Marking Constitution Day

Lynne Cheney, wife of Vice President Richard B. Cheney, talks to school children at the National Constitution Center on Sept. 17. She was joined by Education Secretary Rod Paige (second from left) and actors portraying famous figures from American history. Cheney also spoke to new citizens at a naturalization ceremony sponsored by the Philadelphia Bar Association. See Page 13 for more photos.

Anatomy of an Upset: Fall of Bona Fide Rule

by Daniel A. Cirucci

It all started in the fall of 1996. It was then that Chancellor Francis P. Devine and the Philadelphia Bar Association first showed interest in a possible challenge to a rule requiring that lawyers maintain a “bona fide office” in New Jersey to practice in the state.

The Third U.S. Circuit Court of Appeals was weighing a challenge to the constitutionality of the regulation filed by a young New York lawyer, Robert Tolchin.

While the Association was initially wary of the Tolchin case itself, Devine did appoint a seven-member task force to study the bona fide office issue. Task force members included

Foundation Kicks Off New Access to Justice Campaign

by Gerald A. McHugh Jr.

The unique promise of the American legal system is the ideal of equal justice under law. Some say that it has never been more than an unkept promise. Others say we can make it real. What do you believe? By contributing to the new Access to Justice campaign, you can give your answer.

Over the past 40 years, through the creation of a sophisticated network of civil legal services, we have made great progress in ensuring that the poor, the elderly and the disabled all have representation when required. Some of the best members of our profession, at great personal and professional sacrifice, have dedicated their careers to making Philadelphia a national model for public interest practice.

Making the promise of equal justice a reality takes sustained commitment. The private bar, with the support of government, has been generous with its support. With all we have accomplished, however, we must find a way to do even more, because if our resolve wavers, what we have accomplished is in danger of being lost. The present problem is three-fold. First, government support of legal service...
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Start Thinking About Giving, Not Getting

by Audrey C. Talley

Are you a giver or a getter? Are you naturally inclined to see what you can contribute or discover what you can grab? If we were to be completely frank I suppose most of us would hesitate a bit before answering these questions. Because it’s probably fair to say that there is a bit of the giver and the getter in all of us. One would hope that most of us aspire to be givers. But one suspects life also teaches us to get what we can before someone else makes off with it.

Furthermore, as lawyers, we’re often motivated to get what we can for our clients and ourselves. In negotiation or litigation, we also learn not to give unless we absolutely have to: don’t give ground; don’t give in; don’t give up. Indeed, all of this almost seems to be part of our training and is often reinforced by experience. Fair enough. I understand.

But now I want you to stop thinking about giving and start giving.

From Oct. 15 to 24 your colleagues are asking you to give to the Philadelphia Bar Foundation’s Access to Justice campaign. We want you to contribute $100 or more to provide access to justice for people who need but cannot afford legal help. All of the money that the Foundation collects will go to Philadelphia area law-related public service agencies in the form of direct grants. We need to fund 26 different agencies this year with individual grants ranging from a few thousand dollars to nearly $100,000. These agencies rely on the Bar Foundation, the Bar Association’s charitable arm.

And right now the money is needed more than ever. Because the sad fact is that grant funding has steadily decreased from 2001 to 2005. This year we will have to work overtime to raise and distribute the funds that we need. Yes, some of the downturn is due to the drop in the stock market and tumbling interest rates. But that doesn’t change the fact that funding is dropping while people are hurting. More indigent Philadelphians need more of our help now than ever before.

You already know many of the agencies that benefit from the Bar Foundation’s grants: Philadelphia VIP, the SeniorLaw Center, the Support Center for Child Advocates, and the Homeless Advocacy Project, just to name a few. You know of the fine work of these and other groups. You understand how important they are to the cause of equal justice and to the fabric of our community.

Now, we’re launching what amounts to a base-level membership drive for the one law-related charitable group that supports all of these agencies: the Philadelphia Bar Foundation. You will get an e-mail. Or, someone will approach you personally. Or, you will receive a phone call. One way or another, we’ll be asking you to be a giver.

Think about it: Is there any better time to help ensure equal access to justice than right now? Now, when many feel that our rights and freedoms are threatened and now when we proclaim and attempt to advance justice and equality in other parts of the world – this is the time to support and defend equal access right here in our own community.

Bar Foundation trustees and other Bar leaders will staff the phones during the fund drive. And we’re going to make it quick and easy for you to give. You can use your credit card. All you have to do is say: “Yes, Yes, I believe in equal access to justice. Yes, I want to help. Yes, I am a giver.”

This is the first year of what we hope will be an annual drive. Let’s get it off to a generous start!**

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Resolutions Aimed at Ending Bias OK’d

by Jeff Lyons

The Board of Governors has approved two resolutions aimed at ending bias in the justice system and a third calling for the repeal of legislation that amends Pennsylvania’s Estate Tax.

The first resolution supports a plan in the Pennsylvania State Assembly to establish a legislative advisory committee that would draw on specific recommendations to write legislation aimed at eliminating bias in Pennsylvania’s justice system. The Estate Tax resolution was introduced because of questions concerning statutory provisions of the Estate Tax violating uniformity requirements of the Pennsylvania Constitution. The Constitution calls for all taxes to be uniform upon the same class of subjects. If the amended provisions of the Estate Tax were ruled unconstitutional, it could have a damaging effect on state revenue.

The resolution also urges continuing legal education programs and training programs for judges, attorneys, court personnel, administrative agency personnel and quasi-judicial decision-makers to incorporate into their programs appropriate training and education in working with language and sign interpreters and in promoting the rights of litigants with limited English proficiency or disabilities to equal access to the judicial system.

The second resolution supports a plan in the Pennsylvania State Assembly to establish a legislative advisory committee that would draw on specific recommendations to write legislation aimed at eliminating bias in Pennsylvania’s justice system.

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There’s Only One Genuine Legal Directory

This fall, you will be contacted by the Philadelphia Bar Association’s official publishing agent, Media Two, to update your listing in the annual Legal Directory. For more than 100 years, this invaluable resource – listing every attorney and law firm in the Delaware Valley – has been the only directory endorsed and supported by the Philadelphia Bar Association.

Don’t be confused by others! Look for our listing form shortly. For more information, contact Mark Tarasewicz at mtarasewicz@philabar.org.

**Audrey C. Talley, a partner at Drinker Biddle & Reath LLP, is Chancellor of the Philadelphia Bar Association. Her e-mail address is chancellor@philabar.org.**

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October Quarterly Meeting and Luncheon

Justices O’Connor, Ginsburg to Address Bar; Honors for Talley

by Daniel A. Cirucci

The Philadelphia Bar Association will mark an historic day on Thursday, Oct. 25 when Chancellor Audrey C. Talley welcomes U.S. Supreme Court Justices Sandra Day O’Connor and Ruth Bader Ginsburg as guest speakers for the Quarterly Luncheon Meeting at the Philadelphia Marriott Hotel on Market Street.

A limited number of tickets are available for the event. Visit www.philadelphiabar.org to order tickets online.

The rare joint appearance by the only women ever to sit on the nation’s highest court will mark the 10th anniversary presentation of the Association’s annual Sandra Day O’Connor Award and the presentation of the first Ruth Bader Ginsburg Award for legal writing.

The O’Connor Award is given to a local woman lawyer who has best exemplified the ideals of Justice O’Connor. This year, the award will be presented to Chancellor Audrey C. Talley.

“We had many strong candidates for the award this year, but the Committee was unanimous that the award should go to Audrey. We knew that some might find it strange that the sitting Chancellor would be the recipient of the award. The Committee considered this but felt that it would be unfortunate if that was the only reason Audrey did not receive the award this year,” explained Nicole D. Galli, co-chair of the Association’s Women in the Profession Committee, which presents the award annually.

“Audrey was the driving force behind the award when it was founded 10 years ago, and so it is only fitting that she receive the award during its anniversary year, when Justice O’Connor (and Justice Ginsburg) will be here,” Galli said.

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

The new Ginsburg Award will honor the winner of the Ruth Bader Ginsburg “Pursuit of Justice” Legal Writing Competition. Honoring excellence in legal writing and analysis, the award is presented to a local second- or third-year law school student who has submitted the best law review quality paper on any topic related to rights, privileges and responsibilities under federal law. This year’s winner is Kimberly Bartman, a 2005 graduate of the Temple University Beasley School of Law.

