Bar Unveils Podcasting Program

by Mark A. Tarasiewicz

Philadelphia Bar Association members can now download podcasts of selected meetings, speaker events, special guest interviews and more from the Association’s comprehensive new Podcast Center, a free service available at philadelphiabar.org.

Beginning this month, members of the Association and the public can subscribe to podcasts on the Association’s Web site by simply clicking on one of two podcasting tools - Apple iTunes or My Yahoo! Alternatively, listeners can copy and paste the podcast URL into the subscription window of their podcast software.

Selected podcasts also will be available directly on Apple iTunes Music Store. Click “Podcasts” then and do a Search on “Philadelphia Bar Association.” Click our “Subscribe” button and iTunes will bring you the latest shows.

Listeners can download the latest Bar podcasts to their MP3 player, such as an iPod, listen to them directly on their computer or burn them onto CDs.

The Association’s Podcast Center initially will include the following podcast categories:

- Chancellor’s Reception
- Letters
- Section Spotlight
- New Chief Judge
- Bar Foundation
- 2006 Bar Leadership

Huffman Joins Bar Communications Staff

Beth Huffman has joined the staff of the Philadelphia Bar Association as the director of public affairs and external communications.

Huffman, who started work Jan. 9, takes over for Daniel A. Cirucci, who served as associate executive director for communications and public policy. Cirucci, who worked for the Bar Association for 28 years, is teaching communications at Temple University and Rowan University in Glassboro, N.J., as well as consulting.

“We’re excited about Beth’s approach to the position and her willingness to advance the communications and public relations aspect of the organized bar and its members,” said Association Executive Director Kenneth Shear. Before joining the Bar Association, Huffman served as director of communications for the American Heart Association in Southeastern Pennsylvania and Delaware. Her duties there included overseeing all public relations and media relations efforts as well as internal and external communications.

“With a long history of serving the legal community as well as the citizens of Philadelphia,” Huffman said, “I look forward to working with the staff and members of the Association.”

Huffman spent 13 years with the Philadelphia Inquirer covering high school and college sports. She also served 10 years as director of publicity for women’s basketball for the Philadelphia Big Five.

Huffman graduated cum laude from the University of Dayton with a Bachelor of Arts degree in communications with concentrations in public relations and journalism.

Huffman Joins Bar Communications Staff — continued on page 11
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Equal Access, Merit Selection Keys for 2006

by Alan M. Feldman

United States Supreme Court Justice Hugo Black said 50 years ago “There can be no equal justice where the kind of trial a person gets depends on how much money he has.”

Certainly, we can all agree that Justice Black defined an important part of our modern notion of equal access to justice. That’s why our law-related public service programs are so important and why support for the Philadelphia Bar Foundation’s funding of those programs is so vital.

But an equally important factor is the quality of justice that is being dispensed. For that we need good judges. So, paraphrase Justice Black: “There can be no equal justice where the selection of a judge depends on how much money he has raised for a campaign, how much he has contributed to a political party, which ward leaders he knows or whether or not he has a recognizable name.”

This year we have an extraordinary chance to increase equal access to justice for those who need but cannot afford legal help and to reform our judicial selection process so that judicial nominees are not judged on access to money or other arbitrary factors but on their actual qualifications for the bench.

First, consider equal access to justice. As I pledged in my December address to Bar Association members, I will ask every law firm in our legal community to contribute $300 per lawyer to the Bar Foundation, the Philadelphia Bar Foundation’s funding of public service programs are so important.

The problem is not that judges are elected by the voters. The solution. The problem is not that judges are elected to almost life-like 100-year terms. It represents the quality of justice that is being dispensed. Political victories that could never be achieved at the ballot box or in the legislature are achieved through court rulings.

Thomas Jefferson feared an unequitable judiciary writing that such would place us under the ‘despotism of an oligarchy.’ He noted their power to be more dangerous as they are “...in office for life and not responsible to elective control.” Alexander Hamilton wrote in the Federalist Paper #78 that the judicial branch of government would be the “weakest of the three departments of power and that it could never attack with success either of the other two branches.” The founding fathers never contemplated a judiciary that imposes its will over the people as is. Hardship criticism by political leaders of outrageous judicial decisions has not been enough to restore the proper balance between the branches of government.

Federal judges appointed for life, and state judges elected to almost life-like 100-year terms leave the people powerless.

