Nearly 700 Greet New Chancellor

Chancellor John E. Savoth stands with Brandi J. Brice, chair of the Board of Governors, at the Jan. 4 Chancellor’s Reception at the Hyatt at The Bellevue. Nearly 700 lined up to meet the new Chancellor and wish him good luck in the annual event. Attendees enjoyed a complimentary reception inside the main ballroom at the Bellevue after waiting their turn to wish Savoth well.

Forum to Examine DSK Arrest March 15


The arrest and release of Dominique Strauss-Kahn will provide the nexus for a comparative discussion regarding U.S. and French law, cultural and political norms, and the role of the news media in both countries. Strauss-Kahn was the director of the International Monetary Fund when he was arrested and charged with sexually assaulting a hotel maid in New York City in May 2011. The charges were eventually dismissed against Strauss-Kahn but he still faces a civil suit.

The discussion is presented in partnership with the Institute of International and Public Affairs.

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Frontline

Constitution Center Partnership to Bring Civics to More Students

This year marks the 225th anniversary of the United States Constitution. Adopted just a short walk from our Bar Association headquarters on Sept. 17, 1787, our Constitution is the oldest charter of supreme law in continuous use.

All year long, the National Constitution Center on Independence Mall will hold events commemorating the signing of this document that is the framework of our nation.

As I announced to our membership in December, during this very special anniversary year, our Association is embarking on a new partnership with the Constitution Center that will expand our Advancing Civics Education (ACE) program founded in 2008 by then-Chancellor A. Michael Pratt. The ACE program, in partnership with the School District of Philadelphia, brings volunteer judges and attorneys into Philadelphia schools to teach students about civics as part of their social studies curriculum.

We’ve had more than 150 lawyers and judges volunteer for this program that has visited 14 high schools and two elementary schools.

This year, we’re expanding the program into even more elementary schools. Nine elementary school lessons have already been developed. We’re also strengthening the program’s curriculum, planning teacher in-service days and launching a new ACE website.

Engaging students in civics education at an even younger age will help motivate them in their reading and critical thinking during their formative years. They’ll gain a deeper understanding of the true meaning of democracy, the rule of law, dispute resolution and, simply, how to be a good citizen.

The Constitution Center’s office of civics education is providing a new, enhanced level of administrative support for this rapidly growing program. We’ll be able to add to the number of volunteers going into schools, with ACE program co-chairs Jenimae Almequist and Philadelphia Bar Court of Common Pleas Judge John Milton Youngse leading the way.

Our partnership with the Constitution Center is a perfect match. Our mission is to serve the profession and the public by promoting justice, professional excellence and respect for the rule of law. We work to foster understanding of, involvement in and access to the justice system. The Constitution Center illuminates constitutional ideals and inspires acts of citizenship, “so that ‘We the People’ may better secure the blessings of liberty to ourselves and our posterity.”

As you may have already heard, this month the Constitution Center will present an exciting new exhibition, “From Asbury Park to the Promised Land: The Life and Music of Bruce Springsteen...,” the first major retrospective about the American songwriter. The exhibition opens Feb. 17 and I continued on page 7.
Brice Voted Chair of Board of Governors

Brandi J. Brice has been elected chair of the Association's Board of Governors for 2012. The action came at the Board's annual retreat on Jan. 6-7 in Atlantic City, N.J.

Brice is an assistant professor of legal studies at Peirce College and previously served as an assistant city solicitor in the City of Philadelphia Law Department. Marc J. Zucker, a partner with Weir & Partners LLP, was elected vice chair of the Board of Governors.

Chancellor John E. Savoth announced that he has appointed Rachel E. Branson to serve a three-year term on the Board of Governors as a minority bar association appointee. He also announced that past Chancellor Sayde J. Ladov will serve as chair of the Lawyer Referral and Information Service Committee. Savoth also appointed Joni J. Berner, James A. Francis and May Mon Post to three-year terms on the LRIS Committee.

Savoth nominated Gaetan J. Alfano to chair the Commission on Judicial Selection and Retention, and appointed Teresa Ficken Sachs to serve the remaining one-year term left by William P. Fedullo upon his election to Vice Chancellor. The Board approved the appointment of lay members Karen Gubin and Marlene Olshan to the Commission. Ficken Sachs will serve as vice chair.

The Public Interest Section will present “Increasing Access to Justice from the Bench” on Monday, Feb. 6. Panelists include Philadelphia Court of Common Pleas Judge Annette M. Rizzo who will discuss her role in creating the Philadelphia Mortgage Foreclosure Disposition Program; U.S. Magistrate Judge Timothy R. Rice who will address how he helped to develop the Supervision to Aid Re-Entry program; and Philadelphia Court of Common Pleas Senior Judge Abram Frank Reynolds who will discuss his role in creating the Juvenile Treatment Court program. The panel will be moderated by Joseph A. Sullivan, special counsel and director of pro bono programs at Pepper Hamilton LLP.

The program beings at 4 p.m. in the 11th Floor Conference Center, at the Philadelphia Bar Association, 1101 Market St. This program is free to all members of the Association, but pre-registration is required. Please register online at philadelphiabar.org. This program is co-sponsored by the Philadelphia Bar Association’s Civil Gideon Task Force and the Criminal Justice Section.

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Judges to Discuss Access to Justice at Feb. 6 Program

The Public Interest Section will present “Increasing Access to Justice from the Bench” on Monday, Feb. 6. Panelists include Philadelphia Court of Common Pleas Judge Annette M. Rizzo who will discuss her role in creating the Philadelphia Mortgage Foreclosure Disposition Program; U.S. Magistrate Judge Timothy R. Rice who will address how he helped to develop the Supervision to Aid Re-Entry program; and Philadelphia Court of Common Pleas Senior Judge Abram Frank Reynolds who will discuss his role in creating the Juvenile Treatment Court program. The panel will be moderated by Joseph A. Sullivan, special counsel and director of pro bono programs at Pepper Hamilton LLP.

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Vacancies, Budget Concern Chief Judge

By Jeff Lyons

Vacant judgeships and the federal budget are the two most significant problems facing the U.S. District Court of the Eastern District of Pennsylvania, Chief Judge J. Curtis Joyner told members of the Federal Courts Committee in “State of the Courts” remarks on Jan. 18.

“From June 30, 2011, the number of vacant judgeship months increased greatly to 27.8 months from 12 months in 2010,” Chief Judge Joyner said. He said the Eastern District is authorized to have 22 active judges but at present has just 18. There have been interviews for the vacant positions, but no names have been put forth for nomination to the president just yet.

“As you all can relate, this is an election year and for anybody that is familiar with this process, as time goes by, the door starts closing. And it can close before the summer gets here. And if those nominees have not been approved and voted on by the Senate Judiciary Committee and the Senate at large, it may not happen this year,” he said.

Chief Judge Joyner said there is a strong possibility that two additional vacancies may occur this year. “We need our judgeships filled as quickly as possible. They will reduce the caseload that we would ultimately bear if they were not around.”

