Leadership, Diversity Plans are Introduced by Wilkinson

Saying that a more diverse and inclusive Bar Association is vital to success, incoming Chancellor Kathleen D. Wilkinson announced the launch of a Chancellor’s Leadership Institute to provide ongoing substantive programming aimed at assisting and developing leadership skills and opportunities for women attorneys, attorneys of diverse backgrounds and young lawyers new to the profession, so they can succeed in today’s legal profession.

“I believe that creating new opportunities for leadership and development of our lawyers will help us meet the challenges of a constantly evolving profession,” she said at the Dec. 4 Annual Meeting Luncheon. Wilkinson, the sixth woman to serve as Chancellor, said that through the power of partnerships, the Philadelphia Bar Association will host these programs in conjunction with other legal organizations and Philadelphia.

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By Jeff Lyons

Albert S. Dandridge III, a partner with Schnader Harrison Segal & Lewis LLP, has been elected Vice Chancellor of the Philadelphia Bar Association.

Dandridge, voted in by Bar members in the Dec. 4 election, will serve as Vice Chancellor in 2013, Chancellor-Elect in 2014 and Chancellor in 2015.

Mary F. Platt, a partner with Griesing Law, LLC, has been elected Assistant Treasurer. Her term begins Jan. 1, 2013.

The following candidates for Bar offices ran unopposed and will begin serving in

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Incoming Chancellor Kathleen D. Wilkinson is greeted at the Dec. 4 Annual Meeting Luncheon, where she discussed her plans for 2013 at the Hyatt at The Bellevue. Pictured at right is Chancellor-Elect William P. Fedullo.

Chancellor’s Reception

January 3 at Bellevue

All members of the Philadelphia legal community are invited to attend a complimentary reception on Thursday, Jan. 3 from 5 to 7 p.m. in honor of Kathleen D. Wilkinson, 86th Chancellor of the Philadelphia Bar Association, at the Hyatt at The Bellevue, Broad and Walnut streets. No RSVP is necessary.

By Jeff Lyons

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Renew Your Commitment to Civility, Professionalism

“Every action done in company ought to be with some sign of respect to those that are present.” — George Washington’s “Rules of Civility & Decent Behaviour in Company and Conversation.”

As keepers of the legacy of Andrew Hamilton, we proudly represent the legal profession to the world.

But here in Philadelphia, the birthplace of freedom, as Philadelphia lawyers, we owe a higher obligation to honor and respect our heritage.

In my address to the membership last month as incoming Chancellor, I urged that civility and professionalism be part of everything we do as Philadelphia lawyers. These are our greatest attributes. This is our greatest responsibility.

In my heart, I know that these are the attributes that contributed to my own success, and are part of who I am. By showing professionalism in everything we do, we serve as role models for future generations of lawyers.

Yet we also learn from past generations. President George Washington exhibited notable manners throughout his life. Diligence in social manners was common practice during his lifetime.

As a teenager boy in Virginia, Washington copied 110 rules of civility into a notebook and carried them throughout his life, include all eight years as the first president of the United States. Titled “George Washington’s Rules of Civility and Decent Behaviour in Company and Conversation” the rules were drawn from an English translation of a book of maxims and were intended to teach how to treat others in social situations.

Civility served Washington well, and decent behavior helped him lead a new nation.

While George Washington was not a lawyer nor appeared in court, he acquired much legal training from his service as a guardian, trustee, executor and a justice of the peace of Fairfax County, Va., where he heard minor cases. He also was a member of the County Court, which had an extended jurisdiction in equity as well as in civil and criminal law. In colonial days although justices were not trained lawyers, the service provided excellent training in legal knowledge.

Modern lawyers can learn from Washington’s example. Rule 1 of the Rules of Civility Washington followed states: “Every action done in company ought to be with some sign of respect to those that are present.” This rule should also define decent behavior among lawyers: We should always be respectful of clients, opposing counsel, parties in litigation and judges.

Rule 58 provides: “Let your conversation be without malice or envy…” We should avoid engaging in acts of rudeness or disrespect. Despite a lawyer’s duty of zealous advocacy, exercising courtesy and civility at all times does not render us any less effective.

Similarly, Rule 60 reminds us to be “friendly and courteous.”

In addition, Rule 86 states: “In disputes, be not so desirous to overcome as not to give liberty to each one to deliver his opinion…” Lawyers should listen to the other side’s point of view. Perhaps it is a matter that can and should be resolved after we listen to opposing counsel’s arguments and opinions.

Another instructive rule, Rule 87 provides: “Contradict not at every turn what others say.” Sometimes not every matter should be put into litigation, or when litigation ensues, not every point can be contradicted.

Washington also made sure to: “Speak not injurious words, neither in jest or earnest…” (Rule 65) The quality of the legal profession and the administration of justice will be enhanced if lawyers and judges treat each other, clients and other participants in the judicial system with courtesy, respect and civility. Most lawyers would agree that bad behavior and so-called hardball tactics reflect poorly on the profession.

An attorney can be very effective without being abrasive. Professional courtesy is entirely compatible with vigorous advocacy and the administration of justice, as Washington noted in Rule 73: “Think before you speak; pronounce not imperfectly nor bring out your words too hastily, but orderly and distinctly.” These are just some of the many rules that Washington followed.


Election continued from page 1

their positions on Jan. 1: Sophia Lee, Secretary; Wesley R. Payne IV, Treasurer; and Jacqueline G. Segal, Assistant Secretary. Lee is a senior attorney with Sunoco. Payne is a partner with White and Williams, LLP and Segal is a partner with Fox Rothschild LLP.

The following five candidates were elected to three-year terms on the Association’s Board of Governors: Natalie Klyashtorny, of counsel, Nochumson, P.C.; Rachel E. Kopp, an associate with Spector Rosenman Kodoff & Willis, P.C.; Emily B. Marks, an associate with Kohlby, Gordon, Robbin, Shore & Bezar; Brad V. Shuttleworth, of counsel, Alva & Associates; and Dawn M. Tancredi, a shareholder with Mattioni, Ltd.

Seven candidates were also elected to three-year terms to the Young Lawyers Division Executive Committee and will begin serving their terms on Jan. 1. They are Andrew J. Kornblau, an associate, Landman Coni Ballaine & Ford P.C.; Jim Nixon, an attorney with Superior Court of Pennsylvania; Matthew Olesh, an associate with Fox Rothschild LLP; Shabrei Parker, law clerk to Philadelphia Court of Common Pleas Judge Sandy L.V. Byrd; Jennifer Russell, a staff attorney at Senior LAW Center; Matthew T. Stone, an associate with Cohen, Placcitella & Roth, P.C.; and Robert W. Zimmerman, an associate with Salza, Mongeluzzi, Barrett & Bendesky, P.C.
Gay Marriage on U.S. Supreme Court Agenda

By Julia Swain

Marriage equality is gaining national momentum and prominence, particularly with the U.S. Supreme Court’s recent announcement that it would hear two gay marriage cases.

