Justice O’Connor Welcomes New Citizens

Retired U.S. Supreme Court Associate Justice Sandra Day O’Connor (above, from left), U.S. District Court Judge Cynthia M. Rufe and Chancellor Rudolph Garcia pause after welcoming new American citizens at the Sept. 16 Citizenship Day naturalization ceremony at the National Constitution Center. Judge Rufe presided over the ceremony, where 48 people from 18 nations became citizens. Justice O’Connor and Garcia also addressed the new citizens at the ceremony, which was sponsored by the Philadelphia Bar Association.

F. Lee Bailey on Trial Techniques Oct. 11

Legendary defense attorney F. Lee Bailey will present a CLE seminar on trial techniques on Tuesday, Oct. 11.

Bailey, an accomplished author, has defended O.J. Simpson and Patricia Hearst, among others.

This one-hour presentation at The CLE Conference Center on the 10th floor of the Wanamaker Building will highlight the methods, techniques and risks of real-time cross-examinations, as well as offer a meaningful and useful path to those who realize that maturing to the standing of a feared cross-examiner is, at the end of the day, well worth the considerable time and effort required.

Course planners include Pennsylvania Superior Court President Judge Correale F. Stevens and Chancellor Rudolph Garcia.

A reception will follow the CLE seminar from 5 to 6 p.m.

Registration begins at 3:30 p.m. The program has been approved for 1 substantive CLE credit. Participants wishing to receive the CLE credit will be required to pay a fee of $40. Those not seeking CLE credit may attend for a fee of $15.

For more information or to register, please visit phi.org.

Register Online for Bench-Bar by Oct. 12

Online registration for the 2011 Bench-Bar & Annual Conference is available until Wednesday, Oct. 12. This year’s conference will be held Friday and Saturday Oct. 14 and 15 at Harrah’s Resort in Atlantic City, N.J.

Fifteen CLE programs in a variety of practice areas are being planned for the Bench-Bar & Annual Conference. The CLE programs, in which attendees can earn up to 7.5 hours of credit (including the opportunity to earn two ethics credits), will feature judges and some of the city’s most well-known practitioners, who will use their expertise and experience to enlighten attendees. Registration is available at philabenchbar.org.

The 2011 Bench-Bar & Annual Conference kicks off with Harvard Law School Professor Charles Ogletree moderating the opening plenary “I’m Not Saying That to Any Judge! The Lasting Implications of Luzerne County.”

Join us for a provocative and candid look inside many of the current practices in all aspects of our local justice system. This opening program will examine the

continued on page 11
Dear Colleagues:

My 35-year career as a lawyer has been wonderfully enriched by my involvement in the important work of the Philadelphia Bar Association. I am now seeking the office of Vice Chancellor and ask for your support. If elected this December, I will have the privilege of serving as Chancellor in 2014. I promise to contribute energy, creativity, hard work, dedication and decades of experience to leading our Association and serving our great profession and community.

My Philadelphia Bar Association leadership and service includes having twice chaired the Judicial Retention and Selection Committee and having served for many years on investigative teams. I currently serve as chair of the Campaign for Qualified Judges. I have also served as an elected member of the Board of Governors, as co-chair of the State Civil Committee and later as co-chair of the State Civil Litigation Section. In 2010, I had the exceptional opportunity of serving as an inaugural co-chair of the Philadelphia Bar Association Historical Society, one of the outstanding initiatives of our immediate past Chancellor, and now serve as its first President. I am the current Parliamentarian to the Board of Governors and am a member of the Cabinet.

I believe it is our moral obligation to ensure that justice and access to the courts is a reality for every member of the public. This shared value lies at the very heart of our profession. It is why we became lawyers and is a core component of the mission of the Philadelphia Bar Association. Building on our strong existing foundation of support for legal services for the underserved, I will work in partnership with our Public Interest community to make these ideals a continuing reality and will stand strong for an independent Judiciary.

I am proud to have been involved in our Association’s early diversity initiatives and am very deeply committed to implementing our Statement of Diversity Principles. I will work with devotion to ensure increased inclusiveness and diversity in our professional community.

As a law student and young lawyer I was very fortunate to have had a remarkable mentor from whom I learned the importance of collegiality in our profession and the obligation to provide guidance to younger colleagues. I have mentored younger lawyers, and am always just a phone call away from any colleague who needs my help and guidance. I will support and promote mentoring initiatives.

We must keep vibrant and relevant to our members. Building on our successes, I will promote member services and look for new and creative ways to continue to enhance the benefits of Association membership.

The personal relationships we develop are a precious benefit of participation in Association activities and foster a culture of collegiality and civility in our legal community. We can also have fun together while doing good work, and I will focus on creating additional opportunities to bring our members together.

As a lifelong Philadelphian, I believe that partnering with City government is not only beneficial to our profession but is a positive force for our City, and I will continue our Association’s important work to expand lines of communication and cooperative efforts.

I feel honored that so very many Association members, representing a broad range of practice areas, diverse backgrounds and including over twenty former Chancellors, have committed their support to my candidacy. With your support, I will work tirelessly to lead our Association and serve our profession and community. It will be a labor of love.

With thanks and kind regards,

Bill Fedullo

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**WILLIAM P. FEDULLO**

Candidate for Vice Chancellor of the Philadelphia Bar Association

**PROFESSIONAL BACKGROUND**

- Rosen, Schafer & DiMeco, LLP, 2007 to present
- Fedullo & Savoth, 2003 to 2007
- Law Offices of William P. Fedullo, 1977 to 2003
- Law Clerk to The Honorable Charles P. Mirarchi, Jr., 1976 to 1981

**EDUCATION**

- Widener University School of Law, J.D. 1976
- Temple University, B.A. 1972

**PHILADELPHIA BAR ASSOCIATION ACTIVITIES (SELECTED)**

- President, Philadelphia Bar Association Historical Society, 2011
- Cabinet Member, Board of Governors, 2011
- Parliamentarian, Board of Governors, 2011
- Inaugural Co-Chair, Philadelphia Bar Association Historical Society, 2010
- Chair, Campaign for Qualified Judges, 2010 and 2011
- Chair, Commission on Judicial Selection and Retention, 2004 and 2009
- Co-Chair, State Civil Litigation Section, 2006 and 2007
- Co-Chair, Task Force to Review Commission on Judicial Selection and Retention, 2004 and 2005
- Co-Chair, State Civil Committee, 2001
- Co-Chair, Brennan Award Committee, 2002
- Elected Member Board of Governors, 1998 to 2000
- Task Force for State Civil Litigation Section, 2004 to 2005
- Member, Commission on Judicial Selection and Retention, 2003 to present
- Member, Investigative Committee for Judicial Retention and Selection, 1996 to present
- Member, Inaugural Diversity Committee, 1998 to 2001
- Chair, Bar News Media Committee, 1985

**OTHER PROFESSIONAL ACTIVITIES (SELECTED)**

- Justiniain Society
  - Chancellor, 1996 to 1998
- Chair, Long Range Planning Committee
- Board of Directors, 1985 to present
- Justiniain Foundation, Trustee
- Philadelphia Trial Lawyers Association
- Board of Directors, 1992 to 2005
- Pennsylvania Bar Association, House of Delegates - Zone 1, 1999 to present
- Pennsylvania Association for Justice
- Louis D. Brandeis Law Society
- Brehon Law Society
- Hispanic Bar Association of Pennsylvania
- Lawyers Club of Philadelphia
- American Bar Association

**PRO BONO/VOLUNTEER ACTIVITIES (SELECTED)**

- Philadelphia Common Pleas Court, Judge Pro Tempore
- Philadelphia Volunteers for the Indigent Program (VIP), 30th Anniversary Committee
- Trial Lawyers CARE, Inc., pro bono representation of widow and children of Port Authority officer killed on 9/11
- Israel Bonds State of Israel 50th Anniversary Tribute Dinner Committee
- Continuing mentoring of young lawyers
- Supporter of various Public Interest activities and programs
- St. Rita’s Committee to Help the Homeless

**PERSONAL**

I have been married since 1974 to Rochelle M. Fedullo (Partner, Wilson, Eser, Moskwitz, Edelman & Dicker, LLP). Our son, William H. Fedullo, is a senior at Friends’ Central School. We live in Center City, Philadelphia.

**CONTACT**

- 121 South Broad Street, 8th Floor, Philadelphia, PA 19107
- Telephone: 215.235.6500, extension 222
- Facsimile: 215.546.1012
- Email: williamfedullo@gmail.com
The Philadelphia Bar Association has formed its Elections Committee, which is chaired by Immediate-Past Chancellor Scott F. Cooper and consists of Brandi Brice, Jeffrey Campolongo, Carolyn M. Chopko, Regina M. Foley, Scott W. Reid, Gina Puria Rubel, Louis S. Rulli, Michael D. Shaffer, H. Marc Tepper and Marc J. Zucker.

Chancellor Rudolph Garcia, Chancellor-Elect John E. Savoth, Vice Chancellor Kathleen D. Wilkinson and Association Secretary Sophia Lee serve as ex-officio members.