As Judge Robert Bork stated, today’s courts line up against the majority of the people on issue after issue using their rule making power and constitutional authority. Serious efforts to limit the powers of courts run into the familiar refrain that our liberties are being threatened and that judges need to be “independent.” It is not that judges are not independent, but, rather, that they are too independent. It has been the judiciary’s arrogant use of power, inflating enumerated rights and creating new rights that do not exist in the constitution which they enforce against democratic decisions in the legislature and at the ballot box that have focused attention on the courts. Judges venture into politics rather than remaining neutral arbiters of the law which has been a cause of a lack of confidence in the judicial branch of government. Justice Gypsy’s op-ed piece which appeared in every major newspaper in Pennsylvania defending the pay raise brought a huge spotlight on the Supreme Court and contributed to Justice Nigro’s defeat. It was a harsh message that judges should remain apolitical. Yet, no lesson was learned in that we now have judges using the pro bono bonus to help increase the volunteer commitment to our legal service agencies and allowing them to serve more clients while taking some strain off their budgets. It will also provide an incentive for every lawyer to do the right thing.

These are two important steps that will help honor Justice Black’s definition of equal justice for all.

But what about judicial selection? Once again, we are fortunate. 2006 presents us with a real opportunity to achieve reform. Legislation recently introduced by state Sens. Fumo and Williams would amend our state constitution to bring merit selection of judges to Pennsylvania. This legislation, which the Bar Association supports, would establish a broadly representative commission to develop a list of eminent nominees for consideration and appointment by the governor. This is a sound plan providing for public input, vital checks and balances and important safeguards.

Tell Us What You Think!
The Philadelphia Bar Reporter welcomes letters to the editors for publication. Letters should be typed. There is no word limit, but editors reserve the right to condense for clarity, style and space considerations. Letters may be mailed, faxed or e-mailed to: Jeff Lyons, Managing Editor, Philadelphia Bar Reporter, Philadelphia Bar Association, 1101 Market St., 11th floor, Philadelphia, Pa. 19107-2911. Phone: (215) 238-6545. Fax: (215) 238-1267. E-mail: reporter@philabar.org.
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Section/Committee Spotlight: Family Law

Programming, Collegiality on Section’s Agenda

by Jeff Lyons

New Family Law Section Chair Jacqueline G. Segal is a firm believer in interaction between the bench and bar. “The more enjoyable and productive interaction we share with each other, the more we benefit as practitioners, and individuals. That, in turn, benefits our clients. No one loses – everyone wins,” said Segal, a partner at Fox Rothschild LLP.

It’s that belief in collegiality that led her to change the section’s meeting times to lunch meetings, instead of the customary late-afternoon sessions. “It might not sound like a big deal but it is. I want to encourage interaction in a collegial setting. We’re hoping this change encourages more judges and members to attend the meetings. We also might get new members involved.” Lunch meetings, she said, are a good time to give people a break during the day. “It allows people to break bread together in a social setting. I’ve been involved with other sections and bar associations and found over the years that lunch meetings create a nice atmosphere for people. They feel more comfortable and socialize and to get to know each other. It’s not such a rigid business environment,” she said.

Segal has appointed a programming committee to schedule substantive features during each meeting. “We’ll still address the business element, but the initial presentation will be substantive so that practitioners and bench can gain legal insight.” She will spend the year emphasizing strong committee activity and involvement focusing on education of

New Supreme Court Rule Requires Liability Notification

The Supreme Court of Pennsylvania has adopted a new Rule 1.4(c) of the Pennsylvania Rules of Professional Conduct that requires a lawyer who does not have professional liability insurance coverage to disclose this fact to clients in writing.

The decision to carry or not carry such insurance still resides with the individual lawyer or firm. If you would like to explore your insurance options, the Philadelphia Bar Association Bar has endorsed the program administered by USI Colburn and GE Insurance Solutions (Westport). As the largest provider of lawyers’ professional liability brokerage in Pennsylvania, USI Colburn can help you with products designed to meet the unique needs of your law firm.

Program highlights include:

- Flexible claim limits that allow you to purchase coverage from $100,000 to $5 million, including a choice of defense options (Choice of defense cost inside or outside the limit of liability available for qualified firms. No reduction in coverage for refusal to settle (Hammer Clause); Provisions for reporting of incidents to any subsequent policy period as the result of continuous and uninterrupted coverage with Westport)
- No cost, risk management information and an anonymous claims prevention hotline
- Reimbursement for court attendance, disciplinary defense and discounts for seminar attendance
- Options to extend reporting periods, prior acts and coverage for retired attorneys.

It is also important to note that GE Insurance Solutions uses Pennsylvania law firms to defend Pennsylvania lawyers. If you would like to learn more, contact USI Colburn Insurance Service at 610-835-1800 and ask to speak with a professional liability representation or visit www.colburn.com to request more information.

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Just a few weeks into his new job as chief judge of the U.S. District Court for the Eastern District of Pennsylvania, Judge Harvey Bartle III says things are running very smoothly and efficiently.

