Tenants facing eviction from their homes deserve a lawyer. This has been the aspirational goal of the Philadelphia Bar Association’s Civil Gideon and Access to Justice Task Force for the past decade. Thanks to a new law championed by Councilmember Helen Gym, that dream is now a reality.

The scope of the eviction crisis in Philadelphia is enormous. Over 20,000 eviction filings occur each year in Philadelphia, with women and people of color facing disproportionately high rates of eviction. Many of these tenants have defenses to eviction or had a suit filed against them in retaliation for exercising their legal rights.

Consider Mr. and Mrs. S, who were forced to flee their home when their kitchen and living room flooded with raw sewage. They moved their family into a hotel, paid hundreds of dollars in out-of-pocket expenses and withheld rent as they waited for the landlord to make repairs that would allow the Mr. and Mrs. S to return to their home. Instead of an apology or rent credit, the family received an eviction notice from their landlord.

C.M. and C.H. faced a similar situation. The young couple moved into a rental property only to learn that there was no running water throughout the house. Out thousands of dollars they put down for security deposits and without anywhere to go, C.M. was forced to walk down to her basement, fill up a bucket with water coming from a broken connector pipe, walk it up to the kitchen, boil the water and serve it to her family. Their landlord informed them that they would not be able to return to their home.

By George Donnelly

Pictured: Chancellor Rochelle M. Fedullo (right) and Ethan Fogel, a member of the Association's Civil Gideon and Access to Justice Task Force, testify in support of the right to counsel bill at the Oct. 29 hearing held by City Council's Committee on Law and Government. Philadelphia City Council unanimously voted to pass the legislation on Nov. 14.

A 2019 Bench-Bar & Annual Conference Photo Retrospective

Chancellor Rochelle M. Fedullo (second from left) and course planner Benjamin J. Baer (far right) with "A Supreme Conversation" panel members (from left to right) Justice Kevin M. Dougherty; Chief Justice Thomas G. Saylor; Justice Sallie Updyke Mundy; and Justice Max Baer of the Pennsylvania Supreme Court; at the 2019 Bench-Bar & Annual Conference at the Borgata Casino Hotel & Spa on Oct. 11.

In This Issue
6 Naturalization Ceremony
8-9 Affinity Associations
13 50 Years of PILC
14 Bench-Bar 2019 Photos

More photos on page 14

continued on page 18
Meet the Chancellor and Our 2020 Leadership

Tuesday, Jan. 7
5 - 7 PM
The Bellevue Hotel
200 S. Broad St.

The event is complimentary to the entire legal community, but registration is required by Jan. 3.

For more information and to register, visit www.philadelphiabar.org.
I had thought that when the time arrived, vanity would prevent me from getting a SEPTA "Senior Fare Card," but I pushed it aside—for the last two years, I have cheerfully been riding for free. In addition to the free rides, I like sitting in one of the front seats without having to feel guilty. I especially like when, occasionally, I get "the look" from another passenger who questions my entitlement to one of those seats—sure, I pushed my vanity aside, but I did not knock it senseless.

There is camaraderie among those of us who ride free and sit up front near the driver. We often help each other in and out of our seat, or even offer our seat if someone needs it more. Although, as one of the youngest of the older people, I usually give more help than I get, the combination of very high heels, too many bags, and bus "take-off" sometimes makes me reach out for a literal helping hand so I land in a seat instead of on the floor.

The front seat community is a good place for conversation—and not only small talk. A few weeks ago, I chatted with a lovely woman for eight blocks. It started with a comment about my shoes—"I used to wear those high heels, too, when you were young like you"—she was 87. She told me about growing up in the South. She was the youngest of five children. Her father died when she was a little girl, and the family struggled to get by. Sometimes, even now, when she sees a man holding a little girl's hand, she misses her father and feels very sad.

Some conversations have left me a little tearful, but others made me think. I think about my own bias in believing that a woman in her late 80s could not possibly tell a risqué joke.

What is it, apart from being over 65, that we folks in the front seats have in common? What is the connection? As I think about it, isn’t it simply the most fundamental and powerful connection of all—which has no age or other restrictions—our shared humanity? We just say "yes" to it, and talk until we get to our stop.

In writing this final column, I have been a little tearful—okay, maybe more than just a little. I also have been struggling with how to wrap it up—I guess I could tell you those two jokes…just kidding. I am smiling now, and I know I will be smiling for a very long time as I look back on the experience of a lifetime—connecting with you, joining you in saying a collective "yes" to our shared humanity as we serve others, as we touch the lives of people who need our help.

Friends, I am almost at my stop, but before I "exit," I have this to share—cherishing the privilege of having served as Chancellor of the oldest and finest association of lawyers in the nation is something that this Philadelphia lawyer will always, always do.

With thanks, and yes, with love,

Shellie

Rochelle M. Fedullo ( Rochelle.Fedullo@wilsonelser.com), partner at Wilson Elser Moskowitz Edelman & Dicker LLP, is Chancellor of the Philadelphia Bar Association.
As this year comes to a close, we look back on the year that was and look forward to the new year. It is a natural time for reflection, and so, in this my final column, I share with you those things that have made me so grateful in 2019, as well as some of my resolutions for 2020.

First, I express my gratitude. I am thankful to the Young Lawyers Division leaders of the past. They have built a strong branch of this Bar with an extremely sturdy foundation. Because of their hard work and foresight, current YLD leaders have the benefit of solid structure around which to implement our ideas. These past leaders’ legacies also live on in the current YLD leaders, who have been encouraged and guided by leaders of the past. Their passion is evident in the continued success of the YLD.

I am thankful for the current YLD Executive Committee. This group is small but mighty. The EC members’ dedication to our mission cannot be overstated. These are the people who have planned every networking happy hour, organized volunteers for our community activities, manned the phones for legal line each month and orchestrated logistics for every single event. They have stepped up in every possible manner, and I cannot be more proud of all they have accomplished.

I am thankful for leaders in the “Big Bar” who treat the YLD with respect. YLD leadership has been included in all major decisions, and the opinions of YLD members have been taken as valid. Our Bar leadership has created a culture where the YLD is taken seriously and valued.

Finally, I am thankful for an amazing Bar staff. Our staff members are here, year after year, working tirelessly to help implement the priorities of the current leaders. While the focus of their work may change from year to year, they are our rocks, our constants. They hold invaluable institutional knowledge. I am also thankful that our staff is now led by our Executive Director, Harvey Hurdle Jr., an excellent leader with an amazing vision for our Bar’s future and the unique ability to actually implement it.

And so, in 2020, as a member of the Association, I am resolved to remain as involved as ever, even as my role in doing so will change. I resolve to mentor upcoming YLD leaders, as they begin their labor of love in moving this group onward and upward. I will be a resource for them, as someone who has been there before. I resolve to continue encouraging new people to become fully engaged in the Bar Association. I am steadfast in my belief that, for young lawyers especially, there is no better training in leadership, professional development, emotional intelligence and managerial skills than involvement in the Association. I resolve to continue being a leader in this Philadelphia legal community, even without the title of YLD Chair. Last, but certainly not least, I resolve to apply what I’ve learned from this experience and to continue learning.

