Hon. Jonathan Lippman, chief judge of the state of New York and a strong advocate for equal access to justice, will be the keynote speaker at the Bar Association’s Monday, June 27 Quarterly Meeting and Luncheon.

The Association will also present the Sandra Day O’Connor Award to U.S. District Court Judge Cynthia M. Rufe at the event. 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 Association will also honor the newest members of its Year Clubs, attorneys who have been practicing law for 50 years or more.

As the state’s chief judge, Lippman has championed equal access to justice issues and taken an active leadership role in identifying permanent funding streams for civil legal services, strengthening the state’s indigent criminal defense system, addressing systemic issues in New York’s courts, and promoting greater access to justice for all New Yorkers.

Calling it a “positive endorsement of the Philadelphia Bar Association’s thorough evaluations of judicial candidates,” Association Chancellor Rudolph Garcia said he is “extremely pleased” that all 11 Democratic judicial nominees for Philadelphia Common Pleas Court and Municipal Court in the May 17 primary election received “Recommended” ratings by the Association’s nonpartisan Commission on Judicial Selection and Retention.

“The hard work of our Judicial Commission helped Philadelphia voters make informed choices at the polls,” said Garcia. “The Commission and its investigative division spent hundreds of hours investigating and evaluating the qualifications of this year’s large number of judicial candidates. We did this as a public service, as we do each judicial election year. It is great for Philadelphia that 100 percent of the winning Democratic judicial candidates were found recommended to serve by our Judicial Commission.”

The Association’s Campaign for Qualified Judges used television and radio spots, print and online advertisements, targeted emails and flyer distributions to educate voters about the Commission’s ratings. The ads directed voters to a banner on the homepage of the Association’s website at www.philadelphiabar.org that contained a link to print the candidates’ ratings so that voters could bring the list to the polls.

Garcia also appeared on several TV and radio shows to explain the Judicial Commission’s process and encourage voters to consider the ratings when casting their ballots.

continued on page 24
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In Its 20th Year, Public Interest Section is Stronger Than Ever

Our public interest law community is second to none.

Every day, more than 30 different organizations serve Philadelphia’s most vulnerable citizens. Those organizations and about 3,000 volunteers at private firms are handling 50,000 cases a year for people who can’t afford to pay for legal services. That should make us all proud to be Philadelphia lawyers.

Unlike others throughout the country, the various groups within our public interest community also work together as a united force to achieve their common goals. That leverages their talents and increases their impact on the public good.

In no small measure, this extraordinary level of cooperation grew from seeds planted 20 years ago when our 64th Chancellor, Robert C. Heim, met with several leaders of the public interest bar.

In addition to Chancellor Heim, the attendees were Louis Rulli, as executive director of Community Legal Services; Eve Biskind Klothen, as executive director of Philadelphia VIP; Robert Schwartz, as executive director of the Juvenile Law Center; Michael Churchill, as chief counsel of the Public Interest Law Center of Philadelphia; Richard Weiner, as a private attorney; Carl (Toby) Ocholm III, as a private attorney; and Kenneth Shear, as executive counsel of our Bar Association.

Chancellor Heim called the meeting to present the group with this inspired challenge: What if the Philadelphia Bar Association could find a way to combine the expertise and dedication of public interest lawyers with the resources and energy of the private bar to provide pro bono legal help to disadvantaged Philadelphians?

Many questions were raised in the discussion. Ultimately, the group decided to propose the concept to a wider range of public interest and private bar leaders.

After much deliberation, a consensus emerged that a new Public Interest Section would serve as a unifying force — a vehicle to enhance public-private pro bono partnerships, and a lever to expand legal services for those who could not afford them.

In May 1991, our Board of Governors passed a resolution, and the Public Interest Section was born.

Membership grew to 200 lawyers in less than a year, and it has doubled since then. At the heart of the Section are Philadelphia’s award-winning public interest law agencies, whose lawyers have set standards nationwide: from front-line impact litigation for civil rights and freedom of speech, to direct services provided to indigent people facing eviction, abuse, discrimination or denial of benefits.

Seven committees now fall under the umbrella of our Public Interest Section: Civil Rights, Delivery of Legal Services, Law Firm Pro Bono, Law School Outreach, Legal Rights of Children, Legal Rights of Persons with Disabilities and continued on page 18

By Rudolph Garcia

Time is money, and yours is precious. Why waste attorney or staff time gathering information from multiple sources when the Philadelphia Bar Association’s Legal Directory has everything you need in one place?

The just-released 2011 Legal Directory features hundreds of new phone numbers, emails, government officials, judges, contacts, law firms and attorneys — including information that you won’t find with a quick search on the Internet!

The Legal Directory keeps you up-to-date with the most comprehensive information on the metro-area legal community, in print, online and on your handheld. The mobile interface is tailored for smaller screens — simply click on a number or email; your handheld will dial the number or generate an email template.

All three versions of The Legal Directory are bundled in one package for one, cost-effective price: the online directory at thelegaldirectory.org, mobile access and the traditional print directory.

The wealth of data in The Legal Directory 2011 includes:

- More than 18,000 attorneys and law firms listed alphabetically
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- Government agency listings with staff attorney contacts
- Index of judges, with phone numbers and faxes for chambers
- A special section devoted to corporate counsel
- Alternative dispute resolution resources
- Bar Association bylaws, contacts and committees
- A business-to-business supplier section tailored to the legal community

In our fast-paced world, it’s more critical than ever to access up-to-date information. Firms have merged, organizations’ boards have changed, court fees and rules have been modified, and attorneys have switched firms. You can rely on The Legal Directory to have the information you need, when and where you need it.

This is the only official publication of the Philadelphia Bar Association, the oldest charter bar association in the country. No other resource has the imprimatur of the most respected legal organization in the five-county area.

Order The Legal Directory now and get this amazing triple-play — print, mobile and online — for just $79.95 plus shipping and tax.

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Kenneth R. Feinberg has designed and implemented the compensation programs related to the Agent Orange Settlement, the 9/11 Victim Compensation Fund, the Hokie Spirit Memorial Fund established in the wake of the Virginia Tech shootings, and most recently the BP Gulf Oil Spill Fund.

Some have questioned whether this model could be applied to mass tort cases in general. However, as Feinberg made clear at the Chancellor’s Forum presented by the Business Law Section on April 28, he believes that these programs are a precedent for nothing.

Feinberg explained that from Agent Orange to 9/11 to Virginia Tech to the Gulf Oil Spill, each situation created different problems, each one arose under very unique circumstances and the issues in each are vastly different. Feinberg cautions that we should not draw too many conclusions from these programs. He is also dubious when policy makers put one person in charge to “take care of it,” and wonders if it is sound public policy to delegate this much authority to that one person. However, Feinberg thinks that the programs have worked well and that there is a place for them. And he stresses that these programs work because they are designed to work. But the tragedy must rise to a level that forces lawmakers to say “we have to do it for this situation and only this situation.”

While Feinberg defends the 9/11 Fund and believes it was the right thing to do, he also feels that it was a very, very close question. He stated that what he does raises some serious philosophical questions. For instance, he received inquiries from families of the victims of Oklahoma City, the USS Cole and the first World Trade Center bombing asking why they were not entitled to compensation. Feinberg also described a situation where one day a widow of a New York firefighter visited him and extolled the virtues of her husband and praised his role as a father to their three children. The next day, he received a call from a lawyer representing the girlfriend of that same firefighter, who was the mother of two additional children. That was but one example of the complex issues that these situations present.

Feinberg pointed out that, human nature being what it is, everybody counts other people’s money. He thinks that BP rues the day that it announced the $20 billion fund in light of the fact that in nine months, they have received 850,000 claims from individuals and businesses from all 50 states. He stressed that those who establish these programs have to address more than the terms and conditions of the program. The real challenge is dealing with the emotion of the claimants. It is important to remember that you are dealing with people who have been wronged or feel they have been treated unfairly. In the Gulf, the emotion of the situation is driven by the financial uncertainty of the future.

Edward P. Kelly (ekelly@astorweis.com) a partner with Astor Weiss Kaplan & Mandel, LLP is an associate editor of the Philadelphia Bar Reporter.

