The Association’s Nominating Committee nominated the following candidates for Bar Association offices Oct. 11: Vice Chancellor, Sayde J. Ladov; Secretary, John E. Savoth; Assistant Secretary, Kathleen D. Wilkinson; Treasurer, Scott F. Cooper; Assistant Treasurer, Jeffrey M. Lindy.

The committee made the following nominations for three-year terms (three of five positions) on the Board of Governors: Gaetan J. Alfano, Karen L. Detamore and Shelley R. Smith.

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. 5, 2006. The deadline for filing these additional nominations is Friday, Nov. 3, 2006, at 5 p.m.

Nominations must be in writing and may take the form of a letter to the Secretary, c/o Susan Knight, Philadelphia Bar Association, 1101 Market St., Philadelphia, PA 19107-2911. Letters must state the office the individual is seeking and must include the names and signatures of at least 25 members of the Association who are entitled to vote, except for the nomination of Vice Chancellor, which shall be signed by at least 100 members who are entitled to vote.

Offices to be filled are Vice Chancellor, Secretary, Assistant Secretary, Treasurer and Assistant Treasurer, as well as five positions on the Board of Governors for a term of three years.

Candidates also are asked to provide a photograph and statement of no more than 150 words, demonstrating their qualifications to serve as a member of the Board of Governors. Photos and statements will be published in the Philadelphia Bar Reporter and must be received no later than Friday, Nov. 3, 2006, at 5 p.m.
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Bar Policy Comes From Mandate, Not Whim

by Alan M. Feldman

Over the past year, I’ve received a number of questions and comments from members, some favorable and some not, about the Philadelphia Bar Association’s policies and platforms on issues of significance. While I think I’ve responded to just about every e-mail, call and letter in an effort to explain why the Association has, or has not, adopted a particular position on a given subject, I thought it might be useful to clarify the process by which the Association adopts policy positions.

The policies adopted by the Association find expression in all kinds of media. They may appear in letters released for publication, op-ed pieces in newspapers, press releases, interviews on radio or television, announcements on the Association’s Web site, and of course in these columns. It’s my view that whether we have a position on a particular issue, and what that position is, should not be a secret, but should be widely disseminated to our members and the broader community. As you might expect, this year we’ve made more use than ever of the Bar Association’s new and highly sophisticated Web site for just that purpose, so that all who care can know who we are, what we believe, and what we’re doing about it.

Normally, Bar Association policy is expressed by formal resolutions debated and adopted by the Board of Governors. Proposed resolutions usually percolate up from committees and sections of the Association, and ordinarily have been discussed, tweaked and revised by the time they are considered by the Board. Sometimes, however, the Association is asked by government leaders, civic organizations or the media if we have a position on a particular subject that hasn’t been the object of Board action. In these instances, the bylaws of the Association at §1002(B) govern:

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The Chancellor shall be the prin
cipal spokesperson of the Association. The Chancellor shall have authority to speak for the Association:

(1) In furtherance of any action or position taken by the Board or by the Association, and

(2) On other matters, when in conflict with a previously adopted pol
licy of the Association whether expres
sed by the Board or by resolution duly passed by the Members. The Chancel
lor may delegate such authority to an
other Member when the Chancellor may be unavailable or when the Chancel
lor concludes that having such per
sons speak for the Association will best serve the goal, position or result de
sired.

So, in answer to those of you who have asked parenthetically or, from time to time, quite literally, “who made you God to speak for the Bar Association?” the answer is that you did, by electing me to serve as your Chancellor in 2006.

When there is no precedent from the Board of Governors, I do my best to carefully consider if I should speak out for the Association, and if so, whether the content of the policy or position I articulate is consistent with the broad interests of the Philadelphia legal community and the mission of the Association. I’ll admit that there are not always obvious benchmarks to guide a Chancellor’s discretion, and sometimes I just have to make a judgment call based upon what I think is right. Thus, when it was announced that sitting federal judges from the Third Circuit Court of Appeals intended to testify at the Senate confirmation hearings for Judge (now Justice) Samuel Alito, I thought it was a bad idea that could lead to charges that the judges were playing politics. I went public with my letter to Sen. Arlen Specter asking him (unsuccessfully, I admit) to reconsider receiving testimony from these judges. And when the National Park Service proposed to erect a seven-foot-high security fence around Independence Mall, I sued (open letter to the Park Service) to have it removed. I thought that it was a dreadful idea that should be abandoned. In perhaps the most widely known example of my exercise of the Chancellor’s discretion, I recently

continued on page 23
## Section to Celebrate Dec. 6 with CLE, Award

by Joseph A. Sullivan

The Public Interest Section will celebrate its 15th Anniversary with a full-day CLE program on Dec. 6 that focuses on new ethics rules, advanced litigation skills and “hot topic” updates in housing, immigration and client relations, among others. The day’s events will be capped with the Section’s Annual Cocktail Reception and presentation of the Andrew Hamilton Award.

Since its inception in 1991, the Public Interest Section has served as a forum for the public interest and private bar in collaborating on “big picture” issues of law and policy affecting access to justice for the poor, disabled and other disadvantaged groups.

The Dec. 6 CLE program features a distinguished faculty of public interest and private firm lawyers, law school faculty and the judiciary. Attendees will earn six CLE credits, including four substantive and two ethics credits, and can select from eight different sessions.

Ethics seminars feature two new topics of importance. One session will address new ethics rules and their impact on pro bono representation, the operation of telephone hot lines and the delivery of unsolicited legal services. The second ethics session will address the growing collaboration with non-lawyers, and is titled “Exploring the Ethical Boundaries of Collaboration with Non-Lawyers: Working Closely with Social Workers, Law Students, Paralegals, and Interpreters.”

Six different breakout substantive law sessions will also be offered, including Advanced Litigation Skills; Immigration Basics; and Hot Topics in Housing and Utilities Law. Attendees also will have the choice of sessions on Hot Topics in Health Law; Dealing with the Intersection of Domestic Violence with Housing, Immigration, and Public Benefits; Combating Bias; or Working with Challenging Clients: Overcoming Issues such as Mental Illness, Limited Capacity, and Low Literacy.

The Section’s 15th Anniversary Party and Awards Ceremony, at the Loews Philadelphia Hotel, will immediately follow, with the presentation of the annual Andrew Hamilton Award at 5 p.m. The cocktail reception will follow, with heavy hors d’oeuvres and an open bar.

As it has since 2005, the Section will present the Higginbotham Scholarship to a Philadelphia public interest law center to subsidize the work of a summer law clerk in 2007. Since 2005, the Section has raised funds through its annual reception to subsidize the Higginbotham Scholarships.

“The annual reception is our opportunity to recognize the dedicated lawyers and staff in the public interest community who work tirelessly for our most disadvantaged neighbors across Philadelphia, and the Higginbotham Scholarship recognizes the need to welcome talented law students into the public interest community. We hope to see a significant increase this year in contributions to the Higginbotham Scholarship fund, which both funds the scholarships and defrays the cost of the annual reception,” said Section Chair Jeffrey Campolongo.

Scholarship contributions are $100 and include a ticket to the event and recognition in the program booklet. Individual tickets may be purchased at philadelphiabar.org. To register for Public Interest Law Day, visit pbi.org. For more information, call Tracey Blevins at 215-238-6360 or e-mail tblevins@philadelphiabar.org.

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| Nov. 3 | 15th Annual Business Lawyers’ Institute | The CLE Conference Center |
| Nov. 4 | The Stem Cell Debate: The Intersection of Law, Religion and Bioethics | The CLE Conference Center |
| Nov. 5 | Drafting QDRs: Law and Practice | The CLE Conference Center |
| Nov. 6 | How to Handle A Child Abuse Case | The CLE Conference Center |
| Nov. 7 | Speaker Training | The CLE Conference Center |
| Nov. 8 | Employment Law Update | The CLE Conference Center |
| Nov. 9 | Hot Topics in Section 1031 Exchanges | The CLE Conference Center |
| Nov. 10 | Mechanic’s Liens in Pennsylvania – An Update | The CLE Conference Center |
| Nov. 11 | Theater Skills in the Courtroom | The CLE Conference Center |
| Nov. 12 | Dealing with Firearms in Estates and Business Transactions | The CLE Conference Center |
| Nov. 13 | Medicare Part D | The CLE Conference Center |
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| Nov. 19 | Criminal Law Update | The CLE Conference Center |
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| Nov. 21 | Finding Hidden Assets | The CLE Conference Center |
| Nov. 22 | Effective Advocacy in the Federal Appellate Courts | The CLE Conference Center |
| Nov. 23 | Pennsylvania State and Local Tax Update | The CLE Conference Center |
| Nov. 24 | Using Outlook in the Law Office | The CLE Conference Center |
| Nov. 25 | Bridge the Gap | The CLE Conference Center |
| Nov. 26 | Using the Internet for Legal Research | The CLE Conference Center |

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Rule 1925(b), which requires a concise and complete statement of the matters complained of on appeal, creates a pressing dilemma for attorneys afraid to include too many issues for fear of retribution from the court, or to include too few issues for fear of a waiver, Pennsylvania Supreme Court Justice Sandra Schultz Newman told members of the State Civil Litigation Section on Oct. 4.

“It’s become a ‘Catch 22,’” Justice Newman explained. “Rule 1925(b) has affected so much of our work,” said Newman, who felt that the current rule, in many cases, forces attorneys to “muddy the waters” with every conceivable issue on appeal, while drawing attention away from the primary issues presented.

Justice Newman highlighted several recent opinions stemming from Rule 1925(b), including Kanter v. Epstein and Commonwealth v. Lungin.

