Nominating Committee Selects Nine

The Philadelphia Bar Association's Nominating Committee on Oct. 14 nominated the following candidates for Bar Association offices: Vice Chancellor, Rochelle M. Fedullo and Alan M. Feldman; Secretary, Sayde J. Ladov; Assistant Secretary, John E. Savoth; Treasurer, Mary F. Platt; and Assistant Treasurer, Scott F. Cooper.

The Committee also made the following nominations for three-year terms (three of five positions) on the Board of Governors: Daniel-Paul Alva, Marla A. Joseph and Joseph A. Prim.

All Association members eligible to vote in Bar elections may now do so by mail. Mail ballots will be sent to all eligible voters on Wednesday, Nov. 19. Please remember that if you do not vote by mail, you may do so in person on Tuesday, Dec. 9 from 8:30 a.m. to 6 p.m. at the Park Hyatt Philadelphia at the Bellevue, Ballroom Level, Broad and Walnut streets. All paid regular members will be sent an election packet.

If you have not yet paid your 2003 dues and wish to vote by mail, you may contact the membership office at (215) 238-6313 or renew online at www.philadelphiabar.org. Those mem-

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U.S. Supreme Court Justices Ruth Bader Ginsburg (left) and Sandra Day O'Connor were guest speakers at the Oct. 23 Quarterly Meeting and Luncheon at which awards were given in their honor. Chancellor Audrey C. Talley was presented with the 10th anniversary Sandra Day O'Connor Award. Story, more photos, Page 12.

Justices O'Connor, Ginsburg Applaud Progress of Women

by Jeff Lyons

U.S. Supreme Court Justices Sandra Day O'Connor and Ruth Bader Ginsburg celebrated the strides women have made in the field of law as the Association presented a pair of awards named in their honor at the Oct. 23 Quarterly Meeting and Luncheon.

Chancellor Audrey C. Talley introduced Justices O’Connor and Ginsburg as “great role models for all of us, strong in their dedication to the profession, unquestioned in their integrity and fearless in their pursuit of justice. They share the same strong values and they work together guided by the same high principles.”

Talley presented the justices with special commendations for career achievement in service to the public and the profession.

Ginsburg said the presentation of the 10th anniversary Sandra Day O’Connor Award coincided with the 10th anniversary of her appointment to the U.S. Supreme Court by President Bill Clinton and the 25th anniversary of U.S. District Court Senior Judge Norma L. Shapiro’s appointment to the federal bench.

“Happily, each decade, in fact, each year brings more women’s voices to the fore in our profession. And perhaps, some year soon, all lawyers who appear before the Supreme Court will fully comprehend that...”

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continued on page 13
BMW of North America is proud to announce that Otto’s BMW is the only BMW Center in the area to receive the prestigious BMW Quality Trophy. It’s an important symbol that a BMW Center has successfully passed one of the most thorough certification processes in the industry. For everyone at Otto’s BMW, it meant many hard months of working together for more efficiency and better internal communications. One of the results is a higher set of customer satisfaction standards, so that your experience within Otto’s BMW will be as smooth as your drive out. Come into our BMW QMS Center today and take us for a spin.

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Wachovia Fidelity, Hampton Award Nominees Sought

Nominations are now being accept-
ed for the Philadelphia Bar Associa-
tion’s 2005 Wachovia Fidelity award. Nominations should be made in writ-
ing. Include a detailed informational statement setting forth your reasons for recommending the nominee for the award. The deadline for receipt of nominations is Friday, Nov. 7 at 5 p.m.

The criteria for the award are:
• Significant accomplishments in improving the administration of justice (preferably in Philadelphia);
• The absence of prior recognition

for this work by the Philadelphia Bar Association;
• Distinguished service consistently rendered over a considerable period of time or a single outstanding achievement in a particular year (the fact that this single achievement may have occurred some years ago in not material so long as it has not been recognized);
• The accomplishment must arise from voluntary activities rather than for service rendered as a paid professional; and
• It is preferred that the recipient be a member of the Philadelphia Bar Association not now in public office or directly involved with the court operations or any other public service activi-
ty.

Nominations should be sent to Ste-
phanie Krzywanski, Philadelphia Bar Association, c/o Fidelity Award Commit-
tee, 1101 Market St., 11th Floor, Phila-
delphia, Pa. 19107.

The Association’s Workers’ Compen-
sation Section is soliciting nominations for the annual Martha Hampton Aw-
ard. The award commemorates the ser-
vice, dignity, professionalism and dedi-
cation exemplified by Hampton during her years of practice.

Nominations are open to workers’ compensation judges, defense attor-
neys and claimants attorneys who practice in Philadelphia or the sur-
rounding counties. Nominations must be received by Friday, Nov. 14.

Send nominations along with a brief explanation of the nominee’s credentials, to Marc Jacob, 1118 Market St., Suite 2500, Philadelphia, Pa. 19103.

Save Nov. 25 for Thanksgiving Breakfast

For the first time, the Association’s 5th Annual Thanksgiving Breakfast has been approved for CLE credit. The 5th Annual Thanksgiving Breakfast will be held Tuesday, Nov. 25 at the Westin Philadelphia, 99 S 17th St., at 7:45 a.m. One hour of CLE ethics credits is available.

Philadelphia Common Pleas Court Judge Jacqueline F. Allen, Philadelphia City Solicitor Nelson A. Diaz, Rabbi Aaron Landis and Era Thames McGriff will be the speakers and will discuss “The Rules of Professional Conduct and the Old/New Testaments – Conflicting or Consistent?”

Tickets are $20. Visit www.philadelphiabar.org to purchase tickets online or to download a printable registration form.

Inspirating a New Definition of Success

by Audrey C. Talley

"Why don't more women get to the top?" The New York Times Magazine asked in a recent cover story.

Though the issue posed by the magazine is more complicated than it might seem, one would have found it hard to imagine women not choosing to get to the top at last month’s Bar Association luncheon honoring suc-
cessful women lawyers and welcoming U.S. Supreme Court Justices Sandra Day O’Connor and Ruth Bader Ginsburg.

Indeed, the justices were welcomed by an impressive dais full of successful women and a city that boasts women in key roles such as president of City Council, president judge of the Commonwealth Court, district attorney and chief public defender.

All of this seemed more than a little bit illogical when Justice O’Connor came here to present the first Sandra Day O’Connor Award to U.S. District Court Senior Judge Norma J. Shapiro back in 1995. But then again, Justice Ginsburg used her remarks at this year’s luncheon to remind us of just how far we’ve come. In the 1980s, Justice Ginsburg noted, only 5 percent of the nation’s lawyers were women. Today, women represent nearly one-
of-three of the profession. And in Philadelphia, the number of women lawyers has more than doubled since the first O’Connor Award luncheon from 15 percent to more than 33 per-
cent. Today, more than 50 percent of first-year law school students in America are women, as are 41 percent of associates hired by large law firms. And as Justice Ginsburg pointed out, the ranks of women law school profes-
sors continues to grow along with the ranks of women judges and public officials everywhere.

Of course the progress has been tempered by our understanding of all that has come before and our aware-
ness of the difficulties that were faced by Justice O’Connor, Justice Ginsburg, Judge Shapiro and so many others. In

fact, Justice Ginsburg started out at Harvard Law School at a difficult time. In the era of harsh grillings by male professors, Justice Ginsburg and other women students often found the school to be hostile. At one point, Dean Erwin Griswold asked the women of the class what it felt like to occupy places that could have gone to deserv-
ing men. Still, Justice Ginsburg over-
came the derision and excelled academ-
ically. After her husband accepted a position in a New York law firm, Justice Ginsburg transferred from Harvard to Columbia Law School from which she graduated at the top of her class. For her part, Justice Sandra Day O’Connor graduated third out of a class of 102 from Stanford Law School (first in the class was William H. Rehnquist who would become chief justice). Still, Justice O’Connor faced a difficult job market after leaving Stanford. No law firm in California wanted her and only one offered her a position as a legal secre-
ary.

