Garcia to Discuss His Plans for 2011 as He Becomes Bar’s 84th Chancellor

Like a Horatio Alger character, Rudy Garcia came from humble beginnings but has risen to the highest levels of our profession. “What better way to pay that forward than to donate a year of service in my prime to the betterment of Philadelphia lawyers,” said the incoming Chancellor of America’s oldest bar association.

Chancellor’s Reception Jan. 5
All members of the Philadelphia legal community are invited to attend a complimentary reception on Wednesday, Jan. 5 from 5 to 7 p.m. in honor of Rudolph Garcia, 84th Chancellor of the Philadelphia Bar Association, at the Hyatt at The Bellevue, Broad and Walnut streets. No RSVP is necessary.

Garcia was born in South Philadelphia to the son of Mexican immigrants and the daughter of Italian immigrants. His parents separated when he was five, and growing up with single parents began to shape his self-reliant, independent nature.

On his own since his teens, Garcia worked to support himself and pay for his education. He attended Penn State for two years, then took time off to hitchhike across the country with nothing but the clothes on his back and $10 in his pocket. About a year later, he returned to Pennsylvania and completed his undergraduate studies at Temple University, graduating magna cum laude in 1974. He then attended Temple Law School, where he served as president of the moot court and a member of the law review, graduating cum laude in 1977.

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Pro Bono Non-Lawyer Network Set for 2011 Launch

By Joseph A. Sullivan

The Pro Bono Non-Lawyer Partnership Network, a 2010 public service initiative conceived by Chancellor Scott F. Cooper and the Philadelphia Bar Association, is nearing its launch as an innovative pilot project administered by Philadelphia VIP to expand access to justice for low-income individuals and families.

The idea of a non-lawyer network grew out of the recognition that high-quality legal representation depends not only on dedicated work by legal aid and pro bono lawyers, but also on the availability of public service-minded professionals and experts to ensure that justice is achieved. The network will actively recruit non-lawyer professionals, such as accountants, forensic scientists and handwriting experts, who want to “give back” to the community by matching their talents with cases in which legal services and pro bono attorneys need experts to effectively advocate for clients.

Professor Louis S. Rulli of the University of Pennsylvania Law School, who chairs the effort to design and create the network, offered an illustration of the need: “When, for example, an indigent, elderly Philadelphia is robbed of title to her home through a fraudulent deed transfer, the return of her property may well depend not only upon the provision

continued on page 20

White House Honors Bar for Work on FMLA, FLSA

Association Chancellor Scott F. Cooper and Director of Public and Legal Services Charles Klitsch were guests of the White House at a Nov. 19 ceremony hosted by Vice President Biden recognizing three new programs designed to increase access to the justice system for ordinary Americans.

Cooper and Klitsch were invited to the ceremony in recognition of the Association’s contribution to the development of one of those honored initiatives: a referral program to match claimants under the Family and Medical Leave Act (FMLA) and individuals with wage and hour claims under the Fair Labor Standards Act (FLSA) with lawyers qualified to handle their matters.

The event was also attended by Attorney General Eric Holder, Secretary of Labor Hilda Solis, Senior Counselor for Access to Justice Laurence Tribe, senior administration officials, American Bar Association President-Elect William T. Robinson and metropolitan bar presidents whose associations were involved in the development of the other two honored programs.

The referral program for FMLA and FLSA claimants arose from the Department of Labor’s recognition that
Tell Us What You Think!

The Philadelphia Bar Reporter welcomes letters to the editors for publication. Letters should be typed. There is no word limit, but editors reserve the right to condense for clarity, style and space considerations. Letters must be signed to verify authorship, but names will be withheld upon request. Letters may be mailed, faxed or e-mailed to: Jeff Lyons, Senior Managing Editor, Philadelphia Bar Reporter, Philadelphia Bar Association, 1101 Market St., 11th Floor, Philadelphia, PA 19107-2955. Phone: (215) 238-6326. Fax: (215) 238-6345. E-mail: reporter@philabar.org.

Frontline

A Busy Year of Accomplishment, Progress Comes to a Conclusion

It is with very mixed emotions that I author my final column as the 83rd Chancellor of the Philadelphia Bar Association.

I am sad because a truly wonderful year and experience are coming to an end. But I am thrilled that it was a year of incredible progress, accomplishment and positive energy that positions us well for the future.

I knew in December 2009 that there was a groundswell within our membership. Our Association was ready to engage head-on the new era of practicing law and the daunting economy. The membership was ready for bold responses that were at times out-of-the-box and untested ideas. They were looking for the Philadelphia Bar Association to fulfill its role as a leader, and not just host a year with a politically safe agenda.

I knew that if the Association’s leadership came ready with a plan, made the case for innovation, was inclusive, and stayed focused on implementation, the results would follow. You trusted me and the other leaders to take those risks, and the dividends paid off.

As promised, we expanded programs, increased efficiencies, leveraged technology and expanded communications. And we did all this without ever compromising our core missions and programs to serve the community, the profession and an independent judiciary.

Having had the chance to lead this great organization was a remarkable honor. I repaid your trust in me by going outside my abilities, to make this the best bar association possible. A special thanks to my assistant and friend, Tanya Robinson, who kept me on track none of this would have been possible.

As we move into the year ahead, we continue to serve the community, the profession and our great clients, without whose support none of this would have been possible. A special thanks to my assistant and friend, Tanya Robinson, who kept me on time and organized during this year. I also must thank my wife, Karen, and my children Amanda and Colin. They bore the hardest part of my being.

I am sad because a truly wonderful year and experience are coming to an end. But I am thrilled that it was a year of incredible progress, accomplishment and positive energy that positions us well for the future.

Of course, it took a truly exceptional Bar Association staff to bring it all together and publicize it so seamlessly. I cannot thank them all, but I must single out Ken Shear, Paul Kazarian, Mark Tarasiwicz, Susan Knight, Tracey McInroy, Charlie Klosch, Wes Terry, Michael Pettini and Dawn Petit for all their work throughout the year. I also thank Naomi McLaurin for joining the staff during 2010. It is an incredible team.

I also want to thank all my law partners and colleagues at Blank Rome, along with our great clients, without whose support some of this would have been possible. A special thanks to my assistant and friend, Tanya Robinson, who kept me on time and organized during this year.

I also must thank my wife, Karen, and my children Amanda and Colin. They bore the hardest part of my being.

Chancellor. The many early breakfast meetings and after-work events frequently translated to me not being at home. Their support made this year possible.

Soon, we will issue our 2010 Annual Report. It will be a more complete list of the people and projects that made this past year so special. In the meantime, I want to highlight here just a few of the items that made this year so successful.

Philadelphia Bar Association Academy. We created a signature institution that links members of the association with the community and Philadelphia’s wonderful civic, academic and cultural institutions. Under the leadership of Judge A. Michael Snyder, this program has already received national recognition. Our sold-out events with the Philadelphia Union, KYW Newsradio 1060, Le Bec Fin, Philadelphia Opera Company, Apple and Tastykake have brought members of the association together to learn, grow and find common interests. There will be even more next year.

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NOTICE TO POTENTIAL JUDICIAL CANDIDATES

The Commission on Judicial Selection and Retention of the Philadelphia Bar Association evaluates the qualifications of persons seeking appointment or election to the Philadelphia Common Pleas and Municipal Courts. Individuals who wish to be considered for appointment or who are considering filing for the 2011 primary election as judicial candidates should contact the Commission on Judicial Selection & Retention c/o Charles J. Kitlisch, Esq., the Bar Association’s Director of Public and Legal Services, to obtain a Judicial Evaluation Questionnaire, the Commission’s Guidelines for Evaluation of Attorney and Judge Candidates and Bylaws of the Philadelphia Bar Association. In order to ensure that each candidate receives a full and fair evaluation, the completed questionnaire must be returned by Wednesday, Dec. 8, 2010 to “Judicial Commission,” Philadelphia Bar Association, 1101 Market St., 11th Floor, Philadelphia, PA 19107-2955. Also, candidates who have previously been evaluated by the Commission are invited to contact the Association to determine whether their ratings are current by calling Mr. Kitlisch at (215) 238-6326.

Individuals are reminded that under the Commission’s Guidelines, any candidates who do not participate in the Commission’s evaluation process will receive “Not Recommended” ratings if they continue to pursue either appointment or election.

