Sixers GM Billy King to Address YLD

by Jeff Lyons

Billy King, president and general manager of the Philadelphia 76ers, will be the keynote speaker at the Young Lawyers Division Annual Meeting on Wednesday, March 9 at the Park Hyatt Philadelphia at the Bellevue.

Also at the luncheon, 2005 YLD Chair Natalie Klyashtorny will outline her plans for the year. The Craig Perry and F. Sean Peretta Community Service Awards and the YLD Vision Award will also be presented.

Named team president on May 26, 2003, King is in his eighth season with the 76ers, marking his second complete season as the president and general manager of the organization.

King oversees all aspects of basketball operations, as well as all facets of business operations. He continues to serve as the 76ers point man for all trades, player procurement and player contract negotiations.

“Billy is originally from Washington, D.C., and came to Philadelphia for a career opportunity with the 76ers. Over a short period of time, and at a young age, he has become a leader, not just in the sports community, but in our civic community as well,” said Klyashtorny.

“I feel that he is a great ambassador continued on page 21
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 Evaluate Judges on Their Qualifications

by Andrew A. Chirls

The Chief Justice of the United States is on the right. And Chief Justice Rehnquist is on the right. He happens to be correct.

Writing in his 19th Year-End Report on the Federal Judiciary, the Chief Justice has vigorously and eloquently defended the independence of our judiciary.

Chief Justice Rehnquist is a keen and lifelong student of history. His book on application of the Constitution in times of war, *All the Laws But One*, is instructive and easy to read. So it should surprise no one that he views criticism of judges and attacks on our judiciary in a balanced historical context. He notes "criticism of judges and judicial decisions is as old as our republic". As with most judges, he seems to accept this as an occupational fact of life. The Chief also recognizes that occasional attacks on the judiciary are an outgrowth of tensions built into our three-branch system of government and he admits, "to a significant degree these tensions are healthy in maintaining a balance of power." Fair enough.

So why speak out now? The Chief was apparently prompted to speak out because, as he puts it, "criticism of judges, including charges of activism, have in the eyes of some taken a new turn in recent years." Chief Justice Rehnquist specifically cites the PROTECT Act (designed to protect children and purveyors of child pornography) which requires the collection of information on an individual, judge-by-judge basis. He also points to efforts to impede judges "who issue decisions regarded by some as out of the mainstream" and proposed legislation that would limit the jurisdiction of the federal courts to decide challenges to certain government actions. These are very serious concerns. And I'm pleased that the Chief has chosen to address them. Perhaps even more dangerous - because they are more subtle - are proposals in Congress to limit the ability of federal judges to enforce the law and the Constitution. There are people who want to do this by taking away the jurisdiction of judges to consider certain kinds of constitutional issues. One idea floated last year in Congress was a law that would prohibit judges from considering developments in human rights law in other countries that have advanced beyond ours. Disruptions of the balance between Congress and the judiciary seem to worry the Chief Justice, and they ought to concern us, too. To me, it is clear that the Chief Justice is speaking on behalf of all judges regardless of the tenor of their decisions or their particular judicial philosophy. And that's wise as well. Yes, we are free to criticize judges. That's democracy. It's part of our system. It's healthy.

But the authority to impeach or remove a judge is quite another matter. And that authority should not extend to decisions from the bench. Judges should not be concerned about inflaming any group that might be able to...
Advancing Bar’s Cause Worldwide

by Kenneth Shear

The new year has a way of prompting new initiatives. A recent morning’s mail brought me at least three pieces of chamber of commerce-type flyers promoting the need for programs and projects advancing Philadelphia as either a tourist destination city, or as a place to advance our commercial interest — including, but not limited to, stemming the “brain drain” from our region. This certainly seems to be a hot topic for 2005. Fortunately, this is one priority that your Bar Association is already plugged into.

This past December I was privileged to join the top leadership of our Association in getting a glimpse of the opposite side of this coin: that is, a foreign perspective of viewing Philadelphia and its environs in a positive sense as an area to expand business as well as the practice of law.

As part of the ongoing sister bar association relationship between the Philadelphia Bar Association and the Lyon, France Bar Association, we were invited to attend the swearing-in of the Lyon Bar Association president as well as participate in a series of meetings and seminars regarding advancing the transatlantic business relationships between our two cities. As of this writing the follow-through from our early December trip continues.

Lyon, the second-largest city in France, emphasizes its textile and chemical industries. Moreover, it sees itself as a center of biomedical research, providing preventive cancer therapies. We had the opportunity to meet with the city’s deputy mayor for international relations, tourism and city-to-city cooperation. Just the fact that Lyon (less than half the size of Philadelphia) has a deputy mayor in charge of international relations itself demonstrated global sophistication and its commitment to promote Lyon as a destination.

PERSPECTIVES

Exchange Program Aids Attorneys Seeking International Business

by Michael Scullin

I had been to Lyon several times to attend official ceremonies of the Lyon Bar, but I had never witnessed the annual Festival of Lights. December 8 started as a religious fête in the city, a date to celebrate being saved from harm by the Blessed Virgin, but it has now been expanded into a three-day technological extravaganza of lights, bathing the city in artistic grace. On this trip, the festival happened to coincide with a visit by a high-level delegation of the Philadelphia Bar Association who joined us, shedding light for these delegates on a legal exchange program that has been in swing since 1997.

It is almost a truism that with today’s global economy one needs to think globally. With people, business, investment, leisure and education taking on border-crossing aspects, lawyers need to take steps to be ready to play a significant role on that level as well. As Ken Shear’s article attests, the Philadelphia Bar is doing just that, through the Twinning Relationship and Exchange Program we have developed with the Lyon Bar, France’s second largest after Paris.

Since that time, approximately 20 newly minted lawyers from Europe and the United States have participated in this exchange, working in firms like Reed Smith, Pepper Hamilton LLP, DLA Piper Morris LLP, Dechert, smaller firms and even the federal courts.

