The following remarks were delivered at the Sept. 27 Board of Governors meeting.

Bar Executive Director Shear to Step Down

My tradition has always been enchanted with the intersection of numbers and letters. The movement of letters forming words and then layering on their numerical equivalent has fascinated scholars and other observers for several millennia. Always probing for further meaning, the process of gematria makes us stop and wonder.

Take, for example, the word equivalent of the number 18. The 10th and the eighth letters of the Hebrew alphabet form the word "chai" or life. Multiply that number by two and you have 36 or, one could argue, two lives.

Well, come this December, I will complete my 36th year employed by the Philadelphia Bar Association as its executive director. Put another way, the tradition says that I will have spent the equivalent of two lifetimes in this position.

That's pretty cool.

So, it's with this in mind, that I would like to extend my good fortune for one more year and conclude my tenure here effective Dec. 31, 2013. Thirty-seven years as your executive director is quite...
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Shear
continued from page 1

I have been proud to help be a part of this Bar Association that has dedicated itself in so many, many ways to the expansion of civil and human rights worldwide, as well as helping to ensure access to justice for all of our citizens. This is a great organization, and I am convinced that even greater days are ahead.

New thinking to problem-solving is needed for a new generation of lawyers totally conversant with new technologies and unburdened with traditional and even might I say, sexist approaches to parenting, organizational structures and attitudes that may begin and end with “that’s the way we’ve always done it.” That won’t work. While the oldest association of lawyers in America, we must remain the youngest and most dynamic in membership recruitment, benefits, uses of technology, community involvement and speaking out.

While certain approaches were once the way to go and were, perhaps, quite valuable, we must stress that they have only laid the foundation for a new path that must take us forward. This is no time for laurel resting or managing an association by inertia. Competition is fierce, and I’m not just talking about other organizations, although that is certainly there. I’m also referring to the competition for time. Time. Time for involvement... time for participation in the association and it’s committees and sections...time for family...time for reading and thinking. Time. Time. Time.

Kenneth Shear

By Jeff Lyons

Earn 6 CLE Credits at Bench-Bar at Revel

Registration must be received by midnight on Tuesday, Oct. 2 for the Bench-Bar & Annual Conference at Revel resort in Atlantic City, N.J. on Oct. 5-6. Walk-ins will not be permitted, including reception-only guests.

The Bench-Bar & Annual Conference, featuring 21 CLE seminars, provides attendees with the opportunity to earn CLE credit while networking with colleagues and members of the bench. Hundreds of attorneys and judges are expected to attend. A total of 6 CLE credits are available.

ABC News White House Correspondent Ann Compton will present opening keynote remarks at lunch on Friday, Oct. 5. Dick Polman, The Philadelphia Inquirer's national political columnist, will offer his election insights at breakfast on Saturday, Oct. 6. The conference will also feature a state of the courts presentation featuring the president judges of Pennsylvania courts.

CLE courses are being presented by the Advancing Civics Education Committee, Appellate Courts Committee, Bar-Newspaper Media Committee, Business Law Section, Criminal Justice Section, Diversity in the Profession Committee, Family Law Section and more.

Frontline Returns in November

Chancellor John E. Savoth's Frontline column will return in the November edition of the Philadelphia Bar Reporter.
**Receive One Month Free of Phila. Bar Lawyer Profiles**

**Association members can now showcase their professional profile on the homepage of the oldest association of lawyers in the United States and receive one month free.**

With Philadelphia Bar Lawyer Profiles, members can enhance their business development efforts by having their full professional profile displayed on the Philadelphia Bar Association’s website at philadelphiabar.org.

Additionally, “snapshots” of each profile with attorney photo, firm name and practice synopsis rotate directly on the homepage of the Association’s website, linking to the attorney’s full profile. All profiles are searchable by attorney name or firm name.

As a bonus, participants also receive a customized link to their Philadelphia Bar Lawyer Profiles full-profile page, which they can use for promotional purposes on their website, blog, social media and other marketing vehicles.

To maintain exclusivity, only 300 profiles are available as part of this unique marketing vehicle.

Lawyer Profiles are available as part of this unique marketing vehicle.

Their website, blog, social media and other outlets by having their full profile displayed on the homepage of the Association’s website.

Additionally, “snapshots” of each profile with attorney photo, firm name and practice synopsis rotate directly on the homepage of the Association’s website, linking to the attorney’s full profile. All profiles are searchable by attorney name or firm name.

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Lawyer Profiles, contact Lana Ehrlich at lawyerprofiles.com to take a tour of the service. Profiles can be created in just a few easy steps, and are instantly posted to the Association’s website for immediate viewing by colleagues, friends, family and potential clients everywhere.

Biographical profile fields that are displayed include photo, firm/practice name, position held, firm size, social media links, years in practice, degrees, accomplishments, bar memberships, publications, court admissions and CLE. Up to three areas of practice can be displayed.

For questions about Philadelphia Bar Lawyer Profiles, contact Lana Ehrlich at ALM at 215-557-2392, or lehrlich@alm.com. For technical questions, contact Barry Greenspan, chief technology officer at the Philadelphia Bar Association, at 215-238-6327, or bgreenspan@philabar.org.

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**PNC Achievement Award Nominations Due Oct. 11**

**Nominations are being accepted for the 2012 PNC Achievement Award (formerly the Fidelity Award). Nominations should be made in writing. Please include a detailed statement setting forth information and reasons why you are recommending the nominee for this award. The deadline for receipt of nominations is Thursday, Oct. 11. Nominations should be sent to Dawn Petit via email at dpetit@philabar.org or by mailing to: Philadelphia Bar Association, c/o PNC Achievement Award Committee, 1101 Market St., 11th Floor, Philadelphia, PA 19107. The criteria for the award are:**

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


**Notice to Potential Judicial Candidates**

The Commission on Judicial Selection and Retention of the Philadelphia Bar Association evaluates the qualifications of persons seeking appointment or election to the Philadelphia Common Pleas and Municipal Courts.

Individuals who wish to be considered for appointment or who are considering filing for the 2013 primary election as judicial candidates should contact the Commission on Judicial Selection & Retention c/o Charles J. Klitsch, Esq., the Bar Association’s Director of Public and Legal Services, to obtain a Judicial Evaluation Questionnaire, the Commission’s Guidelines for Evaluation of Attorney and Judge Candidates and Bylaws of the Philadelphia Bar Association.

In order to ensure that each candidate receives a full and fair evaluation, the completed questionnaire must be returned by Monday, Dec. 3, 2012 to “Judicial Commission” at 1101 Market St., 11th Floor, Philadelphia, PA 19107-2911. Also, candidates who have previously been evaluated by the Commission are invited to contact the Association to determine whether their ratings are current by calling Mr. Klitsch at (215) 238-6326. Individuals are reminded that under the Commission’s Guidelines, any candidates who do not participate in the Commission’s evaluation process will receive “Not Recommended” ratings if they continue to pursue either appointment or election.

Gaetan J. Alfano, Esquire 2012 Chair, Commission on Judicial Selection and Retention
Pro Bono Week Celebrates Giving Back

By Sara Woods and Jodi Schatz

Philadelphia will celebrate the fourth annual National Pro Bono Week beginning Oct. 22 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. Visit the National Celebrate Pro Bono website at celebrateprobono.org.

Prior to the official start of National Pro Bono Week, 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 two weeks of Road Shows will be held Monday, Oct. 1 through Friday, Oct. 12.

To schedule a Road Show, contact Jodi Schatz at jschatz@advokid.org or 267-546-9228.

This is a great opportunity for anyone interested in learning more about the role of a nonprofit board of directors and the laws governing nonprofits. To learn more about the Board Observer Program visit the Philadelphia Bar Foundation’s web page at philabarfoundation.org.

Throughout National Pro Bono Week, the Philadelphia public interest community will host a variety of events 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.

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 and Jodi Schatz are co-chairs of the Delivery of Legal Services Committee’s Pro Bono Committee.

Pro Bono Week Calendar

Tuesday, Oct. 23
• Philadelphia VIP Pro Bono Opportunities Day: The Ethics of Pro Bono Service, from 8 to 11:30 a.m., at the Philadelphia Bar Association, 11th Floor Conference Center, 1101 Market St. The program begins at 8 a.m. with breakfast with judges of the First Judicial District of Pennsylvania, and features keynote speaker U.S. Magistrate Judge Timothy Rice. A total of 2.5 ethics CLE credits are available. Register with VIP at 215-523-9550 or phillyvip@phillyphil.org.

Wednesday, Oct. 24
• Support Center for Child Advocates Pro Bono Training Program, “How to Handle a Child Abuse Case,” a full day, 5 substantive, 1 ethics CLE credit program. Register at www.pbi.org.
• The First Judicial District 2012 Pro Bono Publico Award Ceremony and Roll of Honor (by invitation), from 4 to 6 p.m., at City Hall. Attorneys who performed pro bono services in the FJD courts from Oct. 1, 2011 to Sept. 28, 2012 are eligible to be acknowledged in the 2012 Roll of Honor. For more information, visit www.courts.phila.gov.

