By Jeff Lyons

A panel of 12 attorneys and judges discussed the past, present and future of diversity and inclusion in the legal profession at the Association’s Sept. 22 Dialogue on Diversity.

Chancellor Sayde Ladov moderated the program and said the summit is evidence of the Philadelphia Bar Association’s continuing commitment to make this 13,000-member bar an inclusive, welcoming place for all lawyers.

“We want to help the legal community in Philadelphia recognize and maintain and continue to explore its commitment to diversity. As times change, we must remain steadfast in our commitment. But the way in which we move the dialogue on diversity further must be geared to the realities of the day,” she said.

Panelists included U.S. District Court Senior Judge Norma Shapiro; Butler Buchanan, shareholder, Marshall, Dennehey, Warner, Coleman & Goggin; former Chancellor Andrew A. Chirls; Roberta Liebenberg, member, Fine, Kaplan & Black, R.P.C.; Nadeem Bezar, partner, Kolsby, Gordon, Rebin, Shore & Bezar; Brandi Brice, assistant city solicitor—continued on page 16

Thomas Fitzpatrick (above) answers a question at the Sept. 22 Dialogue on Diversity as Chancellor Sayde Ladov looks on. Other panelists included (below, from left) Jamie Ray-Leonetti, Richard Negrin and Nadeem Bezar.

More than 400 attorneys and judges are expected to attend the Association’s 2009 Bench-Bar and Annual Conference at Harrah’s Atlantic City on Oct. 23 and 24, where five CLE credits and 13 different seminars will be available.

The Conference kicks off with the October Quarterly Meeting on Oct. 23 with a discussion on the future of Philadelphia in challenging economic times. The presiding judges of the state’s courts will also present a state of the courts discussion. Programs will be available in a number of different practice areas.

Join your colleagues, friends and members of the bench for a weekend of education, camaraderie and fun that includes Friday night’s Hawaiian-themed Grand Reception and a sports talk program on Saturday morning.

Full Bench-Bar Guide – Pages 11-14
- Commercial
- Office
- Multi-family
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As Tempers Flare, Discourse Transforms into Hate Speech

What’s happening in America?

In recent weeks, we’ve heard a congressman say “You lie” at our president during a formal address at Congress, watched a celebrity rapper rush the stage and grab the microphone from another singer accepting an award, and seen a tennis star lose a key match because she screamed obscenities at the line judge.

Now, as a Philadelphia lawyer, I’m as big a proponent of free speech as the next gal or guy. As I often say to new citizens when I attend naturalization ceremonies, the right to free speech in America is as fundamental as the air we breathe.

But what happens when free speech turns to something else? When it turns into incivility? When incivility incites rage and provokes hate?

I believe we are witnessing a decline in American civility that is decreasing dialogue and increasing hate.

Let me be clear: I am not talking about differences of opinion, passionate debate or vehement disagreements. I am talking about the current spate of incivility and hate talk that is choking our public discourse, fueling fears and diminishing our capacity to engage in civilized discourse with one another.

Somewhere along the way, we as Americans have created a culture of rudeness and offensive-ness. And I think it’s a slippery slope down that path because outrageous remarks, fueled by fear and passion, can often turn into hate speech.

Just consider the recent public dialogue on health-care reform. Our president attempted to tackle the decades-old issue of health-care reform and proposed some ideas. What happens?

Rather than engage in meaningful debate over the issues, extremists hurl insults and false charges. Town hall meetings are filled with angry, yelling protesters. The president is accused of being a socialist, and his citizenship, race and right to be president are called into question. Some even compare him to Hitler and make wild accusations, including cries about death panels.

In my mind, that’s not free speech. That’s hate speech.

Just last June, a security guard was murdered at Washington D.C.’s Holocaust Memorial Museum. This tragedy happened two years after a popular commentator publicly said America would better off if “the Jews” were “perfected” through conversion. The Holocaust Museum killer had similar views, also calling Jews “imperfect.”

Another political commentator spent lots of airtime raving about an abortion provider, calling him a “baby killer.” That physician, Dr. George Tiller, was later murdered while preaching at his Lutheran church. Isn’t this hate speech in its basest form?

Here is an example closer to home. A resolution recognizing October as Domestic Violence Awareness month was recently halted by a state representative who declared “it has a homosexual agenda.”

On the same day, when the Pennsylvania House was about to vote on a bill increasing marriage license fees from $3 to $28 (the increased amount going to a fund for victims of domestic abuse), this same politician opposed the measure, calling it “a slap in the face to family values.”

Just last week, it was reported that dialogue between two lawyers at a deposition became so heated that the federal judge hearing the case was caused to say that the lawyers had “ratcheted the acrimony higher and the standards down.”

In the face of all this, what do we do? Do we ignore the Rush Limbaughs of the world? After all, we’re never going to change their minds. The problem is, so many people listen to what they say as it were gospel.

Some of you may brush this off saying, well, that’s just her political beliefs.

But I don’t think it’s a question of political affiliation. I think it’s a question of our ability to elevate the conversation from spewing invectives and downright lies to making well-stated, factually based arguments...
The Real Property Section and Philadelphia VIP’s program “The ABC of the ZBA: The Basics of How to Prepare and Present a Case Before the Philadelphia Zoning Board of Adjustment” drew more than 100 attorneys interested in taking a case for VIP.

Alfred Fuscaldo of Gibbons P.C. and Cheryl L. Gaston of the City of Philadelphia’s Law Department, explained the basics at the Sept. 11 program.

The process begins by filing an application for zoning/use registration permit with the Department of Licenses and Inspections, which will issue the permit if there is strict compliance with the city’s zoning code. Otherwise, the applicant will receive a refusal, in which case a variance is needed, or a referral, which necessitates a certificate or a special use permit. The applicant may then appeal this determination to the Zoning Board of Adjustment, governed by Chapter 14-1800 of the Philadelphia Code.

The fact-gathering process is crucial when initially filing your application and when preparing for a ZBA hearing, so be sure to ask many questions of your client. Important facts include ownership of the property, current and intended uses, hours of operation, number of employees and the effect the new use will have on the neighborhood. A site visit is particularly useful to get a feel for not only the site itself, but also the neighborhood.

A title report will reveal any restrictions currently on the property. And be sure to review the property’s zoning file, paying particular attention to the zoning classification/zoning district. Philadelphia’s Zoning Code was last revised in 1962, but there have been many amendments and overlays since then.

The City of Philadelphia’s web site (www.phila.gov) is a gateway to many useful department sites including, L&I, the ZBA and the Planning Commission. It is important to get the neighborhood’s support for the proposed use, so contact local civic/neighborhood associations and the relevant council member, or that council member’s zoning liaison, and try to get a written agreement in favor of your application.

Finally, determine who you will call as witnesses and experts including your client (preferably someone who has the authority to make a final decision), engineers, traffic engineers, land planners, and architects, to name a few.

A few days before the ZBA hearing, contact the board administrator and ask to review their file. Try to attend a prior session of the ZBA to get a feel for how the process works. Once at the hearing, provide the board with a binder of all of the relevant documents, including pictures, plans, expert reports and letters/petitions of support. Get as much information as possible on the record through your exhibits that will be helpful in the event of an appeal.

For a use variance, one needs to prove unnecessary hardship (which is very difficult to prove), that there will be no injury to the public interest and that the relief requested is the least variance necessary. To acquire a certificate, refer to the Bray case for applicable burdens of proof.

And for a non-conforming structure or use, the burden is on the party asserting nonconformity to prove the existence, nature and extent of the non-conforming use that has been established.

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

NEWEST AMERICANS WELCOMED ON CITIZENSHIP DAY

U.S. District Court Judge Cynthia Rufe (above, from left), Magistrate Judge Felipe Restrepo and Chancellor Sayde J. Ladov listen to a speaker at a Citizenship Day naturalization ceremony on Sept. 17 at the Constitution Center. Katherine Kedzierski (right) holds her citizenship certificate. More than 75 people from 32 nations became American citizens at the event, sponsored by the Philadelphia Bar Association.
Economic Challenges Complicate Divorce

By Julia Swain

In addition to the standard disputes over assets, liabilities and income that arise between spouses during a divorce, the current economic crisis adds a new level of complexity that must be overcome to resolve matrimonial actions. Frequent problems include real estate where the liens are greater than the value, foreclosure actions and increasing credit card debts.

Jennifer Schultz, Community Legal Services, and David Grunfeld, of counsel to Astor Weiss Kaplan & Mandel, LLP, presented at the Family Law Section meeting on Sept. 14 on the various types of economic relief available to parties faced with such crises.

Mortgage modification and refinancing programs are readily available to homeowners unable to keep up with their monthly payments. Mortgage rescue assistance is available both before and after foreclosure proceedings are instituted by a lender. The Foreclosure Prevention Resource Guide, which outlines the programs offered to homeowners, can be downloaded from www.gpuac.org/foreclosurehelp.htm. This guide is a good place to start understanding the foreclosure process and what forms of relief are available at each stage in the process.

