By Jeff Lyons

The Board of Governors has adopted guidelines that will help law firms go green. The Green Ribbon Sustainability Initiative, adopted unanimously, is the culmination of almost a year’s work by the Association’s Green Ribbon Task Force.

The guidelines are user-friendly suggestions for helping firms go green in a wide range of areas. They are flexible and “not one size fits all,” so that firms of all sizes and practice areas may use some or all of the recommendations. The Association will recognize those firms that meet certain numbers of the guidelines.

The Green Ribbon sustainability goals were among Chancellor Scott F. Cooper’s primary agenda items for 2010. “Most in this legal community want to go green,” Cooper said, “but they are still looking for an easy source for how to do it. The Association stepped in and has now made available these common-sense ideas. They will help our Association and our law firms save time, money and the environment.”

The Green Ribbon Task Force, co-chaired by Kim R. Jessum and Michael McHugh, released its final report in December 2009. The report included recommendations on how to save energy, water and paper, as well as ways to use recycled materials.

The guidelines are available on the Association’s website at phillylaw.org/green.
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Having just finished one of our most successful Bench-Bar Conferences ever, it is appropriate to reflect on what this conference means and how far it has evolved into a fixture of the Philadelphia Bar Association’s annual programming.

In my view, there are few things a Bar Association does that are more important than facilitating discussions between the practicing bar and the judiciary. It is one of the few places where the expected formalities of advocate and adjudicator break down. In the safe space that a Bench-Bar Conference creates, we can converse with the judiciary about improving our advocacy, better managing cases and promoting the administration of justice.

When Chancellor Walter Alessandroni convened the Association’s first Bench-Bar Conference in October 1958, it was a very informal affair. The half-day session followed our October Quarterly Meeting and consisted of a series of symposiums attended by lawyers and judges at a Center City hotel.

But Bar leaders were encouraged by the success of the initial session and by September 1959, what had now become officially known as the annual Bench-Bar Conference expanded to a full-day program.

About 125 lawyers and judges attended the 1959 event, held at the Philadelphia Cricket Club. Alessandroni termed it an “encouraging success that augurs well for the future.”

“It is clear that in the past there has not been adequate communication between the Board of Judges and the Association on matters affecting the administration of our courts,” he said. “The joint responsibility of the bench and bar in this field has been hampered because of the lack of an adequate forum to openly discuss the difficult problems that face an overburdened court.”

Now, more than 50 years later, bringing the bench and bar together is still one of our most important functions. The annual Bench-Bar Conference remains a key forum for discussing the critical issues and trends impacting the practice of law in the state court system.

It is a valuable opportunity to share best practices and learn the latest developments in the profession. It enables lawyers to network with their colleagues and interact and socialize with members of the judiciary in a relaxed setting geographically removed from the distractions of their offices. While smartphones and laptops may keep us connected virtually, being onsite compels us to devote our attention to the conference.

By all accounts, the 2010 Bench-Bar & Annual Conference (our 46th such conference, for those who are keeping track), held in Atlantic City on Oct. 15-16, was an unqualified success.

What success is rooted in the outstanding work of our Bench-Bar Committee, co-chaired by Vice Chancellor John Savoth and Board of Governors Vice Chair Regina Foley. Their leadership, and the hard work of so many CLE course planners, moderators and presenters, laid the foundation for an exceptional program.

At this year’s conference, we had the privilege of welcoming distinguished guests from near and far.

Philadelphia City Councilman At-Large Bill Green provided greetings on behalf of City Council.

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NOTICE TO POTENTIAL JUDICIAL CANDIDATES
The Commission on Judicial Selection and Retention of the Philadelphia Bar Association evaluates the qualifications of persons seeking appointment or election to the Philadelphia Common Pleas and Municipal Courts. Individuals who wish to be considered for appointment or who are considering filing for the 2011 primary election as judicial candidates should contact the Commission on Judicial Selection & Retention c/o Charles J. Kitzsch, Esq., the Bar Association’s Director of Public and Legal Services, to obtain a Judicial Evaluation Questionnaire, the Commission’s Guidelines for Evaluation of Attorney and Judge Candidates and Bylaws of the Philadelphia Bar Association. In order to ensure that each candidate receives a full and fair evaluation, the completed questionnaire must be submitted by Wednesday, Dec. 8, 2010 to “Judicial Commission,” Philadelphia Bar Association, 1101 Market St., 11th Floor, Philadelphia, PA 19107-2955. Also, candidates who have previously been evaluated by the Commission are invited to contact the Association to determine whether their ratings are current by calling Mr. Kitzsch at (215) 238-6326.

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 if they continue to pursue either appointment or election.

A. Harold Datz, Esquire
2010 Chair, Commission on Judicial Selection and Retention

We also welcomed Pennsylvania Bar Association President Gretchen Mundorff, who recognized the Philadelphia Bar Association for its overall excellence and reputation across the commonwealth and the country.

Thierry Bonnet, president and chair of the International Commission of the Lyon Bar Association, and Jean-Michel Raynaud, member of the board of the Lyon Bar Association, traveled 4,000 miles from France to provide greetings on behalf of our sister bar association with which we sponsor a successful attorney exchange program.

As mentioned here previously, it was exactly 273 years ago, in 1735, when Philadelphia lawyer Andrew Hamilton traveled to New York to defend newspaper publisher John Peter Zenger against charges of libel – forever establishing the principle of freedom of the press.

For more details, see page 26.
As the Bar Association’s new director of diversity, Naomi K. McLaurin wants to make sure everyone’s voices are heard. “I’m pleased that the Bar Association has a broad concept of diversity that includes race, ethnicity, gender, religion, age, disability, sexual orientation and gender identity as well as many other aspects of diversity. To that end, I want to make sure the dialogue on diversity is expansive and inclusive at the same time,” McLaurin said. “White men need to be included in the conversation and their roles must be better defined. Generational diversity must be given its due,” said McLaurin, who joined the Bar Association staff Oct. 5.

She wants the Office of Diversity to become visible not just to constituents but at section and committee meetings as well. “It’s critical that the Office of Diversity is seen as an essential component of the Bar Association. In my role, I’m first and foremost advancing the Bar Association’s mission to serve the profession and the public by promoting justice, professional excellence and respect for the rule of law.”

For the past two years, McLaurin has worked as a diversity consultant in Atlanta where she advised clients on diversity initiatives and best practices, educational programming, mentoring programs, and professional and business development.

She is the former managing director of the Minority Corporate Counsel Association, Southeast Region, where she was also vice president and corporate secretary. In Atlanta, she opened the first regional office of the national 501 (c) (3) nonprofit corporation dedicated to the recruitment, retention and advancement of women, LGBT and minority attorneys.

McLaurin was the executive director and co-founder of The Atlanta Legal Diversity Consortium, Inc., a nonprofit corporation comprised of nearly 40 law firms, corporations, bar associations and individuals dedicated to the recruitment, retention and advancement of women, LGBT and minority attorneys.

She also served as dean of career services at Emory University School of Law in Atlanta and was the assistant director in the Office of Career Services at Georgetown University Law Center specializing in diversity and outreach.

McLaurin received her JD from Brooklyn Law School where she received the Martin Luther King, Jr. Merit Scholarship and was a member of the moot court honor society. Receipt of the scholarship enabled McLaurin to quit her job as a claims representative with Aetna Life Insurance and transfer from the part-time evening program to the full-time day program.

She was an associate with Proskauer Rose in New York and with two minority-owned Washington, D.C., firms, and a contract/staff attorney with Gibson Dunn & Crutcher.

“We are delighted to welcome Naomi McLaurin as the Director of Diversity for the Philadelphia Bar Association,” said Bar Association Executive Director Kenneth Shear. “This position serves as a unifying agent among Philadelphia’s many dynamic minority, LGBT and specialty bar associations and as a key resource to law firms and legal departments that have or seek to develop diversity and inclusion programs, as well as our own sections and committees.”

By Jeff Lyons

McLaurin Named Bar’s Director of Diversity

November CLE Calendar

These CLE programs will be held at The CLE Conference Center, Wanamaker Building, 10th Floor, Suite 1010, Juniper Street entrance unless otherwise noted.

- Outsourcing and Offshoring 2010: Meeting New Challenges
- Primer on Fair Debt Collection Practices Act
- Test Transfer Tax
- Medical School for Lawyers: Into the Anatomy Lab
- Financial Services Industry Regulatory Compliance & Ethics Forum 2010
- How to Prepare and Try a Significant Case in the Commerce Case Management Program
- Wrongful Convictions
- Changing Board Responsibilities for Executive Compensation in a World of Increased Scrutiny
- Bridge the Gap
- My First Federal Trial (at the Federal Courthouse Ceremonial Building)
- Advanced Patent Licensing 2010
- Social Media in Divorce Cases
- Financial Regulatory Reform
- Fundamentals of Products Liability Law
- “Bet the Company” Litigation 2010: Best Practices for Complex Cases
- Mitigation in Capital Cases
- 17th Annual Estate Law Institute (at the Pennsylvania Convention Center)
- Selecting & Influencing Your Jury (PEG)
- UM/UIM Encore
- Right to Know Law Two Years After
- Patent Litigation 2010
- Advising Troubled Companies
- Police Misconduct and the Defense of Criminal Cases
- Elder Law Update
- Combating Obstructionism at Deposition & Defending Against the Killer Deposition
- Hedge Fund Enforcement & Regulatory Developments 2010
- Department of Corrections 101
- Water Law
- Trial of a Will Contest Case Encore
- E-Discovery: The Basics

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continued on page 5
The mission of the International Business Initiative, a subcommittee of the International Law Committee, is to increase international business in this region. One of its recent efforts is a project with the Philadelphia Regional Port Authority.

At a recent meeting of the International Business Initiative, Dominic V. O’Brien, senior marketing representative for the Philadelphia Regional Port Authority, gave a presentation on the Port of Philadelphia and made many recommendations on how the Bar Association could increase international business through the Port. He said that although the Port of Philadelphia has excellent connections to Europe, South America, Australia/New Zealand and Africa, currently no container ships from China and Singapore call directly on the Port.

To make it commercially feasible, carriers must have enough business in the port and have significant cargo for both import and export involving the Port of Philadelphia. There must be both goods coming here in a ship and goods being exported from here in the same ship. Carriers are often not aware of the opportunities for import and export from this region. Companies in the region may not be aware of the opportunity for import or export or the advantages of using a port that may be closer than the port they now use. Even enough business from mid-size or smaller companies may make it feasible for carriers to ship directly to Philadelphia. He suggested that counsel representing companies review the attached letter, fill in the blanks where appropriate and send it so that carriers will see the need for expanded shipping service—especially from Eastern and Southeastern Asia—and make a decision to start using the Port of Philadelphia.

The Port Authority has programs to help local exporters, including a Pennsylvania Export Initiative (an incentive program for products manufactured in and exported from the Commonwealth), overseas trade representatives that can assist you and your clients, and more. This will help increase trade between our region and China and Southeast Asia.