It has been said that even in the Internet world, the practice of law is still based on relationships. This could not be truer on the international front. If a client is committing to a multi-million- (or billion- ) dollar investment, you will need to work with foreign counsel to complete the transaction, and you want to know that you can trust him or her — and their capabilities. This can’t be picked up from a directory; you need to develop personal relationships. The Lyon program is an example of how to achieve that result.

Getting to know the young lawyers who have lived and worked in Philadelphia has proved to be a richly rewarding experience for Lyon- (or billion- ) dollar investment, new initiatives.

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rewarding personal experience as well. The experience has gone beyond the warm and fuzzy. Participants routinely mention the business they have brought back with them, and host firms and lawyers here have succeeded in developing opportunities abroad. Hosts who have been repeat participants find a ready-made international network. Many of our former interns now work in major firms in Europe, such as Freshfields, Baker & McKenzie; Winston & Strawn; Ernst & Young; Feidal, August & Debouzy; and Haarmann & Hemmelrath.

This year, our delegation had an opportunity to meet in Lyon with 10 participants in the program in a round-table discussion at the headquarters of the Lyon Bar. Each lawyer described his or her experience in Philadelphia, the impact it had on their careers and their lives, the importance of the welcome they received here, and where they are now working — often due to their participation in the program. It was a touching moment for some of us who have come to know them well in Philadelphia, and perhaps an eye-opener for those of us who had not previously been exposed to the breadth and depth of what happens here. The renewed interest of the Bar leadership has afforded the program with a new significance and dimension, and it can only grow and improve with that support.

A puzzling aspect of the program has been the extent to which the number of lawyers coming to Philadelphia exceeds Philadelphia lawyers going to France. Perhaps this phenomenon can be attributed to the charming aspects of our fair city, but the facts probably support another conclusion, which is the different economics facing firms and young lawyers in this country. Firms may be reluctant to let lawyers go if they have to continue paying them the relatively large salaries; associates may not wish to forego or reduce those salaries when they are faced with sizable debt.

Even if a young lawyer is simply given a leave of absence, the intern needs support for living expenses. One possibility for increasing participation from our younger colleagues would be to extend the program to law students, in addition to practicing lawyers. Law students could take a half-year, a semester, or perhaps even a summer to perform an internship. It could be offered as a credit program. Students are more likely to have the time available; they are looking for valuable experience for their resumes, and they are not as often faced with immediate debt obligations. Ironically, they may be willing to pay for the experience rather than expect payment. In informal discussions with the president of the bar-supported Law School in Lyon, this appeared to be a workable concept. Law school administrators in Philadelphia have also embraced the idea. Obviously, the idea needs to be fleshed out further, but the rudiments of the development are there.

Having said that, it is still worthwhile to encourage working lawyers to share this experience. In the year ahead we also hope to work closely with the Young Lawyers Division, both to include our visitors in social and professional events as honorary members, and to spread the word about the types of opportunities that exist through this type of program. All of this adds up to a very fertile territory for the development of rewarding relationships and business opportunities and, one would hope, more glimpses of the Festival of Lights.

Michael E. Scullin, of counsel with Monteverde, McAlee & Hurd, is co-chair of the Association’s International Law Committee.

Arthur S. Gabinet (from left), district administrator of the Philadelphia District Office of the U.S. Securities and Exchange Commission, is joined by Investment Companies Committee Co-Chairs Brian S. Vargo and John N. Ake at the Committee’s Jan. 6 meeting. Gabinet discussed enforcement actions brought by the SEC in the past year relating to mutual fund distribution.

Patrice A. Toland, Esquire

On her election as Chair, Philadelphia Bar Association, Board of Governors.

“Patrice is an excellent attorney, and a compassionate and courageous leader. We wish Patrice and her colleagues an outstanding term of office and express our gratitude for their important service on behalf of the Association.”

—Brian M. Peters, CEO
Judge Visits Appellate Courts Committee

Appellate Courts Committee Chair Charles L. Becker (left) is joined by Chancellor-Elect Alan M. Feldman and Pennsylvania Superior Court Judge Jack A. Panella at the Committee’s Jan. 12 meeting. Judge Panella discussed interlocutory appeals in Pennsylvania appellate practice.

Military Affairs Committee

Committee Chair Looking for a Few Good Lawyers

by Jeff Lyons

James I. Kennedy knows what it’s like to uproot his life and report for military duty in just 48 hours’ time. He’s done it.

Kennedy, chairman of the Association’s Military Affairs Committee, wants to reach out and help soldiers and reservists called to duty by helping them get their affairs in order before they report to active duty.

The Military Affairs Committee will meet on Thursday, Feb. 10 at noon to discuss ways it can help members of the military with legal problems associated with their deployment.

Kennedy expects to have military lawyers from area bases at the meeting to explain how civilian attorneys can lend a hand.

“With all these reservists being called up, it can be a burden for the judge advocate general officers at the bases. We want to let them know help is here and available to both the JAG corps as well as the military people,” he said.

Kennedy, who served in the U.S. Marine Corps from 1996 to 2004, is looking to revitalize the Military Affairs Committee.

“You don’t have to have a military background. All you need is an interest in helping people out,” he said. “We don’t want people to think that they can’t help us out just because they didn’t serve.”

Lawyers of all disciplines are being sought by the committee. Kennedy says a lot of the cases will involve trusts and estates, civil litigation, mortgage foreclosures and wills. He said the committee also offers help to veterans in obtaining veterans benefits as well as tax advice.

Kennedy also wants the committee to sponsor public education programs dealing with military events and their relation to the law.

In 2003, the Association established the Military Assistance Program to help military personnel and their families who have been called to active duty. Kennedy wants to expand the program, which was based on the American Bar Association’s Operation Enduring Lamp.