Offices for which candidates are being solicited are Vice Chancellor, Secretary, Assistant Secretary, Treasurer, Assistant Treasurer, and five seats on the Board of Governors. Each Board seat carries a three-year term.

Association members may become candidates for any of these offices by filing with the Secretary, at least 60 days prior to the Dec. 6, 2011 Annual Meeting, nominations in writing which, for candidates of the Board, must be signed by at least 25 members who are entitled to vote; for candidates for Secretary, Treasurer, Assistant Secretary and Assistant Treasurer, shall be signed by at least 35 members who are entitled to vote; and for candidates for Vice Chancellor, shall be signed by at least 100 members who are entitled to vote.

Individuals who wish to run for any of the above named offices should contact Susan Knight at sknight@philabar.org for additional information. Signatures, along with a resume, and written authorization should be submitted to Association Secretary Sophia Lee, c/o Susan Knight, Philadelphia Bar Association, 1101 Market St., 11th Floor, Philadelphia, PA 19107-9955, no later than 5 p.m. on Friday, Oct. 7.

The following is a calendar of important election dates:
Oct. 7 - Candidate nomination deadline.
Oct. 19 - Election Procedures Committee & Elections Committee Meeting, 12 p.m. Drawing of lots to determine ballot position, and review of Campaign Rules & Procedures with candidates.
Nov. 5 - Election Forum #1 with candidates for Vice Chancellor and officers.
Nov. 17 - Election Forum #2 with candidates for Board of Governors.
Nov. 18 - Ballots mailed to regular, voting members of the Association at least fourteen (14) days prior to the Annual Meeting, on or before Nov. 23, 2011.
Dec. 1 - 10 a.m. deadline for receipt of mail ballots.
Dec. 6 - Polls open 8:30 a.m. to 6 p.m., Hyatt at The Bellevue, Broad and Walnut streets.
The Vulnerable Expert Witness:  
Keeping it Real in Cross-examination!

Judge Bernstein & Attorney Larry Bendesky are back with their new and updated program that is sure to be a phenomenal performance once again.

When: Friday, October 28th, 2011 • 9:00 AM to 5:00 PM
Where: Temple University, Fort Washington.
Guest Speakers: Judge Mark Bernstein & Attorney Larry Bendesky

MBA In a Day

In the final semester of most MBA programs students are required to take an “MBA capstone” course, which integrates the understanding from all the key functional areas in business. Consistent with this tradition, we have designed one of our most exciting course offerings yet! Harvard Business School case studies will be used to introduce frameworks and principles which serve as a foundation for business decision-making.

When: Friday, November 4th, 2011 • 9:00 AM to 5:00 PM
Where: Temple University, Center City.
Speaker: William Kline, CFA

Tax Relief, Unemployment Insurance Authorization, and Job Creation Act of 2010: Where are the Tax, Succession and Estate Planning Opportunities?

Join attorney and Certified Financial Planner, Renzo Cerabino, as he reviews the Tax Relief Act as it impacts estate, gift, and generation skipping taxes.

“This was an excellent presentation by a knowledgeable and entertaining presenter. I learned a lot.” John M., Esq., Monroe, New Hampshire

When: Saturday, November 12th, 2011 • 9:00 AM to 5:00 PM
Where: Temple University, Fort Washington, Pennsylvania 
Speaker: Renzo Cerabino, Esq., CFP

Optimize Performance with a Higher Emotional IQ

Whether it is winning a case or identifying who should become a partner in a firm, emotional intelligence (EI) plays a key role. Stop ignoring this critical skill set! Attend this program to learn about emotional intelligence and emotional competence, identify which skills you need to hone, and practice techniques using case studies from your field.

When: Friday, November 18th, 2011 • 9:00 AM to 5:00 PM
Where: Temple University, Center City.
Speaker: Dr. Kelly Romirowsky, Performance Psychologist

The Secrets to Becoming a Confident & Capable Communicator

Learn to become a more effective communicator, whether speaking to an audience of 3 or 3,000! Our guest speaker is an award winning broadcast journalist with nearly two decades of experience.

When: Saturday, November 19th, 2011 • 9:00 AM to 5:00 PM
Where: Temple University, Fort Washington.
Speaker: Ellen C. Kolodziej

For additional information and to register please visit www.ceworkshops.com. You may also register by calling Tom McDevitt directly at 215-990-0781.

All programs are also available via live webcast!

Each program will fulfill 7 Substantive CLE. Price is only $150, which includes course materials, coffee, doughnuts, lunch, and reporting fees. Lunch will be prepared by Stephen Starr Restaurants Catering Group.

McDevitt & Kline, LLC is an Accredited Provider with the PA Supreme Court CLE Board (Lic # 5963). PA Attorneys may earn up to 4 CLE via live webcast per compliance period. For additional information, please visit www.pacle.org.
By Sara Woods

Philadelphia will celebrate the third annual National Pro Bono Week on Monday, Oct. 10 with a series of events designed to celebrate pro bono and inspire our community to give back to those in need.

Sponsored by the American Bar Association, National Pro Bono Week is a coordinated national effort to meet the ever-growing needs of this country’s most vulnerable citizens by encouraging and supporting local efforts to expand the delivery of pro bono legal services, and by showcasing the great difference that pro bono lawyers make to the nation, its system of justice, its communities and, most of all, to the clients they serve. For more on National Pro Bono Week, visit www.celebrateprobono.org.

Area public interest agencies will offer “Pro Bono Road Shows,” 30-minute presentations at your firm or corporation, highlighting pro bono opportunities available in the city. The week of Road Shows begins Monday, Oct. 10 through Friday, Oct. 14. To schedule a Road Show, contact Jodi Schatz, National Pro Bono Week co-chair, at jschatz@advokid.org or 267-546-9228.

The Philadelphia legal community has a long history of service to the public, dating back to Andrew Hamilton. This year, the Philadelphia Bar Association builds on that tradition with events designed to appeal to our newest members of the bar and our most experienced. The Young Lawyers Division and the Philadelphia Bar Foundation will launch the Board Observer project with a CLE on the “Nuts & Bolts of Board Service” on Oct. 24. This is a great opportunity for anyone interested in joining a nonprofit board. For more information about the Board Observer project and the CLE, go to the Young Lawyers Division web page at www.philadelphiabar.org.

Throughout National Pro Bono Week, the Philadelphia public interest community will host several trainings open to all members of the bar. Whether you are looking for a hands-on service event or a training with the option of later service, you can find the perfect match during Philadelphia’s celebration of National Pro Bono Week. For a list of the pro bono trainings and clinics, go to www.philadelphiabar.org or check out the calendar in this publication.

Whether you are new to the practice of law, new to pro bono, or an experienced volunteer, we hope that you will join us as we celebrate Philadelphia’s commitment to access to justice.

Sara Woods (swoods@philbycep.org), executive director of Philadelphia VIP, is co-chair of the Delivery of Legal Services Committee Pro Bono Committee.

Mark Your Calendar
Nov. 9-10 Business Lawyers’ Institute
Nov. 17-18 18th Annual Estate Law Institute
Dec. 7-8 15th Annual Real Estate Institute

www.pbi.org 800-932-4637

October CLE Calendar

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

Live & Simulcast Seminars

Oct. 4 • Philadelphia Bar Association October 2011 Probate & Trust Law Section Quarterly Meeting - Advising a Charitably-Minded Client
Oct. 4 • Private Placement of Securities: Legal and Practical Considerations
Oct. 5 • 15th Annual Family Law Update
Oct. 6 • IP Law Primer
Oct. 11 • The Nuts & Bolts of Medicaid Planning
Oct. 13 • Trial Evidence – Artistry & Advocacy in the Courtroom
Oct. 18 • A Day on Health Law
Oct. 19 • Foreign Corrupt Practices Act
Oct. 20 • 18th Annual Auto Law Update
Oct. 21 • Presenting and Defending Catastrophic Injury Claims
Oct. 24 • Manufactured Home Community Rights Act
Oct. 25 • Corporate Compliance and Ethics
Oct. 26 • Compulsory Arbitration Seminar
Oct. 27 • How to Handle a Child Abuse Case
Oct. 27 • 16th Annual Bankruptcy Institute

Simulcasts from PLI

Oct. 3 • PLI - White Collar Crime 2011: Prosecutors & Regulators Speak
Oct. 31 • Outsourcing 2011: Structuring, Negotiation & Governance

Distance Education

Online CLE

Delivered over the Web at your convenience. We call this 24/7 CLE. When you need the information (or the credits), log on to our Online Campus and find a course that meets your needs: a recording of a seminar, with the materials in convenient searchable PDF format. Start it today, finish it within three months, and get credit when you’re done.

Live Webcasts

If you can’t watch it live, sign up now and get credit when you watch it later (you’ve got 3 months after the webcast date).

(Please note: Distance Education courses are not available in New York City, and take advantage of the specialized educational programs for which PLI is famous.)
Community Legal Services has broken ground for a new, three-story law center in North Philadelphia. The 19,000-square-foot building at 1410 W. Erie Ave. will provide offices for 45 employees, including attorneys, paralegals and support staff, who provide free civil legal services to approximately 7,000 low income Philadelphians each year.

