By Jeff Lyons

U.S. Supreme Court Associate Justice Sonia Sotomayor will be presented with the Philadelphia Bar Association’s newly renamed Justice Sonia Sotomayor Diversity Award at the sold-out Quarterly Meeting and Luncheon on Friday, March 11.

Contact Tracey McCloskey at 215-238-6360 or tmccloskey@philabar.org if you would like to be placed on the waitlist for a seat.

The change of the award’s name, formerly known as the Chancellor’s Diversity Award, “will add immeasurably to the prestige of the award and the incentive it will provide to make real progress throughout our legal community,” Chancellor Rudolph Garcia told Bar members in December.

Advertisements will be listed under four different categories.

Diversity Honor for Sotomayor at Sold-Out March 11 Event

By Jeff Lyons

Attorneys looking for jobs and employers looking to fill vacancies will have a new resource available on the Philadelphia Bar Association website.

“This new section of our website will help members find jobs and allow firms to list opportunities at a fraction of the cost they currently pay for classified ads,” said Chancellor Rudolph Garcia. “This is the least we can do for all the lawyers who are struggling to find work in this extraordinarily difficult job market.”

To help launch the new section of the website (classifieds.philadelphiabar.org), a special introductory price of $39 per advertisement has been announced. The $39 price per ad will be in effect for the first three months that classifieds.philadelphiabar.org is open. The site is scheduled to open by April.

Advertisements will be listed under four different categories.

Classified Advertising Coming to Bar Association Website

By Jeff Lyons

The Philadelphia Bar Association’s Bench-Bar & Annual Conference will return to Harrah’s Resort in Atlantic City, N.J, on Friday and Saturday, Oct. 14 and 15.

The Bench-Bar & Annual Conference is a two-day program where attorneys and judges gather for continuing legal education and networking in a relaxed atmosphere. The chairs of this year’s conference are Shellie Fedullo and Jeffrey Gross.

The conference provides a broad array of CLE seminars that appeal to all segments of the Bar Association. The conference generally opens with a luncheon plenary session and in the past has featured nationally known speakers.

One of the highlights of the conference is the Grand Reception, scheduled for the evening of Oct. 14 at The Pool at Harrah’s. With its 90-foot glass domed ceiling and tropical atmosphere, the 172,000-square-foot Pool features palm trees, six Jacuzzis, two party tubs, a dozen cabanas, a pool bar and more.

Visit philadelphiabar.org for more information about the Bench-Bar & Annual Conference as it becomes available.

Bench-Bar Returns to Harrah’s in October

In This Issue

3 Legal Directory
4 Feinberg at Forum
7 YLD Bootcamp
8 32nd Annual 5K
11 Going Solo
16 Comisky Tribute
NOT JUST AN AMAZING MEAL.
AN AMAZING EVENING.

Enjoy Ruth’s Classics

3-course seasonal menu | $39.95

Philadelphia 1 215.790.1515
King of Prussia 1 610.992.1818

visit us at ruthschris.com
Available at participating locations for a limited time.
Commitment to Diversity Grows, But Much Still Needs to Be Done

By Rudolph Garcia

This month, we will present our Chancellor’s Diversity Award to U.S. Supreme Court Associate Justice Sonia Sotomayor. We will also rename the award in her honor. She will then engage in an open discussion with those in attendance at our Quarterly Meeting and Luncheon. This will all take place at the Hyatt at The Bellevue on March 11.

Throughout her entire career, Justice Sotomayor has demonstrated an unwavering commitment to diversity and equal justice for all Americans. As the first Hispanic justice, nominated by the first African-American president, she embodies the ideals of diversity and shines like a beacon of hope for others in our profession. By lending her name to the award and accepting it herself, Justice Sotomayor will add immeasurably to the award’s prestige and the incentive it provides to make real progress throughout our legal community.

This will be another significant milestone on our road to diversity and inclusion.

In 1993, under the leadership of our first African-American Chancellor, Andre L. Dennis, our Board of Governors adopted a Statement of Goals for Increasing Minority Representation and Retention. It was enthusiastically endorsed by law firms, corporations and other legal employers across the city.

In 2008, under the leadership of Chancellor A. Michael Pratt, the Board of Governors reaffirmed our commitment to diversity by adopting a Statement of Diversity Principles and establishing the association’s Office of Diversity.

Chancellor Pratt also created the award that will be presented to Justice Sotomayor this year.

The inaugural award was presented to Nolan N. Atkinson Jr., the first chair and co-founder of the Philadelphia Diversity Law Group, a consortium of law firms and corporations that has worked for 10 years to increase the number of attorneys of diverse backgrounds working at law firms and corporate law departments in the greater Philadelphia region.

In 2009, the award was presented to Chancellor Dennis. That same year, Chancellor Sayde J. Ladov convened a Diversity Summit, at which distinguished panelists discussed their own experiences, the future of diversity and how best to achieve it. Their stories and recommendations were then memorialized in a multi-faceted Action Plan for Diversity.

Last year, Chancellor Scott E. Cooper appointed Scott W. Reid as our first cabinet-level diversity chair. Reid has brought an exceptional blend of knowledge, experience and commitment to this new role. In addition to leading the search for our new director of diversity and coordinating efforts among key stakeholders, he has ensured that our policy discussions include appropriate consideration of the areas.

Time is money, and yours is precious. Why waste it spending hours gathering information from multiple sources, when The Legal Directory has everything you need in one place?

For years, the Philadelphia Bar Association’s official Legal Directory has kept you up-to-date with the content you need in print and online. And once again for 2011, The Legal Directory is mobile. This streamlined interface is fully interactive and tailored for smaller screens! Simply click on a number or e-mail; your handheld will immediately dial the number or generate an e-mail template.

The Legal Directory’s massive database is updated annually to ensure you receive the most current and comprehensive information. Thousands of attorneys and support personnel rely on The Legal Directory as their one-stop source for the most accurate information on the Philadelphia-area legal community.

The mobile component is free with purchase of the traditional print version. Connect to thousands of lawyer and law firm listings with your mobile device wherever there’s an Internet connection. Once you’re back in the office, access all our firm and attorney listings at thelegaldirectory.org. If you find yourself without access to the Internet, The Legal Directory’s impressive print version is there for you. Its easy-to-read design packs a wealth of information into one volume:

- Federal, state and county courts and government agencies;
- An index of judges, with phone numbers and addresses;
- Attorneys listed alphabetically and indexed by area of concentration;
- A special section devoted to corporate counsel;
- Alternative dispute resolution resources;
- Bar Association bylaws, contacts and committees;

For more information about The Legal Directory 2011, please visit thelegaldirectory.org.

A business-to-business supplier section tailored to the legal community. It’s more critical than ever to access up-to-date information. Firms have merged, organization’s boards have changed and attorneys have switched firms. You can rely on The Legal Directory to have the up-to-date information you need, wherever you need it.

This is the only official directory of the Philadelphia Bar Association, the oldest association of lawyers in the U.S. No other resource gets the endorsement of the most respected legal organization in the five-county area.

Order The Legal Directory (print, mobile and online) now and get the discounted pre-publication price of $59.95 (plus shipping and tax)! This special rate is available until March 31. E-mail legaldirectory@mediatwo.com or call 443-909-7843.
Kenneth R. Feinberg, President Obama’s compensation czar and administrator of the federal 9/11 fund which distributed nearly $7 billion to more than 5,000 survivors and families of victims will be the guest speaker at a Thursday, April 28 Chancellor’s Forum presented by the Business Law Section.

The Chancellor’s Forum will be held at The Ritz-Carlton, Philadelphia, 10 Avenue of the Arts, at 12 p.m. Tickets for this plated-lunch program are $35 for Business Law Section members, $45 for non Section members who belong to the Philadelphia Bar Association and $55 for non-members. Visit philadelphiabar.org to purchase tickets.

Feinberg was named by President Obama in June 2010 as the independent administrator of a $20 billion fund set up by BP to compensate victims of the oil spill in the Gulf of Mexico. He was appointed by the Secretary of the Treasury in 2009 to serve as the Special Master for TARP Executive Compensation. Feinberg was the fund administrator responsible for the design, implementation and administration of the claims process for the Hokie Spirit Memorial Fund following the tragic shootings at Virginia Tech University in April 2007.

He was also retained by Liberty Mutual Insurance Company and Zurich Insurance Company to design, implement and administer an Alternative Dispute Resolution Program for resolving insurance claims arising out of Hurricane Katrina and other hurricanes in the Gulf region.

Feinberg is an attorney and one of the nation’s leading experts in mediation and alternative dispute resolution. He is the managing partner of Feinberg Rozen, LLP. Feinberg received his B.A. cum laude from the University of Massachusetts in 1967 and his J.D. from New York University School of Law in 1970, where he was Articles Editor of the Law Review. He was a Law Clerk for Chief Judge Stanley H. Fuld, New York State Court of Appeals from 1970 to 1972; Assistant United States Attorney, Southern District of New York from 1972 to 1975; Special Counsel, United States Senate Committee on the Judiciary from 1975 to 1980; Administrative Assistant to Senator Edward M. Kennedy from 1977 to 1979; Partner at Kaye, Scholer, Fierman, Hays & Handler from 1980 to 1993; and founded The Feinberg Group, LLP in 1993.