If you have questions please contact O’Brien at (215) 426-2600 or at dobrien@philaport.com. Have your corporate clients fill out and send the letter above to Dominic V. O’Brien, Senior Marketing Representative, Philadelphia Regional Port Authority, 3460 N. Delaware Ave., Philadelphia, PA 19134.

J. Michael Considine Jr. is chairman of the International Business Initiative Committee.

Diversity

McLaurin has already reached out to Bar Association section and committee leaders and local minority and affinity bar associations. “My overarching goal is to serve as a resource to everyone,” said McLaurin. She readily acknowledges familiarity with the Philadelphia Diversity Law Group, founded by Nolan N. Atkinson, Jr. in 2001. “We looked at the Philadelphia Diversity Law Group, among others, as a template when forming the Atlanta Legal Diversity Consortium,” said McLaurin. Atkinson is the recipient of the Philadelphia Bar Association’s Inaugural Chancellor’s Diversity Award.

The Philadelphia Bar Association’s Office of Diversity partners with hiring partners and managers at Philadelphia law firms, legal departments, and public agencies to develop educational and community outreach activities. In doing so, the Office guides, supports and leads the diversity efforts for the entire Association, including the Board of Governors, the Association’s sections, divisions, committees, task forces and external efforts.
The Legal Directory 2011 Update is Under Way!

Watch your mailbox for update information!

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 when they arrive over the next few weeks. Save time by completing the update process online.

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Questions?
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A limited number of copies of The Legal Directory 2010 Are Still Available!
E-mail legaldirectory@mediatwo.com to order.
The Legal Directory 2011 will be available April 2011.
Sections, Committees Plan Annual Year-End Events

The Association’s Sections and Committees have planned their annual receptions and events.

- The Workers’ Compensation Section Annual Holiday Party will be held Thursday, Dec. 2 at Cescaphe Ballroom, 923 N. 2nd St., from 6 to 9 p.m.
- The State Civil Litigation Section Annual Reception will be Monday, Dec. 6 at Philadelphia Museum of Art, 2600pine St., from 6 to 9 p.m.
- The Civil Rights Committee will hold a joint reception at will be Wednesday, Dec. 15 at The Loews Philadelphia Hotel, 1200 Market St., from 5 to 7 p.m.
- The LGBT Rights Committee and Professional Responsibility Committee will host a joint reception on Wednesday, Dec. 15 in the 11th Floor Conference Center at Bar Association headquarters, 1101 Market St., from 5 to 7 p.m.
- The Young Lawyers Division Holiday Party will be Thursday, Dec. 16 at the Mutter Museum at The College of Physicians, 19 S. 22nd St., from 6 to 9 p.m.

To purchase tickets for any of the events listed above, visit philadelphiabar.org.

Young Lawyers Division Spotlight on Pro Bono

Vice Chancellor John E. Savoth (from left) is joined by Michele L. Purdue-Dean, Andrew Boczakowski, Matthew Olesh, Rebecca Santoro, Jason Conn and moderator Roxane Crowley at the Young Lawyers Division Spotlight on Pro Bono program on Oct. 22. Savoth and the other panelists discussed how to get involved with pro bono work and balancing the work with professional careers.

Outside view of the Philadelphia Museum of Art.
YLD Update

Plenty of Ways to Get Involved in November

November is a great month for reflecting on the year and giving thanks. I personally have a lot to be thankful for this year. I am very thankful for my health and my family. I also had the opportunity to meet many great people as well as participate in the organization of important and fun programs.

November is also a great time to remember that we are in a position to help others without exerting much effort. One of my favorite parts of the YLD is the opportunity to give back to the Philadelphia community. The YLD has two excellent opportunities to help those in our city.

The Harvest for the Homeless helps those at local homeless shelters and the Mock Trial Camp encourages local school students.

On Saturday, Nov. 13, the YLD will host the annual Harvest for the Homeless at Ballard Spahr LLP. Through the Harvest, the YLD collects and sorts donations of men’s, women’s and children’s clothing. We also collect blankets and towels as well as non-perishable items, including shampoo, toothpaste, lotion, canned goods and other dry food goods. Once the items are sorted, we deliver them to local homeless shelters.

Firms participating in the collection of items include Feldman Shephard Wohlgelernter Tannen Weinstock & Dodig, LLP, Stradley Ronon Stevens & Young, LLP, Ciardi Ciardi & Astin, Ballard Spahr LLP, Petrelli Law, PC, and Blank Rome LLP. We are looking for additional firms to collect items. If you are interested, please contact Melanie Taylor at Melanie.taylor@phil.gov or Matt Laver at mlaver@wglaw.com.

Volunteers are also needed on the day of the Harvest to help with sorting and distribution of the donated items. Non-lawyers and children are welcome to attend and assist. If you are interested in volunteering, please contact Joe Guzzardo at josephguzzardo@gmail.com or Roxane Crowley at rcrwol@clsphil.edu.

The YLD also works with Temple University Beasley School of Law to prepare high school students for the annual John S. Bradway Mock Trial Competition by assisting at the Mock Trial Camp. The camp is an intensive all-day training session that couples instructive sessions with hands-on training on important trial skills like direct and cross-examination of witnesses, opening statements and closing arguments. Volunteers are needed to serve as leaders of small group sessions and to assist with presentations.

You can volunteer at the morning session, the afternoon session or both. If you are interested in participating in the Mock Trial Camp, please contact Joe Harris at josuh.harris@phil.gov or Paul Kaufman at paul.kaufman2@usdoj.gov.

I hope you will join the YLD in our November community service initiative. I invite you to give to others through the YLD’s upcoming programs. And I wish you a very Happy Thanksgiving to you!

By Albertine DuFrayne

Economist: Multiple Issues Led to Downturn

By Edward P. Kelly

Federal Reserve Bank Senior Economist Dr. Jason Faberman provided a snapshot of the current state of the economy at the Young Lawyers Division 20/20 program on Oct. 5.

First, Dr. Faberman described the role of the Federal Reserve Bank. The Fed is the central bank of the United States, and controls the monetary base, protects the integrity of the financial system, provides liquidity in times of crisis and supervises and regulates banks and other financial institutions. The Federal Open Market Committee of the Fed sets the national monetary policy and is the most market watchers watch with regard to interest rates. The Fed has a number of tools at its disposal, including the discount window, which is where banks go when they are in trouble to obtain low interest loans. One of the Fed’s policy mandates is to maintain full employment and maximum sustainable growth, while keeping inflation in check.

Dr. Faberman then turned to the current state of the economy and how we got here. While weakness was evident starting in 2007, he says “all hell broke loose” around September 2008. It started with financial institutions failing, and quickly spread to other entities that were backing the financial sector. It was then that the government intervened in numerous ways, including the Troubled Asset Relief Program. One indicator of the collapse was interest rates, and Dr. Faberman showed how the interest rates spread rapidly expanded at the verge of the collapse. In response, the Fed subsequently dropped the interest rates to zero.

Regarding full employment and inflation, Dr. Faberman described that in good times, the Fed raises interest rates to stem inflation but in bad times, it lowers rates to spur investment and reduce unemployment. However, because rates have been so low for so long, there has been a mild fear of “deflation,” or negative price growth.

The U.S. has had the longest prolonged period of GDP decline since World War II, and the housing and employment numbers have been a disaster, according to Dr. Faberman. And while the U.S. economy has officially been in a recovery since the recession ended in June 2009, Dr. Faberman pointed out that this has been a weak recovery, especially in light of the fact that the length of this recession was longer than anything on record.

Some of the recovery can be attributed to the first-time homebuyer credit; however, there was renewed weakness in the housing market once the program expired, and house prices have dropped by a third since their peak in 2006. And while there has been positive private sector employment growth in 2010, it has not been to the level needed to keep up with population growth. And not only is the unemployment rate high, but the amount of time people have been unemployed has skyrocketed.

By Edward P. Kelly (okelly@ameroventures.com), a partner with Astor Weiss Kaplan & Mandel, LLP, is an associate editor of the Philadelphia Bar Reporter.

Podcast Spotlight

Visit philadelphia barreporter.org to listen to the podcast from this meeting.
Political Veterans Offer Insight, Advice for Potential Candidates

By Angie Halim

With the mid-term election right around the corner, everyone is talking about politics, and many are discussing women’s roles in shaping the political landscape.

Panelists including former Congresswoman Marjorie Margolies, Philadelphia City Councilwoman Marian B. Tasco, Pennsylvania Superior Court Judge Anne E. Lazarus and Philadelphia Court of Common Pleas Judges Sheila Woods-Skipper, Lillian Harris Ransom, and Ida K. Chen discussed their personal political journeys and provided insight about “successes, failures and the real nuts and bolts” of what it takes to become a successful female politician at the Sept. 28 meeting of the Women in the Profession Committee.

Margolies recommended that before anyone makes the decision to run in any election, “be prepared to lose.” Councilwoman Tasco echoed that advice, and added that “before you run, you have to decide how you will feel if you lose.” Losing is embarrassing and very much public. All the panelists agreed, “winning feels better.”

Being a Philadelphian poses unique concerns for those wishing to run for a statewide position, explained Judge Lazarus. She emphasized that it’s very difficult to win a Pennsylvania statewide election with “Democrat” under your name; it’s even harder, she said, to win with “Philadelphia” under your name. Judge Lazarus contributed her success, in large part, to traveling to as many Pennsylvania counties as possible to gain wide exposure. She visited 61 of the 67 counties. Getting the message out, she said, requires getting in front of the people so they can see you.

The panelists provided advice to those women who have made the decision to run for political office. After that decision is made, Councilwoman Tasco said, the first thing to do is “run the numbers” and focus efforts where you need to. She counseled that it is important to be cognizant of areas where campaigning is likely to be a lost cause; “forge relationships” and focus efforts where they will matter most, she advised.

All panelists agreed that potential candidates need a strong constituent base, support, and, most importantly, funding. For local political offices, Philadelphians are fortunate to be “different from the rest of the free world” in that there are a number of women in politics and there tends to be a lot of support for women candidates. Organizations such as the Committee to Elect Women Judges are excellent at providing support for women judicial candidates.

Regarding campaigning and seeking support, Judge Woods-Skipper said “integrity is of the utmost importance.” She said it is critical to “be yourself.” Judge Ransom’s view of campaigning was practical, yet poignant: “People are people. They have concerns no matter where they live.”

For those women who are not sure whether they are interested in running for office, the panelists recommended volunteering for community organizations or becoming involved in women’s groups. For several of the panelists, the decision to become involved in politics was very organic and happened naturally as a result of community involvement or volunteering. As a word of caution, all the panelists agreed that it is critical to be “extremely, extremely careful” when it comes to social networking or other online interactions. Once you get yourself in the spotlight, people will look for anything to say about you. “Things that seem innocent and fun may come back to haunt you.”