Michaella Tassinari Bowser (michaella.t.bowser.kfyk@statefarm.com), attorney at Robert J. Casey, Jr. & Associates, is chair of the Young Lawyers Division.
In November at our annual Access to Justice event, we celebrated our 2019 Unified Giving Partners’ generous contributions to the Bar Foundation and the outstanding achievements of pro bono and public interest lawyers in Philadelphia. The evening kicked off with food, drinks and networking followed by an awards program. Linda Peyton, the executive director of Legal Clinic for the Disabled, received our Philadelphia Bar Foundation Award, and Hausfeld LLP received our 2019 Pro Bono Award. Hon. Timothy K. Lewis closed the program with an eloquent and inspiring speech about the impact of the Equal Justice Center and the promise it holds of providing access to justice. Thank you to everyone who joined us for a wonderful evening.

The generosity of our Unified Giving contributors and individual donors make the work of the Bar Foundation possible. As we prepare to make our annual grants to nearly 40 nonprofit partners at the end of this year, we are hopeful for additional donations in these final weeks. Because our grants are unrestricted financial support, they have a substantial impact on our nonprofit partners.

To give you an idea of the impact of the legal aid organizations we support, in 2018 they handled more than 11,000 pro bono cases. In 2019, their litigation, advocacy, and counsel have resulted in successes such as:

• The exoneration of Larry Trent Roberts through the work of the Pennsylvania Innocence Project, an organization committed to providing legal resources to individuals who are wrongfully incarcerated. Through litigation led by legal director Nilam Sanghvi, also a Bar Foundation Trustee, Trent’s sentence was vacated after 13 years of imprisonment for a murder he did not commit.
• Right to Counsel legislation guaranteeing low income tenants the right to an attorney in eviction cases was passed unanimously in Philadelphia City Council advancing the work by the Philadelphia Eviction Prevention Project (PEPP), a collaborative effort launched by Mayor Jim Kenney and implemented by Community Legal Services (CLS), Legal Clinic for the Disabled (LCD), Philadelphia VIP, Regional Housing Legal Services (RHLS) and SeniorLAW Center (SLC).

The Philadelphia Bar Foundation’s ability to maintain our unrestricted grants to these important organizations relies on your generosity. If you haven’t given to us yet, we hope you will make a donation by mail or online at PhilaBarFoundation.org before December 31st, we also accept gifts of stock or other securities as well as retirement plan assets.

Judge Lewis challenged us at our Access to Justice event: “And I ask that you ask yourselves, ‘What have I done with the gifts I’ve been given to advance the cause of justice for those most in need?’” I urge you to consider an end-of-year donation. Thank you for your support!

Leslie E. John (john@ballardspahr.com), partner at Ballard Spahr LLP, is president of the Philadelphia Bar Foundation.
ATTORNEY DISCIPLINARY / ETHICS MATTERS

STATEWIDE PENNSYLVANIA MATTERS
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Representation, consultation and expert testimony in disciplinary matters and matters involving ethical issues, bar admissions and the Rules of Professional Conduct

James C. Schwartzman, Esq.

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- Former Chairman, Judicial Conduct Board of Pennsylvania
- Former Chairman, Disciplinary Board of the Supreme Court of Pennsylvania
- Former Chairman, Continuing Legal Education Board of the Supreme Court of Pennsylvania
- Former Chairman, Supreme Court of Pennsylvania Interest on Lawyers Trust Account Board
- Former Federal Prosecutor
- Selected by his peers as one of the top 100 Super Lawyers in Pennsylvania and the top 100 Super Lawyers in Philadelphia
- Named by his peers as Best Lawyers in America 2015 Philadelphia Ethics and Professional Responsibility Law “Lawyer of the Year,” and in Plaintiffs and Defendants Legal Malpractice Law

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Top: Hon. Joel H. Slomsky, U.S. District Court for the Eastern District of Pennsylvania (middle), who presided over the naturalization ceremony with distinguished featured speaker, Hon. Chad F. Kenney, U.S. District Court for the Eastern District of Pennsylvania (on left); and Chancellor-Elect Hon. A. Michael Snyder (Ret.), who provided remarks on behalf of the Philadelphia Bar Association; at the Nov. 21 ceremony.

Middle: Sixty-four people from 33 countries became U.S. citizens at the ceremony.

Bottom: Vania Tonelotti Gorczynski, formerly of Brazil, provided remarks on behalf of the new citizens.

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LAWYER TO LAWYER REFERRALS
Analysis of House Bill 1234 of 2019

By Mark R. Schmidt

House Bill 1234 of 2019 Amends Section 301(c) of the Workers Compensation Act extends the deadline to file a claim for medical conditions with a latency period exceeding 300 weeks and expands the employer’s Section 303 “exclusive remedy” protection. Sounds pretty clear, right? Trying to explain this complex law in the space provided reminds me of Steve Buscemi in Armageddon, sitting in a rocket filled with fuel and a nuclear weapon “built by the lowest bidder.” Makes you feel good, doesn’t it?

To simplify the general rule: a claim petition must be filed within three years of the date of injury and/or requires disability or death occur within 300 weeks of injury or last exposure to some offending element (fume, chemical, bacteria, etc.). HB 1234 adds Section 301(g)(1), which states the deadlines “shall not apply” to certain medical conditions. What conditions you ask? Whatever condition the claimant can prove “has a latency period of more than three hundred weeks.” In such case, a petition must be filed within 300 weeks of the date the claimant was diagnosed. As written, there is a question of whether the amendment applies when a specific claimant’s condition does not manifest for more than 300 weeks, or when the condition must be such that no person would have symptoms appear within 300 weeks. Changing a few key words could eliminate much expected litigation. For example, “It shall be a claimant’s burden to prove that the disease for which compensation is sought has a latency period which may be of more than three hundred weeks.”

The amendment imposes retroactive liability on self-insured employers but not on insured employers. This could provoke litigation regarding the disparate treatment. Given that there is no “suspect class” involved, the General Assembly need only have a rational basis. As it is often medical providers and first responders who encounter diseases with long latency periods in a work-related setting—and that municipalities and hospitals are more likely to be self-insured—this could provide the rationale basis.

Other excerpts likely to produce litigation involve the discretion afforded to insured employers, who “may refer” a claim of this type to the Security Fund, rather than making referral mandatory; the exemption of liability against The Fund where exposure post-dates the amendment (seemingly exempting claims where an insurer becomes bankrupt after the amendment); and expanding the exclusive remedy protection, “whether the disease is compensable OR NOT?”

Overall, the proposal has a humanitarian spirit that opens the door to compensation for some claims that would otherwise be flatly denied by operation of time. Excluding insurance carriers from liability for claims germinating six years earlier, for which the risk has not been assessed and no premium paid is understandable. If the intent is to compensate injured workers, however, the amendment could be slightly adjusted to accomplish that intent, rather than phrased in a manner almost assured to provoke time-consuming and costly litigation.

Mark R. Schmidt (MSchmidt@SKR.legal) is a founder and managing partner of Schmidt, Kirifides & Rassias.