Judge Bartle became chief judge on Jan. 1, succeeding Judge James T. Giles, whose term as chief judge expired. Judge Bartle met with members of the Federal Courts Committee on Jan. 18 and briefed committee members on the state of the court.

He said the court is one of the busiest and largest of the 94 federal trial courts in the nation. “To give you an idea of how busy we are, in 2005, there were 16,427 civil cases filed in our court, which was up 7.6 percent from the year before,” he said, adding that criminal filings were down slightly in 2005 from 2004.

“In addition to the individual cases we have, our district has 31 multi-district litigation matters, more than any other district in the United States,” Judge Bartle said. “We are getting more and more complex cases every year, both on the civil side and the criminal side.”

Judge Bartle said the court has 21 active judges and one vacancy. “I’m hoping that after the dust settles with the Supreme Court nomination of Judge Samuel Alito, some of the vacancies, including ours, will be filled. In addition to the active judges, we..."
LawWorks Aids Nonprofit Groups, Businesses

By Alison Altman

Philadelphia LawWorks, a project of Philadelphia VIP, provides free legal services to eligible non-profit organizations, businesses and homeowners to further community economic development and job creation in Philadelphia.

LawWorks was created in 2002, when the Philadelphia Bar Association, Philadelphia VIP, Community Legal Services, Regional Housing Legal Services and other local public interest organizations collaborated to better address the transactional legal needs of the Philadelphia community and provide business lawyers with an opportunity to serve that community through pro bono legal referrals.

LawWorks also reaches out to law students, giving those who are interested in transactional law the opportunity to do pro bono work early in their careers.

Since its inception, LawWorks has served a wide range of clients. Non-profits helped include community development corporations, social services organizations, environmental advocacy groups and arts and cultural organizations. In addition, LawWorks helps small business owners that meet income eligibility requirements.

The third aspect of LawWorks’ services answers one of the most pressing legal needs of low income Philadelphians and prevents vacancy and blight in Philadelphia neighborhoods. LawWorks provides pro bono legal services for individuals who live in homes in which they may have an equitable right to title, but their name is not on the property’s deed. In these cases, either the home is deeded in the name of a deceased family member or the person who sold the client the home never recorded a deed. As a result of these situations, individuals cannot obtain home repair grants or loans, pay back taxes or get homeowners’ insurance. By resolving title problems, volunteer attorneys enable individuals to repair and maintain their homes, an essential tool in fighting urban blight and encouraging economic development.

LawWorks also holds educational events to reach out to the community. This past fall, LawWorks, working with the Delaware Valley Association of Corporate Counsel and CorporatePro-Bono.Org, held its second annual “Corporate Pro Bono Day.” Volunteers attorneys from local corporate legal departments attended a continuing legal education seminar and then provided local small business owners with a pro bono legal consultation.

LawWorks also held a legal clinic for community organizations in November, where law students interviewed start-up and established community organizations to determine their legal needs. In addition to these events, LawWorks provides CLE seminars on a variety of topics and recruits attorneys to teach educational seminars on topics relevant to our clients.

If you are interested in volunteering with LawWorks or attending a CLE, contact Alison Altman at 215-523-9563 or aaltman@philadelphialawworks.org.

Please visit us on the web at www.philadelphialawworks.org.

Alison Altman is Philadelphia LawWorks Americorps attorney.
Many people are familiar with the social/fund-raisin events the Bar Foundation stages annually, including the June golf outing and November’s Andrew Hamilton Ball. In reality, the work of the Bar Foundation is not limited to those seasonal events, but takes place throughout the year with a comprehensive fund-raising program that has short-term and long-term goals.

Each year, we raise money that is given out in grants to local legal services organizations such as those listed in the box on this page. Over the long term, we seek to raise money to build our endowment so that we will have a steady, significant source of funding for future grantmaking.

Our annual grantmaking is important. No, it’s crucial. This past November, we gave out 29 grants that ranged in size from $2,000 to $100,000. The organizations we fund tell us that our grants are critical to their ability to operate grants. One organization might use the funds to hire an attorney, another organization might use the grant to print materials in several languages to serve their clients better.

The grantees decide where the need is greatest, and they really appreciate the assistance we provide in access to justice for Philadelphians who need our help. The Bar Foundation provides unrestricted, operating grants. One organization might use the funds to hire an attorney, another organization might use the grant to print materials in several languages to serve their clients better.

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The Bar Foundation grant. These organizations also tell us that a Bar Foundation grant is a “seal of approval” that helps them to secure funding from other sources.

The law and the practice of law has been good to us. We are fortunate to work in a profession that is mentally, emotionally and financially rewarding. We have an obligation to give back to the profession, both in terms of time and money. Individual attorneys and law firms need to be actively involved, not just in actively doing pro bono work, but also in terms of financial giving.

