Legislators, not judges, are supposed to heed the will of the people, U.S. Court of Appeals Judge Marjorie O. Rendell told attendees of the June 16 Federal Bench-Bar Conference.

Judge Rendell, speaking on the increased attacks on judges for “judicial activism,” said the criticism exists because there is a “total misunderstanding of the roles of our three branches of government.”

“I was struck last year with the Schiavo case and I think it was Sen. Frist who stood up on the Senate floor and said ‘this is horrible. Judges are not doing the will of the people.’ And it was striking to me that there was very little media or other response to it.”

Members of the Philadelphia Bar Association need to take the lead in advocating greater judicial oversight of existing federal law and policies and to lead the way in working to protect the Constitution, its Bill of Rights and the concepts of free speech, freedom of assembly and due process contained therein, former NAACP president Kweisi Mfume told members of the Association at the June 19 Quarterly Meeting and Luncheon.

Mfume, who delivered the Judge A. Leon Higginbotham Jr. Memorial Public Interest Lecture, was also highly critical of the Bush administration over the war in Iraq and domestic spying programs.

Mfume is running for the U.S. Senate in Maryland.

The event also included honors for the newest members of the Association’s Year Clubs, with remarks by former Board of Governors member Paul N. Minkoff.

“We meet today as our nation seems doomed to remain in a punishing war of foreign occupation in Iraq,” Mfume said. “A war whose rationale has changed repeatedly both before it started and even today. Our president was content in giving us an ever-shifting and ever-changing rotating set of reasons for this war. First, it was regime change. Then we were told it was Baghdad’s ties to terrorism and then the invisible weapons of mass destruction. I don’t know how any of you stand on the war, but I do want you to know that I have consistently opposed unilateral war in the absence of first attack because to go it alone without provocation makes it very difficult later to expect help,” he said.

“I don’t confuse opposition to the war with a lack of support for the fighting forces. Like you, I commend the bravery and sacrifice of our men and women in uniform who represent all races and all faiths. But bring them home or deploy them where they can continue on page 24.

Public Doesn’t Understand Judges’ Role, Rendell Says

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Protect Freedoms, Mfume Urges

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We also learned that there were three “universal” in all states. First, the CLE for pro bono program satisfies only a portion of the annual or biennial requirement, ranging from one-fifth to one-third of the total CLE required. Thus, the programs do not displace traditional CLE classroom training and do not alter the role of the state CLE board in monitoring CLE programs and compliance. Finally, in all states, for each CLE credit, a minimum number of hours or pro bono legal work is required, such as a ratio of six hours of legal work for one hour of CLE credit.

Our conclusions were that the potential gains more than outweighed any negative impact. The Task Force’s report submitted to Chancellor Feldman and the Board of Governors on May 5, and approved by the Board unanimously at its May meeting, we recommended a pilot program that, if adopted by the Pennsylvania CLE Board and the state Supreme Court, would be a significant step forward.

**Correction**

In the June edition of the Philadelphia Bar Reporter, it was reported that DLA Piper Rudnick Gray Cary spent $13,000 in billable hours on international pro bono projects. DLA Piper Rudnick Gray Cary actually spent 13,000 billable hours on that work. The Philadelphia Bar Reporter regrets the error.
Chancellor’s Forum

Mentor New Minority Lawyers, Small Firms Told

by Jeff Lyons

Smaller law firms need to create a structured mentoring process for incoming diverse lawyers, attendees of a Chancellor’s Forum on “Diversity Beyond the Large Firms” were told.

“Success in the diversity arena requires focus and mindfulness. In a smaller law firm, with no critical mass of diverse lawyers or mentors, it is doubly important that all lawyers, including minority lawyers, are being properly trained, are receiving a broad range of assignments and are receiving clear and constructive feedback,” said Charisse R. Lillie, vice president for human resources at Comcast. Lillie was a keynote speaker at the June 5 Chancellor’s Forum.

The event also featured remarks from trial consultant Melissa M. Gomez, who discussed “The Journey Continues: Understanding What It Means to Have a Diversity-Friendly Workplace.” The program closed with a discussion “Creating a Model for Progress: Diversity Challenges and Successes From the Front Lines” with moderator Karen Jackson Vaughn and panelists Carl G. Cooper, former Chancellor Deborah R. Willig, Roosevelt Hairston Jr., Louis Rulli and James A. Pabarue.

How can the small-to-medium size law firms adequately recruit diverse candidates? “There are a couple of approaches which could bear fruit,” Lillie said. “One is making contact with continued on page 17

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YLD Chair Michael B. Hayes and YLD Executive Committee member Jocelyn Gabrynowitz moderated the discussion, which was part of the YLD's 2020 lunchtime seminar series for young lawyers.

Sen. Specter began by taking a dim view on recent lobbying scandals in Washington. "The key point is...that there is no conflict of interest," he said. "We have spouses who are in lobbying, we have relatives who are in lobbying. You can't say that because you're a member of the House or Senate your family can't participate in [lobbying], but you can say there has to be an iron wall between that person and the member who has to make the decision."

He was later asked whether lobbyist-funded perks for elected officials, such as golf trips to Scotland and ringside seats at boxing matches, were isolated incidents or indicative of a larger-scale ethics problem in Washington. "They are widespread and they are highly suspect. Members are not to take gifts from anybody, especially from those who are to appear before them seeking governmental action," he said. "There are very tight rules."

On occasion, however, the rules need to be reinforced, said Nutter, citing the new City Council ethics rules approved by Philadelphia voters last fall. Still, said Nutter, passing ethics legislation is simply the first step. "Just because we pass a bill doesn't always necessarily solve a problem. It sets out a path, it sets out the rules, which, hopefully, everyone will follow," he said.

Sen. Specter also discussed the ethical – and legal – debate over the federal government's surveillance program, which, under executive privilege, currently allows for wiretapping without court approval.

"There are very heavy ethical problems involved in what is going on," he said. "The tradition in America is, as you know, not to have an invasion of privacy, a wiretap, unless there is a court order."

Renowned human-rights attorney and former ABA President Jerome A. Shestack asked Sen. Specter if he would consider going into court to resolve the question of whether wiretapping needs court approval.

"Yes, I would," said Sen. Specter.

Meehan reminded the audience that the ultimate power to stop ethical violations in government lies with the public. "The real check against the excess is in the voting booth," he said. Picking up on that theme, all three panelists urged the audience members, primarily young attorneys, to stay engaged in civic affairs. "You ought to try to run for office," said Sen. Specter. "Try to run for state House – try to run for City Council," he said, and then after a brief pause, added: "Don't try to run for Senate."

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Reception to Recognize Foundation Donors

by Alexander Kerr

On Sept. 20, the Philadelphia Bar Foundation will hold its first “Recognition Reception” to honor those who believe that we have an obligation to improve access to justice for all Philadelphians.

It was first talked about when Jerry McHugh was president of your Bar Foundation. He created the Advocates for Justice committee of supporters, who pledged to give to the Bar Foundation endowment $25,000 over three years. Jerry became its first member.

The Advocates of Justice were not the only ones making a financial commitment to the Foundation. There are also the Andrew Hamilton Circle members. Hamilton Circle members make a financial commitment of these individuals, but their belief that all citizens should be represented in court notwithstanding their ability to hire a lawyer. After all, if the rule of law that we espouse is not for all, then it really does not exist for any of us.

Luckily, if we had to face a life-or-death legal situation, we’d be able to gather the resources to help us have our day in court. Who do your dollars help? Mary was a working mother. Her doctors discovered she had cancer. Mary’s insurance company wouldn’t pay for the treatment. Mary’s doctors told her to begin making arrangements for her funeral and making plans for who was going to care for her children, because she only had a few weeks to live without treatment. One of the groups we support provided an attorney who successfully argued for her right to the medical treatments. Today Mary is working, raising her children, watching them mature and enter the workforce.

On consider Michael, a special-needs student who has Tourette’s Syndrome. He couldn’t get access to the classes and education he needed. In addition to his frustrations in learning, he was taunted and ridiculed at school. He was so despondent, he was considering suicide until his parents enlisted the help of a public interest lawyer to ensure he got the proper care.

Michael is doing very well now, thanks to the help of a public interest lawyer continued on page 33.

Advocates of Justice

These loyal supporters have made a commitment to the Bar Foundation to donate $25,000 over three years. Anonymous Donor

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Andrew Hamilton Circle

Below is a list of the individuals who have made a commitment to the Philadelphia Bar Foundation Hamilton Circle to donate $10,000 over 10 years.

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Martin Comisky
It's a story right out of Hollywood. A man is convicted of a murder he didn't commit and sentenced to death. Two well-meaning attorneys without any experience in criminal law come to the condemned's aid. And they succeed.

Except this really happened to J. Gordon Cooney Jr. and Michael Banks of Morgan, Lewis & Bockius LLP. And the story of their fight for their client, John Thompson, is being turned into a major motion picture. Cooney and Banks told their story to members of the Professional Responsibility Committee on May 31.