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APABA-PA’s 35th Anniversary Banquet

By Amanda Thai

On Oct. 4, the Asian Pacific American Bar Association of Pennsylvania celebrated its 35th anniversary at its Annual Banquet at the Sheraton University City Hotel.

APABA-PA’s 35th anniversary festivities included a 10-course meal catered by Sang Kee, a silent auction, a spoken program, a cocktail reception and APABA-PA’s inaugural in-house counsel reception, hosted by Pod.

Cecillia Wang, Deputy Legal Director of the American Civil Liberties Union, was the keynote speaker. Wang directs the Center for Democracy, which encompasses the ACLU’s work on immigrants’ rights, voting rights, national security, human rights, speech, privacy and technology.

Ms. Wang is a passionate advocate for immigrants’ rights, speaking out and successfully defending against anti-immigration laws, racial profiling and other unlawful police practices related to immigration enforcement.

APABA-PA also presented its 2019 Attorney of the Year Award to Glenn F. Hing. This recognition is bestowed on a member who has demonstrated professional excellence in practice, is held in high regard by clients and peers, has shown leadership within APABA-PA and other professional associations and has demonstrated dedication to the Asian Pacific American community.

APABA-PA also presented its 2019 Attorney of the Year Award to Glenn F. Hing. This recognition is bestowed on a member who has demonstrated professional excellence in practice, is held in high regard by clients and peers, has shown leadership within APABA-PA and other professional associations and has demonstrated dedication to the Asian Pacific American community.

Each year, the Annual Banquet supports the William M. Marutani Fellowship, established in 2003 to honor Judge Marutani’s legacy as a civil rights advocate, jurist and pioneer in the law. Law students who exhibit the same commitment to social justice as Judge Marutani are selected annually to receive this financial award in support of summer employment with a public interest organization or government agency. The 2019 Marutani Fellows, Nicholas Chan, University of Pittsburgh School of Law; and Lisa Riley, Villanova University Charles Widger School of Law.

Amanda Thai is vice president of the Asian Pacific American Bar Association of Pennsylvania and is the APABA-PA Banquet Chair.
November Giving at the Barristers’ Association

Happy Hour Fundraiser & 35th Annual Turkey Drive

By David C. Williams

On Nov. 7, the Barristers’ Association of Philadelphia, Inc. held a Happy Hour at Ladder 15 to raise funds for its annual Turkey Drive. Thanks to the generous underwriting of Post & Schell, 100% of the proceeds helped Barristers’ feed about 700 Philadelphia-area families on Nov. 23. Members of Post & Schell’s leadership team, including President & CEO James Johnston, General Counsel & Chief Compliance Officer Andrew Allison and Chief Marketing & Communications Officer Michael Baltes, attended. Post & Schell associate and Barristers’ Elected Member Aaron Dunbar coordinated the event.

On Nov. 23, the Barristers’ Association of Philadelphia held its 35th Annual Thanksgiving Turkey Drive, the purpose of which was to feed Philadelphia area families on Thanksgiving. Nearly 70 volunteers spent about four hours at the Strawberry Mansion PAL Center unloading, preparing, and distributing 700 “turkey baskets,” consisting of a turkey, canned goods and stuffing.

Philadelphia has been referred to as the nation’s poorest large city, with an estimated poverty rate of 25%. This statistic is more than a number to many people within the Barristers’ community and it greatly affects families in our area during the holiday season.

Barristers’ “Money & Mental Health” Presentation


The Barristers’ Executive Board: (from left to right) Joel Clymer, Jahlee Hatchett, Adara Combs, Aaron Dunbar, Lakeisha Robinson, Angella Middleton, David Williams, Tianna Kalogerakis, Salena Jones, Dominique Ward, and Clay Cauley at the Barristers’ 35th Annual Thanksgiving Turkey Drive on Nov. 23.

Presentation moderator Greg Patton (far left), with (from left to right) Argie Allen Wilson, Shabrei Parker, Edward Walters, Mark Travis and Barristers’ President David C. Williams at the presentation on Nov. 13.
DECEMBER 2019 CLE/CJE COURSES

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Philadelphia Bar Reporter December 2019

PhiladelphiaBar.org

Strategies for Witness Examination: Yours and Theirs
Fri., 12/13/19 - 9:00 - 11:15 a.m. (1 SUB/1 ETH) – WEBCAST ONLY
Hosted by the Substantive Law Section
This is the final FREE CLE of 2019 for Philadelphia Bar Association members in good standing. Sponsored by LawPay
In both jury and nonjury trials, dealing with difficult witnesses is a crucial skill for attorneys. This program will explore the best tactics for handling your own witnesses, as well as opposing counsel’s. Featured speaker, Claude E. Ducoux, will examine how witnesses fit into your overall case strategy, and then outline best practices to master the art of witness prep and examination. He’ll also explain how to tune in to important nonverbal signals in the courtroom, and review some key ethical principles to guide your witnesses’ examination tactics. A “Must Attend” program for all trial practitioners. Earn one of your two required ethics credits FREE as a Philadelphia Bar Association member in good standing.

VIDEO ENCORE: Ethical Issues for Attorneys Serving on a Nonprofit Board
Mon. 12/9/19 - 12:00 - 1:00 p.m. (1 ETH)
Many attorneys have the opportunity to join a nonprofit board throughout their careers. Whether you are a new or experienced attorney, there are many ethical considerations to take into account. This video-encore session will review common ethical issues lawyers encounter and provide practical tips for those considering serving or already serving on a nonprofit board.

2019 Tax Section Annual Meeting & CLE - Federal Tax Year in Review
Mon. 12/9/19 - 3:30 - 5:30 p.m. (2 SUB)
Hosted by the Philadelphia Bar Association’s Tax Section
 Held at The Notary, 21 North Juniper Street, Salon 2 - Grand Ballroom
The last year has provided a flood of regulatory and administrative developments. Many relate to the tax law changes that occurred in the other half of 2018, including the “qualified business income” deduction, new limits on interest expense deductions, and new international provisions. Others, such as proposed regulations limiting net operating loss usage after a change in control, are changes in older law that were not required under the 2017 tax law. This panel will review these significant developments. From the IRS Large Business and International (LBA) Division has been invited to discuss current IRS enforcement initiatives. Enjoy a great program and end the year with colleagues in a festive atmosphere.