Construction is expected to take about a year and cost $8.2 million. CLS has secured funding from the Pennsylvania Redevelopment Assistance Capital Program, the federal New Markets Tax Credit program, PNC Bank, PNC Bank New Markets Investment Partner, the Commonwealth Cornerstone Group, private donors to a capital campaign, and the City of Philadelphia Commerce Department.

"Community Legal Services has served more than 1 million individuals and provides a critical service to Philadelphians," said Mayor Michael Nutter, regarding the city's investment. "CLS' new facility, at a formerly vacant site and easily accessible by public transit, will help them to serve our citizens and their clients. In addition, this building will be a fantastic addition to North Broad Street, which is currently undergoing a tremendous transformation."

Atkin Olshin Schade Architects, of Philadelphia, designed the building to attain LEED Gold certification. "A key benefit of the sustainable design is lower operating expenses. As the building saves us money, we can direct more money to serving clients, and that's what CLS is really about," said CLS Board Chair Barbara Sicalides.

CLS is working to raise an additional $1.7 million to complete funding for the building. Capital Campaign Co-Chairs Edward F. Chacker and Joseph A. Tate invited others to join them in contributing to the building fund. "As you look around this neighborhood, and as you consider the impact of CLS among its clients, we are sure you will agree that there is no greater need, no greater cause, no better investment, than helping CLS build a permanent home right here," Tate said.

Community Legal Services, Inc. was established by the Philadelphia Bar Association in 1966. Since then, CLS has provided legal services to more than 1 million low-income Philadelphia residents, representing them in individual cases and class actions, and advocating on their behalf for improved regulations and laws that affect low-income Philadelphians. CLS assists nearly 18,000 of Philadelphia's poorest residents with their legal problems each year. For more information, contact 215-981-3743 or visit www.clsphila.org.

WOMEN IN THE PROFESSION COMMITTEE

75 Attend WIP Newsletter Launch Event

By Maureen M. Farrell

The Women in the Profession Committee recognized the launch of its first newsletter on Sept. 15 with a celebration held at Reed Smith LLP. Nearly 80 people attended the party and showed their support for the brand-new publication, released in July. Both men and women, including Chancellor Rudolph Garcia and Philadelphia Court of Common Pleas Judges Ann M. Butchart and Marlene F. Lachman came out on a rainy night to support the new publication.

The party was primarily given to honor the first contributors: Temple University Beasley School of Law Dean JoAnne A. Epp; Bar Association Vice Chancellor Kathleen D. Wilkinson; past Chancellors Jane Leslie Dalton and Sayde J. Ladov; Maria A. Feeley, a partner at Pepper Hamilton LLP; Kathleen Creamer, and Philadelphia Court of Common Pleas Judge Sandra Mazer Moss.

“It’s wonderful to witness the start of a newsletter with great potential—all the more so when the first issue delivered as promised,” said Thomas A. Bell. “This newsletter is a credit, not only to the Women in the Profession Committee, but also to our whole Philadelphia Bar Association because the articles, particularly in the inaugural issue, were so interesting and useful for everyone across all the Bar.”

One of the reasons the newsletter was published was to further present the unique and current perspectives, advice and opinions of the women in the profession today and, additionally, to highlight the many accomplishments of the women in the Philadelphia Bar Association. It is a vehicle to not only expose and publicize the women in the profession at the Association, but also as a result, potentially enhance the Association’s offerings. Furthermore, the newsletter presents an opportunity for women to get involved in the Bar Association, which is of particular interest to new members who may not be as comfortable communicating opinions at meetings.

The initial publication, while geared toward women, offered advice about mentoring, civility and life skills for lawyers that can be useful for both men and women in the profession. Vice Chancellor Wilkinson’s article, “Making an Appearance,” discussed how to keep everything in balance, including her duties as a lawyer to her clients and to her law firm, while balancing her family obligations with her responsibilities as Vice Chancellor. Wilkinson thought the reception became an excellent networking opportunity in and of itself, saying, “It was great for all the attorneys attending to be able to network with Chancellor Garcia, and former Chancellors Ladov and Dalton, the judges who attended, and the diverse attorneys who came. Networking provides opportunities for mentoring and business development as well.” Additionally, Dalton gave valuable advice about public speaking, “Be yourself. To be genuine and authentic you have to know yourself, what style works best for you and what does not.”

We are hoping that the publication can promote dialogue among men and women in the profession.

During opening remarks at the event, the importance of mentoring, discussed in Judge Moss’s article, was communicated. Also present were male mentors who have provided valuable insight and perspective about communication, the practice of law, and most importantly, the business side of law.

Additionally, opening remarks underscored the importance of relationships in general in the practice of law, in particular the one of a trusted mentor.

The Committee also thanked its sponsors, A and A Court Reporting, Independent Custom Realty, Lavin and O’Neill, OPA restaurant and Philadelphia Runner, without whom the event would not have been possible.

Maureen M. Farrell (maureen@maureenfarrelllegal.com) is principal in the Law Offices of Maureen F. Farrell.

Art of Negotiation Summit Oct. 27

The Women in the Profession Committee will present its 4th Annual Summit on Thursday, Oct. 27 with a panel discussion on the art of negotiation.

This summit will address effective negotiation styles, practical tips and best practices for effective negotiations, as well as how personality and gender affect negotiation behavior. Panelists will introduce techniques to better evaluate your negotiation style and performance. Panelists include Catherine C. Carr, executive director, Community Legal Services; Jamie Sheller of Sheller, PC; and Stephanie Resnick of Fox Rothschild LLP. The program is moderated by Judge Diane M. Webb of JAMS.

At the conclusion of the CLE, there will be a cocktail reception sponsored by the Temple Law Alumni Association and optional “speed networking” event in which attendees will spend five-minute intervals describing their practice areas before moving on to the next attendee. The program begins at 3 p.m. in the 11th floor Conference Center of Bar Association headquarters, 1101 Market St. The program has been approved for 1.5 substantive CLE credits.

Visit pbi.org to register for this program.
Bar Hosting National Diversity Symposium Nov. 8

Chief legal officers, law firm managing partners and diversity thought-leaders from across the nation will assemble for the Philadelphia Bar Association’s National Symposium on Diversity in the Legal Profession on Tuesday, Nov. 8 at The Union League of Philadelphia.

“This symposium will be another significant milestone on our road to diversity and inclusion,” said Chancellor Rudolph Garcia. “The Philadelphia Bar Association is committed to improving diversity in our profession and these national leaders will help show us the way forward. We know there is much work to be done, and we stand ready to meet the challenge.”

The half-day symposium will begin with a luncheon featuring keynote speaker Robert J. Grey Jr., executive director of the Leadership Council on Legal Diversity. Grey is a past president of the American Bar Association.

During the opening plenary, a panel of local and non-local chief legal officers and law firm managing partners will discuss the importance of collaboration to advance diversity and inclusion in the legal profession; benchmarks to measure success; and best practices for the recruitment, retention and advancement of women and diverse attorneys.

Four concurrent breakout sessions will focus on topics such as the roles white men can play to advance diversity and inclusion in corporate legal departments and law firms; generational diversity and its impact in the workplace; successful pipeline initiatives and mentoring programs; and an employment law update.

The symposium runs from 12:30 to 5:30 p.m. and a VIP networking reception begins at 5:30 p.m. The VIP networking reception will provide a forum for discussion with remarks from a prominent speaker.

Speakers for the National Symposium on Diversity include:

• Thomas E. Cabaniss, managing partner, McGuireWoods LLP, Richmond, Va.;
• Virginia G. Essandoh, chief diversity officer, Ballard Spahr LLP, Philadelphia;
• Mark Hershey, senior vice president, general counsel & secretary, Armstrong World Industries, Inc., Lancaster, Pa.;
• H. Eric Hilton, senior vice president, secretary and general counsel, H. J. Russell & Company and Concessions International, LLC, Atlanta;
• Alan J. Hoffman, co-chair and managing partner, Blank Rome LLP, Philadelphia;
• John L. Latham, partner, Alston & Bird LLP, Atlanta;
• Sophia Lee, chief counsel-litigation, Sunoco, Inc., Philadelphia;
• James G. Liepold, executive director, NALP: The Association for Legal Career Professionals, Washington, D.C.;
• Curtis L. Mack, partner, McGuireWoods LLP, Atlanta;
• Robert A. Nicholas, partner and global director of legal personnel, Reed Smith LLP, New York;
• Karl A. Racine, managing partner, Venable LLP, Washington, D.C.;
• Robin Sangston, vice president, legal affairs, Cox Communications, Inc., Atlanta;
• Mark S. Stewart, chair, Ballard Spahr LLP, Philadelphia;
• Joel C. Trottier, senior counsel, GlaxoSmithKline, Philadelphia;
• Michael K. Tucker, executive vice president and general counsel, Avis Budget Group, Inc., Parsippany, N.J.;
• LeRoy J. Watkins, Jr., partner, Jackson Lewis LLP, Morrisstown, N.J.;
• Charles Phillips Wells, partner, Williams Mullen, Raleigh and Charlotte, N.C.;
• Gerry L. Williams, partner, DLA Piper, Atlanta;
• Sherry D. Williams, senior vice president, chief ethics and compliance officer, Halliburton, Houston; and
• Sandra S. Yamate, chief executive officer, Institute for Inclusion in the Legal Profession, Chicago.

