

# Bar Reporter®

The Monthly Newspaper of the Philadelphia Bar Association

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October 2008

## Sheppard, Liebenberg to Receive Bar Honors at Oct. 20 Quarterly

## Women Leaders on Role, Future on Oct. 20



Women in the Profession Committee Co-Chair Danielle Banks (left) joins Co-Chair Maria A. Feeley (right) in congratulating Roberta D. Liebenberg on being named the recipient of the 2008 Sandra Day O'Connor Award.

By Jeff Lyons

PHILADELPHIA COURT OF COMMON Pleas Senior Judge Albert W. Sheppard Jr. and former Women in the Profession Committee Co-Chair Roberta D. Liebenberg will be presented with two of the Association's most prestigious awards at the Monday, Oct. 20 Quarterly Meeting and Luncheon.

Judge Sheppard is the recipient of the 2008 Justice William J. Brennan Jr. Distinguished Jurist Award. Liebenberg will receive the 2008 Sandra Day O'Connor Award.

The Brennan award recognizes a jurist who adheres to the highest ideals of judicial service. Any member of the

state or federal bench, whether active or retired, who has made a significant, positive impact on the quality or administration of justice in Philadelphia is eligible for consideration. Examples of accomplishments worthy of nomination include innovations in court administration, implementation of pioneering case management techniques, assumption of a leadership role in areas affecting the administration of justice, publication of a significant opinion, article, or other scholarly work, or the like.

"Judge Sheppard has been a beacon for innovation in the administration of justice. We recognize how he has created this new paradigm while maintaining the rights of all parties," said Brennan Award  
*continued on page 10*



Judge Albert W. Sheppard Jr. will receive the Justice William J. Brennan Jr. Distinguished Jurist Award.

By Jeff Lyons

A PANEL OF WOMEN EXECUTIVES FROM across Philadelphia will discuss the role and future of female leaders at the Association's Quarterly Meeting and Luncheon on Monday, Oct. 20.

Moderated by CBS-TV 3's evening weekend anchor, Mary Stoker Smith, panelists include Arlene Ackerman, CEO, School District of Philadelphia; Nina M. Gussack, chair, executive committee, Pepper Hamilton LLP; Tara Weiner, managing partner of the Philadelphia office of Deloitte & Touche USA LLP; and Ahmeenah Young, president and CEO, Pennsylvania Convention Center Authority.

"Oct. 20 will be a day to salute the ongoing role of women in the profession  
*continued on page 17*

### In This Issue

- 4 Chancellor's Forum
- 5 E-Filing Update
- 9 Judges on Briefs
- 13 Annual Conference
- 20 Pro Bono Training
- 24 33 Years in Law

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Page 1 skyline photo by Edward Savaria, Jr./PCVB

## 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, Senior Managing Editor, *Philadelphia Bar Reporter*, Philadelphia Bar Association, 1101 Market St., 11th floor, Philadelphia, Pa. 19107-2955. Phone: (215) 238-6345. Fax: (215) 238-1159. E-mail: reporter@philabar.org.

## Frontline

# Mentors Can Make Difference in a Young Attorney's Career

MUCH HAS BEEN WRITTEN ABOUT businesses and organizations devoting increasing time and money to the concept of diversity. Although the issue of increasing opportunities for underrepresented groups has been around for decades, law firms today are deeply involved in the movement to increase diversity among their attorney and staff ranks.

A recent survey of the AmLaw 200 firms revealed that all of the 80 respondents to the survey had a diversity director or diversity committee overseeing the firms' efforts. The institutionalization of this role is a major step forward for the diversity movement, and these firms should be applauded for taking action on such a vital issue.

However, as a person of color at an AmLaw 200 firm, I can stress that survey numbers don't tell the whole story. In addition to formal diversity programs, the informal culture surrounding diversity at a firm and its impact on networking opportunities is just as important to the success of minority and female attorneys.

One way that all people, including attorneys, network with each other is by seeking out and making contact with people who seem familiar: We look, talk, act or have backgrounds and interests similar to one other. Whether they work for government agencies, public interest organizations, corporations or in private practice, all attorneys use these informal contacts to find out what they need to know about the way things work in their organizations. This insider information

is vital to leveraging performance into career advancement.

In fact, without the outstanding mentors who coached me early on, my own career might have turned out differently.

Most frequently, the attorney who loses out does so because he or she may not have a mentor or a champion within the organization who can help them maneuver the unique challenges of career advancement as a minority or female attorney. It is simple math: With fewer minority attorneys at leadership levels, young minority attorneys have fairly low odds of finding mentors with whom they feel familiar and who can advise them from the minority perspective. Thus we all have a responsibility – minority and majority – to reach out and mentor young attorneys with potential.

As an active mentor myself, I always stress to new lawyers that they are ultimately responsible for identifying professional mentors, promoting themselves and leveraging their talent. Still, firms have an obligation to support these efforts and encourage a culture of inclusion that makes this process less burdensome. The Philadelphia Bar Association also shoulders this responsibility as a core component of providing member benefits to Philadelphia attorneys.

By A. Michael Pratt



With the launch of the Chancellor's Diversity Training Series, the Association's Office for Diversity will impart practical advice, skills and knowledge to young attorneys seeking to enhance their professional viability. This workshop series will cover career advancement topics such as transition from

government service to law firm practice, business development and best practices for the partnership track.

This Diversity Training Series (as well as similar programs at our city's law firms) are evidence of a tangible investment in the professional development of young attorneys. The short-term return on these investments is the connection made between diligent, talented, young lawyers and more senior practitioners who have walked in their shoes.

My hope is that this type of professional development will help level the playing field for all attorneys looking to advance in their legal careers, yielding a long-term gain of more realistic gender and/or racial and ethnic representation among partner and leadership ranks in Philadelphia law firms.

I ask you to please attend or support your attorneys' attendance at our Diversity Training Series, which I will be moderating:

*continued on page 12*

## Association's Elections Committee Formed

THE PHILADELPHIA BAR ASSOCIATION has formed its first Elections Committee. Pursuant to a change in the Association's Bylaws, the Elections Committee, which replaces the Nominations Committee, is chaired by Immediate-Past Chancellor Jane Leslie Dalton and consists of Ronald A. Kovler, A. Harold Datz, Albert S. Dandridge III, Karen Detamore, Nadeem A. Bezar, Vernon L. Francis, Jacqueline G. Segal, Danielle Banks Spearman, May Mon Post and Marsha L. Levick. Association Secretary Kathleen D. Wilkinson serves as a non-voting member as do Chancellor A. Michael Pratt, Chancellor-Elect Sayde J. Ladov, Vice Chancellor Scott F. Cooper and

Board Chair Stephanie Resnick.

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

Association members may become candidates for any of these offices by filing with the Secretary, at least 60 days prior to the Dec. 8, 2008 Annual Meeting, nominations in writing which, for candidates of the Board, must be signed by at least 25 members who are entitled to vote; for candidates for Secretary, Treasurer, Assistant Secretary and Assistant Treasurer, shall be signed by at least 35

members who are entitled to vote; and for candidates for Vice-Chancellor, shall be signed by at least 100 members who are entitled to vote.

Individuals who wish to be nominated for any of the above-named offices should contact Staff Counsel Brian Sims, Esq. at bsims@philabar.org for additional information.

Signatures, along with a resume, and written authorization should be submitted to Association Secretary Kathleen D. Wilkinson, c/o Brian Sims, Esq., Philadelphia Bar Association, 1101 Market St., 11th Floor, Philadelphia, PA 19107, no later than 5 p.m. on Thursday, Oct. 9.

# Drugs, Guns at Center of Crime Discussion

By Kathryn C. Harr

ADDRESSING ISSUES OF FRIGHTENED witnesses, youth violence, prison overpopulation, and gun control, a distinguished panel tackled the problems of crime and punishment at the Chancellor's Forum on Sept. 10.

Moderated by Chris Satullo of *The Philadelphia Inquirer*, the panel included District Attorney Lynne Abraham; Philadelphia Court of Common Pleas Judge Jeffrey P. Minehart; Deputy Mayor Everett Gillison; David Rudovsky, senior fellow at the University of Pennsylvania Law School; Philadelphia Police Capt. Carl Holmes; and Mark Harrell, director of Men United for a Better Philadelphia.

Discussing more recent trends in crime, several panelists remarked on rising youth violence. "There's a direct correlation between education and the quality of education" and the number of young people in the juvenile justice system, Harrell noted.

Witness reluctance to testify has also become an increasing problem. Judge



Photo by Jeff Lyons

Panelists for the Sept. 10 Chancellor's Forum included (from left) Capt. Carl Holmes, Mark Harrell, District Attorney Lynne Abraham and Judge Jeffrey P. Minehart. The panel was moderated by Chris Satullo of the *Philadelphia Inquirer* and also included David Rudovsky.

Minehart, the first judge to preside over Philadelphia's specialized Gun Court, commented on the fear that witnesses have when coming forward to testify. "We have to get the community back behind law enforcement," Judge Minehart said. Capt. Holmes echoed the concerns,

noting "the majority of complainants will not cooperate with police." Complainants often will not even reveal who shot them, making witnesses less likely to testify, given that the victim does not want to identify their own shooter.

Although shootings are down 20

percent and homicides have decreased by 18 percent in the last month, gun control remains another pivotal issue in Philadelphia. District Attorney Abraham reported that the Gun Violence Task Force, in its second year, specifically addresses the

*continued on page 20*

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# Electronic Filing Includes Payment Option

■ By Rudolph Garcia

PHILADELPHIA'S CIVIL E-FILING SYSTEM was launched in August and will become mandatory in January, but many firms still have no procedures in place for payment and recovery of e-filing fees.

Unlike the federal court's e-filing system, Philadelphia's system provides for payment of filing fees online with any major credit card. You can pay by check instead, as most firms have done before e-filing, but that has serious disadvantages. Sending a messenger to the courthouse with a check defeats the efficiency and convenience of e-filing. It also makes deadline compliance harder because nothing is deemed filed until the check is received. Credit card payments are clearly the better option, but how will your firm handle them?

The best approach is to obtain a restricted credit card account in your firm's name that can be used only for payments to the court. The card number, expiration date and security code for that account can be distributed to all e-filers without risking any illicit shopping sprees. Individual filers benefit by not having to use their personal cards, and your firm benefits by avoiding a deluge of reimbursement requests. Most credit card issuers can provide a restricted account. All you have to do is make sure that the court is the only authorized vendor.

If you use a restricted credit card account, all your e-filing payments will appear on one monthly bill. When you pay the bill, you can easily allocate the charges to the correct clients if you have prepared for that in advance.

When an e-filing is submitted, your own matter designation can be entered for that filing, such as a matter name, file number or billing number, in a "Personal Reference No." field. When the filing is accepted, a confirming e-mail is automatically sent to the filer. Those confirmations include the matter designation and the fee paid, so they can be used to charge the amounts on the credit card bill to the appropriate clients. To facilitate this process, you can arrange for whoever pays the credit card bill to receive copies of the confirmations automatically. Each user can specify up to two additional e-mail addresses for notifications from the court, so all you have to do is ask your lawyers to include the additional e-mail address in their profiles and ask your e-filers to enter the proper matter designation with every filing.

## So Far, So Good with E-Filing Program

■ By Thomas L. Bryan

THE STAGGERING NUMBER AND VARIETY of tasks that can be performed over the Internet has recently gotten just a little larger. Thanks to the new Philadelphia Court of Common Pleas Civil Trial Division's electronic filing system, pleadings and motions in Philadelphia civil cases can now be filed online.

The e-filing system, in the development process for several years, went online on Aug. 4. The system will become mandatory for civil filings on Jan. 5, 2009. Unlike some jurisdictions, which hired outside consultants to develop their e-Filing systems, the Philadelphia system was developed in-house, guided by Judge Esther R. Sylvester, Prothonotary Joseph Evers and Deputy Court Administrator Charles Mapp, along with the guidance and support of Court Administrator

David C. Lawrence, President Judge C. Darnel Jones II, Administrative Judge D. Webster Keogh, and the Philadelphia Bar Association.

The Rules and Procedure Committee met Sept. 3 to review the first month of usage of the e-filing system. Evers and Mapp began the meeting by reporting that so far, the feedback from lawyers using the system has been overwhelmingly positive. In its first month of voluntary usage, e-eilings for commencement of actions went from 10 percent in the first week, to 30 percent by the fourth week.

Issues discussed at the meeting included whether restricting access for viewing online records to parties presents a public access issue; whether a hyperlink can be added to the notification e-mails which links directly to the document filed; what lag time should be expected between acceptance of

pleading and the documents appearance on the docket; the possibility of using client ID numbers for large-volume-filers; and what sorts of disaster planning systems are in place.

Judge Sylvester noted that the system is completely backed up in a remote location and that in case of a system crash, Pennsylvania state law already provides for an extension of filing deadlines in case of a system crash.

Although still in its infancy, all signs indicate that the Civil Division's new e-filing system is a true success. Always looking to improve the system, Mapp and Evers closed the meeting by reminding everyone present that the prothonotary's office is open to all suggestions from members of the bar on how to improve the system.

*Thomas L. Bryan is an associate with Gerolamo, McNulty, Divis & Lewbart PC.*

Unlike the federal court's e-filing system, Philadelphia's system provides for payment of filing fees online with any major credit card.

This approach works even better if you use a restricted American Express account that lists the matter designation next to each charge on the monthly bill. That way, most of the allocation can be done from the bill itself and the confirmations will only be needed when someone forgets to enter a matter designation for a particular filing.

In the first week, 10 percent of all new cases were e-filed. In the first month, the total jumped to 30 percent. The rate will continue to increase until January when e-filing becomes mandatory. With a little planning now, you can breeze through that transition.

*Rudolph Garcia is a partner with Buchanan Ingersoll & Rooney PC.*

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# Mandatory E-Filing Coming to Third Circuit

■ By **Ria C. Momblanco**

THE UPCOMING THIRD CIRCUIT JUDICIAL Conference and the launch of a new and mandatory electronic case filing system are among several notable events on the Third Circuit's calendar. At the September meeting of the Appellate Courts Committee, Circuit Executive Toby Slawsky, Third Circuit Clerk Marcia Waldron, and Third Circuit Chief Deputy Clerk Patricia Dodszeit spoke on these new Third Circuit happenings.

Slawsky informed the committee that the Third Circuit Judicial Conference is set to take place on May 4-6, 2009. U.S. Supreme Court Chief Justice John G. Roberts Jr. is expected to give two talks at the conference. Associate Justice Samuel Alito Jr. will also be attending. Slawsky said the conference will include a black-tie dinner that will be open to the entire legal community.

Waldron and Dodszeit then spoke on the progress of the Third Circuit's move toward an Internet-accessible elec-

tronic case management and case filing system and its plans to make electronic filing mandatory.

The ECM/ECF system, which was developed at the request of several judges sitting on the Third Circuit, was partially launched in February. As it exists today, the system allows those with a PACER login to access documents filed on or after Feb. 4. It does not, however, permit litigants to electronically file and serve documents.

Waldron said efforts to enhance the system with electronic filing features are under way and should be completed by the end of this year. The ECF features are currently being developed and tested with the assistance of volunteer attorneys. Feedback indicates that the Third Circuit's system will be easier to use than those of district courts within the Third Circuit.

In anticipation of the new ECF tool, the Third Circuit will be revising its local rules to address electronic filing procedures. Dodszeit said under the new rules, electronic filing and acceptance of

**Attorneys are advised** to make electronic filings in a text-searchable PDF format and reminded to redact information that is subject to the Judicial Conference Policy on Privacy.

electronic service will be mandatory for all attorneys filing in the Third Circuit. In order to assist attorneys who are new to electronic filing, the court will begin offering ECF training in October and November. The training will not be mandatory.