A key step for any homeowner seeking assistance with payment of their monthly mortgage is getting in touch with a housing counselor. Homeowners can call 215-334-HOME (4663) to speak with a housing counselor. The service is free. The counselors are knowledgeable about the legal foreclosure process and government programs established to assist homeown- ers with monthly mortgage payments/modifications. One common misconception homeowners have about foreclosure is that they will be evicted from their home. Schultz advised that lenders must first successfully complete the foreclosure proceeding and, then, institute ejectment proceedings to have a homeowner evicted. This process takes at least 10 months.

The Homeowners’ Emergency Mortgage Assistance Program (HEMAP) is a state loan program that provides financial assistance for up to 24 months to allow homeowners to catch up on their mortgage. To qualify for a loan under HEMAP the homeowner must demonstrate that he or she has a “reasonable prospect” to pay their monthly mortgage in the future and that the default was not their fault. This is a good program for someone who may be waiting for the approval of disability benefits or securing new employment after a layoff. Once a HEMAP application is submitted, a foreclosure proceeding is stayed. Other types of mortgage assistance programs include Home Affordable Modification Program (HAMP); Home Affordable Refinance Program (HARP); Homeowners’ Equity Recovery Opportunity loan program (HERO); and, Refinance to and Afford-

Women in the Profession Summit

Temple University Beasley School of Law Dean JoAnne Epps (left) delivers keynote remarks at the Second Annual Women in the Profession Summit on Sept. 24 at The CLE Conference Center. Margaret Klaw (above, left) and former Chancellor Jane Leslie Dalton meet at the reception following the summit. Panel discussions focused on removing gender bias from attorney evaluations, hot topics for women and a woman’s voice on the bench. Below (from left) Lynn A. Marks, U.S. Court of Appeals Judge Dolores Sloviter, Women in the Profession Committee Co-Chair Kim Ruch-Alegant, U.S. District Court Judge Petrese B. Tucker and Pennsylvania Superior Court Judge Susan Peikes Gantman gather after the program.

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The Internet is a front door to your business, not just your firm’s business but to your own profile as well, a marketing and public relations professional told members of the Women in Intellectual Property Committee at its Sept. 9 meeting.

Gina Furia Rubel, owner and operator of Furia Rubel Communications, Inc., a certified strategic planning and public relations firm, stressed the importance of keeping this door open to clients, prospects and referral sources.

Rubel said every law firm should adopt a social media policy. She said that the benefits of getting involved in social media include building your business, communicating news about your business or firm, setting you apart as a thought leader, keeping your eye on the competition, and knowing what’s going on in the industry. Rubel explained that effective networking can serve as an effective business development tool for lawyers if it is focused and has a purpose.

“You need to know who you are reaching out to. Once you determine what it is that you want to accomplish, you can then determine which outlet to use,” she said.

Rubel explained that there are many social media outlets that a lawyer can use to develop new business and referral sources. Some of the outlets include:

- LinkedIn (www.linkedin.com) is an amazing tool for building relationships and credibility in business. Rubel said that LinkedIn is well established and trusted. It has more than 47 million members in more than 200 countries. There are many groups on LinkedIn. It would be beneficial to join relevant groups to give you a competitive edge in your industry.
- Facebook (www.facebook.com) allows you to reconnect to people from every stage in your life. It can be used for business development or can be separated from business for your own personal use. If you intend to use Facebook for business development, you should limit the family photographs, Rubel said. If you use it solely for personal interests, it can direct others to your business web site.
- JDSupra (www.JDSupra.com) is for networking and communicating with lawyers. It is a great referral source. You can post articles and documents, share thoughts and communicate with peers.
- HubStreet (www.hubstreet.com) is an online community designed to create networking opportunities for lawyers, accountants and bankers.
- Other referral sources include Twitter (www.twitter.com) and blogging for continued on page 16
Chancellor Applauds Work of Court-Appointed Counsel

By Brian K. Sims

Chancellor Sayde J. Ladov praised the efforts of Philadelphia’s court-appointed attorneys for their unwavering dedication to their clients and the rule of law at the Sept. 24 Board of Governors meeting.

Ladov commended the city and the First Judicial District for their efforts to remedy the situation despite little help from Harrisburg and the state legislature.

Peter Berson, chair of the Criminal Justice Section, presented a resolution urging the city to reinstate court-appointed counsel fees. The resolution calls on the city to recognize that the failure to fully and adequately fund court appointed counsel not only endangers the “Constitutionally-based right to counsel in criminal cases,” but also “threatens the very underpinnings of the Criminal Justice system and the right of individuals to have adequate representation.”

With some discussion, and no opposition, the resolution passed unanimously.

Former Chancellor and current Pennsylvania Bar Association president Clifford Haines made a presentation about a proposed PBA resolution calling for the creation of a Pennsylvania Constitutional Review Commission. The session was informational only and although no motions were heard nor action taken, Haines spoke passionately about the need to update the state’s Constitution to bring it in line with a more modern view of state government.

Family Law Section Chair James Rocco asked for the Board’s permission to testify at an upcoming Pennsylvania House Subcommittee hearing on two pending bills, HB 463 and HB 1639 which seek to remedy existing problems with current court rules surrounding child custody. The Board ultimately voted unanimously to allow his testimony in Harrisburg.

Board Vice Chair Richard Seidel gave an impromptu presentation to the Board in the absence of a scheduled presenter on an issue surrounding a recent Rule 1925(b) ruling. A request was made that the Association submit an amicus brief supporting a rule change in order to grant greater flexibility to appellate courts when reviewing the circumstances of a 1925 submission to a trial judge and its effect on any appeals that may follow. Chancellor Ladov and Paul Kazaras, the Association’s assistant executive director, joined the discussion and a unanimous vote followed in favor of the amicus.

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VIP’s Pro Bono Opportunities Day Set for Oct. 27

Philadelphia VIP, the hub of pro bono legal services in Philadelphia, will hold its annual training event, Pro Bono Opportunities Day: Spotlight on Preventing Homelessness, on Tuesday, Oct. 27.

Training sessions are available to lawyers from all practice areas and will focus on areas of law critical to keeping people in their homes. There will be training sessions on mortgage foreclosure, quiet title and public housing. Each attorney who attends the seminar and accepts a VIP case within six months of the training will earn two substantive CLE credits.

The cost of the training is $45 per attendee with breakfast and educational materials provided. The registration form can be found at www.phillyvip.org. If you work at a firm with a VIP contact person, please register through that person. The deadline for registration is Monday, Oct. 19.

Pro Bono Opportunities Day will be held from 8:30 a.m. to 12:15 p.m. at the offices of Montgomery, McCracken, Walker & Rhoads, LLP, 123 S. Broad St., 28th Floor. For more information, contact Theresa Brabson at jvolunteer@phillyvip.org or call (215) 523-9567 to register.
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THE NEXT EDITION OF THE LEGAL DIRECTORY WILL NOT BE PUBLISHED UNTIL SPRING 2010!
For many law school graduates, managing student loan debt is a pressing concern, especially in this uncertain economy. The task of repaying this debt may be especially challenging for those attorneys choosing to work in the public sector. Fortunately, at a Sept. 17 program sponsored by the Young Lawyers Division, Heather Jarvis of Equal Justice Works gave plenty of useful advice for those working in the public sector on how they can successfully manage their debt through the Public Loan Forgiveness Program.

To benefit from this program, Jarvis explained that a borrower simply had to make the “right kind of payment on the right kind of loan, while in the right kind of job.”

As emphasized repeatedly by Jarvis, only one kind of loan qualifies as the “right kind” of loan for this program: federal direct loans. Federal direct loans are federal loans where the government itself directly issues the money for the loan. Jarvis cautioned that all federal loans are not federal direct loans. Some federal loans are FFEL loans. FFEL loans are federal loans issued from private lenders. Jarvis advised that even if borrowers have FFEL loans, they can still participate in the loan forgiveness program. However, borrowers must first consolidate all federal loans into federal direct loans.

Jarvis explained what qualifies as the “right kind” of payment. While there are several options, for most people participating in the program, the right kind of payments are income-based repayments. Under this payment plan, borrowers make payments based on annual income, as opposed to the amount owed. To qualify for this repayment option, borrowers must establish a certain debt-to-income ratio. Borrowers have to make 120 of these qualifying payments before federal loans will be forgiven, although they do not have to be made consecutively. Jarvis warned that several types of payments do not count as qualifying payments. Examples of non-qualifying payments include payments on a loan with a term of 10 years or more; payments made while in default; and payments made while not working full-time.

Finally, Jarvis concluded by describing what qualifies as the “right kind” of employment under this program. Examples of qualifying employment include full-time, paid positions working either with the government or with 503(c) organizations. Jarvis explained that full-time employment is generally defined as employment with an annual average of 30 hours worked per week. However, if an employer has a different definition of full-time employment, the employer’s definition must be met.