The saga began in 1985 when Thompson was convicted for the murder of New Orleans businessman Ray Liuzza. One month before the murder conviction, Thompson was found guilty in an attempted carjacking, another crime he was later cleared of.

Cooney and Banks got involved in the case in 1988 when the then Morgan, Lewis and Bockius LLP associates approached firm leaders, looking to take on a pro bono capital case. Francis Milone, who at the time was a young partner at Morgan Lewis (he is now chair of the firm), put Cooney and Banks and two other associates in touch with a law professor in New Orleans who sent them the file on the John Thompson case.

Banks said the firm has always treated pro bono work as billable hours. “We've always wanted to encourage our young lawyers that they'd get credit for their pro bono work and not be penalized,” he said. “We went to partners and mentors for advice about the case and we were told 'if you have a passion for it and want to do it, then do it.'”

Banks said when they first reviewed the file, there was nothing to indicate that Thompson was innocent. “When we decided to take this case it wasn't about a cause or a legal issue or a championing against the death penalty. It was about a man's life. This was about an innocent man who had been sentenced to death.”

Cooney and Banks spent a decade in various courts – Criminal District Court for the Parish of Orleans, Louisiana Supreme Court, U.S. District Court for the Eastern District of Louisiana, U.S. Court of Appeals for the Fifth Circuit and the U.S. Supreme Court – working to free their client.

During the course of their appeals, Cooney and Banks discovered a host of problems with the prosecution's case: Black jurors had been excluded from the original panel, evidence had been concealed, witnesses had not testified and there was unconstitutional jury continued on page 18
Outreach Committee Works to Engage Law Students

By Sara Woods

As I’m sure most lawyers do, I look back on my law school days with both fear and pleasure. Fear of exams, of not finding a job, of looking like an idiot when called on in class…ah, the good old days.

But more often than not, I am reminded of the pleasure of meeting terrific classmates who remain friends, of working with professors whom I still revere, and of discovering a career that brings me great satisfaction. Fortunately, I am reminded of these experiences on a daily basis, as I now work at my law school alma mater: Villanova, where I provide public service career counseling and coordinate the pro bono programs.

It is also my privilege to serve the current (and future) members of the Philadelphia Bar Association as the chair of the Law School Outreach Committee. The LSOC is a committee of the Public Interest Section, which is celebrating its 15th anniversary this year. The Public Interest Section is charged with promoting the interests of the members who address the legal needs and rights of the poor, minorities, victims of abuse, persons with disabilities, the homeless and other disadvantaged populations.

As a committee of the Public Interest Section, the LSOC provides educational programs, pro bono opportunities and networking events for law students and lawyers interested in public service. The members of the committee are primarily pro bono administrators and public service career counselors at Philadelphia area law schools. The goal of the LSOC is to encourage future lawyers to consider public service as a career choice or a necessary part of any private practice in Philadelphia.

This summer, the LSOC is offering weekly Public Interest Brown Bag Lunch Series. Every Friday, from noon to 1:30 p.m. at the Bar Association, summer law interns are invited to attend free informational sessions featuring public interest organizations in the greater Philadelphia area. The programs are a terrific way to learn about different types of public interest practice.

continued on page 21
Minorities in the Profession Committee

Minorities Face Bias in Judicial Races, Panel Says

by Heather J. Holloway

A panel gathered to debate the impact of judicial selection on minority lawyers agreed that the current system is broken. Part of the problem is advantages to candidates with a higher poll position or those with recognizable names and funding disparities (where candidates need to raise up to $200,000). All agreed the current bench is not representative of the Philadelphia community.


Cord identified merit selection as Plan “F,” instead favoring minimum requirements for candidates such as a predetermined number of trials, appeals, etc. He said that imposing minimum requirements for candidates will result in a more qualified pool of candidates without taking away the power of the vote. His proposed qualifications are currently unconstitutional, however, and merit selection is the next alternative.

Sheridan expanded on the list of existing problems, noting a lack of information available to the public about judicial candidates. He added that people in more affluent communities tend to turn out to vote in higher numbers and, therefore, the 8 to 10 percent who vote in judicial elections are not representative of the community.

Acevedo compared the bench in Philadelphia (just 8 percent of judges are minorities) to the 11 percent minority bench that exists under the New Jersey merit selection system. She said merit selection will result in disenfranchisement and said there is no evidence that it will produce a diverse, qualified candidates in a manner that minimizes political influence. Instead, Acevedo proposed limiting Municipal and Common Pleas Court candidates to those who have practiced five and 10 years, respectively; campaign finance reform; non-partisan judicial elections; board review of educational qualifications; and rotating ballot positions throughout the city’s polling locations.

Williams noted that judicial candidates should be good lawyers not good politicians. He said the current system does not allow for a thorough review of a candidate’s credentials and produces some unqualified judges. Educating the public before an election is not the issue, as $2 million was spent in the last election to educate voters and still only 10 percent voted. African-American, Latino and Asian voters are a combined majority and should represent a majority on the ballot, he said. The majority of people elected in the last election, however, are not people of color. The lack of diversity results in a bench that often does not understand the people they judge, he added.

 Minority in the Profession Committee Co-Chair Shawane L. Lee (from left) is joined by panelists state Sen. Anthony Williams, Lynn A. Marks, state Rep. Thomas Blackwell, Allison Anderson Acevedo, Christopher Barrett Sheridan and Michael Cord at the May 25 program.

Bike-a-Thon Set for July 9

The Association’s Bike-a-Thon team is looking for riders for this year’s event scheduled for Sunday, July 9.

The ride begins at 7 a.m. at the Ben Franklin Bridge in Philadelphia and stretches 62.5 miles to Lenape Park in Mays Landing, N.J. There are also starting points at Cherry Hill High School East on Kresson Road in Cherry Hill, N.J. and Mazza Furniture on 12th Street in Hammmonton, N.J.

The ACS Bike-a-Thon Expo is set for Friday, July 6 at Dave & Busters on Columbus Boulevard.

For more information, contact Jeffrey Abramowitz at (215) 568-4980 or visit www.acabike.org.

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Reference: Top Pennsylvania Cases of 2005
(April Supplement of the Legal Intelligencer)
In February, the Young Lawyers Division Executive Committee approved an internal resolution establishing the YLD Minority Bar Association Scholarship program. Through the program, we hope to foster greater involvement in the YLD amongst minority law students and young lawyers, and to develop stronger connections with the many active minority bar associations in the city.

The establishment of the YLD Minority Bar Association Scholarship program was a proud moment for several of the more senior members of our Executive Committee, including yours truly. It represents the culmination of a year-long effort to reach a consensus on the contours and criteria of the scholarship program, the means by which the YLD would solicit scholarship candidates, and the interplay between the YLD and participating minority bar associations. Among other provisions, the internal resolution creating the YLD Minority Bar Association Scholarship program provides that the YLD “will annually fund and grant a maximum of five YLD Minority Bar Association Scholarships of no less than $500 each to selected minority law students who desire to practice law in Philadelphia following graduation.”

Minority bar associations with active membership in the Philadelphia area are invited to present up to three candidates for YLD Minority Bar Association Scholarships to the YLD Scholarship Selection Committee (comprised of volunteer members of the Executive Committee). In this, the inaugural year of the program, five local minority bar associations presented a total of 12 candidates for consideration to the YLD Scholarship Selection Committee.

I am very happy to report that the Committee has selected five scholarship recipients, representing the Asian American Bar Association of the Delaware Valley, the Barrister’s Association of Philadelphia, the Hispanic Bar Association of Pennsylvania, the South Asian Bar Association of Philadelphia, and the National Bar Association, Women Lawyers Division, Philadelphia Chapter, to receive the first-ever YLD Minority Bar Association Scholarships. We offer our heartfelt thanks and appreciation to the leadership of each of the participating minority bar associations for helping to make this first year of the YLD Minority Bar Association Scholarship program a success.

Without a doubt, each of the 12 candidates whose personal essays and resumes were submitted to the YLD Scholarship Selection Committee is an extraordinary individual with a terrific future in our chosen profession. We will be working hard in the coming months to see that all of the candidates are given a proper introduction to the YLD and are afforded every opportunity to get involved in our various programs, events and leadership.

The Committee was asked to determine scholarship recipients based on academic achievement, demonstrated commitment to community service and involvement, financial need, and career aspirations and goals. After much thought and deliberation, the Committee selected the following truly outstanding individuals to receive the $500 scholarships:

- Norman Christopher Griffiths, Villanova University School of Law;
- Tejal Mehta, Villanova University School of Law;
- Jennie Phillip, Widener University School of Law;
- Nicole Elizabeth Ramos, Temple University Beasley School of Law;
- Avia Trower, University of Pennsylvania Law School.