Ethics on Appeal
Tue., 12/10/19 - 12:30 - 1:30 p.m. (1 ETH) – Live and Webcast
Hosted by the Appellate Courts Committee
The appellate process presents a unique set of ethical questions, among them: should I appeal a sure-loser; will the appeal create a positional conflict; and what if the record is not accurate? The program will present a series of scenarios faced by appellate counsel that raise both practical and ethical concerns. The experienced panel will provide sound not accurate? The program will present a series of scenarios faced by appellate counsel that raise both practical and ethical concerns. The experienced panel will provide sound not accurate? The program will present a series of scenarios faced by appellate counsel that raise both practical and ethical concerns. The experienced panel will provide sound not accurate? The program will present a series of scenarios faced by appellate counsel that raise both practical and ethical concerns. The experienced panel will provide sound not accurate? 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Practice Tips and Expectations from Federal Court Judges
Wed., 12/18/19 - 4:00 - 5:00 p.m. (1 SUB) - LIVE and WEBCAST
 Hosted by the Federal Courts Committee
Please join U.S. District Court Chief Judge Juan R. Sanchez and Judges Chad F. Kenney, Sr., Joshua D. Wolson and John Milton Youngue, the newest judges to join the Eastern District of Pennsylvania, and learn about their pre-trial procedures, courtroom procedures and suggestions for attorneys practicing before them. The judges will also offer insights on how they handle discovery issues, mediation and settlement. Hear the latest developments from the Chief Judge, as well as how the newest judges have been assigned to cases. Each judge brings unique perspective to how they handle civil and criminal matters; ask questions to make certain you come prepared when practicing before these judges. Stay for a reception immediately following and meet and greet the new judges.

VIDEO ENCORE: Appellate Rule Making and Recent Amendments to the Pennsylvania Rules of Appellate Procedure
Fri., 12/27/19 - 9:30 - 11:00 a.m. (1 SUB/0.5 ETH)
This video-encore presentation will explore the Pennsylvania Rules of Appellate Procedure. Featured speakers, two current members of Pennsylvania’s Appellate Court Procedural Rules Committee, Robert M. Palumbos (Vice Chair) and Ruxandra M. Laidacker, will address the appellate rule-making process, the recent amendments to the Pennsylvania Rules of Appellate Procedure, and suggestions concerning current and future rules.

VIDEO ENCORE: Evidence Refresher with Professor Jules Epstein, greet the new judges.
Mon., 12/23/19 - 12:00 - 2:00 p.m. (2 SUB) 
In this video-encore program, panelists will examine human resources issues facing solos, small firms and small businesses, including drafting of employee handbooks, compliance with state and federal laws and regulations, the Philadelphia Fair Practices Act, FMLA requirements and leave policies.

VIDEO ENCORE: Transnational Litigation in U.S. Federal Courts
Fri., 12/27/19 - 3:00 - 4:30 p.m. (1.5 SUB)
A feature of the modern global economy is an ever increasing amount of transnational litigation. Transnational disputes may involve litigants that are domiciled or located abroad, conduct that occurred abroad or parallel judicial proceedings that are filed in the courts of other nations. In this video-encore program, featured speaker Sean Carter, who has been lead counsel for dozens of insurers in the multi-district litigation, In re Terrorist Attacks of September 11, 2001, pending in the U.S. District Court for the Southern District of New York, will examine the unique challenges that arise when transnational disputes are litigated in U.S. federal courts.

VIDEO ENCORE: Mindfulness, an Effective Trial Tool: How to Escape Automatic Reactivity and Obtain Peak Performance at Trial
Thu., 12/19/19 - 9:00 - 10:00 a.m. (1 SUB)
Oftentimes, given the demanding nature of the legal profession, and litigation in particular, we find ourselves lost in the past or worrying about the future, which can inevitably exacerbate feelings of anxiety, eventually leading to burn-out. With mindfulness, we can learn how to cultivate awareness of the mind-body state, which in turn, allows us to foster greater self-care so that we can recognize and better serve our own needs, as well as the needs of our clients. In this program, learn how to identify, implement and utilize mindfulness tools to obtain optimal outcomes at trial.

VIDEO ENCORE: Be the Judge, Be the Jury... Become an Arbitrator!
Thu., 12/19/19 - 12:00 - 3:00 p.m. (2 SUB/1 ETH)
Attend this entertaining video encore and learn how to conduct your first or next arbitration.
Compulsory arbitration was created as a means of efficiently disposing of smaller civil cases and conserving judicial resources by requiring as a first step that such cases be tried before a panel of three local court-appointed attorneys, with the understanding that any party can later appeal the decision and obtain a new trial. Experienced practitioners offer guidance and practical strategies to successfully conduct an arbitration and serve as an arbitrator. Attend this CLE program and obtain certification to become an arbitrator!

VIDEO ENCORE: The Tax and Wage and Hour Ramifications of Worker Misclassification
Fri., 12/20/19 - 12:30 - 2:00 p.m. (1.5 SUB)
In today’s 21st century “gig economy,” the issue of worker misclassification is increasingly salient for practitioners, workers, and employers. When employers misclassify their employees as independent contractors, the consequences can be chilling for the workers who choose not to be governed by rules that govern their workers. In this video-encore program, panelists with experience in wage and hour and tax law will address various aspects of misclassification, as well as the federal, state and city tax ramifications of misclassification.

VIDEO ENCORE: Search and Seizure Update
Mon., 12/23/19 - 11:00 a.m. - 12:00 p.m. (1 SUB)
The law of search and seizure is challenging and ever-evolving as new cases are added to the Fourth Amendment mosaic. A thorough knowledge of search and seizure law is vital to the practice of criminal law. In this video-encore program, Professor David Rudovsky will highlight recent developments in the area of “reasonable expectation of privacy,” cellphone searches and searches by parole officers, among many others. Professor Rudovsky will also share perspectives in Pennsylvania constitutional law.

VIDEO ENCORE: HR for Solos, Small Firms & Small Businesses
Fri., 12/27/19 - 12:00 - 2:00 p.m. (2 SUB)
In this video-encore program, panelists will examine human resources issues facing solos, small firms and small businesses, including drafting of employee handbooks, compliance with state and federal laws and regulations, the Philadelphia Fair Practices Act, FMLA requirements and leave policies.

VIDEO ENCORE: Not If, But When: Planning For the Crisis That Will Strike Your Law Firm
Tue., 12/31/19 - 9:00 - 11:00 a.m. (1 SUB/1 ETH)
In life and business, reputation is everything. It only takes one misstep to cause irreparable damage to a law firm and its attorneys. And ’tis not if, but when because life happens, mistakes happen and crises happen to law firms of all sizes and areas of practice. A law firm must proactively protect its most valuable asset - its reputation. This video-encore program addresses the elements needed for a viable crisis communications plan, working through the six stages of a crisis - scenario-style - and things a firm can do to manage its reputation before, during and after a crisis.

VIDEO ENCORE: Ramifications of Worker Misclassification
Mon., 12/23/19 - 12:00 - 2:00 p.m. (2 SUB)
In today’s 21st century “gig economy,” the issue of worker misclassification is increasingly salient for practitioners, workers, and employers. When employers misclassify their employees as independent contractors, the consequences can be chilling for the workers who choose not to be governed by rules that govern their workers. In this video-encore program, panelists with experience in wage and hour and tax law will address various aspects of misclassification, as well as the federal, state and city tax ramifications of misclassification.

VIDEO ENCORE: Digital Assets in Estate Planning and Estate Administration
Fri., 12/27/19 - 12:00 - 2:00 p.m. (1 SUB/0.5 ETH)
In today’s 21st century “gig economy,” the issue of worker misclassification is increasingly salient for practitioners, workers, and employers. When employers misclassify their employees as independent contractors, the consequences can be chilling for the workers who choose not to be governed by rules that govern their workers. In this video-encore program, panelists with experience in wage and hour and tax law will address various aspects of misclassification, as well as the federal, state and city tax ramifications of misclassification.