Rebecca G. Levin set the backdrop for the Nov. 29 discussion at a meeting of the LGBT Rights Committee by reviewing the history of same-sex marriage in the U.S. The battle for marriage equality started in 1993 in Hawaii, where the court decided that the state’s refusal to grant same-sex marriage was discriminatory. However, in 1996, Congress passed the Defense of Marriage Act (DOMA), which restricts marriage to be between one man and one woman; and also effectively eliminates the requirement for full faith and credit by one state to recognize the validity of a same-sex marriage granted by another state. The next decade saw an increase in DOMAs and constitutional amendments passed by states banning same-sex marriage. This trend started to slowly turn when the California Supreme Court ruled in favor of gay marriage. But, in response, California voters approved Proposition 8 that banned gay marriage. Proposition 8 is one of the cases the U.S. Supreme Court will be reviewing this coming term.

In 2004, Massachusetts became the first state to allow gay marriage. Presently, nine states (Connecticut, Iowa, Maine, Maryland, Massachusetts, New Hampshire, New York, Vermont and Washington) and the District of Columbia permit gay marriage. Several other states legally recognize marriage equivalent relationships. Civil unions are permitted in New Jersey, Illinois, Rhode Island, Delaware and Hawaii. Domestic partnerships are permitted in California, Oregon and Nevada. Marriage equality continues to gain support since the 2012 election, with ballot referendum votes in three states (Maryland, Maine, Washington) in favor of gay marriage. Pennsylvania still bans gay marriage by statute, which was passed in 1996.

Most recently, the U.S. Supreme Court accepted two cases dealing with constitutional challenges to laws restricting same-sex marriage, which were discussed by panelist David C. Berman. The first case is from California dealing with Proposition 8. The second case, Windsor, challenges the federal DOMA definition of marriage being between only a man and a woman. Even if the U.S. Supreme Court rules in favor of gay marriage, in Pennsylvania there will be very little if any impact, said panelist David M. Rosenblum. Short of a declaration by the U.S. Supreme Court that marriage is a fundamental right, Pennsylvania will continue to ban gay marriage. Rosenblum noted that Pennsylvania does not have any laws to protect sexual orientation gender identity. When gays were included in the Pennsylvania hate crime law, immediate challenges were submitted and the law was struck down. Gay marriage advocates are searching for the “right case” to take up through the courts to overturn the Commonwealth’s DOMA.

Although Pennsylvania does not support gay rights, certain federal legislation must be adhered to that provides some protection for same-sex couples. For instance, hospitals that receive Medicare and Medicaid funds must comply with patients’ powers of attorney documents even if a gay partner is designated to make decisions in the capacity of a spouse. Under immigration laws, a same-sex union is now recognized as one criteria to oppose deportation proceedings. And, under the FMLA, a non-biological parent (a gender neutral designation) is permitted to take leave to care for a child.

Julie Swain (jswain@foxrothschild.com), a partner with Fox Rothschild LLP, is an associate editor of the Philadelphia Bar Reporter.
Nonprofit Boards Protect Mission

By Mary-Kate Breslin

Boards of directors for nonprofit organizations are the stewards and protectors of the organization's mission, nonprofit consultant Laura Otten told members of the Young Lawyers Division at the Dec. 6 Live, Lunch & Learn CLE program.

Otten, an instructor for The Nonprofit Center at LaSalle University's School of Business for more than 20 years, and director since 2001, is an expert in nonprofit leadership, governance, strategic planning, evaluation, and various aspects of organizational management.

The program covered best practices for financial oversight within nonprofit organizations. There was a particular focus on the role of the board of directors such as setting financial policies, monitoring money, and allocating costs. Otten opened the conversation by naming two key components within a nonprofit organization: a good finance committee, and all board members understanding and executing their responsibilities. It is the board's responsibility to question the integrity of the finance committee.

Otten first served on a nonprofit board when she was a teenager, and her weekly blog posts on www.nonprofituniversityblog.org are read around the world.

She described three individual responsibilities of board members: First, give out of your own pocket; second, open doors to funders, foundations, corporations, and individuals; and, third, cultivate relationships.

Regarding oversight and management, setting policy is one of the main responsibilities of the board of directors. Policies are created to improve efficiency, increase consistency, and protect the organization. Every policy should be put into writing, and reviewed periodically. One policy example is creating an internal control system. An example of an internal control system is a procedure for signing checks – whose signature, and how many signatures are needed for checks of varying amounts. The board must ensure there is a system of checks and balances in effect that protects the organization's money. A separation of duties is a key component of this type of internal control.

"The board is a critical part of the internal control system because at every board meeting they look at financials, look at projected and actual, and make sure they protect and steward the money," advised Otten. Another internal control is the organization's budget. The budget should be reviewed at every board meeting to determine whether the organization is on target. It also serves as a financial policy in that it instructs anyone associated with the organization where money comes from, and how it is spent.

Otten noted "too few boards pay enough attention to budgets." Boards should budget for growth and work towards being a profitable enterprise by building a surplus. A best practice would be to set aside three to six months of financial reserves with which the organization could sustain itself if necessary. Furthermore, remember that nothing is outside of the budget, e.g. Hurricane Sandy damage.

Otten provided several real-world examples of nonprofit oversight and management gone awry. For example, where one individual is in a position of total autonomy of the complete cycle of a process, that is a red flag. This process could mean complete discretion of ordering, buying, and signing for something. She described this circumstance as "fertile grounds for financial trouble."

There are also conflicts of interest policies to consider. For instance, the organization should not be conducting business with board members or their respective families. By disallowing this practice from the beginning, the organization's reputation can be insulated. Board members should also consider a code of ethics policy. Otten warned her audience, "If you ever doubted the need for a code of ethics for your organization, I have two words for you – Penn State."

Mary-Kate Breslin (marykatebreslin39@gmail.com), judicial law clerk to Philadelphia Courts of Common Plea Judge Albert J. Suisse Jr., is an associate editor of the Philadelphia Bar Reporter.

Go Social, But Don’t Forget About Traditional Media

By Annie M. Kelley

Traditional media is just one way lawyers can raise both individual and professional exposure, corporate communications and public relations strategist Jeff Jubelirer recently told members of the Women in the Profession Committee.

Jubelirer said it is increasingly difficult to get positive messages and stories out there, as media is drawn toward drama and controversy. He said the good news is “that we are all the media now.” Anyone can start a blog, can comment on a story online, and can get their name out there. Attorneys no longer have to rely on traditional media, and can market themselves.

Looking beyond newspaper, television and radio, Jubelirer discussed how social media is an exceedingly helpful medium for public visibility. As nearly two out of three adults are currently active on social media sites, he said sites like Facebook, Twitter, LinkedIn and YouTube are great ways to be your own part of the media.

