October Quarterly Meeting

Chancellor Gabriel L.J. Besilaqua (right) meets with William J. Brennan Jr. Distinguished Jurist Award recipient Judge James R. Melinson and Sandra Day O’Connor Award recipient Judge Marjorie O. Rendell prior to the Oct. 21 Quarterly Meeting and Luncheon at the Park Hyatt Philadelphia at the Bellevue. More than 500 people turned out to see the two judges honored as well as hear remarks from University of Pennsylvania President Dr. Amy Gutmann. Story, more photos page 10.

Citizens Pro Bono Award

McCausland, Schnader to Receive Honor

By Jeff Lyons

Margaret A. McCausland, a partner at Blank Rome LLP, and the law firm of Schnader Harrison Segal & Lewis LLP, have been selected as recipients of the Citizens Pro Bono Award for 2004. The awards will be presented at the Philadelphia Bar Foundation’s Andrew Hamilton Ball on Saturday, Nov. 13.

“Each of this year’s award recipients were standouts in terms of length and breadth of their pro bono commitment and experience. They also demonstrated significant dedication to the development and delivery of pro bono legal services in the Philadelphia area,” said Audrey C. Talley, chair of the Citizens Pro Bono Award Committee. There was no winner in the small firm category this year.

“Peggy McCausland has a long history of significant pro bono activity. She has been an active volunteer with the Support Center for Child Advocates for more than 17 years. The Schnader firm provides a variety of pro bono services including representation in cases involving the death penalty, prisoners’ civil rights, constitutional rights and advocating for families and children. The Award Committee was impressed and deeply moved by the level of commitment to pro bono service shown by the nominees overall,” Talley said.

“Through her relentless advocacy, Peggy has been able to persuade some parents to obtain needed help so their children could be reunited with them, continued on page 6

Nominating Committee Selects 8

The Association’s Nominating Committee on Oct. 12 nominated the following candidates for Bar Association offices: Vice Chancellor, Jane L. Dalton; Secretary, John E. Savoth; Assistant Secretary, Kathleen D. Wilkinson; 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: Jeffrey B. McCarron, Matthew Perks and Joseph A. Prim.

Notice is hereby given that the Philadelphia Bar Association is accepting additional nominations for candidates for Bar offices to be elected by the membership at the Association’s Annual Meeting and Election on Tuesday, Dec. 7. The deadline for filing these additional nominations is Friday, Nov. 5 at 5 p.m. Nominations must be in writing and may take the form of a letter to the

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Your employees are out there making shipments. How do you manage it all from here?
It’s Time to Unite After Contentious Election

by Gabriel L. I. Bevilacqua

Will Rogers said it: "Politics is the best show in America."

As you read this the curtain has in all likelihood come down on the biggest political show in town: the battle for the presidency. Hopefully the final act has been played and the story has concluded definitively. Now, it’s time to regroup, reunite and reflect.

I suppose the first thing we have to remember is that even though politics may seem like a show, it’s a show with very real consequences. What happens in a political campaign like the one we’ve just experienced really does have tremendous consequences for the nation. It does matter how things turn out. And even though some of our finest politicians have also been superb actors (both literarily and figuratively) the principals in this unfolding drama are real people. So, they work hard and they battle and they anguish over the competition just as you and I would. It’s simply all a bit magnified at the presidential level. I suppose Adlai Stevenson summed it up best when he lost to Dwight Eisenhower and commented, “I’m too old to cry and it hurts too much to laugh.”

This was a long, protracted campaign. It was tough. It was punishing. And that’s bound to leave some wounds and perhaps even some scars. But just as lawyers battle mightily in a courtroom and then reunite around our commitment to the rule of law and the legal process, Americans can disagree and then unite again under our Constitution and our system of laws of justice. America has survived tougher election battles in more turbulent times. In 1860 not all states’ elections occurred on the same day. Pennsylvania and Indiana, for example, voted in October.

Republican governors and legislators were elected in both those states and that encouraged the GOP candidate, Abraham Lincoln. But the nation was deeply divided with Lincoln and three other presidential candidates contesting for the top spot: Stephen A. Douglas (the Democrat), John C. Breckinridge (representing southern Democrat “bolters”) and the Whig-Know-Nothing candidate John Bell. One of his biographers explains that for many people Lincoln aroused “such a fever of revulsion” that the reaction to him bordered on “hysteria.” Lincoln found himself caught between the founders of abolitionism who deemed his gradual approach immoral and cowardly and Southern slave owners who viewed him as the devil incarnate. Still, Lincoln prevailed over a splintered opposition. As the returns began to show that he had won Lincoln felt the mighty weight of the office on his shoulders. He told journalists the morning after the election: “Well boys, your troubles are over now, mine have just begun.”

By the end of the year the first Southern state (South Carolina) had seceded. By the beginning of February the Confederacy was formed. Even before he was inaugurated Lincoln faced the greatest constitutional crisis in American history. And many held him personally responsible for the dissolution of the union. On Inauguration Day, March 4 for the first time in American history, troops had to be stationed around the Capitol with specific instructions to protect the incoming President’s life.

More than once in the years that followed, Lincoln placed his faith in the continued on page 8

Four Named to Bar Reporter Editorial Board

by Jeff Lyons

Four Association members have been approved by the Board of Governors as new members of the Philadelphia Bar Reporter Editorial Board. Lawrence S. Felzer, Heather J. Holloway, Stacey Z. Jumper and Asima Panigrahi will serve as associate editors. They were approved by the Board of Governors on Sept. 30.

“Our new Editorial Board members are wonderful additions and I look forward to their additional contributions to the paper,” said Molly Peckman, editor-in-chief of the Bar Reporter.

Felzer is a 1984 graduate of Temple University and 1994 graduate of the Temple University Beasley School of Law. He is development coordinator at the SeniorLAW Center and serves as chair of GALLOP (Gay and Lesbian Lawyers of Philadelphia).

Holloway is an associate at Rawle & Henderson LLP. She is a 1993 graduate of the University of Pennsylvania and a 1999 graduate of Temple University Law School. She is a member of the Association’s Young Lawyers Division Executive Committee. She was admitted to practice in Pennsylvania, New Jersey and Maryland, as well as the U.S. District Courts for the Eastern District of Pennsylvania, the Southern District of New York and the Eastern District of New York.

Jumper is a 1998 graduate of Drew University and received a doctor of jurisprudence, cum laude, from Suffolk University in 1991. She is admitted to practice in the U.S. District Court for the District of New Jersey.

Panigrahi is a 1998 graduate of the University of Pennsylvania and 2003 graduate of Villanova University Law School. She currently serves as clerk to Philadelphia Court of Common Pleas Judge Denis P. Cohen.

Tell Us What You Think!

The Philadelphia Bar Reporter welcomes letters to the editors for publication. Letters should be typed. There is no word limit, but editors reserve the right to condense for clarity, style and space considerations. Letters must be signed to verify authorship, but names will be withheld upon request. Letters may be mailed, faxed or e-mailed to: Jeff Lyons, Managing Editor, Philadelphia Bar Reporter, Philadelphia Bar Association, 1101 Market St., 13th floor, Philadelphia, Pa. 19107-2911. Phone: (215) 238-6345. Fax: (215) 238-1267. E-mail: reporter@philabar.org.
Justice Newman Updates Committees on New Rules

by Gregg W. Mackuse, Robert T. Szostak and Kathleen D. Wilkinson

Pennsylvania Supreme Court Justice Sandra Schultz Newman discussed a variety of topics, including unification of procedural rules, allocatur petitions and changes in medical malpractice rules, at a joint meeting of the State Civil and Medical-Legal Committees on Oct. 4.

More than 100 people attended the meeting, which included Pennsylvania Superior Court Judge Richard B. Klein, Philadelphia Court of Common Pleas Judges William J. Manfredi, Sandra Mazer Moss, Marlene F. Lachman, Denis P. Cohen and Mark J. Bernstein. Chancellor Gabriel L. Bevilacqua, Chancellor-Elect Andrew A. Chirls and Vice Chancellor Alan M. Feldman were also in attendance.

Initially, Justice Newman outlined for the attendees the procedure of the Supreme Court for ruling on allocatur petitions. In general, in order for the Supreme Court to grant allocatur, three justices must agree to accept allocatur. On occasion, notwithstanding a grant of allocatur, the Supreme Court dismisses appeals as improvidently granted after receipt of the record from the court below.

Justice Newman then briefly discussed with the attendees the Supreme Court’s continuing effort to, on a statewide basis, unify the procedural rules. The majority of the meeting was spent discussing recent changes in Medical Malpractice Rules promulgated by the Supreme Court. Justice Newman discussed the first rule change implemented by the Supreme Court on venue. Under the rule change, a malpractice action must generally be brought in the county where the cause of action arose. As a result of the rule change, medical malpractice case filings in Philadelphia have been reduced significantly.

Judge Manfredi then spoke briefly to advise the attendees that, largely as a result of the rule change, 406 pending cases were immediately transferred, more than 100 of which went to Montgomery County. On an annual basis, the amount of cases filed has been reduced by almost half. As a result, the amount of the payouts by insurers has been significantly reduced.

Justice Newman also spoke about the mediation program implemented through the Supreme Court rule changes. Justice Newman encouraged practitioners to avail themselves of the mediation program. Judge Moss briefly noted that practitioners were using the mediation program. Judge Manfredi also noted that, for mediation to be successful, early intervention in a case will be needed by all parties.