Chancellor Rudolph Garcia was interviewed by Fox 29 news anchor Thomas Drayton on May 11 about the judicial elections and the work of the Bar Association’s Commission on Judicial Selection and Retention. Garcia also appeared on NBC10’s “@ Issue” with Steve Highsmith on May 15 to discuss the judicial elections.
June CLE Calendar

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

6/1
- PLI - Health Care 2011
- The Future of School Voucher Programs in PA

6/2-3
- PLI - Corporate Compliance & Ethics Institute 2011

6/3
- State and Local Tax Aspects of M&A

6/4
- Social Media in Divorce Cases
- Litigating Tractor Trailer Accidents

6/7
- Control Your Process, Control Your Costs - New Protocol in Arbitration
- PLI - Negotiating Real Estate Deals 2011

6/8
- Agricultural Law Forum - 2011
- PLI - Fundamentals of Mutual Funds 2011

6/9-10
- Taking and Defending Defeasings for Law and Expert Witnesses
- PLI - Acquiring or Selling the Privately Held Company 2011

6/10
- 2011 Federal Bench Bar Conference - At Rittenhouse Hotel
- Surviving Catastrophe: Recovering Professionally and Healing Personally

6/14
- Dealing with the Problem Employee
- Legal Issues Affecting Military Personnel

6/15
- General Practitioners’ Update 2011
- Succession Planning for Family and Closely Held Businesses
- Implementation of the Interbranch Commission’s Recommendations
- Civil Practice and Procedure in the Philadelphia Court of Common Pleas
- How to Manage & Grow a Small Firm
- Boundary Law in Pennsylvania
- Flowing in the Future: Evolving Water Issues

6/16
- PLI - Audit Committee Workshop 2011
- ARBs and ADRs: An Insightful Look at...

6/17
- PLI - Employment Discrimination Law & Litigation 2011
- Witness Preparation

6/20
- Protecting Students with Disabilities: A Guide to Section 504 in Public Schools

6/21
- Flowing in the Future: Evolving Water Issues

6/22

6/23
- Deconstructing the Sentencing Guidelines
- PLI - Negotiating Real Estate Deals 2011

6/24
- Agricultural Law Forum - 2011
- PLI - Fundamentals of Mutual Funds 2011

6/27
- Taking and Defending Defeasings for Law and Expert Witnesses

6/28
- PLI - Acquiring or Selling the Privately Held Company 2011

6/29
- 2011 Federal Bench Bar Conference - At Rittenhouse Hotel
- Surviving Catastrophe: Recovering Professionally and Healing Personally

6/30
- Title Insurance 101
- PLI - Internal Investigations 2011: Investigations in the Aftermath of Dodd-Frank
YLD Reaches Community With Law Week 2011

District Attorney R. Seth Williams (left) addresses high school students at the Lawyer for a Day program on May 6. Williams spoke after the students watched trials at the Criminal Justice Center. Daniel A. DeLiberty (above) offers free legal advice at Legal Advice Live! at the Central Branch of the Free Library of Philadelphia on May 2.

Two of the Three Little Pigs (left) prepare to testify in the trial of B.B. Wolf in a program for elementary school students at City Hall on May 6. Carl Cardozo of Father Judge High School is greeted by past Chancellor Edward F. Chacker at the U.S. Courthouse on May 2. Cardozo was the winner of the 2011 Edward F. Chacker Essay Contest and received a $1,000 college scholarship. Cardozo read his essay to those attending a naturalization ceremony at the courthouse.

Babette Pace and Ourania Papademetriou (above) address students at Greenfield School on May 3 as part of the Lawyer in the Classroom program, where attorneys visit schools and talk about their careers. Chancellor-Elect John E. Savoth (right) speaks to new American citizens at a May 2 naturalization ceremony before U.S. District Court Senior Judge Norma L. Shapiro. Nearly 100 people from 37 nations took the oath of citizenship at the program, sponsored by the Philadelphia Bar Association.
The YLD had a very busy and exciting month of May. Between the events of Law Week and our Casino Night fundraiser, many thanks are due for the terrific work of the scores of volunteers, committee members, and all those who contributed in any way.

Once again, this year’s Law Week activities proved to be a successful and welcomed community outreach effort throughout the Philadelphia area. Under the direction of Law Week Co-Chairs Matt Laver and Roxane Crowley, and with the hard work and efforts of several committee members, this year’s events saw record numbers of attendees to several of our programs, including Lawyer for a Day, Legal Advice Live! and the Goldilocks program. Thanks to all who participated; each volunteer truly played a role in making this year’s programs the success that they were.

Special thanks are due to all of our Casino Night sponsors, as well as those who donated items to the raffle. We had a great turnout for the event, the tables were well-attended throughout the night, and feedback about the event was extremely positive. As a result of the joint efforts of our planning committee, several Executive Committee members, and the bar staff, we were able to make a sizeable contribution to the Bar Foundation.

Despite a busy first half of the year, there’s still plenty on the agenda in the coming months. Once again this year, the YLD will host a guest chef dinner at the Ronald McDonald House, 3925 Chestnut St. on Tuesday, June 7, beginning at 4 p.m.

The Philadelphia Ronald McDonald House is a home-away-from-home for families and their seriously ill children who are being treated at area hospitals. What makes the Philadelphia Ronald McDonald House special is its caring environment where families find physical and emotional comfort through one another and through volunteers. Volunteers are asked to cook a full meal for approximately 80 to 90 residents of the house. Meal preparations begin at 4 p.m., and dinner is served at about 6 p.m.

We are seeking 15 to 20 volunteers to share in this valuable experience. It is a fun way to spend your afternoon/early evening, and it’s a terrific opportunity to give back to your community.

Please contact Matthew Laver (mlaver@wglaw.com) if you are interested in volunteering or need more information about the event.

On Thursday, June 16, the YLD will hold our annual Diversity Scholarship Awards Ceremony and Reception. This year’s event will be held at the new Kokopelli Restaurant at 1904 Chestnut St., from 5:30 to 7:30 p.m. Each year, the YLD awards scholarships of no less than $500 to each of five minority law students who desire to practice law in Philadelphia following graduation. Criteria for selection of eligible candidates is based upon a variety of factors, including academic achievement, demonstrated commitment to community service and bar association involvement, financial need, and an expectation of practicing law here in the Philadelphia region. The event itself is free to attend, and we encourage all to come out, support the YLD’s commitment to diversity and recognize the accomplishments of our awardees. Please contact Aneesh Mehta (amehta@vklaw.com) for more details about the event.

Finally, plans for the YLD Night at the Phillies are underway! This year’s event will take place on Friday, July 22 when the Phillies host the San Diego Padres. Gametime is 7:05 p.m., but the YLD will host a pre-game tailgate networking event at McFadden’s from 5 to 7 p.m. The pre-game event includes food and drink. Only a limited number of tickets are available and must be purchased by June 21. For ticket sales and more information about the event, see the YLD website or the YLD Facebook page.

As always, if you have questions about any of our YLD events or are looking to become more involved with a particular program, please contact me. Hope to see you all at our June events!

Carolyn M. Chopko (ctchopko@feldman shepherd.com), an associate with Feldman Shepherd Wohlgelernter Tanner Weinstock & Dodig LLP, is chair of the Young Lawyers Division.

YLD Has Even More in Store During June

By Carolyn M. Chopko

YLD Casino Night a Big Winner for Bar Foundation

More than 100 people attended the Young Lawyers Division Casino Night fundraiser on May 14 at the Radisson Plaza-Warwick Hotel. The event featured table games including blackjack, roulette and poker as well as a silent auction. The event raised funds for the Philadelphia Bar Foundation.
Follow Rules with Funds, Avoid Discipline

**By Nicole Edwards**

Many attorneys subject to disciplinary action with respect to the mishandling of client funds have made unintentional mistakes that could have easily been avoided through familiarity with the rules.

Attorneys Barbara S. Rosenberg and Joni J. Berner reviewed Rule of Professional Conduct 1.15, the rule governing the handling of client funds, and offered tips on avoiding common mistakes at an April 25 CLE program presented by the Professional Responsibility Committee.

Rule 1.15 pertains to any funds that an attorney receives from a client or third party in connection with the attorney-client relationship. These funds may be divided into two categories – qualified funds and non-qualified funds.

Qualified funds are funds that are either of a nominal amount, or are reasonably expected to be in the attorney's possession for a short period of time. Given these characteristics, these funds do not benefit from being stored in segregated accounts, and, instead, are typically stored in IOLTA accounts. Conversely, non-qualified funds are funds that are either of a larger dollar amount, or are reasonably expected to be in the attorney's possession for a longer period of time. These funds are usually stored in a non-IOLTA account or other investment vehicles.

Regardless of the type of funds considered or the type of account used, Rosenberg and Berner cautioned that attorneys must pay special attention not to commingle their funds with their clients' funds while in their possession. They stated that once an attorney bills a client, within a reasonable period of time, the attorney must have the trust disburse those funds to the attorney. Moreover, the funds must be transferred to a separate account before an attorney may use them. In fact, the rules require that at all times when an attorney has an account open for client funds, the attorney must also maintain a separate account that is not used for any client funds.