Despite the implementation of ECF, some filing procedures will remain the same. For example, for emergency filings and motions to seal, litigants will still need to notify the Court – during business hours – that the filing will be made. In addition, the court may require voluminous documents, such as appendices, to be filed in their paper form.

The panel closed with some ECF practice pointers, advising attorneys to make

electronic filings in a text-searchable PDF format and reminding attorneys to redact information that is subject to the Judicial Conference Policy on Privacy (i.e., social security numbers, names of minor children, dates of birth) prior to making an electronic filing.

*Ria C. Momblanco, an associate with Fine, Kaplan and Black, R.P.C., is an associate editor of the Philadelphia Bar Reporter.*



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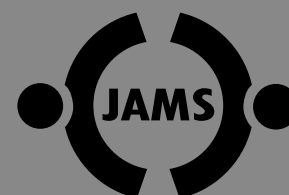
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## Young Lawyers Cast Wider Net for Business

THE INTERNET IS FULL OF SOCIAL AND business networking sites, and many of Philadelphia's young lawyers are already members. But do these sites provide young lawyers with a good opportunity to network, gain business and advertise themselves, for free?

From the beginning of modern lawyering in Philadelphia, lawyers have used *Martindale*, *The Legal Intelligencer*, *Philadelphia* magazine, *Pennsylvania Super Lawyers* and *Pennsylvania Rising Star Super Lawyers* to advertise, promote themselves and gain business. All of these sources have one thing in common – they're expensive.

In the Internet age, which some say has spelled the death of *Martindale's* famous (high-priced) lawyer listings, comes a totally free resource that has more readers, subscribers, and daily viewers than *Martindale*, *The Legal Intelligencer*, *Philadelphia* magazine, and the Yellow Pages combined. Online social and business networking sites, including Facebook, MySpace, LinkedIn, Plaxo, Friendster, Spoke and Avvo, are now supplanting most other methods of traditional networking for young lawyers, who are vexed by stringent billable hour requirements and find it increasingly difficult to leave their offices for meet-and-greet opportunities.

Lawyers can sign up for free and design a page to market themselves to the general public. These pages can and should include current contact information, a biography similar to the one that

would appear on a firm's Web site, news clippings, notable case mentions, and even photos, as long as these photos help to promote the lawyer, not detract. Such photos may include the lawyer with notable clients, politicians, public figures, celebrities, etc. Photos should not include pictures of the lawyer drinking or engaging in unprofessional conduct.

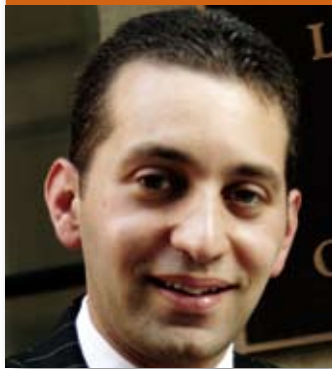
Why should you sign up for these sites?

- **Cost/Target Audience:** It is free, and a site like Facebook or Linked In likely has more daily viewers than any form of paid advertising.

- **Google listing:** What most people do not realize is that when someone, like a potential client, "googles" their name, a listing on a Facebook or LinkedIn will appear at the top of the ever-important Google listing without any cost. Clients are always interested in reading up on their prospective attorney.

- **Job Change:** If you change your job, location, and/or contact information, people will still be able to find you. When you are listed on Linked In or Facebook for example, the search is by name. If you change or update your contact information, all of your Facebook or LinkedIn contacts will be notified of the change free of charge. If someone misplaced your number or you switched jobs, you will be

By Scott P. Sigman



easily found.


With a carefully tailored site on some, if not all, of these online sites, you really expand your possibilities to network with other lawyers or professionals, or connect with old friends and classmates, which will lead to an increase in your book of business.

When old friends and classmates see what you have been up to and now know how to contact you, they will. It really is a win-win scenario for the young lawyer. It's a way to increase your clients, increase your business and increase your network of friends and business professionals, all at no cost. When your information changes, or you have something notable to report such as a case reported in the newspaper, a free notification can be sent out to your network of contacts. Along with the many young lawyers who are on these sites, there are

managing partners from Philadelphia law firms, former Pennsylvania Supreme Court justices, authors, doctors, and many of your past friends and classmates just waiting for you to sign up and connect with them.

The business is out there, but are you willing to make the step and create your page on these online sites? It's free and you have nothing to lose.

*Scott P. Sigman, chair of the Young Lawyers Division, is an attorney at Bochetto & Lentz, P.C. and may be reached by e-mail at [ssigman@bochettoandlentz.com](mailto:ssigman@bochettoandlentz.com) or by telephone at (215) 735-3900.*


BlogLink

Visit [philLAWdelphia.wordpress.com](http://philLAWdelphia.wordpress.com) to see what the Association's young lawyers are saying.

### PhiLAWpalooza Oct. 2 at J.C. Dobbs

THE YOUNG LAWYERS DIVISION WILL host its second annual PhiLAWpalooza on Oct. 2 at the legendary J. C. Dobbs on South Street, with an exciting lineup of bands comprised of Philadelphia lawyers of all ages and practice areas.

This year's line-up includes fan favorites A Band Called M (Montgomery, McCracken, Walker & Rhoads, LLP) and Class Action (Marshall, Dennehey, Warner, Coleman & Goggin) playing rock-n-roll hits. Newcomers include Habeus Crappus (Caesar, Rivise, Bernstein, Cohen & Pokotilow, Ltd.), Roger Delco (Law Offices of David W. Wolf)

and special guest Paula Boggs, general counsel for Starbucks.

This year also features an upstairs stage for open mic-style performances or jam sessions. Lawyers are encouraged to bring along an unplugged instrument for a more mellow experience.

PhiLAWpalooza will be held from 6:30 to 10:30 p.m. Tickets are \$12 for Association members (\$15 at the door) and \$15 for non-members (\$18 at the door). Admission includes rock-n-roll, drink tickets, heavy hors d'oeuvres, and drink specials. J. C. Dobbs is located at 304 South St.



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# City's Real Estate Market Doing Well, Panel Says

By Edward P. Kelly

ALL IS WELL IN THE PHILADELPHIA real estate market, and there are many advantages to owning your own home. These were just two of the messages received by those attending the Investing in Real Estate for Women panel at a recent meeting of the Women in the Profession Committee.

The panelists were Lisa Mara, vice president of East River Bank; Stephanie J. Sprengle, an associate in Pepper Hamilton LLP's real estate practice group; and Peter Bishop, owner of Light Horse Housing LLC and Independent Custom Realty LLP.

Despite media reports to the contrary, the Philadelphia real estate market has held up well compared to other markets. While areas such as Boston, New York and Washington, D.C. experienced tremendous appreciation in property values (and the eventual steep declines), Philadelphia was "overlooked" and experienced solid, rational growth. One example cited was that the average selling price of real

estate in Center City in August 2008 was \$355,000, compared to \$330,000 in August 2007.

Home ownership has traditionally been a safe investment. Homes have typically averaged 4 percent annual appreciation, and prices over a one-year period have never declined since the Great Depression. In addition to the joys of owning one's own home, there are also tax incentives that make home ownership even more attractive, including mortgage interest deductions, federal incentive programs and capital gains exclusions upon the sale of the property. The panelists agreed that now is a great time for buyers as there are plenty of homes on the market and people have been afraid to jump in and buy. Therefore, the prices are reasonable and sellers are more willing to negotiate.

That being said, it is more difficult to get a mortgage in today's economic climate. Lenders are returning to traditional mortgage programs and requiring full documentation in order for buyers to get approved for a mortgage.

The panelists stressed the importance of doing your homework regarding your own finances and the property you want to buy. To that end, it is also important to rely on the professionals: lenders/mortgage brokers, realtors, inspectors, title companies and insurance brokers. They also provided a brief overview of the home buying process, including finding the right property, getting pre-qualified for a mortgage (and the criteria that banks use to evaluate your application), and the various inspections one should perform (general property inspection, termite, radon and mold). The importance of title insurance and property insurance was also discussed. And, in addition to the traditional method of home buying, there are alternatives, including for sale by owner, HUD properties, sheriff's sale and short sales. But while there may be certain advantages with these options, the panelists warned that there were pitfalls to be avoided.

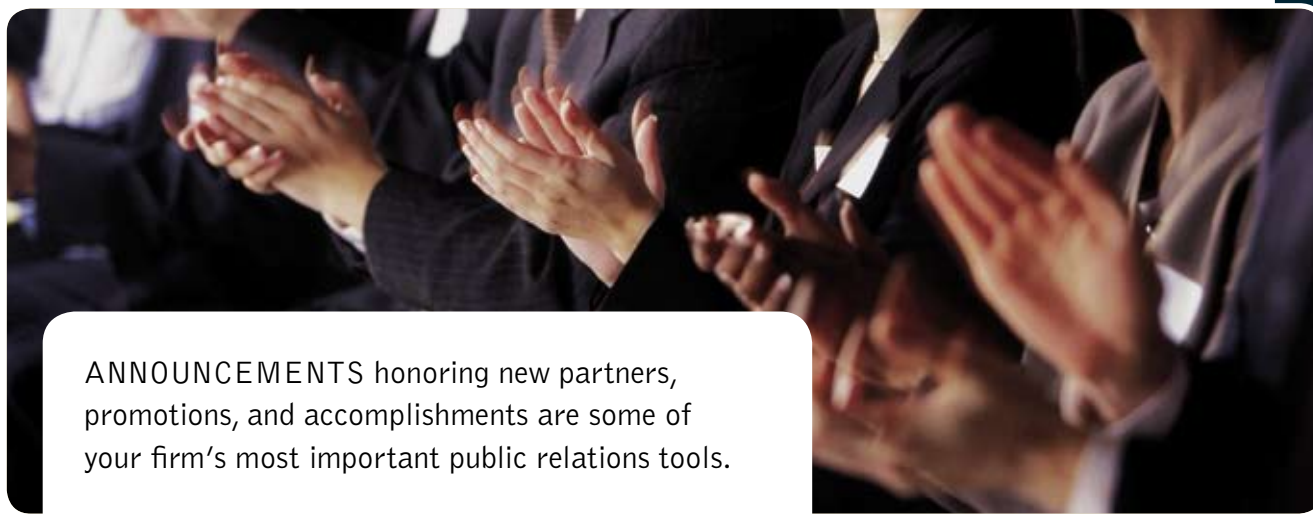
Finally, the discussion touched upon investment properties. While many of the same lessons from home buying apply,

Despite media reports to the contrary, the Philadelphia real estate market has held up well compared to other markets.

there are differences. For one, lenders look to the cash flow of the property and for a larger down payment when considering mortgage applications. In addition, the investment property owner becomes a landlord and must consider whether to rent the property on their own or hire a property manager to deal with leases, emergencies and day-to-day issues at the property.

*Edward P. Kelly is an associate with Astor Weiss Kaplan & Mandel, LLP.*

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# Federal Judges Advise Lawyers to Keep Briefs Simple, Accurate

By Heather J. Holloway

UNDERSTANDING THE AUDIENCE IS A critical factor in effective brief writing. Noting that the policies and procedures of the judges who sit in the Eastern District of Pennsylvania are posted, U.S. District Court Judges Legrome B. Davis, Gene E.K. Pratter and Timothy Rice presented further insight into effective brief writing during the Sept. 17 meeting of the Federal Courts Committee.

According to Judge Davis, the judge is the audience and one should remember that a federal judge receives five to seven inches of motions and at least one new civil case each day. An attorney can assist the busy courts by eliminating unnecessary verbiage. Judge Pratter echoed this sentiment; however, she noted that the audience is more than just the court. An attorney also writes for the benefit of the law clerks, opposing counsel and the client.

An effective brief, Judge Davis advised, is written succinctly, directly and accurately. As an advocate, counsel should provide a clean and truthful statement of the law and should not merely state that portion of the law that is most beneficial to his client's position. Instead, counsel should state the law and then explain, in an honest and direct manner, why that unfavorable portion of the law is not applicable to the case. Judge Rice cautioned counsel against making incomplete or misleading statements and reminded counsel that law clerks work with the court and play a substantial role in reviewing the briefs. Law clerks will play a game of "gotcha" with lawyers and will catch most instances of misrepresentation. Counsel should not risk losing the trust of the law clerks and the court.

Facts, like the law, should be accurately characterized. Counsel should provide the court with a full picture. By way of example, noting that many attorneys attach

a referenced page from a transcript as an exhibit to a brief, Judge Davis expressed his preference for that portion of the transcript that will provide him with the full context of the statement, not merely the quoted language. Judge Pratter advised counsel to strive for clarity when writing and to avoid excessive sophistication and clever statements. Clarity not only assists the court but also makes it more difficult for one's opponent to mischaracterize counsel's position.

Effective briefs revolve around a theme. Judge Pratter has found that the more persuasive briefs begin with a conclusion, followed by the rule, application, and then the restatement of the conclusion. Counsel should avoid hiding the relief sought in excessive verbiage and legalese.

 **Podcast Spotlight**  
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Judge Davis expects every word in the brief to serve a purpose. Likewise, misspelled words and poor grammar distract the court from counsel's message. Finally, Judge Davis, Judge Pratter, and Judge Rice agreed that counsel should avoid personal attacks. The use of adverbs and hyperbolic language is not helpful and suggests that counsel has less to say on the merits. Judge Rice reminded counsel that the brief is counsel's first chance to persuade the fact finder. The use of the first few pages to set forth a theme will result in a more effective brief.

*Heather J. Holloway, an associate with Thorp Reed & Armstrong, LLP, is an associate editor of the Philadelphia Bar Reporter.*



**WebCheck**

To view policies and procedures for judges in the Eastern District, visit [paed.uscourts.gov/us08001.asp](http://paed.uscourts.gov/us08001.asp).



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## Awards

continued from page 1

Committee Chair Rhonda Hill Wilson.

Judge Sheppard is now a senior judge and in his 25th year on the Court of Common Pleas. He has presided in the family, criminal and civil divisions. Presently, he is the team leader of the court's Commerce Program. He was elected to the Common Pleas Court in November 1983 and retained in 1993 and 2003.

Judge Sheppard acted as the Chairman of the Judicial Study Committee (Sheppard Committee) appointed by state Supreme Court Justice James T. McDermott as the committee to make recommendations to our Supreme Court relative to suggested improvement for the Philadelphia Common Pleas Court. The Committee Report was published in May 1990 and was favorably received. In 1990 he received the Golden Crow Bar Award from the Pennsylvania Conference of State Trial Judges for his work on the Sheppard Committee. In 2001 he served as Supervising Judge of the Civil Division, Chairman of the Civil Rules and Procedures Committee and Charter Member of the Commerce Program.

Judge Sheppard earned an Electrical Engineering Degree from Villanova University in 1960. He received his J.D. degree from the Temple University School of Law graduating Magna Cum Laude, and was on the Law Review. He practiced law with the law firms of Schnader, Harrison Segal & Lewis and Monteverde, Hemphill, Maschmeyer & Obert.

Between 1960 and 1963 he served as a line officer on the destroyer USS Furse based in Charleston, S.C. The ship participated in the Cuban missile crisis blockade.

"I am very honored and humbled at having been selected," Liebenberg said of the O'Connor Award. "It is especially meaningful to me because I am following in the footsteps of the many incredibly talented and distinguished women lawyers and judges who have done so much to help remove the barriers confronting women in the profession," she said.

"Bobbi embodies the example set by Sandra Day O'Connor and exemplifies every criteria of this award as someone at the top of her field, a trailblazing and truly accomplished lawyer, who also devotes herself to being an advocate for women," said Women in the Profession Committee Co-Chair Maria A. Feeley. "On a more

personal level, I have gotten to know Bobbi by working with her through the Bar Association, and have observed that Bobbi is one of the most sincere advocates for women lawyers I have come across in my career, and our profession is better because of her. She really is a remarkable woman," she said.