While being careful not to ignore traditional media and newsrooms in order to raise one’s professional exposure, one must know what makes a good story. Newsrooms are drawn to drama, controversy, winners and losers, and also trends. He said attorneys must know the current trends in each discipline, whether that be labor, employment, immigration, real estate, etc., and think, how can I contribute? What do I do, or what can my firm offer, that can add to that? Jubelirer recommended “knowing the beat,” meaning, who covers the legal industry for a particular newspaper. Learn the different beats by reading the paper and looking online on a regular basis to learn who is writing about what.

As for television and radio, be tactical. Newspapers are appropriate to give context and length, but television provides a quick visual where the picture tells a story. Newsrooms are drawn to drama, controversy, winners and losers, and also trends. He said attorneys must know the current trends in each discipline, whether that be labor, employment, immigration, real estate, etc., and think, how can I contribute? What do I do, or what can my firm offer, that can add to that? Jubelirer recommended “knowing the beat,” meaning, who covers the legal industry for a particular newspaper. Learn the different beats by reading the paper and looking online on a regular basis to learn who is writing about what.

Looking beyond newspaper, television and radio, Jubelirer discussed how social media is an exceedingly helpful medium for public visibility. As nearly two out of three adults are currently active on social media sites, he said sites like Facebook, Twitter, LinkedIn and YouTube are great ways to be your own part of the media. Jubelirer said it is increasingly difficult to get positive messages and stories out there, as media is drawn toward drama and controversy. He said the good news is “that we are all the media now.” Anyone can start a blog, can comment on a story online, and can get their name out there. Attorneys no longer have to rely on traditional media, and can market themselves. Looking beyond newspaper, television and radio, Jubelirer discussed how social media is an exceedingly helpful medium for public visibility. As nearly two out of three adults are currently active on social media sites, he said sites like Facebook, Twitter, LinkedIn and YouTube are great ways to be your own part of the media.
ICC Judges Convene in Phila. for Symposium

By Rose Scott and Elizabeth Turchi

At the start of the 2012-2013 academic year, The Philadelphia Global Initiative on the Rule of Law launched a yearlong series of symposiums in Philadelphia to celebrate the 10th anniversary of the establishment of the International Criminal Court (ICC), in conjunction with the 225th Anniversary of the U.S. Constitution. The second of these events – Procedural & Jurisdictional Challenges – was held Nov. 8 at Temple University Beasley School of Law.

The Philadelphia Global Initiative’s purpose in organizing these seminars is to foster a greater understanding of the challenges facing the ICC, the limitations of its reach, its jurisprudence, and the similarities and differences in practice and mission between the ICC and the U.S. judicial system. The ICC, an outgrowth of the World War II Nuremberg Tribunals, is the world’s first treaty-based permanent, independent, international criminal court. Its governing document, the “Rome Statute,” was created in 1998 in Rome at a conference of 160 countries. Its mission: to end impunity for and bring to justice individuals allegedly responsible for violations of international humanitarian law (e.g., genocide, war crimes, crimes against humanity and, by 2017, the crime of aggression).

The court, which officially opened in The Hague in July 2002, only recently rendered its first verdict. This is not surprising, since a decade ago it started from scratch with no building, infrastructure, staff, nor judges. Today, the ICC is fully functioning, with three cases in trial, more in pre-trial, and several additional ongoing investigations by the ICC Office of the Prosecutor (OTP). In its first decade, the court has had to break new ground in developing jurisprudence under a new criminal statute and in confronting the challenges inherent in establishing a new institution, prosecuting high-profile suspects, while investigating serious and complex crimes.

The first panel on Nov. 8 featured a keynote address by ICC First Vice President Judge Sanji Mmasenono Monageng. She was joined by U.S. District Court Judge Robert B. Kugler and Elizabeth K. Ainslie, a partner with Schnader Harrison Segal & Lewis LLP, with Temple Law Professor James Shellenberger serving as moderator. The panel compared ICC and U.S. criminal procedures with Judge Monageng emphasizing the unique role of the ICC’s pre-trial chamber (PTC). The closest thing to a PTC in U.S. criminal procedure is the grand jury. Once the ICC prosecutor has collected sufficient evidence, she presents this in the form of an indictment to the PTC. The PTC must confirm whether the OTP has provided prima facie evidence for an arrest warrant to be issued. The PTC acts as a check on the prosecutor, and has authority to either return the case to the OTP to provide additional evidence or to dismiss the case. The PTC takes into account the initial evidence offered by the OTP as well as allegations submitted by victims. Notably the ICC’s Rome Statute allows for victims, at their own initiative, to be legally represented and/or testify at the trial. As noted by panelists, this is not true in U.S. courts where victims generally only play a role at sentencing.

The second panel, moderated by Temple Law Prof. Margaret deGuzman, featured Rod Rastan, legal officer in the OTP; Matthew Heaphy, deputy counselor of AMICC (American NGO Coalition for the ICC); Rutgers-Camden Law Prof. Jean Galbraith; and University of Pennsylvania political science Prof. Jessica Stanton. This group assessed the ICC’s contribution to global justice. Similar to U.S. practice, the ICC Prosecutor has discretion over what investigations to pursue and what charges to file. Significantly, the ICC prosecutor can decide not to pursue an investigation if, in her judgment, it would not serve the interests of justice. The prosecutor looks at the evidence of alleged crimes in light of the threshold of crimes under the Rome Statute, and takes into account the gravity of the crimes and the interests of victims.

The final Philadelphia Global Initiative seminar – the ICC’s First Decade and Beyond – will be held Feb. 11 at Penn Law School. ICC President Judge Sang-Hyung Song will deliver the keynote address. For the latest information, please see http:// una-gp.org/global-initiative.

Rose Scott is a student at Temple University Beasley School of Law; Elizabeth Turchi is Legal Officer, Victim & Witness Section of the United Nations International Criminal Tribunal for the former Yugoslavia, and a member of the ad hoc working group of UNA- GPI/Philadelphia Global Initiative.
I am bubbling with enthusiasm to begin my two-year term as president of the Philadelphia Bar Foundation. I am counting on each of you in our dynamic legal community to help the Foundation achieve its new strategic plan and become the pre-eminent charitable organization for lawyers in Philadelphia. But don’t worry, you won’t be alone. While we have almost 50 years of history behind us to provide our base, we have many new faces at the Foundation to help move us forward.

I’ve been a longtime member of the Bar Foundation Board of Trustees, having co-chaired two Andrew Hamilton Galas, and serving on the Grants Committee, Finance Committee, Executive Committee and Cy Pres Committee. I’m excited to have been chosen by the Board to be the 36th president of the Bar Foundation. As anyone who knows me can tell you, though I respect history and tradition, I like to change things up. As you can see, this goes hand-in-hand with the goal of making the Foundation the pre-eminent charitable organization for lawyers in Philadelphia.