Chancellor Alan M. Feldman has identified several priorities to his 2006 agenda, including increased funding for public interest law organizations here in Philadelphia. The Bar Foundation is working with Alan in a concerted effort to reach out to everyone.

But don’t wait to hear from us as part of this outreach effort – there are many, many ways for you to make an immediate impact. Become a member of our Access to Justice program by making an immediate contribution to this year’s grant fund. Make a commitment to our endowment, whether as a member of our “Hamilton Circle” pledging $1,000 a year for 10 years or in some other amount.

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Make a memorial donation to remember a member of our legal community or a family member. Or make a donation through payroll deduction, so that a small amount each week will add up to an important contribution at year’s end. Designate the Bar Foundation in honor of someone special who may be celebrating a significant birthday or professional accomplishment.

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when you make your United Way donation four United Way number is 1570. You can also make a contribution through our Web site at philadelphia.bar.org or contact Maureen Mingey at the Bar Foundation at 215-238-6534.
Future is Now for Mock Trial Students

by Michael B. Hayes

For more than a decade, the Young Lawyers Division has partnered with Temple-LEAP on an annual basis to put on a Mock Trial Camp for Philadelphia high school students in the fall and to help make the John S. Bradway Philadelphia High School Mock Trial Competition a success.

In 2004, our own Overbrook High School Mock Trial Team moved on from the finals of the Philadelphia Competition to win the Pennsylvania statewide mock trial competition. Overbrook's success was a tremendous accomplishment and a true testament to the talent and dedication of the hundreds of Philadelphia students who participate in the Philadelphia Mock Trial Competition every year.

Overbrook's recent success also highlights the real, positive impact that we can have on the next generation of young Philadelphia lawyers.

Overbrook's attorney and lay-coaches, like dozens of other team coaches throughout the city, devoted hundreds of hours to working with their student-participants, teaching them the basics of courtroom etiquette, the nuances of oral argument and the effective presentation of direct and cross-examination testimony.

In addition, an even greater number of lawyers – of all ages and from all walks of practice – volunteered their time and energy to serve as scoring judges (i.e., jurors) and presiding judges during the several rounds of the 2005 competition. These volunteers are absolutely vital to the continuing success of the Philadelphia Mock Trial Competition. They provide participants with feedback regarding the strengths and weaknesses of their presentations, rule on objections and motions and score the mock trials to determine which teams will move on to the next round of competition. Perhaps most importantly, our volunteers show the participants that their dreams and aspirations are within reach, and that they can achieve the same levels of success that we have enjoyed.

Round One of the 2006 John S. Bradway Philadelphia High School Mock Trial Competition is already getting underway, with 50 teams from public and private schools throughout the city. This year's competition is the largest contingent of mock trial teams from any single county in the history of the Pennsylvania mock trial competition. The teams will present the prosecution and defense in a hypothetical murder case titled “Commonwealth v. Olson.” The case involves the murder of a homeless woman, allegedly at the hands of her former employer, Teaberry Olson – who owns a diner famous for its 100 percent all-beef burgers, and whom the deceased accused of using horsemeat in the burgers shortly before her murder.

Round One of the 2006 Philadelphia Mock Trial Competition is being held at the Temple University Beasley School of Law from Jan. 30 through Feb. 4. Subsequent rounds will be held downtown in the coming weeks, in real courtrooms at the Criminal Justice Center at 15th and Filbert Streets.

Although this year's competition already has begun, I assure you we still most certainly need your help to make this wonderful event a success for its deserving participants. Volunteer lawyers – Philadelphia lawyers – are needed to serve as scoring judges and presiding judges at upcoming mock trials.

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Lawyers, Firms Must Deal With Retirement

By Stacey Z. Jumper

On Jan. 1, the first "baby boomer" turned 60 years old and approximately 8,000 people will turn 60 every day throughout 2006. As America’s baby boomers get older, issues of retirement come to the forefront for many businesses, including law firms.

A recent Philadelphia Bar Association survey revealed that approximately one-third of the Philadelphia Bar is expected to stop working full-time in less than 10 years. Recently members of the Association’s Professional Responsibility Committee discussed the issue of mandatory retirement clauses contained in many partnership agreements in Philadelphia law firms.

According to the survey, the average lawyer in Philadelphia is 49 years old, but more than 40 percent of Philadelphia lawyers are 50 years old or older. Additionally, 51 percent of lawyers in Philadelphia have been practicing for 21 years or longer. James LaRosa, co-founder of Juristaff, Inc., told committee members that 70 percent of law firms in Philadelphia with more than 100 attorneys have a mandatory retirement provision in place. He said just 15 to 20 percent of firms with 20 or fewer attorneys have mandatory retirement provisions.

