



BAR REPORTER®

April 2003

The Monthly Newspaper of the Philadelphia Bar Association

Vol. 32, No. 4

June Quarterly Meeting and Luncheon

Author, Scholar Dr. Cornel West to Deliver Higginbotham Lecture

Dr. Cornel R. West, celebrated author and the current Class of 1943 University Professor of Religion at Princeton University, will deliver the fifth annual Judge A. Leon Higginbotham Jr. Memorial Public Interest Lecture at the Philadelphia Bar Association's June Quarterly Meeting and Luncheon.

New members of the Association's Year Clubs will also be honored at the event, scheduled for Thursday, June 19 at the Park Hyatt Philadelphia at the Bellevue, Broad and Walnut streets. Tickets are available for purchase online by visiting www.philadelphiabar.org.

The lecture was inaugurated by the Public Interest Section to honor the memory of the late Third Circuit Court of Appeals Judge A. Leon Higginbotham Jr.

Prior to his appointment at Princeton, West was the Alphonse Fletcher Jr. University Professor at Harvard University teaching in Afro-American Studies and Philosophy of Religion. He graduated from Harvard University magna cum laude, and earned his Ph.D. degree in philosophy at Princeton in 1980. In 1996, he was awarded the James Madison Medal, the highest honor Princeton bestows on graduate alumni.

West taught at Yale, Union Theological Seminary and Princeton University where he was chair of the Department of Afro-American Studies. He is an author of numerous articles and books including *The Cornel West Reader*, *Race Matters* and *The African American Century*.

West was born in Tulsa, Okla., in 1953. His father was a civilian Air Force administrator, and his mother, an elementary school teacher, would

continued on page 5



Dr. Cornel West

Citizens Pro Bono Award

Dechert Attorney Receives Honor

by Jeff Lyons

Geanne K. Zelkowitz, a founding board member and former president of the board of the Homeless Advocacy Project and an associate at Dechert LLP, has been named as the recipient of the Philadelphia Bar Association's inaugural Citizens Pro Bono Award.



Zelkowitz

The Award will be presented at the Spring Quarterly Meeting and Luncheon on Thursday, April 3 at the Park Hyatt Philadelphia at the Bellevue.

"We received quite a few entries for this Award and the decision wasn't easy," said Association Chancellor Audrey C. Talley. "The work of the nominees demonstrated the generous spirit of our legal community and the overwhelming need for pro bono lawyers in a wide spectrum of cases. Geanne's dedication and commitment are admirable. She has spent a lot of time handling

continued on page 4

In This Issue ...

4 Pro Bono Corner

6 Law Week 2003

8 Bar Foundation

9 Golf Classic

10 Child Advocates

11 Labor Summit

14 Arts & Media

Association to Aid Military Personnel

by Jeff Lyons

The Philadelphia Bar Association is looking for volunteer attorneys to provide free legal assistance to military personnel and their families for problems they face as they are deployed because of the war with Iraq.

"As lawyers and members of the community, we want to do what we can to help," said Chancellor Audrey C. Talley. "We support the men and women of the armed services and our talents and ener-

gies are available to those who need assistance."

The Military Assistance Program will be in conjunction with the American Bar Association's "Operation Enduring LAMP." The ABA Web site (www.abanet.org) contains a wealth of information to assist volunteer attorneys, Talley said.

The only requirements for attorneys wishing to participate are that they be in active practice and have malpractice insurance. Attorneys with the following practice experience are needed for the

program: family law, estate planning, tax, employment, consumer, debtor/creditor, immigration and insurance. Attorneys with experience with the Soldiers and Sailors Civil Relief Act, Uniformed Service Employment and Re-Employment Act and Servicemen's Group Life Insurance are also needed.

For more information about volunteering, contact Charles Klitsch, the Bar Association's assistant director for public and legal services, at (215) 238-6326 or by e-mail at cklitsch@philabar.org.

Low Voter Turnout Affects Judicial Elections

by Audrey C. Talley

On May 20, Philadelphians will have the opportunity to vote in the primary election. This is a mayoral election year for Philadelphia so the mayor, the entire City Council and other municipal offices will be on the ballot.

But don't count on voters turning out in record numbers. According to the Committee of Seventy, the percentage of the voting age population (VAP) actually voting in a mayoral primary peaked in 1983 at 57.8 percent. The last time around (in 1999) it was down to 32 percent. Of course, much of this depends on the candidates and the issues at the time and whether or not there is significant opposition in the primary.

Still, the Committee of Seventy notes that "voter participation, whether measured by turnout of Voting Age Population, turnout of registered voters, or total votes, has been going down for at least the last thirty years. Reforms such as extending the vote to 18 year olds in the early 1970s and making it easier to register in the 1990s haven't reversed the decline in participation."

The situation is so bad that a Committee of Seventy report says that Philadelphia could actually serve as a case study in declining voter participation. In the 1970s and 1980s, citywide

FRONTLINE



turnout of the VAP averaged about 36 percent. Today, the average is about ten percentage points lower than that.

This is sad news for our whole system of government. Democracy is ill served when fewer and fewer people vote.

And here's a telling observation: The Committee of Seventy says that judicial races "have almost no effect on turnout. If anything," its report adds, "voters stay away from the booth during these elections because of the confusion and intimidation brought on by trying to decipher judicial races."

Well, it's true. The judicial races can and do confuse voters. But this year

the Bar Association is going to do more to help voters understand the judicial election and the candidates. Based on the findings of our Commission on Judicial Selection and Retention, we're not only going to tell the voters which candidates are "Recommended" and "Not Recommended" but we're also going to explain why the judicial races are important and how we arrived at our ratings. We want people to know that judges make decisions that affect every aspect of their lives. And we want voters to understand that our Commission's ratings are based on sound, thorough, objective, non-partisan evaluations of the candidates. We want to move large numbers of informed voters to the polls to vote in these judicial races. As lawyers, if we do this, we will be helping our justice system and our democracy.

Already, our Web site contains an informative Voters Guide to the Judicial Elections. As the election draws near, you will begin hearing radio spots from our Campaign for Qualified Judges. These spots will direct voters to our Web site where a pop-up window will appear with the names of the

"Recommended" and "Not Recommended" candidates.

The same list will appear in selected newspapers. People will know which candidates we recommend for judicial office and why we recommend those candidates. Voters will understand why they need to vote in the judicial races and why they need to make an informed decision.

You can help us with this campaign. Direct your friends, colleagues and neighbors to the Association's Web site at www.philadelphiabar.org. Copy the list of "Recommended" candidates and e-mail it to others. Or print the list and distribute it. Tell everyone you know to take the list to the polls.

More people should learn about the judicial elections and the candidates. More eligible Philadelphians should vote. We won't change everything overnight but with your help we can begin to reverse the downward slide in participation.

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

Board Appoints Three to Nominating Committee

by Jeff Lyons

Three members of the Board of Governors were named to the Association's Nominating Committee at the Board's March 25 meeting.

Board members Joseph A. Sullivan, Alexander B. Giacobetti and Robert W. Meek were appointed by unanimous vote. According to the Association by-laws, the Nominating Committee seeks and recommends qualified candidates for the offices of Vice-Chancellor, Secretary, Treasurer, Assistant Secretary, Assistant Treasurer, Chancellor-Elect and for Board positions. This year, the Nominating Committee is chaired by Immediate-Past Chancellor Allan H. Gordon.

In other business, the Board commended the Committee on the Legal

Rights of Lesbians and Gay Men for their survey on lesbian, gay, bisexual and transgender (LGBT) issues in the workplace. Kevin P. Ray, co-chair of the committee, gave the Board an overview of the survey.

Ray said the Philadelphia Bar Association is one of just six associations in the nation to maintain such a committee. The survey includes seven recommendations. Among them:

- The Association should continue to encourage employers to include procedures and practices to ensure non-discriminatory recruitment and hiring of qualified LGBT attorneys.

- The Association should continue to encourage employers to adopt, implement and publicize policies that prohibit discrimination and harassment on

continued on page 7

Event to Honor Bar's Dan Cirucci

Daniel A. Cirucci, the Association's associate executive director for communications and public affairs, will be inducted into the Philadelphia Public Relations Hall of Fame at a May 13 luncheon sponsored by the Philadelphia Public Relations Association.



Daniel A. Cirucci

Cirucci, who is celebrating his 25th anniversary with the Bar Association, will be honored for his contributions to the profession and the community and his commitment to the profession's highest standards.

The luncheon begins at noon at the Ritz-Carlton Philadelphia, 10 Avenue of the Arts. To order tickets online, visit www.ppra.net and click on the Hall of Fame registration link.

Tell Us What You Think!

The Philadelphia Bar Reporter welcomes letters to the editors for publication. Letters should be typed. There is no word limit, but editors reserve the right to condense for clarity, style and space considerations. Letters must be signed to verify authorship, but names will be withheld upon request. Letters may be mailed, faxed or e-mailed to: Jeff Lyons, Managing Editor, Philadelphia Bar Reporter, Philadelphia Bar Association, 1101 Market St., 11th floor, Philadelphia, Pa. 19107-2911. Phone: (215) 238-6345. Fax: (215) 238-1267. E-mail: reporter@philabar.org.

PHILADELPHIA BAR REPORTER

Editor-in-Chief
Bruce H. Bikin, Esq.

Associate Editors
Molly Peckman, Esq.
Sunah Park, Esq.
Nina Wright-Padilla, Esq.
Daniel J. Anders, Esq.
Catherine Pratsinakis, Esq.

Contributing Editor
Richard Max Bockol, Esq.

Advisory Editors
Merih O. Erhan, Esq.
Marc W. Reuben, Esq.

Director of Publications and New Media
Mark A. Tarasiewicz

Managing Editor
Jeff Lyons

Copy Editor
Kate Maxwell

Associate Executive Director
for Communications and Public Affairs
Daniel A. Cirucci

Executive Director
Kenneth Shear

The Philadelphia Bar Reporter (ISSN 0145-3491) is published monthly and available by subscription for \$45 per year by the Philadelphia Bar Association, 1101 Market St., 11th fl., Philadelphia, Pa. 19107-2911. Periodicals postage paid at Philadelphia, Pa. POSTMASTER: Send address changes to Philadelphia Bar Reporter, c/o Philadelphia Bar Association, 1101 Market St., 11 fl., Philadelphia, Pa. 19107-2911. Telephone: (215) 238-6300. Association Web site: www.philadelphiabar.org. Newspaper e-mail address: reporter@philabar.org. The editorial and other views expressed in the Philadelphia Bar Reporter are not necessarily those of the Association, its officers, or its members. Advertising rates and information are available from Media Two, 22 W. Pennsylvania Ave., Suite 305, Towson, Md., 21204. Telephone: (410) 828-0120.

