Our military servicemembers face unique financial challenges in their lines of duty. At the Philadelphia Bar Association’s Chancellor’s Forum on Nov. 10, Hollister (Holly) K. Petraeus, the Consumer Financial Protection Bureau’s senior federal executive leading the Office of Servicemember Affairs, explained how the new federal agency is helping our military families navigate these challenges.

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Alfano to Outline 2016 Plans as He Becomes 89th Chancellor

Chancellor-Elect Gaetan J. Alfano, a partner at Pietragallo Gordon Alfano Bosick & Raspanti, LLP, will outline his plans for 2016 at the Philadelphia Bar Association’s Annual Meeting Luncheon at the Hyatt at The Bellevue on Tuesday, Dec. 8.

Alfano, who is ascending to serve as the Association’s 89th Chancellor, is a member of the esteemed community of Philadelphia lawyers. A consummate professional, he will lead the Philadelphia Bar Association through 2016 to secure a bright future for the Association and its membership.

“I am humbled to have the opportunity to serve at the helm of the nation’s oldest and best bar association,” said Alfano. “We wouldn’t be who we were if it weren’t for the engaging work of our members.”

At Pietragallo Gordon Alfano Bosick & Raspanti, LLP, Alfano serves as co-chair of the litigation practice group. He has extensive trial and appellate experience, having represented individuals, businesses and corporations in a variety of commercial and employment matters.

Prior to entering civil practice, Alfano was an assistant district attorney under District Attorney Edward G. Rendell. He has also served as a senior hearing committee member of the Disciplinary Board of the Supreme Court of Pennsylvania.

The 2016 Chancellor is committed to community service. He is a proud member and past Chancellor of the Justinian Society, composed of Italian-American lawyers and judges, where he was treasurer of its charitable arm, the Justinian Foundation. He is also a member of the Pennsylvania Board of Law Examiners. An organization empowered by the Supreme Court of Pennsylvania to evaluate candidates for admission to the bar, it emphasizes the importance of professional responsibility and character in the legal profession.

For 10 years, Alfano served as a commissioner for a bi-state agency, the Delaware River Joint Toll Bridge Commission. He was appointed vice chair, the highest position in Pennsylvania, under the leadership of both Gov. Edward G. Rendell and Gov. Thomas W. Corbett.

Over the course of his career, Alfano has earned the respect continued on page 15

Our military servicemembers face unique financial challenges in their lines of duty. At the Philadelphia Bar Association’s Chancellor’s Forum on Nov. 10, Hollister (Holly) K. Petraeus, the Consumer Financial Protection Bureau’s senior federal executive leading the Office of Servicemember Affairs, explained how the new federal agency is helping our military families navigate these challenges.
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Let’s Continue to Move the Needle

By Albert S. Dandridge III

On Thursday, Nov. 12, the Philadelphia Diversity Law Group (PDLG) held its 2015 Diversity & Inclusion Symposium at the Union League here in Philadelphia, in conjunction with the Philadelphia Bar Association. The program was titled “Best Practices for Retaining & Promoting Diverse Talent.” PDLG is comprised of 34 of Greater Philadelphia’s leading law firms and corporate legal departments, that are committed to advancing diversity and inclusion in the legal profession. They work to make the legal profession stronger, more productive and better equipped to address the challenges of the 21st century through fostering the participation of a more diverse group of lawyers throughout the region.

The symposium featured keynote speaker Jerry Kang, Ph.D., professor of law and the inaugural vice chancellor for Equity, Diversity, and Inclusion at UCLA, who is a nationally recognized expert in the area of implicit bias. It also featured Lauren Stiller Rikleen, author of “You Raised Us – Now Work With Us: Millennials, Career Success, and Building Strong Workplace Teams” and a nationally recognized expert in inter-generational diversity. The program also included breakout sessions, including “Retaining and Promoting Women of Color,” “The Roles Leaders Play: How to Be Part of the Solution” and “Following in Their Footsteps: How Successful Diverse Lawyers Got That Way,” featuring some of our leading local practitioners.

As part of the program, and to move forward on increasing diversity among its members, law firms and corporate law departments, PDLG’s board of directors recommended at the symposium that its member organizations, along with their managing partners and chief legal officers, implement the following core practices:

1. Strengthen recruiting programs for lawyers of color and other diverse lawyers by developing creative and effective strategies for increasing the pool of such candidates for positions at law firms and corporate law departments, and by intensifying efforts to recruit diverse candidates successfully at all levels.
2. Ensure that lawyers of color and other diverse lawyers have access to meaningful and challenging assignments, and that all lawyers receive their fair share of significant and viable roles in matters of importance to clients.
3. Maintain fair and unbiased systems for assigning and evaluating legal work that will provide all law firm and corporate law department lawyers an equal opportunity to develop the skills necessary to provide the best possible service to clients, and to compete successfully for internal promotions and opportunities in the legal market generally.
4. Develop viable sponsorship programs that will include lawyers of color and other diverse lawyers.
5. Appoint more lawyers of color and other diverse lawyers to leadership and managerial positions of firms and corporate law departments.
6. Ensure that the lawyer leaders of the corporate law department’s or law firm’s diversity and inclusion efforts have regular access and the opportunity to provide advice to the law firm’s governing committee or, in the case of corporate law departments, to the company’s chief legal officer or equivalent role.

The Philadelphia Bar Association is also committed to advancing diversity and inclusion in the profession, so that all members of the Bar can fully participate in all aspects of the profession, and has publically stated and reaffirmed this position with the adoption of its Diversity and Inclusion Action Plan. In addition, members of the Board of Governors of the Association and others have undertaken individual diversity action plans to foster diversity and inclusion.

I would ask that all of our lawyers, law firms and corporate legal departments seriously consider the practices proffered by PDLG.

We need to continue to move the needle.

Albert S. Dandridge III (adandridge@schnader.com), partner and chief diversity officer at Schnader Harrison Segal & Lewis LLP, is Chancellor of the Philadelphia Bar Association.

A Statement from Chancellor Albert S. Dandridge III

The daily dribs and drabs from various public figures regarding “Porngate” are corrosive and have contributed to the erosion of public confidence in our justice system. This must come to an end. Slowly, but surely, the judiciary, the attorney general’s office and other prosecutors have come under attack. The stakes are high for the individuals involved. However, the stakes are even higher for the citizens of this Commonwealth who deserve a Supreme Court and Judicial Conduct Board whose credibility is beyond reproach.

I join with others in the press, judiciary and members of the bar in calling for an independent investigation to once and for all tell us the full unvarnished truth of what happened, when it happened and who was involved. Only when there is a full accounting of all the facts can we take necessary action to restore the public’s trust in our justice system.
Diversity and Inclusion Symposium Tackles Bias in the Legal Workplace

By Sophia Lee

The Philadelphia Diversity Law Group’s Diversity and Inclusion Symposium, held at the Union League in conjunction with the Philadelphia Bar Association on Nov. 12, addressed “Best Practices for Retaining and Promoting Diverse Talent.” While the PDLG has been very successful in introducing diverse first-year law students to its member organizations for summer employment over the years through its Fellows Program, it recognized the strong need for ongoing programming and guidance to fully meet its mission of fostering participation of a more diverse group of lawyers in the Greater Philadelphia region to help make our legal profession stronger, more productive and better equipped to address the challenges of the 21st century. To that end, the symposium’s agenda focused on identifying barriers and providing solutions related to the retention and promotion of diverse lawyers.

Jerry Kang, professor of law and the inaugural vice chancellor for equity, diversity and inclusion at UCLA, a renowned scholar in the area of implicit bias and the legal profession, led the morning plenary session to address implicit bias—attitudes and stereotypes that we are neither aware of nor necessarily endorse—as well as strategies for countering implicit biases within our legal institutions. While implicit bias has received significant attention in recent years, strategies for bias interruption could use more focus. Professor Kang described some de-biasing techniques, including being humble (if you do not always assume you are doing it right, you might think twice about it), being curious (understand the differences between explicit and implicit bias, attitudes versus stereotypes), being mindful (beware of first impressions and decision-making based on being fast or while distracted or in high emotional states), and being motivated to be fair (because everyone wants to do better). He also suggested techniques for improving assessment (initial hiring, performance evaluations) and investment (work allocation and mentoring).

