By Jeff Lyons

Of the 17 candidates who posted wins in the May 19 primary election, all but one were recommended by the Association's Commission on Judicial Selection and Retention.

Court of Common Pleas recommended candidates Daniel Anders, Adam Belloff, Robert P. Coleman, Anne Marie B. Coyle, Joyce Eubanks, Daniel Rendine, Angeles Roca, Thomas Francis Shields Jr., Diane Thompson and Donna Woeppeer, along with recommended Municipal Court candidates Patrick F. Dugan, Charles Hayden, Joseph T. Murphy Jr., Kenneth J. Powell Jr., Down A. Segal and Joseph C. Waters Jr. move to the ballot for the general election on Nov. 3.

Thirteen of the 16 recommended winners were also endorsed by The Philadelphia Inquirer.

There are seven vacancies to be filled in the Court of Common Pleas and four in Municipal Court.

“I was heartened that the voters followed our recommendations,” said Judicial Commission Chair William Fedullo. “The Inquirer and the Daily News lauded the Commission’s work and recommendations in their editorials. Even though the turnout was low, the voters followed our recommendations. That gives a lot of credibility to what we did and it tells the members of the Commission that

continued on page 22

Bar Wins Tweed Award for 4th Time

The Philadelphia Bar Association will accept its fourth Harrison Tweed Award, one of the American Bar Association’s most prestigious honors, at the ABA Annual Meeting in August. The Philadelphia Bar Association was honored for its work with the Residential Mortgage Foreclosure Diversion Pilot Program, designed to help low-income homeowners facing mortgage foreclosure.

The ABA also announced that the Association’s Law Practice Management Division is the recipient of the ABA General Practice, Solo and Small Firm Division Solo and Small Firm Project Award. The award is designed to reward bar leaders and associations for their successful implementation of a project

continued on page 25

YLD Celebrates Law Week

Attorney Dionne Savage offers legal advice at the Young Lawyers Division’s Legal Advice Live! program at the Main Branch of the Free Library of Philadelphia on April 29 as part of Law Week. For more on the YLD activities during Law Week, see pages 10 and 11.

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Inside

2009 Bench-Bar and Annual Conference preview: Pages 13-16.
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**Frontline**

**Healing the World Through Service**

Since we’re nearing the halfway point of my tenure as Chancellor, I thought this was an apt time to review my 2009 initiatives and plan for our progress to date.

I deliberately use the word “our” because this is not my work alone. Just as it takes a village to raise a child, it takes a cadre of committed volunteer attorneys to embrace a Chancellor’s vision and move a Bar Association forward.

Together, we’re taking steps to do just that.

• On the leadership front, I’m proud to report that our hard-working chairs are working with their teams to produce policies and programs across the Bar Association’s nine Sections, two Division and 50+ committees.

Earlier this year, many of these attorneys took time away from their families to attend a two-day Bar Leaders Retreat in Atlantic City specifically devoted to the topic of leadership development. Every day since, they put what they learned into action.

I would be remiss if I did not laud Gaetan Alfanfo for his smooth and steady style as chair of the Board of Governors and commend Bill Fedullo for his unflagging leadership of the Judicial Commission.

As Chancellor, I serve as the Bar Association’s lead spokesperson on issues of relevance to our membership: expressing public outrage over the corruption in Luzerne County, discussing the impact of budget cuts on the Court system, supporting Board resolutions like House Bill 300 and promoting the work of the Judicial Commission.

I have met with The Philadelphia Inquirer editorial board, spoken to countless reporters and stood before television cameras on these and other issues, for it is my responsibility as Chancellor to use this office as a bully pulpit for justice.

• Led by Andy Susko, a task force composed of judges, public interest advocates and the private bar met to develop strategies for pursuing Civil Gideon. Our first step was developing a successful board resolution that our Board of Governors passed on April 30.

We are far past the point of discussing why Civil Gideon is a good idea; now we are quickly determining ways to make it happen. We are investigating options and plan to submit a number of recommendations to the Board later this year.

• We are moving towards establishing help desks for pro se litigants in both Family and Municipal Courts. We’ve had conversations with Judge Neifeld and Judge Dougherty; and are currently working to resolve insurance liability issues.

In addition, Bar leaders Joe Sullivan and Ethan Fogel are working to establish a mediation program to service appeals from Landlord Tenant Court to Common Pleas Court with the intent of alleviating the six-month backlog of cases on appeal.

• Veterans, in particular, deserve any and all rights legally due to them. That’s why I reactivated the Military Affairs Committee under the leadership of Wes Payne, who also serves as assistant treasurer on the Board of Governors.

In April, committee members partnered with the Homeless Advocacy Project and the Pennsylvania Bar Association to provide direct legal services to more than 40 homeless veterans in Coatesville, with similar programs in the works.

With many reserve units returning home this fall, committee members are also working with the Department of Labor to develop an ombudsman program to help returning veterans address issues related to job protection and other benefits. They’ll also provide legal services to military families on their rights to existing benefits.

• While the economy is an ongoing lament, I have continued my advocacy for building a new family court. We know we’re facing difficult budget choices. But children and families in need simply cannot wait for a more advantageous economic climate.

An ad hoc committee — comprised of government attorneys, community advocates, Bar leaders, President Judge Dembe, Judges Dougherty and Murphy, Court Administrator David Lawrence and representatives from Ewing Cole, the architecture firm designing the new court — have met several times to ensure that the building will be user friendly.

I’ve also met several times with Pennsylvania Supreme Court Chief Justice Ron Castille, who continues to advocate for construction of this unified courthouse.

The opening of the new Juvenile Justice Law Center gives me hope that this issue will too find its day, and when that comes, the Philadelphia Bar Association will be in center court, driving home this urgent point.

• Each month since its launch on December 8, 2008, our online publication Upon Further Review (www.uponfurthereview.philadelphiabar.org) has published a variety of news and analysis that
JOANNE EPPS, dean of Temple University Beasley School of Law, will receive the Sandra Day O’Connor Award and deliver the Judge A. Leon Higginbotham Jr. Memorial Public Interest Lecture at the June 9 Quarterly Meeting and Luncheon.

Alan W. Margolis, a founding partner of Margolis Edelstein, will speak on behalf of his fellow Year Club inductees at the event, which begins at 12 p.m. at the Park Hyatt Philadelphia at the Bellevue, Broad and Walnut streets. Tickets are $55 for members and $60 for non-members.

Epps has been a frequent speaker on trial advocacy and criminal procedure, and negotiation. Epps received her B.A. from Trinity College in Hartford, Conn. in 1973 and her J.D. degree from Yale Law School in 1976. The O’Connor 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 Year Clubs recognize attorneys who have been practicing law for 50 years or more.

“There are many, many people more deserving than me to address the Bar,” said Margolis. “But Chancellor Sayde Ladov asked me, and I said yes.”

“I’ve seen a lot of changes in my 50 years in the law. It’s been a wonderful 50 years and I can’t imagine doing anything else than what I’ve done,” said Margolis.

The following individuals will be recognized on June 9:

50-Year Club


70-Year Club

Robert A. Detweiler, Herman B. Poul and Hanley Rubinsohn.
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FEDERAL COURTS COMMITTEE

Stalberg is June 12 Keynote Speaker

By Jeff Lyons

ZACHARY STALBERG, president and CEO of the Committee of Seventy, will deliver keynote remarks at the Federal Courts Committee’s annual Federal Bench-Bar Conference on Friday, June 12 at the Marriott Philadelphia Downtown, 1200 Market St.

A total of 3 CLE credits are available for this program, including one ethics credit. The conference features seven federal judges and a host of top practitioners and begins at 8:15 a.m. Registration begins at 7:30 a.m.

“We are anticipating another great Federal Bench-Bar Conference this year with participation from a number of federal judges and leading practitioners on hot issues in the law,” said conference chair Grant S. Palmer.

Following introductions by Committee Chair Craig D. Mills and Vice Chair Palmer, the conference begins with the session “How Not to Go to Jail with Your Clients – Handling Client Monies and Other Timely Issues.” Panelists for this session are U.S. District Court Judge Joel H. Slomsky, Ellen C. Brotman, Ian M. Comisky and Louis D. Lappen.

U.S. District Court Judge Eduardo Robreno will present “Multi-District Litigation – Handling of the Asbestos MDL in the Eastern District of Pennsylvania.”


U.S. District Court Chief Judge Harold A. Baer will present “$18 Trillion Liabilities: Understanding the FY 2010 U.S. Budget.”

Bar Night at Phillies Wednesday, June 17

JOIN YOUR COLLEAGUES and friends at Bar Association Night at the Phillies on Wednesday, June 17 as the World Series champion Phils take on the Toronto Blue Jays at Citizens Bank Park at 7:05 p.m. Tickets are $28 and can be ordered by visiting phillies.com/philabar.