Federal Courts Committee

Settlement Dos, Don'ts Discussed

by Mary Ellen O'Laughlin

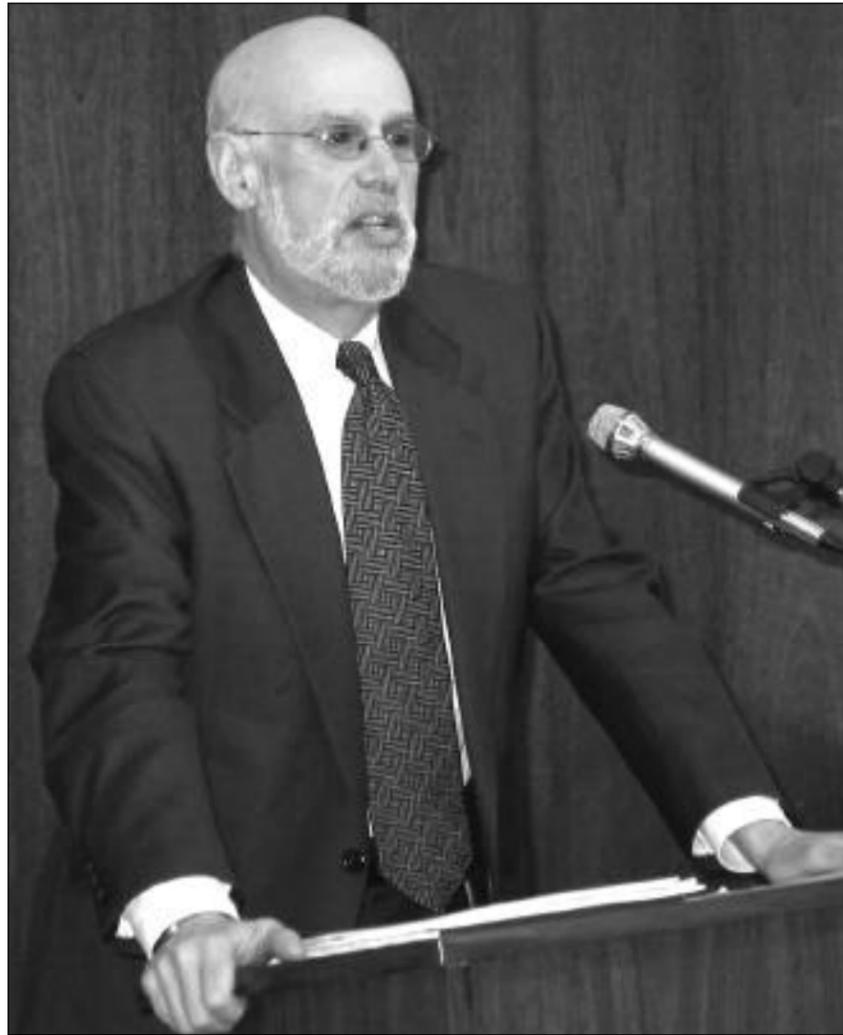
U.S. District Court Magistrate Judge Jacob P. Hart, a fan of late-night talk show host David Letterman, offered his own Top 10 list at the March 19 meeting of the Federal Courts Committee. Judge Hart presented the "Top 10 Reasons Cases Do Not Settle" with five reasons from the plaintiff's lawyers and five from the defense bar.

Plaintiffs' counsel contribute to the failure to settle when: (1) their position papers are full of hyperbole; (2) they appear at the settlement conference with multiple documents or numerous deposition transcripts for the court to review, inundating the court with arguments on the merits of the case; (3) they appear at the settlement conference under the assumption that a defendant will pay a plaintiff and the plaintiff's lawyer the same amount to settle the case as the defendant would pay its counsel to try the case; (4) they over-inflate their client with expectations as to the amount of ultimate recovery or only discuss with their client the amount that the client "needs" to settle; and, (5) they do not realize that unlike baseball, there is always crying in mediation and they do not try to control, to the extent they can, their client's histrionics.

Judge Hart said defendants' counsel cause settlement discussions to fail when they: (1) appear at the conference with as many people as possible, in an effort to intimidate the plaintiff; (2) fail to bring the decision maker; (3) assume they will win on summary judgment; (4) make sure their clients buy into the notion that if they settle with this plaintiff it will open up a floodgate of litigation; and (5) make sure their clients tell the mediator that they cannot settle as a matter of principle.

Judge Hart was joined at the meeting by U.S. District Court Judge Lowell A. Reed and U.S. District Court Magistrate Judge Diane M. Welsh.

Judge Hart stated that it is his practice to obtain position papers from each party prior to a settlement conference, with the understanding that the information they contain will not be



U.S. District Court Magistrate Judge Jacob P. Hart

shared with the opposing party. By doing so it is his intention that counsel for each party will take a good hard look at the case and will assess the risks in an analytical and honest fashion. For this reason, when he receives position papers containing a great deal of hyperbole he realizes that they have been written for the client and not for the purpose of seriously attempting to resolve the matter. With regard to trying to get the defendant to contribute to a settlement its costs of defense, while there is a certain amount of compelling logic to this position, Judge Hart said that this approach fails to take into consideration the fact that ultimately corporations are people and they feel a similar sense of hurt and outrage as do plaintiffs and may determine to pay the money to defense

counsel to proceed rather than to plaintiff to settle. He said that when speaking to a plaintiff he frequently uses a jury verdict sheet to show that the verdict is a "decision tree," and that the jury does not come to the decision about the amount to be awarded until they have decided a number of other issues and that they never get to that dollar sign on the verdict sheet until they have answered the preceding questions in a way that lets them "turn the page."

In discussing the propensity of defense counsel to show up at the conference with numerous people, Judge Hart said that this tactic often causes the opposite of the intended result – it galvanizes instead of intimidating the plaintiff. He suggested that the number

continued on page 12

Philadelphia Bar Foundation

Mingey Named Executive Director

Maureen Mingey, former director of new initiatives with the Eisenhower Fellowships, has been named as the new executive director of the Philadelphia Bar Foundation.



Maureen Mingey

Mingey was at Eisenhower Fellowships in Philadelphia since 1996, where she was a senior program officer before becoming director of new initiatives. The Eisenhower Fellowships is an international exchange program that promotes improved relations between nations through the exchange of information and ideas among emerging leaders. "Maureen played a key role in re-energizing the program, and as part of that was responsible for finding new sources of funds to support her program ideas," said Bar Foundation President Gerald A. McHugh.

Mingey has a bachelor's degree in political science from St. Joseph's University (1982) and a masters of business administration from Georgetown University (1991). She also worked as an international trade consultant with the law firm of Dewey Ballantine, staffing an in-house consulting team that served international clients. She also spent three years working for the U.S. House of Representatives as a policy analyst.

"Maureen came highly recommended by people who have worked with her, including many prominent members of the Philadelphia community. She expressed a great deal of interest in taking the position, and we feel very fortunate to have found her. She is available to start service immediately," McHugh said.

"I'm really looking forward to the opportunity," Mingey said. "I know the Foundation is looking to take things to the next level and becoming a presence in the community. I look forward to that challenge as well as working with grantee organizations. The Bar Foundation has a worthy mission that's important to Philadelphia," she said.

Mingey can be reached at (215) 238-6334 or by e-mail at mmingey@philabar.org.

Media Two Named Bar Association's Publishing Agent

Media Two, a Towson, Md.-based custom publishing and marketing company, has been named as publishing agent for the Philadelphia Bar Association's publications.

Media Two takes over selling advertising for the Philadelphia Bar Report newspaper, The Philadelphia Lawyer magazine and the annual Legal Directory

"We look forward with great anticipation to a new relationship that incorporates the creative approaches in partnering with the Bar Association in delivering to our members

lively publications and electronic media," said Association Executive Director Kenneth Shear.

"The Bar Association is an outstanding organization with a long history of serving the legal community," said Media Two President Jonathan Witty.

"Our goal is to support the Bar Association in serving the legal community to the best extent possible. We see ourselves as supporting the association in producing the highest quality publications," Witty said.

Pro Bono Corner

Sharpen Your Skills With a VIP Case

by Seth W. Goren

Recent law school graduates are more likely to draft and review documents than show off their skills in a courtroom. Still, many young attorneys long to test their advocacy wings. With this goal in mind, I contacted VIP in 2001 about providing pro bono legal services to a client needing assistance.

I was interested in business litigation and commercial disputes. I had extensive moot court appellate advocacy experience, but lacked actual trial experience. Because I was in a clerkship, I wanted to be sure that I would have a mentor to provide me with guidance and the benefit of her experience. I also wanted to be sure that any case I took would not end up before my judge.

VIP was exceptionally accommodating. First, VIP assigned me a commercial disagreement that was sufficiently low in amount that it would not come

before the court in which I was working. Second, VIP put me in touch with Leslie Gerstein, an attorney who had significant legal experience and was very generous in giving me advice every step of the way.

Bolstered by this strong support, I met with the director of the non-profit cooperative that was my client. She outlined how one of the companies with which the nonprofit had contracted had allegedly retained thousands of dollars of commissions and was refusing to remit them to the cooperative. To add insult to injury, the contracting company purportedly had solicited members away from the cooperative in violation of the non-solicitation provision in the agreement.

Fortified with these allegations, I drafted a complaint, reviewed it with my mentor and my client and filed it in Philadelphia Common Pleas Court. I received an answer that consisted, not surprisingly, mostly of flat denials of

our allegations. Once in possession of the defendant's answer, I was able to build a set of discovery documents that were designed to fill in the gaps what I knew about the defendant's relationship with the cooperative.

Much to my disappointment, the defendant was not as forthcoming in responding to my discovery requests as I had hoped it would be. However, this challenge gave me the opportunity to explore the world of discovery court, where, three motions and two court orders later, I finally received the information I had sought.

This set the stage for a non-binding arbitration hearing to resolve my client's claim. Armed with multiple binders and a dizzying array of highlighted citations, I was, in retrospect, a tad overprepared. All the same, after more than five hours of testimony and ten minutes of deliberating, the panel awarded the cooperative nearly \$13,000, and I felt like I had won my

client a substantial victory.

In the month after the arbitrator's award, defendant's counsel and I engaged in efforts to reach a settlement. We were unable to come to an agreement during that time and the defendant appealed the award. Defendant's counsel telephoned me several months later, however, with an offer to settle the case for \$10,000, an offer that my client gladly accepted.

Through my experience with VIP, I had the opportunity to take on my own client, prepare and present my own case and bask in the glow of feeling like I had helped a nonprofit company in need of legal assistance. Perhaps most importantly, I was able to do this with the support and resources necessary to ensure that my work was professional, productive and effective.

Seth W. Goren is currently an associate with ~~Widman, S & Graf, P.C.~~ Philadelphia VIP can be contacted at (215) 523-9550 or www.phillyvip.org.

CITIZENS PRO BONO

continued from page 1

tough matters. We hope her efforts serve as a model for other lawyers who want to carry out their responsibility to help those who need but cannot afford legal services."

"When I was clerking for Judge Luongo and working downtown, it was distressing to step over homeless people in the street. I wanted to do something to help, so I handed out sandwiches to them. It helped but didn't do much for the broad-based problems," said Zelkowitz, who has worked at Dechert since 1984. Before HAP came into existence, Zelkowitz was involved with the Association's Committee on the Problems of the Homeless and got attorneys to take on some cases involving homeless clients.

"When HAP started, it seemed to combine both things - being able to help the homeless and helping to shape policy. HAP is a wonderful organization of professionals who are a pleasure to work with," she said.

"I've received wonderful support for the work I do for HAP from Dechert as an institution, and from Dechert lawyers, paralegals and law students,"

Zelkowitz said, adding that more than 100 people from her firm have volunteered for the project.

"Geanne Zelkowitz's dedication to providing legal services to the homeless shows how pro bono activity can make a real difference in the lives of others. She is an inspiration to all of us, and a reminder of our important obligation to folks who are not able to help themselves. We are delighted to recognize Geanne, and through her, the many other lawyers who every day donate their expert legal assistance to others who simply can't afford to pay for legal services," said Alan M. Feldman, chair of the Citizens Pro Bono Award Committee.

At Dechert, Zelkowitz is an associate in the mass torts and product liability and criminal, investigations and civil fraud groups. Her areas of concentration include plaintiff's personal injury, product liability and civil litigation.

"I have corporate clients and I do good things for them. But when I volunteer for HAP, I know I'm helping change people's lives," she said.

Marsha Cohen, executive director of the Homeless Advocacy Project, had nothing but praise for Zelkowitz. "She's been involved as a pro bono attorney

with HAP since its inception in 1990. As Dechert's pro bono coordinator, she's run 12 annual legal clinics for the homeless at Mercy Hospice and St. John's Hospice, both in Center City," Cohen said.

She said Zelkowitz brings Dechert attorneys to these legal clinics where she personally takes on pro bono cases and supervises all of the cases Dechert picks up. "In the past two years, Dechert has opened approximately 80 cases from HAP. She has personally handled 22 of them," Cohen said. "It's amazing because it goes on year after year after year. She's doing it for the right reasons. She's committed to helping the people because she has a good heart."

"HAP feels really fortunate to be able to work with someone who is so dedicated and focused and caring as well as professional and competent," she added.

Joseph A. Sullivan praised Zelkowitz for the passion she has brought to her work with HAP clients.

"She's an excellent attorney. She cares a great deal about her HAP clients and is always going to go to the mat for them and does what it takes. She's also actively promoted pro bono

work at HAP with her colleagues at Dechert," he said.