Kanter, a well-known, and oft-cited quagmire for the courts, saw defense counsel submit 104 issues for appeal to the trial judge. In response, Superior Court Judge John L. Musmanno dismissed the appeal, writing that: “We can only conclude that the motive underlying such conduct is to overwhelm the court system to such an extent that the courts are forced to throw up their proverbial hands in frustration. While such tactics may prove successful in other situations, we are unwilling to succumb to such chicanery and will not reward such misconduct.”

Justice Newman also discussed the impact of Rule 1925(b) on criminal cases and noted the extra pressures placed upon criminal attorneys routinely dealing in matters of life and death can make the requirements of 1925(b) all the more daunting.

“I would do the same thing,” she said of criminal attorneys submitting exhaustive 1925(b) statements for fear of the implications that an issue not stated would be waived, drastically affecting their client’s status.

Unfortunately, as Justice Newman noted, the notion that 1925(b) statements in criminal cases should be treated differently than those in civil cases has been flatly rejected.

In Lungin, the defendant, convicted of the rape and sexual assault of an unconscious 17-year-old girl in 2003, submitted a statement raising 150 appellate issues in a 36-page document. The response from the Superior Court, after more than a year-long wait for the trial judge’s opinion, was to reject the statement, holding that “[i]fjust as in Kanter, we conclude that Lungin has failed to preserve any of his issues for appellate review.”

In an effort to remedy these pressures and the confusion stemming from the rule, Justice Newman discussed several proposed amendments that will be voted upon in the next year. The intent of the amendment is to relieve attorneys of the pressure to be exhaustive in their statements.

The amendment is directed at allowing attorneys to paint somewhat broader strokes in drafting their 1925(b) statements, and providing greater leeway in allowing judges to extend the deadlines for such statements. Newman is hopeful that the changes will be effective.

Brian K. Sims, an associate with Mark. F. Seltzer, P.C., is an associate editor of the Philadelphia Bar Reporter.
The Superior Court of Pennsylvania, already the largest volume court in the nation, is facing another obstacle—a shortage of judges.

"The numbers of cases are incredible," Superior Court Judge Seamus P. McCaffrey told members of the Appellate Courts Committee on Oct. 11. According to court’s Web site, there were almost 8,000 appeals filed with the court. More than 2,000 appeals were from Philadelphia County alone. While these numbers may seem overwhelming, Judge McCaffrey indicated that the number of cases each judge on the court must handle is expected to increase.

"We need more judges right now," said Judge McCaffrey. "Many of you might not know, but we are losing two of our more senior judges, Judge DelSole, who has just retired, and Judge Huddock."

Judge McCaffrey explained that the senior judges on the Superior Court are required to maintain a full load of cases, just like the other judges on the court. While the judges on the Third Circuit may handle 90 cases each year per judge, he said each judge on the Superior Court, including the senior judges, handles approximately 255 to 250 cases.

In order to help alleviate this growing problem, he suggested that one solution would be to increase the number of judges on the court. While Judge McCaffrey indicated that he would join his colleagues in seeking an increase to the number of judges on the court, he expressed his concern that there may not be enough support in the Pennsylvania legislature for such an effort. He believes this is primarily due to the current statewide atmosphere regarding the recent pay raise issue.

Committee Chair Charles F. Becker expressed disappointment with the lack of support in the state legislature with respect to managing the state’s judicial system. "At the end of the day, the people who are affected by it are the people who live in the state," said Becker. "It is not about judges or lawyers, it is about litigants who are voters, who are constituents, people who make Pennsylvania go."

While the legislature may be hesitant to help the Superior Court, Judge McCaffrey indicated that the court is taking some steps of its own. He revealed that President Judge Kate Ford Elliott is looking into the possibility of creating an arbitration committee, similar to the Commonwealth Court’s arbitration committee.

Whether the Superior Court takes actions into its own hands or the state legislature moves forward on increasing the size of the court, Judge McCaffrey believes that lawyers should become activists with respect to issues affecting the judicial system. "Let people know that justice is not being served," he said.

Andrew K. McMullin is an associate with Blank Rome LLP.
Stories of abandoned children and abused women, tales of elderly couples swindled of their life savings or AIDS victims left homeless due to needless fear and prejudice – these heart-wrenching tales are related each year by Philadelphia Bar Foundation grantees at interviews to determine annual funding. In my 10 years in various capacities with the Foundation, I have been moved time and time again by the recounting of cases by representatives of our various grantee legal aid organizations. We have given millions of dollars to deserving groups that are doing remarkable work with our city’s poor, disabled and disadvantaged – but what we who work with the Foundation realize is that we need to do more.

Various studies show that as many as 80 percent of those who seek legal aid services nationwide are turned away for lack of resources. We have taken major steps in putting Philadelphia ahead of those statistics in recent years through our work at the Foundation, and I am thrilled to announce that recently the Foundation’s endowment reached a major milestone. We are halfway to our goal of $10 million!

What does this mean to those who depend on us? Over the last several years we have increased the minimum given to a grantee from $500 per organization to $2,000 and we would like to see that number grow again. We need to make donations to our grantees in monetary amounts that make a real difference.

The members of the Philadelphia Bar Association are exceedingly generous with their time as volunteers, donating time as pro bono attorneys and serving on the boards of these various legal organizations, but the harsh reality is that money is needed to keep these legal aid groups going and they look to us to provide it.

While we have built the Foundation’s endowment over the past several years with interest income and good investments, it is through donations that we have reached the $5 million mark. In 2005 a small group of friends of the Foundation agreed to form a special category of giving to assist in building the endowment, the “Advocates of Justice.” This generous group pledges $25,000 to the Foundation over a period of three years. We currently have 27 “Advocates of Justice,” including three who committed to the program this past year.

The Hamilton Circle, a level where pledges are made for a donation of $10,000 payable over 10 years, was created with the goal to start building an endowment to protect and ensure the Bar Foundation’s ability to make a secure baseline level of grants to our wonderful grantees, year in and year out. Since its inception in 1992, the Hamilton Circle has had 324 individuals commit to that giving level.

To build our endowment, we must rely on these dedicated sources of income, your donations, and not be reliant on the more costly (and often unpredictable) special event fundraisers that had been our source of funds in the past. If you are able, I urge you to make a pledge to join one of our elite groups of giving. Your gift really can make a difference.

Our current goal is to reach the ability to spend 5 percent of a $10 million endowment for grants each year. Couple that goal with our annual...
by Beth Huffman

Stressing harsh reality and current medical costs versus the level of care everyone would like to see universally provided, Joseph W. “Chip” Marshall III, CEO of Temple University Health System and a member of the Medicaid Commission, discussed the commission’s two-year project on Oct. 17.

The meeting was co-sponsored by the Public Interest Section, the Business Law Section’s Health Care Law Committee and the State Civil Litigation Section’s Medical-Legal Committee.

“I believe it is possible to reduce system defects while fortifying the Medicaid system,” said Marshall, who also currently serves on the Pennsylvania Gaming Control Board and is a former member and chair of the Pennsylvania State Ethics Commission. “The type of creative thinking I have encountered through the commission’s work has given me cause for optimism that we as a nation will arrive at a real solution.”

The Commission, established in May 2005 under Public Law 92-463, Federal Advisory Committee Act, advises U.S. Health and Human Services Secretary Mike Leavitt on ways to modernize the Medicaid program so that it can provide high-quality health care to its beneficiaries in a financially sustainable way. It consists of 30 elected officials, state health department officials, public policy organizations, individuals with disabilities and others with special expertise.

The Commission’s first report, submitted in September 2005, included suggested reforms that projected an $11 billion savings — $1 billion dollars more than the goal. The second report, due Dec. 31, 2006, will provide recommendations to help ensure the long-term sustainability of Medicaid.

“The first $10 billion was easy, the next $50 billion I think will be a challenge,” Marshall said.

The second report also will consider how to address the major issues affecting Medicaid under three different scenarios: an assumption that federal and state spending continues at current paces, an assumption that Congress chooses to lower the rate of growth in the program, and an assumption that Congress may increase spending for coverage.

Marshall has submitted five areas for the commission to consider at its Nov. 16-17 meeting including the need to ensure states provide health care coverage for all citizens; tort reform for providers; financing and implementation of a federal medical records system; a revamping of the Medicare system to include “dual eligibles”, and the reorganization of the long-term care financing system while “encouraging personal responsibility for long-term care needs.”

Saying he feels the commission will ultimately have to recommend multiple approaches for the Medicaid system to be restructured with an emphasis on giving states more flexibility, Marshall stressed that it was imperative to continue to protect those who rely on Medicare, to be mindful that providers are reimbursed at below their cost and that the United States is “unsurpassed in its delivery of the highest standard of care to those it serves.”

Case Management Innovations

U.S. District Court Judges Anita B. Brody and James Knoll Gardner talk about innovations in case management at the Wednesday, Oct. 18 meeting of the Federal Courts Committee. To listen to the podcast of this and other Bar Association events, visit philadelphiaabar.org.
Lawyers Must Work to Cut Crime, Panel Says

by Jeff Lyons

Whether it's by working with children at risk or rewriting ineffective laws, lawyers have a moral and ethical responsibility to work to decrease the crime rate in Philadelphia, panelists told the Professional Responsibility Committee on Oct. 23.

Panelists were Philadelphia District Attorney Lynne Abraham and attorneys George Gossett Jr., Michael B. Hayes and Jeffrey M. Lindy.

"I think it's almost everybody's moral or ethical obligation to try and help somebody in need," Abraham said, offering a laundry list of things attorneys can do that will have some effect in the fight against crime. Most of her list involved helping children at risk, including helping juvenile defendants in family court. "There are lots of young people who don't have anybody in their life that they can look up to. In the D.A.'s office, we're always looking for adults who are interested enough in juveniles before they become the robbers and the rapists," she said.