Again and again, these women faced barriers. But it simply did not deter them. They forged ahead with a combination of smarts, dogged deter-
nation and relentless adaptability. They made the most of the opportuni-
ties that they had at any given time while steadfastly maintaining their will to move ahead.

Which brings us back to the ques-
tion posed by The New York Times in 2003 and the magazine’s surprising response having children, raising a family, pur-

suing alternative interests, giving back to. At least for significant periods of time, these women are willing to walk away from the professional “fast track” to tend to more important business—having children, raising a family, pur-
suing alternative interests, giving back to the community. In the process, today’s young women are changing not just the workplace but the way we look at work, life, family and commu-
nity.

What would Justice O’Connor and Justice Ginsburg have to say about all this? Having both raised children themselves, I’d have to think they’d be heartened. In fact, the traits that were blasted by the likes of Justice O’Connor, Justice Ginsburg and Judge Shapiro, women have more options today and they are wielding an enor-

mous influence on every aspect of our society no matter what route they chose to take. More companies offer

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FRONTLINE

Bar Reporter / November 2003 3
by Jeff Lyons

Former Pennsylvania Gov. Mark Schweiker and Lincoln Financial Group Chairman/CEO Jon A. Bozia will be the featured speakers at the Chancellor’s Symposium “The Impact of Government Policy on Business” on Thursday, Nov. 6 at The Downtown Club in the Public Ledger Building, 6th and Chestnut Streets, at 8:30 a.m.

Bozia will discuss “One Company’s Story – Why Lincoln Financial Chose Philadelphia” In addition to Schweiker, president and CEO of the Greater Philadelphia Chamber of Commerce, panelists will include Chancellor Audrey C. Taylor, distinguished business executives, attorneys and academics. They will participate in panel discussions and address many issues including: Does the present regulatory environment aid or impede business? Do changes in the regulatory environment present opportunities or barriers for business? How will your clients conduct business in this era of renewed emphasis on corporate ethics and new laws on corporate governance?

Explore the impact of government policy, and discuss innovative approaches with some of the area’s leading executives and business lawyers. The faculty will include a roundtable of chief executives and other senior management leaders to discuss the impact of business regulation on the region’s economy and will also feature two panels of experienced lawyers and prominent business leaders to present the most recent regulatory and legislative developments, including corporate governance changes, as well as offer practical approaches to regional and federal regulation. Corporate governance issues will be a part, but not the entire focus, of this seminar.

Topics will include the continuing impact of the Philadelphia wage tax, regional relationships of city and suburbs, evolving corporate governance laws, rules and policies; e-commerce and privacy, and the impact of regulation on capital-raising by business.

Course planners include Merritt A. Cole, Esq., Dilworth Paxson LLP, and chair of the Association’s Business Law Section; Lori Finkelstein, Esq., Dilworth Paxson LLP; Stephen M. Goodman, Esq., Morgan Lewis & Bockius LLP, David L. Hartbaugh, Esq., Morgan Lewis & Bockius LLP, Steven P. Hershey, Esq., Eckert Seamans Cherin & Mellott, LLC; John I. Kenney Jr., Esq., Morgan Lewis & Bockius LLP; Justin P. Klein, Esq., Ballard Spahr Andrews & Ingersoll LLP; Michael P. Malloy, Esq., Fox Rothschild LLP; Mary Beth Pratt, chief marketing officer, Pepper Hamilton LLP, Antonia Quaglariello, vice president, programs and events, Greater Philadelphia Chamber of Commerce; Mark A. Sargent, Esq., dean, Villanova University School of Law; and Alice P. L. Schwartz, Esq., Independent Blue Cross.

Faculty members include Philadelphia Bar Association Chancellor Audrey C. Taylor, Esq., of Drinker Biddle & Reath LLP; Albert S. Dandridge III, Esq., Schnader Harrison Segal & Lewis LLP; Jill R. Felix, president and CFO, University Science Center; Prof. Robert P. Irman, University of Pennsylvania Wharton School of Business Finance Department; Joseph H. Jaconetti, Esq., Dilworth Paxson LLP; Joseph M. Man- ko, Esq., Manko, Gold, Katcher & Fox, LLP; Lorina Marshall-Blake, Independent Blue Cross; Robert M. McCord, president and CEO, Eastern Technology Council, William Ralston-Miller, director of investment banking, Janney Montgomery Scott LLC, and Stephanie Franklin-Sabat, Esq., Ballard Spahr Andrews & Ingersoll LLP.

This first-ever Chancellor’s Symposium is cosponsored by the Philadelphia Bar Association, Pennsylvania Bar Institute, the Greater Philadelphia Chamber of Commerce and Villanova University School of Law.

Four substantive CLE credits will be offered. Visit www.pbi.org for registration information.

Business, Government Symposium Set for Nov. 6

Foundation Presents Shuster Fellowship

Philadelphia Bar Foundation President Gerald A. McHugh Jr. (from left) meets with Morris M. Shuster, Pennsylvania Supreme Court Justice Sandra Schultz Newman and Rodney Cunningham outside the ceremonial courtroom at the U.S. Courthouse on Oct. 14. Cunningham was presented with the Philadelphia Bar Foundation’s first Morris M. Shuster Fellowship.

Endowed via a $100,000 gift from Shuster, the fellowships are specifically intended to assist public interest lawyers who have completed five years or more of service but continue to finance large student loan obligations that threaten their ongoing service as public interest lawyers. Cunningham, who works for the AIDS Law Project, received a $5,000 award. Justice Newman was the guest speaker at the event.

Apotheker Award

Co-Founder of Group for Battered Women Defendants to Be Honored

by Daniel A. Girogetti

“I felt so alone after I was arrested. I sat in jail and just cried and cried... I was so glad when my lawyer contacted the National Clearinghouse. They helped him prepare my case and they also connected me with an advocate at the local battered women’s program. The Clearinghouse was a great help.”

Those are the words of an actual woman who was helped by a Philadelphia-based program founded in 1987 that provides critical assistance, resources and support to battered women who have killed or assaulted their accusers while attempting to protect themselves from life-threatening violence. The Philadelphia Bar Foundation will present its 2005 Louis D. Apotheker Award to Sue Osthoff, co-founder of the National Clearinghouse for the Defense of Battered Women, the first and only organization of its kind in the nation on Saturday, Nov. 8 at 6:30 p.m. at Loews Philadelphia Hotel.

The Apotheker Award honors a non-lawyer or group of non-lawyers who have made an outstanding contribution to the cause of justice. The award will be presented by Apotheker Award Committee Chair Paul A. Tutano at a ceremony preceding the Foundation’s gala Andrew Hamilton Ball.

Over the past decade, the National Clearinghouse for the Defense of Battered Women has grown into a major national resource, information and advocacy center. The Clearinghouse provides direct services to battered women defendants, members of their defense teams, expert witnesses and other advocates. Since its inception, the Clearinghouse has responded to more than 17,000 requests for information from all 50 states and has rendered direct technical assistance to defense teams in more than 1,400 cases. The Clearinghouse has also created a national network of more than 6,000 groups and individuals committed to justice for battered women defendants, assisted indigent organizations with efforts in 23 states, provided direct services to hundreds of battered women in prison and developed a resource bank of more than 600 expert witnesses.

“We wish there were no need for an organization like ours,” says Osthoff, now director of the Clearinghouse. “But the need for our services is greater than ever.”

The Apotheker Award comes with a check for $5,000 from the Bar Foundation.
Jay Zimmerman, Chairman, Bingham McCutchen LLP

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Philadelphia’s judges continue to do a tremendous job of handling overwhelming caseloads, Common Pleas Court President Judge Frederica A. Massiah-Jackson told the Association’s State Bench-Bar Conference on Oct. 23, urging the city’s attorneys to work with the courts.

“I urge the members of the Philadelphia Bar Association to continue to work with our courts on a variety of programs. We have no army to force you to join with us. Rather, I encourage you to work with us as an arbitrator at the Arbitration Center. I encourage you to get involved as court-appointed counsel either in the civil matters of Family Court or in criminal cases. Join the courts to work as a judge pro tem in our civil branch; assist in the Traffic Court program as court-appointed counsel for indigent traffic offenders,” she said.

