Shestack Receives Scalia Award

Jerome J. Shestack, a partner at WolfBlock and former president of the American Bar Association, has been selected as the recipient of the Philadelphia Bar Association's inaugural Justice Antonin Scalia Award for Professional Excellence.

Shestack was to be presented with the award by Justice Scalia at the April 29 Quarterly Meeting and Luncheon.

"I am deeply honored to have been chosen. Professional excellence is the highest accolade a lawyer can achieve. But it is not achieved without the nurturing and support of colleagues. My partners and associates at WolfBlock surely deserve much credit for the standards they have set," Shestack said. "It is especially pleasing to be the first recipient of this distinguished award."

The award is presented to the lawyer or judge who has, through his or her life and work, exhibited the high ideals and commitment to professionalism exemplified by Justice Scalia. The award recognizes a lifelong record of professional accomplishment, scholarship, reverence for the law and learning, and a yearning for mental engagement and productive discourse, as well as a true spirit of cordiality, good humor and respect for others. Joseph V. Del Raso and William M. Janssen are co-chairs of the Scalia Award Committee.

Shestack heads WolfBlock’s litigation department and is a nationally renowned trial lawyer who is cited by the National Law Journal as one of the “100 Most Influential Lawyers” in the United States. Shestack has handled complex litigation for ABC, NBC, CBS, Westinghouse, GAF, Hertz, RCA, Advanta and other major corporate clients, and has been involved in significant precedent-setting cases.

Shi Dengying, deputy chief justice of the Tianjin People’s Higher Court in Tianjin, China, presents Chancellor Gabriel L.I. Bevilacqua with a traditional painting from the Chinese city as Chancellor-Elect Andrew A. Chirls and Vice Chancellor Alan M. Feldman look on. The delegation from Tianjin, one of several sister cities to Philadelphia, included judges and officials from China’s third-largest city. They visited the Philadelphia Bar Association on April 16 and also toured the high-tech courtroom in City Hall and historic sites in the city.

Williams to Address Bar at June Quarterly

Juan Williams, senior correspondent for National Public Radio’s “Morning Edition,” will deliver the 6th Annual Judge A. Leon Higginbotham Jr. Memorial Public Interest Lecture at the Association’s June 24 Quarterly Meeting and Luncheon.

The winner of the Justice Ruth Bader Ginsburg Legal Writing Competition will also be announced at the event, and new members of the Association’s Year Clubs will be honored.

Tickets for the event are $50 for members and $55 for nonmembers and can be purchased at www.philadelphia bar.org.

Williams also works on documentaries and participates in NPR’s efforts to explore television opportunities.

From 2000 to 2001, Williams hosted NPR’s national call-in show “Talk of the Law” on page 14
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Taxes. The mere word can trigger anxiety. And only a few weeks ago, we all found ourselves facing our annual tax deadline once again. We can’t escape taxes but we can do something about them. Right here in Philadelphia, we can work to help craft sound and productive tax policies. And that’s what the Philadelphia Bar Association intends to do.

“The power to tax,” U.S. Supreme Court Chief Justice Marshall once said, “involves the power to destroy.” And he added that “the power to destroy may defeat and render useless the power to create.” Though Marshall uttered those words in 1819 they remain particularly relevant to Philadelphia’s tax situation today. Taxes can choke and destroy economic growth. And taxes can actually prevent the creation of businesses and jobs. Misplaced or unbalanced taxation can pre-emptively strike at the heart of our local economy.

Taxes levied in one area (or tax breaks selectively granted) affect every other segment of the economy. That’s why it is important to take a careful view of local tax policy and look at everything closely. Fortunately, wage, net profit, real property, business privilege (and other taxes have been exhaustively reviewed. And we continue to urge the city to restructure its tax system.

First, the city must address the inequality that is inherent in the interaction of the Net Profits Tax and Business Privilege Tax and thereby correct the over-taxation of sole proprietorships and firms that are organized as partnerships.

Specifically, the city effectively taxes sole proprietorship and partnership income at a combined rate of at least 6.5 percent but taxes compensation paid to employee owners of businesses operated as corporations or sole proprietorships at rates ranging from 3.8905 percent for non-residents to 4.4625 percent for residents. This disparity needs to be addressed. And this probably can be accomplished with a relatively simple change in the law that we are exploring with our elected officials.

Second, the wage tax must continue to be cut until it is substantially reduced. Studies have time and again shown that the wage tax is one of the principal reasons why businesses leave Philadelphia, do not expand here or never locate here in the first place. These studies are confirmed by our own experience. Just from the standpoint of those of us who are already here, there is a disincentive to expand in the city.

In fact, the Pennsylvania Economy League found that a law firm is faced with an 80 percent greater increase in taxes if it expands in Philadelphia rather than in the suburbs. Regrettably, the current tax structure actually encourages lawyers to follow their clients out of the city. And over the past 15 years our surveys show that Philadelphia law firms have been opening satellite offices in surrounding counties at an accelerating rate. Still, the area’s major law firms (including many national and regional powerhouses) have continued to maintain their main offices in the city. Clearly, the firms would rather not leave. But as the inequitable tax treatment of sole proprietorships and partnerships continues.

In On Monday, May 3, a dramatic naturalization ceremony welcoming dozens of new U.S. citizens will be held in the Ceremonial Courthouse of the U.S. Courthouse at 6th and Market Streets at 10:30 a.m. Chancellor Gabriel L.I. Bevilacqua will offer remarks at the ceremony and Judge Norma L. Shapiro will preside. Lawyers participating in the Stepping Out for Seniors program will meet with students on Tuesday, May 4 to discuss areas of law the students are likely to encounter after graduation as they begin their adult lives. The program will cover a variety of issues, including renting a place to live, keeping a job, understanding consumer credit, paying taxes and getting married. This program will be held at Girls High School, Broad and Olney Streets.

Tell Us What You Think!

The Philadelphia Bar Reporter welcomes letters to the editors 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 may be signed: verify authorship, but names will be withheld upon request. Letters may be mailed, faxed or e-mailed to: Jeff Lyons, Managing Editor, Philadelphia Bar Reporter, Philadelphia Bar Association, 1101 Market St., 11th floor, Philadelphia, Pa. 19107-2911. Phone: (212) 256-6545. Fax: (212) 256-1267. E-mail: reporter@philabar.org.

Visit the Philadelphia Bar on the Web at www.philadelphiabar.org • Look for Bar Reporter Online e-newsletter every Monday morning.
Federal Bench-Bar Conference

Lawyers, Judges Invited to June 11 Event
by Robert Nigro

Lawyers and judges who practice and preside in the local federal courts are invited to attend the 2004 Federal Bench-Bar Conference on Friday, June 11 at Ashbourne Country Club in Cheltenham, Pa. The event is co-sponsored by the Association’s Federal Courts Committee and the Pennsylvania Bar Institute.

The conference, an educational and recreational event for federal court practitioners and judges, offers 2.5 substantive and .5 ethics continuing legal education credits and will be held from 8:30 a.m. to 1 p.m. On-site registration and a continental breakfast begin at 7:30 a.m. Litigators and judges will then discuss topics of interest in the Eastern District of Pennsylvania. Following an on-site luncheon, the afternoon is open for relaxing and golf.

Conference planners are Federal Courts Committee Chair Rudolph Garcia, partner at Saul Ewing LLP, and Committee Vice Chair Abbe F. Fletman, partner at WolfBlock.


The next panel will be “Is Technology All It’s Cracked Up to Be?” The panel will include U.S. District Court Judges Harvey Bartle III, Bruce W. Kauffman and Cynthia M. Rufe and attorneys Mark A. Aroonchick, Thomas R. Kline and Carolyn P. Short.

Conference participants can hear a report from the U.S. Attorney’s Office, presented by U.S. Attorney Patrick L. Meehan, with topics of interest to the criminal bar.

Next, a presentation of “Recent Developments and Hot Topics” will feature reports by U.S. District Court Chief Judge James T. Giles; U.S. Bankruptcy Court Judge Kevin J. Carey; U.S. District Court Chief Magistrate Judge James R. Melinson and U.S. District Court Clerk of Court Michael E. Kunz. This will be followed by a panel discussion including attorneys Mitchell L. Bach, Deborah R. Gross and Charles R. Lillie.

Chief Judge Giles and Committee Chair Garcia will then lead a session on “Good and Welfare,” and Garcia then will make closing remarks.

Following the conference, a cocktail reception will precede lunch. Tuition rates are $149 for members of the Pennsylvania, Philadelphia or any other county bar association or any cosponsoring organization; $129 for members admitted after Jan. 1, 2000; $169 for nonmembers; $129 for paralegals attending alone; and $99 for those attending with an attorney. One copy of the 2003 Federal Bench-Bar Conference course manual is included with registration.