Justice Newman then addressed how members of the Bar can comment on the medical malpractice rules ultimately adopted by the Supreme Court. Justice Newman provided a general overview to the attendees of the manner by which rule changes come from an ad hoc committee formed to address the issue rather than by a standing committee. Typically, rule changes are recommended by standing committees, with opportunity for input. In the case of the medical malpractice rules, the proposed changes came from an ad hoc committee formed to address the issue rather than by a standing committee. Typically, rule changes are recommended by standing committees, with opportunity for input.

Throughout the meeting, the attendees continually expressed to Justice Newman a desire by members of the Bar for a meaningful opportunity to comment on any proposed changes by the Supreme Court. Chancellor-Elect Chirls and Vice Chancellor Feldman expressed the desire that the Bar comment prior to implementation by the Supreme Court to minimize any unanticipated consequences as many topics involve technical issues that would be particularly appropriate for practitioners to review. Judge Lachman also mentioned the Supreme Court’s invocation of Pa.R.J.A. 103(b) precludes an opportunity for comment. There was extensive discussion by the Bar, judges, and Justice Newman, exchanging views of these pressing reform measures. Justice Newman suggested that the Bar Association could submit any input after a rule change for consideration by the Supreme Court.

Gregg W. Mackuse, Robert T. Szostak and Kathleen D. Wilkinson are co-chairs of the State Civil Committee.
Just The Beginning Foundation Convenes in Philadelphia

The nation’s highest ranking African-American judges gathered in Philadelphia from Sept. 30 to Oct. 3 at the Sixth Biennial Conference of the Just The Beginning Foundation.

More than 80 federal judges and their guests attended the conference, which was sponsored by the Philadelphia Bar Association.

Events were held at the National Constitution Center, Mother Bethel A.M.E. Church and at Loews Philadelphia Hotel.

Just The Beginning Foundation is a nonprofit organization founded in 1992 and dedicated to improving the legal system in America and preserving and honoring the legacy of African Americans in the federal judiciary.


Immediate-Past Chancellor Audrey C. Talley addresses the Just The Beginning Foundation Conference.

Judges Williams and Giles (from left) meet with Bernard W. Smalley and Chancellor Gabriel L.I. Bevilacqua at the Conference. Smalley and Bevilacqua were members of the conference planning committee. Judge Williams is one of the co-founders of the Foundation.

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Rewarding Attorneys Doing the Right Thing

by Edward F. Chacker

They come in different colors but mostly white. They have a long history until they finally get to the gym. The first week is the best. They show, for all the world to see, either where you have been or what you stand for. Schools are popular, as are diseases. Even Bar Association charity races. The best have a year listed to show your long-time support. Personally, my favorite t-shirt has a picture of a mud-encrusted jeep bouncing over a dirt road. It reads: “One thousand miles of bad road. A box of Cuban cigars. Six quarts of tequila. Die trying.”

I got that shirt in Mexico. It is so much better than on a seaside vacation but now it’s permitted only at the gym on orders from the home front. I go to a gym called Life Sport on Fairmount Avenue across from the prison of the famous Willie Sutton escape. He’s the guy who said — in response to the question of why he robs banks — “because that’s where the money is.”

The reason I go to this gym is because it’s on my way to work; so I make it my first appointment of the day. No elevators, parking on the street and everything I need to keep me toned (which is an overstatement — but at least enough to stay healthy and allow me to eat). By now you are wondering what this has to do with your Bar Foundation. Let me explain.

Last week I saw a shirt that would come under the category of “this is who I am and what I think” workout shirts. It was worn by a young woman who, back in the day, would have been called a hippie, but is now a punker. Who, back in the day, would have been called a hippie, but is now a punker. But don’t tell me what is right and important. I do believe that’s generally the way we should live, but of course there is an exception to every rule. Each month in this column I tell you that it’s right and important to support legal services, and that if we do not protect our system of justice no one will. Some things cannot be left to the politicians.

Let me tell you about a 67-year-old man by the name of Rasheed. He worked full time, looking forward — as many of us do — to retirement and a pension. Then one day he was faced with raising his grandson, Elijah, whose parents both died when he was 2 years old. Rasheed couldn’t bear to watch his grandson passed from relative to relative. He quit his job to take care of Elijah, losing eligibility for his pension and any plans for his retirement.

Then began the challenges of getting custody of his grandson. Enrolling him in school. Applying for health insurance and other benefits needed for a young boy. Rasheed turned to one of your Bar Foundation grantee organizations, the SeniorLAW Center, to get legal advice and help to make them a complete family with a granddad who has the legal right to make parenting decisions. SeniorLAW Center continued on page 9

CITIZENS PRO BONO

continued from page 1

and has helped find adoptive homes for others. Some of her cases have involved helping young, vulnerable clients through the difficult task of testifying as victims in criminal proceedings. In every case, Peggy has worked to ensure that her clients are living in a stable, nurturing environment,” said Fred Blume, managing partner and chief executive officer of Blank Rome LLP.

During the 1970s, Schnader, managing partner at Schnader, say attorneys at her firm have a tradition of taking on difficult cases.

“Just as Andrew Hamilton stood up alone against the most formidable government of his world, ‘so have Schnader lawyers over the decades courageously stood up against the power of government, stood up for those whose rights could not otherwise be vindicated and stood up when the cause of the client was not popular’,” said Donaldson.

Whether defending capital cases, fighting for prisoner civil rights, advocating for disabled children litigation First Amendment issues, vindicating constitutional rights or representing women recovering from substance abuse, Schnader lawyers continue to bring passion, conviction and formidable legal skills to their pro bono work and continue to devote themselves to pro bono service at a pace beyond their peers. It is the Schnader tradition,” she said.

The Andrew Hamilton Ball will be held Saturday, Nov. 13 in the Grand Ballroom at the Park Hyatt Philadelphia at the Bellevue, Broad and Walnut streets, at 7 p.m. Tickets for the Hamilton Ball can be purchased online at www.philadelphiabar.org.

The Trustees of the Philadelphia Bar Foundation and Andrew Hamilton Ball Chairs

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Black Tie
Professional Responsibility Committee

New Rules of Professional Conduct Debated

by Asima Panigrahi

A panel of experts recently enlightened members of the Professional Responsibility Committee on the legislative intent of updates to the Rules of Professional Conduct scheduled to be enacted Jan. 1.

Former Chancellor Abraham C. Reich moderated the Sept. 29 discussion, which also featured panelists Lawrence A. Fox, Thomas G. Wilkinson and U.S. District Court Judge Gene E.K. Pratter. More than 100 people attended the session, which offered one free ethics CLE credit.

Fox was appointed to an American Bar Association commission re-examining the Rules of Professional Conduct in the late 1990s. The Commission received many complaints that very few attorneys truly understood the rules, and therefore, the Commission’s main goal was to educate the Bar as to their intended meaning. Therefore, the result of the updates is that the fundamentals of the rules have remained the same, but their legislative intent has become much clearer.

Fox outlined some of the major changes in the rules. He said Rule 2.2 regarding the attorney as an intermediary has been eliminated because it was leading attorneys to erroneously believe that they could represent two conflicting interests. He also said the definition section was moved to the beginning and named Rule 1.0 to emphasize its importance. Next, he noted the rule prohibiting sex with prospective clients that was approved by a close vote of the Commission, even though this issue could potentially be addressed by the conflict-of-interest provisions. Finally, he touched on Rule 1.18 that refers to the duty of confidentiality owed to prospective clients, and noted that this rule has not yet been adopted by the state Supreme Court but should eventually be approved with the same effective date as the rest of the rules.

Wilkinson then turned the discussion to several other additions to the rules, some of which have yet to be adopted by the Pennsylvania Bar Association. Rule 1.15 refers to client funds in IOLTA accounts. The Office of Disciplinary Counsel wanted to make the recording requirements stricter for IOLTA accounts and their version of that rule has been published for comment, but has not yet been adopted. Rule 1.13 deals with up-the-ladder reporting of corporate misconduct, which is deemed mandatory under certain circumstances. Rule 1.7 provides for a stricter informed consent requirement and includes 35 comments. He noted that the comments are now considered part of the rules and no longer to be considered as advisory only. Finally, Rule 1.7 clarifies the definitions relating to conflicts of interest and gives additional guidance on the issue.

Judge Pratter then turned the discussion to the judge’s perspective of the rules. She noted that judges also want to be informed as to how the rules apply to the attorneys who appear before the court, and that this was the main topic at the latest District Court judges’ retreat.

One of the most important rules from their perspective is Rule 3.3 regarding candor to Professional Responsibility Committee Co-Chair Evelyn Boss Cogan (from left) is joined by panelists U.S. District Court Judge Gene E.K. Pratter, Abraham C. Reich, Thomas G. Wilkinson, Lawrence A. Fox and Committee Co-Chairs Judge Denis P. Cohen and Jeffrey B. McCarron prior to the Committee’s Sept. 29 meeting.

continued on page 16
Bar Bike-a-Thon Team Honored
by Jeffrey Abramowitz

The Association's Bike-a-Thon team was honored by the American Cancer Society at the Society’s Oct. 20 Awards Celebration Dinner at the Hyatt Regency Philadelphia at Penn’s Landing. The Bar team was recognized for placing third out of 128 teams for fund-raising. The Bar team raised more than $86,000 and received an award for Best Rookie Team.

The law firm of WolfBlock was also recognized for raising the most money for any law firm. WolfBlock also presented a matching gift to the ACS at the awards dinner from Sidney Kimmel, in the amount of $27,093.75.

The Bar team included attorneys, family, judges, cancer survivors and friends. The Bar team dedicated the ride to colleagues, family and friends who have battled and continue to battle the disease.

Jeffrey Abramowitz is co-chair of the Bike-a-Thon Committee, along with Stephen T. Saltz.