And this is where each of you comes in because I’m going to need your help as well. We will need to work together to make a difference in the lives of the abused children that are clients at Support Center for Child Advocates (which the Bar Foundation has funded since 1977). With your backing we will be able to help the family facing foreclosure whose only option for legal assistance is Community Legal Services (a grantee since 1967). The 80-year-old on the brink of bankruptcy because of a predatory lender, the girl with disabilities, the woman trapped in an abusive marriage—all these people go hand-in-hand with the goal of making the Foundation the pre-eminent charitable organization for lawyers in Philadelphia.

Find out how you can go deeper in your training at the 2013 American Academy Boot Camp in Philadelphia… and attend with absolutely no risk and no obligation (details will be shared on the webinar).

Don’t start 2013 frustrated, overworked, underpaid and trying to figure out what to do next.

If your law practice is not where you expect it to be—financially or structurally—then join attorneys Robert Armstrong and Sanford M. Fisch, co-authors of The E-Myth Attorney and founders of the American Academy of Estate Planning Attorneys for a free webinar outlining proven strategies to find and plug money leaks, take back your time and dominate your market—fast—in 2013.

Whether you are an experienced estate planning attorney, newly solo, or transitioning from another practice area, you are likely missing at least one (…if not all) of the 11 Core Systems necessary to create dependable and predictable income streams, automated workflow (i.e. less personal time and overhead) and more flexibility in your practice.
YLD Update

A Handshake is Worth 1,000 Likes

By Anesh A. Mehta

As incoming chair of the Young Lawyers Division of the Philadelphia Bar Association, I could not be more excited about the wonderful slate of programming we have planned for the coming year.

As the legal profession continues to evolve, the YLD, like many other organizations must evolve to promote the interests of young lawyers.

The evolution of the legal profession is epitomized on our morning commutes in any elevator in the city. The 30 seconds in an elevator used to be a time for ignoring the quasi-familiar person next to you and staring at the floor numbers above the door. Now only 10 percent of people stare at the floor number, and 90 percent stare at their phone waiting for connectivity.

I bring this point up because technology is beginning to play an ever-increasing role in our profession.

The prevailing theory right now is that you have to publish online, you have to control your presence and you have to be constantly updating your website. The idea behind this is that the more traffic you have on your website, the more followers you have on Twitter, and the more likes you get on Facebook will somehow equate to more business. And in the end, that’s the name of the game, generating business.

Disproportionately, the burden of producing electronic content falls on the younger and more tech-savvy lawyers. They are often asked to do the heavy lifting on blogs and social media.

Do the returns on social media marketing justify the resources being spent? Are we too caught up with hashtags, metadata, web search engine optimization and website traffic generating content?

From a business sense, the upside of social media may not be so certain. In a recent Altman Weil survey, chief legal officers of more than 200 companies were asked to rate factors that influence their selection of outside counsel on a scale of 1 to 10. Social media received an average rating of 2.3 just behind direct mail and email communications.

That same survey rated referrals and recommendations from colleagues at 8.6. Personal contacts received an average rating of 6.7. The takeaway from that is that personal relationships still matter.

Your referral base is more likely going to be linked to these personal contacts as opposed to virtual contacts.

As a young lawyer, you should know that you are the steward of your professional development. You need to decide how to develop the referral base that is continued on page 11

Panel’s Tips to Improve Cultural Awareness

By Benjamin F. Johns

A panel of family law and custody attorneys, a nationally known family therapist and a victim/witness coordinator at the District Attorney’s Office discussed practice tips for improving cultural awareness at a program presented by the Family Law Section’s Diversity Committee.

Kristine Calalang, a co-chair of the Diversity Committee and the Custody Committee of the Family Law Section, began by discussing the Bar Association’s Statement of Diversity Principles. These principles broadly define “diversity” as including race, ethnicity, gender, disability, age, sexual orientation, gender identity, and religion. While the focus on this particular presentation was solely cultural awareness, Calalang expects that some of these additional topics may be addressed in future seminars. The program was co-sponsored by the Diversity in the Profession Committee, Young Lawyers Division, Business Law Section, Probate and Trust Section, Public Interest Section and Real Property Section.

Dr. Argie Allen next asked audience members to identify themselves with certain cultural, religious, political and family groups. These cultural identification awareness questions included whether one had served in the military, had a family member with a mental illness or disability, was an immigrant, was the first in their family to graduate college, or had African, British, Irish, Dutch, Russian, Asian or Jewish heritage.

This exercise was designed to encourage audience members to stimulate awareness in themselves and others in the room. At the conclusion of the questioning, several attendees expressed their surprise about the number of certain ethnic and religious groups that were present. Dr. Allen indicated that there is constantly room to improve awareness about the backgrounds of others. She explained that a large part of that process involves simply speaking with others, and having “courageous conversations” in which similarities and differences are embraced.

Many times, however, our society leads us to “micro-systems” where we avoid “courageous conversations” in which similarities and differences are embraced.

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Many times, however, our society leads us to “micro-systems” where we avoid discussing topics such as culture, religion and political affiliations.

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Incoming Young Lawyers Division Chair, incoming Young Lawyers Division Chair Anesh A. Mehta and Chair Melanie J. Taylor take stock of toys donated by members at the YLD Holiday Party and Toy Drive on Dec. 6 at Tir Na Nog. The toys were collected for People’s Emergency Center and the Support Center for Child Advocates.

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Photo by Jeff Lyons
By Brian McLaughlin

The Departments of Labor, Treasury and Health and Human Services have issued a proposed rule regarding incentives for nondiscriminatory wellness programs. This proposed guidance builds on the existing wellness program rules that apply under the regulations and addresses changes under the Patient Protection and Affordable Care Act (PPACA) effective for plan years beginning on or after Jan. 1, 2014 and applies to both grandfathered and non-grandfathered plans. PPACA provides some important enhancement to existing wellness program rules, including an increase in allowed reward thresholds. It is important to note that compliance with this rule does not ensure compliance with various other laws, such as GINA and ADA.

The proposed rule reclassifies the types of wellness programs as:

• Participatory Wellness Programs – programs that are available to all similarly situated individuals and either do not provide a reward or do not include any conditions for obtaining a reward based on an individual satisfying a standard related to a health factor; and

• Health-Contingent Wellness Programs – where an individual is required to satisfy a health-related standard to obtain a reward, or where an individual is required to “do more” than a similarly situated individual based on a health factor in order to achieve the reward.

Currently, rewards based on satisfaction of a health factor are capped at a maximum of 20 percent of the total cost of coverage. The changes under the PPACA and the proposed rule will increase the reward threshold to a maximum of 30 percent for a health-contingent wellness programs. In a notable exception, the rule allows rewards-based wellness programs designed to prevent or reduce tobacco use to offer a reward of up to a maximum of 50 percent of the total cost of coverage.

