Bench-Bar at Borgata Oct. 16-17

By Jeff Lyons

The Philadelphia Bar Association’s Bench-Bar & Annual Conference will return to The Borgata Hotel Casino & Spa in Atlantic City, N.J. on Friday and Saturday, Oct. 16-17.

The Bench-Bar & Annual Conference provides attendees with the opportunity to earn continuing legal education credit while networking with colleagues and members of the bench. Hundreds of attorneys and judges attend annually. The event has been held at Borgata in 2004, 2010 and 2014.

Julia Swain, a partner at Fox Rothschild LLP, is chair of the 2015 Bench-Bar & Annual Conference. “We are delighted to return to the Borgata for the Bench-Bar & Annual Conference,” Swain said. “Planning is underway for another terrific conference with many opportunities for networking and education.”

The deadline for proposals for continuing legal education courses for the Bench-Bar & Annual Conference is Monday, March 16. Proposals should include a brief description of the program and identify the course planner and proposed panelists. Composition of the panels should reflect the diversity within the legal community and when appropriate, include members of the judiciary.

Please note that a representative of a company that could potentially be a sponsor of the Conference is not permitted to serve as a panelist. Programs should be one hour long, with no more than four panelists. A program may have one moderator in addition to the panelists. Decisions regarding the programs selected will be made by Friday, March 27. The Bench-Bar Committee will have final approval on the selected panelists.

The Signature Sponsor for the 2015 Bench-Bar & Annual Conference is Love Court Reporting. For information on sponsorship opportunities, contact Tracey McCloskey at tmcloskey@philabar.org or call 215-238-6360.

Philadelphia a Leader Among Women Judges

By Jeff Lyons

Hazel Hemphill Brown is a pioneer in Philadelphia. She was the first woman to serve as a Municipal Court judge when she was appointed in 1952. She was one of just a few dozen women judges in the United States at the time.

Fast forward to 2015 – women continue to thrive on the bench, with many in leadership positions. Locally, Judge Petrese D. Tucker is chief judge of the U.S. District Court for the Eastern District of Pennsylvania. Judge Susan Pikes Gantman is president judge of Pennsylvania Superior Court. Judge Sheila Woods-Skipper is president judge of the Philadelphia Court of Common Pleas, Judge Marsha Neifeld is president judge of Philadelphia Municipal Court and Judge Margaret T. Murphy is administrative judge of the Philadelphia Court of Common Pleas – Family Division.


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Sotomayor Honor for Judge Diaz

By Jeff Lyons

Judge Nelson A. Diaz, a partner at Dilworth Paxson LLP, will receive the Justice Sonia Sotomayor Diversity Award at the Philadelphia Bar Association’s Tuesday, March 10 Quarterly Meeting and Luncheon. Ari Melber, a lawyer and a co-host of MSNBC’s “The Cycle,” will be the keynote speaker at the event.

The Sotomayor Award publicly acknowledges, recognizes and honors an individual or entity that has demonstrated continued on page 10

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End Game and Diversity

Basquats, dinners and award presentations about diversity are all well and good. I believe, however, that many of these activities have, in certain respects, unintentionally caused the goal of diversity and inclusion to be solely a noble cause without a clear end game.

At our Bar Leaders Retreat in January, one of our guest speakers, Werten Bellamy, president of Stakeholders, Inc., challenged all of us to have an honest discussion about what actually motivates many of us to make a sustained, meaningful commitment to establish and maintain diversity and inclusion in our profession. He asked us to consider “What is the end game?” and “how do we get there?” Clearly, there are no easy answers. In my opinion the answer resides in a sustained personal investment by young diverse attorneys and by those of us who wish for them to succeed.

First of all, as the director of the Federal Bureau of Investigation recently pointed out, “we all have to take ownership of our implicit biases” and step up. Second, all new attorneys must recognize that they must take and demonstrate ownership of their own careers before any senior lawyer is willing to invest time and resources in them. These attorneys who are able to help are often constrained by time and circumstances. All lawyers – because this is what we are trained to do – make very quick judgments as to whom and whom not to invest our time and resources in helping. Setting aside our implicit biases with regard to race, gender, marital status, etc. might help us to more broadly define those individuals who are the most motivated and deserving of our valuable time and resources.

We need to find ways of matching diverse and other young attorneys who have clearly demonstrated a sustained self-investment in their careers with more senior attorneys who are able to recognize such investment and are willing to help. The practice of law requires the development of meaningful personal relationships. Mentoring ambitious young people is the best way to protect our profession so that it will flourish for years to come.

The Philadelphia Bar Association will take an active role in helping to identify these young attorneys, especially diverse attorneys, who have demonstrated such a career investment and match them with senior lawyers who are able to invest in them. In the coming weeks, we will identify some of these motivated young people, recognize them for their efforts, help in sustaining such investment on their part, and match them with those willing to help. By doing so, we will lay the foundation for a stronger and more diverse bar association and legal profession.

Stay tuned.

Albert S. Dandridge III (adandridge@schnader.com), a partner and chief diversity officer at Schnader Harrison Segal & Lewis LLP, is Chancellor of the Philadelphia Bar Association.
Stengel discussed multidistrict litigation cases in the Eastern District of Pennsylvania. Committee Chair Bruce P. Merenstein, and Judges Cynthia M. Rufe and Lawrence F. Stengel discussed multidistrict litigation cases in the Eastern District of Pennsylvania at a recent meeting of the Federal Courts Committee.

MDL Judges Discuss Handling of Cases

By Benjamin F. Johns

Presiding over multidistrict litigation (MDL) proceedings can sometimes be akin to moving large masses of people around in a huge football field. That analogy was made by U.S. District Court Judge Cynthia M. Rufe who, along with Judges Eduardo C. Robreno and Lawrence F. Stengel, were panelists at a recent Federal Courts Committee meeting on the topic of MDL practice.

These three judges are currently presiding over four of the largest MDLs pending in the Eastern District of Pennsylvania: Asbestos, Avandia, Zoloft, and the Tylenol products liability case. There are 17 MDLs pending in that court before 12 different judges.

Judge Robreno gave a general overview of how cases have been handled in the 47 years since the enactment of section 1407. This is the provision in the United States Code that created the Judicial Panel on Multidistrict Litigation (JPML), and gave it a mechanism to transfer multiple related cases to a single district court for coordinated or consolidated pretrial proceedings. Judge Robreno remarked that these rules and the jurisprudence interpreting them have remained “fairly stable” over this time, with the exception of the Supreme Court’s decision in the Leesona case. That opinion held that an MDL transferee court must remand cases back to the court(s) from which they originated once the pretrial phase of the case is complete. Judge Robreno said that only about 5 percent of the MDL cases actually reach that phase. Based upon his experience presiding over the massive Asbestos MDL, he noted the importance of having a preliminary “bell gate” to test the bona fides of each plaintiff at the inception of the case. There, for example, each of the plaintiffs had to submit to a medical diagnostic test related to both the disease and its causation. Judge Robreno also made reference to an article he published in the Widener Law Journal that discusses his experience from the Asbestos MDL.

Judge Rufe provided insight, based on her experience in the Avandia MDL, about the coordination of large multi-party cases between state and federal courts. One way to facilitate this is through the creation of a single website that contains information and filings in all of the related cases from different jurisdictions. She also helped prepare a set of written information and filings in all of the related cases under the JPML’s website. With respect to managing the cases, Judge Rufe noted the importance of setting trial and other deadlines so as to keep everyone on task of working towards a common goal. She also discussed the potential problems that continued on page 5.
Federal Courts
continued from page 4

can arise with aggregate settlements of mass tort MDLs, such as ensuring that all outstanding liens are resolved.

Judge Stengel discussed his experience in the Tylenol products liability MDL, of which there are 171 cases in federal court (and 20 more in New Jersey state court). Judge Stengel recently permitted the counsel for the parties in his case to provide him with a tutorial. This was done in a conference room, off the record, and with the use of PowerPoint slides. Each side was given 90 minutes of time for their presentation. These types of tutorials can be helpful in educating the court in complex cases.

The panel concluded with an interesting discussion of the unwritten process by which the Judicial Panel on Multidistrict Litigation makes an assignment to a transferee judge. They confirmed that the JPML will "generally" consult with the chief judge of the transferee court, and sometimes reach out directly to the prospective MDL judge to ask whether they want the case.

Benjamin F. Johns (BenJohns@chimicles.com), a partner in Chimicles & Tikellis LLP, is an associate editor of the Philadelphia Bar Reporter.