“I believe that if we are able to maintain the very positive working relationships which we have nurtured in recent years, together we can overcome challenges in certain divisions and we can enhance our service to the public,” she said.

Conference attendees also heard from Administrative Judge James J. Fitzgerald III and Supervising Judges D. Webster Keogh and William J. Manfredi.

Judge Fitzgerald said 2002 was the second most productive year in history for the criminal side of the trial division. He attributed recent technological advancements for much of the success.

“In July, all criminal cases were made available online. Video conferencing from detention facilities has increased by 300 percent, improving judicial efficiency,” he said.

“In 1994, the civil side had a backlog of 28,000 cases. That caseload was made current in 1998,” he said.

Judge Fitzgerald also praised the city’s Commerce Court, saying it enjoys a wonderful reputation. He said more than 17,000 cases have been settled through the arbitration center.

Nowak joined The Reinvestment Fund in 1986. The Reinvestment Fund, Inc. builds wealth and opportunity for low-wealth communities and low- and moderate-income individuals through the promotion of socially and environmentally sustainable development.
I must admit that I had my mind made up before I visited the National Constitution Center. History museums usually bore me and this one had a little too much fanfare when it opened on the Fourth of July. I was pleasantly surprised when I visited, however, and am now a convert, highly recommending a trip to the new center at 5th and Arch streets to everyone — lawyers and non-lawyers, young and old, constitutional scholars and even those who napped during con law class. Sure it was interactive and educational but what hooked me is how inspirational it was — yes, goose bumps stuff.

You see, I did not expect to find the stories of real Americans like Woody Guthrie, Sojourner Truth, Booker T. Washington and Senator Daniel Inouye inside as well as some of the country’s low points like slavery, World Trade Center debris and Kenneth Starr. Nor did I expect to learn as much as I did, from how many soldiers were killed in the Civil War (620,000) to who visitors think was the best president ever (Abraham Lincoln was winning when I was there). The exhibits compel you to interact, whether it is taking in the headlines of the 1960s civil rights movement, listening to a fireside chat and seeing FDR’s leg braces, or writing a note on a Post-it in response to a constitutional question, such as “Should the Ten Commandments be posted in courthouses?”

The experience starts before you even get in the door, since you can see the words “We the People” adorning the outside of the Center from a block away. The Center, which cost $138 million, is just a stone’s throw from the new Liberty Bell Pavilion. Once inside the 160,000-square-foot center, visitors take in an incredible view of Independence Hall as well as the center’s unique designs, like being encircled by the actual text of the Constitution. But the Center is unlike other museums, where you just walk from exhibit to exhibit. Instead, viewers are immediately drawn into an experience and it is hard not to interact with more than 100 interactive and multimedia exhibits.

The multimedia presentation “Freedom Rising” is performed in a round 350-seat amphitheater. Signers’ Hall (right) features bronze statues of the signers and dissenters of the Constitution.

If you’re going
The National Constitution Center is located at 525 Arch St. and is open every day except Thanksgiving and Christmas. Admission is $6 for adults, $5 for senior citizens and children ages 4-12.
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MINIUSA.COM
CONSTITUTION
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Visitors exit the theater from the top and immediately are pulled though the Center by sound bites, headlines, photographs, interactive exhibits, sculpture and artifacts. Among my favorite exhibits was “Can you vote in 1765?” I couldn’t, since women were considered “too delicate to vote” in Pennsylvania at the time. I also liked the American “Jimmy was here” to expressions of national transportation system. There were provided (I was tempted but now wore one of the justice’s robes that I did not wear) but it was a field trip of junior high students and I thought they’d be sure to mock me. I did listen/watch each of the three cases: Katz v. U.S. (wiretaps); U.S. v. Nixon (presidential powers) and Texas v. Johnson (flag burning), including the news-like commentaries.

When I visited the NCC, I noticed I was not the only one participating. People were lined up to take the oath of office to become president; they were waiting outside the voting booths to vote for their favorite president, they were answering the questions on the naturalization test, reading letters from war-torn soldiers and e-mailing their elected officials. And then there were the Post-its. Throughout the Center, questions are posted with stacks of Post-its with answers ranging from “Jimmy was here” to expressions of First Amendment and other constitutional rights.

There is also a large, three-dimensional exhibit of the White House, Capitol and Supreme Court, illustrating the three branches of our government; as well as a Law Making Machine and exhibits about jury duty and our national transportation system. There was even a video, “Ask Ben Stein about the Constitution.” And then there is Signer’s Hall, a recreation of the Assembly Room with 42 life-size bronze figures, the 39 delegates who signed and the 3 dissenters.

PUBLIC INTEREST STUDENT RECEPTION

Chancellor Audrey C. Talley meets first-year law students (from left) Rita Bonner (Widener), Tanya Arin (Rutgers Camden) and Macavan Baird (Rutgers Camden) at an Oct. 8 reception for law students held by the Public Interest Section. Students met with representatives from public interest law agencies. More than 50 students attended the reception at the Bar Association.

FRONTLINE
continued from page 3

flex time. More workers are doing their work in nontraditional ways. More women and men are taking advantage of family leave time. For example, 46 percent of the employees taking parental leave at Ernst & Young last year were men.

So, the “women’s movement” is hardly all about women anymore: “Women started this conversation about life and work – a conversation that is slowly coming to include men,” Belkin says. “Sanity, balance and a new definition of success it seems, just might be contagious. And instead of women being forced to act like men, men are being freed to act like women.”

Which is to say that the ripples from a revolution begun by an impressive generation of women trailblazers continue to resonate as we enter a whole new environment. And one can’t help but feel that the future may be even brighter for all of us.

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AV Rated
Give Thanks and Get Involved Now

by Melissa A. Schwartz

What are you thankful for? As you sit around the Thanksgiving table eating turkey and all of the trimmings, this question inevitably is raised by one of the dinner guests. We all have a crazy relative that goes off on a monologue as to the things they appreciate. While you might roll your eyes at the rest of the family and excuse yourself to avoid hearing the rest of the speech, Thanksgiving is a great time to reflect on what is important to you.

I am thankful for having the opportunity to serve as chair of the Young Lawyers Division. I cannot think of a better way for a young lawyer to be introduced to the Philadelphia legal community. The Philadelphia Bar Association is truly a leader throughout the country in creating and implementing programs for its members and the community at large. This past year I had the privilege to serve as a member of the Judicial Commission. The Commission spends considerable time evaluating both the judicial candidates and judges seeking retention. After a thorough review of all of the candidates, the Commission publishes a list of the candidates recommended for office. It enables the voters to choose candidates who are qualified for the bench. Often times, voters enter the polls and have no idea who the judicial candidates are, let alone whether they are qualified to serve as a judge. They either vote without being educated or simply vote on party lines. The list permits all voters to make an educated decision before casting their vote.

There are so many doors that the Philadelphia Bar Association opens for its members. You have heard me preach over the last 11 months as to how important it is to become involved in the local community. As young lawyers, we represent the partners and leadership of tomorrow. In our busy practices, it is easy to say that you will become involved later on in your career when you have more time. I can assure you that if you wait until your calendar clears, you will never get involved. I now know from experience that being part of the Bar leadership enhances your professional career. I cannot offer a better piece of advice to new attorneys than to get involved immediately. If you make the time and commitment now, the Bar will follow you throughout your legal career. There will always be a place for you - whether it is part of the Young Lawyers Division, a section related to your practice area or volunteering your time to answer legal questions.

As young lawyers, we are always being pulled in so many directions. We are often times too busy to say thank you to the people who do so much for us. It is so easy to forget about all of the things your secretary, paralegal or office staff may do for you on a daily basis. If you have not already realized it, these are the people who will enable you to be a great practitioner. Let’s face it, if you are not surrounded by a great team, you will not be the best player.