Stephen A. Madva, chairman of Montgomery McCracken, Walker & Rhoads, LLP, addressed the benefits of a mandatory retirement provision in a firm’s partnership agreement. He said Montgomery McCracken’s partnership agreement calls for mandatory retirement of the firm’s partners at age 70. Madva said a mandatory retirement provision “ensures the long-term health of a law firm.” He added that a mandatory retirement provision provides for the orderly transition of the management of a law firm as well as clients of the law firm. It allows younger partners to deal humanely with their mentors, because the older partners know and understand the retirement policies well before they reach retirement age. This provision also obviates the need for a case-by-case analysis of each attorney as they reach retirement age. Additionally, mandatory retirement is a way to spread the wealth to younger partners, as well as a way to make room for up-and-coming senior associates.

While there appears to be many benefits of a mandatory retirement provision, Madva said that reaching the age of 70 (or whatever age is specified in the retirement provision) is not necessarily an indicator of a loss of productivity of a senior attorney. In turn, while a mandatory retirement provision ensures that a firm has a non-confrontational way to get rid of incompetence, a firm also loses competent professionals, some who may remain passionate about practicing law.

To deal with this, Madva and LaRosa discussed certain options for senior attorneys to allow them to continue practicing beyond the age of their mandatory retirement provisions. In some instances, lawyers may continue to work at their present firms, negotiating deals where they may lose their equity status as well as the title of partner, but may continue to practice on an hourly or contract basis, possibly receiving quantum meruit bonuses for their efforts. Other senior attorneys may choose to leave in favor of a smaller firm without a mandatory retirement age where they may still be able to practice as an equity partner. One attorney at the meeting even suggested that senior attorneys form a new law firm consisting solely of attorneys who had reached the mandatory retirement ages at their law firms.

Whatever the solution, it appears that with one-third of Philadelphia lawyers expected to stop practicing full-time in less than 10 years, the legal community will find alternatives that allow practitioners past the mandatory retirement age to continue practicing.

Stacey Z. Jumper, an associate at Post & Schell, P.C., is an associate editor of the Philadelphia Bar Reporter.

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• Speaker Programs: YLD, Section and Committee meeting speakers and panel presentations.
• Member Benefits: Updates and interviews with the Association’s endorsed providers, including USI Collburn Insurance Service.
• Legislative Update: Updates and interviews with the Association’s legislative lobbyist and others working in the legislative area.
• Hot Interviews With Very Cool People: Informal, conversational interviews with “movers and shakers” in the Philadelphia area, both lawyers and non-lawyers.
• Career Corner: Updates and interviews with the Association’s career planning and placement service, as well as mentors within the legal community.
• Law Practice Management: Business solutions for lawyers from experts in a wide range of service areas.

Podcasting is a means of automatically creating and distributing digital audio files, usually MP3 files. Listeners subscribe to a podcast in much the same way they subscribe to a news feed or blog. As the Association releases new podcasts, listeners will be notified and can download them automatically.

The Philadelphia Bar Association is the first bar association in the country to offer a full Podcast Center of original programming for public download. Podcasting received a major push in June, when Apple added podcasts to its iTunes Music Store. Today, there are thousands of podcasts produced by groups ranging from large news organizations to amateur listeners.

The Association’s Podcast Center furthers Chancellor Feldman’s goal of positioning the Bar on the cutting edge of technological service to members, while offering new resources to provide practical advice for law office management.

Members responsible for organizing Bar Association events who would like to have their event podcasted should email their request to Jeff Lyons at jlyons@philabar.org. Feedback on the Podcast Center is encouraged and can be sent to podcastfeedback@philabar.org.
Writing Sample Can Get You That New Job

by James LaRosa and Gary Mintz

Question: I am a fourth-year associate in the commercial litigation group at a mid-size full service firm. I have just started searching for a new job. Although my resume is in order, I have some questions regarding my writing sample. Can you give me some guidelines as to when and what type of writing sample I should provide? How critical is a good writing sample in my job search? Are there any other issues I should be aware of when providing a writing sample?

Answer: A good writing sample can be a very significant component of an attorney’s job search. It is therefore critical to not underestimate the importance of a good writing sample. On more than one occasion, candidates have lost out on great opportunities because their writing sample was less than stellar. If the position is between two good candidates, many times the employer will go with the candidate that has the superior writing sample.

Normally, unless requested, you would not provide a writing sample upon submission of a resume. Writing samples should generally be provided at the first interview. Candidates should go into every interview assuming that the employer will request a writing sample and have at least one copy ready to provide to the interviewer. Even if the interviewer does not request a writing sample, it reflects well upon the candidate if a writing sample is offered for review. Similarly, it could reflect negatively upon the candidate if a writing sample is not provided.