Last year, going into April, Chief Judge Joyner said the court was concerned about a shutdown from the whole federal system because of arguing in Washington about the budget. “This year, we’re concerned about what appropriations are going to be made for the judiciary. And that may potentially affect layoffs or reductions in employees.”

“We’re hoping that doesn’t happen and that we can work within the allowance that’s given to us so our court can function. But if it does happen, if may affect your ability represent your respective clients in the federal district court.”

Chief Judge Joyner also thanked all those who participate in any volunteer program that serves the court. There are a number of prisoners’ civil rights panels, plaintiff employment panels, arbitration and mediation that lawyers are involved in. “I want to thank you all for your involvement and participation with the court. You make the system work.” He urged anyone not involved in a program or committee to contact his chambers to take part.
CONGRATULATIONS

To Our Colleague

James P. Hadden

who recently received the

“Making a Difference Through Pro Bono Work Award”

sponsored by

The American Bar Association for his work with

The Support Center for Child Advocates in Philadelphia

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PERFORMANCE BEYOND EXPECTATIONS
The majority opinion held that an incarcerated parent seeking custodial rights cannot be compelled to seek counseling. The Supreme Court reversed and remanded the lower court’s decision compelling the Pennsylvania Department of Corrections to pay for and to provide counseling to an incarcerated parent seeking visitation with his child.

This decision also clarified that the court itself can conduct an evaluation when a custody case is first presented of whether a convicted parent seeking custodial rights poses a risk of harm to the child. If the court is satisfied that there is no risk of harm, then a formal evaluation and testimony related thereto is not needed.


The Superior Court issued an opinion in F.R.M. v. J.E.A. --- A.3d ---, 2011 WL 6016240 (Pa. Super. 2011) on Dec. 5, 2011. This case commenced prior to the enactment of the new custody statutes, however, the Superior Court reversed and remanded this case because the trial court did not address the list of custody factors set forth in the new statute, 23 Pa.C.S.A. §5328. Under the umbrella of the best interest standard, the statute sets forth 16 factors that the court must address in rendering a custody decision, including which parent is more likely to encourage contact between the child and the other parent; present and past abuse between the parents; parental duties performed for the child by each parent; attempts by one parent to turn the child against the other parent; and, the proximity of the parents’ homes.

The Pennsylvania Superior Court on Nov. 23, 2011, issued an opinion in K.H.M. v. D.A. --- A.3d ---, 2011 WL 6016240 (Pa. Super. 2011) on Nov. 23, 2011. This case commenced prior to the enactment of the new custody statutes, however, the Superior Court reversed and remanded this case because the trial court did not address the list of custody factors set forth in the new statute, 23 Pa.C.S.A. §5328. Under the umbrella of the best interest standard, the statute sets forth 16 factors that the court must address in rendering a custody decision, including which parent is more likely to encourage contact between the child and the other parent; present and past abuse between the parents; parental duties performed for the child by each parent; attempts by one parent to turn the child against the other parent; and, the proximity of the parents’ homes.

From the appellate courts’ decisions, we can see how the courts are interpreting the new custody statutes. While the future of how trial courts will operate under the new custody statutes is uncertain, given that the first three cases interpreting the statutes were reversals and remands, trial courts and practitioners continue to seek guidance from the appellate courts and the Domestic Relations Procedural Rules Committee of the Pennsylvania Supreme Court.
By Regina Parker

The perspectives of a medical provider, insurance carrier and the bench were offered in an overview of fee reviews within the Pennsylvania workers’ compensation system. Panelists for the Jan. 13 Workers’ Compensation Section program included Judge Timothy Bulman and attorneys Joseph S. Weimer and Patrick Donan. The fee review process addresses disputes between medical providers and insurers related to the payment of medical bills in workers compensation matters. Judge Bulman explained that most disputed compensation issues between claimants and insurers are litigated before workers’ compensation judges. However, limited issues between a medical provider and insurer are litigated before fee review hearing officers. In the fee review process, hearing officers have a very narrow role with a limited scope of review. Hearing officers will only hear matters involving amount of payment and timeliness of payment. Cases will be dismissed when the issues go beyond these narrow issues.

In cases where a notice of compensation payable has been filed accepting the claim as compensable, the insurance company or self-insured employer will be required to pay all reasonable and necessary medical bills on a timely basis – within 30 days of submission of the bill. The panelists explained that when the provider files a fee review, and there is no notice of compensation payable, the insurer will be contacted to determine whether liability is contested. The bureau will not make an administrative decision on applications for fee review if liability and causal relationship are issues.

Providers should be mindful that there are time limitations within which to file an application for fee review. An application for review of an insurer’s payment of bills must be filed within 90 days following the original billing date or within 30 days following receipt of an explanation of benefits, whichever is later. If causal relationship is not an issue and there is no pending utilization review petition, the bureau will render an administrative decision on the merits. Both the provider and the insurer will then have the opportunity to request a de novo hearing before a fee review hearing officer. When a bill has gone through the fee review process and has been denied on the basis that the provider did not comply with the reporting requirements, the provider may resubmit the bill and the required reports to the employer. If payment of the resubmitted is again denied, the provider still has 30 days following the notification of denial of payment to seek review of the fee dispute. However, when the insurer pays a portion of the bill, the provider has 90 days to dispute payment and cannot extend the time limitation by resubmitting the bill.

The panelists agreed that even though there may be a dispute between the carrier and provider surrounding the payment of a bill, penalties can be awarded to a claimant.

Regina Parker (rparker@mattioni.com), an associate with Mattioni, Ltd., is an associate editor of the Philadelphia Bar Reporter.
Join Bar’s Sustainability Partnership

By Tricia Sadd and Judy Stouffer

Carbon footprint is defined by Merriam-Webster as “the amount of greenhouse gases and specifically carbon dioxide emitted by something (as a person’s activities or a product’s manufacture and transport) during a given period.”

All the fuss about reducing our carbon footprint is well overdue – the earth’s climate is rapidly changing. Assessing our impact and taking steps to reduce it can be relatively painless (e.g., turning off the lights, unplugging cell phone chargers when finished, purchasing compact fluorescent lamps only, taking public transportation or carpooling, condensing errands to a single trip, taking old magazines to the doctor’s office that desperately needs them, etc.)

Believe it or not, being environmentally conscientious can improve your bottom line. In addition, sustainability is quickly becoming a differentiator among competing companies and it is only a matter of time before this trickles down to the law firm. The best-in-class firms excel at measuring so they can manage; collaborating and communicating; and adjusting and reinvesting in improvements. Without visibility and proactive management, sustainability remains narrowly understood and not well implemented. Some firms are leaving money, opportunity and innovation on the table.

