Section members are now eligible to receive discounts for CLE programs presented by their sections under a new agreement between the Philadelphia Bar Association and the Pennsylvania Bar Institute.

The new discount program only applies to programs proposed and presented by the sections and the various committees of those sections. It does not apply to stand-alone Bar Association committees. The discount program became effective on May 1.

“One of the questions Bar leadership regularly asks itself is what sort of unique benefits and services can we offer to our members that are not available through other organizations,” said Chancellor Alan M. Feldman.

Kweisi Mfume, former president and chief executive officer of the NAACP and candidate for U.S. Senate in Maryland, will deliver the annual Judge A. Leon Higginbotham Jr. Memorial Public Interest Lecture at the Philadelphia Bar Association’s Quarterly Meeting and Luncheon on Monday, June 19 at the Park Hyatt Philadelphia at the Bellevue: “We are delighted that Kweisi Mfume, a five-term Congressman and former President of the NAACP, has agreed to be the keynote speaker for our June Quarterly Luncheon,” said Chancellor Alan M. Feldman. “He brings a unique and important perspective to the ongoing national debate about the preservation of civil liberties and individual rights in an era of heightened concern about national security issues.”

A lifelong champion of individual rights, Judge A. Leon Higginbotham Jr. Memorial Public Interest Lecture

Kweisi Mfume to Speak June 19

by Beth Huffman

Kweisi Mfume, a five-term Congressman and former President of the NAACP, has agreed to be the keynote speaker for our June Quarterly Luncheon,” said Chancellor Alan M. Feldman. “He brings a unique and important perspective to the ongoing national debate about the preservation of civil liberties and individual rights in an era of heightened concern about national security issues.”

A lifelong champion of individual rights, continued on page 10

Bar, PBI Offering Discounts for CLE

by Jeff Lyons

Section members are now eligible to receive discounts for CLE programs presented by their sections under a new agreement between the Philadelphia Bar Association and the Pennsylvania Bar Institute.

The new discount program only applies to programs proposed and presented by the sections and the various committees of those sections. It does not apply to stand-alone Bar Association committees. The discount program became effective on May 1.

“One of the questions Bar leadership regularly asks itself is what sort of unique benefits and services can we offer to our members that are not available through other organizations,” said Chancellor Alan M. Feldman.

Bar Foundation President Robert D. Lane Jr. (from left) is joined by Raising the Bar Co-Chairs Kathleen O. Wilkinson and Wendy Beetlestone and Chancellor Alan M. Feldman at an April 19 news conference at Loews Philadelphia Hotel.

45 Firms Raise $1 Million

By Jeff Lyons and Beth Huffman

Forty-five major law firms have pledged donations of nearly $1 million, heeding Chancellor Alan M. Feldman’s call to action by committing to the Raising the Bar campaign, a joint effort by the Bar Association and the Philadelphia Bar Foundation to increase funding for Philadelphia public interest law centers.

Each firm made a pledge of at least $500 per attorney in its Philadelphia office, with a number of firms committing to as much as $400. Fourteen of the firms are among the 25 largest as listed in the Philadelphia Business Journal’s 2006

continued on page 9

NBC News’ Abrams to Address Bench-Bar

by Beth Huffman

Dan Abrams, NBC News’ chief legal correspondent and anchor of MSNBC’s “The Abrams Report,” will deliver the closing luncheon address at the Association’s annual Bench-Bar Conference at the Tropicana in Atlantic City, N.J., on Saturday, Sept. 30.

The Bench-Bar Conference brings together the Philadelphia legal community for continuing legal education seminars and provides an opportunity to foster the working environment between local judges and attorneys. More information on the conference is available at philadelphabar.org.

“The Abrams Report” premiered as a news/talk format program in 2002. The show’s topics are varied and include not only legal issues, but national

continued on page 6

Inside

New Law Practice Management services available to all Bar members. Page 3.

In This Issue ...

3 Justice Nigro Reflects

5 Alito Confirmation

12 Equal Justice Conference

14 Letters

22 People

Bar Foundation President Robert D. Lane Jr. (from left) is joined by Raising the Bar Co-Chairs Kathleen O. Wilkinson and Wendy Beetlestone and Chancellor Alan M. Feldman at an April 19 news conference at Loews Philadelphia Hotel.

45 Firms Raise $1 Million

continued on page 9

Dan Abrams, NBC News’ chief legal correspondent and anchor of MSNBC’s “The Abrams Report,” will deliver the closing luncheon address at the Association’s annual Bench-Bar Conference at the Tropicana in Atlantic City, N.J., on Saturday, Sept. 30.

The Bench-Bar Conference brings together the Philadelphia legal community for continuing legal education seminars and provides an opportunity to foster the working environment between local judges and attorneys. More information on the conference is available at philadelphabar.org.

“The Abrams Report” premiered as a news/talk format program in 2002. The show’s topics are varied and include not only legal issues, but national

continued on page 6

Bar, PBI Offering Discounts for CLE

by Jeff Lyons

Section members are now eligible to receive discounts for CLE programs presented by their sections under a new agreement between the Philadelphia Bar Association and the Pennsylvania Bar Institute.

The new discount program only applies to programs proposed and presented by the sections and the various committees of those sections. It does not apply to stand-alone Bar Association committees. The discount program became effective on May 1.

“One of the questions Bar leadership regularly asks itself is what sort of unique benefits and services can we offer to our members that are not available through other organizations,” said Chancellor Alan M. Feldman.

Bar Foundation President Robert D. Lane Jr. (from left) is joined by Raising the Bar Co-Chairs Kathleen O. Wilkinson and Wendy Beetlestone and Chancellor Alan M. Feldman at an April 19 news conference at Loews Philadelphia Hotel.

45 Firms Raise $1 Million

By Jeff Lyons and Beth Huffman

Forty-five major law firms have pledged donations of nearly $1 million, heeding Chancellor Alan M. Feldman’s call to action by committing to the Raising the Bar campaign, a joint effort by the Bar Association and the Philadelphia Bar Foundation to increase funding for Philadelphia public interest law centers.

Each firm made a pledge of at least $500 per attorney in its Philadelphia office, with a number of firms committing to as much as $400. Fourteen of the firms are among the 25 largest as listed in the Philadelphia Business Journal’s 2006

continued on page 9

Dan Abrams, NBC News’ chief legal correspondent and anchor of MSNBC’s “The Abrams Report,” will deliver the closing luncheon address at the Association’s annual Bench-Bar Conference at the Tropicana in Atlantic City, N.J., on Saturday, Sept. 30.

The Bench-Bar Conference brings together the Philadelphia legal community for continuing legal education seminars and provides an opportunity to foster the working environment between local judges and attorneys. More information on the conference is available at philadelphabar.org.

“The Abrams Report” premiered as a news/talk format program in 2002. The show’s topics are varied and include not only legal issues, but national

continued on page 6

Bar, PBI Offering Discounts for CLE

by Jeff Lyons

Section members are now eligible to receive discounts for CLE programs presented by their sections under a new agreement between the Philadelphia Bar Association and the Pennsylvania Bar Institute.

The new discount program only applies to programs proposed and presented by the sections and the various committees of those sections. It does not apply to stand-alone Bar Association committees. The discount program became effective on May 1.

“One of the questions Bar leadership regularly asks itself is what sort of unique benefits and services can we offer to our members that are not available through other organizations,” said Chancellor Alan M. Feldman.

Bar Foundation President Robert D. Lane Jr. (from left) is joined by Raising the Bar Co-Chairs Kathleen O. Wilkinson and Wendy Beetlestone and Chancellor Alan M. Feldman at an April 19 news conference at Loews Philadelphia Hotel.

45 Firms Raise $1 Million

By Jeff Lyons and Beth Huffman

Forty-five major law firms have pledged donations of nearly $1 million, heeding Chancellor Alan M. Feldman’s call to action by committing to the Raising the Bar campaign, a joint effort by the Bar Association and the Philadelphia Bar Foundation to increase funding for Philadelphia public interest law centers.

Each firm made a pledge of at least $500 per attorney in its Philadelphia office, with a number of firms committing to as much as $400. Fourteen of the firms are among the 25 largest as listed in the Philadelphia Business Journal’s 2006

continued on page 9

Dan Abrams, NBC News’ chief legal correspondent and anchor of MSNBC’s “The Abrams Report,” will deliver the closing luncheon address at the Association’s annual Bench-Bar Conference at the Tropicana in Atlantic City, N.J., on Saturday, Sept. 30.

The Bench-Bar Conference brings together the Philadelphia legal community for continuing legal education seminars and provides an opportunity to foster the working environment between local judges and attorneys. More information on the conference is available at philadelphabar.org.

“The Abrams Report” premiered as a news/talk format program in 2002. The show’s topics are varied and include not only legal issues, but national

continued on page 6

Bar, PBI Offering Discounts for CLE

by Jeff Lyons

Section members are now eligible to receive discounts for CLE programs presented by their sections under a new agreement between the Philadelphia Bar Association and the Pennsylvania Bar Institute.

The new discount program only applies to programs proposed and presented by the sections and the various committees of those sections. It does not apply to stand-alone Bar Association committees. The discount program became effective on May 1.

“One of the questions Bar leadership regularly asks itself is what sort of unique benefits and services can we offer to our members that are not available through other organizations,” said Chancellor Alan M. Feldman.

Bar Foundation President Robert D. Lane Jr. (from left) is joined by Raising the Bar Co-Chairs Kathleen O. Wilkinson and Wendy Beetlestone and Chancellor Alan M. Feldman at an April 19 news conference at Loews Philadelphia Hotel.

45 Firms Raise $1 Million

By Jeff Lyons and Beth Huffman

Forty-five major law firms have pledged donations of nearly $1 million, heeding Chancellor Alan M. Feldman’s call to action by committing to the Raising the Bar campaign, a joint effort by the Bar Association and the Philadelphia Bar Foundation to increase funding for Philadelphia public interest law centers.

Each firm made a pledge of at least $500 per attorney in its Philadelphia office, with a number of firms committing to as much as $400. Fourteen of the firms are among the 25 largest as listed in the Philadelphia Business Journal’s 2006

continued on page 9

Dan Abrams, NBC News’ chief legal correspondent and anchor of MSNBC’s “The Abrams Report,” will deliver the closing luncheon address at the Association’s annual Bench-Bar Conference at the Tropicana in Atlantic City, N.J., on Saturday, Sept. 30.

The Bench-Bar Conference brings together the Philadelphia legal community for continuing legal education seminars and provides an opportunity to foster the working environment between local judges and attorneys. More information on the conference is available at philadelphabar.org.

“The Abrams Report” premiered as a news/talk format program in 2002. The show’s topics are varied and include not only legal issues, but national

continued on page 6

Bar, PBI Offering Discounts for CLE

by Jeff Lyons

Section members are now eligible to receive discounts for CLE programs presented by their sections under a new agreement between the Philadelphia Bar Association and the Pennsylvania Bar Institute.

