health care reform. They can answer your questions, and help you design a health plan that provides the best coverage and value. And if you’re looking for coverage for your firm, USI Affinity will also make sure your new plan puts you in compliance with all the new ACA regulations and requirements. Plus, as partners of the Philadelphia Bar Association and its members, USI Affinity’s service team will be there for you throughout the year.

The USI Affinity service team has been supporting attorneys in Philadelphia for years. Our team of licensed professionals are there to make sure you and your family get the most of our your benefits while spending the least amount of time thinking about benefits. In the past year our team has fielded more than 20,000 calls from association members and their families with everything from billing issues to lost ID cards to claim denials. Why go it alone when you can have the staff of USI Affinity on your team?

USI Affinity’s size, experience and relationships with many of the nation’s top insurance carriers allow them to offer Philadelphia Bar members a variety of affordable medical and dental plans, and a host of other products, through this online exchange website. But in this complex new health care marketplace, having expert guidance readily available to help you make sense of it all may be the most valuable feature of the new Philadelphia Bar Association Insurance Exchange.

For lawyers’ professional liability and other business coverages, you will still use the Philadelphia Bar Association insurance program website at www.mybarinsurance.com/Philadelphia Bar. If you want to talk to someone about insurance and benefits options for Philadelphia Bar Association members, call USI Affinity Benefit Specialists at 855-874-0267.

Brian McLaughlin (Brian.McLaughlin@usiaffinity.com) is vice president of USI Affinity’s Benefit Solutions Group. For more information about insurance and benefits options for Philadelphia Bar members, visit http://www.usiaffinity.com/philadelphiabar

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Frontline
continued from page 3

Bar Association in February, we created a “Civil Legal Justice Coalition” of statewide stakeholders, and participated in organizing three hearings of the Senate Judiciary Committee, conducted by Committee Chair Sen. Stewart Greenleaf. Many witnesses provided testimony on the great need for civil legal representation of the indigent in Pennsylvania. The hearings were held in Harrisburg, Philadelphia and Pittsburgh.

We worked with Pennsylvania Supreme Court Chief Justice Ronald D. Castille, honorary chair of the broad-based “Civil Legal Justice Coalition,” and our many statewide partners to collaboratively explore strategies, issue sweeping recommendations for Pennsylvania, and lay the groundwork for a new statewide commission. We also presented a program on the important work of the Coalition at the Bench-Bar.

This year’s Bar Association’s Civil Gideon Task Force, co-chaired by Cathy Carr and Joe Sullivan, along with the chairs of the Coalition, Jennifer Clarke, Sam Milkes and James Creenan, and Coalition members, continue to work on these important issues, to whom I owe thanks.

In this judicial election year, our Judicial Commission and its investigative division conducted hundreds of hours of interviews, over many months, and many hours of hearings, involving a great cross section of the Bar and lay people, to screen judicial election and retention candidates, all to the benefit of the Philadelphia voters. The Commission collected, evaluated and summarized all of the information to issue its recommendations to the public. I thank Commission Chair Teresa Ficken Sachs and the members of our Commission and investigative teams for their dedicated work on behalf of this important process.

On issues critical to our members’ practices, we remained at the forefront. After the city presented an RFP for alternative legal representation for indigent defense in criminal and family court cases that present a conflict for the Defender Association, I appointed a special task force of experienced practitioners to advise me. In a detailed letter and discussions with the city, we urged delay of implementation of the RFP in order to more thoroughly consider possible structural models, reforms, and alternatives, and applicable standards.

Following our testimony on such issues at a City Council hearing in October, it was reported in the press that measures would be proposed in City Council that would, among other items, require conflict counsel for the indigent to comply with ABA and other existing guidelines highlighted in our letter and testimony.

Through our reactivated Large Firm Management Committee, under the strong leadership of Vince McGuinness of Cozen O’Connor and Ben Barnett of Dechert, a sweeping study with Econsult Solutions was commissioned to detail the economic impact of our profession on the local economy. This information, which is highlighted in a front-page story in this edition of the Bar Reporter, will serve our association as well as we continue to strengthen our relations with the city administration and seek new community partnerships. This month, we will host Mayor Nutter for a conversation with large firm leaders who are members of the committee on issues important to large firm practice and investment in the city.

We’ve also held a number of Chancellor’s Forums to examine the state and future of our profession, emerging issues in international law, as well as diversity and inclusion in the profession. Our most recent Forum welcomed Laurel Bellows, immediate-past president of the ABA and chair of the ABA Blue Ribbon Task Force on Gender Equity, as well as Bobbi Liebenberg, chair of the ABA Commission on Women in the Profession.