Jarvis admitted that given the recent inception of GradPlus loans and given that the Public Loan Forgiveness Program is still developing, graduates from 2006 and later are likely to benefit the most from it. She encouraged everyone to “crunch their own numbers” to determine if they can benefit from this program.

Nicole Edwards (nicole.edwards@dlapiper.com) is an associate with DLA Piper.

The People’s Law School kicked off its 2009 calendar on Sept. 15 in the Jury Assembly Room at the Criminal Justice Center with more than 100 people in attendance.

Presented by the Young Lawyers Division, The People’s Law School runs through Oct. 20 and includes 11 distinct courses on areas of the law affecting daily life. Classes on topics such as family law, personal injury, real estate and bankruptcy are being held on Tuesday evenings and all are open to the public for a modest fee. More than 120 people have registered for the program.

This year’s attorney volunteers and their corresponding courses include Joseph Swartz, Social Security and disability; Margery Schneider, elder law; D. Deone Powell, small claims and landlord/tenant; David Winiowski, consumer credit; Brian Chacker, personal injury; Brad Shuttleworth, criminal law; Harper Dimmerman and Kelly Gastley, real estate; Thomas Bielli and Robert Lohr, bankruptcy; Laura Mattiacci, employment law; Patrick Kenney and Yana Shapiro, workers’ compensation; and Thomas Petrelli, family law. The program was coordinated by Stephanie Mensing, secretary of the Young Lawyers Division.
The Jewish High Holidays just passed and like every year, I attended religious services with my family at Adath Jeshurun in Elkins Park. I really enjoy these services for a number of reasons, not the least of which is that it gives me an opportunity to reflect on the past year and to take stock of my life over the course of that year.

In prior articles I have made reference to the trying times that we presently are facing as people, as a profession and as a country. So many of us are out of work and many who are employed often feel burdened and unfulfilled, and overwhelmed with stress, frustration and disappointment.

This year, during Rosh Hashana, Rabbi Seymour Rosenbloom gave a sermon that I thought had a wonderful message and got me thinking about us as attorneys, our role in society and the place of work in our lives.

After speaking briefly about the late Sen. Edward Kennedy, Rabbi Rosenbloom asked, “How many of us teach our children that work is a means to a purposeful life? Not everyone can be a United States senator. But everyone can live a life of service and everyone can find a way to contribute to society.

“Many of us live our lives with a very cynical view of the world; that life is a competitive game, and money is king—the only measure of victory. Because of that, we do not end up doing what we love.” I am sure that we all have friends and colleagues who have “abandoned their dreams, and deferred their hopes in the name of financial security and parental approval.”

As the rabbi pointed out, while most of the time we think of our work as a means to an end, the way we earn a living and pay for the necessities of life, work is more than that. Our work connects us to each other and fuels the engine of society.

“Work is noble, and every job can be noble because, through our work, each of us contributes to society. To take pride in our work and to do a good job is to express our responsibility as a member of society. It honors not only ourselves, but it honors our neighbors and our families.”

In light of the rampant layoffs facing our profession, it resonated with me when the rabbi spoke about how, when we are out of work, we feel diminished not only because of the adversity we face, but because of our inability to be part of this network of workers contributing to the welfare of society. We feel irrelevant.

Now, this may seem very philosophical and not particularly practical, but stop and think about it. I would venture that many people at one time or another, instead of seeing their work as noble, are bitter about one aspect or another of their jobs. Sometimes the bitterness is about work we perform, and sometimes it is work done by others. Other times, we feel taken advantage of by our firms and/or our clients—underpaid, unappreciated and not respected.

Rabbi Rosenbloom noted “in this economy, many people who have jobs find they are doing the work of more than one person as [firms] retrench to stay in business, and they come to work each day wondering if this will be the day they get their pink slip.”

This in turn leads our clients to feel frustrated and exploited, like they and their work are not receiving the attention they deserve. Where does this lead? It re-starts the cycle that makes work and workers unhappy and, at times, bitter.

Toward the end of his sermon, the rabbi talked about our present crisis. “As individuals, as a nation, as a community, we need to view ourselves as contributing through the tiny pushes of our honest labor, our generosity, and our love, to the welfare of society. And if you say, how can I change the world? . . . You are not obligated to complete the work, but neither are you permitted to pull away from it.”

He talked about the redwoods of California, the tallest living species on earth.

“They are more than 300 feet high and 18 to 20 feet in diameter. Interestingly, their roots are very shallow, only four to six feet deep. The reason they stand and do not fall in a windstorm is that their roots are intertwined beneath the surface of the earth. It is as if they are holding hands underground, and this allows them to stay upright even on the windiest, rain-swept days.”

If we are to survive the present crisis, we need to be more like the redwoods, the rabbit concluded. We must recognize how interdependent we are on one another. We need to hold each other’s hand, to invest our work with purpose and nobility, and to cherish the opportunity it gives us to contribute to society. We should respect others for the work they do, and be grateful for it because they do it for us. We have to strive to do our part, however tiny, to remake society so all are able to do work they love, and if not work they love, work that is appreciated for what it adds to the lives of others in society. When we do that we will be better individuals, and we will be a better society.

I know I am going to try to do my part and hope you will do yours. If we do, we will have a truly good year.

Brian S. Chacker, an associate with Gay Chacker & Mittin, P.C., is chair of the Young Lawyers Division Executive Committee. He can be reached at (215) 567-7955, or by e-mail at bchacker@gaychackermittin.net.
By Jeff Lyons

Panel discussions on the future of Philadelphia and the state of Pennsylvania’s courts highlight the Association’s Bench-Bar and Annual Conference on Oct. 23-24 at Harrah’s Atlantic City.

The Conference opens on Friday, Oct. 23 with the October Quarterly Meeting and Luncheon, where KYW Newsradio’s Wally Kennedy will lead a panel discussion with Philadelphia City Council members Bill Green, Brian O’Neill, Blondell Reynolds Brown and Marian Tasco on the future of the city in the current economic climate. There is no CLE credit for the October Quarterly Meeting.

Green is a councilman-at-large and chairs the Labor and Civil Service Committee. He is vice chair of the Technology and Information Services Committee.

O’Neill is now serving his eighth four-year term on the Philadelphia City Council. He is a graduate of Saint Joseph’s University and Widener University School of Law. He serves the 10th District. He is minority leader of City Council and chair of the Technology and Information Services Committee.

Reynolds Brown has been a member of the Philadelphia City Council since 2000. She is the director of the Parks, Recreation and Cultural Affairs Committee and is vice chair of the Commerce and Economic Development; Disabled and Handicapped; and Education Committees.

Elected to serve her sixth term as City Council representative for the 9th District in November 2007, Tasco represents more than 150,000 residents in Philadelphia Northeast and Northwest sections. She was elected Council majority leader in January 2007. Tasco chairs the City Council Finance Committee and the Public Health and Human Services Committee. As majority leader, she currently serves on all City Council Standing Committees.

Kennedy has been a news anchor with KYW Newsradio since 2006. A familiar name in Philadelphia radio and television, he has covered stories in the area for 25 years. Prior to joining KYW Newsradio, Kennedy spent 20 years as a television talk host.

Pennsylvania Supreme Court Chief Justice Ronald Castille, Superior Court President Judge Kate Ford Elliott, Commonwealth Court Judge Robert (Robin) Simpson, Philadelphia Court of Common Pleas President Judge Pamela P. Dembe and Philadelphia Municipal Court President Judge Marsha Neifield will all report on the state of their courts at the closing session of the conference. This program is worth 1 CLE credit.

Chief Justice Castille was elected to the Pennsylvania Supreme Court in 1993 and was sworn in as chief justice in 2008. He served as district attorney in Philadelphia from 1986 to 1991 and is a decorated U.S. Marine Corps veteran who served in Vietnam.

Judge Elliott was elected to the Superior Court in 1989 and became president judge in 2006. She served as chief staff attorney for the Superior Court from 1982 to 1998.

Judge Simpson was elected to Commonwealth Court in 2001 and also served on the Court of Common Pleas of Northampton County. He also served as an adjunct professor at Dickinson School of Law from 1998 to 2005.

Judge Dembe has been a Common Pleas judge for 20 years and is the President Judge of the Common Pleas Court. She is a graduate of Temple University School of Law and has lived in Philadelphia for approximately 40 years.

Judge Dembe is the past president of the State Trial Judges organization, the Pennsylvania Bar Association’s Criminal Law Section, the Breon Law Society; and the Friends of the Free Library of Philadelphia. She is currently secretary of the Board of the Free Library of Philadelphia as well as an officer of the Temple Inn of Court and a member of the Board of the Lawyers’ Club of Philadelphia.