DEGENCY 2015

Supreme Court Candidates Forum March 19

Several of the candidates seeking election to the Supreme Court of Pennsylvania will participate in Decision 2015, an interactive forum hosted by the Philadelphia Bar Association, on Thursday, March 19 at 12 p.m. at the Pennsylvania Bar Institute’s Conference Center.

Decision 2015 will be a 90-minute moderated forum, during which candidates will be asked to make a statement about why they seek election to the Supreme Court of Pennsylvania, followed by a question-and-answer opportunity with members of the Philadelphia Bar Association.

Panelists who have confirmed their participation as of this writing include:

• Judge Cheryl Lynn Allen, Superior Court, Allegheny County
• Judge Christine L. Donohue, Superior Court, Allegheny County
• Judge Kevin M. Dougherty, Court of Common Pleas, Philadelphia
• Judge John H. Foradora, Court of Common Pleas, Jefferson County
• Judge Michael George, Court of Common Pleas, Adams County
• Judge Anne E. Lazarus, Superior Court, Philadelphia
• Judge Judith Ference Olson, Superior Court, Allegheny County
• Justice Correale F. Stevens, Supreme Court of Pennsylvania
• Judge David N. Wecht, Superior Court, Allegheny County
• Judge Dwayne D. Woodruff, Court of Common Pleas, Allegheny County

The program will be moderated by Carl A. Solano, a partner at Schnader Harrison Segal & Lewis LLP and co-chair of the Philadelphia Bar Association’s Appellate Courts Committee. Chancellor Albert S. Dandridge III will offer welcoming remarks at the event, which begins at 12 p.m. at The CLE Conference Center on the 10th Floor of the Wanamaker Building, Market and Juniper streets.

There is no cost to attend this program. However, advance registration is required. Lunch is available for $15 for those who register in advance. To register, visit philadelphiabar.org.

Barristers’ Building Your Personal Brand Seminar March 26

The Barristers’ Association of Philadelphia, Inc. will host “Building Your Personal Brand Seminar and Panel Discussion” on Thursday, March 26 at the offices of Marshall Dennehey Warner Coleman & Goggin, P.C.

The program will feature a presentation by Kimberly S. Reed of the Reed Development Group LLC, followed by a panel discussion moderated by Lloyd Freeman (Archer & Grenier, P.C.) and featuring Alex B. Norman (Marshall Dennehey Warner Coleman & Goggin, P.C.), Nikki Johnson-Huston (The Law Office of Nikki Johnson-Huston LLC), and Scott W. Reid (U.S. Attorney’s Office, Eastern District of Pennsylvania).

The program will be held from 6 to 8:30 p.m. at Marshall Dennehey, 2000 Market St. There is no cost to attend this event, but registration is required. RSVP to phillybarristers@gmail.com.
“It’s OK to look over your shoulder, but don’t stare.” That was how Judge Annette M. Rizzo began and ended her recent presentation to the Women in the Profession Committee at a jam-packed Philadelphia Bar Association Conference Center.

Judge Rizzo advised the audience not to get stuck in the moment. The past is something to look back on and learn from, but she said to be careful not to get mired in it. The message that day was evident – Judge Rizzo quite clearly is focused on moving forward. After 16 years of proud service on the Philadelphia Court of Common Pleas, Judge Rizzo has chosen to reinvent herself yet again as a distinguished neutral doing dispute resolution with JAMS. She called the decision to leave the bench a highly introspective, logical process. It is important to note that this was a voluntary transition for Judge Rizzo. Because no one was forcing her out, she had the ability to engage in a period of self-reflection, and as she repeated throughout the program, self-discernment. Asked if she is retiring, she said she is “re-tooling, voluntary. Her choice spawned an array of questions. What happened? Did you need the money? Is it for some illness? “Becoming a judge is a pinnacle in one’s career, so it would be difficult to understand why someone would want to step away from that,” she said. Following the questions, many revealed their own personal struggles with their own transitions.

Throughout Judge Rizzo’s career, she has worn many hats and gone through many changes. It is a personal and introspective journey. She began her career in the City Solicitor’s Office and talked of her love for that job. In fact, when discussing all of her jobs, she seems to have loved them all. She describes the City Solicitor’s Office as a place where you were “handed a file, told to go over to room 238, go pick a jury…such high volume, you learned.” Next was two years at Rawle & Henderson LLP practicing in the areas of civil rights and medical malpractice. Again she said she loved the work and she learned.

Judge Rizzo said she had always wanted to be general counsel. She told an interesting story of how she landed the job at CIGNA. Exhausted before the meeting, she asked the interviewer for a Coke to wake her up. With no insurance background whatsoever, she still managed to seal the deal. After seven interviews, Judge Rizzo got the job, and again loved the work. After CIGNA, she leap at the chance to join the bench when then-Gov. Tom Ridge called. She recalled a first day that she’ll never forget and the process of moving “through the black curtain.” Judge Rizzo said that although she loved the public service and impact on the law including breaking down the law and applying it, she did not necessarily love certain aspects of being a judge.

Judge Rizzo said she is always logical in her process, interested in breaking down and analyzing systems. She spoke logically of her decision to leave the bench, saying “a system does not rise and fall with one person.” This resonates with her love of public policy, her strong sense of community and her pride in the FJD’s Mortgage Foreclosure Diversion Program allowing people to be able to stay in their homes.

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- Former Federal Prosecutor
- Selected by his peers as one of the top 100 Super Lawyers in PA and the top 100 Super Lawyers in Philadelphia
- Named by his peers as Best Lawyers in America 2015 Philadelphia Ethics and Professional Responsibility Law “Lawyer of the Year,” and in Plaintiffs and Defendants Legal Malpractice Law

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By Maureen M. Farrell

Women in the Profession Committee Co-Chairs Ourania Papademetriou (left) and Amber M. Racine (right) welcome Judge Annette M. Rizzo who discussed her career path at a recent program.

Women in the Profession Committee

O’Connor Nominations Due March 30

The Women in the Profession Committee is seeking nominations for the 2015 Sandra Day O’Connor Award. The deadline for nominations is Monday, March 30.

The award is conferred annually on a woman attorney who has demonstrated superior legal talent, achieved significant legal accomplishments and has furthered the advancement of women in both the profession and the community.

The 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 award has since been presented to the late Juanita Kidd Stonn, former justice of the Pennsylvania Supreme Court; Deborah R. Willig, first woman Chancellor of the Philadelphia Bar Association; Professor Marina Angel, of the Temple University Beasley School of Law faculty; Third Circuit Court of Appeals Judge Dolores K. Sloviter (former Chief Judge); U.S. District Court Judge Anita B. Brody; Leslie Anne Miller, first woman president of the Pennsylvania Bar Association; Lila G. Roomeberg of Ballard Spahr Andrews & Ingeroll, LLP; the late Judge Judith J. Jamison; Ellen T. Greenlee, chief defender of the Defender Association of Philadelphia; former Chancellor Audrey C. Talley; U.S. Court of Appeals Judge Marjorie S. Rendell (former Pennsylvania Superior Court Judge Phyllis W. Beck); Roberta D. Pichini of Feldman, Shephard, Wohlgelernter, Tanner, Weinstock & Dodig; Lynn A. Marks, executive director of Pennsylvanians for Modern Courts; Roberta D. Liebenberg of Fine, Kaplan and Black, R.P.C.: JoAnne Epps, dean of Temple University Beasley School of Law; Stephanie Resnick of Fox Rothschild LLP; U.S. District Court Judge Cynthia M. Rupe; former Chancellor Jane Nelson Dalton, Pennsylvania Superior Court Judge Anne E. Lazarus; and Judge Sandra Mazer Moss (ret.).

The award will be presented at the Philadelphia Bar Association’s June Quarterly Meeting & Luncheon.

Please send nominations to the attention of Dawn Petit, Philadelphia Bar Association, 1101 Market St., 11th Floor, Philadelphia, PA 19107 or by email to dpetit@philabar.org.
This trusted resource has been the #1 choice for attorneys, legal staff and businesses for over a century and is available in three formats: print, online and mobile, to use when you’re “on-the-go.”

The 2015 Legal Directory has over 17,000 attorney listings and 1,600 law firm listings. It is conveniently indexed so you can effortlessly find what you’re looking for in the Philadelphia, Montgomery, Delaware, Chester & Bucks County areas. Each listing is complete with name, full address, phone, fax and email.

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Pepper Veterans Group Still Serving with Honor

Pepper Hamilton LLP created its Veterans Affinity Group as a way to support and recognize the firm’s military veterans and their family members. If you know any vets, you won’t be surprised at what happened next – Pepper’s veterans immediately started giving more than they got.