Some firms form an internal committee; some hire outside consultants. Some are fortunate enough to have a “green” partner/associate/employee to spearhead continued on page 16

February CLE Calendar

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

Live & Simulcast Seminars

Feb. 2 • The Nuts & Bolts of Forfeiture and Return of Property in Criminal Cases
Feb. 3 • ADA Update: How Have the New Regulations and Case Law Changed the ADA?
Feb. 7 • Great Adverse Depositions: Principles and Principal Techniques
Feb. 9 • Wildlife Laws in Pennsylvania 2012
Feb. 10 • Freedom of Information Act (FOIA)
Feb. 14 • Wills of the Rich and Famous
Feb. 16 • 25th Annual Civil Litigation Update
Feb. 21 • Spoliation and Preservation of Evidence in the Civil Cases
Feb. 22 • 13th Annual Estate & Elder Law Symposium
Feb. 23 • Powerful Witness Preparation 2011: Time-Tested Strategies and New Litigation Realities
Feb. 24 • Prisoner Civil Rights Litigation 2012
Feb. 28 • Under Attack! Independent Contractor and Contingent Worker Classifications
Feb. 29 • How to Handle a Felony Case in Philadelphia
• Copyright Issues in Cyberspace

Mark Your Calendar

March 13-14 18th Annual Health Law Institute
March 29-30 6th Annual Intellectual Property Law Institute
March 28-29 Environmental Law Forum
April 19 Family Law Institute
April 19-20 Employment Law Institute
April 20 Land Use Institute
April 30 Federal Securities Forum
May 9 19th Annual Insurance Institute
May 17 or 18 ‘Workers’ Compensation Practice & Procedure
May 31-June 1 29th Annual Criminal Law Symposium
July 12-13 5th Annual Elder Law Symposium

Simulcasts from PLI

Feb. 2 • International Tax Issue 2012: Planning in an Uncertain World
Feb. 3 • Resurse and Reexamination Strategies and Tactics with Concurrent Litigation 2012
Feb. 6-7 • Understanding Financial Products 2012
Feb. 8 • ERISA Fiduciary Investment Basics 2012
Feb. 9-10 • Investment Management Institute 2012
Feb. 13 • Managing Wage & Hour Risks 2012
Feb. 24 • Green Technology Law & Business 2012: Strategies for Investment and IP Protection & What Mainstream Companies Need to Know About Clean Tech
Feb. 27-28 • Consolidated Tax Return Regulations 2012

Video Seminars

Feb. 1 • The Family Law Discovery Tool Kit
Feb. 15 • Impel Justice Douglas

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Feb. 2 • The Nuts & Bolts of Forfeiture and Return of Property in Criminal Cases
Feb. 3 • ADA Update
Feb. 8 • Spoliation and Preservation of Evidence in the Civil Case
Feb. 9 • Wildlife Laws in Pennsylvania
Feb. 10 • Freedom of Information Act
Feb. 14 • Wills of the Rich and Famous
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Feb. 29 • Copyright Issues in Cyberspace

Visit philadelphiabar.org to learn more about the Green Ribbon Committee’s Sustainability Pledge.

Use your QR code reader to link directly to this resource.
Most people are surprised to find that my taste in movies runs toward sci-fi and action genres (the more explosions the better). I typically avoid movies that I think are too emotional or touchy-feely. But I occasionally fall in love with a movie because I can relate to the compelling personal struggle of one of the characters. One of my favorite movies, “Gattaca,” though science fiction, also falls into this last category. “Gattaca” takes place in the not-too-distant future, where humans are able to remove genetic abnormalities and diseases from their children before they are born. Unsurprisingly, this creates a caste system of upper-class people who have had the benefit of this technology, and lower class “God children,” such as the protagonist Vincent (Ethan Hawke), who is myopic and suffers from a congenital heart defect. The class system is strictly enforced and employers are permitted to discriminate based on what they perceive as inferior DNA. Vincent, despite his lack of the proper genetic resume — his heart problem predisposes him to die young — dreams of being an astronaut. To realize his goal, he illegally assumes the genetic identity of former Olympic swimmer Jerome (Jude Law), who was disabled in an accident. Jerome's superior DNA allows Vincent to get a high-level job at a company that specializes in space exploration, the same company where he was previously only a janitor.

The catch in the movie is that Vincent must actually prove that he is the “superior” athlete and employee that his new identity says he is. Through sheer grit and determination, he successfully passes the physical requirements of his job by doing things like running and swimming, which are nearly impossible with his heart defect. At the same time, to maintain his deception, every day he must essentially erase his own identity by scrubbing away dying hair and skin cells, which, if found by his employer — or anyone else — would expose him.

There are a number of subplots in this movie, including a budding romance with a coworker played by Uma Thurman, Jerome’s bitterness at his own lost potential, and Vincent's sibling rivalry with his genetically altered brother Anton. Spoiler Alert: Anton is a detective who finds out about Vincent’s deception and tries to expose him out of jealousy. But the point of the movie is that, through Vincent’s determination and perseverance (and some illegal activity that I will ignore for purposes of this article — sorry, but I am a prosecutor), he is able to do all of the things that his own genetic profile says he should be incapable of, allowing him to ultimately realize his dream and go into space.

While this movie is science fiction, I find the overall theme heartening and somewhat applicable to young lawyers. Frequently judged only by schools and grades, it can be hard to distinguish one’s self right out of law school. However, one of the best things about the legal profession is that persistence and effort truly can affect your career and make you a star.

I encourage young lawyers who are looking for a job or who want to impress their employers to take a proactive approach to your careers. Develop your trial and writing skills, or whatever you need to be a success in your chosen practice area. One of the best ways to get practical experience is through pro bono work. Also, remember to sell yourself and do not be afraid to ask for what you want. In this profession, a certain amount of self-promotion is necessary. Do not think of it as being pushy or arrogant. Think of it as marketing!

I want to close this article by thanking everyone who came out to the YLD Annual Meeting on Jan. 18 at The Ritz-Carlton Philadelphia. It was a great event. Congratulations to Abbie DuFraine, winner of the Perry Service Award; Paul Kaufman, recipient of the Peretta Service Award; and the Philadelphia District Attorney’s Office and District Attorney R. Seth Williams, winners of the YLD Vision Award. In addition, thank you to the Bar Association staff who helped make the reception happen.

I hope that the great turnout for the Annual Meeting is a predictor of this year’s success. Being a young lawyer in a major metropolitan area like Philadelphia, there are many opportunities for professional development, as well as fun. The goal of the YLD is to create those opportunities for the benefit of our members, the legal profession and the community. I think that our Annual Meeting shows that we are off to a good start and that we are going to do big things this year. I hope that you will join us.

By Melanie J. Taylor

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By Melanie J. Taylor (Melanie.Taylor@philad. gov), an assistant district attorney with the Office of the Philadelphia District Attorney, is chair of the Young Lawyers Division.
Office of Diversity

Association Will Keep on Keeping on

By Naomi McLaurin

On Jan. 16, the Barristers’ Association of Philadelphia hosted its Dr. Martin Luther King, Jr. Annual Memorial Breakfast at the Loews Hotel. Nearly 500 people were in attendance. The purpose of the breakfast was to celebrate the life and legacy of Dr. King and to honor the recipients of the William F. Hall Award (Bernard W. Smalley), Woman of Distinction Award (myself), Outstanding Young Lawyer Award (Adiah I. Ferron) and Outstanding Organization Award (Philadelphia VIP).