While plans are not required to determine a particular alternative standard in advance of an individual’s request for one, an individual who is eligible for a reasonable alternative standard must be furnished this alternative upon his or her request or the condition for obtaining the reward must be waived.

All facts and circumstances must be taken into account in determining whether the plan furnished a reasonable alternative standard, including (but not limited to):

• If the reasonable alternative standard is completion of an educational program, the plan must make the educational program available instead of requiring an individual to find such a program unavailable, and may not require an individual to pay for the cost of the program.

• If the reasonable alternative standard is a diet program, plans are not required to pay for the cost of food but must pay any membership or participation fee.

• If the reasonable alternative standard is compliance with the recommendations of a medical professional who is an employee or agent of the plan, and an individual’s personal physician states that the plan’s recommendations are not medically appropriate for that individual, the plan must provide a reasonable alternative standard that accommodates the recommendations of the individual’s personal physician with regard to medical appropriateness. Plans may impose standard cost sharing under the plan or coverage for medical items and services furnished pursuant to the physician’s recommendations.

If reasonable under the circumstances, a plan may seek verification, such as a statement from an individual’s personal physician, that a health factor makes it unreasonably difficult for the individual to satisfy, or medically inadvisable for the individual to attempt to satisfy, the otherwise applicable standard. It would not be reasonable, for example, for a plan to require a reward based on satisfaction of a medical professional who certifies that a health factor makes it unreasonable to assist in obtaining the reward.

All facts and circumstances must be taken into account in determining whether the plan furnished a reasonable alternative standard, including (but not limited to):

• If the reasonable alternative standard is completion of an educational program, the plan must make the educational program available instead of requiring an individual to find such a program unavailable, and may not require an individual to pay for the cost of the program.

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Bar Foundation

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have access to legal services because of your support of the Bar Foundation. The Bar Foundation has funded SeniorLAW Center since 1980, Pennsylvania Health Law Project since 1994 and HIAS-Pennsylvania since 1992.

Have you heard of the Hebrew term tikun olam? Literally it means, “to repair the world.” But in a broader context it means that we have a shared responsibility for each other. As president of the Bar Foundation, I’m going to call on all of us — Bar Foundation staff and Board and you, our donors and sponsors — to help the most vulnerable among us to get the legal services they need to assert their rights and change their lives.

Deborah R. Gross (debbie@bernardmgross.com), an attorney with the Law Offices of Bernard M. Gross PC, is president of the Philadelphia Bar Foundation.

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Sections Celebrate with Year-End Gatherings

Criminal Justice Section Chair Kevin V. Mincey (left) and incoming Section Chair James A. Funt greet Thurgood Marshall Award honoree Alan L. Yatvin at the Section’s Dec. 4 Annual Reception at Loews Philadelphia Hotel.

David I. Grunfeld (center) received the Family Law Section’s Herbert R. Weiman Jr. Award on Dec. 3 at the Walnut Street Supper Club. Shown with Grunfeld are current Chair Megan E. Watson and incoming Chair Michael E. Bertin.

Probate and Trust Law Section Chair Robert H. Louis and incoming Chair Susan G. Collings were among those who attended the Section’s Annual Reception at the Radisson Plaza-Warwick Hotel on Dec. 4.

State Civil Litigation Section Co-Chair Robert T. Szostak (right) and Bar Association Executive Director Kenneth Shear present a check for $8,000 to Philadelphia VIP Executive Director Sara Woods at the Section’s Dec. 11 Annual Reception. Shear, who is retiring at the end of 2013, was honored by the Section for his years of service. Section Co-Chair Mark N. Cohen (not pictured) also participated in the presentation.

Workers’ Compensation Section Co-Chairs (from left) Christian A. Davis, Judge Sandra R. Craig and Patrick W. Kenny were honored for their year serving the Section at the Dec. 5 Holiday Reception at VIE.

Public Interest Section Chair Sara Jacobson, Andrew Hamilton Award honoree Catherine C. Carr and incoming Chair Amara S. Chaudhry at the Section’s Nov. 28 Reception and Awards Ceremony on Nov. 28 at Loews Philadelphia Hotel.
Lessons, Experiences from Working in Middle East

By J. Michael Considine

Global construction consultant Kevin Herron talked about his experiences working in the Middle East and shared lessons he’s learned with members of the International Business Initiative Committee.

Herron, a graduate of AECOM’s Global Construction Management Program, works in the Houston office of Davis Langdon, an AECOM company that specializes in real estate design, engineering and architectural consulting. The company has 3,000 employees and 74 offices around the world.

Herron worked in Dubai as a quantity surveyor for many multi-billion dollar projects. In the early days, he dealt with old-school Arabs, whose word was their bond and written contracts were not required.

He said now there is a great deal of aspiring for what the west has. Written contracts are required. Bahrain and Saudi Arabia use Sharia law and the United Arab Emirates is largely sharia. In Saudi Arabia you could get a jail sentence for having a Bible. Personal relationships trump everything in the Middle East.

That meant working 6 a.m. to 1 a.m. for a period to meet a deadline, which Herron had his men do once. This led to his befriending a sheik and being invited to parties. “Relationships with Muslims are all about trust. Say what you will do. Do what you say you are going to do. Convince the client that his business means more to you than to him,” he said. But working in the region is not without danger. In Bahrain, he said members of his staff were tortured but the responsible parties are now wanted by Interpol.

Herron’s car was once rear-ended while he was driving to a site. He said now there is a great deal of sharing lessons he’s learned with members of the International Business Initiative Committee.

When dealing with a dispute, Herron suggested doing it indirectly and not force anyone to take a stand. Leave the dispute as nebulous as possible. Avoid the “one person is right and the other is wrong” scenario if possible. Negotiate in a non-confrontational manner. Learn to be culturally savvy and wise. Men on one of his jobs requested time off to pray five times per day towards Mecca.

The first prayer was around 4:30 a.m. He told workers if they came at 4:30 a.m. they could get off for all five prayer times. He came and no one showed. That solved the problem.

The recession has not spared the Middle East. Salaries are down 30 to 40 percent in the last five years. Las Vegas-like projects planned for Abu Dhabi were never built.

J. Michael Considine Jr. (adventure7@juno.com) is chair of the International Business Initiative Committee.
Wilkinson

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phia law firms, harnessing the wisdom and experience of some of our city’s top legal minds.

One of the first Chancellor’s Leadership Institute programs will include a partnership with the Young Lawyers Division for the Chancellor’s Forum “21st Century Associates in a 21st Century Legal Environment.” “This program will give advice on how to prepare today’s law school graduates for the realities of practicing law in the new economy. I am pleased to announce that Villanova Law School Dean John Gotanda has agreed to participate in this program,” Wilkinson said.