Register by calling PBI at (800) 247-4724 or (800) 952-4657 or by visiting www.pbi.org. Pre-registration is strongly encouraged. Arrangements for golf following the conference, at an additional charge, may be made by contacting Bar Association’s Meeting Manager Stephanie Krzywanski at (215) 250-6160 or skrzywanski@philabar.org.

Robert Nigro is a program manager for the Pennsylvania Bar Institute.
The Bar Association is working with the City’s Department of Records to help homeowners fight fraud with a new document notice program. The program will combat fraud by informing property owners of real estate transactions that are registered with the City.

City Records Commissioner Joan T. Decker was joined by Chancellor Gabriel L.I. Bevilacqua announcing the program on March 24 at a news conference at City Hall.

“The Document Notice Program is a wonderful example of a public/private partnership. Records Commissioner Joan Decker provided the leadership and initiative that brought together the Records Department of the City of Philadelphia, Charles Klitsch from the LRIS of the Philadelphia Bar Association, Miriam Jacobson from Philadelphia Volunteers for the Indigent Program, Karen C. Buck from the SeniorLAW Center and Judith F. Berkman from Regional Housing Legal Services,” said Bevilacqua.

“This program will hopefully reduce the growing number of fraudulent transfers involving the poor and the elderly. We congratulate all involved for their commitment to our community and to our profession,” he said.

“Unfortunately, real estate fraud is a growing problem in our City. By notifying property owners, the City is combating crime and giving owners opportunities to take corrective action,” Decker said.

The Records Department will notify current property owners each time a deed or mortgage is recorded by mailing them a letter giving details of the transaction. This notification will give property owners the ability to verify transactions and provide notice of possible fraud involving their property. Owners will receive information on legal services and advice on how to take action if a transaction is fraudulent.

Under Pennsylvania law, the Records Department is mandated to record all deed and mortgage documents if they are filled out completely, even if the information later proves false. This means that fraudulent documents that are completed correctly are recorded and may go undetected until a legal transaction against the deed or mortgage is initiated.

The Document Notice Program will protect homeowners, who will be able to uncover and resolve fraud involving their property immediately after a fraudulent transaction is recorded, rather than having it come to light years later.

If a fraudulent transaction has occurred, the owner will be advised to obtain a copy of the document from the Records Department and to get legal assistance. The Association’s Lawyer Referral and Information Service has recruited a panel of attorneys who can help solve problems that arise due to fraudulent conveyance of real estate, according to Klitsch, the Association’s director of public and legal services.

If a client can’t afford a private attorney, they will be referred to one of several pro bono agencies that are also involved with the program. Those agencies include Philadelphia VIP, Regional Housing Legal Services, SeniorLAW Center, Community Legal Services, Philadelphia Legal Assistance and the Homeless Advocacy Project.
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Business development is key to lawyers of all ages and can eventually provide attorneys independence, a panel of experts told the Women in the Profession Committee on April 15.

The panel was moderated by Stephanie Resnick, partner in the Litigation Department and member of the executive committee at Fox Rothschild LLP. The panelists included: Julia D. Corelli, partner in the Corporate & Securities group and member of the Executive Committee at Pepper Hamilton LLP; Amy B. Ginensky, vice chair of the Litigation Department at Dechert LLP; Linda F. Rosen, plaintiffs' trial attorney with M. Mark Mendel Ltd.; and Cheryl L. Young, partner in the Family Law Practice Group and member of the executive committee at WolfBlock.

"It's really important for young lawyers to focus on business development. Use the contacts you've developed throughout your life. You'll find that these people you've known all your life need lawyers," said Ginensky.

"As you get more senior, it's important that you've developed an expertise so people know that you're the person to go to for a specific kind of case," Rosen said.

According to Young, rainmaking doesn't have to be all work, either. "You can be a rainmaker by finding your niche and getting involved with groups and causes you like. And on any board you sit on, people will know what you do. But it's important to like the board and activity you're involved with," Young explained.

Business development also requires touting yourself and your abilities. "You have to tell people what you do and that you do it well. Men have no problem touting themselves and neither should we," said Rosen.

Speaking engagements are also another way to get more business. "If someone asks me to speak, I'll do it. It helps with visibility," Rosen said.

Young said you can also ask to speak before church and synagogue groups or local business groups. "It's a great way to show your expertise in your specialty," she said.

Resnick said that business development is something to which attorneys have to specifically devote time. "It has to be in the front of your mind," she said.

Men traditionally take prospective clients to ballgames or play golf. Many women don't feel comfortable in those settings, Rosen said. "Women can do tea time instead of tee time," she said. "Breakfast or lunch meetings might be easier for women because of family constraints."

Rainmaking can also give attorneys freedom. "You don't have to rely on your boss or your firm for clients. I don't feel like I'm tied to the firm because I have the freedom to bring in business. Rainmaking absolutely gives you independence," said Rosen.

Corelli said rainmaking can get you to a point where you get to choose your clients, instead of having to rely on clients choosing you.

All of the panelists agreed that the quality of work an attorney performs will have a lot to do with the referrals they receive. "The key is doing a superb job. That's very important for client referrals. Clients want results and if they get them, they'll keep coming back," Corelli said.

Experts: Business Development Can Lead to Freedom

Moderator Stephanie Resnick (from left) discusses rainmaking with panelists Amy B. Ginensky and Linda F. Rosen. Attorneys Cheryl L. Young and Julia D. Corelli were also panelists at the April 15 meeting of the Women in the Profession Committee.
Riders of All Abilities Sought for Bike-a-Thon

by Mark A. Tarasiewicz

Novice rider? Cycling fanatic? No matter what your level of bicycling experience, you’re invited to join the Philadelphia Bar Association’s team for the American Cancer Society 2004 Bike-a-Thon, to be held on Sunday, July 11.

Members of the Philadelphia legal community can register for the event online through the ACSs Bike-a-Thon Web site at www.acsbike.org. Registration is also available at www.philadelphia.org and through registration forms at Bar headquarters. Participants without a team jersey will receive a Philadelphia Bar Association logo jersey to wear on the day of the event.

Even if your law firm or company already has a Bike-a-Thon team, you can become a member of the Philadelphia Bar Association team as well by selecting both teams on the registration form. You’ll receive a Bar Association patch to place on your current jersey to show your Bar spirit.

Riders can earn prizes or bike shop gift certificates when they reach fund-raising targets. Riders who raise $250 to $400 in pledges will receive a $30 gift certificate; $401 to $650 receive a $50 gift certificate; $651 to $1,000 receive a $250 gift certificate; $1,001 to $1,500 receive a messenger bag or a $125 gift certificate; $1,501 to $3,500 receive a portable DVD player or a $250 gift certificate; and riders who raise $3,501 or more receive an Apple iPod® or a $500 gift certificate.

Early bird registration is $100 if the form and fee are postmarked or faxed by June 7. A $400 in pledges will receive a $30 gift certificate; $651 to $1,000 receive a $250 gift certificate; $401 to $650 receive a $50 gift certificate; $1,001 to $1,500 receive a messenger bag or a $125 gift certificate; $1,501 to $3,500 receive a portable DVD player or a $250 gift certificate; and riders who raise $3,501 or more receive an Apple iPod® or a $500 gift certificate.

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Philadelphia Bar Association Announces:

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Details Coming Soon.

Volunteers are Vital

Even if you’re not able to ride, you can become a member of the Philadelphia Bar Association’s team for the American Cancer Society Bike-a-Thon by volunteering on the day of the event.

There are a number of volunteer opportunities from which to choose. They include helping staff register last-minute riders at Ben Franklin Bridge; or in Voorhees or Hammonton, setting up, serving and replenishing refreshments and cleaning at six New Jersey rest stops; picking up cyclists in a “sag wagon” who are unable to finish the ride and taking them to the endpoint (must have a van or be able to drive a truck); patrolling between rest stops; summoning sag wagons and confirming police presence at busy intersections, and serving on a planning committee. Special volunteer registration forms are available at Bar headquarters, or volunteer online at www.acsbike.org.
Bush Should Let Them Eat Wedding Cake

by Bruce H. Bikin

I don’t really understand the hulla-baloos about the proposed constitutional amendment to ban same-sex marriages. Our president says he wants to “protect marriage” as an institution. And I don’t really understand that protecting the sanctity of marriage stuff, either. I haven’t heard him come out for a constitutional amendment banning spouse abuse or child abuse or infidelity or divorce. Call me old-fashioned, but it seems to me those acts are more destructive of the sacraments of marriage, the sacredness of the marital union, than the voluntary joining of two people who publicly profess their love for each other.

I can think of a lot of things that I would prefer our constitution ban way ahead of same-sex marriage. Guns, violence, hatred, poverty, intolerance and hunger come to mind immediately. Then there are all those niggly little things. People smoking cigarettes in the alcove of the entryway to my office building so I have to inhale it as I pass through on my way to work would be one. People serving garbanzo beans in salads is another. I hate that. People who forget to use deodorant before long flights and sit next to me. People with nose hairs and zits that need to be popped. These are a few of the things that ought to be constitutionally banned ahead of same-sex marriage. The list is really much longer, but space limits me.