Liebenberg is a graduate of the University of Michigan and a graduate of the Catholic University Columbus School of Law, magna cum laude, where she was the Notes Editor of the Law Review. Thereafter, she served as a law clerk for the United States Court of Appeals for the Fourth Circuit.

In May 2007, Liebenberg was named as one of *The National Law Journal's* 50 Most Influential Women Lawyers in America. In June 2008, she was named as one of the "Top Ten Super Lawyers in Pennsylvania" in *Philadelphia* magazine. In October 2006, Gov. Edward G. Rendell named Liebenberg as a Distinguished Daughter of Pennsylvania. In April 2003, she was named as the first recipient of the Lynette Norton Award by the Pennsylvania Bar Association's Commission on Women in the Profession. That award was given to her in recognition of her outstanding litigation skills and mentoring of women attorneys. In December 2003, she was named as one of the Women of Distinction by the *Philadelphia Business Journal* and the National Association of Women Business Owners, based on her commitment to professional excellence and community involvement. Every year since 2004, she has been recognized by *Philadelphia* magazine as one of the Top 50 Female Super Lawyers in

Pennsylvania and one of the Top 100 Super Lawyers in Pennsylvania. Liebenberg was named one of the Women Leaders in the Profession by *The Legal Intelligencer*. She was recognized as a leader in the field of Class Actions.

Liebenberg served as Chair of the American Bar Association's Standing Committee on the Federal Judiciary from 2006-2007. Prior to that appointment, she served as the Third Circuit representative on the Standing Committee from 2005-2006. In 2007, Liebenberg was elected as the Pennsylvania State Delegate to the ABA House of Delegates, and she serves on the ABA Nominating Committee. From 2003 to 2005, Liebenberg was a member of the Board of Governors of the American Bar Association, representing Pennsylvania and New Jersey. In addition, she served on the Governing Council of the American Bar Association's Section of Litigation and was the Section's Delegate to the House of Delegates. She also served as Chair of the Class Actions and Derivative Suits Committee of the Litigation Section. Ms. Liebenberg formerly chaired the Philadelphia Bar Association's Antitrust Committee from 2002-2007 and 1993-1997.

In August, 2008, Liebenberg was appointed as Chair of the American Bar Association's Commission on Women in the Profession, whose first Chair was Senator Hillary Clinton. In addition, she chaired the Pennsylvania Bar Association's Commission on Women in the Profession from 1995 to 1997. She also served as Co-Chair of the Philadelphia Bar Association's Women in the Profession Committee from 2005-2007.

## Naturalization Speakers



Photo by Jeff Lyons

Former NBA star Dikembe Mutumbo joins U.S. District Court Judge John R. Padova and Chancellor A. Michael Pratt at a naturalization ceremony held on Constitution Day, Sept. 17, at the National Constitution Center. More than 60 people from 34 countries became new citizens at the event. Both Pratt and Mutumbo spoke at the ceremony, which was presided over by Judge Padova.

## Commissioner Welcomed



Photo by Dawn Burger

Legal Rights of Children Committee Co-Chairs Sara Jacobson (left) and Rashida West (right) welcome Anne Marie Ambrose, new commissioner of the Department of Human Services at a Tuesday, Sept. 23 reception. The reception was sponsored by the Legal Rights of Children Committee and the Family Law Section.

## Gala Benefits Public Interest Community

MILDRED IS 74 YEARS OLD AND SUFFERS from severe vision problems that have left her nearly blind. A victim of predatory lending 10 years ago, she was on the verge of losing her home until a Philadelphia VIP attorney negotiated with the lender and helped Mildred save her home.

Carlos is living with his grandmother because he was abandoned by his mother and his father is incarcerated. A high school athlete, he had a good chance of getting an athletic scholarship until the school district where his grandmother lived used an obscure welfare rule to hold that he was not eligible to attend school there. The Education Law Center took his case and argued before the Pennsylvania Commonwealth Court on his behalf; Carlos is now back in school with a good chance to go on to college.

Edward, despite being eligible for both Medicare and Medicaid benefits, has waited for years for wheelchair repairs because the equipment vendors in his Medicaid managed care plan insisted on charging him in advance for their services, a cost he could not afford. Eventually, Edward had to use a loaner wheelchair that was not designed for him and that caused him physical pain. A Disabilities Rights Network attorney began advocating on Edward's behalf and convinced the Department of Public Welfare to direct

Edward's managed care plan to permit him to use an out-of-network vendor who does not charge people on Medicare and Medicaid in advance. Edward's wheelchair was finally repaired, allowing him to regain independent mobility.

Charlie and Jeff are two young brothers who were removed from their home because of physical abuse and lack of parental supervision. Their mother struggled with drug addiction and was unable to care for them. With assistance and representation from the Support Center for Child Advocates, the boys were placed with a caring foster mother. They received counseling and tutoring services and have made enormous progress in their new home and school. Charlie and Jeff, now 12 and 13 years old, were adopted by their foster mother last fall and continue to thrive.

These are just a few of the thousands of cases the Philadelphia public interest organizations, with financial support from the Philadelphia Bar Foundation, take on every day. These legal agencies work individually and systemically to make a difference in the lives of those in our community who struggle with poverty, disability and discrimination.

Thirty years ago, the Bar Foundation started what has become its biggest fundraising event of the year to help support these efforts – the Andrew Hamilton

Gala.

The Gala has raised millions of dollars for public interest legal organizations in its history and is one of many ways the Philadelphia legal community shows its commitment to the mission of access to justice for all.

The 30th anniversary of the Gala offers the Bar Foundation a unique opportunity to pay tribute to the heroes of the Philadelphia Bar who have given their time and considerable talents to help the Bar Foundation help people like Mildred and Carlos and Edward—the past Chancellors of the Bar Association, Presidents of the Bar

By Elaine Rinaldi



Foundation and Chairs of the Andrew Hamilton Gala.

“We have chosen the theme ‘Heroes’ to recognize the outstanding work and countless non-billable hours these people have given to the cause of providing equal access to justice for all,” said Sayde J. Ladov, co-chair of the 2008

Andrew Hamilton Gala, Chancellor-Elect of the Bar Association and an honoree herself as past co-chair, with her husband, David, of the 1999 Hamilton Gala. David Ladov has signed on again as one of this year's co-chairs along with Steven

*continued on page 18*

### Past Chancellors of the Bar Association

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Theodore Voorhees (1964)*	Seymour Kurland (1987)
Marvin Comisky (1965)	Laurance E. Baccini (1988)
Robert L. Trescher (1966)*	Peter Hearn (1989)
Hon. Arlin M. Adams (1967)	Arthur G. Raynes (1990)*
Lewis H. Van Dusen (1968)	Robert C. Heim (1991)
Louis J. Goffman (1969)*	Deborah R. Willig (1992)
Robert M. Landis (1970)	Andre L. Dennis (1993)
John R. McConnell (1971)*	Lawrence J. Beaser (1994)
Harold Cramer (1972)	Abraham C. Reich (1995)
Joseph M. Bongiovanni Jr. (1973)	Francis P. Devine III (1996)
William R. Klaus (1974)	Clifford E. Haines (1997)
Nathan L. Posner (1975)*	Mark Alan Aronchick (1998)
Hon. Thomas N. O'Neill Jr. (1976)	Edward F. Chacker (1999)
Bernard M. Boorish (1977)*	Doreen S. Davis (2000)
Paul Carpenter Dewey (1978)	Carl S. Primavera (2001)
Hon. Leon Katz (1979)	Allan H. Gordon (2002)
Jerome E. Bogutz (1980)	Audrey C. Talley (2003)
Joseph H. Foster (1981)	Gabriel L.I. Bevilacqua (2004)
Hon. Robert C. Daniels (1982)	Andrew A. Chirls (2005)
Howard Gittis (1983)*	Alan M. Feldman (2006)
Donald C. Marino (1984)	Jane L. Dalton (2007)
David H. Marion (1985)	* – deceased

### Past Hamilton Gala Chairs

2007 and 2006 – Deborah Gross and Amy B. Ginensky  
 2005 – Carol Nelson Shepherd and Mark B. Frost; Frederick D. Strober and Beth Ann Robinson  
 2004 – Marnie and Alexander Kerr; Alexander Giacobetti and Theresa Italiano  
 2003 – Audrey C. Talley  
 2002 – Abraham C. and Sherri Reich  
 2001 – Marilyn Heffley and Bernard W. Smalley  
 2000 – Matthew and Maxine Lechter Comisky  
 1999 – Sayde J. and David L. Ladov  
 1998 – Sherrie Savett and Nicholas E. Chimcles  
 1997 – Alan M. Feldman and Maureen Pelta  
 1996 – Doreen S. Davis and Robert J. Simmons  
 1995 – David H. and Roselyn Marion  
 1994 – Arthur G.\* and Diane Raynes  
 1993 – Gilbert F. and Ada Casellas  
 1992 – Dianne Greitzer\*  
 1991 – Louis A. and Rhoda Fryman  
 1990 – Richard M. and Judith Ronsenbleeth  
 1989 – Leslie Anne Miller  
 1988 – Marvin Lundy and Geraldine Cramer  
 1987 – S. Gerald and Arlene Litvin  
 1986 – Denise Krekstein  
 1985 – Jalond Levin  
 1984 – Antoinette Marsh\*  
 1983 – Ruth Dubois

### Bar Foundation Presidents

1982 – Goldye Comisky  
 1981 – Melanie Hopkins  
 1980 – Alan M. Tepper  
 1979 – Marlene Dubin  
 1965 – Theodore Voorhees\*  
 1965-1966 – David Berger\*  
 1967 – Marvin Comisky  
 1968-1969 – Ernest Scott\*  
 1970-1971 – H. Ober Hess  
 1972 – Louis D. Apothaker\*  
 1973 – Sadie T. M. Alexander\*  
 1974 -1976 – Joseph K. Gordon  
 1977-1978 – John Butterworth  
 1979-1980 – Paul Carpenter Dewey  
 1981 – Jerome E. Bogutz  
 1982-1983 – Hon. Bruce W. Kauffman  
 1984 – Marvin Comisky  
 1985 – Peter Hearn  
 1986 – Richard N. Weiner  
 1987 – Hon. Jan E. DuBois  
 1988 – Harold Cramer  
 1989 – Francis P. Devine III  
 1990 – Ralph W. Brenner  
 1991 – Marshall A. Bernstein  
 1992 – Timothy J. Carson  
 1993 – Sydney M. Avent  
 1994 – Richard M. Rosenbleeth  
 1995 – Louis W. Fryman  
 1996 – Mark A. Aronchick  
 1997 – Martin Greitzer  
 1998 – Judith E. Harris  
 1999 – David Unkovic  
 2000 – Carol G. Huff  
 2001 – Gabriel L.I. Bevilacqua  
 2002-2003 – Gerald A. McHugh Jr.  
 2004 – Edward F. Chacker  
 2005-2006 – Robert D. Lane Jr.

# Group Aims to Make Gay Marriage 'Real'

■ By Brian K. Sims

THE KEY TO SECURING THE FREEDOM to marry for all individuals regardless of their sexual orientation, "has always been to make it real," says Evan Wolfson, a legal expert and social activist who is the founder and executive director of Freedom to Marry.

Wolfson, the author of *Why Marriage Matters: America, Equality & Gay People's Right to Marry*, spoke at the Sept. 15 program "Securing the Freedom to Marry: What's Next," co-sponsored by the Family Law Section, and the Legal Rights of Unmarried Cohabitants, the Civil Rights, and LGBT Rights Committees.

That "reality" is closer now than at any time in the nation's history, said Wolfson. "We are at an exceptionally historic turning point in our movement for equal justice, and in the struggle for the freedom to marry and more globally for our country in general." Pointing to the recent cases in California, Iowa and New York, as well as legislation in New Jersey, and other states, he proclaimed, "as we gather here right now, if those of us who believe in full equality and inclusion for gay people in society, do our work right, which most pointedly means holding the freedom to marry in California – a victory we won early this year and whose



Evan Wolfson

outcome is under assault – and securing the other victories which shimmer within reach now, by this time next year, 25 percent of the American people will live in a state where gay people can marry."

"If you remember one thing, remember that," said the Yale and Harvard Law graduate who has also spent time in the Peace Corps and worked for Lambda Legal before founding his own organization.

Wolfson has also been front and center for many, if not all, of the "gay marriage" cases nationwide from the right to marry cases in Hawaii in the early 1990s to the historic civil union laws passed in Vermont in 2000.

His activism has earned him praise

and recognition across the country, from being named "one of the 100 most influential attorneys" by the *National Law Journal* in 2000 to being named "one of the 100 most influential Americans" by *Time* magazine in 2004.

His predictions for the future of marriage equality surprised many in attendance. "Imagine that," he said "up from zero percent five years ago" to 25 percent by the end of next year. "Not civil unions, not partnerships or other lesser alternative mechanisms – the full and equal opportunity to exercise the constitutional freedom to marry."

He arrives at his figure by citing California, which makes up about 12 percent of the population, and Massachusetts which has another 3 percent, combined with his predictions that New Jersey, New York, Connecticut, Vermont, and "yes, Iowa" will recognize marriage equality if the work that is currently being done in those states continues.

Gay Americans will have the opportunity to "take on the full range of responsibilities, obligations and protections that marriage as a legal institution brings to families." This will happen, he says, as more and more Americans see the outcome of marriage equality in their own schools, neighborhoods and communities.

"This is truly an epic moment be-

“We are at an exceptionally historic turning point in our movement for equal justice, and in the struggle for the freedom to marry and more globally for our country in general.”

cause if we do this, we bring our country to a place where one out of four Americans will be seeing families helped, no one hurt, the scare tactics of the opponent's refuted, and will realize in this constant and very American way of listening to the better angels of their nature, that even if they don't fully love the idea, even if it's still somewhat new to them, or touches elements of discomfort, people can live with it."

"It takes nothing away from me, to see the family across the street better off."

*Brian K. Sims is staff counsel for policy and planning for the Philadelphia Bar Association.*

## Frontline

*continued from page 3*

- Tuesday, Oct. 7 - Business Development: Learn about creating, developing and growing your legal practice
- Thursday, Oct. 23 - Networking: Learn the importance of networking and attending networking events, and how to become an effective networker

- Thursday, Nov. 6 - The Partnership Track: Learn about the legal and other professional skills and abilities needed to make partner, as well as practical steps for advancing to the partnership level
- Thursday, Nov. 20 - Career Transition: Learn about the legal and professional skills or abilities needed (as well as the practical steps that can be taken) to move from practicing law in the public sphere to a private firm

- Tuesday, Dec. 16 - Mid-Size Firms: Learn about the benefits of mid-size firms and how they contribute to an attorney's growth and development in the legal profession
- All workshops will be held in the 11th floor Conference Center at the Philadelphia Bar Association headquarters, 1101 Market St. A light snack and beverages will be served as part of the events. All workshops are in the late afternoon or

- early evening to minimize the disruption on your business day.
- For more information, call Dr. Sean Lincoln, Director of Diversity, at 215-238-6340 or register online at [www.philadelphiabar.org](http://www.philadelphiabar.org).
- A. Michael Pratt, a partner at Pepper Hamilton LLP, is Chancellor of the Philadelphia Bar Association. His e-mail address is [chancellor@philabar.org](mailto:chancellor@philabar.org).*

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# Diversity's Impact, Future in the Law

By Jeff Lyons

HAVING DISCUSSIONS ABOUT DIVERSITY is the first step to improving diversity in the legal profession, a panel of attorneys and judges told a diversity expert at the opening luncheon of the Association's Bench-Bar and Annual Conference.

"First and foremost, it's about having the discussion. And my hat's off to our Chancellor. Mike Pratt has made it his mission to have the discussion. And that discussion has driven other discussions," said panelist Bernard W. Smalley, a shareholder at Anapol Schwartz.