The new discount program only applies to programs proposed and presented by the sections and the various committees of those sections. It does not apply to stand-alone Bar Association committees. The discount program became effective on May 1.

“One of the questions Bar leadership regularly asks itself is what sort of unique benefits and services can we offer to our members that are not available through other organizations,” said Chancellor Alan M. Feldman.
ASCEND

The Phoenix
A CONDOMINIUM RESIDENCE

NOW AVAILABLE—MOVE IN 2006
FROM THE MID-$200’S

TAKE FLIGHT AT
PHILLYPHOENIX.COM
215-854-1770

16TH AND ARCH STREETS
PHILADELPHIA, PA
Practice Management Help Has Arrived

by Alan M. Feldman

Law school taught us how to prepare contracts, conduct legal research and argue principles of law. But no one told us how to handle personnel problems, develop marketing plans or make general business decisions to improve the profitability of our practices. I am delighted to announce that members of the Philadelphia Bar Association will soon be able to get answers to these questions, and more, through our new Law Practice Management Division.

Unlike the sections of the Association, the benefits and services of the LPM Division will be available to all of our nearly 13,000 members. What’s more, there will be no additional charge to access the menu of available services. The are all included in your basic membership dues. As my daughters would say, it’s totally awesome!

The Law Practice Management Division is the product of a task force, co-chaired by Debbie Weinstein and Joe Prim, which has considered how to structure and implement the first full-featured Law Practice Management program of any local bar association in the country. My thanks to every member of the task force for their valuable contributions and insights. You’ll soon be receiving a colorful brochure and other written materials describing the LPM program, which will also have a dedicated page on the Association’s Web site.

Here’s a summary of what you can expect in the weeks and months to come:

• Expert management consultations. The LPM Division will feature a bank of experts available to offer advice to members of the Philadelphia Bar Association on a whole panoply of business-related issues, including technology, finances, personnel matters and law firm management. If you’re just opening your practice, you’ll be able to get answers to staffing and bookkeeping questions, and even expert advice on how to develop your own Web site. If you’re a more experienced lawyer who participates in decision-making at your firm, skilled guidance will be available to help with hardware and software purchases, tax and financial planning and development of employee manuals and policies. And lawyers from far and wide will benefit from retirement planning advice, suggestions for client development and much, much more.

• How will you access these services? Simple. We are establishing an LPM Hotline at (215) 238-6514. A program counselor at the Association will determine the nature of your inquiry, and refer you to one of our expert consultants in the subject you’re interested in. Every member of the Association will receive a free consultation of up to one hour. The value of this one-hour consultation may be $100, $200 or more. Should you opt for subsequent services with the same consultant, you may negotiate any additional fees with the consultant directly. The Association will provide expert consultants in practice technology; financial management; work force issues; business and management skills; and law firm marketing.

• Committees to provide ongoing information and resources. In addition to the inquiry-specific management consulting benefits, the Law Practice Management Division will have committees to answer your “frequently asked questions”, and to provide forms, materials and data to support the business side of your practice. All of this information will be easily accessible on the Association’s Web site: Need some advice on marketing your law firm? Soon, we’ll have a pack of useful tips you can download in a minute at the computer in your office (or at your home, for that matter). Want to see the latest review of the case management software program you’re thinking of purchasing? We’ll have it for you.

Of course, the Law Practice Management section of our Web site will not be able to answer all of your questions right away. It will take time to know what questions are asked most frequently, and to assemble the data in the most user-friendly and accessible format. Remember, no other bar association has tried this before, so to some extent our early efforts will be a work in progress. But the leadership of the Philadelphia Bar Association is committed to offering the LPM services that you need and want, so bear with us as we get this promising program off the ground.

And more! Our Task Force on Developing a Law Practice Management Division, working together with Association staff, is already considering how to make your LPM benefit even more valuable. Here are just a few examples under consideration now:

• Reduced price (or even free!) subscriptions to Law Practice, the award-winning magazine of the Law Practice Management Section of the American Bar Association.

• Discounts for popular products and services available exclusively to members of the Bar Association.

• CLE programs devoted to the management of your law practice.

We’re excited about supporting the growth and development of the practices of Philadelphia lawyers and law firms, and determined to be responsive to your needs. Want to help by serving on a committee of the LPM Division, or suggesting other ways in which we can assist with the practice management needs of Association members? Just email Debbie Weinstein at dejwine@weinsteinfirm.com, Joe Prim at jprim@lpmacces.com or me at chancelor@philabar.org, and we’ll be delighted to include you in this exciting new project.

* * *

Alan M. Feldman, a partner at Feldman, Shepherd, Wohlgelernter, Tanner and Weinstock, is Chancellor of the Philadelphia Bar Association. His e-mail address is chancelor@philabar.org or alanfeldman@feldmantshewitz.com. His phone number is (215) 567-8300.

**

Law Practice Management Services

Take the First Step!

• Call our LPM Hotline at (215) 238-6514.

• Talk to our program counselor and receive a referral to one of our experts.

• Take advantage of a free one-hour consultation.

• If you opt for subsequent services with the same consultant, you may negotiate an arrangement that is right for you.

• Get help in more than one area!

• The LPM Program is available to all members of the Philadelphia Bar Association free of charge.

Consultants are available in the following areas:

Practice Technology

Network Design & Maintenance; Hardware & Software Purchasing Assistance; Software Reviews, Implementation & Training; Security Audits; Web Site Design & Maintenance.

Financial Management

Tax & Financial Planning; Retirement Planning; Bookkeeping & Payroll; Accounting Software Implementation.

Business & Management Skills

Ethical Guidance; Strategic Business Planning; Client Development.

Workforce Issues

Human Resources Consulting; Development of Employee Manuals & Policies; Employee Benefit & Insurance Program Design; Staff Sourcing.

Management

Law Firm Marketing

Advertising; Media Relations; Communications Management; Web Site & Newsletter Design.
Russell M. Nigro, the first sitting Pennsylvania Supreme Court justice to be denied in his retention bid, described his decade of service on the court as very enjoyable but said the political process to get to the court was difficult.

Justice Nigro said his remarks as the guest speaker at the April 10 meeting of the Association’s Professional Responsibility Committee.

Justice Nigro said the western part of Pennsylvania looks at Philadelphia as a very different cultural and electoral milieu. They “think our views of the world are skewed. They believe that as a group, we are far too liberal. As a group, we are far too wasteful of taxpayer dollars.”

Justice Nigro said he enjoyed the trial bench, too, when he was in Philadelphia’s Court of Common Pleas. He found it interesting to talk to jurors after a case was over and called his years as a trial judge “a great experience.” What he hated most was working full time as a trial judge and then touring the state, raising money and campaigning at the same time.

Justice Nigro believes the voters in the eastern part of the state simply did not understand the urgency felt in the west concerning the issue of non-retention. He said he was “not angry about what happened last November,” just disappointed.

Justice Nigro articulated his concerns for the court and its future at some length. He is very worried about the pressures being put on the high court. He worries that the concept of judicial independence is being eroded: “Who is an editorial board to tell me how to write opinions?”

He feels that an independent judiciary is one of the significant differences between the U.S. and many other countries in the world. Justice Nigro believes some news reporters and bloggers are distorting the message on judicial independence. He expressed the view that reporters and editors seem to have the view that it is the Supreme Court’s job to rein in the legislature when it acts to excess, when in fact it is the voters who should be doing that.

He showed a bit of pique when discussing some of the stories that ran regarding him during his fall campaign for retention. He was particularly upset by references to expenses he incurred, and billed the court for, that were misleading and inaccurate. He cited the news story that ran about expenses he incurred for a dinner the day after his defeat at the polls. As he pointed out, “I was still working, reviewing allocatur petitions. The reimbursement for a $4 hoagie shouldn’t be news,” he said. “If you are going to talk about a candidate, at least get it right!”

When asked about the case currently before his former colleagues concerning the judicial pay raise, Justice Nigro said, “I hope my former court does the right thing” and upholds the pay raise. When asked about the legislative tie-in to the federal bench’s pay hikes, Nigro said he felt the statute would be “reinstated in the fashion it was passed.” This would provide the state judiciary with more independence, since it would provide for more regular pay increases and the court would not need to seek approval of the legislature.

Bruce H. Bikin, a partner at Montgomery, McCracken, Walker & Rhoads, LLP, is an advisory editor of the Philadelphia Bar Reporter.
The confirmation process for U.S. Supreme Court nominees has changed from a brief hearing to the “intellectual equivalent of a barroom brawl,” two people close to the nomination of Justice Samuel Alito told members of the Appellate Courts Committee on April 12.

Judge Timothy Lewis, formerly of the U.S. Third Circuit Court of Appeals, and Carolyn Short, who served as general counsel to the Senate Judiciary Committee, reflected on their personal experiences with Judge Alito’s confirmation.

Judge Lewis, now a partner with Schnader, Harrison Segal & Lewis in Washington, D.C., was one of seven judges to testify before the Senate Judiciary Committee on behalf of Judge Alito. Judge Lewis said that he received a call from one of his oldest friends who had worked on the Senate Judiciary Committee. His friend “begged him” to “keep his mouth shut” about the Alito nomination.

Lewis, a lifelong Democrat, said he wouldn’t censure himself. His friend warned him that he would get hurt or suffer if he supported President Bush’s choice of Judge Alito. It appeared that a 40-year friendship had been ruined. “That is part of the underbelly of the judicial confirmation and selection process. It’s very unfortunate and it’s very sad,” Judge Lewis said.

“We live in a time when everybody on both extremes seems to want to throw bombs at each other, misunderstand one another, distort the truth, all in the name of furthering their own agenda, whatever that might be. I’m talking about the far right and the far left and the special interest groups. They have come to play too significant a role in this process and nearly took down a great potential Supreme Court justice in Sam Alito,” he said.

“My friend, Yale Law Professor Stephen L. Carter, has referred to the process as the intellectual equivalent of a barroom brawl. That’s exactly what it is,” Judge Lewis said.

“I knew this was going to involve a lot of turmoil and ugliness, but I chose to become involved because it was a matter of principle and a matter of honor. I didn’t have to agree with Sam. We frequently disagreed when we were on the 3rd Circuit. But we don’t need to agree for me to respect him and to know that he would make a supreme Supreme Court justice,” he said. “I had people from the civil rights community calling me a turncoat for supporting Alito. The worst thing that was said was that I was an Uncle Tom for the White House.”

Judge Lewis supports a constitutional amendment requiring a two-thirds majority confirmation for a Supreme Court justice. “I think that would require the executive branch to do what Bill Clinton did with his nomination,” he said.
Bench–Bar Panel to Discuss Judicial Independence

by Beth Huffman

The opening luncheon of the Association’s 2006 Bench-Bar Conference will be highlighted by a panel discussion on judicial independence. Judge John Milton Younge, who is now in his second term on the Philadelphia Court of Common Pleas, will be joined on the panel by Russell M. Nigro, former justice on the Pennsylvania Supreme Court. Other panelists include Clifford E. Haines, who served as Chancellor of the Association in 1997, and John M. Morganelli, the district attorney for Northampton County.