Sullivan said he's worked personally with her on a number of projects with the HAP board. "She's always been a terrific, hardworking participant. During my two years as HAP board president, she was instrumental in helping us work out issues that came before the board. She really provided invaluable insights and hard work," he said.

Sullivan is director of the pro bono program at Schnader Harrison Segal & Lewis LLP. He is co-chair of the Association's Delivery of Legal Services Committee, a member of the Board of Governors, and former chair of the Public Interest Section.

The Citizens Pro Bono Award is presented by the Philadelphia Bar Foundation and Citizens Bank. Two additional Citizens Pro Bono Awards will be presented to a law firm and a legal department for outstanding pro bono work at the Foundation's Andrew Hamilton Ball in November.

"Geanne's been a very dynamic supporter generally of pro bono work and for HAP in particular. It's very well deserved. There's no doubt in my mind that she's the right person to get this award," Sullivan said.

Send Us Your News, Views, Photos for Publication

The Philadelphia Bar Reporter welcomes law-related submissions for publication. Articles relating to a specific practice area, commentary, book reviews, and letters to the editors are welcome. Letters must be signed to verify authorship, but names will be withheld upon request.

All submissions will be promptly considered by the Bar Reporter Editorial Board. Editors reserve the right to condense for clarity, style and space considerations.

Articles and/or requests for publication may be mailed, faxed or e-mailed and should be

directed to: Jeff Lyons, Managing Editor, Philadelphia Bar Reporter, Philadelphia Bar Association, 1101 Market St., 11th floor, Philadelphia, Pa. 19107-2911. Phone: (215) 238-6345. Fax: (215) 238-1267. E-mail: reporter@philabar.org.

Philadelphia Bar Association Quarterly Meeting and Luncheon
Thursday, June 19 at Noon at the Park Hyatt Philadelphia at the Bellevue

- Featuring Keynote Speaker Dr. Cornel W. West
- Welcoming New 50-, 60-, 65-, 70- and 75-Year Club Members

Please make _____ reservations for the Philadelphia Bar Association's Quarterly Meeting and Luncheon. Tickets are \$40 for members and \$45 for non-members. Checks should be made payable to the Philadelphia Bar Association.

Name: _____

Firm/Employer: _____

Address: _____

Phone: _____ Fax: _____

E-Mail: _____

Return to:
 Quarterly Meeting
 Philadelphia Bar Association
 1101 Market St., 11th fl.
 Philadelphia, Pa. 19107-2911

Credit Cardholder: _____

_____ Visa _____ MasterCard _____ American Express

Card number: _____

Expiration date: _____

Signature: _____

Credit card payments should be faxed to Bar Headquarters at (215) 238-1267.

Bar's Year Clubs Getting 75 New Members

The newest 75 members of the Philadelphia Bar Association's 50-, 60-, 65-, 70- and 75-Year Clubs will be recognized at the Association's June Quarterly Meeting and Luncheon on Thursday, June 19.

Members of the 50-Year Club get a pin and a certificate. All other honorees receive a framed certificate. The June Quarterly Meeting and Luncheon will be held at the Park Hyatt Philadelphia at the Bellevue, Broad and Walnut streets.

50-Year Club

Leonidas A. Allen; Warren M.

Ballard; Earle N. Barber; Norman S. Berson; Robert F. Blanck; Judge Edward J. Bradley; John J. Brennan; Ralph W. Brenner; Judge Joseph C. Bruno; Francis X. Diebold; Park B. Dilks Jr.; Joseph S. Elmaleh; Joseph P. Flanagan Jr.; Joseph H. Foster; Max Goldberg; Maxwell P. Gorson; Jack C. Goushian; Bernard Granor; Jon Grossman; Filmore S. Harowitz; Bernard N. Katz; William A. Kelley Jr.; S. Robert Levant; Frederick A. Levy; Jerome Lipman; Edward W. Madeira; Theodore R. Mann; John S. Manos; Domenic Masciantonio Jr.; Thomas F. McDevitt; Anthony S. Minisi;

John Mitchell; Judge Frank J. Montemuro; Everett H. Murray Jr.; George H. Nofer; Herbert L. Ocks; George J. O'Neill; Stanton S. Oswald; A. Charles Peruto; Esther Polen; Judge Lawrence Prattis; Edward J. Quinn; Judge Meyer Charles Rose; Joseph D. Schein; Jerome J. Shestack; Philip Shuchman; Leonard Spear; John T. Synnestvedt; Allan M. Tabas; Joseph R. Thompson; Stanton L. Treister; Nicholas A. Von Neuman; Robert E. Wachs; William D. Webb; and Minturn T. Wright.

60-Year Club

Judge Nicholas A. Cipriani; John A.

Eichman; Judge John A. Geisz; Joseph Shanis; Craig M. Sharpe; and Daniel Sherman.

65-Year Club

David Berger; Morris Chernock; David Cohen; Edward I. Cutler; Henry W. DeLuca; Max Palitz; Harold Sills; Henry R. Sklar; Benjamin B. Solomon; and Frederick Van Denbergh.

70-Year Club

Frank Carano; Rose K. Landry; and Herbert G. Marvin.

75-Year Club

Charles L. Cushmore

WEST

continued from page 1

later become the principal. The West family moved a great deal and finally settled in a middle-class neighborhood in Sacramento, Calif.

As a boy, West was greatly impressed by the Baptist church. He had been deeply touched by the stories of parishioners who, only two generations from slavery, told stories of blacks maintaining their religious faith during the most trying of times. He was equally attracted to the commitment of the Black Panthers, whose office was near his boyhood church. It was from the Panthers that West began to understand the importance of community-based political action. But it was a biography of President Theodore Roosevelt that West borrowed from a neighborhood bookmobile that would steer his academic future. West felt an affinity to Roosevelt, as both were asthmatics. He read how Roosevelt had overcome his asthma, went to Harvard and became a great speaker. So at 8 years old, even though he wasn't

exactly sure what it was, West decided he would go to Harvard.

And so he did, graduating from Harvard magna cum laude in three years. Martin Kilson, one of West's professors, recalls him as "the most intellectually aggressive and highly cerebral student I have taught in my 30 years here."

West then went on to Princeton University, where he received his M.A. and his Ph.D., then went on to head the university's Department of Afro-American Studies. After reviving that department successfully, West moved to Harvard University where he served as professor of Afro-American Studies and Philosophy of Religion. Recently, he was W.E.B. Du Bois Lecturer at Harvard. His speaking style, formed by his roots in the Baptist church, blends drama, knowledge and inspiration.

His book credits include: *Prophecy Deliverance: An Afro-American Revolution*, *Post-Analytic Philosophy*, *Prophetic Fragments*, *The American Evasion of Philosophy*, *The Ethical Dimensions of Marxist Thought*, *Breaking Bread*, *Prophetic Reflection* and *Prophetic Thought In Postmodern Times*. His breakthrough

book, *Race Matters*, was published in 1993. This book quickly achieved best-seller status and gained the attention of *Time* magazine and *Newsweek*, causing both publications to run extensive profile articles about West in June 1993. His book *Keep Faith* was also published in 1993. *Jews and Blacks: Let the Healing*

Begin a book co-written with *Tikkun* magazine editor Michael Lerner, was published in the spring of 1995.

Previous Higginbotham lecturers are Marion Wright Edelman, Professor Charles Ogletree, Congressman Chaka Fattah and ABA President-Elect Dennis W. Archer.



CASE CLOSED!

The Philadelphia Bar Reporter
 is your best way to reach
 Philadelphia's legal community.

For advertising information,
 please contact:
Advertising Sales
 410.828.0120, ext.237
 sales@mediatwo.com
 www.mediato.com

Law Week 2003

YLD Programs Focus on Independent Courts

by Genna Viozzi

In the tradition of uniting legal education with members of the Philadelphia community, the Young Lawyers Division of the Philadelphia Bar Association is once again gearing up for its annual Law Week celebration.

Law Week begins on Monday, April 28 and ends on Saturday, May 3. Law Day, a special day focusing on American heritage of liberty under law and a national day of celebration officially designated by Congress in 1961, occurs each year on May 1. The Philadelphia Bar Association uses the entire week in which May 1 falls to implement a weeklong community-wide education outreach.

Law Week 2003 heralds the theme "Celebrate Your Freedom – Independent Courts Protect Our Liberties" and encompasses a full schedule of community-reaching programs run by volunteer lawyers. Among the programs are Lawyer in the Classroom and Stepping Out for Seniors. Lawyer in the Classroom sends attorneys into Philadelphia city schools to speak with students about the legal profession and their journeys to becoming lawyers. Stepping Out for Seniors once again sends volunteer attorneys into the schools, but this time they meet with high school seniors to discuss the legal implications of turning 18 and being viewed by the

legal system as an adult.

The highlight of Law Week annually falls on Wednesday of the week when the YLD brings their Law Fair to The Gallery mall in Center City. A perennial favorite with the community, the Law Fair provides volunteer attorneys to give free legal advice. This year's Law Fair will be held from 12 to 2 p.m. on Wednesday, April 30 and will also feature a Kid I.D. Program through which parents can have a free photo identification taken of their children.

Law Week wraps up for city high school students with a hands-on program called Lawyer for a Day. On the morning of Friday, May 2, attorneys and students will convene at Bar Association headquarters where groups of students will be paired with an attorney and then set out into a day in the legal community. Most students will sit in on court proceedings and speak with judges about the process, but others may end up perusing city jail cells with an assistant district attorney or joining an associate at his or her Center City firm.

All students will return to the Bar for lunch and a wrap-up program that includes a proclamation from the mayor and inspiring words from local celebrities.

All Law Week activities are under the direction of Chancellor-Elect Gabriel L.I. Bevilacqua and are coordinated by YLD Law Week co-chairs Kim

R. Jessum and Louis J. Presenza Jr.

Each year the Law Week celebration enjoys greater and new successes thanks to the many talented attorneys who donate their time to one or more of the Law Week programs. All members of the Bar Association, not just members of the Young Lawyers Division, are encouraged to join the ranks and help make this widely publicized event the most successful to date. To find out how to become involved, contact Jessum at (215) 963-4753 or Presenza at (215) 731-1600.

The following is a tentative list of Law Week activities. Visit www.philadelphiabar.org for more events and further details as they become available.

Monday, April 28

- Lawyer in the Classroom, 9 a.m. to 12 p.m.; contact Miriam Koohdary, (215) 665-3959 or Scott Mayer, (215) 569-5616.

- Kick-off event for winners of High School Mock Trial Competition and Debate Contest, noon to 1:30 p.m., contact Tyler Ridgeway, (215) 441-4600.

Tuesday, April 29

- Lawyer in the Classroom, 9 a.m. to 12 p.m.; contact Miriam Koohdary, (215) 665-3959 or Scott Mayer, (215) 569-5616.

- Stepping Out for Seniors; contact Dara Penn Newman, (215) 419-6545.

Wednesday, April 30

- Lawyer in the Classroom, 9 a.m. to

12 p.m.; contact Miriam Koohdary, (215) 665-3959 or Scott Mayer, (215) 569-5616.

- Law Fair, The Gallery mall, 12 to 2 p.m.; contact Heather Holloway, (215) 575-4264.

- Kid I.D. Program, The Gallery mall, 12 to 2 p.m.; contact Natalie Klyashtorny, (215) 893-3409.

- Poster contest; contact Natalie Klyashtorny, (215) 893-3409.

- LegalLineP.M., Philadelphia Bar Association, 1101 Market St., 6 to 8 p.m.; contact Lisa Getson, (215) 564-3030.

Thursday, May 1

- Lawyer in the Classroom, 9 a.m. to noon; contact Miriam Koohdary, (215) 665-3959 or Scott Mayer, (215) 569-5616.

- Naturalization Ceremony/Edward F. Chacker Essay Contest; contact Natalie Klyashtorny, (215) 893-3409.

Friday, May 2

- Lawyer for a Day, Philadelphia Bar Association, 1101 Market St., 11th floor, 8:30 a.m.; contact Nicole Gerson (215) 985-0700 or Scott Sigman (215) 686-5828.

- YLD Happy Hour, 6 to 8 p.m.; contact Carl Kennedy, (215) 772-7536.

Saturday, May 3

- Same-Sex Couples and the Law forum.