Lauren Stiller Rikleen, a nationally recognized expert on developing a thriving, diverse and multi-generational workforce, led the afternoon plenary on generational diversity. Drawing from her book titled “You Raised Us—Now Work With Us: Millennials, Career Success, and Building Strong Workplace Teams” she described the generations currently in the workplace, including those in private practice, in government and in-house. The women of color session, moderated by Mona Ghude, partner at Drinker Biddle & Reath LLP, looked at the abnormal statistics relating to retention and promotion rates of women of color in law firms and corporate law departments and explored the reasons why women of color depart in such significant numbers. Another book by Rikleen titled “Ending the Gauntlet: Removing Barriers to Women’s Success in the Law” served as a backdrop for the panelists’ discussion providing practical advice to law firms and corporate law departments about how to improve retention and promotion rates for women of color at the same time that they discussed what women of color can do now to improve outcomes while waiting for the world to change. Along with Rikleen, Kimya S.P. Johnson, vice president, general counsel and secretary at InterDigital, Inc.; and Sharon R. Lopez, director of diversity, inclusion and pro bono at Cozen O’Connor; Jannie K. Lau, executive officer to the managing partner at Troutman Sanders LLP, looked at the abysmal statistics relating to retention and promotion rates of women of color in law firms and corporate law departments and explored the reasons why women of color depart in such significant numbers. Another book by Rikleen titled “Following in Their Footsteps: How Successful Diverse Lawyers Got That Way.”

Chancellor Albert S. Dandridge III moderated the panel discussion on the roles that law firm and corporate legal departments play in successful diversity and inclusion programs. The panelists, which included Nina M. Gussack, past chair of Pepper Hamilton LLP; Brian M. Pinheiro, business and finance department chair at Ballard Spahr LLP; David Smith, chairman of Schnader Harrison Segal & Lewis LLP; and Raymond M. Williams, national diversity and inclusion partner and product liability and mass tort practice co-chair at DLA Piper; identified barriers to successful programs and provided practical advice for firm management, law firm department chairs, practice group chairs and chief legal officers to overcome those challenges.

The women of color session, moderated by Mona Ghude, partner at Drinker Biddle & Reath LLP, looked at the abnormal statistics relating to retention and promotion rates of women of color in law firms and corporate law departments and explored the reasons why women of color depart in such significant numbers. Another book by Rikleen titled “Ending the Gauntlet: Removing Barriers to Women’s Success in the Law” served as a backdrop for the panelists’ discussion providing practical advice to law firms and corporate law departments about how to improve retention and promotion rates for women of color at the same time that they discussed what women of color can do now to improve outcomes while waiting for the world to change. Along with Rikleen, Kimya S.P. Johnson, director of diversity, inclusion and pro bono at Cozen O’Connor; Jannie K. Lau, executive vice president, general counsel and secretary at InterDigital, Inc.; and Sharon R. Lopez, Triquestra Law founder and vice president of the Pennsylvania Bar Association; shared their strategies for success as women of color.

Larry Turner, partner at Morgan Lewis & Bockius LLP, moderated the successful diverse lawyers panel and extracted pearls of wisdom from the panelists representing a wide range of practices, including those in private practice, in government and in-house.

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Bar Academy Hosts “Disgraced” by the Philadelphia Theatre Company

By Niki T. Ingram

The Pulitzer Prize-winning play “Disgraced,” performed by the Philadelphia Theatre Company, recently completed its run at the Suzanne Roberts Theatre in Philadelphia. Written in 2012 by Ayad Akhtar, this compelling drama focuses on issues of ethnicity, religion, race and culture in a diverse world and is both timeless and timely.

The one act play, only 85-minutes-long, centers on Amir, a Pakistani attorney, and his wife Emily, who is a white artist. Set entirely in Amir and Emily’s apartment, the play has only five characters. The small cast and lack of an intermission allows an increasing sense of tension to develop that adds punch to the surprise ending.

This couple has what appears to be an idyllic life with all of the elements that make up the American dream — a good marriage, a lovely home, meaningful work and strong income. When the play begins, Amir is on his way to becoming a partner in his law firm and Emily is about to have her first major art show. Life is good.

We first see the cracks in the façade of Amir and Emily’s life when Amir’s nephew, Abe, visits to plead for Amir’s uncle’s assistance in defending an Islamic cleric. Abe is the catalyst in the play, and it is through his conversations with Amir that we learn what it is like to be Muslim in the United States. With their respective name changes and struggles to fit into society we see how difficult it can be to exist as “other” here. The duality of Amir’s existence is felt as he rejects many of the tenets of Islam while embracing Western culture. His inner conflict rages as he struggles to keep his past, with its violent memories, tamped down, while moving up the corporate ladder.

Amir initially refuses to help the cleric but an impassioned conversation with Emily changes his mind. Emily, who uses Islamic tradition in her art, is struck by its purity as an art form. There is a bit of naïveté to her and sense of white privilege as she cannot comprehend Amir’s conflict and his unwillingness to help. Amir’s acquiescence to her wishes creates a cascade of events that permanently alter his neatly woven existence.

As the play develops Emily is on the verge of her first major art show as she has attracted the attention of a Jewish art dealer who is intent on launching her career. Conveniently and coincidentally, the art dealer is married to an African-American woman who is an associate at Amir’s firm, where both are competing to become partner. The interconnectedness of the two couples is on startling display during a dinner party that Amir and Emily host. The evening, which is off-kilter from the time that the guests arrive early for dinner, disintegrates at a rapid rate as the conversation shifts from the polite self-hatred can have. We see that some actions cannot be undone, and that some times the only thing left to do is suffer the consequences. By the end of this powerful and provocative play, both the audience and the cast are drained.

Niki T. Ingram (NTIngram@MDWCG.com), shareholder at Marshall Drenhehey Warner Coleman & Goggin, P.C., is co-chair of the Women’s Rights Committee and an associate editor of Philadelphia Lawyer.
**Communicating Across Cultures for Lawyers**

*By Lily Dideban*

Terri Morrison, co-author of nine books, including the “Kiss, Bow or Shake Hands” series, an Amazon best-seller, was featured at the Oct. 26 Chancellor’s Forum titled “Communicating Across Cultures for Lawyers.” The Chancellor’s Forum was co-presented by the Business Law Section and the Diversity in the Profession and International Law Committees of the Philadelphia Bar Association.

Years ago, a friend’s mother gifted me with the book “Kiss, Bow or Shake Hands: How to Do Business in Sixty Countries.” I was just approaching my teens but had already developed a fascination with other cultures. As I perused the pages, I noted the differences and similarities of each country’s acceptable professional practices compared to our own in the United States. I savored every culture note, studied dress styles, inappropriate gestures, and tucked my collection of fun facts away for a rainy day.

Apparently I am within a minority of Americans researching professional practices in other parts of the world.

“The tremendous amount of research they do on us is remarkable,” Morrison said. She was highlighting that the Chinese along with other countries are meticulously studying Americans for our cultural professional practices. Former president of China, Hu Jintao, was in Seattle, Wash. following the purchase of jets. A man jumped on stage, hugged the Chinese president, and placed a green hat on his head. Attendees at the Chancellor’s Forum quickly learned that in China a green hat means that your significant other is cheating on you. “But look at how the Chinese President is adapting,” Morrison said, referring to a slide of an image of the Chinese president’s accommodating reaction in lieu of his own customs. “This is the impact of what other cultures will do for us.”

While some cultures value space between individuals in a professional greeting, others may welcome intimacy. An attorney friend of Morrison’s was called up by a congressman to defend a Russian client and they had a good relationship. When the Russian client later came to the attorney’s office to meet him for the first time in person, the client picked the attorney up, gave him a big bear hug and kissed him. “Russians and other cultures, if they get to like you personally and get to build a relationship with you, they are going to express themselves normally the way they do at home,” Morrison said.

In the course of first meetings, many U.S. lawyers stay away from questions about one’s private life.

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**Hot Issues Facing Global Companies**

*By Enrique Marquez*

The Philadelphia Bar Association and Global Philly hosted a Chancellor’s Forum exploring the topic “Hot Issues Facing Global Companies” at the law firm of Pepper Hamilton LLP on Nov. 5, moderated by Jeremy Heep, co-chair of the Association’s International Law Committee. The featured panelists, Michael J. Carrato, vice president of legal and compliance at Alstom Transportation Inc.; William J. Hamel, senior vice president and general counsel at Arkema Inc.; and Chris E. Kaltenbach, general counsel at Lesaffre International Corporation, shared some of what they have learned during their years of experience working as U.S. counsel for corporations with parent companies headquartered abroad (coincidentally, all three have headquarters in France) and how they are addressing the key legal issues facing their companies today.