Thursday, Oct. 25
• The Homeless Advocacy Project Legal Clinic, at Eliza Shirley House, 1320 Arch St., from 6 to 7 p.m. Pre-registration is required. Register with HAP at 215-523-9587 or marsha@philalegal.org.
• SeniorLAW Center Pro Bono CLE training “Protecting Older Victims: Help Stop Elder Abuse,” from 12 to 1:30 p.m., at Fox Rothschild LLP, 2000 Market St., 20th Floor. A total of 1.5 substantive CLE credits available. Register with Dana Goldberg at dgoldberg@seniorlawcenter.org.

Friday, Oct. 26
• HAP Legal Clinic at St. John’s Hospice, 1221 Race St., from 1:45 to 2:45 p.m. Pre-registration is required. Register with HAP at 215-523-9587 or marsha@philalegal.org.
• Young Lawyers Division and the Philadelphia Bar Foundation CLE program, “Board Observer Program: Nuts & Bolts of Nonprofit Board Service,” from 12 to 1:30 p.m., at the Association’s headquarters, 1101 Market St., 11th Floor Conference Center. Register online to attend and purchase lunch at www.philadelphiabar.org. Register online for 1.5 substantive CLE credits at www.pbi.org.
• Go Casual for Justice, a jeans day fundraiser held at participating law firms and corporations to support grants to the Philadelphia nonprofit legal service providers through the Philadelphia Bar Foundation. To participate or for more information, contact Kathy Oxworth at 215-569-5711 or oxworth@blankrome.com, or Mary Gay Scanlon at 215-864-8912 or scanlonm@ballardspahr.com.

Public Interest Section Seeks Andrew Hamilton Award Nominees

The Public Interest Section is accepting nominations for the annual Andrew Hamilton Award. The deadline for nominations is Oct. 15.

Nominees must be a legal services advocate or public defender employed by, or associated with, an organization whose purpose is to serve persons who cannot afford to pay for legal representation, or be a public-interest lawyer working with a nonprofit organization serving a charitable or public interest purpose. In addition, nominees must have substantial experience in legal services, indigent defense or public interest law and must currently be employed in one of these capacities. Members of the selection committee will consider such factors as personal vision and commitment; critical nature of the problems addressed by the nominee’s advocacy; innovative nature of the nominee’s work; outcomes and results achieved through effective advocacy; the difficulty of achievement; and community commitment.

Nominations should include the individual’s name, address and a brief statement describing his or her qualifications. Mail nominations to Tracey McCloskey c/o Philadelphia Bar Association, 1101 Market St., 11th Floor, Philadelphia, PA 19107 or emailed to tmccloskey@philabar.org.

Mary Gay Scanlon, chair of the Delivery of Legal Services Committee’s Pro Bono Committee, is a member of the selection committee.

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CEDAW Remains Unratified in U.S.

By Angie Halim

Even though The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) was adopted by the United Nations in 1979 and signed by President Carter in 1980, it was never presented to the full Senate for ratification. Former Chancellor Jane Leslie Dalton and Phyllis Horn Epstein discussed CEDAW at the Sept. 4 meeting of the Women’s Rights Committee. The convention produced the first international human rights treaty that comprehensively focuses on women’s issues and addresses methods to ensure women’s rights and equality.

Other than the U.S., the only nations that have not signed on are Iran, Somalia, Sudan and three small Pacific island nations. Dalton explained that although it has not been formally adopted by the nations, Dalton explained that although it has not been formally adopted by the U.S., the terms and basic tenets of the treaty are not “that foreign to our legal requirements,” particularly in the context of employment laws. Also, 16 states have passed legislation addressing CEDAW concerns, so there is certainly not a “consensus against the treaty,” said Dalton.

“The treaty defines discrimination and addresses equality between sexes in a variety of contexts including education, access to medical care and treatment, family planning, employment, legal and living conditions. Nations signing on to CEDAW agree to work toward elimination of inequalities and discrimination. However, as Dalton cautioned, there is no “enforcement mechanism” and therefore no real way to impose requirements on non-compliant nations. Saudi Arabia, for example, has signed on, but does not allow women to drive. Because the U.S. has not ratified CEDAW, it cannot participate in committee discussions, which is unfortunate, Dalton said, because the U.S. has “a lot to offer” in terms of successes and advancements.

Epstein discussed some of the controversies surrounding CEDAW. Countries signing on to the treaty often make stated Reservations, Declarations, and/or Understandings (RUDs) that limit or modify that particular nation’s interpretation of CEDAW. Although willing to sign on, many accepting countries specify that they will not be bound by any authority to comply, said Epstein. That is, they will not agree to be subject to the jurisdiction of the world courts.

During the Clinton administration, the U.S. put stated RUDs into place, objecting to numerous provisions of CEDAW. Employment, combat and paid maternity leave are areas in which the U.S. has stated objections. Both speakers pointed out that much of the controversy surrounding this treaty may revolve around family planning and abortion. Ironically, CEDAW does not contain the word abortion, but there is fear among many speakers that the treaty propounds abortion as a family planning method.

On one hand, not having signed the treaty affects the U.S.’s credibility regarding women’s rights in the world’s view. On the other hand, however, because CEDAW lacks teeth in the sense that there are no enforcement mechanisms, there is a prevalent “why bother” view regarding ratification.

Women’s Rights Committee Chair Marilyn Heffley (from left) with speakers Phyllis Horn Epstein and former Chancellor Jane Leslie Dalton.

Brennan Nominations Due Oct. 9

Nominations are being accepted for the Philadelphia Bar Association’s prestigious Justice William J. Brennan Jr. Distinguished Jurist Award. The award will be presented at the Association’s Annual Meeting on Tuesday, Dec. 4.

The award recognizes a jurist who adheres to the highest ideals of judicial service. Any member of the state or federal bench, whether active or retired, who has made a significant, positive impact on the quality or administration of justice in Philadelphia is eligible for consideration.

Examples of accomplishments worthy of nomination include innovations in court administration, implementation of pioneering case management techniques, assumption of a leadership role in areas affecting the administration of justice, publication of a significant opinion, article, or other scholarly work, or the like.

Michael F. Barrett is chairing this year’s Brennan Award Committee. Nominations for the Justice Brennan Distinguished Jurist Award should be forwarded to: Brennan Award, Attn: Dawn Petit, Philadelphia Bar Association, 1101 Market St., 11th Floor, Philadelphia, PA 19107 or to dpetit@philabar.org. All nominations should include the full name, address and telephone number of both the nominee and the person submitting the nomination, a summary of the nominee’s accomplishments, and any pertinent supporting material the committee should consider.

All nominations must be received no later than Tuesday, Oct. 9.


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Angie Halim is an associate editor of the Philadelphia Bar Reporter.
** Clients Want to Know About Sustainability Efforts  

** By Judy Stouffer

The cost-saving benefits and marketing aspects of sustainability initiatives and employee buy-in were among the topics discussed at a Sept. 12 roundtable meeting of the Green Ribbon Committee.

Mitch Sterling, a LEED Green associate and director of marketing for the Real Estate and Tax Practice Groups at Morgan, Lewis & Bockius LLP, commented that more and more, clients are asking about the firm’s sustainability efforts. Sterling suggested that law firms eliminate the expense of Tyvek envelopes – although recyclable, they are composed of polyethylene thermoplastic made from petroleum – and to purchase wooden coffee stirrers in place of plastic.

Taking green more literal, attorneys from Conrad O’Brien PC transformed a vacant lot into a garden and study area at a North Philadelphia school this past summer. Conrad O’Brien Director of Administration Robyn Henry also raised the topic of replacing disposable cups with mugs. Montgomery, McCracken, Walker & Rhoads LLP, the host of the meeting, has already done this. Green Ribbon Committee member Henry Balikov suggested that by offering only one choice (the mug), there is no ready opportunity for resistance, adding that just one paper coffee cup per day contributes more than 20 pounds of landfill waste annually.

Dilworth Paxson LLP Environmental Chair Joe Freudenberg will participate in a panel discussion covering significant benefits associated with planning green, including economic and social benefits, on Thursday, Oct. 25 from 8:30 to 10 a.m.

Doug Schleicher, a partner and environmental law practitioner at Klehr Harrison Harvey Branzburg LLP, has also lectured and authored on this topic.

Representatives from the Environmental Protection Agency reminded committee members that they are customers and should negotiate green initiatives into new leases, which is not as difficult as it may sound since many Philadelphia management companies are well aware of the cost savings. Charlie Howland also provided tips for negotiating trash and recycling services. Reed Smith LLP Director of Northeast U.S. Operations Mike Czerpak said the firm has already begun employing these negotiations in connection with the move of their Philadelphia office at One Liberty Place to Three Logan Square in 2014 – no small feat given that this is Reed’s first move since 1989.

Common concerns, such as reducing paper waste (double-sided printing when possible, recycling paper and efficient records management), conserving electricity (unplugging cell phone chargers, coffee pots, etc.), conserving water (damn the water bottles) and getting everyone on board, were shared by all. Al Ryan, assistant general counsel at Exelon, followed up on their legal department’s paper reduction challenge, which has been in process over the past four years with an effort to negate paper waste. Ryan said the goal has been just about achieved. Ryan recommends a top-down, bottom-up approach – getting at least one senior-level attorney—manager committed to sustainable practices and then teaching/encouraging participation on the frontlines.

Green Ribbon Committee members remain committed to sharing tips and educating the Philadelphia legal community on initiatives that are not only cost-effective, but environmentally effective as well. If your firm would like assistance, please contact us.

Judy Stouffer, law firm administrator and senior paralegal at Berner Klein & Watson LLP, is a member of the Green Ribbon Committee.