Both professionally and personally, I have a wonderful team to thank. There is no doubt that I would not have been able to serve as chair if I did not receive tremendous support from the partners at Naulty, Scaricamazza & McDevitt, especially the head of my department, Michael Schiff. My assistant, Fran, has also kept me very organized and made sure that my calendar accommodated the myriad of meetings I needed to attend. This year’s Executive Committee, as well as the Bar staff, have been wonderful. The Executive Committee is very hard working and committed to improving the quality of life for young lawyers in Philadelphia. I have no doubt that we will continue to see these people become the future leaders of the Philadelphia Bar Association. Finally, I would like to thank my family – Scott, Rachel and my mom. Without their support, I certainly could not have juggled everything at once.

I wish you and your families a very happy and healthy Thanksgiving. Thank you for supporting the Young Lawyers Division and giving me the privilege to serve as chair.

Melissa A. Schwartz, chair of the Young Lawyers Division, is an associate with Naulty, Scaricamazza & McDevitt, especially the head of my department, Michael Schiff. My assistant, Fran, has also kept me very well-organized and made sure that my calendar accommodated the myriad of meetings I needed to attend. This year’s Executive Committee, as well as the Bar staff, have been wonderful. The Executive Committee is very hard working and committed to improving the quality of life for young lawyers in Philadelphia. I have no doubt that we will continue to see these people become the future leaders of the Philadelphia Bar Association. Finally, I would like to thank my family – Scott, Rachel and my mom. Without their support, I certainly could not have juggled everything at once.

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I wish you and your families a very happy and healthy Thanksgiving. Thank you for supporting the Young Lawyers Division and giving me the privilege to serve as chair.
Families Turn Out For YLD’s ZooBoolee

Children await the results of the costume judging. More than 200 people attended the Oct. 19 ZooBoolee at the Philadelphia Zoo. The event benefited the Philadelphia Bar Foundation.

Snow cones were among the treats available to ZooBoolee participants.

Jessica Sheridan tries to sit as still as possible as a face-painter works at the ZooBoolee.

Mary F. Platt and daughter Katie.

Andrew D. Swain with wife Julia and son David.

Jane Worth Steiner and son Butchie.

Chancellor Audrey C. Talley (center in left photo) and immediate-past YLD Chair Marla A. Joseph, watch children parade through the party tent. Faye and Madison Koehler (right photo) take a break after some time on the dance floor.

Rod E. Wittenberg and son Max.
October Quarterly Meeting and Luncheon

Talley Accepts Annual O’Connor Award

by Jeff Lyons

As co-chair of the Association’s Women in the Profession Committee, Chancellor Audrey C. Talley was instrumental in the creation of the Sandra Day O’Connor Award. And on the 10th anniversary of the presentation of the Award, it was Talley who received the honor.

“The purpose of the award was to recognize the important contributions that women attorneys in Philadelphia have made to the legal profession,” Roberta D. Pichini, co-chair of the Association’s Women in the Profession Committee, told a crowd of approximately 1,300 people at the Association’s Quarterly Meeting and Luncheon on Oct 23 at the Philadelphia Marriott. Pichini said the award was designed to recognize the qualities that Justice O’Connor has demonstrated throughout her life and her work.

“The Committee also thought it fitting, indeed imperative for this Association to recognize Audrey for her contributions in this special anniversary year when we can celebrate her achievements in the company of such illustrious leaders in our profession as Justices O’Connor and Ginsburg,” said the Committee’s other co-chair, Nicole D. Galli.

“I am just humbled and honored to be in the company of the prior recipients. I am grateful that the support of family, friends and colleagues for so many years has enabled me to devote the time to the Bar Association and other activities,” Talley said.

“On this day, we are dedicated to the ideals of our profession. Among them, justice, service, dedication and inclusion. As professionals, we can look throughout the world and see the human consequences where there is a lack of justice and wisdom in the legal system. But here, we decide not to choose between law and justice because as to our ideal, they are one in the same,” she said.

“Life is consumed with duty, it has been said. The great fortune of the opportunity we live with includes taking that opportunity to the lives of others. There is a saying - if my hands are fully occupied and holding onto something, I can neither give nor receive. So today, we celebrate the opening of our hands to our profession and our community to welcome all, to include all,” continued on page 14

Chancellor Audrey C. Talley accepts the 10th anniversary Sandra Day O’Connor Award from Women in the Profession Committee Co-Chairs Roberta D. Pichini (center) and Nicole D. Galli (right).

Kimberly Bartman (center) is presented with the Ruth Bader Ginsburg Legal Writing Award by award committee co-chairs Kathleen D. Wilkinson (left) and Diane Edelman.

Justices Ruth Bader Ginsburg and Sandra Day O’Connor pose with past winners of the Sandra Day O’Connor Award. Shown from left are Leslie Anne Miller, former Chancellor Deborah R. Willig, Lila G. Roemberg, Professor Marina Angel, U.S. District Court Judge Anita B. Brody, Justice Ginsburg, Justice O’Connor, Chancellor Audrey C. Talley and U.S. Court of Appeals Judge Dolores K. Sloviter. Not pictured are U.S. District Court Senior Judge Norma L. Shapiro, the first recipient of the O’Connor Award, and Ellen T. Greenlee. Deceased honorees include former Pennsylvania Supreme Court Justice Juanita Kidd Stout and former Common Pleas Court Judge Judith J. Jamison.
there are two of us and will stop call-
ing me Justice O'Connor,” Justice Gins-
burg said to laughter and applause.

“Yes, there is a way to go, especially
in making law firm life compatible
with family life. But what a distance we
have come since my law school gradu-
ation in 1959,” she said.

“In my growing-up years and Jus-
tice O'Connor’s, the men of the bench
and the bar had the unyielding convic-
tion women and lawyering don’t mix.
And the bar had the unyielding convic-
tion women and lawyering don’t mix.
Well, it ain’t necessarily so.”

Justice Ginsburg documented the
difficulties women had in being per-
mitted to enter law school and join the bar.

“They did law schools wait so long
before putting out a welcome mat for
women? Arguments range from the
antipathy that women would not put
their law degrees to the same full
use as men to the ‘potty problem,’ the
absence of adequate lavatories for
women. Times have indeed changed.
To mark my 1995 appointment to the
Supreme Court, my colleagues ordered
an addition to the justices’ robing
room with a women’s bathroom equal
in size to the men’s,” she said.

“Abigail Adams famously
admonished her husband John to
remember the ladies in the new
nation’s code of laws. Today, women
need not depend on men’s memories.
In our courts, conference rooms and
classrooms, in ever increasing num-
bers, women are speaking for them-
selves and doing their part to help cre-
ate a better world. Women will of
course be remembered for we are now
everywhere,” Justice Ginsburg said.

“The Philadelphia Bar Association
has been particularly kind to the
female division of the U.S. Supreme
Court,” Justice O’Connor said later. “I’m
truly delighted that you’ve established
an annual Justice Ruth Bader Ginsburg
Endowment Award. It is exceedingly
appropriate because Justice Ginsburg
writes with a very deft and careful
pen and adds her wisdom to the bar.
It is an honor for the bar to recognize
Judge Shapiro. “Her career here in
Philadelphia has spanned more than
five remarkable decades. She has
said that one of her favorite quotations
is from the ancient Roman official
Gaius, who poignantly noted that one
who helps the wandering traveler does,
as it were, light another’s lamp by their
own. And it gives no less light because
it helped another. And as the first
woman appointed to the U.S. District
Court of the Eastern District of
Pennsylvania, her light shined in dark
corners where women never before
had traveled. And she has lent her light
to countless others along the way.
And as Justice Ginsburg has chronicled
so beautifully today, this has been a time
when the whole world has been
reminded of the difference that a
woman’s voice, or a lamplight, if you
wish, can make,” she said.

Justice O’Connor also recognized
another lamplighter, Iranian human
rights lawyer Shirin Ebadi, recently
announced as the winner of the Nobel
Peace Prize.