Diane Edelman, assistant dean for legal writing at Villanova University School of Law, and Kathleen D. Wilkinson, a partner Wilson, Elser, Moskowitz, Edelman & Dicker LLP, were co-chairs of the competition.

Bartman, who graduated from law school cum laude and in the top 10 percent of her class, started work last month in the general litigation department at Dechert LLP. The Jefferson City, Mo., native did her undergraduate work at Texas Christian University.

Judges for the competition included U.S. District Court Judge Anita B. Brody; Judge Abraham Gafni, Villanova University School of Law; Prof. Elizabeth Hillman, Rutgers University School of Law – Camden; Prof. Catherine Lancot, Villanova University School of Law; Prof. Mary Ellen Maatman, Widener University School of Law; Prof. Nathaniel Persily, University of Pennsylvania School of Law; Nancy Winkelman, Schneider Harrison Segal & Lewis LLP; and Prof. Mark Rahlert, Temple University Beasley School of Law.

“When we asked Justice O’Connor to join us for the anniversary program and told her about our intention to create the Ginsburg Award she was delighted and promptly accepted our invitation,” the Chancellor explained. “Likewise, Justice Ginsburg was pleased to lend her name to this new honor and accepted our invitation to be here for the first presentation. To think that both of the justices will be joining us is more than we could have ever imagined. It’s overwhelming,” Talley said, “and we are very grateful.”

Justice O’Connor served as an Arizona assistant attorney general from 1965 to 1969, when she was appointed to a vacancy in the Arizona Senate. In 1974, she ran successfully for trial judge, a position she held until she was appointed to the Arizona Court of Appeals in 1979. President Ronald Reagan nominated her to the U.S. Supreme Court in July 1981. Two months later, she became the court’s 102nd justice and its first female member.

Justice Ginsburg served as a law clerk to Judge Edmund L. Palmer of the U.S. District Court for the Southern District of New York, from 1959 to 1961. From 1961 to 1965, she was a research associate and then associate director of the Columbia Law School Project on International Procedure. She was a professor of Law at Rutgers University.

Citizens Pro Bono Nominees Sought

by Daniel A. Cirucci

Nominations are now being accepted for the Citizens Pro Bono Award, which will recognize outstanding volunteer efforts to help provide legal services to those in need.

According to Chancellor Audrey C. Talley, the Association, the Philadelphia Bar Foundation and Citizens Bank will present two awards recognizing pro bono publico (for the good of the public) volunteer efforts. The awards will be presented to a law firm and a legal department at the Philadelphia Bar Foundation’s Andrew Hamilton Ball on Nov. 8.

The first Citizens Pro Bono Award was presented on April 5 to Jeanne Zelkowitz of Dechert LLP at the Association’s Quarterly Meeting. Zelkowitz was honored for her work with the Homeless Advocacy Project.

Though the awards will contain a monetary component, the monetary portion will take the form of a grant to a law-related public service agency designated by each honoree: “In this way,” Talley said, “we will recognize the good works of law firms, legal departments and individual lawyers by parlaying that recognition into additional help for legal service agencies that reach out to those who need but cannot afford such services.”

Talley stressed that the awards would recognize truly extraordinary work in the pro bono area. “With the generous help of Citizens Bank these awards are designed to recognize pro bono contributions – the type of volunteer effort that will serve as a model for others. We want the awards to signify achievement worthy of emulation.”

The 11-member Citizens Pro Bono Award Committee is chaired by Alan M. Feldman. Nominations from all quarters are welcomed and encouraged. Those who wish to nominate law firms, individuals or legal departments...

Association Secretary Sayde Joy Ladov serves as a non-voting member of the committee.

The committee will meet Tuesday, Oct. 14, at 4 p.m. and Wednesday, Oct. 15, at 4 p.m.

Office for which candidates are being solicited are Vice Chancellor, secretary, assistant secretary, treasurer, assistant treasurer, and five seats on the Board of Governors, three of which are to be nominated by the Nominating Committee. Each Board of Governors seat carries a three-year term.

Individuals who wish to be considered for any of the offices should submit a resume of their background and indicate the position for which they wish to run.

Materials should be submitted to the Chair of the Nominating Committee, Allan H. Gordon, c/o Susan Scherz, Philadelphia Bar Association, 1101 Market St., 11th Floor, Philadelphia, Pa. 19107-2911, no later than 5 p.m., Thursday, Oct. 9.
Women in the Profession Committee

Politics Beckoned, and They Responded

by Jeff Lyons

Four women with varying degrees of experience in the political arena spoke about their experiences at the Sept. 18 meeting of the Women in the Profession Committee.

The panelists included Philadelphia Common Pleas Court Judge Lisa M. Rau; Joann Hyle, who has worked on several campaigns; Melissa H. Maxman, a Pennsylvania state Senate candidate in 2001; and Abbe F. Fletman, a veteran of both campaigns and election transition teams.

Maxman said her interest in politics began when she was in high school and the political bug got her “real bad” when she was in college during Jimmy Carter’s presidency.

Maxman was able to get an internship in the Carter White House and took a year and a half off from college to go on the campaign for Carter for the 1980 election. She said the experience was tremendous for a 19-year-old, because she got to travel all over the country.

Maxman said she dabbled in politics after law school and slowly got more involved. She ran for the Pennsylvania state Senate in 2001 but lost. But she recalled the process fondly.

Hyle said she got into politics working with women’s issues in the 1970s. “It was an experience I urge people to consider on any level. There are lots of interesting people over the course of time,” Hyle said.

Fletman said she got involved in the political process during John F. Street’s first campaign for mayor in 1999. She took a leave of absence from her law firm to work for the campaign.

“A campaign is lots of fun. There’s no kick like winning. And there’s nothing like winning. Some people get into politics for business reasons. That’s not why I do it. I do it because I care who the elected representatives are,” she said.

Judge Rau said there are a lot of women who don’t have the confidence to run for office, even though they are very qualified for the job.

Although she loved her work as an attorney, Judge Rau said she was often thinking what a judge should do in a particular case. When she decided to run, she met with ward leaders all over the city every night. “I didn’t see my children for six months as a result,” she said.

“When you first say you’re going to run,” Judge Rau said, “some of your closest friends will laugh, which is a little disconcerting. But there’s a level of confidence you have to get at your core. You have to project that confidence to make people believe you can win. You must believe in yourself.”

Judge Rau also said it’s important to ask people for help. She recalled going in for a doctor’s visit and nurses were discussing the judicial election remarking they didn’t know anything about any of the candidates. “They didn’t even know I was running. They could have helped me. I didn’t ask for any help the first time I ran.”

Rau decided to run again after consulting with her family. She told them that if she lost the second time around, that would be the end of her political aspirations.

“I kind of thought that this could be the end for me,” she recalled. After voting, and riding home in the car, one of her children spoke up. “It’s OK mom. You can run again.”

Robertta D. Pichini, co-chair of the committee, who also worked with Rau on her last campaign, said professional women have lots of skills to present to a campaign. If you don’t know where to go to get involved, Pichini suggested going to a candidate’s Web site for information.

Virginia H. McMichael, in attendance at the meeting, told committee members not to overlook local politics if they are interested in getting involved. “There’s something about being a big fish in a small pond that’s very appealing.”

And if you’re just interested in helping out in a campaign, local candidates “love to get help from lawyers. They absolutely love it,” she said.

McMichael got involved in politics in East Whiteland, Chester County, after some involvement in Philadelphia and then moving to the suburbs.

She eventually decided to run for the board of supervisors there and unseated an incumbent. Today, she is serving a six-year term as chair of the township Board of Supervisors.

“It’s very strange, the first time you’re running for office, seeing your name on signs plastered all over town. That’s when you know you’re really in it for good,” she said.

Panelists at the Sept. 18 meeting of the Women in the Profession Committee included (from left) Philadelphia Common Pleas Court Judge Lisa M. Rau, Abbe F. Fletman, Joann Hyle and Melissa H. Maxman.

