Chancellor Albert S. Dandridge III has announced the first round of results of the Association’s investigation into the qualifications of candidates for judicial office in the May 19 primary election. The investigation was conducted by the Association’s Commission on Judicial Selection and Retention.

Dandridge noted there are two significant upgrades to the process this year. The first is a newly added “Highly Recommended” rating and the second is the inclusion of rating Appellate Court candidates who maintain a principal office or principal residence in the commonwealth.

Former federal appeals court Judge Timothy K. Lewis will deliver the Judge A. Leon Higginbotham Jr. Memorial Public Interest Lecture at the Philadelphia Bar Association’s Tuesday, June 9 Quarterly Meeting and Luncheon.

Judge Lewis, now counsel to Schnader Harrison Segal & Lewis LLP in Pittsburgh and Washington, D.C., serves as a mediator, arbitrator, settlement counselor, and trial and appellate practitioner. Judge Lewis is a past co-chair of Schnader’s Appellate Practice Group.

“Tim Lewis is not known for biting his tongue,” said Chancellor Albert S. Dandridge III.

Catherine C. Carr, executive director of Community Legal Services, receives flowers from Women in the Profession Committee Co-Chairs Amber Racine (left) and Ourania Papademetriou after it was announced Carr would receive the Association’s Sandra Day O’Connor Award, to be presented June 9. Story, Page 12.

The Philadelphia Bar Association’s new Career Center, the career hub for the legal community, is now open for business at careercenter.philadelphiabar.org.

The Career Center is geared toward both job seekers and employers. Job seekers can search and apply to more legal-related jobs than other job banks. They can upload an anonymous resume and allow employers to contact them through the Career Center’s messaging system.

Job seekers can also set up Job Alerts specifying skills, interests and preferred location(s) to receive email notifications when a job is posted that matches their criteria.

Employers can post job openings in front of the most qualified group of legal professionals. Employers can promote jobs directly to Philadelphia Bar Association members via the exclusive Jobs Flash email as well as search the resume database to find qualified candidates.

“One of our goals at the Philadelphia Bar Association is to provide our members with training and tools to advance their career development,” said Chancellor Albert S. Dandridge III.

Employers can post jobs for $250 for 30 days at careercenter.philadelphiabar.org. Use the coupon code Philabar20 at checkout for a 20 percent discount on your next single job posting for the initial 60 days the Career Center is live.

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Street Teams are Made of These

By Albert S. Dandridge III

On Monday, May 18 and Tuesday, May 19, volunteers will be stationed at heavily trafficked locations throughout Philadelphia to hand out flyers listing all of the judicial candidates by name and rating.

Tell Us What You Think!

The Philadelphia Bar Reporter welcomes letters to the editor for publication. Letters should be typed. There is no word limit, but editors reserve the right to condense for clarity, style and space considerations. Letters must be signed to verify authorship, but names will be withheld upon request. Letters may be mailed, faxed or e-mailed to: Jeff Lyons, Senior Managing Editor, Philadelphia Bar Reporter, Philadelphia Bar Association, 1101 Market St., 11th floor, Philadelphia, PA 19103-2955. Telephone: (215) 238-6345 or cklitsch@philabar.org.

Resolution Backs Abolition of Civil Forfeiture in Pa.

A resolution supporting the abolition of civil asset forfeiture in Pennsylvania has been unanimously adopted by the Philadelphia Bar Association’s Board of Governors.

In Pennsylvania, civil asset forfeiture laws permit law enforcement agencies to seize property and keep it, even though the property owner has not been charged with or convicted of a crime. As the forfeiture proceeding following seizure is civil in nature, there is no right to counsel. Consequently, property owners who are unable to afford counsel often lose assets because they are unable to navigate the process pro se. Over the last decade, Pennsylvania law enforcement agencies have seized and forfeited more than $100 million worth of homes, cars, money and other property of thousands of property owners every year.

The resolution, sponsored by the Civil Rights Committee, asks that forfeiture occur under state law only after the property owner is convicted of a crime, as part of the underlying criminal proceeding, which will guarantee that no property is forfeited by default, and that in every case the government proves the connection between the property and the crime for which the property owner was convicted. The resolution also calls for property owners to receive adequate notice of the government’s intent to seek forfeiture in the criminal charging document and to have a right to appointed counsel when contesting forfeiture. According to the resolution, keeping forfeiture within the criminal proceeding will ensure that people convicted of crimes can challenge forfeiture of their property without sacrificing their constitutional rights in their criminal case.

On Monday, May 18 and Tuesday, May 19, volunteers will be stationed at highly trafficked locations throughout Philadelphia.
UPCOMING CONTINUING LEGAL EDUCATION

MAY

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

LIVE & SIMULCAST SEMINARS

May 1  •  Medicare Set Asides/Structured Settlements
May 5  •  Evidence for Criminal Attorneys
May 7  •  Slicing Up the Pie: Property Distribution in PA
May 8  •  Selected Issues in Art Law
May 11  •  The New PA Law on Entity Transactions
May 12  •  How Super Lawyers Use ADR - Philadelphia Bar Assocs.
May 15  •  Mastering Medical Records in the 21st Century
May 20  •  Understanding Social Security Retirement
May 21  •  Estate Planning for the Vacation Home
May 22  •  20 Hot Tips in Family Law
May 27  •  Fundamentals of Oil and Gas Law
May 28  •  Understanding Social Security Retirement
May 29  •  From File to Trial: 6 Keys to Success in Court and Beyond

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May 1  •  Medicare Set Asides/Structured Settlements
May 4  •  The New PA Law on Entity Transactions
May 6  •  Estate Planning for the Vacation Home
May 8  •  Selected Issues in Art Law
May 11  •  Estate Planning for Younger Clients
May 12  •  Slicing Up the Pie: Property Distribution in PA
May 13  •  Fundamentals of Oil and Gas Law
May 14  •  Understanding Social Security Retirement
May 15  •  Privacy and Security: The Basics
May 17  •  Start-Up & I.P. Issues for Tech Companies
May 19  •  My Client’s Dead, Now What?
May 20  •  20 Hot Tips in Family Law

SIMULCASTS FROM PLI

May 1  •  Higher Education Law: Current Issues & Recent Developments
May 7-8  •  Antitrust Institute: Developments & Hot Topics
May 12  •  Pretrial Practice
May 19  •  The Volcker Rule
May 20  •  Financial Services IT: Avoidance of Risk
May 29  •  Global Capital Markets & The U.S. Securities Laws

SPECIAL EVENT

13TH ANNUAL
Nonprofit Institute
Cospnsors with the Chritote Organizations Committee of the Pennsylvania Bar Association

Wednesday, May 27, 2015
CLE Conference Center, Wanamaker Building, 10th Floor Suite 1010, Juniper St. entrance

Mark your calendars for a dynamic day featuring a wide array of topics for nonprofits big and small. MUST ATTEND for anyone involved in the nonprofit sector. An exceptional program for lawyers, nonprofit board members, accountants, fundraisers and anybody who is thinking of starting up a nonprofit.

Giants of Business Bar
May 14 with Justin Klein

The PHILADELPHIA BAR ASSOCIATION'S Business Law Section will hold a “Gi- ans of the Philadelphia Business Bar” program on Thursday, May 14 featuring Justin P. Klein of Ballard Spahr LLP. Marcel S. Pratt of Ballard Spahr will serve as moderator.

Klein is known for his long and prolific career as a respected counselor in the areas of securities and corporate governance. He advises publicly and privately held companies on diverse securities matters in addition to offering his invaluable counsel in a variety of philanthropic endeavors.

He has been in private practice for more than 30 years. Prior to entering private practice, he served for nine years as a staff member at the U.S. Securities and Exchange Commission in Washington, D.C., in a variety of positions, including as Assistant Director in the Division of Corporation Finance.

He has been an active member of the Philadelphia Bar Association for more than 30 years. He has served in a number of leadership positions in the Bar Association. He was also Chair of the Committee on Securities Regulation. Klein received the Dennis Replansky Memorial Award in 2008.

The program begins at 5:30 p.m. at Dillworth Paxson LLP 1500 Market St., 3500E. Light refreshments will be provided. There is no cost to attend; however registration is required by May 11. Visit philadelphia.org to register.

The Business Law Section would like to thank its annual sponsors McGladrey; Thornton Reutters; Eckert Seamans Cherin & Mellott, LLP; Ballard Spahr LLP; Dillworth Paxson LLP; and Fine- man Krekstein & Harris PC.
Mediation Difficult Field to Enter, Panelists Say

By Lauren A. Strebel

Becoming a mediator is as simple as raising your right hand and taking an oath. But becoming a great mediator takes time, effort and some skills that cannot be taught. Justice Jane C. Greenspan (Ret.) and Judith Meyer discussed the highs and lows of being a mediator at a recent meeting of the Alternative Dispute Resolution (ADR) Committee.