Judge Woods-Skipper imparted empowering advice when she said, “be prepared” and “learn the rules.” Knowing the rules can win elections.

Angie Halim (ahalim@aadlaw.com) is an associate with Ahmad & Zaffarese, LLC.
Always Time to Do Something Meaningful

By Amy B. Ginensky

I heard a saying once, “It’s not so much how busy you are, but why you are busy.”

Well, we at the Bar Foundation are very busy these days. And the reason why is that there are families facing foreclosure, seniors facing bankruptcy, children suffering abuse and many, many more who need a lawyer but can’t afford one.

In short, we are busy raising money so that in December, we can give the financial support our public interest grantee agencies need to help make sure that our country’s promise of “equal access to justice for all” is met.

You may have read my past articles about our grantmaking process, but with everything we are busy doing and everything we are asking you to do (I’ll get to that in a minute), I thought I’d spend a few moments on the Bar Foundation’s role as the legal community’s foundation.

I know I don’t need to tell you why having a lawyer is important to someone in trouble. No matter what kind of law we practice, we know how much our clients depend on us. So donating to support legal services for the neediest among us is probably a no-brainer for most of you.

But you’re probably a donor, like I am, who wants information. Why this charity? There are several reasons we think the Bar Foundation should be a charity of choice for Philadelphia lawyers. For one thing, we are you. By that I mean this organization is governed by lawyers, supported by lawyers and gives money only to legal services organizations. This is your foundation.

In addition, we act as “comptrollers” for the Philadelphia legal community and its support of the public interest bar. We do the due diligence in vetting our grantee agencies most of us don’t have the time or information to do.

In fact we’re in the middle of that process now. So far the grants committee has reviewed the 40 grant applications we received and scrutinized the financial statements of the applicants. Members of the grants committee and Bar Foundation Board of Trustees have visited current grantees and all of the new applicants. Representatives from all applicant agencies have met with members of our grants committee and Board of Trustees.

All this information informs the allocation recommendations of our grants committee, the funding recommendations of our finance committee and the final grantmaking decisions the board will make in December.

Last year, despite the economic downturn, we gave more in grants than ever before – $563,000. This has been a tradition in the Bar Foundation’s grantmaking – even in rough times we are there for our grantee agencies and the people they serve. And also traditionally, we’ve been able to give ever-increasing amounts because of the support and generosity of the lawyers in the private bar.

It’s always important to our grantees that the Bar Foundation continue its trend of increased giving, but this year, because of the way many foundations calculate their grants, our grantees are feeling the effects of the recession on their funding stream even more than last year.

So, while the members of our board of trustees have stepped up their work in this last quarter to raise money to support the 2010 grants we will make in December, they need your help to keep the Bar Foundation tradition of being a solid base of funding for the public interest legal community alive. (I told you I would get to you.)

There is still time for you to help us make a difference. Depending on when you are reading this, there still may be time to buy tickets to the Andrew Hamilton Benefit being held on Saturday, Nov. 6 at Lincoln Financial Field. Or if you are already planning to go to the Benefit, there is time to peruse the website with details of the fabulous items that will be on auction at the event so you know what to bid on. (I might try for the villa in Spain, or the 18-person suite behind home plate at a 2011 Phillies game.) There is time to remember a loved one or honor a colleague with a memorial or tribute gift. And there is time to make an individual contribution, including a gift of appreciated stock (which has great tax advantages).

So no matter how busy you are, there is time to do something meaningful to help those in need of legal services. I hope you will take that time.

Amy B. Ginensky (ginensky@pepperhamil- lon.com), a partner at Pepper Hamilton LLP, is president of the Philadelphia Bar Foundation.
Despite success this year in decreasing the projected budget shortfall from $19 million to $17 million, current fiscal realities make the governor’s proposed 1.7 percent cut in court funding a non-starter, according to Pennsylvania Supreme Court Chief Justice Ronald D. Castille.

Items such as a likely extension to the life of recently enacted filing fees, as well as a recent increase in co-pays on health insurance and a moratorium on staff travel are necessary to help bridge the funding gap, the chief justice said.

Castille joined state court judicial leaders on Oct. 16 for a “State of the Court” panel presentation at the Closing CLE Plenary Luncheon of the Association’s 2010 Bench-Bar & Annual Conference in Atlantic City, N.J.

“We’re trying to do things to make us be able to get fully funded, and there’s always the possibility of a mandamus filed to get us funded,” he said.

“We asked for a moratorium on the appointment of judges across the state of Pennsylvania. There were [approximately] 32 empty slots that saved us probably about $3 million.”

Castille also commended the efforts of Justice Max Baer resulting in a drop in the number of children who are in foster care in Pennsylvania from an average of 21,500 to about 14,500, saving approximately $225 million.

The Supreme Court is also responding to a report issued by the commission created by the court to investigate the Luzerne County judicial bribery scandal, Castille said.

The chief justice said Superior Court Judge Anne E. Lazarus is heading a committee to review the American Bar Association’s Model Code of Judicial Conduct to see if parts can be adopted. Additionally, he said the court has issued an employee code of conduct that specifically references the Pennsylvania Whistleblower Law.

“Those who work for us – about 15,000 people statewide – will have the incentive to turn in or reveal these kinds of things that are going on in their county – if they are going on in their county – without fear of retaliation,” Castille said.

On the issue of IOLTA funding, currently down by approximately one-third, Castille said that attorney registration fees have been increased from $175 to $200, with the $25 increase going specifically to IOLTA-funded organizations. He said the result is expected to bring in approximately $1.5 million.

continued on page 24
Be Credible, Inspirational, Advocates Told

Advocates must be credible, logical and inspirational, two of the city’s two top trial lawyers told a crowd of nearly 100 people at the seminar “Trial Advocacy: The Power of Ideas” at the Bench-Bar & Annual Conference on Oct. 15.

Gerald A. McHugh Jr., a partner with Raynes McCarty, said a good advocate motivates a judge or jury to find in favor of his or her client. McHugh and Robert Mongeluzzi each explained their own framework and method for advocacy.

Mongeluzzi, a partner with Saltzman Mongeluzzi Barrett & Bendesky, had this advice for advocates: be yourself, be creative and take a risk.

McHugh said he asks himself what the jury will accept as true. “I try to put myself in the place of the judge and jury and see how they will react to this construct of evidence.”

He said advocates also need to be mindful of the bad facts in the case that the jury will eventually hear and have to confront. “And if there are bad facts in a case, it’s better if a judge or jury hears them from you first and not let your opponent bring it out,” McHugh said.

“The last thing I ask myself is ‘what must I try not to prove?’ By that I mean the problem of overstating a case or the problem of exaggeration,” he said. “I believe that the most essential virtue in the courtroom other than clarity is credibility. Credibility with the court and credibility with the jury. You want whoever is listening to you to begin to look to you as a source in the case. By a source I mean the person who knows what they’re talking about, who never says something that isn’t true and who you can rely upon for purposes of charting your way through the dispute.”

McHugh likened bad advocacy to the menu at a cheap restaurant. “Instead of telling you what’s on the menu, they say it’s ‘Captain Nemo’s Succulent Feast.’ If the food is good you don’t need to embellish it. If your case is good you don’t need to embellish it. You want the facts to speak for themselves.”

Mongeluzzi said he grew up in a mixed blue collar-white collar community in New York. “One of the first things I learned when I got my LL.M. was not to speak like a lawyer.” He said he learned how to talk to jurors from his experiences in his neighborhood when he was growing up. “If I said to my buddy, ‘have you ever had occasion to drink this beer before?’ I think he probably would have punched me.”

During a recent trial, Mongeluzzi recalled hearing a defense attorney ask a witness ‘would you explain to the ladies and gentlemen of the jury what that means?’ “Now I’m saying to myself, here’s what he really meant. ‘Hey Doc. You’re a professional, I’m a professional. But can you explain to these morons what this actually means?’ And it’s an important difference. Because when I ask the question, it’s ‘can you explain to us what that means?’ Now I’m not acting smarter than they are. I’m one of them. And that little bit of advocacy brings you together with the jury. You’re not someone different from them.”

One of the highlights of the conference was the Grand Reception on Oct. 15 at MIXX at the Borgata. Philadelphia Court of Common Pleas Judge John M. Younge and his wife, Joy, enjoy the reception.


Visit philadelphiabar.org to listen to the podcast from this program.

Podcast Spotlight
Philadelphia Court of Common Pleas Judges (seated, from left) D. Webster Keogh, William J. Manfredi, Sandra Mazer Moss and Leon W. Tucker are joined by course planner and moderator Robert T. Szostak (standing from left), David E. Previtt, Judges Idee C. Fox, Jacqueline F. Allen and Mark I. Bernstein, along with past Chancellor Edward F. Chacker, Gerald J. Valentini and Charles A. Mapp Sr. at the CLE seminar “The Philadelphia JPT Program: A Fresh Perspective on What it Takes to Be and Appear Before a JPT.”


Past Chancellor David H. Marion (from left), Charles S. Marion and U.S. District Court Judge Cynthia M. Rufe present “Challenges in Removal from State to Federal Court.”

John G. Chou (from left), Marilyn Heffley and Eric C. Milby presented “Counseling the Corporation on Oct. 16.

Richard L. Vanderslice (from left), Philadelphia Court of Common Pleas Judge Annette M. Rizzo, Rachel Gallegos and Lisa A. Lee were the panelists for “Mortgage Foreclosure Diversion Program Litigation.”
Panel: Internal Policy on Social Media a Must

By Michael Petitti

No matter the extent of an attorney's professional or personal social media presence, an internal policy on the proper ways to use the medium is an absolute must for today's law firms and businesses.

If you don't have a [social media] policy, you are skating on thin ice,” said Harold M. Goldner, an attorney at Kraut Harris, PC, in Blue Bell.

Goldner joined Gina Furia Rubel of Furia Rubel Communications; Shelley R. Goldner, a business law professor at LaSalle University; and Joseph J. Prim Jr., Bar Association treasurer and an a partner at Duca and Prim, to present “Social Media and the Practice of Law,” a CLE held at the Bar Association’s Bench-Bar & Annual Conference on Oct. 16.

“Seventy-six percent of employers monitor Internet habits, 65 percent use blocking software, half have video surveillance, and more than 55 percent review employees’ computer files and e-mails,” Harold Goldner said. “Employers need to have a social media policy.”

Included in this policy should be: an acceptable-use provision; an indication of whether the entity intends to monitor an employee’s social media accounts for inappropriate commentary or disrespect toward the entity or its clients; non-disclosure and confidentiality provisions; a personal-use provision; a disclaimer; and language stressing that all contractual obligations outlined in other employee policies, such as the prohibition of sexual harassment or discrimination, must be adhered to in social media settings as well.

There is, however, an important difference between traditional policies and those for social media.