President Judge Neifield was elected to the Philadelphia Municipal Court in 1997. During her years on the bench Judge Neifield has served on various committees and panels including the Domestic Violence Law Enforcement Committee, Criminal Justice Rules Committee, the Bail Commissioners (now Arraignment Court Magistrates) Commit-

Quarterly Meeting, State of Courts Highlight 2009 Event at Harrah’s

‘Law-au,’ Sports Talk Enhance Weekend

There’s more to the Bench-Bar and Annual Conference than just great legal education.

The Oct. 23 Grand Reception is set for The Pool After Dark at Harrah’s Atlantic City. This year’s reception has a Hawaiian “law-au” theme. Come dressed in your favorite casual resort attire, dine on classic Polynesian-inspired cuisine and dance the night away to the sounds of BIG CITY. The Pool After Dark, one of Atlantic City’s hottest nightclubs, is the perfect setting for this festive event with its palm trees, cabanas and glass-dome ceiling.

Saturday’s events start off with a sports talk program over breakfast with Anthony Gargano and former Philadelphia Eagles linebacker Ike Reese, who both host shows on SportsRadio 610 WIP.

Sponsors for the 2009 Bench-Bar and Annual Conference include USI Affinity, PNC Wealth Management, JuryStaff, Summit Pharmacy, American Lawsuit Funding, JAMS, Iron Mountain, LexisNexis, Alliance Medical Legal Consulting, CourtCall and Eastern Pennsylvania Orthopedics.

Full-conference admission is $429 for members and $479 for non-members. For members of the Young Lawyers Division and government and public interest attorneys, admission is only $279.

For hotel reservations, call Harrah’s directly at 609-441-5776. Rates do not include taxes.

The chairs of the Bench-Bar and Annual Conference are Molly Peckman and Maria Feely.
Effective Negotiation and Advocacy | State Civil Litigation Section

A panel of experts will discuss effective negotiation styles, practical tips and best practices for effective negotiations, how personality impacts negotiation behavior, techniques to better evaluate your negotiation style and performance, effective and ineffective negotiation habits and attitudes, commonalities among successful negotiators, how to deal with common problems that arise in negotiation, and ethical issues lawyers face in negotiation.

The Counsel Fees Conundrum: Perspectives of the Bench and Bar | Family Law Section

This program will focus on awards of counsel fees in divorce actions, and include a discussion of counsel fees awards and awards of counsel fees as sanctions; how to separate an application for an interim distribution versus an application for interim counsel fees; and what the Family Court defines as vexatious, obdurate and bad faith conduct that warrants an award of counsel fees.

Panelists include Philadelphia Court of Common Pleas Judges Angeles Roca and Lisette Shirdan-Harris along with Section Chair James Rocco, Daniel R. Sulman and course planner and moderator Julia Swain.

Alternative Fee Arrangements: Bang for Your Clients’ Bucks or Loss Leader | Young Lawyers Division, State Civil Litigation and Business Law Sections

Recent developments in the economy have led clients to seek alternative billable arrangements and firms to consider alternative fee structures. In addition, time-based billing practices raise ethical questions and create pervasive disincentives and there is a growing concern the demands of increased billable hours are having unintended consequences and compromising the health and well-being of lawyers and the communities they serve. This CLE will explore alternative fee arrangements and include a discussion of related ethical and economic issues.

Panelists are Robert C. Heim.

Francis Milone, Wanda E. Flowers, Barbara S. Rosenberg, Bradford W. Hildebrandt and course planner and moderator Alyson M. Oswald. Melanie Taylor is also a course planner.

Navigating Your Way Through Commerce Court | Business Law Section

Update from the Commerce Court judges including tips and preferences for practicing in Commerce Court.

Panelists are Court of Common Pleas Judges Albert W. Sheppard Jr., Mark I. Bernstein and Arnold L. New along with Robert R. Baron Jr. and Stephen G. Harvey. The course planner and moderator is Maria Feeley.

Medicare Set-Asides: Changes in the Medicare Secondary Payer Act and Navigating Your Way Through the Set-Aside Maze | Workers’ Compensation

The Medicare Secondary Payer Act has always been approached with confusion by judges and lawyers alike. Do we need a set-aside? How do you get a set-aside? Who has to get the set-aside? Now, changes in the law have made things potentially even more confusing. What are these new reporting requirements? What are conditional payments: who has to handle the reporting: what are the risks if reporting isn’t done? Those questions and others will be answered by the panel in an interactive, practical discussion. Don’t handle the reporting; what are the risks if reporting isn’t done? These questions and others will be answered by the panel in an interactive, practical discussion. Don’t feel that you are forced to go through a maze each time you settle a case. Instead, this presentation will help you to navigate through the set-aside maze.

Panelists are Workers’ Compensation Section Co-Chairs Maria Terpolilli and Mitchell I. Goldberg along with Niki T. Ingram, Lenard A. Cohen and Brett R. Goldstein. The course planner is Workers’ Compensation Section Co-Chair Judge Michael A. Snyder.

Is Forensic Science Really Science? | Criminal Justice Section

In February, 2009, the National Academy of Science issued a report on the state of forensic proof in the United States. That report contrasted the solid empirical foundation of DNA proof with that of other disciplines such as fingerprinting, ballistics evidence, and handwriting, and found them lacking in validation studies and consistent standards for expertise, evaluation, and evidence assessment. This conference will summarize the findings of the NAS report and discuss their significance for forensic trials in Pennsylvania and how judges, prosecutors and defense counsel will make use of its findings.

Panelists are Married Boysen Bluestein and Professor Jules Epstein. The course planner is Isla A. Fruchter.

State and Federal Coordination in Complex Litigation and Mass Tort Cases | State Civil Litigation Section

An experienced faculty of state and federal judges, discovery masters and trial lawyers will explore the “windfalls” and “pitfalls” they encounter when the courts team up to tackle cutting-edge discovery. Frye/Daubert and dispositive motion problems in the pharmaceutical litigation and other mass tort cases.

Panelists include United States District Court Judge Cynthia M. Rufe, Atlantic County (N.J.) Superior Court Judge Carol Higbee. Matthew A. Casey, Kathleen D. Wilkinson and Jerome J. Shestack. Philadelphia Court of Common Pleas Judge Sandra Mazer Moss is the course planner and moderator.

Challenging Times in a Troubled Economy: What Directors and Officers Need to Do Now | Business Law Section

This CLE will feature a panel of corporate and bankruptcy lawyers and include a brief overview of the fiduciary duties of directors and officers under Pennsylvania and Delaware law and provide practical advice for boards and officers of companies of all sizes to fulfill their duties of risk oversight. The program will provide a number of examples of actions directors and officers should consider including contingency planning for access to alternative sources of liquidity and capital beyond traditional sources.

Panelists include course planner continued on page 14.
Bench-Bar
continued from page 13

Michael D. Ecker, Barbara T. Ilson and James M. Matour.

Ethical Considerations for Lawyers With Respect To Communications, Marketing and Public Relations | Bar-News Media Committee; Law Practice Management Division; Professional Responsibility and Professional Guidance Committees

This course will explore how attorneys can communicate a brand, build a niche, expand their networks, talk to the media, and grow their businesses while not running afoul of the Rules of Professional Conduct. The goal is to enhance attendees’ skills to ensure that their communication strategies and tactics are effective for the new economy, but within the ethical boundaries defined by the Pa. Code.


Deans of the Bar: Delivering Winning Closing Arguments | State Civil Litigation Section

Veteran trial lawyers will tell tales and offer tips for delivering effective and successful closings and will demonstrate closing arguments. Panelists are S. Gerald Litvin and William J. O’Brien. Regina M. Foley is the moderator and course planner.

The Public’s Perception of the Courts | Public Interest Section and Pennsylvanians for Modern Courts

In the face of recent scandals in Pennsylvania and the increasing influence of money in judicial elections, public confidence in the courts has been declining. It is the shared responsibility of the bench and bar to address this and to restore public confidence. This course will focus on these issues, and how the bar and courts can work to improve public understanding of the courts and the role of judges.

Panelists are Pennsylvania Superior Court Judge Corracle F. Stevens, U.S. District Court Judge Theodore A. McKee, Angus R. Love, chair of the Public Interest Section, Lynn Marks and Hank Grezlak, editor, The Legal Intel-

Estate Planning: What Every Lawyer Should Know About Estate Law | Probate and Trust Law Section

This course will examine situations that arise that bring non-estate lawyers into contact with estate law and/or Orphan’s Court (for example: client dies during litigation, client becomes incompetent during representation, removing tenant from property owned by a decedent, collecting from or filing a lien against an estate, etc.); the general expectations of counsel from the court’s point of view and a general overview of the process of raising an estate in these special situations; and a brief presentation on writing wills and preparing other estate documents for family and friends.

Panelists for this program are Shira Goodman, Marks and Love.