Seating (subject to availability) with fellow Philadelphia Bar Association supporters will be located on the Field Level Outfield (Sections 145 - 148). There is a special 52% discount off the cost of these tickets. To order your tickets for this special event, visit phillies.com/philabar and enter the promotion code BAR.

June 1

Selecting & Influencing Your Jury • Video Encore - The CLE Conference Center

June 3

General Practitioners’ Update 2009 • The CLE Conference Center

PLI - Hot Issues in Executive Compensation 2009 • Simulcast - The CLE Conference Center

June 4

Communications Skills for Lawyers: Dealing With the Media and Beyond • The CLE Conference Center

Consumer Debt Litigation • Simulast - The CLE Conference Center

June 9

Philadelphia Bar Association - Probate & Trust Law Section June 2009 Quarterly Meeting • The CLE Conference Center

June 10

Legal Writing Techniques for Winning Arguments • The CLE Conference Center

PLI - ABCs of Mutual Funds 2009 • Simulast - The CLE Conference Center

June 11

Gaming Law Update 2009 • The CLE Conference Center

PLI - Acquiring or Selling the Privately Held Company 2009 Simulast - The CLE Conference Center

June 12

2009 Federal Bench Conference • Philadelphia Marriott

PLI - Acquiring or Selling the Privately Held Company 2009 Simulast - The CLE Conference Center

June 16

A Survey of the Foreign Corrupt Practices Act • Simulast - The CLE Conference Center

June 17

The 21st Century Law Office • The CLE Conference Center

Environmental Issues in Real Estate and Business Transactions • The CLE Conference Center

June 18

Civil Practice & Procedure in the Court of Common Pleas of Philadelphia • The CLE Conference Center

June 19

Advocacy for the Ages • The CLE Conference Center

Integrity: Good People, Bad Choices and Life Lessons from the White House • Video Encore - The CLE Conference Center

June 23

Maximizing Your Client’s Recovery in Challenging Times • The CLE Conference Center

Advanced Issues in Social Security Disability • The CLE Conference Center

June 24

PLI - Audit Committee Workshop 2009: What Audit Committee Members and Those Who Advise Them Need to Know Now • Simulast - The CLE Conference Center

June 25

The Government’s “Right to Take” in Pennsylvania • The CLE Conference Center

Retirement Planning: Concepts & Controversies in Today’s Economy • Simulast - The CLE Conference Center

Loan Documentation • Video Encore - The CLE Conference Center

PLI - Understanding ERISA 2009 • Simulast - The CLE Conference Center

The Pennsylvania Bar Institute is an accredited CLE provider.
The declining job market has found many area lawyers either out of work or no longer able to enjoy the security of steady business. Lawyers who find themselves in such a position have been forced to seek new employment at a time when there are many unemployed lawyers competing for a few number of available jobs.

On May 13, the Law Practice Management Division and the Pennsylvania Bar Institute presented the CLE program “Lawyers in Transition” to give struggling attorneys an overview of issues to be considered when opening a new practice or seeking a new position in difficult economic times. More than 200 people attended the session.

Panelists for this program included Division Co-Chairs Daniel J. Siegel, Law Offices of Daniel J. Siegel, LLC; and Mary F. Platt of Montgomery, McCracken, Walker & Rhoads, LLP, who were also the course planners; Barbara S. Rosenberg, solo practitioner; Gina Sage, USI Affinity; Ellen Freedman, law practice management coordinator, Pennsylvania Bar Association; Gina Furia Rubel, Furia Rubel Communications, Inc.; Susan G. Manch, of Washington, D.C.-based Shannon & Manch, LLP; Elizabeth Lloyd, Ajilon Legal; and Kenneth J. Hagreen, Lawyers Concerned for Pennsylvania, Inc.

Panelists who addressed issues that solo practitioners may encounter focused on the reality that running a law firm is both a profession and a business. Obtaining insurance, managing finances, paying taxes, securing competitive technology for the office and supervising personnel are just a few of the concerns lawyers opening their own firm will have to address in addition to actually practicing law.

There are also ethical concerns to be considered when starting a new practice, including making sure that lawyers are competent to take on new kinds of cases in areas of law where they may have no prior experience. Networking, CLE programs and Bar Association listservs can be valuable assets for those looking to broaden their knowledge in a certain practice area.

Solo practitioners in need of clients should begin with a business plan which incorporates their strengths and interests in such a way that it allows them to successfully market themselves to their target audience. The Lawyer Referral and Information Service, provided by the Bar Association, is an excellent resource for those attorneys who work in a small private practice setting and are looking for clients.

Those seeking jobs in a traditional law firm setting received similar advice in that networking, making the most of their strengths and being persistent are the surest ways to find a job in a tough market. The panelists advised job seekers to assess their skills and interests so that they can market themselves to prospective employers, and distinguish themselves from other job seekers by being clear about what they are looking for and what they have to offer. When interviewing for a new position, candidates should plan answers for the tough questions, and the answers should be positive and forward thinking. Using friends, family, colleagues, classmates and even social media web sites to network is an excellent way for lawyers seeking employment to take control of their job search and find the right position.

Mary T. Kranzfelder (michael@apo.com) is an attorney living in Moorestown, N.J.
Successful rainmakers must network broadly and be open to new opportunities and possibilities, a panel of successful women recently told members of the Women in the Profession Committee.

Former Chancellor Jane Dalton, Wendy Beetlestone and Sandy Girifalco also stressed the need for selling oneself and finding a rainmaking mentor, adding that a key quality of a rainmaker is confidence.

Dalton, a partner at Duane Morris LLP, stressed the importance of networking and being open to new opportunities. She recommends that women attend many different events as a way to network and meet new people. Dalton added that successful rainmakers are interested in others and listen to what others have to say. She stressed the importance of maintaining a fun and positive outlook and setting goals to meet new people. She recommends joining a board of an organization with a mission that is important to the individual as a way to meet a variety of different people while at the same time doing something the person cares about. Dalton advised that in order for a person to succeed in rainmaking, she must enjoy it and incorporate it into her life.

Beetlestone, a partner at Hangley Aronchick Segal & Pudlin, agreed with Dalton that networking is vital to rainmaking and that a person should cast a wide net when reaching out to potential clients. She likened business development to fishing – one should throw out 100 hooks in the hopes of catching one or two fish. The group agreed that professional networking web sites are helpful in generating and cultivating business.

Girifalco, a partner at Stradley Ronon Stevens & Young LLP, provided a helpful tip to keeping in touch and maintaining a large network of personal and professional associates. She remains plugged in to alumni groups and keeps in touch with everyone she knows. If she hears or reads about a friend or acquaintance’s personal success, such as the birth of a child, she writes a quick note congratulating them on their success and wishing them well. By keeping in touch on personal matters, Girifalco feels more comfortable asking for a business favor down the road.

The panel discussed the importance of marketing oneself and confidently ensuring that they receive credit for their achievements because “success breeds success.” The speakers agreed that while there are still difficulties facing women rainmakers, it is important not to focus on those impediments, and instead portray oneself as a capable, successful, intelligent, confident attorney that people will want to hire.

Lastly, the speakers addressed the importance of finding a rainmaking mentor – someone to groom a younger attorney and pass on their book of business. Because generating new clients and new business is a difficulty facing many younger associates, the panelists recommend working for different partners at their firms and finding a mentor to guide. The speakers agreed that rainmaking is not just about initiating business; it is also about maintaining, cultivating and generating new business from existing books of business. Therefore, it is important to do good work and get credit for one’s successes.

Sarah Lessie (sleslie@rubinfortunato.com), an associate with Rubin, Fortunato & Harbison P.C., is an associate editor of the Philadelphia Bar Reporter.
A friend of mine was laid off recently. This is not the first friend who I learned had been laid off, but it got me thinking again about what, if anything, I could do to help and what, if anything, the YLD could do.

While I have written a number of articles about issues that I feel are important to our profession and to young lawyers in particular, it now is time to stop ignoring the big pink elephant in the room. A lot of articles are written for people who have been laid off, but few to address what we should say/how we should act when encountering a friend, colleague or family member who has lost their job.

**Choose Your Words Carefully**

Everyone wants to say something nice when they learn what happened, but many times, our nice intentions do not translate in the words we choose. Immediately after someone has been laid off, they do not want to hear optimistic suggestions. Losing your job is life-changing. People should be given an opportunity to process what has happened before they can move forward. No one really wants to hear that “when one door closes, another opens” right after being fired. To quote the article, “as much as you want to cheer up a friend, respect the need to just feel lousy for a while.”

**Don’t Say ‘I’m Sorry’**

Neutral statements like “I heard the news” or a specific offer to help will be received a little more positively than you mourning your friend’s loss. The key, though, is actually to listen to your friend’s response. Perhaps you can offer to review their curriculum vitae or offer to introduce them to someone at a firm you know is hiring based upon what your friend tells you.

