Feldman to Outline Agenda for 2006 as He Becomes Bar’s 79th Chancellor

by Daniel A. Cirucci

How do you get from 60th and Pine in West Philly to an elegant high-rise office in your own firm overlooking Rittenhouse Square? Ask Alan M. Feldman, the Philadelphia Bar Association’s 79th Chancellor, and he’ll invariably reply, “I’ve been very lucky,” and proceed to attribute his success to others. Yet those who know him well would say that Feldman has made his own luck through hard work, an entrepreneurial spirit and a passionate commitment to the profession he loves.

A product of Philadelphia’s public schools, Feldman graduated from Central High School, a proud member of its 228th class and vice president of the Student Association. Recognizing that he would need to remain local as he worked his way through college, Feldman gained admittance to Temple University’s first Honors Program. Having toiled at his uncle’s luncheonette from 7th grade through high school and therefore no stranger to hard work, he found employment with a Center City law firm, filing legal papers at City Hall and functioning as an all-around gofer.

To pay his tuition, he founded AMF Associates, a legal filing business. An entrepreneur was born: it wasn’t long before AMF (operated by Feldman and his brother Elliott, now a partner at Cozen O’Connor) was filing and serving subpoenas for more than 40 law firms.

As a budding businessman, Feldman was the guy at Temple who always wore a tie and jacket, rushing from classes to meet with his lawyer-clients every day.

Graduating magna cum laude from Temple in 1973, he already knew exactly what he wanted to do: he wanted to be a trial lawyer. The university’s law school was a natural next step and following graduation in 1976, Feldman clerked for the legendary Judge Stanley M. Greenberg. He then joined the firm of Raynes, McCarty as an associate, beginning his career in civil litigation.

Feldman founded his own firm in 1987, now known as Feldman, Shepherd, and named the recipient of this year’s Wachovia Fidelity Award. I feel very privileged and grateful that my work for pro bono causes is being recognized by my colleagues in the Philadelphia Bar Association,” said Beaser.

Scott F. Cooper, a partner of

Election Guide
Featured Inside!
• Meet the candidates for Bar offices in the Dec. 6 election. Page 10
• Order tickets for the Annual Meeting online at philadelphiabar.org

Former Chancellor Lawrence J. Beaser to Receive Honor

by Jeff Lyons

Former Chancellor Lawrence J. Beaser, a partner with Blank Rome LLP, will be honored with the Association’s Wachovia Fidelity Award at the Dec. 6 Annual Meeting Luncheon.

The Wachovia Fidelity Award is presented annually by the Association to an individual who has made significant accomplishments in improving the administration of justice.

Beaser served as Chancellor in 1994 and currently serves on the Board of Governors as counsel.

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A Year of Living and Learning From Others
by Andrew A. Chirls

At the beginning of my career, as a young associate at a large firm, I took my lead from several mentors including former Chancellor Bernadour Bosch. Like all good partners, Bernadour Bosch was a good teacher as well—a tough teacher. He was also meticulous. Still, I think he understood that we would make mistakes. So, at some point after we had spent the day scrambling to recover from what seemed like a potential disaster brought about by what might have been a mistake, he would say, “What have we learned?” Once we identified a lesson, he would often say, “Live and learn. But learn!”

I have a few things to be pleased about. As I reflect on my months as Chancellor, but I also made mistakes. I support it without hesitation that anyone who is in the press as much as an active Chancellor will come up with something dopey to say in the course of a year. I would like to live the rest of my life without mistakes. But as Mel Brooks said, “As long as the world is turning and we’re living, we’re gonna be dopey and we’re gonna make mistakes.” I made my biggest one when I so poorly articulated concerns of lawyers who want to pursue their careers, care for their families and do so on a flex-time basis. The next growth of my mistakes in the dog days of summer was that people came forward to support me: To teach me where I went wrong and give me a chance to take the time to do what was right. And from my own best friends, I look criticism and I accepted it as constructive.

What I learned when I scrambled to recover from a mistake was something I had read about in Political Science 101 and management textbooks: inclusion. We have processes in our association—and in much of our public life—that are designed to let other people have their say. Processes that are designed to avoid “top down” decisions so that all who want to participate will know that they have had their say and been heard. Sometimes, adherence to the process means that the leader doesn’t get his or her way. But the institution is stronger when the next leader comes in. And when the leaders do something dopey, the institution is more likely to be supportive. And then there are the informal processes. Listening to others. Testing out ideas before you put them into action. Talking to the people who might be affected by your policies so they can have a chance to try to adjust your thinking or your actions. These approaches don’t apply only to bar association management. Look at how they can—and often do—apply to our courts. Of course, the adversarial process is an elaborate set of guarantees designed to make sure parties are heard before decisions are made. But there is also the business of deciding how courts actually go about their business—how they are structured and run.

On this topic, I had a wonderful meeting this year with some Polish Supreme Court justices and a leading Polish scholar. Before and after that meeting, I have read about how the Polish courts are considered to be troubled and dysfunctional. And a leading Polish legal scholar and advocate said to me, “What we lack is a fundamental institution that enables the courts to function in a civic society. An institution that defends the role of independent courts, criticizes courts when they’re not doing their job, and speaks out to persuade the rest of society to support the courts. We lack what you have: A mature and independent bar association. You are a mature and independent bar association... a cornerstone of civic society.” We have that role because we defend, support and criticize the courts. And the courts are better because they have us as defenders, supporters and critics.

I felt that I was a better Chancellor because when I made my mistakes, my continued on page 16

Feldman Testifies Against Business Privilege Tax

Chancellor-Elect Alan M. Feldman testified before Philadelphia City Council on Nov. 17 regarding the reduction and eventual elimination of the Business Privilege Tax. After the testimony of Feldman and others, City Council gave preliminary approval to the elimination of the Business Privilege Tax in the coming years.

It seems that we have turned a corner and I hope that—going forward—discussions can focus on how we can phase out the Business Privilege Tax rather than if we need to phase out the tax. So on behalf of the 14,000 members of the Philadelphia Bar Association I want to thank you again for your leadership and your commitment to our city. The issue of the Business Privilege Tax is an issue that goes back over several years and indeed my predecessors have been here to testify in front of you from the beginning of this process. I want to simply reiterate today that we generally support the recommendations of the Tax Reform Commission and we certainly support the eventual elimination of the Business Privilege Tax.

Studies have time and again shown that the city’s tax structure is one of the principal reasons why businesses leave Philadelphia, do not expand here, or rather than if we need to phase out the Business Privilege Tax in the coming years.

Other bills that will make cuts to the principal reasons why businesses leave Philadelphia, do not expand here, or do something dopey, the institution is more likely to be supportive. And then there are the informal processes. Listening to others. Testing out ideas before you put them into action. Talking to the people who might be affected by your policies so they can have a chance to try to adjust your thinking or your actions. These approaches don’t apply only to bar association management. Look at how they can—and often do—apply to our courts. Of course, the adversarial process is an elaborate set of guarantees designed to make sure parties are heard before decisions are made. But there is also the business of deciding how courts actually go about their business—how they are structured and run.

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Michael Williams is a deputy finance director and the director of the Minority Business Enterprise Council for the City of Philadelphia.
Law Practice Management to be Emphasized Under Bar’s $3.8 Million Budget

by Jeff Lyons

The Board of Governors has approved a $3.8 million budget for 2006, a 5.8 percent increase over the current spending plan. The action came at the Board’s Oct. 27 meeting.

Chancellor-Elect Alan M. Feldman attributed the increase to costs involved with the Association’s sponsorship of the 2006 Equal Justice Conference and a new contract for consulting services that will emphasize law practice management programs.

“We’ve always had a terrific bar association, in terms of promoting equal rights, supporting fairness in the courts and working with community groups. But as someone who founded a law firm 19 years ago, and is responsible for bottom line concerns, we have not been as strong in supporting our lawyers and law firms in the business side of operating a law practice,” Feldman told the Board. “Operating a law practice has changed over the years. It’s not enough to be a good lawyer and to be smart and to know the law and know how to research and write. You have to know something about marketing and technology and administration and logistical issues and everything else that is associated with law practice management,” he said.

Feldman says he plans to emphasize law practice management to an extent that it has not received emphasis before. “And one of the key components of that program will be entering into a contract with a consultant who will provide free consulting services for every member of the Pennsylvania Bar Association up to a specified limit,” he said.

“This is not our unique idea. The Pennsylvania Bar Association is offering this service right now. What we propose to do is import a comparable service but expand it. We’ll expand it to having law practice guidance and advice on our Web site, in our publications, in programs, as well as through the consultative services. The Bar Association will pay for those consultations that our members have, up to about $45,000 or $50,000 in the first year of what essentially is a pilot program,” he explained.

The Equal Justice Conference is scheduled for March 30 and April 1, 2006 at Loews Philadelphia Hotel. The conference brings together all components of the legal community to discuss equal justice issues as they relate to the delivery of legal services to the poor and low-income individuals in need of legal assistance. The emphasis of this conference is on strengthening partnerships among the key players in the civil justice system. Through plenary sessions, workshops, networking opportunities and special programming, the conference provides a wide range of learning and sharing experiences for all attendees.