I cherish our Constitution as it stands. I am not a big fan of new amendments. I think there are way too many now. The first 10 were great. The 13th was embarrassingly necessary. The 14th and 15th were positive statements. Things started decidedly downhill with the 18th and now this same-sex marriage ban.

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Marriage is a state issue. It ought to stay that way. There may be policy reasons why any particular state would ban same-sex marriage. I can’t think of any really good ones, but I don’t claim to have considered all aspects of the issue: There are possible estate and succession rules, medical health benefits rules and real estate tenancies to name three things that could change in certain aspects if same-sex marriage is permitted. Nonetheless, we needn’t burden our wonderful Constitution with another kooky amendment.

But then again, if you think about it, maybe a kooky amendment would be just the ticket. There is always the "Law of Unintended Consequences" to address. If we are going to argue in favor of the "Establishment Clause" prohibiting state-sponsored religion, wouldn’t an amendment to our Constitution to protect marriage, if read together with the First Amendment, almost have to make marriage a secular institution? Wouldn’t it just have to? So, mightn’t that potentially preclude any marriages from being performed in churches or synagogues? Wouldn’t it mean priests and rabbis would no longer be permitted to perform these secular marriages? Wouldn’t religious ceremonies become just that, a ceremonial appendage to the real, secular ceremony? I can’t imagine President Bush really intends that kind of a result, but who knows? I’ve never been particularly good at figuring out exactly what he is thinking, even when he tries to tell us. But then, I’ve had people tell me the same thing.

Let’s just leave the Constitution, as great a document as it is, the way it is. And if two people love each other and want to get married, who am I to say they shouldn’t be able to do so?

Bruce H. Bikin, a partner at Montgomery, McCraken, Walker & Rhoads LLP, is an advisory editor of the Philadelphia Bar Reporter.

"The future belongs to those who prepare for it today."
-- Malcolm X

The future is now, be ready. Use public record data from Superior Information Systems
BIKE-A-THON (continued from page 9)

free acsbike.org keychain flashlight will be given to all early-bird registrants. The registration fee is $12.50 if postmarked, faxed or completed online before June 25. Same-day registration is $15.00. All fund-raising money must be postmarked by Aug. 31 to qualify for awards, incentive prizes and team/individual fundraising rankings.

The ACS Bike-a-Thon is a 62.5-mile ride from the Ben Franklin Bridge in Philadelphia to Lenape Park in Mays Landing, N.J. Lineup is at 6:30 a.m. and the start is at 7 a.m. Two New Jersey start points are also available: Main Street in Voorhees (7:45 a.m. lineup, 8 a.m. start) and Mazza’s in Hammonton (8:45 a.m. lineup, 9 a.m. start). An optional Century Ride extension makes it a full 100 miles from the Ben Franklin Bridge start point.

Through the generous support of cyclists, sponsors and volunteers, last year’s event raised $857,000 in the fight against cancer. The fund-raising goal for 2004 is $1 million.

Acclaimed one of Bicycling magazine’s 50 Great Rides, the ACS Bike-a-Thon is a chance to enjoy a terrific non-competitive outing and fight cancer at the same time. The event is held rain or shine.

Riders can take a breather, replenish their water supply and grab energizing snacks at four well-stocked rest areas. Support crews patrol the route and rest stops, offering everything from tire replacement to medical/ambulatory services.

At the endpoint in Lenape Park, riders can enjoy a refreshing shower and feast on a fabulous BBQ that is free to all riders. Family and friends can meet riders at the endpoint and enjoy amusements and kiddie rides. Refreshments are available to guests at a minimal fee.

Participants who wish to drop off their vehicle at Lenape Park the day before the event can park free in designated areas. Dropoff on July 10 is bet-ween 3 and 10 p.m. Return transportation on July 11 is available for riders and their bicycles back to the start point for a small fee.

A kickoff event will be held on Saturday, June 5 at Campbell’s Field, when the Camden Riversharks play against the Somerset Patriots. Bike-a-Thon riders who pre-register for the July 11 event will be invited to attend the ballgame for free.

For more information about the Philadelphia Bar Association’s Bike-a-Thon Team, contact Bike-a-Thon Committee Co-Chair Jeffrey Abramowitz at (215) 568-4980, or Co-Chair Stephen T. Saltz at (215) 496-8282.

Do Immigration Questions Have You Looking for Answers?

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June 9-13, 2004
Philadelphia, PA

Gender Journalism is Topic of May 26 Panel Discussion

Members of the television and print media who will join a noted author and professor for an in-depth panel discussion on Gender Journalism™ and the media’s coverage of the women’s movement on Wednesday, May 26. The event is sponsored by the Association’s Bar-News Media Committee.

Panelists for the program include Patricia Bradley, Ph.D., chair, Department of Journalism, Public Relations and Advertising at Temple University’s School of Communications of Theater, Bobbi Booker, lifestyle reporter for The Philadelphia Inquirer, Emilie Lounsberry, a reporter for The Philadelphia Inquirer, Jill Porter, columnist for the Philadelphia Daily News, and Monica Yant Kinney, columnist for The Philadelphia Inquirer. The panel will be moderated by Wally Kennedy, host of 6 ABC’s “Sunday Live!” and “Inside Story.”

Among the issues the panel will discuss are: Have the media skewed the message of the women’s movement and effectively undermined the movement’s agenda and the legal rights of women? And if so, what are the repercussions for the law, the workplace, politics and the broader society? How has this affected the plight of women in the workplace, the goal of equal pay for equal work, the advocacy of related issues and the perception of feminist leaders? How have the courts and legislatures reacted to the media’s characterization of the women’s movement?

The meeting begins at noon in the 11th Floor Conference Center of Bar Association headquarters, 1100 Market St. Lunch is available for $5.75 for those members who register in advance. For meeting registration information, contact skrzywanski@philabar.org.

For more information about the program, contact Bar-News Media Committee Chair Arline Jolles Lotman at ajlotman@aol.com.

Bar-News Media Committee

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♦ Refugees and asylum seekers
♦ Obtaining visas at U.S. consulates
♦ Civil liberties and due process
♦ Who to turn to now that the INS doesn’t exist ... and much more!

Special Honors on Friday, June 11th for Chancellor Bevilacqua

Philadelphia Bar Chancellor Gabriel L.I. Bevilacqua is one of the honorees at the American Immigration Law Foundation’s Annual Benefit, A Salute to Italian Americans. Tickets for this event are tax deductible. Please visit www.aillf.org for information about purchasing tickets.

For complete conference details and to register online, visit www.aial.org/cle. Weekend rates available.

Advance registration deadline is May 28th!
Internet Can Blur Line of Attorney-Client Privilege

by Asima Panigrahi

Technology has drastically affected the profession of law and has greatly affected the concept of “attorney-client privilege,” an expert on ethics and the profession of law and has greatly addressed. She inquired as to what ed within this context is a difficult one to address. She inquired as to what could potentially happen when a lawyer relies on such advice to their detriment. She suggested that the more personalized the advice is, the more likely it is that an attorney-client relationship has been formed, and the attorney could potentially be held liable for giving such advice. Professor Lanctot added that there has yet to be a lawsuit filed in response to legal advice given via the Internet. But she said it’s possible that the public would be distrustful and would just assume that lawyers had their own financial concerns in mind.

An even more important consideration, is that with the current surge of Web sites meant to assist laypeople with the preparation of legal documents, the livelihoods of solo practitioners could be threatened. Lanctot raised the issue of whether these sites are engaged in the unauthorized practice of law, and if so, can they be sued as a consequence of the advice they are giving. In reference to form preparation done by paralegals, the case law from the 1970s states that it is permissible for a non-attorney to type a form, but not for them to give any advice.

Lanctot noted that the line between giving and not giving advice can sometimes be quite fuzzy.

Lanctot then posed the argument that perhaps the primary solution is to come up with statutes that more accurately target the unauthorized practice of law. “But do we as a profession really want that? And how will these statutes affect First Amendment rights?” she asked. The Bar Association has struggled to accurately define the unauthorized practice of law, she said, instead adhering to the principle of “we know it when we see it.””The lack of a clear definition makes it even more difficult to recognize and ultimately address, Lanctot added.

Save May 16 for 25th Annual Charity Run

Runners of all abilities are invited to join walkers, their friends, colleagues and family members for the Philadelphia Bar Association’s 25th Annual Charity Run on Sunday, May 16. Proceeds from the race will benefit the Support Center for Child Advocates and the American Diabetes Association.

For the third straight year, the event will consist of a 5k run (3.1 miles) and will also include walk- ers. The race and walk begin at 8:30 a.m. on West River Drive adjacent to the Philadelphia Museum of Art. The event has raised more than $1 million since its inception.

Volunteers help you from the time you get to the site of the race. In addition, water, nutritional drinks and snacks are also provided at the end of the race at the picnic for the participants.