A. Harold Datz, Esquire

2010 Chair, Commission on Judicial Selection and Retention
December CLE Calendar

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

12/1 & 2
• Starting a New Business

12/2
• Ohlbaum on Evidence Advocacy: Using the Rules of Evidence to Persuade
12/2 & 3
• 14th Annual Real Estate Institute (Pennsylvania Convention Center, 12th & Arch Streets)
• PLI - New Developments in Securitization 2010
12/3
• Financial Fraud
12/6
• E-Commerce: legal and Practical Issues
• Business Divorce, Shareholder Relations
• Internet Delamation
12/7
• Labor law Symposium
12/8
• Your First Divorce Client
12/9 & 10
• 14th Annual Real Estate Institute (Pennsylvania Convention Center, 12th & Arch Streets)
• Internet Delamation
12/10
• Death and Taxes Encore
• Ethics Potpourri: Understanding the Impact of Social Networking on You and Your Clients
12/13
• Premarital Agreements: A Practical Approach
• Preparation of Annual Disclosure Documents & SEC Update
• Ethics Potpourri - When Luck Runs Out
• Cocktail Party Chatter
12/14
• Zoning in Philadelphia
• Ethics Potpourri - Strategic Approaches for Stress, Substance Abuse and Depression
• Condos & HOAs from A to Z: Understanding the Basics
12/15
• Legal Writing and Persuasion in the Smart Phone Age
• “Entertaining” Evidence - Cross Examination for the 21st Century
• The Surprisingly Useful Things Legal Writers Can Learn from Fiction
12/16
• The Complete Legal negotiator (PEG)
• The Preparation and Trial of the Products Liability Case: A Course for the Experienced Practitioner 12/17
• Municipal Liability Actions
• ARBs and ARBs: An Insightful Look at...
• Ethics Potpourri - Understanding the Impact of Social Networking on You and Your Clients
12/20
• Drafting Legal Opinion Letters
• Facebook, Twitter & Blogging...Oh MySpace!
• Assessments in Pennsylvania: What’s New!
12/21
• Seven Steps to Becoming an Extraordinary Trial Lawyer
• Ethics Potpourri: When Luck Runs Out
• Hot Button: Enforcement Issues for In-House Counsel
12/22
• Ethics Potpourri: LIVE
- An Attorney’s Work and Tamir’s Wanderings
- PBA Professionalism Committee Update
- Ethical Consideration for marketing Your Law Practice with Social Networking Sites
- Understanding the Impact of Social Networking on You and Your Clients
- When Luck Runs Out
- Strategic Approaches for Stress, Substance Abuse and Depression
12/23
• Representing the Liquor Licensee
• Ethics Potpourri: Strategic Approaches for Stress, Substance Abuse and Depression
12/27
• What Jurors Really Think about Low Impact Auto Accidents
• Ethics Potpourri: Understanding the Impact of Social networking on You and Your Clients
12/28
• General Practitioners’ Update 2010
• Ethics Potpourri: When Luck Runs Out
• Pension Problems, Pitfalls and Solutions: The Viewpoint of the Master, Expert and Counsel
• Trials: Tips, Tactics & Practical Tales
• Ethics Potpourri: Strategic Approaches for Stress, Substance Abuse and Depression
• Understanding Easements in Pennsylvania
12/30
• Ethics Potpourri: Understanding the Impact of Social networking on You and Your Clients

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Philadelphia Court of Common Pleas Judges (seated, from left) Sandra Mazer Moss, William J. Manfredi and Howard J. Abramson join (standing from left) Rules and Procedure Committee Co-Chair Mark N. Cohen and Judges Jacqueline F. Allen and Allan L. Tereshko at the Committee’s Nov. 3 meeting.

Discovery Uniformity is Elusive, Judges Say

By Edward P. Kelly

While the panelists and those in attendance at a Nov. 3 Rules and Procedure Committee program on uniformity in Discovery Court may have agreed that uniformity is a worthy goal, the search may be never ending due to the variety of cases the court handles and the requirements of each individual judge.

Philadelphia Court of Common Pleas Judge William J. Manfredi is of the opinion that equity, and not uniformity, is what is necessary in Discovery Court, and that discovery disputes constitute the most unwieldy portion of what judges do from day to day. However, he believes that administratively, the Discovery Court is the most uniform in the country and argues that there is no uniformity at any level of the federal court system. In his courtroom, Judge Manfredi, supervising judge of the Civil Division, expects the parties to be able to engage in a colloquy with him in order to arrive at a resolution, and to be prepared to talk reasonably about the issues. He cautioned lawyers to avoid putting the court in a position to examine a large number of discovery requests, but instead counsel should help the court find the overriding issue. Finally, Judge Manfredi said he was liberal in allowing discovery, and pointed out that “discoverable” and “admissible” are two very different issues.

Judge Sandra Mazer Moss wholeheartedly agreed with Judge Manfredi’s opinion regarding uniformity, and stressed that each case is different. In an effort to establish uniform procedures, discovery issues are discussed at the weekly team leader meetings. In her courtroom, Judge Moss expects the attorneys to be prepared and have a firm grasp of not only the issues, but also where the relevant documents are located in the file. Keep your motion brief and your exhibits short. If you want to object, do so within the 30-day time period, and give your best reason for the objection. Judge Moss does not want to see what she termed “schoolyard squabbles” before her. Her most important piece of advice was to try not to come to Discovery Court in the first place by attempting to work out the dispute with opposing counsel.

Judge Jacqueline F. Allen also believes continued on page 5
Board Approves 2011 Budget

The Board of Governors has approved a $4.47 million budget for 2011, an increase of just 3.8 percent over this year’s budget.

The unanimous approval came at the Board’s Oct. 28 meeting and followed several months of meetings and discussions with the Association’s professional staff and elected leadership.

“Our Bar staff did an excellent job gathering all the information we needed and crunching the numbers for this balanced budget, especially our CFO, Susan Knight,” said Chancellor-Elect Rudolph Garcia, who presented the budget.

“We are continuing to rely less on dues and more on revenue from other sources, such as our revised contracts with the Pennsylvania Bar Institute and our publications vendor. This has allowed us to expand our services even in these challenging economic times,” Garcia said.

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Seven to Share
Bar’s Top Awards

By Jeff Lyons

U.S. Magistrate Judges L. Felipe Restrepo and Timothy R. Rice will receive the Association’s Justice William J. Brennan Jr. Distinguished Jurist Award for their work presiding over the Supervision to Aid Re-entry Program. The award will be presented at the Association’s Annual Meeting Luncheon on Tuesday, Dec. 7.

Also at the meeting, five attorneys who worked to make Philadelphia’s Commerce Court become a reality will receive the 2010 Wells Fargo Fidelity Award. The recipients are Mitchell L. Bach, a member of Eckert Seamans Cherin & Mellott, LLC; Edward G. Biester III, a partner with Duane Morris LLP; Gregory H. Mathews of Effective Dispute Resolution Services, LLC; Darryl J. May, a partner with Ballard Spahr LLP; and Marc J. Sonnenfeld, a partner with Morgan, Lewis & Bockius LLP.

“They all worked together for a number of years to get Commerce Court started,” said Wells Fargo Fidelity Award Committee Chair and past Chancellor Jane Leslie Dalton. “Commerce Court has become not just prominent here but nationally famous. Businesses don’t mind going there because they know they are going to get judges who are used to dealing with business problems.”

The criteria for the award are significant accomplishments in improving the administration of justice (preferably in Philadelphia); the absence of prior recognition for this work by the Philadelphia Bar Association; distinguished service consistently rendered over a considerable period of time or a single outstanding achievement in a particular year. (The fact that this single achievement may have occurred some years ago is not material so long as it has not been recognized; the accomplishment must arise from voluntary activities rather than from service rendered as a paid professional; and it is preferred that the recipient be a member of the Philadelphia Bar Association not now in public office or directly involved with court operations or any other public service activity.

The Supervision to Aid Re-entry Program, initiated in 2007, serves Philadelphians returning home from federal prison and who are under the supervision of the U.S. Probation Office and deemed to be at risk of re-offending and returning to prison. Judges Restrepo and Rice meet biweekly with a group of 25 participants. The judges talk with each member of the group about the progress of their re-entry. The judges help the participants re-establish themselves as productive members of their families and communities. After 52 successful weeks in the program, participants graduate and have their supervision term reduced by as much as one year.

The Brennan Award, chaired by Michael Barrett, recognizes a jurist who adheres to the highest ideals of judicial service. Any member of the state or federal bench, whether active or retired, who has made a significant, positive impact on the quality or administration of justice in Philadelphia is eligible for consideration. Examples of accomplishments worthy of nomination include innovations in court administration, implementation of pioneering case management techniques, assumption of a leadership role in areas affecting the administration of justice, publication of a significant opinion, article, or other scholarly work, or the like.

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The Legal Directory 2011 will be available April 2011.
Sections, Committees Plan Annual Year-End Events

The Association’s Sections and Committees have planned their annual receptions and events.

• The Workers’ Compensation Section Annual Holiday Party will be held Thursday, Dec. 2 at Cescaphe Ballroom, 923 N. 2nd St., from 6 to 9 p.m.
• The State Civil Litigation Section Annual Reception will be Monday, Dec. 6 at Smith & Wollensky, 210 W. Rittenhouse Square from 5:30 to 7:30 p.m.
• The Criminal Justice Section Annual Holiday Party will be Wednesday, Dec. 8 at Le Meridien, 1421 Arch St. from 6 to 8 p.m. The event is sponsored by LexisNexis.
• The Tax Section Annual CLE and Dinner will be Wednesday, Dec. 8 at the Westin Philadelphia, 99 S. 17th St.
• The Probate and Trust Section Annual Reception is Thursday, Dec. 9 at the Radisson Warwick Hotel, 1701 Locust St. from 5 to 7 p.m.
• The Public Interest Section Annual Reception will be Thursday, Dec. 9 at Loews Philadelphia Hotel, 1200 Market St., from 5:30 to 8:30 p.m.
• The Family Law Section Annual Reception will be Tuesday, Dec. 14 at Ruth’s Chris Steak House, 260 S. Broad St., from 6 to 9 p.m.
• The Senior Lawyers Committee Reception will be Wednesday, Dec. 15 at The Palm, Broad and Walnut streets, from 5:30 to 7:30 p.m.
• The LGBT Rights Committee and Civil Rights Committee will hold a joint Holiday Party on Wednesday, Dec. 15 in the 11th Floor Conference Center at Bar Association headquarters, 1101 Market St., from 5 to 7 p.m.
• The Young Lawyers Division Holiday Party will be Thursday, Dec. 16 at the Mutter Museum at The College of Physicians, 19 S. 22nd St., from 6 to 9 p.m.

Real Property Section Annual Meeting

Real Property Section Vice Chair Cheryl L. Gaston (from left) is joined by Yael Lehmann, executive director of The Food Trust, Philadelphia Business Journal reporter Natalie Kostelní and Section Chair Alfred R. Fuscaldo at the Section’s Nov. 11 Annual Meeting at Loews Philadelphia Hotel. Lehmann received the Section’s Harris Ominsky Good Deed Award and Kostelní was the keynote speaker. More than 150 people attended.

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To purchase tickets to any of these year-end events, please visit philadelphiabar.org.

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philadelphiabar.org December 2010 Philadelphia Bar Reporter
**Negrin’s Mission: Improving Life in City**

**By Michael Petitti**

**It did not take long for Richard Negrin, Philadelphia’s managing director and deputy mayor for administration and coordination, to recognize the magnitude of his role in the city.**

“We had a duck boat disaster on the river my second day [on the job],” Negrin said. “It was a baptism by fire but I think it is indicative of why the managing director is so important. The process of coordinating with many agencies and making decisions in a decisive manner when time is of the essence and the whole world is watching is what this role is about.”