The annual two-day conference, which will be held at the Tropicana in Atlantic City, begins with the luncheon at 12 p.m. on Sept. 29.

Emmy-winning journalist Lynn Doyle, host of “It’s Your Call with Lynn Doyle” on CN8, will moderate the panel on judicial independence. Doyle’s debate-style show focuses on the issues of the day and has featured such nationally known attorneys as the late Johnnie Cochran.

Judge Younge was elected to the Court of Common Pleas in 1995 and again in 2005. A native of Philadelphia, he earned his law degree in 1981 from Howard University School of Law.

In November 2006, Justice Nigro became the first appellate judge to lose a retention vote since Pennsylvania instituted the yes-no vote in 1969. A 1973 graduate of Rutgers University School of Law, Justice Nigro served eight years in Common Pleas Court before being elected to the Pennsylvania Supreme Court in 1996.

A litigator with more than 30 years of experience, Haines is active in both the Philadelphia and Pennsylvania Bar Associations. He is a member of the American College of Trial Lawyers and he directs Temple University Beasley School of Law’s Trial Advocacy Institute for practicing lawyers. He won the American Trial Lawyers Roscoe Pound Award in 1998. He is a 1971 graduate of Ohio State Law School.

Morganelli, a four-term district attorney, graduated from Villanova Law School in 1980. Known for his tough stand on crime, Morganelli has been an outspoken critic of the judicial pay raise. The past-president of the Pennsylvania District Attorneys Association, he has appeared on national news programs such as CNN’s “Lou Dobbs Tonight” and “The O’Reilly Factor” on Fox News.
27th Annual Charity Run May 21

by Jeff Lyons

Chancellor Alan M. Feldman will be doing something very familiar on Sunday, May 21. Feldman, who has participated in every Bar Association Charity Run, will be lacing up his running shoes for the 27th edition of the event.

The Association’s 5K Run/Walk takes off on Sunday, May 21 on Martin Luther King Drive (formerly West River Drive) adjacent to the Philadelphia Museum of Art and benefits the Support Center for Child Advocates.

The race features several competition divisions: open-individual, Bar Association members, company teams, legal teams and male and female divisions. Runners also are divided into the following age groups: 15 and under; 14–16, 17–19; 20–24; 25–29; 30–34; 35–39; 40–44, 45–49; 50–54; 55–59; 60–64; 65–69; 70–74; 75–79; 80 and over. Awards are presented to participants in all divisions.

Registration for Bar Association members automatically includes members in a separate-open Bar competition. The entry fee for Bar Association members running in the 5K is $55 if postmarked by May 17 and in-person registration between May 18 and 19. Registration on the day of the event is $50. Online registration is available at www.active.com until May 19 for $35, plus the service fee.

Sponsors for the event include Firstrust; Iron Mountain; Legal Sponsors include Akin Gump Strauss Hauer & Feld LLP; Anapol, Schwartz, Weiss, Cohan, Feldman and Rothschild LLP.

registration for the May 21 event begins at 7:15 a.m. The 5K run starts at 8:30 a.m. and the 5K walk begins at 8:35 a.m. For more information, contact Eric S. Marzluf Abramowitz at (215) 568-4980 or visit www.charityrun2006.com. Visit www.active.com to register for the run.

The 5K run/Walk has participated in every Bar Association Charity Run, with Chancellor Feldman participating in every one. Feldman, who has participated in every Bar Association Charity Run, will be lacing up his running shoes for the 27th edition of the event.

ACS Bike–a–Thon
Sunday, July 9

The Association’s Bike–a–Thon team is looking for riders for this year’s event, scheduled for Sunday, July 9.

The ride begins at 7 a.m. at the Ben Franklin Bridge in Philadelphia and stretches 62.5 miles to Lenape Park in Mays Landing, N.J. There are also starting points at Cherry Hill High School East on Kresson Road in Cherry Hill, N.J. and Mazza’s Furniture on 12th Street in Hammonton, N.J.

There are rest stops every 12 to 15 miles along the route. Volunteers are there to help with water, energy drinks, energy bars, fruit and peanut butter and jelly sandwiches.

Support crews patrol the route and rest stops, offering everything from tire replacement to medical/ambulatory services.

The bike–a–thon is a noncompetitive cycling event to raise awareness and funds to fight cancer. Contributions are dedicated to life-saving American Cancer Society research, education, advocacy and patient service programs to defeat this disease.

The ACS Bike–a–Thon Expo is set for Friday, July 8 at Dave & Buster’s on Columbus Boulevard. For more information, contact Jeffrey ABSAwniz at (215) 568–4980 or visit www.acsbike.org.
Use Envelope to Help Provide Access to Justice

By Robert D. Lane Jr.

The Bar Foundation kicks off its annual “Access to Justice” campaign with a special envelope included in this edition of the Philadelphia Bar Reporter. The campaign asks each lawyer for a contribution of $100. I hope you’ll fill it out, today, and return it to the Bar Foundation.

The Bar Foundation currently has a number of fund-raising campaigns going on. Let me explain the difference among the campaigns.

Access to Justice: We ask individuals to join the Bar Foundation for an annual membership fee of $100 for attorneys, $50 for paralegals.

Raising the Bar: Law firms are asked to make a commitment of $500 for each attorney in their Philadelphia offices.

Event sponsorships: An outreach to various firms that do business with lawyers and law firms for sponsorship of various events as a way of showing commitment to the legal community.

The unifying theme of all these efforts is that we are asking those who make their living in the law to give back to the people who need legal help the most.

The Access to Justice campaign really asks very little. Think of what $2 a week means to you – it wouldn’t buy a large latte at the local coffee house. But $2 a week to the Bar Foundation means a lot. According to a survey that we conducted among our grantees, your contribution of 20 cents per weekday would pay for five hours of legal work for an attorney with five years experience – someone working for an organization that provides direct legal services to the poor, the sick, the elderly, or the disabled.

Think of the good work that could be funded from your $2 per week when combined with the donations of hundreds, no thousands, of other attorneys and paralegals. What a difference the Access to Justice campaign could make. In 2004, the Access to Justice campaign raised $60,173, but last year, for some reason, the total dropped to $40,597. We need to make up that difference, and we need your help to do it.

You can make your contribution by check, by credit card, or by payroll deduction – think about it, would you even miss $8.33 each month? Please make your donation now. You have the power to help.

Robert D. Lane Jr., a partner at China Infrastructure Group, is president of the Philadelphia Bar Foundation.

Organizations Currently Funded by the Philadelphia Bar Foundation

- AIDS Law Project
- American Civil Liberties Union
- Custody and Support Assistance Clinic
- Consumer Bankruptcy Assistance Project
- Center for Lesbian and Gay Civil Rights
- Community Legal Services
- Defenders Association - Capital Project
- Disabilities Law Project
- Education Law Center
- Friends of Farmworkers
- HIAS and Council Migration
- Homeless Advocacy Project
- Juvenile Law Center
- Legal Clinic for the Disabled
- Nationalities Service Center
- Pennsylvanians for Modern Courts
- Pennsylvania Health Law Project
- PA Immigration Resource Center
- PA Institutional Law Project
- Philadelphia Legal Assistance
- Phila. Volunteers for the Indigent Program
- Public Interest Law Center of Phila.
- Regional Housing Legal Services
- Society Created to Reduce Urban Blight
- SeniorLaw Center
- Support Center for Child Advocates
- Volunteers for the Indigent Program
- Women Against Abuse
- Women’s Law Project
- Women Organized Against Rape

Looking for a special way to remember someone?

Through the Special Way to Remember program, you can honor a colleague or loved one with a contribution to the Philadelphia Bar Foundation. Since 1964 the Bar Foundation has distributed millions of dollars in attorney gifts and other funds to public interest groups that provide counsel and assistance to the poor, disabled, elderly and children in our community. Your gift will help serve the needs of Philadelphians who have nowhere else to turn for legal services.

If you would like to make a gift to the Foundation as a meaningful expression of respect, please call (215) 238-6554.

ATTORNEY DISCIPLINARY / ETHICS MATTERS

 Representation, consultation and expert testimony in matters involving ethical issues and the Rules of Professional Conduct

James C. Schwartzman, Esq.
1818 Market Street, 29th Floor, Philadelphia, PA 19103
(215) 751-2863

Former Chairman, Disciplinary Board of the Supreme Court of Pennsylvania • Former Federal Prosecutor

Former Chairman, Continuing Legal Education Board of the Supreme Court of Pennsylvania

New Services
New Look
Come Visit Us!

833 Chestnut East, Suite 1220
Philadelphia, PA
215.574.1505
www.jenkinslaw.org

Jenkins Law Library

WiFi technology

Conference rooms for formal or informal meetings

Cafe - grab a cup of coffee, eat lunch, meet colleagues

24/7 access to databases directly from your desktop

MAY 2006 / BAR REPORTER
RAISING THE BAR
continued from page 1

Book of Lists. “The extraordinary support our Raising the Bar campaign has received from Philadelphia law firms demonstrates just what being a Philadelphia lawyer is all about: support for the disadvantaged, dedication to improving access to justice, and protection for the legal rights of every man, woman and child in our community to give them all a shot at a better life,” Feldman said.

“Remember: these financial commitments are completely separate from the thousands of free pro bono hours provided by the dedicated work of the lawyers and paralegals of the wonderful Philadelphia law firms. We’re proud that the legal profession continues to support the needy citizens of our city in ways unmatched by any other professional organization, simply because we know it’s the right thing to do,” Feldman said.

Representatives from the firms committed to the campaign joined staff from local legal agencies and Bar Association and Bar Foundation officers at the April 19 event at Loews Philadelphia Hotel.

“This is an important step forward for legal services in Philadelphia,” said Robert D. Lane Jr., president of the Bar Foundation. “Local firms are pledging new support and continuing or increasing existing levels. The neediest of our citizens will truly benefit from this campaign.”

According to a survey taken by the Association’s Delivery of Legal Services Committee, a five-year veteran attorney in a Philadelphia public interest law agency makes an average of $20 per hour. The Raising the Bar campaign’s minimum of $500 per lawyer could translate into 15 hours of legal assistance. The pledges by these 39 firms, representing 2,755 lawyers, mean a donation of nearly $900,000 for local public interest law agencies.

Founded in 1964 as the charitable arm of the Philadelphia Bar Association devoted to the support of legal services agencies, the Bar Foundation’s mission is to promote access to justice for all of our fellow citizens in the region, particularly those struggling with poverty, abuse and discrimination. The Foundation provides grants and technical assistance to legal services organizations that have demonstrated both a need for financial support and an effective program for their clients.