The race is just 5 kilometers (3.1 miles) long, and even if you can’t run the entire race, there are many people who will be out there walking with you. It’s a great opportunity to meet others in the legal community as well as benefitting a good cause.

Entry Form/Fees

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<th>Fee</th>
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<tbody>
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<td>$118</td>
<td>5k Run Individual (postmarked by May 12, 2004)</td>
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<td>5k Run Philadelphia Bar Association Members</td>
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Make Checks Payable To: American Elitibism Association

Registration is available online at www.active.com.

Must Check Only Once:
- Q 5k Run
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Admission to Philadelphia Bar Association – 25th Annual Charity Run – June 28

Bar Foundation Golf Classic

June 28 at Phila. Cricket Club

by Jeff Lyons

The Philadelphia Bar Foundation’s 16th Annual Golf Classic will be held at the Philadelphia Cricket Club in Horsham. Both of the Cricket Club’s courses – Militia Hill and Wissahickon – will be available for play at the Monday, June 28 event.

The fee for players is $175. This includes all greens fees, golf cart, lunch, refreshments, dinner and cocktails following the tournament.

A limited number of members of the Young Lawyers Division may play at a discounted fee of $295. Proceeds from the event benefit the Philadelphia Bar Foundation. Last year’s event raised more than $100,000.

The 2004 Golf Classic will feature a silent auction and raffle with many exciting prizes donated by prominent area retailers and restaurants.

Raffle tickets are available for $10 each or six for $50.

They may be purchased in advance or on the day of the tournament.

Militia Hill is a par-72 course that plays 7,330 yards from the tournament tees.

The longest hole is the 604-yard, par-5 18th hole. The course’s signature hole is the 3rd hole, a 496-yard par 4.

The green is accessible in two shots, but players have to clear water to make it to the green.

The Militia Hill course has more of a rolling, hilly landscape than the Wissahickon course. There is also a lot of high fescue grass in the rough beyond the fairway that can make finding a lost ball an adventure.

Militia Hill was designed by Dr. Michael Hurdzan and Dana Fry.

The Wissahickon course was built by A.W. Tillinghast in 1922. Tillinghast also designed legendary golf courses at Winged Foot, Baltusrol and the San Francisco Country Club. The 680-yard course plays to a par 71.

Wissahickon’s 9th hole is rated among the top 100 holes in the world by Golf Digest. The 439-yard hole is a very difficult, long, uphill par 4 with strategic bunkering.

Bermuda-length shorts are permitted for players.

For more information about the Golf Classic, contact Melissa Engler at 215-230-6347 or mengler@philabarb.org.
Overbrook Wins State Mock Trial Championship

Philadelphia’s Overbrook High School defeated Pittsburgh’s Oliver High School on Saturday, March 27, to win the Pennsylvania Bar Association Young Lawyers Division statewide Mock Trial Championship in Harrisburg. Overbrook will represent Pennsylvania in the national mock trial championships, 12 high school teams advanced to the state mock trial championships. All 12 teams competed in two quarterfinal rounds on March 26. The four winning teams of the quarterfinal rounds advanced to the semifinals held March 27 at the Dauphin County Courthouse. Those teams included Abington Heights (Lackawanna County), Carlisle High School (Cumberland County), Oliver and Overbrook. Overbrook beat Abington Heights in the semifinal round and went on to compete against Oliver High School for the state championship in the Pennsylvania state Senate chambers.

Pennsylvania Supreme Court Justice Russell M. Nigro presided at the championship. Overbrook played the defense in the finals and Oliver was the prosecution. The case, which was used throughout the state in all mock trial competitions, centered around an allegedly car theft by a student suffering from Asperger’s Syndrome. Through the competition, eight-member student teams are given the opportunity to argue both sides of the case in an actual courtroom before a judge. The students, who play the roles of lawyers, witnesses, plaintiffs and defendants, are assisted by teacher coaches and attorney advisors in preparing for competition. Volunteer attorneys and community leaders serve as jurors in the trials. The juries determine the winners in each trial based on the teams’ abilities to prepare their cases, present arguments and follow court rules.

Overbrook defeated Mastbaum Beasley School of Law’s Law, Education, Bar Association and Temple University School of Law’s Law, Education, Participation Project.

HAP Holds 15th Annual April Benefit

The Homeless Advocacy Project held its 15th Annual April Benefit on Thursday, April 22 at the Park Hyatt Philadelphia at the Bellevue. Pictured from left are 2004 Planning Committee members Marrie E. Simon, Lenard A. Cohen, HAP Development Director Marnie Boccella, HAP Executive Director Marsha Cohen, Madeleine M. Sherry and Judy Greif, who co-chaired the committee with Lenard Cohen and Blaine Stanley. The event was presented by PECO Energy, along with The Verizon Foundation, Fox Rothschild LLP and Aqua Pennsylvania. More than 200 people attended the event, which raised more than $120,000 for HAP.

Baton Rouge’s Overbrook High School defeated Pittsburgh’s Oliver High School on Saturday, March 27, to win the Pennsylvania Bar Association Young Lawyers Division statewide Mock Trial Championship in Harrisburg. Overbrook will represent Pennsylvania in the national mock trial championships, 12 high school teams advanced to the state mock trial championships. All 12 teams competed in two quarterfinal rounds on March 26. The four winning teams of the quarterfinal rounds advanced to the semifinals held March 27 at the Dauphin County Courthouse. Those teams included Abington Heights (Lackawanna County), Carlisle High School (Cumberland County), Oliver and Overbrook. Overbrook beat Abington Heights in the semifinal round and went on to compete against Oliver High School for the state championship in the Pennsylvania state Senate chambers.

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Make a Difference Through Access to Justice

by Edward F. Chacker

I WANT TO SHARE A SECRET. I want to tell you about the nicest gift I ever received. It was the night my wife made me cry.

We were at dinner celebrating our wedding anniversary when Sheila handed me what I thought was a customary anniversary card. I was wrong; it was anything but customary. As I unfolded the piece of paper tucked within the card, and I began to read its words, tears rolled down my cheeks. Sheila had created a scholarship in my honor. This gift, which assists one high school student to go to college, was the most beautiful present I had ever received.

As lawyers, and, more specifically, Philadelphia lawyers, most of us are, or will be fortunate enough to be in, a position where gifts can be about helping someone else.

In that spirit, I ask you to consider your Philadelphia Bar Foundation. In the coming months, each of us will enjoy a birthday, an anniversary, possibly a retirement. During each of these most deserved celebrations it is important to remember the profession that brought us our success.

On Saturday, March 27, the law firm of WolfBlock celebrated its 100th birthday. The firm celebrated with a wonderful party. But even more important: the firm celebrated with a $300,000 gift to local charities, including $50,000 to our Philadelphia Bar Foundation. That donation immediately will impact our communities and help fund legal access for the disadvantaged in Philadelphia.

Your contribution (in addition to being tax deductible) is a sign that your success in the legal world comes with the understanding that there is also an obligation. To state it simply, we should support that which supports our families and us.

From May 1 to May 14, the Bar Foundation is holding its Access to Justice Campaign. Your personal envelope allowing you to become a member of the Bar Foundation is right in front of you. Simply fill it out now. If you wait to do it later, your desk may, as it ever has received. It was the night my wife made me cry.

Each year on May 1 (Law Day), I get to present an award to a graduating senior. It simply does not get better than that. Get to know that feeling. Membership is $100.

Become a member of your Philadelphia Bar Foundation. Fill out and mail your personal envelope now.

Edward F. Chacker, a partner at Gay Chacker & Mittin, is president of the Philadelphia Bar Foundation.

Mark L. Alderman (center), chair of WolfBlock, presents a check for $50,000 to Gerald A. McHugh Jr., immediate past president of the Philadelphia Bar Foundation. WolfBlock made the presentation in honor of the firm’s 100th anniversary. Bar Foundation Executive Director Maureen Mineg is shown at left.

BAR FOUNDATION
Wouldn’t it be great if there were a program available to each of us that would simultaneously advance our careers, enrich our lives and make a difference in our community? Well, there is.

In keeping with the Young Lawyers Division 2004 theme of “Get Connected,” there is no better way to get connected with the community and with other attorneys than to participate in a structured pro bono services program.

One program that brings together bright and energetic attorneys and other professionals from across our region is run by the Support Center for Child Advocates, located at 1900 Cherry St.

Child Advocates, founded in 1977, is the country’s oldest and largest pro bono legal and social services agency for children. Its mission is to advocate for abused and neglected children in Philadelphia, with the goal of securing a permanent, nurturing environment for every child.

The Young Lawyers Division, in connection with Child Advocates, is promoting the American Bar Association Young Lawyers Division’s “One Child, One Lawyer” initiative. “One Child, One Lawyer” is a child advocacy-based initiative to provide lawyers with skills and contacts that actually make a difference in the life of a child.