“We will be expanding opportunities for greater participation by all attorneys through new liaison positions for all of our Sections and larger Committees. We have already seen success with this model through our Young Lawyers Division Section liaisons,” said Wilkinson, a partner with Wilson Elser Moskowitz Edelman & Dicker.

Wilkinson also said the Association will explore the creation of a new Section to provide a meeting ground for insurance and health care law practitioners. Education law will also receive a boost under Wilkinson’s watch. “Given the public’s interest in many issues surrounding education, and recent developments in the law, we will also create a Special Committee focusing on Education Law, whether Pre-K to 12th grade, or colleges and universities. This Committee will provide a forum to examine important initiatives affecting our youth and the bar’s role in this area.”

She also announced the reactivation of the Large Firm Management Committee and Mid-Size Firm Management Committee to discuss common issues and goals for lawyers at mid to large size firms. “These committees will foster dialogue between the Bar Association and our many valued law firms.”

Wilkinson also announced the creation of a women’s initiatives task force to delve into the issues of equity partnerships, compensation, recruiting top leadership positions. “The mission of this Task Force is two-fold. It will create a network and foster a dialogue among leaders from women’s initiatives in Philadelphia law firms and legal departments. It will also support the creation, growth and continued relevancy of women’s initiatives in such firms and departments.”

She also announced that to celebrate the 20th anniversary of the Justice Sandra Day O’Connor Award, O’Connor, the first woman justice of the United States Supreme Court, will commemorate this milestone at the June 12 Quarterly Meeting and Luncheon.

“But just as we look inward at our Association next year, we will also grow our reach in the community in new ways. In 2012, we expanded our Military Assistance Program, to enable volunteer lawyers to not only provide free legal assistance to active-duty military personnel, but also to Philadelphia veterans who cannot afford or do not have access to the legal services they need,” she said.

“In 2013, we will further support our servicemen and women of the Delaware Valley. We will partner with the United States Coast Guard, by providing wills on a pro bono basis. In addition, we will refer any local Coast Guard member or family member to a volunteer attorney to provide pro bono assistance in a wide variety of matters. There are nearly 600 active duty personnel and 200 reservists who are part of Sector Delaware Bay, headquartered at Penn’s Landing in Philadelphia. As a major port city, Philadelphia has a long maritime history and for over two centuries the U.S. Coast Guard has safeguarded those in peril, as America’s Maritime Guardian. There is no attorney on staff located at the Coast Guard in Philadelphia. Our partnership with this vital branch of the U.S. military helps us to “protect those who protect us,” Wilkinson said.

She also mentioned how 2013 will be a unique year for both the Philadelphia and Pennsylvania Bar Associations. “Today, we have a historic moment for the two largest bar associations in Pennsylvania, as well as for Pennsylvania and maybe the nation. Usually, we turn to the audience to thank our spouse, but today, I must look on the dias for the President of the Pennsylvania Bar Association, and also my husband, Tom Wilkinson. While Tom and I didn’t plan on serving overlapping terms as leaders of the state’s two largest Bar associations, we are honored to serve and share a common passion for advancing the interests of our profession.”

Photos by Jeff Lyons

Visit philadelphiabar.org for a podcast from this event.
The Pennsylvania Supreme Court has honored its commitment to justice, even for the poorest in the state during the difficult economic times of the last four years, Chief Justice Ronald D. Castille told Bar Association members after accepting the Justice William J. Brennan Jr. Distinguished Jurist Award on Dec. 4.

The Brennan Award recognizes a jurist who adheres to the highest ideals of judicial service.

“I became Chief Justice in 2008 – almost exactly when the bottom fell out of the economy – at the beginning of the economic recession we are still in and at a time of unprecedented fiscal austerity. Our courts have made do with fewer judges, fewer resources and unfilled support staff positions. But, I’m proud to say that in Pennsylvania we have not had to shut down one courtroom during these last four years. The courts have, for the most part, been able to deliver timely and effective justice despite our funding situation,” he said.

The Supreme Court has continued to encourage pro bono legal services, has found creative ways to fund legal services agencies and has created programs like Loan Repayment Assistance for attorneys working in legal services organizations – by rulemaking that requires 50 percent of residual funds from class actions to go to IOLTA funded organizations, he said. He also referenced success in getting funding for a brand new Family Court Building now being built in Philadelphia at 1501 Arch St., set to open in 2014.

But Chief Justice Castille said he doesn’t do these things for awards or rewards. “I always say I’ve been rewarded by the citizens placing me in these high-elective offices. I’ve been awarded such awards as the Bronze Star, two Purple Hearts, and the Combat Infantry Badge for my service in Vietnam. These awards are sufficient. I do these things because it is the right thing to do. But, I accept the Brennan Award because it is presented by an association of professionals in a profession I have labored in for over 41 years and have loved.

“The Judiciary often needs the Bar Association to fight for judicial independence for the third branch. You are often the voice we cannot be. We in the judiciary sometimes need to defend our constitutional authority over the practice of law from the encroachment of the other branches, whether well-intentioned or misguided,” he said. “Working together as a profession we can assure a strong judiciary and an effective and efficient legal profession benefitting all Pennsylvanians. The Supreme Court will continue its mandate to dispense fair justice in Pennsylvania, and our court will vigorously uphold our independent authority to administer practice and procedure for attorneys.”

Chief Justice Castille first came to Philadelphia in 1967 for treatment following triage treatment for war injuries suffered in Vietnam. “I found Philadelphia to be great. It had everything – wonderful people, great sports, culture and restaurants. I returned after law school graduation and spent 19-plus years in the Philadelphia District Attorney’s Office (twice elected by the voters) and twice elected to the Supreme Court. Philadelphia and Pennsylvania have certainly accepted me, a stranger.”
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Jane grew up in Liberia. Before the outbreak of civil war, she worked as a nurse, and lived with her husband and children. War wrecked her life. She suffered extreme violence, humiliation and threats. She witnessed the murder of friends and family. Before the rebels raped her, her husband was nearly killed. After the rape, she thought for certain she would be killed. The others were.

Amazingly, she put her life back together, giving birth to a daughter and trying to leave the past behind. But soon the fragile balance came undone. Some years later, the man who raped her saw her on the streets. Recognizing her immediately, he said he was surprised she was still alive. He was now a soldier. She knew he would try to find her. When he did, she was gone. She fled to the U.S., pregnant and alone.

Jane quickly applied for asylum. While the application was pending, President Bush issued an order granting Liberians Temporary Protected Status (TPS) – a status that allowed them to work legally and protected against deportation. Rather than pursue asylum while the events were ripe and with the TPS safety net, her then counsel, with the cooperation of the immigration judge, had Jane’s file administratively closed. For years, it remained that way. Despite the uncertainty, Jane established a life and roots for her family. Sadly, her marriage unraveled; Jane attributes their problems to the past trauma she suffered.