Feinberg has also been a Court-Appointed Special Settlement Master, mediator and arbitrator in thousands of disputes. He was also one of three arbitrators selected to determine the fair market value of the original Zapruder film of the Kennedy assassination and was one of two arbitrators selected to determine the allocation of legal fees in the Holocaust slave labor litigation.

March CLE Calendar

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>3/1</td>
<td>• PLI-16th Annual Consumer Financial Services Institute</td>
</tr>
<tr>
<td>3/2</td>
<td>• Halfway There: Beyond the Basics of Electronic Data Discovery</td>
</tr>
<tr>
<td>3/3</td>
<td>• PLI-Green Real Estate Summit: What Attorneys/Developers/Regulators/Tenants/Lenders Need to Know</td>
</tr>
<tr>
<td>3/7</td>
<td>• PBA Pro-Bono Seminar: Reaching Out to the Neediest Among Us</td>
</tr>
<tr>
<td>3/8</td>
<td>• Hot Topics in Employment Law: For Non-Employment Attorneys</td>
</tr>
<tr>
<td>3/10</td>
<td>• Environmental Issues Affecting Oil and Gas Law Development</td>
</tr>
<tr>
<td>3/11</td>
<td>• Using Trusts as Building Blocks for Your Client’s Estate Plan</td>
</tr>
<tr>
<td>3/14</td>
<td>• Dead Man’s Rule</td>
</tr>
<tr>
<td>3/15</td>
<td>• The Preparation &amp; Trial of the Products Liability Case: A Course for the Experienced Practitioner</td>
</tr>
<tr>
<td>3/16</td>
<td>• 17th Annual Health Law Institute</td>
</tr>
<tr>
<td>3/17</td>
<td>• Developing Useful Communication Styles: Getting Better Results w/Positive Assertiveness</td>
</tr>
<tr>
<td>3/18</td>
<td>• From File to Trial: 8 Keys to Success in Court &amp; Beyond</td>
</tr>
<tr>
<td>3/21</td>
<td>• Bullying: Part of PBI’s Public Policy Series</td>
</tr>
<tr>
<td>3/22</td>
<td>• Succession Planning for Attorneys</td>
</tr>
<tr>
<td>3/23</td>
<td>• Advanced Issues in Estate Planning</td>
</tr>
<tr>
<td>3/24</td>
<td>• Winning Numbers: Accounting &amp; Finance for Lawyers (PEG)</td>
</tr>
<tr>
<td>3/29</td>
<td>• Slicing Up the Pie: Property Distribution in PA</td>
</tr>
<tr>
<td>3/30</td>
<td>• Effective Legal Negotiation Skills: 2011</td>
</tr>
<tr>
<td>3/31</td>
<td>• Improvisation for Lawyers</td>
</tr>
</tbody>
</table>

www.pbi.org
800-932-4638
Is change key to the viability of the legal profession? Who is affected and how? What are suggested solutions? The Philadelphia Bar Association hosted a Feb. 1 event to examine issues detailed in the new book LAW & REORDER: Legal Industry Solutions for Restructure, Retention, Promotion & Work/Life Balance by Flex-Time Lawyers’ Deborah Epstein Henry.

Lynn Doyle, producer/host of the Comcast Network's "It's Your Call," served a moderator, and panelists included Henry; JoAnne A. Epps, dean of Temple University Beasley School of Law; Carol Ann Petren, executive vice president, general counsel and corporate secretary of CIGNA Corporation, and Abraham C. Reich, past Chancellor of Temple University Beasley School of Law; Carol Ann Petren, executive vice president, general counsel and corporate secretary of CIGNA Corporation, and Abraham C. Reich, past Chancellor of the Philadelphia Bar Association and co-chair of Fox Rothschild LLP.

In discussing the impetus for her book, Henry relayed the history of Flex-Time Lawyers as a brown-bag lunch group, which began when she was a litigator and mother of young two boys. "The focus of the group was how attorneys can play a role in their children’s lives, while having successful careers. Since then, the issues have taken on a broader scope of general dissatisfaction with the profession. This includes frustration in the way employers are structured. To really track profitability, productivity and satisfaction, Henry suggests that we view it from a workplace structure standpoint and align the various groups. These include law firms, law schools, clients, law students and lawyers.

Henry’s book proposes alternatives to traditional law firm models. The book imparts that it no longer suffices to be a talented lawyer. Today’s lawyer needs leadership skills, mentoring relationships and business generation. Clients are seeking value-driven arrangements rather than the billable hour. According to Reich, law firms today must change to survive. A junior lawyer must focus on helping to make the law firm a valuable proposition for people who want to buy their legal services. Training is key and funded by firms. Law schools are also doing a better job at training lawyers, he said. Petren opined that the last few years have evidenced an acceleration of change, but slowed by the risk-averse nature of lawyers, who fear bidding too high or too low.

Epps commented that while there is a major focus on change in business law firms, tragically, there remains an unmet loss of intellectual brainpower. The concept of “productivity” may need to be redefined. According to Henry, the greatest form of dissatisfaction among lawyers is the lack of predictability and control. In the medical profession, doctors go on call, covering for each other. Regarding today’s technology, there was consensus that 24/7 accessibility allows for flexibility to maintain professional productivity, while attending to family obligations. Petren pointed out that managers should be sensitive to the needs of their staff and refrain from sending e-mails at night or on weekends. Henry noted that accounting firms are already putting into place similar rules. On the flip side, Epps commented that we need to show that one can be a successful lawyer without being crazed. Per Henry, the measure of success for a lawyer should focus on core competency and not on profits per partner, the billable hour, or lock-step promotion.

JoAnne A. Epps (left), Lynn Doyle, Deborah Epstein Henry, Chancellor Rudolph Garcia, Carol Ann Petren and past Chancellor Abraham C. Reich gather before the Feb. 1 program on the future of the legal profession.

Author, Panel Examine Trends, Future of the Legal Profession

By Carolyn Hochstader Dicker

Is change key to the viability of the legal profession? Who is affected and how? What are suggested solutions? The Philadelphia Bar Association hosted a Feb. 1 event to examine issues detailed in the new book LAW & REORDER: Legal Industry Solutions for Restructure, Retention, Promotion & Work/Life Balance by Flex-Time Lawyers’ Deborah Epstein Henry.

Lynn Doyle, producer/host of the Comcast Network’s “It’s Your Call,” served as moderator, and panelists included Henry; JoAnne A. Epps, dean of Temple University Beasley School of Law; Carol Ann Petren, executive vice president, general counsel and corporate secretary of CIGNA Corporation, and Abraham C. Reich, past Chancellor of the Philadelphia Bar Association and co-chair of Fox Rothschild LLP.

In discussing the impetus for her book, Henry relayed the history of Flex-Time Lawyers as a brown-bag lunch group, which began when she was a litigator and mother of young two boys. “The focus of the group was how attorneys can play a role in their children’s lives, while having successful careers.

Since then, the issues have taken on a broader scope of general dissatisfaction with the profession. This includes frustration in the way employers are structured. To really track profitability, productivity and satisfaction, Henry suggests that we view it from a workplace structure standpoint and align the various groups. These include law firms, law schools, clients, law students and lawyers.

Henry’s book proposes alternatives to traditional law firm models. The book imparts that it no longer suffices to be a talented lawyer. Today’s lawyer needs leadership skills, mentoring relationships and business generation. Clients are seeking value-driven arrangements rather than the billable hour. According to Reich, law firms today must change to survive. A junior lawyer must focus on helping to make the law firm a valuable proposition for people who want to buy their legal services. Training is key and funded by firms. Law schools are also doing a better job at training lawyers, he said. Petren opined that the last few years have evidenced an acceleration of change, but slowed by the risk-averse nature of lawyers, who fear bidding too high or too low.

Epps commented that while there is a major focus on change in business law firms, tragically, there remains an unmet loss of intellectual brainpower. The concept of “productivity” may need to be redefined. According to Henry, the greatest form of dissatisfaction among lawyers is the lack of predictability and control. In the medical profession, doctors go on call, covering for each other. Regarding today’s technology, there was consensus that 24/7 accessibility allows for flexibility to maintain professional productivity, while attending to family obligations. Petren pointed out that managers should be sensitive to the needs of their staff and refrain from sending e-mails at night or on weekends. Henry noted that accounting firms are already putting into place similar rules. On the flip side, Epps commented that we need to show that one can be a successful lawyer without being crazed. Per Henry, the measure of success for a lawyer should focus on core competency and not on profits per partner, the billable hour, or lock-step promotion.

Carolyn Hochstader Dicker (carolyn@ hochstaderdicker.com) is a solo practitioner, focusing on business law, as well as bankruptcy and debtor-creditor matters, restructuring, workouts, and foreclosure.