In 2005, the Bar Foundation funded 29 legal organizations with grants ranging in size from $2,000 to $100,000. The top 75 law firms in the city received letters for the campaign in early March. Follow-up visits were conducted by Lane, Feldman and campaign co-chairs Kathleen D. Wilkinson and Wendi Beetlestone. Wilkinson, the assistant secretary of the Association’s Board of Governors, is a partner at Wilson, Elkowskiz, Edelman & Dicker LLP. Beetlestone, the former general counsel to the Pennsylvania Bar Association, is a trustee for the Bar Foundation and a shareholder at Hangley Aronchick Segal & Pudlin.

“I’m confident that these law firms will be joined by virtually every law firm in Philadelphia in elevating financial support for legal services to the highest level in our city’s history. In fact, while we’re waiting to hear from some, and others we haven’t even had a chance to talk with, not a single firm has said no,” Feldman said.

“This campaign represents a wonderful partnership that many of us are familiar with,” said Frank Cervone, executive director for the Support Center for Child Advocates, who spoke on behalf of the Bar Foundation’s grantees.

“We’re tremendously grateful to these people who are stepping up. You have once again stepped up to take care of people you didn’t have to take care of.”

RAISING THE BAR Campaign - Participating Law Firms

- Abraham, Loewenstein & Bushman, PC
- Asapol, Schwartz, Weiss, Cohain, Feldman & Smalley, PC
- Archer & Greiner, PC
- Ballard Spahr Andrews & Ingersoll, LLP
- Berger & Montague, PC
- Blank Rome LLP
- Cohen, Plactella & Roth, PC
- Quin O’Connor
- Dechert LLP
- Donovan Searles, LLC
- Drinker Biddle & Reath LLP
- Drinan Morris LLP
- Duca and Prim, LLP
- Duffy and Kreamen
- Eisenberg, Rothweiler, Schleifer, Weinstein & Weiner, PC
- Fedullo & Savoith
- Feldman & Pinto, PC
- Feldman, Shepard, Wohlgementer, Tanner & Weinstock
- Fox Rothschild LLP
- Francis and Mailman, PC
- Gay, Chacker & Mittin, PC
- Patrick G. Gercke, LLC
- Golomb & Honik, PC

Raising the Bar Campaign - Participating Law Firms

- Hangley Aronchick Segal & Pudlin
- Hoyle, Fidler, Herschel & Mathes LLP
- Klune & Specter, PC
- Kovler & Rush PC
- Martin, Banks, Pond, Lehocky & Wilson
- McCarter & English, LLP
- McElhrew & Fullam, PC
- Montgomery, McCracken, Walker & Rhoads, LLP
- Morgan, Lewis & Bockius LLP
- Pansini Mezrowsky
- Pepper Hamilton LLP
- Post & Schell, PC
- Raynes McCarty
- Reed Smith
- Saltz Mongeluzzi Barrett &Bondesky, PC
- Saul Eisen LLP
- Schnader Harrison Segal & Lewis LLP
- Law Offices of David T. Shulick
- Swartz Campbell LLC
- Weinstein Schleifer and Kupersmith
- Willing, Williams & Davidson
- Woodward Washburn LLP

Free process serving for 30 days!

Because we believe that, once you try our high-tech, all-around, full-service company, you will come to rely on us again and again, we are offering free process serving for 30 days to all qualifying new clients. Call or visit our website today for further information.

Elite Court Services, Inc.
433 MARKET STREET, Suite B-06, CAMDEN, NEW JERSEY 08102
Tel: (toll free): 866-900-Elite (3548) Fax (toll free): 866-900-2250
www.EliteCourtServices.com

Bar Association Night at the Phillies June 14

Join your colleagues and friends at Citizens Bank Park at Bar Association Night at the Phillies on Wednesday, June 14 when the Phillies take on their National League East rivals, the New York Mets, at 7:05 p.m.

Tickets can be purchased online at https://www.groupticketwindow.com/groupticket/mlb/phillies/group. Tickets are $56 and $52. The login name for the electronic ticket purchase is BAR and the password is 0614. The log-in is case sensitive, so make sure the items are entered correctly.

How to Contribute

There are three ways for Philadelphia law firms and individual lawyers to contribute to the “Raising the Bar” campaign.

• Make direct donations to the Philadelphia Bar Foundation.
• Make a direct donation to a Philadelphia public interest law agency.
• Match an employee’s donation to the Bar Foundation or a public interest law agency via the United Way.

Philadelphia Bar Foundation grant applications and criteria are available at philadelphabar.org.

*SPECIAL WELCOME BAR ASSOCIATION NIGHT

Bar Association Night at the Phillips June 14

Join your colleagues and friends at Citizens Bank Park at Bar Association Night at the Phillies on Wednesday, June 14 when the Phillies take on their National League East rivals, the New York Mets, at 7:05 p.m.

Tickets can be purchased online at https://www.groupticketwindow.com/groupticket/mlb/phillies/group. Tickets are $56 and $52. The login name for the electronic ticket purchase is BAR and the password is 0614. The log-in is case sensitive, so make sure the items are entered correctly.
Law Week Events Kick Off on May 1

by Genna M. Viozzi

Volunteer Philadelphia lawyers will offer free legal advice, welcome new American citizens, visit with children in classrooms and invite inner-city students into their offices Monday, May 1 through Friday, May 5. That’s when the Philadelphia Bar Association marks “Law Week 2006” with a host of special events and services reaching out to thousands of citizens.

The week-long law fest, sponsored by the 15,000-member Bar Association, is one of the most ambitious public outreach efforts of its type in the nation. The theme for Law Week 2006 is “Liberty Under Law: Separate Branches, Balanced Powers.”

All of the Law Week activities are under the direction of Association Chancellor-Elect June L. Dalton, and are coordinated by the Association’s Young Lawyers Division with the help of scores of lawyer-volunteers. The YLD Law Week chair is Scott Sigman.

The following is a schedule of Law Week activities:

**Monday, May 1** — Monday kicks off a week-long series of visits to Philadelphia school classrooms by volunteer Philadelphia lawyers with the Lawyer in the Classroom program. As part of the program, the lawyers will visit different schools throughout the week to address students’ concerns about the law and answer questions about the legal profession. Volunteer lawyers will spend Monday morning talking with students at John Moffett Elementary School, located at 127 W. Oxford St., at 9 a.m.

Additionally, a dramatic Naturalization Ceremony welcoming dozens of new United States citizens will be held at the U.S. Courthouse, 6th and Market Streets in Philadelphia, at 10:30 a.m.

**Tuesday, May 2** — Lawyer in the Classroom continues with a program at South Philadelphia High School at Broad Street and Snyder Avenue beginning at 10:30 a.m.

**Wednesday, May 3** — A gift from Lyon.

**Thursday, May 4** — A gala lunch at the Radisson hotel, 1920 Market St., at 11:30 a.m.

**Friday, May 5** — Volunteer lawyers will spend their Friday morning and afternoon at various schools in Philadelphia and the suburbs.

**Philadelphia Bar Association June Quarterly Meeting and Luncheon**

Monday, June 19 at 12 p.m. at the Park Hyatt Philadelphia at the Bellevue, Broad and Walnut Streets.

- Featuring the Judge A. Leon Higginbotham Jr. Memorial Public Interest Lecture by Kweisi Mfume.
- Honoring new members of the Association’s 50-, 55-, 60-, 65- and 70-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. 19107-2931

Credit Cardholder:

___ Visa ___ MasterCard ___ American Express

Card number:
Expiration date:
Signature:

Name:
Firm/Employer:
Address:
Phone: Fax:
E-Mail:

About Judge A. Leon Higginbotham Jr.

Elected to the U.S. House of Representatives for Maryland in 1977, Mfume, a member of the Democratic Party, seeks to become the first African American to represent Maryland in the Senate.

In March 2005, Mfume announced his candidacy for the Senate seat currently held by Paul Sarbanes, who will retire this year after serving in the Senate since 1977. Mfume, a member of the Democratic Party, seeks to become the first African American to represent Maryland in the Senate.

The Quarterly Meeting and Luncheon will also feature a presentation honoring new members of the Association’s 50-, 55-, 60-, 65- and 70-Year Clubs. Tickets to the luncheon are $50 for Association members and $55 for non-members and can be purchased online at philadelphiabar.org.
May 16 Ethics Vote Key to City’s Future

by Michael B. Hayes

Several months ago, I wrote that this promises to be a very important year for the future of our city and our profession. In addition, I asked whether we, the many members of the Philadelphia Bar Association, will play an active part in the shaping of the future of our city. Well, in at least one respect, the future is now – and our input, in the form of our votes and our voices – could very well decide whether we, as a city, take an important step toward restoring the integrity of, and public confidence in, our city government.

On May 16, the citizens of Philadelphia will be presented with a voter referendum concerning the creation of a new, independent, permanent Ethics Board under the Philadelphia Home Rule Charter to administer and enforce all city ethics provisions. Passage of this important referendum will ensure that our city government will be able to have their questions answered by the Ethics Board, in the form of advisory opinions regarding the ethical performance of their duties. For too long, city officials and employees have had nowhere to turn for guidance and counsel. We, of course, also desire accountability from our government, especially when elected officials and appointed employees engage in unethical conduct in the performance of their duties. With the creation of an independent, permanent Ethics Board under the Home Rule Charter, Philadelphia will take an important, if not critical step forward on both fronts – providing appropriate guidance and ensuring accountability.

Getting down to brass tacks, the Ethics Board as envisioned under its current enabling legislation will have the authority to respond to ethics inquiries, investigate complaints of ethics violations, and develop and conduct ethics training programs for all city employees and officers. The board will have subpoena power to give teeth to its investigations, and full enforcement power for those instances where it finds that ethics code violations have occurred.

Moreover, city officials and employees seeking specific guidance on the ethical performance of their duties will be able to have their questions answered by the Ethics Board, in the form of advisory opinions regarding the ethical implications of the proposed activities. This proposed function of the Ethics Board is not unlike the advisory role served by the Bar Association’s Professional Guidance Committee, which has been issuing advisory opinions on legal ethics questions presented by attorneys for the past 20 years.

As proposed, the Ethics Board will be composed of five members appointed by the mayor and approved by a majority of City Council. Independence, obviously, will be essential if the Ethics Board is to fulfill its purpose. To ensure the board’s independence, its current enabling legislation makes express provision for five year staggered board terms for all five board members with removal of members only for cause. Thus, the board will be effectively insulated from the whims of elected officials and empowered to take on their important responsibilities without fear of reproach or arbitrary removal.

In addition, the current enabling legislation provides for the board to hire its own outside counsel, thereby avoiding the significant conflicts of interest that might arise with legal representation from within city government. Finally, the current enabling legislation ensures funding for the board in “an amount adequate to enable the board to perform” its functions – with guaranteed one million dollar budgets.

LOVE. LIFE. HERE.