When Meyer was working as a trial lawyer in Los Angeles, she had an “ah ha” moment. As an associate, she worked on the litigation surrounding the famous 1980 MGM Grand Hotel fire. Her firm represented the electrical contractor and the case provided the firm with a lot of work. Meyer remembers coming to work one Monday morning to learn that the case had settled prior to any settlement conference or trial. As it turns out, the president of the electrical company and president of MGM had drinks together at an event that weekend and came to a resolution – without their attorneys.

Anyone can be a mediator – there are no course requirements, no examinations, and no credentials required. As the panelists discussed, the lack of barriers to entry speaks volumes to the level of skill that is “not teachable.” Great mediators have instincts for understanding both people’s spoken and unspoken needs. However, there are courses available to hone your skills. The panelists suggested enrolling in courses at the American Arbitration Association, Harvard’s Program on Negotiation, or Pepperdine’s Straus Training and Conferences. Also, the panelists suggest looking locally at your bar association or your local court system for a training avenue. The key is to take a training course with a lot of simulations and peer reviews. Also, a great way to learn the craft is to observe mediations.

Full-time ADR work is difficult to come by, so make sure you evaluate your situation before quitting your day job. Justice Greenspan cautioned that you have to anticipate that you are going to have “to eat what you kill” as no one will be feeding work to you. There is no guarantee of a salary and the market is extremely competitive.

How do you set yourself apart? You will have to market your strengths. The panelists suggest that those interested in mediation choose a narrow expertise. Get your name out there by going to speaking engagements, publishing an online newsletter, or joining a panel. People have to see your name 10 times before they will recognize it, so make sure it is out there. The panelists agreed that you will get most of your work through lawyer referrals. Therefore, networking will play a huge role in your success.

It is also important to think about the style you will want to use as a mediator. Judges tend to have an evaluative style – and some clients prefer former judges for that unique skill set. However, a mediator can also be facilitative or transformative. The most effective mediators can flow between the different styles to meet the needs of the parties before them.

Once you are a mediator, do not be shy with your hourly rate. Mediators typically charge anywhere from $100 to $1,000 an hour. A client chooses a mediator based more on their skill, reputation, and expertise than his or her hourly rate.

Lauren A. Strebel (LStrebel@lssh-law.com), an associate with Langsam Stevens Silver & Hollaender LLP, is an associate editor of the Philadelphia Bar Reporter.
Registration is open for the Philadelphia Bar Association’s 36th Annual 5K Run/Walk on Sunday, May 17. The event benefits the Support Center for Child Advocates.

More than 1,000 runners and walkers are expected at Memorial Hall in Fairmount Park (4231 Avenue of the Republic). A new event, a one-mile dash, has been added to this year’s event. The one-mile dash begins at 8 a.m. and the 5K Run/Walk starts at 8:30 a.m. The one-mile dash is limited to 250 runners and no race-day situation is available. Registration is $35 to participate in either the one-mile dash or the 5K Run/Walk. To participate in both the one-mile dash and the 5K Run/Walk, registration is $45.

Law firms and companies may enter 5K Run teams. A legal team comprises a minimum of three members and maximum of five members. The team may consist of male, female or both male and female runners, of any age group, all of whom must be full-time or part-time employees of your firm.

An individual registration form must be completed and signed for each team member and returned along with a completed team application and a contribution check of $400 for each team entered. For an application contact Michael Berkowitz at mjberkowitz@crbcp.com or 215-567-2010 (ext 132). The deadline for team registration is May 8.

The morning features face painting and other treats for kids. Children ages 5-10 can enter the free Buchanan Ingersoll & Rooney Kids’ Dash, a 200-yard non-competitive dash. Registration is required for each child. A parent or guardian must be present.

At least 100 volunteers to help with various tasks on race day. Children age 6 and older, who can follow instructions, are welcome. All volunteers will receive a T-shirt.

Entries are now being accepted for the Philadelphia Bar Association’s 2015 Justice Ruth Bader Ginsburg Pursuit of Justice Legal Writing Competition.

Candidates may submit a law review quality submission on any topic relating to rights, privileges and responsibilities under federal 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. Entries must be received by Friday, May 29 at 4 p.m.

This competition is open to full- and part-time law students who are in their second or third year of study and in good standing at one of the following six institutions: Drexel University Thomas R. Kline 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.

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. The chair of the competition is Thomas H. Chiacchio Jr.

The author of the winning submission will receive a cash award of $2,500, and have the essay published in The Philadelphia Lawyer magazine, on the Bar Association’s website and/or in an appropriate Bar Association publication. The winner will be invited to a Philadelphia Bar Association event, where the award will be presented.

Entries must be submitted in electronic form via email to tmcclauskey@philabar.org unless submission of a hard copy is requested and approved. Requests for submission of a hard copy should be made by emailing tmcclauskey@philabar.org or by calling (215) 238-6360.
Lobbying Can Aid Legislative Process for Nonprofits

By Elisa C. Advani

Legislation is a mysterious process, so if you want to make a change, it pays to have a friend in Harrisburg, members of the Delivery of Legal Services Committee were told recently.

Tony Crisci of Crisci Associates, Baruch Kintisch of Pathway Strategies and former Chancellor Lawrence Beaser of Blank Rome LLP gave helpful tips to legal services nonprofits on how to build a stronger presence in state legislation. Money does not solve all problems, especially since fundraising efforts have been thwarted by the recession. Lobbying is an effort to influence legislative or administrative action, and although it might prove difficult for legal services nonprofits, it is a crucial part of serving the community. “You have to balance between providing legal services and addressing the systemic problems which are causing the need for legal services in the first place,” said Crisci, a lobbyist since 1990. Now that Pennsylvania has a new governor, Crisci said the administration is going through a honeymoon period and “it is a good time to make new friends.”

Most legislators are based in Western Pennsylvania, so legal service nonprofits based in and around Philadelphia need to find a way to maintain a regular presence in Harrisburg. There needs to be a dialogue especially now with a Democratic governor because “Republican majorities typically have not been kind to issues such as voter identification, landlord tenant and fundraising issues,” said Crisci. It is important to find a champion within the legislature who will fight for your causes. In terms of having a presence and finding a voice, Kintisch said “take advantage of social media – it can be a game changer.”

Kintisch believes that being methodical is crucial in lobbying. When you are trying to make changes legislatively or administratively, he says, “don’t take shortcuts. Be involved in the process from the beginning and follow the protocol.” Lobbying efforts cannot be successful for both sides of an issue, but “there is even strength and power of being a minority voice. You always get a seat at the table and you might get close to equal media coverage,” said Kintisch. “Even if you lose the battle, if you get a press conference out of it and formed a following, you have succeeded in making your organization stronger.”

Beaser closed the program with an update on lobbying law and which activities are regulated and where loopholes exist. Paid lobbying is highly regulated activity and all monies and time spent lobbying needs to be properly accounted for in accordance with existing laws. “It is important to avoid not only conflicts of interest but even the appearance of conflicts of interest.” Volunteer activities by board members, however, are not considered lobbying since they are not paid. If a nonprofit organization seeks a state grant, that is not lobbying because it has to do with the organization’s efforts only and not for influencing, developing, or modifying a guideline or statement of policy.

To make a difference for your organization and the people you serve, it is important to establish and maintain relationships with legislators.

Elisa C. Advani (eadvani@hgsklawyers.com), an associate at Haggerty, Goldberg, Schleifer & Kupersmith, P.C., is an associate editor of the Philadelphia Bar Reporter.
By Heather J. Austin

Often underutilized by lawyers, mindfulness and meditation are tools that can help anyone to deal with daily stressors. During a recent Young Lawyers Division Live, Lunch & Learn program, Donna Branca of SJL Shannon Legal Talent Management, Gavin McKay of Unite Fitness and certified life coach Rachel Goldberg discussed the beneficial effects of these skills.

According to Rule 1.1, a lawyer shall provide competent legal representation. The panel explained that a lawyer cannot comply with this mandate if saddled with personal fears and stressors. For example, a lawyer engaged in a heated exchange may become frustrated and angry. Mindfulness allows the lawyer to remain focused on the facts instead of acting on emotions. The lawyer who is able to remain calm and composed will be a better listener with a heightened sense of focus and increased creativity. These skills will help the lawyer to avoid the “argument,” which looks great for the lawyer and client.