For more information, contact Naomi K. McLaurin at 215-238-6340 or nmclaurin@philabar.org or visit nationaldiversitysymposium.org.

Visit philadelphiabar.org to register for the Nov. 8 National Symposium on Diversity in the Legal Profession.

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Be Prepared If and When Disaster Strikes

By Judy Stouffer

Could your business survive a disaster or attack? Are you prepared to get back into the game within just days, as opposed to weeks or months? While Philadelphia’s Meridian fire and the 9/11 attacks are memories—and earthquakes are, hopefully, only a remote possibility—climate changes that have resulted in tropical storms/hurricanes producing record precipitation and flooding are no longer remote threats in our area. Even if office buildings are unaffected, our ability to get to and from work could become challenging.

September was National Preparedness Month: “A time to remember. A time to prepare,” as declared by the U.S. Department of Homeland Security’s “Ready Campaign.” On Sept. 8, the Bar Association hosted a Business Continuity Workshop presented by the Philadelphia Office of Emergency Management (PhilaOEM). Representatives from PhilaOEM and Center City District’s “Alert Philadelphia” presented.

Regardless of the emergency, the recommended key steps to business survival are:

• Having a Plan. An ideal plan will identify the person(s) in charge and include an emergency contact list. Information should include personal email addresses, cell and home phone numbers and addresses. The plan should also include preparation for evacuations (e.g., meeting place and/or offsite/out-of-state contact), as well as sheltering in place (e.g., earthquake—where to go?). Be sure to include accommodation for special needs. At a minimum, all firms (and homes) should have a charged phone, battery-operated radio, flashlight, first aid kit and water supply.

Identifying an alternate location to work and developing a mutual aid agreement with other businesses to share facilities during emergencies is recommended. A more environmentally conscientious method is to establish remote access to your firm’s records and data for all employees. Maintaining electronic copies of all documents is critical to quick recovery following a disaster. Taking that a step further and quoting the Pennsylvania Bar Association’s Law Practice Management Coordinator, Ellen Freedman, CLM: “If you are not already backing up on a cloud, you should be.” Note: The Philadelphia Bar Association utilizes cloud storage, which is a necessary backup option should in-house servers and hard drives be destroyed or inaccessible.

As for onsite access, having firm representatives enrolled in the Corporate Emergency Access System (www.CEAS.com) pre-event credentialing program authenticates critical employees through secure IDs and affords those employees access to restricted areas. Firms are required to authenticate employees essential to business recovery and to comply with insurance/indemnification requirements. Having appropriate insurance coverage and understanding the policy and what is covered before an event occurs is crucial.

• Staying informed. Contrary to popular opinion, social networking sites and some local news agencies may not provide the most up-to-the-minute, accurate information. PhilaOEM recommends staying tuned to KYW 1060 and/or checking their site (www.phila.gov/ready); Alert Philadelphia recommends signing up for their emergency text-based notification system (www.AlertPhiladelphia.com), which is a joint effort of the Center City District and the Philadelphia Police Department. Certain newsstands throughout the City (39) are equipped with LED screens for providing emergency information through Alert Philadelphia. ReadyNotifyPA.org is another community alert system (via text or e-mail) organized by county, and includes Gloucester County, N.J.

The best defense is not only a good offense when it comes to football, but also to emergency preparedness. Staying informed, as well as periodic review of the plan, training your staff and practicing the plan are essential elements to successfully reestablishing your practice following a disaster.

Judy Stouffer (JStouffer@bernerklaw.com) is the law firm administrator and senior paralegal at Berner Klaus & Wagner LLP. She co-chairs the Bar’s Greens Ribbon Committee and is on the Board of The Philadelphia Association of Paralegals.

Frontline

continued from page 3

to Any Judge! The Lasting Implications of Luzerne County.” This program will take a candid look at current practices in our justice system, examine the impact of the kids-for-cash scandal on the public’s perception of our courts, and suggest ways to promote positive change. This opening session promises to be provocative, informative and inspirational.

After an abundant array of other CLE sessions with something for everyone, networking breaks and a grand reception, we will conclude with detailed updates on developments and future initiatives in our state court system, from our honored judicial leaders: Pennsylvania Supreme Court Chief Justice Ronald D. Castille; Superior Court President Judge Corrèa F. Stevens; Commonwealth Court President Judge Bonnie Brignac Leadbetter; Philadelphia Court of Common Pleas President Judge Pamela Pryor Dembe; and Philadelphia Municipal Court President Judge Marsha H. Neifield.

For those of us who find that there are never enough hours in the day to represent clients, nourish our careers and keep up with colleagues, the Bench-Bar Conference and our Federal Bench-Bar Conference, hundreds of additional networking opportunities within our sections and committees, free legal research through Fastcase, and drastically reduced pricing for job listings in our Bar Classifieds, are just a few of the many ways our bar association strives to help you enhance and grow your practice. I hope all of you will take full advantage of these extraordinary benefits.

Chancellors Visit Villanova

Chancellor Rudolph Garcia, Chancellor-Elect John E. Savoth and Vice Chancellor Kathleen D. Wilkinson met with Villanova University School of Law students where they discussed the benefits of Bar Association membership on Sept. 14. Students packed the standing-room-only event.

Online registration is available until Wednesday, Oct. 12 at philabenchbar.org. Advance registration also provides you with the opportunity to save $25 on the Friday night Grand Reception. Onsite registration will also be available, as space permits.

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Rudolph Garcia (chancellor@philabar.org), a partner with Buchanan Ingersoll & Rooney PC, is Chancellor of the Philadelphia Bar Association.

NBA Women Phila. Chapter Marks 30 Years

As the Philadelphia chapter of the National Bar Association Women Lawyers Division celebrates its 30th anniversary, the group looks back to three extraordinary women who reached out to the group at its inception and served as mentors to the members of the NBA-WLD Philadelphia individually and to the group as a whole.

The three — Dr. Sadie T.M. Alexander, Judge Doris May Harris, and Justice Juanita Kidd Stout — are remembered for their contribution to the original members of the organization.

The Philadelphia chapter was formed in 1981 by Lydia Y. Kirkland, Angela E. Nolan and Beverly Williams. African-American women attorneys were “summoned” to appear at the group’s first meeting, which was held on July 1, 1981, at the then Temple University School of Law. Fifty women attended that first meeting. The group now has more than 300 members.

Read more about the National Bar Association and its mentors in the Winter 2011 edition of The Philadelphia Lawyer magazine.
Commission Reports on ‘Justice in Balance’

by Lisette M. McCormick

PHILADELPHIA BAR ASSOCIATION

Chancellor Rudolph Garcia, District Attorney R. Seth Williams, and Chief Public Defender Ellen Greenlee opened a spirited discussion on Sept. 15 about the challenges and successes of addressing disparities, fostering diversity and seeking fairness within the Pennsylvania justice system.

Each spoke to open the annual public meeting of the Pennsylvania Interbranch Commission for Gender, Racial, and Ethnic Fairness, or The Commission for Fairness. More than 60 judges, legislators, court administrators and community advocates attended the event. Since its appointment by the three branches of government in 2005, the Commission has been working to implement the recommendations from a 2003 report by the Supreme Court Committee on Racial and Gender Bias in the Justice System. Pedro Cortes, the Commission’s chair, welcomed participants to the annual meeting and explained how the Commission works through its six committees: criminal justice, domestic violence and sexual assault victims, equal opportunity and diversity, interpreter services, jury service, and gay, lesbian, bisexual and transgender (GLBT) rights.

Officials from the Commission presented the 2010-2011 annual report, “Justice in the Balance,” and discussed its focus on how the courts can ensure that justice is being served in the thousands of criminal cases adjudicated every day in Pennsylvania.

The report highlights the crime of human trafficking as an example of when justice truly “hangs in the balance,” that is, when law enforcement officers or a judge must distinguish between victim and criminal offender. It also cites sobering statistics about the practice of commercial sexual exploitation of women and children around the country and within Pennsylvania, including findings that an estimated 100,000 to 300,000 American children are sold for sex each year; the average age of entry into the commercial sex industry in this country is between 12 and 14 years old; and the life expectancy of adolescent sex trafficking victims is five to seven years. The report states that while Pennsylvania has passed anti-human trafficking laws enabling law enforcement to prosecute the traffickers, rather than the victims, they are rarely used.

In response to this injustice, the Commission announced that it is sponsoring a special training session for prosecutors, law enforcement, child welfare workers, and other stakeholders in southwestern Pennsylvania on Oct. 17 in Pittsburgh. The program will feature two detectives from a special prosecutions unit in Dallas, who have built a successful program to identify and rescue high-risk victims and prosecute their traffickers. Through its Committee on Domestic Violence and Sexual Assault Victims, the Commission is also supporting pending anti-human trafficking legislation, such as state Sen. Daylin Leach’s bill requiring the posting of hotline information for victims in bus stations, truck stops, turnpike rest areas and other locations.