Podcast Spotlight

Visit philadelphiabar.org to listen to the podcast from this meeting.

Reign In Southbound Witness With Brady/Lively

By Edward P. Kelly

The witness is on the stand and you feel confident with your questioning since you have already reviewed the witness’ statement. Then, the testimony starts to stray from that statement. What do you do? Those in attendance at a recent meeting of the Criminal Justice Section were given some solutions during the panel discussion “The Witness Gone South: Brady/Lively and More.” The panelists were Philadelphia Bar Court of Common Pleas Judge M. Teresa Sarmina, criminal defense attorney Daniel-Paul Alva, and Professor Jules Epstein from the Widener University School of Law.

By way of background, in Commonwealth v. Brady, 510 Pa. 123, 507 A.2d 66 (1986), the Pennsylvania Supreme Court held that prior inconsistent statements could be used as substantive evidence where the declarant is a witness at trial and available for cross-examination. In other words, the recorded, adopted statement of a witness to a crime which is inconsistent with that witness’ testimony at trial may be admitted for both purposes of impeachment and as substantive evidence. In Commonwealth v. Lively, 530 Pa. 464, 610 A.2d 7 (1992), the court extended this rule and held that a prior inconsistent statement by a non-party witness may be used as substantive evidence only when it was given under oath at a formal legal proceeding, or the statement was reduced to a writing signed and adopted by the declarant, or the statement was recorded verbatim contemporaneously with the making of the statement. The court further clarified the rule in Commonwealth v. Wilson, 550 Pa. 518, 707 A.2d 1114 (1998) by holding that the recording of the statement must be an electronic, audiotaped or videotaped recording.

One aspect of the Brady/Lively rule is that the witness’ testimony must be inconsistent with a prior statement. The panelists walked through a series of fact patterns to determine the meaning of “inconsistent” testimony. They concluded that if a witness says, “I don’t remember the event”, the testimony is not inconsistent. However, the statements “I wasn’t there” and “I saw nothing” are clearly inconsistent.
**THE LEGAL DIRECTORY IS MORE VALUABLE THAN EVER!**

**ORDER**
this indispensable, multi-platform legal resource today at the special pre-publication price and save $20!

**YOU’LL RECEIVE:**
- access to the online directory
- mobile application so you can search entries on-the-go
- the print directory

It’s all available for one low price: **$59.95** plus shipping and tax, if ordered by March 31, 2011.

**NEW FOR 2011!**
Free Custom Search Engine “Findability” Report with Directory Purchase!

**ALSO INCLUDED:**
- index of area judges
- listing of law-related organizations
- court rules and fees
- corporate counsel section
- product and service resources
- Bar Association bylaws and committees
- and more!

Online and in print, The Legal Directory 2011 is your most up-to-date source of information on the Philadelphia-area legal community, featuring hundreds of new lawyer, law firm and government entries!

**DON’T DELAY!**
You have only a few weeks left to save $20 on The Legal Directory triple-play: online access, mobile resource and printed directory in one package!

Go to [www.thelegaldirectory.org](http://www.thelegaldirectory.org) to place your order.

**THE LEGAL DIRECTORY 2011 WILL BE AVAILABLE APRIL 2011.**

**QUESTIONS?** Please contact us at 443-909-7843 or legaldirectory@mediatwo.com.

The Legal Directory | c/o Media Two | 1014 West 36th Street | Baltimore, MD 21211

---

**ONE PRICE, TRIPLE VALUE**
Online Database Mobile Access Print Directory
This year’s Second Annual YLD Bootcamp, “Tactics, Tips and Tricks for Lawyers and Law Students,” was held on Friday, Feb. 18 and proved once again to be a valuable resource for new lawyers and law students. Participants heard from judges and attorneys who comprised four separate panels. After the panel presentations, Kimberly Alford Rice, a principal of KLA Marketing Associates, led the participants in a strategic networking event. The program was followed by a cocktail reception, where the participants were able to network with colleagues, members of the YLD, and several of the panelists.

On behalf of the YLD, I would like to extend a special thanks to all of our panelists who volunteered their valuable time to support our program: Philadelphia Court of Common Pleas Judges Daniel J. Anders, Lori A. Dumas-Brooks, Charles J. Cunningham and Gary S. Glazer, along with Debra A. Aisenstein, Justin Goldstein, Sabrina Sacks Mann, Sara Woods, Jeffrey Campolongo, former YLD Chairs Abbie DuFrayne and Natalie Klyash-torny, David M. Walker, Henry Noye, Molly Peckman, Elaine T. Petrossian and Chancellor-Elect John E. Savoth. Special thanks are also due to Chancellor Rudy Garcia, who rendered opening remarks, and our panel moderators, Jennifer Coatsworth, Brielle Rey and Ed Beitz. And last, but certainly not least, a great thanks is due to our cabinet who helped to coordinate the event – Melanie J. Taylor, Matthew G. Laver and especially Rachel Kopp, our event chair. Hopefully all participants walked away with information and advice they can implement in their current practices.

While I’m on the topic of “thank yous,” I’d also like to extend appreciation to the sections and firms who have generously donated their time volunteering for the YLD’s monthly LegalLine program. For those of you who are not aware, Legal Line provides an opportunity one night a month for residents in the community to call and speak with a volunteer attorney, who can offer practical advice and/or assist callers in directing them to resources that can best address their concerns.

So far this year, the Criminal Justice Section (January), Ciardi Ciardi & Astin (February), and the Family Law Section (March) have graciously agreed to staff the phone lines. If your firm, section or division is interested in sponsoring an upcoming month, please contact YLD Chair-Elect Melanie Taylor at mtaylor@phila.gov.

Finally, along with a highly motivated planning committee, we are pleased to announce that the YLD will hold its first Casino Night Fundraiser, benefitting the Philadelphia Bar Foundation, the charitable arm of the Philadelphia Bar Association. The event will be held on Saturday, May 14, from 7 to 10:30 p.m. at the Radisson Warwick Hotel, in Center City. Sponsorships are available for individual tables, but will be offered on a first-come, first-served basis. Please save the date for a fun-filled night of poker, blackjack, roulette and craps, all for a great cause.

The YLD has much more on the agenda as we progress through the year. Of course, if you have questions, concerns or want to learn more about any of our programs, please contact me.

Carolyn M. Chopko (cchopko@feldman-shepherd.com), an associate with Feldman Shepherd Wohlgelernter Tanner Weinstock & Dodig LLP, is chair of the Young Lawyers Division.
Firms Like Fox Rothschild Make 5K a Success

By Eric E. Reed

The Philadelphia Bar Association encourages local law firms to continue their long-standing partnership with the Support Center for Child Advocates by participating in the 32nd Annual 5K Run/Walk. This year’s event will be held on Sunday, May 15 at 8:30 a.m. on Martin Luther King Jr. Drive adjacent to the Philadelphia Museum of Art.

The event, which annually attracts more than 1,300 participants of all athletic ability levels, benefits Child Advocates, the nation’s oldest and largest pro bono program dedicated exclusively to serving abused and neglected children. The organization teams specially-trained volunteer attorneys with experienced staff social workers and consulting lawyers to secure a permanent and nurturing environment for each child in their care.

Fox Rothschild LLP is one of the firms that has participated in the legal team competition for many years. The firm also fields a number of individual runners.

Past Bar Association Chancellor Abraham C. Reich, co-chair of Fox Rothschild, “consider[s] it a privilege to assist the efforts of Child Advocates, which is one of the premiere public service agencies in the country. We are very proud of the high level of involvement of our attorneys both in volunteering as child advocates and participating in the annual 5K.”

Fox Rothschild partner and Bar Association Assistant Secretary Jacqueline G. Segal has raised the most pledges for the 5K of any participant in the history of the event. “The Support Center for Child Advocates is the perfect charitable partner because it provides direct services to the children of Philadelphia and also enhances the ability of private practitioners to represent neglected and abused children. As chair of the Family Law Section, I enlisted the help of the Section membership and my colleagues at Fox Rothschild in sponsoring and participating in the annual event. I participate in the race every year, and find it a very rewarding experience.”

Fox Rothschild’s support of Child Advocates is not limited to the annual 5K race. Ted Jobes, who coordinates the participation of the firm’s lawyers in the event, said the firm has worked with Child Advocates for years. “Several of our attorneys handle their pro bono cases. Bill Stassen, serves on the board.”

“The event itself is a fun time, and we have a friendly rivalry with participating lawyers at other firms. Personally I am not a very accomplished runner, but the 5K distance is manageable, the event is fun, and it benefits a great cause,” said Jobes.

Sam Israel, a partner in the firm’s litigation group, volunteers as a child advocate. “Child Advocates is an amazing organization. My volunteer work for them is some of the most important and impactful legal work that I do because it has such a direct and immediate impact on the lives of vulnerable children.”

“The 5K event is a fun and easy way to help Child Advocates,” said Israel.

“We are very proud of the high level of participation of Fox Rothschild attorneys both as volunteer child advocates and as participants in the annual 5K.”