QUARTERLY MEETING

continued from page 5

School of Law from 1965 to 1972, and Columbia Law School from 1972 to 1980, and a fellow at the Center for Advanced Study in the Behavioral Sciences at Stanford University in California from 1977 to 1978.

In 1971, she was instrumental in launching the Women’s Rights Project of the American Civil Liberties Union, and served as the ACLU’s general counsel from 1973 to 1980, and on the National Board of Directors from 1974 to 1980. She was appointed as a judge of the U.S. Court of Appeals for the District of Columbia Circuit by President Jimmy Carter in 1980. President Clinton nominated her as an associate justice of the Supreme Court, and she took her seat on Aug. 10, 1995. Justice Ginsburg has a daughter, Jane; and a son, James.
services has been diminished by budget constraints. Second, private foundation support, which is dependent upon the performance of endowments, has been eroded by a bear market. For example, in Philadelphia, we were required to cut grants by 20 percent last year. Third, low interest rates will reduce the amount of revenue generated through IOLTA by millions of dollars over the coming year. The implications for legal services programs and public interest organizations are profound. Not only will representation be curtailed, but also in extreme cases offices might be closed and lawyers laid off, destroying a professional infrastructure that has taken root over many years.

The Bar Foundation plays many roles. On an annual basis, it provides crucial, unrestricted operating support for virtually every legal services program in Philadelphia. In times of need, it has stepped forward to address shortfalls in funding from other sources. That challenge is before us once again.

To meet that challenge, the Board of Trustees of the Bar Foundation and the Association’s Board of Governors have resolved to undertake an Access to Justice campaign, which will run for two weeks from Oct. 13 to Oct. 24. Every lawyer in the city is being asked to donate at least $100 to the Bar Foundation to fund the work of our grantees. This campaign is directed to lawyers as individuals, rather than to firms. This is a simple, direct way for every member of the Bar to show their support to the cause of equal justice.

What do you believe?

Gerald A. McHugh Jr., a partner at Litvin Blumberg Matusow and Young, is president of the Philadelphia Bar Foundation.

ACCESS continued from page 1

State Bench–Bar Conference Set for Oct. 23

The State Civil Committee, Criminal Justice and Family Law Sections, in co-sponsorship with the Pennsylvania Bar Institute, are reviving a past tradition with the Thursday, Oct. 23 presentation of the State Bench-Bar Conference. The day of sessions will feature Philadelphia judges and attorneys addressing topics of interest to civil trial attorneys, commercial litigators, family law practitioners, and criminal prosecutors and defense attorneys. The conference will be held at the PBI-PBEC Education Center on the 10th floor of the Wanamaker Building at 8:15 a.m. Registration begins at 7:30 a.m.

The morning will begin with a “State of the Court” address by the Philadelphia Common Pleas Court President Judge Frederica A. Massiah-Jackson and Philadelphia Common Pleas Court Administrative Judge James J. FitzGerald III. Over the next four hours of the program, attendees will have an opportunity to choose among one of three different sessions each hour, tailoring a program that fits their particular practice needs and interests. Programs include Police Misconduct and Defending the Criminal Case; My First State Trial; Overview of the Philadelphia Commerce Court; Mock Settlement Negotiation; Cross Examination in the Criminal Case; Children as Witnesses and Using the Internet to

Talley Hosts Luncheon for Past, Future Chancellors


Thanks From Bar Foundation

Philadelphia Bar Foundation President Gerald A. McHugh Jr. presents souvenir golf key chains to Rod E. Wittenberg (left) and Mayer Horwitz (right), co-chairs of the 2003 Bar Foundation Golf Outing that raised more than $100,000. The Golf Outing was held June 30 at the Philadelphia Cricket Club in Flourtown, Pa.
Agencies Hit the Road in Search of Volunteers

by Merrill A. Zebe

For the last several years, the city’s public interest law centers have been visiting many of the larger law firms in Philadelphia to educate associates about pro bono opportunities and recruit new volunteers. The agencies have nicknamed this fall recruitment process the pro bono “road shows.”

“For many agencies, the pro bono recruitment process is essential to meeting the increasing demand for legal services from marginalized clients who otherwise might not be served,” said Sharon Browning, executive director of the Philadelphia Volunteers for the Indigent Program, one of the 16 public interest law firms that participate in the road shows. “Lawyers are the keepers of justice and it is essential that pro bono service be seen as part of the customary practice of law,” added Browning.

Reed Smith LLP officially kicked off the pro bono recruitment season by hosting a Sept. 9 road show that was part of the firm’s new associates orientation program. “It is especially important that new associates be introduced to pro bono opportunities as part of their orientation, so that pro bono becomes a part of their practice,” said Merrilee Weiss, managing attorney from the Support Center for Child Advocates, an agency that trains and utilizes pro bono attorneys as child advocates in abuse and neglect proceedings. “Volunteering gives new associates an opportunity to manage their own cases, which may involve handling clients, negotiation, litigation and/or appellate work. Finally, it gives new attorneys a great feeling about practicing law to have made a difference with their legal skills.”

The road shows have undergone some changes in format this year as a result of suggestions made by law firm pro bono coordinators, participating agencies and members of the Bar Association’s Law Firm Pro Bono Committee, which is co-chaired by Amy R. Ginerowicz and Stephen D. Jatakasik. Many law firms will be hosting their own road show open house or “fair,” which will allow associates to move from table to table and informally discuss volunteer opportunities with agency representatives. Other firms, such as Ballard Spahr Andrews & Ingersoll, LLP, will be hosting a more formal road show where the agencies provide a brief presentation about their programs to associates. At the road shows scheduled at White and Williams LLP, Wolf, Block, Schorr and Solis-Cohen LLP, Montgomery McCracken, Walker & Rhoads LLP, and Blank Rome LLP, agencies have been requested to bring cases that are ready for placement with interested volunteers.

This year, Kathy E. Ochoch, a member of the Bar Association’s Law Firm Pro Bono Committee, has organized a large multi-firm “Pro Bono Open House” that will take place at Blank Rome LLP on Oct. 15 from 4 to 6 p.m., and include the neighboring law firms of Dechert, Drinker, Biggs & Reed LLP, Pepper Hamilton LLP, Hangley Aronchick Segal and Pudlin; and Schnader Harrison Segal & Lewis LLP. This “fair-style” road show will feature 16 agencies that utilize pro bono assistance in the delivery of legal services. There will also be information tables for agencies that do impact litigation, as well as the LawWorks Project and the Villanova Law School “Lawyering Together” Program, which matches volunteer attorneys as mentors with law school students engaged in pro bono work.

A “fair-style” road show open to all members of the Bar Association is scheduled for Tuesday, Nov. 18 from 4 to 5:30 p.m. at Bar headquarters, 1101 Market St.

“There are a number of dedicated solo practitioners and lawyers from small and mid-sized firms doing pro bono, but we would like to give these lawyers an opportunity to learn more about pro bono opportunities directly from the agencies,” said Joseph A. Sullivan, co-chair of the Delivery of Legal Services Committee. “Hopefully, the Pro Bono Open House will facilitate greater pro bono participation from these sectors of the Bar.”

The public interest law firms that participate in the road shows include the AIDS Law Project; ACLU; Consumer Bankruptcy Assistance Project; Friends of Farmworkers, HIAS; Homeless Advocacy Project; Legal Clinic for the Disabled, Nationalities Service Center; Pennsylvania Immigration Resource Center; Philadelphia Volunteers for the Indigent Program; Philadelphia Volunteer Lawyers for the Arts; Regional Housing Legal Services; SeniorLAW Center; Society Created to Reduce Urban Blight; Support Center for Child Advocates; and Women Against Abuse Legal Center.

For more information

Firms interested in scheduling a pro bono road show during the spring should contact the Bar Association’s Public Interest Coordinator, Merrill Zebe, at (215) 238-6355 or via e-mail at mzebe@philabar.org.

Pro Bono Work Positive Experience, Survey Finds

by Genna Viozzi

Just more than half of those respondents to a recent Philadelphia Bar Association e-survey of members say they contribute some degree of legal services pro bono and that their volunteer experiences are positive and energizing – and they are ready for more. A solid 14 percent of respondents reported donating more than 100 hours of service in 2002. Five percent fell in the 76-100 hours category, percent with 51-75 hours, 15 percent with 26-50, and 15 percent with 11-25 hours of pro bono service. Some of the respondents commented:

“I feel that public interest pro bono work is essential to our community and necessary to uphold the integrity of our profession.”