Hotel Reservations: To receive our special rate, hotel reservations must be made no later than Oct. 1 by calling Harrah’s directly at 609-441-5776. Be sure to mention “Philadelphia Bar Association/2009 Bench Bar Conference” group code GHPBA9 to take advantage of the special rates of $209 in the new Waterfront Tower or $144 in the Harbor Tower on Friday, Oct. 23. Special rates are also available on Thursday and Saturday night. Rates do not include taxes.

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I am often asked if law libraries will still be around in 20 years. The answer is yes, but they will be different. When Jenkins renovated four years ago, we designed the library to become more than a place that houses books. We recognized that we had to provide services beyond traditional legal research assistance if we were to survive. At the same time, we realized that the majority of Jenkins’ members do not even visit the law library in person; rather they use us from their office, home or while commuting on the train. How is America’s oldest law library serving a diverse population including the public and trying to meet everyone’s needs in the current economy?

We have made subscription databases such as Newbank, Fastcase, LexisNexis Congressional Documents, Pennsylvania Legislative Histories, Pennsylvania Legal Forms and Periodical Indices available to our members that they can search remotely. Solo practitioners and those with firms of up to 10 attorneys also have remote access to Lexis for 20 minutes each day. Our web site contains links to primary law materials on the federal and state levels.

We have expanded our CLE classes and our computer learning center offers a hands-on learning experience. We also conduct CLE classes at law firms and will design courses to meet your needs on the topic of your choice. We offer a free one-hour CLE class, “Jenkins Get to Know Us” that we can present at your firm that highlights the many research resources available to your attorneys.

We are now offering a Wednesday evening series of classes and are open until 7 p.m. on that night for those who need just another hour to finish up their research. Our café provides a place for our members to meet with a colleague, grab a cup of coffee, or have lunch.

The 12 computer stations in our reference area provide access to Lexis, Westlaw, Congressional Documents, Fastcase, Law Reviews, Newbank and many more databases. Some law firms that used to subscribe to both Lexis and Westlaw now subscribe to only one. We have noticed that more associates are coming in person to Jenkins to search the service that their firm cut.

Over the past 20 years, large law firm libraries have downsized their print collections and relied more on electronic resources. Jenkins has done the same, but many of the users we serve still expect us to maintain print materials. The price of legal publications has increased dramatically and it is impossible for a library like Jenkins to maintain subscriptions that were once an automatic renewal. We recently cancelled subscriptions to the case reporters for all states except Pennsylvania because they are available at Jenkins on Lexis, Westlaw and Fastcase. Library members can search them for free as a benefit of membership.

The challenge is to find a balance between print products and database subscriptions. Licensing databases is complicated. Legal information vendors do not make it easy. While a university might have 10,000 students and a vendor makes the database available to them, Jenkins, with a defined membership of 8,000, is often unable to get a similar deal because some legal information vendors want the attorneys to purchase their product directly. It would be prohibitive for a solo practitioner or small law firm to subscribe to every legal database available which is why a membership in Jenkins is so valuable.

As the traditional law library model continues to evolve, Jenkins will maintain its presence as a destination for the legal profession, where an attorney can rent a conference room, video conference, grab a cup of coffee in the café or attend a CLE class. It will also evolve as a library and information center without walls that is always open around the clock, never closed!

Regina Smith (rsmith@jenkinslaw.org) is executive director of Jenkins Law Library.

**STOP PRACTICING SOCIAL WORK**

Resolving social service issues can be costly and time-consuming—unless it’s your one-and-only specialty. Since 1986, Intervention Associates has specialized in professional evaluations, individual and family counseling, coordination of in-home and nursing home care, and much more. We are part of Friends Life Care at Home, a not-for-profit Quaker organization. Call 610.254.9001 within Pennsylvania or visit our website to learn how we can help solve your clients’ care management problems efficiently and cost-effectively.
Diversity Summit
continued from page 1

tor; John Encarnacion, associate, White
and Williams LLP; Thomas Fitzpatrick,
partner, Fitzpatrick & Long, LLC;
Heather J. Holloway, associate, Thorp
Reed & Armstrong LLP; Richard Negrin,
vice president and associate general coun-
sel, ARAMARK; Jamie Ray Leonetti,
Center for Disability Law Policy; and
Lynn Zeitlin, executive director, Equality
Advocates.
“When I came to the bar, there were
12 of us women in the city,” said Judge
Shapiro, who has been on the U.S. Dis-
trict Court bench for 31 years.
“Philadelphia, with its Quaker and
colonial past, has been very hard on
women and minorities. WolfBlock, I
believe, was established because Jewish
lawyers couldn’t get positions. My beloved
colleague, Judge Clifford Scott Green,
was a member of Norris, Schmidt, Green,
Harris, Higginbotham and Brown, the
only place where lawyers of color could
be hired. I call it the Fountain of Judges
because so many of those partners did
decome judges,” said Judge Shapiro, a
former Chair of the Association’s Board of
Governers.
She discussed the work of the Liacos-
ras Commission in the 1970s, which
investigated ways to eliminate racial
discrimination in bar admission proce-
dures. She also cited the lack of Asian-
American judges in the city and called it
an issue that will have to be discussed in
the future.
Former Chancellor Andrew Chirls
said he’s optimistic in the Bar’s ability to
grow in its diversity to the point where
we “don’t have to count how many of
this kind or that kind of Chancellor we’ve
had.”
Negrin, former president of the His-
panic Bar Association of Pennsylvania,
said diversity ebbs and flows. “I tell young
people to push hard so diversity is no
longer an initiative. There’s a reason we’re
holding a summit today and hopefully
there will be a day when we won’t need
one.”
Diversity, unlike the popular green
initiatives of today, is still an initiative and
not a way of life, Negrin said. “Diversity
won’t be a way of life until it’s who we are,
until it’s how we think and what we do
instinctively. We have to keep pushing,”
Leonetti, who has cerebral palsy, said
the future of inclusion, especially for
people with disabilities, is right now.
“I have an obligation as an attorney
with a disability in this city to make sure
that at the point when I’m ready to retire
way down the line, there are other people
with disabilities in this city practicing law
who through my efforts have been given
the same equality of opportunity that I
was given. The challenge for all of us is
to recognize that and for each of us to do
our own small part to that end,” she said.
“If you see someone out there in your
practice or in your professional life who
you believe is competent, qualified and
professional and they are not getting the
quality of opportunity they deserve, I
challenge each of you to bring that person
along,” Leonetti said.

Social Media
continued from page 6

lawyers. Blogging works as a publishing
tool. When blogging, Rubel said that
you should be accurate, specific and
know your audience. Think about what
makes sense to those you are reaching
out to and know what other people are
doing so you can do it better. Rubel also
recommended creating different blogs for
different practice areas. The blogs should
be branded with links that direct readers
to the corporate web site.
These outlets have attracted thousands
of legal professionals in search of increased
visibility, referrals, and new business.
Understanding your goals and objectives
and focusing on your target audience are
key points to remember when network-
ing online.

Regina Parker, an associate with Matisoni,
Ltd., is an associate editor of the Philadelphia
Bar Reporter.
School Officials Outline Anti-Truancy Efforts

By Thomas Bryan

Two officials from the School District of Philadelphia updated the Committee on the Legal Rights of Children with the District’s most recent efforts to address the truancy problem in the city.

In February, District Superintendent Dr. Arlene Ackerman raised truancy as a serious problem for the upcoming school year. Frank Pombar and Delia Reveron of the school district’s office of attendance and truancy, speakers at the Aug. 26 program, said that in academic year 2007-2008, some 15,000 children were not attending school on any given day and nearly half of those were truant. This meant that the district lost nearly one million hours of instruction due to truancy.

Pombar laid out the new steps and improved processes the district plans to implement in the upcoming school year to identify struggling students early and direct them to the appropriate resources. Among them:

- Teachers will be required to take attendance every day.
- Student advisors will be designated in the 95 most challenged schools (the “empowerment” schools) and will be involved in the truancy process.
- “Discipline truancy liaisons” who will monitor truancy and develop specific strategies will be assigned by region.
- Processes of responding to truancy will be streamlined by eliminating duplication of records.
- A new family support center will be opening at 1801 Vine St.
- The processes for identifying and responding to truant students will be standardized across the district’s 284 schools.
- A program assistant and special education coordinator will be added to focus on children who go through the courts.
- Year-end grades will be pushed to the actual end of the school year, to avoid the large jump in truancy that traditionally occurs after these grades are reported.

The District will also form comprehensive student assistance process teams at the district’s 95 empowerment schools. These are multidisciplinary teams charged with identifying and addressing truancy. According to student feedback, bullying, feeling unsafe, low expectations, family obligations and romantic problems are the most common underlying causes for truancy. Students also felt that they needed additional incentive, to actually attend school.