The three companies represent diverse sectors of industry. Alstom Transportation Inc. is a transport company known for its high-speed trains and its North American facility is the largest passenger rail manufacturing facility in North America. Arkema Inc. is a producer of industrial chemicals with operations in around 50 countries. Its North American subsidiary, Arkema Inc., a $3.5 billion specialty chemicals manufacturer, is headquartered in King of Prussia, Pa. Lesaffre International Corporation is the world’s largest producer of yeast and yeast products predominantly used for baking and its products are sold in more than 180 countries.

The panelists reflected on the challenges facing their respective companies through the lens of their day-to-day practice.

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Civility and Professionalism Key to Workers’ Compensation Practice

By Regina M. Parker

Professional conduct and civility in the workers’ compensation arena are key elements to promoting both the effectiveness and enjoyment of the practice and diligent client representation, panel members told attendees during the Nov. 13 Workers’ Compensation Section CLE program titled “Professionalism in the Workers’ Compensation Practice” at the Philadelphia Bar Association. Uncivil or unprofessional conduct not only disrespects the individuals involved, it demeans the profession as a whole. The panel included Hon. Audrey Beach, Workers’ Compensation Office of Adjudication; Lisa D. Eldridge, associate at Martin Law; and Doreen Prescott Grant, attorney at Shaff & Young, PC.

The panel members agreed that the vast majority of workers’ compensation judges and attorneys do handle their cases in a respectful and effective manner. However, the panelists encouraged judges and attorneys to adhere to Chapter 99 of The Pennsylvania Code of Civility, which denotes the standards for the ethical behavior of judges and attorneys. The Pennsylvania Code of Civility sets forth a number of principles that are designed to assist judges and attorneys with courtroom demeanor, conduct and appearance.

The panelists explained that the practice of law in the workers’ compensation forum should confirm the legal profession’s status as an honorable and respected profession where civility is observed as a matter of course. It is important for attorneys to be mindful that they owe a duty to the court to have proper documents prior to hearings and be punctual and prepared for hearings. Some of the judges do appreciate a courteous telephone call from an attorney who is running late for a hearing. Therefore, it is important to know the assigned judge’s rules and procedures before appearing for the first hearing.

The panel members also explained that the appearance of both the attorney and client are also important. The appearance and attire of attorneys and witnesses should show respect for the judge and the court proceedings. Attention should not be drawn to the inappropriate attire of an attorney or witness. In general, you want to have a conservative, professional appearance that shows that the attorney and witnesses are taking the proceedings seriously.

Judge Beach explained that judges also owe a duty to attorneys and other judges. A judge must maintain control of the proceedings and has an obligation to ensure that the proceedings are conducted in a civil manner. “The way we exercise control in the courtroom is determinative of whether our authority is accepted. It’s not accepted because it’s forced upon people. It’s accepted because it’s earned,” she said. A judge should show respect, courtesy and patience to the attorneys, parties and all participants in the legal process by treating all with civility, she said. Judge Beach explained that a judge should not control the strategies of the attorneys and should not impose themselves into the process unless it is required to make a better or complete record.

The panelists concluded that adhering to the standards of professional responsibility and civility promotes an effective workers’ compensation system of justice and preserves the dignity and honor of the judiciary and legal profession.

Regina M. Parker (rparker@tlhlaw.com), an associate with Thomas, Thomas & Hafer LLP, is an associate editor of the Philadelphia Bar Reporter.
Diversity and Inclusion with Outside Counsel


To ensure their outside representation is following the company’s D&I mission, Liberty routinely engages in an ongoing dialogue with outside counsel about its D&I expectations. The question is not simply whether these concepts are essential to the representation of the insureds, customers and Liberty.

Liberty believes that you can create a stronger organization by leveraging the power of people’s collective differences and similarities. These concepts are essential to the representation of their insureds, customers and Liberty. The expectation is that outside counsel engaged to handle matters for the company—that had 160,000 active matters in litigation at the end of 2014—also demonstrate a commitment to further D&I in the legal arena.

According to participants in an Oct. 7 panel, Helen Gillcrist, senior vice president and manager of Enterprise Legal Services; Renee Harper, assistant vice president and controller; and Angela Taylor, assistant vice president and manager of Enterprise Legal Services; Renee Harper, assistant vice president and manager of Enterprise Legal Services for the Eastern Region; for Liberty, the company must be represented, internally and externally, by a diverse workforce and an inclusive environment that will prompt the type of innovation and employee engagement required for the company’s and its customers’ success. The panel explained that Liberty began striving toward this end 20 years ago and believes that other insurers are working toward the same goal. The panel was held at Marshall Dennehey Warner Coleman & Goggin, P.C. and was cosponsored by the Philadelphia Bar Association’s Women’s Rights and Civil Rights Committees, The Barristers’ Association of Philadelphia, Inc. and the Asian Pacific American Bar Association of Pennsylvania.

Firms are encouraged to explore opportunities that will create a diverse talent pipeline; for example, attendance of events that expose the firm to qualified candidates, such as events sponsored by minority bar organizations. For its part, Liberty invests a significant amount of time and money in the attendance of diversity conferences around the nation. In a continuing effort to strengthen and diversify its own workforce, Liberty takes advantage of these opportunities to identify potential candidates. However, when the company meets a potential candidate who cannot be placed within the Liberty organization, Liberty works through its Bridge Program to facilitate an introduction to firms that are looking at building a diverse slate of candidates for their consideration subject to total autonomy regarding their business needs.

Beyond talent acquisition, Liberty also seeks to support and empower its diverse workforce. In addition to the company’s Office of Diversity and Inclusion, the company has a diversity committee within its legal department. Further, the company sponsors separate Employee Resource Groups (ERGs), currently including groups for Women and Allies, Asian, Hispanic/Latinos, Employees of African descent and LGBT employees. The ERGs are open to everyone – promoting the importance of everyone expanding their network. An ally strategy is a key component of the program. Each group is sponsored and/or advised by two executive members of the company who need not self-identify with the group, an indication that D&I are company commitments and responsibilities.

In addition to discussing Liberty’s efforts and its expectations for its own organization and their outside counsel partners, Gillcrist, Harper and Taylor, in answering the continued on page 14


The Legacy of Andrew Hamilton

Last month, we came together to celebrate and support #GettingJusticeDone at the “Andrew Hamilton Benefit Gala Bash.” Once again it was a huge success, raising funds that will directly support grants to public interest law organizations working to ensure access to justice in our community. The Philadelphia Bar Foundation and I thank everyone who generously contributed to support our goal of providing quality legal services to Philadelphia’s underprivileged.

The Bar Foundation is committed to excellence in all its activities, the highest ethical standards and to become an inspiration for all of Philadelphia’s lawyers to focus their philanthropic and volunteer efforts on access to justice. For decades, we have named both our annual fundraiser and donors’ circle after Andrew Hamilton, the 18th century lawyer who, from his passionate defense of John Peter Zenger, became the prototype of “Philadelphia Lawyer.”

Recent research has revealed, however, that Hamilton was a slaveholder who at his death passed on his slaves rather than freeing them. As an organization dedicated to equal justice for all, the Bar Foundation has received this information with the utmost gravity and a renewed commitment to our core values, which are wholly at odds with slavery.

America’s history is inescapably linked with slavery. While we cannot change the past, we can learn from it. And I believe that the life, times and legacy of Andrew Hamilton can teach us as a community something of both from where we came and to where we are headed.

Addressing the Pennsylvania Assembly, in which he twice served as speaker, Hamilton said that it was the then-colony’s reputation for liberty that drew him to make it his home. Pennsylvania owed that reputation to its founder, William Penn. A client and friend of Hamilton, Penn was a Quaker, once imprisoned for his religious beliefs, who founded his new government on enlightened ideals of liberty and religious tolerance. He opened civic participation to all Christians. While by today’s standards that would be egregious discrimination, in the 17th century it represented extraordinary progress. Dozens of religious groups fled persecution in Europe to join Penn’s political utopia. From its inception, Pennsylvania and its capital, Philadelphia, were beacons of liberty and justice to thousands.