"We now have a diversity effort in both the Philadelphia Trial Lawyers Association and the Pennsylvania Trial Lawyers Association. If you can represent folks of color, then hire folks of color. And if not, why not. So that discussion continues," he said.

The session was led by diversity consultant Verna Myers. Panelists offered their thoughts on a series of video vignettes featuring individuals from different minority groups. The videos featured a woman in a wheelchair, a little person, a lesbian and a young African American man who all explained what it's like for them to exist in a society where they don't feel like they're part of the mainstream.

"Diversity has become a generational issue. The younger generation views diversity in a very different way than I do. I had a very interesting conversation with a young man and it struck me that for him, diversity meant not so much an opportunity to represent those who are coming behind him or to uphold those who came before him. But for him it was just something for him to have a chance," said panelist Larry L. Turner, a partner with Morgan, Lewis & Bockius LLP.

"There are a lot of preconceived notions," said Municipal Court Judge Lydia Kirkland. "When my African-American sons go out, no one knows that they're a judge's kids and that shouldn't matter. And no one knows they're college kids because you can't look at a kid and know they're in college. You can't look at a kid and say 'he's an OK African American kid.' You have to actually converse with the kid to see whether or not he fits your mold. But why should kids have to fit a mold? What is a mold? But you have to teach your kids that there is a mold. It's unfortunate but there is a mold. If you don't fit the mold, you're not going to fit. That's just how it is," she said.



Panelists for the program on diversity included (from left) Judge Nitza I. Quinones Alejandro, Judge Lydia Y. Kirkland, Bernard W. Smalley, City Solicitor Shelley R. Smith, Stacey Sobel, Verna Myers and Larry Turner. Myers (below) has been advising law firms about recruitment and retention of attorneys of color since 1992.



Photos by Jeff Lyons

Each panelist said they could relate with the people shown in the video who described their exhaustion when it comes to 'fitting in' in the world.

"For a lot of LGBT people, the exhaustion isn't about making other people comfortable. The exhaustion results from not letting other people know. You never want to worry about their comfort. You never want to be put in that place. And I live that way," said panelist Stacey Sobel.

"There is no federal law protecting people in the workplace based on their sexual orientation or their gender identity. There is no state law in Pennsylvania prohibiting that. Eighty percent of the people in Pennsylvania live in a place where it's perfectly legal to fire them just because they're gay, lesbian, bisexual or transgender. So if that woman [in the video] lets anyone at work know she has a partner, she may be putting her very livelihood at stake. And that's one of the difficult things about being LGBT – it's not always obvious."

City Solicitor Shelley R. Smith said people spend a lot of time trying to make

other people feel comfortable so they themselves don't feel uncomfortable. She said she's been fortunate and hasn't felt the need to make others feel comfortable about being around her.

Smith recalled a case in federal court that she was trying with a white colleague. She had appeared before the judge in the past yet the judge directed all questions to Smith's male colleague. During a break, the judge complimented the plaintiff's attorney and Smith's colleague on the job they had done. "And then the judge gave me the sartorial splendor award. And I said 'I'm glad you noticed something I've done in this room for the past six days.' But that's what you do. You have to drive home the point that you're capable and competent and prepared," she said.

Court of Common Pleas Judge Nitza I. Quinones-Alejandro said she has a hard time with the word diversity because of her upbringing. "I grew up in a military upbringing. In a military upbringing, you're in a diverse community. Your next-door neighbor could be Asian. Downstairs could be an Italian American.

Visit [philadelphiabar.org](http://philadelphiabar.org) to listen to the podcast of this program.

I didn't grow up with those concepts. It wasn't until I came here that it became very real. A friend of mine and I went to a restaurant. She's Latina, but she's a white Latina, as opposed to a dark-skinned Latina. We went to a restaurant that was primarily serviced by African Americans. But as we walked in, the lady said to me 'how many?' I said two and she led us to a table. She proceeded to hand me the menu and walk away. And I said 'excuse me, we need one more menu.' She came back with a menu and a few minutes later she came to take our order. I gave her my order and she walked away. And I said 'excuse me, there's one more person here.' And my friend's reaction to me was 'I've never felt so ignored.'"

"I think the fact that we have these programs forces people who wouldn't ordinarily talk about diversity to talk about it. And what does it mean to have more diversity in your profession, in your firm and in your company. The fact that there are these programs and goals forces people to talk about diversity," Smith said.

"Sometimes a sense of inclusion is as simple as who you speak to in the morning," said Myers. She said people need to make a conscious effort to expand their circle and talk to everyone in their organizations, not just people who are like them.

# Pundits Ponder Presidential Politics

By Brian K. Sims

THIS YEAR'S POLITICAL ENVIRONMENT made for one of the hottest sessions at the 2008 Bench Bar and Annual Conference. At the Sept. 20 lunchtime plenary session, attorney and journalist Renee Chenault-Fattah hosted a panel of experts for The 2008 Presidential Election: Politics and the Law.

Panelists were Larry Eichel, senior staff writer and political columnist for *The Philadelphia Inquirer*; Dr. G. Terry Madonna, renowned political pollster and Director of the Center for Politics and Public Affairs at Franklin & Marshall College; Elmer Smith, senior member of the *Philadelphia Daily News* editorial board; and Marcel L. Groen, longtime chair of the Montgomery County Democratic Committee and a partner at Fox Rothschild LLP.

Madonna, started the panel's initial discussion about the effect that a McCain or Obama presidency would have on the judiciary. Madonna first recounted that the last session of the U.S. Supreme Court saw more 5-4 decision than at any time since the New Deal. He also discussed the likelihood that Justice Stevens and Justice Ginsburg, both members of the liberal voting block, are the presumptive retirees during the next presidency.

"Assuming that the nominees follow the political ideology of the president who nominates them, an Obama presidency would appear to maintain the current 5-4 make-up of the court." While from a McCain presidency, he said, "the expectation would be a 7-2 conservative court."

Eichel was quick to point out that even in the event of a McCain presidency, there is a resounding likelihood that Democrats would not only hold the Senate, but take a more substantial majority and that they would be angry if the White House were lost, thereby making confirmation of Republican nominated justices more difficult.

"I suspect that despite the 'maverick' image," said Smith, "his campaign has seen a lurch to the right, and [his base] will get the justices they expect." Among the issues that Smith expected the court might rule favorably on under a McCain presidency were the reversal of *Roe v. Wade*, and a federal constitutional amendment banning gay marriage.

Groen had a seemingly different view of the current ideological make-up of the Supreme Court. "I don't think we have



Panelist Elmer Smith (from left) is joined by moderator Renee Chenault Fattah and fellow panelists Dr. G. Terry Madonna, Marcel Groen and Larry Eichel for the program on presidential politics.

four conservatives, four liberals, and one in the middle," he said. "The days of the liberals are gone. We've switched from a liberal to moderate court, to a moderate to conservative one."

"I think this is a huge issue," said Groen. "There's the potential for a legal tsunami." Adding that, "depending on who wins, the legal world as we know it may change." He discussed his expectations that under a McCain presidency, abortion could go back to the states and there would be even further removal of consumer protections and rights.

Eichel was more skeptical about the possibility that *Roe v. Wade* would be overturned under a McCain presidency.

**There's the potential** for a legal tsunami. Depending on who wins, the legal world as we know it may change.

"The last thing the Republican Party wants or needs is 50 states deciding the issue. People could turn on the national party."

Perhaps a more hotly debated topic during the session was the question of merit selection of appellate judges, a position that the Philadelphia Bar Association has supported for more than 50 years.

"I'm in favor of merit selection," said Groen, "and not just for appellate judges. The manner in which we select judges in Pennsylvania is wrong. It forces very qualified people to go through the political process." He noted that often the public doesn't even know who they are voting for.

Madonna agreed, saying that only "15 to 20 percent [of citizens] who vote have a clue about the candidates." He also discussed the fact that judicial campaigns require several million dollars statewide

and that given new judicial campaigning rules, judges "are beginning to look a lot like regular candidates," and asking "Is that really what we want to see?"

Stepping away from the judiciary, the panelists were asked about their expectations of the upcoming presidential debates. The consensus appeared to be that while generally, debates only seem to reinforce the beliefs of the voters who have already made up their minds, this year's debates may offer more.

"[Hillary] Clinton proved to be better in debates, but Obama has proved to be a better big-venue speaker," said Madonna addressing a question about Obama's style. He also felt that despite the low

that there is a "very disparate approach to her."

The discussion prompted questions about former Democratic candidate Sen. Hillary Clinton's impact on the campaign and speculation from the panelists about how her involvement on the national ticket could have changed the current state of the election.

Surprisingly, this was an issue in which all four panelists found agreement. "The election would be over," said Groen. "McCain would not have picked Palin, and Clinton would have brought together all of the Democratic camps."

"I think it would have been over too," said Smith, "although she'll be a more effective member of the Democratic team as a senator." Eichel agreed that her selection would have changed the race. "There are many more Democrats registered today than Republicans. With Hillary, no Democrats wouldn't have voted for the Democratic ticket."

"There is no comparable period in modern history where an election was so heavily weighted in the political atmosphere as it is for the Democrats now," said Madonna, harkening to a statement by Groen that if all registered Democrats voted for Obama and all registered Republicans voted for McCain, with the two splitting the independent vote, there would be no question that Barack Obama would be the next president.

*Brian K. Sims is staff counsel for policy and planning for the Philadelphia Bar Association.*

**Podcast Spotlight**  
Visit [philadelphiabar.org](http://philadelphiabar.org) to listen to the podcast of this program.

## High-Profile Cases Hinge on Fair Coverage, Panelists Say

By Jeff Lyons

REPRESENTING A CLIENT IN A HIGH-PROFILE case comes down to ensuring equal media coverage from both sides, a panel of attorneys told the closing session of the Association's Bench-Bar and Annual Conference on Sept. 21.

Panelists Theodore Simon, Neal Sonnett and William "Billy" Martin talked about their experiences in some of their more famous cases. The panel was moderated by Jami Floyd, an anchor on the truTV network.

Simon's clients have included Michael Fay, who was sentenced to caning in Singapore, and Ira Einhorn. Simon said that dealing with the media is like being in a romantic relationship. "You want to be passionate and you want to be present. And you want to be focused. You certainly want to be honest and accurate and of course, tell the truth. And God forbid, if you're asked a question, and you remain silent, or worse you say 'no comment,'" he said.

"Could you imagine, if a loved one said to you, 'how do I look?' and there's no response. Or worse – no comment. I hope you remember that if you're ever confronted with the press and you realize you must say something other than no comment," Simon said.

"You have to spend as much time thinking about what you're going to say and crafting your message as you do in any type of pleading in any other case. The real test is not what you say, but how you feel the morning after. Are you satisfied with what you've said? Or do you feel like you shouldn't have said it or you need to start explaining your way out of it," Simon said.

One of the most important things to consider is that you do no harm and you only act at all times in the interest of your client. "This seems pretty fundamental, but the media can be pretty seductive. And this is not one place where you want to be seduced."

He also took on the cause of speaking out on behalf of judges. "All too often, judges take bold stances. And because they're doing what they're supposed to do, remaining independent and impartial and making those tough decisions, they get lambasted in the press. And I think



Panelists (from left) Theodore Simon, Neal Sonnett and William "Billy" Martin are introduced by moderator Jami Floyd (below) of the truTV network. The panelists discussed their experiences representing high-profile clients.

lawyers have an obligation to speak out on behalf of judges when they're being attacked. Because what do we have if we don't have an independent judiciary? It's not just representing your clients. It's about representing judges and the bar," Simon said.

Sonnett acknowledged that in most high-profile trials, there is inevitably going to be media coverage. "And the threshold of high profile has really sunk substantially. I remember giving a speech where I quoted from a 1993 law review article on prejudicial publicity in criminal trials in which the author said that as early as the 1807 treason trial of Aaron Burr, the U.S. Supreme Court recognized the possibility that pre-trial publicity might impair a court's ability to empanel an impartial jury," he said.

That speech was made before today's blogging sensation, Sonnett said. "Now, no matter what's going on in a courtroom, you just get into the blogosphere and and you find people talking about the trial in real time."

A high-profile trial no longer has to be O.J. Simpson. It no longer has to be someone of national or international repute, like Gen. Manuel Noriega, one of Sonnett's former clients. "More and more trials qualify as high profile even on a national or regional level," he said.

"Ultimately, what we are about as defense lawyers, and what judges are about in the administration of justice is ensuring that both sides get a fair trial and that the defendant does not have his case tarnished by pretrial publicity that interferes with that right. Coverage of trials has become a wildly new popular reality TV show that you can see every day. And as lawyers, we have to worry about how that impacts on our trial. There are guidelines



Photos by Jeff Lyons

that say a prosecutor should take no action to encourage or assist news media in photographing or televising a defendant in custody. You see on the news every day what we call the 'perp walk.' It violates Department of Justice guidelines, it violates ethical considerations in almost every state, but prosecutors always manage to have a defendant show up to surrender so they can walk him out and the cameras can take his picture," he said.

Sonnett said inflammatory remarks made by prosecutors at the time of arrest are bound to take their toll on people who may later step into the jury box and raise their hands to be sworn as jurors. "If you think I'm saying the reason defense lawyers talk to the press is because we're forced to on some occasions to mete the criticisms and comments and publicity by prosecutors, you're right," he said.

Martin said he's rarely in Washington doing high-profile cases. "Most of my cases are outside of D.C. With all of the

media glare in Washington, I have no trouble because I know all of the judges. But when I step out of Washington, all hell breaks loose," he said.

"A lot of us owe our experience and knowledge on how to handle high-profile cases to O.J. Simpson. When O.J. was first charged, a local affiliate hired me to do daily commentary. NBC trained me. I had the benefit of a local news anchor really showing me the skill set that journalists use," he recalled.

Martin's last trial as a federal prosecutor was the case of former Washington Mayor Marion Barry. Martin, a prosecutor for 15 years, said that was the first big case he'd handled. "When I stepped out onto the steps of the court house and saw all the cameras, I froze."

Martin said a lot of the high-profile cases he's brought into is because of his ability to handle the media. "I'm brought in to be the face of the client, whether it's a corporate client or an individual. I start out with public relations specialists and marketing experts who sit in on briefing sessions and help us with what we say. What do you say to the public about your client, who is a public figure? For that, we need help so we go immediately to public relations specialists and ask 'what do you do?' We might do a focus group before we do our first public appearance on a high-profile case. We know what the public is thinking, so we try to address those issues," he said.



**Podcast  
Spotlight**

Visit [philadelphiabar.org](http://philadelphiabar.org) to listen to the podcast of this program.

# More Than 400 Learn, Network at Bally's



Jeffrey M. Lindy (from left) Charles S. (Chuck) Marion and U.S. District Court Judge Petrese B. Tucker were the panelists for the CLE program "Perspectives on the Similarities and Differences Between Practicing in State and Federal Court on Sept. 20.



City Solicitor Shelley R. Smith (from left) joins Dr. Sean Kathleen Lincoln, Danielle Banks, Kathleen Carignan and Rachel E. Branson at the Sept. 20 Dinner and Concert event at Bally's Atlantic City.



Mark Cohen (from left) is joined by his wife, Carol, Sharon Wilson and Criminal Justice Section Chair Troy Wilson at the Sept. 20 Dinner and Concert.



Pennsylvania Supreme Court Justice Seamus P. McCaffery (from left) joins Kathy McCarthy and Board of Governors Vice Chair Gaetan Alfano at the Grand Reception on Sept. 19.



PhotoGallery

For additional photos from the 2008 Bench-Bar and Annual Conference, visit [philadelphiabar.org](http://philadelphiabar.org).