“Despite the economic challenges, I see a new energy and commitment to pro bono and the public interest legal community in Philadelphia. Let’s keep the enthusiasm going.”

Forty-six percent of respondents offered their services completely without fee, while the remainder offered their legal aid at drastically reduced fees:

“I regularly represent clients for reduced fees,” one respondent replied. “My experience is that clients who pay nothing at all are not cooperative…so there is no benefit to them from my work. I have had clients pay as little as $10 per week, but they must make regular payments.”

Most of the respondents expressed an overall feeling of excitement toward pro bono work. And they all welcomed support and guidance from their firms or management. Still, only 25 percent of employees surveyed say that their employers have a written pro bono policy requiring or encouraging a specific number of pro bono hours.

Once involved in pro bono activities, the feeling and the satisfaction the attorneys receive seems almost addictive and they continue to seek out more opportunities to lend their expert knowledge. As one respondent said: “My pro bono work has included some of the most rewarding cases of my career.”

“What these results show,” Chancellor Audrey C. Talley said, “is that for the most part Philadelphia lawyers recognize their responsibility to give back to the community and contribute their services pro bono.”

continued on page 14
The ongoing construction project at the Federal Courthouse at 6th and Market streets is progressing well, U.S. District Court Chief Judge James T. Giles told members of the Association’s Federal Courts Committee.

Judge Giles told the Committee that work on the Market Street entrance to the building should be completed by February or March.

“After that, the back end of the lobby will be worked on and a lighting project will begin in the ceremonial courtroom,” Judge Giles told Committee members at their Sept. 17 meeting. He said all work at the building should be completed by next September.

Facilities inside the building remain cramped, Judge Giles said. “As for the Court of Appeals moving to a new location, it remains just a thought,” he said.

“The Court of Appeals can’t move until Congress allocates enough money to fund a move. It looks like we’ll have to endure the space situation we’re in now for another 10 years,” Judge Giles said. “We’re pinched for space and the U.S. Marshals’ Office is pinched for space.”

Judge Giles said there will be four judicial vacancies in the District in January, due to three judges reaching senior status and the death of a fourth. “We don’t know when the vacancies will be filled. We have run out of space. Berks and Lancaster counties have also run out of space. The General Services Administration is looking at the space problem,” he told the Committee.

“We are authorized to have a court in Lancaster County, but we don’t have one yet. I’ve talked to the GSA about building one halfway between Berks and Lancaster counties” as a way of alleviating some of the space problems, Judge Giles reported.

Michael Kunz, clerk of the court, reported that the court is facing more cutbacks this year because of budget restraints from Congress. He said there would be about a $6.5 million reduction in personnel and 45 percent across-the-board cuts.

The Committee also heard a report on the upcoming CLE program “My First Federal Trial: Perspectives from the Bench and Bar.”

continued on page 14
Committee Tackles Racial, Gender Bias in Courts

by Lynn A. Marks

The Pennsylvania Supreme Court’s Committee on Racial and Gender Bias in the Justice System issued its final report in March 2003. While the Committee found that there were many positive things about the judicial system, it also concluded that racial, gender and ethnic bias still exist. Thus, the Committee recommended concrete steps that the court system could take to eliminate bias. In addition to the courts, the Committee also recognized that other stakeholders in the justice system, including bar associations, defenders’ organizations, district attorneys, the legislature, and the governor, could take specific measures to improve the system of justice in the Commonwealth.

After the report was issued, the Supreme Court appointed two new committees (one focusing on race and ethnicity chaired by Philadelphia City Solicitor Nelson A. Diaz, the other on gender chaired by Pennsylvania Superior Court Judge Maureen Lally-Green) to review the report’s recommendations and suggest means of implementing the report’s conclusions.

The Philadelphia Bar Association has also taken up this challenge by appointing a new Special Committee to Coordinate the Bar’s Response to the Supreme Court Racial and Gender Bias Report and Recommendations. Chancellor Audrey C. Talley charged this Committee with seeking ways for the bar association to implement some of the Supreme Court Committee’s recommendations and to provide input to the Supreme Court’s two review committees.


Last month’s Bar Reporter featured an article addressing court users (litigants, witnesses, jurors) with limited English proficiency or disabilities. Future articles may address disparities in the criminal justice system, indigent defense, civil litigation, domestic violence, sexual assault, family law, juvenile justice system, death penalty, jury selection, or the perception and occurrences of bias in the courtroom.

Committee Discusses Disclosure Obligations

Judge Denis P. Cohen (from left), co-chair of the Association’s Professional Responsibility Committee, poses with former Chancellor Abraham C. Reich, Lawrence J. Fox, Committee co-chair Evie Boss Cogan and SEC District Administrator Arthur S. Gabinet before the Committee’s Sept. 23 meeting. Reich, Fox and Gabinet discussed attorney disclosure obligations both under Model Rule of Professional Conduct 1.13 and the professional responsibility rules mandated by Section 307 of the Sarbanes-Oxley Act of 2002.

Safety in the City Seminar

Iris Marie Bloom (foreground) of Women’s Anti-Violence Education (WAVE) demonstrates self-defense techniques during a Young Lawyers Division Law, Life and Lunch seminar on Sept. 15. For more information about WAVE’s self-defense programs, visit www.waveselfdefense.org.
ZooBoolee Puts the ‘Fun’ in ‘Fund-Raising’

by Melissa A. Schwartz

Ever since I was a little girl, I have always loved the month of October. It probably had something to do with the fact that my birthday and Halloween fall in this month. After all, these are some of the best times for any child. As I get older, I have to admit that I still love the month. The air is getting crisp and it is finally time to put away the summer clothing and bring out the new fall clothes. (Although as far as my husband, Scott, knows, these are the same clothes I’ve had in my wardrobe for years!) October is also when the YLD will be hosting its largest fundraiser of the year – the YLD ZooBoolee.

Most people hear the word “fund-raising” and run in the other direction. They automatically get a vision in their head of sitting on a telephone in a large room and cold-calling people to ask for money. This is a difficult way for most to raise money. Asking others for money is not an easy task you can only beg your family and friends so many times! Just think about it, we have enough trouble going to the partners at the end of the year and requesting a salary increase. These are people we work hard for throughout the entire year. When we become involved in a fund-raising effort, we are often times soliciting people or corporations whom we’ve hardly ever encountered. When faced with fund-raising, you should approach it the same way you would solicit a new client. The first encounter with a new client or a potential sponsor is to get them excited about what you have to offer. A new client wants to know about the work you currently do and what separates your firm from the rest. The same holds true when you solicit a sponsor. You need to let the sponsor know why you are so passionate about the group you are representing. It is important to educate the sponsor on the accomplishments of your group. The sponsor also needs to know how your event will benefit them. Let them know that potential clients will be attending the event and it is a great opportunity for them to network.

All of the proceeds from the YLD ZooBoolee benefit the Philadelphia Bar Foundation. The Bar Foundation promotes access to justice for all people in the Philadelphia community. There are many grantees that benefit from the generosity of the Bar Foundation, including the Juvenile Law Center, Legal Clinic for the Disabled and the SeniorLAW Center. As attorneys, we need to support these organizations so that they continue to perform the marvelous work they do on a daily basis. If you have never participated in a fund-raiser before, now is the perfect opportunity to get involved. The ZooBoolee will be held at the Philadelphia Zoo on Sunday, Oct. 19 from 3 to 6 p.m. The easiest way to get involved is to register and come to the event. We would also welcome any sponsors to participate in this event. The YLD is looking for financial sponsors as well as sponsors to donate items for the silent auction.

Remember, fund-raising for the right cause can be a great experience. We look forward to seeing you at the ZooBoolee!

Melissa A. Schwartz, chair of the Young Lawyers Division. E-mail address is mschwartz@nawdy.com.

YLD Seeking Volunteer Mentors

The Philadelphia Bar Association’s Young Lawyers Division is seeking interested attorneys to sign up to be mentors or protégés as part of the YLD Mentoring Program. The program is co-chaired by YLD Executive Committee members Kim R. Jessum and Carl E. Kennedy.