“She was the first woman judge to
serve in Iran. In her response to the
news of her selection, Miss Ebadi said
the prize belonged to all those working
for peaceful change and that there was
no contradiction between Islam and
human rights,” Justice O’Connor said.

“I think all of us, as women, as law-
yers, as judges, can applaud this selec-
tion and can join Miss Ebadi in hoping
that the award to her will make re-
congument to women’s and children’s
rights in her country and elsewhere
more of a reality in the future,” she
said.

“In less than a century, we’ve gone
from a nation in which it was deemed
unseemly to grant women even the
right to vote to one in which women
outnumber men as eligible voters in
national elections. In half that time,
we’ve gone from a nation where
women like Ruth Bader Ginsburg,
Norma Shapiro and I graduated with
excellent law school grades, only to
receive job offers as librarians and sec-
cretaries. We’re learning that real
change, the sort that is reflected in
individually sponsored initiatives as much
as in national statistics, comes about
because people like Justice Ginsburg
and Judge Shapiro care enough to
share their flames with those whose
lamps are dim,” she said.

Justice O’Connor concluded her
remarks by noting “Justice Ginsburg
and I are working women. Both of us
have to get back to work today in
Washington, D.C.”
to guide and direct and to above all, be the zealous advocates for those we serve at what are often times their life-defining moments,” Talley said.

“I hope that the ideals that we celebrate here today find an enduring place in your hearts,” she said.

Past winners of the O’Connor Award include: U.S. District Court Senior Judge Norma L. Shapiro (1993); former Pennsylvania Supreme Court Justice Juanita Kidd Stout (1994); Deborah R. Willig, first woman Chancellor of the Philadelphia Bar Association (1995); Professor Marina Angel, Temple University Beasley School of Law faculty (1996); U.S. Court of Appeals Judge Dolores K. Sloviter (former chief judge) (1997); U.S. District Court Judge Anita B. Brody (1998); Leslie Anne Miller, first woman president of the Pennsylvania Bar Association (1999); Lila G. Roomberg, senior counsel to the law firm of Ballard Spahr Andrews & Ingersoll, LLP (2000); Judge Judith J. Jamison (posthumously), the first woman to serve as an Orphans’ Court judge in Pennsylvania (2001); and Ellen T. Greenlee, chief defender of the Defender Association of Philadelphia (2002).

Kimberly Bartman received the first Ruth Bader Ginsburg “Pursuit of Justice” Legal Writing Award at the event. Honoring excellence in legal writing and analysis, the award is presented to a local second- or third-year law school student who has submitted the best law review quality paper on any topic related to rights, privileges and responsibilities under federal law. She wrote about problems in the Americans with Disabilities Act.

Bartman, who graduated from Temple University Beasley School of Law cum laude and in the top 10 percent of her class, was executive editor of the political and civil rights law review at Temple. She began work in September in the general litigation department at Dechert LLP. The Jefferson City, Mo., native did her undergraduate work at Texas Christian University.
PVL A to Mark 25th Year With Gala Celebration

by Jeff Lyons

In its 25-year history, Philadelphia Volunteer Lawyers for the Arts (PVL A) has worked with more than 15,000 artists and arts organizations, offering pro bono legal services and business education.

Every year, more than 1,000 attorneys volunteer their time to help organizations like The Philadelphia Theatre Company, The Point Breeze Performing Arts Center and The Pennsylvania Ballet, as well as thousands of individual artists.

Volunteer attorneys work on projects such as negotiating performing contracts for actors, dancers and musicians; preparing bylaws for newly formed nonprofits; negotiating short- and long-term workspace leases and exhibition agreements; securing protection of artwork; and setting up new community-wide arts initiatives.

To mark its 25th anniversary, PVL A will choose to honor two outstanding individuals who are also individual supporters who are alsonumerous corporate sponsors and business education.

Comcast is the Gala’s lead sponsor. Other major sponsors include Coleman Legal, Janis and Stephen Goodman, Dorothy R.B. Manou, The Philadelphia Inquirer and Philadelphia Daily News, and Reed Smith.

Michael Coleman, PVL A’s founding president in 1978 and president of Coleman Legal, is serving as chairman of the gala. Pennsylvania Gov. Edward G. Rendell is the gala’s honorary chairman. U.S. District Court Judge Marjorie O. Rendell and former Pennsylvania Gov. Tom Ridge will introduce and present awards to Miller and Tufano, respectively.

Additional sponsors for the event include: Alta Communications, Inc.; Blank Rome LLP; Drinker Biddle & Reath LLP; Ballard Spahr Andrews & Ingersoll, LLP; Dechert; Eckert Seamans Cherin & Mellott, LLC; Saul Ewing LLP; Pepper Hamilton LLP; Peggy O’Donnell, LLP; Montgomery, McCracken, Walker & Rhodes, LLP; Buchanan Ingersoll, PC; Cozen O’Connor; Fox Rothschild LLP; Hangley Aronchick Segal & Pudlin; IBM Business Consultants; Morgan, Lewis & Bockius LLP; McCarter & English, LLP; LandAmerica; Commonwealth and Lawyers Title; First American Title Insurance Company; Fidelity National Title Insurance Company; Pennsylvania; and Commonwealth of Pennsylvania. And Paul A. Tufano, senior vice president and general counsel of Independence Blue Cross.

Volunteer lawyers work on projects such as negotiating performing contracts for actors, dancers and musicians; preparing bylaws for newly formed nonprofits; negotiating short- and long-term workspace leases and exhibition agreements; securing protection of artwork; and setting up new community-wide arts initiatives.

To mark its 25th anniversary, PVL A has chosen to honor two outstanding individuals who have demonstrated a true commitment to the arts community and the City of Philadelphia. The honorees are Leslie Anne Miller, general counsel of the Commonwealth of Pennsylvania, and Paul A. Tufano, senior vice president and general counsel of Independence Blue Cross.

In 1978, Miller, then President of the Commonwealth, recognized the need for legal assistance for the arts community. She established the Volunteer Lawyers for the Arts (PV LA) as a pro bono legal assistance program for the arts community.

PVL A’s volunteer attorneys have worked on over 15,000 cases, providing legal services to over 150 arts organizations. In addition, PVL A has provided legal advice to over 25,000 artists on issues such as copyright, contracts, and employment.

PVL A’s work has been recognized by the American Bar Association, which presented PVL A with the Pro Bono Publico Award in 1988. In 1993, PVL A was awarded the “Spirit of Philadelphia Award” by the City of Philadelphia.

PVL A’s contributions to the arts community have been recognized by numerous awards, including the “Woman of the Year” award by the Pennsylvania Governor’s Commission on the Arts in 1988, the “Outstanding Volunteer” award from the Philadelphia Bar Foundation in 1990, and the “Spirit of Philadelphia Award” by the City of Philadelphia in 1993.

PVL A’s commitment to providing legal assistance to the arts community has been recognized by numerous awards, including the “Woman of the Year” award by the Pennsylvania Governor’s Commission on the Arts in 1988, the “Outstanding Volunteer” award from the Philadelphia Bar Foundation in 1990, and the “Spirit of Philadelphia Award” by the City of Philadelphia in 1993.

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PVL A’s work has been recognized by the American Bar Association, which presented PVL A with the Pro Bono Publico Award in 1988. In 1993, PVL A was awarded the “Spirit of Philadelphia Award” by the City of Philadelphia.
The obvious goal of a job interview is to give yourself the best chance for receiving an offer. There are a number of interview issues, however, that adversely affect a candidate’s chance for receiving an offer; not related to job-related experience, that clients advise us they are seeing with greater frequency.

Candiates can’t think of their interview performance in a vacuum and must always remember that they are competing against other candidates, and, therefore, it is critical to stand out from the crowd.

One of the biggest concerns raised by employers is the fact that many candidates seem to be interviewing and critiquing them, rather than the other way around. It cannot be over emphasized how damaging this behavior can be to a candidate’s chances of getting an offer. There is a fine line between asking appropriate questions about the position, type of work, etc. and leaving the impression that you are cross examining the employer to determine if this is the right job for you.