Yes, the Pepper Veterans Affinity Group has done much to welcome, honor and support firm employees who served in the military, as well as their families. But from its start on March 20, 2012, the group also made an immediate and continuing impact on the local community through numerous service projects. For example:

The Veterans Group has tirelessly supported Liberty USO’s programs including the recent Hug-A-Hero Campaign. The Hug-A-Hero Campaign sent more than 1,000 hugs and kisses to deployed service members for Valentine’s Day, and raised thousands of dollars for Liberty USO programs including financial literacy classes, family resiliency counseling, and aid to families of the fallen.

Pepper associate William Liess, an Air Force Academy graduate and lieutenant colonel in the Air National Guard, co-founded the firm’s Veterans’ Rights Pro Bono Practice Group. Under his leadership, the firm has partnered with Philadelphia’s Homeless Advocacy Project to help serve the needs of local homeless veterans.

The Veterans Group orchestrates the firm’s participation as an ambassador of the Liberty USO Stocking Stuffer program, sending more than 500 stockings and donating more than $5,000 in the past three years, and also each year leads a firm-wide collection of children’s toys for the U.S. Marine Corps Reserve’s Toys For Tots Program.

In Philadelphia, the Pepper Veterans Group not only provides pro bono intellectual property services to the Travis Manion Foundation, members also organize and participate in a “formation run” that includes civilian employees with former military service members at the Travis Manion Foundation’s 9/11 Heroes Run.

Service extends to all Pepper offices. For example, the Boston Veterans Group provides clothing donations, gas and food gift cards, and financial support to the Veterans Center located in downtown Boston.

In addition, annually, the Veterans Group organizes firm-sponsored events on Memorial Day and Veterans Day, recruiting prominent speakers to share their military experiences with the firm.

The Department of Defense recognized the hard work and dedication of the Pepper Veterans Group on Nov. 27, 2012. Pepper Hamilton received a Seven Seals Award from the Employer Support of the Guard and Reserve (ESGR) for meritorious leadership and initiative in support of the men and women who serve America in the National Guard and Reserve.

The Pepper Veterans Group is led by co-chairs Thomas M. Gallagher, a retired Navy Captain in the U.S. Navy’s Judge Advocate General (JAG) Corps and chair of Pepper’s Executive Committee, and Desa L. Burton, a former Navy lieutenant commander in the surface warfare community. Gallagher and Burton have made it a priority to support the professional development and mentorship of the Veterans Group’s veteran attorneys and veteran family members. The group has more than 15 veteran attorneys in its ranks, whose service to the United States armed forces spans the Cuban Missile Crisis to the conflicts in Iran and Afghanistan. Along with Gallagher Burton, and Liess, other attorneys in Pepper’s Veterans Group include Brian P. Cleghorn (Navy), Scott Fireison (Marine Corps), Donald H. Green (Marine Corps), Michael K. Jones (Naval Reserve), Sean P. McConnell (Army), Noah Malgeri (Army), James L. Murray (Air Force), Edward C. Toole Jr. (Army), Erik N. Videlock (Navy), Samuel J. Wältzer (Army, New Jersey National Guard) and Jennifer L. Maher (Navy spouse).

Pepper Hamilton also directly benefits from the decades of leadership experience and management skills of its Veterans Group members. This year, in honor of Pepper Hamilton’s 125th anniversary, the firm has launched Pepper Veterans Group Still Serving with Honor continued on page 17
PEC Helps Homeless, Boosts Communities

By Kira Strong

People’s Emergency Center (PEC) is many things to many people. PEC provides housing, services and education for families experiencing homelessness; develops vibrant, economically thriving communities; connects resources to the people who need them; offers 21st century skills-building; and advocates for policy changes that benefit the people who use its services.

For homeless single mothers and their young children, PEC provides the social services they need to improve their physical well-being, emotional security and economic stability. Contributing to their circumstances are the scars of childhood abuse or domestic violence, inter-generational poverty, missed educational opportunities, addiction, or mental health issues. PEC supports these families with the resources required to build responsible, hopeful, independent lives.

PEC offers a holistic approach to addressing barriers to success. Our intensive continuum of care offers parenting and early childhood education, employment services, financial literacy, benefits access and life skills courses. More than 200 PEC housing units give previously homeless or financially challenged families the stability they need to live healthy, meaningful lives.

PEC has invested more than $57 million to improve the quality of life for all West Philadelphia residents. Through the PEC Community Development Corporation, PEC is beautifying open spaces and developing eco-friendly mixed-use housing opportunities. Our programs and developments are enhancing culture in the community by creating spaces for resident artists, galleries and cultural events. By revitalizing once-abandoned storefronts, building the skills of existing business owners and attracting new ones, PEC is stimulating economic growth, creating wealth and revitalizing the Lancaster Avenue Business District.

PEC is also narrowing the digital divide through its Center for Digital Inclusion and Technology. Since 2013, the Center has helped students of all ages develop the technology skills necessary for 21st century success. More than 1,500 local residents have completed free courses in computer and Internet literacy, and more than 700 free and low-cost computers have been distributed to program graduates. Through the Freedom Rings Partnership, PEC managed 20 public computer centers and provided more than 100,000 hours of training for 25,000 residents in these KEYSPOTS throughout West, North and Center City Philadelphia.

In order to effect positive change on a broader spectrum, PEC advocates for urgently needed public policy changes on behalf of families experiencing homelessness and low income residents. The organization has worked aggressively with both local and national government agencies to advance legislation that will support homeless children and families. PEC collaborates with other agencies across the region to share research and best practices.

Kira Strong (kstrong@pec-cares.org) is vice president of community and economic development at People’s Emergency Center.

Get Involved

For more information, to volunteer, participate in a tax credit program, or provide pro bono services, contact Linda Wasilchick at 267-777-5892 or lwasilchick@pec-cares.org or visit www.pec-cares.org.
Many of the city’s women judges gathered recently for a photo in the Ceremonial Courtroom in City Hall to celebrate Women’s History Month. The judges are identified as sitting in Common Pleas Court (CP) or Municipal Court (MC). They include (front, row, from left) Judge Pamela Pryor Dembe (CP), Pennsylvania Superior Court President Judge Susan Peikes Gantman, President Judge Marsha H. Neifield (MC), President Judge Sheila Woods-Skipper (CP), Judge Frederica A. Massiah-Jackson (CP), Judge Margaret T. Murphy (CP) and Judge Idee Fox (CP). Middle row (from left) Judge Ann Butchart (CP), Judge Gwendolyn N. Bright (CP), Judge Doris A. Peckukrow (CP), Judge Anne Marie B. Coyle (CP), Judge Teresa Carr Deni (MC), Judge Lisa M. Rau (CP), Judge Patricia A. McInerny (CP), Judge Karen Shreeves-Johns (CP), Judge Timika Lane (CP), Judge Maria McLaughlin (CP), Judge Barbara S. Gilbert (MC), Judge Ellen Ceisler (CP), Judge Karen Yvette Simmons (MC) and Judge Jacqueline F. Allen (CP). Top row (from left), Judge Diana L. Anhalt (CP), Judge Sierra Thomas Street (CP), Judge Susan L. Schulman (CP), Judge Donna M. Woelpper (CP), Judge Holly J. Ford (CP), Judge Rose Marie DeFino-Nastasi (CP), Judge Joan A. Brown (CP), Judge Carolyn H. Nichols (CP), Judge Alise Beck Dubow (CP), Judge Lillian Harris Ransom (CP), Judge Stephanie M. Sawyer (MC), Judge Shelley Robins New (CP), Judge Lisette Shirdan–Harris (CP), Judge Elizabeth Jackson (CP), Judge Barbara A. McDermott (CP), Judge Amanda Cooperman (CP), Judge Abbe F. Fleetman (CP), Judge Linda Carpenter (CP), Judge Marlene F. Lachman (CP) and Judge Jacquelyn Frazier-Lyde (MC).

Women

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the city and 44 (51 percent) are women. Philadelphia also is far ahead of the national average. There are more than 17,000 state court judges in the United States and 29 percent are women.

“In a considerable number of the more metropolitan jurisdictions, such as in Philadelphia, there has been a noticeable increase in the presence of women judges who have assumed leadership positions in their courts beyond addressing issues on their own dockets, and thus serve as the voice of the court in interactions with the public, the bar, community and state entities, justice system partners and with representatives from the other branches of government,” said Judge Julie Frantz, president of the National Association of Women Judges (NAWJ).