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We congratulate one of our founding members, ANDREW A. CHIRLS, serving as Chancellor of the Philadelphia Bar Association in 2005.

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Author Discusses Book, 9/11 Reaction

by Thomas Prettyman

Philadelphia writer Dave Lindorff summed up his feeling about the state of affairs in this country quite simply. “We live in scary times,” Lindorff told members of the Association’s Civil Rights Committee at their Jan. 6 meeting. Lindorff spoke to the Committee about his book, This Can’t Be Happening! Resisting the Disintegration of American Democracy.

The author suggests the threat comes not from terrorists, but from the government’s stirring up fear about terrorists. Lindorff said the Bush administration used 9/11 as a pretext to increase its powers, invade Iraq and secure reelection, much as Germany’s Nazi government used the 1933 Reichstag fire as a pretext to build up for World War II and increase its own powers. Now, like the Germans in World War II, Americans are faced with an unwinnable war and a loss of civil liberties, Lindorff said. “These are not more dangerous times. We are just led to believe so. The Bush administration led us to believe that 9/11 was an attack on our way of life. But the attack itself didn’t threaten our way of life. The government’s response attacked our way of life.”

Lindorff cited responses as the Patriot Act, proposed legislation to allow indefinite detention of prisoners without charge, and John Ashcroft’s plan (“Operation Tips”) to recruit 20 million private citizens to “spy” on their neighbors’ suspicious activities. Lindorff signed up to be a civilian tipster, listing his occupation as “teacher.” He received a thank-you letter for joining, but no instructions on where to continue on page 13

Distance Learning CLE Option to Continue

The Supreme Court of Pennsylvania has authorized the Continuing Legal Education Board to continue the accreditation of Internet or computer-based CLE programs.

A rule change adopted by the court in December provides lawyers with the option of completing four hours of instruction per compliance year by participating in pre-approved, interactive, Internet or computer-based CLE programs.

The rule change is the outgrowth of a successful two-year pilot project that evaluated the appropriateness and effectiveness of distance learning technologies, resulting in its accreditation.
YLD Executive Committee Dedicated, Diverse
by Natalie Klyashtorny

One of the legal profession’s greatest obstacles is its image problem with the general public. Popular culture has portrayed the lawyer as villain, not hero, and in varying degrees from a selfish, greedy misanthrope to a blood-sucking leech. It seems as if we are often the scapegoat for many of society’s, if not the nation’s, woes. The young lawyer has it worse as not only does he suffer from the public vilification attributed by society, he is also minimized and misunderstood by his elders within the profession.

The main reason that I take such great pride in serving as YLD chair is that I am leading a truly exceptional group of people who not only spend countless hours working, but also dedicate themselves to making their community, city, and, in fact, the world a better place. I could probably write a book about how my fellow young Philadelphia lawyers are contributing to the members of the YLD society better. Unfortunately, I am limited by editorial constraints and for the time being, I would like to give recognition to the members of the YLD Cabinet.

I am truly humbled to have a person of Michael Hayber’s caliber assisting me as chair-elect. In addition to working as a litigator at Montgomery, McCracker, Walker & Rhoads, LLP, Mike devotes countless hours to public service. In 2003, Mike was awarded the White-Williams Scholars, a nonprofit organization dedicated to encouraging minority students to attend law school. Mike is the type of person that will attend a 4 p.m. meeting about Law Week and then return to the office at 6 p.m. and work into the night on a brief that is imminently due. He devoted an Eagles playoff Sunday to leading a delegation of young lawyers in teaching high schools oratory skills in the Champions of Caring program.

Our vice chair is Scott Sigman, who, as an assistant district attorney, is one of the best resources in Lynne Abraham’s arsenal. Through his work on the Public Nuisance Task Force, Scott works to improve the quality of life in our neighborhoods by closing down establishments that diminish that quality through violence and drugs. Our secretary is Lisa Getson, who is not only a practicing attorney, but also a successful realtor in the Haverford Station office of Prudential Fox & Roach. The treasurer is Dennis Young, who, in addition to his work at Montgomery McCracker, is on the board of White-Williams Scholars, a nonprofit organization dedicated to encouraging and rewarding achievement by Philadelphia public school students from low-income families. Last, but by no means least, is our financial secretary. Michael Adler, one of the brightest stars in the litigation department at Blank Rome LLP, Mike’s commitment to the YLD is matched only by his commitment to the Temple Law Alumni Association, of which he serves as assistant secretary, and to his many pro bono activities such as Philadelphia Reads, Society Created to Reduce Urban Blight and the Support Center for Child Advocates.

Throughout the course of this year, I invite you to join some of our committees or come out to our events and get to know some of the other great people on our Executive Committee, the many accomplishments of whom are too lengthy for this article. Not only is our group deeply committed to serving the public and the profession, we are probably the most diverse single group within the Bar Association. More than half of our members are female and a third are minority. The last six chairs of the YLD have all been either female or minority. Not only are we diverse racially and gender-wise, our members also represent a wide spectrum of legal specializations and firm sizes. Our board includes trial lawyers, defense attorneys, transactional lawyers, litigators and members of the Philadelphia District Attorney’s, Public Defender’s and City Solicitor’s Offices. A number of our members have left potentially lucrative careers at private firms to work in either public interest organizations or to be educators. I have also noticed a trend among my contemporaries of starting their own firms at a younger age than before.

Our diversity is not accidental as each group of leaders of the YLD has made a determined effort to make our Executive Committee as representative as possible of the Bar as a whole, through the appointment process in addition to elections. Diversity is necessary for several important reasons. It enlivens our organization by bringing to the forefront a variety of ideas expressed by people of different backgrounds. Additionally and just as importantly, it enables us to present an image to the diverse Philadelphia communities that we serve of a diverse Philadelphia legal community.