If you do want to help, be specific in your offer. Let your friend know that they can call you at any time. Tell them that you should go to lunch next Tuesday. Use your intuition. If you get the feeling that the person you are talking with does not want your help right then, back off and simply let them know that you are happy to help in any way you can.

**Checking on the Job Search**

It can be tricky in the weeks following a layoff knowing how much to check on your friend. Respect the need to just feel lousy for a while. One way to avoid this pratfall is to ask your friend straight out how they want to handle the issue and how frequently, if at all, they want you to ask about it.

**What Can We Do to Help?**

Offer to open up your business and social networks. The more people your friend knows, the more potential business contacts they will have. Finally, when people are out of work, they can feel alone. Filling your friend in on the latest work happenings or making sure to include them in your weekend plans can help make the person feel included.

The YLD continues to offer its programming, including our networking happy hours as well as our brown bag lunch series in an effort to keep everyone connected and to help people deal with financial and other issues facing our profession as they arise. This is done with the hope that we can help even one person.

The Association’s new Lawyers in Transition initiative is an excellent resource geared toward assisting lawyers affected by the economy. The site (PhillyLawyersInTransition.org) is available to all attorneys. There are links to upcoming CLE programs; a bulletin board/forum where users can candidly discuss their situations; networking information; ethics information and other professional responsibility resources; and a blog.

On Monday, July 27, the YLD will hold its Executive Committee meeting. We have cancelled our agenda and instead invite you (member or not) to come and to offer any suggestions as to what we can do to help you during these trying times. Our goal is provide as much support to you as possible and we look forward to your input and your suggestions. If you cannot come, e-mail me. We will do whatever we can to assist.

Brian S. Chacker, an associate with Gay Chacker & Mittin, P.C., is chair of the Young Lawyers Division Executive Committee. He can be reached at (215) 567-7955, or by e-mail at bchacker@gaychackermittin.net.

The Young Lawyers Division will hold its annual Diversity Happy Hour on Tuesday, June 16 at the Mexican Post, 1601 Cherry St., at 5:30 p.m., where the annual diversity scholarships will be presented.

The recipients of this year’s scholarships are Samea Lin, Temple University Beasley School of Law; Earthen Johnson, Drexel University Earle Mack School of Law; Maricruz Melendez, Drexel University Earle Mack School of Law; Priya De Souza, Temple University Beasley School of Law; and Jennifer A. Supplee, Temple University Beasley School of Law.

The 200 to pre-register at philadelphiabar.org will be guaranteed two drink tickets, good for draft beer, house margaritas, house wine, sangria and well drinks. Appetizers and drink specials will be available throughout the evening. The scholarships will be presented at 6:30 p.m. The event is co-hosted by the Barristers Association of Philadelphia, Gay and Lesbian Lawyers of Philadelphia, Hispanic Bar Association of Pennsylvania, Asian Pacific American Bar Association of Pennsylvania and the South Asian Bar Association of Philadelphia.

YLD Update

Time to Stop Ignoring the Big Pink Elephant

By Brian S. Chacker

One woman in the article equated it to a woman having difficulty getting pregnant. “You don’t say every time you talk to them, ‘Are you pregnant yet?’ You know when it happens you’ll hear.’ People who do not realize how long it might take to find a position might make their friend feel like a failure when nothing turns up right away. One way to avoid this pratfall is to ask your friend straight out how they want to handle the issue and how frequently, if at all, they want you to ask about it.

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From April 27 to May 1, 200 volunteers from the Bar Association’s Young Lawyers Division took to the city’s streets to help the community in honor of Law Week 2009. From visiting classrooms and educating students about the law to offering free legal counsel at the city’s free libraries to dressing in costume to engage children in the legal process to taking high school seniors into live court rooms, volunteer attorneys made sure this year’s celebration would remain one of the most ambitious public outreach campaigns in the nation.

“The Young Lawyers Division spends months planning Law Week,” said Abbie DuFrayne, the event’s co-chair and YLD Chair-Elect. “The effort is well worth it when we finally get out in the community and help students and citizens appreciate the value of the law and lawyers in their lives.”

At Legal Advice Live!, volunteer attorneys provided free legal advice to all requesting citizens at eight branches of the Philadelphia Free Library on April 29. At the Central Branch, Gregory Redmond traveled all the way from Media to get advice on filing an appeal with the Superior Court about a legal matter involving SEPTA. He is handling the case pro se and spent more than 30 minutes

continued on page 11
Judge Rendell Closes Lawyer for a Day Program

By Regina Parker

The history of democracy in America and the empowerment of its people in politics are the reasons behind Law Day. U.S. Court of Appeals Judge Marjorie O. Rendell told high school students at the Lawyer for a Day Program on May 1.

Judge Rendell explained to the students that our country is governed by the rule of law and we live by it every day. When we hear about law day, we tend to think about courts and lawyers, she said. However, Law Day is a celebration of our democracy and was started by President Dwight D. Eisenhower. Quoting President Eisenhower, Judge Rendell told the students that the idea of Law Day is that “people should remember with pride and diligently guard the great heritage of liberty, justice and equality under law which our forefathers bequeathed to us.”

Our forefathers got away from the rule of Europe and the dictatorship governed by the wealthy. President Eisenhower said that “the principle of guaranteed fundamental rights of individuals under the law is the heart and soul of our nation and distinguishes our governmental system from the type of government that rules by might alone,” Judge Rendell quoted. What is special about our nation is that the concept of power is associated not with money, but with education and the desire to work hard and seize opportunities in our democracy, Judge Rendell explained.

In order to get the students to appreciate the value of our democracy, Judge Rendell told the students a story about a lawyer from Russia who visited U.S.

Supreme Court Justice David Souter to learn more about the Supreme Court in the modern era. During the visit, Justice Souter told the lawyer that Brown v. Board of Education was the most important decision decided by the Supreme Court. Judge Rendell explained to the students that in Brown v. Board of Education, the Supreme Court struck down the educational system that was thought to be separate but equal, but it held that separate education is inherently unequal. The Russian lawyer seemed disappointed and told Justice Souter that the most important decision to him was the Nixon Tapes decision. In that decision, the Supreme Court found that there was no executive privilege and overturned something that President Nixon had done. The Russian lawyer told Justice Souter that in his country, the idea of a court telling the chief executive of the land what to do was unheard of. Judge Rendell told the students that during Cold War in Russia, lawyers hid in secret to read and learn about American laws and the Supreme Court decisions. She explained that the moral of the story is that we do not realize how special our democracy is and how special our rule of law is.

“We have a system of justice that is stable and that is predictable,” Judge Rendell said. She explained to the students that we decide cases based on precedent and the way it was decided yesterday. As citizens, we have a responsibility to participate in our democracy. She encouraged the students to vote and participate in our democracy so that their voices will be heard. Everyone has a right to be heard, she said. The rule of law is the backbone of our country and “democracy without participation is not democracy,” Judge Rendell said.

Law Week continued from page 10

talking with Darth Newman and Tejal Mehta, attorneys with Ballard Spahr Andrews & Ingersoll.

“The advice I received was very helpful,” Redmond said. “Sometimes when you’re working hand-in-hand with someone you get more out of it as opposed to trying to read a textbook, in which case I got a lot of help from this program.”

Lynne R. Williamson, head of the Central Branch’s Government Publications Department, had heard of Legal Advice Live! from past Law Week celebrations and, realizing its significance, helped bring the event to the city’s free libraries.

“I thought it would be a great way to partner with the Bar Association so that the libraries could provide an essential service for our patrons,” Williamson said. All in all, about 200 people received legal guidance through Legal Advice Live! this year. The event was also publicized on KYW 1060.

Another program that caught the media’s attention was the popular “Trials of Goldilocks and the Three Little Pigs” on May 1. This event welcomed elementary school students into six City Hall courthouses to act as the juries in the “criminal trials” of Goldilocks and the Big Bad Wolf. Volunteer attorneys and judges used the facts from the well-known fairy tales to present the trials, some even dressing for the parts. The event was covered in the Philadelphia Daily News and on 6ABC’s Action News.

Other Law Week events included:

Essay and Poster Contests: Open to high school seniors and fourth-, fifth-, and sixth-graders, respectively, this year’s submissions were impressive, with 115 posters received and 27 essays. The essay contest winner was Stacey E. Baum of Northeast High School, who read her winning entry at the naturalization ceremony in the Ceremonial Courtroom at the U.S. Courthouse on May 1. The poster contest winner was Isabela Salas-Betsch of St. Francis Xavier School.

Lawyer for a Day: Volunteer attorneys took groups of high school seniors into the city’s courthouses to view live proceedings and ended the day with a speech from U.S. Court of Appeals Judge Marjorie Rendell, first lady of Pennsylvania, who spent over an hour talking about her legal experiences and answering a range of questions from the students.