THE VILLAS at Packer Park
2-3 bedroom luxury town homes with garages from the mid $300’s
Decorated models now open!
215.389.9881

THE RESERVE at Packer Park
Opulent 3-5 bedroom town homes from the high $300’s to the $600’s
Hurry! Final phase now selling!
215.468.3800

THE REGENCY at Packer Park
2-3 bedroom one floor well-appointed condos from the mid $300’s
215.389.9870

Open Monday - Friday 11-5; Saturday & Sunday 12-4
Located on 20th Street just North of Pettibone. Convenient to Center City, Rt. 76, I-95 and Philadelphia International Airport.
wеструm.com

Exclusive Broker. Capozzi Real Estate/Ins. LTD. 215.551.5100

At Home IN PACKER PARK

YLD UPDATE

Professional Guidance Committee, role served by the Bar Association’s Ethical Implications of the Proposed Activities
Equal Justice Conference

Lawyers Impact Lives of Many, McKee Says

by Jeff Lyons

Public interest attorneys and volunteers have a real opportunity to make a difference in people’s lives, U.S. Third Circuit Court of Appeals Judge Theodore A. McKee told nearly 1,000 people attending the American Bar Association/National Legal Aid and Defender Association Equal Justice Conference on March 30.

“If this country is to realize its full potential, it will largely do so because of people like you who get up every morning and go to work or go to the office where you volunteer and care about clients and potential clients and those people who have entrusted to you the stewardship of their legal claims. I know that each of you will understand that the rich and powerful have a voice and do not need your services to defend their causes. And the popularity of their causes usually affords them all the protection that is necessary,” he said.

“Whether you are involved in a seemingly mundane case, a seemingly tedious legal issue or whether you are involved in a large-scale, high profile class action, you are helping to change the course of that war,” he said.

“Whether you are involved in a large-scale, high profile class action, you are helping to change the course of that war,” he said.

Judge McKee talked about a 2003 survey on the First Amendment that was conducted in an attempt to assess the concepts that ought to be fundamental to our legal system,” he said.

“The findings are not reassuring. The findings are not reassuring.

Twenty-eight percent felt that newspapers shouldn’t be able to publish articles without prior government approval. Fifty percent thought the government should have the right to infringe on the religious freedom of certain religious groups in the name of the war on terror and 51 percent wanted public protests of the war to be outlawed during the course of that war,” he said.

“It may be that few of you will ever address any of those legal issues in your career. But this does say something, not just about the first amendment, but about the extent to which the society is willing to support the kind of legal initiatives that many in this room are involved with. Your task is not an easy one and given the human frailties that affect all of us, I’m sure there are times when each of you feel overwhelmed by frustration. I hope that no matter how frustrated you become, you’ll remember that in your own, often invisible way, you are having an impact on people every day of your lives. You may be changing their lives in ways you cannot fully appreciate, or even understand,” Judge McKee said.

“There are, of course, limits to what the legal system can accomplish, and sometimes the remedies that your clients will seek will be beyond your reach, regardless of your skill, your tireless efforts, your resources or your commitment. The legal arena is, after all, prescribed by rules and policies and dictates that are beyond the reach of any judge or any lawsuit. Here, however, your efforts can have an impact and make a difference,” he said.

“You may be your client’s opportunity to regain their sense of self respect and humanity. Not just when you win, but just because you’re there, and just because you care.

There are many people who are not going to express appreciation for your efforts. But that doesn’t mean you’re not going to get an opportunity to make a difference to many of the people you come across. And the fact that you can’t make a difference to everyone does not in any way take away from the importance of your work. Nor should it add to your frustration,” Judge McKee said.

“I hope you will also understand that none of us can ever fully appreciate the impact that power and opportunity may have or how it may manifest itself in the lives of the people whose paths we cross as we go about our business of practicing law, volunteering, being a judge or just working to improve the quality of life for others,” he said.
The second policy recommendation focuses on a defined right to counsel in civil cases. The draft resolution, as it currently stands, urges the provision of counsel “as a matter of right at public expense to low-income persons in those categories of adversarial proceedings where basic human needs are at stake, such as those involving shelter, sustenance, safety, health or child custody.”

“Earlier this week, I had the pleasure of speaking at the 23rd Annual Edward V. Sparer Symposium at the University of Pennsylvania Law School on the subject of a civil right to counsel. The advocates and scholars who attended that symposium are working to advance judicial or legislative recognition of a right to counsel in serious civil matters similar to the one afforded to criminal defendants by Gideon v. Wainwright,” Greco said.

“It is premature and unrealistic to talk about providing a lawyer at the government’s expense, in all civil legal matters involving lower-income persons. But in matters where a poor person’s family, sustenance, health or housing is threatened by a legal problem, our system of justice must provide necessary legal assistance,” he said.

“While the prospect of a civil right to counsel raises several complex issues, the driving force behind the idea is a simple one — ensuring that everyone in our nation, the world’s most bountiful country of hope and promise, has an advocate at their side when facing the denial or loss of those things that are basic to human survival — shelter, food, and keeping family and health intact. No one in our country should have to face the denial of legal or governmental rights affecting those basic needs without counsel to help them. No one,” said Greco.
for the first two fiscal years of the Board’s existence. Over the past several years, with all that has gone on, the crisis has finally come to a boil. Our elected officials have taken notice at the public’s outrage and have passed ethics reform legislation specifically designed to help restore public confidence in City Hall. On May 16, the burden will be on us to make sure that the historic ethics reforms our elected officials have set in motion will result in real, sustained improvement in the integrity of our city government — supported by the existence of a new, permanent, independent Ethics Board.

Michael B. Hayes, an associate at Montgomery, McCracken, Walker & Rhoads, LLP, is chair of the Young Lawyers Division.

The amount of $4,500,000 refers to the dividend for the year of 2005. No insurance company may make statements concerning future dividends.

If you aren’t, perhaps it’s time to make a change. Visit us at mlmins.com, or call 800.422.1370 to see how we can help you succeed with customers for the past 18 years — to the tune of a 2005 dividend payment of $4,500,000!

Being insured with Minnesota Lawyers Mutual is about more than having a stable, reliable carrier to address your lawyers professional liability needs. It means you are also part owner in a company that has consistently shared its lawyers professional liability needs. It means you are also more than having a stable, reliable carrier to address your lawyers professional liability needs. It means you are also part owner in a company that has consistently shared its success with customers for the past 18 years — to the tune of almost $30 million.

If you are a recipient of a share of the 2005 dividend, enjoy. If you aren’t, perhaps it’s time to make a change. Visit us at mlmins.com, or call 800.422.1370 to see how we can help you with your professional liability coverage today.

The letter's text is: Open Closed System
To the editor:

The recent unanimous resolution by this Association’s Board of Governors, supporting “mock marriage” in Pennsylvania speaks volumes about the closed system under which this Association selects its leaders. This twisted unanimous resolution also speaks volumes as to why this Association’s leadership is totally misguided (at best) in its push to end the popular election of judges.

Does the unanimous resolution supporting “mock marriage” indicate that the members of this Association unanimously support the legitimization of “mock marriage” — behavior that many believe is immoral per se or rebadged as “diversity”? Not likely! More likely, the unanimous action of the Board of Governors promoting “mock marriage” is strong proof that the makeup of the Board does not reflect the makeup of the membership.

This was also the case when the Chancellor recently came out with an extreme, partisan condemnation of our President’s efforts to obtain intelligence from our enemies, during a time of war actions similarly conducted, though uncondemned, by prior Presidents Carter and Clinton.

Recently, there has been a severe push by this Association’s leadership to deprive the public of their right to popularly elect judges. The loud message is that the public is too stupid to know who should be a judge — the elite know best. If the Commonwealth’s Constitution is amended to prohibit the popular election of judges, the selection of judges will be made by a selected group of elites — let the public be damned! Can I assume that the judges selected will be just as unprepared as the judges selected by prior Presidents Carter and Clinton?

MAY 2006 / BAR REPORTER

LETTERS

Minnesota Lawyers Mutual policyholders are hereby served

with a 2005 dividend payment of $4,500,000!

Being insured with Minnesota Lawyers Mutual is about more than having a stable, reliable carrier to address your lawyers professional liability needs. It means you are also part owner in a company that has consistently shared its success with customers for the past 18 years — to the tune of almost $30 million.

If you are a recipient of a share of the 2005 dividend, enjoy. If you aren’t, perhaps it’s time to make a change. Visit us at mlmins.com, or call 800.422.1370 to see how we can help you with your professional liability coverage today.

The amount of $4,500,000 refers to the dividend for the year of 2005. No insurance company may make statements concerning future dividends.
Philadelphia Court of Common Pleas President Judge C. Darnell Jones II will be the keynote speaker at Community Legal Services' 17th Annual Breakfast of Champions on Wednesday, May 10, at the Westin Philadelphia, 99 S. 17 St., from 8 to 10 a.m.

The annual Breakfast of Champions also honors individuals and institutions that have made outstanding contributions to the cause of justice for all. Barbara T. Sicalides of Pepper Hamilton LLP will receive CLS' Champion of Justice Award. The Equal Justice Award will be presented to Deborah L. Freedman, managing attorney of the Family Advocacy Unit at CLS; Langer & Grogan P.C. attorneys Howard I. Langer, John J. Grogan and Edward Diver; Thomas Burke, intake paralegal at Philadelphia Legal Assistance; and Renee Reese, intake paralegal at CLS.

The Breakfast of Champions serves as a launch event for CLS' annual Bar Campaign. This event is sponsored by the Philadelphia Trial Lawyers Association. Admission is free. To RSVP, contact Anna Perng at aperng@clsphiladelphia.org or call 215-981-3732.

Section and Committee Spotlight: Delivery of Legal Services

Committee Shares Problems, Develops Solutions

by Jeff Lyons

When members of the Delivery of Legal Services Committee gather for their monthly meeting, they come ready to brainstorm and solve each other's problems. The DLSC is comprised of the executive directors from more than 50 nonprofit public interest law agencies as well as representatives from Philadelphia-area law schools operating public interest clinical programs, leaders of the Bar Association and the private bar, foundation directors and others committed to expanding equal access to justice. The DLSC is chaired by Ourania Papademetriou, co-managing attorney at Philadelphia Volunteers for the Indigent Program, and Joseph A. Sullivan, special counsel and director of pro bono programs at Pepper Hamilton LLP.

"We bring together all the various legal service agencies that provide legal services to people who don't have access to legal services otherwise. We discuss various issues across the board that affect the delivery of those services," Papademetriou said.

"All of the public interest law agencies have similar problems. They all have less funding than they'd like to have and they share common problems with clients for whom English is not a first language," said Sullivan. "By communicating with one another, they can brainstorm and problem solve together. They talk about funding issues on the federal and state level."

Sullivan said the DLSC has held various meetings about the way public interest law centers can be funded, whether it's through the state IOLTA fund or other sources. One thing the agencies have in common is human resources issues. "They need to know how to make sure they have enough in their budgets to pay their staff and get insurance. They have the same ongoing institutional issues that every small business has," he said.

In many ways, the DLSC serves as a support group, where members communicate issues of public policies and new legal developments and then try to develop strategies to deal with the changes.

"We also talk about sharing assets like interpreters, procedures, experiences with judges or agencies. We have perpetual issues like loan forgiveness for public interest lawyers. We're a big player with coming up for ways to have loan forgiveness for public interest lawyers," Sullivan said.