Pro bono and legal services program staff, judges, corporate counsel, court administrators, private lawyers, paralegals, and many others attended this event. The title and theme of the 2006 Equal Justice Conference is “Commitment, Service and Empowerment: Let Justice Ring.”

Feldman said Board member Martha Levick is chair of the hosting committee and that the Association will be undertaking a fund-raising drive among law firms in the city to help fund the conference. “It promises to be a terrific event,” he said.

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**Philadelphia Bar Association Budget for 2006**

**Sources of Funds**

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**Application of Funds**

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**Law Practice Management to be Emphasized Under Bar’s $3.8 Million Budget**

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Trudy Rubin’s address kept a conference center full of attorneys attentive and in their seats. She analyzed what had gone wrong in Iraq and why, and in doing so displayed a command of the facts and a familiarity with the major players and decision makers in Washington, Baghdad, and throughout the Middle East. Throughout the Chancellor’s Forum was sponsored by the Public Interest Section and the Civil Rights Committee.

One of her central points was that it may have been a mistake to go to war but there were dire consequences – for the Middle East region, the U.S., and perhaps the world – that would come with an immediate U.S. withdrawal. There was no agreement on this within the room but there was a fair, open, and honest dialogue between the speaker and the Forum attendees.

During the stimulating question-and-answer period that followed her address, there was no unanimous opinion that the large gathering shared. Several Bar Association members said through questions that they believed the war was unnecessary, immoral and illegal. They presented their arguments well and with the same courtesy that fosters a good faith dialogue that Rubin displayed throughout. The Chancellor’s Forum with Rubin was lunch hour well spent for busy Association members doing their best to perform their wider social duties in these troubled times, duties that cannot be performed without knowledge of the issues and open testing of opinions.

Michael J. Carroll is a public interest lawyer in Philadelphia.
LRIS Offers Free Membership to Returning Vets

The Association’s Lawyer Referral and Information Service is offering one free year of panel membership to lawyers who are returning from active military duty.

“In the last few years, many lawyers in our area have been called to active duty as a result of mobilizations in Iraq, Afghanistan and other global hot spots,” said Sayde J. Ladov, chair of the LRIS Committee. “Particularly for solo and small firm practitioners, this can mean coming home to a diminished client base. It can take years of hard work to regain that business,” she said.

“As a legal community, we should be proud of our veteran lawyers and help them rebuild their practices,” said Chancellor Andrew A. Chirls. “This is an opportunity to express our thanks and lend our support in a meaningful way.”

This offer, a $300 value, is being extended to all lawyer veterans who have returned from active duty and who otherwise meet the requirements of LRIS panel membership. LRIS refers more than 14,000 people a year to lawyers in the region for legal representation.

For more information about the Lawyer Referral and Information Service and to obtain an application for membership, contact Director of Public and Legal Services Charles Klishch at 215-258-6326 or cklitsch@philabar.org.

New Americans Focus of Bar’s Newest Committee

by Jeff Lyons

The Association’s newest committee, the Committee on Law Practice for New Americans, won’t be a group discussing immigration law.

“We want to help break the language barrier so immigrants can get high quality legal services and current and accurate legal advice,” Committee Co-Chair Robert C. Seiger III told attendees of a Nov. 9 Chancellor’s Forum with representatives from ethnic and forum language media.

Forum presented the first official meeting of the new committee.

“As the spouse of a new American, I’m sensitive to the needs of people,” he said.

“We want to educate people about immigration issues,” said Committee Co-Chair Matthew D. Baxter. “We want to reach out to these ethnic communities and show them how to find a real attorney instead of relying on someone who isn’t licensed.”

The committee will hold an organizational meeting on Dec. 15 to discuss its mission and set an agenda for its future, Seiger said.

According to Chancellor Andrew A. Chirls, the committee will assist the Bar Association in taking positions on immigration and small firm practitioners, this can mean coming home to a diminished client base. It can take years of hard work to regain that business,” she said.

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Committee Chair Nicole Galli and I reached out to the schools. Galli for joining us on these visits to Abe Reich, Marsha Levick and Nicole cellar Jane Dalton, former Chancellor-Elect Alan Feldman, Vice-Chan- thank Chancellor Andy Chirls, Chan- schutz (Temple). I would also like to Cassandra George (Penn) and Jeff Lip- liaisons, Elissa Fuller (Rutgers-Camden), Michael Adler and our law school commitment of YLD Financial Secretary possible without the hard work and These programs would not have been becoming active in the Bar Association. Spoke to the students about practicing law, professional development and becoming active in the Bar Association. These programs would not have been possible without the hard work and commitment of YLD Financial Secretary Michael Adler and our law school liaisons, Elissa Fuller (Rutgers-Camden), Cassandra George (Penn) and Jeff Lip- schutz (Temple). I would also like to thank Chancellor Andy Chirls, Chan- cellor-Elect Alan Feldman, Vice-Chan- cellor Jane Dalton, former Chancellor Abe Reich, Marsha Levick and Nicole Galli for joining us on these visits to the schools. During the summer, Membership Committee Chair Nicole Galli and I organized “Practicing Law in Philadel- phia,” a program specifically geared toward summer associates and clerks. A panel with Assistant U.S. Attorney Mark Andrews, former School District of Philadelphia General Counsel Wendy Brettstone, Hangley Aronchick partner Cheryl Krause and former Pennsylvania Attorney General Gerald Pappert spoke to a standing-room only group of future lawyers about their own personal career paths and the lessons they learned along the way. Meeting the professional develop- ment needs of younger lawyers has been a cornerstone of this YLD year. In July, Lisa Goldstein of Rainmaker Training spoke to more than 100 young lawyers about the skills needed to persevere in their first couple of years of practice and advised their younger counter- parts on how to deal with common problems they might face in those first few years. Our Mentoring Committee, spearheaded by Brian Chacker and Chad Kaufman, successfully matched young lawyers in mentoring relationships with more senior attorneys who will be able to provide them with wis- dom and guidance. Through the new Philadelphia 2020 Committee, young lawyers were afford- ed an opportunity to raise their politi- cal awareness and activity. In April, we partnered with Young America PAC to present a “Meet the Candidates” happy hour/networking event featuring can- didates for district attorney, the judicia- ry and city controller. The committee, chaired by Andrew Duffy, Harper Dim- merman, Alan Nochumson and Tyler Ridgeway, also organized lunchtime programs with guest speakers that included Committee of Seventy President and CEO Zack Madberg and Phila- delphia Forward Executive Director Brett Mandel. In January, our guest speaker will be Joe Torsella, who will talk about the campaign to bring the Olympics to Philadelphia in 2016. As always, the YLD was active in programs of public interest. In January

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### YLD UPDATE

**Reflecting on YLD's Year of Accomplishments**

by Natalie Klyashtorny

It is with bittersweetness that I now write my last column as chair of the Young Lawyers Division. Though I would be sad to see “my” year end, I would like to reflect on all that we have accomplished as a group.

One of my primary goals was to reach out in a more meaningful way to law students. In the spring, members of the YLD Executive Committee as well as members of the senior Bar visited three of our area’s law schools – Penn, Temple and Rutgers-Camden. We spoke to the students about practicing law, professional development and becoming active in the Bar Association. These programs would not have been possible without the hard work and commitment of YLD Financial Secretary Michael Adler and our law school liaisons, Elissa Fuller (Rutgers-Camden), Cassandra George (Penn) and Jeff Lip-schutz (Temple). I would also like to thank Chancellor Andy Chirls, Chancellor-Elect Alan Feldman, Vice-Chancellor Jane Dalton, former Chancellor Abe Reich, Marsha Levick and Nicole Galli for joining us on these visits to the schools.

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Meeting the professional development needs of younger lawyers has been a cornerstone of this YLD year. In July, Lisa Goldstein of Rainmaker Training spoke to more than 100 young lawyers on the “Top 10 Tips To Be-com-
Advice to Young Lawyers: Be Happy, Thorough

by Jeff Lyons

A happy attorney is a productive attorney. It may sound simple, but panelists at the Nov. 11 Young Lawyers Division/Membership Committee program “How to Survive Your Initial Years of Practice” offered that advice to more than 60 people attending the event.

“You ought to like what you’re doing and who you’re doing it for,” urged panel moderator Molly Peckman, special counsel and director of professional development at Pepper Hamilton LLP.

Panelists included Pauline Manos, an associate at Feldman & Pinto, P.C.; John Papianou, an associate at Montgomery, McCracken, Walker & Rhoads, LLP; Kalimah White, vice president and relationship manager at NatCity Trust Company of Delaware; and Leonardo Cuello, staff attorney at the Pennsylvania Health Law Project.

When you finally land your first job, Cuello said it’s important to focus on the skills and tasks that you can master. These things can help you later on in your career, he said.

“It’s also important for young attorneys to get out and meet people so they can build business, said White. “Business development was a problem for me when I worked at a law firm because nobody tells you how to do it. Relationships build business. And you can’t build relationships if you’re sitting in your

office all the time,” she said. “You have to make time to find and develop referral sources. That can come from meeting people at Bar Association activities. You have to put yourself out there!”