If you are in the situation where a writing sample is requested and you did not bring one, make certain that you follow-up and provide one in an expeditious manner. If you are interested in the position, you should provide the writing sample within a couple of days. Either mail it, or even better, hand-deliver the writing sample. Sending the writing sample via e-mail is another option, but you should first confirm that this method is acceptable to the interviewer.

In determining which writing sample to provide, you should provide the firm with a writing sample that is an indication of your best work. Whether your best work-product is a brief, memo, motion or other complex written legal analysis, your writing sample should highlight your ability to analyze and research complex issues and show that you are able to write in a concise, persuasive and intelligent manner.

If possible, try to provide a writing sample that is applicable to the position for which you are applying. It is a balancing act because you want to provide the most applicable writing sample, but you also want to provide a sample of your best work and sometimes the two are not the same. In that situation, you have to make a decision as to what will best display your abilities. One solution might be to provide more than one writing sample.

You also want to make sure that your writing sample is recent. In general, your writing sample should not be more than one to two years old. If you have been practicing for more than a year, you should avoid providing anything written during law school. Employers generally want to see what you have been producing out in the “real world.”

As with your resume or cover letter, it is critical that your writing sample contains no errors. Not only will the employer read your writing sample, they will be reading it with an extremely critical eye. They will be looking for any errors in grammar, spelling, citation or form. Remember, this is the item you have chosen to show off your writing ability. If there are mistakes in this piece of writing, what might be expected from you in your other writing efforts?

Another basic rule, although it may seem obvious, is to not provide any confidential information. Any materials that are a public record can be provided. If you feel your best work contains confidential information, be careful to redact all information of a confidential nature (i.e., client names or other case sensitive information). There is nothing wrong with providing a redacted copy of a confidential version of your writing sample.

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trials at the Criminal Justice Center on Thursday, Feb. 16 (with trials from 4:30 to 7 p.m.), and Saturday, Feb. 18 and Feb. 25 (with trials from 9:30 a.m. to 12 p.m. and additional trials from 1:30 to 5 p.m.).

There is a particularly urgent need for more volunteer-lawyers this year, because of the large number of teams participating in our local competition. Fifty mock trial teams have spent the past three months learning the 2006 case materials, practiced their roles, and learned about the law and the rules of evidence (even the dreaded rules of evidence (even the dreaded rules of evidence (even the dreaded...)

...ing in these coming weeks. These kids deserve a little bit of your time and energy. Pure and simple - they have earned it. Absolutely no experience is necessary to serve as a volunteer scoring judge or presiding judge in the 2006 competition. You don't need to be a litigator and you don't need to be a seasoned lawyer. In addition, the total time commitment for our volunteers is well under three hours, with trials lasting less than two hours, and subsequent feedback sessions with the lawyer-judges lasting about a half-hour.

As many lawyers who have previously served as volunteers for the Mock Trial Competition will surely attest, you will not regret volunteering to serve as a scoring or presiding judge for the Mock Trial Competition than do the many student-participants.

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continued from page 3

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Jackson’s “Kong” Not Equal to 1933 Original

by Marc W. Reuben

The better part of a century has passed between the original film version of “King Kong” in 1933, and the length Peter Jackson version of the film presently in release. The difference between them is that the 1933 film leans heavily on the traditions of silent movies, while the new version harkens to the video game culture. Where the director Merrian Cooper relied upon the pantomime gestures of old in his fabulous original film, Jackson is able to morph his beast into high drama through the magic of computers.

There is nothing particularly wrong with a technology that allows a giant ape to emote as if he were Brando, except for the fact that it is all a little too smooth. When looking at it, one is stunned by the agile directing and realistic interplay of the characters. But at the end of this three-hour ride, one wonders if this film reflects the existence of video games more than it reflects an ancient love story.

Jackson took pains to re-create Kong in the New York of its original filming, since fantasy depends on distance, and the new touchy-feely movie is far from the monster film it apes. Computer-generated reality has taken away the ability of storytellers to deliver contemporary fantasy. Instead, fantastic monsters internalize as if Jimmy Stewart were under the makeup. In a way, this was really “Mr. Kong Goes to Manhattan.” The original version of this film was remarkable because it did deliver a monster to contemporary Manhattan. It is the handmade version of the story, made to the eyes and ears of viewers, that still amazes. Men without machines made it work. The newer film, for all its wonder, has a pre-packaged, psychological quality about it that comes from new-age conception.

The original film was set in the deepest years of the Great Depression. The times were right for giant monsters, for the unknown effect that wipes away protectors of America’s Sweetheart and then hoists her to the top of the Empire State Building, a PHILADELPHIA

According To...

What Movie Title Best Describes Your Life?