I urge all my colleagues in the Philadelphia Bar to make as strong a commitment to public service and to diversity as has the Young Lawyers Division.

Natalie Klyashtorny, an associate at the Lecky Law Firm, is chair of the Young Lawyers Division.

Duane Morris congratulates our partner Jane Leslie Dalton on her election to the office of Vice Chancellor of the Philadelphia Bar Association

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Year-End Investments are a 12-Month Effort

by Robert D. Lane Jr.

In the legal world, the idea of a year-end bonus is a well-established tradition. Even after a great deal of hard work, it’s not until the end of the year that decisions are made regarding the possibility of a bonus.

The Philadelphia Bar Foundation works the same way. We recently announced our yearly grants for 2004 — a total of $375,000 to 28 local organizations. These grants are a 12 percent increase over last year. The grants in 2004 were a 19 percent increase over 2003. We’re moving in the right direction.

The Philadelphia Bar Foundation is only able to make these year-end investments in the community because of the support of both individual attorneys and law firms, all throughout the year.

We want to make 2005 an even better year, and it’s a yearlong process. Throughout the year, we work to raise the funds that we give out in December. We’re already hard at work. Our Access to Justice campaign, which recruits individual attorneys to become members of the Bar Foundation, will kick off during the first two weeks of May. Our Golf Outing will take place on June 27. Believe it or not, we’ve already working on the Andrew Hamilton Ball, which will take place Nov. 12. Throughout the year, we’re working to build our endowment.

For all these efforts, we need your help. Consider designating the Bar Foundation as a “donor option” when you make your United Way contribution. Think of making a contribution to the Bar Foundation as a way to celebrate a special occasion (a retirement, a firm special event, an anniversary, etc.) Include the Bar Foundation when you’re making estate plans.

Your contributions make a difference. When you make a donation to the Philadelphia Bar Foundation, you can trust that we’ll do the due diligence to invest those funds wisely. We have a well-established process to review grant applications. We have a grants committee that meets to review applications, meet with grantee organizations, and make the tough decisions where to make Bar Foundation grants. Our grantee organizations absolutely depend on our support. We’ve heard time and time again that other foundations expect the Philadelphia legal community to “take care of their own.”

That is, attorneys in Philadelphia should take the primary role in funding legal services organizations here in Philadelphia. Before they would even consider making local grants, major funders expect local attorneys and law firms to show their active support.

We need you. Please consider making a donation today. Contact Melissa Engler at (215) 258-6347 or by e-mail at mengler@philabar.org.

Robert D. Lane Jr., a partner at Morgan, Lewis & Bockius LLP, is president of the Philadelphia Bar Foundation.

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Online Legal Directory Has Searchable Database

Philadelphia’s technology-savvy attorneys will soon have contact information for their colleagues at their fingertips — provided those fingertips are pecking away at a computer or laptop keyboard.

An online version of The Legal Directory 2005 will be available for the first time this year, giving members of the legal community access to a searchable database of firms and attorneys contained in The Legal Directory 2005.

“Our mission is to provide an easy-to-navigate site that will be a high-value tool for users,” said Jonathan Witty, president of Media Two. “And, for the first time, we will be able to update law firm and attorney listings throughout the year, ensuring the most up-to-date resource.”

Online subscriptions — which will run from April 1, 2005 to March 31, 2006 — are available for $60 each. A combination of The Legal Directory Online and the hard-copy The Legal Directory 2005 can be purchased for $77. Accounts will be password-protected — subscribers choose the password — and multiple subscriptions may be purchased to accommodate a firm’s attorneys and staff.

The Legal Directory Online also features opportunities for lawyers and firms to increase their visibility and tell subscribers more about their practice. Options include bold listings, expanded listings, and direct links to law firm Web sites.

While The Legal Directory Online will contain entries for Philadelphia-area firms and attorneys, it will not include some features available only in the print version — information on law-related associations, organizations and law schools, listings for federal, state, and local government agencies, and the case-law database.

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A Show of Thanks

Ronald A. Kovler, immediate-past chair of the Board of Governors, holds a boxed ceremonial gavel presented to him by Immediate-Past Chancellor Gabriel L.L. Bevilacqua at the Dec. 21 Board of Governors meeting. Kovler was honored for his work as board chair during 2004.

LEGAL DIRECTORY
continued from page 10

and county agencies and offices; and the judges index.

A free preview of The Legal Directory Online can be found online at www.thelegaldirectory.org. Visitors can quickly search for a listing by name, address, county, keyword or, in the case of lawyers, by area of concentration. There’s also the opportunity to request more information.

The online preview site utilizes data solely from The Legal Directory 2004. As of April 1, the site will be updated with all-new listing information that is presently being collected for the 2005 printed directory. Once The Legal Directory goes fully live April 1, changes can be made to entries during the course of the year. The site also will be capable of accepting listings for new lawyers and firms, deletions, and orders for subscriptions and listing upgrades.

Pennsylvania RULES OF EVIDENCE ANNOTATED

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Public Interest Section and Bar-News Media Committee

Meet Minority and Ethnic News Media on March 2

The Public Interest Section will host a panel discussion “Meet the Minority and Ethnic Media” on Wednesday, March 2 at noon in the 11th floor Conference Center of Bar Association headquarters, 1101 Market St. This program is being co-sponsored by the Association’s Bar-News Media Committee.

The Public Interest Section is chaired by Julia H. Haines. The Bar-News Media Committee is co-chaired by Saul H. Segan and James E. Elam.

Although the program is particularly designed for law-related public interest agencies and similar non-profit groups, all members of the Association are invited to attend. This program is free of charge. Lunch will be available, at the cost of $7.50, for those who register in advance. Details on the panel will be added as information becomes available. Registration information is available at www.philadelphiabar.org.

Join your Section’s or Committee’s List Serve to stay in touch and keep up to date on the latest Bar events. Visit www.philadelphiabar.org for more information.