The YLD Mentoring Program will match all of the protégés with more experienced attorneys, or mentors, to provide an opportunity for the protégés to receive advice and guidance in various areas of their careers. Those who participated last year are welcome to participate again this year if you have lost touch with your mentors/protégés or would like another mentor/protégé.

Interested individuals are encouraged to complete and return the questionnaire available on the YLD’s Web page at www.philadelphiabar.org. For more information about the program, please contact Kim R. Jessum at kjessum@monganlewis.com or (215) 965-4755 or Carl E. Kennedy at KennedyC@ballardspahr.com or (856) 875-5554. The completed questionnaires should be returned to the Philadelphia Bar Association by Oct. 31.

YLD Nomination Deadline is Oct. 10

Members of the Young Lawyers Division interested in running for one of seven three-year terms on the YLD Executive Committee have until Friday, Oct. 10 at 5 p.m. in the Bar Association’s 11th Floor Conference Center, where photos will be taken if one is not supplied by the candidate. Ballot positions will also be drawn at the informational meeting.

The Executive Committee manages and directs the business and activities of the YLD’s approximately 3,000 members, including oversight of more than 30 committees in the areas of public service, law-related education and service to the legal community.

For more information regarding the nominating petition, the Executive Committee, or the election process, contact Stephanie Krzywanski at (215) 258-6560.
The Value of a Mediator In Settlement Negotiations

by James A. Rosenstein

There are many different reasons why litigants decide to attempt to settle their cases, but most of them fall into one or more of three categories:

• The risks and costs of continuing the litigation are perceived as being greater than the benefits;

• A negotiated outcome is likely to be preferable to the probable result from continuing the litigation;

• The ability to exercise control over the outcome is preferable to the uncertainty of putting your fate in the hands of a judge or jury.

Once a decision has been made to explore settlement, the next question is whether to conduct the negotiations directly or use a neutral intermediary like a mediator. Since adding a mediator to the mix will add costs (her compensation), the parties and their counsel should consider whether the value an experienced and skilled mediator adds is worth this expense. In other words, is the use of a mediator likely to address the reasons for attempting to negotiate a settlement more effectively and efficiently than "going it alone," so as to warrant the cost of engaging the mediator?

Although there is no one answer to this question that will apply in every instance, it is possible to make this decision on a case-by-case basis by examining whether the settlement negotiations are likely to benefit from application of the different tools that skilled and experienced mediators use to help parties reach mutually acceptable settlements and that are not typically usable directly by parties and their counsel.

One widely accepted definition of mediation reflects these considerations. Christopher Moore, in his book The Mediation Process, wrote, "Mediation is an extension or elaboration of the negotiation process that involves the intervention of an acceptable third party who has limited or no authoritative decision-making power. This person assists the principal parties in voluntarily reaching a mutually acceptable settlement of the issues in dispute."

What are the mediator's tools whose use should increase the likelihood of achieving a mutually acceptable settlement? Space limitations prevent discussing all of them, but here are a few examples:

• Expediting the negotiations. A mediator who has been thoroughly briefed by both parties prior to the start of the mediation sessions can help guide the negotiations in the most productive directions, particularly when there are multiple interrelated issues to be addressed.

• Judiciously mixing joint sessions and separate caucus-es. A skilled experienced mediator will know when to meet privately with each party to explore issues on a confidential basis and when it will be most productive for the parties to deal with the issues "face to face."

• Reality testing (by playing devil's advocate). One common use of private confidential meetings between each side and the mediator is to provide an opportunity for the former to test its ideas, positions and proposals on a no-risk basis, before presenting them to the other party in a joint session.

• Probing for underlying interests, concerns and needs. A skilled experienced mediator will work hard to understand each party's underlying motivations, desires and interests relating to the dispute, and will help both parties focus on negotiating positions that are most likely to produce an outcome that will acceptably address each of these underlying elements.

• Overcoming "reactive devaluation" Settlement proposals that would be rejected out of hand if they came directly from the other side may be more acceptable if they are seen as being suggested as a "trial balloon" by the mediator.

• Thinking outside the box. Fresh eyes focusing on a problem, particularly when they are those of a knowledgeable third party, may see possible solutions that had not been previously explored.

The more of these tools of mediators that will probably come in handy in your settlement negotiation the greater the likelihood that using a mediator will add value far in excess of her fee.

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Chancellor Featured on WHYY-TV Special

Chancellor Audrey C. Talley waits for the program to begin with Amanda Bennett, editor of The Philadelphia Inquirer, and Nicholas DeBenedicts, president and CEO of Aquasource, at WHYY-TV12 studios in Philadelphia on Sept. 12. They were guests on the live, one-hour special "Taking Charge" that featured business and civic leaders discussing the future of Philadelphia.

Asian Bar Introduces Judge Marutani Fellowship

by Sunah Park

One of the most anticipated and well-attended events in the Philadelphia legal community is the annual banquet of the Asian American Bar Association of the Delaware Valley (AABADV). This year’s banquet will be held on Friday, Oct. 24 at the Ocean City Restaurant, 234 N. 9th St., in Chinatown.

This year’s banquet will mark the inauguration of the Judge William M. Marutani Fellowship. Judge Marutani is an important figure not only in the Asian-American community, but in the legal community as a whole.

In 1942, Judge Marutani, a first generation Japanese-American born in the United States, served six months in an American internment camp during World War II in the hysteria following the Pearl Harbor attack. Subsequently, he served in the U.S. Army’s 442nd regiment composed entirely of Japanese Americans, one of the most highly decorated regiments.

As an attorney, Judge Marutani participated in the civil rights drives in the South and helped organize the 1965 Civil Rights March on Washington for the Japanese American Citizens League (JACL). From 1960 to 1970, he served as national legal counsel to the JACL, during which time he also served as a volunteer civil rights lawyer in cases desegregating Louisiana schools and promoting voter registration drives in Mississippi. In 1967, Judge Marutani appeared on behalf of the JACL before the U.S. Supreme Court to present oral argument in Loving v. Virginia, a seminal case which struck down anti-miscegenation laws in 17 states.

In 1975, Judge Marutani was appointed by the governor to the Philadelphia Court of Common Pleas, making him the first Asian American outside of the West Coast to preside as judge of a court of general jurisdiction. He was elected for a full 10-year term in 1977. Of local note, Judge Marutani issued the opinion in a case that challenged gender discrimination in Central High School and that resulted in the integration of the all-male school to admit female students in 1983.

The AABADV is working with the Philadelphia Bar Foundation to launch the Judge Marutani Fellowship. Offered to first-year law students at Dickinson School of Law, Rutgers-Camden University School of Law, Temple University Beasley School of Law, University of Pennsylvania School of Law, Villanova University School of Law, and Widener University School of Law, the fellowship provides opportunities for students to work as law clerks or externs at various law firms or legal organizations.
Nominations are now being accepted for the Philadelphia Bar Association’s 2005 Wachovia Fidelity Award. Nominations should be made in writing. Please include a detailed informational statement setting forth your reasons for recommending the nominee for the award. The deadline for receipt of nominations is Friday, Nov. 7 at 5 p.m.

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

Nominations should be sent to Stephanie Kryzynski, Philadelphia Bar Association, c/o Fidelity Award Committee, 1101 Market St., 11th Floor, Philadelphia, Pa. 19107-2911.

But the most surprising reason of all for not providing pro bono services was a “lack of cooperation from the public interest organizations.”

“We started by obtaining lists of agencies that needed help. But most often our calls weren’t returned or we were told people were too busy to talk to us.”

Some comments told of scenarios where the attorney signed on for “as-needed work,” and never heard from the organization again leaving the attorney to feel like their help was not needed.

“We are sharing these results with the leaders of the public service community, and we will review all comments and feedback,” Talley said. “When it comes to pro bono, we all know that we have a great deal of work to do to reach our goals. But most of our members are contributing pro bono hours and they feel good about it. And most of our pro bono agencies are working hard to recruit volunteers and put those volunteer efforts to maximum use. That’s a sound investment and a great starting point.”