“With other employment policies they’re basically…don’t do this, don’t do that,” Shelley Goldner said. “But [because] social media is the way that we communicate in this new millennium…most employers want their employees to use social media. It benefits the business. So you want to encourage its use but you want to make sure it’s used responsibly.”

Rubel, an active social media user, echoed the importance of an internal social media policy but also stressed the need to be aware of external dialogue about one’s firm, business or clients.

“If you are not monitoring what is being said about you, your company or your clients [on the Internet], you are missing the boat,” Rubel said. “If you don’t know about it, you can’t respond.

Prim expanded on this concept. “If anyone gets involved in any litigation and doesn’t check out their opponent or client on Facebook, LinkedIn, MySpace or whatever, they’re fooling,” he said.

Rubel suggested using Google Alerts and Twitter to keep tabs on this information.

Make Sure to Consider Ethics Constraints in Family Matters

By Julia Swain

Practitioners must be mindful of ethical constraints in preparing clients and witnesses for custody evaluations and custody trials, a topic highlighted at the Family Law Section program presented at the Bench-Bar & Annual Conference on Oct. 15. Panelists included Philadelphia Court of Common Pleas Margaret T. Murphy, Megan Watson, David Grunfeld and Kimberly Ingersoll.

The amount of information provided to clients in preparing for a custody evaluation can incite ethical considerations. The panel agreed that giving a client a redacted custody evaluation report from a prior case is not ethical. However, a certain level of preparing the client for the process is a must. While copies of psychological testing administered in a custody evaluation are available online and at popular book stores, reviewing the questions and working on the answers with a client is not appropriate. Such conduct undermines the validity of the testing and can harm the client as the tests contain deception indicators that could be triggered with too much preparation.

Lawyers should prepare clients by having the client focus on the issues necessary for the evaluation, describing the process and what to expect. Beyond that, lawyers run the risk of a tainted evaluation by interfering with the process. Such interference will undercut not only the process but also the significant cost and time involved with a custody evaluation.

There are numerous ethical pitfalls family lawyers face in preparing for a custody trial. With the increasing use of e-mails and text messages as evidence at trial, lawyers should not draft or overly edit electronic communications on behalf of their clients. Lawyers can edit form and tone, but not content. The safer practice is help clients learn over time how to better communicate through electronic methods and to appreciate that their emails and texts will likely be scrutinized in court if the case goes to trial.

Social media is also impacting how custody trials are being presented. In considering how to use social media for a custody trial, the overriding rule is that a lawyer cannot do anything through social media that he/she could not do in person. For example, a lawyer (or his/her staff) cannot “friend” the opposing party on Facebook. A lawyer can accept information obtained from a Facebook page provided by a client or third party who is already a “friend” of the opposing party. This scenario is similar to use of a private investigator. The investigator can observe and document any conduct in a public place. But, a private investigator cannot speak with the opposing party or use deceptive practices to obtain information.

Clients should be advised early on to consider the content that they post on Facebook and to “defriend” the opposing party and other third parties who could potentially use the content against the client. Also, to the extent possible, clients should review the content posted by their children on Facebook.

The child interview is another area implicating ethical concerns for family lawyers. While most practitioners in attendance indicated that they do not interview children, Judge Murphy expressed that she would not fault an attorney for interviewing a child who tells a parent of how unhappy they are with a custody schedule, prompting that parent to file for a modification. The lawyer must be assured that the reason for filing a modification is genuine if motivated by the child and not based upon petty concerns like the other parent taking away a cell phone or limiting Internet access.

You don’t have to participate [on Twitter] to listen,” Rubel said. “Follow the thought leaders, listen first, then create conversations. You would be shocked at the information you can gather.”

For those new to the social media sphere, the panelists agreed the best way to get started is through LinkedIn, an online professional network that allows users to share resumes, recommendations and connections. Professionals are also beginning to do business on Facebook, the fastest online networking tool in the world with more 500 million active users.

“You say that people do business with those they know, like and trust,” Rubel said. “It can only benefit you to work with your marketing departments and learn how to use these tools.”

The Philadelphia Bar Association welcomes all social media users to like us on Facebook, follow us on Twitter, and join us on LinkedIn. Visit philadelphiabar.org for links to sign up.
The PNC Wealth Management interview series conducted by senior vice president and senior banking advisor Jackie Byrne Lessman, CFP®, explores distinct topics and issues relevant to the legal community ranging from investment management, wealth planning, trust, estate services and other PNC areas of expertise.

As a PNC liaison to the legal community, Lessman specializes in working with law firms and attorneys regarding their banking needs, as well as class action plaintiffs and claims administrators. Lessman is committed to leveraging PNC’s in-depth resources to cultivate relationships with regional law firms and attorneys by offering support and solutions.

In today’s uncertain economy and increasingly litigious society, individuals are understandably concerned about protecting their hard-earned assets. In an interview with Anne Marie Levin, J.D., LL.M., CTFA, vice president and Delaware Advantage Trust Specialist for PNC Wealth Management, we discuss the increasingly popular use of Delaware Asset Protection Trusts to protect assets from future creditors, including claims arising if a contemplated marriage ends in divorce, along with the features and overall effectiveness of these trusts.

Jackie Lessman: Delaware has a history of favorable personal trust laws. In a number of circumstances, choosing Delaware as the situs for a trust and Delaware law to govern a trust may be the best option for an individual who is interested in multigenerational planning, protecting assets from future creditors, and saving taxes upon the sale of a closely held business. While those are all valuable wealth management strategies, I would like to focus on Delaware’s Asset Protection Trusts.

What is a Delaware Asset Protection Trust (DAPT) and who may benefit from one?

Anne Marie Levin: An asset protection trust is a trust created by an individual or entity (called the settlor or grantor) and funded with some of his or her assets (including business interests) to protect those assets from future creditors. The creator of the trust has the ability to receive distributions from the trust and may retain certain rights and powers, including the right to control investment of the trust assets. Business owners, doctors and other professionals, CEOs and directors of corporations, professional athletes, closely held businesses, and individuals planning marriage may benefit from a DAPT. A properly constructed DAPT could protect assets against possible financial disasters, such as bankruptcy or devastating litigation. Certain individuals are more likely than others to have their personal assets attacked by creditors due to the nature of their professions while others are concerned about protecting assets from the claims of a future spouse.

All asset protection tools, including offshore trusts, LLCs, and tenancies by the entirety, have limitations and involve risks. However, a domestic asset protection trust is generally easier and less expensive to create and administer than an offshore trust and is not subject to the same geographical or political risks, reporting requirements or stiff penalties. When balancing the risks and protections offered by offshore trusts and other asset protection techniques, a person (or entity) may conclude that a DAPT, alone or in conjunction with one or more other techniques, best fulfills the asset protection objectives.

What are the favorable provisions in Delaware’s personal trust and tax laws that have caused a growing number of individuals and entities throughout the U.S. and abroad to establish trusts in, or move existing trusts to, Delaware?

Delaware offers individuals and businesses a unique climate for protecting and perpetuating wealth. It is distinguished not only for its well-known favorable corporate and tax laws, but also for its long tradition of being a leader in the field of of trusts with nonresident beneficiaries; permits settlers and investment advisors discretion to establish a trust’s investment policies; permits great flexibility; permits the settlor or investment advisor(s) chosen by the settlor to direct the investment of trust assets—which is particularly important when the settlor transfers interests in family business to the trust; protects confidentiality; permits trusts to exist in perpetuity; permits self-settled spendthrift trusts; and permits a trustee who has the power to invade trust principal to effectively amend the trust.

The benefits of a Delaware Asset Protection Trust are apparent, but how effective is it?

DAPTS have increased in popularity in part because individuals are generally more inclined to choose a domestic trust over an offshore trust for ease of trust administration and the reassurance that the trustee and trust assets remain in the United States. Today 12 states permit asset protection trusts. Although no Delaware court has ruled on a claim against a DAPT, creditors may be deterred from pursuing claims against assets held in a DAPT because of the high costs and time involved in attempting to overcome the numerous hurdles and obstacles imposed by Delaware law.

Delaware has a long tradition of being a leader in personal trust law. Delaware’s award-winning courts have proven their competence and willingness to uphold the state’s law even in difficult cases. I encourage individuals to consider the benefits of establishing a Delaware Asset Protection Trust to protect assets, minimize taxes, and create a legacy for future generations based on their own particular circumstances and goals.

By Jackie B. Lessman

Advantages of Delaware Asset Protection Trusts

The PNC Financial Services Group, Inc. (“PNC”) provides investment and wealth management, fiduciary services, FDIC-insured banking products and services and lending and borrowing of funds through its subsidiary, PNC Bank, National Association, which is a Member FDIC, and provides certain fiduciary and agency services through its subsidiary PNC Delaware Trust Company. PNC does not provide legal, tax or accounting advice. Investments: Not FDIC Insured. No Bank or Federal Government Guarantee. May Lose Value. © 2010 The PNC Financial Services Group, Inc. All rights reserved.
**Dandridge, Wilkinson Vie for Vice Chancellor**

### Albert S. Dandridge III

**Professional Background:** Partner, Schnader Harrison Segal & Lewis, LLP, adjunct professor of law, Boston University School of Law Morin Center for Banking & Financial Law Studies; University of Pennsylvania School of Law; Temple University School of Law.

**Association Activities:** Chair, Business Law Section (2006); member, Board of Governors (2000-2003); Co-Chair, Annual Bench-Bar Conference (2008); member, Advisory Board of the Business Law Section (2009-present); member, Civil Gideon Task Force (2009-present); member, Executive Committee, Business Law Section (2000-2008); member, Task Force to Review Bar Association Nominating Procedures (2007); member, Task Force Reviewing Merit Selection of Judges (2006).

**Other Activities:** Member, Board of Directors, Executive Committee, Philadelphia Diversity Law Group, Inc.; Board of Directors, USO of Pennsylvania and Southern New Jersey; Board of Governors of NASDAQ OMX Futures Exchange; American Law Institute; Editorial Board of *The Legal Intelligencer*; Barristers’ Association of Philadelphia, Inc. (Co-Chair of the 2010 Dr. Martin Luther King, Jr., Annual Memorial Breakfast).

**Candidate’s Statement:** Today the Philadelphia Bar Association, and its leadership, matter to all of us. That is why I am a candidate for Vice Chancellor. My commitment to service was instilled in me as a young combat Marine and throughout my career, I have been involved with organizations that have served our profession, our community and our country.

As a practicing business attorney, I have tried to promote, advance and improve the objectives of our profession and the Bar Association. Traditionally, the Bar Association as a trade organization has sought to represent not only the interests of its members, the legal community and the community-at-large, but also has sought to promote core values and principles of the profession that maintain and defend the rule of law. During my career, I have focused on access to equal justice, judicial independence, professional development, diversity and promoting equality, all of which, in my opinion, are at a critical juncture. Therefore, I pledge to continue to lead the Bar Association in supporting all of these areas, which are vital to our profession and our community.