Given the constraints of this publication, I could not even begin to do justice to the tremendous accomplishments of all of our YLD Minority Bar Association Scholarship candidates. They have shown outstanding academic credentials, truly extraordinary commitment to community service and the
Did you know that the Association’s Web site, philadelphiabar.org, is the best place to go for the latest updates on services available with the Bar’s new Law Practice Management Program? Just visit philadelphiabar.org/page/LawPracticeManagement. You’ll see an updated list of consultant categories, and details on how to receive a free one-hour consultation.

Alan M. Feldman, the Association’s chair of the Law Practice Management Program, is chair of the Young Lawyers Division.

To all 12 of the outstanding candidates in the first-ever YLD Minority Bar Association Scholarship program, congratulations. You, and those close to you, should be very, very proud of your accomplishments. We anticipate more great things as you enter the profession and begin the practice of law.

Under the leadership of Chancellor Alan M. Feldman, the Association created the Law Practice Management Program in an effort to help you with these and many more possible challenges.

Whether you are just starting your own firm or trying to grow your established practice, the LPM Program is available to help. The program features a bank of experts on call to counsel Bar Association members with both innovative and practical information on topics including marketing, management, technology and finances.

If you need help with staffing, bookkeeping or developing your Web site, the Philadelphia Bar Association has the specialists to assist you!

Talk to the Bar’s LPM program consultant and receive a referral to one of our experts. The LPM program includes a free one-hour consultation. If you opt for subsequent services with the same consultant, you may negotiate an arrangement with that individual.

Call the LPM Hotline at 215-238-6514 today!
Advice, Networking Keys to Success for Solos

by Jeff Lyons

Even though its members largely work by themselves, the Solo and Small Firm Committee has found that there's strength in numbers.

“We want to give smaller firms and solo practitioners the resources they need to be as successful as they can,” said Harper Dimmerman, who along with Joseph A. Prim has co-chaired the committee since 2005.

“We help solos and small firm attorneys by sharing information, techniques and networking,” said Prim.

The committee frequently brings in guest speakers to talk with members about their fields of expertise. So far this year, the committee heard from Storm Evans, a law practice support consultant; Dan Giancaterino, the Internet librarian at Jenkins Law Library, who talked about Internet searches; Ellen Friedman of the Pennsylvania Bar Association, who discussed management issues; and Board of Governors Vice Chair Deborah Weinstein, who talked about employment issues.

An upcoming committee program will focus on getting paid. “We want people to appreciate the difficulty that people have in dealing with this issue. Billing is difficult, but getting paid is even harder. It doesn't have to be something you look at with fear. We're going to show the methodology to follow up with clients to make sure you get paid,” Prim said.

The committee just held a very successful networking event, where nearly 50 people gathered at PNC Bank on Market Street. Dimmerman said attendees mingled, exchanged business cards and talked about their practices.

“The biggest benefit you can get from the Solo and Small Firm Committee is knowing that there are other people out there with the same problems and circumstances as you,” Prim said. “You can exchange ideas and solutions to make the practice of law easier for you. You meet people with other specialties that may have the same practice management problems as you, and you can network and share ideas on how to develop solutions.”

Prim said the Association's new online Discussion Forums will be a huge benefit to solo and small firm attorneys.

“The forums were made for solos. If you have a question, all you have to do is post it online and you can have an answer right away,” he said.

The Solo and Small Firm Committee will become a committee of the Association's new Law Practice Management Division. The Mid-Size and Large Firm Management Committees also will be part of the new division. Dimmerman and Prim are hopeful that the experiences of attorneys from larger firms will be helpful to the solo and small firm practitioners.

“When you're a smaller firm or a solo, you need any advantage you can get to survive and succeed. Everything I've learned from the committee has helped me,” Dimmerman said.

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ATTORNEY DISCIPLINARY / ETHICS MATTERS
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James C. Schwartzman, Esq.
1818 Market Street, 29th Floor, Philadelphia, PA 19103
(215) 751-2863

Former District Attorney, Disciplinary Board of the Supreme Court of Pennsylvania • Former Federal Prosecutor • Former Chairman, Continuing Legal Education Board of the Supreme Court of Pennsylvania

Pennsylvania and New Jersey matters • No charge for initial consultation
Dear Colleagues,

Please join us at the Philadelphia Bar Association’s Bench-Bar Conference on Friday and Saturday, Sept. 29 and 30, at the Tropicana Hotel and Resort on the Boardwalk in Atlantic City. The renewal of the Bench-Bar Conference was a tremendous success. Now, this annual conference is once again a mainstay of our program calendar.

The return of the Bench-Bar Conference to the Boardwalk and the continuing dialogue between our lawyers and the judiciary is attracting much interest, and we expect a large turnout for our plenary sessions, workshops and social events.

This will be a conference for the entire profession: for every segment, every age group, every discipline and every law firm or legal department. Its continuing legal education component alone offers a choice of 17 different courses and up to 7 credit hours. We have included the participation of many sections and committees and will feature many prominent judges and lawyers as speakers and panelists.

Don’t miss this opportunity to refresh and renew your sense of professionalism, meet new friends, become better acquainted with the judiciary and enjoy all the amenities of one of the region’s finest hotel/spa destinations.

Looking forward to seeing you in September.

Sincerely,

Laura A. Feldman
Ronald A. Kovler
2006 Bench-Bar Conference Co-Chairs
Up to 7 CLE Credits Available at Bench–Bar

by Jeff Lyons

The Association’s 2006 Bench-Bar Conference offers a weekend of top-quality programs and camaraderie, with as many as seven CLE credits available to attendees at the Atlantic City event.

The theme of the 2006 Bench-Bar Conference is a salute to the movies. “The Greatest Show on Earth” will be held at The Tropicana Resort and Casino, the site of the successful 2005 event.

Attendees have 17 different programs to choose from, offering up to 7 CLE credits.

The Bench-Bar Conference brings together the Philadelphia legal community for continuing legal education seminars and provides an opportunity to foster the working environment between local judges and attorneys. The 2006 Bench-Bar Conference is chaired by Ronald A. Kovler and Laura A. Feldman. More information on the conference is available at philadelphiabar.org.

“It’s a great atmosphere and it’s casual. It’s an opportunity to get CLE credits in a very fluid manner. We’re presenting a very wide variety of courses,” Kovler said.

“This is a great event for lawyers and judges. It’s not only a party but it’s an educational experience as well,” he said.

The conference opens on Friday, Sept. 29 at 12 p.m. with “Independence Day,” a panel discussion on judicial independence. The panel will be moderated by journalist Lynn Doyle of CNS, the Comcast Network. Panelists include former Pennsylvania Supreme Court Justice Russell M. Nigor, Philadelphia Court of Common Pleas Judge John M. Younge, former Chancellor Clifford E. Haines and Northampton County District Attorney John M. Young. A plenary session follows at 2:15 p.m. with a state of the court address. Panelists for the program include Pennsylvania Supreme Court Chief Justice Ralph J. Cappy, Philadelphia Court of Common Pleas President Judge C. Darnell Jones II, Philadelphia Municipal Court Judge Louis L. Presenza and supervising and administrative judges.

The Young Lawyers Division will present “Good Night and Good Luck,” a program on media and the law. Attendees will learn how to develop good relationships with the media within the bounds of the Rules of Professional Conduct. Panelists include: Philadelphia Court of Common Pleas Judge Frederica A. Massiah-Jackson, former Chancellor Abraham C. Reich.

The 2006 Bench-Bar Conference is a salute to the movies. “The Greatest Show on Earth” will be held at The Tropicana Resort and Casino, the site of the successful 2005 event.

Each attendee must fill out a registration form in its entirety (non-attorney guests may be included on the form). Make checks payable to Philadelphia Bar Association and mail to: 2006 Bench-Bar Conference, Philadelphia Bar Association, 1101 Market St., 11th Fl., Philadelphia, PA 19107, or pay with your credit card below and fax to (215) 238-1159.

Electronic registration is also available at www.philadelphiabar.org. NOTE: Hotel reservations must be made separately by calling (800) 247-8767. Mention “Philadelphia Bar Association/2006 Bench-Bar Conference” to take advantage of the special rate of $185 per night on Thursday and Friday nights and $225 on Saturday night (plus taxes). Hotel reservations must be made by Friday, Sept. 8, 2006.