Through mindfulness programs, individuals can learn tactics that will allow them to deal with the tendency to fear, flee or freeze when faced with stressful situations. McKay explained that mindfulness is the art of paying attention to what is happening around you. People who are engaged in a conversation often do not listen, but rather focus on what they want to say next. It is important to notice when you are not paying attention and then try to change that practice. When one is not able to step outside of his/her own story, he/she will miss the big picture. Branca added that lawyers can become better advocates for their clients if they employ laser focus techniques. Mindfulness, Branca explained, actually changes the brain and allows one to better cope with daily stressors.

When you are able to pay attention to everything that is going on around you and tap into all of your senses, including what you are feeling inside, physically and emotionally, then you can visualize the outcome that you want to achieve. Once you are able to focus on the desired outcome, meditation will help you to identify, focus on and take the path to that desired result instead of remaining trapped in your comfort zone and engaged in a continuous pattern of behavior that has not proven successful in the past.

Goldberg explained that mindfulness gives the participant the ability to clear the mental fog. It elevates the brain from analog to digital and gives the participant a sense of empowerment. Using the example of an individual who looks at his task list and thinks that he is not competent to perform a required task, Goldberg explained that mindfulness can empower that individual to find the confidence to perform. The art of mindfulness removes the emotional associations – those things that cause fear because of the memory of past mistakes. It helps one stop judging himself/herself because of past mistakes and move forward. It has a positive physical effect because it relieves anxiety. It allows one to find the confidence to say, “I can do this – I can get this done.”

Heather J. Austin (heather.austin@wilsonelser.com), an associate with Wilson Elser Moskowitz Edelman & Dicker LLP, is editor-in-chief of the Philadelphia Bar Reporter.
As this edition goes to press, we are wrapping up Law Week. This year, in addition to our traditional programs, we incorporated some new programs and changes in the spirit of Law Week. Legal Advice Live! was held, in part, in Philadelphia public schools. We had a great 20/20 program on the issue of funding for Philadelphia’s public schools and we planned a Law Week Volunteer Appreciation Happy Hour to express our gratitude to the hundreds of Law Week volunteers. Traditional programs included Legal Advice Live! at the Central Branch of the Philadelphia Library, Lawyer in the Classroom, Legal Line, Lawyer for a Day, “Goldilocks” and “Big Bad Wolf” mock trials and poster and essay contests.

Thank you to all of the volunteers who make this happen every year. We also thank the Bar staff for their extraordinary ability to accommodate both new and traditional programs smoothly. Finally, I cannot thank the YLD Cabinet and Executive Committee project chairs enough. You have selflessly volunteered numerous hours to make Law Week a success, and it was! Thank you!

Next on the YLD agenda is Philly Idol. Every year the Young Lawyers Division commits to helping the Bar Foundation in its mission of “promoting access to justice for all people in the community, particularly those struggling with poverty, abuse and discrimination.” The Bar Foundation, through grants of unrestricted operating funds, supports a network of more than 30 public interest nonprofit agencies that provide legal services to our region’s most vulnerable. Our Philly Idol talent show, presented along with the The Legal Intelligencer, is our fundraiser this year to benefit the Bar Foundation.

Philly Idol will be held at World Café Live – Downstairs Live! on Thursday, June 4 from 6 to 9 p.m. We have secured a number of talents for the show, including musical genres from rock and roll to show tunes and even a little heavy metal. There will be a music and magic barbershop quartet performance that is certain to entertain. Other featured talents will include a dance performance and it is rumored that a past Chancellor may even perform some impressions.

Performers will be competing for first place and runner up and the audience gets to judge who wins. Beyond the contestants in the talent show, “Class Action,” featuring attorneys from Marshall Dennehey Warner Coleman & Goggin, PC, will serve as our house band. This is definitely going to be an event you do not want to miss!

There are a number of ways young lawyers can help with this signature YLD event. Our number-one priority at this point is to secure sponsors. Sponsorships are the primary source of fundraising for this project and we can always use help. So far, our sponsors include Martin LLC (Celebrity Champion), Fox Rothschild LLP (Artist Enthusiast) and Saltz Mongeluzzi Barrett & Bendesky, PC (Fan Devotee). Available sponsorship levels include Artist Enthusiast – $2,000 (only six available); Roadie Backer – $1,500 (Unlimited); Fan Devotee – $1,000

continued on page 16

For sponsorship information for Philly Idol on Thursday, June 4 at World Café Live – Downstairs Live! contact Tracey McCloskey at 215-238-6360 or tmccloskey@philabar.org. To purchase tickets, visit philadelphiabar.org.
As we finally bid the chilly, wet season goodbye, there is much to look forward to for the remainder of spring and summer. On Monday, June 15, the Philadelphia Bar Foundation will host its 27th Annual Golf and Tennis Classic at a brand new location – the Waynesborough Country Club in Paoli.

For 27 years, this event has not only been a day of friendly competition and fun in the sun, but, also one of the primary sources of funds for the Bar Foundation’s grant-making. The Foundation uses all of the net monies raised from the golf and tennis classic to support its mission of promoting equal access to justice for all.

This year, attendees can bid on the opportunity to play at the Lexus Champions for Charity National Championship golf tournament at the legendary Pebble Beach Resorts in California. In addition, we have received a number of other hot-ticket auction items ranging from sporting event tickets to travel accommodations. One likely popular auction item is the chance to golf at Blue Bell Country Club with Immediate-Past Chancellor Bill Fedullo.

We are very grateful that Kessler Topaz Meltzer Check LLP again has agreed to be our presenting sponsor this year. Their generosity is deeply appreciated. We are equally grateful for the many other firms and individuals who have committed to sponsor this year’s event. None of this would be possible without our spectacular golf and tennis committee made up of members of the Philadelphia legal community.

Twenty-seven years. That is how long this event has been an essential part of our fundraising process. This year is no different. In the history of this event, we have had many different champions. However, the true winners are everyone who contributes to the success of such a fantastic outing for a great cause. We hope that you join and support us at the Golf and Tennis Classic as we celebrate 50 more years of promoting equal access to justice.

For registration and sponsorship details, please visit the foundation online at www.philabarfoundation.org.

Steven E. Bizar (steven.bizar@bipc.com), executive shareholder at Buchanan Ingersoll & Rooney PC, is president of the Philadelphia Bar Foundation.
VIP Presents Annual Awards

Philadelphia VIP, the hub of pro bono legal services in Philadelphia, recently hosted its signature volunteer appreciation event at the Suzanne Roberts Theater to honor volunteer attorneys who provided pro bono services to low-income Philadelphians in 2014.

Nearly 1,000 volunteer attorneys said yes to VIP clients in need of high-quality legal representation last year. These attorneys worked with VIP’s professional staff to assist more than 2,800 individuals and families with critical legal needs in 1,449 civil cases. Thanks to these volunteer efforts, VIP served more clients, recruited more volunteers and raised more money in 2014 than in the past three years.

VIP Executive Director Sara Woods shared these numbers with an audience of more than 170 guests. Woods shared these numbers with an audience of more than 170 guests.

Philadelphia Court of Common Pleas President Judge Sheila Woods-Skipper then introduced Dawn Smith (name changed to protect her privacy), a VIP client, and her volunteer attorney Sarah Jones, an associate at the Law Offices of Gregory J. Pagano. Sarah, a first-time VIP volunteer, helped Dawn gain custody of her three young children, one of whom has Asperger’s Syndrome.

Members of the Philadelphia VIP Board of Directors then presented the 2014 Justice William J. Brennan Jr. Awards to the following winners:

• Berner Klaw & Watson LLP (Small Firm);
• Willig, Williams & Davidson (Medium Firm);
• Morgan Lewis & Bockius LLP (Large Firm);
• GlaxoSmithKline (Corporation);
• Donald Parman (Solo Practitioner).

Woods presented the Amicus Award to longtime VIP supporter and friend, photographer Rusty Kennedy. Board President Carmen Romano delivered closing remarks and a reception immediately followed.

Philadelphia VIP succeeds only because of the dedication of time and talent of thousands of attorneys and volunteer attorneys she has worked with, “are always professional, supportive and focused on keeping the client’s best interest in mind.” She explains, “Philadelphia VIP’s mission and values and volunteer attorneys she has worked with, “are always professional, supportive and focused on keeping the client’s best interest in mind.” She explains, “Philadelphia VIP’s mission and values and volunteer attorneys she has worked with, “are always professional, supportive and focused on keeping the client’s best interest in mind.”