Negrin shared his thoughts for improving Philadelphia at the final Chancellor’s Forum of Scott F. Cooper’s term on Nov. 15. His remarks focused on four key priorities for the upcoming year: performance management, resolving vacant land issues, instituting programs that improve neighborhood life, and emphasizing customer service.

“The managing director runs the infrastructure of the city,” Negrin said. “You can impact the most change in a short period of time. I take that to heart.”

During his first few months as managing director, Negrin learned the city’s performance management system, PhillyStat, was “broken” and immediately suspended it. “[Employers must] communicate expectations, key metrics, targets and where [they] want to go,” Negrin said. “Employees [will] align their mission; they will feel a part of something bigger then themselves.”

Negrin’s revamped system is being piloted through the eight departments that report to him. Operation reviews will be performed in five key areas: personnel, operations, budget, technology initiatives and sustainability.

“We all need to understand why we do what we do every single day in order to do it well,” Negrin said.

“The city has been wrestling with the issue of vacant land for nearly 40 years with very little progress, he said. “We need a detailed, cohesive plan.”

Negrin has been tasked with bringing together city agencies to address the issue. Four working groups of appropriate stakeholders, including city council, have been created to help solve problems concerning the collection of inventory, acquisition, disposition, and maintenance and enforcement.

“What bothers me the most is that there is a substantial number of vacant land tracts that are owned by outside speculators…who don’t care about our community [and] allow land…to become havens of bad quality of life in our neighborhoods.”

One of Negrin’s main complaints is the quality of life, specifically, the cleanliness of the city.

“One of the things that upsets me when I travel is that there are larger cities in America that are cleaner than ours,” Negrin said. “That is inexcusable.”

Within the next two months, Negrin said, a pilot program will be rolled out that addresses cleanliness and other quality of life issue in three Philadelphia neighborhoods: Market East, Frankford Avenue near Frankford Hospital, and the 19th District near Cobbs Creek Park.

The program is modeled after a successful community improvement effort that recently took place in the 26th District in North Philadelphia.

“In these 10 to 20 blocks, there’s no such thing as a ‘no snitch’ culture,” Negrin said. “The crime rate has dropped drastically in the last year, it’s cleaner, and a lot of our service and volunteer efforts are being funneled through there. It’s really starting to work.”

Overriding all other initiatives, Negrin said, is a customer service performance culture he seeks to instill inside city government.

“The city is at a place where it is incredibly resistant to change,” Negrin said. “[Championing a customer service culture] is a campaign for the hearts and minds of the people who work in those jobs and have been doing things a certain way for a long time.

“The eight departments that report to me need to understand that the other people in government are their customers,” Negrin said. “If you’re not looking at your internal processes and ways that you can improve them, then you’re not getting better every day.”

**Recent cases have continued to tweak and refine well-settled state and federal law regarding searches and seizures, noted civil rights attorney David Rudovsky told members of the Criminal Justice Section at a recent meeting.**

There are some threshold issues that state and federal courts must address before getting to the merits of any constitutional claim: standing and whether there was a search or seizure. In this context, courts have consistently held that a defendant only has standing to raise constitutional claims if he had a reasonable expectation of privacy. If there was no reasonable expectation of privacy, there is no applicable suppression remedy. Similarly, constitutional protections only apply if there has actually been a search or a seizure within the meaning of the Fourth Amendment.

The development of new technology poses unique issues in the arena of suppression litigation. Law enforcement officials have begun using GPS devices to electronically follow defendants’ vehicles. In the past, courts have held that electronically following a defendant’s vehicle for a few hours was permissible, even where police surreptitiously placed a device on a defendant’s car. Two circuit cases recently addressed the use of GPS devices to electronically follow defendants’ vehicles for much longer periods of time. In both cases, law enforcement secretly — and without warrant — placed a device on the defendants’ vehicles and then monitored their movements for months. The D.C. Circuit, in U.S. v. Maynard, said that was unconstitutional. In contrast, the Ninth Circuit, in U.S. v. Pinzado-Murillo, said that was permissible because everything the defendant did in his car was exposed to public view. Rudovsky opined that the Supreme Court will have to weigh in to resolve this circuit split.

The second threshold issue, whether there has actually been a search or a seizure, comes up much more frequently, said Rudovsky. There are three scenarios: the “mere encounter,” an investigative detention (i.e., the “stop and frisk” scenario), and a full-scale arrest. The more

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**Philadelphia Bar Reporter**

**Visit philadelphiabar.org to listen to the podcast from this meeting.**

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**Podcast Spotlight**

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**By Angie Halim**

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Honorees: Visibility Can Improve Business

By Heather J. Austin

Being an exceptional lawyer is no longer the accepted sole attribute of a successful legal career. Navigation of the path to partnership requires business development as well. This can be done by bringing in business and/or becoming a pivotal resource for the retention of current clients.

You are part of your firm’s revenue source, according to Stephanie Resnick, chair of Fox Rothschild LLP’s Litigation Department and a speaker during the Oct. 26 Women in the Profession Committee meeting. Resnick, this year’s recipient of the Sandra Day O’Connor Award, commented on the importance of making yourself visible, within and outside of the firm. Choose an activity that interests you and participate. While doing what you love, you will be planting the seeds needed to grow your business. Your activities will lead to networking and new business opportunities. Resnick was joined on the panel by former O’Connor Award recipients JoAnne A. Epps, Lynn A. Marks and Roberta D. Pichini.

According to Resnick, everyone develops business in a different way. Look to your current relationships. Your friend or dentist may be your next source of business. While not the sole factor, there is still no substitute for being an exceptional lawyer, and this skill will help you to develop business, especially if you develop a niche that will allow you to be indispensable. Clients remember exceptional service and will likely call upon you with new matters.

Epps, dean of Temple University Beasley School of Law, echoed the importance of maintaining relationships; however, she also encouraged each attendee to think about her career and develop a strategic plan to position herself to achieve her long-term goals. Epps also recommended that one keep her resume as if she were an academic, documenting each and every activity and accomplishment as if it were a diary. This need not be published in a particular format, but it will provide valuable documentation of your relevant experience when an opportunity arises. Resnick also suggested audience members to keep biographies current on firm websites.

Pichini encouraged thoughtful consideration of short-term goals, a sentiment repeated by Marks, who suggested that developing your short-term goals may provide the motivation needed to strive toward your long-term goals. According to Pichini, one must deal with the current firm environment, looking up to see who is in a position to hinder or facilitate progression; looking around to see who is in a position to hinder or facilitate progression; looking around to see

Brevity, Familiarity Key to Appellate Success

By Thomas L. Bryan

Brevity in one’s argument, familiarity with the judges you argue before and conformity to the Rules of Appellate Procedure are the hallmarks of strong appellate practice, retired Pennsylvania Superior Court Judge Richard B. Klein told members of the Appellate Courts Committee at a Nov. 8 program.

Judge Klein acknowledged that the rules can be difficult to decipher. However, in his years on the Superior Court he found that too often even the most obvious and clear rules, such as page limits, went unheeded by attorneys.

When it comes to crafting oral arguments, Judge Klein gave several suggestions. First, have a theme. Second, craft oral argument that takes less than the time allowed, as time limits are strictly enforced and judges will inevitably have questions about specific legal issues in the case. Third, Judge Klein stressed brevity, explaining that almost without exception, Superior Court judges will have a strong grasp of the facts of the cases before them and the related briefs. Therefore, oral arguments should simply hit the high points, reserving a majority of the allotted time to field questions from the bench.

Finally, Judge Klein remarked that judges are people too, and are not immune to first impressions. Therefore, presentation matters.

Judge Klein explained that the purpose of oral argument is to highlight what is in one’s appellate brief. However, as legal issues are not waived merely because they are not brought up in oral argument, attorneys should not feel compelled to address every legal issue brought up in their brief. He again urged brevity, suggesting that attorneys only present their strongest legal points at oral argument. He also suggested simply declining to argue if all three judges seem to be hammering one’s opponent, stating something to the effect of, “your honors I believe that you understand the issues of the case, I’ll rely on my brief unless of course you have any further questions.”

The focus of Judge Klein’s presentation then shifted to Superior Court judges themselves. In his current position, assisting firms in their appellate advocacy, the first question Judge Klein will ask is, “who’s on the panel.” He related knowing the members of one’s panel to malpractice, and explained that the personalities and tendencies of the judges can not only shape the argument, but the appellate strategy as well. Being prepared for the timing, focus, and habits of the judges one argues before is invaluable. Hammering this point home during a question-and-answer session, Judge Klein said that he would take a rotten brief and a good panel over a stellar brief and a bad panel, any day. He briefly discussed issues surrounding the political leanings and judicial philosophy of Superior Court judges and sees these as a reality of appellate practice, which attorneys should accept and strategize around.

Listen to the podcast from this meeting.

Visit philadelphiabar.org to listen to the podcast from this meeting.

Thomas L. Bryan (thomaslbryan@gmail.com) is an associate editor of the Philadelphia Bar Reporter.
**Bar Foundation**

When it Comes to GSD, Do More

This is my last column as president of the Bar Foundation. As I think about the past two years (and while this may seem odd), I am fixated on a concept embraced in our family—GSD.

Maybe you know what GSD means, but until recently we thought that the acronym originated with my husband, a master of GSD. It was also a term we thought no one else knew. So this year, when my daughter walked into an MBA management class and found written on the blackboard GSD (which the professor explained was what everyone should aim to do when running an organization), Lisa was shocked and thought her dad’s intellectual property had been misappropriated. It turns out that although one word in the acronym was different for our family, the concept—getting stuff done—was the same.

So why am I thinking GSD? When I started as president nearly two years ago, there were so many things on my “to do” list, I kept repeating to myself, “just GSD.” Under the leadership of Elaine Rinaldi, the immediate-past president of the Foundation, and my personal hero, the Bar Foundation completed a strategic plan at the end of her term, in which we agreed to a long list of things to accomplish. So, I set off to GSD. Unfortunately, on the way, we ran into the recession, so all those things that I thought would be easy ones to knock off, turned much more difficult. The list did not get any shorter with time.