<table>
<thead>
<tr>
<th>Registration Type (all prices are per person)</th>
<th>Assn. Member</th>
<th>Assn. Member Nonprofit, Gov. Attorneys &amp; YLD</th>
<th>Non-Member Attorney</th>
<th>Amount Owed</th>
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<tr>
<td>Full Conference—Early Bird (before Aug. 15): Friday Opening Luncheon, Friday Night Grand Reception and After Party, Saturday Breakfast, Saturday Closing Luncheon, Course Materials, Up to 7 CLE Credits</td>
<td>$395</td>
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<tr>
<td>Full Conference—Regular (Aug. 15 and later): Friday Opening Luncheon, Friday Night Grand Reception and After Party, Saturday Breakfast, Saturday Closing Luncheon, Course Materials, Up to 7 CLE Credits</td>
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<tr>
<td>One Day Attendee—Saturday: Saturday Breakfast, Saturday Closing Luncheon, Course Materials, CLE Credits for Saturday only</td>
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<tr>
<td>Grand Reception and After Party—Friday Evening Only</td>
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<td>Non-Attorney Guest Registration - $150 Per Guest. (Price includes food and social functions only. Please register me for _____ guest(s) at $150 per guest)</td>
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Total due: | Guest total: | Subtotal: | Guest total: | Total due: |

| Attendee Name: | | | | |
| Nickname on Badge (if different from above): | | | | |
| Company/Organization | | | | |
| Guest Name(s): | | | | |

| City: | State: | Zip: |
| Phone: | Fax: | E-mail: |
| Special/Dietary Needs: | | |
| Emergency Contact Name: | Phone: | |
| Card Type: | American Express | MasterCard | Visa |
| Card Number: | | Exp. Date: | |
| Cardholder’s Name: | | |
| Cardholder’s Signature: | Date: |
Bench-Bar Opens With Panel on Judiciary

Emmy-winning journalist Lynn Doyle, host of “It's Your Call with Lynn Doyle” on CNN, will be the moderator for a panel discussion on judicial independence, the opening program of the Association’s 2006 Bench-Bar Conference.

Philadelphia Court of Common Pleas Judge John Milton Younge, who is now in his second term, will be joined on the panel by Justice Russell M. Nigro, formerly of the Pennsylvania Supreme Court. Other panelists include Clifford E. Haines, who served as Chancellor of the Association in 1997, and John M. Morganelli, the district attorney for Northampton County.

Judge Younge was elected to the Court of Common Pleas in 1995 and again in 2003. In November 2006, Justice Nigro became the first appellate judge to lose a retention vote since Pennsylvania instituted the yes-no vote in 1969. A 1973 graduate of Rutgers University School of Law, Justice Nigro served eight years on the Pennsylvania Supreme Court.

The viewpoint of the bench, thoughts from two of the area’s top litigators and the perspective of the media will be presented in the Young Lawyers Division media and ethics CLE seminar at the 2006 Bench-Bar Conference, scheduled for Sept. 29-30 at The Tropicana in Atlantic City.

The panel will examine how to develop good relationships between lawyers and the media within the bounds of the Rules of Professional Conduct. While lawyers and the media have different needs and goals when it comes to high-publicity cases, they need each other to accomplish those goals. They will include Jane L. Dalton, Chancellor-Elect of the Association; Hon. Frederica A. Masiah-Jackson, the immediate-past president of the Philadelphia Court of Common Pleas; and Abraham C. Reich, who served as Chancellor of the Association in 1997, will discuss how each faction can get what they want and need to do their jobs effectively without stepping on any ethical landmines.

Issues regarding media coverage during trials are often difficult for judges, who have their own set of rules governing their ability to comment publicly about their work. The seminar also will scrutinize the frustrations and challenges of navigating these relationships as well as the positive outcomes to be achieved when this is done successfully.

Dalton heads the Employment Litigation Practice within the Employment Benefits and Immigration Practice Group at Duane Morris LLP. She has defended law firms, educational institutions and businesses in individual and class actions in federal and state courts, defending various employment matters, including claims of discrimination, harassment and retaliation based on age, race, sex, disability, religion and national origin.

Judge Masiah-Jackson was elected to the Philadelphia Court of Common Pleas in 1985 after working in private practice specializing in corporate and civil litigation with Blank Rome LLP. She served as the president judge of the Court of Common Pleas and chair of the Administrative Governing Board.

Dan Abrams, NBC News’ chief legal correspondent and anchor of MSNBC’s “The Abrams Report,” will deliver the closing luncheon address at the Bench-Bar Conference on Saturday, Sept. 30.

Abrams was named general manager of MSNBC on June 12. As general manager of the cable channel, Abrams will report directly to NBC News executive Phil Griffin, another MSNBC veteran.

“The Abrams Report” premiered as a news/talk format program in 2002. The show’s topics are varied and include not only legal issues, but national politics and current events from around the world.

In recent years, Abrams has covered the trials of Scott Peterson, Michael Jackson and Zacarias Moussaoui.

Abrams began making special reports for NBC in 1995 and has reported regularly on “NBC Nightly News,” “Today” and “Dateline NBC.” He joined NBC as a general assignment correspondent in 1997. With NBC, he has reported on President Clinton’s impeachment trial, the Oklahoma City bombing trials, the Susan McDougal trial, the JonBenét Ramsey murder probe and the Elian Gonzalez case.

He began his TV career as an anchor and reporter for Court TV in 1992. He covered various high-profile trials while with Court TV, including the O.J. Simpson murder trial, the International War Crimes trial from The Hague, and the assisted-suicide trials of Dr. Jack Kevorkian.


Media Relations Panel to Examine Viewpoints

The viewpoint of the bench, thoughts from two of the area’s top litigators and the perspective of the media will be presented in the Young Lawyers Division media and ethics CLE seminar at the 2006 Bench-Bar Conference, scheduled for Sept. 29-30 at The Tropicana in Atlantic City.

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Every guest room in the Tropicana’s North Tower has been renovated.

Makeover for Tropicana Guest Rooms

All 600 guest rooms in the North Tower of the Tropicana Resort and Casino have been refurbished as part of a $6.5 million renovation program at the hotel.

The renovations were completed in March and include new carpeting, wallpaper, linens, mattresses, fixtures and reupholstering of all furniture.

The Tropicana features more than 2,100 guest rooms, 45,000 square feet of meeting space, and 2,400 new parking spaces. The 200,000-square-foot dining, shopping and entertainment complex is located right on Atlantic City’s Boardwalk, with 220 yards of beachfront.

The Quarter at Tropicana provides visitors with more than 16 restaurants, while offering three times the entertainment, shopping and spa options than any other hotel casino in Atlantic City.

The Probate and Trust Law Section will present "Good Will Hunting," what litigators need to know about probate and estate matters. The program will explain basic estate administration concepts for litigators and issues arising from settlement of litigation matters, specifically focusing on obtaining approval of settlements for individuals who are minors or incapacitated persons, the appointment of guardians of the person and estate; the granting of letters of administration “For Litigation Purposes ONLY”; filing of required notices, the advertisement of the grant of letters of administration to the person and estate; the granting of letters of administration “For Litigation Purposes ONLY”; filing of required notices, the advertisement of the grant.
the minority bar associations such as the Barristers, the Hispanic Bar Association, the African American Bar Association, and the Asian-American Bar Association. An alternative option is to join the Philadelphia Diversity Law Group and establish a summer internship program through the Diversity Law Group. I also recommend using the Philadelphia Diversity Law Group as a recruitment source.

Some diverse lawyers, Lillie said, for the same reasons that non-diverse lawyers do, will ultimately decide that the big firm life is not for them. “Make your small or medium size-law firm a real firm of choice for diverse lawyers who want to have a challenging career, but at a smaller firm. Regardless of how hard the large law firms work to retain their diverse lawyers, there will inevitably be some folks who will opt for smaller firms. Position yourself to be an alternate landing pad for these lawyers,” she said.

Retention of diverse lawyers is another challenge. Lillie said the answer is the same as for large law firms. “Treat these lawyers with respect. Give them interesting and challenging work. Provide them with training opportunities, encourage them to create their own business and bar association contacts and allow them to encourage work on bar association committees. Give them networking resources so that they can begin to develop their own books of business. Create a work environment that fosters pro bono work, formal and informal networking and mentoring, give these lawyers honest and constructive feedback, give them opportunities to shine and progress through your partnership ranks.”

Retention of diverse lawyers in government and in public interest law firms will continue to be challenging in this era of law students graduating with mega-debt loads, Lillie said. “But exciting opportunities to practice law in the public interest, and the creation of opportunities for advancement and leadership will aid the process.”

Lillie said it is very important that all law firms find some way of getting information from diverse lawyers about their “temperature” regarding the organization. “They should be given an opportunity to tell you the truth about their experiences at the firm, without fear of retribution or retaliation. If there are institutional forces in your organization that are creating barriers to success for diverse lawyers, you want to fix the barriers and you want to create an environment that fosters success for your diverse lawyers, and your non-diverse lawyers,” she said.

For more information, call PBI Customer Service at 800-247-4724 to register for a course or for more information. Register online at www.pbi.org. The Pennsylvania Bar Institute is an accredited CLE provider.
In Their Own Words

Garden Tip: Make Most of Weekends
by I.M. Gardener

Every month, I read this column of legal luminaries and bar leaders’ own words about the state of the practice and the profession. Well, it is summer time and all I want to do is tend my garden. So I dared the Bar Reporter editorial staff to run a column about not working so hard. And they called my bluff.