“There are at the helm, and proportionately fewer women lawyers. The legal experience and exposure, infrastructure of support, and recognition of achievement fostered in urban areas all contribute to the advancement of women who have demonstrated, such as in Philadelphia, excellent leadership skills, earning the respect of their colleagues,” said Judge Frantz, who sits in Multnomah County Circuit Court in Portland, Ore.

“We endeavor to utilize our unique experiences and perspectives as women to bring balance, fairness and justice,” said President Judge Woods-Skipper.

Another trailblazer among women judges in Philadelphia is Juanita Kidd Stout. She was first appointed and then elected a Municipal Court judge in 1959, becoming the first African-American woman elected to a court of record. She continued to make history, similarly, when she became a judge of the Court of Common Pleas in 1969 and was appointed to an interim term on the Pennsylvania Supreme Court in 1988. Last year, Philadelphia’s Criminal Justice Center was renamed the Juanita Kidd Stout Center for Criminal Justice in her honor.

In September 1978, Norma L. Shapiro became the first woman judge in the U.S. District Court for the Eastern District of Pennsylvania. Dolores K. Slovak became the first woman judge on the Third Circuit Court of Appeals in August 1979.
For details on placing a Lawyer to Lawyer referral ad, contact Lana Ehrlich at 215-557-2392 or lehrlich@alm.com.
Get Admitted to U.S. Supreme Court May 18

The Philadelphia Bar Association will move up to 50 of our members for admission to the Bar of the United States Supreme Court on Monday, May 18. The admission ceremony will be made to the full court sitting in Washington, D.C.

The court’s requirements for a group admission ceremony are very comprehensive. To review these requirements and to download the forms for admission please visit www.supremecourt.gov/bar/baradmissions.aspx for the link for the Bar Admissions Form and Bar Admissions Instructions. Please read the instructions carefully. Once you have determined that you are eligible for admission, please print out and complete the Admission Form. The instructions and guidelines are very specific and must be followed scrupulously. Do not fold the application or use staples. Use paper clips only.

Once you have successfully completed the Admission Form, please mail it along with a check made payable to the Philadelphia Bar Association. The cost to attend the ceremony is $225 for members of the Philadelphia Bar Association which includes your application fee and a continental breakfast. Please include an additional $25 if you are an Association member and plan to bring a guest. If you are not a member of the Philadelphia Bar Association, the fee is $325. Per the Supreme Court’s rule, each inductee is permitted to bring only one guest. Please send payment to: Attn: Dawn Petit, Philadelphia Bar Association, 1101 Market Street, 11th Floor, Philadelphia, PA 19107. Do not send the application directly to the Supreme Court.

The event will be on a first-come, first-served basis and all applications must be received by 5 p.m. on Monday, March 23. If you have any questions regarding this event, contact Dawn Petit at 215-238-6367 or dpetit@philabar.org.

X, Y, Z’s Of REAL ESTATE

Panel: Know Both Sides in Lease Talks

By Annie Kelley Kernicky

Understanding different approaches to the valuation of office buildings and the potential economics of a real estate lease transaction from opposite sides allows for productive and collegial negotiations. While the perspectives of a tenant and landlord may typically be at odds, having an understanding of various market factors and their impacts on valuation from each side allows one to identify good opportunities. This understanding is critically important for all types of attorneys, whether it be a real estate attorney working on a deal, a bankruptcy attorney considering rejecting a lease, or a litigator dealing with damages for a breach.

Carol Huff, principal at Real Estate Investment Strategies, and Joe Pasquarella, managing director of Integra Realty Resources, discussed the valuation of leases for spaces ranging from the small home workplace to the large skyscraper at the X, Y, Z’s of Real Estate Program Series’ “What’s Your Space Worth?” panel on Feb. 11. They also discussed how landlords can affect lease values, as well as how values can change based on the cycles of the economy.

The composition of the panel added a diverse perspective, because Huff represents mainly tenants and Pasquarella works mostly with landlords. Huff emphasized that the most efficient way to approach a negotiation on a tenant’s behalf is to determine the value from the landlord’s perspective, i.e. a reverse analysis of valuation. Huff prepares a study of the value of the building utilizing information the landlord will consider, including financing on the building, fit-out requirements, and information about other tenants. She uses this information to determine what the “bottom line” lease terms are for the landlord, enabling her to back into those terms during negotiations on behalf of her client, the potential tenant, while still respecting the terms that the landlord will need to get the deal done.

Pasquarella stressed the importance of flexibility of the space when valuing a possible space. The more restrictions a building has, the lower its potential value. Examples of restrictions range from a floor plan that can only accommodate one tenant per floor, to air conditioning units that protrude out from the walls and take up valuable square footage, or columns that run through the center of rooms. When looking at buying or leasing a building, functional considerations further include the building’s shape and size, the size of the floor plates and its applicability for the users’ businesses, and the maximization of rentable

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Equal Justice for All

Planning is already underway for two signature YLD events – Law Week, during the week of April 27 – May 1, and the YLD talent show fundraiser on Thursday, June 4, benefitting the Philadelphia Bar Foundation. As the planning unfolds, I cannot help but realize the very basic connection between the two.

I was recently in a cab and I asked the driver how his day was going and he replied, “I am blessed, I come from Sudan. I have nothing to complain about. My day was wonderful.” His words continue to resonate.

As attorneys, most of us rush through the week. We are in and out of court, going to meetings, stopping by Bar Association events, networking and squeezing in time for our loved ones. I both engage in and hear others engage in the practice of complaining during the process. We are tired, overworked, underpaid, have too much on our plates, and the list continues. All the while, we enjoy beautiful meals and gourmet coffee, have homes that are warm, and friends and family that we can spend time with. Why can we not say, “My day was wonderful?”

During the early planning of the YLD fundraiser, I reviewed all of the nonprofit grantees of the Bar Foundation, including the Homeless Advocacy Project, Women Against Abuse and the Pennsylvania Innocence Project, just to name a few. It made me think, how would I feel if I spent a decade or more in prison for a crime I did not commit? What if I did not feel safe going home after work, for fear that my spouse would physically or psychologically hurt me? What if, on these freezing nights I had nowhere to go? It is so easy to not be wonderful.

Created in 1972 by the Philadelphia Bar Association, the YLD coordinates numerous programs and events with Philadelphia, overachievers that we are, we celebrate all week. It is known as “the celebration of the rights and benefits bestowed upon all citizens through the U.S. Constitution.” In other words, my day as a Philadelphia lawyer is certainly wonderful. It is something we teach and honor during Law Week, and something we illustrate while supporting the nonprofit legal services in the city. This is not to minimize the struggles that each of us experience in our personal and professional lives. Some attorneys in the city may be overworked, and some days may not be “wonderful.” But we are fortunate. And we have the ability to make a difference in the lives of others every single day as we are making an argument and fighting for those who cannot fight for themselves.

I am proud to be a Philadelphia lawyer. I believe that means equal justice for all. That said, next time someone asks me how my day was, I plan to say, “It was wonderful.” It may not be wonderful in every way, but as long as I work hard to make it wonderful in every single way as we are making an argument and fighting for those who cannot fight for themselves.

Maria E. Bermudez (nbermudez@paoworkinjury.com), an associate with Martin LLC, is chair of the Young Lawyers Division.

By Maria E. Bermudez

Both Sides in Lease Talks

Understanding different approaches to the valuation of office buildings and the potential economics of a real estate lease transaction from opposite sides allows for productive and collegial negotiations. While the perspectives of a tenant and landlord may typically be at odds, having an understanding of various market factors and their impacts on valuation from each side allows one to identify good opportunities. This understanding is critically important for all types of attorneys, whether it be a real estate attorney working on a deal, a bankruptcy attorney considering rejecting a lease, or a litigator dealing with damages for a breach.

Carol Huff, principal at Real Estate Investment Strategies, and Joe Pasquarella, managing director of Integra Realty Resources, discussed the valuation of leases for spaces ranging from the small home workplace to the large skyscraper at the X, Y, Z’s of Real Estate Program Series’ “What’s Your Space Worth?” panel on Feb. 11. They also discussed how landlords can affect lease values, as well as how values can change based on the cycles of the economy.

The composition of the panel added a diverse perspective, because Huff represents mainly tenants and Pasquarella works mostly with landlords. Huff emphasized that the most efficient way to approach a negotiation on a tenant’s behalf is to determine the value from the landlord’s perspective, i.e. a reverse analysis of valuation. Huff prepares a study of the value of the building utilizing information the landlord will consider, including financing on the building, fit-out requirements, and information about other tenants. She uses this information to determine what the “bottom line” lease terms are for the landlord, enabling her to back into those terms during negotiations on behalf of her client, the potential tenant, while still respecting the terms that the landlord will need to get the deal done.