The Business Litigation Committee presented Philadelphia Court of Common Pleas Judge Howland Abramson with an inscribed crystal bowl in gratitude for his dedicated service to the Commerce Case Management Program at a session at the Bench-Bar and Annual Conference on Sept. 20. Judge Abramson left the Commerce Program on Sept. 8 to become Judicial Team Leader of the 2008 Day Forward Major Jury Program. Administrative Judge D. Webster Keogh was also present for the ceremony.



The Stylistics perform at the Bench-Bar and Annual Conference Dinner and Concert on Sept. 20. More than 400 judges and attorneys attended the three-day program at Bally's Atlantic City.

Photos by Jeff Lyons



## Puccini's Timeless Work Remains Popular

■ By Marc W. Reuben

IN THE NEARLY 150 YEARS SINCE THE birth of Giacomo Puccini (Dec. 22, 1858), the fame of this womanizing, hard-smoking and terrifically gifted composer has risen to the top of the operatic heights.

His music, which sounds disarmingly simple and is easy to enjoy by even the most untutored listener, is based on similar musical principals to his stylistic idols Wagner and Debussy. There is intense color in his harmonic tones and thematic references throughout his operas that remind us of a variety of textural notions that he wishes us to remember. Although the subliminal message of his work is intense, the music seems unforced and unchallenging to the ear. It is difficult to remember that Puccini created music that was as thematically suggestive as that of the greatest classical masters. It is because his music is so pleasant and beautiful that he is often dismissed by critics who suppose that music must be as much a challenge as a pleasure to hear. Puccini overcame that notion and audiences have

loved his work for the pure beauty they find in all of it. Puccini is to opera what the great Russian Tchaikovsky was to the symphony. The music is not as consciously elaborate, yet it is all perfectly lovely and easily appreciated by those fortunate enough to hear it.

Of all the operas in the cannon of works, Puccini's "La Boheme" is by far the most popular. It heads the list of most performed operatic works at the Metropolitan and, no doubt, at other houses throughout the world. The music from this opera has become signature enjoyment for generations of listeners. Della Reese had a great hit with her version of "Musetta's Waltz" from Act 2 of "Boheme" ("Don't You Know" in 1956). "Boheme" is likely the most popular opera in the world. It is the story of poor artists in 1840s Paris. Boy meets girl, they love, they fight and separate and reunite and then she dies. The penchant Puccini had for sticky, gooey melodrama is wrapped in a marvelous coat of glorious music that quickly makes listeners forget how worldly maudlin the stories actually are. In fact, because of the thematic subtext of his music, listeners

are constantly being bombarded with musical cues that quietly bring disparate elements of the whole work together. No work by Puccini is without a wide variety of musical themes that keep repeating throughout the work to remind listeners of the textural influences in the libretto. This is the influence of Wagner. The vivid color of the music is a vestige of Debussy's touch. But it is all Puccini, and it seems to sound so simple that one can easily forget the immense struggle the composer had with the work.

Born in 1858, Puccini studied in Rome and was able to publish a few orchestral compositions while still a student. In the early 1880s his initial operatic work "Edgar" found a moderate degree of acceptance. At least enough encouragement for the composer to continue writing operas. His first great success was with "Manon Lescaut" in 1893 and "Boheme" came in 1896. There is a famous live recording taken from an NBC Radio broadcast in 1946 featuring Arturo Toscanini (a protégé of Puccini) conducting the NBC Symphony, with Licia Albanese and Jan Pierce. The performance crackles with excitement even if the singing is, at

least as far as Pierce is concerned, a bit less lyrical than might be desired. Even on the old acetates the fabled conductor, carried away with the music, can be heard singing with the cast. It remains a remarkable document from one of the composer's contemporaries. Other recordings of this world famous music are headed by the superb rendition conducted by Sir Thomas Beecham in 1956. The stereo sound is excellent and the music is sung by the great soprano Victoria De Los Angeles and the immortal Swedish tenor Jussi Bjorling. To many, this is the top recording of the work, although Renata Tebaldi and Carlo Bergonzi made a fine recording in the early 1960s conducted by Tullio Serafin. A most celebrated Mimi in the recording era was the Brazilian soprano Bidu' Sayao, who made her only complete commercial operatic recording with a young Richard Tucker in 1946. That record is currently available from Sony. Sayo and Bjorling can be heard in a live recording from the opening night of the Met season in 1948, although the sound is often questionable. Still, for those who love the work, it is wonderful to listen to two masters of the

*continued on page 19*

### Quarterly

*continued from page 1*

and to recognize the accomplishments of women everywhere who have helped advance the cause of equality and justice," said Chancellor A. Michael Pratt.

Prior to 2006, Ackerman served as Superintendent of both the San Francisco Unified School District and the District of Columbia Public Schools. During her tenure in San Francisco, the city's public schools with 62,000 students and 117 schools, attained five consecutive years of improved achievement for all groups of students while also holding the distinction as the highest performing large urban school district in California during the last two years of her tenure.

Gussack is former chair of the Defense Research Institute's Drug and Medical Device Committee, and she is a member of the Product Liability Advisory Council and the International Association of Defense Counsel. She also serves on the Ethics Committee of Wills Eye Hospital in Philadelphia.

Gussack received her J.D. in 1979 from Villanova University School of Law, where she was a member of the Villanova

Law Review.

Weiner leads Deloitte's 1,000 employees in the greater Philadelphia area.

With over 28 years of proven experience, Weiner has a distinguished record of service as a strategic adviser helping companies create measurable value and dealing with issues of importance to their business. Tara currently serves as an advisory or leadership partner to several of the Deloitte U.S Firms leading clients, wherein she leverages her SEC and regulatory expertise, in addition to an in-depth knowledge of the accounting standard-setting process.

This is Young's second stint with the convention center; she first joined the staff in 1987 as director of affirmative action and was later promoted to director of sales and marketing and vice president of sales and marketing. She left in 2000 to join SearchWide, LLC as vice president of corporate diversity, where she specialized in recruiting and retaining senior executives for the hospitality and tourism industry, municipal governments, museums, cultural institutions, and the transportation industry.

Stoker Smith came to CBS 3 from WPHL-TV in Philadelphia in December 2005 where she has been co-anchoring

WB17 News at Ten since April 2005. Before coming to Philadelphia, she was the main anchor and a reporter for WTVO-TV, in Rockford, Ill. since 2001. She received her master's in broadcast and print journalism at Emerson College in 2000. She also holds a Bachelor of

Science Degree in Mass Communications from the University of Wisconsin-La Crosse.

Members will also vote on amendments made to the Association's bylaws. To purchase tickets to the event, visit philadelphiabar.org.

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# Heroes of the Bar Reception



Marking the 30th Anniversary Year of the Andrew Hamilton Gala, the Philadelphia Bar Foundation, along with event sponsor Navigant Consulting, Inc., hosted a pre-gala reception on Sept. 10 to honor the "Heroes of the Philadelphia Bar" – past Bar Association Chancellors, past Bar Foundation presidents and past chairs of the Andrew Hamilton Gala. The reception was the kick-off event for the Andrew Hamilton Gala to be held Nov. 1 at the 23rd Street Armory as well as an opportunity for the Bar Foundation to unveil its 2008-2012 Strategic Plan. Pictured above are (from left) Rudolph Garcia, Chancellor-Elect Sayde J. Ladov, Marilyn Heffley and Ira W. Bushman.



Goldye Comisky, chair of the 1982 Andrew Hamilton Gala and Marvin Comisky, chairman emeritus of Blank Rome, LLP; past Chancellor of the Philadelphia Bar Association and past president of the Bar Foundation.



Ruth Dubois (left photo), chair of the 1983 Andrew Hamilton Gala, is joined by her husband, U.S. District Court Judge Jan E. Dubois, a past Bar Foundation president. Chancellor A. Michael Pratt (right photo) greets Immediate-Past Chancellor Jane Leslie Dalton. The event was held at Trump Tower Philadelphia showroom at One Liberty Place.



Photos by Lynne Brown

## Bar Foundation

*continued from page 11*

Bizar of Buchanan Ingersoll & Rooney and his wife, Lisa Brody, associate general counsel for Arkema, Inc.

"The need of the grantee organizations in this time of financial hardship motivated me and Lisa to co-chair the Gala," said Bizar. "With the example set by the past chairs and the ongoing success of the event in raising money for legal services, we have a high standard to meet. But, we have a great team, strong support from our colleagues, and welcome the challenge."

The Andrew Hamilton Gala has a truly historic place in the life of the Bar Foundation and the Bar Association. The Ball was started because they needed a place to give out the Apothaker Award," reminisced Goldye Comisky, chair of the 1982 event and one of this year's honorees. "Until the year I chaired it, the Ball wasn't a fundraiser. I started the idea of raising money through having sponsor

ads in an ad book. We worked our hearts out, and it raised a great deal of money that year. And it's continued to raise money for many years."

The Andrew Hamilton Gala is still the event at which the legal community honors those who are "serving the public good." The Philadelphia Bar Foundation Award carries on that tradition and is given to a public interest attorney who is providing direct legal services to the underprivileged in Philadelphia. In addition, Citizens Bank has partnered with the Bar Foundation and the Bar Association to present the Citizens Bank Pro Bono Award which is bestowed on a Philadelphia law firm or corporate legal department that demonstrates outstanding volunteer efforts in providing legal services to those in need. And through a generous donation from Morris M. Shuster, a fellowship is awarded in his name to public interest attorneys to help reduce their debt so the public interest organizations can keep their talented and dedicated staff.

This year's Gala will be held at the First

City Troop Armory on 23rd Street in Center City on Saturday, Nov. 1. Many law firms and our partners in the business community are already signed on as sponsors of the event and more sponsorship and ticket requests are coming in daily.

Funding our public interest legal community – those attorneys who are using the law to help the quality of life for the

poor, the homeless, the abused – is our obligation as lawyers. Please join us at the Gala for an incredibly worthy cause and help make a difference in the lives of other.

*Elaine Rinaldi, a partner at Cozen O'Connor, is president of the Philadelphia Bar Foundation.*

CELEBRATE  
**HEROES**  
OF THE PHILADELPHIA  
LEGAL COMMUNITY

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The Philadelphia Bar Foundation's  
30th Anniversary Andrew Hamilton Gala

Saturday, November 1, 2008 ■ 7 pm to Midnight

To reserve your place by phone or to get more information about sponsorships contact Liz Pannulla at [lpannulla@philabar.org](mailto:lpannulla@philabar.org) or 215-238-6337.

# 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.*

## Wednesday, Oct. 1

**Delivery of Legal Services Committee:** meeting, 8:30 a.m., 10<sup>th</sup> floor Board Room.

**Rules and Procedure Committee:** meeting, 12 p.m., 10<sup>th</sup> floor Board Room. Lunch: \$7.50.

**Intellectual Property Committee:** meeting, 12 p.m., 11<sup>th</sup> floor Committee Room South. Lunch: \$7.50.

## Thursday, Oct. 2

**Health Care Law Committee:** meeting, 12 p.m., 10<sup>th</sup> floor Board Room. Lunch: \$8.50.

**Civil Rights Committee:** meeting, 12 p.m., 11<sup>th</sup> floor Conference Center. Lunch: \$7.50.

**Environmental Law Committee:** meeting, 12 p.m., 11<sup>th</sup> floor Committee Room.

**Legislative Liaison Committee:** meeting, 12:30 p.m., 11<sup>th</sup> floor Committee Room South. Lunch: \$7.50.

## Friday, Oct. 3

**LGBT Rights Committee:** meeting, 8:30 a.m., 11<sup>th</sup> floor Committee Room.

**Workers' Compensation Section Executive Committee:** meeting, 10:30 a.m., 11<sup>th</sup> floor Committee Room South.

**Workers' Compensation Section:** meeting, 12 p.m., 11<sup>th</sup> floor Conference Center. Lunch: \$7.50.

## Monday, Oct. 6

**Business Law Section Executive Committee:** meeting, 12 p.m., 11<sup>th</sup> floor Committee Room South.

**Family Law Section:** meeting, 12 p.m., 10<sup>th</sup> floor Board Room. Lunch: \$7.50.

**Young Lawyers Division Cabinet:** meeting, 12 p.m., 10<sup>th</sup> floor Cabinet Room.

**Financial Management Committee:**

meeting, 12 p.m., 11<sup>th</sup> floor Conference Center.

## Tuesday, Oct. 7

**Committee on the Legal Rights of Persons with Disabilities:** meeting, 12 p.m., 11<sup>th</sup> floor Committee Room South.

**Philadelphia Bar Foundation Board of Trustees:** meeting, 12 p.m., 10<sup>th</sup> floor Board Room.

## Wednesday, Oct. 8

**Securities Regulation Committee:** meeting, 11:30 a.m., 11<sup>th</sup> floor Conference Center. Lunch: \$7.50.

**Appellate Courts Committee:** meeting, 12 p.m., 10<sup>th</sup> floor Board Room. Lunch: \$7.50.

## Thursday, Oct. 9

**Yom Kippur:** Bar Association offices closed.

## Monday, Oct. 13

**Columbus Day:** Bar Association offices closed.

## Tuesday, Oct. 14

**Criminal Justice Section Executive Committee:** meeting, 12 p.m., 10<sup>th</sup> floor Board Room.

**Compulsory Arbitration Committee:** meeting, 12 p.m., 11<sup>th</sup> floor Committee Room South. Lunch: \$7.50.

**Solo and Small Firm Committee:** meeting, 12 p.m., 11<sup>th</sup> floor Conference Center. Lunch: \$7.50.

**Delivery of Legal Services Committee Diversity Program:** 8:30 a.m., 11<sup>th</sup> floor Conference Center.

**Federal Courts Committee:** meeting, 12:30 p.m., 10<sup>th</sup> floor Board Room. Lunch: \$7.50.

**LegalLine:** 5 p.m., 11<sup>th</sup> floor LRIS offices.

## Thursday, Oct. 16

**Law Practice Management Division Technology Committee:** meeting, 12 p.m., 11<sup>th</sup> floor Conference Center. Lunch: \$7.50.

**Family Law Section Executive Committee:** meeting, 12 p.m., 11<sup>th</sup> floor Committee Room South.

**City Policy Committee:** meeting, 12 p.m., 10<sup>th</sup> floor Board Room. Lunch: \$7.50.

**Financial Oversight Committee:** meeting, 12 p.m., 11<sup>th</sup> floor Committee Room.

## Friday, Oct. 17

**Corporate In-House Counsel Committee:** meeting, 12 p.m., 11<sup>th</sup> floor Committee Room South. Lunch: \$7.50.

**Philadelphia Lawyer magazine Editorial Board:** meeting, 12:15 p.m., 10<sup>th</sup> floor Board Room.

## Monday, Oct. 20

**Quarterly Meeting and Luncheon:** 12 p.m., Park Hyatt Philadelphia at the Bellevue, Broad and Walnut streets. Tickets: philadelphiabar.org.

## Tuesday, Oct. 21

**Professional Responsibility Committee:** meeting, 8 a.m., 10<sup>th</sup> floor Board Room.

**Cabinet:** meeting, 12 p.m., 10<sup>th</sup> floor Board Room.

**Employee Benefits Committee:** meeting, 12:30 p.m., 11<sup>th</sup> floor Committee Room South. Lunch: \$7.50.

## Wednesday, Oct. 22

**Medical Legal Committee:** meeting, 12

p.m., 11<sup>th</sup> floor Conference Center. Lunch: \$7.50.