Pro Bono Involvement Necessary, Worthwhile
by Kim R. Jessum

I cannot stress how important it is for young lawyers to volunteer their time in representing those in need. It is so easy to get involved in pro bono. The clients you represent are extremely grateful, whether you take a simple case that requires a few hours or a more complicated case that spans over the course of a year. No matter how much time you have to give, there is a pro bono case for you.

There are several organizations in Philadelphia that work with volunteer attorneys and can assist you in getting a pro bono case. Attorneys who volunteer with the Support Center for Child Advocates can make a difference in the lives of abused or neglected children in Philadelphia. Attorneys who take a case for Philadelphia Volunteers for the Indigent Program can make a difference in the lives of aliens/immigrants, children, and elderly, to name a few.

The easiest way to communicate what role you would play is to describe what other volunteers have done. Child Advocates was appointed to represent Ben, a child whose life has been transformed by the persistence of a devoted volunteer attorney, Joan Smith. At age 2 1/2, Ben had lived in an institution all of his life and most people believed he would never live with a family because of his difficult medical problems. Ben was in the legal custody of the Department of Human Services (DHS) because his parents were unable to care for him. He had a tracheotomy tube for breathing and needed to receive all of his nutrition by tube feeding. He was not able to walk or talk. His situation was further complicated by the fact that his mother had disabling mental...
The featured speaker at the Philadelphia Development Corp., will be the executive director of Regional Housing Partnership, Philadelphia Hotel, 1200 Market St.

The Section will present its annual Good Deed Award to Mark S. Schwartz, executive director of Regional Housing Legal Services. Tickets for the event are $30 for Section members. The Probate and Trust Section will hold its annual meeting on Wednesday, Nov. 17 at Loews Philadelphia Hotel, 1200 Market St.

The theme of this year's Breakfast will be "The Motivations and Satisfaction of a Legal Career," and will be what planners describe as a highly personal program. The event, chaired by Sharon Browning, executive director of the Philadelphia Volunteers for the Indigent Program, will focus on the professional challenge of the law, and will include a one-hour CLE ethics credit for participants.

The event is free, attendance is limited and RSVP is required. Members who wish to attend should make reservations as soon as possible by e-mailing Dawn Burger at dburger@philabar.org.

Bar Foundation

The Bar Foundation's Annual Reception will be held Monday, Dec. 6 at 5:30 p.m. at Loews Philadelphia Hotel, 1200 Market St. The Section will present its annual Andrew Hamilton Award.

The event will be held Tuesday, Nov. 30 at 6 p.m. at the Pyramid Club, 1735 Market St., 51st floor. The Section will present the annual Martha Hampton Award.

The Probate and Trust Section will present its annual meeting and reception on Tuesday, Nov. 30 beginning at 2 p.m. at the Kimmel Center, 260 S. Broad St. A CLE session will precede the annual meeting and reception.

Besides representing a pro bono client, here are the choices:

- Become a member of Advocates for Justice at $25,000 over three years.
- Become a Hamilton Circle member at $1,000 a year for ten years.
- Become a Young Lawyers Hamilton Circle member at $1,000 a year for three years.
- Become a member of the Philadelphia Bar Foundation for $100.
- Provide any gift on behalf of the thousands of people for whom we make a difference in their everyday lives.

I wish you a Happy Thanksgiving. Remember, the road to justice (to paraphrase that workout shirt) can look like "1,000 miles of bad road" in front of you. Together, we can and will make life's journey easier for those who need our help.

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

All Bar Members Invited to Thanksgiving Breakfast Nov. 23 at Union League

All members of the Association are invited to attend a free Thanksgiving Breakfast on Tuesday, Nov. 23, at 8 a.m. at the Union League of Philadelphia, 140 S. Broad St.

The theme of this year's Breakfast will be "The Motivations and Satisfaction of a Legal Career," and will be what planners describe as a highly personal program.

The event, chaired by Sharon Browning, executive director of the Philadelphia Volunteers for the Indigent Program, will focus on the professional challenge of the law, and will include a one-hour CLE ethics credit for participants.

Speakers will include Chancellor Gabriel J.J. Bevilacqua, Catherine C. Carr, executive director of Community Legal Services, Inc.; Frank P. Cervone, executive director of the Support Center for Child Advocates; former Association Chancellor Joseph H. Foster of Ballard Spahr Andrews & Ingersoll, LLP.

Though the event is free, attendance is limited and RSVP is required. Members who wish to attend should make reservations as soon as possible by e-mailing Dawn Burger at dburger@philabar.org.

Web check

For more information on year-end events or to purchase tickets, visit www.philadelphiabar.org.

Tickets are $40 for Section members. The Public Interest Section's annual dinner and awards ceremony will be held Monday, Dec. 6 at 5:30 p.m. at Loews Philadelphia Hotel, 1200 Market St. The Section will present its annual Andrew Hamilton Award.
October Quarterly Meeting and Luncheon

Judges Rendell, Melinson Receive Honors

by Jeff Lyons

Women can help right the balance between work and home and remind us of the importance of children in our lives and our society, University of Pennsylvania President Dr. Amy Gutmann told Association members at the Oct. 21 Quarterly Meeting and Luncheon.

The event also featured the presentation of two of the Association’s most prestigious awards – the Sandra Day O’Connor Award to Judge Marjorie O. Rendell of the U.S. Court of Appeals for the Third Circuit and the Justice William J. Brennan Jr. Distinguished Jurist Award to retired U.S. Chief Magistrate Judge James R. Melinson.

“Our culture is still to work 24/7. In the case of the legal profession, to run up ever more billable hours. We have come to terms with the fact of having a family, but not with the need to spend much time with the family. The well-documented 24/7 trend may help explain the relatively small percentage of women in the partner ranks. It may also point to a larger malaise of modern society that pervades all the professions, including my own,” Gutmann said.

“In our rush to do more, be more and earn more at our jobs, people all too often sacrifice a sense of themselves and their connection to others, including their own families. Women in the workplace bring this problem into focus.

“But women in the workplace may also point the way to a solution. If great women lawyers do this, then (dare I say) they will teach virtue better than any of their male predecessors! By viewing women in the professions as a source of new perspectives to be explored – rather than as a source of needs to be met – men and women alike may find a way back to wholeness,” she said.

“Who better than women to help right the balance between work and home? Who better than women to help remind us of the importance of children in our lives and in our society? Who better than women to urge us not to forget that we are whole human beings, not intelligent robots racing from one task to another?

“In the end, professionals who have a life will be better at what they do than those who don’t. And women can lead the way,” Gutmann said.

Gov. Edward G. Rendell, whose wife received the Association’s Sandra Day O’Connor Award, receives a warm welcome.

U.S. Court of Appeals for the Third Circuit Judge Marjorie O. Rendell, recipient of the 2004 Sandra Day O’Connor Award, chats with Chancellor-Elect Andrew A. Chirls at the Oct. 21 event.

Gov. Edward G. Rendell, whose wife received the Association’s Sandra Day O’Connor Award, receives a warm welcome.

Author Lisa Scottoline autographs a copy of her latest book, Killer Smile, for Judge James R. Melinson before the Oct. 21 Quarterly Meeting.

University of Pennsylvania President Dr. Amy Gutmann addresses the meeting.
Athletes Doing Time After Games Are Over

by Bruce H. Bikin

I always thought being sent to jail was supposed to be a punishment. It was a confinement, a segregation of the wrongdoer from society. It was an opportunity to consider one's transgressions. Eastern State Penitentiary was designed and built under the premise that those confined needed to re-educate themselves for re-entry into society by spending their time at Eastern reading the Bible in isolation.

The confinement began once you were convicted, or plead guilty. It wasn't about convenience. It was about punishment.

That seems to have changed, at least for certain athletic members of our society. Now, it seems as if the convenience of the perpetrator is a major factor in determining when punishment commences.

I am not talking about whether the convict has a viable appeal in the works. I am not talking about putting off incarceration until the full judicial process has been completed. I am talking about the courts planning the incarceration of the guilty for the convenience of the guilty. Sound strange? Two recent examples come to mind.

Rafael Furcal, who plays shortstop for the Atlanta Braves, is the perfect example. He was convicted of drunk driving while on probation from a previous conviction. He was handed a 21-day tour of a Georgia correctional facility. The sentence was designed not to take effect, however, until after Atlanta was eliminated from the Major League Baseball playoffs.

Thus, the clear message to all, men, women and children alike, was that the playoffs were more important than the criminal justice system. This was a message foisted on us by the Georgia court and prosecutor, Major League Baseball and the Atlanta Braves. Since more than 17,000 Americans died last year alone in alcohol-related traffic accidents, this seems inappropriate, at best. In a recent survey of Colorado high school seniors, nearly a quarter said they had driven while drunk. Some message of deterrence to teens.

Is it any wonder people no longer respect the courts or the criminal justice system? How can justice even pretend to work for the Ravens, who will fight the stabbing. (Lewis' co-defendants stood trial and were convicted of two men outside an Atlanta nightclub. Lewis was originally charged with one answer: "I had a LOT of help!") she said.

"I had help from other women, of course, but also - very significantly - a lot of help and support from my husband. And I want to place special emphasis on the role that women can and do play in the success of women. The respect, empowerment and validation of our male colleagues and partners is very important to us," Judge Rendell said.

Judge Melinson said he was moved to be the recipient of the Brennan Award, which recognizes a jurist who adheres to the highest ideals of judicial service.

"This award comes from you lawyers; that's what makes it so special. I want to thank you lawyers, not only for this award, but also for providing me with a ringside seat to the greatest show on earth," he said.

Judge Melinson recently retired as Chief Magistrate Judge for the U.S. District Court of the Eastern District of Pennsylvania. He now works for JAMS as chief of arbitration and mediation services.