Tickets are $90, a portion of which ($40) will fund the Fellowship and is tax deductible. The event begins at 6 p.m. for a social hour. A 10-course dinner begins at 7 p.m. Judge Marilyn Dolan Go, magistrate judge for the Eastern District of New York, will make brief remarks to introduce Judge Marutani, for whom she clerked in 1977. Judge Marutani is expected to attend the event.

The deadline for RSVPs for the dinner is Friday, Oct. 17. RSVP for the banquet to Catherine Sui at (215) 627-3901.

Checks should be payable to AABADY and sent to Catherine Sui at The Benjamin Franklin Hotel & Conference Center, Suite 206, Philadelphia, Pa. 19107.

Tickets for the banquet program book are due on or before Oct. 10. For more information, contact Cindy Hinkle at cjhinkle@duanemorris.com.

Sarah Park, an associate at Thurn, Reid & Armstrong LLP, is an associate editor for the Philadelphia Bar Reporter.
It's that time of year again, the beginning of fall, several months before the New Year, and many people are starting to think about a job change. While it is always a good idea to have your resume up to date and to keep your eyes open for good opportunities, changing jobs should be something that should never be rushed into and should never be taken lightly. Even if you have been laid off, you should always proceed with an abundance of caution before accepting a new job.

Before changing jobs, it's a good idea to sit down and really figure out what it is that is driving you to make a move. This is a very important first step in the decision process. By analyzing what is making you unhappy in your present job you will be in a much better position to decide what it is you want out of your next job. What are the rewards, challenges and frustrations of your present job? The important thing is to be honest with yourself. If you are leaving because you can't stand working insane hours, you should be very cautious about taking another job that might have a similar work environment, even if you will be getting more money. The difficulty is finding out if the position you are interested in has the same negative attributes that are causing you to leave in the first place. For example, it is a difficult question to ask a prospective employer if you will be expected to work weekends. By asking this question, the employer might infer that you are not looking to work very hard.

After analyzing your true reasons for leaving, it is important to know that a less stressful schedule is a top priority, however, it is a question that should be asked in order to ensure that you will be happier in your next job.

Similarly, if your reason for leaving is because the work environment is not good and you are working under a partner that had a tendency to scream, you should absolutely make certain that the partners you will be working under have a more even temperament. Again, this is not an easy question to ask. But by raising these issues, you will be in a better position to ensure that your next job will be one that is well suited for you.

Another issue you want to have resolved before you make a job change is to figure out what actually "drives" you. What is important to you now? Are your priorities constant, so whether it's money, title, location, vacation time, flexibility or the ability to work at home, you should have these issues resolved before you start your job search.

After you have resolved the above issues, it is time to make a short-term plan. Give yourself a week to make a list of people to talk to, two weeks to speak to at least two of them, and so on. Write down dates to perform the tasks and check them off when completed.

Next, create a long-term plan. Where do you want to be in three to five years? How about 10 years? Are the positions you are considering going to lead to this eventual goal? Although long-term plans are bound to change due to circumstances beyond our control, having a great job out of state, you win the lottery, having a long-term plan is a great way to help you focus on what you are truly looking for in your next job.

Additional things to consider when making a job change include:
• Talents and abilities that you have and would like to use in a job setting.
• Skills that you would like to develop or improve, whether it be writing, deposition, litigation, etc.
• Activities and tasks that you would like to avoid in a job setting.
• Salary, location and travel.
• Family responsibilities.
• The kinds of people and work environments that you prefer.
• What would you change about your current job if you could change something?

If you are considering making a job move, try to keep the above suggestions in mind. By truly understanding your reasons for your job dissatisfaction and by knowing what you want out of your next job/career, you will be in a much better position to avoid making a wrong move and in helping you find a job that is a good fit for you both professionally and personally.

Career Corner

Make Mental Checklist for New Job Search

by James LaRosa and Gary Mintz

Before changing jobs, it's a good idea to sit down and really figure out what it is that is driving you to make a move. This is a very important first step in the decision process. By analyzing what is making you unhappy in your present job you will be in a much better position to decide what it is you want out of your next job. What are the rewards, challenges and frustrations of your present job? The important thing is to be honest with yourself. If you are leaving because you can't stand working insane hours, you should be very cautious about taking another job that might have a similar work environment, even if you will be getting more money. The difficulty is finding out if the position you are interested in has the same negative attributes that are causing you to leave in the first place. For example, it is a difficult question to ask a prospective employer if you will be expected to work weekends. By asking this question, the employer might infer that you are not looking to work very hard.
Bar leaders on this side of the river came to see the bona fide office rule as a lightning rod. Even Philadelphia lawyers who seemed to have little or no interest in practicing in New Jersey saw the rule as archaic, impractical and needlessly hostile. The Philadelphia Bar’s challenge to the rule resonated with local sole and small firm practitioners who felt that the New Jersey restrictions robbed them of access to clients – access which was otherwise made all the more easy by technological advances.

The situation was exacerbated by the restrictive details of the rule. New Jersey permitted a bona fide office to be defined as “a place where clients are met, files are kept, the telephone is answered, mail is received and the attorney or responsible person acting on the attorney’s behalf can be reached in person and by telephone during normal business hours to answer questions posed by the courts, clients, adversaries and to ensure that competent advice from the attorney can be obtained within a reasonable period of time.”

While the Tolchin challenge itself eventually proved unsuccessful, the idea of taking on the New Jersey rule had clearly taken hold. Bar leaders on this side of the river came to see the bona fide office rule as a lightning rod. Even Philadelphia lawyers who seemed to have little or no interest in practicing in New Jersey saw the rule as archaic, impractical and needlessly hostile. The Philadelphia Bar’s challenge to the rule resonated with local sole and small firm practitioners who felt that the New Jersey restrictions robbed them of access to clients – access that was otherwise made all the more easy by technological advances.

Eventually, the New Jersey Supreme Court initiated. Gordon concluded: “From the questions I heard at the hearings, I came away cautiously optimistic. I stressed the term ‘cautiously.’ Still, I thought the committee members were open minded and generally receptive to new ideas.”

Finally, at the end of last year bar leaders got the first clear signals that Gordon’s hunch might prove accurate. On Dec. 12 the Wallace Committee and the Pollock Commission issued reports that recommended the virtual elimination of the bona fide office rule. The Ad Hoc Committee on Bar Admissions specifically recommended the elimination of “the requirements that the bona fide office must be located in this New Jersey.”

As the Philadelphia Bar Association was receptive to new ideas. “We are optimistic that the court will agree with the recommendations of its own committees and that these barriers will finally fall!”

Then finally, the court’s decision last month substantially agreed with the Wallace and Pollock recommendations and suspended the bona fide office rule for a three-year trial period. As far as the Philadelphia Bar Association was concerned, that was enough to call a victory. After seven years, eight chancellors, hundreds or hours of study, research, testimony, advocacy and no small amount of sweat equity, the mission appeared to be accomplished.

“This is great news,” Chancellor Audrey Talley said. “It opens the doors to the consumers of legal services and is consistent with the model rules of the American Bar Association and trends throughout the nation.” And Talley thanked everyone who was involved in the marathon effort. “We were convinced that challenging this rule was the right thing to do – right for lawyers, right for clients, and right for the people of both states,” she concluded.
Eschenbach Leads Orchestra Into an Exciting New Season

by Marc W. Reuben

The new season of the Philadelphia Orchestra is about to begin under the direction of excellent music director-conductor Christoph Eschenbach and the preview of performances is something to behold. The orchestra has not undertaken such a season of challenging music in many a year. Not that the orchestra cannot undertake exciting and wonderful programs that include interesting modern music. But the history of the Philadelphia Orchestra is fraught with years of excitement, followed often by years of sweet slumber.

Eschenbach is a notoriously wonderful leader, and the schedule for just the first part of the season shows his willingness to try things that are new and very exciting.

The music of Olivier Messiaen, a French composer of very deep religious conviction, has long been a high point in 20th century composition. The older Messiaen got, the more majestic and thrilling his musical mysticism became. "L'Ascension," work (1930) concerts from Oct. 9 to 11. The work is in four parts ("The majesty of Christ beseeching his glory of the Father," "Serene Alleluias of a soul yearning for heaven," "Alleluias on the trumpet and cymbals" and "Prayer of Christ ascending to the Father"), the first given to solo trumpet, the second to the woodwinds and with a glint of oriental influence as well as flute obligatos that foretell Messiaen's interest in bird-song. The final movement, for strings alone, is an intense and sustained religious experience reduced to the deep sounds of luscious string. I heard Stokowski conduct the piece in London 30 years ago and I still thrill to the memory.