"What I'm looking to do is prevent some woman or some girl from becoming a victim of rape or robbery. We have lots of youngsters who can look to someone like you, while they're on probation or court supervision, to come along and help them. You can do something as difficult as teaching them how to read. It's astounding how many young offenders we have who are reading at a second- or third-grade level who think education is something not to be prized," Abraham said.

She said one of the best ways to prevent crime is to work with women who are battered or abused. "Civil lawyers ought to volunteer to do divorces pro bono for women who are in bad and dangerous marriages. Children are exposed to an enormous amount of interferential violence, whether its sexual abuse, psychological abuse or physical abuse. Children who are involved in violent, tumultuous relationships frequently become violent and tumultuous and can get into trouble in school by acting out," she said.

"But the whole idea is how much interest you show in children. You need to invest a considerable amount of time, depending on the needs of the individual child. Some just need a little extra push or a little more motivation. It's going to take a lot of time and it's not going to be a steady upward progression. They really need to see that you are genuinely and truly interested in their welfare and that you want for them the same things you want for your own children," she said.

"It's going to take a lot of time and it's going to take an extra push or a little more motivation. It's going to take a lot of time and it's going to involve a lot of individual children. Some just need a little extra push or a little more motivation. It's going to take a lot of time and it's not going to be a steady upward progression. They really need to see that you are genuinely and truly interested in their welfare and that you want for them the same things you want for your own children," she said.

"Let's find the bad laws and correct them. We have to be realistic in what we can do. We can't solve all the social issues. But we can correct the bad law behind the social issues," he said.

Hayes, chair of the Young Lawyers Division, said the preamble of the Rules of Professional Conduct says that lawyers should further the public's understanding of and confidence in the rule of law and the justice system because legal institutions in a constitutional democracy depend on popular participation and support to maintain their authority.

"If we don't use our education, our training and our position to improve public respect for the rule of law, it'll all be for naught. You can look at IQ to see what happens when people don't have any respect for the rule of law. Instead of the rule of law, you're reduced to Darwinian law, and when you're reduced to that, all is lost," Hayes said.

"We have a plague of crime in our city, and we as lawyers have a special responsibility to uphold the rule of law. We have to pinpoint the areas of the law that are deficient and work to improve them," he said.

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"Let's find the bad laws and correct them. We have to be realistic in what we can do. We can't solve all the social issues. But we can correct the bad law behind the social issues," he said.

Hayes, chair of the Young Lawyers Division, said the preamble of the Rules of Professional Conduct says that lawyers should further the public's understanding of and confidence in the rule of law and the justice system because legal institutions in a constitutional democracy depend on popular participation and support to maintain their authority.

"If we don't use our education, our training and our position to improve public respect for the rule of law, it'll all be for naught. You can look at IQ to see what happens when people don't have any respect for the rule of law. Instead of the rule of law, you're reduced to Darwinian law, and when you're reduced to that, all is lost," Hayes said.

"We have a plague of crime in our city, and we as lawyers have a special responsibility to uphold the rule of law. We have to pinpoint the areas of the law that are deficient and work to improve them," he said.
Harness Self-Doubt to Improve Practice

by Michael B. Hayes

In just a few days, my wife Melissa and I will celebrate the first birthday of our first child, Nolan. To say that he has been a blessing in our lives would be a drastic understatement. We wouldn’t trade a moment of our time with Nolan for the world. Every day now, he is preparing himself, building up his confidence to take that first step on his own. For now, when Nolan stands up little feet seem glued to the playroom floor, but that will change soon enough, I am sure. This article, I confess, is as much written for him as for you.

There are many potential pitfalls for the unwary lawyer. Obscure local rules, little-known nuances in the common law, and grammatically absurd, nearly unintelligible statutory exceptions buried in six-point type, are to name but a few. The practice of law is beset with uncertainty to make even the most knowledgeable estates lawyer wince at the notarization of a particular deed. It comes with the territory, most self-doubt taps ever-so-lightly and whispers “what if?” in the back of our minds. Each time we are resound with righteous indignation to know about the law. There isn’t a lawyer, drug, or distraction in the world strong enough to put all self-doubt out of your mind. And no matter how esteemed you may become or what accolades are laid upon your shoulders, you will never be truly beyond self-reproach. We make mistakes. We overlook things. We make bad decisions. In other words, we’re human (insert bad lawyer joke here). Unless and until that fundamental truth of our existence somehow changes we will, as we should, all carry some self-doubt.

At the far end of the spectrum, self-doubt can be paralyzing. Obsessing over our shortcomings, dwelling on our failures, re-living our mistakes over and over again is a sure-fire recipe for personal, as well as professional disaster. Between the extremes, however, self-doubt is manageable. In fact, self-doubt can have a real positive influence on our practice of law. That whispering “what if?” might spur you to work harder to find solutions to your client’s problems. Maybe that vague, nagging worry prompts you to uncover a hidden weakness in your case, which in turn enables you to better advise your client of their prospects for success. Perhaps, upon reflection, you realize that you can do it faster, more efficiently, more thoroughly or more effectively.

I know that I am over-simplifying things. Self-doubt is by no means our only source of anxiety. Just like you, I worry what opposing counsel is thinking up, what the judge is going to do with my summary judgment motion, and whether my client is going to break down on cross-examination. But we can’t control what opposing counsel will do, and the judge will rule as he or she sees fit according to the law and the facts presented. We can’t testify for our clients on cross-examination like Drew Rosenhaus (“No comment. No comment.”) did when the camera crews showed up in T.O.’s front yard. Self-doubt, on the other hand, is all inside. As a result, it can be harnessed and used as a tool to improve ourselves and our practices.

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

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Events.

Spooktacular Day of Family Fun

Sesame Street’s Bert and Ernie (left photo) greet an enthusiastic fan at the Young Lawyers Division Family Fall Spooktacular on Oct. 22 at Sesame Place in Langhorne, Pa. More than 150 people, including 75 children, turned out for the event, which included a sing-a-long with the characters and a Halloween parade.
Committee Spotlight: Social Security and Disability Benefits

Practitioners Work Together to Resolve Issues

by Jeff Lyons

The Social Security and Disability Benefits Committee works as a link between practitioners, the government and judges to disseminate the latest information to members.

Co-Chairs Karen Weisbord and Jeffrey Lichtman say they get speakers from the Social Security Administration as well as judges who like to get the word out on the newest procedures and policies.

“What’s also very important is the face-to-face contact that we get with these officials. Then when you have issues or problems, they know who you are. And you get to discuss issues with the judges on a more informal basis,” Weisbord said.

Most of the committee’s members are either sole practitioners or members of very small law firms. Lichtman said a majority of the committee’s members concentrate on Social Security law. “I think I’m typical among our members,” Weisbord said. “A large percentage of what I do is Social Security, but I do some other work as well.”

At almost every meeting, the committee has a speaker who addresses a topic of concern. “We have judges, district office personnel and managers. We’ve had doctors speak. In the past, we’ve had some of the experts like neurologists and psychologists speak,” Weisbord said.

Weisbord and Lichtman also said there are meetings where the members do the talking. “We do have some sessions where it’s just the members of the committees discussing issues or problems that they might be having. Because chances are, someone else on the committee has faced the same situation,” Weisbord said.

Sometimes an issue will arise out of one of those meetings and either Weisbord or Lichtman will write to the appropriate parties to see if the issue can be addressed. “And sometimes, that letter will lead to a separate meeting to discuss that topic,” Weisbord said.

Lichtman said he recently attended a national conference of disability practitioners. “In cases like that, I’ll give our members a heads-up about the issues that were discussed there.”

“Since we are, for the most part, sole practitioners and from small firms, we don’t get to see each other to deal with these issues. If you’re with a large firm, you’ve got people in your department who can help you,” Weisbord explained. “It gives a sense of community to people who are essentially working on their own. It also gives them the opportunity to run ideas past other people who are dealing with the same situations and running into the same problems. That’s really important for what we do.”

NONPROFIT CORPORATION

NOTICE IS HEREBY GIVEN that Articles of Incorporation have been filed with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA on August 22, 2006 for the purpose of obtaining a charter of a Non-Profit Corporation organized under the Nonprofit Corporation Law of 1988 of the Commonwealth of Pennsylvania.

The name of the corporation is:

THE STRICKLAND PRESERVATION CORPORATION

The purpose or purposes for which it was organized is:

To restore and maintain buildings and grounds of the Holy Trinity Romanian Orthodox Church and to further educational, cultural, historical and community interests.

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A spirited discussion with strong opinions from multiple points of view about judicial independence opened the Association’s 2006 Bench-Bar Conference in Atlantic City on Sept. 29.

Panelists for the program included John Morganelli, district attorney for Northampton County and former president of the Pennsylvania District Attorneys Association; Russell M. Nigro, former justice of the Pennsylvania Supreme Court, who lost his retention bid in 2005 due to voter backlash over the legislative and judicial pay raise issue; Former Chancellor Clifford E. Haines, who serves as chair of the board of directors of Pennsylvanians for Modern Courts; John Milton Young, who was recently elected to his second 10-year term on the bench; and Common Pleas Judge John Milton Young, who was recently elected to his second 10-year term on the bench.

The panel was moderated by journalist Lynn Doyle of CN8, the Comcast Network.

Judge Younge said the constitution gives the people the right to decide what they want. “Right now, we elect judges. But it’s up to the people to decide whether they want to elect judges or have them appointed.”