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will be a wonderful place for members and their guests to enjoy sunshine along with CLE as well as camaraderie with their colleagues and the members of the bench,” she said.

“The Tropicana is a more traditional Atlantic City experience, with its Boardwalk location. The Quarter is an exciting place in terms of the shops, restaurants and clubs as well as high-end shopping. There’s something there for everyone. There’s no excuse not to be there,” Ladov said.

She said the CLE planning is in the beginning stages. “We want to build on last year’s successes and expand on the types and numbers of programs we’re offering,” Ladov said. Last year’s Bench-Bar Conference was held at the Borgata Casino Hotel and Spa.

“Although our plans are still preliminary, we expect the 2005 Bench-Bar in Atlantic City to be another success, and we are expecting even greater attendance and participation by both the Bar and the judiciary,” said Bach. “We expect the format to be similar to last year, but we are exploring the possibility of making some of the CLE programs longer to allow more in-depth coverage of the various subjects.”

The Quarter opened last fall, adding more than 60 dining, entertainment, shopping and spa options to the Tropicana, and making it the largest hotel in New Jersey. The $280 million expansion project added the Havana Tower with 502 new guest rooms, 45,000 square feet of meeting space and 2,400 new parking spaces.

The Quarter’s restaurants include Adam Good Crab Shack & Sports Bar; Brûlée: The Dessert Experience; Carmine’s; Curly’s Rib & BBQ; Cuba Libre Restaurant and Rum Bar; Golden Dynasty Restaurant; Hooters; The Palm; PF Chang’s China Bistro; Red Square; Re-Ra Irish Restaurant Pub; The Sound of Philadelphia Restaurant; Il Verdi Italian Restaurant; and Wellington’s Steak & Seafood.

Shopping destinations include Barston’s Gentlemen; bluemercury apothecary and spa; Brandeis Jewelers; Brooks Brothers; Caché; Chez Lingerie; Chico’s; Erwin Pearl; Hat Emporium; Houdini’s Magic Shop; Jake’s Dog House; Landau Jewelers; Mélonie de France; MONDI; Old Farmer’s Almanac General Store; Panadería dul Mundo; Perfect Accessories & Leather; Rittenhouse Gift & Home; Salsa Shoes; The Collection by Tahari; The Spy Store; Starbacks; Swarovski; The Tea & Coffee Shop; Tinder Box/Yin 100; White House/Black Market; Zephyr Gallery; Zeytinia Gourmet Food & Marketplace; and Zinman.

Hundreds
Greet Chirls
at Chancellor’s
Reception

Chancellor Andrew A. Chirls and his partner, Larry Frankel, greet Philadelphia City Councilman Michael Nutter at the Chancellor’s Reception on Jan. 6 at the Park Hyatt Philadelphia at the Bellevue. More than 800 members of the legal community gathered to wish Chirls well in his year as Chancellor.

Judge Addresses Family Law Section

Family Law Section Chair Milton S. Savage Jr. (left) and Philadelphia Court of Common Pleas Judge Denis P. Cohen meet prior to the Section’s Jan. 3 meeting. Judge Cohen made a presentation to the Section on professionalism.

Federal Court Mediation Program

Federal Courts Committee Chair Abbe F. Fletman (from left) is joined by U.S. District Court Judges Jan E. DuBois and Eduardo C. Robreno and Committee Vice Chair Steven E. Bizar at the committee’s Jan. 19 meeting. Judges DuBois and Robreno discussed the Eastern District’s mediation program.

CIVIL RIGHTS

continued from page 7

port for training. So he called and asked where to report. “I was then given an 800 number. The number was for ‘America’s Most Wanted,’” he said. What shocked Lindorff more than the Tips/Most Wanted connection was that no other reporter had investigated it. Only after Lindorff wrote about it in Salon did a major media network follow suit.

Lindorff discussed John Walker Lindh, the “American Taliban.” After capture, Lindh was tortured, denied access to family or counsel and charged with treason and murder. The treason and murder charges didn’t hold up.

“The only charge the government could bring against him was under a law designed to prosecute corporations that deal with Cuba,” he said. Fearing popular backlash against a man associated with the Taliban, Lindorff said Lindh’s attorneys let him agree to 20 years in prison. Lindh signed a gag order and a statement he had not been tortured, even though he had been duct-taped to a gurney in an unlit and unheated container for 10 days in Afghanistan and denied treatment for a festering leg wound.

“The gag order kept us from learning about government torture techniques until they surfaced in Abu Ghraib,” Lindorff said. His wife chose the book’s title. “Every morning when I read the papers, I said, ‘This can’t be happening!’ She said that’s what I should call the book.”

Lindorff’s previous book was Killing Time: An Investigation Into the Death Row Case of Mumia Abu-Jamal.

Thomas Prettyman is the executive director of The Legal Clinic for the Disabled, Inc.

CIVIL RIGHTS
by Marc W. Reuben

If criticism is the business of relating art to the world in which we live, there has to be a special category of communication whenever the object of description has no discernable relationship to the world and its worries. I saw the film version of “The Phantom of the Opera” because I had been so revolted by the theatrical presentation that I felt compelled to re-examine the work. Perhaps it was I who was out of sorts. Perhaps the musical was not as bad as I imagined.

I went to see the musical because a niece wanted me to play the score for her when she sang it as part of her job. I never did tell her that I thought the music was stunningly uninspired, and that it sounded like reprocessed mood music from the silent era – but without any notable tunes (or, in this case, toones). I just read the music and played it for her on the piano and we never discussed what I thought of the show. “Phantom of the Opera” is a musical showpiece only if you can overlook the puerile story, the inane and childish lyrics, the ornate arrangement of uninventive music, the idiotic script, and the masochistic overtones is the stuff of which the idea for the show. Indeed, the movie surpasses by far the awfulness of the long-running Broadway show.