- Habitat for Humanity work day; contact Michael Hayes, (215) 772-7211 or Regina Foley, (215) 557-3313.

Masterman High Team Wins Mock Trial Contest

by Natalie Klyashtorny

The student lawyers of Masterman High School were declared the winners of the 2003 John S. Bradway High School Mock Trial Competition Finals.

The finals, held on March 8 at the James E. Beasley School of Law at Temple University, were sponsored by Temple-LEAP (Law, Education and Participation Project) and the Young Lawyers Division of the Philadelphia Bar Association.

The competition began on Feb. 3 with teams from 40 Philadelphia public and Philadelphia-area parochial high schools. The teams competed against each other by putting on mock trials, utilizing the 2003 Mock Trial Problem, *Day v. Knight* which had been drafted by the state mock trial committee of the Pennsylvania Bar Association Young Lawyers Division. In *Day v. Knight*, plaintiff Dominique Day, a high school junior and star basketball player, was involved in a motor vehicle accident following a party at which

defendant Kerry Knight. Day's coach, provided a keg of beer. Day alleged Coach Knight acted negligently by furnishing beer to a minor and by allowing plaintiff to drive while intoxicated.

The finals, presided over by U.S. District Court Judge Clifford Scott Green of the Eastern District of Pennsylvania, pitted St. Hubert Catholic High School for Girls, representing the plaintiff, against Masterman High School, representing the defendant. A distinguished panel of scoring judges that included Association Chancellor Audrey C. Talley, former Chancellor Edward F. Chacker, Philadelphia Jury Commissioner Joel Johnson, Barristers' Association President Kenneth A. Murphy, Philadelphia Bar Association YLD Chair Melissa A. Schwartz and Pennsylvania Bar Association YLD Chair Charles Eppolito judged the students' performances as each team of students performed opening and closing statements, examined witnesses and made evidentiary objections.

Though the final scores were very



Members of the St. Hubert Catholic High School for Girls team argue their case before U.S. District Court Judge Clifford Scott Green.

close and each team performed a great job, Masterman prevailed over St. Hubert. Both teams went on to compete against teams from all over the Commonwealth in the State Mock Trial Competition Finals in Harrisburg on

March 28 and 29. The winner of the State Finals will go on to compete in the National Mock Trial Competition Finals in New Orleans in May.

Natalie Klyashtorny, associate at Greitzer & Locks, is treasurer of the Young Lawyers Division.

Law Week Theme Is Important to All

by Melissa A. Schwartz

The theme of Law Week 2003 (April 28 to May 3) is "Celebrate Your Freedom: Independent Courts Protect Our Liberties." This issue does not just affect lawyers, judges and other members of the legal community. It is an issue facing all Americans. The United States prides itself on fair and impartial justice. Our democracy depends on independent courts where decisions are based on the facts and the relevant law.

In order to protect our democracy, we need to strengthen the independence of our courts. Interest groups and political parties are dumping millions of dollars into targeted judicial campaigns, using negative advertising to influence the voters. As a result of these campaign tactics, the public views judges as politicians. The voters are completely ignoring the candidates' qualifications. The recent trend in campaigns questions whether judges should be elected or appointed.

Proponents of merit selection contend that higher quality judges are placed on the bench. The qualifications of the judicial candidates are generally reviewed by a panel whose members have the proper expertise to evaluate those traits required of a judge. It is also argued that qualified lawyers are more likely to seek a position on the bench through the nominating process

YLD UPDATE



because they do not have to develop political support. The election system is criticized because the voters generally do not know the candidates and have no real criteria for determining which candidates will make good judges. Further, critics believe that elected judges will ignore principles of law in order to gain support for reelection.

The defenders of the election system cite the need for democracy. They feel that because judges make the law, the public needs to have a voice in the process. Members of minority groups also feel that they have a better chance to become elected through the political process. Another benefit of the direct election of judges is the competition that occurs between candidates. In a contested election, the voters are educated about the candidate's viewpoints on crucial issues. If a judge is appoint-

YLD Happy Hour



Young Lawyers Division Chair Melissa A. Schwartz (left) and former YLD Chairs James E. Elam IV and Molly Peckman gather at the YLD Happy Hour held March 7 at Denim.

Photo by David Feldman

ed, his or her personal beliefs may be unknown until they are manifested in an important legal decision.

This debate is obviously personal to each of us. In Philadelphia, we continue to elect our judges. The Philadelphia Bar Association plays a crucial role in the election process. Chancellor Audrey C. Talley recognizes that we need to educate the public about the upcoming judicial election and support those candidates "Recommended" by the Judicial Commission. I am happy to be a part of the Judicial Commission. Until our system changes, I agree that it is imperative to educate the voters on the qualifications of the judges. For many people, our campaign will be their only source of information.

As part of Law Week, the YLD is sponsoring the Edward F. Chacker Essay Contest. Through the generosity of former Chancellor Chacker, we are able to sponsor an essay contest addressing the issue of whether judges should be elected or appointed. The winner receives a \$1,000 scholarship. The contest is open to all seniors attending high school in Philadelphia.

Law Week is a wonderful way to get involved. If you would like more information or would like to become involved, please contact me.

.....
Melissa A. Schwartz, chair of the Young Lawyers Division, is an associate with Naulty, Scaricamazza & McDevitt, Ltd. Her e-mail address is mschwartz@naulty.com

BOARD

continued from page 2

the basis of sexual orientation and gender identity.

- The Association should continue to encourage employers to ensure that LGBT attorneys are judged and promoted on the basis of merit and are not penalized because of either subtle or overt bias.

- The Association should continue to encourage employers to provide employee benefits, including insurance, employee leave and employee assistance programs, to LGBT attorneys and their domestic partners that are comparable to those provided to heterosexual attorneys and their opposite-sex spouses.

- The Association should continue to encourage employers to ensure that their policies and practices promote equal opportunity in work assignment, evaluation, compensation, advancement and retention, regardless of sexual orientation or gender identity.

- The Association should continue to encourage all Philadelphia legal employers who report data to the National Association of Legal Placement to report both the number of "openly gay" attorneys and whether the employer offers domestic partner benefits. Some employers are reluctant to gather or report this information.

- The Association should extend and continue its efforts to include questions on LGBT issues relating to the legal profession in future surveys it conducts of its members and of the Philadelphia legal community.

The Board also heard from Lynn A. Marks and former Chancellor Andre L. Dennis, who presented the Report from the Pennsylvania Supreme Court Committee on Racial and Gender Bias in the Justice System.

Marks and Dennis briefly summarized the 554-page report, whose recommendations will be examined by two separate committees – one on racial bias, the other on gender

bias.

"It's important for the citizens of this city to know that the Bar Association cares about these issues. Many of the items in the report, most of us, if not all of us, agree on," said Dennis.

The Board passed a resolution praising the committee for its work and authorizing the Chancellor to take the appropriate steps to encourage further consideration of the issues addressed in the report.

The committee was formed in October 1999 to undertake a study of the state court system to determine whether racial or gender bias plays a role in the justice system. Both Marks and Dennis served on the committee. The committee conducted public hearings, surveys, statistical studies, focus groups and personal interviews, roundtable discussions and used other reports to compile its findings. The report can be found online at <http://www.courts.state.pa.us/Index/Supreme/biasreport.htm>.

Legal Writing Contest Offers \$2,500 Prize

by Genna M. Viozzi

The Philadelphia Bar Association has created the Justice Ruth Bader Ginsburg Pursuit of Justice Legal Writing Competition for law students.

The award, which will be presented at the Bar Association October's Quarterly Meeting and Luncheon on Oct. 23, 2003, recognizes excellence in legal analysis and writing skills in a student enrolled in a Philadelphia-area law school. Essays will focus on any topic relating to rights, privileges and responsibilities under federal law.

The competition is open to full- and part-time law students in their second or

continued on page 12

Time to Take Stock of Commitment to Funding Equal Justice

by Gerald A. McHugh Jr.

In 1992, the Philadelphia Bar Foundation took the historic step of creating the Hamilton Circle, the goal of which was to build a permanent endowment to support legal services and public interest lawyers. Members of the Circle make a commitment to contribute \$1,000 per year over 10 years to the endowment, with the ultimate goal of creating a capital asset supporting equal access to justice. The Foundation recently started a Young Lawyers Division of the Hamilton Circle, in which newer members of the profession make a commitment to contribute \$100 a year for three years. In the block below this article are the names of those attorneys who have completed their pledge, many of whom accelerated payment to fulfill the commitment in fewer than 10 years.

Four individuals deserve a special vote of thanks: Catherine Apothaker, for a generous gift establishing the fund for the annual Apothaker Award; Judge Arlin Adams, whose leadership resulted in creation of the Flood Memorial Fund; Martin Greitzer, whose generous matching gift resulted in the largest growth of the Hamilton Circle during its lifetime; and Morris Shuster, recently recognized for his singular commitment to reducing the financial burdens of lawyers in public interest practice.

The endowment is the single most important undertaking of the Bar Foundation. As we prepare to reinvig-



orate our endowment campaign, it is time to take stock of where we stand. The chart to the right of this article reflects the degree of commitment to the Hamilton Circle and the Young Lawyers Division Hamilton Circle, by category.

This list does not include the many individual members of the Hamilton Circle, and it should be pointed out that four members of the judiciary have pledged. In total, 302 Philadelphia lawyers have made the commitment.

On the one hand, those who have stepped forward give us reason to be proud of our profession. On the other hand, with a community of 15,000 lawyers in Philadelphia, it is clear that we have a long way to go. In the days ahead, as the Bar Foundation re-energizes, we hope that every Philadelphia lawyer will consider making a permanent commitment to the cause of equal justice.

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

Hamilton Circle Participation	Hamilton Circle	YLD Circle
Large Firms		
Montgomery, McCracken, Walker & Rhoads, LLP	9	3
Wolf, Block, Schorr and Solis-Cohen LLP	9	
Ballard Spahr Andrews & Ingersoll, LLP	8	
Cozen O'Connor	7	
Dechert	7	
Marshall, Dennehey, Warner, Coleman & Goggin	7	
Schnader Harrison Segal & Lewis LLP	7	
White and Williams LLP	7	
Blank Rome LLP	5	1
Fox, Rothschild, O'Brien & Frankel, LLP	5	1
Saul Ewing LLP	5	1
Stradley Ronon Stevens & Young, LLP	4	
Buchanan Ingersoll, P.C.	3	1
Drinker Biddle & Reath LLP	3	
Duane Morris LLP	3	
Pepper Hamilton LLP	3	
Reed Smith LLP	2	1
Dilworth Paxson LLP	2	
Obermayer Rebmann Maxwell & Hippel LLP	2	
Eckert Seamans Cherin & Mellott, LLC	1	
Margolis Edelstein	1	
Small Firms		
Litvin, Blumberg, Matusow & Young	13	4
Eisenberg, Rothweiler, Schleifer, Weinstein & Winkler, P.C.	6	1
Hangley Aronchick Segal & Pudlin	6	
Greitzer & Locks	4	1
Berger & Montague, P.C.	4	
Kohn, Swift & Graf, P.C.	4	
Kolsby, Gordon, Robin, Shore & Bezar	4	
Kittredge, Donley, Elson, Fullem & Embick, LLP	3	1
Golomb & Honik	3	
Martin, Banks, Pond, Lehocky & Wilson	3	
Gay Chacker & Mittin	2	1
Anapol, Schwartz, Weiss, Cohan, Feldman and Smalley, P.C.	2	
Bodell, Bove, Grace & Van Horn, P.C.	2	
Chimicles & Tikellis LLP	2	
Hecker Brown Sherry and Johnson LLP	2	
Hoyle, Morris & Kerr LLP	2	
Kline & Specter, P.C.	2	
Marks, O'Neill, O'Brien & Courtney, P.C.	2	
McEldrew & Fullam, P.C.	2	
Raynes, McCarty, Binder, Ross & Mundy	2	
Wapner, Newman, Wigrizer & Brecher	2	
Corporate Law Departments		
Independence Blue Cross	2	
PECO	2	
PNC	2	

Bar Foundation Thanks Hamilton Circle Donors

The Philadelphia Bar Foundation would like to thank the 69 members of the Hamilton Circle who have fulfilled their \$10,000 commitment to help fulfill the promise of equal access to justice. Those donors include the following individuals:

Kenneth E. Aaron
Catherine Apothaker
Lawrence J. Beaser
Marshall A. Bernstein
Harris T. Bock
Carter R. Buller
Timothy J. Carson
Edward F. Chacker
Stewart L. Cohen
Robert J. Coleman

Marvin Comisky
Andre L. Dennis
Francis P. Devine III
Harry T. Devine
Joseph M. Donley
James J. Donohue
James W. Durham
Carl B. Everett
Christopher C. Fallon Jr.
Arlene Fickler
Louis W. Fryman
Nancy H. Fullam
Andrew G. Gay
Richard D. Greenfield
Dianne M. Greitzer
Martin Greitzer
Clifford E. Haines
Stephen J. Harmelin
Robert C. Heim

David N. Hofstein
Thomas More Holland
Joseph H. Jacovini
Patrick W. Kittredge
Eve Biskind Klothen
Susanna E. Lachs
William L. Leonard
Edward W. Madeira Jr.
David H. Marion
James M. Marsh
Gerald A. McHugh Jr.
Leslie Anne Miller
James F. Mundy
Benjamin R. Neilson
Michael P. O'Connor
Patrick J. O'Connor
Carl Oxholm, III
David H. Pittinsky
Andrew S. Price

Helen P. Pudlin
Arthur G. Raynes
Abraham C. Reich
Joseph F. Ricchiuti
Pam H. Schneider
Bernard G. Segal
David S. Shrager
Morris M. Shuster
Robert J. Simmons
Marc J. Sonnenfeld
Julius M. Steiner
David T. Sykes
Audrey C. Talley
David Unkovic
Joseph C. Vignola
Jonathan C. Waller
William A. Whiteside Jr.
Deborah R. Willig
Charles R. Wright

Members of the circle pledge \$10,000 each, payable over 10 years, to the Foundation's endowment.

The Philadelphia Bar Foundation distributes grants annually to more than 30 law-related public interest organizations that assist the indigent, elderly and disabled, as well as abused women and children in Philadelphia.

For more information about joining the Hamilton Circle, contact the Philadelphia Bar Foundation at foundation@philabar.org or call Melissa Engler at (215) 238-6347.

Philadelphia Bar Foundation

Cricket Club to Host Annual Golf Classic

by Jeff Lyons

The Philadelphia Bar Foundation's 15th annual Golf Classic will be held at the Philadelphia Cricket Club in Flourtown this year. Both of the Cricket Club's courses – Militia Hill and Wissahickon – will be available for play at the June 30 event.

The Foundation is pleased to announce that there will be a decrease in the cost of participation this year. The fee for all players is \$375. This includes all greens fees, golf cart, lunch, refreshments, and dinner and cocktails following the tournament.

Steve Wahal, the Cricket Club's assistant golf professional, said the Militia Hill course opened last April. It was built on land owned by the Cricket Club adjacent to the club.

"It's more of a modern style course," Wahal said of the facility designed by Dr. Michael Hurdzan and Dana Fry. Wahal said Militia Hill is being considered as one of Golf Digest magazine's Top five new courses this year.

The par-72 course plays 7,370 yards from the tournament tees. Wahal said the longest hole is the 604-yard, par 5 6th hole. "It's uphill and you drive straight out and it sort of hooks out to the right," he explained, adding that tee shots are complicated by sand traps near the dogleg.

Wahal said Militia Hill's signature hole is the 3rd hole, a 496-yard par 4. "It's in an old quarry and you can see it from the old course. Your second shot can hit the green but you have to go over water," he said.

Militia Hill has a few more hills than the Wissahickon course, Wahal said, and there is also a lot of high fescue grass in the rough beyond the fairway that can make finding a lost ball "an adventure."

The Wissahickon course was built by A.W. Tillinghast in 1922. Tillinghast also designed legendary golf courses at Winged Foot, Baltusrol and the San Francisco Country Club. It is rated as one of Golf Digest's 100 best Classical Courses. The 6,805-yard course plays to a par 71. Wahal said Wissahickon has hosted the Pennsylvania State Open and U.S. Open qualifying rounds.

Wahal said Wissahickon's 9th hole is rated in the top 500 holes in the world by Golf Digest. He said the 459-yard hole is a very difficult, long uphill par 4 with strategic bunkering. "(Golf legend) Gary Player said it was one of the best holes he ever played," Wahal said.

Wahal, who has worked at the

Cricket Club for six years, says Bermuda-length shorts are permitted for players.

For more information about playing in this year's Philadelphia Bar Foundation Golf Classic, contact Melissa Engler at mengler@philabar.org or call (215) 238-6347.



Photo by Jeff Lyons

This year's Bar Foundation Golf Classic will be held at the Philadelphia Cricket Club in Flourtown, home of last year's YLD Golf Classic.

15TH ANNUAL PHILADELPHIA BAR FOUNDATION GOLF CLASSIC

GOLFER REGISTRATION FORM

MONDAY, JUNE 30, 2003 - PHILADELPHIA CRICKET CLUB, FLOURTOWN, PA.

NAME _____ EMPLOYER _____
ADDRESS _____ PHONE/E-MAIL _____
USGA INDEX _____ CLUB AFFILIATION, GOLF SHOP PHONE _____

MY CHECK INCLUDES RESERVATIONS FOR THE FOLLOWING GUESTS:

NAME _____ EMPLOYER _____
ADDRESS _____ PHONE/E-MAIL _____
USGA INDEX _____ CLUB AFFILIATION, GOLF SHOP PHONE _____

NAME _____ EMPLOYER _____
ADDRESS _____ PHONE/E-MAIL _____
USGA INDEX _____ CLUB AFFILIATION, GOLF SHOP PHONE _____

NAME _____ EMPLOYER _____
ADDRESS _____ PHONE/E-MAIL _____
USGA INDEX _____ CLUB AFFILIATION, GOLF SHOP PHONE _____

I WOULD LIKE TO PLAY IN A FOURSOME WITH THE FOLLOWING PEOPLE: (INCLUDE NAME, EMPLOYER, PHONE AND EMAIL)

1) _____ 2) _____
3) _____ 4) _____

REGISTRATION FEES: THE COST OF PARTICIPATION IS \$375.

SPACE IS LIMITED! PLEASE RESERVE YOUR SPOT EARLY AND CHOOSE YOUR COURSE AS RESERVATIONS ARE BEING TAKEN ON A FIRST COME, FIRST SERVED BASIS. PLEASE CHECK YOUR PREFERENCE:

_____ MILITIA HILL _____ WISSAHICKON

I AM UNABLE TO PARTICIPATE IN THE GOLF CLASSIC, BUT I WISH TO MAKE A TAX-DEDUCTIBLE CONTRIBUTION TO THE PHILADELPHIA BAR FOUNDATION IN THE AMOUNT OF \$ _____.

PLEASE RETURN REGISTRATION FORM AND FEE TO: PHILADELPHIA BAR FOUNDATION - GOLF CLASSIC, ATTN: MELISSA ENGLER, 1101 MARKET ST., 10TH FLOOR, PHILADELPHIA, PA. 19107-2911.

A COPY OF THE OFFICIAL REGISTRATION AND FINANCIAL INFORMATION MAY BE OBTAINED FROM THE PENNSYLVANIA DEPARTMENT OF STATE BY CALLING TOLL-FREE WITHIN PENNSYLVANIA (800) 732-0999. REGISTRATION DOES NOT IMPLY ENDORSEMENT.

Champions for Children Set for May 14

by Catherine Pratsinakis

Champions for Children, the annual benefit event for the Support Center for Child Advocates (SCCA), will be held on Wednesday, May 14 at 5:30 p.m., at First Union Bank, Broad and Walnut streets. The Support Center for Child Advocates welcomes all members of the Philadelphia Bar to join in on this year's festivities, which include both live and silent auctions, music, cocktails and hors d'oeuvres.

Held in partnership with Philadelphia's WB17 Cares, a fund of the McCormick Tribune Foundation, Champions for Children celebrates the dedication, hard work and support of SCCA's honorees, volunteers, agency friends and funders.

This year's recipient of the Judge Lois Forer Child Advocacy Award will be G. Fred DiBona Jr., president and CEO of Independence Blue Cross, for his support of programs that provide free or low-cost health insurance coverage to uninsured children in Philadelphia.

The Support Center for Child Advocates is America's oldest and largest pro bono agency dedicated exclusively to children. In the past year, the SCCA has provided legal and social service advocacy to nearly 700 abused, neglected, abandoned and medically needy children. The agency's mission is "to advocate for maltreated children in Philadelphia, with the goal of securing a permanent, nurturing environment for every child."

The event is well-attended every year, with 600 people in attendance for last year's 25th anniversary at the Kimmel Center. This year's auction will include decorative home art, certificates for the hottest restaurants in Philadelphia, CDs, jewelry, a digital camera, theater tickets, nursery items, music lessons, fun kitchen products and, something that will definitely appeal to some lawyers, a gift certificate for a golf outing. A fabulous quilt featuring the handprints of children served by Child Advocates will be available for bid at the live auction. The quilt will add a colorful and playful touch to any room.

To obtain more information about becoming an event sponsor or to purchase individual and firm tickets in advance, please contact Sandra Lavini at (215) 925-1913, ext. 126, or e-mail her at sandra@advokid.org.

Catherine Pratsinakis, an associate at Montgomery, McCracken, Walker & Rhoads, LLP, is a member of the Editorial Board of the Philadelphia Bar Reporter.

Save May 18 for 24th Annual Charity Run

The 24th annual Philadelphia Bar Association Charity Run, which will include a 5 kilometer run and a 5 kilometer walk, will start and finish on West River Drive adjacent to the Philadelphia Museum of Art on Sunday, May 18 at 8:30 a.m.

As in prior years, there will be refreshments and giveaways to everyone participating. The beneficiaries of the race will again be the American Diabetes Association and the Support Center for Child Advocates.

The Run starts and ends on the West River Drive adjacent the Philadelphia Museum of Art and starts at 8:30 a.m.

The Philadelphia Bar Association is being joined again

by Wawa, Inc., The Legal Intelligence Staff, Inc., USI Colburn Insurance and by the following legal sponsors: Akin Gump Strauss Hauer & Feld LLP; Law Offices of Bernard M. Gross; Blank Rome LLP; Caesar, Rivise, Bernstein, Cohen & Pokotilow, Ltd.; Cozen O'Connor; Fox, Rothschild, O'Brien & Frankel, LLP; Marshall, Dennehey, Warner, Coleman & Goggin; Montgomery, McCracken, Walker & Rhoads, LLP; Neil A. Morris Associates; Pepper Hamilton LLP; Raynes, McCarty, Binder, Ross & Mundy; RatnerPrestia; Reed Smith, LLP; Semanoff, Ormsby, Greenberg & Torchia, LLC; Wolf, Block, Schorr and Solis-Cohen, LLP and Woodcock Washburn LLP.



24th Annual

PHILADELPHIA BAR ASSOCIATION

5K RUN & WALK

May 18, 2003

To Benefit:

**American Diabetes Association
and Support Center for Child Advocates**

8:30 A.M. 5K RUN 8:35 A.M. 5K WALK

WEST RIVER DRIVE • PHILADELPHIA, PA

REGISTER ON-LINE AT: WWW.ACTIVE.COM

OR CALL 215-567-2010 FOR FURTHER INFORMATION

Summit Examines Labor, Employment Law

by Jennifer J. Platzkere

Two years of conceiving, planning, coordinating and scheduling paid off on Feb. 27 when the Association's Labor and Employment Law Committee convened a comprehensive Labor & Employment Law Summit designed to give attorneys an opportunity to hear from an impressive array of decision-makers who affect their cases on a daily basis. Former Committee Co-Chairs Scott F. Cooper and Amy L. Rosenberger served as course planners and moderators for the seminar, easing the program along from one speaker to the next.

The morning started off with U.S. District Court Judges Edmund V. Ludwig Sr. and Stewart Dalzell sharing their "View from the Eastern District of Pennsylvania." They opened with some statistics:

- The number of employment discrimination cases filed has remained fairly constant over the past three years, averaging 663 per year, as has the number of such cases disposed of at trial, averaging 23 per year.