Manos said it’s important for young attorneys not to lose their self respect. “It’s easy to lose respect for yourself when you have partners and judges picking apart the work you’ve done and telling you what you’ve done wrong!”

She said young lawyers need to keep telling themselves that no matter what’s happening at work, they need to remember that their law firm wanted them and hired them. Other ways to keep yourself positive, Manos said, can be as simple as going to the gym regularly and taking care of yourself. “If people see that you’re passionate about something, they’re going to respect you more.”

Papianou said it’s important for young attorneys to realize they start building a reputation on their very first day at work.

“He advised young attorneys to be thorough and pay attention to details. “If you miss one little thing, like a period or a comma, the partners you’re working for might start to wonder what else you’re missing”

It’s also important to respect deadlines and take them seriously; he said. If you’re not going to be able to make a deadline, don’t wait until the day the project is due to tell the partner. “You need to be up front about the reasons why something is going to be late.”

“If you’re not going to be able to produce a good, quality product on time, you have to tell a partner ‘no’, that you can’t take on the project,” Peckman added.

White said while some clients can be difficult, it’s important to be sympathetic and to listen to them. “You’re there to help them. Getting the trust of a client is very important. You sometimes have to merge confidence with finesse so you can be strong without being nasty to a difficult client,” she said.

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A. Michael Pratt, a partner with Pepper Hamilton LLP, a former chair of the Young Lawyers Division and member of the Board of Governors, is the lone candidate for Vice Chancellor in this year’s Bar elections.

Pratt will serve as Chancellor in 2008 after serving as Chancellor-Elect in 2007 and Vice Chancellor in 2006. He will become the Association’s third African-American Chancellor. Pratt, a graduate of Washington and Jefferson College and the Temple Law School, has served in a variety of leadership positions within the Association. He was a member of the Board of Governors in 1995, 1996 and 1997. He was chair of the Young Lawyers Division in 1991. In 2005, he served as chair of both the Meritorious Award and City Policy Committees. He has been co-chair of the Legislative Liaison (1992-1993), Membership and Placement and Observatory Education Award (1992) Committees. He was a member of the Association’s Commission on Judicial Selection and Retention in 1997 and 1998. He has been a member of the Minority in the Profession Committee and the Nominating Committee and is a member of the host committee for the 2006 American Bar Association Equal Justice Conference. He also has been active with the Philadelphia Bar Foundation, serving on the Board of Trustees since 2004. He has been a member of the Foundation's Andrew Hamilton Circle since 1996. Pratt also is a former president of the Barristers Association of Philadelphia.

Pratt is a board member of Pennsylvania Legal Services and served as chairman of Community Legal Services board of trustees from 1997 to 2000. Among many other civic activities, he has served as a big brother in Philadelphia's local Big Brother Big Sister Association and as a mentor in the Philadelphia Futures Program. "I am thankful for the opportunity to serve as Vice Chancellor of the Philadelphia Bar Association," Pratt said. "The Association has thrived through the years, in large part because our leadership has progressively confronted the challenges facing our membership and community. But difficult challenges remain, and I am fully committed to guiding our members past these challenges with a brand of leadership that will be both innovative and sensitive to the disparate needs of our members." Pratt plans to continue working to protect lawyers' economic interests by partnering with governmental and business institutions to develop common-sense and fair approaches to tax reform.

"While I am proud that our legal community is a national model for its support of legal services, the unfortu- nate reality is that only 20 percent of the legal needs of Philadelphia’s poor are being met. I plan to work with all stakeholders to make our delivery of legal services system the most efficient it can be, and to leverage additional public and private support to help close that funding gap," he said. Pratt is also committed to the meaningful integration of the legal community and plans to work with law firms and corporate in-house departments of all sizes to develop effective tools for recruiting and retaining a more diverse compliment of lawyers.

"Finally, I am committed to ensuring that the Association continues to pro- vide the most expansive and up-to- date member services possible to assist our members," he said.

### Line Offices Uncontested in Association Election

This year, all candidates for Bar line offices are unopposed. The candidates are John E. Savoth, secretary; Kathleen D. Wilkinson, assistant secretary; Scott F. Cooper, treasurer; and Jeffrey M. Lindy, assistant treasurer.

John E. Savoth is a partner in the Law Firm of Irevallo & Savoth and a graduate of Widener University School of Law. He is presently secretary of the Association. He was chair of the Board of Governors in 1997 and vice chair in 1996. He is currently a member of the Commission on Judicial Selection and Retention. He served on the Board of Governors from 1993 to 1998 and chaired the Association’s Professional Responsibility Committee in 1999.

Savoth was a Philadelphia Bar Foundation trustee from 1994 to 1996 and was chair of the Young Lawyers Division in 1993. He was on the board of directors of the Philadelphia Trial Lawyers Association (from 1994 to 1996) and the Homeless Advocacy Project (from 1997 to 1999). He served as a hearing committee member of the Disciplinary Board of the Supreme Court of Pennsylvania from 1991 to 1997. He was chair of the Hearing Committee 1.10 from 1996 to 1997.

Kathleen D. Wilkinson, a partner at Wilson, Elser, Moskowitz, Edelman & Dicker, LLP, is a graduate of Villanova University School of Law and president of the J. William O’Brien Inn of Court. She is currently assistant secretary of the Philadelphia Bar Association. She has served as a member of the Board of Governors (from 2000 to 2003). She was co-chair of the Women in the Profession Committee in 1996 and 1999. She is secretary of the State Civil Litigation Section and was co-chair of the State Civil Rules Committee in 2004. Wilkinson also participated in forming, and then presenting on behalf of the Association, the first Ruth Bader Ginsburg Legal Writing Competition Award in the presence of Justices Ginsburg and O’Connor in October 2005.

In 2005, Wilkinson was appointed to the Rules of Evidence Committee of the Pennsylvania Supreme Court and to the Interbranch Commission on Gender, Racial and Ethnic Fairness by Gov. Rendell. Wilkinson is an active member of the Pennsylvania Bar Association and was honored for development of programs for women attorneys. She is a member of the Forum of Executive Women.

Scott F. Cooper is a partner in the Labor and Employment Department at Blank Rome LLP and is a 1992 graduate of the Temple University Beasley School of Law. He currently serves as assistant treasurer of the Association.

He was a member of the Board of Governors from 1998 to 2001 and was a member of the Young Lawyers Division Executive Committee from 1996 to 1998. He was the YLD’s treasurer from 1997 to 1998 and financial secretary from 1996 to 1998. He was a member of the Philadelphia Bar Foundation Golf Committee in 1996 and 2001. Outside the Association, Cooper is a member of the American Bar Association, Pyramid Club Board of Governors, Temple Inn of Court (1995 to 1996) and the Multiple Sclerosis Leadership Class of 1996. He is also a court-certified arbitrator for the Philadelphia Court of Common Pleas and is a member of the Temple University Beasley School of Law Alumni and Executive Committee.

Jeffrey M. Lindy, principal in the Law Offices of Jeffrey M. Lindy, is former chair of the Association’s Board of Governors. He currently serves as Board parliamentarian and was a member of the Board of Governors in 1997 and from 2000 to 2003. Lindy is a graduate of Temple University Beasley School of Law.

Lindy was co-chair of the Association’s Bench-Bar Conference in 2004 and has been a member of the Public Interest Section, Bar Survey, Civil Rights, Membership/Bar Placement and Nominating Committees. Outside the Association, Lindy has served as president of the Bala Cynwyd Civic Association and serves on the Boards of the Union Fire Association (Lower Merion Township, Pa.), Philadelphia Research and Education Foundation and The Gateway School.
The five candidates seeking three-year terms on the Board of Governors are running unopposed. They are Judy F. Berkman, Kim R. Jessum, Matthew Perks, Stephanie Resnick and Eric G. Zajac.

Berkman, managing attorney at Regional Housing Legal Services, is a graduate of Boston University Law School. She currently serves as chair of the Ad Hoc Committee on Racial and Gender Bias in the Justice System. She served as the Public Interest Section’s representative on the Board of Governors in 2004.

Berkman is a former chair of the Women’s Rights Committee and was a member of the Commission on Judicial Selection and Retention in 2004. She has been a member of the Public Interest Section Executive Committee, Delivery of Legal Services Committee, Committee to Promote Fairness in the Justice System, Real Property Section, Business Law Section and Women in the Profession Committee. Outside the Association, Berkman is on the Board of Directors of Living Beyond Breast Cancer.

Jessum, patent counsel for Rohm and Haas Company, is former chair of the Young Lawyers’ Division and is a graduate of Chicago-Kent College of Law.

Jessum is a member of the Business Law Section Executive Committee, Nominating Committee and the Commission on Judicial Selection and Retention. She has also served as a member of the Sandra Day O’Connor Award Committee and is a member of the Editorial Board of The Philadelphia Lawyer magazine. She is president-elect of the Benjamin Franklin American Inn of Court and is active in the American Bar Association’s Young Lawyers Division and Intellectual Property Law Section and the American Intellectual Property Law Association.