“We look forward to another successful 5K race in 2011 and our continued partnership with Child Advocates,” said Reich.

The 5K Run/Walk offers friendly individual competition for runners in 16 age categories for both male and female competitors in both Bar Association and non-Bar Association categories. The competition also includes the Caesar, Rivise, Bernstein, Cohen & Pokotilow Legal Team Competition for participating law firms. This legal team competition is fun for all participants because of its unique scoring system that allows teams with diverse age and gender classifications to be competitive with one another.

A legal team includes between three and five members who must be bona fide full-time or part-time employees of the firm, so paralegals, law clerks, and legal secretaries are encouraged to join attorneys on legal teams. The highly sought after trophy bowls are awarded to the top three legal teams. The entry fee for each legal team is a $400 contribution to Child Advocates. For information about the Legal Team Competition, contact Michael J. Berkowitz at (215) 567-2010 or mberkowitz@crbcp.com.

“Positions desired” is for attorneys looking for a specific job situation, whether it be full-time work, part-time work, contract work or anything else. “Rent/own space” is the classified section’s real estate listings where you can advertise your own office space. “Vendor services” is the location where court reporters, expert witnesses and other non-lawyer professionals can offer their services to Bar Association members.

To post an advertisement, Bar Association members should go to classifieds.philadelphiabar.org. Once there, you will be asked to either log in or create an account. Next, you create the ad by choosing a category and creating a headline for it. Advertisers can then add descriptions, qualifications and contact information. You can then review the posting before paying the introductory $39 fee. Once you confirm the order and submit the listing, the ad will instantly appear on the website. A confirmation will appear and a copy of the receipt will be e-mailed to you.

Attorneys who are not members of the Philadelphia Bar Association will be able to browse the titles of listings, but will not be able to see the entire listing without becoming a member of the Association.

Classifieds
continued from page 1
What Makes a Pulitzer? Read It and You Know

By Angie Halim

There’s a thin line distinguishing public service reporting from investigative or explanatory journalism, Pulitzer Prize winner Bill Marimow told members of the Bar-News Media Committee and the Philadelphia Public Relations Association.

Marimow, former editor of The Philadelphia Inquirer and currently an investigative reporter at the newspaper, discussed the process of identifying Pulitzer Prize winners at the Feb. 1 program. The event was moderated by PPRA Hall of Fame member Gloria Hochman.

Of the 14 Pulitzer Prize categories – ranging from music to theater to history – Marimow spoke chiefly about those categories he was most familiar with: public service, investigative reporting, beat reporting and explanatory journalism. Among these four categories, Marimow said there is a lot of overlap and a “thin line” that distinguishes public service from investigative reporting or explanatory journalism.

As a recent example of a story that crosses the line from investigative reporting into public service and then into explanatory journalism, Marimow cited The Inquirer’s four-part series about the Philadelphia criminal justice system, “Justice: Delayed, Dismissed, Denied.”

In Marimow’s view, there are two types of stories in investigative reporting: the informed fishing expedition and the “spark that ignites.”

There’s a thin line distinguishing public service reporting from investigative reporting or explanatory journalism, Marimow said, “you feel it, you can’t define it with words.” He compared it to Supreme Court justices who define pornographic content: “you know it when you see it.”

In answering how one knows whether a story is Pulitzer caliber, Marimow explained that the prior-art statement out loud. The statement must be handed to the witness to be reviewed while the witness can prove “signed and adopted” by signing an affirmation, there are other ways to accomplish this goal, in- cluding the testimony of a police officer.

If a witness gets on the stand and says “I can’t remember,” the attorney can then try to refresh the witness’ recollection by showing the witness a copy of the prior statement. However, it is important to re-
Going Solo:
A True Do-It-Yourself Venture

By Regina Parker

Being your own boss, making your own decisions, and creating that quality of life you desire are some of the benefits of running your own law firm. But going solo is not the answer for everyone.


The panelists agreed that one of the challenges of running a firm is that you may discover that you have no one to rely on but yourself. The panel members offered advice and a number of recommendations for persons interested in starting their own practice.

One of the hardest parts of going solo is being alone to handle the responsibilities of running a firm. The panelists recommended that you have a mentor, someone you can reach out to, or someone with whom you can start your firm. If you have the resources, it is recommended that you hire a legal administrator and legal assistant. This will allow you to focus on practicing while the legal administrator and legal assistant handle the other administrative aspects of operating the firm.

You will be required to act as the secretary, law clerk, legal assistant and office manager. The panel members agreed that administrative tasks will take up a great deal of your practice. You have to know how to deal with a number of issues, including, taxes, insurance, bookkeeping, technology and office space. Having a system in place can prevent mistakes and financial trouble.

As a solo practitioner, selling yourself is essential. The way to getting business is by establishing a good professional reputation. The panelists also recommended getting involved with professional organizations like the Philadelphia Bar Association and exploring social media as an inexpensive means to marketing yourself.

The panelists explained that a detailed business plan is necessary. It identifies a budget and assists the bank in establishing financing. The Small Business Administration has a template to use to start your own business. Depending on the nature of your practice and your book of business, you may be without income for months at a time. The panelists recommended that you keep your budget as low as possible. One example of keeping expenses down is establishing a home office.

There are many benefits to being a sole practitioner. However, it requires dedication and preparation in order to address and handle the pressures of starting your firm.

Regina Parker (rparker@mattioni.com), an associate with Mattioni, Ltd., is an associate editor of the Philadelphia Bar Reporter.

Get Admitted to U.S. Supreme Court May 23

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 23. 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 the Supreme Court’s website at supremecourts.gov. Select the Bar Admissions tab on the left-hand side and this will bring you to 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 which includes your application fee and a continental breakfast. Please include an additional $25 if you plan to bring a guest. Per the Supreme Court’s rule, each inductee is permitted to bring only one guest. Please send payment to: Attn: Dawn Perit, Philadelphia Bar Association, 1101 Market St., 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, April 4, 2011. If you have any questions regarding this event, contact Dawn Perit at 215-238-6367 or dperit@philabar.org.

Anderson Museum Tour

Phyllis Sims (from left), curator of the Marian Anderson Residence Museum, is joined by Enid H. Adler, Bar Academy Co-Chair Judge A. Michael Snyder and Blanche Burton-Lyles, founder/president, Marian Anderson Historical Society, Inc. at the Academy’s behind-the-scenes tour of the Museum on Feb. 3. Anderson is considered America’s greatest contralto singer of the 20th century. The event featured a live performance by Marian Anderson fellows.
I just sent out thank-you letters to each person who made a donation to the Philadelphia Bar Foundation in 2010. I wanted to make a special point of thanking them not only because of their generosity — their average gift was $529 — but more particularly because they have, by making their gifts to the Foundation, shown a steadfast commitment to a principle that illustrates what is best in our profession — achieving access to justice for all.

What is particularly notable about the donors is that the vast majority of them came from just four firms — Dechert LLP; Drinker Biddle & Reath LLP; Eckert Seamans Cherin & Mellott, LLC; and Pepper Hamilton LLP. In each of these firms more than 50 percent of the lawyers wrote a check. Kudos to those firms and to their lawyers.

I don’t know why each of those lawyers chose to give, but I have my suspicions. It could be because they believe in the mission of the Bar Foundation to provide access to justice for those who need it but cannot afford it. Or perhaps it is because they are aware that the poor and unemployed are still facing home foreclosures at alarming rates and need legal representation that they cannot afford in order to keep their homes. Maybe they know the abuse of children, women and seniors, sadly, is still an all-too-frequent occurrence and that the legal organizations that help those who have been abused are seeing an increased caseload. Possibly, they see that homelessness, especially among families, is on the rise and understand that lawyers have a role in helping the homeless out of their desperate situations. Or it could simply be that one of their partners asked them to donate — so they did. Whatever the reason, I’m hoping that those who wrote a check last year write one again this year. I am also hoping that next year we can add to the list of those law firms where 50 percent or more of the firm’s lawyers make personal donations.

Certainly it makes remarkable good sense to make a donation to the Philadelphia Bar Foundation. It is the one place you can give to that supports the entire public interest legal community. And when we all join together to support the Philadelphia legal community’s foundation, our contributions have a greater impact than the sum of the parts.

Making a donation now is one way to give, but the Bar Foundation offers you many different avenues for giving. You can donate the fees you receive as an arbitrator in the Court of Common Pleas or made a contribution in memory of a loved one or to honor a colleague. If you like, we can work with your firm to set up a bi-weekly payroll deduction for your contribution. You can also make a one-off gift or a multi-year pledge to the Bar Foundation’s endowment so that the interest earned on your gift can be used to support legal services organizations for years to come.

There are also opportunities to give to others while reaping a tangible benefit for yourself. For example, those of you who must make a withdrawal from your IRA may have the opportunity to give to the Foundation in a way that can also help you with your tax bill. The Pension Protection Act of 2006 made it possible for Americans age 70½ and over to make tax-free IRA contributions to public charities. This program was supposed to be phased out, but Congress recently extended the tax-free distributions from IRAs for charitable purposes through 2011.