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**Stop Office Leaks, Boost Productivity  

** By Henry Balikov

A few weeks ago, I was at a law firm that was trying to help a client with an unfortunate story that had just emerged from the shadows. It seemed that one of the client’s senior officers hadn’t been forthright about her expense accounts. The firm was helping with damage control and with finding out how the information had been leaked to the public.

I was there to discuss their path to “Green Ribbon” recognition and, so, the conversation turned to “leaks” of a different kind. My organization’s experience with evaluating sustainability efforts has shown that a key to improved performance is a willingness to plug those leaks.

My short trip from reception to conference room made it clear that we could make some significant improvement and the place to start was with the big cost of heating/cooling. When I see fans on desks (and a few space heaters hiding under them), I know that the space offers some real opportunities for improvement. Empty workspaces with computer displays blazing away were another tip-off. The conference room itself had no way to regulate the sun streaming in during part of the day, and a hand brought near the windows raised the issue of how recently any caulking and sealing had been done. “Yes,” I responded to a managing partner’s question, “investing in my services should be paid back in little more than a year, and then you will be banking the rest going forward.”

Whether using a consultant or green-in-house, firms should no longer ignore the cost benefit of simple sustainability efforts.

Not sure where to start? Meeting the Green Ribbon Committee Sustainability Initiative Pledge requirements is not complicated. It isn’t just about your partners, associates and staff feeling better about themselves and the firm for participating. Stopping the “leaks” will actually lead to better productivity and a healthier working environment, while saving money and reducing your carbon footprint.

Henry Balikov is vice president at Goldman Environmental Consultants and chair of the Climate Change Focus Group at the Auditing Roundtable. He is a member of the Green Ribbon Committee.
When I was in law school, I would study and socialize with a few graduate students from the University of Maryland at College Park. One of the most interesting people I met was a young man who was getting his Ph.D. in computer science with a focus in artificial intelligence. I am not joking. For those of you who read my columns, you know I love science fiction. So you can imagine how much I enjoyed talking to my friend about his work and his goal of mimicking the human brain. He wanted to create a computer that could learn. Artificial intelligence is a recurring theme in science fiction. It is a gold mine of ethical, and indeed, legal issues, and Hollywood has done an excellent job of mining them: think “A.I.,” “Blade Runner,” “The Matrix,” and of course “The Terminator.”

As my friend’s area of study confirms, science fiction is only a discovery and a little hard work away from becoming science fact. However, once the science is there, society still has to figure out what its boundaries should be. That is where the lawyers come in.

Some science fiction movies have already demonstrated an eerie prescience. In “Enemy of the State,” Will Smith plays an attorney hounded by the National Security Agency, which uses all of its available surveillance technology to locate him because he unwittingly possesses state secrets. This movie preceded 9/11 and the Homeland Security Act, but it coherently anticipated technology that law enforcement could and now does use to stop criminals and terrorists. The law is still catching up on where to draw the line between allowing the government the leeway it needs to keep people safe and preserving ordinary citizens’ privacy rights.

Remember “I Am Legend” and “The Crazies”? Well, Homeland Security and the Federal Emergency Management Agency (FEMA), tongue in cheek, of course, are encouraging Americans to prepare for the zombie apocalypse. One of the reasons underlying FEMA’s reason for playing on Americans’ fear of zombies, however, is not so funny. Antibiotic-resistant, skin-eating bacteria are real. Contagions are actually occurring. I am certain that somewhere there are lawyers working on the issue of whether the government can actually exercise its so-called nuclear option (like in the movie “Outbreak”) to contain these kinds of contaminations.

Science fiction aside, usually the task of identifying and prognosticating the legal issues that arise from new technology or medical innovations falls to the most junior person in the office. Young lawyers are the ones writing the memoranda and doing the legal research for the partner. If you are a glass-half-empty kind of person, writing memos can seem like a menial task. However, like most things in the

continued on page 17

YLD Update

Lead Your Law Practice to the Cutting Edge

By Melanie J. Taylor

While knowing your practice area thoroughly is important, developing a niche helps you create a reputation. When people think of this issue, they will think of you. It is also a good way to get on a CLE panel.

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continued on page 17
SOLO AND SMALL FIRM COMMITTEE

Gadget Guru Talks Tips, Toys

By Benjamin F. Johns

While attending a program on mobile computing a few years ago, attorney Daniel J. Siegel mentally calculated that the value of the hardware in his bag was greater than the tuition at his freshman year of college.

Siegel, a fan of gadgets and toys and longtime technology columnist for The Philadelphia Lawyer magazine, discussed technology, toys and tips at the Sept. 11 meeting of the Solo and Small Firm Committee. Siegel, of the Law Offices of Daniel J. Siegel, LLC is writing a book about Android apps for lawyers.

One of the software products Siegel discussed was a password manager program. He noted that having a password of fewer than 12 characters can put you at risk of a security breach, as there are programs that can now crack any eight-character password within a matter of hours. He also advised against using the same password for multiple devices. In light of the difficulty in remembering these lengthy and different passwords, Siegel said that he uses a product called RoboForm Everywhere that, for a fee of about $10, allows you to securely synchronize and store your passwords on multiple computers and mobile devices.

As for hardware products, Siegel praised his recently purchased 27-inch computer monitor. He said that it allows him to simultaneously view two documents on the screen, which is important for the collaborative-type work that he does with his colleagues. He also mentioned that studies have shown that having two monitors is less efficient because there is more scrolling involved.

Siegel also recommended the use of sliding smartphone keyboards, particularly for slower typers. These are predictive programs that anticipate what words you will be typing. The two recommended by Siegel are SliteIT and FlexT9. He also discussed the use of phone headsets. Aside from making you more mobile while on the phone, Siegel noted that the headsets have the added benefit of making you look busy. The two brands he recommended are Plantronics (around $225 for a headset) and the higher-end Sennheiser (around $450).

Siegel also shared his thoughts on two Kindle products. He had high marks for the Kindle Touch, which has a crystal clear screen and is great for reading books. The newer color Kindle Fire is more diverse in that it also allows you to watch videos and use email applications. However, the glare on the Kindle Fire makes it difficult to use outside. Siegel pointed out that the

continued on page 15
Concussions a Major Public Health Crisis, Doctor Says

By Regina M. Parker

Under the Pennsylvania Workers’ Compensation Act, if an injured worker can prove that he/she sustained a head injury or concussion while in the course and scope of employment, he/she may be entitled to workers’ compensation benefits.

During the Sept. 7 Workers’ Compensation Section meeting neurologist Dr. Steven Mazlin proclaimed that a concussion, also known as a mild traumatic brain injury, is a major public health crisis that is finally getting the respect that it deserves.

To diagnose a concussion, you have to look at the total picture. There is no one test that can rule out concussion. Dr. Mazlin explained that a cerebral concussion is one type of closed head injury. He stated that no actual contact is necessary to sustain a concussion. As long as there is differential movement of the brain relative to the skull, as might occur with a simple cervical whiplash, a concussion can result. He stated that “linear forces can cause the brain to move forward, backward, or sideways, striking stretching of the brain.” As a result, there is microscopic trauma that results in tissue damage and bruising within the brain. Dr. Mazlin said that in contrast to linear forces, sudden angular forces may be even more important because angular forces can cause the brain to rotate within the skull. As a result, there is twisting and stretching of the brain. He pointed out that a minor amount of force may cause concussions. Some people have certain predispositions.

Dr. Mazlin clarified that the concussion occurs in a fraction of a second, but typically we only know that it occurred due to subsequent development of a constellation of symptoms known as the post-concussion syndrome. Some symptoms occur early, others take more time to develop. Typically headaches and dizziness are almost immediate, while cognitive/behavioral problems may appear much later.

Post concussion syndrome is a set of symptoms that may develop after a concussion-traumatic brain injury. The symptoms include: headache, dizziness, nausea, blurred vision, photophobia, tinnitus, loss of sense of smell, word-finding problems, continued on page 13

Second-Parent Adoption Marks 10th Anniversary

By Julia Swain

Philadelphia has streamlined the process for gay couples to adopt since second-parent adoption was approved by the Pennsylvania Supreme Court 10 years ago. Tiffany Palmer, Richard Bost, Lisa Shapson and David Bourbon discussed the 10-year anniversary of second-parent adoptions at Sept. 10 Family Law Section meeting.

Second-parent adoption provides an important method to form a legal parental-child relationship, which confers rights and privileges including Social Security benefits, inheritance rights, child support entitlement and many others. Prior to the Pennsylvania Supreme Court decision in In Re Adoption R.B.F. & C.H.F., 803 A.2d 1195 (Pa. 2002), statutory requirements for an adoption petition included termination of one biological parent’s rights. In the context of a second-parent adoption, where only one biological parent exists, this requirement was impossible to meet and prevented second-parent adoptions by gay couples. As such, many gay couples went to New Jersey, where second-parent adoptions were permitted. In 2002, Pennsylvania recognized the illogical impact of our adoption laws and permitted the gay couple involved in In Re R.B.F to successfully show cause why the relinquishment of the parental rights requirement would be otherwise fulfilled or unnecessary.