I also had the pleasure of addressing our newest American citizens at several naturalization ceremonies sponsored by the Bar Association, including a special ceremony held in October at the Constitution Center that was a signature event of GlobalPhilly 2013, the region’s first exhibition of its international assets, which was made possible through our new relationship as a member of the Global Philadelphia Association. In related efforts, we showcased many facets of our Bar’s international work through testimony before the City Council Committee on Global Opportunities and the Creative/Innovative Economy, where we also urged the city to seek World Heritage status.

Our Bench-Bar & Annual Conference at Revel in Atlantic City was a huge success, where hundreds of members networked and learned with nearly 100 city and state judges. Conference co-chairs Maria Feeley and Julia Swain and their committee did a tremendous job of planning. We had fascinating presentations from Drexel University Law School Dean Ken Geerley, who discussed the Watergate scandal and the intersection of Clinton v. Starr, as well as from the president judges of Pennsylvania and Philadelphia courts, who gave us up-to-the minute updates on the state of the courts. We heard from members of the bench and bar on civility and professionalism and a variety of other topics, including diversity and law practice management.

We’ve made new friends overseas as well, establishing new twinning relationships with the Montreal Bar and the Barcelona Bar as a result of our attendance at the World City Bar Leaders Conference, and the beginnings of a future relationship with the Beijing Bar. Stay tuned for more exciting developments in this area, as we welcome our international colleagues to Philadelphia for the 2014 WCBL Conference.

I want to thank all of the Section and Committee chairs for their tireless work this year, incredible programming and membership efforts. Our Board of Governors provided thoughtful and provocative discussion on a number of issues of importance. Thank you to hardworking Board Chair Marc Zucker, who not only attending a tremendous number of meetings and events but also led important discussions, and steered resolutions through the Board approval process.

Incoming Chancellor Bill Fedullo and Vice Chancellor Al Dandridge were valuable sounding boards, and provided great support. We spent a lot of time together and I thank them both for attending many meetings, events, programs, Chancellor’s Forums and Institutes this year. I know they will bring their own unique leadership styles and vision to our association.

We must recognize the work of our longtime executive director, Ken Shear, who is retiring at the end of the month after guiding the Philadelphia Bar Association for 37 years. Ken has been a constant force, leading this organization to become one of the most influential in the nation. Thank you, Ken, for all that you’ve done. Our Bar Association has a proud legacy and it has been a true honor to serve with you in your final year as executive director, and to have benefited from your wisdom and advice.

We conducted a nationwide search for a new executive director. I look forward to continuing to work with Mark Tasasiewicz, who has provided constant support to me this year, as he moves into the position of executive director on Jan. 1.

On a professional level, thanks to my law firm, Wilson Elser Moskowitz Edelman & Dicker LLP, for supporting me when I ran for Vice Chancellor, and during my year of service as Chancellor – it would not have been possible to have achieved so much without your support.

When I made my remarks last December, my husband Tom was the president of the Pennsylvania Bar Association. Tom and I both had the privilege to serve overlapping terms as the leaders of the two largest bar associations in Pennsylvania through May 2013. As far as we know, this was a first not only in Pennsylvania but also the nation. My theme has been “Keep Calm and Carry On” – what a great theme that turned out to be! Many ask me how I juggled a family and served at the same time as Chancellor when my husband Tom was president – wait for my future article – no, book – on that subject! Thank you to my wonderful, hardworking and energetic husband and children Lindsey, Lauren and Michael for lending me to the Bar Association this year.

But all that we’ve accomplished could not have happened without you, our members. I have reached out to many, many of you this year to answer your needs. We created an Education Law Committee and a Committee on Insurance Practice. We also worked hard on increasing our membership, which is vital to our success.

From the judiciary, in addition to the Bench-Bar, and programming throughout the year, we were privileged to have Justice Sandra Day O’Connor, and Judge Marjorie O. Rendell, speak at our June Quarterly, and Justice Ruth Bader Ginsburg present the Writing Award named in her honor to this year’s winner. Thank you to all the members of the judiciary – your support of our work, assistance in programs, and participation has been stellar.

Our successes this year would not have been possible without the other members of the professional staff, working tirelessly behind the scenes to ensure that every last detail was accounted for; they include Paul Kazaza – who provided great assistance on many fronts. Thanks also to Charlie Klitsch, Tracey McCloskey, Susan Knight, Jeff Lyons, Wes Terry, Naomi McLaurin, Dawn Pett, Merril Zebre, Barry Greenspan, Amy Seefeld and Andrea Morris-Tracey and all of the dedicated members of our staff.

Thank you for working together to improve the legal profession and making this Association the best in the nation. I’ll forever treasure working with all of you, and my year as Chancellor.