Rosenberg and Berner concluded the meeting by discussing the type of record an attorney should maintain with respect to client trusts. They advised that attorneys should keep all transactional statements received from the financial institution where the trusts are housed. Additionally, they advised that attorneys should maintain a check register or separately maintained ledger for each trust account. They also stated that attorneys should keep records of anything showing why they were engaged in a particular transaction within the trust. Such records include cost records, billing statements and statements of distribution.

Rosenberg and Berner stated that the goal is to have a system in place where the attorney can reconcile a client's account with the larger IOLTA account, and reconcile the larger IOLTA account with the bank statements. They advised that in Pennsylvania an attorney must maintain an individual record for each client for five years after the client relationship ends.

Valuations Challenging in Divorce, Panel Says

**By Lisa M. Sharpson**

Thanks to constantly changing tax rates and tax laws, attorneys face accounting nightmares when trying to make valuations of assets in divorce cases. Philadelphia County Special Master in Divorce Dennis O'Connell and Edwin Rosenthal, CPA, discussed the issue and the case of Balicki vs Balicki, 4 A.3d 654, 2010 PA Super 134 at the May 2 meeting of the Family Law Section.

The parties in Balicki were married for 26 years. During the marriage, the wife was a homemaker and the husband was a part owner of an insurance agency that had been in his family for more than two generations. After a hearing before a special master in divorce, the master valued the husband's interest in the insurance agency at $610,590, refusing to accept the husband's request to reduce the value to $469,655 for projected tax consequences and expenses of selling the business. The master's decision was based on an assumption that since the business...
1,500 Make 32nd Annual Bar 5K a Success

John Hayburn (264) won the 5K, which featured approximately 1,500 participants. The Run/Walk raised $120,000 for the Support Center for Child Advocates.

Elizabeth Branson (from left) U.S. Attorney Zane D. Memeger, Joe Tucker and Rachel Branson meet before the May 15 event.

Race Co-Chair Manny D. Pokotilow (from left), joins Chancellor Rudolph Garcia and Support Center for Child Advocates Executive Director Frank Cervone.

A team from the First Judicial District including (above, from left), Roberta Trombetta, Judges Donna Woelpfer, Daniel J. Anders, Alice Dubow and Linda Carpenter meet with Cervone prior to the race. The Milby family (left photo, from left) Sarah, Eric, Maggie, Megan and Ella.
GREEN RIBBON COMMITTEE

Bringing Green Office Practice to Law Firms June 2

By Tricia Sadd and Judy Stouffer

The Bar Association’s Green Ribbon Committee, a subcommittee of the Law Practice Management Committee, will present a panel discussion on the benefits of bringing green office practices to law offices and provide strategies for going green on Thursday, June 2.

“The Road to Green: Cost-Saving Sustainability Tips for Legal Departments and Law Firms of All Sizes” begins at 4 p.m. in the 10th floor Board Room of Bar Association headquarters.

Immediately following the meeting, the Committee will host a dinner at Bistro 7 at 7 N. 3rd St. in support of Dine In/Help Out beginning at 5:30 p.m. Dine In/Help Out is the St. Christopher’s Foundation for Children effort to bring affordable, healthy, farm-fresh food into North Philadelphia, one of the hungriest neighborhoods in America, second only to the Bronx.

Firms that sign onto the Bar’s sustainability pledge – located at philadelphia-bar.org – will be acknowledged on the Bar website and in future issues of the Bar Reporter. If your firm already participates in a program, such as the American Bar Association Climate Challenge, the Pennsylvania Bar Association PLUS Program, or the Environmental Protection Agency’s WasteWise Program, let us know so we can grandfather you into our pledge.

In celebration of Arbor Day, the Green Ribbon Committee, in partnership with Montgomery McCracken, Walker & Rhoads, LLP and Exelon Corporation, held a day of service at the Riverbend Environmental Education Center in Gladwyne, Pa. A group of 25 volunteers planted 100 deciduous trees on a steep side slope to stabilize the ground and help the slope recover from overgrowth from invasive plants.

For practical tips on going green, be sure to check out our Web page for the Green tip of the month (http://www.philadelphiabar.org/page/green). And, by all means, if you have some suggestions, please do share – we will be sure to give you/your firm credit for those tips.

If you are interested in learning more or joining our effort, the Committee meets at 8:45 a.m. at Montgomery McCracken, 123 S. Broad St., 28th floor, on the second Tuesday of each month. In the meantime, we hope you will be able to attend the panel presentation and/or dinner on June 2.

Tricia Sadd (TSadd@mww.com) and Judy Stouffer (jstouffer@bernerklaw.com) are co-chairs of the Green Ribbon Committee. Sadd is a partner at Montgomery McCracken, Walker & Rhoads, LLP; Stouffer is the law firm administrator/senior paralegal at Berner Klaw & Watson LLP.

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Members of the Green Ribbon Committee plant trees at the Riverbend Environmental Education Center in Gladwyne, Pa. on April 29.
New DEP Secretary Leaning on Five Pillars

By Angie Halim

New Pennsylvania Department of Environmental Protection Secretary Michael Krancer says his decision-making is best when it rests on five pillars – legal, policy, budget, legislative and communication.

Kocrancer told members of the Environmental Law Committee on April 29 that he has assembled a strong team and four of the five pillars are already in place. He said the DEP is actively in the process of getting the communication pillar in place.

His goal is to leave a legacy of a proactive department with a strategic communication presence. Krancer said communication has been “out of control” and DEP needs to control communication so as to counter bad messaging. Prior press coverage of DEP has been replete with “shoddy factual reporting,” misstatements, statements taken out of context, and emotional reaction, Krancer said. DEP’s primary mission has always been – and will continue to be – to protect public safety. Key to protecting public safety, said Krancer, is to ensure that policies are put into place based on sound science, not emotional reactions.

DEP’s primary goal at this time is to get “back to the basics,” and to make sure the department is doing what it should to accomplish its mission, according to the DEP website, “Pennsylvania’s approach to the redevelopment of brownfields has proven to be a national model for transforming abandoned, idle properties into economic opportunities.”

In addition to focusing on brownfields, Krancer said Pennsylvania is in a unique position to focus on brightfields to harness solar power. The state has an over-supply of solar power, and Pennsylvania is a “perfect place for success stories” in the solar energy realm. It is important, he said, to compete to get access to limited capital to develop sites. Pennsylvania needs to be on the “forefront of competing for brownfields capital and markets.” Krancer predicted that we will see changes at DEP that will put brownfields in a more prominent spot.

Kocrancer compared his view on energy sources to successful stock and investment strategy – a varied portfolio is ideal. Energy sources should include wind, solar, nuclear and coal. With respect to coal, the reality is that coal will stay around for the foreseeable future.

Kocrancer provided insight about the Marcellus shale that is found in much of Western Pennsylvania where a huge labor pool extracts natural gas from the shale through a fracking process. Krancer said that a lot of Pennsylvanians, including those in the urban areas, are getting lower gas prices for heating as a result of the efforts at Marcellus shale. He said that we need to “energize more support” for the plant in urban areas because benefits are flowing to those areas as a result of the plant. Krancer said that he wants to inject more organizational structure into DEP’s oil and gas program in the context of the Marcellus shale.

Angie Halim is an associate editor of the Philadelphia Bar Reporter.
Benefits of Mediation Discussed

By Regina Parker

There are many advantages to mediation over civil litigation and attorneys and their respective clients should be fully prepared to participate in the mediation process, a panel of mediators recently told the Women in the Profession Committee.

Retired Pennsylvania Supreme Court Justice Jane Cutler Greenspan, Judith P. Meyer and Harrie Samaras were the panelists for “Mediation from the Mediator’s Perspective.” They explained that in civil litigation, the parties’ attorneys are the only ones who represent their clients during the trial. In preparing for mediation, it is beneficial for both the attorney and client to know and understand the strengths and weaknesses of the case, and the settlement value of the case. It may also be beneficial to work on mediation submissions with the client. Case analysis is very important in a traditional negotiation as it provides a framework within which a case can be negotiated.

Choosing a mediator is also an important part of the mediation process. The mediator has to have several skills to make a reasonable agreement for both parties. In order to mediate successfully, the mediator should have a strategy and plan. The panelists explained that mediators not only focus on the legal aspects of the case, but also concentrate on the dynamics of it, including the emotional toll on the parties. Not all problems in the world can be resolved legally.

The panelists agreed that mediation means looking deeper into the problem, understanding it, and then offering the best decision to resolve the dispute. Mediation works best when parties are prepared and when they have all of the information they need to make a good, informed decision.