Jessum is a member of the Business Law Section Executive Committee, Nominating Committee and the Commission on Judicial Selection and Retention. She has also served as a member of the Sandra Day O’Connor Award Committee and is a member of the Editorial Board of The Philadelphia Lawyer magazine. She is president-elect of the Benjamin Franklin American Inn of Court and is active in the American Bar Association’s Young Lawyers Division and Intellectual Property Law Section and the American Intellectual Property Law Association.

Resnick, a partner with Fox Rothschild LLP, is a graduate of Villanova University School of Law. She is a former chair of the Federal Courts Committee and served as chair of the Commission on Judicial Selection and Retention in 1997. She was a member of the Judicial Commission from 1995 to 2000. She was co-chair of the Women’s Rights Committee in 1995 and 1996.

Resnick is a member of the Board of Directors of Womens Way and served as chair from 2002 to 2004. She has also volunteered with Philadelphia Volunteers for the Indigent Program.

Perks, a 20-year veteran of the Philadelphia District Attorney’s Office, is a graduate of Villanova University School of Law. He is a former chair of the Criminal Justice Section (2003) and was the Section’s representative to the Board of Governors in 2004. He is currently chair of the Government and Public Service Lawyers Committee.

Perks is a former member of the Young Lawyers Division Executive Committee and has served as a volunteer for Philadelphia Volunteers for the Indigent Program.
9 Seek 7 Seats on YLD Executive Committee

Hope Caldwell

Professional Background:
Attorney and contract manager, CDH Corporation; Duquesne University School of Law.

Activities:
Member, Pennsylvania Bar Association; American Bar Association; assistant editor of ABA's The Young Lawyer magazine; member, Old City Civic Association.

Candidate's Statement:
Since my appointment to the Executive Committee in May of 2005, I have been actively involved in various events and plan to continue my involvement by leading various community outreach programs. I would like to implement a program for elementary school students throughout the school year. This will allow the YLD to expand its connection with the community on a more frequent basis. My enthusiasm for promoting pro bono work and community involvement combined with my ability to lead young lawyers to volunteer for such callings makes me an ideal candidate.

Brian S. Chacker

Professional Background:
Associate, Gay Chacker & Mitlin, P.C.; Villanova University School of Law.

Activities:
Member, Temple American Inn of Court; Philadelphia Bar Foundation; Young Lawyers Andrew Hamilton Circle; Pennsylvania Bar Association; Philadelphia Trial Lawyers Association; Bastion Law Society.

Candidate's Statement:
I am qualified to serve as a YLD Executive Committee Member because of my prior experience working with the YLD. During the past year, I have made a concerted effort to become active in the YLD and its committees. I have seen how effective the YLD is in influencing the professional careers of young lawyers and promoting the role of lawyers in the Philadelphia community. Throughout my career, I have been committed to providing pro bono legal services to those less fortunate. Leadership in the YLD will allow me to promote those services in the Philadelphia legal community.

Agatha Lambris

Professional Background:
Judicial Law Clerk, Philadelphia Court of Common Pleas Judge Marlene F. Lachman; Temple University Beasley School of Law.

Activities:
Member, Pennsylvania Bar Association; Healthcare Business Women's Association.

Candidate's Statement:
“Life is not worth living, without having had one good friend” – Democritus
My whole life I have been thrown into unknown situations - places I did not know, languages I could not speak. I had one good friend.”

Jocelyn A. Gabrynowicz

Professional Background:
Associate, Anderson Kill & Olick, P.C., Pennsylvania State University Dickinson School of Law.

Activities:
Member, Pennsylvania Bar Association; Philadelphia Trial Lawyers Association; American Bar Association; Professional Women's Roundtable.

Candidate's Statement:
You have a law degree. Now what? The people I have met through the YLD have given me a response to this question: Say Yes. Yes, I will go. Yes, I will help you. Yes, the practice of law is more than just a job. With a law degree comes a duty to get involved, to educate, and to foster change.

I am inspired by the activists, my mentors, and my friends.
I say yes to the challenge of living by their example.
Elect me to the YLD – I bring you my dedication, my passion – and my sense of adventure.

Alexis J. Gultanoff

Professional Background:
Associate, Pepper Hamilton LLP; Emory University School of Law.

Activities:
Associate member, Montgomery County Bar Association.

Candidate's Statement:
As a financial services associate and my firm’s liaison to the YLD, my positions as treasurer of my law school’s Student Bar Association, as vice president of my fraternal organization in college and as committee member on the Attorney Mentoring Program make me an ideal candidate for the YLD Executive Committee. The invaluable experience gained from these varying roles, coupled with my transactional associate perspective, will bring new energy and different views to the Committee, which I believe will help us achieve our goals of being a strong voice for our own members and improving relations with the community.

About the Candidates

These nine candidates seek election to seven seats on the Young Lawyers Division (YLD) Executive Committee in the Association’s Annual Election on Dec. 6. Committee members serve three-year terms. Those candidates who receive the seven highest vote totals in the election will fill the positions. Published here is information submitted by the candidates, who were invited to outline their professional background and provide a short statement. All candidates are members in good standing of the Philadelphia Bar Association and the YLD.

Shawane L. Lee

Professional Background:
Judicial Law Clerk, Philadelphia Court of Common Pleas Judge Marlene F. Lachman; Temple University Beasley School of Law.

Activities:
Community service chairperson, Philadelphia Area Peace Corps Association; appointed member, Minority Bar Committee, Pennsylvania Bar Association; member, Barristers Association of Philadelphia, Association of Government Accountants.

Personal Statement:
As a judicial law clerk, I handle motions and draft opinions for major medical malpractice cases in Philadelphia. During law school, I clerked at Cozen O’Connor and interned for an appellate court judge. I served for two years in the Peace Corps in Togo, West Africa, where I taught management classes and gained proficiency in

Note: Only members in good standing of the Association’s Young Lawyers Division may cast votes in this election. The Attorneys are members of the Division if (1) they have not yet reached or reached in 2005 the age of 37, or (2) they have not yet reached or reached in 2005 the third anniversary of their first admission to the bar of any state.
French. I am a member of the Philadelphia Bar Association, Civil Rights Committee, and recently coordinated a panel discussion on the Hurricane Katrina disaster. An active volunteer, I coordinate service events for Philadelphia Peace Corps, addressing issues such as homelessness and Philadelphia public schools. www.shawanelee.com.

Professional Background:
Assistant City Solicitor, City of Philadelphia Law Department; Temple University Beasley School of Law.

Activities:
Vice president, Asian American Bar Association of the Delaware Valley.

Personal Statement:
I want to make a difference in this world because by making it a better place, I know that I am making myself better. I work as an Assistant City Solicitor and am proud of my commitment in public service. I am presently an active member of the Executive Committee of the Philadelphia Bar Association’s Young Lawyers Division. I also serve as the Vice President of the Asian Bar. I want to continue making a difference, even if I am doing it in little ways.

Katherine Skubecz
Professional Background:
Associate, Montgomery, McCracken, Walker & Rhoads, LLP; University of Pennsylvania Law School.

Personal Statement:
I care passionately about Philadelphia and recognize the role that young lawyers have in its future. The Young Lawyers Division provides an excellent opportunity for us to channel our energies – providing much-needed assistance to law-related and other worthy causes, advancing the profession through educational seminars and networking events, and making our voices heard on important issues. The YLD also provides opportunities to forge bonds with colleagues that will span our careers. If elected to the Executive Committee, I would work to advance the YLD’s mission and strengthen the connections between the city’s legal community and those who need our help.

Henry Yamplosky
Professional Background:
Associate, The Pearce Law Firm and The Law Offices of Christy Adams, P.C.; Temple University Beasley School of Law.

Activities:
Member, American Bar Association; Pennsylvania Bar Association; American Trial Lawyers Association; Pennsylvania Trial Lawyers Association.

Personal Statement:
I am running for the position on the Executive Board of the YLD to build a strong community of young professionals that does not only serve its members and the community at large, but also has a strong voice on the issues that affect young lawyers and face the greater legal community. An immigrant who came to this country 11 years ago without speaking any English, I am not new to overcoming challenges and to working hard. If elected, it would be my honor and my privilege to serve the young lawyers of the Philadelphia Bar Association.

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involving the area’s major law firms (including many national and regional powerhouses) have continued to maintain their headquarters offices in the city. They have done this despite the unfavorable tax climate. They would not do this if they did not want to stay here — if they did not feel some commitment to the city.

But how much longer can this last? The time has come to signal — through tax policy — that we want these firms to make a long-term commitment to our city and that we value the Philadelphia legal community.

For too long city businesses have paid the nation’s highest local business tax. We must reverse this trend.

We also urge the city to address the inequality that is inherent in the Business Privilege Tax and correct the over-taxation of professional firms that are organized as partnerships.

Specifically, the city effectively taxes partner income at a combined rate of at least 6.7 percent but taxes compensation paid to employee owners of businesses operated as corporations or sole proprietorships at rates ranging from 3.9127 percent for nonresidents to 4.5 percent for residents. This discrimination against service partnerships, and the extremely high 6.7 percent rate of tax, is, we believe, a major factor in the large shift of service sector jobs from the city to the suburbs.

I know this first-hand because my law firm is organized as a professional partnership. There is no reason why partners in a firm such as mine should have to pay a higher tax rate than those in businesses organized as corporations.