So, if you are 75 years old, you probably have to take roughly 4.37 percent of your IRA out as a required minimum distribution that is considered ordinary taxable income. If your IRA is $1 million, the required distribution would be roughly $43,670. If you do not need that distribution (or any portion of it) for living expenses and want to make a charitable gift, you can make it directly from your IRA to the charity. Instead of generating $43,670 of taxable income and a tax of $15,283 at 35 percent, you can make an equivalent gift to the Philadelphia Bar Foundation, pay no tax and satisfy your minimum distribution requirement all at the same time. This allows the amounts remaining in your IRA to continue to grow in an income tax-free environment.

As you can see, we strive to make the Bar Foundation responsive to donor choice, to provide many different ways to give in a manner that makes sense to you. You should feel free to call Gene Sirni, our executive director, at 215-238-6334, to talk more about the best way for you to maximize your support for access to justice while at the same time meeting your financial, tax and estate planning needs.

Or, talk to me. I can talk to you until the cows come home about the importance of the work of the Bar Foundation and our goals. And I can tell you why I think the Philadelphia Bar Foundation should be your charity of choice.

Wendy Beetleston (wbeetleston@hangley.com), a shareholder with Hangley Aronchick Segal & Pudlin, is president of the Philadelphia Bar Foundation.

Entries are now being accepted for the Philadelphia Bar Association’s 2011 Justice Ruth Bader Ginsburg Pursuit of Justice Legal Writing Competition. The co-chairs of the competition are Bar Association Vice Chancellor Kathleen D. Wilkinson, partner at Wilson Elser Moskowitz Edelman & Dicker LLP, and Diane Penneys Edelman, Assistant Dean for International Programs, Associate Professor of Legal Writing, Villanova University School of Law.

The Bar Association recognizes the importance of excellence in legal analysis and writing skills, and seeks to award a student enrolled in an American Bar Association-approved or provisionally approved Philadelphia-area law school for authoring a top-quality competition submission.

This competition is open to full- and part-time law students who are in their second or third year of study during the 2010-11 academic year at one of the following six institutions: Drexel University Earle Mack School of Law, University of Pennsylvania Law School, Rutgers University School of Law – Camden, Temple University Beasley School of Law, Villanova University School of Law and Widener University School of Law (Delaware Campus). Part-time law students in their third or later year of study are also eligible. Students must be in good standing at their institutions. The submission may not have been published previously, although it may have been prepared in connection with a law school course or for a law journal. The submission also may not have been submitted for any other competition during the time when it is under consideration for this competition, until after the time when awards are announced. The submission must be the work of one author alone (joint submissions will not be considered), and the author must certify that the submission has been prepared without substantial editing from others.

“This year we have a wonderful panel to review the essays which must focus on rights, privileges and responsibilities under federal law,” said Wilkinson. “We are very excited our panel includes Judges Gene E.K. Pratter and Juan R. Sanchez from the United States Court for the Eastern District of Pennsylvania.”

Other judges are Brandi J. Brice, City of Philadelphia Law Department; Leonore F. Carpenter, assistant Professor of Law, Temple University Beasley School of Law; Iva Johnson Ferrrell, Legal Writing Professor, Widener Law School; Deborah S. Gordon, Visiting Assistant Professor of Law, Drexel University Earle Mack School of Law; Mitchell Nathanson, Sarah E. Ricks, Clinical Professor & Co-Director, Pro Bono Research Project, Rutgers School of Law – Camden; Melanie Taylor, Philadelphia District Attorney’s Office; Sandra A. Jeskie, Duane Morris LLP; and Anne Krinzel, Legal Writing Director and Senior Lecturer, University of Pennsylvania Law School.

Candidates may submit a law review quality submission on any topic relating to rights, privileges and responsibilities under federal law. Entries must be received by Monday, May 9 at 4 p.m.

The author of the winning submission will receive a cash award of $2,500, the publication of the winning submission in The Philadelphia Lawyer, on the Bar Association’s website and/or in an appropriate Bar Association publication. The winner will be invited to a Quarterly Meeting of the Bar Association, at which time the award will be presented.
DLSC, Court, Others Work to Improve Opportunities for Abused Children

By Frank P. Cervone

More than 150 lawyers, judges, social workers and court staff attended a two-day training at the Family Court of Philadelphia to help improve educational opportunities and achievement for children and youth involved in abuse and neglect proceedings in Philadelphia. The programs featured a collaborative faculty of public interest lawyers, private education attorneys, and lawyers and program specialists from the School District of Philadelphia and the City’s Department of Human Services. The September and January “Back To School” sessions addressed enrollment, school discipline and special education law, and they provided useful tips to access evaluations and supports for client children and their families.

Family Court Administrative Judge Kevin Dougherty closed all courtrooms to allow practitioners and judges to attend, and he made attendance mandatory for lawyers practicing in Dependent Court. In his letter announcing the January program, Judge Dougherty said, “We are pleased to present this program in cooperation with the Delivery of Legal Services Committee (DLSC) of the Philadelphia Bar Association. This will be the second part of the two-session curriculum on education issues, on the theme of ‘getting children into school and keeping them there.’”

The curriculum for the training programs was developed by the Public Interest Section’s DLSC Education Subcommittee. Subcommittee co-chair Janet Stotland of the Education Law Center was pleased with the results. “The group worked hard for months to squeeze a mountain of important information into two CLE credit hours, and the feedback from attendees told us we succeeded.”

Co-Chair Michael Churchill of PILCOP said that “the goal of the sessions was to improve the educational experience of children in the child welfare system by teaching the law and entitlements, teaching the law and entitlements, teaching the law and entitlements.”

HAP Plans April Benefit

The Homeless Advocacy Project’s Benefit Committee met March 17 to plan this year’s benefit, set for April 7 at Sofitel Philadelphia. In attendance were (seated, from left) HAP Development Director Andrea Bloch, HAP Volunteer Coordinator Cary E. Moritz, HAP Executive Director Marsha L. Cohen and E. Blaine Stanley, along with (standing, from left) Committee Co-Chair Margaret Morris, HAP Board President Scott Towers, Committee Co-Chair Sara Brandes, Madeline Sherry and Marnie Simon. Other committee members include Jack L. Foltz, Jeff Palazzese, Susan Meier and Courtney Ercol. For more information, visit homelessadvocacyproject.org.

APPELLATE ADVISING

Issue Identification and Brief Preparation

• Assists in determining what issues have best chance for success on appeal
• Recommends framing issues to best attract appellate attention
• Provides input on structuring the critical phrasing, the Questions Presented and the summary of argument

Appellate Arguments

• Utilizes seasoned appellate experience to provide suggestions for the presentation of oral argument
• Conducts a “mock appellate argument” to allow the attorney to “dry run” the appellate argument
• Makes suggestions as to how to make the argument more receptive to Appellate Court
continued from page 13

Public Interest

continued from page 13

Pursuant to Section 1100 of the Philadelphia Bar Association bylaws, notice is hereby given to all members of the Philadelphia Bar Association that the following amendment to the bylaws of the Philadelphia Bar Association were considered at the Nov. 18, 2010 Board of Governors meetings and were approved for submission to the members at the March Quarterly meeting to take place on Friday, March 11, 2011 at noon at the Hyatt at The Bellevue.

Addition of Section 217 to the Bylaws, creating a Long-Range Advisory Council, as follows:

Section 217. Long-Range Advisory Council
A. The Long-Range Advisory Council (the “Council”) shall consider the long-term goals of the Association and make recommendations to the Chancellor and the Board regarding achievement of those goals through means which may take more than a single year. The Council shall have the discretion to meet and to make such recommendations as often as it deems advisable. Such recommendations shall be advisory only, and shall not limit the authority of the Chancellor or the Board, nor shall the Chancellor or the Board be required to conform agenda items, policy or resolutions to the Council’s recommendations.
B. The Council shall consist of the following persons, each of whom shall be entitled to vote:
1. The Chancellor;
2. The Chancellor-Elect;
3. The Vice-Chancellor;
4. The Chair of the Young Lawyers Division; and
5. Nine Members of the Association, who shall be appointed as follows:
   (a) Each year, the Chancellor shall appoint three Members to serve on the Council for a term of three years, except as provided in Section 217(B)(5)(e) with respect to the initial appointments.
   (b) To be eligible for appointment to the Council, a Member must be well respected and have an established record of service and commitment to the Association, preferably in a high leadership capacity. It is also preferable that appointed Members have no intention to run for any other elected office of the Association.
   (c) Appointments to the Council shall be made with due regard for the Association’s commitment to diversity.
(d) Members of the Council shall be eligible for re-appointment to successive terms.
(e) The first nine appointments to the Council shall be made by the Chancellor, with the consent of the Board, for the following terms: three for three-year terms, three for two-year terms, and three for one-year terms.
C. The Chair of the Council shall be appointed each year by the Chancellor from among the nine appointed members.
D. Any vacancy among the appointed members of the Council shall be filled for the duration of the unexpired term by appointment of the Chancellor.