“Law Week 2009 was a great success,” said YLD Chair Brian Chacker. “Credit is not only owed to Co-Chairs Abbie DuFrayne, Carey Chopko and Kelly Gastley, but to every attorney who lent their legal knowledge to the students and people of Philadelphia.

“We are grateful that so many attorneys volunteered their time to make the program so successful,” Chacker added. “Their efforts gave a lot of people access to the legal system that they otherwise would not have had.”
Attorneys had a chance to voice their response to the Complex Litigation Center’s new policy of issuing fines of $250 against lawyers who file their settlement conference memos late. Considering the present state of the economy, you might expect that there would be some outcry over these fines. If it exists, that outcry was not heard at the May 6 Rules and Procedure Committee Meeting, where Philadelphia Court of Common Pleas Judge Sandra Mazer Moss, the mastermind behind the new fines, appeared as the guest speaker.

The new fines were not the only subject of discussion. After a brief plug for the Complex Litigation CLE at the upcoming Bench Bar and Annual Conference (which will address the handling of mass tort actions when they overlap states as well as state and federal courts) Judge Moss reported on the general status of the Complex Litigation section.

Judge Moss reported that the mass tort program is running smoothly. There are currently 13 mass torts in Philadelphia, including the nursing home litigation, with only five Phen-Fen cases and a few Vioxx cases left. Judge Moss was proud to report that asbestos cases are coming to trial, on average, in as little as 18 months now. When specifically asked about the nursing home litigation, Judge Moss explained that it is a kind of hybrid: there were originally only 25 cases, and now there are 60.

Signs of the improvement of complex litigation in Philadelphia are that fewer motions on procedural issues are being filed in the monthly meetings held for each mass tort, and that no motions have yet to come out of the discovery conferences held by the discovery masters. Furthermore, Judge Moss is attempting to coordinate case management orders among cases and to coordinate motions across state lines and across federal/state jurisdictions.

Turning then to the new fines, Judge Moss described the tremendous backlog of arbitration appeals she was faced with when she took over the complex litigation program. She originally tried to tackle this backlog with traditional judge-run settlement conferences, and was surprised by the difficulty she encountered in attempting to settle some of the arbitration appeal cases.

When they heard about this backlog, some senior lawyers and asbestos practitioners reached out to volunteer as judges pro tem. According to Judge Moss, it was the judges pro tem who complained about late or missing settlement memos, and it was in response to their concerns that she decided to institute the fines.

A limited criticism or backlash was voiced against the fines at the meeting, but Judge Moss made clear that she is open to the suggestion and that the current sanctions may not stand for long.

By Thomas Bryan

Thomas Bryan (tbryan@gmdlfirm.com), an associate with Gerolamo, McNulty, Divis & Lewbart P.C., is an associate editor of the Philadelphia Bar Reporter.

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BENCH-BAR & ANNUAL CONFERENCE PREVIEW

FRI-SAT OCT. 23-24

HARRAH’S ATLANTIC CITY

• 14 different programs including October Quarterly Meeting
• Sports Talk with 610 WIP’s Anthony Gargano
• Grand Reception at The Pool at Harrah’s
# 2009 Bench-Bar and Annual Conference

## Variety, Networking at Harrah’s in Oct.

By Jeff Lyons

A total of 7 CLE credits will be available at the 2009 Bench-Bar and Annual Conference, set for Oct. 23-24 at Harrah’s Atlantic City.

“The conference will provide a broad array of CLE which will appeal to all segments of the Bar Association,” said Chancellor Sayde J. Ladov. “There will be numerous opportunities to network with colleagues and members of the bench. We will also have a state of the courts luncheon on Saturday to bring members up to date with developments in every division of not only the First Judicial District but the appellate courts as well.” The Conference is co-chaired by Molly Peckman and Maria Feeley.

The Conference opens on Friday, Oct. 23 at 12 p.m. with the Association’s October Quarterly Meeting. Details about the keynote speaker will be available at a later date.

Friday’s CLE programs include “Effective Negotiation and Advocacy” featuring course planner and moderator John Savoth and former U.S. District Court Judge A. Michael Snyder will discuss “Handwriting, Fingerprinting, Ballistics Evidence, and Found them Lack.”

The Criminal Justice Section will present “Is Forensic Science Really Science?” In February 2009, the National Academy of Science issued a report on the state of forensic proof in the United States. That report contrasted the solid empirical foundation of DNA proof with that of other disciplines such as fingerprinting, ballistics evidence, and handwriting, and found them lacking in validation studies and consistent standards for expertise, evaluation, and evidence assessment. This session will summarize the findings of the NAS report and discuss their significance for criminal trials in Pennsylvania and how judges, prosecutors and defense counsel will make use of its findings. Panelists for this program include Jules Epstein, Marisa B. Bluestine and Isla Fruchter.

The Family Law Section will present “Is the Counsel Fees Conundrum: Perspectives of the Bench and Bar.” Six of the state’s top divorce law attorneys and former U.S. District Court Judge Cynthia M. Rupe, former American Bar Association President Jerome Shestack, Association Secretary Kathleen D. Wilkinson and Matt Casey. The course planner is Philadelphia Court of Common Pleas Judge Sandra Mazer Moss.

The Art of Closing Arguments from Two Deans of the Bar: Jerry Litvin and Bill O’Brien” will feature the two veteran trial lawyers who will tell tales and offer tips for delivering effective and successful closings and will also demonstrate closing arguments.

The Law Practice Management Division, along with the Professional Responsibility and Bar News Media Committee, will present “Ethical Considerations for Lawyers with Respect to Communications, Marketing and Public Relations.” This course will explore how attorneys can communicate a brand, build a niche, expand their networks, talk to the media, and grow their businesses while not running afoul of the Rules of Professional Conduct. Panelists include Association Treasurer Joseph A. Prim Jr.; NBC-10 investigative reporter Lu Ann Cahn; Law Practice Management Division Co-Chair Daniel J. Siegel and Hope A. Cornisky, co-chair, Professional Responsibility Committee and Professional Guidance Committee.

The Business Law Section will present “Challenging Times in a Troubled Economy: What Directors and Officers Need to Do Now.” The program will feature a panel of corporate and bankruptcy lawyers and include a brief overview of the fiduciary duties of directors and officers under Pennsylvania and Delaware law and provide practical advice for boards and officers of all size companies.

### Conference Schedule

#### Friday, Oct. 23

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<tr>
<td>9:30 a.m.</td>
<td>Registration</td>
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<td>10 a.m.</td>
<td>October Quarterly Meeting</td>
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<tr>
<td>10:15 a.m.</td>
<td>Lunch and Closing Plenary</td>
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#### Saturday, Oct. 24

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### Become a Sponsor

A limited number of sponsorship opportunities are available. For information, contact Michael Petitti at (215) 238-6042 or via e-mail at mpetitti@philabur.org.
By Jeff Lyons

Association members have until Friday, Sept. 18 to take advantage of reduced registration rates for the 2009 Bench-Bar and Annual Conference at Harrah’s Atlantic City on Oct. 23-24.

“Responding to the concern about the economy, and through the hard work of the Bar staff, the cost of the Bench-Bar and Annual Conference will be $50 less than 2007 rates,” said Chancellor Sayde J. Ladov. Full conference admission is $349 for members and $399 for non-members. For members of the Young Lawyers Division and government or public interest attorneys, admission is just $199.

For those wishing to attend only the Grand Reception at The Pool at Harrah’s on Friday, Oct. 23, tickets are $125 for all members and $150 for non-members.

For those wishing to attend Friday’s session only, tickets are $299 for members, $149 for the Young Lawyers Division and government or public interest attorneys. For non-members, the cost is $349.

Members and guests wishing to attend without receiving CLE credit will pay $175. For non-members, the cost is $200.

Admission includes all sponsored meals and events. For those wishing to attend only the Friday, Oct. 23 Quarterly Meeting, tickets are $55 for members and $60 for non-members. Tables of 10 are available for $550 for members and $600 for non-members.

Harrah’s Atlantic City is the site of the 2009 Bench-Bar and Annual Conference on Oct. 23-24.

Sports Talk Added to Roster

“The Cuz” is coming to Bench Bar.

SportsRadio 610-WIP’s Anthony Gargano, known to listeners and fans as “The Cuz,” will host the Philadelphia Bar Association’s first-ever Sports Talk program on Saturday, Oct. 24. The event, from 8 to 10 a.m. at the Bench-Bar and Annual Conference, will feature an invigorating discussion and Q&A session on the state of Philadelphia’s sports teams.