VIDEO ENCORE: Getting Your Head Out of the Cloud - Digital Assets in Estate Planning and Estate Administration
Tue., 12/31/19 - 12:00 - 2:00 p.m. (1 SUB/1 ETH)
It has become the norm to store personal tangible assets, such as documents, photographs or videos and financial or business records in the cloud or on a digital device or other software sharing platform. As a result, digital asset planning is now a critical component of any estate and business succession plan. This timely and practical program will specifically familiarize Pennsylvania practitioners with the transitory nature of legislation that governs digital assets in 2019, allowing them to plan for the statutory change while also abiding by current federal and state laws.

*Additional courses will be added within the month. For more new, unique and affordable CLE programs, please visit the Philadelphia Bar Association CLE webpage.

TO REGISTER Visit the CLE page at PhiladelphiaBar.org
On Nov. 12, the Justinian Society of Philadelphia and the Criminal Justice Section held its Annual Beccaria Award Reception. Named for 18th century scholar Cesare Beccaria who was an early proponent of many of the tenets of modern criminal law, the award is presented annually to a legal jurist, scholar or practitioner for outstanding contributions to the cause of justice and the advancement of legal education.

This year, the Beccaria Award was presented to Daniel Silverman (pictured on left), associate professor in the Department of Criminal Justice at Temple University.

On left: Panelists Christin McMeley (fourth from left), senior vice president and chief privacy & information security officer at Comcast; Brian Donnelly (third from right), digital pharma & innovations counsel at GlaxoSmithKline; Aaron Ting (fourth from right), lead counsel at Facebook; and Osama Hamdy (far right), lead counsel at GSK; with Frank La Fontaine (far left), vice president and deputy compliance officer at Comcast; and Section executive committee members Sohana S. Barot (second from left); Adam Coleman (third from left); Evan T. Miller (second from right); and Section Chair Marcel S. Pratt (center) at the CLE.

On Oct. 2, the Business Law Section, in conjunction with the Corporate In-House Counsel Committee, hosted the CLE “2019 Spotlight on In-House Counsel - Technology & Data Privacy: The Good, the Bad, and the Terms & Conditions” at Loews Philadelphia Hotel, which provided an overview of the regulations relating to and oversight of digital information, data privacy and technology from the perspective of in-house counsel at some of the country’s largest companies.

On left: Panelists Christin McMeley (fourth from left), senior vice president and chief privacy & information security officer at Comcast; Brian Donnelly (third from right), digital pharma & innovations counsel at GlaxoSmithKline; Aaron Ting (fourth from right), lead counsel at Facebook; and Osama Hamdy (far right), lead counsel at GSK; with Frank La Fontaine (far left), vice president and deputy compliance officer at Comcast; and Section executive committee members Sohana S. Barot (second from left); Adam Coleman (third from left); Evan T. Miller (second from right); and Section Chair Marcel S. Pratt (center) at the CLE.

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At the Nov. 22 Civil Gideon and Access to Justice Task Force meeting and celebration, Chancellor Rochelle M. Fedullo (left) presented Chancellor's Service Awards to Catherine C. Carr (far right) and Joseph A. Sullivan, thanking them for their extraordinary leadership as cochairs of the Task Force for the past 10 years.

Take Action Philly held an event at the Philadelphia Bar Association on Nov. 19 to educate attorneys on how they can help ensure an accurate 2020 census.

Left: Stephanie Reed, executive director at Philly Counts 2020 addressed the audience at the program.

Right: Mayor Jim Kenney and Chancellor Rochelle M. Fedullo provided opening and closing remarks, respectively, for the event.
PUBLIC INTEREST LAW CENTER OP-ED

PILC: 50 Years of Civil Rights Under Law

By the Board of Directors of the Public Interest Law Center

The Public Interest Law Center turns 50 this year, and as current Board Members, we remain in awe of its achievements in helping to create a more equal, fair and just Philadelphia, Delaware Valley and nation. PILC’s creation in 1969 as the Philadelphia affiliate of the Lawyer’s Committee for Civil Rights Under Law provided not only its origin but its undertaking, “Civil Rights Under Law.” No better phrase could summarize the singular focus of the individuals that have devoted their legal and professional expertise to fighting for equality in our communities.

Throughout its existence, PILC has understood that the victory of a few provides relief for the many. In its first case, PILC successfully argued that the Department of Housing and Urban Development must consider the racial impact of the projects that it funded. This decision not only preserved the racial and economic diversity of a historic Philadelphia neighborhood but created a new standard that applies to housing developments throughout the country to this day.

Throughout the 1970s and 1980s, PILC was at the legal forefront of disability rights, winning the first successful case establishing that children with disabilities had the same right to attend public school as anyone else. At the same time, PILC fought to rid the Philadelphia Police Department of discriminatory hiring practices against women and African Americans to ensure that our law enforcement better reflects the community it protects.

More recently, PILC has helped to restore one of the fundamental tenets of our democracy: that all votes count equally. In 2012, PILC successfully prevented a voter ID law from taking effect that could have prevented thousands of eligible voters from casting their ballots. In 2018, PILC took on Pennsylvania’s Congressional District map, which the Pennsylvania Supreme Court found to be an unconstitutional partisan gerrymander. This decision will serve as a guidepost for other states as they examine potential inequalities in their own elections caused by unfair maps. Throughout this time, the incredible attorneys, staff, volunteers and partners of PILC also found time to fight the systemic underfunding of Philadelphia’s public schools.

“Civil Rights Under Law” is not a static concept. As laws change, so does our understanding and recognition of civil rights. PILC’s mission to confront inequality wherever found is reflected in its diverse efforts. For decades, PILC has fought to protect the rights of citizens to live in environmentally safe neighborhoods, breathe clean air and to enjoy community gardens, and it has litigated cases throughout the country to improve access to high-quality healthcare for children.

Our past accomplishments strengthen our dedication to future advancements. Much work remains. Our schools still do not receive the funding our children deserve. Too many in our community still face discrimination and systemic barriers to employment and adequate housing. Our neighborhoods remain racially segregated, depriving everyone of the benefits of diversity, and create cities with separate and unequal access to fundamental resources and services. As it has for the past 50 years, the Public Interest Law Center, its incredible lawyers, dedicated staff, tireless volunteers and generous donors remain devoted to ensuring that all Philadelphians are treated equally under the law. It is an organization that we are honored to support and we hope that you will join us in whatever way you can.

Tom Gilhool (center) is the Law Center attorney who, in 1971, litigated the first successful case establishing that children with disabilities had the same right to attend public school as anyone else, visits a classroom.