Although we have not accomplished everything on that list (sorry Elaine), the steps we have taken, as a Board and as a community, are nothing to sneeze at. So, let’s look at the list.

- Let’s start with the Andrew Hamilton Benefit. First, we changed the gala to a benefit, highlighting the fundamental purpose of the event—raising much-needed funds for our nonprofit legal services organizations. Both last year, and this year, we held events, which our legal community supported through attendance and sponsorships. Even though our community was hurting, many reached deep to make these events hugely successful. Indeed, this year, led by Tom Brophy and Rudy Garcia, and supported by hard-working staff volunteers and Board members, as well as donors, sponsors and patrons, the event netted nearly $275,000. Incredible. Last year, led by Wendy Beetlestone and Michael Pratt, the event also exceeded our goal.
- We had several other successful events over the last two years. Rod Wittenberg and his committee managed, in a time when these types of events have struggled, to hold two successful golf outings. And the YLD’s Comedy Nights helped us last year, and hopefully this year, to reach our grant goals.
- Our Cy Pres Committee, chaired by Debbie Gross and Chris Ritchie, did everything it could to increase awareness of the Bar Foundation as a potential recipient of cy pres funds, and helped raise

Hamilton Benefit Nets $275,000 for Bar Foundation

Philadelphia Bar Foundation President Amy B. Ginensky (left photo, from left) congratulates Daniel Segal and Rebecca L. Santoro of Hangley Aronchick Segal & Pudlin after their firm was presented with the Philadelphia Bar Foundation Pro Bono Award. Past Chancellor Edward F. Chacker (right photo) of Gay Chacker & Mittin, P.C., whose firm also received a Philadelphia Bar Foundation Pro Bono Award, poses with Ourania Papademetriou of Philadelphia VIP, who received the Philadelphia Bar Foundation Award at the Nov. 6 event.

The Andrew Hamilton Benefit was chaired by Chancellor-Elect Rudolph Garcia (left photo, from left) and Thomas Brophy. More than 350 people attended the Benefit at Lincoln Financial Field, which included a silent auction and a tour of the Eagles locker room. This year’s Benefit netted nearly $275,000 for the Bar Foundation’s grantmaking which funds more than 30 public interest legal organizations that provide vital legal services to thousands of the most vulnerable residents in our community.
The Public Interest Section has a full day of events planned for Thursday, Dec. 9, beginning with an informative CLE program known as Public Interest Law Day and ending with a celebration at its Annual Awards Ceremony and Reception.

The Section’s Delivery of Legal Services Committee (DLSIC) is once again sponsoring the full-day CLE program from 9 a.m. to 4:30 p.m. at The CLE Conference Center on the 10th floor of the Wannemaker Building, Juniper Street entrance. The program “Good News: Despite the Recession, We Are Making Progress!” is designed for public interest attorneys, pro bono attorneys and private practitioners who are interested in learning more about current hot topics in the practice of public interest law. This year the co-chairs of the DLSIC CLE planning subcommittee are Amy Hirsh, CLS managing attorney of Law Center North Central, and Sue Wasserkrug, Senior Law Center PA Helpline supervising attorney. Public Interest Law Day features a distinguished faculty of judges and public interest law experts and offers a total of six CLE credits, including one ethics credit. The program opens with a panel discussion “The Nickleby Family Faces the Recession: How the Economic Safety Net Fails Our Clients.” The program also features the selection of one public interest legal organization that will receive the Judge A. Leon Higginbotham Scholarship for its outstanding pro bono efforts.

The Awards Ceremony features the presentation of the 2010 Andrew Hamilton Award for distinguished public service advocacy. Len Rieser, executive director of the Education Law Center, is this year’s Andrew Hamilton Award winner. Rieser has dedicated his professional career to expanding and enforcing the educational rights of Pennsylvania’s schoolchildren.

This year, the Awards Ceremony will also feature the selection of one public interest legal organization that will receive the Judge A. Leon Higginbotham Scholarship to subsidize the hiring of a law student for the 2011 summer term. At the Awards Ceremony, the Section will also present its third annual Law Student Awards, which recognize a third-year law student from each of the six Philadelphia area law schools who has demonstrated continued interest in public interest law.

By Ourania Papademetriou

Public Interest Law Day Dec. 9; Earn 6 CLE Credits

Thank You to the Sponsors of the Philadelphia Bar Foundation

2010 Andrew Hamilton Benefit

The Board of Trustees of the Philadelphia Bar Foundation and the Host Committee of the 2010 Andrew Hamilton Benefit gratefully acknowledge the generosity of the following law firms, individuals and businesses that share our commitment to promoting access to justice for all members of our community.
Pay Their Way, Get Young Lawyers Involved

By Albertine DuFrayne

As my term as 2010 Chair of the Young Lawyers Division draws to a close, I am fondly remembering the past year as well as the last five years of my involvement with the YLD Executive Committee.

All of my articles have focused on capitalizing on opportunities ranging from networking for business development as well as a social outlet, to participating in legal education and mentoring programs and volunteering to benefit Philadelphia’s community whether it is school students, giving free legal advice at the libraries or our fundraiser to benefit the Philadelphia Bar Foundation. These opportunities are why I believe in the importance of being involved in the Bar Association. This year, the YLD Executive Committee worked hard to present opportunities that we thought would benefit other young lawyers and the community as a whole.

It has come to my attention that many lawyers who are not members of the Bar Association do not have the means to pay their Bar Association dues as a holiday gift. Young lawyer memberships range from $22 for students to $383 for those in practice more than 10 years with other levels in between. You surely spend more than that on things that provide less opportunity for professional development and advertising. The chance to attend a CLE presented by top lawyers in your practice area, meet other young lawyers and show your firm’s commitment and dedication to the legal community is immeasurable.

On a personal note, I want to thank all of the members of the YLD Executive Committee for their commitment, input and support over the past year. We presented more than 50 events and it would not have been possible without each of you. I need to thank the exceptional 2010 YLD Cabinet: Carey Chopko, Kelly Gasley, John Encarnacion, Melanie Taylor and Rachel Kopp for tirelessly sticking by me and our programs. You have become my friends and I respect your dedication. I also want to thank the Bar Association staff, especially Tracey McCloskey, Dawn Petiti and Michael Petitti, for devoting countless hours of your time to ensuring that YLD events happen and young lawyers are well represented. I need to thank my family for listening to me talk about all of this for the past several years and attending YLD events even though you are not lawyers. You are the best. And thank you to the membership as a whole. Without all of you, this year would not have been a success. I wish you a great holiday season. Here’s to another great YLD year in 2011!

Women in the Profession

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who has recently been promoted and what qualities she possesses; and looking inward to see what qualities you possess. Recognize that you are auditioning; dress for the role that you want; and work toward it by seeking new opportunities.

Pichini, a partner with Feldman, Shepherd, Wohlgelernter, Tanner, Weinstock & Dodig LLP, encouraged the audience to seek opportunities that will promote career advancement. She cautioned that some assignments, such as the holiday party committee, may get you praise, but will not contribute to your career. Resnick also suggested seeking a professional mentor within the firm; however, personal mentors should be sought from an external source.

A law degree is a powerful tool, and according to Marks, you must determine how that tool can be used to make a difference and achieve personal satisfaction. Marks’ career has been centered in the nonprofit arena, allowing her to make a difference through her job. Marks is executive director of Pennsylvanians for Modern Courts. However, pro bono activities, board memberships and even your child’s little league may provide similar opportunities. It is, however, necessary to identify that which you are passionate about and, to the extent that you can, use your law degree as a tool to help you get it.

Heather J. Austin (haustin@thorpreed.com), an associate with Thorp Reed & Armstrong, LLP, is an associate editor of the Philadelphia Bar Reporter.
Criminal Justice

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The Philadelphia Bar Reporter

The PNC Wealth Management interview series conducted by senior vice president and senior banking advisor, Jackie Byrne Lessman, CFP®, explores distinct topics and issues relevant to the legal community ranging from investment management, wealth planning, trust, estate services and other PNC areas of expertise.

As a PNC liaison to the legal community, Lessman specializes in working with law firms and attorneys regarding their banking needs, as well as class action plaintiff firms and claims administrators. Lessman is committed to leveraging PNC’s in-depth resources to cultivate relationships with regional law firms and attorneys by offering support and solutions.

As the end of the year draws near, so does the Federal Generation Skipping Transfer Tax (GST) repeal for 2010. In an interview with Martyn Babitz, J.D., senior vice president and senior wealth strategist for the Philadelphia market of Hawthorn, a business dedicated to serving the needs of ultra-affluent families with investable assets in excess of $20 million, we discussed the GST repeal’s impact on wealth planning and how to effectively take advantage of it.

Jackie Lessman: With 2010 coming to a close, now is the time to take advantage of generation skipping opportunities. Can you explain the GST and how it is applied?

Martyn Babitz: The GST is intended to prevent avoidance of gift or estate tax that would otherwise apply if a family transferred assets from generation to generation (e.g., parent to child, child to grandchild, etc.) by taxing transfers that “skip” one or more generations. Thus, the GST applies in addition to applicable gift tax or estate tax on lifetime or testamentary transfers that are classified as “generation skipping transfers” to or for a “skip person.” The GST is repealed for 2010 and, barring action by Congress, will return in 2011 at a top rate of 55 percent.

When you refer to a “skip person,” that is generally understood as a person more than one generation removed (e.g., grandchildren and beyond) from the transferor or a trust that has only skip persons as beneficiaries. Are there different types of “generation skipping transfers”?

Yes. A “generation skipping transfer” can be a “direct skip,” which is an outright transfer to a skip person; a “taxable distribution” from a trust to a skip person; or a “taxable termination” of a trust, which could include the termination of all non-skip persons’ interests in the trust, leaving only skip persons as beneficiaries. Keep in mind that certain trusts are exempt from GST in any year.