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Family Law
continued from page 8

had been in the husband’s family for generations, he was not likely to sell his interest. Both parties filed exceptions for various reasons. On exceptions, the court agreed with the husband’s position to reduce the value of his family business for costs and tax consequences of sale, even though a sale was not certain. When the divorce decree was entered, both parties appealed. The Superior Court agreed with the lower court.

The Superior Court applied two sections (23 Pa.C.S. §3502(a) (10.1) and (10.2) of the 2005 amendments to the Divorce Code, stating that the following must be considered:

• The federal, state, and local tax ramifications associated with each asset to be divided, distributed or assigned, which ramifications need not be immediate or certain.

• The expense of sale, transfer, or liquidation associated with a particular asset, which expense need not be immediate or certain.

Both the wife and the special divorce master believed that the expenses of sale and tax ramifications need only be considered if the husband was likely to sell his marital interest in the business. The Superior Court commented that it was the common practice prior to the 2005 amendments but that to continue such a practice would violate the clear directive of the legislature that mandated the costs and taxes be considered even if they are not “immediate and certain.”

How does this effect practitioners? According to Rosenbush, it creates an accounting nightmare as attorneys/experts are forced to make estimated calculations on expenses and tax ramifications, as tax rates and laws are constantly changing. O’Connell said his office regularly considers tax consequences and potential costs of sale, especially for real estate, since the 2005 legislative change. However, with regard to more complicated calculations, such as with businesses, each matter must be reviewed on a case-specific basis. However, O’Connell advised, you only get what you ask for. Therefore, if you expect an asset to be reduced for costs or tax ramifications from a sale you must be prepared to present the evidence on the appropriate reduction. Certainly, one way to do so is to hire an expert to calculate those tax ramifications and costs of sale and present that to the master for consideration in equitable distribution.
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Earn 7 CLE Credits at 2011 Bench-Bar

By Jeff Lyons

A total of 15 seminars with as many as seven CLE credits will be available at the 2011 Bench-Bar & Annual Conference on Oct. 14-15 at Harrah’s Resort Atlantic City.

“This year’s conference will offer a broad variety of CLE seminars with appeal to all segments of our Association,” said Shelli Fedullo, who along with Jeff Gross, serves as co-chair of the Bench-Bar & Annual Conference. “We have encouraged partnerships among sections and committees, and we look forward to what we know will be terrific collaborative programming. The conference will, as always, provide networking opportunities and promote collegiality as members of the bench and bar share ideas in a relaxed setting.” The conference will open with a plenary session on the Luzerne County “kids for cash” scandal. Additional details and panelists will be announced at a later date.

Friday’s programming follows with a presentation, “Civil Gideon: What Is It and Why Is It Needed?” by the Public Interest Section.

The Business Litigation Committee will present “Attorney-Client Privilege in the Corporate Environment: Practical Approaches and Recent Developments.”

The Criminal Justice Section and Young Lawyers Division will present “Subrogation, Set-Asides, etc.: What You Need to Know But Were Afraid to Ask.”

Facing Facebook, Facing Ourselves: Social Media in Child Custody Litigation” is a program from the Family Law Section.

The Diversity in the Profession Committee wraps up this segment of programming with “Survey Says: An Empirical Look at Diversity in the Legal Profession.”

Friday’s final program comes from the State Civil Litigation Section – “Tom Kline’s Real World in the Courtroom: Real Testimony, Real Trials.”

The Grand Reception closes out Friday’s events at The Pool at Harrah’s. The fun begins at 6 p.m. and runs to 9 p.m.

Saturday’s programming kicks off with the Criminal Justice Section’s “Problems with Misidentification Issues in Criminal Cases.”

“Is Anything Private Anymore? Testing the Limits of the Public’s and Parties’ Right to Know in Civil Litigation” will be presented by the State Civil Litigation Section.

The Appellate Courts Committee will present “Must I, May I, Should I: A Primer on When to Appeal.”

Three more CLEs follow a break, when attendees will be able to check out of their hotel rooms.

The Criminal Justice Section will offer “Civil Consequences of Criminal Convictions.”

“Social Media and Litigation: Wrangling the Wild West” will be presented by the Bar-News Media Committee.

The Probate and Trust Law Section, along with the Young Lawyers Division, will present “Orphans Court for the Uninitiated.”

The Bench-Bar & Annual Conference wraps up with a “State of the Court” luncheon presentation featuring the president judges of Pennsylvania and Philadelphia courts.

Harrah’s Resort offers more than 1,600 rooms and suites in four hotel towers near Atlantic City’s marina on Absecon Inlet.
The Grand Reception, one of the highlights of any Bench-Bar & Annual Conference, will be held Friday, Oct. 14 at The Pool at Harrah’s, one of the hottest nightspots in Atlantic City.

“This is going to be a fantastic poolside party,” said Bench-Bar & Annual Conference Co-Chair Jeff Gross.

The reception runs from 6 to 9 p.m. 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.
Register by Sept. 16 for Early-Bird Rate

Registration is now open for the 2011 Bench-Bar & Annual Conference Oct. 14-15 at Harrah’s Resort Atlantic City, with 15 CLE seminars and 7 possible credits available. Registration for members is $349 if booked by Sept. 16. For non-members, registration is $399. Members of the Young Lawyers Division and public interest and government attorneys can attend for $199.

For those wishing to attend only the Grand Reception at The Pool at Harrah’s on Friday, Oct. 14, tickets are $150 for all members and $175 for non-members. Tickets will be an additional $25 if purchased at the door.

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 and $349 for non-members. Members and guests wishing to attend without receiving CLE credit will pay $200. For non-members, the cost is $225. Admission includes all sponsored meals and events.

Those wishing to attend programs on Saturday, Oct. 15 will only pay $229, while YLD members and government and public interest attorneys can attend for $79 and $279 for non-members.

All hotel rooms will be located in the Waterfront Tower. Reservations can be made by calling 1-800-345-7253 and mentioning the “2011 Bench-Bar & Annual Conference.” Hotel reservations must be made by Sept. 26.

Hotel rates are as follows: Thursday, Oct. 13 - $129; Friday, Oct. 14 - $169; Saturday, Oct. 15 - $269. All rates are subject to tax.

Win an iPad 2 at Bench-Bar

To help build relationships of value between Bench-Bar & Annual Conference sponsors and Bench-Bar attendees, we’re giving each Bench-Bar guest a chance to win an iPad 2.

Each Bench-Bar attendee will receive a Welcome Packet at the event that includes a “passport” on which every Bench-Bar sponsor will be listed. Each attendee simply needs to take his or her passport to each of the sponsor tables at the event, talk a bit with the representative(s) there, and have each sponsor stamp the passport next to their company’s name. Once every sponsor at the event has stamped the passport, attendees can drop it off at the registration desk to be automatically entered into a raffle for an iPad 2. The drawing will be held at the end of the Bench-Bar & Annual Conference on Saturday, Oct. 15, 2011, and the winner must be in attendance to claim the prize.

Philadelphia Bar Association 2011 Bench-Bar & Annual Conference
October 14 - 15, Harrah’s Resort - Registration Form

<table>
<thead>
<tr>
<th>Registration Type</th>
<th>Member</th>
<th>Public Int. &amp; Gov.</th>
<th>YLD Member</th>
<th>Non-Member</th>
<th>Total</th>
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<tr>
<td>Full Conference - Early-Bird if Booked by September 16: Includes all CLE programming and all sponsored meals and events on Fri. and Sat. Early-Bird Rates, in red</td>
<td>$349</td>
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<td>Friday Only - Includes Reception: Includes all CLE programming and all sponsored meals and events on Fri.</td>
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<td>Saturday Only: Includes all CLE programming and sponsored meals on Sat.</td>
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<td>Non-CLE Credit and Guest Fee: Includes all sponsored meals and events on Fri. and Sat.</td>
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Registration Type: ___________________________ Total Due: ___________________________

Attendee Name: ___________________________

Nickname on Badge: ___________________________ (if different than above)

Company/ Organization: ___________________________

Guest Name(s): ___________________________

Address: ___________________________ City: ___________________________ State: ___________________________ Zip: ___________________________

Phone: ___________________________ Fax: ___________________________ E-mail: ___________________________

Credit Card Holder: ___________________________

Special Dietary Needs: ___________________________

Emergency Contact: ___________________________ Phone: ___________________________

Card Type: □ AMEX □ MASTER CARD □ VISA

Card Number: ___________________________ Expiration Date: ___________________________

Signature: ___________________________ Date: ___________________________

Mail to: Philadelphia Bar Association, 1101 Market St., 11th Fl., Philadelphia, PA, 19107-2955
or Fax to: 215-238-1159