“I am absolutely thrilled Mr. Gargano is joining us at this year’s Bench Bar,” Chancellor Sayde Ladov said. “Following a Friday night of poolside dancing and open bar, we felt we needed something lively and interesting to jumpstart our day. The Bar Association’s first-ever Sports Talk program should be exactly that.”

Gargano has hosted 610’s highly rated midday show (10 a.m. – 3 p.m.) for the past seven years. A former sportswriter for the New York Post and The Philadelphia Inquirer specializing in national in-depth features and profiles, Gargano has also written two books, The Great Philadelphia Fan Book and A Sunday Pilgrimage. Recently, he developed a screenplay for “Our Lady of Victory,” a feature film currently in post production. He contributes to several magazines, was named in the 2000 Great Sportswriters book, and can be seen mornings on Fox 29’s “Good Day Philadelphia.”

While the exact details of the event are still being worked out — including the possibility of signing on more sports talk personalities — the Bar Association is sure all attendees will enjoy the final product.

“Whatever format is decided upon,” Ladov said, “This program should generate great buzz from Bar Association members and will surely be a huge hit.”
The Pool at Harrah's Atlantic City will be the site of the Grand Reception on Friday, Oct. 23.

Grand Reception is Resort Casual

The Grand Reception, one of the highlights of any Bench-Bar and Annual Conference, will be held Friday, Oct. 23 at The Pool at Harrah's, one of the hottest nightspots in Atlantic City.

“‘This is going to be a phenomenal poolside party,’” promised Chancellor Sayde Ladov, who proclaimed the dress code for the evening to be “resort casual.”

The reception runs from 6 to 10 p.m. and includes the music of Big City. And when the Grand Reception is over, attendees will be able to remain at The Pool for the rest of the evening without paying an admission fee.

With its 90-foot glass domed ceiling and tropical atmosphere, The Pool is the perfect place to unwind after a long day. The 172,000-square-foot Pool features palm trees, six Jacuzzis, two party tubs, a dozen cabanas, a pool bar and more.

Bench-Bar continued from page 14

nies to fulfill their duties of risk oversight.

The program will also provide a number of examples of actions directors and officers should consider, including contingency planning for access to alternative sources of liquidity and capital beyond traditional sources. Course planners are Michael D. Ecker, Jim Matour and Barbara Ilsen.

The Public Interest Section will present “The Public’s Perception of the Courts.” In the face of recent scandals in Pennsylvania and the increasing influence of money in judicial elections, public confidence in the courts has been declining. This course will focus on these issues, and how the bar and courts can work cooperatively to improve public understanding of the courts and the role of judges. Panelists include Section Chair Angus Love, Lynn Marks, Pennsylvania Superior Court Judge Correale F. Stevens and Hank Grezlak, editor of The Legal Intelligencer. Love and Shira Goodman are course planners for the program, co-sponsored by Pennsylvanians for Modern Courts.

The Probate and Trust Section CLE “What Every Lawyer Should Know About Estate Law” will feature Orphans Court Administrative Judge Joseph O’Keefe and a representative of the Register of Wills. This course will examine situations that arise that bring non-estate lawyers into contact with estate law and/or Orphan’s Court (for example: client dies during litigation, client becomes incompetent during representation, removing tenant from property owned by a decedent, collecting from or filing a lien against an estate, etc.); the general expectations of counsel from the court’s point of view and a general overview of the process of raising an estate in these special situations; and a brief presentation on writing wills and preparing other estate documents.

The Conference closes with a State of the Court presentation with the president judges of Pennsylvania’s courts. Speakers include Pennsylvania Supreme Court Chief Justice Ronald Castille, Pennsylvania Superior Court President Judge Kate Ford Elliot, Commonwealth Court President Judge Bonnie Brigitte Leadbetter, Philadelphia Court of Common Pleas President Judge Pamela F. Dembe and Philadelphia Municipal Court President Judge Marsha Neifield.

Please note that all programs and panels are subject to change.
Drexel University’s Earle Mack School of Law celebrates its inaugural Commencement May 27, 2009 and congratulates the Class of 2009: Superb students and partners in realizing a vibrant path forward in legal education.
“When people are in trouble or scared, that’s when they need an advocate; this is why what you do as lawyers is so important,” said Steven Korman, president and CEO of Korman Communities, at a recent meeting of law firm leaders hosted by the Philadelphia Bar Foundation. And it is why he urged these leaders to support the Raising the Bar Campaign, which financially assists our public interest colleagues in providing services to those who are the most troubled and scared and yet without resources to pay for representation.

This is a unique time. State IOLTA funds for Philadelphia legal service agencies will drop by 10 percent for fiscal year 2009-2010. And in May, the Senate passed its version of the state budget that eliminates all funding for legal services. At this writing, lobbying efforts are underway to get that money put back in the budget, but the message is clear – maintaining legal services funding is in jeopardy.

So, what do we do as lawyers at this time of trouble is doubly important. It really counts.

The Philadelphia Bar Foundation has set a goal to maintain the funding it gives to the legal services agencies at last year’s levels. It is critical we meet that goal, and we will need support to do so. The Foundation’s job is not only to raise the funds to make its own grants but, as the legal community’s foundation, its mission includes advocating the continued support by the law firms of the grantees as well.

The Raising the Bar campaign has been the Philadelphia Bar Foundation’s most significant institutional effort in support of the Bar Foundation and its network of nonprofit legal service providers. A joint initiative of the Philadelphia Bar Foundation and the Philadelphia Bar Association, the campaign was inspired by former Bar Association Chancellor Alan M. Feldman, who in 2006 challenged every law firm, large and small, to contribute the sum of $300 per lawyer. In 2008, Bar Association Chancellor A. Michael Pratt asked law firms to institutionalize their Raising the Bar contributions and to those that could, Raise the Bar Higher by increasing by 10 percent their commitment for the next three years.

Since inception, more than 100 local law firms have participated in the Campaign, and their pledges have totaled more than $4 million. And last year, 27 firms agreed to Raise the Bar Higher. There are several ways for a law firm to contribute to Raising the Bar. Firms can make direct donations to the Philadelphia Bar Foundation; donate to any of the Philadelphia public interest agencies supported by the Bar Foundation; make a donation to the Bar Foundation with a “donor option” to any or all of the grantees supported by the Bar Foundation; or it can choose any combination of these options. It all counts.

Obviously, this year is a challenge. So the Bar Foundation gathered leaders of the law firms on May 7 to confront these challenges and ask for their support. The reception was sponsored by Navigant Consulting and held in the Comisky Center courtesy of Blank Rome LLP.

We invited Steve Korman to speak. We did so because while his company, like ours, faces challenges, he remains an outspoken supporter of people, families and their livelihoods in the current economy. Some may remember when the economic downturn worsened, Korman took full-page ads in The New York Times and The Philadelphia Inquirer to urge companies and firms, in deciding their game plans, to remember, as much as feasible, the needs of their employees and their families. At our meeting, Korman discussed his and his company’s experience in meeting the trials of 2009, as well as in the past, and advocated that charities cannot be forgotten in these trying economic times. His unwavering commitment to a plethora of charitable organizations and his devotion to remembering those in need represents a poignant call to action for all of us.

We at the Bar Foundation echo that call. And, leaders of firms, if you have not heard it yet, you will hear it soon. Steve Bizar, chair of the Raising the Bar Campaign and Bar Foundation trustee, will call you and ask that your firm pledge to the Raising the Bar campaign at least at the rate originally proposed by Alan Feldman back in 2006. And for those who may be able to do more, we ask that you consider it, especially this year. For you can be assured, what your firm does, counts.

Amy B. Ginensky

By Amy Ginensky

Don’t Let Commitment Waver in Hard Times

Bar Foundation Golf Classic June 22

The Philadelphia Bar Foundation’s 21st Annual Golf Classic is moving to a new location.

The event will be held Monday, June 22 at Huntington Valley Country Club in Huntington Valley, Pa.

The general fee for players is $375. Members of the Young Lawyers Division may play at a discounted fee of $350. Price includes all greens fees, golf cart, lunch, refreshments, dinner and cocktails.

Several levels of sponsorship are available. Tournament Underwriters ($15,000) get a banner hung at clubhouse entrance; name on the front cover of the souvenir program as sponsor of the event; distribution of skills competition prizes to winners; eight players plus four additional guests to cocktail reception; and VIP parking for golfers. Other levels include Tournament Cup/ Skills Prize Sponsor ($7,500), Luncheon, Cocktail Buffet, Reception or Putting Contest Sponsor ($5,000) and Hole Sponsor ($2,000). For more information, contact Lynne Brown at (215) 238-6347.

By Amy Ginensky

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Raising the Bar Donors Thanked By Foundation

In 1999 and in 2007, the Juvenile Law Center received two separate and uncannily similar calls concerning children in Luzerne County who had been adjudicated delinquent after appearing before former Luzerne County President Judge Mark Ciavarella – without counsel and without being adequately informed of their constitutional right to an attorney.