“Generation skipping transfers” to or for a “skip person.” The GST is repealed for 2010 and, barring action by Congress, will return in 2011 at a top rate of 55 percent. Since the GST will likely return in 2011, you can talk us about the planning opportunities that are available for 2010?

The first and simplest involves making direct gifts to grandchildren. Note that, although such transfers would avoid GST in 2010, the Federal Gift Tax remains in place in 2010 at a top rate of 35 percent (with the annual exclusion of $13,000 per donee and lifetime exemption of $1 million as well), but this rate is 10 percent lower than the 2009 rate and 20 percent or more lower than the scheduled gift tax rate for 2011.

A second planning opportunity is to make taxable distributions from a non-GST-exempt trust to skip persons beyond what is already being distributed for this year, such as through the trustee’s discretion to distribute additional income or principal beyond what is required by the terms of the trust.

Another opportunity is to disclaim inherited assets created in an estate this year. Disclaimers may be used to correct errors, mitigate taxes, or provide for flexibility after the date of death. There are federal requirements found in the Internal Revenue Code for a disclaimer to be a “qualified disclaimer” for tax purposes, but there is the ability to pass property to lower generations, thereby escaping the GST in 2010.

Beyond the non-tax considerations identified above, the possibility of a retroactive reinstatement of the GST (along with the Estate Tax) lingers, although such risk seems to decline with each passing day. Planning for such generation skipping opportunities now and implementing them toward year-end is advisable as the risk of retroactivity declines further.

Jackie Byrne Lessman, CFP® (jacqueline.lessman@pnc.com; 215-589-5831), is a PNC Wealth Management senior vice president and senior banking advisor. For more information, visit pnc.com/wealthmanagement.
Assistant Secretary, 5 Board Seats Being Contested

Garcia
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Garcia started his legal career at a 10-lawyer firm and got “a lot of trial experience in a hurry.” But the firm dissolved a year later, so he joined Saul Ewing in 1978. In 2005, he moved with a group of colleagues to Buchanan Ingersoll & Rooney, where he remains a shareholder.

Garcia was designated “International Legal Professional of the Year 2004” by IBC of Cambridge, England, and has been continuously recognized in The Best Lawyers in America and as a Pennsylvania Super Lawyer.

As an ardent supporter of the public interest community, Garcia serves as a trustee of the Philadelphia Bar Foundation and as a board member of the Philadelphia Volunteers for the Indigent Program and the Public Interest Law Center of Philadelphia.

Their son, Jon, a graduate of New York University, is an accomplished musician – for which they are very proud.

Our 84th Chancellor exemplifies the best traditions of our profession. As he prepares to lead his colleagues through 2011, he will bring fresh ideas on enhancing the association’s value to its members, among other key initiatives.

Come hear Rudy Garcia at our Annual Meeting Luncheon on Tuesday, Dec. 7 at 12 p.m. at the Hyatt at the Bellevue, Broad and Walnut streets, in the Grand Ballroom.
Editor’s note: The following are summaries of opinions issued by the Professional Guidance Committee. The committee’s jurisdiction is limited to rendering opinions about prospective ethical conduct by inquirers who are members of the Philadelphia Bar Association. The letter “T” following an opinion number indicates a telephone inquiry. Attorneys who wish to ask a question, obtain copies of committee opinions or ask the committee to issue a formal opinion should contact Paul Kazaras, Esq., the Association’s deputy executive director, at (215) 238-6328.

Summarized by David I. Grunfeld

2010-8T Copies of client’s medical records can be scanned when closing files, with paper copies shredded and confidentiality maintained.

2010-13T Avoid holding out and billing high school dual credit classes.

2010-18T Attorney cannot use term “specialist” in advertising.

2010-22T It is not appropriate for attorney on retired/inactive status to have a direct dial number in former law office.

2010-29T Mere filing of personal bankruptcy by attorney has no effect on Pennsylvania law license.

2010-40T Attorney cannot form company with non-lawyer to handle cases that non-lawyers can handle.

2010-53T Award of discovery sanctions counsel fee in contingency case does not have to be credited to client’s fee.

2010-60T Cost of advertising sale of estate property may be advanced by attorney from operating account and reimbursed upon sale.

2010-70T Attorney may pay client’s transportation or parking for evaluation by medical expert(s) as “advancing costs of transportation or parking for evaluation”.

2010-74T Attorneys who represent client in a contingency case may distribute and disclose contents of client’s estate plan to client’s beneficiaries without express waiver of confidentiality with informed consent.

2010-79T Attorney who wrote will for client now deceased cannot discuss contents to child of client.

2010-83T Attorney who learns of client’s death may not utilize deposition from previous consultation.

2010-91T Attorney may not disclose contents of client’s estate plan to client’s wife with power of attorney, unless that instrument has appropriate language to allow it.

2010-109T Attorney may prepare will for family member under R. 1.8c even if beneficiary.

2010-119T Attorney may not disclose net proceeds of accident case to client despite knowledge of outstanding private medical provider bill if no promise was made by attorney or client to protect that bill. However, attorney should advise client of obligation to and risk of not paying bill.

2010-126T Attorney should withdraw when client refuses to sign settlement document following resolution at all-day mediation.

2010-135T Attorney who learns of partner’s embezzlement of client funds must, with consent of affected clients, report same to Disciplinary Board and client.

2010-136T Attorney who wrote will for client (still alive) cannot disclose contents to child of client.

2010-138T Duty to self-report is upon conviction of a “serious crime,” not just upon being charged.

2010-139T Funder of clients’ non-profit legal services may not be given client list without express waiver of confidentiality with informed consent.

2010-146T Attorney who represented father in child support case cannot now represent adverse party in custody case as to that minor.

2010-153T Attorney may take (non-controlling interest) stock in client small business in lieu of fee provided compliance with Rule 1.8a.

2010-154T Attorney who wrote will for client now deceased cannot discuss it with third party until personal representative is appointed for estate and given written permission to do so.

2010-158T Successor attorney who believes prior attorney committed legal malpractice should refer client to a legal malpractice attorney, and may assist in complaint to Disciplinary Board after client’s informed consent and malpractice consultation.

2010-159T Attorney representing one defendant in a civil matter must withdraw when client demands filing of a cross-claim against another defendant represented as general counsel by inquirer’s firm.

2010-163T Attorney representing prospective buyer of real estate from foreclosing bank must disclose to client receipt of “finder’s fee” from bank, and have conflict waived pursuant to informed consent.

2010-172T Assistant district attorney prosecuting child endangerment charges against parents as to children where assistant district attorney was previously G.A.L., and has significant issues posed by Rules 1.11d2i and 3.7a.

2010-177T Former judge should not accept payment for being listed by law firm as “of counsel” without involvement in practice.

2010-179T Attorney on administrative leave status with Disciplinary Board must be still practicing and refusing to release client files should be reported to the Board after obtaining informed consent from affected client(s).

2010-181T Firm’s hourly rates may be posted on website, but must be honored for 90 days and kept track of changes to comply with R. 7.2h.

2010-184T Attorney owed money by a client in an uncompleted matter may not refer the debt to a collection agency until representation is withdrawn.

2010-197T Attorney may not disclose contents of client’s estate plan to client’s wife with power of attorney, unless that instrument has appropriate language to allow it.

2010-202T Attorney representing company and shareholders defending derivative suit may accept fee in company stock provided compliance with R. 1.8a and notice to all clients.

2010-215T Attorney offered in-house counsel job may sign a confidentiality agreement but not a non-compete agreement.

2010-216T When client tells attorney of possible physical harm to adverse client, attorney must evaluate danger before contacting adverse counsel or law enforcement.

2010-218T Firm that represented client as defendant in medical malpractice action, who is now adverse expert witness, may not utilize deposition from previous action against that former client now in role as adverse expert witness.

David I. Grunfeld, an attorney with Weisz Kaplan & Mandel LLP; is a member of the Professional Guidance Committee.

Professional Guidance

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Philadelphia Bar Association Historical Society. We launched our first formal effort to preserve and study the rich history of our Association. Under the exceptionally capable leadership of Historical Society Co-Chairs Bill Fedullo, Bob Heim and Bobbi Liebenberg we made tremendous progress in our first year. The Society interviewed 32 of our living past Chancellors, and Executive Director Ken Shear. It then premiered a 17-minute highlight video (which can be viewed at philadelphiabar.org) at our kickoff event. Much thanks is owed to Temple University for its generosity and talent. The Historical Society also unveiled an interactive, virtual timeline for its upcoming website that is scalable so that we can include the stories of all diverse segments of the Bar. Additionally, the website will bring to life other unique aspects of our Bar history, including a new and enhanced home for our current and future Legends of the Philadelphia Bar – our “hall of fame” of the city’s legal giants of the past.

Taking the Association Green and our Green Ribbon Task Force. We emphasized our role in saving the environment. Through our Green Ribbon Task Force, co-chaired by Kim Jessum and Michael Hayes, we established flexible (not “one-size-fits-all”) guidelines to help legal employers of all sizes participate in green efforts. The Board of Governors unanimously adopted these guidelines to help law firms go green. In the future, the Association will recognize those firms that adopt certain numbers of the guidelines.

Fighting Against Sales Tax on Legal Services and for Attorney-Client Communications. We also tackled a number of “bottom-line” issues for our members and their clients. Perhaps none was more important than attacking the proposed repeal of the sales tax exemption. The proposed legislation would have placed lawyers in Philadelphia at an incredible competitive disadvantage, and saddled our clients with a tax found nowhere else in the region. Our repeated communications, appearing before the state Senate and on television paid off – at least for 2010. We also joined as an amicus in a case before the Supreme Court, which seeks to clarify that the attorney-client privilege covers communications from both the attorney and the client.

Encouraging Regional Cooperation Through the First-Ever Meeting of Delaware Valley Bar Leaders Caucus. This year, we took a major step toward increasing our voice in regional matters. The Association hosted the first-ever meeting of Delaware Valley bar leaders. Bar presidents and executive directors attended from the local and state Bar Associations in the region to discuss matters of common concern. We discussed client service, taxes, differences in our court systems and legal education.