At least the NFL, unlike MLB, has suspended Lewis for his guilty plea. For two games. This is the punishment for facilitating an illegal drug sale. What do you get from the NFL for a murder? Ray Lewis (no relation to Jamal except by team and tendency toward crime) was named All-Pro after pleading guilty to facilitating a drug deal for a friend. He'll spend four months in a federal prison. But those four months conveniently won't begin to run until after the football season is over for the Ravens. Even the prosecutors didn't want to interrupt the Ravens' pursuit of the Super Bowl by depriving them of their star running back.

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More Than 100 Judges to Participate in Bench-Bar Nov. 5-6

by Jeff Lyons

Thirty-five state and municipal judges will be panelists during the Association’s Bench-Bar Conference at the Borgata Hotel Casino & Spa in Atlantic City on Nov. 5 and 6. More than 100 judges are registered for the event.

Eight CLE courses are available on Friday and 10 more are available on Saturday. Each of these one-credit seminars cover a wide range of topics and legal specialties. Please note that all program details are subject to change.

There will also be a Grand Reception on Friday evening beginning at 6:45 p.m., providing attendees with an opportunity to socialize with colleagues and members of the bench.

The conference opens with a luncheon beginning at noon on Friday, Nov. 5. Pennsylvania Supreme Court Chief Justice Ralph J. Cappy, Philadelphia Court of Common Pleas Judges Robert Blasi (supervising judge, Civil Division) and James DeLeon (supervising judge, Criminal Division), Philadelphia Court of Common Pleas Judges Myrna P. Field and Margaret T. Murphy McKeeown will be joined by Mark A. Mornijan and James A. Rocco III as panelists for the course “Issues in 21st Century Family Law: Second Parent Adoption, Third Party Custody and Support Rights, Gay Marriage and Domestic Partnerships and Common Law Marriage.” The course planners are Margaret Klaw, Elaine Smith and Carolyn Zack.

One ethics credit is available for “Mass Tort Litigation and the Ethics of the Problem Client,” with panelists Pennsylvania Superior Court Judges Richard B. Klein, Philadelphia Court of Common Pleas Judges Mark I. Bernstein, Judge Manfredi and former Chancellor Robert C. Heim. The planner for this course is Stephen A. Shefer.

Walk-in registration will be accepted at the Bench-Bar Conference. Please be advised that Friday’s luncheon featuring a State of the Court panel discussion begins promptly at noon.

The Borgata Hotel Casino & Spa in Atlantic City will host the Bench-Bar Conference.

Pennsylvania Superior Court Judge Corrieke F. Stevens and Commonwealth Court of Pennsylvania Judge Renee Cohn Juber will be on the panel for “Appellate Advocacy & Procedures” Charles L. Becker is the course planner.

Bureau of Workers’ Compensation Judges Martin B. Burman and Pamela Santoro are the course planners and panelists for “Handling the Personal Injury Case Involving Workers’ Compensation Implications.” Other speakers include Joseph DeRita, Andrew Touchstone, continued on page 13

2004 Bench-Bar Conference Schedule of Events

Friday, Nov. 5

9:30 - 10:30 a.m. Track One Seminars
• Appellate Advocacy and Procedures
• Handling the Personal Injury Case Involving Workers’ Compensation Implications
• The New Rules of Professional Conduct (Ethics Credit)
• A Fresh Perspective on UM/UIM: Set-offs, Multiple Tortfeasors and the New Fair Share Act
• Commerce Court Program Update
• Legal Obligations, Reasonable Accommodations and Available Court Resources for Clients Who are Deaf or Hard of Hearing

12:15 - 2 p.m. Closing Luncheon

Saturday, Nov. 6

8 - 9:15 a.m. Breakfast
9:30 - 10:30 a.m. Track Two Seminars

• Are Private Whistleblowers Effective Enforcers of the Federal Health Care Fraud and Abuse Laws?
• Recent Developments in Death Penalty Jurisprudence
• Unique Perspectives From the Bench: The Judiciary and the Election Code
• Has the Last Bell Rung for Pollution Coverage in Pennsylvania? A Case Study of Wagner (Blue Bell Golf) v. Erie Insurance Co.
• Appeals from Arbitration and Rule 1311: The Shifting Landscape
• Work/Life Balance for Lawyers: Four Instruments for Change
• Using Trial Technology in a Jury Trial: Learn the Art of PowerPoint, DVD and Much, Much More!
• Immigration Law for the Employment and Labor Lawyer in the Post-9/11 World
• Judging the Judges: How the Judicial Disciplinary Process Works in Pennsylvania (Ethics Credit)
11 a.m. - 12 p.m. Track One Seminars
• Mass Tort Litigation and the Ethics of the Problem Client (Ethics Credit)
• The New Rules of Professional Conduct (Ethics Credit)

11 - 12 p.m. Track Two Seminars
• Developments In the Award of Attorneys’ Fees in Pennsylvania Courts
• Federal and York Trials: Four Instruments for Change
Kovler is the course planner and a panelist for “Appeals from Arbitration and Rule 1311: The Shifting Landscape.” Other panelists include Mary McGovern, the administrator for the Court of Common Pleas, Arthur S. Novello, Brian A. Wall and Court of Common Pleas Judge Bernard J. Goodheart.

“Developments in the Award of Attorneys Fees in Pennsylvania Courts” will feature panelists Bernard W. Smalley, Court of Common Pleas Judge John W. Herron and course planner Timothy T. Myers. Deborah Epstein Henry, Court of Common Pleas Judge Annette M. Rizzo, Joan C. Williams and Janet B. Hunt will be the panelists on the program “Work/Life Balance for Lawyers: Four Instruments for Change.” Henry is also the course planner.

Assistant District Attorney Scott P. Sigman is the course planner for “Using Trial Technology in a Jury Trial: Learn the Art of PowerPoint, DVD and Much, Much More!” Panelists for this program include Pennsylvania Supreme Court Justice Michael Eakin, Pennsylvania Common Pleas Court Judge Peter F. Rogers, Daniel J. Mann, Stephen N. Najarian and Daniel S. Weinstock.

“Immigration Law for the Employment and Labor Lawyer in the Post-9/11 World” will feature panelists Lawrence H. Rudnick and Ann A. Ruben, who are also course planners.

Joseph A. Massa Jr., chief counsel of the Judicial Conduct Board, is the course planner for “Judging the Judges: How the Judicial Disciplinary Process Works in Pennsylvania.” Lynn A. Marks and John W. Morris are panelists for the ethics program. The Bench-Bar Conference wraps up with a luncheon on Saturday, featuring remarks from Philadelphia District Attorney Lynne Abraham and Pennsylvania Supreme Court Justice Sandra Schultz Newman.

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### 2004 Bench-Bar Conference

#### Registration Form

Nov. 5 & 6, 2004 ~ Atlantic City, NJ

(All prices are per person)

<table>
<thead>
<tr>
<th>Registration Type</th>
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<th>Assn. Member Public Interest, Gov. Attorneys &amp; YLD</th>
<th>Non-Member Attorney</th>
<th>Amount Owed</th>
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### Non-Attorney Guest Registration - $125 Per Guest

Price includes food and social functions only.

Please register me for ______ guest(s) at $125 per guest.

Sub-Total: __________________

Guest Total: __________________

Total Amount Due: __________________

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#### Attendee Information

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Special/Dietary Needs: ____________________

Emergency Contact Name: ____________________ Phone: ____________________

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Cardholder’s Signature: ____________________ Date: ____________________

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**Registration Form**

- **Assn. Member**: $100
- **Assn. Member Public Interest, Gov. Attorneys & YLD**: $195
- **Non-Member Attorney**: $475
- **Non-Member**: $245

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**Registration Guide**

- **Registration Type (all prices are per person)**:
  - Full Conference: Friday Opening Luncheon, Friday Night Grand Reception, Saturday Breakfast, Saturday Closing Luncheon, Course Materials, Up to 6.5 CLE Credits: $445
  - One Day Attendee—Friday: Friday Opening Luncheon, Friday Night Grand Reception, Course Materials, CLE Credits for Friday only: $245
  - One Day Attendee—Saturday: Saturday Breakfast, Saturday Closing Luncheon, Course Materials, CLE Credits for Saturday only: $245
  - Grand Reception—Friday Evening Only: $100

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**Guest Name(s)**

- ____________________
After a great deal of advocacy with the institutional staff and DHS, Ben's aunt was trained to care for him and Ben went to live with family for the first time. Smith successfully appealed the Department of Public Welfare's denials of nursing services for Ben. For a few years, his aunt was able to provide consistent care and Ben thrived. Ben's aunt was receiving welfare, however, and with the push to remove recipients from the welfare rolls, Ben's aunt accepted training and began working outside the home as a nurse's aide. Consequently, Ben's care became the responsibility of his pre-teenage cousins. Nevertheless, Ben's case was considered a success by DHS and the court discharged supervision of the case.

Child Advocates kept the case open to ensure continuity of services. Smith soon realized that despite her best intentions, Ben's aunt had family and work pressures that compromised the quality of care that Ben was receiving. He was not safe in the home, and DHS said they had no foster homes able to care for Ben.

Smith was committed to finding a home for Ben. She obtained a list of foster care providers in the state who might be able to provide for a child with severe medical needs. After much persistence, Smith found one agency that offered an appropriate home. Unfortunately, DHS would not approve the move to a foster home supervised by that particular agency. Smith continued her advocacy and Ben was finally moved into foster care.

The case did not end there because it soon became apparent through home visits made by the volunteer attorney that Ben seemed to receive little attention from his foster parents. In spite of great efforts made by Smith to maintain in-home nursing care and to support the foster family, it became obvious that this foster home was inadequate.