Those of you interested in the music of this deeply affecting composer might be able to get tickets to the Orchestra performance of Messiaen's gigantic and majestic "Turanglila Symphony," which is scored for large orchestras and which probably represents the fullest expression of Messiaen's exploration of religious faith. It is a truly gargantuan work, in which the composer includes influences from non-Catholic sources that confirm his belief in the universality of Christ. If there is an esthetic for modern seekers of faith, perhaps the work of this great composer can provide inspiration in a concert hall.

Unlike the huge crescendos of more fabled composers, Messiaen finds inspiration in both quiet and the exotic. He is one of the most successful composers of the 20th century and a sorely underrepresented presence in Philadelphia - which makes the early programming of his work under the new regime a very welcome and wonderful treat.

The current Orchestra season also features a world premiere of a flute concerto by Ned Rorem, the wonderful "Seven Deadly Sins" by Kurt Weill and sung by the incomparable Ute Lemper. The "Concerto for Violin and Orchestra" by Corigliano (featured in the film "The Artist"

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continued from page 17

Red Violin” will be played by the wonder-
ful Joshua Bell. Bell is not only a
great violinist on every level, but he is
classical music’s answer to Tom Cruise –
except that Bell is actually tall.

The Marian Anderson Award concert
honors Oprah Winfrey, a woman who
has done much for bringing the arts to
people who ordinarily would not think
to read a book, or to discuss artistic cre-
ations, but for her urging. The concert
features the lovely Kathleen Battle, a so-
prano with Mozart in her soul. These
two ladies cannot top the angel voice
that sang sweet music to a nation that
needed to listen to her. But any concert
that honors Marian Anderson deserv-
s to be associated with great names and
this one certainly is.

Henry Purcell’s wonderful “Funeral
Music for Queen Mary,” is programmed
as well as the Khachaturian Violin Con-
certo. Khachaturian is a wonderful Ar-
menian composer who really got a shot
shrift from critics in his lifetime. His
most overplayed work “Sabre Dance” from
the ‘Gayne’ ballet was nothing compared
to the great works he left be-
hind. He was a Soviet composer in the
mold of his times. But his music did rise
above the tawdry output of the collec-
tive and some of it, including this violin
concerto and his piano concerto. The
latter is a recording from the 1950s with
William Kappell at the keyboard that
can still knock your socks off. This com-
poser deserves to be recalled to concert
halls and more of his works should be
programmed.

Philadelphia concertgoers have been
notorious for not wanting anything oth-
er than mid-European classics in their
concert halls. But the days of the elite
are over. There is little money left in
Philadelphia these days, and to survive,
the orchestra must reach out to younger
listeners and make music exciting for
them. With a new music hall and a new
director who seems intent upon heaving
into somewhat unfamiliar territory,
some of the excitement not seen in this
town for more than 50 years may be re-
turning to the podium. At least it looks
promising.

Another unrelated topic to note is the
release of the 1958 film “The Adv-
ventures of Robin Hood” with all the
wonderful Technicolor restored. I saw
the restored “Gone With The Wind” not
too long ago and was dazzled by the
beauty of the color process.

“Robin Hood” was a hit in 1958. It
was directed by Michael Curtiz (who
later did “Casablanca,” among others).
The film starred Errol Flynn, who,
pound for pound, was the most hand-
some man ever to make a movie. His
lady love in this film was Olivia de Hav-
land, who was luscious as Maid Marian.
The great villain was Basil Rathbone,
and the shadow scene of Flynn and
Rathbone dueling on a flight of stairs
still raises goosebumps. Who else but
Flynn could casually stroll into a great
hall filled with Norman evildoers and
drop one of the prince’s stags he had
just illegally bagged in front of Claude
Rains. What a guy!

There is nothing mediocre about this
excellent family film. Flynn is every inch
the charming swashbuckler and he and
de Haviland made numerous films to-
gether over the years. All of them were
swell, but none of them equated to the
sheer fun of this one. It’s available on
DVD and is worth buying. This film will
fill the eye and delight the soul.

Marc W. Reuben, an advisory editor to the Philadelphia Bar Reporter, has been writing about the Arts & Media since 1973.

CALENDAR OF EVENTS

Note: While the following listings have been verified prior to press time, any scheduled event may be sub-
ject to change by the committee or section chair.

Wednesday, Oct. 1
Delivery of Legal Services Committee – meeting, 8:30 a.m., 10th floor Board Room.
State Civil Committee – meeting, noon, 10th floor Board Room. Lunch: $7.50.
Young Lawyers Division Executive Committee – meeting, noon, 11th floor Conference Center.

Thursday, Oct. 2
Alternative Dispute Resolution Committee – meeting, 12:15 p.m., 10th floor Board Room.
Civil Rights Committee – meeting, 12:15 p.m., 11th floor Conference Center.
Environmental Law Committee – meeting, 12:30 p.m., 11th floor Conference Center. Lunch: $7.50.
Philadelphia Bar Reporter Editorial Board – meeting, 12:30 p.m., 10th floor Cabinet Room.
Delivery of Legal Services Committee Intake Committee – meeting, 3 p.m., 10th floor Board Room.

Friday, Oct. 3
Philadelphia Bar Foundation Finance Committee – meeting 8:30 a.m., 10th floor Board Room.
Long Range Planning Committee – meeting, noon, 10th floor Board Room.

Monday, Oct. 6
Yom Kippur – Bar Association offices closed.

Tuesday, Oct. 7
Philadelphia Bar Foundation Board of Trustees – meeting, noon, 10th floor Board Room.
Municipal Court Committee – meeting, noon, 11th floor Committee Room. Lunch: $7.50.
Family Law Section – meeting, 4 p.m., 11th floor Board Room.

Wednesday, Oct. 8
Budget Committee – meeting, noon, 10th floor Board Room.
Public Interest Section Law School Outreach – meeting, 5 p.m., 11th floor Conference Center.

Thursday, Oct. 9
Committee on the Legal Rights of Lesbians and Gay Men – meeting, 12:30 p.m., 11th floor Committee Room.
Legislative Liaison Committee – meeting, 12:30 p.m., 11th floor Conference Center. Lunch: $7.50.

Monday, Oct. 13
Columbus Day – Bar Association offices closed.

Tuesday, Oct. 14
Criminal Justice Section Executive Committee – meeting, noon, 11th floor Conference Center.

Center.
Board of Governors Cabinet – meeting, noon, 10th floor Board Room.
Elder Law Committee – meeting, noon, 10th floor Cabinet Room.
Nominating Committee – meeting, 4 p.m., 10th floor Board Room.

Wednesday, Oct. 15
Workers’ Compensation Section Executive Committee – meeting, 10:30 a.m., 11th floor Committee Room.
Workers’ Compensation Section – meeting, noon, 11th floor Committee Room. Lunch: $7.50.
Federal Courts Committee – meeting, 12:30 p.m., 10th floor Board Room. Lunch: $7.50.
Women’s Rights Committee – meeting, 3 p.m., 11th floor Conference Center.
Nominating Committee – meeting, 4 p.m., 10th floor Board Room.
LegalLine – 5 p.m., 11th floor LRIS Offices.

Thursday, Oct. 16
Family Law Section Executive Committee – meeting, noon, 11th floor Committee Room.
Women in the Profession Committee – meeting, 11th floor Conference Center. Lunch: $7.50.
Philadelphia Lawyer magazine Editorial Board – meeting, 12:30 p.m., 10th floor Board Room.

Sunday, Oct. 20
Young Lawyers Division ZooBooLea – Philadelphia Zoo. 3 p.m.

Monday, Oct. 20
Business Law Section Executive Committee – meeting, noon, 10th floor Board Room.

Wednesday, Oct. 22
Solo and Small Firm Committee – meeting, noon, 10th floor Board Room. Lunch: $7.50.