### Kathleen D. Wilkinson

**Professional Background:** Partner, Wilson Elser Moskowitz Edelman & Dicker LLC; Villanova University School of Law.

**Association Activities:** Secretary, Board of Governors, 2008-present; Assistant Secretary, Board of Governors, 2005-2007; Cabinet member, 2005-present; Board of Governors member, January 2001-December 2003; State Civil Litigation Section, Co-Chair, 2006-2007; Section Secretary, 2005; Task Force for Civil Litigation Section, member of interim executive committee to State Civil Litigation Section and assisted in creating the Section, June 2004-2005; State Civil Rules and Procedure Committee, Co-Chair, 2003-2004, member since 1997; Women in the Profession Committee, Co-Chair, 1998-1999; Co-Chair of Advisory Council, 2000-2003; Program Chair, 1996-1997; longtime member; Ruth Bader Ginsburg Legal Writing Competition, Co-Chair: 2003-present and developed rules of inaugural competition; Raising the Bar Campaign, Co-Chair, 2006-Membership Task Force, 2010; Philadelphia Bar Foundation Andrew Hamilton Benefit, member, 2010 Host Committee; Philadelphia Bar Foundation Hamilton Circle, member; Sandra Day O’Connor Award Committee, member and award presenter at 1998 and 1999 October Quarterly Meetings; member, 1993-2007; Commission on Judicial Selection and Retention, 2006-2007; Nominating Committee, member 2001, 2006; Elections Committee, member, 2008; Model Policies for Parenting Lawyers (disability, part-time, family leave, alternative work arrangements): Helped develop policies, adopted by Board of Governors, 1998; Leadership Program; assisted in creating and presenting leadership skills program for lawyers: 1998-1999; YLD Law Week Lawyer for a Day Program, 1999, 2001, 2010; YLD Boot Camp Speaker, 2010; YLD Mentoring Program, 2010; Business Law Section, member; Public Interest Section, member; Bench Bar Scholarship: 2010; Bench Bar & Annual Conferences, course planner/speaker, 2007-2010.


**Candidate’s Statement:** With more than 20 years of proven leadership and service to our Association, I have worked effectively with the bench and bar, as a consensus builder and problem-solver, bringing vision and enthusiasm. My goals as Chancellor are to help lawyers and law students navigate our legal community, while encouraging our city and business community to grow; to protect the rights of all persons to have full access to the courts and equal access to justice, regardless of gender, race, ethnicity or sexual orientation, while continuing to achieve diversity in the legal profession; supporting the independence of the judiciary while maintaining the highest integrity in the legal profession, and the courts; securing broad based support and critical funding for pro bono work and civil Gideon, while maintaining quality services; and working proactively and productively with the courts and leaders of the bar to advance our profession.

I promise to work for and with all of you to uphold the standards of being Philadelphia lawyers.
2010 BAR ELECTIONS

Jessum, Segal Running for Assistant Secretary

Kim R. Jessum

Professional Background: Of Counsel, Bradley Renom Stevens & Young, LLP; Chicago-Kent College of Law, IIT Association Activities: Co-Chair, Green Ribbon Task Force; Editor-in-Chief, The Philadelphia Lawyer; Member, Board of Governors (2003-2004, 2006-2008); Co-Chair, Intellectual Property Committee (2008); Executive Committee, Business Law Section (2005-2008); Audit Committee (2007-2008); Lobbying Task Force (2007-2008); 2007 Bench-Bar Committee; Chair, Young Lawyers Division (2004); Judicial Selection and Retention Committee (2004); Sandra Day O’Connor Award Committee (2004); Philadelphia Bar Foundation Young Lawyers Andrew Hamilton Circle.

Other Activities: CLE Officer, American Bar Association Intellectual Property Section; Co-Chair, Pennsylvania Bar Association 2010 Midyear Meeting and Women in Profession 2010 Annual Meeting; Member, Pennsylvania Bar Association Review and Certifying Board; Member, Philadelphia VIP 30th Anniversary Gala Host Committee; Chair, Students Run Philly Style; Member Philadelphia Zoo Corporate Leadership Council; Member, Brehon Law Society and Asian Pacific American Inn of Court of Pennsylvania; President, Benjamin Franklin American Inn of Court (1998-present) member, University of Pennsylvania Law School American Inn of Court (1994-1996); member, American Bar Association, Family Law Section; member, PA Bar Association, Family Law Section.

Candidate’s Statement: The Philadelphia Bar Association has a long tradition of servicing its members and the community. During my more than 10 years of involvement, I have experienced the Association’s many benefits, including professional and pro bono opportunities, but I was recently reminded of how my service can help other members and, in turn, the community. As co-chair of the Green Ribbon Task Force, I witnessed how passionate many attorneys are about the environment and how we could educate and provide opportunities to be “green” and give back to the community by helping to save the environment.

As Assistant Secretary, I would be my privilege to continue with the Association’s traditions. Because I bring a wealth of experience from leadership in other organizations, I am able to contribute new ideas and often offer a different point of view. I certainly welcome ideas and partnerships with others to make the Association better for everyone.

Jacqueline G. Segal

Professional Background: Partner, Fox Rothschild LLP; Temple University School of Law.

Bar Association Activities: Parliamentarian to the Board of Governors (2010); Chancellor’s Cabinet (2010); Board of Governors (2007-2009); Co-Chair, Membership Task Force (2010); Chair, Chancellor’s Committee for Pandemic/Disaster Planning (2007-2009); Elections Committee (2008); Commission on Judicial Selection and Retention (2006); Section Chairs Committee (2006); Family Law Section; Chair (2006); Chair-Elect (2005); Treasurer (2004); Secretary (2003); executive committee (1997-present); Co-Chair, Child Support Legislation Committee (2004); Co-Chair, Divorce and Equitable Distribution Committee (1997-2002); Co-Chair, Domestic Violence Committee (1994-1996).

Other Activities: Officer, executive committee member, and founding member of Philadelphia’s Nicholas A. Caprigni Family Law American Inn of Court (2006-2007); member, Doris Jonas Freed American Inn of Court (1998-present) member, University of Pennsylvania Law School American Inn of Court (1994-1996); member, American Bar Association, Family Law Section; member, PA Bar Association, Family Law Section.

Candidate’s Statement: As an officer in the Philadelphia Bar Association demands energy and commitment to its members’ ideals and goals. My 15 years of service to the Association demonstrate I will bring these qualities to the position of Assistant Secretary.

While chair, I made the Family Law Section more responsive to member needs, increased participation and revenue, initiated charitable fundraising, and launched a Philadelphia Family Law Inn of Court. On the Board of Governors, I regularly attended and participated in Board meetings to advance the Association and legal community. When I chaired the Disaster/Pandemic Committee, it created web-based resources to assist Association members’ planning for continuity of business and delivery of legal services.

My Association experience has prepared me to assume a leadership role as an officer. If elected, I will work to ensure Association policies serve the interests and needs of its diverse membership. I ask your support for my candidacy for Assistant Secretary, so I may continue to bring energy, dedication and commitment to the challenges facing the Association.
Six Seek Seats on Board of Governors

This year, six candidates are seeking five three-year terms on the Board of Governors. The candidates are Brian S. Chacker, Nikki Johnson-Huston, Angus Love, Scott W. Reid, Gina F. Rubel and Marc J. Zucker.

Brian S. Chacker

Professional Background: Associate, Gay Chacker & Mittin, P.C.; Villanova University School of Law.

Association Activities: 2009 – Chair, Young Lawyer’s Division; YLD representative to Board of Governors; Cabinet Member, Philadelphia Bar Association; Member, Judicial Commission; Member, Bar Association Political Action Committee; Co-Chair – YLD Comedy Night Fundraiser; Member, Public Interest Section. 2008, Chair-Elect, Young Lawyers Division; YLD representative to Board of Governors; Co-Chair, YLD Comedy Night; Member, Bar Association Diversity Committee; Member, YLD Diversity Scholarship Committee. 2007 – Treasurer, Young Lawyers Division; Co-Chair, YLD Comedy Night; Member, YLD Diversity Scholarship Committee. 2006 – Member, Executive Committee of Young Lawyers Division; Co-Chair, YLD Comedy Night; Member, YLD Diversity Scholarship Committee. 2005, State Civil Litigation Committee Liaison to the Young Lawyer’s Division; Co-Chair, YLD Attorney Mentor Committee.

Other Activities: Member, Temple American Inn of Court; Brandeis Law Society; Philadelphia Trial Lawyers Association; Philadelphia Bar Foundation, Andrew Hamilton Circle; Philadelphia Bar Foundation, Young Lawyers Hamilton Circle

Candidate’s Statement: I am a graduate of Villanova University School of Law who has been practicing in Philadelphia for more than 10 years. I started my career with Fox Rothschild LLP before moving to Blank Rome LLP and then joining Gay Chacker & Mittin, P.C. In my private practice, I focus on representing clients in a variety of civil litigation matters. I am a dedicated advocate for my clients and strive to achieve the best possible outcomes for them. I am proud to be a member of such a wonderful organization and look forward to continuing my service to the Board of Governors. I have found that my involvement in the Bar Association has been a great investment for me personally and professionally. I have gained confidence in myself as a lawyer and hope to continue to serve the Philadelphia legal community through my work with the Bar Association.

Nikki Johnson-Huston

Professional Profile: Assistant City Solicitor, Major Tax Unit, City of Philadelphia Law Department; Temple University Beasley School of Law.

Association Activities: Co-Chair, Women in the Profession Committee (2010); Co-Chair Women in the Profession Committee Public Service Task Force (2008-2009); Judicial Selection and Retention Commission Investigator (2009); Philadelphia Child Care Network (2007-2009); Powerful Voices Award Committee Women’s Way Annual Gala; Adjunct Professor, Community College of Philadelphia, Paralegal Studies Program.

Candidate’s Statement: My life is about service – service to the community and service to the legal profession through my work with the Bar Association. I am proud to be a member of such a wonderful organization and I look forward to continuing my service through the Board of Governors. I have found that my involvement in the Bar Association has been a great investment for me personally and professionally. I have gained confidence in myself as a lawyer and look forward to continuing my service to the Board of Governors.

Bar to Elect Officers, Board Members

The Philadelphia Bar Association’s Annual Election of officers and members of the Board of Governors will be held on Tuesday, Dec. 7, from 8:30 a.m. to 6 p.m. on the Ballroom Level of the Hyatt at The Bellevue, Broad and Walnut streets. Officers to be elected are Vice Chancellor, Secretary, Assistant Secretary, Treasurer, Assistant Treasurer and five members of the Board of Governors for three-year terms.