“The Phantom of the Opera” was a second-rate book by Gaston Leroux. When the book was published, it was widely understood to be in the category of popular pulp. Lon Chaney, one of the most talented and bankable stars in silent film, was known as “The Man of a Thousand Faces.” Because of his ability to make himself fit into a variety of roles, this lovely device was used in silent, films, was known as “The Man of a Thousand Faces” because of his ability to project emotions. Butler’s performance was laudable. As it is, it was the garden variety of plagiarism.

If you don’t believe me (and you should) go see it. At the climax, the insane phantom drops what looks like one of Zsa Zsa Gabor’s old earrings on the stage before him, needed to pantomime every aspect of his role as if he, like Chaney before him, needed to pantomime every emotion. Butler’s performance was also notable for the fact that he cannot carry a tune. If this was a voice-over, we are all in trouble.

Some of the magical ideas in this movie included a heavenly light by candlelight that were held up by arms that protruded from the walls. No people, just arms. This lovely device was lifted from Jean Cocteau’s 1946 “Belle et la Bete,” and had this movie been something more inspired, the hijacking might have been laughable. As it is, it was the garden variety of plagiarism.

If you don’t believe me (and you shouldn’t) go see it. At the climax, the insane phantom drops what looks like one of Zsa Zsa Gabor’s old earrings on the audience. By the time this film ends, you too may wish you were in that audience.

Marc W. Reuben, an advisory editor of the Philadelphia Bar Reporter, has been writing about the arts since 1973.
**Career Corner**

**Business Development Important Part of Success**

By James LaRosa and Gary Mintz

Questions: I am a junior/mid-level associate in a large firm. Although I am on partnership track, I am starting to get concerned because I have not been able to develop any portable business. I hear other senior attorneys talking about the importance of developing a book of business. But I am so busy with my caseload that I do not have time to market to clients. Even if I did have time, I get very little support in my marketing efforts from my firm. How important is it to develop a book of business? What advice can you give me in improving my marketing efforts?

Answer: Junior, mid-level and particularly senior attorneys feel tremendous pressure to develop a book of business. Many of them (particularly junior and mid-level attorneys) have the same complaint as you in that they do not have the time to market to clients and when they try, they receive very little firm support. Fortunately for you, you are still fairly early into your legal career and you have time to start developing a client base. The importance of developing a client base cannot be understated. Firms of all sizes are now expecting attorneys to market and start generating business.

Even if business development is not required by your firm, it is a good idea to start developing the skills necessary to bring in business. Having your own clients will benefit your career in numerous ways. In addition to the increase in compensation you will likely receive as a result of developing a book of business, your job security will also be significantly improved. When you have a book of business, you are a very valuable asset to your firm. Portable clients also allow you a much greater degree of flexibility as to where you choose to work. Attorneys with books of business are in great demand. Most of the firms in the city - small, medium and large - are all interested in speaking with attorneys with portables. The book of business is networking. Also, developing good relationships with your clients can open the door to a good in-house opportunity should you choose to go that route.

You mention that your firm is very unsupportive in your marketing efforts. Your firm’s lack of support is a problem, as a key element in developing business is firm support. If possible, try to find out how you can get better support in your marketing efforts. Try to speak with a senior associate or junior partner who has had marketing success. Find out what they did and how the firm supported them in their efforts. If possible, speak to your supervising partner and raise your concerns. If these efforts are unsuccessful, you may want to consider bringing to a firm that is more supportive of associate marketing. Try speaking with friends at other firms to see how supportive their firms are in their marketing efforts.

Another major key to building a book of business is networking. Networking can take many shapes and forms. It is not easy and takes a lot of time and effort. A lot of networking takes place after working hours. Try joining various organizations that have professionals who may need your particular area of expertise. If possible, try to join organizations that will not only lead you to important contacts, but that also interest you. Actively participate in these organizations. Join the various committees and try to take on a leadership role.

Networking can also be as simple as speaking to friends and family members. Don’t assume your friends and family know that you are looking to develop business. One of the leading mistakes that people make in trying to develop business is forgetting to ask for that business. Although a friend or family member may not directly have a need for your particular expertise, they may have a friend or co-worker or business associate that has a need. The best way to get business is to ask for business.

Networking and developing business is a very complex and time-consuming task. There are many techniques that can be employed that attorneys and other professionals have been using successfully for many years. There are numerous books and seminars that can be very helpful in teaching you how to market yourself and your firm. It may be worth your time to read a few books or take a good seminar on marketing techniques.

Marketing is a very difficult and time-consuming task. It will take long hours and may take years before your efforts bear fruit. But the rewards of increased compensation, job security and flexibility may well be worth the long hours and effort.

**Career questions?**

Send your career questions to James LaRosa at jlarosa@juristaff.com or call JuriStaff at (215) 751-9100. You can also send your questions to reporter@philabar.org
successfully seek their removal for reasons other than those involving misconduct or the judge’s ability to discharge his or her duties. Indeed, the Judicial Conduct and Disability Act makes it quite clear that formal complaints against federal judges are not authorized for reasons “directly related to the merits of a decision or procedural ruling.” How to address such complaints? The Chief Justice correctly observes that our own appellate process provides a remedy for challenges to such decisions or rulings. So does the long-term political process of having elected officials decide judicial appointments.

The Chief’s comments about judicial independence are instructive and enlightening. What’s more, they are broadly applicable throughout the judiciary, and they remind us to treasure the independence of our state judiciary. And they remind us how to promote it and preserve it.