A 2005 study by the Central Philadelphia Development Corporation shows that Pennsylvania’s suburbs have enjoyed a robust 34 percent rise in professional services jobs between 1990 and 2000. The study goes on to note that Philadelphia added no new commercial office buildings in the 1990s. By contrast, the Pennsylvania suburbs have added 12 million square feet of space, the equivalent of 10 Liberty Place towers, surpassing Center City in total space in the process.

If Philadelphia had added just half this amount of office space, the city would have realized over $100 million annually in new tax revenues.

The top 22 Philadelphia law firms employ at least 8,000 people in Philadelphia and pay nearly $44 million annually to the city in taxes (including net profits, wage, business privilege, use and occupancy and real property taxes). These same firms pay nearly $70 million annually to lease 14 percent of all office space in Center City.

Most of the law firms in the city are not big firms. They are small and medium-sized. So, when we add in these small and medium-sized firms, the figures that I’ve quoted you are actually much higher. We are now in the process of conducting a broader economic study of our law firms so this figure will be updated and reflect the fact that a large majority of our lawyers, while operating small businesses, make huge contributions to Philadelphia’s tax base. The city’s tax structure greatly impacts on these small and medium-sized firms as well.

Taxes affect everyone: small business, large businesses, families, laborers, professionals. It makes no sense to pit one group, one class or one segment against another. A lower Business Privilege Tax and robust economic growth will help everyone. It will give true new meaning to Philadelphia’s proud new title which National Geographic Traveler magazine recently bestowed on us: “America’s next great city.”

On behalf of the Bar Association I thank you and say once again We resolve to work with you and provide whatever help we can as Philadelphia addresses this important issue.

FELDMAN continued from page 1

Wohlgelechter, Tanner & Weinstock. With 14 attorneys, the firm is considered to be among Philadelphia’s premier plaintiffs’ litigation boutiques, counting among its partners some of the best and brightest trial lawyers in the region.

Although he has devoted much of his life to building a successful practice, Feldman also has dedicated time to his profession, in what he would describe as a labor of love. He joined the Philadelphia Bar Association fresh out of law school, immediately became involved in Bar activities and was elected treasurer of the Young Lawyers Division in 1986. After election to the Association’s Board of Governors, he served terms as both assistant treasurer and then treasurer of the Association, as well as treasurer of the Philadelphia Bar Foundation. He has lectured and published materials for numerous programs and seminars and co-authored a textbook on premises liability law. Certified by the National Board of Trial Advocacy, Feldman also has taught trial advocacy at Temple University’s Beasley School of Law, and served as president of the Philadelphia Trial Lawyers Association. Elected Vice Chancellor in 2005, he is now completing his term as Chancellor-Elect.

The new Chancellor believes in the Bar Association as a vehicle for professional enhancement and advancement. To that end, building on his demonstrated achievement as founder and leader of a dynamic law firm, he envisioned new Association programs and benefits to assist in business development and law practice management. “To retain and grow our membership, there must be real added value to joining the Bar Association,” he says. As a trial lawyer regularly trying cases in state and federal courts, Feldman also has fresh ideas for strengthening the Association’s partnerships with the judiciary and improving access to justice for all of our citizens.

As he prepares to lead his colleagues through 2006, Alan Feldman says he draws tremendous strength and support from his wife of 36 years, Maureen Pelta, who is professor of art history and chair of the Liberal Arts Department at Moore College of Art and Design. Residing in Bala Cynwyd, they are the parents of Erica Pelta Feldman, a newly-minted graduate of the University of Chicago, and Julia Pelta Feldman, a sophomore at Oberlin College.

Join Alan M. Feldman as he outlines his plans for 2006 and beyond at our Annual Meeting Luncheon on Tuesday, Dec. 6 at 12 p.m., at the Park Hyatt the Bellevue.

Philadelphia Bar Association Annual Meeting Luncheon
Tuesday, Dec. 6 at Noon at the Park Hyatt Philadelphia at the Bellevue, Broad and Walnut Streets
• Featuring Chancellor-Elect Alan M. Feldman’s address to Bar membership
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Judge Lerner to Receive Marshall Award

by Jeff Lyons

The Criminal Justice Section will present two awards at its annual reception on Dec. 15.

The section’s Thurgood Marshall Award will be presented to Philadelphia Court of Common Pleas Judge Benjamin Lerner. Judge Lerner is the homicide calendar judge.

“We’re honored to have him accept this award. It’s absolutely wonderful,” Section Chair Judith Franklin Rubino said of Judge Lerner, who is a former chief defender for the Defender Association of Philadelphia.

Rubino said the section’s Henry Cesare Beccaria Award will be presented to University of Pennsylvania Law School Prof. David Radovsky. The ceremony, originally scheduled for Nov. 22, has been moved to January due to scheduling conflicts. Visit philadelphiabar.org for more information about the presentation of the Beccaria Award.

Unusual Makeup

Rubino said the section is somewhat unusual because it is composed of prosecutors, defense attorneys as well as judges. She said the section sometimes does not vote on proposals headed to the Board of Governors because “we don’t want to cause riffs within the Section.”

Rubino says new attorneys are welcome to attend section meetings and events. “It’s a great opportunity to meet opposing counsel and judges in a social setting,” she said.

She said the Section is also considering free membership for Young Lawyers Division members.

Fees Increased

The section also has completed successful discussions with Court of Common Pleas President Judge Frederick A. Massiah-Jackson and the city finance department to have court-appointed counsel fees increased.

Under the agreement, fee submissions will be signed and paid within 45 days of being filed.

NEW AMERICANS

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YLD UPDATE

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we taught high school students oral advocacy skills in the Champions of Caring Program and are finishing out the year by organizing the Harvest for the Homeless clothing and toy drive just in time for the holiday season. In between, young lawyers were involved in helping develop future lawyers in the Mock Trial Program, celebrating the importance and vitality of the rule of law during the annual Law Week; teaching substantive areas of the law to members of the public in People’s Law School and assisting members of the public with legal problems during LegalLine.

Additionally, we reinforced our commitment to the Philadelphia Bar Foundation with the Spring Fling Live and Silent Auction Fundraiser. I would like to thank Victoria Chase for her work in making the event a success.

In addition, we would like to thank my Cabinet vice-chair Scott Sigman for all his hard work during Law Week; secretary Lisa Getson for making sure that the Social Committee always runs smoothly; treasurer Dennis Young for keeping a watchful eye on our budget, and financial secretary Michael Adler who made sure that our outreach and professional development programs thrived.

I feel privileged and lucky to have had an Executive Committee of such talented lawyers and future leaders of our profession. In leaving the leadership of the Young Lawyers Division, I take comfort in knowing that I am handing the reins over to Michael Hayes, one of the hardest working and most decent individuals that I have ever had the pleasure to encounter.

He feels the same level of passion and dedication to the YLD that I do. The Executive Committee also will be replenished by an enthusiastic and outstanding class of new members whose profiles are featured in this issue. I have no doubt that their energy will continue to revitalize the YLD for many years to come.

Thank you for allowing me to serve you and I wish all of you Happy Holidays and a Happy New Year 2006 filled with happiness and success!

*Ndume Oléh, an intern at AABADV, is chair of the Young Lawyers Coalition.

FIDELITY

continued from page 1

Beaser’s at Blank Rome and assistant treasurer of the Association, had glowing praise for Beaser.

“He has been a pillar of support for the pro bono program, averaging more than 100 hours of pro bono service each year, and taking the time to mentor summer associates and younger associates, bringing them into some of the most complex pro bono cases and furthering their love of the law,” Cooper said.

“When acting behind the scenes or in leadership positions at the Philadelphia Bar Association, for more than 27 years, Larry has contributed his idealism, compassion, and formidable legal skills to enabling the ‘Association to be a force for civic good,’ he said.

Beaser was an early leader of the Association’s Legislative Liaison Committee and chaired that committee for many years. “In that role, he worked hundreds of hours a year to advance the Association’s legislative agenda, particularly focusing on legislation to improve the justice system and to make funding available for legal services for the poor,” Cooper said.

‘Judicial discipline reform, merit selection of judges, improving services for children, funding for legal services, creating a business court – these and a whole variety of behind-the-scenes activities – are just a few examples of the issues on which Larry labored to assist the Bar Association in its role as a champion of justice and as a catalyst for positive law reform,’” Cooper said.

“Larry is a trusted advisor of chancellor, board members and every section and committee that wants to get a resolution passed. He tweaked their language, advises them on how to navigate the Board of Governors and liners with their work to make it acceptable for passage, so that even the smallest segment of the Association has equal standing in getting their ideas across, thus making the Bar Association a more democratic entity,” he said.

FRONLINE

continued from page 3

...critics were my defenders. I think it was because I had included them all along.

We are fortunate to have structures and procedures in place designed to make sure we are heard. Things like notice and comment periods before rules are made and if a rule is made without a chance for comment from the courts’ defenders – the bar associations – it gets harder for the bar associations to defend the rules, and to defend the courts.

So if a court enacts a rule without providing a chance for comment, and without providing the information that is said to have given rise to the need for a rule, then a court loses a fundamental tie with its supporters. In recent years, we have had a handful of court rules enacted without chance for open comment or examination of the supporting facts.