I’m chicken though and instead of a head shot, I offered a glossy photograph of my tomato plants and bean poles. Instead, they ran that clip art of a briefcase in a shovel. I also decided not to use my name so my law firm partners don’t think that every time I say I am with a client, I am actually pulling weeds or marrting my plants. Although I do fantasize about leaving work early to get in a few hours of weeding and watering while the days are still longer, I save my gardening for my weekends and I save my weekends for my gardening.

I know there are lawyers who work every weekend and I’m not sure why. I like my job but, by Saturday, I have had enough. Sure, I will check e-mail at least once a day over the weekend and I may even open my briefcase while I am watching Sunday night television, but the work I do on weekends is in dirt.

My “own words” are about finding your passion and having fun with it on the weekends. For me, it is a weekly reuniting with nature, painting with flowers and treating my senses to bright colors, the smell of fresh herbs and the taste of home-grown vegetables. It is my form of vacation. My gardening takes care of my soul; it heals me and prepares me for another week.

Sure, there are always errands to run on weekends but in between the dry cleaning drop off and all of our family stuff, be sure to find your own patch of fun. So, next weekend, garden, kayak, play guitar, dance, swim, read or do whatever brings you joy. Just be sure to enjoy your weekends.

MOVIE continued from page 7

correction. A member of the district attorney’s office in New Orleans quit his job over the DA’s impropriety in the case.

In the spring of 1999, the carjacking conviction was thrown out and the death penalty was set aside, but a new trial was not granted. They went to the Court of Appeals and on July 17, 2002, a new trial had been granted on the murder case. “For the first time, we had the actual prospect of hoping to demonstrate John’s innocence,” said Banks.

Cooney and Banks uncovered new evidence that eventually swayed the jury in the new murder trial. It took jurors all of 35 minutes to find Thompson innocent. The retrial was held in May 2003, 18 years after the original murder trial. He was released from prison on May 9, 2003. Thompson has since gotten married and has been promoted several times at his job. “He’s managed to build a life and it’s a good life,” said Cooney.

“Over the years, if you count the lawyers, paralegals and summer associates who worked on this case, we had 72 who recorded time,” Banks said. “Pro bono is more than a legal opportunity or a training opportunity. It’s an opportunity to make an enormous difference in somebody’s life.”

“The sense of satisfaction from the actual prospect of helping to demonstrate John’s innocence,” said Banks.

Cooney said he and Banks were called by movie producers and thought it was a good idea because they wanted to get some money into Thompson’s hands. A screenwriter was brought in, Cooney said, and Live Planet, the production company run by Matt Damon and Ben Affleck, was very interested in the project. “I think (Damon and Affleck) saw this as an opportunity to work together for the first time in several years.”

Cooney said Disney has entered into agreements with Banks, Thompson and himself. “We were able to structure a deal where all of the up-front money...
that, as if that was a valid criticism of judges. Well, guess what? Judges are not supposed to do the will of the people. That's what the legislature is there for. But nobody was talking about that and we have so much of an outcry now with our citizens and the media talking about judges doing the will of the people," Judge Rendell said.

She said Judge John Jones of the Middle District of Pennsylvania has gained a lot of notoriety for his decision in the 'intelligent design' case. "Phyllis Schafly criticized him for not adhering to his roots, basically his purportedly conservative background. And he used the criticism as a platform to say 'wait a minute. I'm not supposed to hit one for the home team. My job is not to do what I might think is right. I'm a judge and I do things in a certain way according to precedent, modes of analysis. We have standards of review, we have maxims of construction we follow. And that is true today. And that is why judges don't do the will of the people: We apply and enforce the law," Judge Rendell said.

"I'm so pleased that his notoriety made him be one of Time magazine's 100 most influential people. This is a judge – we are usually not viewed as influential," she said.

Judge Rendell said she and Judge Jones are taking on the misunderstanding of the judiciary's role and writing a book about it. "We have a document that gives us an orderly life and an orderly way of life. We have a document called the Constitution that brings order to our society. Our economy thrives because we have that order. We are a nation of laws, not of men, and that was stated first in Marbury v. Madison. And that is true today. And that is why judges don't do the will of the people: We apply and enforce the law," Judge Rendell said.

"I have combined with the National Constitution Center, the state Bar Association, the state Supreme Court, the state Board of Education, the Student Council Association of Pennsylvania to work on an initiative called PENCORD – the Pennsylvania Coalition for Representative Democracy. Our goal is to improve the level of citizenship education in grades K through 12. We're trying to push on all grade levels to have grade-appropriate citizenship education," the judge said. Judge Rendell stressed the need for judges and attorneys to help spread the word and fight against charges of judicial activism.

"We as lawyers and judges corner the market on understanding of democracy and the Constitution. Sometimes we forget, until we go to that naturalization ceremony or until we look out at that jury that has successfully concluded the trial. We see it. We live it. We need to share it. On Constitution Day, talk to your child's or grandchild's school. See if you can talk to an assembly about the constitution. We need to share what we have. Our democracy is only going to thrive if we realize that it's precious," she said.

200 Attend Annual Federal Bench-Bar Conference

U.S. District Court Judge Michael H. Baylson discusses electronic case filing at the Federal Bench-Bar Conference.

Federal Courts Committee Chair Steven E. Bizar (left) and Vice Chair Edward G. Biester III meet at the Federal Bench-Bar Conference. Biester was the course planner for the event.

U.S. District Court Chief Judge Harvey Bartle III (right) meets with Thomas M. Golden, who will be sworn in as a new judge of the Eastern District of Pennsylvania in the near future.

Linda Dale Hoffa and Ronald H. Levine were the panelists for the program "Addressing Requests to Waive Attorney-Client Privilege in Criminal Matters."

Federal Bench-Bar continued from page 1

100 most influential people. This is a judge – we are usually not viewed as influential," she said.

"We need to educate our people. We need to educate our youngsters. We need them to understand what the Constitution is. It's important for every citizen to understand where they fit and that they fit and that it all works, which I think is the beauty of our government," she said.

"We have a document that gives us an orderly life and an orderly way of life. We have a document called the Constitution that brings order to our society. Our economy thrives because we have that order. We are a nation of laws, not of men, and that was stated first in Marbury v. Madison. And that is true today. And that is why judges don't do the will of the people: We apply and enforce the law," Judge Rendell said.

"I have combined with the National Constitution Center, the state Bar Association, the state Supreme Court, the state Board of Education, the Student Council Association of Pennsylvania to work on an initiative called PENCORD – the Pennsylvania Coalition for Representative Democracy. Our goal is to improve the level of citizenship education in grades K through 12. We're trying to push on all grade levels to have grade-appropriate citizenship education," she said.

"At the lower levels, it's about the basics. It's about telling them what a judge does and the importance of our laws. I'm going around the commonwealth and pulling from various teachers' projects or materials that have worked in their schools and trying to replicate them and give them out to others so that in every school we have appropriate and exceptional civics education," the judge said.

Judge Rendell stressed the need for judges and attorneys to help spread the word and fight against charges of judicial activism.

"We as lawyers and judges corner the market on understanding of democracy and the Constitution. Sometimes we forget, until we go to that naturalization ceremony or until we look out at that jury that has successfully concluded the trial. We see it. We live it. We need to share it. On Constitution Day, talk to your child's or grandchild's school. See if you can talk to an assembly about the constitution. We need to share what we have. Our democracy is only going to thrive if we realize that it's precious," she said.

U.S. District Court Judge Gene E.K. Pratter (from left), Ellen Meriwether, U.S. District Court Judge Eduardo C. Robreno and Dennis R. Suplee discussed "How Ethics and Professionalism Improve the Relationship Between the Bench and Bar" at the June 16 Federal Bench-Bar Conference at Loews Philadelphia Hotel.

Photos by Jeff Lyons

BAR REPORTER / JULY 2006 19
O'Connor Award Nominees Sought

The Women in the Profession Committee is seeking nominations for the 2006 Sandra Day O'Connor Award. Deadline for nominations is Aug. 11.

The award is conferred annually on a woman attorney who has demonstrated superior legal talent, achieved significant legal accomplishments and has furthered the advancement of women in both the profession and the community. The award presentation will be made during the Association's Quarterly Meeting in October.

The committee established the award in 1995 to recognize the important contributions that women attorneys in Philadelphia have made to the legal profession.