Pasquarella stressed the importance of flexibility of the space when valuing a possible space. The more restrictions a building has, the lower its potential value. Examples of restrictions range from a floor plan that can only accommodate one tenant per floor, to air conditioning units that protrude out from the walls and take up valuable square footage, or columns that run through the center of rooms. When looking at buying or leasing a building, functional considerations further include the building’s shape and size, the size of the floor plates and its applicability for the users’ businesses, and the maximization of rentable

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Bar Foundation

Cy Pres, Women’s History and the Future

The month of March has marked Women’s History Month in the United States for nearly three decades. It is meant to highlight the contributions women have made throughout history to help shape our country, while also focusing attention on the challenges many women still face domestically and worldwide. It should also serve as a call to action for the Bar Foundation and its supporters.

In the United States, poverty disproportionately impacts women, with more than 14 percent living in poverty compared to 11 percent of men, according to the National Women’s Law Center. In addition, households headed by single women are nearly five times as likely to be living below the poverty line as those headed by a married couple. Women living in Philadelphia, one of the poorest cities in America, face similar odds. Nearly 70 percent of poverty-stricken families here are female-led, single-parent households.

In addition to the troubling connotations these statistics represent for women, study after study has shown that growing up in poverty has numerous negative effects on the other members of these households. Educational, emotional and physical setbacks plague many children through their entire lives, stemming from the disadvantages they faced in their youth. In Philadelphia, more than 200,000 adults are without a high school diploma. The Center for Literacy says more than 500,000 adults lack the literacy skills necessary to even fill out a job application. Contributing to crime rates, illiteracy, poor health and an ongoing cycle of poverty, the difficulties many women face in Philadelphia have ripple effects that impact us all.

Because these women and those they care for lack access to capital, they also often lack access to justice. Combined with a well-established need for women’s advocacy – for example, nearly one-quarter of all women will be the victim of domestic violence at some point in their lifetime – this lack of access is felt even more acutely.

To address this inequality, the Philadelphia Bar Foundation has identified organizations that focus on issues affecting women as one of the core priorities that guide our grants stemming from cy pres awards. Long established as a necessary, beneficial means of ensuring that the spirit of a class action decision is carried out through charitable giving, cy pres awards are a major source of funding for the Foundation’s grant making and serve as a huge boost to our ability to aid Philadelphia’s neediest constituents. By utilizing unclaimed class settlement funds that are not exhausted by class members, cy pres awards have no associated costs, and often exceed the funds raised through our event-based fundraising efforts, making them a highly impactful means for change.

While cy pres awards date back to the 1970s, there is some confusion about their current status. In 2013, the Third Circuit ruling in In re Baby Products Antitrust Litigation scrutinized that particular cy pres distribution because it was rather large relative to the distribution of money to the plaintiff class. To be clear, this ruling should not prevent the bench or the bar from considering the use of cy pres awards to support the Bar Foundation. As long as class counsel work hard (as most do) to ensure that money is distributed fairly to class members, then cy pres awards will continue to be an excellent benefit for the public interest and welcome use for leftover settlement funds. Baby Products does not bar cy pres awards; it simply sets clearer guidelines for them.

In conjunction with addressing the issues that women face, we also focus our distribution efforts on those organizations that aid children, the elderly and the disabled, as well as the general wellbeing of the community. Since 2002, we’ve been fortunate enough to receive more than $1.5 million in residual funds – a huge benefit for the public interest legal community in Philadelphia. It is our goal to leverage the funds we receive to make as big a difference as possible for those most in need of assistance.

So, it is in this spirit and in recognition of Women’s History Month and the challenges faced by the women across the country, our city and our communities, that the Bar Foundation asks the bench and the bar for your consideration when deciding where to direct cy pres awards.

By Steven E. Bizar

Steven E. Bizar is an executive shareholder at Buchanan Ingersoll & Roomey PC, is president of the Philadelphia Bar Foundation.

Amendments Bring Efficiency to Workers’ Compensation System

By Regina M. Parker

Under recently enacted amendments to the Special Rules of Practice and Procedure, practitioners can expect to see greater efficiency in Pennsylvania’s workers’ compensation system, members of the Workers’ Compensation Section were told at a Feb. 13 program.

Panelists included Workers’ Compensation Judge Joseph Hakun; Barbara L. Hollenbach, attorney at Norris McLaughlin & Marcus, PA; Thomas J. Kuzma, deputy chief counsel for the Workers’ Compensation Office of Adjudication; and John W. McTiernan, partner at Caroselti, Beachler, McTier- 

n & Comoy, LLC.

The panel members reviewed various changes to the rules, including changes relating to subpoenas, stipulation of facts, dispositive motions, and claims involving the Uninsured Employer Guaranty Fund (UEGF). In most workers’ compensation claims, it may be necessary to subpoena records from medical providers and employers. With the new electronic filing system available through WCAIS, an issue arose surrounding electronic subpoena requests and affording the opposing party the opportunity to raise an objection prior to service of the subpoena.

The panelists explained that the amendment to Section 131.81 addresses this issue. The amendment provides for electronic subpoena requests and prohibits service of subpoenas until 10 days after issuance by the judge, unless otherwise agreed to by the parties.

In cases involving resolution by way of stipulations of fact, the panel members explained that Section 131.91(b), now provides that stipulations must be signed by the claimant, all counsel and the employer, if the employer is unrepresented. Additionally, the stipulation must expressly provide which petitions are being resolved, whether a petition is being withdrawn, granted or dismissed, and whether the parties are requesting an interlocutory order or a final order.

The panelists agreed that the amendments will prove beneficial and cost effective in cases involving a true legal dispute that may warrant disposition of a petition. They explained that similar to a motion for summary judgment, this procedure will dispose of legal issues up front before the parties incur litigation expenses. Section 131.53h provides that a motion to dispose of a petition may be filed at any time. A response shall be made within a time specified by the judge. Within 30 days of when the response is due, the judge will issue an order granting or denying the motion, or provide reasons why the motion will not be ruled upon. This option is available when there is primarily a legal issue, i.e., statute of limitations, course and scope, or independent contractor.

The amended regulation also promotes due process and judicial economy by ensuring prompt inclusion of all potential parties, including the UEGF, to a claim against an uninsured employer. Section 151.202 directs a judge to provide information about the UEGF to a claimant in an LIBC-362 claim petition when a UEGF claim petition has not been filed and there is not an insurer listed on the notice of assignment or the insurer has filed a motion for dismissal based on non-coverage. If the claimant indicates an intention to file a UEGF claim petition, the judge is directed to stay the proceedings until 20 days after the assignment of the UEGF claim petition. If the UEGF claim petition is not filed within 95 days, the LIBC-362 claim petition will proceed. The panelists stated that the idea is to get the UEGF joined early in order to avoid delaying the case. This will eliminate duplicative hearings and depositions necessitated by the UEGF’s late arrival to the claim proceeding. Also, where the UEGF is involved, Section 204 authorizes judges to issue subpoenas, order testimony and compel completion of written interrogatories concerning the uninsured employer’s financial history, condition or ability to pay an award.

These revisions promote quicker consolidation and resolution by avoiding unnecessary litigation costs and delay. It provides for judicial involvement of all necessary parties early in the case to ensure that litigation proceeds to a resolution efficiently and fairly for all parties.

Regina M. Parker (r.parker@thelblaw.com) is an associate with Thomas, Thomas & Hafer LLP, an associate editor of the Philadelphia Bar Reporter.

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Final Forms Released for Mandate Reporting

By Brian McLaughlin

The Internal Revenue Service recently released final forms and instructions for reporting on the individual mandate (Code Sec. 6055) and the employer mandate (Code Sec. 6056). While these final forms (1094-C and 1095-C) reference calendar year 2014, reporting for 2014 is not required. Employers will be subject to these reporting requirements for 2015 with filings due in early 2016. We expect revised forms reflecting the year 2015 to be issued in the future.

These finalized forms and instructions provide us with better insight into the information that employers must collect and track during 2015 in order to comply with this reporting requirement. In general, the instructions provide general clarification and additional examples that make the instructions more manageable than before.