The annual report also details the Commission’s success in advancing two important objectives to institute reform within Pennsylvania’s criminal justice system. With the support of the Pennsylvania Supreme Court, the Commission launched the first statewide study of racial, ethnic and socioeconomic disparities in the imposition of the death penalty. Headed by three renowned criminal justice researchers from Penn State University, the study is scheduled to be completed by spring 2013. Additionally, through its executive director, the Commission played a key role in the recent indigent defense study by the Pennsylvania Joint State Government Commission. The committee is planning to help launch a statewide coalition to educate the public and legislature about the need for the major reforms recommended in the study.

Among other achievements, the report cites the Equal Opportunity and Diversity Committee’s efforts to increase diversity in the court workforce by training judges and promoting its special manual “Creating a Diverse Workforce in the Pennsylvania Courts: A Manual for Success”; and the work of its GLBT Rights Committee in submitting a proposed rule of court to the Supreme Court to standardize local court procedures and eliminate barriers to second-parent adoptions.

The report also acknowledges the ongoing efforts of its Interpreter Services Committee to sponsor training seminars for interpreters, attorneys and judges, and in helping to produce translations of key court documents in five languages. A recent initiative of the Jury Service Committee to help judicial districts establish minority representation baselines to track jury diversity is also highlighted in Commission’s annual report.

The meeting closed with a question-and-answer session in which audience members raised new matters for the Commission to address and extended offers to collaborate on issues of common concern. For more information on the Commission’s initiatives and to access its interactive reports visit www.pa-interbranchcommission.com.

Lisette McCormick (Lisette.mccormick@ pacacourts.us) is executive director of the Pennsylvania Interbranch Commission for Gender, Racial, and Ethnic Fairness.

Immigration Bar Loses a Champion

By Wendy Castor Hess

The Philadelphia legal community lost a great champion of justice and a true “lawyer’s lawyer,” Matthew Baxter on Sept. 15. Initially trained as a commercial litigator, Matthew turned his talents — and his heart — to helping those in the immigrant community.

Fluent in Russian, throughout his legal career, Matthew served his clients and the community in many capacities, including as Chapter Chair of the American Immigration Lawyers Association (AILA) in Philadelphia, as a board member of HIAS (Hebrew Immigrant Aid Society) of Pennsylvania, as a volunteer for the Philadelphia Bar Association’s Indigent Program and as chair of the Philadelphia Bar Association’s committee on New Americans.

Despite his busy schedule, Matthew always found the time to mentor both older and younger colleagues, always generously and unselﬁshly sharing his knowledge, strategies and “trade secrets.” To Matthew, sharing was what one did to better the profession and help the client.

Matthew loved the law, almost as much as he loved his wife and fellow attorney, Bonnie Allyn Barnett, a managing partner at Drinker Biddle & Reath LLP. He viewed each immigration statute and regulation as a challenge, as a piece of the puzzle he needed to unravel in order to secure justice for the clients he so zealously represented.

Even after his diagnosis with cancer nine years ago, Matthew continued to approach life with gusto. Matthew’s smile was the first to greet you when you walked into the room. His innate kindness, his gentlemanly demeanor and obvious enjoyment of his friends and family made him the type of person you just wanted to be around. In the last few months of his illness, Matthew, from his hospital bed, quietly continued to mentor his AILA colleagues and to represent his clients. His death leaves a great hole in our hearts but through the hundreds he has helped and lives he has changed his spirit will forever live on.

This spring, the Philadelphia Chapter of AILA will dedicate its immigration seminar to Matthew, who we know will be listening carefully and smiling.

Wendy Castor Hess (wendy@goldblumhess. com), a partner with Goldblum & Hess, is chair of the Immigration Law Committee.
quality of justice in all aspects of our system. Through a multidisciplinary panel, we will try to step outside of our daily roles within the system and look at the impact of our conduct from the public's point of view. We will then discuss what each of us can do to promote positive change and whether there is a role for the Bar Association in this process.

Panels for this 1.5 ethics credit program include Pennsylvania Superior Court Judge Anne E. Lazarus and Eric H. Weitz; Ogletree is the Jesse Climenko Professor of Law and director of the Charles Hamilton Houston Institute for Race and Justice at Harvard University.

CLE programs are being offered by the Appellate Courts Committee, Bar-News Media Committee, Business Litigation Committee, Criminal Justice Section, Diversity in the Profession Committee, Family Law Section, Federal Courts Committee, Professional Responsibility Committee, Probate & Trust Law Section, Public Interest Section, State Civil Litigation Section, Workers’ Compensation Section and Young Lawyers Division.

A State of the Court presentation will also be offered for CLE as the closing program on Saturday, Oct. 14. Panelists for this session include Pennsylvania Supreme Court Chief Justice Ronald D. Castille, Pennsylvania Commonwealth Court President Judge Bonnie Brigance Leadbetter, Pennsylvania Superior Court President Judge Corinne F. Stevens, Philadelphia Court of Common Pleas President Judge Pamela Dytos Demble and Philadelphia Municipal Court President Judge Marsha H. Neifield. All programs are subject to change.

Shelli Fedullo and Jeffrey S. Gross are co-chairs of the 2011 Bench-Bar & Annual Conference.

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. All hotel rooms will be located in the Waterfront Tower. Reservations can be made by calling 1-800-345-7253 and mentioning the “2011 Bench-Bar & Annual Conference.” In-person registration for the Bench-Bar & Annual Conference will be available at Harrah’s.

Sponsors for the Bench-Bar & Annual Conference are USF Affinity, The Legal Intelligencer, Iron Mountain, IAMCS, LexisNexis, Lien Negotiation Counsel and Love Court Reporting.

The Philadelphia Bar Association would like to thank the following for providing scholarships to public interest attorneys, who can attend the Bench-Bar & Annual Conference: Duffy & Partners; Feldman & Pinto, P.C.; Jeffrey S. Gross; Kline & Specter, P.C.; Kower & Rush, P.C.; Messa and Associates, P.C.; Raynes McCarty; Rosen, Schafer & DiMeco, LLP; the State Civil Litigation Section; and US Claims Inc.

Conference Schedule

Friday, Oct. 14
9:30 a.m. .................................................Registration
11:30 a.m. .............................................Lunch
12 p.m. ..............................................Welcome and Opening Plenary Session
• I’m Not Saying That to Any Judge! The Lasting Implications of Luzerne County
2 p.m. .....................................................CLE seminars
• Civil Gideon: What Is it and Why Is it Needed?
• Attorney-Client Privilege in the Corporate Environment: Practical Approaches and Recent Developments
• Nuts and Bolts of Municipal Court Practice for Criminal Practitioners
3:15 p.m. ................................................CLE seminars
• Subrogation, Set-Aside, Etc.: What You Need to Know But Were Afraid to Ask
• Facing Facebook, Facing Ourselves: Social Media in Child Custody Litigation
• Survey Says: An Empirical Look at Diversity in the Legal Profession
4:30 p.m. ................................................CLE seminar
• Tom Kline’s Real World in the Courtroom: Real

Testimony, Real Trials
6 – 9 p.m. .............................................Grand Reception at The Pool at Harrah’s

Saturday, Oct. 15
8 a.m. ......................................................Breakfast and registration
9:30 a.m. ................................................CLE seminars
• Problems with Misidentification Issues in Criminal Cases
• Is Anything Private Anymore? Testing the Limits of the Public’s and Parties’ Right to Know in Civil Litigation
• Must I, May I, Should I: A Primer on When to Appear
10:30 a.m. .............................................Break and hotel checkout
11 a.m. .....................................................CLE seminars
• Civil Consequences of Criminal Convictions
• Social Media and Litigation: Wrangling the Wild West
• Orphans Court for the Uninitiated
12 p.m. .....................................................Lunch and Closing Plenary
• State of the Courts

Win iPad 2 at Bench-Bar

Every Bench-Bar & Annual Conference guest will have a chance to win an iPad 2.

Each Bench-Bar attendee will receive a welcome packet that includes a “passport” on which every Bench-Bar sponsor will be listed. Each attendee simply needs to take his or her passport to each of the sponsor tables at the event, talk a bit with the representative(s) there, and have the sponsor stamp the passport next to their company’s name.

Once every sponsor at the event has stamped the passport, attendees can drop it off at the registration desk to be automatically entered into a raffle for an iPad2. The raffle will be held at the end of the Bench-Bar & Annual Conference on Saturday, Oct. 15 and the winner must be in attendance to claim the prize.
Engaging Your Clients’ Interest in Philanthropy

By Jackie B. Lessman

This interview series conducted by PNC Wealth Management Senior Vice President Jackie Byrne Lessman, CFP®, explores topics relevant to the legal community ranging from investment management, wealth planning, trust and estate administration services and other PNC Bank, National Association (PNC) areas of expertise.

Lessman specializes in working with law firms and attorneys regarding their banking needs, as well as provides services to class action plaintiff firms and claims administrators. Lessman leverages PNCs in-depth resources to offer support and solutions to regional law firms and attorneys.

In an interview with Jacquelyn Brennan-Boyer, J.D., LL.M., a vice president and senior wealth planner with PNC Wealth Management, we discussed the importance of philanthropy to practitioners and their clients.