Of course, the most famous of Hamilton’s many achievements was his defense of Zenger, through which truth was established as a defense to libel. The significance of this can hardly be overstated, as it allowed for public criticism of the colonial government, which in turn led to the birth of the United States and secured Hamilton’s place in history as “The Day-Star of the American Revolution.”

But Hamilton, like Penn, owned slaves. Wisely still he passed them on at his death, perpetuating the evil institution, unlike George Washington, who freed his in his will, or Benjamin Franklin, who freed his at the end of his life.

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My Membership. My CLE.

Meeting your annual CLE requirement will soon be easier than ever before.

The Philadelphia Bar Association - your partner in justice - will serve as a new provider of Continuing Legal Education to lawyers across the region in early 2016.

Look to us as your convenient, low-cost provider for CLE courses taught by leaders of the profession - with a level of quality and service that has become a hallmark of America’s first bar association.

For questions regarding Philadelphia Bar Association CLE, contact Tara D. Phoenix, Director of Continuing Legal Education, at 215-238-6349 or tphoenix@philabar.org.
PRO BONO SPOTLIGHT

Military Assistance Project Gives Veterans Financial Counsel

By Adrienne N. Anderson and Sarah Pitts

We should warn you now; this story does not have a happy ending. But it’s a good story with good people. It is a story of a war lost but a battle won.

Willie’s family story started in January 2014 from a client who needed to file an emergency bankruptcy. The client, who we will call “George,” had left military service, and was now fighting stage four cancer.

When George first got sick in 2013, he applied for unemployment benefits instead of disability. He was paying permanent alimony in New Jersey and was too distracted by his health to notify the courts of his dramatic decrease in income. By January 2014 his savings were gone, his credit cards were maxed out, his unemployment benefits had been exhausted and all but $875 of his Social Security benefits were being garnished to pay alimony. He was behind on rent, his landlord had gotten a judgment for possession, and he was a week away from becoming homeless.

He was also dying. He had stopped responding to treatment and his doctors had told him he would transition to hospice care in the next few months. George was determined to get better, though. He told us more than once, “in a fight between me and cancer, you better worry about cancer!”

In some ways bankruptcy was the wrong instrument to fix George’s problem. George needed an attorney who could help him with disability benefits or a family law attorney to advocate for an alimony modification based on his changed circumstances.

In some ways bankruptcy was the wrong instrument to fix George’s problem. George needed an attorney who could help him with disability benefits or a family law attorney to advocate for an alimony modification based on his changed circumstances.

We filed his bankruptcy at 7 a.m. on the morning the sheriff was scheduled to remove him from the apartment. Almost nine inches of snow had fallen the night before. We persuaded his landlord not to contest the court’s automatic stay, and George stayed in his home. At his 341 hearing a month later, George brought several mix CDs of music he liked for everyone who had worked on his case or answered one of his phone calls. He was still as sure as ever that he would beat the cancer and start rebuilding his life, without any debt hanging over him.

Two months later when we called to notify him that his bankruptcy case was closed, his sister answered the phone. George had passed away only two days after his debts were discharged.

Bankruptcy is intended to give people in debt a fresh start. It seems unfair that George didn’t get to make use of his. But we get a lot of comfort from knowing that he did get to spend his final months safe and warm and full of hope. We are so proud to have been a part of his fight.

Adrienne N. Anderson (aanderson@ciardilaw.com) is an associate at Ciardi, Ciardi & Astin; Sarah Pitts is a staff attorney and the director of pro bono projects at the Military Assistance Project.

Public Interest Section’s Holiday Events

Please join the Philadelphia Bar Association’s Public Interest Section on Thursday, Dec. 10 to celebrate the holiday season and the accomplishments of the section at two major events.

First, the 2015 Public Interest Law Day CLE Program will be held from 9 a.m. to 4:30 p.m. (registration begins at 8:30 a.m.) at the Pennsylvania Bar Institute’s CLE Conference Center, Wanamaker Building, 10th Floor, Market and Juniper streets. This full day CLE program will offer six CLE credits, including ethics, and will present a wide array of hot topics in public interest law. The program will open with a plenary titled “Making Limited Representation Models Effective while Meeting Ethical Requirements” (one ethics and 0.5 substantive credits), followed by the following six breakout sessions:

- Hot Topics in Health Law and Policy (1.5 substantive credits)
- What You Should Know about Protest Law Before DNC 2016 (one ethics and 0.5 substantive credits)
- Serving Veterans: What We All Should Know (1.5 substantive credits)
- Criminal Process for the Non-Criminal Practitioner, Starting from Stop-and-Frisk (1.5 substantive credits)
- Not Your Grandparents’ Numbers: Using Statistics and GIS Mapping to Improve the Delivery of Legal Services (1.5 substantive credits)
- Ethics Issues (and Practice Tips) in Representing Non-Citizens (one ethics and 0.5 substantive credits)

The program will conclude with a closing plenary titled “Working with the New City and State Administrations to Combat Poverty More Effectively” (1.5 substantive credits). This program is sponsored by the section’s Delivery of Legal Services Committee. Register online at www.pbi.org.

Following the conclusion of the Public Interest Law Day CLE Program, the Public Interest Section will hold its annual awards ceremony and reception from 5:30-8:30 p.m., at the DoubleTree by Hilton Hotel Philadelphia, 237 S. Broad St., Philadelphia. The awards ceremony will begin promptly at 5:30 p.m. and will feature the presentation of the Andrew Hamilton Award to Anita Santos-Singh, executive director, Philadelphia Legal Assistance, and the Hon. Louis H. Pollak Award to Hon. Theodore A. McKee, Chief Judge, United States Court of Appeals for the Third Circuit. The ceremony will also include the Morris M. Shuster Fellowship Awards, the selection of the Higginbotham Fellowship and the presentation of the 2015 Law Student Awards. The reception will follow the awards ceremony, featuring an open bar and heavy hors d’oeuvres. Register online by Dec. 7 at www.philadelphiabar.org.

The cost of the reception is $55 for Public Interest Section and government attorney members and law students; $60 for public interest and government attorneys (non-section members); $75 for other Association members (non-public interest/government attorneys); and $85 for non-members. Law firms and individuals are also asked to consider sponsoring the evening and contribute to the Higginbotham Summer Fellowships at the $1,000, $500 and $250 levels. For more information about sponsoring the event, please contact Tracey McCloskey at tmccloskey@philabar.org.

Register online for the CLE program at www.pbi.org and for the awards ceremony and reception at www.philadelphiabar.org. Please note that attendees must register separately for each event. For more information about these events, please visit the Public Interest Section’s home page on www.philadelphiabar.org.
Entrepreneurship has been said to be the backbone of American prosperity. However, when one dives into a new venture, what they find might be a more daunting task than first imagined.

Picture yourself at a juxtaposed place in your career, ambition paves the way to a successful position in a law firm, but the goals you had set for yourself early on in your career beckon for more than what your job may allow you to accomplish. Then, you find that the outlet to accomplish those goals is to hang your shingle or bring in more business.

As attorneys, we are taught to be quick on our feet, to think critically and to be practical. What makes itself apparent when one decides to put on a “business hat” is that it often is the case that our legal skills do not necessarily translate into business acumen. This is where the father-son team of Chuck and Evan Polin comes in. The Philadelphia Bar Association hosted a Law Firm Laboratory, presented by the Law Practice Management Committee, titled “Bringing in More Business for You and Your Firm” featuring the Polin team on Oct. 28.

The Polin team has been helping attorneys and firms develop business with a very practical system called “Sandler Training.” The system approaches the challenges attorneys face in business development in a very logical and down-to-earth way. The system focuses on establishing relationships with prospective clients and cementing them through the formation of bonds. This allows an attorney trying to develop a portfolio of clients to be client-centered while also maintaining control of the process of getting new clients. This is done, as the system suggests, by being the conduit by which a client will solve their problems as well as setting clear expectations that can be tracked as the relationship progresses.

Once the connection is established that the attorney is there to fulfill the needs of the client, the method in Sandler Training details that the attorney should then explain to prospective clients about how they intend to fulfill those needs within the expectations of the prospective client. This is why it becomes imperative to define those expectations early on in the process. It is difficult to be a good advocate if an attorney is oblivious to the client’s perspective.