Although the JLC achieved a reversal of the adjudications in both instances, the 2007 phone call prompted the JLC to conclude that more needed to be done. The fact that both of these strangely similar cases had occurred before Ciavarella raised a red-flag that there might be a need for a “systems change” with respect to the treatment of juvenile defendants in Luzerne County.

The JLC’s further efforts resulted in the well-publicized Pennsylvania Supreme Court order to vacate the adjudications and expunge the records of a large class of youth who appeared before Ciavarella between 2003 and 2008.

At the April 29 Public Interest Section plenary program on systemic advocacy, Marsha Levick, deputy director and chief counsel of the JLC, described the various strategies employed to investigate and litigate the constitutional rights violations occurring in Luzerne County.

Panelists Cathy Carr, executive director of Community Legal Services; Michael Churchill, of counsel at the Public Interest Law Center of Philadelphia; Mark Murphy, legal director of the Disability Rights Network; Janet Stotland, co-director of the Education Law Center; along with moderator Angus Love, executive director of the Pennsylvania Institutional Law Project, hailed the JLC’s efforts as exemplifying the paradigm of systemic advocacy.

According to Love, the first step in executing that paradigm is to recognize patterns of bad conduct amidst what may be an overwhelming swell of individual cases. In the case of Luzerne County, it was the recurring pattern of behavior in Ciavarella’s courtroom that alerted the JLC to the need to further investigate and to litigate the constitutional rights violations occurring in Luzerne County.

The next step, according to Carr, is to communicate and connect with those who may be able to help with gathering more information. For example, when

continued on page 24

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continued on page 24
More than 1,200 Run to Benefit Support Center

More than 1,200 runners and walkers braved rain, cool temperatures and breezy conditions to participate in the 30th Annual 5K Run/Walk on May 17 along Martin Luther King Drive. The event raises funds for the Support Center for Child Advocates.

Runners used umbrellas and coffee before the race to stay warm and dry.

Emily Lawrence, Steven Reynolds and their son Jack Lawrence Reynolds keep dry before the race.

Edward P. Kelly ran the race while son Jack and wife Rebecca walked the course.

Neill Clark (left) was the overall winner of the event while Judi Cassel (right) was the first woman to cross the finish line. Members of the Family Law Section (above) donned t-shirts and participated as a group.
The Philadelphia Bar Association Board of Governors on April 30 adopted a new budget and a Civil Gideon Resolution. The budget was presented as a result of the current economic climate and covers the remaining eight months of the fiscal year. Chancellor Sayde Ladov said the new budget better reflects the economic realities of the current fiscal crisis, as well as a number of cost-cutting measures that were undertaken within the Association in order to continue to provide a full range of services to the Association’s membership.

Two resolutions and a new budget were adopted by the Association’s Board of Governors on April 30. The new budget was presented as a result of the current economic climate and covers the remaining eight months of the fiscal year. Chancellor Sayde Ladov said the new budget better reflects the economic realities of the current fiscal crisis, as well as a number of cost-cutting measures that were undertaken within the Association in order to continue to provide a full range of services to the Association’s membership.

The first resolution calls for the provision of legal counsel for indigent persons in civil matters where basic human needs are at stake. Otherwise known as “Civil Gideon,” the resolution was presented by a special Task Force convened by Chancellor Ladov at the beginning of her tenure and designated by her as one of the cornerstones of her agenda for the year.

According to the language of the resolution, “the Philadelphia Bar Association believes and therefore declares that representation by counsel in certain civil cases should exist as a matter of right and at public expense to low income persons in those categories of adversarial proceedings where basic human needs are at stake.” Those areas of concern which were included in the Resolution include “termination of parental rights or complete loss of custodial rights and proceedings involving housing and otherwise placing basic sustenance at risk.”

The resolution calls upon the Chancellor’s Task Force to prepare a report to be presented to the Board of Governors detailing the ways in which the Philadelphia Bar Association can pursue and implement the goals outlined in the resolution. The measure was presented by Joseph A. Sullivan and Andrew Susko.

“The Bar’s official position in support of Civil Gideon is now firm for the entire legal community to see,” said Ladov. “We will move on to the implementation phase. I am very proud of the Civil Gideon Task Force and the Board of Governors of the Bar Association.”

The second resolution that was presented to the Board, and subsequently adopted, was presented by Kim Jessum and Leslie Greenspan of the Intellectual Property Committee and regarded the Patent Pilot Program within the Federal Court system.

Intended to the House and the Senate earlier this year, the legislation seeks to provide funds to select federal courts to help further increase the level of expertise of judges handling patent cases. The purpose is to recognize the complexity of litigating patent cases and to “establish a pilot program in the district courts handling the largest number of patent cases under which judges in those district courts could opt-in to handle patent cases.”

Currently, the U.S. District Court for the Eastern District of Pennsylvania ranks among the 15 districts in which the largest number of patent cases were filed up through March 2008 and is believed to be among the 15 districts in which the largest number of patent cases were filed in the entire year of 2008.
VIP Honors Brennan

This month Philadelphia VIP recognizes Meredith Brennan, an associate with Schnader Harrison Segal & Lewis LLP, for her outstanding volunteer assistance to VIP clients. Brennan serves VIP’s clients as a family law volunteer and mentor. While working on her own pro bono family law cases, Brennan is always available to mentor attorneys in other family law matters.

In addition, Brennan is a member of the newly formed VIP Family Law Advisory Council. The Council includes mentor attorneys committed to developing best practices to assist VIP’s growing pool of family law volunteers, many of whom are taking cases outside of their familiar subject area. She has helped prepare materials for and presented at VIP’s last two Custody Law trainings, and recently represented the Family Law Advisory Council at VIP’s April Divorce Law training.

It is both the quality of her work and Brennan’s eagerness to be helpful that makes her volunteer work for VIP stand out. It is a great service to take a pro bono case, it is a step beyond to encourage and support other attorneys in doing the same. VIP is honoring Brennan for helping to expand the culture of pro bono, particularly in family law, within the Philadelphia legal community.

Brennan

By Gordon Wase

Several times each month, the judges of the Philadelphia Orphans’ Court face the recurring problem of finding an attorney to represent an alleged incapacitated person unable to find counsel for themselves, or finding a responsible party to serve as guardian of an adjudicated incapacitated person with no suitable relatives or friends.

Representing an allegedly incapacitated person can be very simple and straightforward, or it can be very demanding, depending upon the condition of the person and the circumstances of the case. Likewise, the guardianship of a person and their estate can present a wide variety of legal and ethical issues. These can be mundane or fascinating assignments, but, of course, there is this one small problem.

Often, although not always, the person needing help has little or no resources with which to pay for legal services. And even if they have financial resources, they lack the capacity to enter into a fee agreement. So the court will closely oversee the amount of fees paid, even where monies are otherwise available.

It is fitting that the Probate and Trust Law Section has stepped forward to fill this need. Assuming that attorneys could be found to volunteer for this service if we could make the task less daunting, the Section’s Elder Law Committee found six committee members with significant guardianship experience to agree to serve as on-call mentors to provide guidance to the volunteers. These six mentors are Keelin Barry, Anne Maxwell, Risa Newman, Suzanne Pritchard, Howard Soloman and myself. Additionally, a sub-committee of the Elder Law Committee has been working for some time on a guardianship manual that is so near completion, its authors hope to publish it within the next month. Copies of this manual will be given to each volunteer.

With all of this in place, the Section posted an invitation for volunteers on the Section Listerv on April 29. In the next week, we received 28 “sign-me-up” responses from members of the bar willing to serve when called. This list of volunteers is being provided to the Orphans’ Court, and it is expected that the volunteers will be called upon, as needed, in the sequence their names were received.

To become a volunteer, e-mail your name and contact data to gordon.wase@verizon.net. We will send you a confirmation letter, a copy of the guardianship manual and a short list of experienced guardian attorneys you can call for help and guidance as you help the court and the needy elderly.

Gordon Wase (gordon.wase@verizon.net), a member of Wase & Wase, is a member of the executive committee of the Probate and Trust Law Section.
A Conversation Worth Having About Race

I recently had the great privilege of facilitating a discussion among a panel of national behavioral health experts about the ways to promote and positively impact mental health. Some panelists had written journal articles I read while in graduate school and were pictured in newspapers I had seen. This was the second time I acted as facilitator for this particular group, and once again I walked away awed and impressed by the individuals who choose to work in the field of behavioral health.

That evening, I went to dinner at the conference center’s restaurant and ran into one of the panelists. She and I are of a different race and ethnicity and we ended up engaging in a lively and animated discussion about our respective races – similarities and differences, cultures of origin, etc. I had the wonderful opportunity to be educated about her culture and her ethnicity and will carry this knowledge forward in all my diversity and inclusion work.