Today, Pennsylvania is one of 19 states in the U.S. that permits second-parent adoptions. Practice and procedure vary greatly throughout the state. In Philadelphia, petitions are filed in the Juvenile Branch of Family Court at 1801 Vine St. In most Pennsylvania counties, petitions are filed with the Orphans’ Court. Philadelphia has simplified the process by not requiring a home study by a licensed agency; and, by not requiring the filing of a Report of Intention to Adopt. The philosophy of eliminating these requirements, which are retained by many counties, is that with assisted reproduction technologies, a child is born into the home, and not outside of the home. Therefore, a home assessment is not needed. Also, there is typically no other parent to notify of the intended adoption, such as in cases that involve in-vitro fertilization and an anonymous sperm donor.

Philadelphia County eliminates the need for consent in such cases and simply requires a joint petition to allow the non-legal (non-biological) parent to adopt.

The simplicity of the process frequently motivates out-of-county couples to find a nexus with Philadelphia County, such as delivering the child in a Philadelphia hospital, to establish venue.

In cases where the child is over the age of 12, consent of the child is required. This would apply to families who were unable to secure a second-parent adoption prior to In Re R.B.F. and by the time of the decision the child had reached the requisite age.

Consent is also required if there continued on page 20
Committee Gets Primer on Business with India

By J. Michael Considine Jr.

India, a BRICS nation, is a rising economic giant with wonderful opportunities for U.S. companies. But they must be educated as to the risks. Much has changed since I visited India and gave a presentation to the Belgium Bar Association in 1986. The attorneys there rode scooters and a visiting attorney from the U.S. was a novelty. Recently Janaki Rege Catanzarite of Pepper Hamilton LLP, a member of the Bar of India and a partner at a Mumbai firm, and Nilesh Janedir, who participated by conference call live from India, led a discussion on doing business there at a recent meeting of the International Business Initiative Committee.

Janedir’s company, Solutions Ltd., works to help American companies do business in India. India’s capital gains tax is 40 percent. Payment of taxes is required before profits earned in India can be taken out of the country. Taxes on dividends are withheld by the company. There was a recent change in the law on intellectual property. Product and process patents are protected. Corruption has decreased because many approvals are done electronically and require no face-to-face contact. Anti-bribery laws are enforced. Major opportunities exist in infrastructure — which is improving all over India — energy, retail and other industries. Single brand retail establishments are now permitted.

As of January 2012 individuals are permitted to invest in Indian stock but must obtain a tax identification number and file a tax return or statement that no taxes are due. India does not permit preferred shares of stock. A company need not form an Indian subsidiary to sell to Indian companies. There may be a transfer-pricing audit. Corporate profits are taxed at the rate of 42 percent for foreign companies and 32.2 percent for Indian companies.

Indian law now permits holding companies to lend to wholly-owned subsidiaries. India has a form of our Subchapter S corporation called an Association of Persons to avoid double taxation.

In drafting contracts, use a choice of law clause. Clients should expressly exclude jurisdiction under the Indian Arbitration Act of 1996. If not, an arbitral award can be enforced in India.

J. Michael Considine Jr. (adventure7@gmail.com) is chairman of the International Business Initiative.

Foreign Real Estate Buyers Need Operational Plan

By J. Michael Considine Jr.

Richard Fritzler, who helps clients design their businesses and foreign investors invest in U.S. property to maximize return, discussed the obstacles and rules involved with foreign ownership of real estate at a recent meeting of the International Business Initiative Committee.

Richard Li of Liberty Real Estate Associates, LLC discussed transactions involving Chinese buyers. Fritzler, senior fellow of the Business Owners Institute and president of Nevada Corporate Services in Las Vegas, helps Canadians who feel the U.S. market has greater growth potential because of its drastic downturn while the Canadian market is unlikely to rise much further.

An investor must give careful consideration to operational plans and their goals (short-, mid- and long-term). Plans may start as “buy and hold” or “flip the property.” Gains (from sales) as compared to passive activities (from rental income) are taxed differently. A plan may need to adapt to market changes. Planning to flip but failing to find a buyer puts the investor in the buy and hold business, and either leave the property vacant for an extended time or create rental income. The buyer must also have a plan for management of the property. The often overlooked, critical factor in the plan is profit. Investors have unique goals. Some want to reinvest all or most of profits to grow their portfolio, (in the short- or mid-term); others depend on net revenues to support their lifestyle. The investor should make decisions that create the greatest growth potential, by reducing taxes, avoiding litigation and sources of catastrophic business failure.

Depending on the circumstances, a corporate entity may be desirable since the corporation is the U.S. taxpayer, not the foreigner. Corporations pay comparatively lower taxes than U.S. personal taxes or corporate taxes in many other countries. This allows higher net profits from any investment. A separate entity for each property may limit liability risk and facilitate loans. Effective plans use a tiered approach to provide better control and lower risk with fewer entities. Is the goal a 10 percent net return? The buyer should state clearly his goals in buying property and future plans.

The H-1B non-immigrant visa, a helpful tool for some foreign investors, allows extended residence in the U.S. or extended travel flexibility. More than 100,000 are issued annually. Foreigners with specific skills can be hired by corporations and reside in the U.S. for three years or more. The EB-5 Immigrant Investor visa (three-year road to citizenship) is available if the buyer can build a new, or increase an existing U.S. business by 40 percent, employing 10 full-time employees with $500,000 to $1 million invested.

There are limitations of untraceable cash transfers. Tax consequences must be understood. Buyers should strive to pay tax in the lowest tax jurisdiction. Proper selection and structure of business structure brings significant tax advantages for incoming capital and outgoing return on capital. Funding for real estate can be by purchase of stock in or making a loan to a U.S. corporation, or as a business expense in the home country to a U.S. corporation. The first two are not be taxable to the U.S. corporation but taxed in the foreign country. The business expense is tax deductible in the foreign country but taxable in the U.S.

A cash payment will not be successful at settlement. The cash would get into the banking system. The escrow company would usually not hold stacks of bills, or insure delivery of them, but require certified funds from a bank account, to issue checks or wire transfer funds to the proper accounts. Sellers cannot normally operate using bundles of cash. Cash transactions are tracked and reported. The IRS requires transfers of $10,000 be reported using a CTR (Cash Transaction Report). Banks are required to collect and hold a CTR for transactions of $5,000; most have written policy to record smaller transactions. The CTR shows the history of the cash. If cash was to be used, the buyer would deposit the cash, complete the CTR and declare how that cash came to be. If withdrawn from a Chinese bank account and a CTR existed, it could be re-deposited in a U.S. bank account. But cash that could not prove its pedigree may be seized or taxed. A wise plan includes selecting properties, tracking cash-flows, planning for the future and enriching the investor. The investor must be fully informed.

Li said Chinese clients prefer a flat fee and do not like to pay hourly and are very independent. EB5 visas are vital. Li said Chinese buy real estate for business or for children attending school. Money is often cash in safe deposit boxes. HSBC Bank has offices in China and Chinatown and helps with money transfers. China permits tourists to bring $20,000 out of the country and $30,000 by wire transfer. Chinese pay $25,000 to $50,000 for visits to the U.S. to buy real estate including up to $6,000 for legal documents.

J. Michael Considine Jr. (adventure7@gmail.com) is chairman of the International Business Initiative.

Preserving Homes in Philadelphia

Bill Mills and Carol Lawrence of PNC (from left) join homeowner Patrick Coleman, Mayor Michael Nutter, Deborah McColloch of the Philadelphia Office of Housing and Community Development and Philadelphia Court of Common Pleas Judge Annette M. Rizzo at City Hall on Sept. 13. A new educational initiative that builds on the city’s foreclosure prevention efforts “Tools for Financial Growth” was introduced at the event. Mayor Nutter called the program a “vital next step in our effort to preserve homes and keep neighborhoods stable.”
Statement of ownership, management and circulation (required by 39 U.S.C. 3638)
1. Publication title: Philadelphia Bar Reporter
2. Publication No.: 710-610
3. Filing date: October 2012
4. Issue Frequency: Monthly
5. Number of issues published annually: 12
6. Annual subscription price: $45.75
7. Complete mailing address of known office of publication: Philadelphia
   Bar Association, 1101 Market St., 11th floor, Philadelphia, PA, 19107
8. Known bondholders, mortgagees, and other security holders owning
   or holding 1 percent or more of total amount of bonds, mortgages, or other
   securities: none
9. Tax status: for completion by nonprofit organizations authorized to
   mail at nonprofit rates, complete the appropriate space below
10. Statement of ownership, management and circulation (continued)

Conference Schedule
Friday, Oct. 5
9:30 a.m. Registration and Meet Our Sponsors
11:30 a.m. Doors open for lunch
12 p.m. Opening Lunch Featuring ABC News White House Correspondent Ann Compton
1:45 p.m. Break
2 p.m. CLE seminars

- **Oyeh, Oyeh: New Order In The Court?**
- **Crossing the Legal Custody Line**
- **Lisannity, Linguistics and the Law**
- **When Constitutional Law Meets Flash Mobs – A Practical Method to Inform Juveniles About First Amendment Rights and Limitations**
- **Five-Court Circuit Perspectives - PART I**
- **Social Media and the Practice of Law**
- **Alternatives in Sentencing**
- **What Personal Injury and Defense Lawyers Should Know About SSI Insurance and SSDI Claims**

**Saturday, Oct. 6**
8 a.m. Breakfast Featuring Philadelphia Inquirer National Political Columnist Dick Dolman
9:45 a.m. CLE seminars

- **E-Discovery in Pennsylvania Courts**
- **From the Board Room to Court Room – An Update on Commerce Court Litigation**
- **The Opportunities and Ethics of Pro Bono Representation**
- **Evidentiary Issues and the “Crawford” Test**

**Sunday, Oct. 7**
8 a.m. Breakfast and hotel check-out
11:15 a.m. Lunch and Closing Plenary

- **State of the Courts featuring Pennsylvania Supreme Court Chief Justice Ronald D. Castille, Pennsylvania Superior Court President Judge Correale F. Stevens, Pennsylvania Commonwealth Court President Judge Dan Pellegrini, Philadelphia Bar Association President Judge Pamela Pryor Dembe and Philadelphia Municipal Court President Judge Marsha H. Neifield.**

Bench-Bar continued from page 3

Section, Professional Responsibility Committee, Public Interest Section, Real Property Section, Social Security Disability Law Committee, State Civil Litigation Section, Women in the Profession Committee, Workers’ Compensation Section and Young Lawyers Division.