Finally, while you are still addressing the prospective client, cement the relationship by giving them a detailed picture of what the relationship is going to look like moving forward. This includes sharing what is necessary from the prospective client for you to make the relationship a success. The system is emphatic about details in this step of building the relationship. Share what you need and when you need it by.

Whether you are hanging your own shingle or trying to bring in more business to your firm, the Sandler Training system has proven itself to be a viable and successful approach to increasing a firm’s client portfolio. Albert Einstein once defined insanity as repeatedly doing the same thing and yet expecting a different outcome. As attorneys, we are often guilty of this insanity. However, if you find your approach to growing your firm becoming “insane,” then as Bob Newhart said “Stop it.” It may be time to get Sandler Training.

Stephanie Kammer (stephanie.kammer@phila.gov) is an assistant city solicitor for the City of Philadelphia.

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HEALTH CARE REFORM UPDATE FROM USI AFFINITY

2016 Cost of Living Adjustments

By Brian McLaughlin

On Oct. 21, 2015, the IRS released cost of living adjustments for 2016 under various provisions of the Internal Revenue Code (the Code). Some of these adjustments may affect your employee benefit plans.

The Affordable Care Act amended Section 125 to place a $2,500 limitation under Section 125(i) on voluntary employee salary reductions for contributions to health flexible spending arrangements, subject to inflation for plan years beginning after Dec. 31, 2013. For plan years beginning in 2016, the dollar limitation under Section 125 for voluntary employee salary reductions for contributions to health flexible spending arrangements is $2,550.

For calendar year 2016, the monthly exclusion limitation for transportation in a commuter highway vehicle (vanpool) and any transit pass (under Code Section 132(f)(2)(A)) remained unchanged at $130; the monthly exclusion limitation for qualified parking expenses (under Section 132(f)(2)(B)) increased to $255.

The 2016 maximum annual out-of-pocket limits for all nongrandfathered plans are $6,850 for individual coverage and $13,700 for family coverage. These limits generally apply with respect to any essential health benefits offered under the group health plan. The final regulations established that starting in the 2016 plan year, the self-only annual limitation on cost sharing applies to each individual, regardless of whether the individual is enrolled in other than self-only coverage, including in a family HDHP.

The compensation threshold for a “highly compensated” individual or participant (as defined by Code Section 414(q)(1)(B) for purposes of Section 125 nondiscrimination testing) remains unchanged at $120,000 for 2016. Under the cafeteria plan rules, the term highly compensated means any individual or participant who for the preceding plan year (or the current plan year in the case of the first year of employment) had compensation in excess of the compensation amount as specified in Code Section 414(q)(1)(B). Prop. Treas. Reg. 1.125-7(a)(9).

The dollar limitation under Code Section 416(e)(1)(A)(i) concerning the definition of a key employee for calendar year 2016 again remains unchanged at $170,000. For purposes of cafeteria plan nondiscrimination testing, a key employee is a participant who is a key employee within the meaning of Code Section 416(e)(1) at any time during the preceding plan year. Prop. Treas. Reg. 1.125-7(a)(10).

As announced in May 2015, the inflation adjustments for health savings accounts for 2016 were provided by the IRS in Rev. Proc. 2015-30. For calendar year 2016, the limitation on deductions for an individual with self-only coverage under a high deductible health plan is $3,350. For calendar year 2016, the limitation on deductions for an individual with family coverage under a high deductible health plan is $6,750.

For calendar year 2016, a “high deductible health plan” is defined as a health plan with an annual deductible that is not less than $1,300 for self-only coverage or $2,600 for family coverage, and the annual out-of-pocket expenses (deductibles, co-payments and other amounts, but not premiums) do not exceed $6,550 for self-only coverage or $13,100 for family coverage.

Non-calendar year plans: In cases where the HDHP renewal date is after the beginning of the calendar year, any required changes to the annual deductible or out-of-pocket maximum may be implemented as of the next renewal date. See IRS Notice 2004-50, 2004-33 I.R.B. 196, Q/A-86 (Aug. 16, 2004).

Individuals who are 55-years-old or older and covered by a qualified high deductible health plan may make additional catch-up contributions each year until they enroll in Medicare. The additional contribution, as outlined in Code 223(h)(3)(B), is $1,000 for 2009 and thereafter.
However, Morrison said “Indians will ask if you are married or have children, and then we may say we are uncomfortable and respond that that’s not quite appropriate.” She explained that that kind of response would be a mistake. What we consider as intrusive questions are commonplace in hierarchical societies with generations of honorifics, like in India. These questions are not being asked to be rude, but are rather being asked for a purpose: to better understand how we relate to the society.

Communication through our senses, specifically sound and smell, can also be received well or rejected by other cultures. Morrison said that Americans tend to sound loud to other cultures. This can be a big turn off when conducting business in foreign markets as studies show that trust is associated with a lower vocal register. Americans should also be mindful of their diets as forms of communication. Chancellor Dandridge shared his experience as a marine in the Vietnam War on sensing the “enemy” through smell because of their diet being rich in fish. He said, “It is very possible that the Vietnamese were trained just as much to smell us.”

After assisting a leading airline to improve an Asian flight to the United States, Japanese passengers reported that Americans smell bad. Morrison said “But actually, it has to do with diet: dairy, red meat and caffeine. You are going to have a different effluvia scent than a vegetarian that drinks green tea.”

These and other examples provided attendees with diverse perspectives on cultural communication. Morrison quoted Mahatma Ghandi: “Civilization is the encouragement of differences.” Perhaps the biggest take away from this Chancellor’s Forum is that tolerance will make for a closer global community and certainly a smoother professional experience when interacting with other cultures at your workplace or overseas.

Lily Dideban (lily.dideban@courts.phila.gov), a judicial law clerk at the Philadelphia Court of Common Pleas, is vice chair of the International Law Committee and its Young Lawyers Division liaison.

Kaltenbach explained that he has recently faced issues surrounding genetically modified organisms (GMOs) when working on the production and export of GMO yeast for biofuel and biochemical applications. He used the example to explain the sensitive nature of the notion of compliance, that carries not only legal but also reputational consequences, in circumstances where jurisdictions have significant and substantive differences in what compliance means. Carrau noted that forms and standards imported from Canada and other nations have made their way into Public-Private Partnership (P3) rail deals and have influenced the typical structure of such agreements. Hamel discussed his encounters with export control laws, some of that might bind only the U.S. citizens in his company, while French colleagues are held to different standards and usually only bound by export control laws resulting from multilateral agreements. The notable issues common to all were navigating anti-bribery laws including the Foreign Corrupt Practices Act (FCPA) and like statutes in other nations; logistical difficulties when deal-making across borders, such as communicating with colleagues in different legal systems across time zones; and more nuanced universal complexities of culture and language.

Through lively discussion of these dynamic international and national legal questions, this Chancellor’s Forum offered a valuable glimpse into how national issues can reverberate abroad and how the reverberations of global issues are felt in national practice.

Enrique Marquez (enrique.marquez@phila.gov) is an assistant city solicitor for the City of Philadelphia.
Right Choices for Transitioning an Art Collection

By Mary E. Ashenbrenner

PNC Wealth Management® is pleased to introduce Mary E. Ashenbrenner, who will conduct this month’s and future interviews on important financial and economic topics. Mary is a senior vice president with PNC Wealth Management located in Center City Philadelphia. Please contact Mary at 215-585-1041 or at mary.ashenbrenner@pnc.com.

Ownership of art, antiques and collectibles presents unique challenges when creating an overall financial and estate plan. Although many art collectors choose to pass on artwork upon their death, other options may be more aligned with their legacy goals. In this month’s interview, I sat down with Mary-Noelle Rasi, senior wealth planner with PNC Wealth Management®, to discuss some of the ways collectors may transition their artwork.

Mary Ashenbrenner (MA): What is the first step to consider when making plans for a valuable art collection?

Mary-Noelle Rasi (MNR): Deciding what to do with artwork is a personal, complex decision, made all the more complicated by tax consequences. For that reason, we think all art collectors should begin with a clear picture of their options and understand the benefits and challenges of each course of action. One person may want their artwork to hang on the walls of a museum. Another may desire to install a love of art in the family and hope their heirs will become stewards of the collection. Or, maybe a sale is the best option for an art collector’s legacy considerations, since the value of the artwork may provide for the family or charitable interests.