Notable changes include the following:
- Previously, there was confusion as to how to report self-insured employer-sponsored health insurance coverage for non-employees such as non-employee directors, an individual who was a retired employee during the entire year, or a non-employee COBRA beneficiary. The final instructions clarify that employers with self-insured plans may use Forms 1095-C and 1094-C for non-employees (as opposed to Forms 1094-B and 1095-B) to report minimum essential coverage. Those individuals will be reported on Form 1095-C by using Code 1G (offer of coverage to employee who was not a full-time employee for any month of the calendar year and who enrolled in self-insured coverage for one or more months of the calendar year) and completing Part III.
  - The instructions clarify that an employee who is treated as having been offered health coverage for purposes of section 4980H (even though not actually offered) is treated as offered minimum essential coverage for reporting purposes. For example, for the months for which the employer is eligible for dependent coverage transition relief, non-calendar year transition relief, or multiemployer arrangement interim guidance (if the employer is contributing on behalf of an employee but the employee is not eligible for coverage under the multiemployer plan) with respect to an employee, that employee should be treated as having been offered minimum essential coverage.
  - Waiting periods may be reported using the limited non-assessment period code, 2D.
  - Employees in an initial measurement period will not be counted for purposes of determining the total percentage of full-time employees offered coverage.
  - Additional clarification is provided in areas where completing the forms for a self-insured plan are different than for an insured plan.
  - There is clarification on which code prevails when more than one code could be used. Code 2C generally trumps everything. Employers should always use Code 2C if the employee was enrolled in coverage, but only if he or she was enrolled for the entire month.
  - Under the Qualifying Offer Method and the Qualifying Offer Transition Relief Method, it is now clear that full-time employees covered by a self-insured plan cannot be furnished the alternative statement for purposes of Part III, but should be provided Form 1095-C. Additional information on these forms will be available in the coming weeks. Large employers should review these forms and instructions and begin tracking and collecting data in 2015.

Brian McLaughlin (Brian.Mclaughlin@usiaffinity.com) is vice president of USI Affinity’s Benefit Solutions Group.

For more information about insurance, visit the Philadelphia Bar Association Insurance Exchange at www.usiaffinityex.com/PhiladelphiaBar. For Lawyers’ Professional Liability and other business coverage, you can continue to visit the regular Philadelphia Bar Association Insurance Program website at www.insurance.com/PhiladelphiaBar. If you’d like to talk to someone about insurance and benefits options for Philadelphia Bar Association members, call USI Affinity Benefit Specialists at 1-855-874-0267.

For more than 75 years, the divisions of USI Affinity have developed, marketed and administered insurance and financial programs that offer affinity clients and their members unique advantages in coverage, price and service. As the endorsed broker of the Philadelphia Bar Association and more than 30 other state and local bar associations and with more than 35,000 attorneys insured, USI Affinity has the experience and know-how to navigate the marketplace and design the most comprehensive and innovative insurance and benefits packages to fit a firm’s individual needs.
Solid data at the end of 2014 is setting the stage for an expected stronger economy in 2015. In fact, PNC Chief Economist Stuart Hoffman forecasts that U.S. economic growth this year will be the best since 2005. In this month’s interview, I sat down with Hoffman, to break down his forecast.

Why are you optimistic about the economic recovery in 2015?

A number of drags have held back the economy since the recovery began in 2009, including consumers and businesses repairing their balance sheets, government deficit reduction, and lackluster improvement in the housing market. But those drags have largely lifted and 2014 was a good year for the economy, discounting the contraction in the first quarter due to the bad weather, and this year is expected to be even better.

What is fueling the expected growth?

Consumer spending will likely increase 3.2 percent this year — its best performance in nine years. After paying down debt and repairing their balance sheets over the last seven years, households are ready to buy. The huge drop in energy costs, particularly prices at the gas pump, will free up funds for consumers to save, pay down debts and spend on goods and services. Interest rates will remain low this year, and access to credit will likely expand, allowing consumers to borrow to fund big-ticket items. The improved outlook has already boosted the auto market — car and truck sales were up 6 percent from 2013 to 2014, and are set to rise another 4 percent this year.

What are your expectations regarding business investment growth?

Business investment growth will likely be very moderate this year, up 4.5 percent from 2014. Profits are at an all-time high, and with demand continuing to strengthen businesses will be looking to expand. Low interest rates and increased lending will also help support business investment in 2015, even with the Federal Reserve set to start raising rates in the middle of the year. There is significant pent-up demand for business investment, as firms have been reluctant to spend, but confidence has improved as the recovery has solidified. With labor cost growth set to accelerate firms will be spending on investments to make their workers more productive. And declining vacancy rates across all types of commercial property will likely boost non-residential construction. The plunge in oil and natural gas prices should reduce investment in energy, but other types of businesses will likely benefit from the lower input costs and improved profit margins.

Are you optimistic about the housing recovery as well?

The housing recovery, which has been soft, should pick up steam in 2015. Mortgage rates remain near historic lows, loans are becoming easier to obtain, and the Obama administration has loosened some lending restrictions. The solid labor market recovery will likely boost confidence and spur housing demand. Also, the drag from government tax increases and spending cuts has faded as the improving economy has reduced the need for deficit reduction.

Is there anything that could hold back economic growth in the U.S.?

The biggest concern is the global economy. Europe is again fighting with recession, the Japanese economy is contracting, and growth in China has slowed dramatically. But global growth should pick up later this year as foreign central banks remain aggressive and most overseas economies benefit from lower energy prices. The strong internal fundamentals of the U.S. economy should prevail, more than offsetting the drag from abroad.

Should we expect to see a decline in the unemployment rate this year?

Real GDP growth is estimated to be 3.2 percent this year, up from 2.7 percent in 2014 (4Q to 4Q). This is well above the growth needed to keep up with normal expansion in the labor force, and thus the job market will likely continue to absorb the slack remaining from the Great Recession. Job growth should maintain its current pace of about 240,000 per month, and the unemployment rate will likely continue to decline, ending 2015 at about 5.1 percent.

What is your forecast regarding inflation?

Inflation will likely remain below the Federal Reserve’s 2 percent target this year, but should start to accelerate in the second half of 2015 as wage growth picks up and oil prices partly rebound. Our baseline interest rate forecast includes a slow, steady increase in short-term rates, beginning with an increase in the federal funds rate by 25 basis points at the July 2015 FOMC meeting.

Carol Claytor can be reached at carol.claytor@pnc.com or 215-585-5679. For more information, visit pnc.com/wealthmanagement. The material presented in this article is of a general nature and does not constitute the provision by PNC of investment, legal, tax, or accounting advice to any person, or a recommendation to buy or sell any security or adopt any investment strategy. Opinions expressed here are subject to change without notice. This information was obtained from sources deemed reliable. Such information is not guaranteed as to its accuracy. You should seek the advice of an investment professional to tailor a financial plan to your particular needs. For more information, please contact PNC at 1-800-732-6226.

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Saul Goes Solo in ‘Breaking Bad’ Spin-Off

By Leo M. Mulvihill Jr.

Those familiar with “Breaking Bad” remember Saul Goodman well – the fast-talking, loud-mouthed, “criminal” lawyer in Albuquerque, N.M. And if you’ve not yet seen “Breaking Bad,” stop reading now and go watch it. Well, Saul Goodman – er, Jimmy McGill (played by Bob Odenkirk) – is back in “Better Call Saul” on Monday nights on AMC.

When I first heard rumors last that Saul Goodman would be getting his own show, I was skeptical. I heard it was supposed to be a half-hour comedy, which worried me. Saul was always good for much-needed comedic relief in the otherwise heavy “Breaking Bad,” but I doubted that the character could ever be fleshed out to be more than the caricature he embodied. I tuned in, though I wasn’t expecting much.

You don’t hear a lawyer say this very often, so relish it – I was wrong. Vince Gilligan (creator of “Breaking Bad” and “Saul”), forgive me.

To begin, the show isn’t a comedy, but an hour-long drama. That’s not to say there aren’t funny moments in the show, but if you were expecting antics reminiscent of Odenkirk’s earlier works (see, e.g., “Mr. Show”), you’ve come to the wrong place.

We are introduced to current-day Saul in black-and-white sequence set at a Cinna bon store in Omaha, Neb., (a not-so-subtle wink to loyal “Breaking Bad” fans). We see a familiar face, Saul, now sporting facial hair and wearing a nametag with an unfamiliar name (Gene). Still not out from under the shadow of Walter White, his paranoia while working at the mall is palpable. In the wake of “Breaking Bad,” Saul’s a changed man, evidenced by a shot of him at home, drinking a Rusty Nail (Dewars and Drambuie), sitting on a worn-out chair.

He looks tired. Gone is the silver-tongued Albuquerque lawyer with a twinkle in his eye and a shuffle in his step. Without his gaudy outfits, bombastic television ads, and his comb-over mullet, he’s a broken man. He’s simply Gene, the manager of a nabon store in Omaha.