Judge Younge said judges who are voted out in elections for making unpopular decisions could face the same fate with the appointment process. “A judge on the highest court in New York was not reappointed by Gov. Pataki because he didn’t appreciate his point of view. He was the only African-American on the court and he was not reappointed. There’s politics inherent in the process.”

Haines, a longstanding supporter of merit selection, said the notion that voters decide about judges is a “fiction.”

If we get a voter turnout of 20 percent, we’re lucky. The people aren’t really deciding who the judges are. I suspect that everybody in this room has walked into a polling place in Philadelphia County and looked at the names of the people who are running for judge, and, if they were honest, they would say ‘I don’t know who half these people are! If we don’t know and we are in the legal community, how is the public supposed to decide?’” Haines said the founding fathers created a system of appoint- ment of judges and they had a very interesting and specific perspective on why people shouldn’t elect judges. “In Federalist Paper 76, they wrote that appointment was better than election because the people really don’t have time to make these considerations. It’s no different today.”

Morganelli said he was very disap- pointed when Justice Nigo was not reappointed and that Nigo’s defeat had nothing to do with his abilities as a jus- tice. “We all understand that. It was an aberration. The public saw it as an opportu- nity to express outrage over the pay raise in the legisla- ture and he got caught up in that.”

Morganelli said he isn’t convinced a process can be created where judges can truly be selected on merit alone. “What I see, frankly, is a system where a few politicians reward connected people. They reward people who’ve donated money to their political cam- paigns and it shuts a lot of people out of the process,” he said. “I don’t think merit selection gives you a better qual- ity of judge. We really have very good people who got elected to the bench.”

Morganelli said he sees no evidence that lawyers don’t stand up and support the judiciary, judges can expect support from nowhere else in society.

Pennsylvania Supreme Court Chief Justice Ralph Cappy told the audience at a state of the court presentation at the Association’s Bench-Bar Conference on Sept. 20:

Chief Justice Cappy, serving in his sec- ond term on Pennsylvania Supreme Court, also used his address to talk about judicial independence. “What we are funda- mentally talking about here is the abili- ty of judges to make decisions based on the rule of law as unaffected by personal bias or interest and as uninfluenced by outside influence, political or otherwise. That’s what a judge is,” he said. Chief Justice Cappy urged attorneys to speak to community groups and explain the role of the judge in the judicial process.

“I urge you, that when you go out and speak on this topic, understand what you’re talking about. Understand that it doesn’t compute with the public as it continued on page 16
2006 Bench-Bar Conference

Lawyers, Reporters Can Work Together

by Amy Muldoon

Journalists and attorneys are similar in that they both seek justice, a panel of experts said during a program on the media and the law at the Association’s 2006 Bench-Bar Conference.


Moderated by Young Lawyers Division Executive Committee member Shira Goodman, the panel focused on how to develop good relations between lawyers and the media within the bounds of the Rules of Professional Conduct. Reich began the discussion with a historical overview of ethics and the law and presented an update on present-day ethics and the law at the Association’s 2006 Bench-Bar Conference.

Panelists discussed how ethical rules have evolved into what they are today, where lawyers have to increasingly address the public. “You have free game to defend your client in the court of public opinion,” Reich told the audience. Panelists used personal experiences to explain the similarities and differences between lawyers and the media.

Anastasia, a long-time court and crime reporter for the Inquirer, explained the importance of knowing the audience when lawyers handle high-profile cases. “What happens in a high-profile case is that you’re still playing by the same set of rules but you’re no longer in a controlled environment,” Anastasia said. “I need information, I need facts. I don’t necessarily need a legal interpretation of what is going on because I’m writing for a different audience.”

Dalton agreed with Anastasia about the importance of knowing the audience and added that lawyers tend to speak in legal terms that the public can’t relate to. “It’s important to think about what bullet points will get across if they knew more about it.”

Durham further explained that, as a member of the media, she understands discretion is sometimes necessary to a case. “We understand there are times when you can’t say anything but we ask that you keep us in the loop, let us know when we can follow up with you,” said Durham. “There are cases that fall across your desk that would serve the public interest if they knew more about it.”

Judge Massiah-Jackson spoke about the difficulties from the bench in gauging how the media will respond to a case: “I would stay in touch with the media representatives just to let them know what was going on and what could be told,” she said.

Philadelphia Court of Common Pleas Judge Albert W. Sheppard Jr., (from left) Michael D. Ecker, Stephen M. Foxman and Marc J. Zucker were the panelists for the Sept. 30 Business Law Section seminar on employment law mediation on Sept. 29.


Panelists (from left) Joseph A. Torregrossa, Stephen G. Console, Judge Diane Welsh, Scott F. Cooper, Cynthia A. Leonke and Judith Ann O’Boyle at the Business Law Section seminar on employment law mediation on Sept. 29.

Photos by Jeff Lyons
2006 Bench-Bar Conference

Hollywood's Different Takes on Cross-Examination

by Brett Schaeffer

Widener University School of Law Professor Jules Epstein traded in his lectern for a TV monitor at the 2006 Bench-Bar Conference to show how Hollywood handles courtroom cross-examinations in films, both classic (“To Kill a Mockingbird”) and not-so-classic (“Legally Blonde”). Epstein and Isla Frutcher hosted the two-part session on Sept. 30 at the Tropicana in Atlantic City, which featured separate panels of distinguished judges and attorneys dissecting the cross-examination techniques depicted in a variety of film clips.

“We all can learn from watching other people’s mistakes,” said Epstein.

The standing-room-only crowd and the first session’s panelists – Philadelphia Court of Common Pleas Judge Jeffery Minehart, Wendy Goldstein, and Board of Governors Chair Daniel-Paul Alva – were all in agreement about the cardinal sin of the cross-examination: Don’t ask the question if you don’t know the answer.

But there was plenty of disagreement over the finer points of cross-examination, such as knowing when to stop the cross-examination.

“In “To Kill A Mockingbird,” Gregory Peck as Atticus Finch makes his point that Bob Ewell is left-handed by getting Ewell to write his name on a piece of paper – and then stops the cross-examination, such as knowing when to stop the cross-examination. In “To Kill A Mockingbird,” Gregory Peck as Atticus Finch makes his point that Bob Ewell is left-handed by getting Ewell to write his name on a piece of paper – and then stops the cross-examination.

“Alva, however, thinks Finch blows it. “I would’ve gotten right back in Bob Ewell’s face, rather than argue it to the jury” he said. “I would’ve shaken the witness more, personally.”

Epstein queued–up a pair of lesser-known films – the 2001 Reese Witherspoon comedy “Legally Blonde” and the 1989 James Woods drama “True Believer” – to highlight the importance of rhythm in the cross-examination. In each example the attorney delivering the cross-examination begins by asking a series of basic questions not directly related to the case before sneaking in a question that causes the witness to reveal a key point he or she tried to hide.

“The most important thing is rhythm,” said Alva. “If you establish a rhythm in your questions, you’ve got a witness in a false sense of security and you’ll have an attentive jury. If you don’t get a rhythm, you don’t have a great cross,” he said.

For the session’s second half Epstein welcomed panelists Philadelphia Court of Common Pleas Judge M. Teresa Sarmina, Assistant District Attorney Mark Gilson and Thurgood M. Matthews from the Defender Association of Philadelphia.

Matthews added further advice for handling an expert witness. “They are no longer an expert witness once in the courtroom. I am the expert in the courtroom.”

The session wouldn’t have been complete without a few lighter courtroom moments provided primarily by the 1992 Joe Pesci film “My Cousin Vinny.” As Pesci’s over-the-top New York lawyer finishes each cross-examination, he turns to the judge, and in his best Brooklyn-ese, utters, “I’m tru wit’ dis guy.”

And what attorney hasn’t – at some point – wanted to do the same?
Don’t Ignore Media, Abrams Tells Lawyers

by Mark A. Tarasiewicz

The legal system and the media are trying to achieve different goals: the legal system is trying to find justice, the media are seeking an objective truth.

This was the observation of Dan Abrams, general manager of MSNBC and chief legal correspondent for NBC News, who delivered keynote remarks at the Closing Luncheon of the 2007 Bench-Bar Conference in Atlantic City on Sept. 50.

“We in the public don’t have to apply a ‘beyond a reasonable doubt’ standard because we don’t have someone’s freedom in our hands as do jurors,” said Abrams. “We can develop our own opinions and discuss them freely.”

“The presumption of innocence is a legal fiction. It is designed to protect a defendant against a government that can take away someone’s freedom. The rules are intentionally stacked in favor of the defendant, because of the enormous power that the government has,” Abrams said.

Abrams maintains there is a movement in criminal cases where high-profile criminal defense attorneys are blaming the media for the conviction of their clients. Ironically, the same lawyers also laud the jury system, and the need to withhold judgment until the jurors hear all the evidence, he said.

“I would argue, that in high-profile cases, the defendants are often at an advantage, not for the reason that many people say — not because jurors are star-struck, or because they come in presuming that the person is innocent because they’re famous — but actually, from Robert Blake to Michael Jackson to OJ to Sean Puffy Combs, all of them [were] found not guilty in large part, I think, because jurors just took the legal standard so seriously in those cases because they knew the world was watching,” Abrams said.

Abrams also made pointed observations on how involved lawyers should be with the media, particularly in high-profile cases.

“The media can impact everything, from your client’s reputation…to the government’s decision to indict, to an opponent’s decision whether to settle,” he said.

“I would say never ignore the media. You may choose to avoid the media, but it should be a concerted decision, I think, on a lawyer’s part, based on a number of factors, not just basic, on a sort of blanket disdain for the media. I think it does clients a disservice.”