MA: What are some of the benefits of donating artwork to a museum?

MNR: Donating to a museum is a wonderful way to share a collection. Museums are intended to exist in perpetuity, and it will become their responsibility to house and care for the donated artwork once it becomes theirs. As part of a museum’s collection, a work of art could even be temporarily loaned to another art institution, allowing even more people to appreciate it. When planning to donate to a museum, it is wise to work with a museum from the beginning of the process.

MA: What are the tax considerations when donating to a museum?

MNR: When an art collector makes a donation to a museum, they will be eligible to take an income tax charitable donation deduction, which will lower their tax liability. If a donation is used in a way that relates to the organization’s charitable mission, as would be the case for a donation of art to a museum, a preferable deduction is available. A qualified tax advisor should be consulted to determine how to maximize the deduction.

MA: Does the tax benefit change if the collector donates their prized collection to non-museum charitable institutions?

MNR: An art collector may wish for their collection to have a charitable impact beyond the art community. If the collector prefers to make a donation to a charity unrelated to artwork, they need to consider whether it is better to donate the work to the organization or sell the work and donate the proceeds. Each option has its own specific tax implications.

MA: What are the benefits of donating an art collection into a private foundation?

MNR: For ambitious collectors who do not want their collections broken apart, private foundations can be the best solution. Creating a private foundation is the ultimate expression of a dedicated art collector’s vision because it essentially allows collectors to create their own museums. Famous institutions such as The Barnes Foundation, the Frick Collection and the Isabella Stewart Gardner Museum began as private collections compiled by passionate individuals. Of course all of the responsibilities of a museum will then rest upon the donor’s shoulders. For example, the collector will need to acquire a dedicated space to hold the collection, hire employees, buy insurance and generally manage the ongoing upkeep of the collection.

MA: If the collector simply wants to pass on their artwork upon their death to their heirs, what are some of the considerations?

MNR: We suggest that the artwork owner clearly express in their will which items are to go to whom. Before moving forward with a gift to heirs, it is important to have an honest conversation with them to assure that the collector’s wishes for the artwork will be carried out. We believe another option is simply to allow the artwork to pass through the collector’s estate, with direction that it shall be liquidated upon their death, with the proceeds going to the heirs.

Choices surrounding artwork are complicated because art is an asset unlike any other. High in both economic and emotional value, a valuable art collection deserves thought and attention as part of one’s overall estate plan. Achieving a level of comfort with the plan can provide a collector with the peace of mind that their desired legacy will be achieved.

Mary Ashenbrenner is a senior vice president with PNC Wealth Management. She can be reached at mary.ashenbrenner@pnc.com or 215-585-1041. For more information, visit pncwealthmanagement.com.

Liberty Mutual

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question posed about what can be done as a diverse attorney to inspire change in a non-inclusive environment, suggested that working hard, showing dedication and commitment may begin a change in the firm’s culture and open the door for other diverse candidates. By nature, people carry implicit biases and gravitate toward and surround themselves with people with whom they have something in common. The challenge, for many, is to get past the conscious and unconscious biases and recognize talent. Firms must make a commitment to embrace differences, honor diverse contributions and value each team member’s distinctive point of view if they want to retain qualified, motivated talent that will best represent the diverse workforce that Liberty and other companies want to see.

Heather J. Austin (Heather.Austin@wilsonelser.com), an associate with Wilson Elser Moskowitz Edelman & Dicker LLP; is a co-editor-in-chief of the Philadelphia Bar Reporter.
Creating Harmony in Lieu of Legislation to Effect Equality

By Amanda J. Dougherty

In the wake of the Obergefell decision providing for same-sex marriage under the United States constitution, the LGBT community has faced a rising backlash from those who argue the expansion of LGBT civil rights impose upon their religious freedoms. Two prominent examples are the Indiana-based pizzeria that announced its refusal to cater any gay weddings, and Kentucky county clerk Kim Davis’s refusal to provide marriage licenses to same-sex couples. The argument is of course the same one famously made in Employment Division v. Smith, popularly referred to as the peyote case, wherein two members of the Native American Church were denied unemployment compensation benefits after being fired for ceremonial use of peyote. Of course, this is just a continuation of the same religious backlash reflected by the 2014 Hobby Lobby decision, relating to reproductive freedom.

The Philadelphia Bar Association's Civil Rights Committee hosted a panel on Oct. 2 featuring Rue Landau, executive director of the Philadelphia Human Relations Commission, and Rabbi David Teutsch, Reconstructionist Rabbinical College, moderated by Molly Tack-Hooper, staff attorney for ACLU of Pennsylvania. The panel was formed to discuss religious refusals and exemptions to these civil rights. The panel, titled “Religious Refusals and Exemptions: Religious Opposition to LGBT Rights and Reproductive Freedom,” was cosponsored by the Public Interest Section, the Women’s Rights Committee and the

Annual Meeting continued from page 1

and admiration of his peers. He enters the role of Chancellor with exemplary credentials and the whole-hearted support of the Association membership.

Alfano and his wife live in Wallingford, Pa., and have two daughters.

The Philadelphia Bar Association will be presenting two awards at the Annual Meeting & Luncheon.

The 2015 Justice William J. Brennan Jr. Distinguished Jurist Award recognizes a jurist who adheres to the highest ideals of judicial service. The 2015 award will be presented to Hon. Sheila Woods-Skipper, President Judge, Philadelphia Court of Common Pleas.

The 2015 PNC Achievement Award honors a member who has made significant accomplishments in improving the administration of justice. The 2015 award will be presented to two members, A. Harold Datz, of counsel at Haggerty, Goldberg, Schleifer, & Kupersmith, PC., and David Richman, of counsel at Pepper Hamilton LLP.

Election of officers and members of the Board of Governors will also be held on Tuesday, Dec. 8, from 8:30 a.m. to 6 p.m. on the Ballroom Level of the Hyatt at The Bellevue. Officers to be elected are Vice Chancellor-Elect Gaetan J. Alfano, Treasurer, Secretary, Assistant Secretary, Assistant Treasurer and five members of the Board of Governors for three-year terms.

Ballots will be mailed on Thursday, Nov. 19, and must be received at the offices of the Philadelphia Bar Association, 1101 Market St., 11th Floor, by 10 a.m. on Thursday, Dec. 3. Anyone not returning a ballot in a timely fashion may still vote in person on Tuesday, Dec. 8.

Candidates for office are: Mary F. Platt and Hon. A. Michael Snyder (ret.), Vice Chancellor; Jacqueline G. Segal, Secretary; Regina M. Foley, Treasurer; Jennifer S. Coatsworth, Assistant Secretary; Natalie Klyashtorny, Assistant Treasurer; Edward F. Beitz, Maureen Farrell, James Funt, Wendy Castor Hess and Adam M. Taylor, Board of Governors (elect five).

Philadelphia Bar Association Annual Meeting Luncheon

Tuesday, Dec. 8, 2015 at 12 p.m. at Hyatt at The Bellevue, Broad and Walnut streets

• Featuring inaugural remarks by Chancellor-Elect Gaetan J. Alfano
• Presentation of Justice William J. Brennan Jr. Distinguished Jurist Award to Hon. Sheila Woods-Skipper, President Judge, Philadelphia Court of Common Pleas
• Presentation of PNC Achievement Award to A. Harold Datz and David Richman
• Introduction of winner of Justice Ruth Bader Ginsburg “Pursuit of Justice” Legal Writing Competition

Please make reservations for the Philadelphia Bar Association’s Annual Meeting Luncheon. Tickets are $65 for members; $55 for YLD members, public interest and government members; $25 for law student members; and $75 for non-members.

Checks should be made payable to the Philadelphia Bar Association.

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Credit card payments should be faxed to Bar Headquarters at (215) 238-1159. Purchase tickets online at philadelphiabar.org.
Petraeus continued from page 1

The Bureau was created as a result of Congress's efforts to prevent another financial crisis. It is designed to protect all consumers in the financial market, and does so in a number of ways. First, it provides consumers with enough information so they can take more control over their economic lives. Second, it supervises providers of consumer financial products and services by enforcing federal consumer financial laws. Lastly, it analyzes data to better understand both consumers and the market. Since July 2011, the Bureau has provided $11.2 billion in relief – of that more than $100 million went to servicemembers and their families.