Building teams of trained lawyers, social workers and other professionals, Child Advocates focuses the energy of diverse and talented individuals to improve the lives of children. Volunteer lawyers are trained in a CLE-accredited, full-day workshop, followed by one or more periods of courtroom observation, before being assigned a case. Once assigned a case, the volunteer attorney works with social workers and lawyers who are specialists in child welfare practice and children’s legal issues. Volunteer attorneys will sometimes be called upon to interact with teachers, doctors, government officials, family members, other attorneys and, if necessary, the judicial system in four core services: child protection, medically needy children, kinship care and adoption. Through Child Advocates, children are secured with much-needed social services, placed in safe homes, and helped to testify in court.

Throughout the region, attorneys from diverse disciplines are coming together for this common goal. There is no requirement that volunteer attorneys be litigators or even family law practitioners – attorneys with transactional practices are just as effective.

While this is a wonderful program for attorneys of all experience levels, it would be especially beneficial for those just starting out in the profession. Many new lawyers are not called upon to interact directly with clients, opposing counsel or the courts for several years. Volunteering as a pro bono attorney affords you an opportunity to get the hands-on experience that is often so desired. Working with Child Advocates, you have the support of trained professionals to educate and motivate you to be an effective advocate for a child who is in desperate need of a lawyer.

There are hundreds of thousands of children in foster care, most of whom have been removed from their homes after being abused or neglected. It has been reported that in Philadelphia alone, there were more than 4,300 dependency petitions filed in each of the past two years. Without an effective advocate focused exclusively on their needs, these children often bounce from house to home and school to school until they reach age 18, and then are discarded by the system. It is not uncommon for these kids to attend dozens of schools throughout their childhood. For just a few hours a month, you can give children who have been removed from their homes a voice in the system that determines their fate.

Child Advocates is conducting its next Volunteer Training Workshop on Thursday, June 3. I encourage each of you to enroll by calling (800) 932-4637 for enrollment information or to attend the Spring Gala on April 17 at Loews Philadelphia Hotel.
SCALIA AWARD
continued from page 1
Comcast. In the antitrust field, he negotiated the consent decree covering the network television industry and the settlement of the Federal Trade Commission's industry-wide litigation against the major airport car rental companies and successfully defended Hertz in a series of antitrust actions. Shestack won a multi-million-dollar class action litigation for Westinghouse Electric involving employee benefits. He also represents the Commonwealth of Pennsylvania in insurance, health care and other litigation. Shestack has successfully defended many media clients in First Amendment defamation cases, including a multi-million-dollar libel action against ABC and its “20/20” program.

Prior to his election as president of the American Bar Association, Shestack served on the Board of Governors and the Executive Committee of the ABA and chaired its Program and Planning Committee. He was a member of the Nominating Committee and Pennsylvania’s state delegate to the ABA.

For six years, Shestack served on the ABA’s Standing Committee on the Federal Judiciary, which makes recommendations to the President and the U.S. Senate on the qualifications of all prospective federal judges. He served as chair of the ABA’s Section of Individual Rights and chaired the first ABA Commission on the Mentally Disabled. Shestack also chaired the ABA’s Standing Committee on Legal Aid and was a founder of the ABA’s Pro Bono Center.

A world leader in the international human rights movement, Shestack has chaired the International League for Human Rights for the past 20 years. He is chairman of the ABA’s Center for Human Rights. He served as U.S. ambassador to the United Nations Commission on Human Rights under President Jimmy Carter and also served as a member of the Conference on Security and Cooperation in Europe and as a commissioner of the U.S. Presidential-Congressional Commission to Improve the Effectiveness of the United Nations under President Bush. Shestack has also chaired the International Bar Association Standing Committee on Human Rights.

He founded and was the first chair of the New York-based Lawyers Committee for Human Rights, and for 20 years served as president of the International League of Human Rights. He also served as general counsel of Amnesty International in the U.S. He is currently counsel to the American Society of International Law.

Shestack was a founding member of the Lawyers Committee for Civil Rights and is founder of the Public Interest Law Center of Philadelphia.

HIGGINBOTHAM
continued from page 1

Nation.” In that role, he brought the program to cities and towns across America for monthly radio “town hall” meetings before live audiences. The town hall meetings were a part of “The Changing Face of America,” a yearlong NPR series focused on how Americans were dealing with rapid changes in society and culture as the United States entered the 21st century. The series, supported by a grant from the Pew Charitable Trusts, involved monthly pieces airing on “Morning Edition” and “All Things Considered,” as well as “Talk of the Nation.”

Williams is the author of the critically acclaimed biography Thurgood Marshall: American Revolutionary, which was released in paperback in February 2000. He is also the author of the non-fiction bestseller Eyes on the Prize: America’s Civil Rights Years, 1954-1965.


Williams continues to be a contributing political analyst for the Fox News Channel and a regular panelist on Fox News Sunday. He has also appeared on numerous television programs, including “Nightline,” “Washington Week in Review,” “Oprah,” CNN’s “Crossfire” (where he frequently served as co-host) and “Capital Gang Sunday.”

A graduate of Haverford College, Williams received a B.A. in philosophy in 1976. He sits on the Haverford College Board of Trustees, the Aspen Institute of Communications and Society Program, Washington Journalism Center, and the New York Civil Rights Coalition.

The lecture was inaugurated by the Public Interest Section to honor the memory of the late Third Circuit Court of Appeals Chief Judge A. Leon Higginbotham Jr.

Previous Higginbotham lecturers are Marian Wright Edelman, Professor Charles J. Ogletree, Congressman Chaka Fattah, ABA President Dennis W. Archer and scholar Dr. Cornel W. West.

SeniorLAW Center Celebrating 25th Anniversary With May 19 Reception

The SeniorLAW Center will celebrate its 25th anniversary with a reception at the Independence Visitors Center at 6th and Market streets on Wednesday, May 19 from 5:30 to 9 p.m.

The evening will include music, fine food, cocktails and celebration as the SeniorLAW Center marks 25 years of protecting the rights of Philadelphia seniors.

For sponsorship or ticket information, contact Larry Felzer at (215) 701-5205 or lfelzer@seniorlawcenter.org or visit www.seniorlawcenter.org.

SeniorLAW Center provides a combination of legal services, community education, outreach and advocacy, incorporating a comprehensive approach to representing and empowering its clients. SeniorLAW Center also acts as a vital link in the complex network of services available to Philadelphia’s senior citizen.

Through the efforts of SeniorLAW Center’s legal staff as well as volunteer attorneys from Philadelphia’s legal community, SeniorLAW Center serves thousands of elders each year, including victims of elder abuse and financial exploitation, elders facing housing crises and homelessness and grandparents raising grandchildren.

Since its founding in 1978 by members of the Bar Association, SeniorLAW Center has provided free legal representation for more than 32,000 seniors, focusing on the most vital and recurring legal problems facing elders: housing, abuse, financial exploitation, consumer problems, grandparent custody, personal and end-of-life planning needs.

Philadelphia Bar Association April Quarterly Meeting and Luncheon

Thursday, June 24 at Noon at the Park Hyatt Philadelphia at the Bellevue, Broad and Walnut Streets

• Featuring 6th Annual Judge A. Leon Higginbotham Jr Public Interest Lecture by Juan Williams
• Presentation of Ruth Bader Ginsburg Legal Writing Competition Award
• Honoring new members of the Association’s Year Clubs

Please make reservations for the Philadelphia Bar Association’s Quarterly Meeting and Luncheon. Tickets are $50 for members and $55 for non-members. Checks should be made payable to the Philadelphia Bar Association.

Return to: Quarterly Meeting
Philadelphia Bar Association
1101 Market St., 11th fl.
Philadelphia, Pa. 19107-2911

Credit Card: Visa MasterCard American Express

Credit card payments should be faxed to Bar Headquarters at (215) 238-1267.

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Philadelphia, Pa. 19107-2911

Credit Card: Visa MasterCard American Express

Credit card payments should be faxed to Bar Headquarters at (215) 238-1267.
Changes Let Perrier’s Main Line Bistro Shine

Helen Sigel Wilson declined to continue to clutter her life with the restaurant business at L’Auberge decades ago. She transferred her property to those who developed it into a gorgeous French farmhouse fairyland, for the benefit of Chef Marcel Broissette who’d just closed his La Camargue in Center City. I was the attorney privileged to obtain the new liquor license for the establishment. After a series of retiring or firing chefs, revolving themes and the passage of a few more decades, Georges Perrier decided to make his mark at this location on the Main Line. He renovated even more spectacularly and has brilliantly combined the ingredients of meticulous attention to service details, upscale seasonal platter items and a suburban ambiance of elegant fun.

One enters upon a hallway with walls colored of acorn squash-orange, tippled by tapestries and grounded in ancient tiles.