According to Article IV, Section 406, Paragraph B, "The election shall be by (1) secret mailed ballot and (2) paper ballot or voting machine. In addition, Members may vote electronically over the Internet to the extent permitted by law pursuant to procedures established by the Board to preserve the confidentiality of the Member’s vote and the integrity of the voting process. Voting machines, if available, shall be preferred for in-person voting, unless there is an election at which there is no contest. The position of the nominee on the ballot shall be determined by lot. The drawing of lots shall be conducted by the Judge of Elections not less than 25 days before the Annual Meeting in the presence of the nominees and/or their representatives. The form of the ballot shall be prescribed by the Board. A ballot shall be sent by the Association by mail to every Association member eligible to vote at least two weeks prior to the date set for the Annual Meeting. A mailed ballot shall not be counted unless it has been received at the office of the Association no later than 10 a.m. three business days prior to the date set for the Annual Meeting and in such manner as to preserve the confidentiality of the Member’s vote. The Judge of Elections shall count the mailed ballots after the polls have been closed.”

Ballots will be mailed Nov. 18 and are due by Thursday, Dec. 2 at 10 a.m.

Candidates for Office

Vice Chancellor
Albert S. Dandridge III
Kathleen D. Wilkinson

Secretary
Sophia Lee

Treasurer
Joseph A. Prim Jr.

Assistant Secretary
Kim R. Jossum

Assistant Treasurer
Wesley R. Payne IV

Board of Governors (elect five)
Brian S. Chacker
Angus Love
Scott W. Reid
Gina F. Rubel
Marc J. Zucker
Board Candidates
continued from page 18

leader and had the opportunity to work with talented people. It is my mission, if elected to the Board of Governors, to continue the Bar Association’s work of addressing the concerns of all lawyers, to be inclusive of all practice areas and to increase diversity as to members and opinions. It is imperative that we meet the needs of our members so that we may continue to be the best Bar Association in the country.

Scott W. Reid

Professional Background: Member, Cozen O’Connor General Litigation Group; Widener University School of Law.

Association Activities: Diversity Liaison, Board of Governors; State Civil Litigation Section Liaison; Young Lawyers Division Executive Committee.

Other Activities: West Chester University Alumni Association Board of Directors; Pennsylvania Bar Association House of Delegates; Pennsylvania Bar Association Minority Bar Committee; Widener University School of Law Minority Alumni Advisory Board; Board of Directors of the Philadelphia Diversity Law Group; Board of Directors of the Committee of Seventy; Board of Directors of the Conscious Thoughts Initiative; and Pennsylvania Trial Lawyers Association Diversity Committee.

Candidate’s Statement: The Philadelphia Bar Association has a history of excellent service to the legal profession. As Philadelphia lawyers, we are duty bound to honor the profession is a similar fashion through excellent legal service and strong community involvement. If elected to the Board of Governors, my goal is to help the Bar Association sustain and grow this rich tradition. I will also work to ensure that the Bar Association embraces and celebrates the contributions of lawyers from all backgrounds.

Currently, I serve as the Bar Association’s first-ever diversity chair. In that role, I helped to hire our new Diversity Director. I also serve as an ex-officio member of the Cabinet and Board of Governors. If elected to the Board of Governors, I know that I have the experience and desire to make a significant contribution to the Bar Association. It would be my honor and privilege to represent you as a member of the Board of Governors.

Gina F. Rubel

Professional Background: CEO/PRESIDENT, FURIA RUBEL COMMUNICATIONS, INC.

2010 BAR ELECTIONS

Professional Background: Widener University School of Law.

Association Activities: Philadelphia Bar Association member since 1994; Bar-News Media Committee chair (2008-present), committee member (2002-present); Law Practice Management public relations professional (2006-present); International Relations Committee Liaison (2007); Women in the Profession Committee since 1994, publicity coordinator (2004-2005); Solo and Small Firm Committee since 1994; Young Lawyers Division (1994-2006); YLD American Bar Association Convention Delegate (1997); YLD Awards of Achievement Committee Chair (1998); YLD Financial Secretary (1998-1999); YLD Harvest for the Homeless Chair (1997-1998); YLD Lawyer in the Classroom Chair (1997-1999); YLD Street Law Class presenter, Saint Maria Goretti High School (1995-1998); YLD National Presidential Summit Philadelphia Committee Member (1997); YLD Professional Development Committee (1997-1999); and YLD Seminar Coordinator (April 1998).

Other Activities: American Bar Association; The Justiniat Society (past Chancellor, Vice Chancellor, Treasurer, Programs Committee Chair) website chair; Legal Marketing Association, Pennsylvania Bar Association; Philadelphia Public Relations Association; Public Relations Society of America; Delaware Valley Law Firm Marketing Group; Women’s Business Forum (past President); Network Now; Bucks County Women’s Fund (board member); Drexel University Alumni Association (past board members); Philadelphia VIP (provide public relations services pro bono); Pennsylvania Society; The Union League; Heritage Conservancy.

Candidate’s Statement: I am proud to be a Philadelphia lawyer and privileged by the opportunity to serve other lawyers through our Bar Association. I am passionate about what distinguishes us as Philadelphia lawyers, including our commitment to access to justice for all, diversity, environmental stewardship, judicial retention and selection, and thought leadership. I am dedicated to ensuring that our Association remains representative of and relevant to the members. As a non-practicing attorney, I will bring a unique perspective to the Board. In 2002, I founded a public relations/marketing firm to help professionals communicate their messages effectively. My prior service in YLD, extensive committee work and leadership of The Justinian Society has allowed me to work collaboratively with members of the bench and bar to bring positive and proactive awareness to our profession and help deliver our important messages. I look forward to continuing that work and thank you for your consideration.

Marc J. Zucker

Professional Background: Partner, Weir & Partners LLP; Villanova University School of Law.

Association Activities: Business Litigation Committee (Chair, 2007-2008; Vice Chair, 2005-2006); Investigative Committee, Commission on Judicial Selection and Retention (1998-present); Chair, Israel Exchange Program (2007-present); Professional Guidance Committee (2000-present); Federal Courts Committee (1986-present).

Other Activities: Villanova Inn of Court (President, 2008-2010; formerly counsel, Program Chair); Co-Chair, ADR Subcommittee, American Bar Association Litigation Section’s Commercial & Business Litigation Committee (2006-present); Chair, Jewish Community Relations Council of the Jewish Federation of Greater Philadelphia (2007-2010); Jewish Federation of Greater Philadelphia (Board of Directors, 2007-2010; Board of Trustees, 2005-present); Chair, National Program Awards Committee, American Inn of Court Foundation (2007-2008); Jewish Law Day Committee (2003-present); Adjunct professor, Trial Advocacy, Villanova School of Law (2005-present);

Candidate’s Statement: As a business litigator and active member of the Bar Association since 1986, I hope to continue working to build consensus and cultivate professionalism, ethics and civility among members of the bar. On behalf of the Business Litigation Committee, I was honored to receive the Chairperson of the Year award, and am equally proud of the exhaustive investigations that I have coordinated for more than a decade for the Commission on Judicial Selection and Retention. During my tenure as Villanova Inn of Court president we won two national awards for our programing, focusing on professionalism and cutting-edge legal issues. As chair of the Jewish Community Relations Council for three years, I worked with other religious, ethnic and racial communities to build coalitions on such diverse topics as gun violence, immigration and environmental concerns, and focused on promoting civil discourse and bridging the polarization in our society. It would be a privilege to bring those same skills to the Board of Governors.
3 Line Offices Uncontested

This year, three candidates for Bar line offices are unopposed. The candidates are Sophia Lee, secretary; Joseph A. Prim Jr., treasurer; and Wesley R. Payne, assistant treasurer.

Lee is a senior attorney with Sunoco and a graduate of the Temple University Beasley School of Law and is currently assistant secretary of the Association. She was chair of the Board of Governors Diversity Committee in 2008 and a member of the City Policy Committee, the Young Lawyers Division Executive Committee and the Judicial Selection Committee.

She has been a member of the executive committee of the Asian Pacific American Bar Association of Pennsylvania since 2000, having served as president in 2006. She is co-chair of the Litigation Committee of the National Asian Pacific American Bar Association and is a member of the National Association of Women Lawyers. Lee is a former board member and president of AIDS Services in Asian Communities and has been board development director for the Asian Arts Initiative since 2002. She was a member of the executive board of the Cornell Club of Greater Philadelphia and a volunteer with the Cornell Alumni Ambassadors Admissions Network. She is vice chair of the Mayor’s Commission on Asian American Affairs and is a board member of the Old City Civic Association. She is a member of the advisory board of Pennsylvanians for Modern Courts and a board member of Philadelphia VIP.

Prim is a partner with Duca and Prim and a graduate of the Boston University School of Law. Prim is currently the treasurer of the Association and served as the Workers’ Compensation Section representative to the Board of Governors in 2003 and was an elected member of the Board of Governors from 2005 to 2007. He was co-chair of the Solo and Small Firm Committee in 2001, 2002 and 2004 to 2006 and co-chair of the Workers’ Compensation Committee in 1994. He served as treasurer of the Workers’ Compensation Section (1996 to 2008) and is a member of the State Civil Litigation Section and Workers’ Compensation Section.

He is a member of the Pennsylvania Bar Association Civil Litigation Section, Workers’ Compensation Section and Solo and Small Firm Practice Section. He is a member of the Pennsylvania Bar Association House of Delegates and a member of the American Bar Association General Practice, Solo and Small Firm Section, Law Practice Management Section and Litigation Section. He is a member of the Philadelphia Trial Lawyers Association, the Pennsylvania Association for Justice and a charter member of Friends of the Justinian Society. He is a supporter of the Boston University School of Law Public Interest Project and a member of the Brehon Law Society; The Lawyers Club of Philadelphia; Charter Member, John Peter Zenger Law Society; The Union League; member, House Committee; Chairman of Fitness Center; Member Lincoln Table Management Committee; The Pennsylvania Society; The Philadelphia Zoo; Philadelphia Museum of Art; The Milllay Club; Bishop Neumann High School Alumni Association; and a volunteer, Philadelphia VIP.

Payne is a partner with White and Williams, LLP and a graduate of the University of Maryland School of Law. He is currently assistant treasurer of the Association.

He is co-chair of the Insurance Committee and co-chair of the Insurance Programs Committee. He is a member of the Minorities in the Profession Committee, Diversity Committee and an Advancing Civics Education program team leader in 2008 and 2009.

Payne serves as a judge pro tem, Philadelphia Court of Common Pleas and is a member of the Board of Directors, Philadelphia Diversity Law Group, Inc.; Philadelphia Association of Defense Counsel; Pennsylvania Defense Institute, director, North East Region and chair, Rules Committee; Barristers’ Association of Philadelphia; Pennsylvania Bar Association, Minority Bar and Judicial Administration Committees; Defense Research Institute, Diversity and Toxic Tort & Environmental Law Committees; co-chair Homeless Advocacy Project Practice Group; Volunteer for the Indigent Program, case volunteer and Tangled Title Practice Group; Washington and Lee University, Alumni Admissions Program. He is also a certified arbitration panelist in both Philadelphia County and federal court.