That year, U.S. Supreme Court Justice Sandra Day O'Connor presented the first award to U.S. District Court Senior Judge Norma L. Shapiro. The award has since been presented to the late Juanita Kidd Stout, former justice of the Pennsylvania Supreme Court; Deborah R. Willig, first woman Chancellor of the Pennsylvania Bar Association; Professor Marina Angel, of the Temple University Beadley School of Law faculty; Third Circuit Court of Appeals Judge Dolores K. Shoveter (former Chief Judge); U.S. District Court Judge Anita B. Brody; Leslie Anne Miller, first woman president of the Pennsylvania Bar Association; Lisa G. Roomberg of Ballard Spahr Andrews & Ingersoll, LLP; the late Judge Judith J. Jamison; Ellen T. Greenlee, chief defender of the Defender Association of Philadelphia; former Chancellor Audrey C. Talley; U.S. Court of Appeals Judge Marjorie O. Rendell; and Pennsylvania Superior Court Judge Phyllis W. Beck.

To nominate someone for the 2006 Sandra Day O'Connor Award, use the nomination form on this page.

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Book Review

Gloria Allred Memoir Recalls Causes, Battles

Fight Back and Win: My Thirty-Year Fight Against Injustice - and How You Can Win Your Own Battles
by Gloria Allred
Regan Books, 364 pages, $26.95
Reviewed by Saul H. Segan

Ask nearly anyone, whether lawyer or lay person, if they know who Gloria Allred is, and a huge percentage will recognize her name and formidable advocacy as an advocate.

What may prove most surprising is her strong Philadelphia connection. Her roots are here, having grown up in a modest row home in West Philadelphia, having attended Girls High with now Family Court Master Fern Brown Kaplan. They are still close friends to this day. Allred describes financial hardship, a disastrous marriage, the need to raise her baby daughter alone, and many mountains she had to scale.

The book's forward is written by her accomplished offspring, Lisa Bloom, anchor at Court TV and frequent guest commentator on many networks. Mother and daughter celebrated Mother's Day as guest speakers at the University of Pennsylvania's Arts and Sciences Commencement, Allred's alma mater.

Few lawyers affect so many tours de force in one career. Decades spent as a teacher in inner city schools gave Allred a chance to draw on her gift of empathy for the disadvantaged. Then, a move to Los Angeles to answer a call to mentor, promote and advance other women lawyers. Specific criteria follow:

1. How long have you known the nominee?
2. What has been your association with the nominee?
3. Describe the nominee's professional accomplishments.
4. What is the nominee's most significant accomplishment?
5. Describe how the nominee has been an advocate and used her position and stature in the community to

Return the completed form with all additional materials by Friday, Aug. 11, 2006 to: O'Connor Award, Women in the Profession Committee, Philadelphia Bar Association, 1101 Market St., 11th fl., Philadelphia, Pa. 19107-2911.

Please use 8½-x-11” sheets to answer the following questions:
1. How long have you known the nominee?
2. What has been your association with the nominee?
3. Describe the nominee's professional accomplishments.
4. What is the nominee's most significant accomplishment?
5. Describe how the nominee has been an advocate and used her position and stature in the community to advance, and provide career opportunities for, women lawyers generally.
6. Describe what the nominee has done to mentor, promote and advance other women lawyers.
7. Describe other activities in which the nominee has engaged that have advanced women inside and outside the legal community.

Nominees must provide answers to questions 1-7. Nominators are encouraged to include additional material on the nominee, such as curriculum vitae, press clippings, biography; however, no more than three letters in support of the nominee will be accepted. Nomination forms may refer to and incorporate information submitted within the past three years for the nominee. The nominator is also responsible for ensuring submission of current information for the nominee as well.

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2006 SANDRA DAY O'CONNOR AWARD NOMINATION FORM

<table>
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<tr>
<th>Award Criteria:</th>
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<tbody>
<tr>
<td>• Female attorney with law practice or other professional activities in Philadelphia.</td>
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<tr>
<td>• A career path that demonstrates superior legal talent and ability characterized by unique contributions to and significant achievements within the legal community.</td>
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<tr>
<td>• Advocacy for the advancement and equal treatment of women in the profession, as well as the community.</td>
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<tr>
<td>• A reputation for mentoring other women in the profession.</td>
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Nominee's Name: ____________________________ Title: ____________________________
Firm/Organization: ____________________________ Phone: ____________________________
Business Address: __________________________________________________________________________________

Nominator's Name: ____________________________ Title: ____________________________
Firm/Organization: ____________________________ Phone: ____________________________
Business Address: __________________________________________________________________________________

Please use 8½-x-11” sheets to answer the following questions:
1. How long have you known the nominee?
2. What has been your association with the nominee?
3. Describe the nominee's professional accomplishments.
4. What is the nominee's most significant accomplishment?
5. Describe how the nominee has been an advocate and used her position and stature in the community to advance, and provide career opportunities for, women lawyers generally.
6. Describe what the nominee has done to mentor, promote and advance other women lawyers.
7. Describe other activities in which the nominee has engaged that have advanced women inside and outside the legal community.

Nominees must provide answers to questions 1-7. Nominators are encouraged to include additional material on the nominee, such as curriculum vitae, press clippings, résumé; however, no more than three letters in support of the nominee will be accepted. Nomination forms may refer to and incorporate information submitted within the past three years for the nominee. The nominator is also responsible for ensuring submission of current information for the nominee as well.
BOOK REVIEW
continued from page 20
for badly needed teachers following the Watts riots. Gloria accepted this challenge, ultimately getting her Master’s Degree and soon thereafter, a law degree.

What might have dissuaded some women from believing in the impossible seemed to be the driving force in Allred’s quest to break free from society’s shackles and to motivate others to vanquish what they would-be captors. In the process she took on top celebrities, politicians, good-old-boys clubs and government officials whose moral muscles atrophied when it came to enforcing the rights of their constituents.

It was Allred who fought for victims of sexual harassment, who challenged luminaries who deemed themselves untouchable, who camped out in the L.A. District Attorney’s Office until he would discuss child support enforcement, conspicuous by its absence. It was

Alfred Allred who took on Michael Jackson when he dangled his baby on a balcony; who represented Amber Frey, cruel prosecution witness in the Scott Peterson case; aided the family of Nicole Brown Smith, O.J.’s murdered wife; who assisted Hunter Tylo, dismissed from a starring role in an Aaron Spelling movie because she had become pregnant; and who, in representing Dodd Fayed’s other fiancée, sought to contact Princess Diana to warn of possible danger.

She vigorously represented a girl wanting to become a Boy Scout, and even fought the all-male policy of the Friar’s Club. Her media skills, which often draw criticism, prove instrumental in assisting her clients.

Fight Back and Win moves quickly in viogette style, ending each chapter with an “empowerment lesson,” urging us to become proactive in determining our own fate.

This is a must-read for lawyers, who often wake up and wonder “what they are doing here?” We are inspired to ask what we can and should do to enrich the lives of clients by going the extra mile, by being creative in our approach.

We learn to cope with fear and inertia by thrusting forward with relentless determination. We are painfully reminded that indolence can be equated with surrender, that passivity is tantamount to defeat.

Sara Woods is chair of the Law School Outreach Committee. For more information or its activities, please feel free to contact me or other members of the LSOC.

Whether or not your memories from law school are like mine, as a Philadelphia Bar Association member, I hope you value the importance of working with our future lawyers while they are still creating those memories. It is my hope that by providing opportunities for law students in the public interest, we will inculcate an ethic of service in our law students that will serve our community for years to come.

For more information about the LSOC or its activities, please feel free to contact me or other members of the LSOC.

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<table>
<thead>
<tr>
<th>DATE</th>
<th>EVENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Monday, July 3</td>
<td>Board of Governors Cabinet – meeting, 12 p.m., 10th floor Board Room.</td>
</tr>
<tr>
<td>Monday, July 16</td>
<td>Young Lawyers Division Cabinet – meeting, 12 p.m., 10th floor Cabinet Room.</td>
</tr>
<tr>
<td>Tuesday, July 17</td>
<td>Law School Outreach Committee – meeting, 12 p.m., 10th floor Board Room.</td>
</tr>
<tr>
<td>Friday, July 20</td>
<td>Workers’ Compensation Section Executive Committee – meeting, 10:30 a.m., 11th floor Committee Room South.</td>
</tr>
<tr>
<td>Friday, July 27</td>
<td>Minorities in the Profession Committee – meeting, 12 p.m., 11th floor Conference Center. Lunch: $7.50.</td>
</tr>
<tr>
<td>Friday, July 3</td>
<td>Women’s Rights Committee – meeting, 12:15 p.m., 11th floor Conference Center. Lunch: $7.50.</td>
</tr>
<tr>
<td>Monday, July 4</td>
<td>Board of Governors Cabinet – meeting, 12 p.m., 10th floor Board Room.</td>
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<tr>
<td>Monday, July 10</td>
<td>Family Law Section Executive Committee – meeting, 12 p.m., 11th floor Conference Center. Lunch: $7.50.</td>
</tr>
<tr>
<td>Thursday, July 19</td>
<td>Federal Courts Committee – meeting, 12:30 p.m., 11th floor Conference Center. Lunch: $7.50.</td>
</tr>
<tr>
<td>Friday, July 24</td>
<td>Medical-Legal Committee – meeting, 12:30 p.m., 11th floor Conference Room South. Lunch: $7.50.</td>
</tr>
<tr>
<td>Monday, July 25</td>
<td>Women’s Rights Committee – meeting, 12:15 p.m., 11th floor Conference Room South. Lunch: $7.50.</td>
</tr>
<tr>
<td>Monday, July 31</td>
<td>Young Lawyers Division Executive Committee – meeting, 12 p.m., 10th floor Board Room.</td>
</tr>
</tbody>
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Note: While the following listings have been verified prior to press time, any scheduled event may be subject to change by the committee or section chairs.
Social Events Hosted by Sections, Committees

Real Property Section Chair Kenneth J. Fleisher (left) is joined by Neil Rubin at the Section’s Annual Spring Reception on June 8 at Maggiano’s Little Italy. More than 70 people attended.