To your left is a huge continental bar sporting half a dozen two-foot high taps at its middle. Beer is served in pompous pilsner glasses that are perfectly proportioned for the longest draught. Casually and smartly dressed diners sit at unadorned tables, semi-plush couches or at the bar sipping magna-martinis with appropriate olives and hubris. A plasma television adds to the lack of ceremony.

To one’s right is a bevy of more formal eating areas, my favorite being the Western Wall Room. Its jagged white stones emulate the look and feel of Jerusalem’s most pious place, so much so that you believe it possible to fit bits-of-napkin prayers into its surface. The dining area is topped by a huge white yarmulke overhead. White window shutters, brown wicker chairs, and recessed lighting fixtures add simplicity and warmth. Glassware and vases are cobalt blue; fresh flowers abound.

Waitperson No. 1 (dressed in cobalt blue shirt and tie) comes to place a lemon slice into an empty water glass. Waitperson No. 2 pours water into said glass 10 seconds later. In a moment, a third waitperson dressed all in black adds breadsticks, bread and creamy butter to the table, and checks to see that what No. 1 and No. 2 had done is still perfect.

Waitperson No. 4 takes your order after having named the specials of the day.

No. 2 returns to remove the “show plates” (with “P” for “Perrier” emblazoned thereon, but of little other than ornamental use); and in synchroniza- tion worthy of a French Foreign Legion marching brigade, your appetizers, entrées and desserts are leisurely served. Meanwhile, managers in full suits observe all participants, intending to take seamless care of you.

The food is the fun. Inspired by Perrier’s recent reflections that Main Liners aren’t as stuffy as all of their horse-and-fox-chasing prints, he’s devised, with his Executive Chef Jason Shillinglaw, a seasonally cyclical menu of delights. Superimpose Perrier’s insistence on classical deeply scented Lyon sauces with Shillinglaw’s Charleston charm at grilling fish and vegetables with a South Carolina twang. A diner’s taste buds travel in circles of opulence and hospitality.

I arrive on Sunday at 6 p.m. On this day only, the restaurant is BYOB. So bring your finest champagne, French Bordeaux and/or California chardonnay (corkage fee assessed). The restaur- ant is already bustling and beginning to fill.

Never miss the jumbo lump crab cake ($12) appetizer; served upon a tower of chunky avocado salad, crispy prosciutto and micro cilantro. The latter herbs tickle your tonsils upon a festive swallow of the avocado and crab portions, spiked by shamelessly large chunks of crustacean meat. You have to sit still until the hungry hypnagogic look on your face disappears.

Or try “poulet pizza” ($9) made with the thinnest see-through pie dough upon which rest smoky grilled chicken, smoked bacon, herb pesto and melted fontina cheese. The foot-round pie is enough for three, so share the joy. The heartiness, texture and taste of this

continued on page 17
**FRONTLINE continued from page 3**

The legal services sector must have a major say in crafting tax policy for this region and its economy. And this year we intend to be at the table when tax legislation is written. I have already testified before City Council on these issues and I will return again and again, if necessary, to deliver our message and offer our assistance.

The power to tax involves the power to destroy business, jobs and economic vitality or the power to create a growing, vital, economically vibrant city and region. With our help, Philadelphia must now choose.

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**The Official Legal Directory of the Philadelphia Bar Association!**
Also on Tuesday, the Louis D. Brandeis Law Society will sponsor the Stu Agins Day of Service at the Rowan House, 325 N. 39th St., from 9 to 11:30 a.m. Participants in this program will conduct mock job interviews with the Rowan House residents to help prepare them for entering into the work force.

On Wednesday, May 5, the invitation-only Brown v. Board of Education commemoration will be held from 10 a.m. to 12 p.m. at the Philadelphia School District Building at 21st Street and the Parkway.

At lunchtime, dozens of Philadelphia attorneys will gather to provide free, in-person legal advice at a Law Fair, from noon to 2 p.m., in the Center Court of the Gallery at Market East in Center City. Attorneys will provide answers to legal questions on a broad range of topics, including landlord/tenant law, divorce and child custody matters, wills and estate planning, real estate law and employment law.

Also on Wednesday, free legal advice will be given to those who call the Legalline hotline. From 5 to 8 p.m., area residents can call lawyers at (215) 238-6533 and have their legal questions answered free and confidentially. This program is being co-sponsored by the law firm of Buchanan Ingersoll PC.

On Thursday, May 6, the YLD will bring their Doctor/Lawyer in the Classroom program to students of the Albert M. Greenfield Elementary School, 21st and Chestnut Streets, from 10:15 to 11:15 a.m. Through this program, a team of doctors and lawyers will discuss their careers with students.

Volunteer attorneys and judges pair with high school students, providing a behind-the-scenes experience of their jobs by taking them to their offices and into the courts during the Lawyers for a Day program on Friday, May 7. Several city courtrooms will be open to allow the participants to observe the proceedings. The students will meet the lawyers and judges at the Bar Association at 8:30 a.m., and all participants are invited back to the Association’s 11th floor Conference Center at noon for a concluding lunch, during which students will recount their experiences and hear from various speakers.

**Special Welcome for all Law Firms on auxiliary message boards**

Wednesday, June 30, 2004 @ 7:05 pm

**Phillies**

**vs.**

**Arcade Seating** @ $21

Terrace Deck Seating @ $16

Pavilion Deck @ $14

Hot Dog and Soda Coup on $3.25 (optional)

Processing & Handling Fee

Total Amount Enclosed $2.00

Please make check/money order payable to: The Phillies, or

MasterCard Visa AMEX

Card Number Exp. Date

Name on Card

Clip and mail this form to:

Phillies Group Sales
Bar Association Night
Citizens Bank Park
One Citizens Bank Way
Philadelphia, PA 19148

or -

Fax: (215) 463-9878

E-mail: barassoc@phillies.com

Ticket orders received within seven days of the game may be picked up any time after ordering at the advanced ticket windows located at the First Base Gate or on the day of the game at any available ticket window. For identification purposes, we recommend that guests present the credit card used for the ticket purchase when picking up tickets. If you have any questions, please call Ticket Line in the Phillies Sales Office at (215) 463-5000 ext. 5106
Don’t Raise Pay Issues Too Early in Interview

by James LaRosa and Gary Mintz

Question: When is the best time to talk about money in a job interview?

Answer: There is no black-and-white answer, other than to say that you don’t want to raise the salary issue too early in the interview process. In general, the best time to start talking about salary is when the interviewer raises the issue.

The goal of the interview is to get the prospective employer interested in the skills and value you can bring and the need you can fill in that organization. Therefore, as in any type of sale, you want to focus as much time and energy on what you can do for the employer before letting the employer know how much it will cost. If the wrong thing is said about compensation too early in the process, the employer may not hear anything you say thereafter relating to the potential position.

It’s generally not a good idea to start discussing salary until at least the second interviews. Another general rule is that salary negotiations should not start until the candidate is reasonably certain that a job offer is forthcoming. Starting salary negotiations before it is apparent that a job offer is forthcoming can be seen as presumptuous and can hurt your chances of even getting a job offer.

Sometimes the interviewer may raise the salary issue prematurely. If the interviewer starts discussing money issues very early in the interview process, it can put the candidate in a difficult position. If you have done some research, you’ll have an idea of the salary range of the position. If you do, and assuming you are comfortable with that range, you can respond to a compensation question early in the interview process by stating: “I believe if I were offered a salary consistent with others at the same level currently at your firm, that it would be acceptable to me.” You can then explain that you would like to discuss in more detail the specifics of the position to try to get away from giving a specific number at that point.

Many times the employer is simply trying to get a feel for what the candidate is presently making. If asked, it is generally a good idea to be direct and answer the question because it is often easier for a prospective employer to find out what you are making, and if you inflate that number you have really hurt your prospects of getting the job. Your current salary is not necessarily an indication of what you are seeking to earn. In some cases, your present salary may be significantly higher than the salary of the position for which you are applying. If this is the case, and you are still interested in the opportunity, you should make the employer aware that although your present salary is higher, this opportunity provides certain benefits that overcompensate the issue in a professional manner.

Many times the employer is simply going to guarantee that you will get a higher offer, but it allows you to frame the issue in a professional manner.

You are not necessarily required to give you a significantly lower than that offered by the prospective employer and it’s one of the reasons you say you are looking to make a move, e.g., for a more competitive salary. This is not going to guarantee that you will get a higher offer, but it allows you to frame the issue in a professional manner.

Sometimes the interviewer may raise the issue in a professional manner. If the interviewer starts discussing money issues very early in the interview process, it can put the candidate in a difficult position. If you have done some research, you’ll have an idea of the salary range of the position. If you do, and assuming you are comfortable with that range, you can respond to a compensation question early in the interview process by stating: “I believe if I were offered a salary consistent with others at the same level currently at your firm, that it would be acceptable to me.” You can then explain that you would like to discuss in more detail the specifics of the position to try to get away from giving a specific number at that point.