To those lawyers who say they refuse to become a “media whore,” Abrams suggests “there is something between whoring and abstinence.”

Asked about the issue of media “judge bashing,” Abrams said there is a balance to be struck.

“Media organizations should not just feel free, but should be encouraged to critique judicial rulings. I don’t think that somehow the media should remain silent just because a judge has made a particular ruling,” Abrams said.

“With that said, I don’t think also that there should be a presumption that because a judge ‘lives in an ivory tower’ as people like to say, that the judges have gotten it wrong, or that the judges’ opinions should be mocked, or that we should seek to impeach judges based on a particular ruling.”

Abrams conceded that while sometimes translating legal issues is not easy, “that’s one of the things that make my job kind of fun.”

In June, MSNBC tapped Abrams to run the network after the departure of Rick Kaplan. Abrams previously served as the network’s on-air legal affairs anchor and host of “The Abrams Report.” Prior to joining MSNBC, he was a reporter for Court TV.

CAPPY

continued from page 13

computes with you. You have to reduce it to words that the public understands. Tell them it means free and open access to the courts, no matter your ethnic derivation, your sex, your race or your economic stature,” he said.

“Judges are not making decisions based on outside pressures or influenced by your own personal bias. Your personal views are irrelevant. We are bound to the oath of making decisions based on the rule of law. That’s what’s being missed in this whole dialogue. That’s what the press is missing. That’s what the bloggers are missing,” Chief Justice Cappy said.

He also took issue with a proposed constitutional amendment in South Dakota that would create a citizens grand jury that would be able to overrule the highest court’s judicial decisions and have the power to incarcerate judges for their actions. This grand jury also would be able to reduce judges’ salaries and strip them of their jurisdiction, Justice Cappy said.

“If they work real hard at this and get away with it, the judiciary will only be responsive to special interest groups and personal whims, or worse yet, the current political wind, whichever way it is blowing. Your challenge is to take that message to the public,” he said.

“Once you remind the citizens of the importance of the issue of judicial independence and once you explain what it means in lay terms, you’d be surprised how remarkable the transformation is.”

“You have a sworn duty to serve society and serve it well. Judges should have the opportunity to do what their sworn oath requires them to do — decide cases dispassionately, impartially, in accordance with the rule of law, unaffected by personal interest or bias, uninfluenced by outside pressure of any kind,” he said.

Justice Cappy also touched on the pay raise issue, which was responsible for some judges being voted off the bench, including Justice Russell M. Nigro. “There has to be a compensation package system that is taken out of politics, impervious to political whim or public opinion that is based upon the job that you do and its importance in our system of American democracy,” he said.
In an effort to make the 2006 Bench-Bar Conference as inclusive as possible, Conference Co-Chair Laura A. Feldman sought out donors willing to contribute $500 to provide scholarships for public interest and government attorneys who otherwise might not be able to attend.

Scholarship recipients were selected by lottery. The Bar Association gratefully acknowledges the following individuals and companies, whose donations allowed 55 attorneys to attend the Sept. 29 and 30 program in Atlantic City. The donations covered tuition and accommodations at the Tropicana Casino and Resort.

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- Andrew J. Trevelise of Reed Smith LLP
- Young Lawyers Division (two scholarships)
The Philadelphia Bar Foundation’s Andrew Hamilton Gala, which raises hundreds of thousands of dollars for grants to local public interest law agencies, is getting a new look this year.

The Nov. 4 event at 30th Street Station celebrates Philadelphia’s neighborhoods. The North Waiting Room and South Arcade at 30th Street Station will be transformed into the best and brightest areas of the city.

This year’s gala has a few new features. Guests can choose to have assigned seating, to spend time with a specified set group of people, or they can choose open seating, so they can stroll all the neighborhoods and mix and mingle with people they don’t normally get a chance to see.

The event will be “black-tie optional” to keep the elegant nature of the event, but open up the options so that gowns and tuxedoes won’t be required. For those who can’t make it for dinner, the Bar Foundation is offering a “desserts and dancing” option starting at 10 p.m.

The traditional hours of the gala will still apply, with cocktails, then dinner and dancing from 7 p.m. until midnight. As always, there will be delicious food, great beverages, energetic music and breath-taking décor to make the evening truly special.

The Gala is also the venue for presenting the Foundation’s most prestigious awards – the Bar Foundation Award (formerly the Louis D. Aptheker Award) and the Citizens Bank Pro Bono Award.

The Bar Foundation Award is a grant presented annually to a citizen or organization that works with the citizens of the greater Philadelphia metropolitan area to ensure that justice is not just an idealized concept, but a reality.

The Citizens Bank Pro Bono Award is presented annually to a Philadelphia lawyer showing outstanding volunteer efforts to help provide legal services to those in need. The recipient of the Citizens Bank Award designates the monetary value of the award be given to a qualifying law-related public service agency. The recipient also is awarded a commemorative bowl from Tiffany & Co.

Law firms can count Andrew Hamilton donations toward its “Raising the Bar” pledge toward legal services. Contact Maureen Mingey at mmingey@philabar.org or call her at (215) 238-6534 for more information.
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In Their Own Words

New Professor Gets Used to Life at New School
by David S. Cohen

Until this summer, I had the dream job: I was a staff attorney at the Women's Law Project. I worked on extremely interesting cases that had wide-ranging impact on women's lives. I had brilliant colleagues who were like family to me. Having beers at the Law Project for seven years, I knew my job inside and out and was very comfortable and happy.

So, naturally, this fall, I left the Law Project for a start-up venture. I am now a member of the faculty at Drexel University's College of Law. The school is part of Drexel's expansion into new graduate-level disciplines: medicine several years ago with the purchase of MCP-Hahnemann and now law with this new institution.

Two months into the inaugural year, I'm happy as can be. I do miss my old job, but I love what I'm doing now. The other professors who have joined me in this venture are smart, energetic, dedicated teachers. We are all working long hours on the difficult task of institution building, while also teaching the first group of 1Ls to enter our doors.

So far, I think it's a resounding success. Even though we don't yet have a building (it is scheduled to open to faculty and students in December and students in January), the students seem happy...or, at least, as happy as I can be midway through their first quarter of studying law. They're smart, energetic, and entrepreneurial group, which is almost a necessity. After all, they're building an institution almost as much as we, the faculty and staff, are.

Because we had an enrollment much higher than expected (our inaugural class is 180, 50 percent higher than our expected 120), my teaching load this year is different than it will be normally. Starting this spring, then once we have upper-level students, I'll be teaching first year constitutional law, and then once we have upper-level students, I'll also teach related classes and seminars. For this year only, I'm teaching legal methods, which is Drexel's writing and research course. The small class gives me a great opportunity to really get to know a group of students and help them with the most important skills law school can teach: thinking analytically and being able to communicate clearly.

As we continue to build, the challenges and excitement will continue as well. We are always looking for members of the bar to help us in almost every conceivable way. If you're interested, please do get in touch.

David S. Cohen is an associate professor of law at Drexel University College of Law.

Book Review

Treatise Beneficial to Litigators

Business And Commercial Litigation In Federal Courts
Edited by Robert L. Haig
9,000 pages, 8 volumes, with CD ROM
Copyright, 2005 Thomson West, 960 Reviewed by Abraham C. Reich and Joshua Horn

The American Bar Association and Thomson/West have published a second edition of Business and Commercial Litigation in Federal Courts, an update and addition to the six-volume treatise first published in 1998. The second edition lives up to the high bar set by the first edition. This eight-volume work remains an extremely valuable tool and authoritative work for all commercial trial lawyers, regardless of their experience, or if they practice with a large firm, small firm or in-house.

Like its maiden voyage, the treatise is a compilation of chapters written by some of the most seasoned trial lawyers throughout the United States. Some of the chapters were penned by some of the leading members of the Philadelphia Bar and distinguished jurists, such as H. Robert Fiebach (issue and claim preclusion); James D. Pagliaro (data access); U.S. District Court Judge Paul S. Diamond (director and officer liability); U.S. District Court Judge Michael M. Baylson (contracts); and U.S. District Court Judge Petrese B. Tucker (government entity litigation), as well as lawyers of national stature including David Boies (litigation technology); and Stephen D. Susman (techniques for expediting and streamlining litigation). The treatise is objective in its approach and provides a broad overview of the law, as well as practice tips and forms that all commercial trial lawyers will find of use. This treatise is the result of seven years of evolving law and contains 16 new chapters on the cutting edge, as well as practical advice for any trial lawyer. For example, the treatise now contains chapters addressing litigation management topics, such as discovery of electronic information, litigation technology, litigation management by law firms, litigation avoidance and prevention. In addition, the treatise contains new chapters that cover burgeoning substantive areas of the law, such as director and officer liability, mergers and acquisitions, broker-dealer arbitration, partnerships, commercial defamation and disparagement, government entity litigation, commercial real estate and e-commerce, to name a few.

One of the practical additions to the treatise is the chapter on case evaluation. This chapter endeavors to provide tools any practitioner can use to evaluate commercial litigation cases. It offers the perspective of the client, in-house counsel and outside counsel in this process, and offers practical tools to perform a meaningful evaluation. This chapter also reviews quantitative techniques for case evaluations and provides practice aids to facilitate this process.

This unique work continues to maintain in-depth analysis of every step in the litigation process, from pre-litigation considerations, drafting of pleadings, discovery, motions in limine, trial preparation, jury selection, trial presentation, as well as practice before the U.S. Supreme Court.

Another great feature that the treatise continues to offer are the forms that follow most of the chapters. Among other things, there are sample complaints, motions, discovery and jury instructions. In addition, the treatise has specialized chapters in discreet subject areas, with specifically tailored forms and practice tips for those distinctive areas of the law.