"These people shouldn't be forced to make a choice on continuing their work in public interest law because they can no longer afford to pay off their loans and feed their families," he said. The DLSC was formed in 1977 as a standing committee of the Association. Its goals include creating and expanding legal services for the poor; improving the quality of those services; developing and providing continuing legal education for public interest lawyers; sharing and expanding the collective knowledge of experts in various areas of public interest law; raising public awareness of legal and social issues affecting the poor and disadvantaged; and leveraging the work of public interest law firms by forging partnerships with the private bar to expand delivery of legal services to those in need.

"It's a huge honor to be a part of this committee," said Papademetriou. "These people who meet every month really care about the delivery of legal services to people who otherwise wouldn't have access to the courts."

Climate Change

by Rachel K. Barlow

The Philadelphia Bar Association joined more than 100 law firms nationwide last month in filing an amicus curiae brief in the third-person climate change lawsuit against the federal government. The brief was filed by the Earthjustice organization, which brought suit on behalf of 14 non-profit organizations and their millions of members.

"The American Bar Association resolution on climate change states, 'Lawyers have a duty to represent the public interest in the face of serious threats to our environment,'” said David F. Lempicki, chief executive officer at the Philadelphia Bar Association. “We are pleased to support the Earthjustice organization in its efforts to ensure that the federal government does its part to address the serious threat of climate change.”

The brief filed by the Earthjustice organization describes the devastating impact of climate change on the Earth and its inhabitants. It also details the economic and public health costs of climate change, including the increased risk of severe weather events such as hurricanes and floods and rising sea levels that could severely affect low-income communities.

Scheduling A Complex Arbitration Shouldn’t Be So Complex

Bypass the bureaucracy and bring your case to JAMS where we provide:

1) Unparalleled flexibility and an experienced local case manager who will assist you throughout the entire arbitration process

2) Unrestricted access to our national roster of more than 200 exclusive, full-time arbitrators, listed with their bios at www.jamsadr.com

3) The option of using JAMS' custom arbitration rules and procedures or those of another provider

It's simple. Just pick up the phone and call JAMS.

215.246.9494

PHILADELPHIA RESOLUTION CENTER: 1700 Market St. • Suite 2730 • Philadelphia, PA 19103 www.jamsadr.com • 23 Resolution Centers and More Than 200 Full-Time Resolution Experts Nationwide
When I offered to share my views on modern romance, I was reminded this was for the Bar Reporter.

This got me thinking about the nature of my practice, probably best described as "political law." Depending on the year and the season, my work includes election law, voting rights, campaign finance and government policy issues. My law-related hats include legal counsel, solicitor, public advocate, and in-house litigation counsel — supporting the efforts of the truly outstanding pro bono counsel.

As if this wasn’t demanding and dynamic enough, there are the morning papers, which can change the course of my morning, day, or even the whole week, as priorities are re-arranged in light of current events. I’m not complaining, it’s interesting work and it’s hard to imagine giving this up for a more traditional legal environment.

On the other hand, we all need a little predictability and fortunately there are a couple of constants each year — the primary and the general elections. For me, these are the longest days of the year, but they are also two of the best since Seventy becomes a hub of activity, providing critical information to thousands of voters and serving as an advocate for many who would otherwise be disenfranchised.

For you, Election Day presents the chance to get a taste of what I do while participating in one of Philadelphia’s oldest civic traditions. By serving with Seventy’s field teams, you can take your oldest civic traditions. By serving with Seventy’s field teams, you can take your

Cle DISCOUNTS continued from page 1

“We’re delighted to now offer another — substantial discounts on CLE programs from PBI for lawyers who belong to one of the nine sections of the Association. In fact, members receive a 20% advantage of this benefit will actually save more than section membership costs. So join a section if you’re not a member already, enrich your professional life and save money to boot,” Feldman said.

For a standard 2-hour CLE program that regularly costs $99, both PBI and the Bar Association will offer $59.50 discounts. The final cost paid by a registrant will be $39, a savings of nearly 20 percent. Young lawyers who normally pay $79 for a two-hour course will receive $95.50 discounts from both PBI and the Bar Association, making for a final cost of $60, a savings of 24 percent.

APPELLATE continued from page 5

ners and consult more closely with the leadership on the other side of the aisle in the Senate before making a nomination. I think that would reduce these confirmation battles and make it a lot smoother and a lot better," he said.

Short said that as general counsel to Sen. Specter on the Judiciary Committee, her role was to be involved on the legal end with everything that was going on in the judiciary committee and keep him advised. She said his biggest concern at the beginning of this process was the advice and consent role of the Senate in this process.

"Sen. Specter will not and never has bowed to anyone’s ideological agenda. On the other hand, he wanted to make sure that he involved everyone in all aspects of the Democratic and Republican parties in the process of going through the confirmation proceedings. He had meetings constantly with the individual senators from the Judiciary Committee. He reached out to leadership on the Republican side: asking for input. He included people that had been against him for his chairmanship, because, on the political side, he needed to be sure that their voices were heard," she said.

She said Specter was going to the concurso twice a week on different sides of whatever issue we wanted to talk about. They would come in from Harvard and Yale and Stanford and Penn. For an hour before dinner, we’d have these top-level meetings on the campaign and constitution issues. It was fascinating. It was like a year of post-graduate education,” she said.

"Preparing for this hearing was like preparing for a massive trial, in making sure that you had every issue covered.""
Mix Mediterranean flavors with a few pinches of Salt (the former restaurant, not the condiment). Add “kind of” kosher catering comestibles concatenated with Rouge and Vetri alums. Then bring the coterie to a former West Philadelphia boarding house/tea parlor: Marigold Kitchen. The gold plaque outside the silver guardrail to the front porch entrance door says, “Built in 1907.” Your view confirms. It is best to ask to be taken to a second-floor dining room immediately. That’s because the first floor’s tables become rowdy-loud often; and its rear seating area is treacherously near the restaurant’s sole same-sex bathroom.

Upstairs has a number of new dining areas. The beet-purple-nylon draped window of the Pea-Green Room focuses on a central silver radiator. There are no pictures on the walls. So, the seven or so small square and round tables situated over bare hardwood floors appear lonely and forlorn. Crisp tablecloths attempt to cover and console, but a tiny votive candle glaringly resonates in an atmosphere of Victorian vacancy.

Wine bottles, brought from home, are opened quickly by white-aproned black-shirted staff, who dally aimlessly before bringing a wine cooler. Patrons wait for the presentation of a bread bowl and its olive-filled extra virgin oil sidekick. An “amuse-bouche” arrives thereafter, a seared tuna meld with ground radishes, peppers and “dessert lemon.” A tiny molded egg of the ingredients rests on a Chinese soup-spoon. It’s gulped with a bit of bread dipped in the oil.

The taste is interesting, different, almost delicious but for the curious combination. If this food were a board game, it would be chess, not checkers. Even the olive oil seems too aggressive on the tongue to be classified with “virginity.” Soup is more of the same. My menu exhibits Carrot Soup with Shrimp Kibbe (9). The broth must have had carrots tip-toe through it for color, but there are confounding Middle Eastern spices and shrimp overtones that emasculate the orange root vegetable’s natural sweetness and flavor. The Kibbe is chopped infant gefilte, composed of ground shrimp rather than carp. An inking of iodine tempers its tastiness. A better choice might be the Crispy Pork Belly With Dates And Basmati Rice (9). A large slab of bacon-like pork, piled high, is prepared over steaming rice in a huge white bowl. The dates are infused in the fatuous concoction, so that the hunks forked into your mouth melt instantly. Your heart screams at you.

Also offered as appetizers are Sweetbreads With Crispy Chicken Skin And Tehina (13), or Foie Gras Confit With Honeycake And Smokey Onions (15). I mention these because you’ve never tasted anything as rich, Brobdingnagian and assembled with ingredients not obviously edible together. If someone had told me I would adore smoothly glabrous sweetbreads contained in chicken skin and served with halvah; or liver combined with cake and onions, I would have thought that person to have a mind tabula rasa. Entrées are more of the same. The Hanger Steak With Spring Vegetables And Shrimp Kibbe (25) is a thicker than usual skirt of steak darkened by soy, surrounded by peas the same color as the room. Brown crisp patties of mashed potatoes with saffron garnish the white platter.

Never miss the fish here. Halibut En Croute With Black Trumpet Mushrooms And Poached Egg (28) is extraordinary. A two-inch high, three-inch long...
Rekindle the Fire in Association’s Elections

by Henry J. Lunardi

Originally, this was to have been a report from the chair of the Elections Procedures Committee to the Board of Governors. It was to have been submitted in mid-January, postponed by this past December’s shameful exercise in electoral chaos, condemning mail balloting as the Bar Association’s flaw – if well-intentioned “noble experiment,” explaining why that is so and expostulating specific steps that should be taken by the Board of Governors and the membership to re-energize our electoral processes. But the know-it-all hubris inherent in such an approach would have a chilling effect upon the message’s reception. Rather, this is as close to a “speaking farewell” (not “deja’ vu”) and elections long expected. Exhale! Not here, not now; haven’t gotten Oprah’s clearance yet for my electoral memoirs.

My reflection must begin with what should, to all of us, be self-evident: in a bar association of Philadelphia’s size, our present demographics alone dictate great diversity of personal and professional background, culture, approach and opinion. This was not as much the case in 1976, when my “class” was sworn in by then-Chief Justice Bell. Though it was innovative and energetic by the standards of that time, this Association’s governance was (or perhaps just as importantly was perceived to be) a white, male, WASP, large-firm controlled enclave. Women, minorities, ethnic entities and special-interest members of the Bar lacked numbers and/or lacked a voice in the affairs of the organized bar.

In the 1970’s, a tsunami of change for the better began to wash through our Association: vigorous, intelligent, young and perceptive professional management was brought in (Ken, Danny et al, you know who you are); law schools admitted and graduated into practice increasing numbers of minorities, ethnic entities and special-interest members, attuned to the previously unrecognized aspirations and needs not only of an entire new generation of professionals, but also to our profession’s obligations to those in our society who were and are in need of our aid and assistance; and this Association – far, far outpacing its brethren in the Delaware Valley – did a remarkable job of keeping pace with those aspirations and needs. Today, every one of you who have kept in close touch over the past generation with this organization’s growth, progress and responsiveness must be indisputably proud to denominate herself or himself as a member of the Philadelphia Bar Association.

So how did we get so smart? Certainly, the labors of the Association’s staff, from top to bottom, have been (and are) prodigious and productive; a sine qua non for the efficacy of any other input. (Indeed, this writer has marveled at the seemingly endless stream of input. (Indeed, this writer has marveled at the seemingly endless stream of input.) But there’s more. The Association’s outreach initiative to Philadelphia’s immigrant and non-English speaking communities, spearheaded last year by 2005 Chancellor Andrew A. Chirls, and the members of that staff to sublimate the staff’s work had to be partnered with something else, had to serve as the flint to be sparked into some explosion of heat and light from another source, in order to produce the bright warmth of the Association existing today.