Or let’s say that a court planned to build an enormous modern facility without real and ongoing input from one set of people who will use the building – the lawyers who have to go there day after day. If that happened, the planning would no doubt lead to design mistakes. And the lawyers would have less invested in trying to make the facility work in the face of these obstacles.

During the past year we’ve seen the same thing happen at the state level. Our elected leaders decided to enact bad legislation. They knew it was self-serving. They must have known that it probably would not stand the test of public scrutiny. So they took their action late at night and constructed the legislation in a way that sought to hide their real intentions. It was devious. It was wrong. It didn’t work.

Time and time again, this Bar Association urged the voters not to take their anger out on judges who weren’t involved, but they did it anyway. But we did learn that making decisions without allowing the people affected to be heard will result in a backlash, a loss of support, and a weakening of the institutions that acted without adhering to the right processes.

I still hear Bernie Borish repeating his old saw, “What did we learn?” I learned that including people makes them into your supporters, at least some of the time. I learned that you need not insist on getting your way all the time, because yielding can make you strong, and earn you the right to be defended and supported when the time comes. In my year as Chancellor, my critics were for me what a bar association can be for the courts. In the words of the Polish law professor, my critics also turned out to be my defenders and supporters.  

Beaser is active in the community, serving as the Association’s appointee to the Board of Managers of The Philadelphia Bar Foundation for the past nine years. He is chair of its program and distribution (grant) committee, actively working to help the foundation with $260 million in assets make a difference in the Philadelphia community, with particular focus on the most needy.

Previous recipients of the Wachovia Fidelity Award include Gerald A. McHugh Jr., Joseph A. Toregousis, Andre L. Dennis, William E. Hwang, David Sykes, Robert C. Heim, Barbara Scalides, Lawrence F. Fox and former Pennsylvania Supreme Court Justice Frank I. Montemuro Jr.
Let’s Guarantee Access to Justice for Everyone

by Sharon Browning

A recent news story recounted the desperate struggles of a Pakistani father to find a tent shelter from the imprisoning snow in the aftermath of the recent earthquake in Kashmir. “Please, he said, ‘Our tent to save five families’ There were none to be had. Thousands face the harsh winter without shelter.

In Philadelphia, many families and individuals also are searching for housing. They’re on a waiting list and being processed even more slowly than usual because city resources have been concentrated on relocating Katrina victims. Here, too, shelter is hard to come by.

All of us would probably agree that the main in the first instance should be given a tent. We might have disagreements about what level of assistance should be given to the folks on the Philadelphia waiting list.

According to recent Census data, the poverty rate in the United States in 2004 rose for the fourth straight year. There are now 37 million poor people in the wealthiest nation on earth, and we have devised multiple explanations, theoretical hypotheses, political spinings, and abstract analyses to account for this sorry fact.

But in addition to all of the quite valid and valuable theories we employ to explain this unconscionable mess, one of the main reasons that there are so many poor people in our country is because in our heart of hearts, we think that most people who are poor deserve to be. Those Philadelphians without housing are somehow more culpable and less deserving of aid than the Katrina victims.

Much of the research and writing that has been done around issues of poverty utilizes the language and theory of blame: people are poor because of their inadequacies, their deviance, their inability to conform to dominant social norms. Our language is full of distancing terms upon which we rely to define and understand the problem of poverty. Various phrases fall in and out of fashion: the “underserving poor,” the “culture of poverty,” the “underclass,” all terms that serve to further separate and isolate those living on the social margins.

As lawyers, we are the gatekeepers to justice, and our understanding of who it is that is most unrepresented before our courts is crucial. Meaningful access comes through us or not at all. Here at VIP we don’t usually have a cache of “deserving” poor clients or “hot button,” sexy legal issues. We find a reluctance among lawyers to represent just ordinary folk who need some legal help in mundane but critical areas; low income people often rely on the legal system to obtain basic necessities: housing, food, income, education.

Like everyone, we lawyers are culture-creatures. Our beliefs and attitudes toward poor litigants and pro bono clients are shaped by our immersion in a culture that still blames poverty on the poor themselves, but if we are ever to approximate “justice” in our legal system, a revision in our thinking is essential.

Consider this statistic: the majority of Americans will experience poverty at some point during their lifetimes (58.5 percent). Poverty is not the lot of a handful of woebegotten social misfits and unfortunates: it is the fate of a majority of Americans for at least one year of their adult lives. In other words, “they” are “us.”

In the face of such overwhelming and ubiquitous poverty, focusing on the individual characteristics of those who are poor misses the point: there are concrete, identifiable social structures that create poverty. Inequality is built into all of our major social structures: housing, employment, health care, education, law. As Mark Robert Rank states in The Nation Underprivileged Why American Poverty Affects Ourselves, Ill, in the economic, political, and social game of musical chairs that is the foundation of our American system, there are guaranteed losers.

So if the poor are not primarily responsible for their own poverty, who is? If most of our social structures create or reinforce the conditions for poverty, who is at fault? In his Pulitzer Prize-winning book, The Working Poor: Invisible In America, David Shipler wrote: “When accountability is spread so broadly and diffused, it seems to cease to exist. The opposite is true. It may look as if nobody is accountable. In fact, everybody is.

So let’s stop playing the blame game, and assume our rightful role as guarantors of access to the legal system for everyone. Let’s take the sage words of Albert Einstein to heart. Einstein observed the human tendency to see ourselves as separate from each other and the rest of the universe as “a kind of optical delusion” of our consciousness. “This delusion is a kind of prison for us. Our task must be to free ourselves from this prison by widening our circle of compassion to embrace all living creatures.”

For the legal profession, such a striving would do much to not only improve the public image of lawyers, but to ensure the integrity of our system of justice, which now excludes the overwhelming majority of poor people. We say “justice for all” it’s time to act as if we mean it.

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Doing Business with Canada

Chancellor Andrew A. Chirls meets with (from left) Pamela D. Wallin, consul general of Canada, International Law Committee Co-Chair Michael E. Scullin and David B. Weiner, consul and senior trade commissioner of Canada, at the Nov. 3 CLE program “Doing Business with Canada: U.S.-Canada Cross-Border Issues.”
Bar Foundation Celebrates, Las Vegas Style

More than 350 people attended the Hamilton Ball on Nov. 12 at the Park Hyatt Philadelphia at the Bellevue. The event is the main fund-raiser of the year for the Philadelphia Bar Foundation. The theme of this year’s event was “Viva Las Vegas.” The event raised $250,000 for the Foundation.

University of Pennsylvania Law School Prof. Louis S. Rulli (center), recipient of the 2005 Philadelphia Bar Foundation Award, meets with Foundation Executive Director Maureen Mingey and Foundation President Robert D. Lane Jr. Entertainment for the evening included music and dancing, as well as nonmonetary roulette (right), craps and blackjack tables.

Mary Gay Scanlon accepts the 2005 Citizens Pro Bono Award on behalf of Ballard Spahr Andrews & Ingersoll, LLP.

Ronald A. Kovler and his wife Nancy.

A. Michael Pratt and his wife, Carla (left) and former Chancellor Doreen S. Davis and Robert J. Simmons (above) enjoy the dance floor at the Andrew Hamilton Ball.
by Marc W. Reuben

Printing schedules being what they are, it is quite possible that the film “Good Night and Good Luck” will now have run its course at movie theaters. I could discern no persons under drinking age in the crowded audience where I viewed this excellent accomplishment, directed by actor George Clooney with a pinpoint technique. The film seemed to last for but a few minutes and its retelling of an old horror story had the aura of contemporary events.

Clooney, a charming and famous actor, is an excellent director, lobbed fully loaded into the public arena. His film, shot in black and white to recreate the television era 50 years past, is a telling of the travails Edward R. Murrow and his CBS cohorts underwent to air a critical view of the infamous McCarthy hearings. Many dramatic offerings have been offered that touch on this subject. A hysterical nation was ready to sacrifice its dignity to haggling hypocrites who used fear of communism as a weapon to subvert constitutional good faith into a form of mob rule that they could use for political gain.

Sen. Joseph McCarthy accused the Army of harboring communists. He also accused the Roosevelt and Truman administrations of doing so as well. He was unable to prove any of his charges. The hearings he conducted were a televised display of guilt by association, guilt by innuendo, unproved accusations, screaming and ranting. Those who were subjected to the hysteria often had their livelihoods ruined. Some died by their own hands even after they had been exonerated. McCarthy covered himself in fake patriotism and shame the nation, all flags flying, in front of the world. No one was immune from him.

Critics of his methods were(sumomed to the dock once they dared to question him. Famous people, notably actors, were ruined once tainted. Actress Lee Grant, who was blacklisted, reported that old friends, upon seeing her walking in the street, would cross the other side rather than be seen talking to her. McCarthy-like committees are set up in both houses of Congress to conduct witch hunts. John Garfield, a known liberal, died of a heart attack (so they say) the day after he was castigated by a House Committeee. Several actors committed suicide after they were summoned and accused, their careers ruined among reactionary studio heads, without evidence of wrongdoing. No one was convicted through McCarthy, and even poor, ignorant public servants were grilled and harassed if the smirking gashog could get a moment’s publicity out of it.