The courts generally do not become involved until after a child has been truant for 10 days at which point both Family Court and the Department of Human Services become involved. A list of students with 10 or more absences is automatically sent to DHS and Family Court on a regular basis where these students are put into Project Start. The Project Start initiative is comprised of eight regional courts and two courts at 1801 Vine St. These courts can fine or imprison a parent, or have them perform community service, via Philadelphia’s compulsory school attendance laws.

Also discussed was the new city ordinance, sponsored by City Councilman William K. Greenlee and passed unanimously in March, that imposes a fine of $25 — which could increase to as much as $300 — on the parents of a student found out of school between 9 a.m. and 1 p.m. However, there does not, at this point, seem to be a mechanism referring truancy issues to the criminal justice system, for charges of corrupting the morals of a minor or endangering the welfare of a child. This may be due to the fact that most truancy problems involve high-school age children, and those charged are more appropriate where younger children are involved.

Pombar concluded by stating the three main goals of the administration with regards to truancy are speed in the response, improved relationships amongst city services, and getting back to basics of taking attendance.

Thomas Bryan, (tbyran@gmdlfirm.com) an associate with Gerolamo McNulty Davis & Leubert, P.C., is an associate editor of the Philadelphia Bar Reporter.
Bar’s Efforts Applauded for Get Help Now PA

President Obama and first lady Michelle Obama asked the nation’s governors and first ladies in June to join them in helping to promote statewide service projects to assist Americans who were struggling financially. Their goal was to ask attorneys, bankers and financial experts to lend their time and guidance to those most affected by the economic downturn.

Gov. Edward G. Rendell and first lady Judge Marjorie Rendell were quick to approach Pennsylvania Bar Association President Clifford Haines to get things off the ground. Haines, a past Chancellor of the Philadelphia Bar Association, was just as quick to approach current Chancellor Sayde Ladov for her help in promoting Get Help Now PA in the Philadelphia region.

“Our members are constantly exploring new opportunities to support the community and in these economic times, every bit of guidance and counseling helps,” said Ladov. “Drexel University’s Earle Mack School of Law jumped at the opportunity to host the Philadelphia site and I’m excited for another chance to team up with the law school.”

Consisting of Tuesday and Thursday afternoon sessions from July through the second week of September, the Philadelphia location was coordinated by Brian Sims, the Philadelphia Bar Association’s staff counsel for policy and planning.

“We approached the leadership of the Association’s sections and divisions and asked each of them to sponsor a week of volunteer time,” said Sims. “We also approached the Philadelphia Legal Secretaries Association and the Philadelphia Association of Paralegals for help in pulling together volunteers and coordinating the program.”

In total, the 10-week program saw hundreds of attorneys helping hundreds of consumers across the state. In Philadelphia, the Drexel location ranked among the highest in the state for both attorney and consumer turnout, regularly seeing more than 20 volunteer hours a day.

Special thanks go to the Workers’ Compensation Section, Public Interest Section, Young Lawyers Division, Probate and Trust Section, and the Business Law Section, who each sponsored a week of the program. These sections were joined by support from the LGBT Rights Committee, Women in the Profession Committee, and the attorneys on the staff of the Bar Association.

“More than 100 Philadelphia attorneys volunteered for over 300 hours to offer legal and financial guidance to Philadelphians suffering mortgage foreclosures, credit issues, bankruptcies, and countless employment issues,” said Sims.

“The Governor’s Office, the Office of the First Lady, and the Pennsylvania Bar Association took the invitation from the White House to help citizens in need, and it has been great to see the members of the Philadelphia Bar Association rise to the challenge as well,” he added. “The Chancellor and the Board of Governors are very thankful to those volunteers who made this program a success statewide and here in Philadelphia.”

More than 100 Philadelphia attorneys volunteered for over 300 hours to offer legal and financial guidance to Philadelphians suffering mortgage foreclosures, credit issues, bankruptcies, and countless employment issues.

Pa. Innocence Project Holds Training Session

The first “class” of volunteer lawyers for the Pennsylvania Innocence Project met Sept. 11 at Temple University Beasley School of Law. They met for six hours to learn about the causes of wrongful convictions, what to expect in a state criminal courtroom, and how to deconstruct a case. The presenters, full-time and adjunct Temple law professors, were some of the state’s best-known post-conviction attorneys as well as nationally known practitioners in the fields of DNA and forensic science and eyewitness identifications. The two-day training included topics on the law regarding post-conviction relief, how to investigate witnesses and missing discovery, and working with forensic science experts. Thereafter, the Pennsylvania Innocence Project will periodically sponsor CLEs on topics related to ethics and litigating innocence claims and wrongful convictions. Larry Presley (right), director, Forensic Science Department at Arcadia University, leads a discussion.
I'm not exactly sure how to start this column, so I'll get right to it. I gave notice to my firm at the end of August. It was a hard decision. As I wrote in last month's column, I marked my 10th anniversary with the firm in April. And as I made clear in last month's column, I am not one for change. When this year began, I had no idea that I wouldn't be at my firm's holiday party in December. But it seems my perfect attendance record will be broken this year.

Of course, many questions followed the announcement of my decision. The most popular and predictable was, "why?" The simple answer was "because." The other question was "are you OK?" (i.e., are you insane?) Yes, I am OK and no, I am not insane. I am well aware of the state of the economy. But I also knew that there had to be a reason I felt compelled to write last month's column regarding change. After all these years, change was finally becomming and I couldn't ignore its call. Perhaps I was comforted by the fact that my friends who have undergone change were all "OK." Change did not have to mean the end of something, clearly it could mean the beginning as well.

After I e-mailed and called many of my contacts to tell them my news, I was most surprised to hear words of envy and admiration from some. I suppose I had wondered what people would think when they received my e-mail that announced my departure but did not include where I was going. When there are so many who are looking for jobs right now, was I being reckless in leaving a secure position? But rather than judge what I was doing, I realized how fortunate I was to miss the action. I realized how fortunate I was to be in a position to make a decision that affected me and no one else. Moreover, I was grateful to hear so many good wishes from so many.

The most difficult part was advising my clients of my imminent departure. My clients were disappointed by my leaving, but they were very supportive and encouraging. Of course, I felt like I was abandoning them, but fortunately, I knew that I was leaving them in capable hands. Speaking of those hands, I forbade my love of reading non-legal tomes and learned to wear myself from the office and all things legal. As I write this, I can honestly say that I do not miss billable hours. But there is a part of me that misses the action.

In spite of the outward appearance of rashness, my decision to leave was not without careful thought. But what pushed me to pull the plug was the certain thought that it was time. I'll did not leave when I did, I may not have ever done so. Cliches exist for a reason – I wanted to avoid the one where I live through life wondering, "what if?" I am not one to rest on my laurels (what are laurels, by the way?), but I knew that I needed some time before I transitioned to anything else. Ten years ago, when I left my first firm for my most recent, I left on a Friday and began work on Monday. Therefore, I hope to make the most of this precious time off and hope to visit friends and travel as much as possible. But most of all, I look forward to just taking deep breaths and watching the leaves change.
As a lawyer, I’m sure we’ve heard every bad lawyer joke there is, every one of which ends with a punch line that disparages us. What is lost in all the jokes and the stereotype of the greedy lawyer is how much lawyers give of their time and expertise to help others, just because it’s the right thing to do.

The term pro bono publico means “in the public interest,” and the public interest bar, which does so much for the poor and downtrodden in our community, is part of the public interest lawyers and the clients to whom they provide legal services.

Memorial, Honorary Gifts Recognized

From time to time, the Philadelphia Bar Foundation receives contributions or a fund in memory of someone who has died or, on a happier note, to mark a special occasion or honor an achievement. Philadelphia lawyers are a special breed. We honor them when we make a gift to the Bar Foundation that is then used to assist Philadelphia’s public interest lawyers and the clients to whom they provide legal services.

In Memory

Given by Amy B. Ginensky and Andrew R. Rogoff in memory of Samuel Barson, father of Leon R. Barson, a partner at Pepper Hamilton LLP.

Given by U.S. District Court Senior Judge Norma L. Shapiro in memory of Toby Cutner, wife of Clyde Cutner, of Coffey, Kaye, Myers and Olley.

Given by the Philadelphia Bar Association in memory of Larry Frankel, who served as Legislative Director for the American Civil Liberties Union of Pennsylvania from 1992 through 2008 and Executive Director from 1996 to 2001. At the time of his death, Larry was the State Legislative Counsel for the American Civil Liberties Union in its Washington Legislative Office. A passionate fighter for civil liberties, Larry was a respected member of the Public Interest Section’s Delivery of Legal Services Committee.

Given by the Philadelphia Bar Association and by Deborah Gross in memory of M. Mark Mandel, former president of the Philadelphia Trial Lawyers Association who received the association’s distinguished-service award in 1976 as “the trial lawyer who does the impossible.”

Given by Deborah Gross in memory of Albert W. Schifflin, an active member of his community and a respected member of the bar who was inducted into the Philadelphia Bar Association’s 65-year club in 2007.