My observation, the spark has been consistently struck by the Association’s annual elections. Always a part of our bylaws, this process has been the medium through which an evolving electorate addressed its changing needs and a changing society in a most successful way. The 1970s and 1980s witnessed the creation of some groups and the emergence of others as spokespersons for positions and ideas whose time had come. Coalescing around common aims, coalitions of these constituent entities formed to advocate for such goals and to elect people who reflected them.

There was no succession by right of primogeniture or anointment here, as seemed to occur in other local venues. As usual, the staff’s work had to be partnered with and directed by the membership in order to produce the bright warmth of the Association existing today.

To my observation, the spark has been consistently struck by the Association’s annual elections. Always a part of our bylaws, this process has been the medium through which an evolving electorate addressed its changing needs and a changing society in a most successful way. The 1970s and 1980s witnessed the creation of some groups and the emergence of others as spokespersons for positions and ideas whose time had come. Coalescing around common aims, coalitions of these constituent entities formed to advocate for such goals and to elect people who reflected them.

There was no succession by right of primogeniture or anointment here, as seemed to occur in other local venues. As usual, the staff’s work had to be partnered with and directed by the membership in order to produce the bright warmth of the Association existing today.

In-person voting, with its attendant electoral and promotional activities, has served in my view as the invigorating and constantly re-invigorating vitamin B12 to this Association for more than a generation.
The Satire is Solid in “Smoking”  
by Marc W. Reuben

George Kaufman famously observed that satire in American entertainment “is what closes Saturday nights,” and he has not been proved wrong to date. Except perhaps for the wonderfully brilliant and sly “Thank You for Smoking,” Jason Reitman’s clever look at corrupt society currently in theaters. This movie adds great punch lines to the satire, keeping audiences laughing while delivering its sly message.

The film is based on Christopher Buckley’s book about a giglio tobacco lobbyist anti-hero Nick Saylor (wonderfully played by Aaron Eckhart) who believes that “if you argue properly, you will never be wrong.” Thereupon sits the premise of the film, a brilliant satire on how the public bestows integrity to anyone who can talk in clever jingles. Eckhart is as superbly suave as he is twisted. His goal, in addition to clashing with tobacco foes, is to get cigarettes into more movies as a way of exerting influence over the young. This form of product placement was disapproved by government during the years of excessive regulation – as Robert Duval, a dying-of-heart executive, reminds us. His goal, in addition to clashing with tobacco foes, is to get cigarettes into more movies as a way of exerting influence over the young. This form of product placement was disapproved by government during the years of excessive regulation – as Robert Duval, a dying-of-heart executive, reminds us. Such delicious absurdities abound in the film, which comic dialogue figures large in the picture. What this movie really is about is the way in which Americans are consistently misled and how they have adapted lying as a way of life. One would add that this sea change in national integrity is closely associated with the pervasive resurgence, except for the fact that self-delusion was a way of life at the height of the flower revolution.

The foibles of national delusion by corporate money today find balance in the moralistic fiction like “Ma'zahl” in the 1960s. No national consensus in the era of mass communication appears to be anything other than instantaneous hogwash, except when a national calamity falls upon us. The operative words being “falls upon us” as opposed to calamities manufactured by politicians. Here is a movie about how corruption has been institutionalized throughout society; how appeals to intellect have been replaced by rhyming jingles, and how a free people have exchanged the right to strive for the right to be amused. Or, at least, for the sensation of activity.

What this movie cleverly projects is the era of Clinton-Bush. When a president tells us that dropping bombs is actually a form of peace-making, or asks us to define the meaning of “it” only people morons who believe in such perversions are secure in their ideology. In this era, lobbying has become the manner in which government serves itself. The politicians who seem virtuous in this film are, in reality, only those who appeal to the prejudices of that part of the nation to believing lampooned. Mark Twain put it best when he defined the adversary system as one where “if you set two liars in a small room and lock the door, the truth will emerge.” That appears to be the way of American political maneuvering in the post-millennial era.

It does my cynical heart good to see that sarcastically laments the demise of reasoned debate. This is a movie that draws blood of the entire society we call our own. No one is fair and no one seems to care. So long as Americans can understand the twisted reasoning of self-interested perpetrators (as long as it is expressed in commercial jingles – the basis of American political thought among the illiterate), the nation is content. From tobacco abuse to war, the manner of dealing with difficult problems is the same: present your views in language that requires no thought to induce approval, and you will never fail. That is what moves America today. It reduces serious ideas to jingles and sways the masses to believe that sending other peoples children to die in unexplained war is a form of honor, or that giving healthcare over to corporate interests is a way to serve the sick.

There is no one left to talk sense to the public; to tell them that there are no gains without pains. The last politician to try that dropped dead on London Street.

George Kaufman famously observ- ed that satire in American entertain- ment “is what closes Saturday nights,” and he has not been proved wrong to date. Except perhaps for the wonder- fully brilliant and sly “Thank You for Smoking,” Jason Reitman’s clever look at corrupt society currently in theaters. This movie adds great punch lines to the satire, keeping audiences laughing while delivering its sly message.

The film is based on Christopher Buckley’s book about a giglio tobacco lobbyist anti-hero Nick Saylor (wonderfully played by Aaron Eckhart) who believes that “if you argue properly, you will never be wrong.” Thereupon sits the premise of the film, a brilliant satire on how the public bestows integrity to anyone who can talk in clever jingles. Eckhart is as superbly suave as he is twisted. His goal, in addition to clashing with tobacco foes, is to get cigarettes into more movies as a way of exerting influence over the young. This form of product placement was disapproved by government during the years of excessive regulation – as Robert Duval, a dying-of-heart executive, reminds us. Such delicious absurdities abound in the film, which comic dialogue figures large in the picture. What this movie really is about is the way in which Americans are consistently misled and how they have adapted lying as a way of life. One would add that this sea change in national integrity is closely associated with the pervasive resurgence, except for the fact that self-delusion was a way of life at the height of the flower revolution.

The foibles of national delusion by corporate money today find balance in the moralistic fiction like “Ma’zahl” in the 1960s. No national consensus in the era of mass communication appears to be anything other than instantaneous hogwash, except when a national calamity falls upon us. The operative words being “falls upon us” as opposed to calamities manufactured by politicians. Here is a movie about how corruption has been institutionalized throughout society; how appeals to intellect have been replaced by rhyming jingles, and how a free people have exchanged the right to strive for the right to be amused. Or, at least, for the sensation of activity.

What this movie cleverly projects is the era of Clinton-Bush. When a president tells us that dropping bombs is actually a form of peace-making, or asks us to define the meaning of “it” only people morons who believe in such perversions are secure in their ideology. In this era, lobbying has become the manner in which government serves itself. The politicians who seem virtuous in this film are, in reality, only those who appeal to the prejudices of that part of the nation to believing lampooned. Mark Twain put it best when he defined the adversary system as one where “if you set two liars in a small room and lock the door, the truth will emerge.” That appears to be the way of American political maneuvering in the post-millennial era.

It does my cynical heart good to see that sarcastically laments the demise of reasoned debate. This is a movie that draws blood of the entire society we call our own. No one is fair and no one seems to care. So long as Americans can understand the twisted reasoning of self-interested perpetrators (as long as it is expressed in commercial jingles – the basis of American political thought among the illiterate), the nation is content. From tobacco abuse to war, the manner of dealing with difficult problems is the same: present your views in language that requires no thought to induce approval, and you will never fail. That is what moves America today. It reduces serious ideas to jingles and sways the masses to believe that sending other peoples children to die in unexplained war is a form of honor, or that giving healthcare over to corporate interests is a way to serve the sick.

There is no one left to talk sense to the public; to tell them that there are no gains without pains. The last politician to try that dropped dead on London Street.

According To...

What Do You Like Best About Philadelphia?

“I enjoy the small-town feel of Philadelphia, while at the same time being able to experience those things most often available only in larger metropolitan areas - a variety of arts, cultures, sports and restaurants.”  
- Larry S. Eisman

“If I think about it in terms of what I’ll miss the most when I leave Philly (I’m moving to Boston), it would have to be the special people in Philadelphia who make Philly feel like home to me. I’ll also miss my second favorite thing about Philadelphia - the Philadelphia Film Festival.”  
- Jennifer K. Lee

“Although Philadelphia is a big city, it is also a collection of smaller interconnected neighborhoods, each having its own distinct personality, feel and history. Philadelphia is a great place to work, live and raise a family.”  
- Brett D. Feldman
The minds of the elite “selectorate” know well that it takes two-thirds of Congress, the President’s signature, and three-fourths of the states to change the Constitution – or one judge.

Clearly, the leadership of this Association must love the Soviet-style election rules that are usually in effect at Association elections – where the result is a foregone conclusion, and the election of an “outsider” is virtually unknown. While the leadership may claim to favor diversity (even when it truly is perversity), the unanimous vote of the Governors clearly favoring “mock marriage” shows that there is no diversity of opinion in the Board of Governors. As many are aware, for the last 15-plus years, some of the Governors are selected by the Chancellor.

To those who have forgotten, approximately 15 years ago, this Association’s bylaws were changed to empower the Chancellor to select two racial minority members to the Board of Governors. This empowerment, considered by many to be classic reverse racism, is an insult to the decent members of this Association. While it may appear to be a badge of honor to members of the extreme left, it sends out a loud message that the Association believes that either minorities are too unqualified to be in the Board or that the Association leadership to insulate judges from considering public opinion in making extreme and radical decisions. This arrogance is tagged as “judicial independence.” While the left-wing may consider itself much more gifted in its ability to know who should govern, and what the law should be, this is exactly why we reverted against England, and exactly why we have had popular election of judges for years. Wasn’t the “selection” system used in the former Soviet Union, and most communist nations?

The minds of the elite “selectorate” know well that it takes two-thirds of Congress, the President’s signature, and three-fourths of the states to change the Constitution – or one judge.

The bylaws have allowed the Governors to eliminate this reverse racist set-aside since Jan. 1, 1996. The time is long overdue to eliminate minority selection to the Board of Governors. The time is long overdue to bring some sense of open elections to the Association. The time is long overdue for the Chancellor and Board to cease claiming that their extreme personal opinions accurately reflect those of the members.

Howard Hyman

Bar Foundation Golf Classic June 26

The 18th Annual Philadelphia Bar Foundation Golf Classic will be held Monday, June 26 at Philadelphia Cricket Club in Flourtown. The tournament, which benefits the Foundation, will begin at 12:30 p.m. with a shotgun start on both the Wissahickon and Militia Hill courses.

The 2005 tournament raised more than $100,000 for the Bar Foundation, the charitable arm of the Association. Prizes will be awarded for team low net, individual low net and individual low gross. A new prize for law-firm (defined as a foursome with at least three members from the same firm) low gross will also be awarded.