Through Smith's efforts, Ben was moved to a second foster home, one that did not request in-home nursing services. His new foster family had relatives who helped out with Ben's care. Unlike many children in the foster care system, a miracle happened for Ben. The relative family that was providing respite care instantly bonded with Ben and contacted the agency to begin the process of adopting Ben.

In another matter, Troy Sisum represented a mother of six children on public assistance. She was living in her mother's house since 1986 and her mother died in 1999. Unfortunately, her mother died leaving significant debt against the property (various liens for gas and unpaid property taxes) and substantial water debt. It was her mother's dream to live in the house, so the client wanted to "make her mother proud" and remain in the house, despite the current condition and enormous outstanding bills.

Needless to say - everything that could possibly happen in this case happened. When Sisum was referred the case, a sheriff's sale was imminent. Additionally, the client received notices threatening to shut off her water/gas due to the enormous balance. Sisum was able to persuade the court to continue the sheriff's sale for 120 days and persuaded the city to refrain from shutting off his client's utilities.

Troy filed a QT action against all other potential takers under the estate. He had to serve one defendant via alternative service (posting on the premises) and serve one defendant in prison. Additionally, during the summer, DHS took his client's children due to the condition of the house. DHS informed his client that she could have her children back after she obtained a deed, thereby receiving grants to make the necessary repairs to her property.

In late August, the court granted motions to quiet title in all parties, thus clearing the way for VIP to draft a new deed for the client and finalize payment arrangements with the various creditors. To learn more about these organizations, visit VIP at www.phillyvip.org or Child Advocates at www.advokid.org.

Kim R. Jessum, chair of the Young Lawyers Division, is patent counsel for Rohm and Haas Company. Her e-mail address is kjessum@rohmhaas.com.

Laura A. Feldman (left) of the Board of Governors and her son Jake and his friend Chelsea enjoy the festivities at the Young Lawyers Division's 3rd Annual Zooboolee at the Philadelphia Zoo on Oct. 24.

Laura A. Feldman (left) of the Board of Governors and her son Jake and his friend Chelsea enjoy the festivities at the Young Lawyers Division's 3rd Annual Zooboolee at the Philadelphia Zoo on Oct. 24.
Maria’s: A Legend Grows in Roxborough

Maria’s Ristorante on Summit
8100 Ridge Ave.
(215) 508-5600

by Skinny D. Bockol

There are some restaurants that seem like favored children: indisputably loud and solicitously bent of style or warmth of manner. Maria’s Ristorante is, to the contrary, cozy, courteous and calm, emulating the demeanor of its diminutive proprietress, Maria Dalicandro herself.

This neighborhood eatery is not even 18 months old, yet its reputation in Roxborough has become legendary due to, for instance, Maria’s eggplant involtini, and her three-meat lasagna, each now blandished to be the best in the city.

One enters into a low-slung building that could be anything from a hacienda to a beauty spa. But once inside the front door, Italian pottery and artists’ depictions of umis overflowing with grapes are more than circumstantial evidence that you’ve entered the parlour of a Calabrian palazzo. There’s also Christina, the restaurant’s hostess, to greet you. She’s a stunningly beautiful young woman whose smile makes the Mona Lisa’s a mere smirk.

Sergio is the head waiter and one of “his table” to be coveted. Sergio’s father is from Portugal, but his family lives in Paris. Therefore, his accent and intonation are that of Charles Boyer sailing through the Strait of Magellan. He attends to you with joviality and dispatch, making your meal an event.

Everyones’s repast begins with cut rolls delivered gratis with an accompanying flat plate filled with extra virgin olive oil into which hot cherry-pepper bits have been submerged. Soak a piece of a roll thoroughly in the spicy concoction and guish its soggy contents onto your tongue. Your eyes light up, your sinuses’ passages expand, and your gulp is heavy and heated. Fabulous surprising beginning. A cold glass of Pinot Grigio from the bar acts as a welcome fire extinguisher.

A caprese salad ($7.95) of mixed baby spring greens arrives with tomatoes intermixed with fresh mozzarella, sliced prosciutto and a hint of basil. Simple and crisp and top-notch. (All entrees come with a similar salad but without the cheese and meat.) If you order no other appetizer,

Calling for an independent 9/11-style commission to shed full light on U.S. treatment of detainees in Iraq, Afghanistan and Guantanamo Bay, Such a commission would hold hearings, have full subpoena power, and have the authority to call for a special prosecutor if the evidence indicates criminal activity by senior government officials. The commission would examine, among other things, the link between administration policy discussions, legal memoranda and actual practices in Afghanistan, Iraq and Guantanamo Bay. Only an independent panel, along the lines of the September 11 commission, can begin to repair the damage done by the Abu Ghraib debacle, Ross said. The American Bar Association has also called for the creation of an independent commission.

Sherrie J. Cohen, an attorney with Golomb & Honik, P.C., is co-chair of the Civil Rights Committee.

Civil Rights Committee

Group Seeks Investigation Into Treatment of Detainees

by Sherrie J. Cohen

“We’ve all seen the photos from Abu Ghraib prison that sparked outrage in America and the world. But we now know that the photos only show the torture that was photographed,” James Ross, senior legal advisor of Human Rights Watch, told members of the Civil Rights Committee at their Oct. 7 meeting.

Ross said that comparable – and indeed, more extreme – cases of torture and inhuman treatment have been extensively documented by the International Committee of the Red Cross and were reported by detainees in U.S. custody in Afghanistan as early as 2002.

Ross discussed several of the Pentagon-appointed panels inquiring into the detainee abuse scandal. He said that each is focused on only one aspect or another of the treatment of the detainees and that none have the independence to get to the bottom of this scandal. He wondered how investigators appointed by Secretary of Defense Rumsfeld were going to determine whether or not other senior officials ordered, condoned or acquiesced in torture.

For example, Ross discussed the report released in August 2004 by a panel headed by former Defense Secretary James Schlesinger. The report acknowledges that the “CIA’s detention and interrogation practices contributed to a loss of accountability at Abu Ghraib,” but failed to analyze the issue further because investigating the CIA was not within the panel’s mandate.

The report raises the issue of “unregistered detainees” held by the CIA, but stated the panel “did not have sufficient access to CIA information to make any determinations.”

Ross also said that the Schlesinger report mentions, but fails to examine, the role of legal memoranda drafted at the Justice and Defense Departments and by White House counsel that overturned longstanding U.S. military rules and practice, justified the use of torture and made unprecedented claims that the executive branch is a law unto itself and the President as commander-in-chief may choose to ignore laws, treat the Constitution as a recommendation regarding the treatment of prisoners. The report also acknowledges that “augmented” interrogation techniques for Guantanamo Bay, which included the use of dogs, stripping detainees naked, and subjecting them to painful stress positions, “migrated to Afghanistan and Iraq where they were neither limited nor safeguarded,” but does not hold the officials and general officers who approved them responsible for abuses.

Human Rights Watch, Ross said, is

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Chancellor’s Forum

Rights, Treatment of Terror Suspects Debated
by Julia H. Haines

The Geneva Conventions, its application to “enemy combatants” and the ensuing status, treatment and due process rights afforded those suspected of terrorist activities was the topic of a spirited Chancellor’s Forum on Sept. 22.

Sponsored by the Civil Rights Committee of the Public Interest Section, the panel included civil rights attorney David Rudovsky; Lt. Commander Charles Smith, a well-known advocate of the current administration’s position; David B. Rivkin; and Susan L. Burke who, along with co-counsel Susan Feathers of University of Pennsylvania Law School, has filed an action against private corporations alleged to employ persons who engaged in the torture of captured “enemy combatants.”

Introductions and moderated by Civil Rights Committee Co-Chairs Michael Carroll and Robert W. Meek, the panel members stated their positions on the classification, rights and handling of those captured in Iraq and elsewhere who are suspected of maintaining ties with terrorist organizations. Early in the debate, it became clear that the essential question is not what process is due, but whether or not detainees are entitled to any due process, based upon the interpretation of the Geneva Conventions.

The discussion continues on our editorial pages and in lawyers’ offices across the country. Does the war on terror merit minimizing the rights of those accused of crimes and is it worth expanding the power of others to ignore those rights? This debate did not answer all the questions, but it did raise issues that loom over the presidential election. How do we define democracy? And who do we want defining it for us? And if we are going to define it for the rest of the world, should we look at ourselves and our pre-emptive acts more closely?

FRASERCAIRNE

Editor’s Note: The following are summaries of opinions issued by the Professional Guidance Committee. The committee’s jurisdiction is limited to rendering opinions about prospects of employment by inquirers who are members of the Philadelphia Bar Association. The letter “T” following an opinion number indicates a telephone inquiry. Attorneys who wish to ask a question, obtain copies of committee opinions or ask the committee to research a matter should contact Paul Kazazis, the Association’s assistant executive director, at (215) 238-6328.

Summarized by David I. Grunfeld

2003-13 Attorney not admitted in Pennsylvania may participate in a single non-judicial ADR in Pennsylvania. 2003-345T It is impermissible to use words “expert” or “expertise” in advertising. 2003-346T Paying an attorney, who also sells estate and financial planning products, a referral fee for wills clients, may pose a conflict in some situations. Concerns may also arise under R. 7.3. Fee sharing must be disclosed to clients under R.1.5e. 2003-352T Attorney who represented husband in IRS matter and receives subpoena for file from wife’s divorce lawyer, may not produce it without order of court. 2003-353T Attorney who sues client for fee may reveal confidential information per R.1.6c.3 in pursuing fee claim.