Hotel reservations must be made directly with Harrah’s by calling 1-800-345-7253, or visit www.philabenchbar.org. Reference the Philadelphia Bar Association to receive our special group rate over the dates of October 13-15, 2011. Reservations must be made by Monday, Sept. 26.
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Frontline
continued from page 3
Women’s Rights.
Over the years, the Section and its committees have been led by an extraordinary succession of trailblazing attorneys. They have selflessly dedicated themselves to the cause of equal access to justice, in the honored tradition of the Philadelphia lawyer. And many of them continue to distinguish our profession in other key leadership posts within our bar and the broader community.
During the past two decades, the Section has advanced many resolutions that were passed by our Board of Governors on issues of great importance to the public. In so doing, the Section has worked to build a broad consensus in the legal community, and ultimately in the community at large, about important legal issues that affect us all.
Nearly every major firm in Philadelphia has partnered with the city’s public interest law centers in impact litigation of some kind. Collaborative efforts between private firms and nonprofit legal organizations have brought about a number of changes in law that affects low-income and vulnerable groups.
The Section also works with the Pennsylvania Bar Institute to produce an array of continuing legal education programs focusing on public interest law issues. For example, Public Interest Law Day is a full-day program on new developments in the law and ethical issues geared to staff attorneys who work at public interest organizations.
In 1999, the Section created the annual Judge A. Leon Higginbotham Jr. Memorial Public Interest Lecture on a civil rights or equal justice issue. The lecture has been presented annually by nationally recognized academics, politicians, journalists and organization leaders at a Bar Association Quarterly Meeting and Luncheon.
In 2002, Chancellor Allan H. Gordon appointed a Pro Bono Task Force that included members of all sectors of the bar. Section representatives were active in proposing ways for all lawyers to support public interest agencies and to ratchet up their pro bono commitment.
The Task Force made more than 70 recommendations, which the Section used as a template to expand pro bono services and support for the various entities included in the Delivery of Legal Services Committee.
While the judiciary has always been supportive, the judges have also responded to this synergy. In 2005, the First Judicial District formed its first-ever Pro Bono Committee, exploring ways to advance and support the work of legal services organizations and pro bono volunteers.
In 2009, Chancellor Sayde J. Ladov formed the Philadelphia Bar Association’s Civil Gideon Task Force to investigate and develop strategies to advance the implementation of a right to counsel in areas of adversarial civil proceedings where basic human needs are at stake.
In November 2009, the Board of Governors adopted the Civil Gideon Task Force’s Preliminary Report, Findings and Recommendations, which endorsed the development of pilot projects in eviction and mortgage foreclosure defense and custody cases as well as the development of an education and communications plan to inform the legal and public communities about the critical need to expand the right to counsel for low-income people faced with the threatened loss of these basic human needs.
As the Public Interest Section enters its third decade, it remains committed to ensuring that victims of poverty, abuse and discrimination receive unthwarted access to justice. The Section is dedicated to further expanding its impressive work through collaboration, expertise-sharing and community outreach and advocacy.
The Section will officially celebrate its 20th anniversary on Thursday, Dec. 1, with a reception and awards ceremony that is not to be missed. Please watch for further details and join us at this milestone event.
For more on the Public Interest Section’s wide-ranging activities and resources, please visit www.philadelphiabar.org. You will see that our bar’s commitment to the public interest is as strong as ever.
Congratualtions to our Public Interest Section on 20 years of extraordinary achievement! I can’t wait to see how much more will be accomplished in the years to come.

Rudolph Garcia (chancellor@philabar.org), a partner with Buchanan Ingersoll & Rooney PC, is Chancellor of the Philadelphia Bar Association.

Judicial Commission
continued from page 1
“We wanted voters to know not just who to vote for, but why the judicial elections are so important and why we invest so much time and energy in reviewing and rating these candidates,” the Chancellor said. “The Philadelphia Bar Association is the one place for voters to find a thorough, unbiased rating of the candidates.”
The Commission on Judicial Selection and Retention is independent and nonpartisan. It includes lawyers and non-lawyers. Among the members of the Commission are community leaders, officials including the district attorney, chief public defender, city solicitor, and the president judges of Common Pleas Court and Municipal Court, and representatives of minority legal groups and various sections of the Bar.
The ratings by the 30-member Judicial Commission followed extensive study and investigation by the Commission’s own 120-member investigative division, which includes 30 non-lawyer members. Candidates found “Recommended” satisfied a cumulative review of criteria including qualifications such as legal ability, experience, integrity, temperament, community involvement and judgment. Complete details can be found at www.philadelphiabar.org.
“The Commission rated all 45 candidates for the 11 open seats on Common Pleas Court and Municipal Court,” said Commission Chair Richard S. Seidel. “It was an enormous undertaking involving many hundreds of interviews by the investigative division and careful review, consideration and deliberation by the Commission.”

Immigration Committee Meets

Wendy C. Hess, chair of the Immigration Law Committee, welcomes members to the reconstituted committee’s first meeting on May 18. The committee will discuss all facets of immigration law and membership is not limited to immigration law attorneys. The committee will meet on the third Wednesday of each month. For more information about the committee, contact Hess at wendy@goldblumhess.com.
Gifting Opportunities Under Revised Tax Law

By Jackie B. Lessman

This interview series conducted by PNC Wealth Management senior vice president Jackie Byrne Lessman, CFP®, explores distinct topics and issues relevant to the legal community ranging from investment management, wealth planning, trust, estate services and other PNC areas of expertise.

As a PNC liaison to the legal community, Lessman specializes in working with law firms and attorneys regarding their banking needs, as well as class action plaintiff firms and claims administrators. Lessman is committed to leveraging PNC’s in-depth resources to cultivate relationships with regional law firms and attorneys by offering support and solutions.

PNC has maintained a strategic alliance with third party insurance provider, National Financial Partners Insurance Services (NFP), since 2004. The insurance referral relationship with NFP is designed to provide affluent clients of PNC Wealth Management with access to insurance products that complement the investment management, trust and other services provided by PNC Bank. The hallmark of this alliance is NFP’s expertise in providing objective advice to our clients with respect to their needs for life, disability, and long-term care insurance.

In an interview with Howard Silverman, CLU, ChFC, chairman of Arbor Group, LLC, an insurance provider, we discussed gifting opportunities under the revised tax law.

Jackie Lessman: PNC Wealth Management’s assessment of the 2010 Act suggests that estate planning continues to be necessary for the core clients of most estate planners. We believe that advisors who promptly engage with the issues and opportunities presented by the 2010 Act will be highly relevant.

How has the 2010 Act impacted your business and planning approaches?

Howard Silverman: The 2010 Act presents significant tax planning issues for clients relating to administration of estates, and reviewing and revising estate plans. Considering the uncertainty about exemption levels in 2013 onward, high net worth and ultra high net worth individuals should consider capitalizing on the lifetime gift tax exemption ($5 million/individual tax payer and $10 million/two spouses). Broadly speaking, the issues and opportunities presented by the 2010 Act fall into several main areas: administration of estates for 2010 decedents, portability, reviewing and revising clients’ plans, and making full and best use of the two-year window for the $5 million lifetime gift tax exemption.

What planning techniques can be utilized to take advantage of the gifting opportunities?

Traditional estate planning practices have changed, and, as a result, there are several opportunities available. The four of particular interest include: cash or equivalents, loan payments of previous investment, use of stock in family businesses, and the purchase of life insurance.

- Cash or equivalents are always a good start if the funds are invested. With this option, the donor has the ability to pay the tax on the earnings as an additional, non-gift-taxable gift.
- Loan payments of previous investments are another potential alternative.
- Use of stock in family businesses, along with Family Limited Partnerships (FLPs), should qualify for discounts for illiquidity and lack of marketability. This permits for the creation of a larger initial gift opportunity.
- Purchase of life insurance to leverage the gift. Use of the asset’s earnings, i.e., at 5 percent these earnings could purchase substantial life insurance policies to increase the available funds in the future, while maintaining the principal intact for other purposes (e.g., home purchases, business acquisitions, etc.) for the beneficiaries, and provides excellent asset protection for heirs.

While these are viable options for individuals to consider, we strongly suggest consulting attorneys and other advisors to determine appropriate planning techniques to implement.

PNC Wealth Management has a long standing relationship with NFP and is committed to understanding clients’ priorities and helping fulfill their goals. We believe that advisors who engage promptly with the opportunities presented by the 2010 Act will position their practices for solid results in 2011-2012 and afterwards. PNC Wealth Management would be pleased to join in-depth conversations with advisors and their clients on customized solutions to make the most of the 2010 Act and its opportunities.