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You are not necessarily required to give you a significantly lower than that offered by the prospective employer and it’s one of the reasons you say you are looking to make a move, e.g., for a more competitive salary. This is not going to guarantee that you will get a higher offer, but it allows you to frame the issue in a professional manner.

Similarly, your present salary may be significantly lower than the salary you are seeking, or what the prospective employer generally pays. If that’s the case, understand that your potential new employer is likely going to take the view that he or she is not necessarily required to give you a significantly lower than that offered by the prospective employer.

If you are seeking, or what the potential new employer is likely going to take the view that he or she is not necessarily required to give you a significantly lower than that offered by the prospective employer.

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the Supreme Court of Pennsylvania;
Former Federal Prosecutor

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You're not in some cavern here, or
straining to see or hear the speakers.
PBI Executive Director Roger
Meilton sees the new center as a con-
tinuation of PBI's partnership with the
Philadelphia Bar Association and an
important part of our ongoing effort to
serve the CLE needs of all lawyers in
southeastern Pennsylvania.
PBI Director of Seminars Richard
McCoy adds, "Our speakers have access
to all of the technological innovations
available for education. But we like to
think of our new facility as a home
attorneys can go for many professional
purposes, even when they are not
coming to seminars. Our expanded
bookstore, for example, makes it easier
for lawyers to find information, even
outside of the seminar setting.
"These facility improvements have
helped us to continue to do what we
do best," McCoy says. "We make it easi-
er for lawyers to practice law."
PBI Associate Director Lisa Muench
manages the facility on a day-to-day
basis, and is looking forward to pro-
ducing more and more varied pro-
grams for the legal profession. She
notes that PBI's former Philadelphia
facility had limited flexibility, and that
PBI's needs had outgrown it.
"One of the things we wanted to do
in the renovation was create space that
could accommodate the presentations
continued on page 21

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Pro Bono Aid Sought for Domestic Violence Survivors

by Judith Bernstein-Baker

E.C. wanted some respite from the violence in Colombia so she went on vacation to the U.S. She met J.R., an American citizen, at a party and fell in love. He proposed to her quickly, say- ing he couldn’t bear it if she returned to Colombia. After the marriage, J.R. changed. He had sudden mood swings and began using drugs. Upon returning from a rehabilitation center, he was stable for a while, but soon returned to being volatile. He began hitting her and in one incident, almost blinded her. E.C. sought help from a women’s shelter. Staff at the shelter discovered E.C. lacked immigration status because her husband never filed papers for her. E.C. could not work or obtain public benefits. Fortunately, staff members contacted an immigration service provider who was able to file a “self-petition” for E.C. so she could gain permanent legal status under the Violence Against Women Act.

There are hundreds of immigrant women such as E.C. who are beginning to step forward and seek assistance. A new collaborative of immigration ser- vice providers consisting of HIAS and Council Migration Service, Nationalities Service Center and the Pennsylvania Immigration Resource Center, is work- ing in conjunction with Philadelphia Volunteers for the Indigent Program to meet this increased demand for ser- vices. The collaborative provides train- ing and mentoring to non-immigration attorneys who handle immigration cases. The initiative to expand pro bono immigration services was made possible through a special grant from the Philadelphia Bar Foundation.

A special training session sponsored by the collaborative and Philadelphia VIP devoted to representing immigrant survivors will be held Thursday, June 3, from 12 to 2 p.m. at Morgan Lewis, 1701 Market St. Lunch will be provided and CLE credits are available. Call VIP at (215) 525-9550 to register.

Immigrant survivors face myriad legal, social and psychological barriers even more pronounced than those of the general population. Some women cannot speak or read English, and lack the skills necessary to access basic sup- ports and resources. Others, due to their undocumented status, are placed in detention and face additional obsta- cles. According to Alison Pennington, associate director of PIIRC, “survivors of domestic violence face increased isola- tion in detention. Typically, the det- ention facilities that house these wom- en are in rural settings and are far aw- ay from the legal, social and psycho- logical support that survivors of dom- estic violence need.”

The work is extremely rewarding. Cases like those of E.C. often have a happy ending. E.C. is now a lawful per- manent resident, working legally and supporting her child, now 9 years old, who recently joined her.

Almost 100 percent of the cases handled by members of the collabora- tive have resulted in safety and long- term residency for immigrant sur- vivors. Nationally, 70 percent of cases were approved by immigration officials in 2005.

“Non-immigration attorneys can quickly learn how to handle an immi- gration case of domestic violence sur- vivors,” points out Jore Hohenstein, the NSC coordinator of such work. An in- structor at Temple University Beasley School of Law, Hohenstein has also su- pervised law students in this area and notes that “protecting survivors is on the cutting edge of immigration law.”

Judith Bernstein-Baker is executive director of HIAS and Council Migration Service.

CALENDAR OF EVENTS

Note: While the following listings have been verified prior to press time, any scheduled event may be sub- ject to change by the committee or section chair.

Monday, May 3
Public Interest Section Executive Committee – meeting, noon, 10th floor Board Room.
Family Law Section – meeting, 4 p.m., 10th floor Board Room.

Tuesday, May 4
Philadelphia Bar Foundation Board of Trustees – meeting, noon, 10th floor Board Room.
Board of Governors – meeting, 4 p.m., 10th floor Board Room.

Wednesday, May 5
Delivery of Legal Services Committee – meeting, 8:30 a.m., 10th floor Board Room.
Brown vs. Board of Education – 10 a.m., Philadelphia School Administration Building, 21 Street and Benjamin Franklin Parkway.
State Civil Committee – meeting, noon, 10th floor Board Room. Lunch: $7.50.
LegalLine – 5 p.m., 11th floor LRIS offices.

Thursday, May 6
Environmental Law Committee – meeting, noon, 11th floor Conference Center. Lunch: $7.50.
Civil Rights Committee – meeting, 12:15 p.m., 11th floor Committee Room South.
Alternative Dispute Resolution Committee – meeting, 12:15 p.m., 10th floor Board Room. Lunch: $7.50.

Friday, May 7
Philadelphia Lawyer magazine Editorial Board – meeting, 12:30 p.m., 10th floor Board Room.

Tuesday, May 11
Criminal Justice Section Executive Committee – meeting, noon, 10th floor Board Room.
Solo and Small Firm Committee – meeting, noon, 11th floor Conference Center. Lunch: $7.50.

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

Thursday, May 13
Legislative Liaison Committee – meeting, 12:30 p.m., 11th floor Committee Room South. Lunch: $7.50.
Committee on the Legal Rights of Lesbians and Gay Men – meeting, 12:30 p.m., 11th floor Committee Room.

Friday, May 14
Women’s Rights Committee – meeting, 12:15 p.m., 10th floor Board Room. Lunch: $7.50.

Sunday, May 16
Philadelphia Bar Association Charity Run – 8:30 a.m., West River Drive. www.philadelphiaabar.org

Monday, May 17
Business Law Section Executive Committee – meeting, noon, 10th floor Board Room.

Tuesday, May 18
Board of Governors Cabinet – meeting, noon, 10th floor Board Room.
Women in the Profession Committee – meeting, noon, 11th floor Conference Center. Lunch: $7.50.

Wednesday, May 19
Workers’ Compensation Section Executive Committee – meeting, 10:30 a.m., 11th floor Committee Room.
Workers’ Compensation Section – meeting, noon, 11th floor Conference Center. Lunch: $7.50.
Federal Courts Committee – meeting, 12:30 p.m., 10th floor Board Room. Lunch: $7.50.
Committee on Racial and Gender Bias – meeting, 12:30 p.m., 11th floor Committee Room. Lunch: $7.50.
LegalLine – 5 p.m., 11th floor LRIS offices.

Thursday, May 20
Family Law Section Executive Committee – meeting, noon, 11th floor Committee Room South.

Friday, May 21
Social Security and Disability Benefits Committee – meeting, noon, 11th floor Conference Center. Lunch: $7.50.

Tuesday, May 25
Young Lawyers Division Executive Committee – meeting, noon, 10th floor Board Room.
Criminal Justice Section – meeting, noon, 11th floor Conference Center.

Wednesday, May 26
Bar-News Media Committee – forum, noon, 11th floor Conference Center.
Committee on the Legal Rights of Persons with Disabilities – meeting, 12:30 p.m., 11th floor Committee Room.

Thursday, May 27
Lawyer Referral and Information Service Committee – meeting, noon, 11th floor Committee Room.
Board of Governors – meeting, 4 p.m., 10th floor Board Room.

Friday, May 28
Human Resources Committee – meeting, 8:30 a.m., 10th floor Board Room.

Monday, May 31
Memorial Day – Bar Association offices closed.
Gov. Edward G. Rendell and Pennsylvania Attorney General Gerald J. Pappert will address attendees of the Pennsylvania Bar Institute Second Annual Non-Profit Institute on Thursday, May 20. Rendell will be a featured speaker and Pappert will discuss “The Role of the Attorney General’s Office in Regulating and Monitoring Non-Profits.”