Jacquelyn Brennan-Boyer: Charitable giving can play an important role in estate planning, but what are some of the more concrete benefits a client can receive from charitable giving?

Jacquelyn Brennan-Boyer: There are numerous tax breaks. There is the potential for a current income tax deduction if your client itemizes (subject to certain percentage limitations for any one year). Because of the tax benefit received, the cost of the donation is reduced (e.g., a $100 donation from someone in a 30 percent tax bracket has a net cost of $70). A charitable gift of appreciated property can reduce or eliminate capital gains tax. Your client is not exposed to any gift or estate taxes in the transfer. Any future appreciation of the donated property is removed from your client’s taxable estate.

Jackie Byrne Lessman: Following the economic turmoil of 2008, PNC Wealth Management did a Wealth and Values survey. What were some interesting findings from the study in relation to charitable giving?

The survey showed that values are more important at the end of the day than money. Investments are not the end, but the means to the end. Living well and within one’s means is always important. Tensions between lifestyle and giving and concerns about heirs’ values are heightened now and may be for some time to come.

Jackie Byrne Lessman: If the impulse to give is forefront on your mind, how can we engage our clients in this way to deepen our relationships with them?

Jackie Byrne Lessman: According to the organization Foundation Source, you need to understand that your client’s philanthropic ideas are driven primarily by two missions. The external mission emphasizes what the charitable endeavor is meant to achieve in the community. The why, how and for whom. The internal mission is an expression of how the charitable endeavor will function as a vehicle for family building, education and the transfer of family values from one generation to the next. As a practitioner, you might choose to focus your client on increasing family participation and cohesiveness, perpetuating family traditions, building core abilities, preserving family history and/or training future generations.

Jackie Byrne Lessman: What are some recommended steps to create a strategic plan for family philanthropy?

The first step is to explore your client’s shared charitable values in the family unit. This will involve evaluating the family’s current value structure and previous giving history. In this beginning step, the family advisor will also want to look for resources that will help the family work together as a team. The second step is to find a focus. This will involve developing the family’s vision, mission and guiding principles supporting their philanthropic focus. The third step is helping the family get educated. The family will need to understand the community in which they want to serve and the issues facing that community. They will also want to develop skills and competence that will serve the implementation of their family philanthropy goals. The fourth step is to organize the effort. While this is the area where you would normally expect your expertise to come in handy, if you cannot guide your client’s family through the first three steps, there will be no success in implementation of their plan. Your capacity as an advisor to engage your clients in the process and then guide them through it will differentiate you from the competition.

Jackie Byrne Lessman, CFP® (jacqueline.lessman@pnc.com; 215-585-5831), is senior vice president at PNC Wealth Management.

For more information, visit pnc.com/wealth-management
Bar Foundation

Grants Committee Assesses Groups’ Needs

Each September, we at the Philadelphia Bar Foundation do something wonderful. We interview each of the executive directors of our grantees. We do it so that our Grants Committee (now under the able leadership of Mike Adler) can begin the process of learning about what our organizations have done in the past year and to assess their requests for funding.

The wonderful thing about it is that we hear in those interviews the details of what we already know in very general terms—what the services provided by the legal services organizations and the results they have achieved despite very limited resources are quite extraordinary. A few examples illustrate the point perfectly:

• The Pennsylvania Innocence Project helped to free a man who was incarcerated for 28 years for a crime he did not commit.
• The Pennsylvania Institutional Law Project won a case against a Pennsylvania prison that shackled prisoners to the wall in a makeshift dungeon as a form of punishment.

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VIP Honors David Stern

Philadelphia VIP recognizes David F. Stern for his outstanding volunteer assistance to VIP clients as volunteer of the month.

Stern describes volunteering for Philadelphia VIP as a natural extension of his practice. A partner with Pond Lehocky Stern Giordano, Stern concentrates his practice in the area of Workers’ Compensation litigation, representing injured and disabled workers.

“The very nature of my business is helping people who need help,” he says. “I felt the need to extend that to those who desperately need it. The organizations that provide legal assistance to those who need help, I believe that every lawyer in our community. I believe that every lawyer in our community should serve is slipping.”

Fred’s approach is to leave no stone unturned: “Many lawyers in Philadelphia earn a good living representing paying clients but are unable to find much time to represent the less fortunate people in our community. I believe that every lawyer in the city should at the very least help the organizations that provide legal assistance to those who need it. The easiest way to do that is by donating to the Bar Foundation.”

For his ongoing dedication to helping our clients, Philadelphia VIP offers its appreciation to David F. Stern, VIP Volunteer of the Month.

Wendy Beetlestone (wbeetlestone@hangley.com), a shareholder with Hangley Aronchick Segal & Pudlin, is president of the Philadelphia Bar Foundation.

The plan for 2011 is to have liaisons at the firms in Philadelphia with 50 or more attorneys. Those liaisons will solicit their partners and counsel to give to the Bar Foundation. Our goal is to have 100 percent participation from the targeted firms.

We know this is possible because in 2010, Mitchell Bach asked for and received contributions from every single person who was in a position to give at his firm, Eckert Seamans. “Fred Magaziner asked me to solicit at my firm and since I consider him a friend, I couldn’t say no. I don’t have much experience with fundraising, but I went to a meeting with the Amy Cininsky, the Bar Foundation president last year, and was inspired by her commitment. Our firm has a culture of support for pro bono efforts in Philadelphia and since the Bar Foundation supports those efforts, I found that my colleagues were happy to help.”

This year we’re adding a competitive element to the campaign—prizes! All donors who give $200 or more and all solicitors who get more than 50 percent participation at their firms will get a chance to win an overnight stay in New York with dinner and tickets to a show. It is a rule of thumb in fundraising circles that most individuals give because they are asked. So when someone at your firm asks for your support for your Philadelphia Bar Foundation, we are hoping that your passion for your profession and for the good that it can do prompts you to write a check so that those who can’t afford to hire you can get the legal services they need.

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Firm Grows From Humble Start

By J. Michael Considine Jr.

In 1984, Kosh Daphtary and his wife, Surma, started Chemtech Interna-
tional Inc with $400. From that modest beginning, Chemtech has been named a "Pennsylvania 100" company as well as a recipient of the U.S. Department of Commerce U.S. Commercial Service’s International Export Achievement Award for Export Accomplishments in the Global Marketplace.

Kosh Daphtary and his son, Neel, spoke at a recent meeting of the International Business Initiative Committee on how Chemtech, an environmental/safety/materials handling company, grew internationally.

With bachelor degrees in chemical en-
ingeering and chemistry; a master’s degree in chemical engineering and completion of the Wharton School of Business and Management Graduate Program, Kosh came to Philadelphia in 1976 and worked in a variety of industries, including pulp and paper; plant design, consulting and construction; and chemical. He also gain experience in environmental, plant safety and materials handling.

When he and his wife started Chem-
tech, international environmental compli-
cations was an emerging field. The business started in the U.S. as a sales representative for a few good manufacturers and some customers. In 1986 he went to Singa-
pore, Thailand and Malaysia for a month to explore business and export opportu-
nities. He knew no one in these countries. He explored the areas and learned the business etiquette and social culture. He taught his wife the business and gave technical training pertaining to the prod-

cuts Chemtech sold. She kept in touch with the domestic and overseas custom-
ers, and took care of administrative and day-to-day operation of the company.

Kosh met a few young entrepreneurs in Singapore, Thailand and Malaysia, in-
terviewed them, and gave them technical training to become distributors. He spent 60 to 70 percent of his time overseas, one to two months at a time. His vision was the U.S. market would be saturated with the products his company was marketing. He went to manufacturers and partnered with them to market and distribute their products internationally.

He went on a few trade missions with former Gov. Tom Ridge and Mark Schweiker and the Pennsylvania Department of Economic Development to Central Europe, Hong Kong, Taiwan, Australia, South Africa and meet with the Chamber of Commerce. He worked with non-profit organizations authorized to mail at nonprofit rates: the purpose, function and nonprofit status of this organization and the exempt status for federal income tax purposes has not changed during the preceding 12 months. 12. Publication Title: Philadelphia Bar Reporter. 14. For each issue during the preceding 12 months. 15. Number of copies of single issue published nearest to filing date: 11,052.

By J. Michael Considine Jr.

Colombia’s strengthening economy makes it an attractive place for American companies to do business. Lynne Letcher, general counsel for LEFA International, recently told members of the International Business Initiative Committee.

LEFA International manufactures furniture, hardware and processed wood, with offices in King of Prussia and Miami and does business in the United States, Latin America and Western Europe. Letcher discussed issues she deals with in her job. Her company manufactures in Colombia for Henredon, Century, Ralph Lauren and Martha Stewart and other clients and, like companies accounting for 96 percent of sales, is closely held. Arbitration in Colombia can take three to five years to arbitration with 44 different court systems, is unpredictable. It is important to hire trustworthy competent counsel using a written fee agree-

To be sure all the needs and expecta-
tions of the client are stated clearly in writing and translated into Spanish with a certification of translation. An authenticated translation can be done by an attorney.