In his Letter From a Birmingham Jail, Dr. King wrote about the “interrelatedness” of communities and states and opined that “Injustice anywhere is a threat to justice everywhere. We are caught in an inescapable network of mutuality. Tied in a single garment of destiny. Whatever affects one directly, affects all indirectly.” He went on to write that “it is an historical fact that privileged groups seldom give up their privileges voluntarily.”

Latest on Demographics

According to a Nov. 3, 2011 NALP: The Association for Legal Career Professionals’ press release, nationwide, minority attorneys account for 3.82 percent of law firm partners and 13.37 percent of law firm associates.

Nationwide, women account for 19.54 percent of law firm partners and 45.35 percent of law firm associates. In Philadelphia, women account for 19.20 percent of law firm partners and 47.11 percent of law firm associates.

Thus, Philadelphia is below the national average in the categories of minority partners, minority associates, women partners, minority women partners and minority women associates. And, we are barely above the national average in the category of women associates. We recognize that there is much work to be done.

Keep On Keeping On

In November, the Philadelphia Bar Association’s Office of Diversity hosted its first-ever National Symposium on Diversity in the Legal Profession at the Union League of Philadelphia. More than 350 people attended the sold-out event. The National Diversity Symposium brought together chief legal officers, law firm managing partners and diversity thought leaders from across the nation to collaborate and share best practices to improve the recruitment, retention and advancement of women and diverse attorneys. You can visit www.NationalDiversitySymposium.org to view the complete listing of speakers and download the course materials.

Robert J. Grey Jr., the executive director of the Leadership Council on Legal Diversity and past president of the American Bar Association, delivered a stirring keynote address at the historic National Diversity Symposium. The podcast is available at www.philadelphiabar.org.

The Association will continue its efforts to advance diversity and inclusion in the legal profession. We remain committed to our Statement of Diversity Principles adopted by the Board of Governors in 2008. The statement is available on the Association’s website.

Chancellor John E. Savoth, Chancellor-Elect Kathleen D. Wilkinson and Vice Chancellor William P. Fedullo have repeatedly expressed their commitment to diversity and inclusion and support for the Office of Diversity. Scott W. Reid continues to serve as the cabinet-level diversity chair.

The Diversity in the Profession Committee (DIPC), under the leadership of Stella Tsai, continues to serve as a forum for collaboration among the local affinity bar associations, with its leaders serving as ex-officio members of the DIPC. The Business Law Section continues to implement its Diversity Action Plan. Its well-written plan is available on the Association’s website. Other sections and divisions are working to advance diversity and inclusion by hosting their own programs, collaborating with the DIPC and seeking guidance from the Office of Diversity.

In the words of Dr. King, we will “keep on keeping on.”

Naomi K. McLaurin (nmclaurin@philabar.org) is director of the Office of Diversity for the Philadelphia Bar Association.
Landlord/Tenant Legal Help Center Launched Jan. 30

Advocates for access to justice and leaders of the Philadelphia courts have launched the first Philadelphia Landlord/Tenant Legal Help Center, providing access to free legal information, advice, and limited representation for unrepresented, low-income individuals of all ages who are facing eviction and other legal rental housing problems in Philadelphia.

This independent project, housed in Municipal Court and launched Jan. 30, is coordinated by SeniorLAW Center, a nonprofit organization that protects the rights of older Pennsylvanians, and will be staffed by a supervising attorney, volunteer attorneys and law students. The center will be on the 5th floor of the Municipal Court Building, 34 S. 11th St. Members of the Housing Working Group of the Civil Gideon Task Force of the Philadelphia Bar Association, including SeniorLAW Center, Philadelphia Legal Assistance, Community Legal Services, Regional Housing Services, Homeless Advocacy Project, VIP, TURN, and pro bono leaders at Dechert LLP and Pepper Hamilton LLP, were instrumental in crafting this project over the past year, with the support and leadership of Philadelphia Municipal Court President Judge Marsha H. Neifeld and her staff.

While housed at the court to make access meaningful, the project is an independent and collaborative venture of legal services agencies and pro bono leaders.

“More than 95 percent of low-income tenants regularly face the legal system and eviction from their homes without an attorney and without basic information about their rights and the legal process,” said Karen C. Buck, executive director of SeniorLAW Center and co-chair of the Housing Working Group. “While our ultimate goal is to provide a true right to counsel and individual representation for low-income tenants facing the loss of shelter, this project is a first step towards expanding access to basic legal information and an opportunity to talk through their problems and learn about their rights in an area of essential human need.”

“Philadelphia Municipal Court is pleased to be able to work with SeniorLAW Center, the Civil Gideon Task Force of the Philadelphia Bar Association, including SeniorLAW Center, Philadelphia Legal Assistance, Community Legal Services, Regional Housing Services, Homeless Advocacy Project, VIP, TURN, and pro bono leaders at Dechert LLP and Pepper Hamilton LLP, were instrumental in crafting this project over the past year, with the support and leadership of Philadelphia Municipal Court President Judge Marsha H. Neifeld and her staff.”

Officials from Allstates World Cargo led a helpful discussion on international transportation of goods and how to avoid and deal with problems in shipping at a recent meeting of the International Business Initiative Committee.

Founded in 1961, AWC is an NVOC international carrier and domestic freight forwarder. Speakers Dan Gallagher, Clara DiLuzio and Joan J. Broglin discussed the 2010 incoterms with each term of shipment and details on what it includes, comparing it with the other options. They discussed many topics, including:

- To avoid problems in shipping, fill out the shipper’s letter of Instruction properly. If goods are damaged or lost, the declared value stated in that letter may affect the amount of possible recovery. If the value is declared at a high value, then the price for the shipment increases. If at a low value, there is more risk of not recovering fair value above the stated value. When shipping valuable goods, if the full real value is stated this could invite theft. Usually it costs less to get adequate insurance coverage than to pay the higher shipping rate for items of considerable value. Check with your insurance agent. Do not take the risk of items of significant value being uninsured.

- Be careful about automatic pro-rating of value of skids. For example, if there is a declared value of $100,000 for five skids, often there will be an automatic pro-rating of $20,000 per skid. If there were items of different value in the skids and one was worth $50,000 and the others lesser, the recovery per skid may be limited to $20,000. One way to avoid this is to have a separate bill of lading for each skid. Declare value ahead of time. Do an invoice with cost.

- All freight forwarders are responsible for loss up to 50 cents a pound domestic or $9 per pound international. Federal Express and UPS charge based on what is shipped. Take out declared value. Ocean shippers are responsible for loss of up to $500 per container. Insurance from a broker is about one-third the price of declaring a higher value and paying for shipping at the higher declared rate. Buy insurance and get the proper amount of coverage.

- Put instructions in writing. Tell the shippers exactly what you want. AWC told of a situation shipping presses where the prices and packing was not right. Sometimes the instructions need to state “put in front,” so cargo will not be damaged.