7 Unopposed for YLD Executive Committee Seats

This year, all candidates for Young Lawyers Division Executive Committee are unopposed. The candidates are Jo Rosenberger Altman, Edward F. Beitz, Anthony H. Chwastyk, Joshua Harris, Brielle M. Rey, Christopher Sharp and Todd H. Zamostien.

Jo Rosenberger Altman is an associate with Montgomery, McCracken, Walker & Rhoads, LLP and a graduate of University of Pittsburgh School of Law. She serves as YLD liaison to the Support Center for Child Advocates and has volunteered for the Support Center for Child Advocates and the Homeless Advocacy Project.

Edward F. Beitz is an associate with White and Williams LLP and a graduate of Rutgers School of Law – Camden. He is YLD liaison to the Medical Legal Committee and has participated in the Philadelphia Bar Association’s ACE program, teaching civics to middle and high school students.

Anthony H. Chwastyk is an associate with Schubert, Bellwoar, Cahill & Quinn, P.C., and a graduate of Drexel University Earle Mack School of Law. He serves as the YLD liaison to the State Civil Litigation Section.

Joshua Harris is an assistant district attorney in Philadelphia and a graduate of the Georgetown University Law Center. He is YLD liaison to the Appellate Courts Committee and co-chair of the YLD’s Mock Trial Committee. He is vice chair of the Government, Military and Public Service Committee of the American Bar Association Young Lawyers Division.

Brielle M. Rey is an associate with Dechert LLP and a graduate of the University of Pennsylvania Law School. She is the YLD liaison to the LGBT Rights Committee and is an alumni mentor at the University of Pennsylvania Law School.

Christopher Sharp is an associate with Blank Rome LLP and a graduate of The George Washington University Law School. He is a Democratic Committee man for the 21st Ward in Philadelphia and is a member of the First Judicial District Pro Bono Roll of Honor.

Todd H. Zamostien is an associate with Salz Mongeluzzi Barrett & Bendesky and a graduate of Temple University Beasley School of Law. He is a member of the American, Pennsylvania and Philadelphia Trial Lawyers Association, the Pennsylvania Association of Justice and the Lawyer’s Club of Philadelphia.

YLD Executive Committee Election Notice

There being no opposition for the following offices, a unanimous ballot will be cast for these individuals who will be elected to the Young Lawyers Division Executive Committee: Jo Rosenberger Altman, Edward F. Beitz, Anthony H. Chwastyk, Joshua Harris, Brielle M. Rey, Christopher Sharp and Todd H. Zamostien.
Welcome from Anchorman

ABC Action News anchor Jim Gardner (left) addresses new citizens at an Oct. 14 naturalization ceremony at the U.S. Courthouse. Nearly 100 people from 40 nations took the oath of citizenship, which was presided over by U.S. District Court Judge John R. Padova. The ceremony was sponsored by the Philadelphia Bar Association and The National Society Colonial Dames of America in the Commonwealth of Pennsylvania.

Philly VIP Honors Carlton

This month Philadelphia VIP recognizes Robert T. Carlton Jr., counsel to White and Williams LLP, for his outstanding volunteer assistance to VIP clients. Carlton began volunteering with VIP in June 2008 at the inception of the Philadelphia Court of Common Pleas Residential Mortgage Foreclosure Diversion Program. The program, designed to bring borrowers and lenders together to attempt resolution of the foreclosure, has achieved national recognition and was envisioned and managed by Judge Annette M. Rizzo. Carlton has volunteered at conferences 13 times, and has assisted seven clients beyond their initial conferences in court. His dedication and persistence have led to positive outcomes for Philadelphia residents threatened by the loss of a home.

Whether advising a senior citizen living on limited income, or helping a young mother afford both her mortgage and her child’s medical bills, Carlton’s dedication means that VIP’s clients keep their homes. For his commitment, Philadelphia VIP offers its heartfelt appreciation to Robert T. Carlton Jr.

Please consider joining Carlton in his volunteer work by coming to VIP’s mortgage foreclosure training on Nov. 9 at the Comcast Center. For more information on the training session, call VIP at (215) 523-9550.
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Monday, Nov. 1
Family Law Section: meeting, 12 p.m., 11th floor Conference Center. Lunch: $8.

Tuesday, Nov. 2
Committee on the Legal Rights of Persons with Disabilities: meeting, 9 a.m., 11th floor Conference Room. Philadelphia Bar Foundation Board of Trustees: meeting, 12 p.m., 10th floor Board Room.

Wednesday, Nov. 3
Delivery of Legal Services Committee: meeting, 8:30 a.m., 10th floor Board Room.
Rules and Procedure Committee: meeting, 12 p.m., 10th floor Board Room. Lunch: $8.
Intellectual Property Committee: meeting, 12 p.m., 11th floor Committee Room South. Lunch: $8.

Thursday, Nov. 4
Lawyer Referral and Information Service Committee: meeting, 12 p.m., 11th floor Committee Room South.

Friday, Nov. 5
LGBT Rights Committee: meeting, 8:30 a.m., 10th floor Board Room.

Monday, Nov. 8
Business Law Section Executive Committee: meeting, 12 p.m., 10th floor Board Room.

Tuesday, Nov. 9
Cabinet: meeting, 12 p.m., 10th floor Board Room.
Criminal Justice Section Executive Committee: meeting, 12 p.m., 11th floor Conference Room South.
Real Property Section Executive Committee: meeting, 12 p.m., Gibbons, P.C., 1700 Two Logan Square, 18th and Arch streets.

Wednesday, Nov. 10
Appellate Courts Committee: meeting, 12 p.m., 11th floor Conference Center. Lunch: $8.
Women in Intellectual Property Committee: meeting, 12 p.m., 11th floor Conference Center. Lunch: $8.
Young Lawyers Division: meeting, 1 p.m., 10th floor Cabinet Room.

Thursday, Nov. 11
Bar-News Media Committee: meeting, 12 p.m., 11th floor Conference Center. Lunch: $8.
Legislative Liaison Committee: meeting, 12:30 p.m., 10th floor Board Room. Lunch: $8.
Real Property Section: annual meeting, 12 p.m., Loews Philadelphia Hotel, 1200 Market St. Tickets: philadelphia-bar.org.

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

Green
continued from page 1

B. Hayes, developed the sustainability initiative to raise awareness amongst the membership of the Association concerning environmental issues and promote the implementation of more environmentally conscious behaviors and practices within law firms and legal offices large and small.

“The Board’s resolution adopts a list of practical steps for law firms to follow. In other words, a resource for firms to ‘go green.’” It also calls upon law firms to make a voluntary commitment to environmental sustainability, consistent with the size of the law firm and number of employees.

The Green Ribbon Task Force’s Green Ribbon Sustainability Initiative Work Sheet provides useful suggestions and recommendations for law firms and legal offices to reduce their waste and energy-usage through the implementation of environmentally friendly practices. The work sheet is intended to be a dynamic document, incorporating over time additional information, recommendations and suggestions for environmentally friendly behaviors and practices developed both by the Task Force through its own further study and analysis and from member law firms, legal offices and individual lawyers who are committed to making the practice of law more environmentally friendly.

This sustainability initiative includes a voluntary pledge for law firms and legal offices that wish to declare their commitment to a broad set of principles involving the Association’s collective obligation to preserve the environment and natural resources.

The Task Force will next engage in community and member outreach to promote the Green Ribbon Sustainability Initiative and the Sustainability Initiative Work Sheet to member law firms, legal offices and individual lawyers. The work sheet includes recommended green practices involving energy and lighting, food, paper, pleadings and documents, recycling, transportation and general business practices.

The Task Force is comprised of more than a dozen volunteer members from law firms large and small, in-house counsel offices, and environmental consultants. Current members include Jenimae Almoquist, Henry Balkows, Jocelyn Hill, Rachel Kopp, Sophia Lee, Matthew S. Oleh, Desiree Purvenas, Tricia Sudd, Mitchell Swann and Robert Wert.

Friday, Nov. 19
Social Security Disability Benefits Committee: meeting, 12 p.m., 11th floor Conference Room. Lunch: $8.

Monday, Nov. 22
Young Lawyers Division Executive Committee: meeting, 12 p.m., 10th floor Board Room.
Green Ribbon Task Force: meeting, 12 p.m., 11th floor Committee Room South. Lunch: $8.

Wednesday, Nov. 23
Delivery of Legal Services Committee Management Subcommittee: meeting, 9 a.m., 10th floor Board Room.
Medical Legal Committee: meeting, 12 p.m., 11th floor Conference Center. Lunch: $8.
Delivery of Legal Services Committee
Civil Gideon Task Force: meeting, 12 p.m., 10th floor Board Room.
Language Access Task Force: meeting, 12:30 p.m., 11th floor Committee Room.

Thursday, Nov. 24
Bar Association offices closed.

Friday, Nov. 25
Thanksgiving: Bar Association offices closed.

Tuesday, Nov. 30
Women in the Profession Committee: meeting, 12 p.m., 10th floor Board Room. Lunch: $8.
Criminal Justice Section: meeting, 12 p.m., 11th floor Conference Center. Lunch: $8.
Compulsory Arbitration Committee: meeting, 12 p.m., 11th floor Committee Room South. Lunch: $8.

"Most in this legal community want to go green but they are still looking for an easy source for how to do it. The Association stepped in and has now made available these common-sense ideas."
Courts

continued from page 11

million a year. Additionally, he said that the court increased the pro hac vice filing fee to bring in about $200,000 a year that will go to a loan repayment assistance program providing $2,000 in assistance per person.

Castille also praised the work of specialty courts including the new Veterans Court, adding that for every dollar spent on specialty courts, another $4.78 is saved in the regular court system.

Castille added that the panel appointed by the court under Justice Seamus P. McCaffrey to look into the local court system will likely issue its report by January.

Commonwealth Court President Judge Bonnie Briggance Leadbetter said the headline and the story in Commonwealth Court this year is “doing more with less.”

“We are exceptionally busy this year,” Leadbetter said. As of June, court filings were up 19 percent over last year.

“What has really been very time-consuming and we’ve devoted a lot of our resources to this year is our original jurisdiction mandate,” she said. “We have 13 open insurance insolvencies, it takes a lot of time to deal with all of these matters, and our judges are doing it.”

This year there were 102 original jurisdiction election matters during the May primary term, and 14 appeals in Election Court. In spite of that fact, there is a filing-to-disposition average time of 13 days, she said.

“We’re able to manage those for several reasons,” she said. “One of them is that we have implemented a procedure where we really insist that counsel do their homework and do their discovery before they come into the courtroom, which is very hard because of the very short time frames on these. And the Bar has been wonderful in going along with that.”

She also cited the success of a program created two years ago allowing attorneys to enter their objections on a downloadable spreadsheet, available on the court’s website, that can be filed on disk.

“We have, in our appeals, an average of 100 days from the time all the briefs are in until a decision is filed,” Leadbetter said. “We’re able to do that because of very, very hardworking senior judges and because of a sense of teamwork.”