This work will surely be an asset to any trial lawyer because it provides a relative newcomer with an easy-to-comprehend window into a new area of the law, as well as fresh ideas for the seasoned lawyer. The seven-year wait for the second edition of Business and Commercial Litigation in Federal Courts was well worth it. This work is a reference tool that all commercial trial lawyers should have within arms' reach.

Abraham C. Reich and Joshua Horn are partners at Fox Rothschild LLP. Reich is former Chancellor of the Philadelphia Bar Association.
Poorer communities aren’t going to be able to generate enough funds to make sure their children go to properly funded schools. They’re not going to get a comparable education to other students and they’re going to do poorly,” Fattah said.

level. There is nothing that will have a greater impact on this school district in terms of taking us to the next level than reducing class size and getting class size down to a manageable level. There’s nothing more important than that. But that’s not going to happen unless there’s a significant increase in both the state’s and the city’s funding commitment to its schools.

“To reduce class size in every single grade would cost us about $10 million. We also need an increase in our capital plan so we can make the renovations and additions that will give us room to reduce class size. We can complete our classroom modernization. So maybe you’re going to be going to school in a big ugly building, but that classroom, with its smart boards and its white boards and its windows and its laptop computers will be an educational environment equal if not superior to the suburbs,” Vallas said.

According To...

What’s the Best Advice You Could Offer a First-Year Associate?

“Humble yourself. You’re no longer in law school. You know how to pass the bar exam, but you don’t know anything about working in the law. Don’t think, listen. Don’t think, just listen.”
- Willie L. Nattiel

“Be secure enough with yourself to recognize that you still have a lot to learn, so be careful, check the rules, ask questions and find a mentor to help you develop as an attorney.”
- Sheryl L. Axelrod

“Like Warren Zevon sang, ‘I’ll sleep when I’m dead. You can get along on 4 1/2 hours of sleep a night. You get used to it after a while.”
- Michael P. Boyle
2005-324T Attorney taking over files from suspended lawyer cannot protect his own firm by requesting clients to sign a prospective malpractice release, as this would violate R. 4.07.

2005-328T Notes taken in interview with non-deceased client may not be turned over to client's husband until he is appointed representative of her estate.

2005-334T Attorney who wants name to testify on behalf of his client, a party to a custody dispute, may sub-por-lur her, but should discuss with his client possible harm to children.

2005-337T Expert witness cannot be paid on contingent fee basis, per R. 5.4b.

2005-343T Providing a consultation to a client already represented is not a violation of R. 4.2.

2006-2T Attorney who represents plaintiff in slip-and-fall case may not accept referral fee from attorney representing defendant, when defense case was referred by plaintiff's attorney.

2006-3T Attorney who represents plaintiff in case, and learns of defendant's attorney's forged name on, and filed satisfaction of judgment, should report defense attorney to administrative judge, and, with client's consent, also report to the Disciplinary Board.

2006-8T Attorneys fee received as discovery sanction can be credited against contingent fee ultimately received, but may not be passed along to client.

2006-14T Attorney not on active status cannot be listed on firm letterhead as "Of Counsel".

2006-17T Attorney who represented father and stepmother in adoption 11 years ago cannot now represent husband in contested custody case as to that child without mother's waiver with informed consent.

2006-21T Attorney who wants to stop payment on distribution check client claims was not received, must deposit funds in escrow account to cover bank's stop payment charge, to avoid being overdrawn when new check issued.

2006-28T Attorney who was found by jury to have committed civil fraud and misrepresentation should be reported to Disciplinary Board.

2006-33T Large settlement as to which there will be delay in distribution should be kept in separate non-IOLTA interest-bearing account.

2006-37T Attorney may not solicit clients by engaging third person to hand out pre-paid postcards.

2006-41T One attorney cannot defend both an attorney and that attorney's secretary-notary in real estate transaction case, due to unavoidable conflict caused by allegation of employer's wrongdoing in notary's defense.

2006-45T Three solo attorneys sharing space cannot use one letterhead with all three names on it together as if they are one law firm.

2006-47T Attorney with closed file for whose case attorney declined to handle may not turn over file to DA's office without court order, and, if issued, discussion with client as to appeal of that order.

2006-49T Attorneys whose books are being audited by IRS should protect client names absent informed consent waiver by clients.

2006-51T Attorney cannot be on letterhead of non-profit organization as "Of Counsel," because this relationship can only be between attorney and law firm.

2006-71T Attorney who did estate planning for husband and wife may not now change husband's will to negatively affect wife without disclosure to her.

2006-761 Solo attorney may not use firm name "Inquirer & Associates" as marketing tool.

2006-85T Advertising can indicate an attorney's practice is "limited to," "focuses on" or "emphasizes" practice area, but cannot use the word "specialist.

2006-91T Attorney who represented creditor in debt collection matter completed and closed may now represent debtor in unrelated case.

2006-10ST Attorney may represent both mother and grandmother in custody case against father with informed consent waiver.

2006-119T It is a conflict of interest for attorney to continue to represent a client in a criminal case if that client has filed a disciplinary case against the lawyer.

2006-120T Attorney who represented client in personal injury case 19 years ago can now represent adverse party in custody case.

2006-129T Use of firm letterhead for personal matters by non-lawyer paralegal may be ethical violation on part of supervising attorney.

2006-147T When testator died and executrix cannot find original will, attorney with signed copy in file may turn copy over to executrix.

2006-154T Attorney with settled medical malpractice case awaiting Orphans Court approval may not lend funds to client.

2006-155T Attorney with judgment for clients may not use outside service to locate bank accounts if attorney knows that service is violating identity theft laws.

2006-171T When firm sues former client for balance, former associate who represented that client at firm should be disqualified from defending client against firm based on attorney being a witness R.5.7a2.

2006-182T Attorney handling contingency case may be authorized by client to pay third party who has paid costs, out of client's share, even though third party's fee is calculated as percentage of attorney's fee.

2006-188T Attorney who cannot locate client may not accept settlement offer from adverse counsel without express authorization in fee agreement.

2006-190T Attorney who received notarized letter from adverse party advising of termination of representation by that attorney's party may not communicate directly with that party absent confirmation from terminated counsel.

2006-201T Referral fee may be paid to non-retired lawyer if that lawyer was on active status at time of referral if requirements of R.1.5e are met.

2006-206T Paralegal may not handle office administrative work for suspended lawyer during suspension period.

2006-215T Attorney admitted in D.C. only, who is shareholder in Pennsylvania collection agency, may not handle litigation against debtors in Pennsylvania Common Pleas courts without admission pro hac vice.

2006-227T Firm with secretary married to lawyer in firm with adverse cases should screen her from those files.

2006-228T Attorney who gave incorrect advice to client should consult and advise client of situation, and ask whether attorney should continue, but may not request malpractice waiver.

2006-244T It is permissible to refuse a referral fee in a criminal matter, provided there is compliance with R.1.5e.

2006-254T Using words "most experienced" and "leading" in attorneys ads is subjective and misleading.

2006-256T Adverse attorney carbon-copying adverse client on letters to client's attorney is violation of R.4.2.

David I. Grunfeld, at counsel to the Ethics Committee, is a member of the Professional Guidance Committee.

Join your Section's or Committee's List Serve to stay in touch and keep up to date on the latest Bar events. Visit philadelphia.org for more information.

**ATTORNEY DISCIPLINARY / ETHICS MATTERS**

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Former Chairman, Disciplinary Board of the Supreme Court of Pennsylvania  Former Federal Prosecutor Former Chairman, Continuing Legal Education Board of the Supreme Court of Pennsylvania
Syntetic sensibilities are synchro-
ized as you enter this Laotian/Thai
storefront eatery. Southeast Asian food
is served with neighborhood bombom-
ie, melting tastes, sometimes heartily
heated, other times coolly glorious,
but always clean on the tongue.
Rice noodles, broccoli, crinkle-cut
carrots and bean sprouts cling in clois-
ters, revering naturally campesstral
and rural proclivities. Simple sauces, sim-
pler ingredient mixtures and the sim-
plest of presentations create special
tomatese: casual cultural diversity.

Enter this shy—of-20-foot-wide
shelter by passing under a blue
awning via a minuscule vestibule.
The interior is bound by light green
walls. Silver ice cream parlor chairs
with dark green round seats, and maroon-striped
tablcloths surround and cover tables
seating thirty patrons at a time. A
ceiling square is painted white. Two
wheels mounted overhead fans fail to
foster a breeze. Floors are hardwood,
as brightly lacquered and varnished as
a great closing argument. Be
adventurous here. Avoid the
chicken, beef and shrimp. Opt instead
for kaling root, kafe leaves and chili
lemon grass. All appear in tom yum
vegetarian soup ($9.25). As do chunks
of carrots, onions, red bell peppers and
mushrooms. The liquid is opaque;
orange speckled with Asian cinnamon
pepper flakes. Tofu squares bobble on
top as your spoon meanders the sur-
face. The streaming broth ignites your
mouth. Swallowing is followed by dou-
ble vision. You swoon with a shudder
as your stomach anticipates collyb-
ables. Finally your mind mows the
lemon grass and disregards the
momentary dyspepsia, in favor of
calming warmth. The kaling root
grows excellent between one's lips, and
flowers into exotic spiciness.

Order the tom yum to be served
with fresh steamed spring rolls ($3.95),
four soft rice paper cigars filled with
vegetables, vendant herbs and vermi-
celli. A bite balances the heated
exchange of the soup with the soft,
fresh, minted fragrance. Doused in
sweet peanut sauce; the "seasoning"
changes from summer to spring.