Always try to keep in mind the dynamics of the situation: the employer has a problem they are trying to address — an open position. What is going to appeal most to that employer is the candidate who presents himself or herself as the solution to their problem, ready to do whatever is required to make a positive contribution to the firm or organization.

You must leave the employer with the impression that your top priority is to make a positive and productive contribution to their firm or organization — recognizing that good things will flow from that contribution. If you leave the employer with the impression that you are not even sure if you want an offer, or that your top priority is getting the best deal for yourself, you will not compare favorably to the candidate who made it clear that his or her primary goal is to get on the team and make the team better.

When we give this advice to candidates before an interview, the response we often get is that they have a lot of questions and issues they want addressed and feel the interview is the best place to get that information. That may or may not be true, but the candidate must understand that they must be tactful in their tone and be wary crossing the line and becoming the interviewer rather than the interviewee. Our suggestion is do your best to get the information you need to make a decision from other sources, such as friends in the firm, recruiters, etc. If you cannot get all the information you feel you need from outside sources, we suggest waiting until much later in the interview process, possibly even after the offer is made.

As a part of clarification, we are not suggesting that questions not be asked in the initial interview. What we are suggesting is that they are carefully planned questions about the position that will give you a platform to expand on and why you would be a great addition to the team rather than questions that suggest you are seeking to evaluate the employer.

As a final point on this issue, we have seen on numerous occasions the scenario where the candidate interviewed the employer, rather than having the employer interview them, and the information they gained sincerely excited them about the opportunity, but their chance for an offer was blown in the process because the employer didn’t perceive them to be a team player.

A few other issues that arise would seem to be attributable with common sense interviewing etiquette, but we hear about them often enough to address them:

• Don’t show up too early for the interview. We don’t hear many clients complaining that candidates are showing up late for interviews, but we do hear complaints about candidates showing up too early (e.g. 30 minutes to an hour early) for an interview. Showing up too early puts the interviewer in the position of dropping what they are doing to take the interview early or be put in the role of making the candidate wait. Although most candidates explain that they do not expect the employer to conduct the interview early, they do not recognize that showing up too early puts the employer in an awkward position and is often interpreted as a candidate’s lack of respect for the employer’s schedule. Showing up unusually early definitely increases the risk that the employer is starting the interview with a negative impression of the candidate. As a general rule, if you are more than 10 minutes early for an interview, take a walk around the block or spend a few moments in the car listening to the radio.

• Get as much information about the firm or practice group as possible. In this day of firm Web sites, martindale.com and Google searches, information about the firm, organization, industry, practice group and notable matters has become more accessible than ever. Employers tell us, however, that it is apparent that many candidates do nothing more than a cursory review of the firm Web site a few minutes before the interview. The candidate who shows the employer that he or she has done some in-depth homework on the firm makes a much stronger impression than the candidates who have not. Also, when you can discuss your knowledge of the firm and impress upon the employer that you really want to be a member of the team based on your specific understanding of the work, you are obviously putting yourself ahead of candidates who have not done their homework. This approach is so much more effective and genuine than the scenario where the candidate says, “I know your firm has 100 lawyers and does complex litigation and that is what I want to do.”

• Don’t ask for an unreasonable compensation package. In this day and age, it is likely you can get some solid information regarding the compensation structure of any given firm or organization. If you are working through a recruiter, they should be able to provide you with that information. Again, although it seems like common sense, clients continually tell us that candidates request a compensation package outside of their structure or not in line with their experience level. If you know the compensation range of an employer, and you request to be paid outside of those parameters, you have almost certainly foreclosed your opportunity to receive an offer.

• Follow up. We often see very qualified candidates, with a strong interest in a position, take an inadequate amount of time to provide the employer with information sought in an interview, such as writing samples, references, transcripts, etc. Obviously, any delay in response does not reflect well on your ability to follow through and your level of interest in the job. Additionally, it is always a good idea to send a thank-you letter or thank-you e-mail as soon as possible. While sending a thank-you note may not be the determining factor in getting an offer, it can be a strike against you if competing candidates send a thank-you note and you do not.

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Career Corner

Make Yourself Stand Out in Job Interview

by James LaRosa and Gary Mintz

Always try to keep in mind the dynamics of the situation: the employer has a problem they are trying to address — an open position. What is going to appeal most to that employer is the candidate who presents himself or herself as the solution to their problem, ready to do whatever is required to make a positive contribution to the firm or organization.
Palawlibrary.com – the most comprehensive and thorough online legal research service dedicated to Pennsylvania law – is now available to Philadelphia Bar Association members at special discounted rates.

The new service is now accessible via the Association’s Web site at www.philadelphiabar.org, where full details are available. The agreement represents a significant partnership between the legal research service and Pennsylvania’s largest county bar association. It also fulfills a commitment made by Chancellor Audrey C. Talley to provide state-of-the-art, easy-access legal research to Association members at special affordable rates.

Palawlibrary.com has more Pennsylvania county court opinions than any other online legal research tool. Additionally, it searches Pennsylvania court opinions, legal newspapers (The Legal Intelligencer and Pennsylvania Law Weekly), jury verdicts and settlements, trial listings and suit filing information. The site also features daily court notices, Pennsylvania Deci Reports, and Pennsylvania state and local court rules. Palawlibrary.com is designed exactly for the legal professional working in the state of Pennsylvania and local counties.

Philadelphia Bar Association members can now save nearly 50 percent off palawlibrary.com monthly and annual rates. As an added bonus, Association members receive exclusive discounts on Jenkins services, including CLE (does not apply to Jenkins membership) and on annual subscriptions to The Legal Intelligencer, Pennsylvania Law Weekly, and Law Journal newsletters. A 30-day free trial of the service is also available to members. For more information about this new service, visit www.philadelphia.org and click on the button that says “50 percent off” or visit www.palawlibrary.com.

**NOVEMBER CLE COURSES**

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<td>Trial of a Sexual Harassment Case • Franklin Institute Science Museum</td>
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<td>10th Annual Estate Law Institute • Pennsylvania Convention Center</td>
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<td>Philadelphia Bar Association, 1101 Market St., 11th floor, Philadelphia, Pa. 19107-2911</td>
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Call PBI Customer Service at 1-800-247-4724 to register for a course or for more information. Register on the Internet at www.pbi.org. PBI and the PBEC are Pennsylvania accredited CLE providers.
Exercise Shows Plight of Battered Women

by Judy F. Berkman

There have been 82,000 domestic disturbance calls to police in less than nine months in Philadelphia in 2003 and an increase in the number of domestic violence homicides during the same time period compared to last year’s statistics. In recognition of Domestic Violence Awareness Month, Lynda M. Henry and I, co-chairs of the Women’s Rights Committee of the Philadelphia Bar Association, presented a program on the intersection of domestic violence incidents, fair housing requirements, and “One Strike and You’re Out” policies.

Jackie Stutts, of the Pennsylvania Coalition Against Domestic Violence, led the program attendees through an interactive exercise “where the participants played the role of a battered victim who has to decide whether she (as most battered victims are women) is safer to stay at home, or flee.” The exercise was created in 2000 by the Wisconsin Coalition Against Domestic Violence, which has granted permission to PCADV to revise and use the game for training purposes. If she decides to leave home, where can she go, with two young children (one with asthma) and a pet? The participants were given varied amounts of money and “goodwill” chairs, since life is not fair. As Jackie developed the scenario, the batterer escalated the level of violence and threats at home, and the victim is given opportunities to leave home to live with a relative or friend, pay for a hotel room, rent an apartment, or go to a shelter. Faced with the reality of dwindling money and goodwill, a pursuing batterer, and mind-boggling decisions to make, the participants learned they had few viable choices.

I presented the legal analysis, with defense strategies available to tenants advocates whose battered clients and their entire households are being extorted due to violent acts by the batterer, and suggestions for landlords to exercise permitted discretion in evictions and to adopt fair and flexible tenant admission screening policies. Included was discussion of recent amendments to federal laws and regulations, two recent U.S. Supreme Court cases, one on the “One Strike and You’re Out” law, and the other on trespassing policies, as well as a recent U.S. Justice Department fair housing violation charge of sex discrimination against a landlord and management personnel in an Oregon case.