The court also voted on an internal operating procedure change effective Jan. 1, allowing for citation to certain non-precedential opinions on the court’s website. A new document management system for public dockets is also being tested, she said. In the coming year, the court hopes to improve the spreadsheet for election cases.

Pennsylvania Superior Court Judge Correale F. Stevens, who offered an update on behalf of President Judge Kate Ford Elliott, said the number of Superior Court appeals has increased to more than 8,000. Of those, Philadelphia had a little more than 2,000.

“Although the number of appeals that we review on decisions is above the national standard of caseload, I’m happy to report that our cases are moving efficiently through our system,” Stevens said.

Stevens said the court is hoping to see special sessions of court reinstated at Temple University in the spring and Villanova University in the near future.

After a long internal debate, the court also recently voted not to publish its memos, Stevens said, although attorneys can always ask that a specific memo be published.

This year, Superior Court decisions were affirmed by the Supreme Court in 35 cases and reversed in 28, he added. Philadelphia Common Pleas Court President Judge Pamela Pryor Dembe said that while the court has stabilized following previous cuts and has managed to save costs, there is still a pinch in two areas. The court has had to reduce the number of days senior judges are paid to work, although the judges continue to bear a large load of cases, she said.

Additionally, at the end of the city’s fiscal year in June, Dembe said employees whose salaries are funded by various grants will face the expiration of those grants, including the possibility of 50 probation officers being impacted.

In the Criminal Court, the new zone court system will mean that on any given floor of the Criminal Justice Center, all of the cases will be coming from one detective division. “We have been spending months and months planning for this,” she said.

The takeover of the Clerk of Quarter Sessions operation has resulted in the generation of revenue for the city, state and courts, Dembe said. She added that the court is also looking at several options for a new model of handling appointed counsel. Additionally, a document management system is being researched in anticipation of electronic filing.

“It’s just not viable to have counsel stop getting paid because the city hasn’t come up with the money,” Dembe said.

Dembe said that positive outcomes are resulting from the redesign of the probate system. The defendants who are most likely to get into serious trouble are the ones who are getting very intensive “24/7” coverage, she said. A mental health court has been opened at the Common Pleas level similar to the one in Municipal Court, she added.

“We’re also trying to work at capturing discovery information – the police investigative material – as close to the point of arrest as possible, and pushing that out to everybody – the D.A., the defenders, private counsel – with the idea that you can’t get a case into a position for a lawyer to even discuss pleading until the lawyer’s had a chance to see some discovery,” Dembe said.

Family Court continues to be the statewide leader in collecting child support to such an extent that Pennsylvania is the national leader, she said.

“We’re all living in hope that we will live to see a new Family Court building,” she added. “We’re hoping very much that the disputes around that will all get worked out.”

Municipal Court President Judge Marsha H. Neifeld said that Veterans Court saw 16 graduates on Sept. 1 – previous veterans who found themselves on the wrong side of the law who completed recommended treatment, resulting in 15 withdrawn cases.

A second arraignment courtroom was created as a backup to facilitate a more rapid resolution of cases for individuals who are in custody and unable to post bail on misdemeanor cases, she said.

A new program is also underway handling thousands of cases of small amounts of marijuana possession, giving the accused the opportunity to attend a classroom program to possibly have their records expunged, Neifeld said.

The court has also had success with a summer pilot program in West Philadelphia – the Accelerated Misdemeanor Program – for cases more minor in nature in which the D.A.’s Office is offering the option of community service. The program was to be expanded citywide on Nov. 1, she said.

In the area of mental health, the court is in the process of working with the Department of Behavioral Health to identify individuals earlier, set them up in treatment and release them from prison at an earlier stage in the proceeding, Neifeld added.

Negotiate

continued from page 9

ing negotiation skills, confidence increases. At the very least, through practice, it will become possible for her to exhibit confidence even when a woman does not feel confident.

If a negotiator can adapt her style, she may be well positioned to get more of what she and her client want out of the negotiations. With thorough prepara-

Heather J. Austin (haustin@thorpreed.com) is an associate with Thorp Reed & Armstrong, LLP, an associate editor of the Philadelphia Bar Reporter.

Judge Joins Discussion

Bankruptcy Committee Chair Anne M. Aaronson (from left), Mergers and Acquisi-
tions Committee Chair Graham R. Laub, U.S. Bankruptcy Judge Magdelene D. Cole-
man and Joshua T. Klein meet before a joint committee meeting on Oct. 20. Judge Coleman and Klein discussed the process, risks and benefits of Section 363 sales.

Heather J. Austin (haustin@thorpreed.com) is an associate with Thorp Reed & Armstrong, LLP, an associate editor of the Philadelphia Bar Reporter.
Nearly 40 people attended the Philadelphia Bar Association Academy program at the new Apple store on Walnut Street on Sept. 29 (above), where they learned about new Apple Computer products and services. Andrew M. Kurtz (right), general and artistic director of the Center City Opera Theater, explains the different singing styles at the Academy’s "Opera 101" program Sept. 23 at the Ethical Society of Philadelphia.

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Rachel E. Branson, an associate with Schnader Harrison Segal & Lewis LLP, has been appointed by Mayor Michael Nutter and City Council to the City of Philadelphia’s Police Advisory Commission.


Faye Riva Cohen, principal in the Law Office of Faye Riva Cohen, P.C., was the sole presenter to human resources and the Office of Faye Riva Cohen, P.C., was the recent seminar regarding “FMLA Hot Topics” sponsored by Council on Education Women and Awards committees.

Women in the Profession’s Promotion of the Association of International Education and Development Institute, sponsored by the Pennsylvania Bar Institute on Aug. 19 in Lancaster, Pa.

Roberta Jacobs-Meadway, a member of Eckert Seamans Cherin & Mellott, LLC, was recently appointed to the Pennsylvania Bar Association Commission on Women in the Profession’s Promotion of the Association of International Education and Development Institute, sponsored by the Pennsylvania Bar Institute on Aug. 19 in Lancaster, Pa.


H. Ronald Klaask, the founding partner of Klaask, Ralun, Stock & Schner, LLP has been elected chair of the Healthcare Institutions Interest Group of NAFAA; the Association of International Educators.

Tobias Millrood, a partner at Pogust, Braslow & Millrood, has been elected to the Board of Governors of the Pennsylvania Association of Justice.

A. Michael Pratt, a partner with Pepper Hamilton LLP and a past Chancellor of the Philadelphia Bar Association, has been inducted into the Washington & Jefferson College Athletic Hall of Fame. He was a four-year letter winner in basketball and starter who played in 85 career games at Washington & Jefferson.

Todd Kantorczyk, a partner at Manko, Gold, Katcher & Fox, LLP was part of a panel speaking about green house gas regulation issues at the annual meeting of the Auditing Roundtable on Sept. 8.

Beatrice O’Donnell, a partner with Duane Morris LLP has been named co-chair of the Mass Tort Committee of the American Bar Association Section of Litigation.

Robert C. Heim, a partner at Dechert LLP and past Chancellor of the Philadelphia Bar Association, has been appointed to the American Bar Association’s Standing Committee on the Federal Judiciary, which provides the White House with evaluations of the professional qualifications of prospective nominees to the lower federal courts.

Jerald David August, a partner at Fox Rothschild LLP served as program chair and spoke on the topic of “Offshore Tax Evasion and Bank Secrecy Update” during a live telephone seminar and audio webinar presented by ALI-ABA on Sept. 13.

Jonathan Kane, a partner with Pepper Hamilton LLP has been appointed co-chair of the Pro Bono Work Committee of the American Bar Association’s Section of Labor and Employment Law.

Christopher J. Cabott of the Law Office of Lloyd Z. Remick has been appointed as an adjunct instructor at Temple University to develop and teach an Entertainment Law course in the Fox School of Business.

JoAnne Epps, dean of Temple University Beasley School of Law, has been elected to the Board of Directors of the Committee of Seventy, a non-partisan organization fighting for clean and effective government, fair elections and a better-informed citizenry.

Deborah Epstein Henry, founder and president of Flex-Time Lawyers LLC, was a speaker at a North Carolina Bar Association program “Law & Reorder: New Models of Legal Practice and Career Paths” in Raleigh, N.C. on Sept. 10.

Joseph A. Gerber, a member of Cozen O’Connor, has been elected as a trustee of the Chubb Foundation. He recently completed a three-year term as chair of the foundation, which provides college scholarships for deserving students.

Stephen J. Galali of Mattioni, Ltd. has been elected to serve on the Board of Directors of the Chilean and American Chamber of Commerce of Greater Philadelphia. He also been re-elected to the Board of Directors of the International Refrigerated Transportation Association for a three-year term.

Jeffrey M. Lindy, principal in the Law Offices of Jeffrey M. Lindy, has been appointed by Pennsylvania state Sens. Stewart Greenleaf and Daylin Leach to serve on the Joint State Government Commission’s Advisory Committee on the Philadelphia Court System.


Pennsylvania Superior Court Judge Richard B. Klein (retired), a member of the Dispute Resolution Institute, was “capped” as a certified American Arbitration Arbitrator following a national training course held in Boston.

Hope A. Comisky, a partner with Pepper Hamilton LLP has been elected to serve on the Eastern Pennsylvania/Delaware Regional Board of Directors of the Anti-Defamation League.

Eileen S. Friedel, a principal of Reaching Agreement ADR LLC, has been elected to the Board of Directors of the Public Interest Law Center of Philadelphia.

David M. Tener, a shareholder with Caesar, Rivie, Bernstein, Cohen and Pokolow, recently spoke at a Pennsylvania Bar Institute CLE seminar “First Office Action Interview Pilot Program.”

Rachel Kopp, an associate with Spector Rosenman Kodroff & Willis, P.C., was named a "Star of the Year" by the American Bar Association Young Lawyers Division at the ABA Annual Meeting in San Francisco on Aug. 7.

Michael J. Heller, a member of Cozen O’Connor, has been elected to the Fox Chase Cancer Center Board of Directors.

Laurence M. Kagan, principal of Kagan Law Firm, LLC, has been voted onto the Board of Directors of The National Foundation for Celiac Awareness.

Lloyd Freeman, an associate with Archer & Greiner, P.C., was honored as a Young Business Leader at the Howard University School of Business 40th Anniversary Awards Gala in Washington, D.C. on Oct. 7.

Brian F. Flaherty, a member of Cozen O’Connor, was recently accepted into the American College of Trial Lawyers.

“People” highlights news of members’ awards, honors or appointments of a community or civic nature. Information may be sent to Jeff Lyons, Senior Managing Editor, Philadelphia Bar Reporter, Philadelphia Bar Association, 1101 Market St., 11th fl., Philadelphia, PA 19107-2955. Fax: (215) 238-1159. E-mail: reporter@philabarr.org. Color photos are also welcome.
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