This movie is just a film. Clooney does a wonderful job sketching McCarthy. So many creative people have tried to portray the mix of hysterical ranting, unenlightened claptap wrapped in the flag, and viciousness that McCarthy exemplified. But all have failed. Clooney used the real thing, the kinetics of the man himself, instead of actors. It is a creative accomplishment. No rational and enlightened human could recreate the mix of unreason and bad acting that was McCarthy. The junior senator from Wisconsin is his own best

continued on page 20
Justice Nigro is Scapegoat in Pay-Raise Uproar

by Bruce H. Bikin

Sometimes (though perhaps not often enough) people get so riled up about an action taken by the legislature that they actually do something about it. Occasionally, however, they do not think about the long-term consequences of expressing their dissatisfaction. I feel such is true of the defeat of Justice Russell Nigro on the Supreme Court retention ballot in the November election.

I appreciate the citizenry’s upset and anger over the legislative pay raises and what was perceived as an unconstitutable self-award of unvouchedered expenses to avoid the limits on the application of the pay raise. In blaming Justice Nigro, howev- er, I think we have redefined the term “scapegoat,” and potentially damaged the long-term value that was hidden in the pay raise legislation.

This is not a defense of the pay raise for the legislators, but rather for the judiciary which has not had a pay raise since 1992. Certainly we need to pay our judges appropriately. They are the dispensers of law and overseers of justice in our society. Whatever feelings you may have toward any single judge, we could not do our jobs as lawyers without them. I do not think it is a stretch to say that the better we pay them, the more likely we are to get qualified, capable people to fill the jobs.

Even more importantly than the simple matter of a long overdue pay raise is the unremarked upon provision of the legislation that tied all future judicial pay to the level of the federal magistrate judges. The significance of this would be to increase the independence of the judiciary from the legislature. No longer would the judiciary be beholden to the legislative body of state government for salary increases. If Justice Nigro was “unretained” because of his perceived support of the pay raise, it was ill-advised. The legislation as it is written provides a significant disconnect between the legislature and the dependence of the judiciary on the legislature for pay increases.

If the legislature repeals the pay raise legislation in its entirety, and giv- es the political impact of the elector- ate’s discontent that seems likely, the increased independence of the judicia- ry that was a part of the legislation that served as the sole reason for Justice Nigro’s defeat will have been lost. Thus, the legislation that assured more, not less, judicial independence from the legislature is the very issue that led to a historic defeat of a sitting Supreme Court justice for the misperception of the court’s role in that legislation.

We can only hope that the legisla- ture sees the wisdom of repealing their own pay raises without deleting the raises for the judiciary or its tie to the federal magistrate’s pay.

Bruce H. Bikin, a partner at Montgomery, McCLOSKEY, WALKER & RHADD, LLP, is an advisory editor of the Philadelphia Bar Reporter.

HOLIDAY EVENTS
continued from page 4

omey or judge who best exemplifies Hampton’s unique commitment to her clients and her profession, and her per- sonal good will with members of the bench and bar:

• The Public Interest Section will hold its Annual Cocktail Reception and Awards Ceremony on Thursday, Dec. 1 beginning at 5 p.m. at洛厄斯 Philadel- phia Hotel, 1200 Market St. Tickets to the event are $55 for public interest and government attorneys; $30 for sec- tion and non-section members. A $100 Higginbotham Scholarship contribu- tion includes a ticket to the event. Ticket prices include open bar and heavy hors d’oeuvres.

• The Tax Section will hold its An- nual Meeting and Dinner on Thursday, Dec. 8 beginning at 6 p.m. at the Philadelphia Bar Hotel, 210 W. Rittenhouse Square. Tickets are $85 and include open bar and heavy hors d’oeuvres.

• The Civil Litigation Section’s Annual Meeting and Reception will be held Monday, Dec. 12 from 5:30 to 7:30 p.m. at the Westin Philadelphia, 99 S. 17th St. Tickets are $45 per person and include an open bar and light dinner.

• The Bankruptcy and Creditor Rights Section will hold a CLE program at 5 p.m. at the Rittenhouse Hotel, 210 W. Rittenhouse Square.

• The Young Lawyers Division An- nual Holiday Party will be Thursday, Dec. 8 beginning at 6 p.m. at the Boathouse Row Bar at the Rittenhouse Hotel, 210 W. Rittenhouse Square. Tickets are $25 and include open bar and heavy hors d’oeuvres.

• The State Civil Litigation Section’s Annual Meeting and Reception will be held Monday, Dec. 12 from 5:30 to 7:30 p.m. at the Westin Philadelphia, 99 S. 17th St. Tickets are $45 per person and include an open bar and light dinner.

• The Moot Court Section will hold a CLE program and its Annual Reception on Tuesday, Dec. 13 at The CLE Conference Center on the 10th floor of the Wanamaker Building at 2 p.m. Visit www.pbi.org for more infor- mation about the 2-credit CLE pro- gram “What is Family? New Issues Confronting the Estate Planner in the 21ST Century.” The reception will follow in the 9th floor atrium of the Crystal Tea Room. This year’s free reception is supported by The Bryn Mawr Trust Company, Friends Life Care at Home and Sootherby’s.

• The Committee on the Legal Rights of Persons with Disabilities will host a winter reception on Wednesday, Dec. 14 from 4:30 to 6 p.m. in the 10th floor Board Room of Bar Association head- quarters, 1101 Market St. The reception is free and will be an excellent oppor- tunity to find out more about the com- mittee and its plans for 2006.

• The Criminal Justice Section An- nual Reception will be held Thursday, Dec. 15 on the 53rd floor of Loews Philadelphia Hotel. Gamble was presented with the Section’s Good Deed Award for his work in revitalizing brightened neighborhoods in South Philadelphia.

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• The Probate and Trust Section will hold a CLE program and its Annual Meeting and Reception will be held Monday, Dec. 12 from 5:30 to 7:30 p.m. at the Westin Philadelphia, 99 S. 17th St. Tickets are $45 per person and include an open bar and light dinner.

• The Real Property Section Chair Susan J. Kupersmith meets with musician Kenny Gamble (center) and Section Vice Chair Kenneth Fleischer at the Section’s Nov. 17 Annual Meeting at Loews Philadelphia Hotel. Gamble was presented with the Section’s Good Deed Award for his work in revitalizing brightened neighborhoods in South Philadelphia.

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**CALENDAR OF EVENTS**

Note: While the following listings have been verified prior to press time, any scheduled event may be subject to change by the committee or section chairs.

**Thursday, Dec. 1**
- Alternative Dispute Resolution Committee – meeting, 12:15 p.m., 11th floor Committee Room South. Lunch: $7.50.
- Environmental Law Committee – meeting, 12:30 p.m., 11th floor Conference Center. Lunch: $7.50.
- Philadelphia Bar Reporter Editorial Board – meeting, 12:30 p.m., 10th floor Cabinet Room.
- Public Interest Section Annual Reception – 5:30 p.m., Loews Philadelphia Hotel, 1200 Market St. Tickets: $35, philadelphiabar.org.

**Monday, Dec. 5**
- Family Law Section – meeting, 4 p.m., 10th floor Board Room.

**Tuesday, Dec. 6**

**Wednesday, Dec. 7**
- Delivery of Legal Services Committee – meeting, 8:30 a.m., 10th floor Board Room.
- Philadelphia Bar Foundation Board of Trustees – meeting, 12 p.m., 10th floor Board Room.
- Lawyer Referral and Information Service Committee – meeting, 12 p.m., 11th floor Committee Room.
- Legislative Liaison Committee – meeting, 12:30 p.m., 11th floor Committee Room South. Lunch: $7.50.
- Committee on the Legal Rights of Lesbians and Gay Men – meeting, 12:30 p.m., 10th floor Board Room.
- Tax Section – Annual Meeting and Dinner, 3 p.m., Rittenhouse Hotel, 210 W. Rittenhouse Square.
- Young Lawyers Division – holiday party, 6 p.m., Boathouse Row Bar, Rittenhouse Hotel, 210 W. Rittenhouse Square. Tickets: $25, philadelphiabar.org.

**Friday, Dec. 9**
- Women’s Rights Committee – meeting, 12:15 p.m., 11th floor Committee Room South. Lunch: $7.50.
- Business Law Section Executive Committee – meeting, 12 p.m., 10th floor Board Room.
- State Civil Litigation Section – annual meeting and reception, 5:30 p.m., Westin Philadelphia, 99 S. 17th St. Tickets: $45, philadelphiabar.org.

**Monday, Dec. 12**
- Board of Governors Cabinet – meeting, 12 p.m., 10th floor Board Room.
- Criminal Justice Section Executive Committee – meeting, 12 p.m., 11th floor Committee Room South.
- Business Litigation Committee – meeting, 12 p.m., 11th floor Conference Center. Lunch: $7.50.
- Probate and Trust Section – CLE and annual reception, 2 p.m. CLE Conference Center.