VIP Honors Swidler as Volunteer of the Month

Philadelphia VIP recognizes Diana Salgado Swidler as Volunteer of the Month for providing translation services to low-income residents in Philadelphia.

Swidler is a paralegal and accountant at Swartz Swidler LLC, in Cherry Hill, N.J., where she is responsible for assisting the firm’s Spanish-speaking clients. As a translator/interpreter, she translates legal documents and makes sure her clients understand all of their legal options. She was looking to give back to her community and began volunteering with Philadelphia VIP as a translator in 2012. Since then, she has helped translate and interpret for 10 VIP clients in practice areas ranging from auto accidents to wills and homeownership matters.

One of Swidler’s most memorable VIP cases involved helping a Puerto Rican woman who almost lost her house when family members involved in drug activity tried to steal her home. “It is so difficult for people who cannot speak English to face legal proceedings,” she said. “So many non-native speakers are not given the opportunities we have and face experiences they feel hopeless about. It really touches me that I can be helpful to these clients.”

Swidler said she is grateful that Philadelphia VIP has given her the opportunity to give back to her community. She says that the VIP staff members and volunteer attorneys she has worked with, “are always professional, supportive and focused on keeping the client’s best interest in mind.”

Elizabeth Soltan, a pro bono case manager at VIP, speaks highly of Swidler. “She is my go-to interpreter and translator on any case that is complex or needs a fast response. Diana has gone above and beyond to interpret in person rather than over the phone on several occasions, despite being based in Cherry Hill. Her upbeat attitude and professionalism make her a true asset for VIP.”

Author Interviewed

National Constitution Center CEO Jeffrey Rosen (right) interviews Judge Herbert Stern, author of “Judgment in Berlin” at an April 7 program presented by the Philadelphia Bar Association. Judge Stern recounted his experiences as the U.S. judge for Berlin for the 1979 trial dealing with the hijacking by two East Germans of a plane to West Berlin, and the attempt by the U.S. Department of State to control the trial.

For more information on placing a Lawyer to Lawyer referral ad, please contact LANA EHRLICH at 215-557-2392 or lehrlich@alm.com.
Catherine C. Carr, longtime executive director of Community Legal Services, will receive the Philadelphia Bar Association’s Sandra Day O’Connor Award at the Association’s June 9 Quarterly Meeting and Luncheon.

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.

“We can think of no one better to receive the award than Cathy, who has served as a model, mentor and inspiration for so many women attorneys, while also advancing the interests of women outside of the profession through her work at Community Legal Services (CLS), her leadership in the public interest bar in Philadelphia and across the country and even world,” a group of nearly 60 attorneys and judges wrote to nominate Carr.

“Given that Cathy is stepping down after almost 20 years in that crucial and challenging job, now is the time to recognize her for her leadership and mentorship,” they wrote.

“Her commitment to the public interest as a legal services lawyer is obvious,” U.S. District Court Judge Gerald A. McHugh Jr. wrote in a letter nominating Carr. “Beyond that, however, she has been a leader and a role model. Her contributions go far beyond her noteworthy tenure as director of Community Legal Services, as she has advocated for equal access to justice across Pennsylvania, and nationally. At every juncture, when there has been a critical need or challenge for legal services, Cathy has been the one leading the fight,” Judge McHugh wrote.

Others who nominated Carr include a group of former O’Connor Award recipients. “Cathy’s ongoing service to the Philadelphia Bar Association is long-standing and deep. Year after year, she answers the call of each new Chancellor to provide consultation on a wide variety of issues. Her years of leadership in the Commission on Judicial Selection and Retention and the Delivery of Legal Services Committee are particularly noteworthy. In addition, she finds time to provide service on committees of the American and Pennsylvania Bar Associations, as well as serving on boards and advisory committees for a wide variety of public interest, civic, and professional associations,” they wrote.

Carr has been executive director of CLS since 1995 and has been with CLS since 1984. She is also an adjunct professor of law at University of Pennsylvania Law School.

The Women in the Profession Committee established the award in 1993 to recognize the important contributions that women attorneys in Philadelphia have made to the legal profession. That year, U.S. Supreme Court Justice Sandra Day O’Connor presented the first award to U.S. District Court Senior Judge Norma L. Shapiro. The award has since been presented to the late Juanita Kidd Stout, former justice of the Pennsylvania Supreme Court; Deborah R. Willig, first woman Chancellor of the 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. Roomberg of Ballard Spahr LLP; the late Judge Judith J. Jamison; Ellen T. Greenlee, former chief defender of the Defender Association of Philadelphia; former Chancellor Audrey C. Talley; U.S. Court of Appeals Judge Marjorie O. 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; Roberts 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. Rufo; first Chancellor Jane Leslie Dalton; Pennsylvania Superior Court Judge Anne E. Lazarus; and Jude Sandra Mazer Moss (ret.).

“The June 9 Quarterly Meeting and Luncheon is sponsored by PNC Wealth Management. Tickets can be purchased online at philadelphiabar.org.

By Jeff Lyons

The Legal Intelligencer

Please Join Us for a Special Dinner Honoring PENNSYLVANIA’S DIVERSE ATTORNEYS OF THE YEAR

Thursday, June 18, 2015
6:00 PM
The Crystal Tea Room, The Wanamaker Building
100 Penn Square East, Philadelphia PA

Keynote Speaker: Joseph K. West
President and CEO, Minority Corporate Counsel Association

To purchase tickets or to inquire about sponsorship opportunities, contact Don Chalpin at 215-557-2359 or dchalpin@alm.com.

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Bar to Honor 80 New Year Club Members

By Jeff Lyons

The Philadelphia Bar Association will welcome 80 new members of the 50-, 60-, 65- and 70-Year Clubs at the Quarterly Meeting and Luncheon on Tuesday, June 9 at the Hyatt at The Bellevue, Broad and Walnut streets. The Year Clubs honor attorneys who have been practicing law for 50 years or more.

Joseph H. Jacovini, chair of Dilworth Paxson LLP, will speak on behalf of the new Year Club members.

The following is a list of new Year Club members:

50-Year Club

60-Year Club

65-Year Club

70-Year Club
Joseph Bak

Higginbotham continued from page 1

Dandridge III. “I’m looking forward to a very interesting and thought-provoking Higginbotham Lecture from him.”

Before entering private practice, Judge Lewis served on the U.S. Court of Appeals for the Third Circuit. He was serving on the U.S. District Court for the Western District of Pennsylvania when President George H. W. Bush elevated him to the Court of Appeals in 1992. At the time of both appointments he was the youngest federal judge in the United States. Before being appointed to the federal bench, Judge Lewis served as an assistant U.S. attorney for the Western District of Pennsylvania and as an Assistant District Attorney in Allegheny County, Pennsylvania. Judge Lewis is a member of the Board of Directors for both the International Institute for Conflict Prevention and Resolution and the American Arbitration Association; he is also a member of the CPR Institute for Dispute Resolution. He is a co-chair of the National Committee on the Right to Counsel (with former Vice President Walter Mondale as honorary co-chair), a bipartisan committee established by the National Legal Aid and Defender Association and the Constitution Project to review the indigent defense system throughout the nation and create consensus recommendations for necessary reforms.

A lifelong champion of individual rights, Judge Higginbotham had a legal career that spanned nearly half a century. Since Marian Wright Edelman, founder and president of the Children’s Defense Fund, delivered the first Higginbotham lecture in 1999, notables such as Juan Williams; Charles J. Ogletree; Chaka Fattah; Cornel West; Kwesi Museme; Marc H. Morial, president and CEO of the National Urban League; NAACP Chair Roslyn Brock; Judge Jonathan Lippman, chief judge of the State of New York; JoAnne Epps, dean of Temple University Beasley School of Law; Dr. Mary Frances Berry; U.S. Court of Appeals Judge Marjorie O. Rendell; and Chief Judge Theodore A. McKee of the U.S. Court of Appeals for the Third Circuit have filled the role.

Tickets for the June 9 Quarterly Meeting and Luncheon, which begins at 12 p.m. at the Hyatt at The Bellevue, Broad and Walnut streets, are available at philadelphiabar.org.

The June Quarterly Meeting & Luncheon is sponsored by PNC Wealth Management.
Philadelphia’s Civil Gideon Plans Explained

By Regina M. Parker

In the landmark decision of *Gideon v. Wainwright*, the U.S. Supreme Court unanimously recognized a constitutional right to counsel in criminal matters for those unable to afford an attorney. Unlike our criminal justice system, there is no right to counsel in civil proceedings.