Notice to Philadelphia Bar Association Members

Association’s Diversity Goals

This year, we are taking our diversity efforts to another new level.

In addition to renaming the diversity award and presenting it to Justice Sotomayor, we have converted our Diversity in the Profession Committee into a forum for collaboration with and among the local minority and affinity bars. The heads of these groups serve as ex-officio members of the committee. This brings them together to work on common goals, share ideas and develop best practices, with the full support of our bar.

Reid has agreed to continue serving as our diversity chair this year, with an expanded role that now includes leadership of our reconstituted Diversity in the Profession Committee.

In addition, our director of diversity, Naomi K. McLaurin, will provide her invaluable support to the committee and serve as a unifying force among Philadelphia’s many dynamic minority and affinity bars. She will also serve as a key resource to our own sections and committees and to law firms and legal departments that have or aspire to have diversity and inclusion programs of their own. Given her vast experience and national reputation as a diversity leader, and her background as an attorney, McLaurin is ideally suited to provide this service as our association’s director of diversity.

One of McLaurin’s key initiatives this year is to encourage all of our sections and committees to adopt diversity action plans, using the Business Law Section’s plan as a model. That plan, which was adopted by the section’s Executive Committee last May, seeks to create a culture where all members of the bar association feel valued, supported, comfortable and included, in an environment that affords an opportunity for everyone to contribute and thrive. Among the plan’s goals are to recruit a more diverse pool of attorneys both for committee membership and for section presentations. The plan also calls for a structured approach to professional development programs that are proactive and will ensure full and equal opportunities for active participation by attorneys from underrepresented groups.

Although our association has made progress in the area of diversity, there is still much work to be done. Our bar association will remain steadfast in its continuing commitment to diversity and inclusion in the Philadelphia legal community. We welcome thoughts, suggestions and perspectives from all segments of the bar. Please feel free to contact me at chancellor@philabar.org or 215-665-3843, or Naomi McLaurin at nmclaurin@philabar.org 215-238-6340.

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

Public Interest

continued from page 13

association’s diversity goals.

This year, we are taking our diversity efforts to another new level.

In addition to renaming the diversity award and presenting it to Justice Sotomayor, we have converted our Diversity in the Profession Committee into a forum for collaboration with and among the local minority and affinity bars. The heads of these groups serve as ex-officio members of the committee. This brings them together to work on common goals, share ideas and develop best practices, with the full support of our bar.

Reid has agreed to continue serving as our diversity chair this year, with an expanded role that now includes leadership of our reconstituted Diversity in the Profession Committee.

In addition, our director of diversity, Naomi K. McLaurin, will provide her invaluable support to the committee and serve as a unifying force among Philadelphia’s many dynamic minority and affinity bars. She will also serve as a key resource to our own sections and committees and to law firms and legal departments that have or aspire to have diversity and inclusion programs of their own. Given her vast experience and national reputation as a diversity leader, and her background as an attorney, McLaurin is ideally suited to provide this service as our association’s director of diversity.

One of McLaurin’s key initiatives this year is to encourage all of our sections and committees to adopt diversity action plans, using the Business Law Section’s plan as a model. That plan, which was adopted by the section’s Executive Committee last May, seeks to create a culture where all members of the bar association feel valued, supported, comfortable and included, in an environment that affords an opportunity for everyone to contribute and thrive. Among the plan’s goals are to recruit a more diverse pool of attorneys both for committee membership and for section presentations. The plan also calls for a structured approach to professional development programs that are proactive and will ensure full and equal opportunities for active participation by attorneys from underrepresented groups.

Although our association has made progress in the area of diversity, there is still much work to be done. Our bar association will remain steadfast in its continuing commitment to diversity and inclusion in the Philadelphia legal community. We welcome thoughts, suggestions and perspectives from all segments of the bar. Please feel free to contact me at chancellor@philabar.org or 215-665-3843, or Naomi McLaurin at nmclaurin@philabar.org 215-238-6340.

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

Public Interest

continued from page 13

ing the questions to be asked by advocates and judges, and identifying touchstones for education advocacy for children with disabilities.”

Faculty included Rachel Holzman and Kim Caputo from the school district legal staff, education specialist and solo practitioner David Birney, Education Law Center staff attorneys Maura McNerny and Deborah Gordon Klehr, PILCOP staff attorney Sonja Kerr, and

Liza Rodriguez and Heather Keafer of the DHS Education Support Center. Child Advocates Director of Intake and Pro Bono Jodi Schatz served as course planner. Court staff provided copies of materials to all attendees.

One feature of the program was to demonstrate ways that advocates can work together with the public agencies to address critical issues of mutual concern. The Education Support Center, with offices at Family Court and at DHS, works to improve the educational stability and outcomes for children in DHS care. Rodriguez said in the program that “we help identify educational barriers and offer a streamlined point of access” to address those barriers to education.

Working closely with court administration, Child Advocates produces specialized trainings such as these three times per year at Family Court. Other sessions have featured Temple Law Professor Edward Olshbaum on trial evidence and Drexel’s Dr. Sandra Bloom on trauma-focused care.

Frank P. Cervero (fcervero@adokids.org) is executive director of Support Center for Child Advocates and co-chair of the DLSC Education Subcommittee.

Photo by Mark Tarasiewicz
Wealth Planning for Unmarried Couples

By Jackie B. Lessman

The interview series conducted by PNC Wealth Management Director 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.

In an interview with Jacquelyn Brennan-Boyer, LL.M., a vice president and senior wealth planner with PNC Wealth Management, we discussed planning for unmarried couples.

Jackie Lessman: Why does planning for the unmarried couple represent a unique challenge for estate planning attorneys?

Jacquelyn Brennan-Boyer: Unmarried couples do not have the same rights or default legal protections as married couples. Whether same-sex couples whose relationships would not be legally recognized in Pennsylvania or opposite-sex couples who choose not to marry, we believe the situation is urgent in establishing and implementing comprehensive plans for these clients.

What are the must-haves in an estate plan for the unmarried couple?

Core planning documents will certainly be needed: Wills, financial and health care powers of attorney. In addition, consider a hospital visitation directive and directive for disposition of remains naming the domestic partner as primary agent. Carefully review beneficiary designations for non-probate assets so they appropriately reflect the couple’s dispositive intentions. Add payable-on-death provisions as needed on bank and investment accounts. Consider using a revocable living trust for assets. Remember to restate your clients’ intentions for the distribution of their estates.

Can clients take any other precautions in anticipation of a legal challenge?

Well thought out plans for unmarried couples are still far more susceptible to legal challenge by legal next-of-kin. To protect against this threat, the planner should establish estate plan execution formalities and commit them to writing. For example, a string of questions asked before the witnesses that are faithfully adhered to would cover concerns of undue influence, incapacity, and an understanding of legal next-of-kin. The following are potential questions to pose:

- Are you aware that under the law your partner is not your next-of-kin?
- You understand that you are choosing your partner as your primary beneficiary and agent rather than your legal next-of-kin?
- Has anyone coerced or influenced you to make this choice?
- This is your independent act and represents solely your final wishes?

Is there anything else the client should consider doing?

Consider using a self-proving affidavit and add a “no-contest” clause to your wills. It may also be advisable to not allow the partner to be present for the estate plan execution. Consider acknowledging the intentional omission of next-of-kin in the Will. Be careful that you do not libel blood-related relatives if using this approach. Be careful to choose witnesses that are more likely to remember the specifics of a particular estate plan.

These planning tactics are by no means exhaustive, but should draw the estate planning attorney’s attention to the fact that these couples require imaginative and personalized legal counsel. The wealth planning group at PNC is excited to brainstorm with local attorneys to develop creative and sophisticated ways to serve these clients.
Marvin Comisky Fought for Equality for All

By Samuel H. Becker

Marvin Comisky passed away in November at the age of 92. I met Marvin in 1978 when he was the 60-year-old managing partner of Blank, Rome, Klaus & Comisky and I was a 24-year-old new associate in the Corporate Section hired to do lending and bankruptcy work.

Marvin was recognized as a leading trial lawyer. He had served with distinction as Chancellor of the Philadelphia Bar Association, president of the Pennsylvania Bar Association and President of the Philadelphia Bar Foundation. He held a variety of other charitable, bar and public service positions, including serving as general counsel to Pennsylvania's 1967-68 Constitutional Convention.

Marvin graduated third in his class from the University of Pennsylvania Law School in 1941. He then served two judicial clerkships sandwiched around his service in World War II. The second clerkship was with Pennsylvania Supreme Court Chief Justice Horace Stern. Neither his success in law school nor his subsequent clerkships ensured Marvin a job. He told how he turned down a job at $2,000 a year because he couldn’t live on that amount. Marvin eventually practiced with Lennard B. Scheid, a noted trial lawyer, and later with John Brumbelow in the firm of Brumbelow & Comisky. It was not until 1959 when Marvin was 41 that Brumbelow & Comisky merged into Blank, Rudenko, and Klaus & Rome increasing the size of that firm by 20 percent, to 12 lawyers.