Kathleen D. Wilkinson (Kathleen.Wilkinson@delchert.com), a partner with Wilson Elser Moskowitz Edelman & Dicker LLP is Chancellor of the Philadelphia Bar Association.
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Chief Justice Ronald D. Castille of the Pennsylvania Supreme Court was honored for his dedicated service to the community at a Penn Club awards dinner on Oct. 30 at the Philadelphia Club. The presentation was made by Penn Club President Joseph A. Prim.

Alexis C. Ouseley of Pond Lehocky Stern Giordano was a guest speaker at a special class taught by the Honorable Ingrid L. French, J.W.C., at Widener University School of Law, Wilmington, where she discussed workers’ compensation issues.

James A. Backstrom, a sole practitioner, was awarded the Legion of Merit upon his retirement as a Navy Captain, Judge Advocate General’s Corps, at a ceremony at the Washington Navy Yard.

Kirsten Balzer of Rubin, Glickman, Steinberg & Gifford P.C. appeared on WNVP radio’s “Legally Speaking” where she discussed intellectual property law.

Melissa M. Boyd, a partner with High Swartz LLP served as a commentator for the Superior Court of Pennsylvania en banc session being on Oct. 16.

John J. O’Malley, a shareholder with Volpe and Koenig, P.C., was recently appointed to the Board of Directors of Women Organized Against Rape.

Michael H. Gaier, a partner with Shaffer & Gaier, recently presented a foreclosure defense seminar to homeowners at the Voorhees Camden County (N.J.) library.

J. Denny Shupe, a partner with Schnader Harrison Segal and Lewis LLP, has become a Fellow of the American College of Trial Lawyers.

H. Ronald Klasko, a founding partner of Klasko, Rulon, Stock & Seltzer, LLP, recently spoke at the 46th Annual Immigration & Naturalization Institute in New York City where he presented “Challenges to Entrepreneurs Coming to the United States.”

Catherine Gillespie, a partner with Montgomery McCracken Walker & Rhoads LLP, has been appointed to serve on the Ralston Center Board of Managers.


Frank D. Allen, a partner with Archer & Greiner P.C., has been appointed chair of the New Jersey State Committee of the American College of Trial Lawyers.

Steve Masters, founder of JustLaws PLLC, has been appointed chair of the Policy Committee of the Sustainable Business Network of Greater Philadelphia. He also served as moderator on the panel “Developing Our Public Policy Voice” at the 11th annual Social Venture Institute on Oct. 26 in Philadelphia.

Michael A. Morse, a partner with Pietragallo Gordon Alfano Bosick and Raspanti, LLP, presented “False Claims Act Developments” at the National Association of Portable Xray Providers’ Annual Convention in Las Vegas on Oct. 2.

Murray S. Levin, a partner with Pepper Hamilton LLP, recently spoke at the Union Internationale des Avocats 57th Congress in Macau, China where he presented “Mediation as a Tool in Complex Products Liability Litigation.”

David L. Hyman, a managing partner of Kleinbard Bell & Brecker LLP, was one of the Philadelphia leaders selected to accompany Mayor Michael A. Nutter on his recent trade mission to Israel.

Stephen J. Schukraft Jr. of Pond Lehocky Stern Giordano appeared on “Injured Workers of PA,” a Berks County live call-in cable television show on Nov. 4 where he discussed workers’ compensation issues.

Priscilla J. (Sally) Mattison, of counsel to Bernard M. Restnick, Esq., P.C., gave a guest lecture on legal issues pertaining to concert touring in the U.S. as part of the course “Navigating Artists through the Entertainment Industry” offered by Southwestern Law School’s “Entertainment and Media Law LL.M. Online” program.


Anthony S. Volpe, co-founder and shareholder in Volpe and Koenig, P.C., was recently appointed to the Board of Trustees of the Bucks County Historical Society.

William H. Pugh V, managing partner in Kane, Pugh, Knodel, Troy & Kramer LLP, has become a Fellow of the American College of Trial Lawyers.

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Lawrence D. Dods of Wolser Pearlstein, LLP was a speaker at the 2013 Pennsylvania Bar Institute’s Exceptional Children Conference.

Larry Besnoff, a partner with Obermayer Rebmann Maxwell & Hippel LLP, discussed the Ethics of Social Networking in the Workplace before the National Association of Social Workers – Pennsylvania Chapter on Nov. 14.

Ezra Wohlgelernter, a partner with Feldman Shepherd Wohlgelernter Tanner Weinstock & Dodig, LLP recently presented at the Pennsylvania Association for Justice’s Annual Premises Liability seminar in Philadelphia.

People” highlights news of members’ awards, honors or appointments of a community or civic nature. Send information to Jeff Lyons, Senior Managing Editor, Philadelphia Bar Reporter, Philadelphia Bar Association, 1101 Market St., 11th fl., Philadelphia, PA 19107-2955. Fax: (215) 238-1159. E-mail: reporter@philabar.org. Color photos are also welcome.
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