“‘Under The Tuscan Sun.’ Why? Because that’s where I’d rather be. I’d want George Clooney to play me in the movie, because he lives pretty close to Tuscany.”

- Wayne Streibich

“The movie would have to be ‘Parenthood.’ And Tia Carerre would play me.”

- Rachel Rosser

“I guess I’d have to say ‘Open Water.’ And Denzel Washington would star as me.”

- Dylan Walker
ARTS & MEDIA
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modern wonder that amazed audi-
ences and proved a finale to the fan-
tastic monster.

The new version, as astutely con-
structed as it is, leaves little to the
minds eye. I like Jackson. But there is
little visual conivance here to fool
the viewer Gone is the silvery sheen that
gave the foggy swamp an aura of
expectancy. It is replaced with crystal
clear images, even in the dark. The face
of the monster (especially the eyes) is
no longer vacant, to be subsidized by
paantomime. In its place, there is now
a clear, realistic picture of the ape, who
acts along with the cast. This reality
foils the fantasy. The distance between
reality and fantasy is artificial, which is,
sadly, missing from this film. Young
filmmakers do not seem to understand
that entertainment is artificial. To take
out the unbelievable effects and
replace them with realism strikes at the
heat of fantasy. The slightly jerky
movements of 1933 unintentionally
made that film more engaging than the
gpinpoint images meant to impress us
in the newest opus. There is new dia-

CAREER CORNER
continued from page 12
fidential memorandum if that memo-
randum is the best and most appropri-
ate writing sample for the position you
are pursuing. But be very careful as to
not provide any information that can
even remotely be considered confiden-
tial. If in doubt, redact it.

You should also provide material
that is totally your work. Of course,
even the best and most senior attor-
ney will have somebody review a
brief before submission. The research
and body of the material, however,
should be your work product. If sec-
tions of the material were written or
substantially rewritten by another
attorney, you should be careful to note
that fact at the end of the writing sam-
ples, directing the reader to the sections
that were not your work product.

Another critical element is to make
certain you have a thorough knowl-
edge of your writing sample and the
issues involved. You should be pre-
pared to answer questions about the
writing sample, particularly in a second
interview.

One final issue is the length of the
writing sample. As noted above, it
is best to go with your best work. If your
best work is a 70-page brief, you
should provide it. Although the
employee in all likelihood will not read
the entire brief, enough sections will be
read to evaluate your writing ability.
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Bar’s Sections, Committees Reorganize

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Chancellor Alan M. Feldman (from left), Chancellor-Elect Jane L. Dalton, Board of Governors Chair Daniel-Paul Alva and Vice Chancellor A. Michael Pratt gather at the Bar Leaders Retreat at the Sheraton Atlantic City Convention Center Hotel on Jan. 14.
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**Letters**

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restore their pay raise that was rejected by the voters.

Pennsylvanians for Modern Courts suggest merit selection will restore confidence in our courts, but, in fact, the opposite will occur.

Merit selection deprives the people of their only influence over the judiciary. Merit selection is a disguise for the political elite, rather than the educated bar which has been invaluable to us.

We are in the process of filling that and we do not have a close working relationship with the bench and the bar. "We've always had a consensus to the extent that you can," he said.

Anthony Scirica, who now sits on the Third Circuit Court of Appeals. "Judge Scirica described the job of chief judge is a little like being the caretaker of a cemetery. You may be on top, but nobody below is listening," he said.

Judge Bartle said he presides over judges’ meetings that are held each Monday. He also presides over interviews for the magistrate judge candidates. But the job of chief judge is not similar to being the CEO of a corporation where you “order people around. You preside over a court and you try to reach decisions by consensus to the extent that you can,” he explained.

Judge Bartle praised the collegiality between the bench and the bar. “We’re always had a close working relationship with the organized bar which has been invaluable to us and I hope that will continue. I will do everything I can to keep my door open to listen to concerns and take under advisement any initiatives and suggestions you may have. We do our job well only if there is a close working relationship between the bench and the bar,” he said.