One of the highlights of the weekend will be Friday’s Swanky Soiree at the four-story HQ Nightclub from 7 to 10 p.m.

Sponsors for the Bench-Bar Annual Conference are USI Affinity; Love Court Reporting; IAB Public Adjusters; Strategic Legal Solutions; CodeMantra; JAMS; M. Burr Keim Company; Robson Forensic; US Claim; Applied Discovery; Bea & Co.; FTI; Iron Mountain; Just Legal Inc.; Knoll Ontrack; LawCash; Lenio Negotiation Counsel; LexisNexis; PEC Document Services; Mindy Cohen; National Forensic Consultants; O’Neill Consulting Corporation; Round Table; Thompson Reuters Expert Winnow Service; Richelieu; Signature Information Solutions; Special Counsel; ParenteBeard L.L.C.; The Legal Intelligence; and the First Judicial District. Special acknowledgement – Family Law Section, Real Property Section and Workers’ Compensation Section.

The Philadelphia Bar Association would like to thank the following law firms for providing scholarships to public interest and government service lawyers for the Bench-Bar & Annual Conference: Buchanan Ingersoll & Rooney PC; Duffy & Partners; Feldman Shepherd Wohlgelernter Tanner Weinstock & Dodig LLP; Jeffrey S. Gross; Kovler & Rush, PC; Messa and Associates, PC; Pepper Hamilton LLP; Raynes McCarty; Real Property Section; Saltz, Mongeluzzi, Barrett & Bendesky, PC; State Civil Litigation Section; Feldman & Pinno; Gay Chacker & Mintz, PC; Kehlby; Gordon; Robin, Shore & Bear; Marshall, Dennehey, Warner, Coleman & Goggin; Pond Lehocky Stern Giondano; Kline & Specter, PC; and Schnader Harrison Segal & Lewis LLP.
HEALTH CARE REFORM UPDATE FROM USI AFFINITY

Clarification on 90-Day Waiting Period Requirement

For plan years beginning on or after Jan. 1, 2014, the Patient Protection and Affordable Care Act (PPACA) prohibits a group health plan or health insurance issuer (the carrier) from imposing a waiting period that exceeds 90 days. Briefly, the guidance:

- Clarifies that certain conditions for eligibility (like job classification) are permissible so long as the condition is not designed to avoid compliance with the 90-day requirement, and
- Provides a reasonable period of time for an employer to determine whether a new variable hour or seasonal employee is a full-time employee under the plan's eligibility terms before applying the 90-day waiting period with respect to coverage.

A waiting period is the period of time that must pass before coverage for an employee or dependent who is otherwise eligible to enroll under the terms of the plan can become effective. For this purpose, being eligible for coverage means having met the plan's substantive eligibility conditions (such as being in an eligible job classification). Conditions for eligibility under the terms of a group health plan other than the lapse of a time period are generally permissible, unless the condition is designed to avoid compliance with the 90-day waiting period limitation.

Also, if, under the terms of a plan, an employee may elect coverage that would begin on a date that does not exceed the 90-day waiting period limitation, the 90-day waiting period limitation is considered satisfied. Accordingly, a plan or carrier will not be considered to have violated the waiting period requirements merely because employees take additional time to elect coverage.

If a group health plan conditions eligibility on an employee regularly working a specified number of hours per period (or working full time), and it cannot be determined that a newly-hired employee is reasonably expected to regularly work the required number of hours (or work full time), the plan may take a reasonable period of time to determine whether the employee meets the plan's eligibility condition.

This reasonable period may include a measurement period that is consistent with the timeframe permitted for such determinations under the employer penalty provisions. This is true even if the employer is not an applicable large employer subject to the employer penalty. Except where a waiting period that exceeds 90 days is imposed after a measurement period, the period for determining whether such an employee meets the plan's eligibility condition will not be considered to be designed to avoid compliance with the 90-day waiting period limitation if coverage is made effective no later than 13 months from the employee's start date, plus the employee's start date is not the first day of a calendar month, the time remaining until the first day of the next calendar month. Here is an example.

**Facts:** Under Employer Y's group health plan, only employees who work full time (defined under the plan as regularly working 30 hours per week) are eligible for coverage. Employee C begins work for Employer Y on Nov. 26 of Year 1. C's start date is reasonably expected to vary, with an opportunity to work between 20 and 45 hours per week, depending on shift availability and C's availability. Therefore, it cannot be determined at C's start date that C is reasonably expected to work full time. Under the terms of the plan, variable hour employees, such as C, are eligible to enroll in the plan if they are determined to be full time after a measurement period of 12 months. Coverage is made effective no later than the first day of the first calendar month after the applicable enrollment forms are received. C's 12-month measurement period ends Nov. 25 of Year 2. C is determined to be full time and is notified of C's plan eligibility. If C then elects coverage, C's first day of coverage will be Jan. 1 of Year 3.

**Conclusion:** In this example, the measurement period is not considered to be designed to avoid compliance with the 90-day waiting period limitation (and is, therefore, permissible) because the plan may use a reasonable period of time to determine whether a variable-hour employee is full time under the waiting period requirement if the period of time is consistent with the timeframe permitted for such determinations for employer penalty purposes. In such circumstances, the time period for determining whether an employee is full time will not be considered to avoid the 90-day waiting period limitation if coverage can become effective no later than 13 months from C's start date, plus the time remaining until the first day of the next calendar month.

The guidance regarding this 2014 provision can be relied on, at least through the end of 2014. Regulations or other guidance on these issues applicable for periods after 2014 will provide adequate time to comply with any additional or modified requirements.

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Brian McLaughlin (Brian.McLaughlin@usiaffinity.com) is vice president of USI Affinity Benefits Solutions Group. For more information about insurance and benefits options for Philadelphia Bar members, visit www.mybarinsurance.com/philadelphia.
Contributors Asked to Go Extra Mile for Grantees

By Wendy Beetlestone

As the Foundation goes into the last quarter of the year we are ratcheting up our fundraising efforts because, to be perfectly frank, the dollars in the door are not where they should be at this time of the year. We are concerned that the grants awarded in December will not be at the level we would like them to be. One of the things we’ve been doing is asking those who have contributed in the past to the Foundation to go that extra mile this year and give a little more. And, to those who have not contributed but who have always thought they should, the message is simple – this is the year you should make your first contribution. It is much needed. Once again, we’re relying on the legal community’s generosity because we know that you have always delivered.

One of the firms that has gone the extra mile and time again is Schnader, Harrison, Segal & Lewis, LLP. We recently learned from firm Chairman David Smith that this year Schnader is making an unprecedented donation to the Bar Foundation. “Schnader is pleased and proud to support the Philadelphia Bar Foundation with a donation to the 2012 Access to Justice Campaign,” he said. “We encourage all firms to participate in this vital campaign, which provides much needed operating funds to Philadelphia’s public legal service providers. We look forward to celebrating the success of the campaign at the Andrew Hamilton Gala.”

The donation from Schnader is particularly meaningful this year when the gala will be held at the Barnes Foundation’s magnificent new campus in Philadelphia. The long legal battle to enable the collection to make the move from Lower Merion to the Parkway was fought over many years through multiple court proceedings by Schnader attorneys including Bruce Merenstein, Carl Solano and Ralph Wellington.

The firm’s donation comes on the heels of all of the work David and his Schnader colleagues have done to promote, inspire and execute our inaugural Board Observer Program. In 2011 the Board Observer Program was created to give young lawyers the opportunity to develop leadership skills while serving the public interest community and learning about board leadership. Our first class is now completing their board experience to great success. In assessing the experience, one young attorney stated: “I have been able to be involved with not only the Board meetings and hear the reports, but also participate in fundraising cradle to grave ... it has given me a greater understanding of how a non-profit operates.” Another participant shared “It is inspiring and challenging to be involved in this work and I find that it enriches my life immensely.” That is exactly the result we were looking for! According to David, “supporting the mission of the Bar Foundation is about more than writing a check. As a founding partner in the Board Observer Program, Schnader is dedicated to working with the foundation and the YLD to help shape the next generation of leaders in support of public interest law.”

Shaping the next generation of leaders is also a part of what National Pro Bono Week, which will be celebrated Oct. 21-27, is all about. This celebration provides a concentrated spotlight on the need for free legal service for those most vulnerable. It’s one short week to catch the attention of all private practitioners. It is an opportunity to engage, inspire and thank: engage all attorneys in opportunities to share their skill with those in need, inspire those devoted to pro bono to continue their indefatigable efforts, and, finally, to thank those who have honored our profession with their years of devoted service.