Now can you miss by beginning
with mellow creamy coconut soup
($9.50) in which carrot strips bathe
sweetly with onions and crisp broccoli
in white chalky milk. Lingering dreamy
diffterates abound.

Never do without a ban xeo pan-
cake ($3.95). This Asian crepe resembles
a three egg omelet stuffed with
browned tofu pieces, bean sprouts,
coarsely-cut sautéed onions and carrot
shavings, assembled around sides of
two sauces, one vinegar-garlic, the
other sweet with crumbled crushed
peanuts. The skin of the pancake is
golden thin. It flakes at your slightest
touch, revealing the exovy of vegetables
and sprouts.

Two of the finest entrees are
the BBQ Cornish hen ($14.95) and the roast-
duck half of duck ($14.95), the latter being
the most expensive item on the menu.
The former is a small hen, chopped in
equal portions from gizzard to chick-
en-tush, marinated, then grilled with
coconut milk in "house special sauce,"
served with a basket-namkin filled
with glistening tawdry sticky rice. Each
part, including the neck and spine, are
meaty and bursting with tongue-
oppressing juices. The rice becomes glued
to your palate as if it were peanut but-
t, awaiting the melting succulence of
the specially sauced Cornish contrap-
tion.

The duck arrives soaked in tawny
tamartian sauce, with citrus-sol over-
tones. All is smothered by shiitake and
portobello mushroom caps. A puddle
of creamed emerald coconut bread
spreads into a mound of jasmine rice on
your plate: Gorgous gormandizing.

In order, a judgment in equity and
an obligation for specific performance:
eat the banana/chocolate spring roll
($3.95) for dessert! An egg roll shall
appear whose insides most resemble a
Thai-Laotian cannoli-banana-split. A
quartered strawberry stands guard
beside it, saluting to a thick, peachy,
apricot and raspberry sauce of scant-
dalous sensuality. You will fall in love.

Please be early for dinner or lunch.
Lines begin to form so that the side-
walk is as crowded as the restaurant
within an hour of its opening. When I
called for a reservation (which is never
taken; first come, first served), I spoke
over the phone to a young Asian host-
ess who seemed very busy. She hur-
riedly and breathlessly replied, "Could
you hold me just one second, please?" I
didn't dare reply.

SILE ET PHILOSOPHIUS ESTO

Monica J. Bickel, a solo practitioner, is an editorial advisor of Philadelphia Bar Reporter. Her reviews are avail-
able online at www.mlbickel.com

FRONTLINE

continued from page 3

responded, immediately and vigorous-
ly, to an editorial published in
The Legal
Intelligencer
that attacked not only the
decision of the Pennsylvania Supreme
Court in the pay raise case, but the in-
decision of the Pennsylvania Supreme
Bar Reporter
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A Laotian–Thai Treat in West Philadelphia

The Philadelphia Bar Reporter wel-
comes law-related submissions for publi-
cation.

Articles relating to a specific prac-
tice area, commentary, book reviews
and letters to the editors are welcome.
Letters must be signed to verify
authorship, but names will be with-
held upon request.

Editors reserve the right to con-
dence for clarity, style and space con-
siderations.

Articles and/or requests for publi-
cation may be mailed, faxed or e-
mailed and should be directed to: Jeff
Lyeos, Managing Editor, Philadelphia
Bar Reporter, Philadelphia Bar
Association, 1101 Market St., 11th
Floor, Philadelphia, Pa. 19107-2911.
Phone: (215) 256-6345. Fax: (215) 256-
1267. E-mail: reporter@philabar.org.
THE LEGAL DIRECTORY 2007 UPDATE IS UNDER WAY!

We need your help to make sure The Legal Directory has the most accurate and complete information.

Please be sure to fill out your update forms. Once again this year, the update process can easily be completed online. (Firm update deadline is November 27, 2006.)

ATTORNEYS >>> New to the area? Not in the current directory? Contact us to be added to our database.

FIRMS >>> Have you recently started a new firm? Contact us to be added to our database.

TAKE ADVANTAGE OF THESE HIGH-IMPACT, LOW-COST LISTING ENHANCEMENTS FOR 2007!

ATTORNEY UPGRADES

- Additional Areas of Concentration
  > Your name listed under each AOC.
  > All index entries in bold.
  > Firm name (if applicable) and office phone number included.

- Bold Master Index Listing
  > Index entry, including attorney name and page number, in bold.
  > Firm name (if applicable) and office phone number included.

- Bold Listing
- Expanded Listing
  > Accessible by clicking profile icon next to listing.
  > Includes education, bar admissions, honors & awards, memberships and outside activities.

FIRM UPGRADES

- Link to Firm Web Site
- Bold Listing
- Expanded Listing
  > Accessible by clicking profile icon next to listing.
  > Includes “About the Firm” description, year established, firm size and representative clients.

QUESTIONS?

Please contact us at 410-828-0120 ext. 503 or legaldirectory@mediatwo.com.

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A limited number of copies of The Legal Directory 2006 are still available!
Call (410) 828-0120 ext. 503 to order.

The Legal Directory 2007 will be available April 1, 2007.

ADVERTISING THAT WORKS!

To reserve your ad in The Legal Directory 2007, contact Howard Hyatt at 410-902-5797 or 800-466-8721 ext. 250.
Merih Erhan, Passionate Champion for Immigrants

by Karen F. Zeitz

Some people are graced with a quiet elegance that speaks louder than a full-page ad in the Yellow Pages. Merih O. Erhan was one such blessed. Never loud or flashy, yet there was no missing Merih, nor dismissing her passion, intelligence, wit and Euro-American style.

Of her passions she was unapologetic: her family, the rights of immigrants, her adopted country, and her beloved Turkey. She was born into a distinguished legal family. Her father was a judge of the Supreme Court of Turkey and then a member of the Turkish Parliament; her brother, too, was a judge of the Supreme Court; one sister an art professor, another sister a professor of pediatric hematology. Merih accomplished many firsts. She graduated first in her class of 750 from University of Ankara Law School in 1975. She was one of the first women to obtain a diploma in International Law from Harvard Law School. She also was one of the first to pass the bar exam and practice law as a permanent resident prior to becoming a U.S. citizen. Merih was the first woman to hold the position of Editor-in-Chief of The Retainer, successor of the Philadelphia Bar Reporter, a position she held for four years. She was founder and Chair of the Bar Association’s Committee on the Problems of the Homeless, and she viewed homelessness as both a legal issue and a bar responsibility. She founded and chaired the Sole and Small Firm Practitioners Committee of the Bar Association as well as serving as chair of the Bar Association’s Citizenship Committee. She was president of the Philadelphia Chapter of American Immigration Lawyers Association, and continued to serve as Advisory Editor of the Philadelphia Bar Reporter from 1995 until this year. These are only a few of her accomplishments.

Her dedication to her clients and to immigrants’ rights was uncompromising. Immigration law was her cause and she became the voice of many who sought a new life in this country. A. Alyce Kesheihan, who worked with Merih as an associate for nine years, refers to her mentor as the “consummate professional, with ‘Old-World’ values. ‘A case was never neglected,’ he said.”

Merih O. Erhan

Naturalized Attorney Likes to Welcome New Citizens

by Sunah Park

“May it please the court.” With those words, I began my speech at the naturalization ceremony of the United States Citizenship and Immigration Services, addressing more than 100 new citizens at the federal courthouse on Jan. 19, 2006. In front of U.S. District Court Judges Louis H. Pollak and Norma L. Shapiro, I looked out into the audience of smiling and eager faces and shared the story of my own journey from immigrant to naturalized citizen to attorney. That was my third time speaking at a naturalization ceremony, but I remember still being nervous before my speech. The second time I spoke, Judge Pollak also presided and U.S. District Court Judge Clifford Scott Green was the guest speaker. I told the story of my life, the Cliff Notes version, of course. I spoke at my first naturalization ceremony in 2000, before U.S. District Court Judge Stewart Dalzell. The letter he sent to me afterwards, thanking me for my remarks, still hangs on my wall next to my U2 poster.

Prior to that first time, I rarely appeared before a judge. At my firm, the majority of my time was spent writing summary judgment motions and briefs that kept our clients (and me) from being in front of a judge. Therefore, unlike many of my colleagues, my first time saying, “may it please the court” was not in an adversarial setting. I remember thinking the naturalization ceremony audience might be the friendliest I would ever have.

I have spoken at many events, none as gratifying as when I spoke at the naturalization ceremonies. The fact that I had once been one of those new citizens taking the oath of citizenship still humbles and amazes me. I am always heartened by the sight of new citizens smiling as they listen to my life story since I am sure it closely mirrors their own. As much as it is a cliché, it is also the truth that this country presents many opportunities that our birth countries did not.

Best of all, I was able to share that first speaking experience with my parents. To say that they were proud is a vast understatement of the emotions they felt that day. My life story is a tribute to my parents and I was thrilled that I was able to share it with them. Their immense struggle to raise three children without knowing the language inspired me to emphasize to the new citizens how important it is to learn English. I also stressed the importance of voting and having a voice in this country. I relayed the enthusiasm with which my parents voted at every election. After they moved to New Jersey, one of the first things they did was find out where they could vote. I always have felt it is a privilege for me to be a speaker at the naturalization ceremonies. Without hesitation, I accept the invitation whenever the Bar Association asks me to fill in for a last-minute cancellation. Why not? I know my life story by heart, I appear before great judges and I am guaranteed a friendly audience.

Sunah Park, a partner at Thorp, Reed and Armstrong, LLP, is an associate editor of the Philadelphia Bar Reporter.

Nearly 60 people took the oath of citizenship at the Robert H.C. Nix Federal Building on Oct. 19. The newest citizens, who came from 27 different countries, received the oath of citizenship from U.S. District Court Judge Gene E.K. Pratter.