Colombia uses notaries, different from notaries in the U.S. and similar to the solicitors in the U.K., attorneys who do not litigate. They provide advice on civil law issues and are important in business transactions. All important documents, including bylaws, resolutions, minutes, accounting books and agreements must be translated, registered (which is neces-
sary for it to be admitted into evidence in court) and authenticated with an exact copy notarized.

Since litigation and arbitration are to be avoided, if possible, careful drafting is imperative. Company legal representa-
tives must be registered at the Chamber of Commerce. Shareholders agreements.
Chemtech  
continued from page 18

Chemtech has exclusive agreements with certain manufacturers. Products often are custom-made based upon Chemtech’s specifications and formulations. Many have shelf-life, including microbial products for wastewater treatment and test kits for water quality analysis. Hence their products are made and shipped when orders come through. Chemtech finds U.S. manufacturers to meet its international customers requirement.

Processes were developed to treat plant wastewater and reuse effluent for in-plant showers or toilets or floor or equipment washing to save on water usage. In many developing countries, water is quite expensive. Treated water must be disinfected to make it potable. Chlorine is used to disinfect water. Kosh sought out U.S. manufacturers who made chlorine cylinders, valves and safety equipment and partner with them.

Kosh keeps his eyes and ears open when he tours plants and finds a few of his products he can sell to his customers. DuPont started an initiative to decrease packaging and solid waste in many of its plants in the U.S. and globally. Chemtech met DuPont’s need by introducing a novel concept of using reusable/returnable plastic, heavy-duty, long lasting containers. BMW and many of its parts suppliers in the U.S. and Germany needed returnable, reusable plastic containers of specific sizes to ship auto parts from auto parts manufacturers to BMW assembly plants in the U.S., Germany and South Africa. Chemtech partnered with a U.S. manufacturer who manufactured such containers to meet its customers’ requirements.

Chemtech has 10 to 12 product lines representing other manufacturers and its own product brand. Distributors send orders each month. It handles its own shipping to avoid errors, and ships its products via air and/or ocean freight. Orders under $50,000 require 100 percent payment in advance via wire transfer. When letters of credit are used, the buyer must pay for the banks’ transaction fees. Credit cards are also accepted for small orders.

Finding good distributors is crucial. Distributors should have experience in the industry, be willing to learn, have technical background, have customer base, sales staff, and have the resources to properly market products. Agreements with distributors specify they cannot sell competitors’ products and will be terminated if they alter the formulation of the products. None are given exclusive territories. Chemtech has no indent agents. It does not pay distributors and their staff any compensation or out-of-pocket expenses to stock and market its products. All distributors are given the same discounts off the list prices in order to create level playing field. Besides the discount Chemtech offers, distributors mark up their own reasonable profits.

Removing the discount is a cheap way for it to end a distribution arrangement. The agreements do not allow its distributors or their customers to deal directly with Chemtech’s suppliers or manufacturers.

At the World Trade Center of Greater Philadelphia, Kosh has been a member on its Advisory Committee since its inception. Also, he is on the Advisory Committee of the USA-KENYA Chamber of Commerce office in Philadelphia.

Pennsylvania exports several hundred millions dollars of products and services annually, and is among the top five among all the states. Chemtech works to have good working relationships U.S. Commercial Offices overseas; World Trade Center of Greater Philadelphia; and Pennsylvania Department of Community and Economic Development. Its key to success is to have the highest quality products in the industry; good relationships with its distributors and customers, hard work, willing to take calculated risk, and stay focused.

J. Michael Considine Jr. (adventure7@juno.com) is chair of the International Business Initiative Committee.  

The Summary of Benefits and Coverage is a standardized description of the benefits and coverage available under the group health plan (or policy in the individual market).
Colombia  
Continued from page 18
which must be issued and registered, are legally required and essential to protect the interest of minority shareholders. Only by written provisions in the bylaws can they be given a written right of first refusal and to restrict the general manager of a Colombian corporation. Mergers may trigger a required buyout of minority shareholders. Interpersonal relationships may cause the corporation to lose a valuable employee.

Colombia has limited stock corporations, stock corporations, LLCs (the form most used by foreigners) and simplified stock corporations. Bankruptcy is difficult to enforce. Non-compete clauses are illegal. American citizens pay taxes on shareholders' dividends. Colombia has free trade agreements with South American countries and the EU. But not with the U.S., its largest trade partner. If it did it would help U.S. business here. There is much potential for U.S. companies in Colombia. The dollar is weak compared with the Colombian peso. Most Colombian goods, including furniture, come to the U.S. tax free, but there is a 35 percent tax, for example, on U.S. cars entering the country. Seventy percent of government officials are union but less than 50 percent of private companies are unionized. Growth industries and opportunities for U.S. firms in Colombia include mining, plastics, oil and gas, tourism, machinery, wireless, information technology, security, automotive parts and accessories, electrical power systems, food processing, medical equipment, pollution control and infrastructure.

China is investing heavily in infrastructure, hydro, energy and commodities and is increasing its influence and its trade more than 50 percent. Brazil is investing heavily in mining. With the fifth largest economy and fastest growing Internet market in Latin America and two sea coasts, tremendous natural resources and a stable democracy, Colombia presents great opportunities for U.S. companies, which should invest more before other countries increase their presence. Foreign employees are limited to 10 percent of the general work force in any company, but specialists may comprise up to 20 percent. In free trade zones taxes may be only 15 percent as opposed to 35 percent elsewhere.

Intellectual property rights are a problem. There are many knockoffs of protected products. The government tends to protect Colombian firms and stopped TCBY Yogurt from being established due to TUBY, a Colombian dairy product.

The activity of drug lords has diminished but has influence in remote areas where coca and bananas are the cash crops. Often a private attorney is needed to prosecute criminal activity. The tutela is an action in court to enforce human rights. The younger generation is working toward more human rights protection and there are internships and pro bono cases emerging in litigation. Colombia has made great improvements since its drug haven days. The government has made fighting drug terrorism a priority, created stability and promoted a strong economy and democracy. The world has come to Colombia because it is a favorable place to do business.

J. Michael Conditine Jr. (adventures72@juno.com) is chair of the International Business Initiative Committee.

Feasts to Famine

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I must start nearly at the beginning. Nicholas Nastasi and I were sworn in as Philadelphia assistant district attorneys before gentle and wise Judge Canuso in 1968. Our group picture, taken that day, shows the gleaming visage of Artie Specter overseeing our admission to his staff. Nick removes the handsomest of the legal lot, and his recent opening of an Italian Market eatery is no surprise to anyone. Cooking professionally has always been this noted defense attorney’s dream.

A photograph of his parents’ wedding picture hangs alongside his grandparents’ portraits, framed prominently so as to be essential in our presence. For it is from his family (mostly his mother Nina’s daily breakfasts, lunches and dinners) that Nick learned the recipes and cooking techniques of Messina (San Pier Niceto village) that have jumped to the table. Nick usually serves this himself in a bustling open rear stainless-steel silver kitchen.

If local pea soup ($4) is the “zuppa del giorno,” promptly enter an order. The emblem brood is served in a steaming large white coffee cup. “The peas are local,” states Nick with pride, and as if sworn to tell the truth, knowing it to be so because he gardens and guards the restaurant’s vegetables and herbs himself. The soup is opaque and brawny with pancetta. A few spoonfuls endeavor your heart to its freshness while your lips remain sticky enough to lick. A hint of mint sprouts from a drowned, hidden leaf, and the soupsoon is forgotten in favor of sipping eagerly and directly from the cup. “Peas of mind” is pervasive.

Nor can you refrain from roasted Cubanelle peppers ($7) stuffed with breadcrumbs and Italian herbs. Well-oiled skinned, sautéed green pepper strands, just wide enough to be shamelessly covered in basil and cheese-infused crumbs, appear to beg you to undress and devour them. Each mouthful is verdant, softly crusty and faintly redolent of garlic. You wish not to swallow, and allow the mellance to linger and languish.

Notwithstanding all of the above, imported pasta is the specialty here. You’ve never had better ricotta malfati ($18), or sacchetti pasta purses ($19). The former are six ricotta-filled pillows that could only have been made by prestidigitation. Whether pure white or with spinach (best to order three apiece), each pillow seems to rise on its own, levitating toward your trembling utensil. Alighted by basil and rosemary, and soaked in a golden saffron butter sauce, the puffyy malfati gush luxuriously between your cheeks, and then disappear like a magician’s trick: into “smirk and mummums.”

The sacchetti are purses you’d swear were manufactured by Fendi. They are imported little sacks of pasta, formed al dente to look like tiny tony purses. Each is brimming and overflowing with glutinous gorgonzola and finely ground walnuts, and then suffused in a cream sauce exulting with fresh green fava beans. Silken on your tongue, slippery as they pass down your throat, you are made to gape. One’s eyes dilate in delight.

Some of capacious belly should invite the osso buca di porco ($29) plated to the table. Nick usually serves this himself as it seems too heavy for any one waitperson to lift. The pork Shank has a handle of bone from which emerges a brontosaurus-sized thigh sweating with meat so tender and juicy, you are tempted to first take its Jurassic picture to prove its existence to others. Swarthy morsels are pulled from the bone by the slightest quivering touch of a knife. The taste of gravy and seasonings tumble from osso’s girth. And Nick always provides in a feigned wily whisper (especially if you’re an attorney), “I gave you the biggest one.”