Jackie Byrne Lessman, CFP® (jacaquelinel. lessman@pnc.com; 215-585-5831), PNC Wealth Management Senior Vice President. For more information, visit pnc.com/wealth-management

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For 16 months between September 2008 and December 2009, the TNT network ran a show called “Raising the Bar” in which an idealistic public defender did whatever it took to assist the helpless and disenfranchised. Now, I’m not saying that there is any connection between the show and the Philadelphia legal community but it is noteworthy that three years before the show’s inception the Philadelphia Bar Association and the Philadelphia Bar Foundation took on the task of doing whatever it took to assist the helpless and disenfranchised through a campaign called “Raising the Bar.”

Unlike the show, however, the Raising the Bar campaign has legs — in the sixth year after it began it has become one of the primary ways that the private law firms of Philadelphia support the public service bar. When then-Chancellor Alan Feldman and then-Philadelphia Bar Foundation President Bob Lane joined forces to get this program off the ground in 2006, they called on every law firm in the Philadelphia legal community, large or small, to contribute $300 per Philadelphia lawyer to the Bar Foundation or to any of its legal services grantee organizations. The suggested minimum donation was $300 per attorney but, from year one, many law firms contributed significantly more. As Alan mentioned at the time: “The truth is that there isn’t a law firm in this town that can’t afford what amounts to less than $1 per day, or about one billable hour per year, for each of its lawyers.”

And that basic truth remains. The campaign has been hugely successful. Over the past five years, it has raised millions of dollars some of which went to the Bar Foundation for distribution to its grantees and the rest of which was distributed directly to individual legal services organizations. I can tell you from having spoken with the executive directors of the organizations the money that comes from the Raising the Bar campaign means a lot. It has become a critical part of the fundraising of the larger organizations and a much-needed boost, and sometimes an unexpected and welcome surprise, to the smaller organizations who receive a check from a law firm when that law firm meets its Raising the Bar commitment with an end of year contribution.

By making that bridge between the public and private sector legal community through the Raising the Bar campaign, the Bar Foundation, even though it may not always receive direct contributions, is making sure that the amount available to our grantees grows. The more we all get involved, the more contributions are made and the greater the benefits to everyone. As the saying goes, “A rising tide floats all boats.”

As Sara Woods from Philadelphia VIP put it, “Money donated by firms through Raising the Bar provides critical operating dollars that are difficult to come by for our organizations. In addition, quantifying what a firm should reasonably give to legal services makes it easier to encourage firms to give, and the program has helped us spread our message to firms we otherwise wouldn’t have contact with, particularly small and medium-sized firms.”

Some of the Bar Foundation’s smaller grantee organizations especially benefit. Lynn Marks, executive director of Pennsylvanians for Modern Courts, said, “Because of Raising the Bar, several new law firms designated all or part of their gift to us — firms that had not contributed to us in the past. Plus, a number of firms that had contributed to us annually switched to giving to us through the Bar Foundation. The program provides the opportunity to firms that can’t give to both the Foundation and individual organizations to contribute through the Bar Foundation while at the same time designate to the program of their choosing. It allows for more flexibility of choice.”

The collaboration between the Bar Foundation and the Bar Association continues to be focused on institutionalizing and increasing annual giving from the private law firms. Jeffrey Gross of Batt & Gross (the Bar Association’s designee) is the 2011 co-chair of the Raising the Bar campaign along with Leslie John of Ballard Spahr LLP (the Bar Foundation’s designee). Jeff says he “became involved with Raising the Bar because I feel that it is essential for every lawyer who benefits from the practice of law to provide assistance to the people who need it.”

Kevin Stepanuk (from left), associate general counsel of Exelon Corporation/PECO in Philadelphia; Denis P. O’Brien, president and CEO of PECO; and Wendy Beetlestone, president of the Philadelphia Bar Foundation, meet at Exelon’s Energy for the Community Awards on May 4. Stepanuk received Exelon’s “Energy for the Community” Volunteer Award for 2011 and presented the $10,000 donation made in his honor to the Philadelphia Bar Foundation.
High School Mock Trial
Now a Year-Round Event

By Jonathan A. Grode

When the Temple Law Education and Participation Project (LEAP) created the first High School Mock Trial competition in 1981, there were only six teams that participated and the competition lasted merely one day. Now, just weeks after this year’s Pennsylvania state champion, Wyoming Seminary College Preparatory School, finished sixth in the national competition held in Arizona, it is a good time to reflect on how far this competition has come over the past three decades.

This year more than 300 schools participated throughout Pennsylvania and thousands of students took to the courtroom with the help of hundreds of legal professionals volunteering their time. LEAP is a means of bringing the legal community together to invigorate the next generation of attorneys. It allows those who have amassed volumes of legal knowledge, most of which can only be gained through experience, to plant the seed of good and ethical lawyering in those that have the potential to lead our community and society forward for generations to come. LEAP provides an opportunity for the members of the Young Lawyers Division to share their enthusiasm in the most charitable of means. The Mock Trial Competition provides an avenue for local universities, such as Temple University and Drexel University; to tout the virtues of not only a legal education, but an undergraduate education as well. And, maybe most significantly, Temple-LEAP has a deep impact on the local community and some of our most underprivileged population by exposing them to images of success that are not played out on the sports field or stage, but instead, in the courtroom.

High school mock trial in Pennsylvania has become a year-round event. The calendar moves into high gear in late October when Roberta West, LEAP Program Director at Temple University, along with the Young Lawyers Division of the Philadelphia Bar Association, host the annual mock trial boot camp. The boot camp is a great way to expose students to the inner workings of a trial through a day filled with large group presentations and small group exercises lead by the YLD. West always tries to keep the camp current and applicable to today’s students by changing the theme to reflect events of current or historical significance or various aspects of pop culture. The 2010 camp was no different with the theme of a song and skit high school musical called “GLEAP!” One hundred high school students attended the camp and witnessed various local legal professionals check their egos at the door and don costumes, sing songs and act out parts from this year’s case problem. Some of the most notable participants included Philadelphia Municipal Court Judge Karen Y. Simmons, Vice Chancellor John E. Savoth, attorneys Sheryl Axelrod, Albert S. Dandridge III, Richard R. Harris, Robert A. Rowner, Stella Tsai, Rhonda Hill Wilson, Chauncey Childs, James Elam, Ed Wasielewski and Joshua Harris, and Temple law professors Barbara Ashcroft and Sara Jacobson.

Before the official John S. Bradway competition got into full swing in February, three pretrial tournaments were held in January. The addition of a tournament continued on page 21
Mock Trial
continued from page 22

at LaSalle University, in combination with the annual tournaments at the University of Pittsburgh and Drexel University, provided another opportunity for the teams to test out their case strategies as well as gain valuable exposure to the case material. This year’s case adapted the historical tale of the HELA cell line in a civil case that combined issues of medical ethics with questions of whether or not mental capacity to enter into a contract existed.

Although the final rounds of Temple’s John S. Bradway Competition were filled with perennial favorites including Overbrook High School and Masterman High School, the darling of this year’s competition was second-place finisher, Central High School. Central’s attorney-coach, Julian Thompson, is an example of the constitution was second-place finisher, Central High School. Central’s attorney-coach, Julian Thompson, is an example of the legacy of mock trial in the city. Thompson, a 2003 graduate of Central High School, who went to Morehouse College and then graduated from Harvard Law School in 2010, competed in mock trial as a student and brought that experience to the table as he guided his young squad through the competition. Central faced off against St. Joseph’s Preparatory School in a close final that was presided over by Alphonso B. David, Deputy Secretary for Civil Rights for New York Gov. Andrew Cuomo. However, it was St. Joseph’s years’ of trial experience, coached by Assistant U.S. Attorney Tom Johnson, in combination with extraordinary student lawyers, that brought home the city championship. Both teams went onto the state finals in Harrisburg and St. Joseph’s finished second to Wyoming Seminary.

What started with the case writing committee drafting all summer long and concluded with a strong national showing by our state champion, the 2010/2011 season was a tremendous success. However, without the hundreds of volunteers who gave so willingly of their free time, it would never have even occurred. So, when you are debating where your pro bono efforts are best served, please give serious consideration to the next generation of legal professionals yearning to learn about our profession. New coaches, judges and mentors are always welcomed without objection.

Jonathan A. Grode is a member of the Pennsylvania State Mock Trial Executive Committee.

VIP Honors Trieu

This month Philadelphia VIP recognizes MyMy Trieu, of Binder & Canno, LLC, for her outstanding volunteer assistance to VIP clients.

Trieu began helping VIP clients in 2010. Since her first federal income tax controversy case, she dove into advocating for VIP clients and resolving their tax problems quickly and thoroughly.