“Unsettling.” “An eerie feeling.” “Judges need to experience this.” “A web of fear…” These were some of the reactions from the participants, which included a Municipal Court judge; representatives from law schools, legal services and public interest organizations who represent tenants and battered victims; staff from Project H.O.M.E. and the People’s Emergency Center which provide housing with supportive services for domestic violence victims and their families; and a few good men.

For more information about the Women’s Rights Committee or this program, contact Judy Berkman at (215) 572-7560 or at Berkman@rhls.org or Lynda Henry at (215) 685-7065 or at lynda.henry@courts.phila.gov.

For information on representing victims of domestic violence and understanding why abuse victims stay, visit the ARAs Commission on Domestic Violence Web site at www.abanet.org/domvrd. And for local help, the resources available through the Women Against Abuse Legal Center are at www.dvresources.org.

continued on page 19

Commentary

Sexual Harassment CLE a Worthwhile Investment

by Merith C. Erhan

Yells of “excellent, excellent” followed by applause are not enough to describe how successful and unique the CLE course “Trial of a Sexual Harassment Case” was. I would like to share my experience with everyone since sometimes we attend a course not because we are interested in the subject but because we have to fulfill the requirements. This was just the opposite of some of the courses I have attended where you can see the boredom and disinterest in the manner of the attendees.

I chose this course specifically because it was outside my area of concentration and I wanted to learn something new. It was also because the frequent changes in practice and procedures in my field of immigration law mandate attorneys to be current on their own without the need to be brought up to date by taking CLE courses.

This specific course, which offered a rare opportunity to observe a mock jury trial, had a very distinguished panel including U.S. Magistrate Judge Jacob P. Hart, five outstanding trial attorneys and three attorneys as witnesses. There was also a jury of eight lay people. It was staged like a real trial in accordance with the federal rules of evidence. The audience was introduced to selected segments of a hypothetical case. There were very well prepared defendants’ and plaintiffs’ brief opening statements, direct and cross examinations and closing arguments. During the trial, the jury was present except when specifics of the case were analyzed and reviewed with the audience to give critical practice pointers.

We learned that sexual harassment cases are the most difficult to try. We learned the three basic reasons for cross-examination: help your case, hurt the witness or at the very least, neutralize the witness. We learned the importance of instructing the jury about the definition of sexual harassment for sexual and nonsexual conduct and of hostile work environment. The importance of the employer’s negligence, victim’s failure to utilize something new. It was also because the frequent changes in practice and procedures in my field of immigration law mandate attorneys to be current on their own without the need to be brought up to date by taking CLE courses.

This specific course, which offered a rare opportunity to observe a mock jury trial, had a very distinguished panel including U.S. Magistrate Judge Jacob P. Hart, five outstanding trial attorneys and three attorneys as witnesses. There was also a jury of eight lay people. It was staged like a real trial in accordance with the federal rules of evidence. The audience was introduced to selected segments of a hypothetical case. There were very well prepared defendants’ and plaintiffs’ brief opening statements, direct and cross examinations and closing arguments. During the trial, the jury was present except when specifics of the case were analyzed and reviewed with the audience to give critical practice pointers.

We learned that sexual harassment cases are the most difficult to try. We learned the three basic reasons for cross-examination: help your case, hurt the witness or at the very least, neutralize the witness. We learned the importance of instructing the jury about the definition of sexual harassment for sexual and nonsexual conduct and of hostile work environment. The importance of the employer’s negligence, victim’s failure to utilize an effective means of leave, or go to a shelter. Faced with the reality of dwindling money and goodwill, a pursuing batterer, and mind-boggling decisions to make, the participants learned they had few viable choices.

I presented the legal analysis, with defense strategies available to tenant advocates whose battered clients and their entire households are being extorted due to violent acts by the batterer, and suggestions for landlords to exercise permitted discretion in evictions and to adopt fair and flexible tenant admission screening policies. Included was discussion of recent amendments to federal laws and regulations, two recent U.S. Supreme Court cases, one on the “One Strike and You’re Out” law, and the other on trespassing policies, as well as a recent U.S. Justice Department fair housing violation charge of sex discrimination against a landlord and management personnel in an Oregon case.

“Unsettling.” “An eerie feeling.” “Judges need to experience this.” “A web of fear…” These were some of the reactions from the participants, which included a Municipal Court judge; representatives from law schools, legal services and public interest organizations who represent tenants and battered victims; staff from Project H.O.M.E. and the People’s Emergency Center which provide housing with supportive services for domestic violence victims and their families; and a few good men.

For more information about the Women’s Rights Committee or this program, contact Judy Berkman at (215) 572-7560 or at Berkman@rhls.org or Lynda Henry at (215) 685-7065 or at lynda.henry@courts.phila.gov.

For information on representing victims of domestic violence and understanding why abuse victims stay, visit the ARAs Commission on Domestic Violence Web site at www.abanet.org/domvrd. And for local help, the resources available through the Women Against Abuse Legal Center are at www.dvresources.org.

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PHILADELPHIA

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ment policy were shown in both the plaintiff’s and the defendant’s arguments.

What I found more interesting, however, was the discussions and deliberations of the jury through a closed-circuit monitor. There was an informal exchange between members of the jury and the panel after the deliberations.

"Trial of a Sexual Harassment Case" won the International Association for Continuing Legal Education’s Outstanding Achievement Award in 1999. It was a well-deserved award for this excellent CLE course that should not be missed.

"Trial of a Sexual Harassment Case" will be presented via satellite on Nov. 5 at the Franklin Institute. For registration information visit www.pbi.org or call (800) 932-4637.

Merih O. Erhan, a sole practitioner, is an advisory editor of the Philadelphia Bar Reporter.

COMMENTARY

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Workers’ Comp Section Takes Regional View

Members of the Workers’ Compensation Section gather for a discussion on practice and procedure in the four-county area on Oct. 15. Shown from left are Section Co-Chair Daniel V. DiLoretto, Judge Martin B. Burman, Section Co-Chair Judge Pamela Santoro, Judge A. Michael Snyder, Judge Donald Pooman, Judge Scott M. Olin and Section Co-Chair Christian M. Petrucci. The panel discussed workers’ compensation practice and procedure in the four-county area. Each judge participated in a series of questions and answers, designed to facilitate the understanding of the procedural differences among the counties. The lively exchange highlighted the nuances of the various local venues and provided valuable insight on case management.

Television Review

No New Legal Ground From Fall Shows

by Stacey Zavalas Jumper

With the onset of fall comes myriad new television programs trying to carve their niche as the next popular comedy or drama, all hoping to hook the viewing population to attain the lengthy runs of such shows as "Seinfeld" and "Friends." Of course, every season there also seems to be an onslaught of legal dramas. It seems the public loves to watch shows about lawyers and their not-so-typical clients. This fall, two new legal shows, "Miss Match" and "The Lyon’s Den," have been placed in the fall lineup. Also noteworthy is "The Practice," which, upon entering its eighth season, has had a facelift, getting rid of all but four of its cast members.

"Miss Match" is an hourlong come-
dly (Fridays at 9 p.m. on NBC) based on the career of Samantha Daniels, a Villanova native who graduated from Penn and Temple Law School. Her father, Robert C. Daniels, is a former Chancellor of the Philadelphia Bar Association. Alicia Silverstone stars as Kate Fox, a young divorce attorney practicing at her father's law firm in Southern California. The series begins when Kate is credited in a local paper as the matchmaker behind a friend’s recent nuptials. People begin calling Kate at her law office, requesting that she find their soulmate as well. So begins Kate’s career as divorce attorney by day, matchmaker by night. There is little, if any, legal realism in this show, and judging from the producer, Darren Star ("Sex and the City" and "Melrose Place"), this show is aiming to capture the young female population more interested in dating than legal drama. Silverstone seems to be playing a more mature version of her "Clueless" character, Cher, with the same Southern California environment, same girly desire to help those less fortunate, only now she has a law degree and she is working with her dad instead of spending his money.