- For high-value items that must be handled carefully, consider having a shock detector with the item so the date and time of any shock can be registered. This is used with overseas shipments of items like electrical transformers. See Crompton Greaves, Ltd. v. Shippers Stevedoring Co., 776 F. Supp. 2nd 375 (S.D. Tex. 2011). Security measures can be used such as putting a seal on a truck with a serial number.

- Declared value and description of the goods is vital. There is a high incidence of
U.S. Supreme Court Admission May 14

The Philadelphia Bar Association will move up to 50 of our members for admission to the Bar of the United States Supreme Court on Monday, May 14.

The admission ceremony will be made to the full court sitting in Washington, D.C. The court's requirements for a group admission ceremony are very comprehensive. To review these requirements and to download the forms for admission please visit the Supreme Court's website at supremecourtus.gov. Select the Bar Admissions tab on the left-hand side and this will bring you to the link for the Bar Admissions Form and Bar Admissions Instructions. Please read the instructions carefully.

Once you have determined that you are eligible for admission, please print out and complete the Admission Form. The instructions and guidelines are very specific and must be followed scrupulously. Do not fold the application or use staples. Use paper clips only.

Goods shipped by sea usually have to be at the port ready for shipment two days prior to departure of the ship. Ocean shipping is far slower than air and dates of arrival are given in a range. It might be 30 days for a normal shipment or 45 days if the ship will stop at other ports. Ocean shippers want full ships and it can make sense for the ship to stop at several ports en route to the final destination. Check to see if the ship stops at other ports if quicker shipment is required. Where speed matters, and the budget is tight, it may make sense to send part of the shipment deferred air, which has a lower air rate, and the rest by sea. If speed matters, ship by a dedicated route (for example, Rotterdam-New York). The cost is higher but it is less likely there will be a delay.

Where the problem is a delayed shipment, freight forwarders and customs brokers can help.

Rail is the least expensive and slowest way to ship. It is higher risk. Security is sometimes not good. Theft is common. Railyards are open and rail cars may stay there for long periods of time without security. Shipping by truck offers more protection.

In a local freight forwarder or customs broker, it helps to consider one with offices, relationships and significant experience in the country to be shipped to or from. AWC is partners with Evergreen, a Chinese company. One of the problems of shipping to China is the difficulty in getting a different carrier inland. China controls inland shipping. If your client insists on using its own inland carrier, rather than one that is “suggested” by the Chinese party, there is a risk of sabotage. AWC knows of cases in which the seller was told “they never came for the goods.”

Shipping hazardous items like guns, ammunition, hazardous waste, or radio-active materials requires special licenses. In certain destinations, like South America, shipping cannot be done door-to-door, just port-to-port. In others, like Mexico, good trucking is hard to find.

Inquire about not just the port-to-port or airport-to-airport portion of the shipping but also inland transport because conditions vary in certain countries.

Use experts who have experience in the country you are dealing with.

Cost-effectiveness is very important. If various items over a period of time will be shipped, communicate the whole plan over time. Companies new to international shipping should use established forwarders to learn about shipping so fewer problems arise.

Payment can be a major problem. It is always best to be sure confirmation of payment is arranged before the goods can be picked up by the buyer.

Often bills of lading or shipping contracts have arbitration clauses. Carefully consider whether arbitration is a better option than litigation. One option is to replace the word “arbitrator” with “mediator,” or cross out the clause. Often a company has not control over an arbitrator. Usually the decision is final with no appeal. Consider the country involved and its legal system.

Be careful about litigation in countries such as Saudi Arabia and China. Use master international carriage agreements with the carrier. Litigation may often be a better way to handle disputes but this varies considerably from country to country. Consider whether a U.S. court will have jurisdiction over the foreign party, where assets are located and whether there is a reasonable likelihood of a fair trial in the foreign state.

Shipping to certain countries like some in central Asia or Africa offers fewer options because most carriers do not offer inland shipping or ship there. Nippon and Kintensu (both from Japan) ship to difficult access countries. Ask about the conditions in the country involved. Use the U.S. Embassy or U.S. Commercial Service to get information about countries and shipping there.

J. Michael Considine Jr. (adventure7@jpm.com) is chair of the International Business Initiative Committee.
Sir Winston Churchill, who by any stretch of the imagination led a rip-roaring life, once said “We make a living by what we get, we make a life by what we give.” If there is any truth to that statement, the members of the Board of Trustees of the Philadelphia Bar Foundation are living large. A couple of weeks ago when the Board of the Philadelphia Bar Foundation met for its annual retreat I was struck by the truly extraordinary group of people who give, unstintingly, their effort, their time and their commitment to the work of the board.

While there is just not enough space to list all of the remarkable things each one of our trustees does for the Foundation, we’ve printed their names next to this article so you know their names. I also wanted to talk about just a few to give you a flavor of who they are. Debbie Gross is one of our longest-serving trustees and will take over as president of the Foundation for the 2013-2014 term. She has made each one of her eight years on the board count most markedly through her work in leading our cy pres efforts but also by co-chairing the Andrew Hamilton Benefit – not once but twice – and by providing leadership in every aspect of the organization.

One of our newer trustees, Brennan Torregrossa, assistant general counsel at GlaxoSmithKline, had served on the board of Bar Foundation grantee Philadelphia Volunteers for the Indigent Program (VIP) before joining the Bar Foundation board: “During my time on the board of VIP I learned that the Bar Foundation is the life-blood of the public interest legal community in Philadelphia. It was exciting to be offered the chance to work with an organization that can affect so many different agencies and so many different people in need.”

As a member of a corporate law department, Brennan brings a unique perspective to the Bar Foundation board. He notes that corporate law departments are often the size of law firms and have their own missions. Because these are often in line with the work that many pro bono organizations support – assisting the needy, allowing people to live healthier and happier lives – corporate law departments increasingly are becoming involved in pro bono work and causes. Having seen the impact that the Bar Foundation and other funders have on the nonprofit legal community, Brennan also understands how worthwhile these tough times are for the Bar Foundation and for the agencies. As president of the Board of Trustees, I am thrilled to have Brennan’s enthusiasm for helping those for whom access to legal services makes a concrete difference in their lives.

And, I have relied heavily on Rich Grobman, senior managing director at Oppenheimer & Co., Inc., whose steady hand as the chair of the Finance Committee has served a critical role as the Foundation, along with every other organization, has moved carefully through the very difficult economic times of recent years.

Norm Weinstein, who chaired the Bar Foundation grants committee for many years and, just recently, moving over to chair the Mission/Vision/Action (MVA) committee, certainly knows how the tough economy has hurt our grantee agencies’ ability to help the most vulnerable citizens of our community.

“As an attorney, I embrace the mission of the Philadelphia Bar Foundation to promote access to justice for all. Because of my experience as a board member in the public interest legal community, I have become acutely aware of the lack of access, or equal access, which exists in many aspects of our legal system. While it is unacceptable, it is a reality nonetheless. As lawyers we owe it to our community and profession to make sure all efforts are engaged to address these deficiencies. The consequences are too great if we do not,” he said.