The issue of whether unrepresented persons are deprived of meaningful access to justice has lead to the development of the national movement referred to as “Civil Gideon.” This movement has been working to provide legal counsel and assistance to low-income persons as a matter of right in civil matters. Panelists said during a recent meeting of the Women in the Profession Committee. Panelists were Philadelphia Court of Common Pleas President Judge Sheila Woods-Skipper; Cathy Carr, executive director, Community Legal Services; and Molly Callahan, legal center director, Women Against Abuse.

Currently, access to our civil justice system is primarily dependent on an individual’s economic means. Carr explained that as one of the top 10 largest cities in the country, Philadelphia leads in the number of poor people, with 36 percent of children living in poverty and 26 percent of everyone living in poverty. The panelists explained that in such cases, counsel should be provided to those without a means to pay.

Callahan explained that as part of the commitment to improving access to justice in Philadelphia, the Task Force has led the way on new projects such as the Landlord-Tenant Legal Help Center in Municipal Court and new representation initiatives in the Family Court division. The Family Court Working Group has collaborated with Administrative Judge Margaret T. Murphy to explore new pro bono and procedural initiatives. In matters involving protection from abuse or custody, Women Against Abuse stationed advocates in courtrooms to provide informational brochures about what to expect and safety planning. Additionally, a fast-track program has now been implemented where a volunteer attorney will be stationed in the courtroom each day to assist those who are unrepresented. There will also be a staff attorney available to handle complicated cases. As part of the legal help center, attorneys will provide legal information, explain legal terms, assist with completion of forms and provide other assistance. The plan is to also assign recent law school graduates or students to provide assistance.

Judge Woods-Skipper explained that another goal is to ensure that certain cases, including cases involving elders, are moved through the system in a timely fashion. The courts should be accessible to everyone and barriers should be avoided that prevent individuals from moving through the system quickly. There will also be changes in Orphans’ Court, with discussions regarding implementing a program where guardians are investigated for compliance issues. A training program will also be adopted to provide assistance to guardians.

The Philadelphia Task Force has organized a statewide coalition. Hearings before the state Senate Judiciary Committee led to discussions about funding for the legal aid system. Currently, funding for legal aid is inadequate. The panelists explained that Civil Gideon must be established through legislation or litigation in an effort to expand funding for legal services. Funding will ultimately address the access to justice gap.

Regina M. Parker (rparker@tthlaw.com) an associate with Thomas, Thomas & Hafer LLP; is an associate editor of the Philadelphia Bar Reporter.
For more than seven decades, the United Service Organizations (USO) of Pennsylvania and Southern New Jersey, Inc. (Liberty USO) have served the needs of the active duty, National Guard and reserve military personnel and their families throughout Pennsylvania and Southern New Jersey. Liberty USO is a chartered affiliate of World USO, a 501(C) (3) nonprofit, and is not a government agency.

The Liberty USO’s mission is to enhance the quality of life of U.S. armed forces personnel and their families. In short, Liberty USO is the bridge between the civilian population and our soldiers. In times of war and peace, Liberty USO has delivered its special brand of support, comfort, morale and recreational services to service members and their families.

We partner with the nine military bases and more than 20 National Guard armories and reserve readiness centers in our region. In 2014, Liberty USO served approximately 153,647 service personnel and their families at our bases and centers in Pennsylvania and Southern New Jersey.

Liberty USO is never “off duty.” For instance, our Philadelphia International Airport center is open 24 hours a day/365 days a year. It is a world-class facility offering travelling military members and their families free Internet and computer gaming centers, a café with hot and cold food, reading room and TV theater space, as well as bunkrooms, showers, clothes washer and dryer.

Liberty USO’s operation at Joint Base MDL in New Jersey includes heartfelt goodbyes to troops deploying to Southwest Asia, Africa, Europe and the Pacific, as well as joyous welcome homes to our returning combat heroes. These missions occur at every hour of the day with multiple missions in a single 24-hour period as the norm. These military deployments and welcome-home ceremonies also occur at Horsham Air Guard Station, Fort Indiantown Gap in Central Pennsylvania and Pittsburgh. Liberty USO also supports the day-to-day needs of the region’s military and their families in the surrounding communities.

Due to a staff of just six employees, we need volunteers to operate at multiple locations every day of the year. A small army of highly motivated and dedicated volunteers do just that. Liberty USO volunteers donated 38,000 hours in 2014.

Liberty USO’s support for “Families of the Fallen” at Philadelphia International Airport separates our USO from our peers throughout the United States. These families travel to Dover AFB to witness the dignified transfer of remains of a family member who has been killed in combat. Our center offers a reserved place to mourn and find some measure of relief. Our volunteers provide a shoulder to cry on, escorts through the airport and continued on page 16.
Build Relationships to Better Work with Media

By Maya Brown

Working with the media is all about relationships, a panel of professionals recently told members of the Women in the Profession Committee.

Panelists Gina F. Rubel, CEO of Furia Rubel Communications, Inc.; Nikki Johnson-Huston, tax attorney and owner of The Law Office of Nikki Johnson-Huston LLC; and Gina Passarella, senior staff reporter and special projects editor for The Legal Intelligencer, offered tips on everything from how to successfully pitch a story to the media to avoiding the potential bias women lawyers may experience.

Rubel stressed the importance of building relationships with members of the media before you need them. “Journalism is not rocket science, it is all about relationships,” Rubel said, which Passarella affirmed. The common trends revolved around the notion that it will always be easier to ask a friend for a favor than calling a complete stranger, hoping they answer, and then saying, “this is what I need.”

The panelists explained how detrimental it is to not only have the names and numbers correct in a story, but also, pitch the story to the right person and media outlet. For example, a story about a winning case from a small law firm in the Philadelphia suburbs may not be a good fit for a writer at The New York Times. While some journalists are happy to direct lawyers to the correct writer and outlet, others may simply say, “this is not my beat,” hang up the phone and move on.

When it comes to avoiding gender bias in the media, the panelists offered a rather simple solution. “Talk about substance and choose how you want to be defined,” Rubel said. It is important to tailor the conversation with the media to the outlet you are speaking to. Rubel explained that a story about intellectual property law should be focused on intellectual property law, not the fact that she is a woman talking about intellectual property law. However, if the outlet is a family magazine, she may discuss balancing a family and a legal career. “I’m not going to pick a woman over a man simply because she’s a woman, she has to know her stuff too,” Passarella said. While sometimes being a woman in the law can be an advantage for media coverage, it can also be a disadvantage and should not pigeonhole them.

The panelists advised young women lawyers to seek media attention through their pro bono work and efforts outside of the firm.

HAP Marks 25 Years

The Homeless Advocacy Project (HAP) celebrated its 25th anniversary at an April 9 benefit at Hotel Sofitel Philadelphia, which raised more than $300,000 for HAP. Nineteen of HAP’s 25 board presidents were in attendance for the event. The board presidents included (from left) Jeff Palazzese, Madeline Sherry, Carol Nelson Shepherd, Joe Sullivan, Greg Kleiber, Laura Grossi-Tyson, Lori Lasher, Tom Wamser, Nancy Rogers, Mike LiPuma, Ethan Fogel, Margie Morris, Chris McCabe, Sam Warshaver, Jack Foltz, Blaine Stanley, George Nagle, Geanne Zelkowitz and David Arnold.

YLD Update

continued from page 9

(Unlimited); and Show Supporter – $750 (Unlimited). Young lawyers are encouraged to spread the word to their firms and colleagues about these sponsorship opportunities.

We are looking for a great turnout so please register right away to confirm you will have the best night ever on June 4. We have plenty of room so please encourage your colleagues, friends and family to come as well. We want to show our performers that we appreciate their service in volunteering to perform and demonstrate our commitment to the Bar Foundation and its mission. To purchase tickets for Philly Idol, visit philadelphiabar.org.

For more information about Law Week, Philly Idol or any of the other many YLD activities, please feel free to reach out to me directly, anyone on the YLD Cabinet or YLD Executive Committee. We are proud of what we have accomplished so far this year and look forward to continuing to promote and preserve the interests of young lawyers as the rest of the year unfolds.

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

Veterans

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interventions with the airlines on behalf of the loved ones of a hero who has paid the ultimate sacrifice.

Our mission has expanded to provide support resiliency programs to military families in the form of financial literacy programs and marriage support retreats. We have executed the programs in Pittsburgh, Harrisburg and Philadelphia, as well as Joint Base MDL. Liberty USO knows that an informed and strong military family makes for a focused warrior.