As TPS neared expiration, and Congress refused to grant legal status to Liberians, Jane decided to act. She found HIAS Pennsylvania and then Ballard Spahr. I lead a team of Ballard attorneys. We were also fortunate that Dr. Judy Eidelson, a psychologist experienced in evaluating victims of torture, provided a compelling report, detailing the impact the war and rape had on Jane.

At first, the court resisted re-calendaring Jane’s case and her application languished for more than a year after we took over representation. Her fears escalated when she was nearly taken into custody – but for our intervention. Her courage and belief, however, paid off. She won asylum, and obtained asylum for her children as well. She has received excellent care to deal with extreme post-traumatic stress. Her family is settled and thriving.

My Ballard Spahr colleagues who worked with our friend Jane – Ruth Uselton and Dee Spagnuolo – have been fundamentally affected by our work with her. Her persistent hope in the face of repeated procedural setbacks and her willingness to confront and conquer her horrific past continue to inspire us. We are better people and better lawyers for having met her.

Postscript: Jane sent HIAS Pennsylvania an e-mail after her asylum was granted. These were her exact words: “It last I have seen the face of justice. I was granted asylum after 13 years of emotional journey. At some point I never thought this day was ever going to come. The decision today made me feel like I have finally looked my rapist in his face and this time without fear. I imagine telling him, ‘You will no longer rape me; it is over. I am somewhere safe where you will never find me and if you ever think of finding me the law in this other country will protect me from you. ’ I got the help I needed to cross my river of sorrow and experience the joy I once know; the joy the rebels stole from me 21 years ago… The team I had working on this case (Jason, Ruth and Dee) were wonderful. Just having them at my side and going through the process with me made the journey a lot easier, …they saw my pain, hurt and trauma and were willing to give it their all to bring me to the finish line. Today we crossed the finish line together when I was granted asylum.”

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Bar Leaders continued from page 15

Weblaw.com is a partner with Ballard Spahr LLP.

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Diversity
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The panel also explained why attorneys should be sensitive to the ethnic backgrounds of their clients. Even if the lawyer can obtain a good legal result, it is still possible that the client could benefit from, for example, receiving therapy or attending a parenting class taught in a non-English language.

Panelist Matthew Chea offered a unique perspective on cultural awareness based on his personal experience as a refugee, and from his work at the District Attorney’s office. Chea noted in some cultures there is a tendency to avoid making eye contact out of respect for authority, which a judge or jury in our culture may not understand. Other cultural differences that may be relevant in dealing with clients of diverse backgrounds include attitudes towards privacy, body language, tone of voice, and the extent to which people may visibly display their emotions. He discussed how certain language barriers can lead to interpreter errors; for example, in certain Southeast Asian cultures, the word for blue is the same word for purple and green.

The seminar concluded by showing a clip from the movie “Crash” that depicted racial profiling by police. In discussing this scene, several of the attorneys said that they have represented clients in similar matters, and the most important thing to the client is often having the opportunity to tell their stories in court—regardless of whether they ultimately win or lose.

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Frontline
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The Principles are meant as guidelines to help judges and lawyers promote and achieve the twin goals of professionalism and civility. They are designed to encourage judges and lawyers to meet their obligations of civility and professionalism to each other, to litigants and the justice system.

Similar to the Rules of Civility followed by Washington, the Philadelphia Bar Association’s Principle 1 sets the tone: “Treat with civility, courtesy and respect judges, parties, court officers and staff, counsel and witnesses in oral and written communications.”

The other principles adopted by the Board of Governors touch on several other areas that were also considered by Washington, including the importance of courtesy in all communications; being mindful of the schedules of others; honoring all promises and agreements; and attempting to reconcile differences and resolve disputes through negotiation, expeditiously and without needless expense.

One might say that Washington was ahead of his time and that our Bar was ahead of its time. Approximately two months after our Principles of Professionalism were adopted, on Dec. 6, 2000, the Supreme Court of Pennsylvania adopted a Code of Civility.

The Code is designed to assist lawyers and judges in how to conduct themselves in a matter that preserves the dignity and honor of the judiciary and the legal profession.

The Code is also intended to encourage lawyers and judges to practice civility and decorum by confirming the legal profession’s status as an honorable and respected profession where courtesy and civility are observed as a matter of course.

The Code was amended in 2005 to expand a lawyer’s duty to conduct his or her dealings with other lawyers in a civil manner.

The Code is not part of the Rules of Professional Conduct and therefore is not a basis for professional discipline, but it outlines the expectations the Supreme Court has established for lawyers’ conduct in the practice of law.

It encourages lawyers and judges to make a voluntary and mutual commitment to meeting their civility obligations toward each other and the judicial system. More recently, the legal profession has seen the development of Inns of Court where more senior lawyers along with judges meet with younger attorneys regularly. Many Inns work on issues of civility and professionalism, which has done much to renew respect toward our colleagues.

It is our duty, as members of the legal profession and as educators of future generations of lawyers, to ensure that integrity and responsible professional conduct are fundamental to the practice of law and the administration of justice.

As we turn the calendar on a new year, this provides an excellent opportunity to remember our past, which can instruct our future course of action. There is no better time to renew your commitment to civility and professionalism, and embrace them as your guiding principles.

They are the very essence of being a successful lawyer.

Kathleen D. Wilkinson (Kathleen.Wilkinson@cowdler.com), a partner with Wilson Elser Moskowitz Edelman & Dicker LLP, is Chancellor of the Philadelphia Bar Association.
In this month’s interview, I sit down with E. William Stone, chief investment strategist for PNC Wealth Management* and PNC Institutional Investments*, who keeps a close eye on the many factors that influence the direction of both domestic and international financial markets. We discussed his outlook for the new year.

The economy seems to be at the forefront of everyone’s mind these days. What do you see coming in 2013 in terms of economic recovery for the U.S.?

We believe 2013 will be another year of disappointingly slow economic growth but of expansion nonetheless. It is our view that the economy and markets are significantly improved from the dark days of the Great Recession. However, there are challenges that may make it feel like they are plodding along in the same place in 2013.

What kind of challenges?

As we consider the markets in 2013, we focus on three threats we believe of the Great Recession. However, there has been significantly improved from the 10 percent peak reached in October 2009. However, job growth remains slow, keeping the unemployment rate well above pre-recession levels. Through October 2012, just over half of the jobs lost during the recession have been recovered. (Source: Bureau of Labor Statistics)

What indicators help you assess the pace of our economic recovery?

We have used three main sustainability indicators that have been very effective as we monitor our economic recovery. First is housing. Economists now are able to ascertain that the housing recovery is firmly under way. The outlook for housing appears promising, and while it is likely to be a small contributor in the overall picture in 2013, it can help provide an offset to slowdowns in other areas. New and existing home sales are both on upward trajectories. Mortgage rates continue to be at very low levels, which bodes well for housing affordability. Home prices also appear to be on a firmer and upward path.