The Office of Servicemember Affairs is within the Division of Consumer Education and Engagement. The office's goals include: (1) seeing that military personnel and their families receive the financial education they need to make better-informed consumer decisions, (2) monitoring the complaints received from the military and the responses to those complaints and (3) coordinating with other federal, state and local agencies on consumer financial protection measures for servicemembers, veterans and their families.

Prior to the bureau's involvement, military men and women took a finance class at basic training, right in the midst of a very mentally and physically demanding training regimen. In that kind of environment, it is hard to imagine that much of the course's content was actually retained and utilized by young servicemembers when they began their career. Now, in addition to what is offered by the Department of Defense, the bureau will offer a virtual finance class during a future servicemember's delayed entry period – the time between signing up and shipping off to basic training. The bureau has designed a course rich with information – the hope is that by taking the course before basic training. The bureau has designed a course rich with information – the hope is that by taking the course before basic training. The bureau has designed a course rich with information – the hope is that by taking the course before basic training. The bureau has designed a course rich with information – the hope is that by taking the course before basic training. The bureau has designed a course rich with information – the hope is that by taking the course before basic training.

Servicemembers can also submit complaints to the bureau and can self-identify as a servicemember, veteran or family member. This helps the Office of Servicemember Affairs monitor trends affecting the military population. Almost 30,000 military complaints were received between 2011 – 2014 with debt collection ranking as the highest category. Servicemembers are often targeted by unfair debt collection practices which include threats to the public.

Servicemembers can also submit complaints to the bureau, and can self-identify as a servicemember, veteran or family member. This helps the Office of Servicemember Affairs monitor trends affecting the military population. Almost 30,000 military complaints were received between 2011 – 2014 with debt collection ranking as the highest category. Servicemembers are often targeted by unfair debt collection practices which include threats to the public.

Since July 2011, the Bureau has provided $11.2 billion in relief – of that more than $100 million went to servicemembers and their families. The Office of Servicemember Affairs has paired with many state attorneys general to conduct town halls across the country to share information and listen to servicemember concerns. As the military is reduced in size, this means earlier retirement or transition for many, who will need to figure out the financial piece earlier than expected. For those still serving, there will likely be fewer large-scale combat deployments, and those military families will no longer have the extra pay, allowances and income-tax exemptions that came with those deployments. The bureau will continue to work diligently on behalf of our servicemembers to assist them through these changes.

Harmony continued from page 15

LGBT Rights Committee. Ultimately, they seemed to agree that, notwithstanding calls by some for stronger laws to protect religious freedoms, the framework for balancing such freedoms in an employment context is already in place, and has been since the 1990 peyote case. Some adjustments may be necessary, but increasing the number of statutes on the books might unnecessarily complicate the existing framework. Landau stated it would instead be better to focus on upholding the Smith framework to emphasize that the same religious freedoms people have had since Smith are still in place. Even novel factual circumstances, like how a religious institution deals with a gay teacher who chooses to openly marry her partner, may not warrant imposition of new laws. Rabbi Teutsch asserted that careful factual attention to whether the position where the teacher serves provides a core religious function or is secular in nature, should be the focus. He pointed out that history is rife with examples of religious institutions' opposition to the expansion of civil rights. For instance, he noted America's southern churches' opposition to racial equality, Afrikaaner churches' promotion of apartheid in South Africa, and also an astounding support by German churches for Nazi anti-Semitism.

Therefore, and perhaps obviously, while religious exemptions are important, they cannot be used as an excuse to discriminate. Rabbi Teutsch emphasized that government needs the support of religious institutions that serves as an incentive for a harmonization between government and faith groups. While harmony is important, though, society must be vigilant about where the point of harmonization is set when these federal Supreme Court decisions come down. That requires a historical view of each decision in the context of the related civil rights struggles. Since that is in contradiction with the immediate, case and fact-based situations in which cases come before our courts, it is even more important for us as a legal community to pay attention to these religious exemption cases.

Amanda J. Dougherty (amanda.dougherty@phila.gov), an assistant city solicitor for the City of Philadelphia, is an associate editor of the Philadelphia Bar Reporter.
Foundation
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life. While we rightly condemn this, it is worth considering the historical context. Hamilton died in 1741, 50 years before Washington and Franklin, and before the abolitionism movement took hold in either the colonies or England. This was a crucial half-century for abolitionism, and Pennsylvania proudly took a leading role: in the late 1750s its Quakers became early champions of the cause, and in 1775, America's first abolitionism society was founded in Philadelphia.

So while Penn's political experiment and Hamilton's advocacy advanced the causes of justice and freedom and built Philadelphia's reputation as the Cradle of Liberty, both were slaveholders and thus men acting in self-contradiction. And as a further example from Hamilton's legacy illustrates, Philadelphia continued its mixed tradition of advancing equal justice.

At his death, Hamilton's estate at Bush Hill passed first to his son and then to his nephew, who in 1790 leased it to the vice president while Philadelphia served as our nation's capital. Then in 1793 a yellow fever epidemic killed one-tenth of Philadelphia's population in only three months. While the city's wealthy fled, one affluent Philadelphian, Stephen Girard, stayed behind to care for the sick. It was in Hamilton's old mansion at Bush Hill where Girard set up a hospital for the victims, heroically risking his own life to save others.

Girard survived and in 1831 died as America's richest man. In his will, he did something unheard of at the time: he left the bulk of his fortune to create a free school for orphans. Founded well before the advent of public education, Girard College was the first school exclusively for the underprivileged.

While Girard is rightly remembered as "the Father of Philanthropy," he is also remembered for another reason. In his will, Girard limited admission to white boys, and so Girard College remained—for more than a century after the Civil War. It took a 15-year legal battle championed by Cecil B. Moore, Dr. Martin Luther King Jr. and three U.S. Supreme Court rulings to finally integrate Girard in 1968.

As these examples show, Philadelphia has for centuries played a leading role in the quest for equal justice, yet often at the hands of morally inconsistent men. This December we celebrate the 150th anniversary of ratification of the 13th Amendment, which finally ended slavery. We should all be thankful that we live in an age with far more equal access to freedom and justice than those of Penn, Hamilton, Franklin, Washington and Girard. All these men helped to advance the cause of justice, yet all owned slaves.

What are we to make of this? Philadelphia's legacy of justice is one of progress, and the Philadelphia Bar Foundation works tirelessly to continue making progress. I believe it is possible to remember and even celebrate the achievements of these men while acknowledging and condemning their shortcomings.

With all of this in mind, the Bar Foundation will form an ad hoc committee to examine whether continuing to refer to our annual fundraising dinner as the Andrew Hamilton Benefit is the best way to further our mission of promoting equal access to justice or whether a new name that describes the Foundation's mission would better advance our goals. We wish neither to alienate nor offend any segment of our community, and we will be as sensitive as possible to the strong emotions surrounding this issue. However, we must remember our ultimate goal: to inspire each successive generation of Philadelphia lawyers to outdo its predecessor in the quest for equal justice for all members of our community.

I hope all of you will continue to support the Bar Foundation's efforts.

Steven E. Bizar (steven.bizar@bipc.com), an executive shareholder at Buchanan Ingersoll & Rooney PC, is president of the Philadelphia Bar Foundation.

Donation Opportunity
Contributing to the Philadelphia Bar Foundation shows you care about our justice system and the assistance it provides to the community. With one contribution you are supporting all the public interest legal organizations in the Philadelphia area that serve those who need a lawyer to help them assert their legal rights but who cannot afford one. For more information, please visit www.philbarfoundation.org.
Note: While the following listings have been verified prior to press time, any scheduled event may be subject to change by the committee or section chairs. Lunches are $9 for members and $12 for non-members, unless otherwise indicated. Register online for most events at philadelphiabar.org. Unless otherwise specified, all checks for lunches and programs should be made payable to the Philadelphia Bar Association and mailed to Bar Headquarters, 1101 Market St., 11th Floor, Philadelphia, PA 19107-2955.

Dec. 1
Legal Rights of Persons with Disabilities Committee: meeting, 9 a.m., 10th Floor Board Room.

Dec. 2
Delivery of Legal Services Committee: meeting, 8:30 a.m., 10th Floor Board Room.

Law Firm Laboratory: educational program, 12 p.m., 10th Floor Board Room.

Criminal Justice Executive Committee: meeting, 12:30 p.m., 11th Floor Committee Room South.