But then, the show takes us back in time, somewhere in the early 2000s, six years before the events in “Breaking Bad.” Like a reverse ‘Wizard of Oz,’ these scenes are shot in color. Appropriate considering that we first see Saul (still known as Jimmy McGill), presenting colorful closing arguments to a jury for his three 19-year-old clients, “near honor students, all,” facing criminal charges for breaking into a funeral home and, well, filming themselves while performing a “lewd act” with a severed human head. In a scene where any trial lawyer can identify with, Saul taps-dances as best he can for his clients in his closing. Try as he might, though, he can’t beat the prosecutor’s closing, which might be one of the better I’ve recently seen on television or in film.

For the privilege of representing the three defendants at a jury trial, Saul earns only $700. For those of us who do court-appointed criminal work, that cuts close to home.

In “Better Call Saul’s” premiere, Jimmy McGill isn’t yet Saul Goodman. Jimmy is broke and struggling to get by. Instead of a pearl Cadillac DeVille, he drives a mostly-yellow sub-compact. Rather than a strip-mall office decorated with columns and emblazoned with the United States Constitution, he has a dirty office in the back of a nail salon with barely enough room for a desk and chairs. He doesn’t have TV ads, or even business cards, but matchbooks. He doesn’t represent drug kingpins, but struggles for court appointments. Still present, though, are the things that make Saul such a magnetic personality – the hustling, the gallows humor, the sarcasm.

But while he’s not yet Saul, his metamorphosis is foreshadowed by a line uttered by his own brother, Chuck: “Wouldn’t you rather build your own identity? Why ride someone else’s coattails?”

“Better Call Saul” is a standalone show, so you don’t have to be a “Breaking Bad” fan to watch it. However, the writers and producers have thrown some tie-ins into the show that will certainly enrich the experience for loyal “Breaking Bad” fans. No, I am not giving away any spoilers. You’ll just have to watch yourself.

To close, I’ll use Saul’s own words uttered in a scene that any lawyer can identify with – psyching himself up in the courthouse bathroom mirror before stepping into trial: “It’s showtime.”

Leo M. Mulvihill Jr. (leo@fishtownlaw.com) is principal in Mulvihill LLC/Fishtown Law.
PRO BONO SPOTLIGHT: SUPPORT CENTER FOR CHILD ADVOCATES

Change a Child’s Life Forever

By John G. Gaul

I took my first case with the Support Center for Child Advocates (Child Advocates) as a volunteer child advocate attorney in 2010. I have mentored children for many years, so using my legal skills to represent a child who has been traumatized by abuse and neglect seemed to be a natural extension of that passion.

As a youth coach and volunteer Big Brother, I try to provide a stable influence and example for my players and my Little Brothers who, in turn, have helped me become more patient and empathetic.

Becoming a lawyer for a child was somewhat different. Perhaps the stakes seemed greater, as there was only one chance for success. I felt failure was unacceptable. Was I prepared to go to court and advocate for what is best for a child who has suffered the kind of trauma that no child should experience? On a professional level, this was way outside my comfort zone.

The beauty of Child Advocates is the support – you are trained and supported throughout the representation. I took the daylong CLE course “How to Handle a Child Abuse Case,” and spent a morning at Family Court observing others in action. I attended an initial case meeting where I met with my staff social worker partner and consulting attorney and began planning our strategy in my first case. With that invaluable start, I was focused on getting the best result for my clients.

My first client was an infant who was removed from her mother’s care due to parental addiction and mental illness. I remained on the case for close to three years, ultimately advocating for a termination of parental rights that enabled the child to be adopted by an extended family member. She is now healthy and in a loving family home without the threat of harm she would have faced daily had we not succeeded.

All cases have their challenges, some more so than others; but all critically important to the life of the child. I have been involved in a complex case involving the murder of a three-month-old by his father, representing not only the baby’s sister but the three surviving half-sisters and advocating for the best living arrangements and appropriate therapeutic services for each. I was also appointed to represent each survivor in the criminal matter. When her mother refused to testify against the murderer, I had to decide whether it was in my pre-teen client’s best interests to testify and to ensure that she was emotionally able to do so. I decided she was strong enough to testify just moments before she was called, and she did so beautifully, resulting in the conviction of the defendant. It was the most gratifying day of my legal career.

In Philadelphia we are lucky to have many opportunities for pro bono service with incredible public interest firms. I recommend that you consider taking a case with Child Advocates. This work changes a life forever. It may just be your own.

John G. Gaul (jgg@maronmarvel.com) is managing shareholder of the Philadelphia office of Maron Marvel Bradley & Anderson LLC.

Veterans

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a “Day of Service” campaign. The Veterans Group plans to lead volunteer activities for more than 50 Pepper employees with the Veterans Multi-Service Center and Liberty USO, and will select a military charity that will receive a significant donation from the firm.

Pepper Hamilton is proud of the men and women in the United States armed forces and has made a concerted effort to support the firm’s veterans and reserve military service members. Their service to this country is commendable and, through the Pepper Veterans Group, will continue for years to come.

Ryan E. Peters (petersr@pepperlaw.com) is an associate attorney at Pepper Hamilton. Prior to joining Pepper Hamilton, he served as a United States Navy SEAL with multiple combat deployments to Iraq and Afghanistan. He remained in the SEAL Reserves after joining Pepper Hamilton and was recalled back to active duty for a one-year mobilization in support of Operation Enduring Freedom. He received the full support of Pepper Hamilton during the mobilization and returned to Pepper Hamilton in the fall of 2014.
Judge Karen Y. Simmons wrote “he has been associated with the Paxson’s diversity committee.”

He served on the Philadelphia Bar’s Business Law Committee and the Business Law Section Executive Committee.

He was a member of the Public Defender’s Board, which tries to enfranchise and Environmental Professionals of the Association for Latinos in Engineering and Environmental Professionals.

His ongoing efforts include the establishment of the Association for Latinos in Engineering and Environmental Professionals and promotion of Latinos as directors on corporate boards.”

Melber, the keynote speaker, also writes about law and politics for MSNBC.com and other publications. Melber anchors and writes an MSNBC series on inequities in the criminal justice system, “Presumed Guilty,” and he is a guest host for MSNBC shows “Presumed Guilty,” “The Rachel Maddow Show” and “All In with Chris Hayes.”

The award is presented to an individual who acts as a superb mentor and advisor to clients, the Bar, the judicial system and/or the community; makes a difference in the lives of others irrespective of race, ethnicity, religion, disability, gender or sexual orientation; demonstrates a willingness to do what is right although sometimes unpopular; demonstrates legal acumen or scholarship; and exhibits great humility.

The event begins at 12 p.m. in the Grand Ballroom at the Hyatt at The Bellevue, Broad and Walnut streets. Tickets are available at philadelphiabar.org.

Philadelphia Bar Academy Committee:
- Philadelphia Bar Academy Committee: meeting, 12 p.m., 11th Floor Committee Room South.
- Philadelphia Bar Academy Committee: meeting, 12 p.m., 11th Floor Committee Room South.

Tuesday, March 2
Family Law Section: meeting, 12 p.m., 11th Floor Conference Center. Lunch: $9.

Tuesday, March 3
Committee on the Legal Rights of Persons with Disabilities: meeting, 9 a.m., 10th Floor Board Room.

Women’s Rights Committee: meeting, 12 p.m., 11th Floor Conference Center. Lunch: $9.

Compulsory Arbitration Committee: meeting, 12 p.m., 10th Floor Board Room. Lunch: $9.

Philadelphia Bar Reporter Editorial Board: meeting, 12:30 p.m., 10th Floor Cabinet Room.

Wednesday, March 4
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: $9.

Criminal Justice Section Executive Committee: meeting, 12:30 p.m., 11th Floor Conference Room South.

Family Law Section ADR Committee:
- Family Law Section: meeting, 4 p.m., 10th Floor Board Room.
- Alternative Dispute Resolution Committee: meeting, 10:30 a.m., 11th Floor Conference Center. Lunch: $9.

Government and Public Service Lawyers Committee: meeting, 3:30 p.m., 10th Floor Board Room.

Thursday, March 5
Alternative Dispute Resolution Committee: CLE program, 12 p.m., 11th Floor Conference Center. Lunch: $9.

Philadelphia Bar Lawyer magazine Editorial Board: meeting, 12:30 p.m., 11th Floor Conference Room South.

Monday, March 16
Public Interest Section Executive Committee: meeting, 12 p.m., 10th Floor Board Room. Lunch: $9

Criminal Justice Section: meeting, 12 p.m., 11th Floor Conference Center. Lunch: $9.