This year our Judicial Commission will once again rate sitting judges and candidates for the Court of Common Pleas and the Municipal Court. We will evaluate judges and judicial candidates thoroughly, rationally and objectively. We will consider factors such as legal ability, experience, character and integrity, financial responsibility, judicial temperament, mental and physical capacity, community involvement, administrative ability, devotion to improving the quality of justice and sound judgment. Each one of these criteria is clearly defined and delineated and, as part of its evaluation process the Commission collects information, views and observations from many sources and individuals. In the case of sitting judges, the members of the bar participate in the extensive evaluation via a detailed poll – a sort of “report card” on each sitting judge – which is supplemented by additional investigation if the poll or other considerations raise any questions about the sitting judge’s qualifications.

This is the way judges and judicial candidates and judicial nominees ought to be considered and evaluated. The process should center on their qualifications, and it should be done by people who understand what is required of a judge. Here in Pennsylvania (where we still elect all of our judges) voters need to consider the qualifications of those standing for judicial election or retention. They need to consider factors such as those delineated by our Judicial Commission. And we will communicate the results of our evaluations to all the voters. We will let them know whether we think those who want to sit on the bench or stay on the bench are “Recommended” or “Not Recommended” for that position. But our rating will be based on objective qualifications and not on judicial philosophy or court decisions. It will be done after a thorough investigation. And the people who participate reflect a diversity of backgrounds. We have built in some participation by people who are not lawyers. When you read in the paper that the process is done by a club of old boys, be assured that it just isn’t so.

Chief Justice Rehnquist has rightly observed once again that ours is not a perfect system. Judges do not always decide cases the way we might like.

Decisions may not always seem to be in tune with the popular will. Judicial vacancies do not always occur on regular schedules, and individuals may be appointed or elected to the bench who we do not deem worthy of that high responsibility. And the good news is that they often surprise us and do great jobs, too. And unpopular decisions often stand the test of time: Just look at Brown v. Board of Education.

Our judicial system is still a model for the rest of the world. Injecting partisanship, uninformed criticism, and spiteful efforts to stop judges from doing their jobs in response to a few unpopular decisions is not helpful. We must guard the independence of our judiciary so that our system continues to serve our democracy well and ensures a commitment to the rule of law. We must speak out to defend the judiciary and to ensure that its members are qualified under non-political standards.

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Bar’s Sections, Committees Reorganize

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Chancellor Andrew A. Chirs, Board of Governors Chair Patricia A. Toland, Chancellor-Elect Alan M. Feldman and Board Vice Chair Daniel Paul Alva gather at the Board of Governors Retreat at the Rittenhouse Hotel on Jan. 21.

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LETTERS
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flashback to a similar issue in which I was a featured
in the “55 under 55” article. Likewise, many of my fel-
los “55 under 55” members have become Bar and
judicial leaders—we also had a diverse class.
Something is amiss as our country becomes more
conservative. It is also re-segregating and the bar
leadership is reflecting this unwelcome digression.
We need more diversity (Asian-American,
Hispanic-American, African-American and Eastern-
European American) in our bar leadership and now
office ranks. Large- and medium-sized law firms need
to diversify more as well as to work with minority
firms as it relates to referrals and collaborations.
People tend to respect and learn more about each
other when they work together, serve on committees
together and socialize together in “non-forced” set-
tings. Hopefully, we will not digest any further as it
relates to diversity. Diversity is a moral issue and its
also good for business; it is not some liberal “do
gooder, touchy feeley” BS that many of my conserva-
tive friends tend to shun about.
Look at Bush II. I didn’t vote for him but he has
quietly diversified (at least some of the top rungs of
his administration) in a way that most conservatives
don’t really question (e.g., Powell, Rice, Gonzales,
Chao…etc.) The Philadelphia Bar can and should do
better!!
Willie Lee Nattiel

CALENDAR OF EVENTS

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

Tuesday, Feb. 1
Philadelphia Bar Foundation Board of Trustees – meeting, noon, 10th floor Board Room.
Wednesday, Feb. 2
Delivery of Legal Services Committee – meeting, 8:30 a.m., 10th floor Board Room.
State Civil Litigation Section Rules and Procedures Committee – meeting, noon, 10th floor
Board Room. Lunch: $7.50.
Thursday, Feb. 3
Civil Rights Committee – meeting, 12:15 p.m., 11th floor Committee Room South.
Alternative Dispute Resolution Committee – meeting, 12:15 p.m., 10th floor Board Room.
Lunch: $7.50.
Environmental Law Committee – meeting, 12:30 p.m., 11th floor Conference Center: Lunch:
$7.50.
Philadelphia Bar Reporter Editorial Board – meeting, 12:30 p.m., 10th floor Cabinet Room.
Business Law Section – Annual Reception, 5:30 p.m., Pyramid Club, Tickets: $35.
Friday, Feb. 4
Judicial Commission – meeting, noon, 10th floor Board Room.
Monday, Feb. 7
Public Interest Section Executive Committee – meeting, noon, 10th floor Board Room.
Family Law Section – meeting, 4 p.m., 10th floor Board Room.
Tuesday, Feb. 8
Criminal Justice Section Executive Committee – meeting, noon, 10th floor Board Room.
Wednesday, Feb. 9
Appellate Courts Committee – meeting, noon, 10th floor Board Room. Lunch: $7.50.
Thursday, Feb. 10
Solo and Small Firm Committee – meeting, noon, 11th floor Conference Center: Lunch:
$7.50.
Legislative Liaison Committee – meeting, 12:30 p.m., 11th floor Committee Room South.
Lunch: $7.50.
Committee on the Legal Rights of Lesbians and Gay Men – meeting, 12:30 p.m., 11th floor
Committee Room.
Friday, Feb. 11
Judicial Commission – meeting, noon, 10th floor Board Room.