2003-362T Attorney must deposit settlement check in escrow account and await clearing before deducting fee and transferring it to operating account. 2003-369T Attorney who wrote reciprocal wills for husband and wife, now involved in a divorce, cannot write new will for wife due to conflict. Waiver of the conflict might not be permitted. 2004-1 Attorney consulted by client unhappy with present counsel has no obligation to notify existing counsel before or after meeting, and shall not without client consent. In addition, there is no obligation to work out problem between client and counsel. Attorney can undertake representation but must advise client of possibilities of claim by disgraced counsel and may prepare termination letter for client. 2004-4 Attorney who represented wife in custody case, as to which evaluator’s fees were to be shared by the parties, attorney cannot now represent evaluator in claim against husband for his share of fees. 2004-7T Telephone solicitation of injured prospective clients is impermissible unless previous professional or family relationship exists. 2004-20T Attorney who learns of predecessor counsel’s malpractice has duty to notify client. 2004-33T Attorney who drew estate plan for client should not now represent her sons in guardianship petition as to client not only because of conflict of interest but because attorney will be witness in guardianship proceeding R.3.7a. 2004-45T It is permissible for client to sign a judgment note to attorney to secure payment of fee provided there is compliance with R.1.8a. 2004-58T Attorney who learned of new client has an affirmative obligation to notify opposing counsel when any documents are sent to him or her in confidentiality. 2004-60T Attorney representing husband in divorce may not date him. 2004-62T Expert witness cannot be paid on a contingent fee basis. 2004-71T Attorney approached by prospective client in court asking for representation may give business card and undertake representation. 2004-72T Obtaining client database from attorney not in same firm and then sending targeted direct mail solicitation letters to those clients in database is impermissible because it constitutes rendering assistance to other lawyer in violating confidentiality. R.1.6, and thus is violation of R.8.4a. 2004-85T When escrow account check to client is lost and must be stopped, bank fee should be covered by deposit from operating account. 2004-151T Letter of representation should be sent to clients being handled on no-fee basis. 2004-169T Attorney whose firm represented couple in bankruptcy five years ago cannot now handle divorce for wife.

RULES

continued from page 7

the tribunal. Under the new version of this rule, an attorney has a duty to correct the record if he or she knows that the client has been untruthful to the tribunal or untruthful during an ancillary proceeding. How the attorney ultimately complies with this rule, however, is another issue and there will always be debate as to what exactly is required for compliance.

Reich ended the discussion by summarizing some additional changes in the rules. First, he noted that Rule 24 makes it very clear that when acting as a third party neutral, an attorney has to advise the parties that he or she is neither person’s attorney. Under Rule 4.4(b), an attorney has an affirmative obligation to notify opposing counsel when any documents are sent to him or her in error. Next, Rules 5.1, 5.2 and 5.3 impose a duty on all attorneys to comply with the rules, especially those in supervisory positions, and now define the duties of those in managerial positions has been broadened, imposing a higher-level duty on additional attorneys.

The final important change discussed was regarding advertising. Under the previous rule, an attorney could not create “unjustified expectations” by advertising prior monetary judgments that have been obtained. The new Rule 71 significantly changes the prior rule and allows an attorney to discuss such judgments as long as the discussion is not false or misleading.

David J. Grunfeld, a sole practitioner, is a member of the Professional Guidance Committee. Asima Panigrahi, law clerk for Philadelphia Court of Common Pleas Judge Denis P. Cohen, is an associate editor of the Philadelphia Bar Reporter.

Forum moderators (from left) Michael Carroll and Robert W. Meek are joined by panelists David Rudovsky, Chancellor Gabriel L.I. Bevilacqua, Susan L. Burke, Lt. Commander Charles Smith and David B. Rivkin at the Sept. 22 Chancellor’s Forum.
by Sunah Park

Believe it or not, I wanted to watch the last presidential debate rather than watch another legal show. I know “Kevin Hill” (UPN, Wednesdays, 9 p.m.) stars Taye Diggs, but unless Diggs crawled out of my television set and walked into my living room, I really had no desire to watch the show. Since there are worse things to do than watch Taye Diggs, however, I agreed to watch. Now it just so happened that I had dinner plans with Mrs. Feldman, my fifth grade teacher, that night. I asked her if she wouldn’t mind watching “Kevin Hill” with me. To my surprise, she readily agreed and said she was already a fan of Taye Diggs, having seen him in “Rent.” “Very easy on the eyes,” she added.

I got the premise from all the promos – professional single black male “inherits” his cousin’s baby girl, Sarah, and his playing days are forever changed. The idea of someone whose life is altered by the introduction of someone else’s baby is not new. In 1987’s “Baby Boom,” Diane Keaton is a super yuppy whose life is turned upside down when she inherits a distant relative’s baby. In “Three Men and a Baby” (1987), three guys’ lives are inexorably changed when they’re forced to take care of a baby left by one of the guys’ girlfriends. Moreover, examination of the life of a single attorney saw its heyday in the form of “Ally McBeal.” “Kevin Hill” is the marriage of all of those with the added twist of a protagonist who is African-American. I’ve seen only one episode, but I did not detect any racial undertones or overtones. Mrs. Feldman did comment that it was refreshing to see a show where the black male protagonist was not a stereotype but a three-dimensional character. This episode revealed that Hill still has some conflict about giving up his single life to be Sarah’s “Cousin Kevin” (he refuses to call himself her “daddy”).

The episode centered around guest star Gina Gershon (“Showgirls,” anyone?) as a rock star whose alleged neglect of her daughter precipitated a custody battle with her sister. At the client intake meeting, Hill was assisted by fellow attorneys, played by Michael Michele and Kate Levering (overbilling, anyone?). Gershon’s character retained Kevin because she heard that he had recently inherited his cousin’s baby so he would be empathetic and understand what it was like to be a single working parent. Gershon believes the custody case is trumped up and that her sister is motivated by jealousy of her success as a rock star. At the initial hearing, Kevin ably manages to portray his client as a victim of an overzealous caseworker from Child Protective Service who wanted to make a name for himself by targeting the famous Gershon.

A running side story involves Kevin’s friend and wingman, Dame, who can’t seem to find anyone else to hang with. It is obvious that Dame does not like Kevin’s new role as caretaker. We see Dame and Kevin at a bar talking up three women who are giggling and making goo-goo eyes at them. Suddenly, Kevin’s cell phone rings and it’s his nephew who has run out of formula. Dame doesn’t want the women to know that Kevin has a baby so he pretends that Kevin’s talking shop with a client. But the women aren’t as dumb as Dame would like and they go away once they figure out the truth. This incident confirms Dame’s disdain for Kevin’s new role as it puts a serious crimp in both of their social lives.

Both storylines converge, of all places, at a Victoria’s Secret models party. Dame has convinced Kevin to go out on another Saturday night and leave Sarah with the nanny. Once there, surrounded by scantily-clad women swaying to the Terror Club’s ubiquitous “Lean Back,” Kevin is giddy and forever grateful to Dame. He’s about to get his groove on, but his night is cut short when he sees a drunken Gershon partying like he’d like to. Afraid that the press might get wind of her drunken antics and jeopardize their custody case, Kevin escorts Gina out the back door and takes her home, where he finds her daughter home alone, cleaning up the remnants of a kitchen fire. The daughter claims the babysitter had just left and that she had not been left alone. Kevin is dubious and re-thinks his zealous advocacy of his client keeping custody of his child. At a meeting with his fellow attorneys the next day, he decides that Gershon is not fit to take care of her daughter until she gets herself to rehab. Of course, Gershon is not too pleased with her own lawyer betraying her, but in the end she sees the wisdom of his ways and agrees to let her sister have temporary custody of her daughter until she successfully completes rehab.

In the end, Kevin learns that a good caretaker puts the welfare of the child before his own desires. Therefore, he did not have too many regrets about missing out on the Victoria’s Secret party (unrealistic, anyone?). We see him growing closer and more attached to Sarah and eventually accepting that he is more than just “Cousin Kevin.”

Taye Diggs is a very charismatic actor and I found myself enjoying the show despite its tired premise. The future episodes are predictable in that the conflict between his single existence and his newfound status as “Daddy Kevin” will always be at the center of the story. I don’t regret that I missed the last presidential debate (predictably, both candidates’ parties proclaimed victory) for “Kevin Hill,” but I doubt I’ll catch any future episodes of the show – that is, unless Diggs crawls out of the television set and watches it with me.

Sunah Park, an associate at Thoys Reed & Armstrong, LLP, is an associate editor of the Philadelphia Bar Reporter.
Avoid Obstacles When Changing Practice Area

by James LaRosa and Gary Mintz

Question: What’s an effective way of presenting yourself if you want to change practice areas?

Answer: While it is not impossible to change your specialty, there can be obstacles. First, you may want to look within your own firm to see if there is an opportunity to move into a different practice group. If that is not an option, evaluate how your past experience and skills can be transferred to translate into the type of practice in which you are interested. Try to gear your resume to reflect these transferable skills. Also, while your cover letter is always an important part of your job application, it is particularly critical when you are trying to change practice area. Your cover letter should succinctly explain the particular practice area and why your background qualifies you for that particular practice.

In trying to make a practice switch, it is also important that you are able to articulate specific reasons for wanting to practice in that particular field. Simply saying that it seems more interesting will not be enough. Discuss your experiences in this area and explain how you enjoyed the elements of your practice that encompass that practice area.

Networking can be very beneficial when attempting to change practice areas. Talk to friends and coworkers that are practicing in the area in which you are interested. Let them know you are interested in changing your practice. Since they practice in that area, they are more familiar with the skills you will need to make the change. They will also have a better grasp of what is happening in that particular practice area and they may know of firms that are looking to expand.