There are so many ways that you can be involved in National Pro Bono Week and, to help you choose how, a list of the various events is found elsewhere in this publication.

For example, as the Board Observer Program continues into its second year, Pro Bono Week will feature the CLE “The Nuts and Bolts of Board Service: An Introduction to Legal Issues for Nonprofits and their Directors.” Young attorneys interested in learning more about nonprofit Board service should plan to participate in the CLE. Thank you Marla Conley, an associate at Schnader; Roxane Crowley from VIP; and Nilam Sanghvi, a member of our Board of Trustees, for all the time and talent you have put into making this happen.

Also, for the second year running, you can participate in Go Casual for Justice! On Friday Oct. 26, for a $5 contribution, personnel at participating law firms can dress down for work. Last year the individual donations added up to more than $6,000 to support the Bar Foundation’s grants to nonprofit legal service providers. The beauty of this fundraiser is its simplicity – no caterer to hire, no programs to print, no invitations and postage. Because this fundraiser has no associated costs, all money raised will go to the Bar Foundation’s grantmaking program so, make it fun and be creative. By way of example, for one of my colleagues dress down day is anathema. He had NEVER dressed casual for work. But, last year, individuals kept donating more and more dollars to persuade him to go where others had gone years before. And, he did it.

He came to work in casual clothes. Thank you to Kathy Ochroch of Blank Rome LLP and Mary Gay Scandlen of Ballard Spahr LLP for coordinating this event. For more information on coordinating Go Casual for Justice at your firm, please contact Kathy or Mary Gay at ochroc(on)blankrome.com or scanlonm@ballardspahr.com.

The Philadelphia Bar Foundation is dependent upon the Philadelphia legal community for donations of time, talent and money – the trifecta of philanthropy. We are so grateful that time and time again the Philadelphia legal community has come through with all three.

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

34th Annual Andrew Hamilton Gala Saturday November 3, 2012

The Barnes in Philadelphia
2025 Benjamin Franklin Parkway
Philadelphia, PA 19130

7 pm – Cocktails
8 pm to 11 pm – Buffet Dinner and Dancing
RSVP by October 29, 2012
Black Tie Invited

For information about donating to the Philadelphia Bar Foundation, contact Lizabeth Macoretta at 215-238-6334 or lmacoretta@philabar.org.

THE ANDREW HAMILTON GALA:
THE ART OF GRATITUDE
AT THE BARNES IN PHILADELPHIA

Illustration © Barnes Foundation by Wendy Beetlestone
Bar Foundation Seeks Nominees for Annual Honors

The Philadelphia Bar Foundation is soliciting nominations for two awards it presents each year.

The Philadelphia Bar Foundation Award was established to honor the memory of Louis D. Apoteker, a prominent Philadelphia attorney and past president of the Bar Foundation who was an outstanding leader within the legal profession and in the community. The award carries on this tradition and recognizes a public interest attorney who provides exceptional service to the non-profit legal services community.

The Pro Bono Award, first presented in 2003, is given annually to a Philadelphia law firm or corporate legal department that demonstrates outstanding volunteer efforts in providing legal services to those in need.

The deadline for nominations is Monday, Oct. 1. For more information, contact Bar Foundation Executive Director Lynne Brown at lbrown@philabar.org or 215-238-6347. Visit philabarfoundation.org to download the award nomination forms.

Technology

continued from page 9

first chapters of many books can now be downloaded for free on Kindle devices. Siegel offered a few tips and suggestions for using everyday programs, like the Microsoft Explorer browser. He said you should never type out a website address more than once, and recommended using folders to organize websites within the Favorites tab. He uses a free website called Xmarks.com that allows you to synchronize your designated Favorites among multiple computers.

In the fun category, Siegel discussed the Amazon Cloud Drive. For a modest fee ($5-10 per year) one can store and retrieve a large amount of digital music on the cloud. This music can be played on computers and mobile phones, which can be particularly useful while traveling. Siegel noted that if Amazon has a higher quality version of a song available, it will automatically upgrade the quality if it has the appropriate license.

Siegel, who is a recreational weekend swimmer, concluded with a discussion of a waterproof SwiMP3 Player. These clip onto his goggles and can hold a few hundred songs.

Benjamin F. Johns (benjohns@chimates.com) is an associate with Chimates & Tkeffis LLP.

October CLE Calendar

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

Live & Simulcast Seminars


Simulcasts from PLI

Oct. 2 • White Collar Crime Oct. 11-12 • Pocket MBA Oct. 15 • Fundamental Swaps & Other Derivatives Oct. 16-17 • Advanced Swaps & Other Derivatives Oct. 26 • Chemical Management Laws Oct. 29-30 • Outsourcing 2012: Structuring, Negotiation & Governance Oct. 31 • Hedge Fund Enforcement & Regulatory Developments

Video Seminars


Philadelphia Bar Association Chancellor-Elect Kathleen D. Wilkinson meets with Villanova University School of Law Dean John Y. Gotanda and Associate Dean for Development & Alumni Relations James C. Garvey, Ed.D. at the law school’s Student Bar Association Activities Fair on Sept. 13. Wilkinson joined Bar staff in discussing the benefits of membership with students. All Villanova Law students can register for membership in the Philadelphia Bar Association that is paid for by the law school while they are students.
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Vindication After Arrest, Strip Search for Cursing

By Irene Ayzenberg-Lyman

There have been an alarming number of instances in recent years where individuals have been charged with disorderly conduct for using profanity. Cursing may not be nice, but it is certainly not against the law. The First Amendment protects all speech, including words that may be offensive to some. This is why the American Civil Liberties Union (ACLU) has been actively involved in defending individuals against such charges and bringing lawsuits on their behalf. The American Civil Liberties Union (Pennsylvania State Ethics Commission.) Ultimately, however, the defendants were forced to accept that their actions were unconstitutional. Rather than facing trial, they made a Rule 68 Offer of Judgment to Wagner in the amount of $15,000, exclusive of attorneys’ fees and costs (which we collected separately). Wagner accepted the defendants’ offer. Following the entry of judgment, Wagner hopes “that Gilberton and its officials understand now that no one, not even a small-town mayor, is above the law.”

The result in Wagner’s case is a victory for free speech and I am proud to have worked on it. Wagner’s story will help educate citizens about their constitutional rights, preventing them from being bullied by government officials that disregard the limits of their authority. To arrest and strip search someone for cursing is a clear abuse of power. The use of profane language, as offensive as it may be to certain people, is not unlawful and does not become unlawful when directed at public officials.

Irene Ayzenberg-Lyman (irene.ayzenberg-lyman@dechert.com) is an associate at Dechert LLP.

YLD Update

continued from page 8

Law, young lawyers have to learn to take lemons and make lemonade.

Realize that the partner is asking you to do research because, in all of his or her years of practice, this attorney has not encountered this issue. Not only is this an opportunity to show off your legal skills, it is a chance for you to become indispensable by learning the most groundbreaking area of your practice. This is the chance for you to find your niche.

While knowing your practice area thoroughly is important, developing a niche helps you create a reputation. When people think of this issue, they will think of you. It is also a good way to get on a CLE panel. For example, Kevin Harden Jr., a young prosecutor in my office, has tried so many drug cases in Municipal Court that he has become an expert in the Confrontation Clause. Accordingly, The Criminal Justice Section of the Bar Association invited him to this year’s Bench-Bar Conference to sit on the CLE panel “Evidentiary Issues and the Crawford Test,” where he will discuss with older attorneys and judges Crawford v. Washington, and when experts testifying in criminal cases may opine from reports prepared by others.

Royce W. Smith, a young attorney who sits on the YLD Executive Committee with me, wrote such an exceptional CLE proposal on his issue, public policy and Medical Malpractice law, that the Pennsylvania Bar Institute (PBI) decided to hold a four-hour CLE on the topic. So far, nine other PBI locations across the state have asked to simulcast the program on Nov. 1, featuring doctors and lawyers discussing the Affordable Care Act (also known as Obamacare) and tort reform. With the general election the right around the corner and Obamacare at the center of it, this CLE could not come at a better time.

Young lawyers must be cognizant of their place in their field of practice. Keeping abreast of innovations and anticipating legal implications for new technology and public policy are imperatives. As my colleague and my fellow Executive Committee member show, people will seek you out for your expertise.

Melanie J. Taylor (Melanie.Taylor@phila.gov), an assistant district attorney with the Office of the Philadelphia District Attorney, is chair of the Young Lawyers Division.
During the first half of 2012, the Rutgers School of Law—Camden found itself faced with the possibility of dissolution into Rowan University, as suggested within a proposal to restructure higher education in New Jersey. The Rutgers Law community fought back, and now Rutgers-Camden remains intact. As a community, the Rutgers-Camden Law School is moving forward, and here’s how:

The recently signed the New Jersey Medical and Health Sciences Higher Education Restructuring Act has some significant implications for both Rutgers Law and Rutgers-Camden. First and foremost, this legislation means that the Rutgers-Camden campus will remain an important part of Rutgers, The State University of New Jersey. The Rutgers School of Law-Camden will remain part of Rutgers. Our faculty will continue to be hired and tenured by the same university standards of excellence that are employed on every Rutgers campus, and our students – current and future – will earn Rutgers law degrees.