The year ahead for the Foundation is already filled with activities and challenges. For example, on Monday, June 25, we’re holding our Annual Golf Classic at Green Valley Country Club in Lafayette Hill (chaired by board member David Kessler, Rod Wittenberg of Reed Technology and Information Services and Mike Trudgian of Reliable Copy Services). Also, Kathleen Wilkinson, Vice Chair of the Philadelphia Bar Association, and Board member Andrea Cho, private wealth manager at U.S. Trust, Bank of America, are about to start their work as co-chairs of this year’s Andrew Hamilton Benefit which will take place in early November at the spanking new Barnes Foundation.

They, and other members of the board, will be reaching out to individual lawyers as well as law firms over the next year with a focus on increasing support for the Bar Foundation and the work it does for the legal services community.

Bar Foundation
A League of Extraordinary Board Members

By Wendy Beetlestone

2012 Philadelphia Bar Foundation Trustees

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2012 DSK Forum continued from page 1

DSK Forum with IHEJ - Institut des Hautes Études sur la Justice, Paris; the International Law Committee; and International Law Society of Villanova University School of Law.

Panels for the program include Professor Irène Théry, a sociologist with École des Hautes Études en Sciences Sociales; and reporter Emilie Lounsbury of The Philadelphia Inquirer. Chancellor John E. Savoth will present welcoming remarks.

The program begins at 4:30 p.m. in the 11th floor Conference Center of Bar Association headquarters, 1101 Market St. A wine and cheese reception will follow at 6 p.m. There is no charge to attend this program, but reservations are required, to register for this event, please visit www.philadelphiabar.org

Professor of law, Villanova University School of Law; and reporter Emilie Lounsbury of The Philadelphia Inquirer. Chancellor John E. Savoth will present welcoming remarks.

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DSK Forum continued from page 1

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by Wendy Beetlestone (wbeetleston@hangley.com), a shareholder at Hangley Aronchick Segal & Pudlin, is president of the Philadelphia Bar Foundation.
Wealth Strategies for 2012 and Beyond

By Jackie B. Lessman

This interview series conducted by PNC Wealth Management Senior Vice President Jackie Byrne Lessman, CFP®, explores topics relevant to the legal community ranging from investment management, wealth planning, trust and estate administration services and other PNC Bank National Association (PNC Bank) product offerings.

In an interview with Martyn Babitz, J.D., senior vice president and national director of estate planning for Hawthorn, a business dedicated to serving the needs of ultra-affluent families with investible assets in excess of $20 million, we discussed estate planning issues critical for consideration in 2012 as clients and their advisors prepare for potential tax law changes in 2013.

Jackie Lessman: Investors should be prepared to endure some angst this year considering the failure of the Super Committee to reach a consensus on an ever growing budget deficit, the upcoming expiration of $4 trillion in Bush-era tax cuts and the election in November. In an effort to leverage the opportunities that still exist, we should review the current transfer tax exemptions, can you describe the laws that are in place for 2012 and several considerations for clients and their advisors?

Martyn Babitz: As a result of the Tax Relief, Unemployment Insurance Reauthorization, and Job Creation Act of 2010 (the 2010 Act), the exemptions against the federal estate tax, gift tax, and generation skipping tax (GST) (collectively, “transfer taxes”) were all increased to $5 million per person ($10 million for a married couple) and the top rate for all of these taxes was reduced to 35 percent. For 2012, an annual inflation adjustment in the 2010 Act increased this amount to $5.12 million. Clients and their advisors should undertake a concerted effort to utilize the $5.12 million federal gift tax exemption this year as appropriate, viewing it as possibly a “use-it-or-lose-it” proposition. Further, combined with the $5.12 million GST exemption, substantial family wealth, and appreciation thereof, can be removed from federal transfer taxation for many generations, resulting in remarkably different asset allocations between family and government.

How can clients and their advisors take advantage of the unique tax-advantaged wealth transfer opportunities, created by these transfer tax laws and current market conditions, to enhance their estate plans and protect wealth for future generations?

The historic low interest rate environment combined with low market valuations in several asset classes and the favorable transfer tax laws previously noted make several wealth transfer options more attractive including sales to family trusts, grantor retained annuity trusts (GRATs), and charitable lead annuity trusts (CLATs). The transfer of assets to a trust for family members can be protected by the lifetime exemption and GST exemption such that, ultimately, the assets transferred to the trust may be protected from federal estate taxation for many generations. GRATs are trusts that pay an annuity back to the grantor for a term of years with the remainder of the trust passing to beneficiaries (or a trust for beneficiaries) with low, or zero, gift tax consequences. And CLATs are similar to GRATs except that the annuity is paid to charity, possibly a family private foundation, rather than back to the grantor, also at a reduced, or zero, gift tax liability. Clients should consult with their legal and tax advisors regarding these opportunities.

To help prepare clients and their advisors, what is anticipated to happen to the three transfer tax exemptions in 2013?

The favorable transfer tax exemptions are among numerous tax laws scheduled to expire on Dec. 31, 2012. Absent action by Congress, on Jan. 1, 2013, the exemption for these three taxes will revert to $1 million (or, in the case of the GST Exemption, approximately $1.3 million). Further, the top rate for these taxes will increase to 55 percent, or 60 percent in the case of the estate tax on a portion of some estates.

Of the three transfer tax exemptions, the gift tax exemption seems to be one the most likely to be allowed to expire by Congress at the close of 2012. The gift tax exemption was $1 million in 2009, as compared to $3.5 million in that year for the estate tax and GST exemptions, making a return to that $1 million level more palatable. Beyond this, a lapse of the higher gift tax exemption, as compared to the estate tax and GST exemptions, would avoid the politically sensitive “death tax” issue associated with these other taxes.

In conclusion, the combination of the federal tax exemptions for wealth transfers, historical low interest rates, and low asset valuations offer unprecedented wealth transfer possibilities that may be taken advantage of before the window closes on these opportunities.

There are certain planning techniques that can be implemented to grow, preserve and protect wealth. Each circumstance is unique and different. We recommend that individuals should consider consulting with counsel to address their particular situations and identify opportunities.

Jackie Byrne Lessman, CFP® (jacqueline.lessman@pnc.com; 215-585-5831) is senior vice president at PNC Wealth Management. For more information, visit pnc.com/wealth-management.

PNC Perspectives
Health Care Reform Update from USI Affinity

By Brian McLaughlin

As previously reported, beginning with group health plan benefits offered in calendar year 2012 (unless an exception exists), employers must report the aggregate cost of applicable employer-sponsored coverage on the Form W-2 (referred to as the W-2 reporting requirement). For the benefits provided in 2012, this will be reported on the W-2 issued in January 2013. Recently, the IRS released Notice 2012-9 which amends and restates Notice 2011-28, further clarifying the W-2 reporting requirements for group health plan coverage.