Stated in the “35 under 35” article. Likewise, many of my fel-
los “55 under 55” members have become Bar and
judicial leaders — we also had a diverse class. It is also re-segregating and the bar
leadership is reflecting this unwelcome digression.
William Lee Nattiel

Monday, Feb. 14
Business Law Section Executive Committee – meeting, noon, 10th floor Board Room.
Tuesday, Feb. 15
Cabinet – meeting, noon, 10th floor Board Room.
Women’s Rights Committee – meeting, 12:15 p.m., 11th floor Committee Room South. Lunch:
$7.50.
Federal Courts Committee – meeting, 12:30 p.m., 10th floor Board Room. Lunch: $7.50.
Thursday, Feb. 17
Family Law Section Exec. Committee – meeting, noon, 11th floor Committee Room South.
Professional Responsibility Committee – meeting, noon, 10th floor Board Room.
Friday, Feb. 18
Social Security and Disability Benefits Committee – meeting, noon, 11th floor Conference
Center: Lunch: $7.50.
Judicial Commission – meeting, noon, 10th floor Board Room.
Monday, Feb. 21
President’s Day – Bar Association offices closed.
Tuesday, Feb. 22
Section Chairs meeting with Chancellor – 8:30 a.m., 10th floor Board Room.
Criminal Justice Section – meeting, noon, 11th floor Conference Center: Lunch: $7.50.
Women in the Profession Committee – meeting, 10th floor Board Room. Lunch: $7.50.
Young Lawyers Division Cabinet – meeting, noon, 10th floor Cabinet Room.
Wednesday, Feb. 23
Medical-Legal Committee – meeting, noon, 10th floor Board Room. Lunch: $7.50.
Thursday, Feb. 24
Lawyer Referral and Information Service Committee – meeting, noon, 11th floor Committee
Room.
Board of Governors – meeting, 4 p.m., 10th floor Board Room.
Friday, Feb. 25
Judicial Commission – meeting, noon, 10th floor Board Room.
Monday, Feb. 28
Young Lawyers Division Executive Committee – meeting, noon, 10th floor Board Room.

CALL FOR NOMINATIONS to serve as the 2005 Bar Association of Philadelphia President.

BILLY KING
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for Philadelphia and is symbolic
of the kind of young talent
Philadelphia should be trying to
attract from outside,” she said.
Before joining the 76ers, King
served as an assistant coach for
the Indiana Pacers. He also spent
four seasons as an assistant at
Illinois State University and spent
one year as an analyst for college
ESPN’s basketball coverage.
King currently serves on the
USA Basketball’s Senior National
Team Committee and is treasurer
for USA Basketball’s Executive
Committee: He is also a member
of the NBA and WNBA competi-
tion committees.
King, 39, played college basket-
ball for the Duke University. He
won the national defensive player
of the year award following his
senior season. During his college
career, Duke went to the Final
Four twice, won the Atlantic Coast
Conference regular-season cham-
pionship and two ACC Tourna-
ment titles.
In July 2000, King was honored
as the Sports Executive of the Year
at the Rainbows Sports Awards, re-
fecting not only his accomplish-
ments in the sports industry, but
also the grace, dignity, commit-
ment and humanity that he ex-
emplifies. In 2001, Stroot and Smith’s
Business Journal named him one of
the industry’s “Forty under 40.” In
May 2003, Sports illustrated named
King, along with fellow 76ers Son-
ny Hill and Allen Iverson, one of
the “101 Most Influential Minor-
ities in Sports.”

The event will be held at noon
in the Park Hyatt’s Rose Garden
Ballroom on the 19th floor. Visit
www.philadelphiabar.org for ticket
information.

Philadelphia Lawyer magazine Editorial Board - meeting, 12:30 p.m., 11th floor Committee
Room South.
Pennsylvania Energy Development Authority.

Sophia Lee, an associate with Reed Smith LLP, has been elected president-elect of the Asian American Bar Association of the Delaware Valley. Lee will be the ninth lawyer and first woman to assume the office of president in 2006.

Sophia Lee

Pennsylvania Academy of Sciences Board of Directors elected to the Alumni Board of Directors for the Mann Center for the Performing Arts.

Butler Buchanan III, a shareholder with Marshall, Dennehey, Warner, Coleman & Goggin, recently spoke at the Defense Research Institute's Symposium in New York City on the topic of the relationship between insurers and independent outside counsel retained by insureds.

Michael L. Viole, a partner with Shaffer & Viola, has been appointed co-chair of the Pennsylvania Bar Association's new Committee on the Legal Rights of Gay Men and Lesbians.

Jeffrey M. Lindy, a sole practitioner, has been elected to the Board of Directors of the Union Fire Association in Bala Cynwyd, Pa.

Henry Ian Pass, a sole practitioner, was a panelist at the Eighth Annual Wharton Entrepreneurship Conference in December. Pass was a member of the panel that discussed "Idea Generation and Validation, The Business Plan."

Nicholas J. Nastasi, a sole practitioner, has been announced as chair of the Pennsylvania Supreme Court's Criminal Procedural Rules Committee.

Daniel Jeck, a partner with Eisenberg, Rothweiler, Schiferl, Weinstein & Winkler, PC, was a faculty member at the Pennsylvania Trial Lawyers Association seminar "Failure to Diagnose Cancer."

Shari J. Odenheimer, a member of Cozen O'Connor, has been appointed to a three-year term on the Orphans' Court Procedural Rules Committee by the Supreme Court of Pennsylvania.

Mary Jane Barrett of Harkins and Harkins has been designated as chair of the Orphans' Court Procedural Rules Committee by the Supreme Court of Pennsylvania.
BMW of North America is proud to announce that Otto’s BMW has once again received the prestigious BMW Quality Trophy. In 2002, Otto’s was the first BMW Center in the area to be awarded this honor. It’s an important symbol that a BMW Center has successfully passed one of the most thorough certification processes in the industry. For everyone at Otto’s BMW, it meant many hard months of working together for more efficiency and better internal communications. One of the results is a higher set of customer satisfaction standards, so that your experience within Otto’s BMW will be as smooth as your drive out. Come into our BMW QMS Center today and take us for a spin.

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