More generally, the legislation provides some extraordinary opportunities for the Rutgers-Camden Law School. Our campus will receive a greater level of administrative and financial autonomy, which will allow us to better respond to opportunities to serve our students, our alumni, and the legal profession. We also look forward to the potential for some meaningful collaborations with the Cooper Medical School in areas related to health care policy and law, where our faculty have strong reputations for their contributions.

The controversy yielded some very positive outcomes. Our successful effort to work with New Jersey’s leaders toward the goal of keeping Rutgers in the Delaware Valley resulted from the very hard work of Rutgers professors, students, alumni, families, and friends. Our law school always has been a close-knit community, and we’ve emerged from this controversy more united and supportive than ever. The ongoing public debate allowed our region to see a full picture of Rutgers-Camden – the excellence of our faculty and programs, the lives we touch daily through our civic engagement efforts. There’s a much deeper appreciation for Rutgers-Camden today than at this time last year.

Nonetheless, there was a real cost to the Rutgers-Camden Law School. The controversy raged from January through July, which was the height of our student recruitment season. We already were competing in a difficult climate for law schools, and our efforts were exponentially hampered by the concern from prospective students – many coming from across the country – as to whether they would actually receive the Rutgers Law degree that they wanted. Our 1L class this year is half the size of last year’s. This has its challenges, but it’s also a tremendous opportunity for those students, who will have every chance to work closely with their professors and to stand out in their class. We’re making some adjustments, and Rutgers has pledged to support us financially as needed this year.

We were concerned that the controversy might prevent us from continuing to hire top professors. I’m pleased to report that we enjoyed a very successful hiring season, bringing four rising legal scholars onto our faculty.

Our goals for Rutgers-Camden’s Law School are significant. Rutgers-Camden has a very innovative lawyering program that works to provide students with an

By Rayman Solomon

continued on page 20

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In this month’s interview, we talk with E. William Stone, chief investment strategist for PNC Wealth Management® and PNC Institutional Investments®, who keeps a close eye on the many factors that influence the direction of both domestic and international financial markets. We discussed the far-reaching effects that the outcome of the November election may have on the financial markets.

Jackie Lessman: When you look at past presidential elections in our country, the markets seem to react differently depending on which candidate wins the election. What determines how the markets will react? E. William Stone: In looking back at past elections, there are many factors that help determine how markets react to the winning candidate and party. Interestingly, data since 1901 show that the market tends to like a mixed government, with the two branches held by different political parties.

Many elections seem to have a current event or issue that the politicians build their platforms around. This year we expect that perhaps the most hotly debated monetary policy/financial/fiscal topics will be the state of the U.S. economy and the pending fiscal cliff. Markets may also try to digest and react positively to election outcomes more favorable to a clearer resolution of the fiscal situation.

In election years with an incumbent victory, markets historically have performed better than in years where the incumbent has lost, according to the S&P 500 Index. We believe this would suggest a more favorable market should Obama win. We believe a deal in the lame duck session to extend the Bush tax cuts is more likely in the event of an Obama re-election. Conversely, we think we will see a higher S&P 500 in the event of a Romney win versus an Obama win, believing a Romney win is more likely to produce a budget agreement that is positive for the equity markets. If Romney were to win, it is also possible the Republicans would win majorities in the Senate and the House. We believe a unified GOP would more likely be positive toward a budget package that extends Bush tax cuts and reduces the deficit.

If markets have historically performed better in election years when incumbents have won re-election, what do you see as market risks in the event of a Romney victory?

Risk for the markets under Romney include the possibility for more near-term fiscal tightening and a greater likelihood of letting the payroll tax cuts expire. Visibility on the fiscal cliff is unlikely to exist until after Election Day. We hope to have more clarity as the debates commence on where the parties stand on key issues. All told, we expect markets to also keep a sharp eye on the elections.

There is little doubt that the winners of this year’s election will help determine how the United States will address the approaching fiscal cliff and longer-term fiscal situation. The outcome will certainly have market implications. How do you expect these issues to be addressed?

The U.S. fiscal situation needs to be addressed, but we believe it will not be in the manner that current policy would imply — falling off the fiscal cliff. We believe the consequences of allowing all of the fiscal drag to be realized in 2013 would be enough to unhang economic growth and would not be ideal for any political party. Thus, we expect that a deal among policymakers that will reduce the drag from fiscal policy in 2013 will be reached. Unfortunately, brinksmanship will likely be a tool used by both parties. Thus, the path to getting these provisions extended will probably be bumpy, resulting in angst for investors and a potential dose of increased market volatility. Although this can be disturbing, our view is that the economy is ultimately on a solid foundation and that growth will continue through the near term. Thus, the fiscal cliff does not change our recommended balanced portfolio, which favors stocks relative to bonds.

What impact, if any, do election years have on overall market returns and/or market volatility?

We have found that election years tend to be correlated with favorable market returns. Since 1928 the median return of the S&P 500® in an election year has been 9 percent and has been positive 15 out of 21 times. All election years have experienced a rally of at least 10 percent at some point during the calendar year. The median election year rally has been 17.2 percent.

Corrections occurring during election years tend to be in the magnitude of about – 10.3 percent. Volatility data are slightly different, particularly for an incumbent in this case seeking reelection in a slow recovery period. Volatility as measured by the Volatility Index fell to four-year lows in August. We believe market volatility is likely to rise through the fall in response to election headlines, concerns about the fiscal cliff, and continued developments in the Euro zone debt situation.

Given this expected volatility in the financial markets, what do you recommend for investors?

Although we are expecting volatility to remain higher over the near term, the longer-term prospects for growth leave us positive regarding stocks relative to bonds and cash, domestic equities relative to international equities. PNC’s current recommended allocations continue to reflect our positive view regarding the durability of the economic expansion while considering the downside risks inherent in the market and economic outlook.

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effective fusion of legal theory and practice-based skills, which are tested and honed through our clinical and award-winning pro bono programs. Our Legal Analysis, Writing, and Research program is ranked nationally for the efficacy of its curriculum. Rutgers-Camden is focused on making certain that our graduates are as prepared as possible for the rigors of the law upon passing the bar, and to be practice-ready. Our lawyering program integrates all legal skills including research analysis, writing, interviewing, counseling, negotiation, and trial advocacy.

We know that this is a challenging time for the legal profession and particularly for new law school graduates. During the coming year, Rutgers-Camden will work to deepen its connections to the legal community. Law schools must actively engage with the profession in order to help firms, organizations, and practitioners to meet their goals

We also are committed to maintaining access to legal education for our students. We will work aggressively to develop new sources of funding for student scholarships and support to defray the expense of legal education. Rutgers Law did not raise its tuition for 2012-13.

We will continue to attract top scholars to our faculty, and Rutgers-Camden increasingly will host major conferences of interest to both the legal practice and academics.

I am very optimistic about the future of the Rutgers School of Law–Camden. We have a unique chance to strengthen our law school, and I’m looking forward to working with the legal community in our region to make that happen.

Rayman L. Solomon is dean of the Rutgers School of Law–Camden.

India

continued from page 11

ration will be held in India with all interim orders to be decided by the courts. This has led to much delay. It is of utmost importance to avoid making this mistake. Avoid litigation in Indian courts. Choose New York law. If property is in India, the Indian courts will ignore the choice of law clause and decide under Indian law.

To enforce a U.S. order, service under the terms of the Hague Convention is required but enforcement is not guaranteed. Ex parte orders will not be enforced in India. There is a risk the entire case may be rehashed. Indians courts will enforce an international arbitration order. In executing on judgments, property may be bought with taxes and untaxed monies (80/20), but it is difficult to get the right value for property.

India uses the British common law and case law precedent. Yet case briefs cite only facts not case law. Labor laws tend to protect employees. Health care coverage is not a required benefit.

India is more formal than the U.S. Use titles such as “Mr.” and “MRS.” when addressing someone. Respect is very important. Use not just courteous words but a courteous tone of voice. Lack of good communication can “sour” a deal. It should be direct. Do not leave things unsaid or unwritten. Many business relationships are built on trust. Allow trust to develop. Chemistry and warmth are important. Transparency is a positive. Do not ask embarrassing questions like how much someone makes. Do not ridicule anyone. Indian lawyers function differently. While Indian legal arrogance is common—as it is in the U.S.—we should leave our arrogance at the door. Do not directly contradict. Never embarrass people in front of others. Do not use the word “no.” When you must disagree, start with the positives. Elaborate on the other person’s strengths and increase their appreciation of you. Slip in a suggestion, gently. Positivity will bring positivity. Negativity will yield negativity. Learn to be respectful and patient.

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

Family Law

continued from page 10

is a known sperm donor. Given this requirement, many sperm donor contracts contain a consent form terminating the donor’s parental rights. In these cases, court appearances are not required, only a petition to confirm consent is needed and addressed at the final adoption hearing.

Although the Internal Revenue Code does not recognize same-sex couples, this actually confers an economic benefit to gay couples in the context of a second parent adoption. They qualify for the adoption tax credit, which provides a dollar-for-dollar deduction for all adoption costs making the adoption essentially free.

Julia Swain (jswain@foxrothschild.com), a partner with Fox Rothschild LLP, is an associate editor of the Philadelphia Bar Reporter.