## Friday, Oct. 24

**Diversity Committee:** meeting, 12:30 p.m., 11<sup>th</sup> floor Committee Room South.

## Monday, Oct. 27

**Young Lawyers Division Executive Committee:** meeting, 12 p.m., 10<sup>th</sup> floor Board Room.

## Tuesday, Oct. 28

**Criminal Justice Section:** meeting, 12 p.m., 11<sup>th</sup> floor Conference Center. Lunch: \$7.50.

**Women in the Profession Committee:** meeting, 12 p.m., 10<sup>th</sup> floor Board Room. Lunch: \$7.50.

**Financial Oversight Committee:** meeting, 12 p.m., 11<sup>th</sup> floor Committee Room South.

**Committee to Promote Fairness:** meeting, 4 p.m., 10<sup>th</sup> floor Board Room.

## Thursday, Oct. 30

**Minorities in the Profession Committee:** meeting, 12 p.m., 11<sup>th</sup> floor Conference Center. Lunch: \$7.50.

**Lawyer Referral and Information Service Committee:** meeting, 12 p.m., 11<sup>th</sup> floor Committee Room South.

**Elder Law Committee:** meeting, 1 p.m., 10<sup>th</sup> floor Board Room. Lunch: \$7.50.

**Board of Governors:** meeting, 4 p.m., 10<sup>th</sup> floor Board Room.

## Friday, Oct. 31

**Women's Rights Committee:** meeting, 12 p.m., 10<sup>th</sup> floor Board Room. Lunch: \$7.50.

## Arts & Media

*continued from page 17*

art of singing do their stuff – even if it is but an echo.

Another melodrama that Puccini turned to gold is “Madame Butterfly,” a play produced by Broadway’s David Belasco, and turned by Puccini into the musical drama of innocent love betrayed (a lovely Geisha and an American sailor on leave). This tragic story is filled with musical favorites (“Un Bel Di Vedremo” and the “Humming Chorus”) not to mention the love duet between Butterfly and Pinkerton. Perhaps this duet is the

most sensual music ever written. Maybe even more so than Wagner’s “Liebestod.” Gustav Mahler, who was music director at the Metropolitan in the 1900s, reported that he enjoyed a physical experience at the podium each time he conducted this romantic music.

Other famous operatic works by Puccini include the trilogy – three short works usually performed on the same bill. From the most famous of the three comes the lilting aria “O Mia Babbino Caro” (from Gianni Schichi” a comic opera). The music was the background of the 1980 film “A Room With A View” and was popularly enjoyed by record buyers. Also “La Rondine,” arias from which find their

way into popular culture quite often.

It is hard to compress into a few paragraphs the high regard the world holds for this lover of sappy stories, who made them into glorious music. But love his work the world does. Most notably, in recent years, the signature aria of the late, much lamented Luciano Pavarotti. Nessun Dorma from “Turandot” is a world favorite. This opera, about an icy princess who succumbs to a dashing stranger, was left unfinished at the composer’s death in 1924. It was written with Caruso in mind. But he died in 1921 and the first tenor became Giovanni Martinelli. The premiere was conducted by Toscanini in Milan in 1924 and when it came to

the part of the work finished by other composers, Toscanini put down his baton and turned to the audience. “The Master stopped here,” he told them. But the work of this much loved worker of chords lives on in performances throughout the world. No one can adequately analyze the complex structure of the music, and everyone can comprehend the direct tales lighted by the score. There is, quite simply put, nothing so beautiful as the operatic music of Puccini.

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*Marc W. Reuben, a sole practitioner, is an advisory editor of the Philadelphia Bar Reporter. He has been writing about the arts and media since 1973.*

## Judge Richette's Portrait Unveiled



A portrait of the late Philadelphia Court of Common Pleas Judge Lisa A. Richette was unveiled on Sept. 11 at the Judge Nicholas A. Cipriani Family Court Building. Pictured from left are Judges Kevin M. Dougherty, C. Darnell Jones II, Louis J. Presentza and Justian Society Chancellor Gina Furia Rubel, Robert D. Aversa, and Judges Anthony J. DeFino and Annette M. Rizzo.

## Chancellor's Forum

*continued from page 4*

straw purchase of handguns and has led to over 200 arrests since its formation.

Abraham and Deputy Mayor Gillison detailed the ways in which ordinances that address gun control have been both upheld and struck down. For example, the "lost and stolen gun" ordinance that provides for civil fines for failing to promptly report a lost or stolen gun was recently upheld. Abraham and Gillison vowed to continue to argue for stronger gun control before the state legislature.

Despite shifting crime statistics, Rudovsky noted "the one constant which continued through the last year is our insistence, unfortunately, on mass incarceration." Citing a national incarcerated population of 2.3 million people, Rudovsky noted that Philadelphia has mirrored the national growth rates of prison populations, growing almost seven times over the last 25 years.

"We continue after 40 years of an unwinnable war on drugs to spend almost a third of our criminal justice resources on prosecuting drug offenders." Over a third of the prison population is incarcerated on drug charges alone. Rudovsky compared the situation to smoking, which has steadily declined through society's use of methods outside of using the criminal justice system to deter behavior.

"No drug offense is non-violent," Abraham responded. "I've been to more community meetings than probably anyone in this room and the one thing people want – they want people to be stopped on the street and stop selling drugs."

"You show me somebody who's dealing drugs on your block, a so-called non-violent offender and I'll show you a whole cadre of people who are knocking off houses, stealing cars, beating up old ladies, mugging grandmothers, committing crimes – they're not non-violent." Abraham said that many prisoners may be in custody on one particular occasion on a drug charge, but have committed violent crimes in the past.

"By criminalizing drugs, that's why you have drug deals on the corner," Rudovsky noted. "We get violent crimes because of the drug laws."

Strides are being made, however. Capt. Holmes explained that the police now use a "directed patrol" method that targets specific areas within neighborhoods, based on computer crime models, crime statistics, patterns and intelligence briefings. The police presence lends to an increased feeling of safety and an enhanced understanding of other neighborhood concerns. Using technology, too, with the aid of community and governmental partnerships, have helped to better analyze and combat crime.

"We're actually able to, with data, now really hone in on to target the resources that we have," said Gillison, deputy mayor for public safety. "In an era of declining resources, we really have to figure out what's working, support that," and discontinue efforts that do not work as well, Gillison noted.

All of the panelists recognized that resources to manage the criminal justice system are at a premium. "You can only work so much in a day, you can only push your staff so much," Judge Minehart said, adding that the system can't handle the current caseload. Roughly 2,000 arrests are made each week in the city.

"The question now becomes, how do we pay for it," Gillison said. Focusing resources that address recidivism rates are key to success, he said, expressing his frustration in looking for locations for drug treatment centers, for example, and being confronted commonly with a "not in my backyard" reaction.

"This is a question of priorities for us in this country and this is a question of resources," Chancellor A. Michael Pratt noted, and thanked the Criminal Justice Section, the City Policy Committee, and the Young Lawyers Division for their work in putting the program together.

*Kathryn C. Harr, an associate with Trujillo Rodriguez & Richards, LLC, is an associate editor of the Philadelphia Bar Reporter.*

## Pro Bono Training Sessions Planned

ATTORNEYS INTERESTED IN VOLUNTEERING FOR A PRO bono case can attend a number of training programs offered by the Delivery of Legal Services Committee's Pro Bono Committee.

The subcommittee, co-chaired by Sara Woods, executive director of Philadelphia VIP, and Marsha Cohen, executive director of Homeless Advocacy Project, developed a continuum of volunteer training programs that are scheduled throughout the year to facilitate increased pro bono work and help address the vast unmet legal needs in the community. Upcoming pro bono training programs that are offered this fall, which are open to all members of the bar, include:

- Veterans Law training conducted by Michael Taub, Homeless Advocacy Project, on Friday, Oct. 17 or Monday, Nov. 10, from 9 a.m. to 12 p.m. at Dechert LLP, Circa Center, 2929 Arch St., 21st floor. This program will provide three substantive CLE credits in exchange for handling a pro bono case referred by HAP. To register, contact Marsha Cohen at [marsha@philalegal.org](mailto:marsha@philalegal.org).

- Philadelphia VIP's Pro Bono Opportunities Day will be held Wednesday, Oct. 22, from 8:30 a.m. to 12 p.m. at Montgomery, McCracken, Walker & Rhoads, LLP, 123 S. Broad St. This program will offer attendees the choice of attending one of the following four training programs: probate, name change, wills, and consumer law. VIP will provide two free substantive CLE credits in exchange for handling a pro bono case referred by VIP. Registration fee of \$45 includes breakfast and training materials. To register, contact Tanya Rambert at [tambert@phillyvip.org](mailto:tambert@phillyvip.org) or 215-523-9550 by Oct. 9.

- Mortgage Foreclosure, an all-day training program on Wednesday, Nov. 5, is sponsored by the Association's Real Property Section, Business Law Section, Community Legal Services, Philadelphia Legal Assistance, and Philadelphia VIP. Contact VIP for further details about this all day training program at 215-523-9550.

- Support Center for Child Advocates, "How to Handle A Child Abuse Case" volunteers training workshop, will be held Wednesday, Nov. 19, from 8:30 a.m. to 4:30 p.m., at PBI CLE Conference Center on the 10th floor of the Wanamaker Building. This program will provide six CLE credits. For registration and fee details, contact PBI at 1-800-932-4637 or [www.pbi.org](http://www.pbi.org).

- Ethics of Pro Bono program will be Friday, Dec. 5, from 12 to 2:15 p.m., at the Bar Association, 1101 Market St., 10th Floor Board Room. This program is sponsored by Philadelphia VIP. For more information about this program, contact VIP at 215-523-9550.

If you would like to learn more about pro bono opportunities in Philadelphia, you may want to attend the Pro Bono Open House Fair, a free special event that will be held on Tuesday, Oct. 28, from 4 to 5:30 p.m., at Blank Rome LLP, Comisky Conference Center, One Logan Square, 130 N. 18th St. This free event is open to all members of the bar. Representatives from local pro bono referral programs and public interest law centers will be available to speak informally about volunteer opportunities at their organizations. This event is sponsored by the Association's Law Firm Pro Bono Committee, co-chaired by Kathy Ochroch, Blank Rome LLP, and Mary Gay Scanlon, Ballard Spahr Andrews & Ingersoll, LLP. Light refreshments will be provided. To register, contact Annette Romano at [romano@blankrome.com](mailto:romano@blankrome.com) or 215-231-3442 by Oct. 24.

# Notice to Philadelphia Bar Association Members

## RESOLUTION TO AMEND THE BYLAWS

WHEREAS, the Charter and Bylaws Committee has conducted a comprehensive review of the Association's Bylaws to determine whether any existing provisions should be updated or revised;

WHEREAS, the Charter and Bylaws Committee has prepared a detailed report describing the issues it considered and the changes it recommends;

WHEREAS, the Cabinet has suggested certain additional changes;

WHEREAS, the Board of Governors has considered the Charter and Bylaws Committee's report and agrees with its recommendations and the additional changes suggested by the Cabinet;

NOW, THEREFORE, BE IT RESOLVED that the Board of Governors hereby approves the amendment of Sections 104, 208, 210, 211, 213, 215, 304, 504, 602 and 1002 of the Bylaws as shown on the attached black-lined versions of those sections, and approves the submission of those amendments to the Members, in accordance with Section 1100.A.1 of the Bylaws;

AND BE IT FURTHER RESOLVED that the amendments be published and submitted to the Members for their approval, in accordance with Section 1100.B of the Bylaws.

## PHILADELPHIA BAR ASSOCIATION

### BOARD OF GOVERNORS

ADOPTED: JULY 31, 2008

### REVISED BYLAW SECTIONS

Section 104. Expulsion or Suspension or Disbarment from Practice of Member.

A. A Member shall be expelled as a Member upon receipt of notice that the Member has been disbarred from any court of record.

B. A Member shall be suspended as a Member upon receipt of notice that the Member has been suspended from practice before any court of record. Such suspension as a Member shall continue until such time as (1) the suspension has been lifted by the court that imposed the suspension, and (2) the Board has determined to lift such suspension as a Member. C. A Member also may be suspended and/or recommended for expulsion as a Member by majority vote of the Officers for good cause, including, but not limited to, conduct that unreasonably interferes with or disrupts the business of the Association. Any such Member shall be provided with written notice of the decision and the reasons for the suspension and/or recommendation within ten business days.

D. Any Member suspended pursuant to Section 104(C) may appeal to the Board within ten business days after receiving notice of the decision, by delivering notice of the appeal to the Executive Director by certified mail, return receipt requested, or by receipted hand delivery. Such Member shall be entitled to a reasonable opportunity to be heard by the Board before the appeal is decided. Once the Board decides the appeal, its decision shall be final, with no further right of appeal.

E. Any Member recommended for expulsion pursuant to Section 104(C) shall have a right to a trial before the Board on reasonable notice and with a reasonable opportunity to be heard. The decision of the Board shall be final, with no further right of appeal.

F. All proceedings under subsections C, D and E above shall be conducted in accordance with rules promulgated by resolution of the Board.

G. Any Officer, the Executive Director, or any employee designated by the Executive Director, shall have the authority to use any lawful means to cause the removal of a Member from the Association headquarters or any Association event for good cause, including, but not limited to, conduct that unreasonably interferes with or disrupts the business of the Association.

Section 208. The Board.

A. The members of the Board entitled to vote, shall be

1. the Officers, all of whom shall serve for a term co-extensive with their respective terms of office;
2. the immediate past Chancellor;
3. the immediate past Chair of the Board;
4. a representative of each Section designated by the Section and then serving as a member of the highest executive body of the Section who shall serve for a term of one year (provided that no such representative shall serve for more than three consecutive one-year terms); the Chair of each Section shall notify the Chair of the Board on or before December 31 of each year of the identity of the person designated by the Section to serve as a member of the Board during the following calendar year as a representative of the Section;
5. 15 persons elected by the Members as provided in Section

300(A)(1)(c), consisting of three classes of five Members each, who shall serve for a term of three years, one class being elected each year;

6. three persons appointed by the Chancellor pursuant to Section 208(D), each of whom shall serve for a term of three years, one person being appointed each year; and  
(a) In order to transition the 208(D) appointments from two members with two year terms to three members with three year terms, the 2008 Chancellor shall on or before January 15, 2008, appoint one member to a term ending December 31, 2009 and one member whose term shall expire December 31, 2010. As of January 15, 2009 and each year thereafter, the Chancellor shall appoint one member to a three year term as defined by 208(D);  
7. the Chair and Chair-Elect of the Young Lawyers Division.  
8. the Chair of the Law Practice Management Division.

B. The Chancellor immediately prior to the immediate past Chancellor and, the President of the Philadelphia Bar Foundation shall be ex officio non-voting members of the Board. C. The Editor of The Philadelphia Lawyer, the Editor of the Philadelphia Bar Reporter, the Association's delegates to the American Bar Association's House of Delegates, and the Association's Zone Governor to the Pennsylvania Bar Association's Board of Governors, and the Presidents of the Philadelphia Association of Paralegals, the Greater Philadelphia Legal Marketing Association and the Philadelphia Legal Secretary's Association shall be entitled to be present and to be heard at all meetings of the Board: as ex officio non-voting members of the Board.

D. C. On or before January 15 of each year, the Chancellor, upon consideration of the recommendation from the Committee on Minorities in the Profession with respect to such appointment, shall appoint a Member who is a member of a racial minority as a member of the Board, pursuant to Section 208(A)(6).

D. The Chancellor may also appoint a Member as Counsel to serve at the Chancellor's pleasure as an ex officio non-voting member of the Board.  
E. No member of the Board may designate another person to represent such member at a meeting of, or to cast any vote in the deliberations of, the Board.

Section 210. Procedure; Quorum.

A. The Board shall, at its first meeting in each calendar year, select from among its members elected by the Members pursuant to Section 300 (A)(1)(c) a Chair of the Board and a Vice Chair of the Board. The first meeting in each calendar year shall be called by the Chancellor and shall be held at such time, place and date as shall be set forth in the notice of the meeting. Subsequent regular meetings of the Board shall be held at such times, places and dates as the Board shall determine. Special meetings may be called by the Chancellor or the Chair of the Board. The person calling the meeting shall fix the time, date and place of the meeting.