In addition to the services most commonly associated with the USO, Liberty USO also employs many innovative programs designed to assist the soldiers and their families. Programs include Project Einstein, which provides complimentary backpacks and back-to-school supplies for the children of service; United Through Reading, where deploying military chooses a book from the Liberty USO library. Video and digital recordings of the parent reading are sent home to the child along with a copy of the book. Liberty Cares Food Vouchers provides grocery vouchers to assist families trying to make ends meet and Liberty Claus Program supports families with gift cards to make purchases during the holidays.

Johnne Schultz (jschultz@libertyus.com) is director of operations at Liberty USO.
Food Trust Philosophy: Access Meets Education

By Yael Lehmann

Everyone deserves access to healthy, affordable food. It’s this simple philosophy that drives everything we do at The Food Trust. What tools do children and adults need to make healthier decisions? What resources do they lack in their homes, schools and communities? What steps can we take to ensure that today’s kids live long and healthy lives?

The Food Trust has worked with neighborhoods, schools, grocers, farmers and policymakers in the city and across the country since 1992 to tackle these questions and develop a comprehensive approach to improved food access and nutrition education. In 2013, Philanthropedia ranked The Food Trust as the No. 2 high-impact children’s health nonprofit in the nation.

In the past year, we’ve had the opportunity to:

• **Build our farmers’ market program:** In 2014 alone, our 27 regional markets have served more than 400,000 customers throughout the Philadelphia area. Many of our markets are located in neighborhoods that otherwise lack access to healthy foods, and accept SNAP food stamp benefits and Philadelphia Food Bucks to make fruits and vegetables affordable for everyone. At eight of our markets in low-income neighborhoods, weekly cooking lessons are geared toward teaching families how to make healthy recipes on a budget. (Mark your calendars: Farmers’ market season is upon us, with Headhouse Farmers’ Market opening on Sunday, May 3.)

• **Engage with the next generation:** Our youth programming provides hands-on nutrition lessons to tens of thousands of Philadelphia kids, including cooking in the classroom, farm field trips and youth leadership activities. The Food Trust’s team of nutrition educators, youth leadership coordinators and farm to school specialists teach the importance of good nutrition and physical activity not only to children, but also to their parents, caregivers and teachers.

• **Improve access in corner stores:** In communities that lack supermarkets, families depend on corner stores for food purchases. In 2004, The Food Trust piloted the Healthy Corner Store Initiative to motivate youth and adults to purchase healthier items through classroom education and direct marketing in corner stores. In 2014, we provided more than 900 hours of training to nearly 700 corner store owners in Philadelphia, helping to introduce and market 25,000 new healthy products – from fruits and vegetables to whole-grain bread and low-fat dairy. What’s more, our new Healthier Corner Stores Report found that healthy changes in stores have resulted in healthier businesses and healthier communities.

• **Bring together communities:** Our four 2014 Night Market Philadelphia events inspired more than 90,000 people to explore new neighborhoods and celebrate local food.

In June, U.S. Sen. Bob Casey announced a $150,000 economic development administration grant that will boost the growing industry of food-truck entrepreneurs. Visit nightmarketphilly.org to check out this year’s slate of Night Market locations.

In elementary schools and rec centers, corner stores and supermarkets, centers of commerce and centers of government, The Food Trust seeks one simple thing: to ensure that everyone – regardless of socioeconomic status – has access to affordable, nutritious food and the information to make healthy decisions.

Please visit thefoodtrust.org to learn more about our work and find out about volunteer opportunities, and follow us on social media (@thefoodtrust) to see where we’re headed next.

Yael Lehmann (ylehmann@thefoodtrust.org) is executive director of The Food Trust.
PRO BONO SPOTLIGHT: SENIORLAW CENTER

Busy Partners Make Difference

Sometimes when people get bogged down in the day-to-day practice of law answering client calls, attending court hearings and performing the mundane administrative tasks, they forget that being an attorney also means giving back to their communities.

With SeniorLAW Center, I started a practice group at my firm to encourage my fellow colleagues to serve those who desperately need our legal experience. Our focus is on saving the homes of low-income, unrepresented elderly tenants facing eviction and homelessness. So far the time with these clients has been nothing but rewarding. Attorneys in my office who have taken cases have all expressed how much the clients have appreciated the time, effort, skill and extra attention given to stressful legal situations in their lives.

The other week I volunteered to attend a court hearing with an elderly client who was blind and about to face possible eviction from his home. Fortunately, I was able to get the matter resolved fairly quickly and the client was allowed to stay in his home without a lot of additional cost. As I was walking back to my office from court, I felt good about myself and felt that on this particular day I made a difference in someone’s life. This is what attorneys sometimes forget when they stay tucked inside the four corners of their office walls. This is also why I, as my firm’s pro bono chair, have made my biggest goal to get my colleagues involved with the community around them so that they too can find the life enrichment of making a difference.

I eagerly look forward to handling calls for SeniorLAW Center and its Pennsylvania HelpLine several times each month. Those few hours are amazingly rewarding.

The callers typically seek guidance and advice as to where they can turn to get the legal assistance they need. They rarely understand what their rights are, who can assist them and what is feasible. The problems and issues vary from bad contractors, vendors and other scam artists, landlord and neighbor disputes, benefits issues, medical malpractice and other personal injuries, nursing home issues and tax problems.

Many callers are anxious and confused. Time is spent listening to their story and concerns, sorting out their issues and then guiding them through various options they might have. This can range from referrals to other agencies, suggesting how to draft a letter, providing advice and guidance for future conduct or action, or explaining the small claims court process. Much of what I offer is basic common sense, rather than hard core legal advice, but that is what is often needed.

The inspiring part is how appreciative the callers are that someone has taken the time to listen and offer solace. It never ceases to amaze me how grateful the callers are and how willingly they express it. Become a SeniorLAW Center HelpLine volunteer. I guarantee you will not regret it.

Wendy S. Smith is a partner and chair of Progiving back to their communities.

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Teresa Cavenagh is a partner with Duane Morris LLP.

Gregory LoCasale is a partner with White and Williams LLP.

Our firm recently started a pro bono partnership with the SeniorLAW Center and one of our institutional clients’ in-house counsel to conduct quarterly “life planning” clinics. At the start of our first clinic, the attorneys were enthusiastic but also a bit apprehensive. Not one of us had trust and estates experience, and we wondered whether we would be able to address the seniors’ needs.

That apprehension disappeared, however, within minutes of meeting our new clients. Without exception, they had come prepared with plans and ideas. By simply listening, and applying what we had learned during the training provided by the SeniorLAW Center, we were able to guide our clients through the decision making process and provide them with the documents they needed.

Within a few hours, we prepared simple wills and health and financial powers of attorney for 14 clients. For us, however, the clinic ended up being about far more than drafting legal documents. We enjoyed listening to the clients’ life stories, and were inspired by the hardships and struggles that they have overcome (including surviving the Jonestown massacre). We appreciated their words of wisdom and the pride they displayed in what they could pass on to family and friends. The clients were genuinely grateful for the service that we provided, but, truth be told, the clinic benefited us as much as it did them.

Gregory T. LoCasale is a partner with White and Williams LLP.

A common piece of advice regarding success and happiness in life is the sage adage “stay in your lane.” The implication being the more one deviates from what they’re comfortable with, or perhaps more appropriately, what they’re good at, the less likely one is to feel accomplished or fulfilled.

It’s a conservative approach; and certainly one that doesn’t lend itself to bold action or pushing the boundaries of self-limitation. Yet, while it’s not a rule, it’s not a theory without evidentiary support, either. The issue, of course, is that it fails to account for those among us with diametrically opposed skill-sets, equally adept at using both sides of the brain.

Philadelphia Court of Common Pleas Judge Genece E. Brinkley is representative of that population. While she possesses the requisite logic and pragmatism often associated with a successful jurist, her spatial abilities and comprehension of visual imagery enable her to excel in an altogether different arena: interior design.

“I started thinking about space and design whenever I’d move,” said Judge Brinkley. “So I went home and started pulling things from every room of my house.”

As a way to minimize out-of-pocket costs, the judge used recycled furniture and versatile fabrics to add detail and character. Utilizing a prison vocational program, donated chairs and homemade curtains and cornices were re-finished and re-upholstered. She even contributed chandeliers from her own home.

Currently, two large sitting chairs surround a beautifully stained antiques-style tea table while decorative flowers give life to an ornate end table. A conference table, refurbished and elegant, stretches unobtrusively from just beneath a large, bright window. The center of the room is owned by an enormous tan couch, inviting and comfortable, accentuated by detailed upholstery. It’s a conservative approach; and certainly one that doesn’t lend itself to bold action or pushing the boundaries of self-limitation. Yet, while it’s not a rule, it’s not a theory without evidentiary support, either. The issue, of course, is that it fails to account for those among us with diametrically opposed skill-sets, equally adept at using both sides of the brain.