Philadelphia Bar Academy Committee: meeting, 12 p.m., 11th Floor Committee Room South.

Tuesday, March 17
Cabinet: meeting, 12 p.m., 10th Floor Board Room.

Real Property Section Executive Committee: CLE program, 12 p.m., Ballard Spahr LLP, 1735 Market St., 51st Floor.

Wednesday, March 18
Young Lawyers Division Cabinet: meeting, 12 p.m., 11th Floor Committee Room South.

Immigration Law Committee: meeting, 12 p.m., 10th Floor Board Room. Lunch: $9.

Lawyer Referral and Information Service Committee: meeting, 12 p.m., 11th Floor Conference Room. Federal Courts Committee: meeting, 12 p.m., 10th Floor Conference Room Center. Lunch: $9.

Friday, March 13
Workers’ Compensation Section Executive Committee: meeting, 10:30 a.m., 11th Floor Committee Room South.

Workers’ Compensation Section: meeting, 12 p.m., 11th Floor Conference Center. Lunch: $9.

The Philadelphia Lawyer magazine Editorial Board: meeting, 12:30 p.m., 11th Floor Conference Room South.

Monday, March 19
Family Law Section Executive Committee: meeting, 12 p.m., 11th Floor Committee Room South.

Decision 2015 - Supreme Court Candidates Forum: meeting, 12 p.m., The CLE Conference Center, 10th Floor, Wanamaker Building, Market and Juniper streets. Lunch: $15.

Friday, March 20
Social Security Disability Benefits Committee: meeting, 12 p.m., 11th Floor Conference Center. Lunch: $9.

Monday, March 23
Young Lawyers Division Executive Committee: meeting, 12 p.m., 10th Floor Board Room.

Wednesday, March 25
LGBT Rights Committee: meeting, 12 p.m., 11th Floor Committee Room South.

Young Lawyers Division Live, Lunch and Learn program, 12 p.m., 11th Floor Conference Center. Lunch: $9.

Thursday, March 26
Board of Governors: meeting, 4 p.m., 10th Floor Board Room.

Monday, March 30
Civil Gideon Task Force: meeting, 12 p.m., 10th Floor Board Room.

Tuesday, March 31
Women in the Profession Committee: meeting, 12 p.m., 10th Floor Board Room. Lunch: $9.

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a strong commitment, and has made a substantial contribution, to diversity and promoting full and equal participation and inclusion in the legal profession.

Judge Diaz served on the Philadelphia Court of Common Plea from 1981 through 1993. He was the youngest judge elected to the court and the first Latino judge in Pennsylvania history. He also served as the city solicitor of Philadelphia and was appointed by President Clinton to be the general counsel for the U.S. Department of Housing and Urban Development, where he focused on reforming public and mixed-use housing programs.

He is also chair of Dilworth Paxson’s diversity committee.

In nominating Judge Diaz for the award, Philadelphia Municipal Court Judge Karen Y. Simmons wrote “he has impacted the community through his efforts related to commercial literacy, the arts, and Temple University admission and contracts. As a White House Fellow, he worked to integrate and bring Latinos national exposure. He has founded many organizations, such as the National Puerto Rican Coalition, which tries to end gender policies on the federal side. His ongoing efforts include the establishment of the Association for Latinos in Engineering and Environmental Professionals and promotion of Latinos as directors on corporate boards.”

Melber, the keynote speaker, also writes about law and politics for MSNBC.com and other publications. Melber anchors and writes an MSNBC series on inequities in the criminal justice system, “Presumed Guilty,” and he is a guest host for MSNBC shows “Presumed Guilty,” “The Rachel Maddow Show” and “All In with Chris Hayes.” He also is a correspondent for The Nation magazine, the oldest political weekly in America, a contributor to Reuters, and his writing has been published by major media outlets.

Immediate-Past Chancellor William P. Fedullo will be honored at the event. He will be presented with a gold box, a replica of the one presented to Andrew Hamilton for his defense of John Peter Zenger in 1735. The gold box is presented annually to the immediate past Chancellor and is inscribed with the message “acquired not by money, but by character.”

Additionally, The Justinian Society and the Louis D. Brandeis Law Society Foundation will present the Lifetime Achievement Award in Memory of Marvin Comisky and Judge G. Fred DiBona to Judge Anthony J. Scirica of the U.S. Court of Appeals for the Third Circuit. The award is presented to an individual who acts as a superb mentor and advisor to clients, the Bar, the judicial system and/or the community; makes a difference in the lives of others irrespective of race, ethnicity, religion, disability, gender or sexual orientation; demonstrates a willingness to do what is right although sometimes unpopular; demonstrates legal acumen or scholarship; and exhibits great humility.

The event begins at 12 p.m. in the Grand Ballroom at the Hyatt at The Bellevue, Broad and Walnut streets. Tickets are available at philadelphiabar.org.
Monique Myatt Gal- loway, an associate at Kessler Topaz Meltzer & Check, LLP, has been appointed to a three-year term on the Lawyers Advisory Committee of the Judicial Council for the Third Circuit.

Jennifer Weidler Karpchuk, an associate with Chamberlain Hrdlicka, was a faculty member for the Feb. 25 Pennsylvania Bar Institute program “Doing Business in Philadelphia.”

Jacqueline K. Gallagher, a partner in Obermayer Rebmann Maxwell & Hippel LLP, testified at a Jan. 27 hearing in the Philadelphia Autism Project.

Lorena E. Ahumada, of counsel to Kleinbard PLLC, has been elected president of the Hispanic Bar Association of Philadelphia Legal Education Fund.

Peter H. “Ted” LeVan Jr., founder and managing partner of LeVan Law Group LLC, recently created and taught the four-day workshop “Deposition Boot Camp: The Art of Taking, Defending and Preparing for Depositions” for students at the University of Pennsylvania Law School.

Phyllis Horn Epstein of Epstein, Shapiro & Epstein, PC., served as moderator and organizer of “Breaking Up is Hard To Do: Protecting Divorcees from the IRS And Each Other” at the American Bar Association Tax Section meeting in Houston on Jan. 30. She is vice chair of the ABAs Individual and Family Tax Committee.

Diana A. Silva, an associate with Manko, Gold, Katcher & Fox, LLP, was recently selected for the Board Observer Program where she will serve on board for the Philadelphia Freedom Valley YMCA – Columbus North Branch.

H. Ronald Klaske, a partner in Klaske Immigration Law Partners, LLP, has been named one of the top 25 EB-5 lawyers in the country by EB5 Investors magazine.

Tara B. Dickerman, an associate with Obermayer Rebmann Maxwell & Hippel LLP, has been appointed to the Gladwyne Library Board of Trustees.

Brenda H. Goteda, a partner in Manko, Gold, Katcher & Fox, LLP, has been elected to the Board of Directors for the Partnership for the Delaware Estuary.

Angela L. Baglanzis, an associate with Obermayer Rebmann Maxwell & Hippel LLP, has been appointed to serve on the board of directors of the Consumer Bankruptcy Assistance Project.

Scott M. Slomowitz, a partner in Caesar Rivise Bernstein Cohen & Pokotilow, Ltd., presented “How to Prepare a Good Patent Application and Filing Options” to engineering students at Drexel University on Feb. 5.

Courtenay R. Dunn, an associate with Phelan Hallinan, L.L.P., has been awarded a Star of the Quarter by the American Bar Association Young Lawyers Division for her work on inclusion and diversity in the profession.

Anthony R. La Ratta, a partner in Archer & Greiner P.C., received the 2014 Excellence in Writing Award from the American Bar Association Section of Real Property, Trust and Estate Law for an article he co-authored in the section’s Probate & Property magazine.

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Philadelphia’s Employment Lawyers

FOR MORE THAN 30 YEARS, Sidney L. Gold & Associates, P.C. has dedicated its practice to the field of employment law and civil rights litigation. The firm’s attorneys take great pride in serving both aggressive and compassionate advocates for victims of unlawful discrimination and harassment. As a result, the Martindale-Hubbell® Bar Register has certified Sidney L. Gold & Associates as a pre-eminent law firm in the field of labor and employment law. More than 4,500 lawyers throughout Pennsylvania and New Jersey look to Sidney L. Gold & Associates to refer their clients.

With a team approach, the firm’s attorneys represent clients in all aspects of employment law litigation, including all forms of workplace discrimination, sexual harassment, wrongful termination, retaliation, whistleblower, employment contract, wage and hour, and Family and Medical Leave Act claims. A boutique practice with a small-firm atmosphere, Sidney L. Gold & Associates provides personal attention to its clients, who, at the same time, benefit from the experience and expertise of the entire team.

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