In her first case, Trieu assisted a Spanish-speaking client who was not familiar with the U.S. tax system and how to respond to an audit. The client went to a preparer who claimed credits for which she was not eligible. She accepted the case and immediately contacted the IRS to stave off a levy on the client’s wages. Furthermore, Trieu went in person to the local Philadelphia office to avoid any delay in correspondence. She even contacted the client later in the evening due to the client’s demanding work schedule. Within a couple of weeks, Trieu advised the client on how to resolve the matter and the client’s IRS account for that year was cleared.

After her first case, Trieu accepted additional tax controversy cases. For her much-needed dedication to helping VIP clients resolve their income tax issues, Philadelphia VIP offers its heartfelt appreciation to MyMy Trieu.

Chancellor Rudolph Garcia joins law student Raina Yancey, Intellectual Property Committee Co-Chair Michael Berkowitz and student Victor Ghidu at a reception for law students interested in a career in intellectual property law.
Rhubarbs and Ramps and Rolls, Oh My!

By Skinny D’Boekel

The clattering, cloistered eating space, Aid booth, and track directly back to Lafayette Hill, Pa.

The fee for players is $450. Members are $125.

Bar Foundation

Fee for players is $450. Members are $125.

Bar Foundation Golf Classic June 28

The Philadelphia Bar Foundation’s 22nd Annual Golf Classic will be held Tuesday, June 28 at The ACE Club in Lafayette Hill, Pa.

The fee for players is $450. Members of the Young Lawyers Division may play at a discounted fee of $375. Price includes all greens fees, golf cart, lunch, refreshments, dinner and cocktails. Tickets for the cocktail reception and dinner are $125.

The ACE Club is a 7,500-yard, par 72 course featuring rolling topography, streams, lakes, trees, open ground, wetland habitat and rock outcroppings.

Several levels of sponsorship are available. For more information about registration or sponsorship, contact Lynne Brown at (215) 238-6347 or visit philadelphiafoundation.org.

Finally, ultra-fresh, just-in "tonight." You must, I insist, begin with the addictive Iowa organic popcorn ($5). Its crisp Cheddar-cheese jagged-ness is pulverized by a horseradish kick that takes your breath away and back, through orific-es in your face that clear instantly in hopes of an- other crunchly mouthful.

You innocently observe that you’re hand is palming popped kernels in geometri-cally bountiful numbers, and that your cheeks are burstingly expansive. You then notice the arrival of plump browned rolls, served gratis, still in their own pan, at the side of which is also proffered a creamery soft butter pad. The bread has bumps like a challah, with insides that oozewith the smell of baked dough. Your mouth craves the pillowy softness to counter the harsher cheddar-radish grasing. Butter

the sweet bulbous roll and lunge your lips around it. Serenity pervades all senses.

Garces has determined that lighter, quicker and more versatile small plates are the present and the future. So, por-tions are smaller than usual and meant to be shared. There’s some intricate math and measuring involved as you try to divide each plated presentation by the number of people at the table (every-one with his or her own plate). Rule of thumb is to cut a serving into four portions no matter what its size, and to order enough different servings (or doubling one or two) to fill all bellies and tastes. Somehow it works, and you can always add more choices as the meal progresses. There is a “chef’s tasting” at $65 per person (served only if chosen by all at the table), which will turn out to be a bargain, and as fulfilling as your satiated

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Judge Lippman started as an entry-level court attorney in the New York Supreme Court and served as a law clerk in Supreme Court and Surrogate’s Court. In 1977, he became principal court attorney for Supreme Court, New York County, Civil Term. In 1983, he was named the chief clerk and executive officer of that court. In 1995, he was appointed as a judge of the New York Court of Claims by Gov. George E. Pataki, who subsequently reappointed him to a full nine-year term on that court in 1998. In 2005, he was elected as a justice of the Supreme Court for the Ninth Judicial District. He also served as an associate justice of the Appellate Term, 9th and 10th Judicial Districts.

From January 1996 to May 2007, he served, by appointment of Chief Judge Judith S. Kaye, as the chief administrative judge of all New York state courts. As the longest tenured chief administrative judge in state history, Judge Lippman played a central role in many far-reaching reforms of New York’s judiciary and legal profession, including problem-solving community courts, drug courts and domestic violence courts; specialized commercial and matrimonial parts; overhauling the state’s jury system; opening Family Court to the public; and adopting new rules governing fiduciary appointments; mandatory continuing legal education, attorney-client fee dispute arbitration, and written letters of engagement.

In February 2009, Gov. David A. Paterson appointed Judge Lippman to serve as the chief judge of the state and chief judge of the Court of Appeals. In that capacity, he presides over New York’s highest court while heading a statewide court system with a $2.6 billion budget, 3,600 state and locally paid judges, and more than 15,000 non-judicial employees in more than 350 locations around the state.

Judge Rufe was nominated to the Eastern District by President George W. Bush on Jan. 23, 2002. She was confirmed by the Senate on April 30, 2002, and received her commission on May 3, 2002. She received her B.A. from Adelphi University and received her J.D. from State University of New York at Buffalo Law School.

Judge Rufe began her professional career as an assistant and coordinator in the Juvenile Division of the Bucks County Public Defender's Office in 1977. She was a deputy public defender with the Bucks County Public Defender's Office from 1980 to 1981. She served as solicitor for the Bucks County Children and Youth Social Services Agency from 1984 to 1988. She served as a judge on the Bucks County Court of Common Pleas from 1994 to 2002.

The Women in the Profession Committee established the award in 1993 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 following is a list of Year Club honorees for 2011:

06-Year Club

65-Year Club

70-Year Club
Albert Konefsky and George Ovington.
CALENDAR OF EVENTS

Note: While the following listings have been verified prior to press time, any scheduled event may be subject to change by the committee or section chairs. Luncheons are $8 for members and $9.50 for nonmembers, unless otherwise indicated.

**Wednesday, June 1**
Delivery of Legal Services Committee: meeting, 8:30 a.m., 10th floor Board Room.
State Civil Litigation Section: meeting, 12 p.m., 11th floor Conference Center. Lunch: $8.
Intellectual Property Committee: meeting, 12 p.m., 10th floor Board Room. Lunch: $8.

**Thursday, June 2**
Law Practice Management Committee: meeting, 12 p.m., 10th floor Board Room. Lunch: $8.
Government and Public Service Attorneys Committee: meeting, 12:30 p.m., 11th floor Committee Room South. Lunch: $8.

**Friday, June 3**
LGBT Rights Committee: meeting, 8:30 a.m., 10th floor Board Room.
Workers’ Compensation Section Executive Committee: meeting, 11th floor Conference Center.
Workers’ Compensation Section: meeting, 12 p.m., 11th floor Conference Center. Lunch: $8.

**Monday, June 6**
Family Law Section: meeting, 12 p.m., 10th floor Board Room. Lunch: $8.
Civil Rights Committee: meeting, 12 p.m., 11th floor Conference Center. Lunch: $8.

**Tuesday, June 7**
Real Property Section Executive Committee: meeting, 11:30 a.m., Gibbons, P.C., 1700 Two Logan Square, 18th and Arch streets.
Philadelphia Bar Foundation Board of Trustees: meeting, 12 p.m., 10th floor Board Room.

**Wednesday, June 8**
Civil Gideon Task Force Housing Committee: meeting, 9 a.m., 11th floor Conference Center.
Family Law Section Annual Spring Reception: 5:30 p.m., Ritz-Carlton Philadelphia Hotel, 10 Avenue of the Arts. Tickets: philadelphiabar.org.

**Thursday, June 9**
International Business Initiative Committee: meeting, 12 p.m., 11th floor Committee Room South. Lunch: $8.
Legislative Liaison Committee: meeting, 12:30 p.m., 10th floor Board Room. Lunch: $8.

**Friday, June 10**
Federal Bench-Bar Conference: 8 a.m. Rittenhouse Hotel.

**Monday, June 13**
Business Law Section Executive Committee: meeting, 12 p.m., 10th floor Board Room.

**Tuesday, June 14**
Section Chairs: meeting, 8:30 a.m., 10th floor Board Room.
Criminal Justice Section Executive Committee: meeting, 12 p.m., 10th floor Board Room.
Solo and Small Firm Committee: meeting, 12 p.m., 11th floor Conference Center. Lunch: $8.
Committee on the Legal Rights of Children: meeting, 3 p.m., 11th floor Committee Room South.

**Wednesday, June 15**
Young Lawyers Division Cabinet: meeting, 12 p.m., 10th floor Cabinet Room. LegalLine: 5 p.m., 11th floor LRIS offices.

**Thursday, June 16**
Family Law Section Executive Committee: meeting, 12 p.m., 11th floor Committee Room South.
Health Care Law Committee: meeting, 12 p.m., 10th floor Board Room. Lunch: $8.50.