Workers’ Compensation Section Co-Chair Valerie Lieberman (left) is joined by Cheryl L. Handel and Section Co-Chairs Judge Patricia Bachman and Eric Segal at the Section’s June 7 Spring Reception at the Manayunk Brewery and Restaurant. Handel was presented with the Section’s Irvin Stander Award, presented to an outstanding law school student. Handel will be entering her third year at Villanova Law School in the fall.

Philadelphia Court of Common Pleas Judges (from left) Lisette Shirdan-Harris, Idee C. Fox and Margaret Theresa Murphy gather at the Family Law Section’s reception for Family Court judges at Loews Philadelphia Hotel on June 22.

Family Law Section Chair Jacqueline G. Segal joins Philadelphia Court of Common Pleas Family Court Administrative Judge Kevin M. Dougherty at the Section’s June 22 reception.

Chancellor Alan M. Feldman (from left) is joined by Michelle M. Marx and Lawrence S. Felzer, co-chairs of the Association’s Committee on the Legal Rights of Lesbians and Gay Men, and Immediate-Past Chancellor Andrew A. Chirls at the Committee’s reception for summer associates on June 22 at the offices of WolfBlock.

Michael Ward, Doris J. Jabrowski, Joseph A. Prim and Michael M. Gessner gather at the Solo and Small Firm Committee’s Networking Reception on June 22 at PNC Bank.
BAR FOUNDATION
continued from page 6

who saw that he got the help he needed.

Being a member of the Foundation and/or providing free legal services is recognized and supported by the Pennsylvania Supreme Court. As set forth in Rule 6.1 of the Rules of Professional Conduct, “A lawyer should render public interest legal service. A lawyer may discharge this responsibility by providing professional services at no fee or a reduced fee to persons of limited means... and by financial support for organizations that provide legal services to persons of limited means.”

We will have a very special speaker at our Recognition Reception. HE “Gerry” Lenfest, a graduate of Columbia Law School, started work at Davis Polk & Wardwell. In 1974, he formed Lenfest Communications, and built it to one of the top cable television companies in the nation. He now sits on the board of numerous arts, educational and community organizations, and he is currently chairman of the board of the Philadelphia Museum of Art, Business Leaders Organized for Catholic Schools, the American Revolution Center and the Curtis Institute. Many organizations and universities have given him awards and commendations for his leadership and involvement. He received the governor’s “Patron of the Year” Award. Gerry epitomizes the successful businessman and philanthropic leader.

How can you get invited to this event? Join us in supporting the Bar Foundation’s endowment – its growth will guarantee a predictable source of funds to the 29 grantees of the Bar Foundation – the providers of direct legal services to the poor. Consider this your invitation.

If you don’t see your name in this edition, you need to become a member.

If your name is on the list, we appreciate your support, but here is the challenge. We need you to recruit just one new member to the Hamilton Circle. Practically speaking, we cannot individually reach out to every Philadelphia lawyer to invite you to join. We challenge all our members to recruit just one additional person to join the Hamilton Circle.

This is how you do it.

Think of your colleagues. Think of your friends. Think of your classmates from law school. Are their names listed? They should be: Give them a call, meet for lunch, catch up on old times. Remember how lucky they are to be a Philadelphia lawyer. And then ask them the following question: How can they not be listed as a member?

To join the Hamilton Circle, please contact Melissa Engler at the Philadelphia Bar Foundation at 215-238-6347 or mengler@philabar.org

Commentary

Is the Price of Immigration Reform Too High?

by Tsiwen M. Law

The U.S. Senate passed the Comprehensive Immigration Reform Act of 2006 on May 24 to address the continuing presence of 11 million undocumented immigrants in the U.S. The bill creates several tiers of immigrants eligible to earn legal status based on length of residence. Undocumented persons with less than two years residence will be required to leave on the effective date of the legislation. Undocumented immigrants with more than two years residence will be able to apply for readmission visas while those with more than five years will be able to undertake steps to earn legal status, by paying back taxes, penalties, filing fees, etc. after which they will go to the end of the line to wait for residency visas.

About 8 million undocumented immigrants would be eligible for some form of earned legal status. At least 400,000 visas will be made available to applicants for legal residence currently waiting for permanent residency. These visas are designed to reduce the backlog among current applicants. The bill increases the size of the fence along the U.S.-Mexican border while at the same time ensures a steady flow of guest workers.

Most troubling for immigrant advocates is the expansion of the list of activities deemed “aggravated felonies” to include carrying of fraudulent documents or working with a false social security number that may have been used by the immigrant to escape repression. Commission of an aggravated felony would be automatic grounds for removal. The U.S. Federal courts will have a much narrower latitude to review denials of asylum or citizenship. Border patrol officers will have the power to jail and deport immigrants suspected of illegal entry without judicial review. Even though immigrants who have violated criminal immigration laws are not considered criminal defendants, their identities will be entered in the National Crime Information Center database, originally reserved for persons convicted of crimes.

In a move that overturns two U.S. Supreme Court decisions, the Department of Homeland Security will have the authority to indefinitely detain immigrants with final deportation orders who cannot be deported, because the U.S. lacks diplomatic ties with the immigrant’s country of origin, the country refuses to accept them, or the immigrant is stateless. Immigrants may be sent to jail for up to six months for failure to file a change of address notice with DHS. To accommodate the 3 million who may be ineligible for current legal status, the bill authorizes the opening of 20 additional detention facilities to accommodate a combined population of 20,000 immigrants. State and local police will have “inherent authority” to enforce immigration violations, contrary to many jurisdictions’ programs that depended on immigration law enforcement status of witnesses or victims who reported crimes.

The long list of Senate Bill 2111 provisions that will erode basic civil liberties has led a number of civil rights and immigrant advocacy organizations to question support for its passage. The next step is for the Senate and House conferees to merge their respective bills into a single consistent bill. Because the House bill, HR 4447, is focused on enforcement only, the anticipated product of the bicameral negotiations is expected to retain most of the challenges to civil liberties and erosions of immigrant rights. Because Congress will shortly go into recess, now is the time to bring the Constitution back into the debate. The conferees must hear from the American people that basic civil liberties cannot be the currency for guest worker programs and heavier border patrol enforcement.

Tsiwen M. Law, a sole practitioner, is former chair of the Public Interest Section.

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The Association honored the newest members of its 50-, 55-, 60-, 65- and 70-Year Clubs at the June 19 Quarterly Meeting and Luncheon.

Paul N. Minkoff, a former member of the Board of Governors and former Assistant Secretary of the Association, spoke on behalf of the honorees. The podcast of his remarks is available at philadelphiabar.org. The following is a list of the honorees for the June 19 event:

**50-Year Club**


**60-Year Club**


**65-Year Club**

H. Francis DeLone; Albert Konefsky; Daniel Mungall Jr.; and George Ovington III.

**70-Year Club**

Elwood S. Levy.

Elwood F. Levy, a new member of the Association’s 70-Year Club, offers thanks for a special gift presented to him before the June 19 Quarterly Meeting.

Keynote speaker Kweisi Mfume and Carl Oxholm III (second row, right), Drexel University senior vice president and general counsel, pose with members of Drexel’s first-ever class for its new School of Law.

**Bar Honors Newest Year-Club Members**

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QUARTERLY MEETING continued from page 2

really fight terrorism and really provide for homeland security,” Mfume said.

“Long ago we learned our lesson, I thought, about not speaking out in times of war whether we were for it or against it. When wars are fought in the name of democracy, the first casualty often times is democracy itself. We remember the words of Ohio Sen. Robert Taft who said, two weeks after Pearl Harbor was attacked, ‘I believe there can be no doubt that criticism in time of war is essential. It is essential to the maintenance of any kind of democratic government! Nor can we forget the words of President Theodore Roosevelt who said in 1918 ‘to announce that there must be no criticism of the president or to stand by the president, right or wrong, is not only unpatriotic and servile, but also morally treasonous to the American public,’” Mfume said.