Creation of Pro Bono Network of Non-Attorney Experts. Flowing from conversations with forensic accountants James Stavros and Howard Silverstone, our Association launched a bold initiative to match non-attorney experts, pro bono, with indigent clients. This revolutionary program allows clients to get enhanced advocacy and allows a network of outside experts to give something back.

Cabinet Enhancements. We also undertook a bold experiment with our governance at the Cabinet level. Taking a play from real public officials, we brought specialized expertise to the Cabinet this year. The one-year appointments of Lou Rulli, as the Pro Bono and Delivery of Legal Services Chair, and Scott Reid as the Cabinet Officer on Diversity, were tremendously successful. They allowed the leadership to remain proactive on these issues. They also brought their exceptional perspectives to the other issues that came before the Cabinet.

Law Practice Management Committee Responds to the Economy. In order to help attorneys who are still struggling with the economy, we reinvigorated our commitment to law practice management. The Law Practice Management Committee ran numerous programs to assist attorneys with practice of law issues including ethics, law office management, marketing and access to the courts.

Diversity Efforts. Our continuing commitment to diversity was evident throughout the year. The Association hired Naomi McLaurin to be the new Director of Diversity. The Office of Diversity will ensure the dialogue on diversity is expansive and inclusive at the same time. Expanding Philadelphia’s Role as a World-Class City. We also worked on your behalf on the world stage. During a gathering of the world’s largest city bar associations in Tokyo, we showcased our commerce court, our seat as a major local arbitration center, the court’s efforts on mortgage foreclosure and our sophisticated legal practices. We also explored the challenges of conducting business in the United States with our 50 states, territories and separate federal licensing systems. By standing alongside London, Tokyo, Paris, Seoul, Ho Chi Minh City, Brussels, Antwerp, Montreal, New York, Chicago and others, we displayed our talents and learned of the trends sweeping global legal markets. Philadelphia is now a legitimate contender to bring this bi-annual conference here within the next few years. We also participated in the Economy League’s Leadership Exchange with Philadelphia’s business, government, nonprofit and academic leaders.

Chancellor’s Forums. This year we hosted Professor Russell Engler, director of clinical programs at the New England School of Law, to share his expertise on Civil Gideon. Our thanks to Civil Gideon Task Force Co-Chairs Cathy Carr and Joe Sullivan, and the members of this strategic group. We also welcomed Richard Negrin, managing director and deputy mayor for administration and coordination for the City of Philadelphia. Negrin shared his vision, strategy and plans for this pivotal role within city government.

Twitter and other Expanded Communications. This year we expanded our outreach through social media. I became the first Chancellor to communicate with our membership via Twitter, and the Association stepped up its outreach by creating a formal presence on Facebook, Twitter and LinkedIn and through targeted e-mail alerts and other online services.

Civil Gideon. In addition to our Chancellor’s Forum, we continued the work of Chancellor Sayde Ladov and expanded the civil Gideon efforts this year with the launch of a civil Gideon microsite at philadelphiabar.org.

Family Court. Throughout the year, we added our voices to the chorus of people calling for the prompt completion of a new Family Court building. Presently no issue of justice is more pressing to Philadelphians than building the new Family Court. The unfortunate developments clouding the funding situation continued on page 17.
cannot obscure the fact that the citizens of Philadelphia desperately need this courthouse. Early last month, Gov. Edward G. Rendell announced a settlement in the construction project, allowing the Commonwealth to move forward with the process of acquiring real estate and awarding contracts for construction. This marks a crucial step in the process of building a new courthouse.

Meeting with Mayor Michael Nutter. This year, we were able to host a roundtable breakfast with the mayor and leaders of some of the city’s firms, trial bars and the deans of the law schools. It was a frank and open exchange about the issues that affect legal employers’ abilities to stay in and grow jobs in Philadelphia. The discussion gave law firm leaders and the mayor a direct line of communication to discuss macro economic issues that affect the city and each firm. The meeting resulted in many positive suggestions that will carry over into 2011.

The Association has also been asked to offer input on a new business privilege tax bill that Councilman At-Large Bill Green and Councilwoman Maria-Quinones Sanchez are proposing.

Law School Deans on Board of Governors. We passed a bylaw amendment that will allow our local law schools to have a seat on our Board of Governors. The Association can play a unique role in ensuring law school graduates are ready for “real-life” scenarios, by connecting the academic community with the practicing bar. We will welcome the new dean representative to the Board in 2011.

LRIS Honored as a Showcase Program at the White House. Our Lawyer Referral and Information Service has done exceptional work for years. In 2010, its stature literally received national recognition. Charlie Klitsch, director of Public and Legal Services, and I attended a special ceremony at the White House. There, the LRIS program for Wage and Fair Labor Standards Act cases received recognition from Vice President Joe Biden, Attorney General Eric H. Holder Jr., Secretary of Labor Hilda L. Solis and American Bar Association President-Elect William T. Robinson III.

Balanced Budget and no Increase in Dues. I am also proud to report that we accomplished all this with a balanced budget and no increase in dues this year. This shows that if we are very efficient about our efforts, we can do great things while doing “more with less.” I am very proud of the finance team that helped us watch every penny as we moved through this incredible year.

46th Bench-Bar & Annual Conference in Atlantic City marked one of our most successful conferences to date. The rave reviews for this year’s conference are rooted in the outstanding work of our Bench-Bar Committee, co-chaired by Vice Chancellor John Savoth and Board of Governors Vice Chair Regina Foley. Their leadership, and the hard work of so many CLE course planners, moderators and presenters, as well as PBI and our very own professional staff, laid the foundation for a truly exceptional program. Our special thanks to City Councilman At-Large Bill Green, Pennsylvania Bar Association President Gretchen Mundorf, estate judicial leaders and Thierry Bonnet, president and chair of the International Commission of the Lyon Bar Association, and Jean-Michel Raynaud, member of the board of the Lyon Bar Association, for attending.

This year’s event also allowed our new Historical Society, in partnership with Temple University’s Department of Theater, to present a live, theatrical reenactment of the landmark freedom of the press trial made famous by Philadelphia lawyer Andrew Hamilton exactly 275 years ago. This year was a success because I had the ability to stand on the shoulders of the giants who came before. This year’s work would not have been possible without Chancellors A. Michael Pratt and Sayde Ladov — whom I worked with after being elected Vice Chancellor — accomplishing so much. We carried on their work and legacies this year. They, and the Chancellors before, were great leaders who positioned us brilliantly to go to new heights.

Similarly, the future looks very bright for our Association. I save for last kind words about Chancellor-Elect Rudy Garcia. We have worked closely together over the last two years. He is a gifted leader and an attorney who cares passionately about this Association. Many of the hardest decisions this year came out correctly because of his input. He is ready to lead and I look forward to his year. After that, John Savoth and Kathleen Wilkinson will bring equally great talents to our Association.

This has been the most special year of my professional career. I truly appreciate your letting me have this chance to serve. The Philadelphia Bar Association is the best bar association in the world. I thank you for letting me be a part of its rich and unique history.

Scott F. Cooper, a partner with Blank Rome LLP, is Chancellor of the Philadelphia Bar Association. His e-mail address is chancellor@philabar.org.
Veterans Day Advice at NCC

Veterans Day events at the National Constitution Center on Nov. 11. Members of the Philadelphia Bar Association’s Military Assistance Committee, were on hand to help military personnel and veterans get legal assistance.

Legal Directory Updates Under Way for 2011 Edition

Today, instant access to valued information is the standard. So, it’s no surprise that thousands of attorneys and support personnel rely on one source for the most accurate information on the metro-area legal community — the Philadelphia Bar Association’s Legal Directory, providing the info you need in print and online.

Once again for 2011, The Legal Directory is mobile. Legal Directory buyers are finding that the mobile application, tailored for your handheld, is making information easier and faster to find.

“I am very impressed with the mobile version of The Legal Directory,” said attorney Harper J. Dimmerman, principal in The Law Office of Harper J. Dimmerman, P.C. “The quick-search for lawyers and law firms and the click-and-call and click-and-e-mail features are extremely useful. This is a great tool to make attorneys and support staff more productive.”

The Legal Directory’s massive database is updated annually to keep you in the know with the most current and comprehensive information. Our update for the 2011 issue is underway and we need your help. If you have not been contacted, please e-mail legaldirectory@mediatwo.com. Update information will be swiftly sent to you.

The Legal Directory 2011 offers much more than firm and attorney listings. It also provides a one-stop resource for a wide range of useful information including:

- lawyer and law firm listings searchable online, in print, and via your mobile;
- Bar Association bylaws, contacts and committees;
- facts on federal, state and county courts and government agencies;
- index of judges with phone numbers and addresses;
- special section devoted to corporate counsel;
- alternative dispute resolution resources;
- a business-to-business supplier section tailored to the local community.

Every copy of The Legal Directory 2011 includes complimentary access to The Legal Directory Online and the mobile version of The Legal Directory (good through March 31, 2012). Plus, get a free custom online search engine “Findability” report with your purchase (a $199 value)!

Order The Legal Directory now and get the discounted pre-publication price of $59.95 (plus shipping and tax)!

Questions? Please e-mail legaldirectory@mediatwo.com or call 443-909-7843. The update response deadline is Monday, Jan. 10.

Philly VIP Honors Pease

This month Philadelphia VIP recognizes Clark Pease of the Law Offices of Clark Pease, LLC, for his outstanding volunteer assistance to VIP clients.

Pease has been a VIP volunteer since 1991. In his nearly 20 years of service, Pease has represented clients in several different substantive areas, including family law, driver’s license, and auto accident cases. As an advocate for VIP clients in their family law matters, Pease does not shy away from challenging facts or circumstances. In a recent case, he represented a mother living in Puerto Rico in her struggle to maintain primary custody of her child in an action in Philadelphia where the father lived. The child wanted to live with his mother in Puerto Rico but the father refused to send his son back to the mother. While under the father’s care, the child struggled in school and ran away from home. Through Pease’s tenacious advocacy, the child is now happy in Puerto Rico under his mother’s primary custody.