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PROFESSIONAL GUIDANCE COMMITTEE OPINIONS

Editor's note: The following are summaries of opinions issued by the Professional Guidance Committee. The committee's jurisdiction is limited to rendering opinions about prospective ethical conduct by inquirers who are members of the Philadelphia Bar Association. The letter “T” following an opinion number indicates a telephone inquiry. Attorneys who wish to ask a question, obtain copies of committee opinions or ask the committee to issue a formal opinion should contact Paul Kazaras, Esq., the Association's assistant executive director, at (215) 238-6328.

Summarized by David I. Grunfeld

2012-98T Attorney who withdraws from representation may disclose enough confidential information in order to sue client for fee based upon exception to confidentiality found in Rule 1.6c4.

2012-102T Pennsylvania attorney can receive referral fee from Florida attorney if there is compliance with Rule 1.5e. Whether Florida attorney is permitted to pay referral fee to Pennsylvania attorney is a question to be determined under applicable Florida ethics rules.

2012-113T Defense attorney who is asked to make settlement check to plaintiff's attorney only, knowing plaintiff's attorney does not have IOLTA account and will deposit check in operating account before making distribution, should make out check to plaintiff and plaintiff's attorney, and may, with client's informed consent, notify Disciplinary Board.

2012-118T Attorney who settled case without client's approval, and forged client's name on release and check, should, with client's informed consent, be reported to Disciplinary Board.

2012-160T Attorney who receives letter from lawyer claiming to have taken over representation in a case should get confirmation directly from client before withdrawing and turning over file.

2012-161T Attorney who settled case without client's approval, and forged client's name on release and check, should, with client's informed consent, be reported to Disciplinary Board.

2012-165T Referral fees can be paid to attorney who was on active status at time of referral, even if on inactive status when fee to be paid.

2013-19T Attorney cannot “hold” onto a favorable immigration order, and not advise client, to “secure” payment of fee balance.

2013-21T Attorney handling matter pro bono for relative should still have a written agreement to clarify scope of representation, etc.

2013-44T Attorney can sue, for a client, his own former corporate employer, provided no breach of confidentiality and attorney was not involved in the specific area of representation for company that is the subject of lawsuit.

2013-47T Attorney placing ad cannot say “specializes” in certain kinds of cases; can say “practice limited to...” or “practice concentrates in...”.

2013-49T Attorney may work on a contingency fee basis representing beneficiary of estate.

2013-57T Untraceable funds in attorney's IOLTA account should be turned over to the Pennsylvania Treasurer's Office for Unclaimed Property.

2013-61T Attorney who signed withdrawal of appearance for client, but now finds out it has not been filed, should file petition to withdraw.

2013-63T Attorney may work on a contingency fee basis representing beneficiary of estate.

2013-64T Attorney placing ad cannot say “specializes” in certain kinds of cases; can say “practice limited to...” or “practice concentrates in...”.

2013-65T Attorney may work on a contingency fee basis representing beneficiary of estate.

2013-73T Suspended or disbarred lawyers may continue to receive fees in workers’ compensation cases if earned while on active status and if conduct resulting in discipline was unrelated to that case.

2013-76T Check to “cash” in payment of a judgment could be accepted and deposited in IOLTA account provided record kept and distribution to client made.

2013-81T Attorney representing general contractor and subcontractor in dispute with property owner may have unwaivable conflict of interest if each client seeks to blame the other, and may have to withdraw from both representations.

2013-83T Attorney joining firm with adversary in divorce case should withdraw and refer client to another attorney, even just for filing of praecipe for decree.

2013-85T Attorney who represented client as plaintiff in small personal injury case in 2007 may now represent another attorney.

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Some investors, particularly company executives who are compensated in part with shares, can end up with very large positions in one stock. Such concentrated exposure to one company may represent more risk than a person may be comfortable assuming. In this month’s interview, I sat down with Paul Gordon, senior investment advisor with PNC Wealth Management in Philadelphia, to talk about a few strategies that investors can employ to help reduce that risk.

What is your advice to investors who hold a concentrated equity position in their portfolios?

When circumstances prevent investors from diluting a concentrated equity position, they need a hedging strategy to help protect the value of their investments should the stock price decline. At the same time, they’ll want to be sure that they can share in the stock’s upside potential. Put options can help investors do both.

How does the put option work?

When you buy a put option, you receive the right to sell a stock at a set price on some future date. You are not obligated to exercise the option, but if the stock’s market price has fallen below the set price, you’ll receive a cash payment for the difference between the exercise price and the market price.

Is there a strategy to help investors exercise their options without tapping into other funds to purchase the shares?

If your company has provided you with stock options, a licensed financial advisor can help you exercise these options and realize their value without an upfront outlay of cash. Known as a “cashless exercise,” this strategy lets you reap the financial rewards of your stock options without disturbing your current investment portfolio or securing separate financing.

What are the potential benefits of a prepaid forward contract?

A prepaid forward contract can help an investor achieve multiple objectives. Generally, you can help protect stock positions against the risk of falling stock prices while still retaining some opportunity to benefit from rising stock prices. A prepaid forward contract will also allow you to receive from 75 percent to 85 percent of your stock’s value in cash for diversification or other purposes.

How does it work?

When you enter into a prepaid forward contract agreement, you’ll receive an upfront payment in exchange for a commitment to deliver securities in the future. On the settlement date, the number of shares you deliver will be dependent on the stock’s market price at maturity. Since the contract establishes floor and threshold prices that govern how many shares are returned at a given market price, you can help protect your position against downside risk below the floor while enjoying appreciation potential up to the threshold price. An investor will then have cash in hand to use as he or she wishes.

Is there a way to generate current income from a concentrated stock position without selling the securities?

If you don’t think your stock is likely to appreciate significantly in value, selling call options might be an effective strategy for meeting your immediate desire for income. Selling call options is a strategy that works well when you believe your stock won’t move sharply in value—in either direction. What a call option won’t do is protect you from downside risk. The seller of a call option gives the buyer the right to purchase a share of stock at a predetermined “strike” price. The seller of the call sacrifices any upside potential beyond the strike price, but benefits by generating current income. The buyer profits from the purchase when the underlying stock’s price increases. When the seller owns the underlying stock, the option is called a covered call.

How can investors figure out which hedging strategy, if any, would be right for them?

A derivatives-based strategy can help investors achieve a variety of investment objectives; however, option-based strategies can also have many implications regarding taxation and regulatory issues, for example, when insider sales restrictions apply to an investor’s holdings. We recommend that investors work with their financial, tax and legal advisors to design investment strategies that meet individual needs and objectives.

By Carol Clayton

By the numbers: Exercising stock options

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By the numbers: Prepaid forward contract

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By the numbers: Prepaid forward contract with threshold price

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Note: While the following listings have been verified prior to press time, any scheduled event may be subject to change by the committee or section chair. Lunches are $9 for members and $12 for non-members, unless otherwise indicated. Register online for most events at philadelphiabar.org. Unless otherwise specified, all checks for luncheons and programs should be made payable to the Philadelphia Bar Association and mailed to Bar Headquarters, 1101 Market St., 11th Floor, Philadelphia, PA 19107-2955.

Monday, May 4
Family Law Section: meeting, 12 p.m., 11th Floor Conference Center. Lunch: $9.

Tuesday, May 5
Women’s Rights Committee: meeting, 12 p.m., 11th Floor Conference Center. Lunch: $9.

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

Wednesday, May 6
Rules and Procedure Committee: meeting, 12 p.m., 10th Floor Board Room. Lunch: $9.

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

Family Law Section ADR Committee: meeting, 4 p.m., 10th Floor Board Room.

Thursday, May 7
Government and Public Service Lawyers Committee: meeting, 3:30 p.m., 10th Floor Board Room.

Friday, May 8
The Philadelphia Lawyer magazine Editorial Board: meeting, 12:30 p.m., 11th Floor Committee Room South.

Monday, May 11
Civil Rights Committee: meeting, 12 p.m., 11th Floor Committee Room South. Lunch: $9.

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

ADR Committee: CLE program, 12 p.m., 11th Floor Conference Center. Lunch: $9.

Wednesday, May 13
Delivery of Legal Services Committee: meeting, 8:30 a.m., 10th Floor Board Room.

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

Intellectual Property Committee: meeting, 12 p.m., 11th Floor Conference Center. Lunch: $9.