Going back to school is also an option. Not only do you learn about the particular area in which you are interested, but you are also demonstrating that you are committed to making a change. Many attorneys will go back to school for an LLM or possibly an MBA. Some schools offer certificate programs in a particular field. These programs are less expensive and time consuming than a traditional MBA and can provide you with a solid foundation in a particular field.

If you are truly serious about making a change, you may need to take a small if not significant cut in salary. And because you are just learning a new practice area you will likely get the low-end grunt work that you may have worked your way out of.

Question: I had my first job for a year and went to another firm for a year. I just got a third job and don’t like it all. How do I shop for a new job without looking like a job hopper?

Answer: To be quite frank, with your job history, it is going to be very difficult to not appear to be a job hopper. The first thing we would suggest is for you to reevaluate your decision to leave your new job so quickly. Are you so dissatisfied with your present firm that you truly need to make a move? Take a long look at what is behind this decision.

You are going to need to be able to credibly explain the reasons behind each move. If you can adequately explain each move (and that is a big if) you may be able to convince a future employer that you are committed to the opportunity in which you are interested. There are numerous valid reasons why you will not leave this job as quickly as you have your past jobs. You need to be as certain as possible that this next position is a long-term career opportunity.

You want to confirm that this new opportunity will not have the same issues that you found objectionable at your former jobs. No matter how bad your present job is, you will only be hurting your career if you take another job you do not like and start prematurely searching once again.

James LaRosa, Esq. and Gary Mintz, Esq. are recruiters with JuriStaff, Inc., the exclusively endorsed legal staffing agency of the Philadelphia Bar Association. LaRosa can be reached at (215) 751-9100, extension 302 or via e-mail at jlarosa@juristaff.com; Mintz can be reached at (215) 751-9100, extension 315 or via e-mail at gmintz@juristaff.com.

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FEASTS TO FAMINE

slices, rolls these among three different Italian cheeses, then sprinkles with parmesan and bakes until they can melt in your mouth. Which they do. "In Calabria, they were making this dish when the Dead Sea was only sick. That’s how old the recipe is," says Maria knowingly. I’ve tasted nothing so splendid, old-fashioned, and fulfilling in years. Every bite coats the inside of your cheeks with cheese, while leaving mid-mouth and lips to mash the silken eggplant portion into a passionately moist potion. It all magically dissolves upon one’s tongue, as if a concluding swallow were not required.

One might also ask for Maria’s dried baked artichokes, whose leaves emerge like rose petals from the oven, and taste like potato chips, but whose inner core choice remains soft, and subtly flavored by a buttery burst.

If you merely want a sanctuary of salvation, then try to finish the three-meat lasagna ($13.49). Your eyes and instincts tell you that a pillow has been delivered to the table. You must consider whether to eat it or rest your head upon it.

Layers of flat pasta lengths are inter-woven among horizontal rows of crumbled cooked veal, beef and pork. Melted mozzarella, provolone and parmesan cheeses slip lava-like in every direction in between the layers. All of the above is drenched in a red sea of sauce that looks as if only Moses could part.

Your fork and you begin the process of meandering on all levels. The pasta is soft on the palate, while the meats swim about in the heated crater of your mouth. The plethora of red marinara sauce penetrates your taste buds leaving a mist as you exhale.

I’ll not mention the ristorante’s homemade gnocchi in pesto sauce ($11.95) or its occhiette ($13.95) playing among mounds of broccoli rabe, Italian sausage, garlic spikes and roasted red peppers, except to say “quality shows” you’ll be whistling “Volare” for days.

Peruto to Receive Beccaria Award

The Criminal Justice Section and The Justinian Society will present the 11th annual Cesare Beccaria Award to A. Charles Peruto Sr. on Monday, Nov. 22 at 5 p.m. in Room 202 of City Hall.

A reception, open to all members of the legal community, will follow. Please RSVP by Wednesday, Nov. 17 by calling (215) 238-6303 or by e-mail to elfipe@philabar.org.

The Beccaria Award honors an individual who has made an extraordinary contribution to scholarship and understanding in the area of criminal justice.

Sergio’s group of waitpersons are polite and most helpful. They look to be local students with family ties to Maria. They seem to revel in your enjoyment of the food as much as she. It’s not uncommon for the entire staff to drift into the “piano room” on weekends, as the restaurant dinners are completed, to begin singing and laughing. After a few moments of music, we all have family ties to Maria.

FINIS CORONAT OPUS

Skinny D. Bokoll is a sole practitioner and advisory editor of the Philadelphia Bar Reporter.

NOVEMBER CLE COURSES

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It’s Never Too Early for Business Sale Plans

by Peter A. Rohr and Richard L. Fox

Fewer than 30 percent of family businesses are actually taken over by the succeeding generation of the founder. This makes planning for an eventual exit strategy via a sale an extremely important issue to consider. Business owners contemplating a sale of the business should make sure a transaction team is on board and communicating long before the actual closing of the sale.

Depending on the size and scope of the transaction, the team may include a business and tax attorney, financial advisor, valuation expert, accountant and investment banker. Having such a transaction team is critical, as the sale of the business and the use of the related sale proceeds should involve consideration of legal, tax, financial, investment and estate planning issues.

As an attorney, you know firsthand the ongoing planning that is required for your clients and their businesses to be successful. Down the road, part of this success may come in the form of a successful sale of the business or its transition to the next generation.

In fact, we have found that selling or transferring a family business is currently a major concern to our clients in the “baby boom” generation, who have spent a lifetime building up their businesses and are now facing the prospect of retirement. This is an especially pervasive issue as the vast majority of businesses in the United States are family businesses.

If a client intends to transfer ownership of the business to the next generation, a succession plan is essential. This typically involves a long-range plan that takes into account the development of the business skills and acumen of the younger generation, issues regarding the control of the business after the founder is no longer in charge, and the estate and gift tax consequences of effectuating the transfer. If the intention of the client is to sell the business, other considerations are involved, particularly the maximization of the value to be realized, the preservation of such value, and the minimization of taxes.

Assuming it is consistent with the client’s overall desires, income, estate and gift taxes may be substantially reduced by engaging in certain transactions prior to the sale. These transactions may include, for example, transferring certain interests in the business to family members, an intentionally defective grantor trust, a grantor retained annuity trust, a split-interest charitable trust, a private foundation or donor-advised fund, or to a public charity. Ideally, these transfers should be accomplished well before the agreement of sale or even discussions regarding a sale take place, although a more liberal standard applies in the case of transfers involving charitable interests.

When, for example, a publicly traded company approaches a client about selling his closely held business, a number of issues are immediately raised. For tax purposes, it may be possible to structure the transaction as a tax-free merger or other reorganization, in which case the owner will receive stock of the acquiring company that will not be subject to tax until it is sold. If the business owner is to receive restricted securities in the public company, SEC Rule 144 prevents the securities from being immediately traded in the public markets. Instead, the stock can generally only be sold in the public markets after a one-year holding period, but even then it can only be dribbled out in limited quantities. In addition, if the owner desires a seat on the public company’s board of directors, other SEC rules may prevent the sale of the stock as a result of the owner becoming an “insider” with respect to the issuing company. Aside from tax and SEC issues, taking back the stock of another company in connection with a sale raises important financial and investment considerations. Is the stock liquid? Is it regularly traded? Can the stock be hedged or otherwise protected from a significant downturn?

In any potential sale situation, there should be substantial pre-sale discussions and analysis of post-sale investment, income and liquidity strategies. The possible use of hedging and diversification strategies should be considered in this context, as these strategies may serve to unlock value, create tax-efficient liquidity, and protect a concentrated investment position in one holding from the risk of a downturn in the market. In addition, any estate planning strategies should be implemented as far in advance of the sale as possible in order to maximize their benefits. Estate planning tools, such as a grantor retained annuity trust or a...
BUSINESS SALE
continued from page 20

family limited partnership, can be an efficient means of transferring wealth to the next generation, while at the same time addressing the owner’s liq-
uidity and income needs after the sale of the company. The use of various charitable planning techniques can also minimize income taxes associated with a sale while furthering the owner’s philanthropic intentions. A charitable remainder trust, which not only reduces income taxes but also provides the owner with an income stream, is sometimes used in the context of a sale of a closely held business.

The best time to begin pre-sale planning is at the time of the creation of the business and such planning should be routinely updated through-
out the life of the business. While the seller is preparing for all potential contingencies involving the sale, one issue remains paramount—how much is the business worth? There is no standard formula for the valuation of a business, but there are a number of customary factors for consider-
mation. Look closely at the following factors, among others: trading prices for comparable companies, recent acquisitions of similar companies, the strategic value of the business to non-
financial buyers; current availability (or lack thereof) and cost of debt financing; and the impact of an acquisition on a publicly held buyer’s earnings per share.

Peter A. Rohr is a senior vice president with Merrill Lynch. He can be reached at peter_rohr@ml.com. Richard L. Fox is a partner with Dilworth Paxson LLP. He can be reached at rfox@dilworthlaw.com.

Note. While the following listings have been verified prior to press time, any scheduled event may be subject to change by the committee or section chairs.

Monday, Nov. 1
Public Interest Section Executive Committee — meeting, noon, 10th floor Board Room.
Family Law Section — meeting, 4 p.m., 10th floor Board Room.

Tuesday, Nov. 2
Philadelphia Bar Foundation Board of Trustees — meeting, noon, 10th floor Board Room.
Elder Law Committee — meeting, noon, 10th floor Committee Room South.

Wednesday, Nov. 3
Delivery of Legal Services Committee — meeting, 8:30 a.m., 10th floor Board Room.
State Civil Committee — meeting, noon, 10th floor Board Room. Lunch: $7.50.