During the next 10 years Marvin set out to eliminate discrimination in the field of law, while maintaining his practice. His first challenge was getting elected Chancellor of the Philadelphia Bar Association. Until then, many of the Chancellors had come from the large firms. Marvin believed that the small firm lawyers and the various minority ethnic groups should band together to make sure that all groups in the bar, regardless of the size of their firm, were able to serve. With the help of friends, Marvin won a contested election for Chancellor in 1962. The festivities at the Comisky home in Northeast Philadelphia are legendary both for their unplanned, impromptu nature and for the number of visitors’ coats young Ian Comisky had to manage.

Once elected, Marvin had two main goals in his role as a bar leader: first to eliminate the religious discrimination in hiring taking place in Philadelphia law firms, and second to eliminate the geographical restrictions on the practice of law in Pennsylvania.

Marvin preferred working quietly and personally. He preferred to have the firm leadership make changes voluntarily rather than under public pressure. To that end, he approached his predecessor, Chancellor Theodore Voorhees, and discussed his concern about the issue, asking Ted to approach the leadership of the firms privately with the understanding that if it was not resolved Marvin would raise the issue publicly when he set his agenda as Chancellor. To Marvin’s delight, Voorhees, in a few short months, got the firms to discontinue the discrimination and many of the firms hired Catholic and Jewish lawyers for the first time in the early 1960s.

In the 1960s, geographic restrictions on practice existed in Pennsylvania. Lawyers were admitted to practice only in one county. For example, a lawyer with an office in Philadelphia could not appear in Montgomery County. Being unable to find a quiet way to eliminate this restriction, Marvin eventually successfully challenged the restriction as unconstitutional in the Pennsylvania Supreme Court.

As a law firm leader, in the late 1960s, Marvin became a name partner and the managing partner of Blank, Rome, Klaus and Comisky. When I joined the firm in 1978, Marvin was managing a law firm of 85 lawyers. By February of 1979 it had grown to 100 lawyers and changed its name to Blank, Rome, Comisky & McCauley. In the 20 years Marvin had been with the firm it had grown tenfold and was on its way to becoming a large Philadelphia firm and one of only two large Philadelphia firms to be started after World War II.

I worked with Marvin on legal matters, firm matters and bar matters over the next 15 years. Marvin was with Blank Rome and was on its way to becoming a large Philadelphia firm and one of only two large Philadelphia firms to be started after World War II.

Marvin preferred working quietly and personally. He preferred to have the firm leadership make changes voluntarily rather than under public pressure. To that end, he approached his predecessor, Chancellor Theodore Voorhees, and discussed his concern about the issue, asking Ted to approach the leadership of the firms privately with the understanding that if it was not resolved Marvin would raise the issue publicly when he set his agenda as Chancellor. To Marvin’s delight, Voorhees, in a few short months, got the firms to discontinue the discrimination and many of the firms hired Catholic and Jewish lawyers for the first time in the early 1960s.

In the 1960s, geographic restrictions on practice existed in Pennsylvania. Lawyers were admitted to practice only in one county. For example, a lawyer with an office in Philadelphia could not appear in Montgomery County. Being unable to find a quiet way to eliminate this restriction, Marvin eventually successfully challenged the restriction as unconstitutional in the Pennsylvania Supreme Court.

As a law firm leader, in the late 1960s, Marvin became a name partner and the managing partner of Blank, Rome, Klaus and Comisky. When I joined the firm in 1978, Marvin was managing a law firm of 85 lawyers. By February of 1979 it had grown to 100 lawyers and changed its name to Blank, Rome, Comisky & McCauley. In the 20 years Marvin had been with the firm it had grown tenfold and was on its way to becoming a large Philadelphia firm and one of only two large Philadelphia firms to be started after World War II.

I worked with Marvin on legal matters, firm matters and bar matters over the next 15 years. Marvin was with Blank Rome and was on its way to becoming a large Philadelphia firm and one of only two large Philadelphia firms to be started after World War II.
This month Philadelphia VIP recognizes Michael B. Hayes, a partner at Montgomery McCracken Walker & Rhoads, LLP, for his outstanding volunteer assistance to VIP clients.

Hayes is celebrated by the LawWorks, litigation and administrative teams at VIP. He is currently assisting six clients who entered into agreements to purchase their homes in Kensington. The homes were actually packaged with 300 other homes and mortgaged for millions of dollars. The borrower subsequently defaulted on the loans, and this scam is the subject of both federal and local criminal investigations. The scam was also the focus of City Council hearings in February. Hayes and his colleagues at Montgomery McCracken Leonard Busby, Ryan Anderson and Leona John were the first to step forward to represent these victims, and their work has assisted other VIP volunteers and legal services attorneys to assist dozens of victims. While representing these six clients, Hayes represents another VIP client in time-consuming custody litigation. Even though family law is a far cry from his private client work, he rose to the challenge. He has been a VIP Board member since 2007 and currently chairs the Board Development committee. There he ensures that all new Board members have a clear understanding of VIP’s work and their role on the Board. His extensive involvement with VIP is improving the lives of children, the life of a neighborhood and VIP’s ability to work with volunteers to do both.

Because of his breadth of dedication to a variety of VIP clients and to VIP as an organization, Philadelphia VIP offers its heartfelt appreciation to Michael B. Hayes.

VIP Honors Hayes

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. Lunches are $8 for members and $9.50 for nonmembers, unless otherwise indicated.

Tuesday, March 1
Civil Gideon Family Law Working Group: meeting, 9 a.m., 10th floor Board Room.
Committee on the Legal Rights of Persons with Disabilities: meeting, 9 a.m., 11th floor Committee Room South.
Philadelphia Bar Foundation Board of Trustees: meeting, 10th floor Board Room.
Women’s Rights Committee: meeting, 12 p.m., 11th floor Conference Center. Lunch: $8.

Wednesday, March 2
Delivery of Legal Services Committee: meeting, 8:30 a.m., 10th floor Board Room.
Intellectual Property Committee: meeting, 12 p.m., 11th floor Committee Room South. Lunch: $8.

Thursday, March 3
Philadelphia Bar Reporter Editorial Board: meeting, 12:30 p.m., 10th floor Cabinet Room.

Friday, March 4
LGBT Rights Committee: meeting, 8:30 a.m., 10th floor Board Room.
Workers’ Compensation Section Executive Committee: meeting, 10:30 a.m., 11th floor Committee Room South.
Workers’ Compensation Section: meeting, 12:15 p.m., 11th floor Conference Room.

Monday, March 7
Family Law Section: meeting, 12 p.m., 10th floor Board Room. Lunch: $8.

Tuesday, March 8
Real Property Section Executive Committee: meeting, 12 p.m., 11th floor Conference Room South.
Criminal Justice Section Executive Committee: meeting, 12 p.m., 11th floor Conference Room South.
Appellate Courts Committee: meeting, 12 p.m., 11th floor Conference Center. Lunch: $8.
Solo and Small Firm Committee: meeting, 12 p.m., 10th floor Board Room. Lunch: $8.

Wednesday, March 9
Civil Gideon Housing Committee: meeting, 9 a.m., 10th floor Board Room.
State Civil Litigation Section: meeting, 12 p.m., 11th floor Conference Center. Lunch: $8.

Thursday, March 10
Legislative Liaison Committee: meeting, 12-30 p.m., 11th floor Committee Room South. Lunch: $8.

Friday, March 11
Quarterly Meeting and Luncheon: 12 p.m., Hyatt at The Bellevue, Broad and Walnut streets. SOLD OUT.

Monday, March 14
Business Law Section Executive Committee: meeting, 12 p.m., 10th floor Board Room.

Tuesday, March 15
Philadelphia Bar Academy: program, 10:30 a.m., Delaware County Law Library, 112 S. 3rd St., Media, PA 19063.

Wednesday, March 16
Philadelphia Bar Academy Board of Trustees: meeting, 11th floor Committee Room South, 8:30 a.m.

Young Lawyers Division Cabinet: meeting, 12 p.m., 10th floor Cabinet Room.

LegalLine: 5 p.m., 11th floor LRIS offices.

Thursday, March 17
Law Practice Management Committee: meeting, 12 p.m., 10th floor Board Room. Lunch: $8.

Health Care Law Committee: meeting, 12 p.m., 11th floor Conference Center. Lunch: $8.50.

Friday, March 18
Social Security Disability Benefits Committee: meeting, 12 p.m., 11th floor Conference Center. Lunch: $8.

Monday, March 21
Public Interest Section Executive Committee: meeting, 12 p.m., 10th floor Board Room.

Tuesday, March 22
Cabinet: meeting, 10th floor Board Room.

Wednesday, March 23
Medical Legal Committee: meeting, 12 p.m., 11th floor Conference Center. Lunch: $8.