Thursday, May 14
Legislative Liaison Committee: meeting, 12 p.m., 10th Floor Board Room. Lunch: $9.

Business Litigation Committee: CLE program, 12 p.m., 11th Floor Conference Center. Lunch: $9.

Business Law Section: Giants of the Business Bar, 5:30 p.m., Dilworth

Passion LLP, 1500 Market St., 3500E. Registration: philadelphiabar.org.

Friday, May 15
Social Security Disability Benefits Committee: meeting, 12 p.m., 11th Floor Conference Center. Lunch: $9.

Monday, May 18
Young Lawyers Division Executive Committee: meeting, 12 p.m., 10th Floor Board Room.

Public Interest Section Executive Committee: meeting, 12 p.m., 11th Floor Committee Room South. Lunch: $9.

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

Tuesday, May 19
Cabinet: meeting, 12 p.m., 10th Floor Board Room.

Immigration Committee/Solo/Small Firm Management Committee: meeting, 12 p.m., 11th Floor Conference Center. Lunch: $9.

Employee Benefits Committee: meeting, 12:30 p.m., 11th Floor Conference Room South. Lunch: $9.

Wednesday, May 20
Business Law Section Executive Committee: meeting, 12 p.m., 11th Floor Committee Room South.

Federal Courts Committee: meeting, 12:30 p.m., 11th Floor Conference Center.

Send Bar Association-related calendar items 30 days in advance to Jeff Lyons, Senior Managing Editor, Philadelphia Bar Reporter, Philadelphia Bar Association, 1101 Market St., Philadelphia, PA 19107-2955. Fax: (215) 238-1159. Email: jlyons@philabarb.org.

Guidance continued from page 19

client against first client in accident case because the matters are unrelated.

2013-91T Attorney whose personal injury client has died intestate must make efforts to reach heirs or petition to appoint representative.

2013-96T Out-of-state attorney may represent client in Pennsylvania at private arbitration as permitted under 5.5c3.

2013-117T Attorney who represented siblings as heirs of inherited property.

2013-133T Attorney who represented siblings as heirs of inherited property.

2013-136T Attorney who practices as a P.C. can also be of counsel to Astor Weiss Kaplan & Mandel, LLP, a member of the Professional Guidance Committee.

Behind the Bench continued from page 18

Once, the room enables attorneys to meet with clients or work on case preparation all while providing an escape from the bustling halls of the Stout Center.

“I wanted it to be enough to draw people in and give them a sense of comfort,” remarked Judge Brinkley.

The lounge, named for attorney Jack Myers, former chair of the Philadelphia Bar Association’s Criminal Justice Section, is now a classy, professional space in stark contrast to its dreary past. The lounge was feted at a tribute ceremony in 2010 when U.S. Sen. Arlen Specter and Justice. The event, which was to be set-up and broken down in one day, transformed the lobby of the building into an event space with tall black curtains, tables and high-tops for seating, and flowers and plants throughout the room. A normally non-descript atrium gave way to a decorative event hall.

The judge intends to further her education post-retirement and fully intends on continuing to develop what seems to be rapidly progressing past the point of simply being an interest. Her timeless and classic style simply being an interest. Her timeless and classic style.

Eager for an even bigger challenge, Judge Brinkley volunteered to design and plan the layout for the dedication of the Juanita Kidd Stout Center for Criminal Justice. The event, which was to be set-up and broken down in one day, transformed the lobby of the building into an event space with tall black curtains, tables and high-tops for seating, and flowers and plants throughout the room. A normally non-descript atrium gave way to a decorative event hall.

The judge intends to further her education post-retirement and fully intends on continuing to develop what seems to be rapidly progressing past the point of simply being an interest. Her timeless and classic style lends itself to versatility and always seeks to utilize space, light and color. Judge Brinkley has the imagination and eye for design while maintaining the practical sensibility of a seasoned judge. Begging the question: why stay in your lane when the road is yours?"
Deborah L. Freedman, deputy director of Community Legal Services, received a 2015 Excellence Award from the Pennsylvania Legal Aid Network on March 24.

Steve Harvey, principal of Steve Harvey Law LLC, presented “Climate Change Is the Great Scientific, Moral, Economic, Political, and Legal Issue of Our Time: Lawyers Should Take a Leadership Role” to the Environmental and Energy Law Section of the Pennsylvania Bar Association in Camp Hill, Pa., on March 25.

Lewis F. Gould Jr., a partner with Duane Morris LLP, has been named chair of the Pennsylvania Lawyers Fund for Client Security Board by the Pennsylvania Supreme Court.

Matthew L. Wilson, a partner with Martin Law, was a speaker for the continuing legal education program “Tough Problems in Workers’ Compensation 2015” on April 13 in Philadelphia and April 29 in Mechanicsburg, Pa.

Brenda Hustis Gotanda, a partner with Manko, Gold, Katcher & Fox, LLP, participated in a panel discussion on “Sustainable Solutions” hosted by Villanova University as part of its 2015 Earth Day celebration on April 23.

Stewart M. Weintraub, Jennifer Weidler Karpchuk and Shari J. Odenheimer of Chamberlain, Hrdlicka, White, Williams & Aufty have authored the 2015 version of the “Pennsylvania Tax Handbook” published by The Legal Intelligencer.

Anthony R. Twardowski, a shareholder with Zarwin Baum DeVito Kaplan Schaer Toddy, P.C., has been appointed to the board of directors of Pegasus Therapeutic Riding Academy.

Julie Uebler, founder of Uebler Law LLC, was a faculty member for the 21st Annual Employment Law Institute on April 28-29 in Philadelphia.

Lloyd Freeman, an associate with Archer & Greiner PC, has been named recipient of the Young Lawyer Award by the Garden State Bar Association.

Mary Beth H. Gray, a partner with Kleinband LLC, was a panelist at the Environmental Defense Fund’s Issue of Our Time: Moral, Economic, Political, and Legal Issues of Our Time on April 2 in Malvern, Pa.

David J. Shannon, a shareholder with Marshall Dennehey Warner Coleman & Goggin, P.C., was a presenter at the Philly I-Day conference on April 9 where he discussed “Cyber Hackers Are Everywhere. Are You Prepared?”

William W. Keffer, a partner with Montgomery McCraken Walker & Rhoads LLP, has been appointed to the board of directors of the Police Athletic League of Philadelphia.

Min S. Suh, a partner with Obermayer Rebmann Maxwell & Hippel LLP, has been appointed chair of the firm’s Diversity Committee.

Michael E. Bertin, a partner with Obermayer Rebmann Maxwell & Hippel LLP, has been admitted as a fellow to the American College of Matrimonial Lawyers.

Jean C. Arnold, a partner with Pepper Hamilton LLP, has been elected president of the American College of Tax Counsel.

Steve Silver, an associate with McBreern & Kopch, testified before the South Carolina Senate Higher Education Subcommittee on April 1 in support of a bill to pay NCAA student athletes and create postgraduate trust funds for athletes who maintain good academic standing.

Brett E. Slesny, an associate with Manko, Gold, Katcher & Fox, LLP, was a presenter for “Environmental Compliance Paperwork and Permits – Managing the Beast” at the Pennsylvania Chamber of Business and Industry’s 2015 Annual Environmental Conference on April 8 in Lancaster, Pa.

Ronald L. Panitch, William W. Schwarze, and Alan S. Nadel of Panitch Schwarze Belzario & Nadel LLP have been named IP Stars by Managing Intellectual Property, a leading source of news and analysis on intellectual property issues worldwide.

Joseph R. Pozzuolo of Pozzuolo Rodden, Counselors at Law, was a guest speaker on the Busan, South Korea news-talk radio program “Morning Call” with Katharine, Busan e-FM on April 13, where he discussed death with dignity statutes in the United States and euthanasia, which has been proposed in South Korea.

Barristers’ Annual Gala May 16

The Barristers’ Association of Philadelphia will honor the Pennsylvania Innocence Project and Philadelphia Court of Common Pleas Judge Lillian H. Ransom at its Annual Scholarship and Awards Gala on Saturday, May 16. The Pennsylvania Innocence Project will be presented with the Cecil B. Moore Award and Judge Ransom will receive the A. Leon Higginbotham Jr. Award. Prince Allee Thomas will receive the J. Austin Norris Award.

The black-tie gala will be held from 6 to 10 p.m. at the Top of the Tower, 1717 Arch St., 50th Floor. Visit phillybarristers.com to purchase tickets.

For more information, contact Shabrei Parker at shabrei.parker@gmail.com.
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