Next, we look at consumer spending. While consumers still have a way to go to fully repair their financial conditions, one thing is clear: consumers owe less than they did during the financial crisis. The improvement in consumers’ balance sheets alone, though, is not enough to sustain 2011’s pace of spending. We believe the cure for maintaining healthy spending will be increasing incomes through stronger job growth. We believe consumer spending will not grow significantly faster than overall GDP for a sustained period through 2013, but consumers will still make an important contribution to overall economic growth.

Finally, jobs are key to the continued sustainability of the economic recovery and remain the biggest impediment to the economic recovery in our opinion. Even modest job growth and small improvements in the unemployment rate are beneficial in terms of consumer spending, confidence, and the housing market. Considering the long-run unemployment rate is estimated to be around 5.2 to 6 percent, according to the Federal Reserve’s September 2012 long-run central tendency forecast, the United States has a way to go to get to a healthier pace.

Do you have any advice for investors as we begin the New Year?

Heading into 2013, we believe that the U.S. economy will continue on a path of recovery through 2013. Still, we recognize the need for investors to be agile and diligent. The S&P 500® has moved toward catching up with the strong earnings growth from 2011; yet from a long-term perspective, valuations remain modest. We believe that investors should focus primarily on valuation and fundamental factors, keeping in mind their longer-term expectations, goals, and risk tolerance when making asset allocation decisions.

Jackie Byrne Lessman, CFP® (jacqueline.lessman@pnc.com) is a senior vice president with PNC Wealth Management. For more information, visit pnc.com/wealthmanagement
Katayun I. Jaffari, a partner with Ballard Spahr LLP, has been named secretary of the Board of Directors of the Scleroderma Foundation, Delaware Valley Chapter.

Allison Wheeler, an associate with Pond Lehocky, was a guest speaker on the “Women in Law” panel discussion on Nov. 28 to the University of Pennsylvania’s Pre-Law Women organization.

Shanese I. Johnson, a principal at Shanese I. Johnson & Associates, P.C., was a presenter at the Pennsylvania Bar Institute seminar “The Nuts and Bolts of Running a Family Law Practice” on Nov. 27.


Alan Wong, an associate with Kleinbard Bell & Brecker LLP recently joined the Bethesda Project’s Young Professional Advisory Board.

Neison Diaz, a partner with Dilworth Paxson LLP, was honored at the Eleventh Annual Latino Trendsetter Awards on Nov. 27 at The Metropolitan Pavilion in New York City.

Paul M. Schmidt, a shareholder with Zarwin Baum DeVito Kaplan Schaer Toddy, P.C., has been appointed to the Board of Directors of Greater Philadelphia Clean Cities, Inc.

Neil A. Stein, a principal with Kaplin Stewart Meloff Reiter & Stein, P.C., served as a judge for the American Bar Association’s Client Counseling Competition on Nov. 17 at the Temple University Beasley School of Law.

Daniel J.T. McKenna, an associate with Ballard Spahr LLP, was recently elected to the Board of Directors of Clarifi, a nonprofit organization that assists consumers struggling with debt.

Evan Y. Liu, M.D., and Royce W. Smith of Feldman Shepherd Wohlgelernter Tanner Weinstock & Dodig LLP presented “Social Media & Ethics” and “Ethical Considerations of Social Media Marketing” at Temple University’s Fort Washington campus on Nov. 17.

Lorena A. Ahumada, an associate with Kleinbard Bell & Brecker LLP, has been selected by the 2012 Delaware Valley’s Most Influential Latinos Foundation as one of the Delaware Valley’s Most Influential Latinos award recipients.

Samuel H. Pond and Jerry M. Lehocky, partners with Pond Lehocky, discussed proposed changes to Pennsylvania’s Workers’ Compensation Act at the Pennsylvania Chiropractic Association meeting on Nov. 29.

Mary Gay Scanlon, pro bono counsel at Ballard Spahr LLP, was honored by the Education Law Center of Pennsylvania for her education advocacy work at ELC’s annual fundraiser.

Alexandra Bak-Boychuk, an associate with Ballard Spahr LLP, has been selected by The Forum of Executive Women as a mentee in the organization’s 2013 Mentoring Program.

William H. Clark Jr., a partner with Drinker Biddle & Reath, LLP, received the inaugural W. Edward Sell Business Lawyer Award from the Pennsylvania Bar Association Business Law Section.

Kevin B. Scott, a partner with Fox Rothschild LLP, joined a panel of college and university presidents, compliance officers and board members for the discussion “Organizational Ethics: Risk & Crisis Management Practices for Colleges & Universities” presented by the Greater Philadelphia Chamber of Commerce at Villanova University on Dec. 3.

Lewis F. Gould Jr., a partner with Duane Morris LLP, has been appointed by the Pennsylvania Supreme Court as a board member of the Pennsylvania Lawyers Fund for Client Security.

Vivian Luckiewicz, a paralegal with Archer & Greiner P.C., has been elected to the Board of Directors of the Philadelphia Association of Paralegals.

Anthony S. Volpe, a founding shareholder of Volpe and Koenig, P.C., has been appointed to a one-year term on the Philadelphia University’s School of Design and Engineering Advancement Council.

Joseph D. Mancano, a partner with Pietragallo Gordon Alfano Bosick and Raspanti, LLP, presented at the Forensic & Litigation Services Conference in King of Prussia, Pa., on Nov. 28.

Jerel Hopkins, associate general counsel at Delaware Investments, has been appointed to the Board of Trustees of the Philadelphia College of Osteopathic Medicine.

Nina M. Gussack, a partner with Pepper Hamilton LLP, has been selected as the recipient of the 2013 Rainmaker Award by the Transformative Leadership Awards Committee. The award honors law firm partners and general counsel who have demonstrated commitment to advancing the empowerment of women in corporate law.

Brenda Hustis Gotanda, a partner with Manko, Gold, Katcher & Fox, LLP, has been appointed to serve as a member of the Delaware Valley Green Building Council’s Host Committee for Greenbuild 2013.

William E. Hoeke, a shareholder with Kohn, Swift & Graf, P.C., presented “Smith v. Bayer and New Life for Repeititive State Court Class Actions” at the Second Annual Comprehensive Conference on Litigating Class Action on Dec. 6-7 in Chicago.

Donald W. Kramer, Virginia P. Sikes, Catherine H. Gillespie, William L. Kingsbury and John M. Myers of Montgomery McCracken Walker & Rhoads LLP were panelists for the seminar “22nd Annual This Year in Nonprofit Law” on Nov. 28.

Leonard P. Goldberger, a shareholder with Stevens & Lee P.C., lectured on Chinese investments in the United States at the “Rule of Law in China” program at Tsinghua University School of Law in Beijing on Nov 29.
Philadelphia’s Employment Lawyers

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