B. Except as otherwise provided by these Bylaws, eighteen (18) members of the Board eligible to vote shall be necessary to constitute a quorum for the transaction of business, and the acts of a majority of the members of the Board eligible to vote present at a meeting at which a quorum is present shall be the acts of the Board. The members of the Board present at a duly organized meeting can continue to do business until adjournment, notwithstanding the loss of a quorum.

C. Any action which may be taken at a meeting of the Board may be taken without a meeting if consent or consents in writing setting forth the action so taken shall be signed by all the members of the Board entitled to vote and filed with the Secretary.

D. All matters concerning the conduct of meetings of the Board not provided in these Bylaws shall be determined by the Board from time to time.

Section 211. General Powers of the Board.

A. The Board shall have general charge of the business and affairs of the Association and shall carry out such other duties as are required by these Bylaws.

B. Management of the Professional Staff.

1. The Board shall appoint and may remove the Executive Director and other employees of the Association and shall fix their salaries and other terms of employment. The employment of the with or without cause.

2. The Executive Director and other employees shall be at will unless the Board specifically approves a written contract of employment for a specific period which, in any event, (i) must take effect in the fiscal year in which approval is given or shall be responsible for hiring, setting the organizational structure and compensation for and evaluating the professional staff necessary to carry out the mission of the Association. The

compensation for the staff shall be within the personnel budget set by the Board.

3. All employees of the Association shall be employed at will.

4. The salary and benefits for the Executive Director shall be set after consultation with and approval by the Chancellor-Elect and Vice Chancellor. Such compensation shall be within the approved annual budget. The Association may enter into an employment agreement with the Executive Director so long as the agreement:

- a. does not exceed two years in duration;
  - b. affirmatively maintains an at-will relationship;
  - c. does not obligate the Association to any compensation or benefits beyond the Executive Director's last day of employment; and
- d. takes effect in the fiscal year immediately following such approval and (ii) may not extend beyond the end of the fiscal year following the fiscal year in which the contract of employment first takes effect.

5. The specific economic terms of all employee compensation, including that in any written contract, need not be published, so long as the Chancellor, Chancellor-Elect and Vice Chancellor are advised of the terms and they are within the approved budget.

6. In addition to the foregoing concerning employment agreements for then active employees, the Board may authorize post-employment severance or consulting agreements, which may extend and/or be paid out over more than two years. Payments due in any year must be included in that fiscal year's budget.

C. The Board shall invest and reinvest the funds of the Association as it deems wise. The Board may buy, sell and lease any real or personal property on behalf of the Association, on such terms as it deems best, and authorize any Officer or Officers to execute any instrument required to effectuate the foregoing.

D. The role of the Committees, Sections and Divisions as set forth in the Bylaws is not intended to and shall not in any way limit the power of the Board to act on any issue.

Section 213. The Cabinet.

The Cabinet of the Association shall meet at the call of the Chancellor to render such advice and give such assistance as the Chancellor may request. The Cabinet shall consist of the Officers, the Chair of the Board, the Chair of the Young Lawyers Division and such other members of the Board Members as the Chancellor may appoint. The Cabinet shall meet at the call of the Chancellor to render such advice and give such assistance as the Chancellor may request. Chancellor appointments serve at the Chancellor's pleasure but, in the event the appointment is of a Member who is not a member of the Board, the appointment shall be subject to approval of the Board. Unless the Chancellor concludes the appointment earlier, all Chancellor appointments expire with the appointing Chancellor's term.

Section 215. Absence or Disability of Officers; Vacancy in Office.

A. In the event of aAny vacancy in the office of Chancellor; the Chancellor-Elect shall become Chancellor and shall serve until the second January 1 after assuming office shall be filled by the first available of the following: the Chancellor-Elect, the Vice Chancellor, or an Acting Chancellor appointed by the Board. If such succession by an elected Chancellor-Elect or Vice Chancellor is for a partial term, he or she shall continue to serve as Chancellor for the following one-year term.

B. In the event of aAny vacancy in the office of Chancellor-Elect; the Vice Chancellor shall become Chancellor-Elect and shall serve until the expiration of the term of the then-Chancellor and thereafter shall succeed to the office of Chancellor, serving in that office for a one-year term, and until a successor is elected and qualified shall be filled by the first available of the following: the Vice Chancellor, or an Acting Chancellor-Elect appointed by the Board. An elected Vice Chancellor who has succeeded to Chancellor-Elect for a partial term under this Section 215(B) shall continue to serve as Chancellor-Elect for the following one-year term if the Chancellor serves an additional term pursuant to Section 215(A).

C. In the event of aAny vacancy in the office of Vice Chancellor; Secretary, Treasurer, Assistant Secretary or Assistant Treasurer; or with respect to an elected member of the Board, the vacancy shall be filled by appointment of the Board, to serve until the next Annual Meeting and until a successor is qualified shall be filled by an Acting Vice Chancellor appointed by the Board.

D. An Acting Chancellor-Elect or Acting Vice Chancellor appointed by the Board shall not automatically succeed under

Section 300 to the office of Chancellor or Chancellor-Elect, respectively. Instead, those offices shall be filled by election at the next Annual Meeting.

F. Service as Acting Chancellor, Acting Chancellor-Elect or Acting Vice Chancellor by appointment of the Board shall not make such person ineligible under Section 209 for subsequent election as Chancellor, Chancellor-Elect or Vice Chancellor.

F. In the event of vacancies at the same time in all three of the offices of Chancellor, Chancellor-Elect and Vice Chancellor, the Board shall appoint an Acting Chancellor and may also appoint an Acting Chancellor-Elect or an Acting Chancellor-Elect and an Acting Vice Chancellor. The meeting at which such appointments are made shall be held as soon as practicable. The Board shall select one of its elected members to chair the meeting from among those present who commit not to accept an appointment to any of the vacancies. At the next Annual Meeting, or sooner if the Board calls a special election, the Members shall elect candidates for all three offices. The candidates so elected shall begin their service upon certification of their election. If such service is for a partial term, each such elected candidate shall continue to serve in the same position for the following one-year term.

G. Any vacancy in the office of Secretary, Treasurer, Assistant Secretary or Assistant Treasurer, or of an elected member of the Board, shall be filled by appointment of the Board, to serve until the next Annual Meeting and until a successor is qualified.

H. In the event of a vacancy with respect to a representative of a Section or Division or a member appointed by the Chancellor, the vacancy shall be filled by the Section, Division and the Chancellor, respectively. Each person appointed to fill a vacancy shall serve until the end of the calendar year in which the person is appointed and until such person's successor is elected or designated and qualified.

E. I. A person appointed under Section 215(E)G) to fill the unexpired term of a member of the Board shall be deemed to have been elected by the Members.

Section 304. Quorum at Meetings.

At all meetings of the Members, stated or special, 100 Members shall constitute a quorum. If no quorum is present within a reasonable time after the hour fixed for any meeting, the Members present may fix a time to which the meeting shall stand adjourned.

Section 504. Indemnification and Limitation of Liability.

(A). Limitation of Liability: To the fullest extent permitted by Pennsylvania law, as then in effect, a member of the Board shall not be personally liable for any action taken or for any failure to take action as an Officer or as a member of the Board. The foregoing limitation of liability shall be retroactive to the fullest extent permitted by law.

(B). Indemnification:

1. The Association shall indemnify any person who was or is a party or is threatened to be made a party to any threatened, pending or completed action, suit or proceeding, whether civil, criminal, administrative or investigative (and whether by or in the right of the Association) by reason of the fact that the person is or was an Officer or a member of the Board or is or was serving at the request of the Association as an officer, director or representative of another association, corporation, partnership, joint venture, trust or other enterprise, against expenses (including attorney's fees), judgments, fines and amounts paid in settlement, actually and reasonably incurred by the person in connection with such threatened, pending or completed action, suit or proceeding. Indemnification shall be automatic and shall not require any determination that indemnification is proper, except that no indemnification shall be made in any case where the act or failure to act giving rise to the claim for indemnification is determined by a court to have constituted willful misconduct or recklessness.

2. Representatives of the Association. The Association may, at the discretion of, and to the extent and for such persons as determined by the Board, indemnify any person who neither is nor was an Officer or member of the Board but who is or was a party or has threatened to be made party to any threatened, pending or completed action, suit or proceeding, whether civil, criminal, administrative, investigative (and whether by or in the right of the Association) by reason of the fact that the person is or was a representative of the Association, against expenses (including attorney's fees), judgments, fines and amount paid in settlement, actually and reasonably incurred by the person in connection with such threatened, pending or completed action, suit or proceeding.

3. Advancement of Costs. In the case of any person indemnified by the Association, the Association shall pay such

*continued on page 22*

## Generation Gap and Discussion Over Authenticity

GROWING UP, I HAD had a friendly disagreement with my father about my identity. Since I was born in Korea, he always insisted that I was Korean and that no matter how well I spoke English, I would never be considered American because of how I looked. I argued that even though I was born in

Korea, I was raised and lived in America and therefore, I was Korean American. I was reminded of this running argument over the past weekend.

In September, more than 100 Korean lawyers from literally all over the world met in Philadelphia for the 16th annual International Association of Korean Lawyers Conference. Truth be told, I had never heard of the organization until a local Korean American lawyer asked me to participate in the conference. Since I can never say no, I readily agreed to moderate the Women Lawyers panel. The panel discussion turned out to be a fascinating event, even if I say so myself.

The highlight of the conference was a dinner with featured speaker, Harold

By Sunah Park



Koh, the Korean American dean of the Yale Law School. Dean Koh gave an utterly inspiring speech that resonated personally for me since he spoke of Korean American lawyers and our place in this society. He left the audience with a reference to a “bridge, beacon, ladder and boat” (to serve as a

bridge between two worlds, a beacon to lead and shine from the dark, a ladder to help those who come after us to climb up, and a reminder that we are all in the same boat).

I was so moved by Dean Koh’s speech that I wanted someone to gush to. Recognizing a Korean American lawyer from Los Angeles whom I had met years earlier at another conference, I gave him a big hug in greeting. He was with two older male lawyers from Korea who, upon witnessing our friendly greeting, immediately remarked about the difference in greeting between Americans and Koreans. Since I had been taught from an early age that whenever you meet older Korean folks you bow when you greet them, I

Since I was born in Korea, he always insisted that I was Korean and that no matter how well I spoke English, I would never be considered American because of how I looked.

bowed to the two men and said “hello” to them in Korean.

And then my spotty knowledge of the nuances of polite Korean speech undid me. Having worked at my parents’ Korean grocery store growing up, I only knew to address an older Korean man as *ah jub shi* (uncle). Thus, when speaking with the two male Korean lawyers, I asked them in my fractured Korean “Uncles, did you enjoy the speech?” From the slightly surprised but amused looks on their faces, I surmised that in a professional setting, calling fellow attorneys, “uncles” may have been a bit too familiar. I later learned that I was supposed to call them by their title, *byun hob sah nim* (literally, attorneys). But considering I had never learned to address a Korean attorney before in Korean, I was just relieved I didn’t call them something else by mistake.

I saw my father after the conference when I went home for Chusok, the Korean Thanksgiving. As we were eating, I told my father that I had called a couple of male attorneys “uncles,” and he burst out laughing. I laughed with him, but reminded him that my faux pas proved that I could never pass for a “Korean” if I ever went back to Korea. As he watched me inhale a man-size helping of traditional rice cake soup and adroitly use my chopsticks to pick the scallions out of the kimchee, he remarked, “Actually, if you don’t talk but eat the way you do, you could definitely pass for Korean in Korea.”

*Sunah Park, a partner at Thorp Reed & Armstrong, LLP, is editor-in-chief of the Philadelphia Bar Reporter.*

## Bylaws

continued from page 21

expenses in advance of the final disposition of such action, suit or proceeding, upon receipt of an undertaking by or on behalf of such person to repay such amount if it shall ultimately be determined by a court of competent jurisdiction that such person is not entitled to be indemnified by the Association. Section 602. Commission on Judicial Selection and Retention; Quorum; Chair; Vice Chair; Vacancies.

A. The Commission shall implement the policies of the Association set forth in Section 600.

B. The Commission shall consist of 30 persons, each of whom shall be entitled to vote, as follows:

1. Ex officio Members: the Chancellor; the Chancellor-Elect; the Vice Chancellor; the District Attorney of Philadelphia; the City Solicitor of the City of Philadelphia; the Chief Defender of the Defender Association of Philadelphia; the United States Attorney for the Eastern District of Pennsylvania; either the Chair or the Executive Director of Community Legal Services as designated by its Board; the Chair of the Criminal Justice Section; the Chair of the Young Lawyers Division; the Chair of the Family Law Section; the Chair of the Probate and Trust Section; the Chair of the State Civil Litigation Section; the Chair of the Women’s Rights Committee; the Chair of the Municipal Court Committee; the President Judge of the Court of Common Pleas of Philadelphia County; the President Judge of the Philadelphia Municipal Court; the President of the Barristers’ Association of Philadelphia; the President of the Hispanic Bar Association of Pennsylvania; and the President of the Asian-American Bar Association of the Delaware Valley.

2. Members of the Association: four individuals who are Regular Members of recognized standing, judgment and independence, one of whom shall be appointed by the Chancellor each year, with the approval of the Board, to serve

for a term of four years each, one term expiring on December 31 each year, with a limitation of two consecutive four-year terms. Thereafter, the member shall be eligible for reappointment to the Commission after a lapse of 11 months from the expiration of the member’s term. The Chancellor, on or before January 15 of each year, shall appoint with the approval of the Board, the successor to the lawyer member whose term expired on December 31 of the previous year.

3. Non-Members of the Bar: four persons who are not members of the Bar, two of whom shall be appointed by the Chancellor each year, with the approval of the Board, to serve for terms of one year and two of whom shall serve for a term of two years each, one term expiring on December 31 each year, with no limitation on the number of terms. Such persons shall be selected from the public at large and be persons of recognized standing, judgment and independence, who have demonstrated their interest in the administration of justice in Philadelphia. The Chancellor, on or before January 15 of each year, shall appoint, with the approval of the Board, the successors of the members appointed pursuant to this Section 602(B)(3) whose terms expired on December 31 of the previous year.

4. Member of the Board of the Philadelphia Trial Lawyers Association: a member of the Board of the Philadelphia Trial Lawyers Association as designated by its Board, to serve for a term of two years, with a limitation of three consecutive two-year terms. Thereafter, the member shall be eligible for reappointment to the Commission after a lapse of 11 months from the expiration of the member’s term.

5. Member of the Board of the Philadelphia Association of Defense Counsel: a member of the Board of the Philadelphia Association of Defense Counsel as designated by its Board, to serve for a term of two years, with a limitation of three consecutive two-year terms. Thereafter, the member shall be eligible for reappointment to the Commission after a lapse of 11 months from the expiration of the member’s term.

C. The following shall be the quorum requirements for meetings of the Commission:

1. Quorum: For the transaction of business other than that of determining whether a candidate is recommended for judicial office, a majority in number of the members of the Commission shall constitute a quorum. Notwithstanding the loss of a quorum, the members of the Commission present at a duly organized meeting can continue to do business until adjournment.

2. Super Quorum: For determining whether a candidate is recommended for judicial office, the quorum requirement shall be increased to that number set by the Commission, and the vote of a majority plus one of the members of the Commission present at a meeting at which a super quorum remains present and voting shall constitute the acts of the Commission.

D. The Chair of the Commission shall be a Regular Member and shall be named by the Chancellor on or before January 15 of each year to serve for a term coincident with the Chancellor’s term, but no person shall serve as Chair for more than three years in succession. The Vice Chair of the Commission shall be a Regular Member and shall be named by the Chancellor-Elect on or before January 15 of each year to serve for a term coincident with the Chancellor-Elect’s term, but no person shall serve as Vice Chair for more than three years in succession.

E. Vacancies in the appointed members of the Commission shall be filled by appointment of the Chancellor, with the approval of the Board.