- Defense verdicts are increasing in both employment discrimination cases as well as civil trials in general, but employment discrimination plaintiffs have had wildly varying success rates – 17 percent in 2000, 41 percent in 2001, and 22 percent in 2002.

- The median time for disposing all civil trial matters, including employment discrimination cases, is consistently less than one year.

They then touched on positional conflicts issues – such as when an attorney represents plaintiffs in limited



Photo by Jeff Lyons

Scott F. Cooper (left) and Amy L. Rosenberger were the course planners for the Feb. 27 Labor and Employment Law Summit held at the PBI-PBEC Education Center.

cases but generally represents defendants – and concluded that there is no clear answer to the dilemma such conflicts pose.

Chief U.S. Magistrate Judge James R. Melinson was up next, giving some practical pointers regarding settlement conference etiquette. Quoting Oliver Wendell Holmes, he reminded the audience "the truly great lawyer is the client's master, not his servant." Accordingly, he advised, be prepared to settle the case when you come to the conference. "Just say no" to unrealistic client expectations. Bring your decisionmaker along. Identify every issue at the conference that must be addressed in the final agreement – there are no "standard" provisions. And, even if you are happy with the resolution, don't gloat.

Philadelphia Common Pleas Court Judge Gene D. Cohen spoke about employment contract disputes and labor union strikes – the most common employment dis-

putes heard in his court. Commonwealth Court Judge Bonnie B. Leadbetter reminded the audience that judges on her court hear cases on every subject matter other than criminal and domestic relations. Since they have a "generalist" perspective, practitioners should always go back to basics when presenting an argument. Workers' Compensation Judge Pamela A. Santoro informed the audience about the significant power that Pennsylvania's 70 workers' compensation judges wield on a daily basis and the impact that the record created in their courtrooms might have on collateral employment cases.

Dorothy Moore-Duncan, regional director of the National Labor Relations Board, stated that petitions for union representation and unfair labor practice charges in Region 4 are at an all-time low – with only 85 such filings in November, December and January combined. Why? Possible explanations include

the economy, as workers don't want to "rock the boat;" the changing nature of Philadelphia business, from a traditional industrial manufacturing base to one with a more prominent service and technology industry; jobs moving to the South or Southeast; and the existence of dispute resolution alternatives.

James L. Crawford spoke about the Pennsylvania Labor Relations Board's charge filing process and the "hot" topic facing the Board, namely, whether probationary employees have protection under Act 111. Michael A. Marra briefed the audience on the American Arbitration Association's expanded services – conducting union elections as well as administering arbitrations, and producing training programs that fulfill its educational mission.

Michael Hardiman, assistant general counsel of the Pennsylvania Human Relations Commission, gave three valuable tips that can be applied to any agency pro-

ceeding: Understand the law (and related regulations) being enforced by the agency; understand the agency's process; and understand the agency's procedures for enforcing the law and carrying out its process. As for trends, he noted that claims of sexual harassment and hostile work environment, reasonable accommodation and access, and retaliation are on the rise, and more complainants are naming individual defendants.

Jacqueline H. McNair of the Equal Employment Opportunity Commission and Rachel Lawton of the Philadelphia Commission on Human Relations offered interesting statistics. Averaging 171 days for processing new claims in 2002, the EEOC secured \$310 million in benefits for charging parties that year. In the Philadelphia Regional Office, 385 cases were settled through mediation for a total of \$5.1 million, while 24 cases were taken to litigation with a total recovery of \$1.5 million. Of the 410 cases filed with the Philadelphia Commission, 366 have been closed, and \$760,000 has been distributed to 92 plaintiffs. They emphasized that employers should never underestimate a plaintiff, the investigator or the investigation, while potential plaintiffs should never underestimate the power of documents contained in their personnel files.

With the volume of questions and discussions that ensued after the seminar, it seems that the Labor & Employment Law Summit could become an annual event.

Jennifer J. Platzkere is an associate in the Employment, Benefit and Labor Practice Group at Blank Rome LLP.

HAP Holding Annual Benefit April 10 at Bellevue

PECO Energy, along with the Verizon Foundation and Philadelphia Suburban Water, will present the Homeless Advocacy Project's April Benefit on Thursday, April 10. The event will be held from 5:30 to 8 p.m. in the Conservatory at the Park Hyatt Philadelphia at the

Bellevue.

Proceeds from the event will benefit the Philadelphia Bar Association's Homeless Advocacy Project. HAP is a 501(c)(3) nonprofit organization that provides free legal services to homeless individuals, families and nonprofit community groups develop-

ing affordable housing and other services for homeless persons in Philadelphia.

Since December 1990, more than 300 volunteer attorneys, legal assistants and law students have donated their time and resources to this important project. HAP volunteers have helped more

than 8,800 clients and more than 152 community groups. Through HAP, volunteers have donated legal services worth more than \$10.3 million.

The evening will feature complimentary hors d'oeuvres, wine, beer and live jazz. An extensive silent auction

will be held with a wide variety of items including sports memorabilia, dinners at the best Philadelphia restaurants, original artwork, antiques, collectibles and much more.

For tickets (\$45 per person) or for information on sponsorship, please call Marnie Boccella at (215) 523-9588.

Women in the Profession Committee

Expert Offers Tips on Becoming More Powerful Communicator

by Jeff Lyons

Sometimes, gaining control of a conversation is as simple as standing up.

"Whoever's head is highest has the most power," explained Kirstin Carey, president of Orange Tree Training & Speaking Group. Carey spoke at the March 20 meeting of the Women in the Profession Committee.

Carey said there are certain words women use when expressing themselves that imply weakness.

"Avoid 'feeling' words like believe, think, hope and feel. Instead of saying something like 'I think this proposal is good,' say 'this proposal works.'"

"I don't want you to communicate like men. It's going to look weird if you try to do that. I want you to communicate like powerful people," Carey said.

"Women also need to learn how to say no. It's not a weak thing to say no. It's a powerful thing to say no. If you're swamped with work and your boss wants you to take on another project, just say no. Ask your boss what you should do with all the other work so you can take on this other project. Make your boss see how busy you are," she said.

Women are also traditionally shy when it comes to negotiating salaries and pay increases for themselves, Carey said.

"Learn to ask for things and be specific. You need to justify and quantify what you're worth," she said.

E-mail is another powerful communication tool that really shows who you are as a person, Carey said.

She said many people treat e-mail too casually, while in traditional letters, people "put

on their Sunday best." She suggested being thoughtful and aware of spelling and grammar before sending out any kind of written correspondence, be it electronic or traditional mail.

Posture is also important when it comes to showing how confident you are.

"Crossing arms is a very negative gesture. You need to be more open with your body language. And smile. It shows confidence," Carey suggested.

"Don't shift back and forth on your feet. The more stable you are on your feet, the more confident you appear," she said.

Carey also said "faking" your emotions or nonverbal communications is a good way to appear confident.

The way you dress also shows how confident you are. Blue clothing shows truth and honesty; white shows



Photo by Jeff Lyons

Kirstin Carey

innocence and red projects power, she said. "To make the best impression in court and

appear powerful, wear blue, with white and red accents," she said.

FEDERAL COURTS

continued from page 3

be pared down to the decision maker, noting that nothing will irritate a judge more than when the decision maker is not present, in person or by telephone. Judge Reed commented that he only requires that principals be present at mediations, not settlement conferences. Judge Hart stated that he does not differentiate between the two and that he requires the decision maker to be present and if that person cannot be present, he requires that the judge be informed in advance and that the deci-

sion maker participate in the conference by telephone throughout the conference, not just at specific intervals.

Judge Welsh noted that if, for some valid reason, the decision maker cannot be present at the settlement conference and the case does not settle, she requires that person appear at the next settlement conference. She said there is a perception that it is punitive to require the decision maker to be present at the conference but that that is not true at all, the court has this requirement in order to assist the bar in settling cases. She also noted that there is absolutely no pressure on

magistrate judges to settle cases, but that they attempt to resolve cases because they believe it is an important service to the bar and to the public. The court wants the lawyers and the clients to be happy with the settlement; it is neither good for the administration of justice nor the bar if clients are unhappy with the settlement. Judge Welsh said that having settlement conferences with the clients present is a way to achieve this goal because it allows clients to see their lawyers as champions of their position and it allows them to hear directly from the other side the weaknesses in their case.

A Rule 68 judgment is often a very useful, but underutilized tool in achieving settlements, she noted. When used in a very deliberate, strategic way at the right time in the process it is often very effective.

Judge Hart cautioned the bar from approaching a mediation or settlement conference in the same manner as a trial. A trial is war, he stated, and the judge expects aggressive and fair advocacy, but in mediation, it is the middle ground that is to be explored.

Mary Ellen O'Laughlin, of counsel with Harrison, Harvey Branzburg & Ellers LLP, is a member of the Federal Courts Committee.

ESSAY CONTEST

continued from page 7

third year of study during the 2002-03 academic year at one of the following five schools: University of Pennsylvania School of Law, Rutgers School of Law (Camden), Temple University James E. Beasley School of Law, Villanova University School of Law, and Widener University School of Law (Delaware Campus). Submissions may not have been published previously, although they may have been prepared in connection with a law school course and must

not have been submitted for any other competition during the time when they are under consideration for this competition.

"We see this competition as an important way to encourage legal scholarship, provoke discussion of critical legal issues and recognize talented students in the Philadelphia area," said Audrey C. Talley, Chancellor of the Philadelphia Bar Association. Diane Edelman, assistant dean for legal writing at Villanova University School of Law, and Kathleen D. Wilkinson, a partner with Wilson, Elser, Mosk-

owitz, Edelman & Dicker LLP, are co-chairs of the competition.

In addition to having his or her essay published in The Philadelphia Lawyer magazine and on the Bar Association's Web site, a cash prize of \$2,500 will be awarded.

A committee of Philadelphia-area attorneys, professors and judges will evaluate the submissions, considering the following criteria: originality and importance of topic; thoroughness of research; depth of analysis; organization of analysis; writing style; form, quality and

placement of citations; and adherence to the rules of the competition.

Judges for this year's competition are Judge Anita B. Brody, U.S. District Court for the Eastern District of Pennsylvania; Judge Abraham Gafni, formerly of the Court of Common Pleas, Philadelphia County; Professor Elizabeth Hillman, Rutgers University School of Law (Camden); Professor Catherine Lanctot, Villanova University School of Law; Professor Mary Ellen Maatman, Widener-Harrisburg Law School; Professor Nathaniel Persily, University

of Pennsylvania Law School; Professor Mark Rahdert, Temple University James E. Beasley School of Law; and Nancy Winkelman, partner at Schnader Harrison Segal & Lewis LLP.

Submissions must be post-marked no later than 12 a.m., April 30, 2003. Announcement of the winner is expected July 1, 2003. For a complete list of rules and regulations for the Judge Ruth Bader Ginsburg Pursuit of Justice Legal Writing Competition, call Diane Edelman at (610) 519-7047 or Kathleen D. Wilkinson at (215) 627-6900.

Career Corner

Laterals Have Issues to Consider Before Moving

by James LaRosa and Gary Mintz

Laterals and practice groups with significant portable business, whether they be partners, associates or of counsel, continue to be a highly sought after commodity. As the economy in 2002 caused many firms to see a decrease in revenue and profits, along with a greater turnaround time on collecting receivables, finding additional sources of revenue has become increasingly important. Many large firms continue to strive to be able to provide their clients with one-stop shopping when it comes to their legal needs, thus seeking to expand into new practice areas through lateral hires and acquisitions.

At the same time, individuals and practice groups with substantial business have come to recognize their

value in this marketplace and are often looking for the firm that will provide them with the best compensation package, which often equates to which firm will let them keep the biggest percentage of what they generate.

Individuals and practice groups also continue to be attracted to firms that provide them with the platform to expand their business to new practice areas by providing a full range of legal services to their clients.

Although both laterals and firms continue to aggressively explore new options, 2002 also saw both groups become more cautious. Because of numerous accounts of unsuccessful mergers, both locally and nationally, firms have expressed greater concern regarding the ability of individual or groups being able to deliver the business they project, while individuals

and groups are looking more closely to make sure the grass is actually greener before they make a move to a new firm.