Thursday, Nov. 4
Environmental Law Committee — meeting, noon, 11th floor Conference Center. Lunch: $7.50.
Civil Rights Committee — meeting, 12:15 p.m., 11th floor Committee Room South.
Alternative Dispute Resolution Committee — meeting, 12:15 p.m., 10th floor Board Room.
Philadelphia Bar Reporter Editorial Board — meeting, 12:30 p.m., Cabinet Room.

Friday, Nov. 5
Philadelphia Bar Association Bench-Bar Conference — noon, Borgata Hotel Casino Spa, Atlantic City, N.J.

Saturday, Nov. 6
Philadelphia Bar Association Bench-Bar Conference — 8 a.m., Borgata Hotel Casino Spa, Atlantic City, N.J.

Monday, Nov. 8
Election Procedures Committee — meeting, 8:30 a.m., 10th floor Board Room.

Tuesday, Nov. 9
Criminal Justice Section Executive Committee — meeting, 10th floor Board Room.
Solo and Small Firm Committee — meeting, noon, 11th floor Conference Center. Lunch: $7.50.

Wednesday, Nov. 10
Section Chairs Meeting with Chancellor — 8:30 a.m., 10th floor Board Room.
Appellate Courts Committee — meeting, noon, 10th floor Board Room. Lunch: $7.50.

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

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

Saturday, Nov. 13
Andrew Hamilton Ball — Park Hyatt Philadelphia at the Bellevue, Broad and Walnut streets.
Tickets: www.philadelphiabar.org.

Lawyers Helping Lawyers
Chancellor Gabriel L.I. Bevilacqua meets with John Rogers Carroll, chair of the Association’s Lawyers’ and Judges’ Assistance Committee, at the American Bar Association’s 17th National Conference for Lawyer Assistance Programs at the Hyatt Regency Philadelphia at Penns Landing on Oct. 12. The conference featured courses on lawyer assistance topics led by leaders in treatment, recovery and counseling.

Monday, Nov. 15
Business Law Section Executive Committee — meeting, noon, 10th floor Board Room.

Tuesday, Nov. 16
Cabinet — meeting, noon, 10th floor Board Room.

Wednesday, Nov. 17
Workers Compensation Section Executive Committee — meeting, 10:30 a.m., 11th floor Committee Room.
Workers Compensation Section — meeting, noon, 11th floor Conference Center. Lunch: $7.50.
Real Property Section — Annual meeting, noon, Loews Philadelphia Hotel, 1200 Market St.
Federal Courts Committee — meeting, 12:30 p.m., 10th floor Board Room. Lunch: $7.50.
Committee on Racial and Gender Bias in the Justice System — meeting, 12:30 p.m., 11th floor Committee Room. Lunch: $7.50.
LegalLine — 5 p.m., 11th floor LAS offices.

Thursday, Nov. 18
Family Law Section Executive Committee — meeting, noon, 11th floor Committee Room South.

Women in the Profession Committee — meeting, noon, 11th floor Conference Center. Lunch: $7.50.

Friday, Nov. 19
Social Security and Disability Benefits Committee — meeting, noon, 11th floor Conference Center. Lunch: $7.50.
Philadelphia Lawyer magazine Editorial Board — meeting, 12:30 p.m., 10th floor Board Room.

Tuesday, Nov. 23
Thanksgiving Breakfast — 8 a.m., Union League, 140 S. Broad St.
Board of Governors — meeting, 4 p.m., 10th floor Board Room.

Wednesday, Nov. 24
Committee on the Legal Rights of Persons with Disabilities — meeting, 12:30 p.m., 11th floor Committee Room.

Thursday, Nov. 25
Thanksgiving — Bar Association offices closed.

Friday, Nov. 26
Thanksgiving Friday — Bar Association offices closed.

Tuesday, Nov. 30
Young Lawyers Division Executive Committee — meeting, noon, 10th floor Board Room.
Criminal Justice Section — meeting, noon, 11th floor Conference Center. Lunch: $7.50.
Probate and Trust Section — Annual Meeting, 2 p.m., The Kimmel Center, 260 S. Broad St.
Family Law Section — Annual Dinner, 5:30 p.m., Maggiano’s Little Italy, 12th and Filbert streets.
Tickets: www.philadelphiabar.org.
Workers’ Compensation Section — Annual Reception, 6 p.m., The Pyramid Club, 1735 Market St.
Tickets: www.philadelphiabar.org.

Unless otherwise specified, all checks for luncheons and programs should be made payable to the Philadelphia Bar Association and mailed to Bar Headquarters, 1101 Market St., 11th fl., Philadelphia, Pa. 19107-2911. Send 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) 238-1287. E-mail: reporter@philabar.org.
Kimberly A. Tynan, Architecture and Design.

Molly Peckman, Corporate Litigation Committee.

B. Christopher Lee, given to Pennsylvania’s top lawyers ‘Lawyer on the Fast Track,’ an award presented by Governor Edward G. Rendell to Pennsylvania’s best lawyers.

Lisa R. Jacobs, a partner with Pepper Hamilton LLP, spoke on “Going Public” at the Sept. 29 meeting of the Philadelphia Chapter of the Private Equity CFO Association in West Conshohocken, Pa. She also has been named to the executive council of the Business Law Section of the Pennsylvania Bar Association for a three-year term, and was appointed by the Secretary of the Commonwealth of Pennsylvania to the Corporation Bureau Advisory Committee in order to represent the Commonwealth of Pennsylvania for a two-year term.

Jennifer A. Brandt, a member of Cozen O’Connor, has been named to the Pennsylvania Supreme Court Disciplinary Board.

Mark A. Welge, president of Welge Dispute Solutions LLC, has been reappointed for a fourth term as co-chair of the Alternative Dispute Resolution Committee of the Pennsylvania Bar Association. He was also elected president-elect of the Greater Delaware Valley Chapter of the Association for Conflict Resolution.

Judge G. Craig Lord, a partner at Blank Rome LLP, has been appointed by Gov. Edward G. Rendell to Pennsylvania’s Judicial Conduct Board.

Howard G. Littman, an associate with Swatz Campbell LLC, was recently elected president of the board of directors of Habitat for Humanity Philadelphia, a nonprofit homeowner-ship organization that seeks to eliminate substandard housing in the City of Philadelphia by working in partnership with families, sponsors and volunteers.

Sharon N. Humble, managing partner of Lineberger Goggan Blair & Sampson, LLP, served as moderator at the North Eastern States Tax Officials Association 2004 conference in Ogunki, Me., in September.

Ian Comisky, a partner at Blank Rome LLP, was a featured speaker at the 2004 ABA/AABA Money Laundering Enforcement Seminar Oct. 24 to 26 in Arlington, Va.

Bruce H. Bikin, a partner at Montgomery, McCraken, Walker & Rhoads, LLP, has been appointed to the Hearing Committee of the Pennsylvania Supreme Court Disciplinary Board.

Alan F. Wohlstetter, a member of Cozen O’Connor, is serving on the Philadelphia Host Committee, a group of Philadelphians leading a nationwide series of forums marking the 50th anniversary of Brown v. Board of Education.

Neil Boyden Tanner of Pepper Hamilton LLP recently was elected by the executive committee of the International Association of Young Lawyers as its national representative from the United States.

Justice Ralph J. Cappy, chief justice of the Supreme Court of Pennsylvania, has been appointed to the United States Judicial Conference Committee on Federal-State Jurisdiction by U.S. Supreme Court Chief Justice William H. Rehnquist.

Shaham G. Teberian, a partner with Klehr, Harrison, Harvey, Branzburg & Ellers LLP, has been named to the Board of Directors of the Philadelphia Association of Christian Schools, a nonprofit organization that advises and supports private Christian schools in Philadelphia.

Kenneth Gelburt, assistant regional counsel at the Pennsylvania Department of Environmental Protection’s Southeast Regional Office, was a faculty member at the National Association of Attorneys General Continuing Legal Education seminar “Bankruptcy from a Government Perspective” in Washington, D.C. in September. His presentation was “Regulators, the Automatic Stay and the Discretionary Stay.”

Phyllis Horn Epstein, a member of Epstein, Shapiro & Epstein, P.C., spoke on Failure to Secure Adequate Legal Assistance in Handling Qualified Domestic Relation Orders as a faculty member of “Once of Prevention, Pound of Cune: Critical Mistakes Made in Divorce in Pennsylvania” sponsored by the National Business Institute on Sept. 14.

Julia M. Rafferty, an associate with Marshall, Dennehey, Warner, Coleman & Goggin, has been elected to the Board of Directors of the Professional Women’s Roundtable.

Thomas K. Gilhool of the Public Interest Law Center of Philadelphia received Philadelphia Mental Retardation Services’ Fialkowski Award in recognition of his dedication and achievement in promoting social change, inclusion and empowerment in the lives of people with mental retardation.

Bill Brown III, a member of Brown & James, P.C., has been appointed by Governor Edward G. Rendell to fill a vacancy on the Court of Judicial Discipline of the Commonwealth of Pennsylvania.

Names Are News

“People” highlights news of members’ awards, honors or appointments of a civic or community nature. Information may be sent to Jeff Lyons, Managing Editor, Philadelphia Bar Reporter, Philadelphia Bar Association, 1101 Market St., 11th floor, Philadelphia, PA. 19107-2911, Fax: (215) 238-1267. E-mail: reporter@philabar.org. Photos are also welcome.
BMW of North America is proud to announce that Otto’s BMW has once again received the prestigious BMW Quality Trophy. In 2002, Otto’s was the first BMW Center in the area to be awarded this honor. 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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