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

**CALENDAR OF EVENTS**

**Friday, Oct. 5**

**Saturday, Oct. 6**

**Monday, Oct. 8**
Columbus Day: Bar Association offices closed.

**Tuesday, Oct. 9**
Solo and Small Firm Management Committee: meeting, 12 p.m., 11th floor Conference Center. Lunch: $8.

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

Real Property Section Executive Committee: meeting, 12 p.m., 10th floor Board Room.

Compulsory Arbitration Committee: meeting, 12 p.m., 11th floor Committee Room South. Lunch: $8.

**Wednesday, Oct. 10**
Section and Division Chairs: meeting, 8:30 a.m., 10th floor Board Room.

Immigration Law Committee: meeting, 12 p.m., 11th floor Conference Center. Lunch: $8.

**Friday, Oct. 11**
International Business Initiative Committee: meeting, 12 p.m., 11th floor Committee Room South. Lunch: $8.

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

YLD Ballot Position Drawing: 12 p.m., 11th floor Committee Room South.

**Tuesday, Oct. 15**
Public Interest Section Executive Committee: meeting, 12 p.m., 10th floor Board Room.

Business Law Section Executive Committee: meeting, 12 p.m., 11th floor Committee Room South.

City Policy Committee: meeting, 12 p.m., 11th floor Conference Center. Lunch: $8.

**Tuesday, Oct. 16**
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. 17**
Young Lawyers Division Cabinet: meeting, 12 p.m., 11th floor Committee Room South.

Young Lawyers Division 20/20: meeting, 12 p.m., 11th floor Conference Center. Lunch: $8.

**Thursday, Oct. 11**
Federal Courts Committee: meeting, 12:30 p.m., 10th floor Board Room. Lunch: $8.

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

**Friday, Oct. 19**
Social Security Disability Benefits Committee: meeting, 12 p.m., 11th floor Committee Room South.

**Tuesday, Oct. 22**
Young Lawyers Division Executive Committee: meeting, 12 p.m., 10th floor Board Room.

**Wednesday, Oct. 24**
Medical Legal Committee: meeting, 12 p.m., 11th floor Committee Room South. Lunch: $8.

**Thursday, Oct. 25**
Elder Law & Guardianship Committee: meeting, 12 p.m., 10th floor Board Room. Lunch: $8.

LRIS Committee: meeting, 12 p.m., 11th floor Committee Room South.

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

**Tuesday, Oct. 30**
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. 31**
Chancellor’s Forum with Sonia Nazario: 12 p.m., 11th floor Conference Center. Lunch: $8.

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**Forum continued from page 1**

old. The move allowed her to send money home so Enrique could eat better and go to school past the third grade. But after 11 years apart, Enrique decides to set off on his own and find her. He made the trek from Central America by hanging on to the sides and tops of freight trains. All he had to help locate his mother was her phone number in North Carolina.

Nazario has worked as a reporter with the Wall Street Journal and the Los Angeles Times. Her work has earned her the Pulitzer Prize for feature writing, the George Polk Award for International Reporting, the Grand Prize of the Robert F. Kennedy Journalism Award and the National Association of Hispanic Journalists Guillermo Martinez-Manquez Award for Overall Excellence. “Enrique’s Journey” is based on a series of articles in the Los Angeles Times and later became a national bestseller. It has won three book awards, and became required reading for incoming freshmen at nearly 60 colleges and scores of high schools across the United States. Nazario grew up in Kansas and Argentina. Nazario has been named among the most influential Latinos by Hispanic Business Magazine and a trendsetter by Hispanic Magazine. Columbia Journalism Review named her one of 40 women who changed the media business in the past 40 years.

The program begins at 12 p.m. in the 11th floor Conference Center at the Philadelphia Bar Association, 1101 Market St.
Transactio

Bar Association’s Commercial Real Estate Group.

Bernard B. Kolodner, a partner with Kleinbard Bell & Brecker LLP, has been appointed group chair of the American Bar Association’s Section of Taxation.

Brenda Hustis Getanda, a partner with Manko, Gold, Katcher & Fox, LLP, was the course planner for the CLE program “Energy Efficiency, Green Building and Sustainability” for the Pennsylvania Bar Institute.

James J. Kozuch, a senior partner at Caesar, Rivie, Bernstein, Cohen and Pokotilow, Ltd., was recently invited to join the panel of arbitrators of the International Centre for Dispute Resolution.

Daniel Jeck, a partner at Eisenberg, Rothweiler, Winkler, Eisenberg, & Jeck, P.C., has been elected to the Board of Directors for the Philadelphia Trial Lawyers Association.

John J. O’ Maley, a shareholder with Volpe and Koenig, P.C., has been appointed co-vice president of the Irish-American Business Chamber Network’s Board of Directors.

Bernard B. Kolodner, a partner with Kleinbard Bell & Brecker LLP, has been appointed group chair of the American Bar Association’s Commercial Real Estate Group.

George Martin and Matthew L. Wilson of Martin Banks were presenters at the 28th Annual Fall Meeting of the Philadelphia Bar Association Workers’ Compensation Section hosted by the Pennsylvania Bar Institute on Sept. 13-14 in Hershey, Pa.

Ronald M. Wiener, of counsel to Drucker Beckman Sobel, LLP, organized and moderated the live teleconference and webinar “Working With [IRS] SB/SE to Resolve Collection Issues” presented on Sept. 5 by the American Bar Association’s Section of Taxation.

Robert A. Liften, founding member of Duffy + Partners, was recently inducted as president of the Philadelphia Bar Association.

Sarah Katz has been appointed as a visiting clinical professor at Temple University Beasleys School of Law, where she is teaching and supervising the Family Law Litigation Clinic.

Stewart J. Eisenberg, a founder and senior partner at Eisenberg, Rothweiler, Winkler, Eisenberg, & Jeck P.C., was recently appointed to a three-year term to represent the Commonwealth of Pennsylvania on the Board of Governors for the American Association for Justice.

Scott M. Slomowitz, a partner with Caesar, Rivie, Bernstein, Cohen and Pokotilow, Ltd., has been selected as a Rosh Hashanah 2012 honoree of the Adas Kodesh Shel Emeth Synagogue in Wilmington, Del., for his many years of leadership and contributions.

Daniel J. Siegel, principal of the Law Offices of Daniel J. Siegel, LLC, has been named a Fellow of the American Bar Foundation.

Kimberly Alfrod Rice, principal in KLA Marketing Associates, presented “Nailing the Nuances of Effective Networking” on Sept. 13 to Northern Burlington Regional Chamber of Commerce members at their monthly breakfast meeting in Bordentown, N.J.


Aaron S. Mapes, an associate with Rawle & Henderson LLP, co-authored “Stigma Damages and Diminution of Property Claims in Environmental Class Actions,” published recently in the Environmental Claims Journal.

Joseph J. McGovern, a senior partner with Obermayer Rebmann Maxwell & Hippel LLP, was recently appointed to a one-year term as programs vice chair for the American Bar Association’s Section of Environment, Energy, and Resources, Environmental Transactions and Brownfields Committee.

James C. Schwartzman, a shareholder with Stevens & Lee, has been appointed vice chair of the Supreme Court of Pennsylvania’s Interest on Lawyers Trust Account Board.

Joseph J. Centeno, a partner with Obermayer Rebmann Maxwell & Hippel LLP, received the Filipino American Association of Philadelphia’s 2012 Centennial Award for Public Interest Law on Sept. 15.

Gary M. Samms, a partner with Obermayer Rebmann Maxwell & Hippel LLP, was a featured panelist for The Legal Intelligencer’s first “Litigation Summit” at the Sofitel Hotel on Sept. 13.

Neil Boyden Tanner, chief counsel of Cigna Global Health Benefits, has been named to the Board of Trustees of the American University in Rome, Italy.

James W. Cushing of the Law Office of Faye Riva Cohen, P.C., has been named to the Board of Directors of the Christian Legal Clinics of Philadelphia.

John G. Papianou, a partner with Montgomery McCracken Walker & Rhoads LLP, has been named to the board of trustees of the Curtis Institute of Music.

John J. Soroko, chairman of Duane Morris LLP, accepted the George B. Vashon Innovator Award on behalf of the firm on Sept. 10. The award was presented by the Minority Corporate Counsel Association at the Diversity Innovators Awards Reception following the Pathways Conference in New York City.

Jeffrey L. Dash esky, a trial attorney with Dash esky, Horwitz, Kuhn & Novello, P.C., was a presenter for the Pennsylvania Bar Institute CLE seminars “Trying A Case In State Court From Start To Finish” and “Pennsylvania’s New Joint & Several Liability Law.”

Charles J. Meyer, a shareholder with Hofstein Weiner & Meyer, P.C., recently served as the course planner and moderator at the PBI seminar “Tax Consequences and Estate Issues in Divorce: Avoiding the Pitfalls.”

Howard R. Flaxman, a partner with Fox Rothschild LLP, was honored with City of Hope’s Spirit of Life” Award at a reception presented by the Tri-state Labor & Management Council on Sept 20. The Spirit of Life Award is presented to outstanding philanthropists who exemplify City of Hope’s mission through their actions.

 squeezes the news of members’ awards, honors or appointments of a national or local 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@philabar.org. Color photos are also welcome.

“People” highlights news of members’ awards, honors or appointments of a national or local 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@philabar.org. Color photos are also welcome.
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