The huge oval platter is supplemented with a monstrous mound of risotto in the shadow of, and sweltering in “di Porco” broth. As added smoky flavor, thickly diced porcini mushroom caps abound therein.

Italian opera is played pianissimo throughout the meal in the small, homely first floor dining room. Nearby South Philly neighbors are omnipresent, and conversations cross tables with lively banter. When you leave, head a few feet south and look over your shoulder, back to get a full view of the mural of Frank Rizzo. He seems to wink and sternly smile at you, just as he had done when he passed the District Attorney’s Office at 666 City Hall in 1968.

QUO SPINOSIOR FRAGRANTIOR

By Skinny D’Beckel

Skinny D. Beckel (rbeckel@msn.com), a sole practitioner, is an advisory editor of the Philadelphia Bar Reporter. Read his reviews online at beckel.com.
Health Care Reform
continued from page 15

The Affordable Care Act also required the departments to develop standard definitions for insurance and medical-related terms, and other terms that will help consumers understand and compare terms of coverage and medical benefits.

An employer is required to make the glossary available within seven days of a participant request. The employer may also provide the document on an Intranet or Internet site or may link to the Internet site of either the Department of Labor or HHS. If the participant requests a paper copy of the document, the employer must provide it.


Failure to provide the SBC or the Uniform Glossary can result in a fine of not more than $1,000 where the responsible party willfully fails to provide the document. The fine may be assessed for each individual or entity for whom there is a failure.

For more information or to reach a USI Affinity Benefit Solutions Consultant, call (800) 265-2876 or visit benefits.usiaffinity.com.

CALENDAR OF EVENTS

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. Lunches are $8 for members and $9.50 for nonmembers, unless otherwise indicated.

Monday, Oct. 3
Family Law Section: meeting, 12 p.m., 10th floor Board Room. Lunch: $8.
Civil Rights Committee: meeting, 12 p.m., 11th floor Conference Center. Lunch: $8.

Tuesday, Oct. 4
Philadelphia Bar Foundation Board of Trustees: meeting, 12 p.m. 10th floor Board Room.
Women’s Rights Committee: meeting, 12 p.m., 11th floor Conference Center. Lunch: $8.

Wednesday, Oct. 5
Delivery of Legal Services Committee: meeting, 8:30 a.m., 10th floor Board Room.
Intelectual Property Committee: meeting, 11:30 a.m., 11th floor Conference Center. Lunch: $8.
Rules and Procedure Committee: meeting, 12 p.m., 10th floor Board Room. Lunch: $8.

Thursday, Oct. 6
Senior Lawyers Committee: meeting, 12 p.m., 10th floor Board Room.
Private Equity Committee: meeting, 12 p.m., 11th floor Conference Center. Lunch: $8.
Government and Public Service Lawyers Committee: meeting, 12:30 p.m., 11th floor Conference Room South. Lunch: $8.
Philadelphia Bar Reporter Editorial Board: meeting, 12:30 p.m., 10th floor Cabinet Room.

Friday, Oct. 7
LGBT Rights Committee: meeting, 8:30 a.m., 11th floor Conference Room South.
Workers’ Compensation Section Executive Committee: meeting, 10:30 a.m., 11th floor Committee Room.
Workers’ Compensation Section: meeting, 12 p.m., 11th floor Conference Center. Lunch: $8.

Monday, Oct. 10
Columbus Day: Bar Association offices closed.

Tuesday, Oct. 11
Section Chairs: meeting, 8:30 a.m., 10th floor Board Room.
Loss Control CLE Seminar: 8:30 a.m., 11th floor Conference Center.
Real Property Section Executive Committee: meeting, 11:30 a.m., Gibbons, PC., 1700 Two Logan Square, 18th and Arch streets.

Criminal Justice Section Executive Committee: meeting, 12 p.m., 10th floor Board Room.
Solo and Small Firm Committee: meeting, 12 p.m., 11th floor Conference Center. Lunch: $8.
Chancellor’s Forum: 4 p.m., The CLE Conference Center, Wanamaker Building, 10th floor. Registration: philadelphiabar.org.

Wednesday, Oct. 12
Civil Gideon Housing Committee: meeting, 9 a.m., 10th floor Board Room.
Immigration Law Committee: meeting, 12 p.m., 11th floor Conference Center. Lunch: $8.

Thursday, Oct. 13
Legislative Liaison Committee: meeting, 12:30 p.m., 10th floor Board Room. Lunch: $8.

Friday, Oct. 14

Saturday, Oct. 15

Monday, Oct. 17
Business Law Section Executive Committee: meeting, 12 p.m., 11th floor Conference Room South.
Young Lawyers Division Executive Committee: meeting, 12 p.m., 11th floor Conference Center.
Public Interest Section Executive Committee: meeting, 12 p.m., 10th floor Board Room.

Tuesday, Oct. 18
Cabinet: meeting, 12 p.m., 10th floor Board Room.
Compulsory Arbitration Committee: meeting, 12 p.m., 11th floor Conference Center. Lunch: $8.

Wednesday, Oct. 19
Advancing Civics Education Committee: meeting, 8:30 a.m., 10th floor Board Room.
Young Lawyers Division Cabinet: meeting, 12 p.m., 10th floor Cabinet Room.
Federal Courts Committee: meeting, 12 p.m., 11th floor Conference Center. Lunch: $8.

LegalLine: 5 p.m., 11th floor LRIS offices.

Thursday, Oct. 20
Family Law Section Executive Committee: meeting, 12 p.m., 11th floor Conference Room South.
Law Practice Management Committee: meeting, 12 p.m., 10th floor Board Room. Lunch: $8.
Health Care Law Committee: meeting, 12 p.m., 11th floor Conference Center. Lunch: $8.50.

Friday, Oct. 21
Social Security Disability Benefits Committee: meeting, 12 p.m., 11th floor Conference Center. Lunch: $8.
The Philadelphia Lawyer magazine Editorial Board: meeting, 12-30 p.m., 11th floor Conference Room South.

Young Lawyers Division/Public Interest Section: meeting, 12 p.m., 11th floor Conference Center. Lunch: $8.

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

Wednesday, Oct. 26
DLSC Management Subcommittee: meeting, 9 a.m., 10th floor Board Room.
Medical Legal Committee: meeting, 12 p.m., 11th floor Conference Center. Lunch: $8.

Thursday, Oct. 27
Elder Law Committee: meeting, 9 a.m., 10th floor Board Room.
Bar-News Media Committee: meeting, 12 p.m., 11th floor Conference Center. Lunch: $8.
LRIS Committee: meeting, 12 p.m., 11th floor Conference Room South.
Women in the Profession Committee: summit, 2:30 p.m., 11th floor Conference Center.

Monday, Oct. 31
Young Lawyers Division Executive Committee: meeting, 12 p.m., 10th floor Board Room.

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, 1101 Market St., 11th fl., Philadelphia, PA 19107-2955. 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@philabar.org.
Carolyn Hochstadter Dicker, of E. Carolyn Hochstadter Dicker, LLC, recently served as a speaker for the CLE program “Bankruptcy Basics for 2011” at Jenkins Law Library.

Jerry M. Leckey, a partner with Pond Lehocky Stern Giordano, has been re-appointed as a Committee Member of the Disciplinary Board of the Supreme Court of Pennsylvania.

Stephen A. Cozen, founder and chair of Cozen O’Connor, served as the keynote speaker at the 15th Annual America’s Claims Event held recently at the Hilton Riverside Hotel in New Orleans.

Robert L. Byer, a partner with Duane Morris LLP, has been reappointed to serve on the Pennsylvania Supreme Court’s Appellate Court Procedural Rules Committee.

Neil A. Morris, a partner with Archer & Greiner P.C., has been appointed labor counsel for Warnminster Township, Pa.

Hope Krebs, a partner with Duane Morris LLP, has been named president of the British American Business Council of Greater Philadelphia.

Mary S. Kohnke-Wagner, a shareholder with Marshall, Dennehey, Warner, Coleman & Goggin, has been invited to join the Pennsylvania Bar Association’s Family Law Section Summer Meeting.

Robert L. Sachs, Jr., managing partner of Sizer, Spivey & Sachs, has been elected chair of the American Association for Justice’s Nursing Home Litigation Group.

Michael Mattrion, president of Mattioni, Ltd., has been elected to the Board of Directors of the Maritime Academy Charter School of Philadelphia.

Mark L. Alderman and Suzanne S. Mayes, members of Cozen O’Connor, were recently appointed to the judicial nomination advisory panel for the Eastern District of Pennsylvania. Alderman has also been appointed to the board of directors for the NASDAQ OMX Futures Exchange, Inc.

James M. Penny Jr., a partner with Obermayer Reihmann Maxwell & Hippel LLP, was a featured presenter at SEPANPHAS’s industry association education event, Controlling Your Unemployment Compensation Costs: Discipline, Documentation and Defense on May 18.

Kathleen M. Tana of Willig, Williams & Davidson has been invited to join the Executive Committee of the Nicholas A. Cipriani Family Law American Inn of Court.

*Names Are News*

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