We both acknowledged how important it is to be able to have this same conversation with white individuals present. We wondered, “Could people of color have a frank and open conversation such as this with people who are white? Would people of color feel the need to shield their remarks or be able to have the same type of conversations that they might have with individuals of their same or similar race?”

And what would be the results – could white individuals handle the comments that are sometimes made about them in this type of discussion? I also wondered this about other “diverse” groups. For example, could LGBT individuals have a frank conversation with straight individuals present? Could individuals who are religious minorities, for example Muslims, have the same conversation with Christians present?

Parenthetically, I had a white colleague in graduate school who wondered if the black students talked about her when they got together.

Instead of reaching the “yes” or “no” response, my dinner partner and I talked about the benefits of this type of conversation – both socially and in professional settings. If not facilitated well or moderated appropriately, conversations such as these are frightening and can create more pain and damage than good. However, when appropriately moderated, these conversations can shed enormous light on organizational and institutional “isms” and can create healthier, and thereby more productive, work environments.

As a diversity and inclusion professional, I can create all the programming desired to enhance different diversities organizationally. However, if institutional “isms” are not addressed, they will probably continue to impact an employee’s work performance. I can pull myself up by my own bootstraps – and have no problem doing so – but if those straps keep getting cut off, how am I supposed to continue to compete and function in the same way that my non-minority colleagues do? How can I have the discussion with my supervisor if she or he cannot hear me?

Are we, as U. S. Attorney General Eric Holder stated, a nation of “cowards” for our inability to discuss racial and ethnic issues? I would go further and also assert our need to discuss gender issues, along with issues related to sexual orientation, disability, religion, and all the other “isms.” It is important to discuss not only how these issues impact our lives off the job, but also how they impact our lives on the job.

I recently attended a conference where a woman of color commented that she overheard a discussion among the

continued on page 26
No Rest for the Weary with BlackBerry on Trip

By Sunah Park

It doesn’t seem right to talk about vacations in this economic climate, but I will. I know many lawyers who are not taking any vacations because they fear they will not have a job when they come back. Or those who will abstain this year because money is tight and they’re not banking on as steady a stream of income as they used to. These are eminently valid reasons for not taking a vacation. But in spite of what is happening around us, I think many of us still need to take a vacation.

I recently went to Puerto Rico for three days because I needed to go. I’m not calling it a vacation because I consider three days too short for a real vacation. Moreover, I wouldn’t call those three days a vacation because a vacation is defined as “a period of suspension of work usually used for rest, recreation or travel” or “free-time off.”

While on the Bacardi Rum tour, I checked my e-mails and found out that I may have a new client. While in the El Yunque Rainforest (yes, there’s BlackBerry reception in the rainforest!), I checked my e-mails and found out that a Rule 16 hearing had been scheduled in a new case. While touring the Fort San Cristobal, I checked my e-mails and found out that a defendant was evading service of a complaint I had recently filed. Basically, I found out that I have no trouble with the traveling part of a vacation but I have big problems with suspending work for rest or recreation.

No doubt there are bigger problems in the world and in our backyard than not knowing how to take a vacation. But the present state of the economy doesn’t take away from the fact that when you work hard, you still need to take a break every once in a while. How I admire and envy the lawyer who truly knows how to enjoy a vacation from work. That lawyer recognizes that our work is vital to us in so many ways but so is our mental well-being. And maintaining our mental well-being is especially critical in these times.

I have to admit that I worked during those three days because a part of me felt guilty about taking off from work. As we all know, there are so many lawyers without a job right now – it didn’t seem fair that I take time off from work when so many are looking for work. But, I also worked during those three days because I have a problem letting go of my “duty.”

I admire and envy the lawyer who truly knows how to enjoy a vacation. Without a job right now – it didn’t seem fair that I take time off from work when so many are looking for work. But, I also worked during those three days because I need to take a break even in the rainforest. No Rest for the Weary with BlackBerry on Trip.

Sunah Park, a partner at Thorp Reed & Armstrong, LLP, is editor-in-chief of the Philadelphia Bar Reporter.

Plenary

continued from page 19

investigating Luzerne County, the JLC worked closely with the Juvenile Court Judges Division’s research arm. That collaboration unearthed significant statistics – used later in the JLC’s petition to the Pennsylvania Supreme Court – that demonstrated that Luzerne County’s Juvenile Court had a rate of waiver of counsel that was approximately 5 to 10 times higher than the state average.

Churchill said that the model for achieving systems change also recognizes that it is seldom the case that only one public interest organization, working alone, can achieve change. “It takes outsiders,” said Churchill. He suggested that one way to draw outsiders is to expose the system’s practices and bring public pressure upon those practices.

Stotland and Murphy concluded the panel presentation by noting that bringing about systems change does not necessarily end with a court victory. Often, legislative advocacy involving the joint efforts of several public interest groups is necessary in order to ensure that a court victory will result in true reform.

Ria C. Momblanco, an associate with Fine, Kaplan and Black, R.P.C., is an associate editor of the Philadelphia Bar Reporter.

Court, Phillies Celebrate Jury Service

The Phillie Phanatic dances with Philadelphia Court of Common Pleas Judge Jacqueline Allen at Juror Appreciation Day at the Criminal Justice Center on May 14. The program, which thanks jurors for performing their civic duty, also featured remarks from Mayor Michael Nutter (top right) and Phillies Executive Vice President Michael Stiles (right), a former judge and U.S. Attorney. The program was sponsored by the First Judicial District and Pennsylvanians for Modern Courts.

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continued from page 19
Awards

continued from page 1

or program specifically targeted to solo and small firm lawyers.

“Our Philadelphia Bar Association fulfills its dual mission to serve the profession and the community each and every day,” said Chancellor Sayde J. Ladov.

“There is no higher accolade than winning the Harrison Tweed Award. This award, which exemplifies the spirit of cooperation between bench and bar, honors the work of the Bar Association, VIP and the National Legal Aid and Defender Association, is presented to those who worked so hard to launch the program that is receiving worldwide attention. The Bar is humbled to have been singled out by the ABA for this honor,” she said.

“We are very pleased to receive the Solo and Small Firm Project Award from the ABA,” said Law Practice Management Division Co-Chair Mary F. Platt. “It is truly a great honor. All the credit goes to those who worked so hard to launch the Law Practice Management Division, including the Solo and Small Firm Committee.”

“Former Chancellor Alan Feldman and former Board Chair Debbie Weinstein conceived the idea and worked tirelessly with Carl Roberts, Joe Prim and Dan Siegel to make it a reality. We owe all of these lawyers a big thank you,” Platt said.

The Tweed Award was created in 1956 to recognize the extraordinary achievements of bar associations in increasing access to justice for the poor. The award, given annually by the ABA Standing Committee on Legal Aid and Indigent Defendants and the National Legal Aid and Defender Association, is presented during the ABA Annual Meeting at a joint luncheon of the National Conference of Bar Presidents, National Association of Bar Executives and National Conference of Bar Foundations.

As the number of mortgage foreclosure filings reached record levels in 2008, the leadership of the Philadelphia courts turned to the Mortgage Foreclosure Steering Committee, chaired by former Court of Common Pleas President Judge C. Darnell Jones II and Judge Annette M. Rizzo. The committee includes representatives from the City Solicitor’s Office, Sheriff’s Office, attorneys representing lenders and borrowers, housing and community activists and committees and Philadelphia Bar Association members.

Together, they formed the Residential Mortgage Foreclosure Diversion Pilot Program. Since its introduction in June 2008, the program has enabled nearly 1,000 low-income Philadelphia homeowners to keep their homes. Other municipalities have turned to the Philadelphia program as a model for their own.

Once a mortgage foreclosure complaint is filed in Common Pleas Court, homeowners receive a conciliation conference date and are urged to call the Save Your Home Philly Hotline. When homeowners call, they are given an appointment with a housing counselor. Homeowners work with the counselor to develop a new finance plan that is delivered to the lender 10 days before the conciliation conference.

Special conciliation conferences are held weekly where volunteer lawyers and private attorneys gather with their clients, housing counselors and lenders to work out affordable loan modification or repayment plans. Judges and judges pro tem (also volunteers) are on hand to work out compromises as needed. The Bar Association has played a key role by recruiting and training hundreds of volunteer attorneys assisting homeowners and judges pro tem who preside at the weekly conferences.

This is the fourth time the Philadelphia Bar Association has been recognized with the Tweed Award. In 1996, the Association received the honor for its efforts in obtaining $2 million in state funding for legal services, sensitizing a key senator about legal services and developing additional funding sources for local public service programs.

In 1988, the Bar was honored for the outstanding leadership and support given in revitalizing and expanding Philadelphia Volunteers for the Indigent Program which markedly increased the availability of high-quality legal services for the needy. And in 1970, the Bar was honored for developing and maintaining a broad program of legal aid and defender services.