**Tuesday, Dec. 13**
- City Policy Committee – meeting, 12 p.m., 10th floor Board Room. Lunch: $7.50.

**Wednesday, Dec. 14**
- Appellate Courts Committee – meeting, 12 p.m., 10th floor Board Room. Lunch: $7.50.
- Insurance Programs Committee – meeting, 12 p.m., 11th floor Conference Center.
- Committee on the Legal Rights of Persons with Disabilities – winter reception, 4:30 p.m., 10th floor Board Room.
- Professional Responsibility Committee – meeting, 10:30 a.m., 11th floor Board Room. Lunch: $7.50.
- Philadelphia Bar Reporter Editorial Board – meeting, 12 p.m., 10th floor Board Room.
- Public Interest Section Executive Committee – meeting, 12 p.m., 11th floor Committee Room South.
- Elder Law Committee – meeting, 1 p.m., 11th floor Conference Center. Lunch: $7.50.
- Criminal Justice Section – annual reception, 5 p.m., Loews Philadelphia Hotel, 1200 Market St. Tickets: $35, philadelphiabar.org
- Social Security and Disability Benefits Committee – meeting, 12 p.m., 11th floor Conference Center. Lunch: $7.50.

**Thursday, Dec. 15**
- Family Law Section Executive Committee – meeting, 12 p.m., 11th floor Committee Room South.
- Workers’ Compensation Section Executive Committee – meeting, 10:30 a.m., 11th floor Committee Room.
- Workers’ Compensation Section – meeting, 12 p.m., 11th floor Conference Center. Lunch: $7.50.
- Adoption Committee – meeting, 12 p.m., 10th floor Cabinet Room.
- Federal Courts Committee – meeting, 12:30 p.m., 10th floor Board Room. Lunch: $7.50.
- LegalLine – 5 p.m., 11th floor LRIS offices.
- City Policy Committee – meeting, 12 p.m., 10th floor Board Room. Lunch: $7.50.

**Monday, Dec. 19**
- Public Interest Section Executive Committee – meeting, 12 p.m., 10th floor Board Room.
- Young Lawyers Division Cabinet – meeting, 10th floor Cabinet Room.

**Tuesday, Dec. 20**
- Board of Governors – meeting, 4 p.m., 10th floor Board Room.

**Wednesday, Dec. 21**
- Workers’ Compensation Section Executive Committee – meeting, 10:30 a.m., 11th floor Committee Room.
- Workers’ Compensation Section – meeting, 12 p.m., 11th floor Conference Center. Lunch: $7.50.
- Adoption Committee – meeting, 12 p.m., 10th floor Cabinet Room.
- Federal Courts Committee – meeting, 12:30 p.m., 10th floor Board Room. Lunch: $7.50.
- LegalLine – 5 p.m., 11th floor LRIS offices.
- City Policy Committee – meeting, 12 p.m., 10th floor Board Room. Lunch: $7.50.

**Monday, Dec. 26**
- Christmas Monday – Bar Association offices closed.

**Tuesday, Dec. 27**
- Section Chairs – meeting, 8:30 a.m., 10th floor Board Room.
- Criminal Justice Section – meeting, 12 p.m., 11th floor Conference Center. Lunch: $7.50.
- Women in the Profession Committee – meeting, 12 p.m., 10th floor Board Room. Lunch: $7.50.

**Wednesday, Dec. 28**
- Medical-Legal Section – meeting, 12 p.m., 10th floor Board Room. Lunch: $7.50.
- Workers’ Compensation Section Executive Committee – meeting, 12 p.m., 11th floor Committee Room.

**Friday, Dec. 29**
- What is the Best Gift You’ve Ever Received?

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**According To...**

- **For a birthday, a boyfriend wanted to give me a puppy. We went out and picked him out. He was a golden retriever that I named Leroy. I had him for 10 years. He was a wonderful gift.”** - Shelley Grant
- **“When I was 14, I got a camera. It inspired me to use it and I’ve loved photography ever since. I’ve even got a darkroom set up in my home.”** - Michelle Campbell
- **“The best gift I ever received was a quilt that my mother made for me for my 30th birthday. Each square represented either a different stage of my life or something that was special to me. It was a gift that was made and dedicated uniquely to me and spoke to my heart.”** - Peter L. Johnston

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Andrew A. Chirls, a partner at WolfBlock and Chanceller of the Philadelphia Bar Association, has been named to the Board of Managers of The Philadelphia Bar Foundation, the $275 million public charity community foundation serving all of Southeastern Pennsylvania.

Elaine M. Rinaldi, director of strategic expansion and a member of Cozen O’Connor, was named to the Philadelphia Business Journal and National Association of Women Business Owners 2005 Women of Distinction list.

Cheryl A. Krause, a shareholder with Hangley Aronchick Segal & Pudlin, served as a faculty member at the Pennsylvania Bar Institute’s 5th Constitutional Law Conclave on Oct. 21. She discussed terrorism and civil liberties.


Daniel J. Andrews, Christopher J. Huber, Michelle M. Marx and Nathan D. Stump of Pepper Hamilton LLP, recently spoke at the Allentown Bar Association’s seminar on Copyright Counterfeiting” hearing at the American Intellectual Property Law Association’s (AIPLA) annual meeting in Washington, D.C. on October 27-29, 2005.

Michael S. Saltzman and Lee Applebaum, partners at Fineman, Kresin and Harris, P.C., recently served as panelists at the seminar, “Current Issues Impacting Insurance Defense Practice” sponsored by National Business Institute held in Philadelphia.

Gary B. Bressler, a shareholder of Adelman Lavine Gold and Levin, a Professional Corporation, spoke on September 21, 2005 at the National Business Institute CLE course, “A Clean Slate: Discharging Debt With Chapter 7 Bankruptcy Procedures in Pennsylvania.”

Nancy Winkelman, a partner at Schneider Harrison Segal & Lewis, LLP, participated in the American Bar Association Law Practice Management Section Fall Conference on Oct. 21. She discussed the importance of strategic recruiting and the tools and techniques for transforming an ordinary recruiting program with mediocre results to an extraordinary program with effective, targeted results.

Erik N. Videcock, a partner with Pepper Hamilton LLP, has been elected to a three year term on Family Support Services’ Board of Directors.


M. Kelly Tillery, a partner with Pepper Hamilton LLP, recently spoke on “Temporary Restraining Orders, Injunctions and Orders of Seizure in Copyright Infringement Cases” at the “Current Developments in Copyright Law” seminar held in Philadelphia on September 28, 2005. He also served as lead counsel in a mock “Ex Parte Seizure Order for Trademark and Copyright Counterfeiting” hearing at the American Intellectual Property Law Association’s (AIPLA) annual meeting on October 27-29, 2005 in Washington, D.C.

Timothy J. Abele, a partner at Raskin & Henderson LLP, received the 2005 John T. Beuzup Memorial Service Award from the Trucking Industry Defense Association at its 13th Annual Seminar in Las Vegas, Nev., on Oct 5 to 7.

Dennis Supplee, Nancy Winkelman, Bruce Merenstein, Alison Finnegan, and Linda Alle-Murphy of Schneider Harrison Segal & Lewis LLP, were honored by HIAS and Council Migration Service of Philadelphia for their outstanding work on a recent asylum case at the Board’s Annual Luncheon on Sept. 29.

Suzanne S. Mayes, a partner with Saul Ewing LLP, was recently granted membership to The Forum of Executives Women. Mayes has also been elected to the Board of Trustees of Manoal College.

Manny D. Pokotilow, a partner with Caesar, Rivine, Bernstein, Cohen & Pokotilow, Ltd. was a featured speaker at the All Ohio Annual Institute on Intellectual Property, which took place in Cleveland on Sept. 22 and in Cincinnati on Sept. 27. Pokotilow’s topic was Alternative Dispute Resolution in Trademark and Patent Disputes.

Jacqueline R. Canter, a shareholder with Marshall, Deminey, Warner, Coleman & Goggin, participated in the Pennsylvania Bar Institute’s annual Auto Law Update, giving a presentation titled “Limited Tort Update.”

Brian Krase, principal shareholder of Brian Krase, P.C., has been elected to the Board of Directors of SeniorLADY Center.

Stephen L. Volpielli, of counsel to Kelley & Murphy, recently presented “The End Game - Sales, Leasing, and Property Management,” a Real Estate Development Continuing Legal Education program in Philadelphia for Sterling Education Services.


Names Are News
“People” highlights news of members’ awards, honors or appointments of a civic or community nature. Information may be sent to Jeff Lyons, Managing Editor, Philadelphia Bar Reporter, Philadelphia Bar Association, 1101 Market St., 11th Floor, Philadelphia, PA 19107-2981. Fax: (215) 238-1267. E-mail: reporter@philabars.org. Photos are also welcome.
Guilt

Good for the lingering sense of transgression that comes from being done enough to feel the heat as others, particularly attractive others, push intimacy to its physical limits. Warning: extremely addictive.

Hitachi 42HDX62 42” Plasma HDTV

15 months without payments or interest, or 24 equal payments with no interest. Hurry, offer ends December 31, 2005!

You won’t find this baby at a chain store. Hitachi’s 42” professional plasma shrinks the space between pixels to put more picture on screen. You get smoother curves, a brighter image, and more detail than any plasma in its class. Indulge, guilt-free, at the store that’s an experience in itself.