Philadephia Lawyer practicing at firms with full Philadelphia Bar Association membership in the Bar Association will soon enjoy the newest member benefit at no cost: Fastcase, the leading next-generation legal research service that puts a comprehensive national law library and powerful searching and visualization tools at users’ fingertips. The online service will be available for member access in the next few weeks.

Fastcase displays an interactive map of what a user searched for, so he or she can see the most important cases at a glance, saving time and money. Other highlights include:

• Finding the Most Authoritative Case: On the Fastcase results screen, users can click the “Entire Database” option to sort cases based on how often they are cited overall or “These Results” to sort cases based on how often they are cited within the user’s search results.
• Forecite: A unique feature recently added to Fastcase’s research tools, Forecite uses an intuitive process to ensure users do not miss seminal cases.
• Google-like searching: Fastcase lets users search broadly – returning thousands of cases – and then sort those results by criteria such as relevance, date and authoritative value to bring the best cases to the top of the results list.

New Research Benefit for Bar Members

Register online for most events at philadelphiabar.org. Unless otherwise specified, all checks for lunches and programs should be made payable to the Philadelphia Bar Association and mailed to Bar Headquarters, 1101 Market St., 11th fl., Philadelphia, PA 19107-2955. Send register online for most events at philadelphiabar.org. Unless otherwise specified, all checks for lunches and programs should be made payable to the Philadelphia Bar Association and mailed to Bar Headquarters, 1101 Market St., 11th fl., Philadelphia, PA 19107-2955. Send

Fax: (215) 238-1159. E-mail: reporter@philabar.org.
Carolyn Hochstadter Dicker, of E. Carolyn Hochstadter Dicker, LLC, has recently been certified as a Woman Business Enterprise by the Commonwealth of Pennsylvania.

Adam T. Gusdorf, of counsel at Ballard Spahr LLP, recently spoke at the 17th Annual Estate Law Institute held in Washington, D.C.

William J. Cluck of the Law Office of William J. Cluck has been appointed to the Board of Directors of the Harrisburg Authority.

Barry R. Elson, a partner with Thorp Reed & Armstrong, LLP, recently spoke to a class of Drexel University Earle Mack School of Law students about alternative dispute resolution.

David B. Snyder, a partner with Fox Rothschild LLP, presented “Just Compensation” in Eminent Domain Cases at the Pennsylvania Bar Institute’s 14th Annual Real Estate Institute on Dec. 2 and 3.

Jeffrey A. Lutsky, managing partner of Stradley Ronon Stevens & Young, LLP, has been elected to the Board of Trustees of the University of the Arts.

Elliott R. Feldman, a member of Cozen O’Connor, was recently invited by Professor John Fabian Witt to lecture at Yale Law School on “The Financial Case for Pursuing and Prosecuting Commercial Subrogation Cases.”

Kevin R. Casey, a partner with Stradley Ronon Stevens & Young, LLP, presented at the American Bar Association’s Center for Continuing Legal Education seminar “Alternative Careers for Lawyers.”

R. Seth Williams, district attorney of Philadelphia, has been selected for the prestigious Aspen Institute – Rodel Fellowship Program for Public Leadership. The program is only open to 24 U.S. political leaders deemed as “rising stars” in their communities.

Kimberly Alford Rice, principal of KLA Marketing Associates, recently assumed the position of editor-in-chief of American Lawyer Media’s Marketing the Law Firm.

Leonard P. Goldberger, a shareholder with Stevens & Lee P.C., presented on business opportunities in the U.S. and China at the Greater Philadelphia China Center for Culture and Commerce on Nov. 18. He was a guest lecturer at the KoGuan Law School International Law Program at Shanghai Jiao Tong University, in Shanghai, China.

Andrew K. Stutzman, a partner with Stradley Ronon Stevens & Young, LLP, presented “Using Recent and Evolving FDCPA, UDAP TILA, FCRA/FACTA, & RESPA Litigation Developments to Your Advantage When Defending Cases,” at the 10th annual Consumer Finance Class Actions & Litigation conference in New York City on Jan. 27-28.

Alan L. Yatvin of Popper & Yatvin has been named chair of the American Diabetes Association’s National Legal Advocacy Subcommittee.

Joseph F. Bouvier, a shareholder with Mattioni, Ltd., has been re-elected to the Board of Directors of the Greater Swedesboro Business Association.

H. Ronald Klasko, founding partner of Klasko, Rudon, Stock & Seltzer, LLP, spoke at the Pennsylvania Bar Institute’s 14th Annual Real Estate Institute on how to help clients raise capital for U.S. projects through the USCIS’ EB-5 Visa Program.

Seth v.D. Cooley, a partner with Duane Morris LLP, presented at the Practising Law Institute’s First Annual Energy and Environmental Law Institute with the University of Houston Law Center.


Patricia M. Giordano of Feldman Shep herd Wohlgelernter Tanner Weinstock & Dodig, has been appointed to the New Jersey Association for Justice’s Board of Governors and will serve as co-chair of the organization’s Women Lawyers Caucus.

David F. Stern, a founding partner of Pond Lehocky Stern Giordano, has been appointed the Section Chair of the Workers’ Compensation Section of the Pennsylvania Association for Justice.


David N. Hofstein and Scott J.O. Finger of Hofstein Weiner & Levin, P.C. co-authored the article “The Dangers of Electronic Communication” for the American Bar Association Section of Family Law Family Advocate.

Timothy J. Carson, of counsel to Drinker Biddle & Reath LLP, recently participated at the invitation of the U.S. Treasury Department in the U.S.-India Economic and Financial Partnership Roundtable held in Washington, D.C.

Alison Altman Gross, of the Law Office of Alison Altman Gross, was recently elected to the Senior-LAW Center’s Board of Directors.

Ezra Wohlgeleiter, founding partner of Feldman Shep herd Wohlgelernter Tanner Weinstock & Dodig, has been elected vice chair of the SeniorLAW Center.

Alan H. Bernstein, of counsel with Caesar, Rivise, Bernstein, Cohen & Pokol, Ltd. had been named coordinator of the Philadelphia Court of Common Pleas Volunteer Panel for the year 2011 to schedule senior attorneys eligible to serve as a Judge Pro Tempore.

Beatrice O’Donnell, a partner with Duane Morris LLP, gave a presentation on technology in the courtroom to candidates for the Masters in Trial Advocacy program at the Temple University Beasley School of Law on Jan. 6.

Irwin W. Arenson, a partner with Willig, Williams & Davidson, presented an employee relations seminar on Jan. 8 at a sold-out executive director education program course presented by the National Public Housing Authorities Directors Association and Rutgers, The State University of New Jersey.

Margaret M. Gatt, a partner with Fox Rothschild LLP presented “Export Controls on Technology Moving to Different National Jurisdictions” at the “Cloud Computing: Law, Risks and Opportunities” conference held by Law Seminars International on Dec. 13.
Leading Specialists In Court Reporting
Services & Video

Love Court Reporting, Inc.

S E R V I C E S L I S T

- Realtime Reporting
- Online Scheduling
- Web-based Repository
- Condensed Transcripts
- Keyword Index
- Transcripts on CD
- Scanned Exhibits
- Electronic Transcripts
- Transcripts with synchronized audio/video
- Videotape Services

- Videoconferencing
- Interpretation/Translation
- Depositions, Arbitrations, Hearings
- Daily/Expedited Copy
- Provide Three Quality Checks
- Registered/Certified Court Reporters
- Audiotape Transcription Services
- Complimentary Deposition Suites
- 24/7 Accessibility: Weekend & Holiday Coverage

Serving Pennsylvania, New Jersey & Delaware with Nationwide Coverage

YOUR FULL SERVICE COURT REPORTING SPECIALIST

MEMBER
National Court Reporters Association
Pennsylvania Court Reporters Association
Philadelphia Chamber of Commerce
Philadelphia Association of Paralegals

1500 Market Street
12th Floor, East Tower
Philadelphia, PA 19102

2002 Sproul Road
Suite 100
Broomall, PA 19008

215.568.5599 • 610.355.1948 • 888.462.6200
Fax: 610.355.1540 • E-mail: loveus@lovecourtreporting.com
www.LoveCourtReporting.com

Registered Professional and Certified Shorthand Reporters
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 as both aggressive and compassionate advocates for victims of unlawful discrimination and harrassment. As a result, Martindale-Hubbell®’s 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.

Sidney L. Gold & Associates is proud of its skilled attorneys and is honored by the recognition Super Lawyers® has bestowed upon this year’s recipients.

Philadephia’s Employment Lawyers

SIDNEY L. GOLD & ASSOCIATES, P.C.
1835 Market St., Suite 515
Philadelphia, PA 19103
PH:(215) 569-1999 • FX: (215) 569-3870
www.discrimlaw.net

*CHOSEN TO 2010 SUPER LAWYERS
** CHOOEN TO 2010 RISING STARS

TRACI M. GREENBERG**
SUSAN R. WEXLER**

*CHOSEN TO 2010 SUPER LAWYERS
** CHOOEN TO 2010 RISING STARS

SIDNEY L. GOLD*