In 2018, the Law Center took on Pennsylvania’s Congressional District map, which the Pennsylvania Supreme Court found to be an unconstitutional partisan gerrymander. Above: Attorney Ben Geffen (left) with plaintiff and voter Thomas Rentschler following the trial.
Hon. Timika Lane (standing), Court of Common Pleas, Trial Division – Criminal, First Judicial District of Pennsylvania, cochair, ACE Committee, was the course planner for the program "Secondary Traumatic Stress and Compassion Fatigue: Strategies to Support Lawyers and Judges," featuring panelists (seated, from left to right): Rep. Joanna E. McClinton, Pennsylvania House of Representatives, 191st Legislative District, Democratic Caucus Chair; Hon. Lori Dumas, Court of Common Pleas, Family Court, Juvenile Division, First Judicial District of Pennsylvania; Deborah Watson-Stokes, assistant district attorney, Municipal Court Unit, Philadelphia District Attorney's Office; Hon. Gwendolyn N. Bright - Court of Common Pleas, Trial Division – Criminal, First Judicial District of Pennsylvania; and Dr. Ariane Thomas, director for Professional Training, Human Development and Quantitative Methods Division, University of Pennsylvania.

Panelists (from left to right) Sayde J. Ladov, principal, Dolchin, Slotkin & Todd, P.C., cochair, Lawyer Referral & Information Service Committee; Ramona Mariani, first assistant acting deputy chief, Disciplinary Counsel, Office of Disciplinary Counsel; Charlie Kiltsch, Esq. - Director of Public and Legal Services, Philadelphia Bar Association; and William P. Fedullo, Law Offices of William P. Fedullo, cochair, Lawyer Referral & Information Service Committee; at the "How to Make Ethical Referrals Going Forward and Avoid Traps of the Past" program presented by LRIS.
The Friday afternoon Happy Hour, sponsored by Provident Bank, and the Friday night dessert and dancing at Borgata’s Premier Nightclub, sponsored by LawPay, provided an opportunity for judges and attorneys to kick back, mingle and enjoy the evening.
Charter Schools in Their Own Class

By Leah Cilo

Philadelphia is home to 87 brick and mortar charter schools, and they collectively have an enrollment of approximately 67,000 students, comprising about a third of the student population in the city. Since the charter sector intersects with the law in numerous ways, the Education Law Committee sponsored the Sept. 24 CLE “Charter Schools: Oversight and Regulation,” which was moderated by Susan L. DeJarnatt.

Panelist Adam Schott, from the Pennsylvania Department of Education, began the program by giving a history of charter schools in the state and noted that the legislation creating them was passed in 1997. He also explained that the law was enacted when communication technology was vastly different and dial-up service was the main way to access the internet. As of 2018, cyber schools, which could not have existed in the dial-up era, have reached the half-billion-dollar tuition mark.

In addition to this technological sea change, Schott pointed out that charter schools now operate in a kind of existential contradiction. While they were created to be innovative and responsive to change, they are now subject to intense reviews, and their performances are continually scrutinized and quantified.

The municipal institution that is involved with public education: Reynelle Brown Staley, of the Education Law Center, and David Lapp, of Research for Action. Brown-Staley noted that while charter schools are subject to federal regulations and civil rights laws, the reality is that two thirds of 83% of charter schools have student bodies composed of one racial group. In contrast, district schools are more integrated and financially diverse. In studying the reasons for this lack of integration and diversity, her organization has found that charters schools are often the product of local demographics and neighborhood geography.

Lapp explained that Research for Action has conducted a long-term study continued on page 18...
Tax Implications of Investing in Cryptocurrencies

By Emily Weisgrau

On Jan. 1, 2017, Bitcoin traded at $963; today it’s trading at nearly 10 times that amount. It’s not surprising, then, that individual investors, mutual funds and hedge funds are paying attention.

The rise in popularity of cryptocurrencies inspired the Business Law Section to host the CLE “Tax Issues Affecting Funds Investing in Cryptocurrency” on Oct. 7 for attorneys who work with funds that do, or may, invest in digital currencies. The featured speaker was Robert Elwood, partner and chief operating officer of Practus LLP, where he has 30 years of tax and investment legal expertise.

He began the program by explaining that cryptocurrency works through distributed ledger technology, commonly known as “blockchain.” Blockchain is essentially a financial transaction database that is inherently resistant to modification. That high level of security is critical because there have been many attempts to obtain digital currencies by illegal means.

While stealing cryptocurrency might seem like robbing a bank, it’s actually more like an art heist. In the U.S., the IRS has ruled that cryptocurrency is to be treated not as currency but as “property.” As such, it is subject to tax rules that apply generally to property transactions, including capital gains tax and extensive recordkeeping requirements, including tax basis, amount realized, tax lots and gain or loss on each sale.

“In other words, don’t buy a sandwich with Bitcoin,” Elwood warned.

However, cryptocurrencies can be useful for investing purposes provided the tax implications associated with specific investments are carefully followed. Attorneys advising mutual fund clients should consider that mutual funds face many obstacles to investing in cryptocurrencies. Because cryptocurrencies are considered property and not currency, they (together with all other non-qualifying income) must be less than 10% of a mutual fund’s gross income. Otherwise, the fund will not pass the gross income test under Code Section 851(b)(2).

Further, cryptocurrencies are not good assets for purposes of the asset test applicable to mutual funds, which further limits the extent to which a fund may invest in cryptocurrencies. Funds may also invest in securities that invest in cryptocurrencies, but most derivatives based on cryptocurrencies will not help.

Retirement accounts, hedge funds and separately managed accounts receive more favorable treatment. When a retirement account generates income or gains from the purchase and sale of cryptocurrency, the account does not pay any tax on the transaction. Any tax would be deferred to the future when the retirement account holder takes a distribution. In the case of a Roth IRA or Roth 401(k) plan, no tax would be due if the distribution is qualified. Hedge funds and SMAs are subject to IRS recordkeeping requirements.

The IRS is making tax enforcement of cryptocurrencies a high priority, and the penalties are steep, so transactions should be undertaken only when the recordkeeping burden is worthwhile. In spite of some meaningful risks however, cryptocurrency can be an effective asset for investors.

Emily Weisgrau is president of Weiswood Strategies Ltd. (weiswood.com), a boutique communications agency, of which the Philadelphia office of Practus LLP is a client.
Attorney Fee Agreements: A Guide

By Mary LeMieux-Fillery

On Oct. 28, the Fee Disputes Committee hosted the CLE “Attorney Fee Agreements: Ethical, Legal and Practical” at the Philadelphia Bar Association. The panelists were: John Encarnacion, senior trial attorney at Nationwide Insurance; Linda F. Rosen, of Wyncote; Arthur N. Brandolph, partner at Schnader Harrison Segal & Lewis LLP; Andrew E. DiPiero and Cheryl Cutrona, co-chairs of the Fee Disputes Committee; and Amy Seefeld, senior staff counsel, Public & Legal Services at the Philadelphia Bar Association.

The goal of the program was to limit fee dispute problems that attorneys may encounter with clients or, ideally, eliminate these issues before they arise. Presenters remarked that a successful working relationship with a client means that when that relationship is concluded, it ends favorably. The client understands the process, the result and how the attorney fee was earned. The client is satisfied because you have earned their trust through the process with open and honest communication.

Presenters stressed that eradicating problems with fee disputes is key because even if an attorney wins a fee dispute, they ultimately lose as they have lost the client and any future business that client may have brought to their firm.