State Civil Litigation Section Annual Meeting and Reception: 5:30 p.m., Estia, 1405 Locust St., Philadelphia. Register: philadelphiabar.org.

Dec. 3
Government and Public Service Lawyers Committee: meeting, 12:30 p.m., 10th Floor Board Room.


Dec. 4
Custody Committee: meeting, 8:30 a.m., Obermayer Rebmann Maxwell & Hippel LLP, One Penn Center, 19th Floor 1617 JFK Blvd., Philadelphia.

Dec. 7
Cabinet: meeting, 12 p.m., 10th Floor Board Room.

Family Law Section: meeting, 12 p.m., 11th Floor Conference Center. Lunch: $9.

Dec. 8
Annual Meeting Luncheon: 12 p.m., Hyatt at The Bellevue, Broad and Walnut streets, Philadelphia. Register: philadelphiabar.org.

Dec. 9
Intellectual Property Committee: meeting, 12 p.m., 11th Floor Conference Center. Lunch: $9.

LRIS Committee: meeting, 12 p.m., 11th Floor Committee Room.


Dec. 10
Public Interest Law Day: CLE program, 9 a.m., Pennsylvania Bar Institute, CLE Conference Center, Wanamaker Building, 10th Floor, Market and Juniper streets. Register: phi.org.

Legislative Liaison Committee: meeting, 12 p.m., 10th Floor Board Room. Lunch: $9.

Zoning, Land Use and Code Enforcement Committee: meeting, 12 p.m., 11th Floor Conference Center. Lunch: $9.

Dec. 11
Philadelphia Lawyer Editorial Board: meeting, 12:30 p.m., 10th Floor Board Room.

Dec. 14
Civil Rights Committee: meeting, 12 p.m., 11th Floor Committee Room South. Lunch: $9.

Real Property Executive Committee: meeting, 12 p.m., Ballard Spahr LLP, 1735 Market St., Philadelphia.

Dec. 15
Immigration Law Committee: meeting, 12 p.m., 11th Floor Conference Center. Lunch: $9.

Employee Benefits Committee: meeting, 12:30 p.m., 11th Floor Committee Room South. Lunch: $9.


Family Law Section Annual Dinner and Award Presentation: 5:30 p.m., The Ritz-Carlton Philadelphia, 10 Avenue of the Arts, Philadelphia. Register: philadelphiabar.org.

Dec. 16
Business Law Executive Committee: meeting, 12 p.m., 10th Floor Board Room.

Federal Courts Committee: meeting, 12:30 p.m., 11th Floor Conference Center. Lunch: $9.

Public Interest Section Annual Awards Ceremony and Reception: 5:30 p.m., DoubleTree by Hilton Philadelphia, Center City, 237 S. Broad St., Philadelphia. Register: philadelphiabar.org.

Dec. 17
Foundation Board: meeting, 12 p.m., 10th Floor Board Room.

Family Law Section Executive Committee: meeting, 12 p.m., 11th Floor Committee Room South.

Board of Governors: meeting, 4 p.m., 10th Floor Board Room.

Dec. 18
Section and Division Chairs: meeting, 8:30 a.m., 10th Floor Board Room.

Dec. 21
Criminal Justice Section: meeting, 12 p.m., 11th Floor Conference Center. Lunch: $9.

Public Interest Executive Committee: meeting, 12 p.m., 10th Floor Board Room. Lunch: $9.

Dec. 25
Christmas: offices closed.

Send Bar Association-related calendar items 30 days in advance to Thomas E. Rogers, Senior Managing Editor, Philadelphia Bar Reporter, Philadelphia Bar Association, 1101 Market St., Philadelphia, PA, 19107-2955. Fax: (215) 238-1159. Email: TRogers@phiabar.org.

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Butler (Buck) Buchanan III, managing attorney of the Philadelphia office of Marshall Dennehey Warner Coleman & Goggin, P.C.; Joseph J. Centeno, chairman of labor relations and employment law at Obermayer Rebmann Maxwell & Hippel LLP; Judy L. Leone, managing partner of the Philadelphia office of Dechert LLP; Grace Manno, senior director and lead corporate counsel for the Americas at QlikTech; and Richard Negrin, managing director and deputy mayor of the City of Philadelphia; enthusiastically shared their experiences and teaching moments with the audience.

Attendees left the day-long symposium having heard from the nation’s thought leaders on diversity and inclusion best practices and being challenged to implement some of those measures at their respective legal organizations.

Sophia Lee (sophia.lee@sunoco.com), chief counsel - Litigation at Sunoco, Inc., is co-president of the Philadelphia Diversity Law Group and Philadelphia Bar Association Diversity Chair.

CLE Topic Idea?
To submit a topic idea for a CLE course or volunteer to be a course planner or presenter, contact Tara D. Phoenix, Director of Continuing Legal Education, at 215-238-6349 or taphoenix@phiabar.org.
Regina M. Foley and Timothy R. Lawn, attorneys at Raynes McCarty, presented during the Pennsylvania Bar Institute Program titled “Taking and Defending Depositions” on Nov. 2 in Philadelphia. Foley presented “Deposition Techniques” and Lawn presented “Establishing Your Objectives and Ways to use Deposition Testimony and Videotaped Depositions.”

Steven K. Mignogna, shareholder with Archer & Greiner P.C., was a featured speaker at the 37th Annual Duke University Estate Planning Conference. He presented “Ethics and Technology in a Trusts and Estates Practice” on Oct. 15.

Ira S. Lefton, partner, Melinda P. Rudolph, counsel, and Mark T. Vogelbacker, associate, at Reed Smith LLP, spoke on a panel hosted by the firm welcoming 30 partners from the National Bar Association Women Lawyers Division, Philadelphia Chapter, the National Bar Association Women Lawyers Division, Philadelphia, along with the National Bar Association Women Lawyers Division, Philadelphia, was awarded the Sadie T. M. Alexander Award at Villanova University School of Law, and has been honored with the 2016 Ruth Bader Ginsburg Lifetime Achievement Award.


Harry S. Cherkon Jr., partner at Drinker Biddle & Reath LLP, was recently elected to the Lafayette College board of trustees. This four-year term runs through June 2019.

Effi Taylor, a second year law student at Villanova University School of Law, was awarded the Sadie T.M. Alexander scholarship by the Foundation of the National Bar Association Women Lawyers Division, Philadelphia Chapter, on Oct. 28.

David Trevaskis, attorney at Donna Adelsberger & Associates, P.C., was honored with the Isidore Starr Award for Excellence in Law Related Education by the American Bar Association on Oct. 30.

James J. Quinlan, associate at Blank Rome LLP, moderated the panel discussion on “Dealing in In-House Counsel – Inside Looking Out” at the Brehon Law Society’s monthly meeting, held on Nov. 17 in Philadelphia.

Stewart M. Weintraub, of Chamberlain, Hrdlicka, White, Williams & Aughray, gave a presentation titled “State Income, Double Taxation, and Tax Discrimination in the Post-Wynne World” during a webinar sponsored by the American Bar Association’s Section of Taxation on Nov. 18.

Marina Angel, professor at Temple University Beasley School of Law, has been honored with the 2016 Ruth Bader Ginsburg Lifetime Achievement Award.


Lewis F. Gould Jr., a partner at Duane Morris LLP, has been reappointed to the Temple University Board of Trustees for a four-year term. Gould has served as a member of Temple’s Board of Trustees since 1985. The board has final authority and responsibility for the policies and governance of the university.

John J. Hare, shareholder at Marshall Dennehey Warner Coleman & Goggin, P.C., has been appointed to the Pennsylvania Supreme Court’s Civil Procedural Rules Committee. He was appointed by Hon. Thomas G. Saylor, Chief Justice, Pennsylvania Supreme Court, and will serve a three-year term.

Neil A. Morris, principal, and Gabriel V. Celi, associate, at Offit Kurman, gave a presentation titled “Social Media and Employee Discipline” to the Lehigh Valley Managers Association at the Plainfield Township Municipal Building in Northampton County, Pa.

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“Irrelevant” highlights news of members’ awards, honors or appointments of a community or civic nature. Send news to Thomas E. Rogers, Managing Editor, Philadelphia Bar Reporter, Philadelphia Bar Association, 1101 Market St., 11th fl., Philadelphia, Pa., 19107-2955 or reporter@philabar.org.
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With a 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.

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