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Diversity

continued from page 23

partners regarding the associates. She was struck by the fact that discussion about a white male centered on his potential in spite of his many acknowledged mistakes. However, the attorneys of color were not granted this same leeway regarding errors and were not seen as having the same potential.

Unfortunately, the media focused rather exclusively on Mr. Holder’s one sentence regarding cowards and did not elaborate on the rest. Mr. Holder also stated: “Perhaps the greatest strength of the United States is the diversity of its people and to truly understand this country one must have knowledge of its constituent parts. But an unstudied, not discussed and ultimately misunderstood diversity can become a divisive force.”

Finally, let me restate some positions that I have previously mentioned. I believe that employees, irrespective of their diversities, are hired to do a job and should do it. But I also acknowledge that there are times when the work environment does not allow this to happen due to its lack of inclusion. I believe that diversity and inclusion are an important contribution to the mission of an organization and should be linked to stated business goals and objectives. And I believe that diversity programming that is appropriately matched with the organizational culture can yield significant benefits for all employees, not just those who are traditionally thought of as “diverse,” thereby enhancing business and the organization.

Aside: Initially, I had written “white people” instead of white individuals and this created an interesting response with a couple of my co-workers who reviewed this article prior to publication. This led to our own internal discussion on the use of this term, as well as “white folks,” “black folks” and “black people” – the different connotations as well as internal reactions that each elicited. Although abbreviated, we are having that conversation. We hope you join us in this dialogue.

Sean Kathleen Lincoln, Ph.D., is Director of the Office for Diversity for the Philadelphia Bar Association. Comments may be sent to diversity@philabar.org.
Julia Swain, an associate with Fox Rothschild LLP, recently received the “White Hat Award” from the Legal Clinic for the Disabled at the Seventh Annual LCD Spring Celebration and Silent Auction on April 16 in honor of Swain’s “dedicated volunteer work on behalf of people with disabilities.”

Neil A. Stein, a principal with Kaplin Stewart Meloff Reiter & Stein, P.C., participated on a panel for Lorman Education Services “Zoning Subdivision and Land Development Law” on March 5 in Allentown. Stein was the course planner of the Pennsylvania Bar Institute’s yearly “Real Estate Update” program.

Maria A. Feeley, a partner with Pepper Hamilton LLP, has been named one of Philadelphia’s leading young professionals by the Philadelphia Business Journal in its annual “40 Under 40” list.

Kevin E. Raphael, a partner with Pietragallo Gordon Alfano Bosick & Raspanti, LLP presented two programs at the College of Philadelphia’s Center for Law in its “Real Estate Update” program.

Rhonda Hill Wilson, principal in the Law Offices of Rhonda Hill Wilson, P.C., recently served as vice-chair for the United Negro College Fund’s inaugural Yesterday – A Celebration for Black History Reception at the Pyramid Club.

Patrick Kingsley and Jeffrey Grossman, partners with Stradley Ronon Stevens & Young, LLP have been appointed as chairs to the two Defense Research Institute fidelity surety law subcommittees.

Lynn A. Marks, executive director of Pennsylvanians for Modern Courts, received a Gavel Award from Community College of Philadelphia’s Center for Law and Society on March 3 at its Law and Society Awards Luncheon.

Bart Cassidy and Brett Siensky of Marko, Gold, Katcher & Fox, LLP, addressed industry representatives, business owners, environmental managers and others at the Pennsylvania Chamber of Business and Industry’s Environmental and Energy Conference and Trade Show: Climate Change and Reducing Your Carbon Footprint on April 7 and 8 in Lancaster, Pa.

Theresa Glennon, the Jack E. Feinberg Professor of Law at Temple University Beasley School of Law, has been elected to the Board of Directors of the Education Law Center.

Judges Correale F. Stevens and Richard B. Klein of the Pennsylvania Superior Court recently presented oral argument to a panel of student judges in an appellate advocacy presentation at Drexel University Earle Mack School of Law.

Natalie S. Plummer, an associate at Bennett, Bricklin & Saltzburg LLP, has been appointed to the Board of the Camden County (N.J.) Boys and Girls Club.

Gina F. Rubel, president and CEO of Furiya Rubel Communications, was honored by the National Italian-American Political Action Committee with its Special Achievement Award in Legal Communications and Media.

Michael S. Harrington, a partner with Fox Rothschild LLP, spoke at the 4th Annual Emerging Technologies for the Enterprise Conference on March 26-27.

Joanne Fishman of Jacobs & Fishman, P.C. has been elected president of the Lawyers’ Club of Philadelphia.

Thomas J. Duffy, a member of Duffy + Partners, has been named the “2009 Champion in the Community” by Magee Rehabilitation in honor of his firm’s support of Magee’s patients and programs, most notably Magee’s Wheelchair Sports League.

Bruce Bellingham, an associate with Spector Gadon & Rosen, P.C., has been named recipient of the Philadelphia Volunteer Lawyers for the Arts Volunteer of the Year award from the Arts & Business Council of Greater Philadelphia.

Claudia Springer and Scott Esterbrook of Reed Smith LLP were recognized for leading a team of attorneys for their work on the acquisition of Bosco’s Inc. by BFL-Acquisitions Inc., a deal valued in excess of $100 million.

Abbe F. Fltman, a shareholder at Flaster Greenberg, P.C., has been nominated to become a Fellow of the American Bar Foundation, an organization of lawyers, judges, law faculty and legal scholars who are elected by their peers because of their outstanding achievements in the legal profession.

James C. Schwartzman, a shareholder with Stevens & Lee, has been re-elected to the Board of Directors of Independence Blue Cross.

Jay Barry Harris, senior partner at Fine, Krellstein & Harris, spoke to fellow members at the International Association of Defense Counsel recent mid-year meeting in Carlsbad, Cal.

Patricia M. Dugan, a civil and a Catholic Canon Lawyer, in March chaired and presented the Symposium “Future Developments in Pinal Law: U.S. Theory and Practice” in Rome, Italy, for members of the Vatican Curia, at the invitation of Archbishop Cocopalmerio, president of the Pontifical Council for Legislative Texts.

Matthew DiClemente, a partner with Stradley Ronon Stevens & Young, LLP, was honored as a Rising Star of Mutual Funds in 2009 by Institutional Investor New at the 16th annual Mutual Fund Industry Awards in New York.

Jill Friedman, a member of the pro bono program and an adjunct professor at Rutgers University School of Law – Camden, has been elected to the Board of Directors of Camden’s LEAP Academy University Charter School. Friedman directs the law school’s Street Law Pro Bono Project and other legal education projects.

Doreen Y. Trujillo, a member of Cozen O’Connor, has authored a chapter in Inside the Minds: Global Patent Prosecution, published by Aspatore Books. The text is an insider’s perspective on the development of a global patent strategy in order to effectively manage intellectual property.

Neil A. Morris, a partner with Archer & Greiner, P.C., has been appointed as Special Counsel for labor negotiations for the Borough of Oxford, Chester County, Pa.

Howard D. Scher, co-managing shareholder of Buchanan Ingersoll & Rooney PC, was recently nominated to become a Fellow of the American Bar Foundation.

Robert Rovner, CEO and founder of Rovner, Allen, Rovner, Zimmerman & Nash, has been reappointed as a member of the Pennsylvania Lawyers Fund for Client Security Board for a second three-year term by the Pennsylvania Supreme Court. Rovner has also been appointed to the Temple University Board of Trustees.

Carol Nelson Shepherd, a partner with Feldman, Shepherd, Wohlgelernter, Tannen, Weinstock & Dodig, served as a faculty member for the Pennsylvania Bar Institute program “Trial Tactics, Tips and Techniques” on April 17.

Scott Schwartz, a member of Cozen O’Connor, served as an adjunct professor for the Drexel University Antoinette Westphal College of Media Arts & Design. He taught Copyrights and Trademark for Entertainment and the Arts during the college’s 2009 winter term. He served, as a panelist for the discussion “Ten Tips on Trademark Trial and Appeal Board Practice,” sponsored by the Pennsylvania Bar Institute’s Intellectual Property Law Institute on March 19.

Evan Y. Liu, M.D., of Feldman, Shepherd, Wohlgelernter, Tannen, Weinstock & Dodig, has been elected co-chair of the Community Outreach Committee of the Asian Pacific American Bar Association of Pennsylvania.

Michael F. Schleigh of the Law Offices of Deasy, Mahoney and Valentini has been appointed to fill a vacancy on the Borough of Lansdowne Council.

Gary Schildhorn, a member of Eckert Seamans Cherin & Mellott, LLC, moderated a panel discussion as part of Bankruptcy in 2009: Practical Challenges, Scholarly Responses – The 2009 Temple Law Review Symposium on April 16.

NAMES ARE NEWS

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