The presenters reminded attendees that fee agreements are contractual arrangements and that ambiguous contracts are construed against the drafter. Therefore, the presenters stressed that fee agreements should outline all the material terms of the representation, as this will save any questions that may later arise.

Concerning the rules of professional conduct, presenters noted that the rules generally recommend a course of conduct concerning fee agreements that is not mandatory but is good practice. The presenters emphasized that attorneys should review their contingency fee agreements to make sure that the content of the agreements is in alignment with the current version of the rules. The rules only require written fee agreements in contingency fee cases. However, the presenters stressed that the rules prohibit a lawyer from entering into a fee agreement that provides for an excessive fee. And, if attorneys change their fees during the course of representation, it was key to ensure that clients execute an updated fee agreement.

Next, the presenters discussed common issues that impact the payment of fees under fee agreements. Namely, the impact of child support payments on attorney fee calculations, whether a contingency fee percentage is to be based on the gross settlement or net settlement, workers’ compensation liens, Medicare liens, health insurance liens and litigation expenses. Presenters noted that if attorneys disclose all these terms up front, they are likely to be in a much better position than if they do not address these issues with the client until settlement. Lastly, presenters cautioned about the importance of proper record keeping on behalf of the plaintiff in fee shifting statutory matters, the requirement that attorneys specify exactly what the scope of the work will cover in flat attorney fee arrangements and the mandatory disclosure of fee sharing arrangements to the client.

Panelists (from left to right) John Encarnacion, Linda F. Rosen, Arthur N. Brandolph, Andrew E. DiPiero, Cheryl Cutrona and Amy Seefeld at the Oct. 28 CLE.

“As attorneys you should approach your client from day one to disclose and communicate information to allow your clients to make a well-informed decision on their case and be comfortable with that decision.”

Mary LeMieux-Fillery is an associate with the Law Offices of Eric A. Shore.

Right to Counsel

continued from page 1

water, then walk that boiling water up to the bathroom on the second floor just to give her daughter a bath. When the couple demanded repairs and withheld their rent, the landlord responded with an eviction filing.

All of these tenants were fortunate to be represented by attorneys from Community Legal Services and the Public Interest Law Center. They were able to get their eviction cases dismissed and eventually obtain significant monetary settlements from their landlords. Most tenants are not so lucky—only 11% of tenants are represented by attorneys in eviction court, compared to 61% of landlords.

Representation matters. The Stout Report, commissioned by the Philadelphia Bar Association, found that tenants represented by counsel obtained much better outcomes than those without lawyers. It also estimated that providing lawyers to all eligible low-income tenants would save the city $45 million annually in social services, shelter and other costs associated with disruptive evictions.

Backed with these statistics and, more importantly, the moral obligation to protect the legal rights of the most vulnerable Philadelphians, City Council unanimously passed Bill No. 190386 last month. Tenants, activists and government officials cheered the result. The Philadelphia legal community, and the Bar Association in particular, should be proud of the positive effects their efforts will have on the lives of low-income families throughout the city. Philadelphia now joins New York City, San Francisco, Newark, New Jersey, and Cleveland in enacting right to counsel legislation for low-income tenants. What a way to celebrate the Civil Gideon and Access to Justice Task Force’s 10th Anniversary!

George Donnelly is an Independence Fellow at the Public Interest Law Center.

Charter Schools

continued from page 16

on numerous school districts in Pennsylvania, both small and large, and determined that charter schools had “significant negative impact” on district school budgets. District schools lose about $8,000 per pupil during the first year of a charter school’s creation, but this figure goes down by more than half after five years.

Panelists noted that Philadelphia charter schools have fundamentally changed the landscape of public education in the city. Neighborhood schools have been closed because of declining enrollments. If charter schools ceased to exist, there, literally, would be no traditional public schools for students to return to.

Leah Cilo (lcilo@paworkinjury.com) is an associate at Martin Law LLC.
As the year draws to a close, I wanted to take a moment to reflect on the hard work and accomplishments of the members and staff of the Philadelphia Bar Association.

This past spring, for the first time, the Association’s Campaign for Qualified Judges launched a social media campaign to educate voters on the work of our Judicial Commission. The campaign resulted in over 28,000 voters accessing the Association’s online sample ballot. This effort was augmented by a robust ground presence on Election Day, staffed by Association volunteers. The result: for the first time in eight years, only recommended candidates were successful in the primary, and three of the four highly recommended candidates advanced. The headline in the May 22 edition of the Legal Intelligencer read “Philadelphia Bar Association Sees Win in Primary Election.”

In June, the American Bar Association awarded the Harrison Tweed Award to the Philadelphia Bar Association for a record-breaking fifth time for its demonstrated long-term excellence over the past decade in expanding access to justice and legal aid for low-income people. Specifically, the Association’s Civil Gideon and Access to Justice Task Force was commended by the ABA for its strategic leadership and advocacy to increase legal aid for low-income tenants facing eviction, which culminated in the Association’s November 2018 release of a groundbreaking economic impact study that laid the foundation for a campaign calling for Philadelphia to fund a right to counsel in these cases.

In addition, in June, The Philadelphia Lawyer released its groundbreaking special issue “Race and the Law.”

In September, our CLE program—which held over 150 programs this year—was inducted into the Legal Intelligencer Hall of Fame in its first year of eligibility. Throughout the year, the influence of the Association was on full display in the successful campaign to pass Right to Counsel legislation. A Chancellor’s Forum highlighting the issue of a lack of legal representation for low-income tenants facing eviction was followed by both a Philadelphia Inquirer editorial and op-ed in support of the effort. Chancellor Rochelle M. Fedullo spoke at the press conference introducing the Right to Counsel legislation and provided testimony to the Philadelphia City Council during the hearings. It was these efforts, alongside the work of Councilmember Helen Gym and many partners and collaborators from the public interest legal community, that led to the historic—and unanimous—passage of the Right to Counsel legislation by city council on Nov. 14. Philadelphia is now the fifth city in the nation to provide a right to counsel for low-income tenants facing eviction.

These are just a few of the 2019 highlights for your Philadelphia Bar Association, which also saw an increase in membership from 2018. These accomplishments were achieved because of the unrelenting hard work of the Bar and innovative approaches to magnify its influence—an influence we look forward to increasing in 2020.

Harvey Hurdle Jr. (hhurdle@philabar.org) is the executive director of the Philadelphia Bar Association.

**PHILADELPHIA BAR ASSOCIATION - UPCOMING DECEMBER EVENTS**

**Monday, Dec. 9**  
**Tax Section Annual Dinner**  
(immediately following the Annual Meeting CLE)  
5:30 – 8:30 p.m.  
The Notary Hotel  
21 N. Juniper St.

**Tuesday, Dec. 10**  
**Criminal Justice Section Annual Reception and Awards Ceremony**  
5:30 – 7:30 p.m.  
Drexel University Thomas R. Kline School of Law Institute of Trial Advocacy  
12th and Chestnut Sts.