A testament to Pease’s impact is what his VIP clients have to say about his representation. In the above case, the mother called VIP to express her immense gratitude for his generous devotion of time and his persistent advocacy in her case.

For his commitment and dedication to its clients, Philadelphia VIP offers its heartfelt appreciation to Clark Pease.

Dalton to Receive Replansky Award

THE BUSINESS LAW SECTION WILL PRESENT ITS Dennis H. Replansky Memorial Award to past Chancellor Jane Leslie Dalton at the Section’s Annual Reception on Tuesday, Jan. 25.

The Section will present its Chair of the Year Award to Graham R. Laub, chair of both the Mergers & Acquisitions Committee and the Securities Regulation Committee. His commitment, leadership and industry are deeply appreciated by the Section.

The 2010 Committee of the Year is the Antitrust Committee, chaired by Gerard A. Dever. The Committee has put on a series of fascinating and well-attended seminars that are a genuine boon to the antitrust bar.

Replansky, a former Business Law Section Chair, passed away in 1994 at the age of 51 and was among the Bar’s most esteemed and beloved members. In 1997, the Section established the Award in recognition of his career as a lawyer and his contributions to legal, civic, religious and other charitable causes. Dalton, through her years of accomplishments and service, continues the line of award recipients who exemplify the abilities and qualities that honor Replansky’s memory, and whose lives are exemplars to other lawyers.

The Business Law Section Annual Reception will be held at the Westin Hotel, 99 S. 17th St., beginning at 5:30 p.m. Visit philadelphiabar.org to purchase tickets.

The Philadelphia Bar Association’s Military Assistance Committee, co-chair, Investment Companies Committee), John Washlick (co-chair, Health Care Law Committee), Brad Rostolsky (co-chair, Health Care Law Committee), Jeffrey M. Taylor (vice chair, Securities Regulation Committee), and Anne M. Aaronson (chair, Bankruptcy Committee).
Bar Academy Visits Tastykake

The Philadelphia Bar Association visited the new Tastykake bakery on Nov. 17. Nearly 75 people attended and toured the bakery and took part in a tasting, co-sponsored by Origlio Beverage. Pictured from left are Jon Silvon, vice president of Tasty Baking Company, Academy board member Herman C. Fala, Academy Chair Judge A. Michael Snyder, Chancellor Scott F. Cooper and Larry Weilheimer, general counsel, Tasty Baking Company.

Public Interest

a strong commitment to public interest work. The Law Student Awards were established by the Section’s Law School Outreach Committee, which provides educational programs, pro bono opportunities and networking events for law students to encourage them to consider public service as a career choice. The Awards Ceremony will also feature the presentation of the Philadelphia Bar Foundation’s 2010 Shuster Fellowships.

Tickets for the Public Interest Awards Ceremony and Reception are $40 for public interest and government attorneys; $55 for section members; and $65 for non-section members (A $10 increase will be charged for walk-ins purchasing tickets at the event.) Tickets may be purchased at www.philadelphiabar.org. Proceeds from this event help fund the Higginbotham Scholarship program.

We hope that you will join us at these events to learn more about and to celebrate the important work of Philadelphia’s dedicated public interest attorneys and the activities of the Public Interest Section.

Oumnia Papademetriou (oomniaphilly.org), managing attorney of Philadelphia VIP, is vice chair of the Public Interest Section.

Holistic, Problem-Solving Law Explored

Lawyers as Peacemakers: Practicing Holistic, Problem-Solving Law
Written by J. Kim Wright
528 pages
ABA Book Publishing, $74.95
Reviewed by Saul H. Segan

In an age where chaos abounds, politically, economically and socially, marked by much dissatisfaction with one’s chosen profession, it is comforting to behold hope on the horizon. The legal profession is no exception. The multitude of lawyers leaving their line of work is reaching significant, if not alarming, proportions. The adversarial atmosphere and the combative confrontational approach ultimately wears thin on the psyches of those whose sole aim is to bring order and stability to the lives of those who seek their services.

A newer, more beneficent methodology is becoming more widespread and more mainstream, bringing with it a more fulfilling result for the parties to a controversy or dispute and a greater sense of accomplishment for the advocates within. There is a shift in paradigm, or worldview, a set of beliefs about what is real and true.

Suddenly, terms like restorative, collaborative, and cooperative have found their way in front of the word law as categorical descriptors as commonly as “criminal,” “civil,” “administrative” or any of the typical branches of the law. What distinguished the differences in approach can be summed up in the magnificent label, “holistic,” defined as relating to, or concerned with wholes or with complete systems rather than with the analysis of, treatment of, or dissection into parts, such as in medicine when attempting to treat both the mind and the body.

J. Kim Wright lives her entire life that way, and just as holistic thinking and methodology has led patients and doctors to alternative medicine and enhancement of existing traditional forms thereof, the same can be said of holistic law, which carries a spiritual perception of life into legal practice and enhances both the well-being of the practitioner, the client, and the system by its compassionate and pragmatic perspective. Lawyers as Peacemakers is Wright’s nuts-and-bolts manual to this visionary and revolutionary means of rendering legal services.

Wright is co-founder of the Renaissance Lawyer Society and has been the clarion to make lawyers aware of another way to achieve the lofty goals they set out to reach when they decided to pursue a legal career.

The book itself, as the author tells you, is not necessarily one to pore through cover-to-cover, but to use as a continual reference source, “and a possible source of inspiration on those days when you would rather be doing something else.” It is a guide to a holistic approach to law that includes the lawyers’ well-being and the best interests of the client and society.

We as lawyers have been so totally embedded and captured by the adversarial paradigm that a massive mental metamorphosis must take place so that we who might be interested in this other way of lawyering can make the shift.

A paradigm shift requires objectives and methodology that has to move away from the divisions between members of society and the segmented disposition of legal concerns. The path must aim toward the overall benefit of compassion and transformation of the relationship between citizens and the legal system.

Instead of us against them, it is all of us together seeking a solution in each area of law that has a long-term, mutually beneficial solution. Is it too much to hope for? Not at all, as is being demonstrated by lawyers all over the country. We are conditioned to an adversarial system where the resolution may be satisfactory for the moment and can produce satisfaction for one or a few of the parties, but not with lasting and continuous benefit to society on a larger scale.

The author details how to go about making the shift, suggesting a coach, or a therapist, or both. It is hard to believe how badly one or both are needed, but the rewards are great.

One major question always revolves around the viability of making a living in the new legal frontier. The reviews are mixed, but encouraging. The author and her wealth of contributors warn of the need for training and reorientation. But there appears to be virtual unanimity in the pronouncement that one by-product of the new legal specialty is happiness, satisfaction, peace of mind and yes, in some instances economic improvement.

There is something labeled cooperative law which basically starts with a determined aim toward reaching a settlement, pledging civility and cooperation. There is implicit in this approach, full disclosure of all relevant financial information, thus heading off the individual appraisal and expert opinions by obtaining joint appraisals and joint expert opinions. There is the promise to cooperate by obtaining meaningful input, for example obtaining an expert child specialist before requesting appointment of a guardian to be appointed by the court, good faith negotiation sessions and four-way meetings where appropriate, to reach fair compromises based on valid information. And of course a prime requisite is cooperation by conducting oneself in a respectful, civil and professional manner.

The author proceeds to tell those aspiring to enter the area of law how to go about making the transition. There is a step-by-step guide to the changes that must be undergone to reach the “promised land.” Some will find it easier than others if they have a predisposition toward spirituality. And that is something that everyone can use more of.

Saul H. Segan (shsesq@aol.com) is a sole practitioner.
agency was not providing adequate assistance to claimants in need of legal representation. The Department of Labor (DOL) receives more than 25,000 FMLA and FLSA complaints each year. However, the agency is only equipped to accept referrals through such panels. The Philadelphia Bar Association's Lawyer Referral and Information Service is the only service within the boundaries of the U.S. District Court for the Eastern District of Pennsylvania that has been approved to participate in the program. Therefore, any claimant entering a zip code within the Eastern District will be directed to the Association's LRIS for a referral.

Chancellor Scott F. Cooper is joined by his wife Karen at the White House.
about $425,000 in cy pres funds over the last two years.

• The Grants Committee, headed by Norm Weinstein, made sure our grants were allocated in the most effective way possible, being responsive to the economy’s impact on funding and servicing needs.

• Most important, last year, when our grantees and their clients needed all of us the most, and our funders were cutting support, thanks to your help, the Foundation awarded a record-breaking $563,000 in grants. Whether we can do that again is yet to be determined. A lot depends on what you do in the next few weeks.

Now the area where we did not get enough done was in accomplishing our goal of convincing the members of our legal community of what each of us on our Board believes to the core: that the Foundation is the charity of this legal community, and that every year, if each of us contributes to the Foundation, it will have the wherewithal to award grants to our nonprofit organizations so that they can move closer to providing access to justice for all. Along that line, we did some things on the list: we completed a case for support, thanks to the hard work of Doug Kreitzerberg and our Marketing Committee; we had nearly 600 individual donors last year; and now, led by Fred Magaziner and Wilson Brown, we are in the middle of conducting an Individual Giving Campaign among partners and counsel at many firms where we are seeking 100 percent participation.

But this is where there is room for more GSD. We are not at the point where, come December, all of us say, oh, I need to make sure I have made my annual Bar Foundation contribution, or I have named the Foundation in my will. But we need to get there. And, while I will no longer have the honor of being president of this organization, I, and the other trustees, under the leadership of our next president, Wendy Beeblestone, and our outstanding staff—Gene Sirni, executive director; Lynne Brown, deputy executive director; and Cheryl Pollack, administrative assistant—will no doubt continue to work to make sure that this most important “stuff” gets done in the years to follow.