"The Lyon’s Den" (Sundays at 10 p.m. on NBC) opened with the managing partner of the fictitious firm of Lyon, LaCrosse, and Levine plummeting from his plush office at the firm headquarters in Washington, D.C. This starts the firm in upheaval and Jack Turner, played by Rob Lowe, is called to the firm’s main office from his pro bono clinic and asked to act as the managing partner at the firm, presumably because he comes from a prestigious political family wherein his father is a senator. Jack, against his better judgment, accepts this position in order to keep his pro bono clinic open. This show seems to take its cue from John Grisham novels, where Jack Tur-ner is a character seeking purity and good in the law, while many other of the members in the firm are busy covering up scandals, or trying to push each other down to get ahead. Instead of focusing on the legal cases the attorneys are trying, this show focuses mainly on the interrelationships of the law firm, which largely appear to be corrupt. A direct competitor of "The Lyon’s continues on page 21
Tre Scalini Expands in South Philadelphia

Ristorante Tre Scalini 1555 S. 11th St. (215) 571-3870
by Skinny D. Bockol

I've avoided writing again about this shibboleth-jewel of a ristorante in the right aorta of South Philadelphia. My last doxology, expressed with full garlic-breathed enthusiasm, occurred more than five years ago. Since then, the owners have added a second floor to what had then been only a first floor eight-tabled Italian smashmouth oasis.

Presently, there are three or four well-manicured waitpersons even on a weekday night, because this place is now always packed. They are dressed in short-sleeved "civilian clothes," the type of attire that would bring smirks and fatuous giggles from belly-button-studded Old City servers. The waiters and waitresses here purposefully remove and replace pink tablecloths by Skinny D. Bockol

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The wood paneled downstairs (original) den-like dining area is small, but made uncrowded by the magical use of smoke and multitudinous mirrors. Go upstairs only if you're with a party of eight or more.

Once seated, be patient. The wine you've brought from home will shortly be uncorked, and complimentary grilled focaccio, oiled and topped with miniscule tomato spikes shall be served. Close your eyes as you place the thin round crisp of bread between your unscurried lips. Melodious notes of "Jesu, joy of Man's Desire" resound between your ears as if communion were self-serving. Swallow reverently as heavenly fragrances of balsamically blasted basil cause eyelashe to flutter and nostrils to flare.

Please don't forget to order a side of risotto with wild mushrooms (although the menu may offer it only with seafood!). A few years ago, I spent an afternoon at Harry's Bar in Venice tasting its varieties of risotto. None comes close to the perfection of Tre Scalini's riso. Risotto is a labor of love where the rice, broth, onion, garlic and cheese must be melted, mixed, stirred, added and restirred and readjusted every few minutes. The results depend upon the quality of ingredients and the fortitude and fortune of the chef. Tre Scalini's riso is legendary. Homemade (and served with fork and spoon), they add inner warmth and heartiness to huge platters, shared with crabmeat, shrimp, baby clams, portobello mushroom slices, roasted peppers; or as ravioli filled with assorted combinations of lobster, squash and/or capresi. Specials may include cozze (muscles) served in a bountiful bowl loaded with black shells and redolent of sea air. The broth at the bottom is clear and vibrant, as if the mollusks had been stewing over their plight. Another may be penne all'inferno. The long round noodles are served at "dante" in a gravy made lava-like by infinitesimal chips of hottest green cherry peppers. One warning, though, from inside your body, once devoured, this concoction singses the hair anywhere it may be found while you sleep.

If the manager, also Francesca DiRenzo, the chef's gorgeously dimple-cheeked daughter, should mention "veal chop" grab her, offer to marry her and instantly divorce her under 5001(c), stipulating a 99 percent–1 percent equitable distribution split in her favor, so long as you keep the chop. I need not mention that the prices here are set by "neighborhood" standards. So you can go for less than broke.

Attorneys often hunger for simple elegance; exquisite renditions of cherished recipes and a restaurant made famous by its noirest homines. Tre Scalini has changed its height, but not its demeanour and grit. The three steps up to its portal are led by your stomach.

NON MHI! NON TBI! SED NOBIS

Committee Honors Court Employee

Jeffrey L. Dashevsky (left) and Patrick C. Lamb, co-chairs of the Compulsory Arbitration Committee, present Margaret "Peggy" O'Connell with a commemorative timepiece at a surprise retirement luncheon in honor of her 36 years of dedicated service to the First Judicial District of Pennsylvania, the last 21 years of which were spent at the Arbitration Center. The luncheon was held Sept. 30 at the Arbitration Center.
Legislative Liaison Committee – meeting, 12:30 p.m., 11th floor Conference Center. Lunch: $7.50.

Friday, Nov. 14
Election Procedures Committee – meeting, 8:30 a.m., 10th floor Board Room.

Monday, Nov. 17
Business Law Section Executive Committee – meeting, noon, 10th floor Board Room.
Young Lawyers Division Law, Life and Lunch – noon, 11th floor Conference Center.

Tuesday, Nov. 18
Board of Governors Cabinet – meeting, noon, 10th floor Board Room.
Social Security and Disability Benefits Committee – meeting, noon, 11th floor Conference Center. Lunch: $7.50.

Wednesday, Nov. 19
Workers’ Compensation Section Executive Committee – meeting, 10:30 a.m., 11th floor Conference Room.
Workers’ Compensation Section – meeting, noon, 11th floor Conference Center. Lunch: $7.50.

Federal Courts Committee – meeting, 12:30 p.m., 10th floor Board Room. Lunch: $7.50.

Women’s Rights Committee – meeting, 4 p.m., 10th floor Board Room.

LegalLine – 5 p.m., 11th floor LRIS Offices.

Thursday, Nov. 20
Family Law Section Executive Committee – meeting, noon, 11th floor Conference Room.
Women in the Profession Committee – meeting, noon, 11th floor Conference Center. Lunch: $7.50.

Solo and Small Firm Committee – meeting, noon, 10th floor Board Room. Lunch: $7.50.

Friday, Nov. 21
The Philadelphia Lawyer magazine Editorial Board – meeting, 12:30 p.m., 10th floor Board Room.

Tuesday, Nov. 25

Criminal Justice Section – meeting, noon, 11th floor Conference Center. Lunch: $7.50.

Compulsory Arbitration Committee – meeting, noon, 10th floor Board Room.

Labor and Employment Law Committee – meeting, noon, 11th floor Conference Center. Lunch: $7.50.

Board of Governors – meeting, 4 p.m., 10th floor Board Room.

Wednesday, Nov. 26
Lawyer Referral and Information Service Committee – meeting, noon, 11th floor Conference Room.

Thursday, Nov. 27
Thanksgiving – Bar Association offices closed.

Friday, Nov. 28
Thanksgiving Friday – Bar Association offices closed.
Leslie Anne Miller, Board of Directors, Philadelphia Chamber of Commerce, has been appointed to a one-year term at Stradley Ronon Stevens & Young LLP, Law Section of the Pennsylvania Bar Association's Family Firm of Howard M. Goldsmith, P.C., has been appointed to Gov. Edward G. Rendell, received the 2003 Phillies Latino Family Night Award for Service of Greater Philadelphia. Concannon, principal of NorthWest, principal of the Board of Directors of The Explorers Club in New York City. James R. Kahn, a partner with Marpols Edelestein, has been named chairman of the Board of the Philadelphia Bar Association Foundation. David G. Concannon, principal of the Philadelphia Bar Association, 1101 Market St., 11th floor, Philadelphia, Pennsylvania. Information may be sent to Jeffrey Lyons, Managing Editor, Philadelphia Bar Reporter, Philadelphia Bar Association, 1101 Market St., 11th floor, Philadelphia, Pa. 19107-2911. Fax: (215) 238-1267. Photos are also welcome.
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