The tournament is open to the public for $575 that includes greens fees, golf cart, lunch, refreshments on the course, and cocktails and dinner. Young Lawyers Division members may participate for $295. Event and hole sponsorships are also available. Registration begins at 10 a.m. and lunch is available at 11 a.m. The event will feature a silent auction and raffle. Raffle tickets are $10 each or six for $50. Raffle tickets may be purchased in advance or on the day of the event.

For more information on sponsorships or playing in the event, contact Melissa Engler at (215) 238-6347.

May 2 Theater Skills in the Courtroom • The CLE Conference Center
May 9 Compulsory Arbitration Seminar • The CLE Conference Center
Equitable Distribution of Municipal, State & Federal Retirement Plans • The CLE Conference Center
May 10 Your First Auto Case • The CLE Conference Center
Medicare Part D: Deadline Looming • The CLE Conference Center
May 11 How to Try a Rape Case • The CLE Conference Center
May 15 Working With Inside Counsel • The CLE Conference Center
How To Handle A Child Abuse Case • The CLE Conference Center
May 16 Section 199: Explaining the Domestic Production Deduction • The CLE Conference Center
May 17 A Review of the Gardner Case • Philadelphia Bar Association
May 18 Fourth Annual Nonprofit Institute • The CLE Conference Center
May 19 Terrorism and Torture • The CLE Conference Center
Estate Planning for the International Family • The CLE Conference Center
May 23 Defamation, Libel and Slander • The CLE Conference Center
Identity Theft • The CLE Conference Center
May 24 Family of Laws for the Family Lawyer • The CLE Conference Center
May 25 Litigating the Upper Extremity Injury Case • The CLE Conference Center
May 31 Steve Feldman on Long Term Care Planning • The CLE Conference Center

Pennsylvania Bar Institute • Continuing Education Arm of the Pennsylvania Bar Association
BRINGING EXCELLENCE TO CLE

Call PBI Customer Service at 800-247-4724 to register for a course or for more information.
Register online at www.pbi.org
The Pennsylvania Bar Institute is an accredited CLE provider.
Rather, candidates and their supporters became engaged, first in the work of getting elected, and then—almost in an exercise of Newton's first law of motion—in the process of governing the Association. Meeting and greeting was important not only in the run-up to each year’s election, but equally as vitally at the polling place on election day.

Something wonderful happened: candidates and their personal and organizational supporters got to know each other, got to interact, recognized a human and very often likeable face on each other. Some got elected; some did not. Some lost once and were so positively charged by the experience that they ran again and won. Almost all formed the capacity to work closely and amiably with others when they were elected. In a distinctly personal way, their lives were expanded by the formation of acquaintanceships and friendships never contemplated, and with a far more diverse group of people than they had ever imagined. In a professional way, the warmth and experience created by electoral friction acted to smooth rough spots inherent in divergent points of view and to encourage creative compromise. The Association ran/runs exceedingly well.

In-person voting, with its attendant electoral and promotional activities, has served in my view as the invigorating and constantly re-invigorating vitamin B12 to this Association for more than a generation. As the 21st century proceeds, new perceptions, new aspirations, newly identified needs must arise. Yes, in-person voting can be inconvenient. Someone far smarter than I has stated that democracy isn’t easy. In the movie, Tom Hanks’ character’s last words, spoken to Private Ryan, were: “Earn this.” Is it more important to make this Association’s exercise in participatory democracy easy or to make it alert, alive and responsive? We must continue to earn our ‘prez’ from our professional peers and from our wider society.

Our elections over the past few years have become progressively more boring and less attended. Little or no heat or light has been generated by the candidates. Not because they lack the capacity to do so, but because no one has challenged them to do so. Their candidates have not required much of them in the way of interfacing with their opponents or the electorate. The loss is theirs and ours. This past December, there was no contest for Vice-Chancellor and, for the very first time in my memory, barely enough candidates to fill the five Board memberships. What’s up with that? In an Association the size of ours, only five people thought enough of the idea of participating in and contributing to the life of the organized Bar! Shame on all of us!

My plea: Something must be done to rekindle the election process and its proven benefits to all of us. Please re-examine the practice of universal mail voting. Discuss it. Argue about it again. Has it turned out to be our very own version of the Yolkshead Act? I think so. Do something about it.

Avis apure vix!

Henry J. Lunardi, a sole practitioner, is co-chair of the Board of Governors.

ELECTION

continued from page 18

Note: While the following listings have been verified prior to press time, any scheduled event and time should be confirmed with the committee organizers.

CALENDAR OF EVENTS

Bar Association-related calendar items 30 days in advance to Managing Editor, Philadelphia Bar Reporter, Philadelphia Bar Association, 1101 Market St., Philadelphia, Pa. 19107-2911. Fax: (215) 238-1267. E-mail: reporter@philabar.org.

不由我所说的，所有活动日程和项目应由以下编辑向The Philadelphia Bar Association编辑委员会报告：1101 Market St., Philadelphia, PA. 19107-2911. Fax: (215) 238-1267. E-mail: reporter@philabar.org.
Meredith DuBarry Huston
H. Howard the Second Annual Alternative Dispute

Damon K. Roberts, community liaison for the Philadelphia Housing Authority, recently addressed a voter registration assembly at Roxborough High School and organized a "Good Government" panel discussion at University of Pennsylvania.

William T. Hangley, chairman of Hangley Aronchick Segal & Pelonzi, was the guest of honor and speaker at the University of Pennsylvania Law Review Annual Banquet at the National Constitution Center on April 6. The event celebrated the contributions of the editors of this year’s volume and welcomes the new Editorial Board.

Francis J. Lawall, a partner with Pepper Hamilton LLP, has been recognized by the editorial board of Aquapotre Books as a leader in bankruptcy and restructuring law, and selected as a contributing author for the organization’s recently released book, Inside the Minds - Winning Legal Strategies for Bankruptcy and Restructuring. Leading Lawyers on Determining Solvency; Assessing Risk and Avoiding Liability.

James L. Kennedy, an associate with Cozen O’Connor, was recently appointed to the board of experts of the real estate attorney’s division of the International Real Estate Trade Organization.

Richard J. Busis and Scott E. Brucker of Cozen O’Connor recently exhibited and presented at the Year-Rich Small-Cap Financial Expo in Miami, Fl.

M. Kelly Tillery, a partner with Pepper Hamilton LLP, served on the President Search Committee of the International Anticounterfeiting Coalition. The IACC is dedicated to protecting intellectual property and deterring counterfeiting. He also presented "The Legal Framework for Authentication" at the Authentication Connections Forum in Tampa, Fl. on March 31.

Suzanne S. Mayes, a partner with Saul Ewig LLP, hosted Ladies First: 3rd Annual MI-Atlantic Women’s Public Finance Forum at The Rittenhouse in Philadelphia on March 10.


Alan Nochumson of Nochumson PC, recently served as a faculty speaker for a seminar sponsored by the Pennsylvania Bar Institute titled Disasters: Planning Ahead to Avoid the Worst. His presentation focused on the legal considerations for the real estate industry if any form of disaster occurred in Pennsylvania.

George Martin and Matthew L. Wilson, partners at Martin, Banks, Pond, Lebucky & Wilson, served as faculty for a seminar sponsored by the Pennsylvania Bar Institute’s program "Workers’ Compensation Practice and Procedure 2006". The program provided the most up-to-date information on recent developments in workers’ compensation law.

Mark H. Gallant, a member of Cozen O’Connor, served as a faculty member at the 12th Annual Health Law Institute in Philadelphia. Gallant addressed "Payments for Out-of-Network Services”.

Neil A. Stein, a principal with Kaplin Stewart, was a presenter at a Lorman Education Services seminar on March 30 titled "Current Liability and Land Use Issues Concerning Architects and Civil Engineers in Pennsylvania." Stein spoke on the topics of Zoning and Government Approvals and Environmental Law.

B. Robert Fiebach, a member of Cozen O’Connor, recently served as a panelist presenting "Evolving Duties" at the 2006 National Legal Malpractice & Risk Management Conference in Chicago. Fiebach’s presentation examined recent cases throughout the nation that reflect the current trends in the concept of duty and looked at other recent cases that reflect judicially imposed limitations on liability for legal malpractice grounded on public policy considerations.

Jacqueline M. Carolan, a partner with Fox Rothschild LLP, was a guest speaker at the 11th Annual Hospital Case Management Conference in Atlanta. Carolan’s presentation discussed strategies for reducing liability.

Jennifer Dufault James of Schnader Harrison Segal & Lewis LLP participated in the Pennsylvania Bar Institute’s 19th Annual ‘Civil Litigation Update’ James’ discussion was titled “Developments in Pennsylvania Civil Procedure.”

Brad M. Rostolsky, an associate with Cozen O’Connor, recently presented “Medical Records Law in Pennsylvania” at the Lorman Educational Services Seminar in Wilkes-Barre. Rostolsky spoke on the topic of electronic medical records and HIPPA security.

James C. Schwartzman, a shareholder with Stevens & Lee, has been re-elected to the Board of Directors of the Philadelphia Bar Institute.

Mark A. Momjian, a partner with Schnader Harrison Segal & Lewis LLP, participated in conference on careers in law hosted by the Princeton University Pre-Law Society. He discussed the practice of law generally, and his practice in family law specifically.

Ann Thornton Field, a member of Cozen O’Connor, recently presented at the 40th Annual SMU Air Law Symposium in Dallas, Texas.

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. 19107-3111. Fax (215) 238-1267.
E-mail: reporter@philabs.org.
Photos are also welcome.
NEW FOR 2006 –
Every Legal Directory Comes With A FREE ONLINE SUBSCRIPTION!

The Legal Directory 2006 plus The Legal Directory Online
are now together at one low price! For the first time, every hard-copy edition comes with
a complimentary online subscription.

As always, both printed and online editions of The Legal Directory will contain
comprehensive, up-to-date listings of area law firms and attorneys.

NEW FOR 2006! >>>>
The online version also will include many of the indispensable
resources found in the printed directory — contacts for state,
federal and local government agencies; listings of law-related
associations, organizations and law schools; and an index of
area judges.

PLUS >>>>
The Legal Directory Online will include valuable new features
— links to local court rules, area bar associations and other
content of interest to the legal community.

IT’S ALL AVAILABLE,
both the printed book and expanded online resource,
for one low price —
$77.95
plus shipping and tax.

TO ORDER >>>>
Visit www.thelegaldirectory.org or
contact us at 410-828-0120 ext. 503 or
legaldirectory@mediatwo.com to receive an order form by fax.

The Legal Directory 2006 c/o Media Two, 22 W. Pennsylvania Ave., Suite 305, Towson, MD 21204
A beautiful plane is a plane that flies well. Here at BREITLING, we share the same philosophy. It is expressed through a single-minded commitment to building ultra-efficient wrist instruments for the most demanding professionals. Our chronographs meet the highest criteria of sturdiness and functionality, and we submit all our movements to the merciless tests of the Swiss Official Chronometer Testing Institute. One simply does not become an aviation supplier by chance.

www.breitling.com