“As the war continues abroad and as we watch the attack on civil liberties at home, the challenge to this historic Bar Association is compounding. The Patriot Act, which Congress has recently reauthorized, allows government agents the right to seize business information, to seize business records, to search a home or to get information even about your Web surfing activities with minimal judicial review. It allows for the FBI to continue to monitor telephone or email communication of everyday hardworking Americans who are not a threat without demonstrating probable cause.”

“There will be those who counsel you to be silent in this reactionary time. They will suggest that you look the other way and hope for the best. I refuse to stand mute when opportunity is denied and justice is deferred and I ask you not to stand mute also,” Mfume said.

“So when future generations look through this telescope of history, let them say of us, those like the late Judge Leon Higginbotham, when it came to working to ensure equal protection under the law or something as simple as the basic right of people to petition their government for the protection of their grievances, that we did not waver, we did not flinch, we did not shirk from our responsibilities to face the issues head on during this time of great challenge and great hope. Rather, let it be said that we worked hard to protect the right to due process and to protect a society of both law and justice for those generations still yet unborn,” he said.
The 24th Annual Jewish Law day was celebrated on June 7, where Philadelphia Court of Common Pleas President Judge C. Dannell Jones II and former President Judge Frederica A. Massiah-Jackson were honored for their service to the community.

The event, held at the Jewish Community Services Building, 2100 Arch St., was attended by more than 270 people and featured one hour of CLE credit for lawyers who attended.

Jewish Law Day is co-sponsored by The Brandeis Law Society, the Committee of Judges and Lawyers, and the Board of Rabbits of Greater Philadelphia. This year’s co-chairs were Judge Abraham J. Gafni, Harris T. Bock and Rabbi David L. Guterman.

Two U.S. Magistrate Judge Positions Available

The Judicial Conference of the United States has authorized the replacement of two full-time United States Magistrate Judge positions for the Eastern District of Pennsylvania; one Magistrate Judge will be stationed at Philadelphia, and one will be stationed at Allentown. The appointees also may be required to preside at court sessions to be held at Reading and Lancaster. The duties of the position are demanding and wide-ranging and will include (1) conduct of most preliminary proceedings in criminal cases; (2) trial and disposition of misdemeanor cases; (3) conduct of various pretrial matters and evidentiary proceedings on delegation from the judges of the District Court; and (4) trial and disposition of civil cases upon the consent of the litigants. The basic authority of the United States Magistrate Judge is specified in 28 U.S.C. Sec. 636. To be qualified for appointment an applicant must:

- Be, and have been for at least five years, a member in good standing of the bar of the highest court of a state, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands of the United States, and the Commonwealth of the Northern Mariana Islands or the Territory of Guam, the Commonwealth of the Northern Mariana Islands or the Virgin Islands of the United States, and have been engaged in the active practice of law for a period of at least five years;
- Be competent to perform all the duties of the office; be of good moral character; be emotionally stable and mature; be committed to equal justice under the law; be in good health; be patient and courteous; and be capable of deliberation and decisiveness;
- Be less than 70 years old.
- Not be related to a judge on the district court.

A merit selection panel composed of attorneys and other members of the community will review all applicants and recommend to the judges of the district court in confidence, at least five, but not more than 15 persons whom it considers best qualified. The court will make the appointment, following an FBI full-field investigation and IRS tax check of the applicant selected by the court for appointment. An affirmative effort will be made to give due compensation to all qualified applicants, including women and members of minority groups. The current annual salary of the position is $131,984. The term of office is eight years.

Application forms and more information on the magistrate judge position in this court may be obtained from the District Court Web site at http://www.paed.uscourts.gov or by contacting the Clerk of the District Court at (267) 299-7809. Applications must be submitted only by potential nominees personally and must be received no later than the close of business on July 24, 2006. Submit completed applications to: Michael E. Kunz Clerk of Court 2609 U.S. Courthouse 601 Market St. Philadelphia, PA 19106 ATTN: Human Resources Department Magistrate Judge Application All applications will be kept confidential, unless the applicant consents to disclosure, and all applications will be examined only by members of the Merit Selection Panel and the judges of the district court. The panel’s deliberations will remain confidential.

According To...

What’s Your Favorite Summertime Activity?

“I really like going to the Shore and swimming, I’d like to do a lot of that this summer.”

- James Francis

“I’m training to run in the New York Marathon in November, so it would have to be marathoning.”

- Nicole Whittington

“I’m looking forward to spending a lot of time with my wife this summer.”

- Richard Kupersmith
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**Bennett G. Picker**, a partner at Stradley Ronon Stevens & Young LLP and a former Chancellor of the Pennsylvania Bar Association, was recently presented with the 2nd Annual Grabow Award for “vision and leadership” at the Montas Annual Meeting in Montreal.

**Deborah Epstein Henry**, founder and president of Flex-Time Lawyers LLC and of counsel to Schnader Harrison Segal & Lewis LLP, spoke in New York at a program sponsored by the Hildebrandt Institute titled “Second Annual Forum: Best Practices for Developing and Retaining Women Leaders in the Legal Profession.”


**Michael S. Saltzman**, a member of Cozen O’Connor, recently served as a moderator at the Conferences of the Catastrophes on Risk Management and Insurance seminar, sponsored by and held at the Insurance Society of Philadelphia.


**Steven N. Haas**, a member of Cozen O’Connor, recently received the “Business On Board Volunteer of the Year Award” by the Arts & Business Council of Greater Philadelphia, a nonprofit affiliate of the Greater Philadelphia Chamber of Commerce, and a chapter of the national Arts & Business Council of Americans for the Arts.

**Nancy Winkelman**, a partner with Schneider Harrison Segal & Lewis LLP, was a course planner and presenter of the Three Circuit Judicial Conference held on May 2 in Farmington, Pa.

**Robert A. Korn**, a principal and member of Kaplin Stewart Meloff Reiter & Stein, PC, was a presenter at a Lorman Education Services seminar “MA Contracts” held May 9 in Lancaster, Pa.

**Andrew W. Davitt**, a shareholder with Marshall, Dennehey, Warner, Coleman & Goggin, participated in the American Institute’s “Broker/Dealer Forum on Resolving Customer Claims” on May 24-25 in New York City.

**Jeffrey L. Pasch, Sarah A. Kelly and Anita B. Weinstein**, members of Cozen O’Connor, served as presenters at the 12th Annual Northeast Region Employment Law Institute at the Pennsylvania Convention Centre. Pasch also served as course planner.

**Hope A. Comisky**, a partner with Pepper Hamilton LLP, has been elected chair of the board of trustees of the Center for Literacy, one of the nation’s largest community-based, nonprofit adult literacy organizations.

**Linda S. Kaiser**, a member of Cozen O’Connor, recently served as a moderator at the Conferences of the Catastrophes on Risk Management and Insurance seminar, sponsored by and held at the Insurance Society of Philadelphia.

**Robert H. Louis**, a partner with Saul Ewing LLP, was recently elected to the Board of Managers of the Spring Garden Soup Society.

**Judy Greenwood**, a principal shareholder in the Law Offices of Judy Greenwood, PC, was the course planner for the Pennsylvania Bar Institute program “The Trial of the Medical Malpractice Case” on April 28.


**Richard M. Jurwitz**, a partner with Galfand Berger, LLP, was a course planner and speaker at Pennsylvania Bar Institute’s “Litigating the Upper Extremity Injury Case” on May 25.

**Michael S. Saltzman and Krista Frankina Fiore** of Friedman Krekstein & Harris, recently spoke on the handling of insurance coverage issues and bad faith at the 2006 Claims Seminar of the Pennsylvania Association of Mutual Insurance Companies in Harrisburg.

**June J. Essis and Jay Barry Harris**, partners with Friedman Krekstein & Harris, led the recent National DRI Trucking Law Conference held in Chicago.

**Marc P. Weingarten**, a partner with the Locks Law Firm, was the co-chair of the Andrews Astobart Litigation 2006 Conference held April 27 and 28 in San Antonio, Tex.

**Kathleen A. Drapau**, a member of Cozen O’Connor, served as a panelist at the “Self-Funded Insurers: The Good, Bad and Ugly” professional development meeting in New York City at the Union League Club Library. Drapau discussed ERIAs and Internal Revenue Code issues.


**Bob Rovner**, CEO of Rovner, Allen, Rovner, Zimmerman & Nash, has been appointed to the Pennsylvania Lawyers Fund for Client Security Board by the Supreme Court of Pennsylvania. Rovner also has been appointed to the Temple University Board of Trustees.


**Eric Rothschild**, a partner with Pepper Hamilton LLP, was recently appointed to the board of directors of the Public Interest Law Center of Philadelphia.

**Cynthia A. Clark** of Bochett & Lentz, PC, has been appointed to the Hearing Committee of the Disciplinary Board of the Supreme Court of Pennsylvania.

**Names Are News**

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