The Non-Profit Institute is not just for lawyers. Workshop choices include something for everyone involved in non-profits – directors, officers and board members; accountants; grant-makers; fundraisers; financial institutions; volunteer recruiters/coordina tors; estates and tax attorneys; and anyone interested in starting a nonprofit.

Design your own program from amongst a wide variety of topics to meet your needs. Individual workshops include: How to Start and Run Non-Profit Organizations; Sarbanes-Oxley and Implications for Non-Profit Governance; Electronic Filing with the IRS and Pa. Bureau of Charitable Organizations; Charitable Giving; Legal and Practical Considerations of Volun teer Staffing; A Look at Recent Case Law and Trends in the Non-Profit World; An Ethics and Accountability Code for the Non-Profit Sector; Compensation for Non-Profit Executives; Sales and Real Estate Tax Exemption – Who Qualifies and the Process for Obtaining Exempt Status; Basics of Applying for and Obtaining Grants; Endowment, Investment and Spending Policies; Legal and Practical Considerations of Donors and Donees for Churches and Religious Organizations; Ethical Obligations of Boards of Directors; Strategic Philanthropy; Lobbying Activities by Non-Profits; Update from the IRS; Fraud in the Non-Profit World; Private Foundations; Donor Advised Funds and more.

The Non-Profit Institute will take place from 8:30 a.m. to 4:30 p.m. at PBI’s CLE Conference Center (10th floor, Wanamaker Building.) Tuition is $219 ($110 for representatives of non-profits with gross revenue of $500,000 or less.)

To register or for more information, please contact PBI’s customer service: by phone at (800) 952-4657; by fax (717) 796-2548 or online at www.pbi.org. You may also register at the door the day of the seminar.

**CLE CENTER**

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our faculties wanted to produce,” she says. “The expansion gives us many more options for continuing education. We now can have more seminars being presented concurrently, or we can handle our smaller institutes here, as well as other seminars that need breakout sessions.”

Muench says that expanding the facility has also made it possible for PBI to offer its space for rent to attorneys and other professional organizations to hold meetings, conferences, and videoconferences, adding that the facility’s new space and technology can also enhance videoconferencing options for PBI’s own seminars.

Why did we do all this? Because PBI is committed to providing attorneys in Philadelphia and throughout Pennsylvania with the CLE they want and need. That’s what we do. We’re your statewide CLE provider and we’ve helped you since 1965. We started small, but we’ve been growing ever since.

We know you, we know your practice, and we hope you already know us. That’s what we do. We’re your statewide CLE provider and we’ve helped you since 1965. We started small, but we’ve been growing ever since.

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We’re here for you, like always.

Except better.
Judge Louis C. Bechtle: a partner at Conrad O'Brien Gelman & Rohn, P.C., recently participated in a panel discussion for the Environmental, Products Liability and Mass Torts CLE seminar sponsored by the American Bar Association Section of Litigation. Judge Bechtle discussed “The Keys to Successfully Resolving a Mass Tort Case.”

Stephen S. Alcheh: managing partner of Saul Ewing LLP, has been appointed to the Board of Directors of the World Affairs Council of Philadelphia, a private, nonprofit, nonpartisan public policy forum and organization dedicated to creating a more informed citizenry on matters of national and international significance.

Gina Rubel: president of Furia Rubel Communications, presented the CLE seminar “Advertising and Communicating with Clients Within the Rules of Professional Responsibility” on March 15.


Vincent R. McGuinness: a member of Cozen O’Connor, was recently elected president of the Board of Directors of SquashSmarts, Inc., a non-profit program that combines squash-playing, along with academic tutoring and mentoring for low-income middle school students in the Philadelphia public school system.

Louis N. Teri: of MacElree Harvey, Ltd. has been designated chair of the Pennsylvania Supreme Court Disciplinary Board.

George Martin: a partner with Martin, Banks, Pond, Lehocky & Wilson, has been elected vice chair of the Pennsylvania Chapter of the League of Conservation Voters. Martin was also a member of the special guest faculty at the Pennsylvania Bar Institute’s Workers’ Compensation Practice and Procedure 2004 in March.

Kevin I. Lovitz: a member of Annapolis, Weiss, Cohen, Feldman and Smalley, P.C., spoke at the Epilepsy Foundation of Greater Philadelphia’s Epilepsy Wellness Fair on March 27.

Bara K. Jacobs: a partner with Ballard Spahr Andrews & Ingersoll, LLP, has been elected to the Board of Trustees of the Greater Philadelphia Chapter of the ALS Association.

Samuel H. Pond: a partner with Martin, Banks, Pond, Lehocky & Wilson, has been appointed to a three-year term on the Board of Examiners by the Pennsylvania Supreme Court.

Thomas D. Paradise: a partner with Fox Rothschild LLP, has been awarded the Certificate of Honor by the Temple University Law Alumni Association at its annual Founders Dinner on April 17.

Peter J. Weber and Marc B. Zingarelli: partners with Weber Gallagher Simpson Stapleton Firestone & Newby LLP, have been named among the top lawyers in Pennsylvania by Pennsylvania Lawyer magazine. Weber also led the Workers’ Compensation Practice and Procedure 2004 CLE seminar sponsored by the Pennsylvania Bar Institute in Pittsburgh on March 19.

M. Scott Gemberling: a shareholder with Marshall, Dennehey, Warner, Coleman & Goggin, was a featured speaker at the National Alcoholic Beverage Control Association’s Annual Symposium on Alcohol Beverage Law held in Washington, D.C. in March.

Balloon L. Banks: a partner with Martin, Banks, Pond, Lehocky & Wilson, spoke at the workshop “Work Injury: How a Professional’s Perceptions, Beliefs & Values Guide Ethical Behavior” of Paoli Presbyterian Church in King of Prussia on April 16.

Lynn A. Marks: executive director of Pennsylvania’s Pennsylvania Modern Courts, was honored on March 21 by the Women’s Center of Montgomery County for her community service.


Michael P. McKenna: managing partner of Margolis Edelstein, presented the Annual Litigation Update at the 2004 Claims Seminar of the Pennsylvania Association of Mutual Insurance Companies on April 6 and 7 in Grantville, Pa.

James F. Young: a partner with Fox Rothschild LLP, was presented with the Seamen’s Church Institute Spirit of the Port Award on April 8.

Andrew B. Cohn: a partner with Kaplan Stewart Meloff Reiter & Stein, has been elected chair of the Pennsylvania and New Jersey Advisory Board of Directors of the Nonprofit Finance Fund, a group that provides financial services, technical assistance and advisory services to nonprofit organizations.

Gary A. Krimstock: a partner with Freeman Kitchens, Stein & Harris, P.C., recently presented a seminar to the Pennsylvania Condominium Managers Association on “Ethics for Community Association Managers.”

Margaret Gallagher Thompson: a member of Cozen O’Connor, has been elected as a fellow of the American College of Trust and Estate Counsel, an association of approximately 2,700 lawyers and law professors from the United States and abroad.

James O’Toole Jr.: a partner with Saul Ewing LLP, discussed “Recent Developments in Pennsylvania’s Stormwater Regulation and State’s Water Plan” at the 2004 Annual Environmental Laws and Regulations Conference and Trade Show at the Harrisburg-Hershey Marriott on April 14. The Pennsylvania Chamber of Business and Industry hosted the conference.

Carl D. Buchholz III: a partner at Rande & Henderson LLP, has been appointed chair of the Pennsylvania Lawyers Fund for Client Security Board by the Pennsylvania Supreme Court.

Morriss M. Shuster: counsel of counsel with Chermes & Tillelli LLP, has been appointed to the board of the Pennsylvania Lawyers Fund for Client Security Board by the Pennsylvania Supreme Court.

Arline Jolles Lotman: a sole practitioner, recently met with Hiro-yuki Ueda, director of the Gender Equality Division of Japan’s Department of Social Affairs, to discuss remedies for the Japanese government’s wage parity problems among women and foreign workers.

Neal A. Jacobs: managing attorney of the Jacobs Law Group, P.C., was course planner for the Pennsylvania Bar Institute CLE seminar “Business Divorce: Breaking Up Is Hard To Do.”

Christopher C. Fallon Jr.: a member of Cozen O’Connor, was recently elected a fellow of the American Bar Foundation.

Paul J. Kennedy: a partner with Pepper Hamilton LLP, was honored by The Legal Clinic for the Disabled on April 1 for his many years of “outstanding work as president of the board of directors.”

Names Are News
“People” highlights news of members’ awards, honors or appointments of a civic or community nature. Information may be sent to Jeff Lyons, Managing Editor, Philadelphia Bar Reporter, Philadelphia Bar Association, 1101 Market St., 11th Floor, Philadelphia, Pa., 19107-2911. Fax: (215) 238-1267. E-mail: reporter@philabar.org. Photos are also welcome.
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