What monetary amount of portables makes a partner or practice group attractive to prospective suitors? The answer depends on many factors, including the amount and structure of the compensation package you and/or your group requires; how expensive it will be to support you or your group with support staff, etc.; the nature of the work that you have or feel confident that you can develop, with special emphasis on how strong your relationship is with your current clients; and whether the work that you bring will be enough to sustain you and/or your group without needing to have work supplied from other members of your new firm.

With that being said, an attorney with portables generally needs at least \$400,000 to \$600,000 (per attorney) of annual portable business to be attractive as a business-generating partner with a mid-size firm in this region, and approximately \$500,000 to \$1 million to be attractive to a large firm.

Small and medium-size firms may have an interest in attorneys with less than \$400,000 in business. Of course, the base compensation structure of small and medium-size firms often will not be comparable to the large firms.

When individuals or practice groups contemplate a possible move, it is imperative that they take a very critical look at their true value. While this would seem to be an obvious exercise to undertake, all too often individuals or groups do not closely explore their

continued on page 15

Solo and Small Firm Committee

Experts: Upgrade Technology and Get Online

by Jeff Lyons

For solo and small firm practitioners, it seems like everything costs twice as much.

"Attending and paying for CLE costs us billable hours. How can we spend money to make money?" asked Harold Goldner, a technology expert and member of the Association's Solo and Small Firm Committee.

Goldner and Lisa Goldstein, a client development consultant with FindLaw, discussed ways solo and small firm practitioners can use technology to save time and money at the Feb. 28 meeting of the Association's Solo and Small Firm Committee.

Goldner has been working with computers and taking them apart in his practice since "there were computers available for my office."

"People don't think about the cost of time. Having the best technology available will save you time and money," he explained.

"You have to have a computer. There's no way around it," Goldner said. If you're upgrading your technology, he suggested getting a computer with a Pentium 4 processor running at 1.6 gigahertz or higher. This computer should also have at least 512 megabytes of RAM, a 40- to 60-gigabyte hard drive, a CD-ROM drive, a CD-RW drive (to "burn" compact discs) and Ethernet network card as well as time and billing, case management, conflicts management and financial applications.



FindLaw's John Rowley (from left) is joined by Solo and Small Firm Committee Co-Chair Ralph S. Pinkus, Harold Goldner, FindLaw's Lisa Goldstein and Committee Co-Chair Joseph S. Mitchell III before the Committee's Feb. 28 meeting.

Goldner said you can expect to pay about \$3,000 for this system and the peripherals that go with it. Include a scanner, Adobe Acrobat Writer software and a personal digital assistant on your shopping list. An ideal PDA for new users, Goldner says, is the Palm M130, which retails for about \$199.

Once you have all your computers online and working, Goldstein said you need to get your office on the Internet.

"More and more people are going online. Your clients are going online, you need to be where they are," she told committee members.

People need to consider design, content and traffic of their Web sites when designing them, Goldstein said. "The content has to be compelling. You must effectively communicate your firm's image and expertise," she said. A way of doing that would be to post current resources and articles so you can communicate your message.

"You need to tell your unique story so clients know why they should come to you," she said. One way of accomplishing that is to include testimonials from satisfied clients.

When designing a Web site, Gold-

stein said it needs to be easy to navigate and must be pleasing to the eye. "Don't have a Web site that's like a billboard in Antarctica," she said. "People need to see it. Get your site listed with search engines, Internet yellow page directories and legal portals."

Goldstein said there are software applications available so you can design your own Web site. There are also companies that will do the work for you. Keep in mind there will be costs involved. Domain names, Web hosting and design should all be factored into your technology budget.

Director Makes Oscar Winner 'Chicago' Sing

by Marc W. Reuben

Midway through a sitting at Rob Marshall's film of the Kander and Ebb musical "Chicago," I was struck by the wonderful realization that I was enjoying the performances of people who, with one exception, were not accomplished musical performers. This is a tribute to direction and it doesn't often happen as flawlessly as Marshall managed it in this film.

The art of making feeble performers into stars is an accomplished one. Busby Berkeley made the tremendously untalented Ruby Keeler a screen legend, and she was the only tapper who ever became a famous danseuse without ever bending her knees. The amazing accomplishment of Berkeley was that he actually photographed Keeler dancing in long shots, so that you could see the entire tragedy. But Mrs. Jolson was surrounded by that fabled geometric staging that made Warner musicals such eye openers in the 1930s.

ARTS & MEDIA



It worked well.

Here we have the story of Roxie Hart, fabled Chicago murderess of the 1920s, played by Renee Zellweger. Cute as she is, Zellweger can do little accomplished dancing or singing. Neither could Catherine Zeta-Jones, who played Velma Kelly, Roxie's rival for publicity in the scandal sheets. These ladies are among my favorite perform-

ers. Zeta-Jones was pregnant during filming but was still ever so attractive.

Musicality aside, the cast of this film, which included Richard Gere, were made to look and sound like real pros. This was done by not photographing the legs of the ladies when they danced solo, and taking long shots when they danced with a wonderful chorus. The singing was generally recorded with lots of background noise. It all worked. Only once, when the wonderful Queen Latifah walked across a stage with more rhythm and style than most of the dancing people, did you realize how deficient the main performers might have been in other circumstances.

The production itself is a film of the wonderful 1972 musical of the same name. The book, which is wickedly droll, was transformed into a terrific screenplay by Bill Condon ("Gods and Monsters," for which he won an Oscar in 1999), and the supporting cast is splendid. My favorite scene, the trial, is

a splendid take on circus antics in the courtroom - and out. The whole movie was choreographed by director Marshall, who excelled in double duty. The trial scene worked better on screen, even though the stage show has a bit more zing. The musical itself still runs in revival on Broadway. The movie's skewed view of the legal system, and its frequent use of newspapers and publicity to influence juries, is both disturbing (because it hits close to home) and delightful fun. Here is the use of satire in the best vein. If American satire is more broad and visible than the artistic efforts of the English, at least it works for a large audience. A musical version of a fabled murder trial, with all its glitz and pother, is not the kind of stuff that closes Saturday night.

I saw this show in New York when it starred Gwen Verdon and Chita Rivera, who, alongside Fred Astaire, make the golden triangle of Broadway

continued on page 15

CALENDAR OF EVENTS

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

Tuesday, April 1

Philadelphia Bar Foundation Board of Trustees - meeting, noon, 10th floor Board Room.

Wednesday, April 2

Delivery of Legal Services Committee - meeting, 8:30 a.m., 10th floor Board Room.
State Civil Committee - meeting, noon, 11th floor Conference Center. Lunch: \$7.50.
Young Lawyers Division Executive Committee - meeting, noon, 10th floor Board Room.
Legal Rights of Children Committee - meeting, 3:30 p.m., 10th floor Cabinet Room.

Thursday, April 3

Quarterly Meeting and Luncheon - noon, Park Hyatt Philadelphia at the Bellevue, Broad and Walnut streets. Tickets: www.philadelphiabar.org.
Alternative Dispute Resolution Committee - meeting, 12:15 p.m., 10th floor Board Room. Lunch: \$7.50.
Civil Rights Committee - meeting, 12:15 p.m., 11th floor Committee Room.
Environmental Law Committee - meeting, 12:30 p.m., 11th floor Conference Center. Lunch: \$7.50.

Friday, April 4

Philadelphia Bar Foundation Finance Committee - meeting, 8:30 a.m., 10th floor Board Room.
Judicial Commission - meeting, 11:45 a.m., 10th floor Board Room.
Law School Outreach - 2 p.m., 11th floor Conference Center.

Monday, April 7

Family Law Section - meeting, 3 p.m., 10th floor Board Room.

Tuesday, April 8

Criminal Justice Section Executive Committee - meeting, noon, 10th floor Board Room.
Philadelphia Bar Reporter Editorial Board - meeting, 12:30 p.m., 10th floor Cabinet Room.

Thursday, April 10

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

Friday, April 11

Appellate Courts Committee - meeting, noon, 10th floor Board Room. Lunch: \$7.50.

Tuesday, April 15

Board of Governors Cabinet - meeting, noon, 10th floor Board Room.

Wednesday, April 16

Section Chairs meeting with Chancellor - 8:30 a.m., 10th floor Board Room.
Workers' Compensation Section Executive Committee - meeting, 10:30 a.m., 10th floor Board Room.
Workers' Compensation Section - meeting, noon, 11th floor Conference Center. Lunch: \$7.50.
Nominating Committee - meeting, noon, 10th floor Board Room.
Women's Rights Committee - meeting, 4 p.m., 10th floor Board Room.
Legalline - 5 p.m., 11th floor LRIS Offices.

Thursday, April 17

Family Law Section Executive Committee - meeting, noon, 11th floor Committee Room.
Women in the Profession Committee - meeting, noon, 10th floor Board Room. Lunch: \$7.50.

Friday, April 18

Good Friday - Bar Association offices closed.

Monday, April 21

Business Law Section Executive Committee - meeting, noon, 10th floor Board Room.

Tuesday, April 22

Professional Responsibility Committee - meeting, noon, 10th floor Board Room.
Board of Governors - meeting, 4 p.m., 10th floor Board Room.

Wednesday, April 23

Federal Courts Committee - meeting, 12:30 p.m., 10th floor Board Room. Lunch: \$7.50.

Friday, April 25

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

Tuesday, April 29

Criminal Justice Section - meeting, noon, 11th floor Conference Center. Lunch: \$7.50.
Young Lawyers Division Cabinet - meeting, noon, 10th floor Cabinet Room.

Wednesday, April 30

Lawyer Referral and Information Service Committee - meeting, noon, 11th floor Committee Room.

Unless otherwise specified, tickets for luncheons and programs should be made payable to the Philadelphia Bar Association and mailed to Bar Headquarters, 101 Market St., 11th fl., Philadelphia, Pa. 19107-2911. Send Bar Association-related calendar items 30 days in advance to Managing Editor, Philadelphia Bar Reporter, Philadelphia Bar Association, 101 Market St., Philadelphia, Pa. 19107-2911. Fax: (215) 38-1200. E-mail: reporter@philabar.org.

CAREER CORNER

continued from page 13

profitability or true value to another firm until they are forced to do so during negotiations with a potential new firm. They are often surprised with what critical scrutiny of the numbers reveals, because often they see for the first time that, after the cost of running their practice (including their compensation), it is not as attractive as they may have thought if they were just focusing on their revenue or potential revenue column.

Another important figure to factor into this analysis is the overhead that will be attributed to you or your group by a new firm. Many mid-size and large firms have a fixed overhead number that they attribute to each attorney and it generally ranges from \$150,000 to \$250,000 per attorney.

Some of the issues that are certainly going to be explored in detail by any firm that you may be in discussions with include:

- Potential conflicts.
- Estimated annual gross billings of the individual or group.
- Percentage of bill realization/collections over the past 3 to 5 years.
- General description of client base and payment terms and history of the clients: e.g. small businesses, large businesses, insurance companies, self insureds.
- Bill rates that current clients pay and whether those rates would need to be raised.
- Average number of hours billed by

the individual or the group members.

- Diversification of client base.
- Profitability - Revenue minus total compensation of the group and support staff minus overhead assigned to each attorney.
- Would a move adversely affect the projected annual gross billings/revenue?
- How many attorneys (partners and associates), paralegals and support staff are required to generate the current and projected revenue/billings?

• Could you or your group help generate billings to other practice groups in the firm?

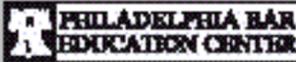
While it never hurts to listen to offers, partners and practice groups must proceed with an abundance of caution when making a move to another firm. It is very easy for a partner or practice group to get into the "grass is always greener" mindset, especially if things have not been going well at their current firm. However, it is extremely hard, if not impossible, to

undo a move once it has been made.

As anyone who has made such a move can attest, the amount of time invested in the due diligence process and educating clients as to the necessity of the move makes it very difficult to do again anytime soon.