Thursday, Oct. 23
Quarterly Meeting and Luncheon – noon, Philadelphia Marriott. Tickets: $50, www.philadel-
phiabar.org.

Tuesday, Oct. 28
Criminal Justice Section – meeting, noon, 11th floor Conference Center. Lunch: $7.50.
Young Lawyers Division Cabinet – meeting, noon, 10th floor Cabinet Room.
Professional Responsibility Committee – meeting, noon, 10th floor Board Room. Lunch: $7.50.

Wednesday, Oct. 29
Lawyer Referral and Information Service Committee – meeting, noon, 11th floor Committee Room.
Family Law Day – 1 p.m., 11th floor Conference Center.

Thursday, Oct. 30
Board of Governors – meeting, 4 p.m., 10th floor Board Room.

Remember: All deadlines are in accordance with the Bar’s Editorial Calendar. If you have any questions or need to make a change, please contact the Bar Reporter office at 215-238-1267.

Unless otherwise specified, all checks for lunches and programs should be made payable to the Philadelphia Bar Association and mailed to Bar Headquarters, 1101 Market St., 11th fl., Philadelphia, Pa. 19107-2911. Send Bar Association-related calendar items 30 days in advance to Managing Editor, Philadelphia Bar Reporter, Philadelphia Bar Association, 1101 Market St, Philadelphia, Pa. 19107-2911. Fax: (215) 238-1267. E-mail reporter@philabar.org.
Frank N. Tobolsky, sole shareholder of Frank N. Tobolsky, P.C., presented “Documenting a Simple Commercial Loan” during the Pennsylvania Bar Institute’s annual Real Estate Institute Program on Aug. 7.

Gina Rubel, owner of Furia Rubel Communications, and Jason Lisi, owner of Legal Internet Solutions Incorporated, were panelists on the “Law Journal TV” program “How People Choose Lawyers, How Lawyers Market Themselves” on Sept. 1.

Stephen S. Aichele, managing partner of Saul Ewing LLP, announced the release of 500 computers his firm donated to the School District of Philadelphia. The computers will be distributed to schools across the city for the current school year.

Harmon S. Spolan, a senior member of Cozen O’Connor, was recently elected to the board of Carefil International, a nonprofit medical relief organization that has provided more than $50 million in medical aid and support to developing countries throughout the world.

Robert M. Greenbaum, a partner with Saul Ewing LLP, spoke at the “Distressed Debt Investing Forum” in New York on June 27. He was part of a panel that presented “Buying Assets Out of Bankruptcy: The Act of M & A Through Section 363” at the Strategic Research Institute conference.

Patricia Sons Biswanger, a member of Cozen O’Connor, recently appeared on WOGL-FM’s “Philadelphia Agenda” to discuss the National Ovarian Cancer Coalition’s 5th Annual Carolyn A. Marks Walk for the Whisper. The walk was held Sept. 14.

Joseph J. Centeno, an associate with Obermayer Rebmann Maxwell & Hippel LLP, has been sworn in as a new member of the Philadelphia Human Relations Commission.

A. Michael Pratt, a partner at Pepper Hamilton LLP, took part in a panel discussion on equality and diversity in the legal profession at the American Bar Association’s Annual Meeting on Aug. 9 in San Francisco.

Tsiwen M. Law, a partner with Law & Zadow, L.L.C., discussed toxic enviornmental exposures to Asian Americans at the Region III Environmental Protection Agency’s Mid-Atlantic Cumulative Risk Workshop on May 29.

Stephanie L. Franklin-Suber, a partner with Ballard Spahr Andrews & Ingersoll, was the program planner for the CLE program “Mergers & Acquisitions: Due Diligence Considerations After Enron and Sarbanes-Oxley” on Aug. 7 at the American Bar Association Annual Meeting in San Francisco.

Gaetano J. Alfano, a founding shareholder of Miller, Alfano & Raspani, P.C., was appointed as a hearing committee member of Committee 1:06 serving the Disciplinary Board of the Pennsylvania Supreme Court.


Stanton M. Lacks of Lacks & Associates was recently a moderator of a CLE course on behalf of the Pennsylvania Supreme Court Bridge the Gap program. The program helps new lawyers with the transition from law school to the practice of law.


Kenneth J. Warren, a partner at Wolf, Block, Schorr and Solis-Cohen LLP, was named chair of the American Bar Association’s Section of Environment, Energy, and Resources at the ABA annual meeting on Aug. 10 in San Francisco.

Louis Coffey, of counsel to Wolf, Block, Schorr and Solis-Cohen LLP and president of Coffey Consulting Co., presented a program for the American Arbitration Association Case Managers and Case Management Supervisors in AAA’s Northeast Case Management Center in East Providence, R.I. on Aug. 8.

Robert J. Collings, a partner at Schnader Harrison Segal & Lewis LLP, has been elected to the Board of the Pennsylvania Environmental Council.

Ralph J. Mauro, a partner at Kleinbard, Bell & Brecker LLP, and C. Van Leer Davis III, a partner at Dechert LLP, co-authored the materials for, and were co-presenters at the Aug. 22 Pennsylvania Bar Institute seminar “Limited Partnership Agreements.”

Bruce G. Leto, a partner with Stanley Ronen Stevens & Young, LLP, participated in the conference “Current Issues Impacting Fund Independent Directors: A Forum for Fund Directors, Lawyers, Accountants and Other Fund Service Providers” on Sept. 22. The conference was presented by Baruch College’s Center for Financial Integrity and the Mutual Fund Directors Forum.

Ian M. Comisky, a partner with Blank Rome LLP, participated in the 21st Century International Symposium On Economic Crime on Sept. 7 to 14 at Jesus College in Cambridge, England.

Rhonda M. Fulginiti, a member of Cozen O’Connor, recently served as a faculty member for the conference “Mold Litigation: Beyond the Basics II” at the Renaissance Pere Marquette Hotel in New Orleans.

Ronald B. Glazer and Dov Goldman of Wolf, Block, Schorr and Solis-Cohen LLP, spoke at the recent seminar “Condominium and Planned Community Practice in Philadelphia.”

Barry L. Cohen of Thorp Reed & Armstrong, LLP was appointed chairman of the American Bar Association’s Intellectual Property Law Section’s Trademark Secret Committee for 2005-2004.


Robert D. Fox, a partner with Manko, Gold, Katcher & Fox, LLP, has been appointed chair of the Advisory Committee of the Green Futures Action Committee.

Deborah R. Gross of the Law Offices of Bernard M. Gross, P.C., was a featured speaker at the Practicing Law Institute’s seminar “Class Action Litigation Prosecution and Defense Strategies” in New York City.

Bernice J. Koplin, a partner at Schachtel, Gerstley, Levine & Koplin, has been elected to a second two-year term as chair of the Central Women’s Committee of the Philadelphia Orchestra.

Deborah M. Lerner, a partner at Willig Williams & Davidson, was recently appointed to the American Bar Association’s Joint Committee on Employee Benefits.

Theodore M. Lieverman, a partner at Spector Rosenman & Kodroll, recently served as an accredited international observer for the 2003 parliamentary elections in Cambodia. He and his team were stationed in Kampong Cham province.

Denis V. Brennan was elevated to president of the National Lawyers Association at the NLA’s annual convention and CLE conference on July 31 and Aug. 1 in Chicago.

A. Roy DeCaro, member of Raynes, McCarty, Binder, Ross & Mundis, has been inducted into the International Academy of Trial Lawyers.

Jeffrey S. Lichtman, an associate with Eisenberg, Rothweiler, Schleifer, Weinstein & Winkler, P.C., has been appointed to the Board of the Legal Clinic for the Disabled.

Patricia Farrell Kerelo of Martin, Banks, Pond, Lehocky & Wilson has been appointed as an adjunct professor at Neumann College, Graduate School. She currently teaches Administrative Law and Public Policy.

Names Are News

“People” highlights news of members’ awards, honors or appointments of a civic or community nature. Information may be sent to Jeff Lyons, Managing Editor, Philadelphia Bar Reporter, Philadelphia Bar Association, 1101 Market St., 11th floor, Philadelphia, Pa. 19107-2911. Fax: (215) 258-1267. E-mail: reporter@philabar.org. Photos are also welcome.
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