Given by Amy B. Ginensky and Andrew R. Rogoff in memory of Henry Tate, father of Joseph A. Tate, a partner at Dechert LLP.

In Honor

Given by Steven H. Korman in honor of Robert Grossman of Korman Communities.

Given by David Minkoff and Deborah Minkoff to honor the kindness and generosity of Ed Hazouri and Mary Vidas.

Given by Steven H. Korman in honor of Henry Kuller of Blank Rome LLP.

Pennsylvania legal aid intake workers must turn away one out of every two people who apply for legal assistance because the legal services organizations lack the resources to handle their cases. And, in this economy, the need for pro bono help is even greater, for at the same time that funding for legal services is shrinking, the need among the poor and working poor for those services is increasing. Hence, Pro Bono Celebration Week. This week of festivities honors the pro bono contribution of Philadelphia’s lawyers and offers an occasion to learn more about the interesting and professionally challenging pro bono opportunities that exist with Philadelphia’s public interest organizations. Coordinated by the Public Interest Section’s Delivery of Legal Services Committee and the Law School Outreach and Law Firm Pro Bono Committees of the Philadelphia Bar Association, Pro Bono Celebration Week is planned in collaboration with the ABA’s National Pro Bono Celebration.

Sara Woods, executive director of Philadelphia VIP and a co-chair of the DLSC Pro Bono Subcommittee, called the National Pro Bono Week celebration in Philadelphia “a microcosm” of the opportunities volunteers can find here.

Pro Bono Week Calendar

**Monday, Oct. 26**

• **Chancellor’s Forum on Prisoner Pro Bono Projects:** 12 p.m., Philadelphia Bar Association, 1101 Market St. Register at philadelphiabar.org.

• **Pro Bono Open House Fair:** 5 p.m., Duane Morris LLP, 30 S. 17th St. To register contact Nicole Frant at anfrant@duanemorris.com.

**Tuesday, Oct. 27**

• **VIP Pro Bono Opportunities Day:** 8:30 a.m. to 12:15 p.m., Montgomery McCracken, Walker, & Rhoads LLP, 123 S. Broad St. Program will feature CLE training in mortgage foreclosure, public housing and quiet title. To register, call 215-523-9550 or e-mail phillyvlp@phillyvlp.org.

• **Homeless Advocacy Project Legal Clinic:** 10 a.m., UHCH, Penn Center, St. Agatha/St. James, 38th and Chestnut streets. Register with Maisha Cohen at maisha@philalegal.org.

• **Homeless Advocacy Project Legal Clinic:** 12 p.m., The Philadelphia Bar Foundation, 1101 Market St., Register with Roxanne Crowley at rcrowley@seniorlawcenter.org.

**Wednesday, Oct. 28**

• **SeniorLAW Center HelpLine volunteer training program:** 11 a.m. to 1 p.m., Fox Rothschild LLP, 2000 Market St., Register with Sue Wasserkrug at 215-701-3216 or swasserkrug@seniorlawcenter.org.

**Thursday, Oct. 29**

• **SeniorLAW Center training program**
  - **Personal Planning 101:** Wills, Living Wills, and Powers of Attorney for Older Pennsylvanians: 12 to 3 p.m., UHCH, Penn Center, St. Agatha/St. James, 38th and Chestnut streets. Register with Roxanne Crowley at rcrowley@seniorlawcenter.org.

**Friday, Oct. 30**

• **Capstone CLE Forum - Pro Bono:** Where Do We Go From Here: 9 a.m. to 12 p.m., University of Pennsylvania Law School, 34th and Chestnut streets. 3 CLE credits (pending approval). Register with Arlene Finkelstein at arlene@law.upenn.edu.

• **Homeless Advocacy Project Legal Clinic:** 10 a.m., The Philadelphia Bar Foundation, 1101 Market St., Register with Maisha Cohen at maisha@philalegal.org.
all year round. “There are public interest agencies in Philadelphia that work with those most in need in our community. Whether a volunteer attorney is interested in helping disadvantaged children or the homeless or in working on women’s issues or housing concerns, this week will introduce all the different ways there are to get involved,” she said.

The week kicks off Monday, Oct. 26 with a lunchtime Chancellor’s Forum on prisoner pro bono projects, moderated by Bar Association Chancellor Sayde Ladov. Also on Oct. 26, from 5 to 7 p.m. at the Morris Café at Duane Morris, attorneys from across the city will meet over food and beverages at the Pro Bono Open House to network with legal services agencies and learn about pro bono opportunities. Other events throughout the week include several pro bono trainings offered for CLE credit presented by Philadelphia VIP, Support Center for Child Advocates and SeniorLAW Center, and four legal clinics sponsored by Homeless Advocacy Project. The full schedule is located on the Public Interest Section’s page at Philadelphiabar.org.

In these columns I often urge you to give financially to legal services (most especially to the Bar Foundation), so this column might seem like a change of theme. But it really isn’t. Lawyers have a special responsibility to ensure that everyone has access to our justice system, and fulfilling that responsibility requires contributions of time as well as money. So I hope to see you at one of the Pro Bono Week events and urge you to join the thousands of lawyers each year who provide pro bono services in Philadelphia.

Amy B. Ginensky, a partner at Pepper Hamilton LLP, is president of the Philadelphia Bar Foundation.

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VIP Honors Stanley Askin

This month Philadelphia VIP recognizes Stanley R. Askin, MD, JD, of the Law Office of Stanley R. Askin, for his outstanding volunteer assistance to VIP clients.

Since 2003, Askin has assisted VIP clients in a variety of matters. He makes time to represent VIP clients amidst his demanding schedule as a practicing hand surgeon. He often takes cases outside of his general practice area to ensure VIP clients achieve access to justice. He consistently takes VIP’s most difficult guardianship cases, supporting VIP’s priority of maintaining family stability. Through his involvement in civil forfeiture and landlord/tenant matters, Askin contributes to VIP’s goal of preventing homelessness. By his vigorous defense of clients in auto accident and consumer cases, he labors to maintain income and economic stability for VIP clients. In one recent collection defense case, Askin relentlessly advocated for his disabled client who was sued by a bank for more than $40,000. The suit resulted from a car note the client co-signed for her brother-in-law on which he then defaulted. Askin helped the client by obtaining a favorable ruling on a non-suit motion. Without his counsel and intervention, the client could have faced a lien or forced sale of her home for the judgment. For his commitment and dedication to VIP clients in many crucial areas, Philadelphia VIP offers its heartfelt appreciation to Dr. Stanley Askin.

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Philadelphia Bar Foundation invites you to the 2009 Andrew Hamilton Benefit

Saturday, Nov. 21, 2009

Visit PhilaBarFoundation.org to purchase tickets

For Philadelphia

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**Family Law continued from page 5**

Unable Loan program (REAL). The Federal Housing Administration, Department of Housing and Urban Development and Veterans Administration also provide some levels of assistance on their loans. And, many lenders have internal loan assistance programs.

Grunfeld strongly recommended seeking help before a serious problem arises. If a homeowner anticipates a default, even a slight one, he or she should contact the lender in advance. The lender will typically help the client work out the problem. Grunfeld discouraged formally writing a foreclosure complaint as such action could set a poor tone for negotiation of a loan modification. However, asking the lender for help before a serious problem arises can help the client work out the problem. If a homeowner anticipates a default, even a slight one, he or she should contact the lender in advance. The lender will typically help the client work out the problem. Grunfeld discouraged formally writing a foreclosure complaint as such action could set a poor tone for negotiation of a loan modification. However, asking the lender for help before a serious problem arises can help the client work out the problem. Filing for bankruptcy will stop a foreclosure action. Homeowners must consult with a bankruptcy attorney to make important decisions such as whether or not to file bankruptcy jointly with a spouse and under which chapter to file.

Grunfeld cautioned that any discharge of indebtedness by a credit card issuer can be and often is considered income by the Internal Revenue Code. After negotiating a foreclosure action, the debtor is considered to owe the bank the overall outstanding amount, an agreement can be reached which avoids the issue of a Form 1099.

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

**Thursday, Oct. 1**
Government and Public Service Lawyers Committee: meeting, 12 p.m., 11th floor Conference Center. Lunch: $8. Women in the Profession Committee Public Service Task Force: meeting, 12 p.m., 10th floor Board Room.

**Friday, Oct. 2**
LGBT Rights Committee: meeting, 8:30 a.m., 11th floor Committee Room. Secrets to Business Development: 12 p.m., 11th floor Conference Center. Saturday, Oct. 3
Young Lawyers Division Family Fall Festival: 12 p.m., Philadelphia Zoo.

**Monday, Oct. 5**
Family Law Section: meeting, 12 p.m., 10th floor Board Room. Lunch: $8. Business Law Section Executive Committee: meeting, 12 p.m., 11th floor Committee Room South. Civil Rights Committee: meeting, 12 p.m., 11th floor Conference Center. Lunch: $8.