**Tuesday, Dec. 10**  
**Family Law Section Annual Dinner and Awards Presentation**  
Featuring the Presentation of the Herbert R. Weiman Sr. & Jr. Award to Lee A. Schwartz, Esquire  
5:30 – 8:30 p.m.  
R2L  
50 S. 16th St, 37th Floor

**Wednesday, Dec. 11**  
**Public Interest Section Annual Awards Ceremony and Reception**  
Presenting the Bending the Arc Award to Marsha I. Cohen and the Honorable Louis H. Pollak Award to Honorable David R. Strawbridge  
5:15 – 8:00 p.m.  
The Westin Hotel  
99 S. 17th St.

**Thursday, Dec. 12**  
**Annual Meeting Luncheon**  
Introducing our 93rd Chancellor Hon. A. Michael Snyder (Ret.), and presenting the Sandra Day O’Connor Award to Kathleen D. Wilkinson and the Citizens Bank Achievement Award to Ethan D. Fogel.  
12 – 1:30 p.m.  
The Bellevue Hotel  
200 S. Broad St.

For more information and to register for all events, please visit www.philadelphiabar.org.
I am not an attorney, nor do I play one on TV. I am also not an executive director by trade, although that’s what the sign on my door says. I am a retired Marine Corps infantryman who stumbled into this seat and, like many of my fellow veterans, I generally avoid courtrooms and law offices. While I cannot speak for the entire military-affiliated community, personally, these places make me uncomfortable. I don’t understand the things that go on inside them very well, and the language spoken in these places is foreign to me. I don’t understand the things that go on in the military, you must have been run-nedg from something like a jail sentence; once you get “brainwashed” at boot camp, you’ll never be the same again. These and many other stereotypes are embedded in many other stereotypes are embedded in the fabric of our society, and, although you may thank us for our service and call us heroes, you are still wary of hiring us, bringing us on as clients and getting to know us. It’s just human nature to fear what you do not understand; kind of how I feel about a courtroom.

The Military Assistance Project is committed to changing this dynamic. We have veterans on staff who speak the language of our clientele and can commiserate with them about the issues they face. We interface with legal professionals who offer their assistance and work to educate veterans on the intricacies of the transition veterans must make back into the civilian lifestyle. MAP seeks to create a collabora-tive environment in which veterans and civilians can thrive while accomplishing the missions with which they are tasked. We understand that action is the key to change, and that we can act as a conduit to deliver results. We ask that you get involved—in any way you can—with this important work. Learn how at www.mili-taryassistanceproject.org.

Dennis Miller is the executive director of the Military Assistance Project.

CBAP Helps Create a Fresh Start

When talking about bankruptcy, we often refer to it in terms of a fresh start. Once a client has received a bankruptcy discharge, the obligation to pay the overwhelming debt is relieved. The person can go on to repair their credit and then maybe save for a new car or a new home. However, for low-income clients, the fresh start goes far beyond just the monetary value. The fresh start not only applies to their financial situation, but also to their housing, health and family. People underestimate just how profoundly certain debts can impact so many areas of one’s life. By providing pro bono bankruptcy services, Consumer Bankruptcy Assistance Project has helped to provide housing for home-less families, improve health outcomes for sick clients and has kept children with their parents.

Of all the impacts CBAP’s services have on low-income clients, one of the most significant stems from utility debt relief. In addition to utility debt causing gas and electric shutoffs, CBAP regularly sees these debts barring access to permanent housing. Section 8 vouchers and new rental con-

tracts. For example, Ms. S and her teenage son were longtime residents of a homeless shelter for families. She was seeking permanent housing but faced several barriers, dramatically improved. CBAP removed a significant barrier in Ms. S’s pursuit of basic shelter, mental health and her son’s high school education.

In another case, CBAP kept one family together and six children out of the foster care system. Ms. C came to us terrified of losing her children. DHS had opened an investigation after her oldest daughter, 18, ran away from home. Ms. C’s utilities were found to have been turned off, but no evi-dence of neglect or abuse was found. She was given 30 days to restore her utilities or have her children taken and placed in the foster care system. CBAP successfully saw Ms. C through a Chapter 7 bankruptcy. By quickly submitting a complete bank-

depot and, like many of my fellow veterans, I generally avoid courtrooms and law offices. While I cannot speak for the entire military-affiliated community, personally, these places make me uncomfortable. I don’t understand the things that go on inside them very well, and the language spoken in these places is foreign to me. I don’t understand the things that go on in the military, you must have been run-nedg from something like a jail sentence; once you get “brainwashed” at boot camp, you’ll never be the same again. These and many other stereotypes are embedded in many other stereotypes are embedded in the fabric of our society, and, although you may thank us for our service and call us heroes, you are still wary of hiring us, bringing us on as clients and getting to know us. It’s just human nature to fear what you do not understand; kind of how I feel about a courtroom.

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rupty petition within the DHS time-frame, Ms. C was able to have her utilities turn backed on and preserve her family under one, now much warmer, roof.

Albert Einstein is thought to have said “not everything that can be counted counts and not everything that counts can be counted.” Although we could put an exact figure on the dollar amount our staff and volunteers have discharged for our clients, we cannot quantify the impact that CBAP has had on bringing greater financial stability into their lives.

Sherry Hoban is the Executive Director for Consumer Bankruptcy Assistance Project.
LRIS refers potential clients to approximately 175 attorneys.

LRIS attorneys are in good standing, have professional liability insurance and must meet certain experience requirements.

LRIS attorneys practice in more than 150 areas of law.

In 2017, LRIS received 25,425 inquiries and made 11,208 referrals.

If You Have Someone You Cannot Help... Refer Them to Us!
The Single Payer Healthcare System

Many people debate the advantages and disadvantages of a single payer system. Those who are against the system refer to long waits for access to care in countries that have single payer systems. As we ramp up for another presidential election cycle, you may hear the phrase “single payer healthcare system” or “Medicare for all” spoken by some of the candidates. But just what is this type of system? Basically, a single payer healthcare system is a model whereby the government of a country provides access to essential care to all citizens during their lifetime. Many Americans are aware that Canada has such a system in place, but so does Great Britain, New Zealand, Australia, Norway, Denmark and Sweden. Funded by taxes, the systems generally achieve their goal in a unique way. Single Payer Systems do not necessarily cover all a person’s medical needs. Depending on how the system is structured, non-covered costs may include deductibles, copays, limits, restrictions and even exclusion of certain services. Coverage for services like dental and vision care, as an example, may be excluded.

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People

Jamie Mulholland, of Mulholland Marketing, recently delivered a training program “Networking with Purpose” to Parker McCay associates at its headquarters in Mt. Laurel, NJ.

Gabriela Raful, partner at Galfand Berger, received the Pennsylvania Bar Association’s Pro Bono Award at the Berks County Bar Association’s Pro Bono Celebration on Oct. 22.

Riley H. Ross III, partner at Mincey Fitzpatrick Ross, LLC, was appointed as a member of the Criminal Procedural Rules Committee by the Pennsylvania Supreme Court on Nov. 13 for a five-year term.

“People” highlights news of members’ awards, honors or appointments of a community or civic nature. Send news to Brittany Anne Robertson, communications associate at the Philadelphia Bar Association, at brobertson@philabar.org.

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