Briefly, some key changes include:
- Clarification that the transition relief for small employers (those filing fewer than 250 Forms W-2 in the preceding calendar year) from the W-2 reporting requirement will continue unless and until further guidance is issued;
- An exception from the W-2 reporting requirement for tribally charted corporations wholly owned by federally recognized Indian tribal governments;
- A new example to further illustrate that employers are not required to report health FSA contributions if those contributions are made only through employee salary reduction elections, and not through an employer seed contribution;
- An exception providing that employers are not required to include the cost of coverage under an employee assistance program (EAP), wellness program, or on-site medical clinics, if the employer does not charge a COBRA premium for this coverage with respect to a COBRA qualified beneficiary;
- Clarification that employers may include the cost of coverage under programs that are not required to be reported, such as the cost under a health reimbursement arrangement (HRA);
- Information on how to calculate the reportable amount for coverage only a portion of which constitutes group health plan coverage;
- Following is a more detailed summary of some of the changes under Notice 2012-9. It is not exhaustive, and employers should carefully review the notice in its entirety.

Small employers (those who file fewer than 250 Forms W-2 in the preceding calendar year) are not subject to the W-2 reporting requirement. Thus, an employer filing fewer than 250 Forms W-2 for calendar year 2011 is not subject to the W-2 reporting requirement for 2012 Forms W-2 (issued in January 2013).

The revised guidance clarifies that for 2012 Forms W-2 (and Forms W-2 for later years unless and until further guidance is issued), an employer is not subject to the reporting requirement for any calendar year if the employer was required to file fewer than 250 Forms W-2 for the preceding calendar year.

The revised guidance clarifies, for example, that a health FSA funded only by employee salary reduction elections is not subject to the W-2 reporting requirement. The only time a health FSA may become subject to W-2 reporting is when the amount in the health FSA for the plan year exceeds the employee’s salary reduction election for the plan year.

This may occur when the employer provides flex-credits through the cafeteria plan that are used to seed the health FSA.

The new guidance clarifies that an employer is not required to report coverage under a dental and/or vision plan if those benefits are excepted benefits under HIPAA.

Generally, to be excepted benefits for purposes of HIPAA, the dental or vision benefits must either:
- Be offered under a separate policy, certificate, or contract of insurance (that is, not offered under the same policy, certificate, or contract of insurance under which major medical or other health benefits are offered); or
- Participants must have the right not to elect the dental or vision benefit and, if they do elect the dental or vision benefits, they must pay an additional premium or contribution for that coverage.

Coverage provided under an EAP, wellness program or onsite medical clinic is only included in the W-2 reporting to the extent that the coverage is a group health plan. EAPs, wellness program, and on-site clinics falling under this definition would be reportable. For example, it is difficult to generalize about the types of benefits provided under EAPs, which can range from assistance with alcohol and substance abuse; marital, family and other personal problems; assistance with stress and anxiety; grief counseling; financial and retirement planning; child care and elder care assistance and referrals; and even concierge services (e.g., dry cleaning or shopping). EAPs providing medical benefits (e.g., counseling by a trained professional) will be subject to the W-2 reporting requirement.

EAPs, wellness programs and onsite medical clinics that are group health plans are subject to COBRA. The revised guidance creates an exception from the W-2 reporting requirement for EAPs, wellness programs and onsite medical clinics when an employer does not charge a COBRA premium for these coverages to COBRA qualified beneficiaries. If the employer charges a COBRA premium for these programs to COBRA qualified beneficiaries, then the employer must include the cost of the programs in the W-2 reporting.

An employer may include the coverage period that includes Dec. 31 but continues into the subsequent calendar year in one of the following manners: (1) treat the coverage as provided during the calendar year that includes Dec. 31; (2) treat the coverage as provided during the calendar year immediately subsequent to the calendar year that includes December 31; or (3) allocate the cost of coverage for the coverage period between each of the two calendar years under any reasonable allocation method, which generally should relate to the number of days in the period of coverage that fall within each of the two calendar years. Whichever method the employer uses must be applied consistently to all employees.

Previous guidance indicated that, to the extent the employer merely provides the opportunity for employees to purchase an independent, non-coordinated fixed indemnity policy (or other fixed indemnity insurance or specified disease or illness coverage) and the employee pays the full amount of the premium with after-tax dollars, the cost of coverage provided under that policy is not required to be reported on Form W-2.

The new guidance clarifies that an employer is required to report on the W-2 the cost of coverage provided under a hospital indemnity or other fixed indemnity insurance, or coverage for a specified disease or illness, if the employer makes any contribution toward the cost of the coverage or if the employee purchases the coverage on a pre-tax basis under a cafeteria plan.

Employers subject to the reporting requirement will want to review this guidance closely and work with payroll providers to ensure compliance with the reporting requirement. We will continue to monitor these issues and update you accordingly. For more information or to reach a USI Affinity Benefit Solutions Consultant, call 800.265.2876 or visit benefits.usiaffinity.com.

By Brian McLaughlin, vice president of USI Affinity's Benefit Solutions Group.

For more than 75 years, the divisions of USI Affinity have developed, marketed and administered insurance and financial programs that offer affinity clients and their members unique advantages in coverage, price and service. Our programs offer clients, from associations to financial institutions, the edge they need to both retain existing and attract new members and customers. As the endorsed provider of affinity groups representing over 20 million members, USI Affinity has the experience and know-how to navigate the marketplace and offer the most comprehensive and innovative insurance packages available.

Green
continued from page 9

the effort. For those who prefer to form a plan in-house, the Bar’s Green Ribbon Sustainability Initiative Pledge is a great starting point. See philadelphiabar.org/page/green and email the committee with questions or for assistance at GreenRibbon@Philabar.org.

Make the commitment to save money and become more environmentally responsible. Join these leaders and become a Philadelphia Bar Sustainability Partner in 2012: The Axelrod Firm, PC; Bermer Klaw & Watson LLP; Cozen O’Connor; Exelon Business Services Company - Legal Department; Fox Rothschild LLP; Gibbons P.C.; Klehr Hanson Harvey Branburg LLP; Langsam Stevens & Silver LLP; Lopez McHugh LLP; Manko, Gold, Katcher & Fox, LLP; Montgomery, McCracken, Walker & Rhoads, LLP; and Reed Smith LLP.

Tricia Sadd, a partner at Montgomery, McCracken, Walker & Rhoads, LLP and Judy Stinoff, law firm administrator/senior paralegal at Berner Klaw & Watson, LLP co-chair the Bar’s Green Ribbon Committee. Henry Baldovin, vice president of Goldmann Environmental Consultants, Inc. is a member of the Green Ribbon Committee and also contributed to this month’s tip.
Woodward is VIP Volunteer of the Month

Philadelphia VIP recognizes Matthew Woodward for his outstanding volunteer assistance to VIP clients.

Dealing with a loved one’s serious illness and end of life issues can seem overwhelming. Adding to the emotional ordeal is the patient’s inability to make medical and financial decisions because of his or her condition. Woodward recognizes that resolving guardianship issues helps to alleviate some of the stress. “It’s often a bittersweet decision because at the end of the day my client still has a serious and ill family member. But at least they are empowered to make critical decisions.”