As for me and GSD, there is one thing I can do on my list: To the Bar Foundation Board, thank you for letting me chair this organization and for your Herculean efforts over the past two years. To the staff, thank you for your hard work and single minded devotion to the cause. And, to the legal community, thank you for your support of the Foundation.

Now, let’s all “GSD” (make that annual contribution), and on the way, have a wonderful holiday and a healthy new year.

Amy B. Ginsbury (aginsbury@pepperlaw.com), a partner at Pepper Hamilton LLP, is president of the Philadelphia Bar Foundation.
Sandhya M. Feltes, a principal with Kaplan Stewart Meloff Reiter & Stein, P.C., has been appointed to the Board of Directors of the Philadelphia Surety Claims Association.

Reneé Bergmann, senior counsel with Thorp Reed & Armstrong, LLP, moderated the program “Strategic Communication: Understanding Communication Styles and Creating Outcome Focused Conversation” on Sept. 30.

Geraldine A. Sinatra, a partner with Dechert LLP, Joan C. Arnold, a partner with Pepper Hamilton LLP, and Suzanne Mayes, a member of Cozen O’Connor, have been recognized as “2010 Most Powerful & Influential Women in Pennsylvania” by the National Diversity Council.

Michael C. Gross, a partner with Manko, Gold, Katcher & Fox, LLP, discussed “The New EPA Lead Paint Regulations” on Sept. 16 in Cherry Hill, N.J.

Mark B. Sheppard, a partner with Montgomery McCracken Walker & Rhoads, LLP, has been appointed as member of the Joint State Government Commission’s Advisory Committee on the Philadelphia Court System.

David Francis, a partner with Stradley Ronon Stevens & Young, LLP, moderated the workshop “Political Contributions, Procurement, Placement Agents & Lobbying: State & Federal Rulemaking Updates: Pay to Play Rules” at the 2010 National Society of Compliance Professionals national meeting on Nov. 2.

Stephanie L. Franklin-Suber, a partner with Ballard Spahr LLP, has been named to the Philadelphia Business Journal’s 2010 list of “Women of Distinction.”

Riley H. Ross III, an associate with Tucker Law Group, LLC, has been reappointed by the United States Sentencing Commission as the Third Circuit representative for the Practitioners Advisory Group for a three-year term.

Marc P. Weingarten, a partner with the Locks Law Firm, was co-chair of the Butterworth/LexisNexis Conference “International Asbestos Litigation” on Sept. 29-30 in London, England.


Stewart M. Weintraub, a shareholder with Chamberlain Hrdlicka, White, Williams & Martin, has been elected as a fellow to the American College of Tax Counsel.

Joseph M. Manko, a founding partner of Manko, Gold, Katcher & Fox, LLP, has been appointed co-chair of the Regional and Suburban Issues forum of the Urban Land Institute Philadelphia District Council.


Patrick J. Egan, a partner with Fox Rothschild, was recently admitted as a fellow to the American College of Trial Lawyers.

Ralph J. Teit, a partner with Willing, Williams & Davidson, was honored with City of Hope’s Spirit of Life Award at a reception presented by the Tri-State Labor & Management Council on Sept. 20.

Carol Nelson Shephard, a founding partner of Feldman Shepherd Wohlgelernter Tanner Weinstock & Dodig LLP, has been named a fellow of the Litigation Counsel of America.


Norman Zarwin, a founder of Zarwin Baum DeVito Kaplan Schaer & Todd, P.C., has been appointed to the Board of Directors of the Abramson Center for Jewish Life.


Leonard P. Goldberg, a shareholder with Stevens & Lee, P.C., has been elected to the National Trial Lawyers Association’s 14th Annual EEO/Diversity Day of Training on Nov. 22.

Jonathan E. Rinde and Bridget L. Dorman of Manko, Gold, Katcher & Fox, LLP, spoke at the Pennsylvania Bar Institute’s late-breaking seminar on the Pennsylvania Department of Environmental Protection’s Revised Chapter 102 Regulations: Erosion and Sediment Control and Stormwater Management on Oct. 8 in Pittsburgh.

Deborah Epstein Henry, founder and president of Flex-Time Lawyers LLC, was a speaker at a New York City Bar Career Advancement and Management & Women in the Profession Committee program “Re-entry 101: Resuming Your Legal Career” on Oct. 5.


**People** highlights news of members’ awards, honors or appointments of a community or civic nature. Information may be sent 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@philabarb.org. Color photos are also welcome.

**NAMES ARE NEWS**

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DECEMBER 2010 CONTINUING EDUCATION PROGRAMS

ANATOMY OF A CREDIT MELTDOWN AND THE GOVERNMENT'S RESPONSE

Guest Speaker:
Gregory J. Nowak, Esq

When:
Friday, December 10th, 2010, 9:00 AM to 5:00 PM

Where:
Temple University, Fort Washington
401 Commerce Drive, Fort Washington, PA 19034

Esq Credits:
6 Substantive, 1 Ethics ($125)

CPA Credits:
8 Finance ($110)

Also available as a live webcast!

This program will be of significant interest to attorneys, CPAs, and seasoned professionals who are looking for a deeper understanding of Wall Street's "alchemy" and the ensuing credit crisis of 2006 to the present. Mr. Gregory Nowak will provide easy-to-understand examples of numerous mortgage backed securities and derivative products, including instruments such as synthetic collateralized debt obligations (CDOs) and credit default swaps (CDS). The use of complex derivatives, otherwise known as "financial weapons of mass destruction," would ultimately play a major role in the credit market's dysfunction and failure. Mr. Nowak will explain the pros and cons of Dodd-Frank, which is the government's major legislative effort that seeks to address the factors that almost brought down the world's financial markets.

REPRESENTING TALENT IN THE ENTERTAINMENT AND SPORTS INDUSTRIES

Guest Speaker:
Christopher Cabott, Esq

When:
Saturday, December 11th, 2010, 9:00 AM to 5:00 PM

Where:
Temple University, Fort Washington
401 Commerce Drive, Fort Washington, PA 19034

Esq Credits:
6 Substantive, 1 Ethics ($125)

CPA Credits:
8 Business Law ($110)

Also available as a live webcast!

Please join us for our special year-end, holiday lunch, which will include Chicken Parmesan, Meatballs, Italian Sausage, Baked Ziti, Caesar's Salad, and Fresh Baked Bread prepared by Chef Ernie Pio of Twisted Gourmet! Plus, we'll have plenty of Holiday Cookies and Treats from Termini Brothers of South Philadelphia, USA!

Entertainment and Sports Attorney, Chris Cabott (www.zanemanagement.com), will provide an overview of the Entertainment and Sports Industries and the various players on a talent's "team," (e.g. manager, agent, lawyer, CPA, business manager, etc.); a breakdown of the income streams that talent earn in the music, film and sports industries; an analysis of the intellectual property, tort and contractual issues common in entertainment and sports; a discussion about how the changing landscape of technology and social media are affecting the legal, business and financial components of representing talent; an understanding of the different fees, commissions and royalties that representatives of talent in entertainment and sports receive; an analysis of how a talent’s rights as an individual are affected by collective bargaining and group licensing; a dissection of the core issues involved with the potential 2011 NFL lockout and work stoppage; the legal and business aspects of fantasy sports; and, the ethical considerations of representing talent in entertainment and sports.

MONEY LAUNDERING & TERRORIST FINANCING CONTROLS

Guest Speaker:
Jim Hallinan, CPA

When:
Friday, December 17th, 2010, 9:00 AM to 5:00 PM

Where:
Temple University, Fort Washington
401 Commerce Drive, Fort Washington, PA 19034

CPA Credits:
8 Accounting & Auditing ($110)

Also available as a live webcast!

In 1970, the fight against Money Laundering was launched with the passage of the ‘Bank Secrecy Act.’ Since that time, additional Anti-Money Laundering laws and regulations have been enacted, which have served to further strengthen requirements for internal controls. After 9/11, Congress passed the USA PATRIOT Act expanding the Bank Secrecy Act to include Terrorist Financing. While most relevant and applicable to financial institutions and their auditors, Anti-Money Laundering and Terrorist Financing laws and regulations are everybody’s business! Discover the basics of Anti-Money Laundering and Terrorist Financing Controls in this engaging one day primer. Jim Hallinan, the instructor for this one day session, is a CPA and has earned several other audit certifications (CIA, CFSA, CBA). In addition to his business consulting work, Jim is also an inspirational writer and speaker. Don’t miss out on this high profile, entertaining, educational and ever relevant program!

FOR ADDITIONAL INFORMATION OR TO MAKE A RESERVATION, PLEASE VISIT WWW.CEWORKSHOPS.COM OR CALL THOMAS A. MCDEVITT, CFA, CFP®, AT 215-990-0781.

philadelphiabar.org
Philadelphia’s Employment Lawyers

FOR MORE THAN 30 YEARS, Sidney L. Gold & Associates, P.C. has dedicated its practice to the field of employment law and civil rights litigation. The firm’s attorneys take great pride in serving as both aggressive and compassionate advocates for victims of unlawful discrimination and harassment. As a result, Martindale-Hubbell’s Bar Register has certified Sidney L. Gold & Associates as a pre-eminent law firm in the field of labor and employment law. More than 4,500 lawyers throughout Pennsylvania and New Jersey look to Sidney L. Gold & Associates to refer their clients.

With a signature team approach, the firm’s attorneys represent clients in all aspects of employment law litigation, including all forms of workplace discrimination, sexual harassment, wrongful termination, retaliation, whistleblower, employment contract, wage and hour, and Family and Medical Leave Act claims. A boutique practice with a small-firm atmosphere, Sidney L. Gold & Associates provides personal attention to its clients, who, at the same time, benefit from the experience and expertise of the entire team.

Sidney L. Gold & Associates is proud of its skilled attorneys and is honored by the recognition Super Lawyers® has bestowed upon this year’s recipients.

SIDNEY L. GOLD & ASSOCIATES, P.C.
1835 Market St., Suite 515
Philadelphia, PA 19103
PH:(215) 569-1999 • FX: (215) 569-3870
www.discrimlaw.net