Editor

continued from page 1

Own Words’ and already have some individuals in mind to ask to write for the publication. I’d also like to include more coverage of minority bar events and am looking for more contributing writers, from judges to young lawyers and everyone in between,” she said.

Photo by Jeff Lyons
Commission’s evaluation process will receive “Not recommended or against retention” status. Individuals are reminded that under the Commission’s guidelines and bylaws, please contact the Commission to receive a copy of the Commission’s Evaluation Questionnaire and a copy of the Commission’s guidelines and bylaws. Please return the completed questionnaire to “Judicial Commission” at 1101 Market Street, 11th Floor, Philadelphia, PA 19107-2911.

Candidates who have previously been evaluated by the Commission are invited to contact the Association to determine whether their ratings are current by contacting Carter at acarter@philabar.org or (215) 238-0551. The Commission will complete all ratings for candidates running in the 2007 primary by Jan. 31, 2007; therefore, in order to ensure that each candidate receives a full and fair evaluation, no questionnaires will be accepted for evaluation after Dec. 15, 2006. Individuals are reminded that under the Commission’s Guidelines, any candidates who do not participate in the Commission’s evaluation process will receive “Not Recommended” ratings. A. Harold Davis, Esquire 2006 Chair, Commission on Judicial Selection and Retention

-- END --

Workers’ Compensation Section – meeting, 12 p.m., 10th floor Conference Center. Lunch: $7.50.

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

Medical-Legal Committee – meeting, 12:30 p.m., 11th floor Committee Room South. Lunch: $7.50.

LegalLine – 5 p.m., 11th floor LRS offices.

Family Law Section Executive Committee – meeting, 12 p.m., 11th floor Committee Room South.

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

Friday, Nov. 17

Judicial Commission – meeting, 12 p.m., 10th floor Board Room.

Social Security and Disability Benefits Committee – meeting, 12 p.m., 11th floor Conference Center. Lunch: $7.50.

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

Monday, Nov. 20

Young Lawyers Division Cabinet – meeting, 12 p.m., 10th floor Cabinet Room.

Tuesday, Nov. 21

Section Chairs – meeting, 8:30 a.m., 10th floor Board Room.

Cabinet – meeting, 12 p.m., 10th floor Board Room.

Thursday, Nov. 23

Thanksgiving – Bar Association offices closed.

Friday, Nov. 24

Thanksgiving Friday – Bar Association offices closed.

Monday, Nov. 27

Young Lawyers Division Executive Committee – meeting, 12 p.m., 10th floor Board Room.

Securities Regulation Committee – meeting, 12 p.m., 10th floor Conference Center.

Tuesday, Nov. 28

Criminal Justice Section – meeting, 12 p.m., 11th floor Conference Center. Lunch: $7.50.

Women in the Profession Committee – meeting, 12 p.m., 10th floor Board Room. Lunch: $7.50.

Thursday, Nov. 30

Minorities in the Profession Committee – meeting, 12 p.m., 11th floor Conference Center. Lunch: $7.50.

Elder Law Committee – meeting, 1 p.m., 10th floor Board Room. Lunch: $7.50.

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

This week marks the end of the 2005-2006 Bar Reporter year. The Bar Board of Governors will meet to elect the new Board of Governors for the 2006-2007 Bar Reporter year on Thursday, Nov. 30, starting at 12:30 p.m. The meeting will be held at the 1101 Market Street address. The agenda for the meeting will be distributed in Bar Reporter and at the meeting, and all members of the Philadelphia Bar Association are invited to attend. Please join us and bring a copy of Bar Reporter to share our government functions.

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.

Wednesday, Nov. 1

Delivery of Legal Services Committee – meeting, 8:30 a.m., 10th floor Board Room.

Rules and Procedures Committee – meeting, 12 p.m., 10th floor Board Room. Lunch: $7.50.

Health Care Law Committee – meeting, 12 p.m., 11th floor Conference Center. Lunch: $7.50.

Thursday, Nov. 2

Civil Rights Committee – meeting, 12 p.m., 11th floor Conference Center. Lunch: $7.50.

Alternative Dispute Resolution Committee – meeting, 12:15 p.m., 11th floor Conference Room South. Lunch: $7.50.

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

Saturday, Nov. 4

Andrew Hamilton Gala – 30th Street Station. Tickets: philadelphabar.org

Tuesday, Nov. 7

Compulsory Arbitration Committee – meeting, 12 p.m., 11th floor Committee Room South.

Lunch: $7.50.

Committee on the Legal Rights of Persons with Disabilities – meeting, 12 p.m., 11th floor Committee Room.

Wednesday, Nov. 8

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

Solo and Small Firm Committee – meeting, 12 p.m., 11th floor Conference Center. Lunch: $7.50.

Closely Held Business Committee – meeting, 12 p.m., 10th floor Board Room. Lunch: $7.50.

Legislative Liaison Committee – meeting, 12:30 p.m., 11th floor Conference Room South.

Lunch: $7.50.

Friday, Nov. 10

Judicial Commission – meeting, 12 p.m., 10th floor Board Room.

Monday, Nov. 13

Business Law Section Executive Committee – meeting, 12 p.m., 10th floor Board Room.

Tuesday, Nov. 14

Criminal Justice Section Executive Committee – meeting, 12 p.m., 10th floor Board Room.

Wednesday, Nov. 15

Workers’ Compensation Section Executive Committee – meeting, 10:30 a.m., 11th floor Committee Room South.
Rhonda Hill Wilson, a sole practitioner represented “Who is Your Client: Ethical Issues in Nursing Home Cases” at the American Trial Lawyers Association National Annual Convention in Seattle. Wilson also was appointed to the Executive Committee of the American Association for Justice.


Richard J. Goldstein, a shareholder with Hangley Aronchick Segal & Pudlin’s Real Estate Department, was recently selected to serve as President of the Jewish Federation of Southern New Jersey.

Marc S. Raspanti, a partner with Miller, Alfano & Raspanti, spoke at the American Health Lawyers Association Fraud and Compliance Forum in Baltimore, Md., on Sept. 27.

William D. Pastorek, a partner at Nelson Levine de Luca & Horst, LLC, was a speaker at the International Association of Special Investigative Units 21st Annual Seminar and Expo on Insurance Fraud on Sept. 10 – 13 in La Quinta, Calif.

Edward W. Madeira Jr, senior counsel with Pepper Hamilton LLP, reported on the assessment by the American Bar Association’s Committee on Judicial Independence of the Missouri State Court Judicial System at a plenary session of the Missouri State Court’s Missouri Judicial Conference in St. Louis in September Madeira served as the chair of the assessment project. He also presented “Judicial Independence – The Importance of Fair and Impartial

Court” at the Cardozo Law School Constitution Day event on Sept. 18.

Kenneth J. Fleisher, a shareholder with Zarwin Baum DeVito Kaplan Scher Toddy, P.C., and chair of the Association’s Real Property Section, spoke at a Pennsylvania Bar Institute seminar on how to identify, prevent and solve problems arising from the fraudulent conveyance of property on Sept. 12.

Joyce K. Harckenbrach, a partner with Pepper Hamilton LLP, spoke at the National Business Institute’s “Managing Complex Construction Law Issues” seminar on Sept. 12.

Debra G. Speyer, principal of the Law Offices of Debra G. Speyer, was re-appointed to a three-year term on the Pennsylvania Securities Commissioner’s Attorney Advisory Committee.

David L. Hackett, an associate with Saul Ewing LLP, has been named Chair of the Delaware County Board for the Pennsylvania Red Cross Southeastern Pennsylvania Chapter.

George T. Magnotta, a partner with Saul Ewing LLP, was recently elected to the American College of Bond Counsel as a Regular Fellow.

Thomas M. Gallagher, a partner with Pepper Hamilton LLP, has been named president of the Villanova Law Alumni Association for 2006-2007.

Marc E. Gold, a founding partner of Mannko, Gold, Katcher & Fox, LLP, spoke at the Pennsylvania Bar Institute’s Due Diligence in Real Estate Transactions course on Oct. 4.


Matthew J. Siegel, a member of Cozen O’Connor, was recently honored by the Good Shepherd Mediation Program receiving the Most Valuable Peacemaker of the Year Award for 2006.

Kathleen M. Kramer, a shareholder with Marshall, Dennehey, Warner, Coleman & Goggin, presented a continuing education program on behalf of the Insurance Society of Philadelphia titled “Medical Malpractice: Professional Liability.” The workshop examined insurance policy provisions in order to understand insurance agreements, conditions and exclusions. Participants also gained knowledge of common medical malpractice risk factors.

Wendy Beetlestone, a shareholder with Hangley Aronchick Segal & Pudlin, was a speaker at the Education Law Association’s 52nd Annual Conference at the Atlantis, Paradise Island, Bahamas on Oct. 12-14. She also presented “The nuts and Bolts of Education Law” at the Philadelphia Association of Paralegals’ Annual Education Conference in Philadelphia on Oct. 6.

Katyun I. Jaffari, a partner with Saul Ewing LLP, has been elected secretary of the Support Center for Child Advocates Board of Directors.

Norman P. Zarwin, co-founder of Zarwin Baum DeVito Kaplan Scher Toddy P.C., has been appointed to the TD Banknorth’s regional advisory board.

R. Bruce Morrison, a shareholder with Marshall, Dennehey, Warner, Coleman & Goggin, participated in the Pennsylvania Defense Institute’s Annual Conference by giving a presentation titled “The Nuts and Bolts of Educa..."
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28 NOVEMBER 2006 / BAR REPORTER