Guardianship establishes the legal right to be responsible for the food, health care, housing, and other necessities of a person fully or partially incapable of providing these necessities for him or herself. Legal rights can also be granted to a person to manage the assets and finances of the incapacitated individual.

Woodward, who has been volunteering for VIP for a year, finds guardianship cases rewarding even when his clients are dealing with such depressing issues. His cases have included patients with encephalopathy, Alzheimer’s disease and dementia. “Their family members get to the end of their ropes trying to care for a family member who is so ill and unable to make any decisions. Obtaining guardianship can mean a person can now act in the best interests of the incapacitated person and make the most appropriate medical and financial decisions for them.”

Woodward learned about VIP through the bar association and speaking with other attorneys. “It has given me an opportunity to help others while rounding out my own skill set,” he said. While finding time for VIP cases is challenging, it’s worth it for him. His employer, Aberdeen Asset Management Inc., allows time off for volunteer work, giving Woodward flexibility to appear in court. “Aberdeen is extremely supportive of charitable and pro bono endeavors so that makes it very easy to do this type of work. I can also always arrange client meetings on weekends to appear in court,” he said. “My time sacrifice is minimal compared to the burden my clients have accepted. I really enjoy my job and the people I work with, so even with long days at work, I feel fortunate.”

Woodward credits support from VIP with equipping him to handle guardianship cases, even without previous direct experience. “VIP matched me with [mentor] Suzanne Pritchard, whose practice at McCann & Geschke focuses on guardianship and emergency medical issues. She was a great help – just fantastic.”

Matthew Woodward
Deborah Epstein Henry, founder and president of Law & Reorder*, was a speaker at a Montgomery County Bar Association and Villanova Law School program “The Changing Legal Landscape: Opportunities & Challenges” on Nov. 2.


Bernard M. Resnick and Priscilla J. Rosenshine of Bernard M. Resnick, Esq., P.C. participated in the “Entertainment Law” panel on Nov. 19, as part of Lebanon Valley College’s “(R)evolution Music Industry Conference VII.”


Marc P. Weingarten, a partner in the Locks Law Firm, was a speaker at the Association of Personal Injury Lawyers Asbestos Conference 2011 in Manchester, England, on Nov. 10.

James S. Ettelson, a partner with Thorp Reed & Armstrong, LLP, was a presenter at the National Business Institute seminar entitled “Top 10 Title Defects – Cured” on Dec. 6.

Kelly Dobs Bunting of Greenberg Traurig, LLP was a speaker at the 17th Annual Business Lawyers’ Institute on Nov. 9 and 10 in Philadelphia.

David Richman, a partner with Pepper Hamilton LLP, received the Education Law Center Award from The Education Law Center of Pennsylvania at its “Celebrating 35 Years” dinner event on Oct. 25.


David J. Steerman, a partner with Obermayer Rebmann Maxwell & Hippel LLP, recently spoke at the Pennsylvania Bar Institute program “Philadelphia County Domestic Relations Practice.”

Nadeem A. Bezar, partner at Kolsky, Gordon, Robin, Shore & Bezar recently discussed “Pennsylvania’s New Joint and Several Liability Law” for the Pennsylvania Bar Institute in Philadelphia.

Richard L. Scheff, chairman of Montgomery, McCraken, Walker & Rhoads, LLP, was a panelist at the American Bar Association of Litigation Conference Current Issues in Pharmaceutical and Medical Device Litigation.

Stephen A. Madva, managing partner of Montgomery, McCraken, Walker & Rhoads, LLP, has been elected to serve as vice-chairman of the board of directors of the Committee of Seventy, the century-old political and governmental watchdog group and nonpartisan research and election information source for the Philadelphia metropolitan area.

Samuel H. Pond of Pond Lehocky Stern Giordano was interviewed on ION Television’s “Thinking Outside the Box,” a show that highlights the success of local businesses and their services on Dec. 20.

Maria E. Harris, an associate with Martin Banks, was a speaker for The Philadelphia Chapter of the Widener Women’s Network annual winter luncheon on Dec. 7.

Kyra McGrath, executive vice president and chief operating officer of WHYW, was named by PatchWays PA as one of six 2011 Trailblazers in the community whose lives and leadership make an impact.

Abraham C. Reich, co-chair and partner at Fox Rothschild LLP and a past Chancellor of the Philadelphia Bar Association, was presented with the American Jewish Committee’s 2012 Judge Learned Hand Award on Jan. 25.

Timothy E. Davis and Steven E. Ostrow, partners with White and Williams LLP, participated as panelists at the IMN Real Estate Subordinated Debt Origination & Investment Forum in New York City on Nov. 29 and 30.

Patricia M. Giordano, an attorney with Feldman Shephard Wohlgelernter Tanner Weinstock & Dodig LLP, has been appointed to the Civil Trial Litigation Committee of the New Jersey Association for Justice.

Jennifer A. Brandt, a member of Cozen O’Connor, recently appeared on the “O’Reilly Factor” on the Fox News Network. Brandt discussed the appropriateness of a public school canceling its Christmas celebration.


Robero Colón, associate with Woodcock Washburn LLP, has been appointed Chair of the Hispanic National Bar Association’s Intellectual Property Law Section.

Jeremy D. Mishkin, a partner with Montgomery, McCraken, Walker & Rhoads, LLP, was a speaker at the CLE program “Religion in Public Spaces – the December Dilemma.”

Carolyn Hochstatter Dicker, of E. Carolyn Hochstatter Dicker, LLC, has been appointed as lecturer at the Wharton School of the University of Pennsylvania in the Legal Studies and Business Ethics Department.

Tricia J. Sadd, a partner with Montgomery, McCraken, Walker & Rhoads, LLP, has been elected to serve as a board member for the Clean Air Council.

Carol Nelson Shepherd and Mark W. Tanner, partners with Feldman Shephard Wohlgelernter Tanner Weinstock & Dodig LLP, were faculty at the Pennsylvania Association for Justice 6th Annual Full Day Medical Malpractice Seminar.

Ronald R. Donatucci, of counsel to Mattoni, Ltd., has been elected president of the Board of Directors of CityTrusts.

Jerald David August, a partner with Fox Rothschild LLP, served as planning chair of the two-day ALI-ABA course on partnerships, LLCs and LLPs on Jan. 12-13 at the US Grant Hotel in San Diego, Calif., and by live video webcast.

M. Melvin Shrawar, principal of Shrawar-ADR, LLC, has been elected president of the Greater Delaware Valley chapter of the Association for Conflict Resolution.

Jeffrey S. Moller, a partner at Blank Rome LLP, has joined the Board of Directors of the Public Interest Law Center of Philadelphia.

“People” highlights news of members’ awards, honors or appointments of a community or civic nature. Information may be sent to Jeff Lyons, Senior Managing Editor, Philadelphia Bar Reporter, Philadelphia Bar Association, 1101 Market St., 11th fl., Philadelphia, PA 19107-2955. Fax: (215) 238-1159. E-mail: reporter@philabarb.org. Color photos are also welcome.
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