**Friday, June 17**
Social Security Disability Benefits Committee: meeting, 12 p.m., 11th floor Conference Center. Lunch: $8.
The Philadelphia Lawyer magazine Editorial Board: meeting, 12:30 p.m., 11th floor Committee Room South.

**Monday, June 20**
Young Lawyers Division Executive Committee: meeting, 12 p.m., 10th floor Board Room.
Public Interest Section Executive Committee: meeting, 12 p.m., 11th floor Committee Room South.
Federal Courts Committee: meeting, 12 p.m., 11th floor Conference Center. Lunch: $8.

**Tuesday, June 21**
Cabinet: meeting, 12 p.m., 10th floor Board Room.
Employee Benefits Committee: meeting, 12:30 p.m., 11th floor Committee Room South. Lunch: $8.

**Wednesday, June 22**
DLSC Management Subcommittee: 10th floor Board Room.

**Medical-Legal Committee:** meeting, 12 p.m., 11th floor Conference Center. Lunch: $8.

**Thursday, June 23**
Senior Lawyers Committee: meeting, 12 p.m., 10th floor Board Room.

**Friday, June 24**
Law School Outreach Committee: meeting, 12 p.m., 11th floor Conference Center.

**Monday, June 27**
Quarterly Meeting and Luncheon: 12 p.m., Hyatt at The Bellevue, Broad and Walnut streets. Tickets: philadelphiabar.org.

**Tuesday, June 28**

**Criminal Justice Section:** meeting, 12 p.m., 11th floor Conference Center. Lunch: $8.

**Women in the Profession Committee:** meeting 12 p.m., 10th floor Board Room. Lunch: $8.

**Wednesday, June 29**
Business Litigation Committee: meeting, 12 p.m., 10th floor Board Room. Lunch: $8.50

**Thursday, June 30**
LRIS Committee: meeting, 12 p.m., 11th floor Conference Center.
Board of Governors: meeting, 4 p.m., 10th floor Board Room.

Register online for most events at philadelphiabar.org. Unless otherwise specified, all checks for luncheons and programs should be made payable to the Philadelphia Bar Association and mailed to Bar Headquarters, 1101 Market St., Philadelphia, PA 19107-2955. Send Bar Association-related calendar items 30 days in advance to Managing Editor, Philadelphia Bar Reporter, Philadelphia Bar Association, 1101 Market St., Philadelphia, PA 19107-2955. Fax: (215) 238-1159. E-mail: reporter@philabar.org.

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**Feasts to Famine**

continued from page 19

head ferns ($14). You must seize the season for the aforementioned to be at prime. The former are served on a long oblong white platter, where the greens are nuzzled at the top, seemingly spewing soft almonds from its loins. California olive oil pervades the long scallion-like ramps dissolving any oniony bitterness into flavorful bliss. The almonds are earthy and sweet, melting upon your tongue’s nudging and nestling. Edging toward the side are four puddles of pesto-like globules staring at the concoction from a short distance, wondering whether they will be exiting on this ramp. The charred fiddlehead ferns are as sprite and blackened as cradling con- centric circles of dark greenery. Chilled fava beans, clinging to their shells, are shrimpered with Meyer lemon, so that warmth and coolness collide. There’s nothing more virginal and verdant. It’s a challenge not to gross. Moreover, I simply won’t mention the cute baby ar- tichokes ($15) except to say that they are surrounded by potato dumplings, black truffle and smoked ricotta. I rest my case of vegetables.

Your own personal plates, at about this time in the meal, are cleared promptly and courteously, but only after each set of platter servings have been devoured. Fresh new silverware is brought at every turn by a waitstaff whose knowledge and courtesy is unsurpassed.

If you still have room, try the Penn- sylvania Peking duck ($25) whose ribs and crosshatched breasts are seared to a mahogany glow, and taste as if smoked with pears and apples. Braised endive and chicories in the duck’s fattest drippings and chunks of foie gras. Or delve into caught this morning in the wilds of Alaska halibut ($28) whose thick, pearly succulent texture will be remembered in your dreams.

There’s no better pairing of desserts than sharing beignets in bourbon sauce, and scarlet rhubarb parfait. You won’t believe what I could say about mingling these two, so I’ll simply conclude: Utro- pian JG Domesticity.

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Skinny D. Bockel, a sole practitioner, is an ad- visory editor of the Philadelphia Bar Reporter. Read his reviews online at bockel.com.
Abbe F. Fletman, a shareholder with FlasterGreenberg PC, received the Community Advocate Award from Lambda Legal Philadelphia on May 12. Fletman is co-chair of the 2011 campaign efforts for The American Heart Association’s Go Red For Women crusade in Southeastern Pennsylvania.

A. Michael Pratt, a partner with Pepper Hamilton LLP and a past Chancellor of the Philadelphia Bar Association, has been named vice chairman of the Pennsylvania Turnpike Commission. Pratt delivered the keynote address at the 51st annual NAACP Human Rights Award Banquet on May 6 in Washington, Pa.

Kermit L. Rader of Hamburg, Rubin, Mullin, Maxwell & Lupin was recently interviewed by Radio Station KC101 in Tioga County on numerous aspects of the drilling on the Marcellus Shale.

Lawrence Studulis, a partner with Stradley Ronon Stevens & Young, LLP, presented “Code of Ethics” at the ACA Compliance Group Spring 2011 Compliance Conference in Orlando, Fla. on March 4.

H. Ronald Klasko, founding partner of Klasko, Rulon, Stock & Seltzer, LLP, was interviewed by World Business Satellite on the EB-5 Visa program, shown in Japan on TV Tokyo.

Louise F. “Wendy” Pongracz, a partner with Willig, Williams & Davidson, recently presented an overview of the Patient Protection and Affordable Care Act at the annual Pennsylvania Bar Institute Labor Law Symposium.

Jennifer Iacono, an associate with Mattioni, Ltd., has won Widener Law School’s award for Most Outstanding Paper of Publishable Quality for her Student Note “The Sex Offender Registration and Notification Act and its Commerce Clause Implications,” selected for publication in the Widener Law Review.

Marc B. Bassler, a partner with Caesar Rivise Cohen Bernstein & Pokotilow, LLP, has been elected treasurer of the Association of Patent Law Firms.

Joseph M. Manko, a founding partner of Manko, Gold, Katcher & Fox, LLP, spoke at “Adapting to Climate Change in the Chesapeake Bay Watershed” presented by the Chesapeake Bay Program’s Scientific and Technical Advisory Committee on March 15. He also spoke at “It Takes A Village, So Build It - Citizenship and Getting Involved” as part of the Leadership Main Line Class of 2011 program presented by the Main Line Chamber of Commerce on April 13. He also spoke at the “Builder Developer Summit” presented by Wells Fargo Home Mortgage on April 27 in Conshohocken, Pa.

Ronald R. Donatucci, counseled to Mattioni, Ltd., was honored at the Annual Grand Gala Celebration sponsored by the Lubavitch organization of Bucks County on April 6.

J. Bradford McIlvain, a partner with Archer & Greiner P.C., has been appointed to the Board of Managers of the University of Pennsylvania Law School Law Alumni Society.

Justin Wineburgh, a member of Cozen O’Connor, recently received a 2011 Pennsylvania Bar Association Special Achievement Award on May 6 for his work to enact new custody legislation.


Michael E. Bertin, a partner with Obermayer Rebmann Maxwell & Hippen LLP, received a 2011 Pennsylvania Bar Association Special Achievement Award.

Richard K. Washington Jr., a partner at Galland Berger, LLP, was a co-course planner and featured speaker at The Dispute Resolution Institute’s 13th Annual Personal Injury Potpourri on April 7.

Kathleen Creamer of Community Legal Services has been appointed to the fellowship program of Somedigh Foundation, designed to impact public policy at the local, state and federal levels.

Jennifer A. Brandt, a member of Cozen O’Connor, recently taught “Navigating the Rough Waters of Divorce” at Mainline School Night, the area’s largest adult education program.

Artur Bugay, a partner with Galland Berger, LLP, has been certified as a member of the Multi-Million Dollar Advocates Forum.


Eugene Mattioni, shareholder and vice president/secretary of Mattioni, Ltd., has been elected to the Board of Directors of the Maritime Exchange for the Delaware River and Bay.

Michael L. Banks and J. Gordon Cooney, Jr., partners at Morgan Lewis & Bockius LLP, received the American Jewish Committee’s 2011 Judge Learned Hand Award in recognition of their commitments to the legal profession and their contributions to the institutions that enhance the quality of life in Philadelphia on April 6.
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