**Tuesday, Oct. 6**
Philadelphia Bar Foundation Board of Trustees: meeting, 12 p.m., 10th floor Board Room. Alternative Dispute Resolution Committee: meeting, 12:15 p.m., 11th floor Conference Center. Lunch: $8.

**Wednesday, Oct. 7**
Delivery of Legal Services Committee: meeting, 8:30 a.m., 10th floor Board Room. Intellectual Property Committee: meeting, 12 p.m., 11th floor Conference Center: meeting, 12 p.m., 11th floor Conference Center. Lunch: $8. Rules and Procedure Committee: meeting, 12 p.m., 11th floor Conference Center. Lunch: $8. Committee on the Legal Rights of Persons with Disabilities: meeting, 12 p.m., 10th floor Board Room.

**Thursday, Oct. 8**
Health Care Law Committee: meeting, 12 p.m., 11th floor Committee Room South. Lunch: $8. Young Lawyers Division Live Lunch and Learn: 12 p.m., 11th floor Conference Center. Lunch: $8. Legislative Liaison Committee: meeting, 12:30 p.m., 10th floor Board Room. Lunch: $8.

**Friday, Oct. 9**
Solo and Small Firm Committee: meeting, 12 p.m., 10th floor Board Room. Lunch: $8. Secrets to Business Development: 12 p.m., 11th floor Conference Center. The Philadelphia Lawyer magazine Editorial Board: meeting, 12:15 p.m., 11th floor Committee Room South.

**Monday, Oct. 12**
Columbus Day: Bar Association offices closed.

**Tuesday, Oct. 13**
Criminal Justice Section Executive Committee: meeting, 12 p.m., 11th floor Committee Room South. Compulsory Arbitration Committee: meeting, 12 p.m., 11th floor Committee Room South. Professional Responsibility Committee: meeting, 12 p.m., 11th floor Conference Center. Lunch: $8. Delivery of Legal Services Committee Diversity Discussion: 2:30 p.m., 11th floor Conference Center.

**Wednesday, Oct. 14**
Women in Intellectual Property Committee: meeting, 12 p.m., 11th floor Conference Center. Lunch: $8. Appellate Courts Committee: meeting, 12 p.m., 10th floor Board Room. Lunch: $8.

**Thursday, Oct. 15**
Family Law Section Executive Committee: meeting, 12 p.m., 11th floor Committee Room South. Law Practice Management Division Technology Committee: meeting, 12 p.m., 11th floor Conference Center. Lunch: $8. Environmental Law Committee: meeting, 12:30 p.m., 10th floor Board Room.

**Friday, Oct. 16**
Social Security Disability Benefits Committee: meeting, 12 p.m., 11th floor Conference Center.

**Monday, Oct. 19**
Public Interest Section Executive Committee: meeting, 12 p.m., 10th floor Board Room. Young Lawyers Division Cabinet: meeting, 12 p.m., 10th floor Cabinet Room. Law Practice Management Division Executive Committee: meeting, 12 p.m., 11th floor Committee Room South.

**Tuesday, Oct. 20**
Section Chairs: meeting, 8:30 a.m., 10th floor Board Room. Cabinet: meeting, 12 p.m., 10th floor Board Room. Employee Benefits Committee: meeting, 12:30 p.m., 11th floor Committee Room South. Lunch: $8.

**Wednesday, Oct. 21**
Workers’ Compensation Section Executive Committee: meeting, 10:30 a.m., 11th floor Committee Room South. Workers’ Compensation Section: meeting, 12 p.m., 11th floor Conference Center. Lunch: $8. LegalLine: 5 p.m., 11th floor LRIS offices.

**Friday, Oct. 23**
Bench-Bar and Annual Conference: Harrah’s Atlantic City. Information at philabenchbar.org.

**Saturday, Oct. 24**
Bench-Bar and Annual Conference: Harrah’s Atlantic City. Information at philabenchbar.org.

**Monday, Oct. 26**
Chancellor’s Forum – Celebrating Pro Bono Collaborations: 12 p.m., 11th floor Conference Center. Young Lawyers Division Executive Committee: meeting, 12 p.m., 10th floor Board Room.

**Tuesday, Oct. 27**
Criminal Justice Section: meeting, 12 p.m., 11th floor Conference Center. Lunch: $8. Women in the Profession Committee: meeting, 12 p.m., 10th floor Board Room. Lunch: $8.

**Wednesday, Oct. 28**
Medical Legal Committee: meeting, 12 p.m., 11th floor Conference Center. Lunch: $8. Attorney Career Development Committee: meeting, 12 p.m., 10th floor Board Room. Lunch: $8.

**Thursday, Oct. 29**
LRIS Committee: meeting, 12 p.m., 11th floor Committee Room South. Minorities in the Profession Committee: meeting, 12 p.m., 11th floor Conference Center. Lunch: $8. Elder Law Committee: meeting, 12 p.m., 10th floor Board Room. Lunch: $8. Board of Governors: meeting, 4 p.m., 10th floor Board Room.

**Friday, Oct. 30**
Minorities in the Profession Committee: meeting, 12 p.m., 11th floor Conference Center. Lunch: $8.

Register online for most events at philadelphiabar.org. Unless otherwise specified, all checks for lunches and programs should be made payable to the Philadelphia Bar Association and mailed to Bar Headquarters, 2101 Market St., 11th fl., Philadelphia, Pa. 19103-2955. Send Bar Association-related calendar items 30 days in advance to Managing Editor, Philadelphia Bar Reporter, Philadelphia Bar Association, 1101 Market St., Philadelphia, Pa. 19107-2955. Fax: (215) 238-1159. E-mail: reporter@philadelphiabar.org.
Advocates: Ewing LLP, has been elected Vice President of the American Bar Association’s Board of Directors.

Schnader Harrison Segal & Lewis LLP, has been installed as the Philadelphia Bar Association’s Board of Directors.

Anthony R. La Ratta, a partner with Archer & Greiner, P.C., has been installed as the treasurer of The American Bar Association’s Board of Directors.

Mark W. Tanner, co-managing partner at Feldman, Shepherd, Wohlgelernter, Tanner, Weinstock & Dodig, addressed medical malpractice litigation at The Children’s Hospital of Pennsylvania continuing medical education program “Medical Legal Issues Facing the CHOP Practitioner” on June 4. He addressed the need for experts in continuing legal education program on July 9.

Anthony R. La Ratta, a partner with Archer & Greiner, P.C., has been installed as 2nd Vice President of the Estate and Financial Planning Council of Southern New Jersey.

James J. Eisenhower, a partner with Schnader Harrison Segal & Lewis LLP, was unanimously re-elected to serve as Chairman of Pennsylvania Intergovernmental Cooperation Authority’s Board of Directors.

Katayun I. Jaffari, a partner with Saul Ewing LLP, has been elected Vice President of the Support Center for Child Advocates.

Harris T. Bock, director of The Dispute Resolution Institute, was elected to serve on the board of the Philadelphia chapter of the American Heart Association.

H. Marc Tepper, a shareholder with Buchanan Ingersoll & Rooney PC, was recently elected as the 2009-2010 president of The American-Israel Chamber of Commerce, Central Atlantic Region.

Christopher J. Cabott of the Law Office of Lloyd Z. Remick was a featured panelist on the topic of “How to Make Money in the Music Industry Despite the Current Economic Downturn” at the Dynamic Producer Conference in Los Angeles.

Richard W. Nenno, a partner with Stradley Ronon Stevens & Young, LLP, has been appointed the Federal Circuit Bar Association’s delegate to the American Bar Association. He was also elected to the board of directors of the Federal Circuit Historical Society.

Lee A. Zoeller, a partner with Reed Smith LLP, has been elected president of the Institute for Professionals in Taxation for 2009-2010.

Barry L. Cohen, a partner with Thorp Reed & Armstrong, LLP, has been appointed chair of the Trade Secrets and Interference with Contracts Committee of the American Bar Association’s Intellectual Property Law Section.

Carl Buchholz, managing partner and chief executive officer of Blank Rome LLP, has been named co-chair with his wife Karen for the 27th Annual Arthur Ashe Youth Tennis and Education’s Benefit for Children, on April 23, 2010 at the Ashe Center in East Fairmount Park.

Jonathan S. Ziss, a partner with Margolis Edelstein, participated in a two-day mock trial program as part of the Litigation Bootcamp for Financial Experts, presented by the National Association of Certified Valuation Analysts, sponsors of the Certified Forensic Financial Analyst designation on Aug. 13-14.

Dr. Evan Y. Liu, J.D. of Feldman, Shepherd, Wohlgelernter, Tanner, Weinstock & Dodig provided minority college students with an inside look at the practice of law during Widener University School of Law’s Jurist Academy summer program on June 8.

“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@phliabar.org. Color photos are also welcome.
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