James LaRosa, Esq. and Gary Mintz, Esq. are recruiters with JuiStaffInc., the exclusively endorsed legal staffing agency of the Philadelphia Bar Association. LaRosa can be reached at (215) 731-0000, extension 302 or via e-mail at jlaros@juristaff.com. Mintz can be reached at (215) 751-9000, extension 315 or via e-mail at gmintz@juristaff.com.

APRIL CLE COURSES

April 1	Family Law Potpourri • Pennsylvania Convention Center Internet Ethics • Jenkins Memorial Law Library	<p>Bar Education Center Wanamaker Building 10th Floor, Suite 1010</p> <p>Blank Rome LLP One Logan Square 18th & Cherry Streets</p> <p>Franklin Institute Science Museum 222 N. 20th Street 5th Floor</p> <p>Jenkins Memorial Law Library 833 Chestnut Street East Suite 1220</p> <p>Pennsylvania Convention Center 12th & Arch Streets</p> <p>Call PBI Customer Service at 1-800-247-4724 to register for a course or for more information.</p> <p>Register on the Internet at www.pbi.org</p> <p>PBI and the PBEC are Pennsylvania accredited CLE providers.</p>  <p>Pennsylvania Bar Institute CONTINUING LEGAL EDUCATION FOR THE PHILADELPHIA BAR ASSOCIATION</p>
April 2	Assessment Law & Procedure in Pennsylvania • Bar Education Center Google...Beyond the Basics • Jenkins Memorial Law Library	
April 3	Prosecuting & Defending Customer Claims Against Stockbrokers • Bar Education Center Internet Basics I for Attorneys • Jenkins Memorial Law Library	
April 4	Selecting & Influencing Your Jury • Bar Education Center Internet Basics II for Attorneys • Jenkins Memorial Law Library	
April 5	Selecting & Influencing Your Jury • Bar Education Center	
April 7	6th Annual Federal Securities Law Forum • Bar Education Center	
April 8	Internet Law Update 2003 • Bar Education Center Fundamentals of Preparing the Fiduciary & Decedent's Final Income Tax Returns Blank Rome LLP Advanced Internet Searching for Attorneys • Jenkins Memorial Law Library	
April 9	How to Win Your First (or Next) Civil Trial • Bar Education Center	
April 10	Medical Resources on the Internet • Jenkins Memorial Law Library Four County Civil Practice • Bar Education Center	
April 11	7th Annual Insurance Institute • Bar Education Center	
April 14	Special Needs Trusts • Bar Education Center	
April 16	A Lawyers Guide to Organizational Documents: Articles, Bylaws, Shareholders Agreements & LLC Documents • Bar Education Center Delaware Resources on the Internet • Jenkins Memorial Law Library	
April 17	New Jersey Resources on the Internet • Jenkins Memorial Law Library Developments in Legal Opinion Letters • Bar Education Center	
April 21	Tough Problems in Workers' Compensation • Bar Education Center	
April 22	Philadelphia Bar Association Tax Section Spring 2003 CLE Series — Recent Developments in Civil & Criminal Tax Controversy Matters • Bar Education Center Business & News Resources on the Internet • Jenkins Memorial Law Library How to Try an Identification Case • Bar Education Center	
April 23	Ethics Potpourri (choose from): When You're on Camera; PBA Legal Ethics & Professional Responsibility Committee Update; Intervention 201; The Arthur Anderson Case: Lessons of the Fall; Mandatory Malpractice Insurance — Is Disclosure Enough?; Succession Planning for Solo Practitioners • Bar Education Center	
April 24	Winning Numbers: Accounting & Finance for Lawyers • Franklin Institute Science Museum Government Resources on the Internet • Jenkins Memorial Law Library Civil Litigation Legal Update • Bar Education Center	
April 25	Banking Law Update • Bar Education Center Pennsylvania Resources on the Internet • Jenkins Memorial Law Library ABC's of School Law • Bar Education Center	
April 28	Internet Basics I for Attorneys • Jenkins Memorial Law Library Best of CLE Videos (choose from): Tough Problems in Medical Malpractice Cases; Handling the Sexual Harassment Case; Courtroom versus Barroom: Can Civility Be Restored? • Bar Education Center	
April 29	Get Organized! • Bar Education Center Internet Basics II for Attorneys • Jenkins Memorial Law Library Civil Litigation Procedural Update • Bar Education Center	
April 29 & 30	9th Annual NE Regional Employment Law Institute • Pennsylvania Convention Center	
April 30	Trial of a Medical Malpractice Case • Bar Education Center Advanced Internet Searching for Attorneys • Jenkins Memorial Law Library Internet Ethics • Jenkins Memorial Law Library	

ARTS & MEDIA

continued from page 14

dancers. The show also featured wonderful Jerry Orbach, in the role now played by Gere. I loved both the film and the stage production. But one cannot overlook the fact that Gere, an actor of romantic pretensions, was here at his charming best. I don't think I've ever seen a matinee idol with a small voice come off so well as a singer and dancer. He seemed to love what he was doing, and his vibrant joy was highly contagious. Does anyone remember when Warner Brothers let Errol Flynn sing "Do You Remember Me?" So much charm, and so little a voice. Well, watching Gere was as much fun, and a lot more successful.

This is simply an excellent film. It just goes to show you that when there is magic, you don't always need the heavyweight talent. In fact, the talent here was very heavyweight, just not musical in nature. In the end, that is what the magic of movie making is all about.

Marc W. Reuben has been writing about the Arts Media since 197

PEOPLE



Carl S. Primavera, a partner with Klehr, Harrison, Harvey, Branzburg & Ellers LLP and former Chancellor of the Philadelphia Bar Association, has been elected to the Philadelphia chapter of Lambda Alpha International, an honorary land economics society.



Butler Buchanan III, a shareholder with Marshall, Dennehey, Warner, Coleman & Goggin, has been selected to chair the Defense Research Institute's Corporate Roundtable. Among other functions, it provides a forum for the leadership of DRI and in-house counsel to discuss issues of mutual importance.

Paul S. Diamond, a partner with Obermeyer, Rebmann, Maxwell & Hippel, has been appointed chair of the Pennsylvania Lawyers Fund for Client Security by the Supreme Court of Pennsylvania.

Carl D. Buchholz III, a partner with Rawle & Henderson LLP, has been appointed vice chair of the Pennsylvania Lawyers Fund for Client Security by the Supreme Court of Pennsylvania.

Gregory B. Williams, an associate with Fox, Rothschild, O'Brien & Frankel, LLP, has been appointed to serve as the Zone 1 delegate in the Pennsylvania Bar Association House of Delegates.

Francis J. "Hank" Raucci, of counsel with Gough, Shanahan, Johnson & Waterman, recently returned from Cuba where he met with members of the Cuban Supreme Court, National Assembly and Public Defenders' Office.

Vincent M. Pompo, a partner with Windle & McLane, P.C., has been appointed to the Board of Supervisors of East Bradford Township, Chester County.

Joseph M. Manko, Michael M. Meloy, Jill Hyman Kaplan and Rodd W. Bender, attorneys with Manko, Gold, Katcher & Fox, LLP, presented at the Annual Pennsylvania Environmental Update Seminar on Feb. 24.



Gina Furia Rubel, founder and president of Furia Rubel Communications, discussed

"Effectively Managing Law Firm Business Development" at the March 19 meeting of the Philadelphia chapter of the Association of Legal Administrators.

Barbara B. Zulick, a partner with Zulick and Zulick, is teaching "So You're Getting Married...Again?" for the Main Line School Night spring 2003 term.

G. Lawrence DeMarco, a partner with DeMarco & DeMarco, P.C., discussed civil remedies for domestic violence and assault on "Law Journal TV" on WFMZ-TV on March 3.

Michael M. Meloy, a partner with Manko, Gold, Katcher & Fox, LLP, discussed Pennsylvania's proposed safe fill regulations at a joint meeting of the Society of Women Environmental Professionals of Greater Philadelphia and the Environmental Law Committee of the Philadelphia Bar Association on Feb. 6.



R. Bruce Morrison, a shareholder with Marshall, Dennehey, Warner, Coleman & Goggin, spoke at the National Business Institute's

seminar "Bad Faith Litigation in Pennsylvania."

John F. Ledwith, a shareholder with Marshall, Dennehey, Warner, Coleman & Goggin, participated in the seminar "Practical Training for the Claims Professional" in Stamford, Conn., on March 3 and 4.

Robert F. Zielinski, a partner with Wolf, Block, Schorr and Solis-Cohen LLP, has been elected chairman of the Board of Directors of the Verity Foundation.

Fred Blume, managing partner and CEO of Blank Rome LLP, gave the keynote speech at the undergraduate diploma ceremony at Temple University's Fox School of Business and Management & School of Tourism on Jan. 31.

Joseph M. Manko, a founding partner of Manko, Gold, Katcher & Fox, LLP, has been appointed to serve as general counsel and Board member of the Prince Music Theater.

Mark C. Schultz, a member of

Cozen O'Connor, has been appointed to the Judicial Conduct Board by the Supreme Court of Pennsylvania. He will serve a three-year term expiring in 2005.

Steven N. Haas, a member of Cozen O'Connor, was a featured speaker at the Ottawa Centre for Research and Innovation's Partnership Conference Series, "Corporate Governance," at the Sheraton Hotel in Ottawa, Canada on Feb. 24.



Stewart M. Weintraub, a partner at Schnader Harrison Segal & Lewis LLP, has been re-elected for a second two-year term as president of the Pennsylvania/

Southern New Jersey Region of the American Jewish Congress.

John T. Salvucci, a member of Cozen O'Connor, recently moderated a seminar titled "Terrorism Risk Insurance Act of 2002: Implementation and Issues" for the Insurance Society of Philadelphia.



Neal A. Jacobs, principal in the law firm of Neal A. Jacobs & Associates, P.C., recently discussed avoiding practice breakups and legal agreements with

the medical staff of Roxborough Memorial Hospital.

David J. Shannon, an associate with Leonard, Tillery & Sciolla, LLP, has been named editor of the Pennsylvania Bar Association Intellectual Property Law Section's quarterly newsletter.



Jeremy Heep, a senior associate with Pepper Hamilton LLP, was one of four featured panelists at the March 9 forum "Race for Open Space: Is There Still

Time?" The program, sponsored by the Phillips' Mill Community Association and held near New Hope, Pa., addressed issues facing Bucks County as open space and agricultural land are threatened by development.

Theodore A. Schwartz, a partner with M. Mark Mendel, Ltd., has been appointed to a three-year term on the Montgomery County Mental Health/Mental Retardation Board.

Ann T. Loftus, a partner at Ballard Spahr Andrews & Ingersoll, LLP, has

been elected vice chair of the Board of Trustees at Neumann College.



Enid H. Adler, a sole practitioner and past chair of the Association's International Law Committee, has been appointed by Congressman Curt

Weldon to the Organizational and Steering Committee of his new initiative between the Mid-Atlantic region and Russia, the U.S.-Russia Exchange Center. She and Weldon also recently met with former Russian president Mikhail Gorbachev.



Lee R. Sussman, an associate with Klehr, Harrison, Harvey, Branzburg & Ellers LLP, participated as a faculty member at the recent seminar "The

Essentials of Office and Retail Leases in Pennsylvania" held by the National Business Institute.



Frederick D. Strober, a partner at Saul Ewing LLP, has been elected president of Pennsylvania Volunteers for the Arts.

Andrew Davitt, a shareholder with Marshall, Dennehey, Warner, Coleman & Goggin, recently served as a speaker for the following organizations: Advantage Capital Corporation, FSC Securities Corporation and Commonwealth Securities Corporation.

Laurence H. Brown, a partner at Brookman, Rosenberg, Brown and Sandler, has been appointed to the Pennsylvania Disciplinary Board by the Pennsylvania Supreme Court.

Timothy D. Pecsénye, a partner with Blank Rome LLP, was a speaker at the Basics of U.S. Trademark Law Forum on Feb. 24 in Beverly Hills, Calif.

Names Are News

"People" highlights news of members' awards, honors or appointments of a civic or community nature. Information may be sent to Jeff Lyons, Managing Editor, Philadelphia Bar Reporter Philadelphia Bar Association, 1101 Market St., 11th floor, Philadelphia, Pa. 19107-2911. Fax: (215) 238-1267. E-mail: reporter@philabar.org. Photos are also welcome.