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### Calendar of Events

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

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
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<tbody>
<tr>
<td>Wednesday, Feb. 1</td>
<td>Delivery of Legal Services Committee – meeting, 8:30 a.m., 10th floor Board Room.</td>
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<tr>
<td>Thursday, Feb. 2</td>
<td>Civil Rights Committee – meeting, 12 p.m., 11th floor Conference Center. Lunch: $7.50.</td>
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<tr>
<td>Thursday, Feb. 9</td>
<td>Solo and Small Firm Committee – meeting, 12 p.m., 11th floor Conference Center. Lunch: $7.50.</td>
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<tr>
<td>Monday, Feb. 13</td>
<td>Business Litigation Committee – meeting, 12 p.m., 11th floor Conference Center. Lunch: $7.50.</td>
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<tr>
<td>Tuesday, Feb. 14</td>
<td>Criminal Justice Section Executive Committee – meeting, 12 p.m., 11th floor Committee Room South.</td>
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<tr>
<td>Wednesday, Feb. 15</td>
<td>Workers’ Compensation Section Executive Committee – meeting, 10:30 a.m., 11th floor</td>
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<tr>
<td>Monday, Feb. 20</td>
<td>Presidents Day – Bar Association offices closed.</td>
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<tr>
<td>Monday, Feb. 27</td>
<td>Minorities in the Profession Committee – meeting, 12 p.m., 11th floor Committee Room South. Lunch: $7.50.</td>
</tr>
<tr>
<td>Tuesday, Feb. 28</td>
<td>Criminal Justice Section – meeting, 12 p.m., 11th floor Conference Center. Lunch: $7.50.</td>
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### Beccaria Award

The Justinian Society and the Criminal Justice Section presented the 12th Annual Cesare Beccaria Award to David Rudovsky of Kairys, Rudovsky, Epstein & Messing, on Jan. 18 in City Hall. The award was presented in recognition of Rudovsky’s contribution to the cause of justice and the advancement of legal education. Pictured from left are Christine G. Cavallieri, 2003 Beccaria Award Committee chair; Judith Frankel Rubino, 2005 chair, Criminal Justice Section; Daniel-Paul Alva, chair of the Board of Governors; David Rudovsky; Juiles Epstein, 2003 Beccaria Award recipient; Gaetan J. Alfano, chancellor of the Justinian Society; and Philadelphia Court of Common Pleas Judge Denis P. Cohen.
Judge Kate Ford Elliott has been elected president judge of the Superior Court of Pennsylvania. She becomes the first woman to hold the position in the Superior Court’s 110-year history.

Deborah Weinstein, president of the Weinstein Firm and vice chair of the Philadelphia Bar Association Board of Governors, was a visiting instructor at the University of Pennsylvania School of Law on Dec. 19 in Reading, Pa., and Dec. 20 in Philadelphia.

U.S. District Court Judge Peterece B. Tucker and Abe E. Hiteam, a partner at WolfBlock, have co-authored a substantive chapter for the second edition of the critically acclaimed treatise, Business and Commercial Litigation in Federal Courts.

Leslie Anne Miller, a visiting professor at Temple University Beasley School of Law and former general counsel to Gov. Edward G. Rendell, has been elected as chair of the Board of Trustees of Mount Holyoke College, the oldest liberal arts college for women in the country.

Andrew Davitt, a shareholder with Marshall, Dennehey, Warner, Coleman & Goggin, was a featured speaker at the 2006 PLUS International Conference held in Boston on Nov. 15-16. Davitt participated in the session “The Evolving Role of Property and Casualty Agents and Brokers: Pressure to Provide One-Stop Shopping, Be a Multi-Featured Expert, and Court Imposed Expanded Liability.”

George W. Powell Jr., special counsel with Fox Rothschild LLP, has been awarded the Counselor of Real Estate Designation by The Counselors of Real Estate, an international group of real estate practitioners who provide best-in-class advisory services to clients on complex real property and land-related matters.

Kevin Buraks, an associate at WolfBlock, taught a continuing legal education course for the National Business Institute on “Bankruptcy Law and Procedure From Start to Finish in Pennsylvania” on Dec. 19 in Reading, Pa., and Dec. 20 in Philadelphia.

Honorary Appointment

Michael E. Scullin, (left) co-chair of the Association’s International Law Committee, meets with Jean-David Levitte, France’s ambassador to the United States, and Chancellor Alan M. Feldman on Jan. 17 following Levitte’s announcement of Scullin’s appointment as honorary consul of France to Philadelphia.

Barbara T. Sicalides, a partner with Pepper Hamilton LLP, served as a moderator and speaker at the Center for International Legal Studies’ “Investing and Doing Business in Foreign Markets” conference Jan. 15-21 in Bad Gastein, Austria.

Mitchell I. Bach, a member of Eckert Seamans Cherin and Meffert, LLC, recently discussed “Update on Business Courts” at a meeting of the American College of Business Court Judges, in Washington, D.C.

Cynthia M. Philo, executive director of Philadelphia’s Old City District, has been elected to the board of the International Downtown Association, which consists of a 37-member board of leaders of urban centers from around the world.

Names Are News

“People” highlights news of people’s awards, honors or appointments of a civic or community nature. Information may be sent to Jeff Lyons, Managing Editor, Philadelphia Bar Reporter, Philadelphia Bar Association, 1101 Market St., 11th floor, Philadelphia, Pa. 19107-2911. Fax: (215) 238-1267. E-mail: reporter@philabar.org.

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