Section 1002. Representation of the Association, Committees and Sections; Press Releases.

No Member, Committee, Section, Division, Officer or Board member shall speak or purport to speak for the Association or for the Board, any Committee, Section or Division except as otherwise specifically provided in this Section 1002:

A. The Board may expressly authorize a Member or class of Members to speak for the Association on a specified subject, goal, policy or matter.

B. The Chancellor shall be the principal spokesperson of the Association. The Chancellor shall have authority to speak for the Association

1. in furtherance of any action or position taken by the Board or by the Association; and

2. on other matters, when not in conflict with a previously adopted policy of the Association whether expressed by the Board or by resolution duly passed by the Members. The Chancellor may delegate such authority to another Member when the Chancellor may be unavailable or when the Chancellor concludes that having such person speak for the Association will best serve the goal, position or result desired.

C. The Association’s ABA Delegates and Zone Governor to the Pennsylvania Bar Association’s Board of Governors may speak for the Association in order to carry out their duties, as directed by the Chancellor or the Board, or in the absence of such direction, as they deem appropriate to advance the interests of the Association.

D. The Chancellor shall have the right, in the Chancellor’s discretion, to grant to a Committee, Section or Division of the Association the right to speak or present a statement on matters within its primary or special expertise and jurisdiction subject to the following conditions:

1. The statement must not be in conflict with previously adopted policy of the Association as defined above and must have been authorized by the Committee, Section or Division; and

2. The statement must make it clear that it is being presented only on behalf of the Committee or Section or Division and that such statement does not necessarily represent the views of the Association.

E. All rights of the Chancellor under this Section shall, in the event the Chancellor is unavailable, be exercised by the first of the following Officers who shall be available: Chancellor-Elect, Vice Chancellor, Chair of the Board, or Vice Chair of the Board.

## Firms Need to Link Diversity, Business Goals

*"None of us got where we are solely by pulling ourselves up by our bootstraps. We got here because somebody – a parent, a teacher, an Ivy League crony or a few nuns – bent down and helped us pick up our boots."  
Thurgood Marshall*

WE CONTINUE TO LOOK AT THE IMPORTANT statistics that create meaning for diversity initiatives – nearly 50 percent of all law students are female; 35 percent of all associates are diverse with this figure rising to an estimated 40 percent in five years (ABA). Sixteen percent of all female associates who were within seven years of passing their first bar expected to leave their current employer within one year as compared with 11 percent of all male associates.

This figure for women, when broken down, becomes even more significant – 21 percent of Latinas, 23 percent of Asian females and 29 percent of African American females as compared to 14 percent of white women are looking for another employer or expect to look for another

employer within one year. Of the 11 percent of men who are seeking new employment, 15 percent are Asian, 16 percent are African American and 18 percent are Latino. (NALP, 2008) Finally, we have all heard that the nation will be "minority majority" by 2050. However, the U.S. Census Bureau indicates that this will happen by 2042.

Given the above information, diversity and inclusion becomes even more significant for firms and business as does linking diversity to strategic and business goals. Diversity committees and diversity personnel (staff responsible for diversity programming) need to fully understand the firm's business goals and be included in strategic planning so that they can align their diversity initiatives with their company's goals. If they are not included or kept abreast of organizational initia-

By Sean Kathleen Lincoln



tives, these diversity plans and programming may not accurately reflect the goals that the organization is reaching to achieve.

As with other change management mechanisms, diversity and inclusion initiatives support organizational planning and contribute to the achievement of

fiscal and human resources goals. Personnel who are not kept apprised of organizational strategic plans and goals cannot and should not be held responsible either for not contributing to these plans and goals and/or making contributions that are useful to these goals. Similarly, staff responsible for their organization's diversity initiative who are not supported by management in their programming cannot be held solely responsible for the initiative's lack of success.

Unintentionally excluding staff from strategic organizational planning processes or business development goal setting is parallel to the unintentional exclusion of "diverse" individuals from critical meetings and important business or case information. Equally important is the unintentional exclusion of staff from receiving vital information regarding the organizational culture or traditions. Most frequently, systems and organizations hold the individual responsible for this lack of knowledge and understanding without determining how this occurred and how it could be remedied.

In truth, diversity committees/personnel want to be successfully aligned with a firm's or organization's plans and goals. But this can only occur when they are al-

**Diversity** and inclusion becomes even more significant for firms and business as does linking diversity to strategic and business goals.

lowed a seat at the table, included in the planning process and kept abreast of directional changes. When this is done well, then diversity program components – including diversity training, success planning, leadership development, network/affinity groups, coaching or mentoring, business development, work-life balance programs, and diverse lateral and associate recruitment and hiring strategies/activities – can then be developed consistent with, and supportive of, a strategic plan.

Similarly, "diverse" individuals need to have certain and necessary knowledge in order to be successful. This knowledge includes not simply understanding the law, but understanding the unwritten rules of the firm or organization. A seat at the table and an open door allows individuals to gain the necessary skills, knowledge and expertise to become a valuable contributing member of the firm. Program components such as those mentioned above contribute to the success of the business by contributing to the success of the individual.

*Sean Kathleen Lincoln, Ph.D., is director of the Office for Diversity for the Philadelphia Bar Association.*

## YLD Family Fest Oct. 19 at Zoo

THE YOUNG LAWYERS DIVISION WILL hold its 2008 Family Fall Festival on Sunday, Oct. 19 at the Philadelphia Zoo, 3400 Girard Ave.

Admission includes all-day access to the zoo between 9 a.m. and 5 p.m. The YLD Family Fall Festival event will be held from 12 to 2 p.m. at the Peacock Pavilion and includes a picnic BBQ with

dessert. Access to Pavilion is available between 11 a.m. and 3 p.m.

Admission is \$20 for adults and \$12 for children ages 2 to 12. Children under 2 are admitted for free. Activities include the Zoo on Wheels from 12 to 2 p.m. and face painting from 12:30 to 1:30 p.m. Children are encouraged to dress in costume.



**WebCheck**

To purchase tickets for the Young Lawyers Division Family Fall Festival, visit [philadelphiabar.org](http://philadelphiabar.org).

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## In Their Own Words

# Observations from a Life in Law

THIS FALL MARKS MY 33rd year practicing law and my 17th year as a member of the editorial board of the *Bar Reporter* (and its predecessor). As I move into a different phase of my professional career, I thought I would share some things I have observed in those 33 years. It is only a reflection of my minimal capacity for absorbing new things that this works out to one observation per year.

By Bruce H. Bikin



1. If you lose a lawsuit, your client will object to your bill, wondering aloud how exactly you earned your fee. If you win a lawsuit, your client will object to your bill, figuring it was a slam-dunk all along and wondering what value you added.

2. Every fact proves something. It is up to the lawyer to figure out what each fact proves.

3. Philadelphia judges are just as hard-working, competent and ingenious as any of the Philadelphia lawyers that come before them.

4. I don't care what you write about me, just spell my name correctly. And get my phone number right. And my area of expertise. And my cell and e-mail.

5. You can't always tell where you rank in importance in the Bar Association by how many times your photo appears in any given issue.

6. No matter how wonderful any particular Chancellor is, (s)he only gets to be wonderful for one year.

7. Never get too full of yourself. You can only be top dog if there are dogs beneath you, willing to give you support and hold you up.

8. Being a jerk has its drawbacks: no one ever tells you when you have a sesame seed stuck between your teeth, that your fly is unzipped or who spit on your burger before serving you.

9. On the plus side, being a jerk means no one asks to borrow money or your car and your paralegal doesn't sit in your office on Monday mornings describing the "date-from-hell" and explaining why (s)he is still hung over.

10. Helping someone with a problem is what a lawyer is all about. Helping someone with a problem and not charging them is what a human being is all about.

11. Power is the ability to successfully steer your life along the highway of life. Incompetence is driving your life into

the ditch. Wisdom is knowing which one you are doing.

12. Anyone who spends more money getting elected to a job than the job pays isn't as smart as (s)he thinks (s)he is.

13. If actions speak louder than words, why did I spend so many years writing for the *Bar*

*Reporter*?

14. Judges aren't any better at hitting dead center on the urinals than lawyers.

15. Notwithstanding the above, judges are always right.

16. Judges may be the most powerful people in any courtroom; but don't get on the wrong side of their tipstiffs, court reporters or secretaries.

17. Don't get into an argument with someone who buys his ink by the barrel. [Borrowed from Mark Twain, but probably true nonetheless.]

18. The Bar Association staffers I have worked with are some of the hardest working, most dedicated people I know.

19. Never write anything you wouldn't want your mother to read, say anything you wouldn't want your mother to hear, or do anything you wouldn't want your father to find out about.

20. Money may be the root of all evil, but don't try saying that out loud at a partnership meeting.

21. The more you get paid, the less you actually have to do.

22. Trials aren't so much about the facts of the case or the applicable law, but rather what the jury had for lunch.

23. Judges are just lawyers who always get to have the last word.

24. Trial lawyers are just judges waiting for their wisdom to be universally recognized.

25. Lawyers who do the most to benefit the general citizenry get little public recognition, while lawyers who do the best job of benefiting themselves get the most public recognition.

26. The law may be a jealous mistress, but don't try using that old homily with your spouse when you get home at 11:30 p.m. on a Friday.

27. Life is like a Supreme Court brief or a newspaper: you have a limited amount of paper and ink to write your story. Choose your words wisely.

28. Oral argument is effective only when someone is actually listening to what you are saying.

29. Most judges and juries have less of an investment in what you are saying than your mother.

30. When you have nothing to say, don't say it.

31. Spellcheck is not the savior of the illiterate. There are no three week "trails" in the practice of law nor are there legal "froms."

32. Keeping time sheets is like watching your life run out like grains of sand through an hourglass.

33. No one should be a lawyer just for the money.

*Bruce H. Bikin has spent nearly 20 years in the Litigation Department of Montgomery, McCracken, Walker & Rhoads LLP. He begins a new life in the Office of Disciplinary Counsel in October.*

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# People



**Bennett G. Picker**, a partner with Stradley Ronon Stevens & Young, LLP and former Chancellor of the Philadelphia Bar Association, made a presentation on “Multiparty Mediations” at the annual meeting of the American College of Civil Trial Mediators.



**Gabriel L.I. Bevilacqua**, a partner with Saul Ewing, LLP and former Chancellor of the Philadelphia Bar Association, has been appointed to the Disciplinary Board of the Supreme Court of Pennsylvania for a term running through May 2011.



**James Ronca**, a shareholder with Anapol, Schwartz, Weiss, Cohan, Feldman and Smalley, P.C., recently spoke at the Mealey’s Pharmaceutical Litigation SuperConference in Chicago. Ronca’s lecture, “Trasylol® (aprotinin) Litigation,” discussed the history and use of the blood-preserving drug Trasylol®, the science and studies behind its alleged negative health effects, the impact of Bayer pulling it from the market, and the current state of litigation against the drug.

**John F. Gullace**, a partner with Manko, Gold, Katcher & Fox, LLP, was recently appointed programs vice chair for the American Bar Association Section of Environment, Energy, and Resources Alternative Dispute Resolution Committee.

**Jane E. Lessner** and **Elizabeth Silvia Wood**, attorneys at Fox Rothschild LLP, spoke at the Pennsylvania Bar Association Family Law Section’s Summer Meeting, which was held on July 17-20, 2008, in Baltimore, Md.



**Joseph A. Gerber**, a member of Cozen O’Connor, has been elected chairman of the Chubb Foundation, which provides educational grants to deserving domestic and international college bound students.



**Suzanne S. Mayes**, a member of Cozen O’Connor, has been elected to the board of directors of Mount Saint Joseph Academy, a private college preparatory school for young women in Flourtown, Pa.

**Steven K. Mignogna**, a partner with Archer & Greiner, P.C., has been appointed chair of the Probate and Fiduciary Litigation Committee of the American Bar Association for a second consecutive year.

**Joseph Sedlack**, a partner with Reed Smith LLP, was a speaker at the Pennsylvania Bar Institute’s A Day on Real Estate on Aug. 5.

**Amy C. Lachowicz**, an associate with Pietragallo Gordon Alfano Bosick & Raspanti, LLP, has been appointed as a member of the Hearing Committee serving the Disciplinary Board of the Supreme Court of Pennsylvania.

**Sharon M. Erwin**, of the Law Offices of Sharon M. Erwin, planned and moderated the program “Legally Bound: Opposing Perspectives on Public Art and Related Contracts,” during the Americans for the Arts 2008 Annual Convention in Philadelphia, June 20 – 22.



**James J. Eisenhower**, a partner with Schnader Harrison Segal & Lewis LLP, has been re-elected as chairman of the Board of Directors of the Pennsylvania Intergovernmental Cooperation Authority.

**Deborah Epstein Henry**, founder and president of Flex-Time Lawyers LLC, was the keynote speaker for the talk “The FACTS About Work-Life Balance” at the Women’s Bar Association of Massachusetts in Boston, Mass. on July 31. She served as moderator for “Transitions: Our Attorneys, Our Firms, Ourselves” at the Professional Development Conference in Boston on Aug 1.

**Stephen J. Galati**, a shareholder of Mattioni, Ltd., was a speaker at the recent “Trucking Litigation: Handling Various Issues Unique to Trucking in Pennsylvania” seminar.



**Rhonda Hill Wilson** of the Law Offices of Rhonda Hill Wilson was recently honored with the American Association for Justice’s Distinguished Service Award.



**Jeffrey M. Kolan-sky**, a partner with Archer & Greiner, P.C., has been appointed to the Board of Directors of the Chamber Orchestra of Philadelphia.



**William L. Banton Jr.**, a shareholder with Marshall, Dennehey, Warner, Coleman & Goggin, participated in The National Judicial College’s Managing Complex Litigation course held in Reno, Nev., on July 16, where he prepared a mock trial presentation in a case involving medical malpractice and product liability issues.

**Benjamin E. Leace**, a member of RatnerPrestia, presented “The Trademark Trial and Appeal Board or Federal Court: Which is Your Best Case?” at the Advanced Seminar on Trademark Law in New York City on July 16.

**Justin B. Wineburgh**, a member of Cozen O’Connor, has been named to the advisory board of Philadelphia Volunteer Lawyers for the Arts.



**Robert T. Szostak**, a member of Rubin, Glickman, Steinberg and Gifford, spoke at at the Pennsylvania Bar Institute seminar “The Brave New World of Medical Malpractice Litigation” on July 23.

**Joann Giangiulio**, an associate with Saltz, Mongeluzzi, Barrett & Bendesky, P.C., has been elected president of the Lehigh Club of Philadelphia.



**Sol H. Weiss**, a shareholder with Anapol, Schwartz, Weiss, Cohan, Feldman and Smalley, P.C., has been elected to the American Association for Justice’s executive committee at the group’s annual convention in Philadelphia.



**Abbe F. Fletman**, a shareholder with Flaster/Greenberg, Attorneys at Law, was recently appointed to the Albert Einstein Healthcare Services Board of Trustees for a one-year term.



**Ronald A. Kovler** of Kovler & Rush, P.C. has been elected vice president of the Philadelphia Trial Lawyers Association.

**Jonathan H. Spadt**, a shareholder with RatnerPrestia, co-presented “Examining Patent Strategy in a Changing and Competitive Global Environment” at IQPC’s 2nd Patent Strategies for Pharma, Biotech and Medical Device Industries Conference July 16 in Philadelphia.



**Justice Sandra Schultz Newman**, a member of Cozen O’Connor, has been honored with the Pennsylvania Association for Justice’s President’s Award. This award recognizes Justice Newman’s commitment to serving her community, achieving justice, and preserving the civil justice system.

**Michael Gross**, a partner with Manko, Gold, Katcher & Fox, LLP, presented “What Is Sustainable or Green Development: The Emerging Standards” for the Pennsylvania Bar Institute on Aug. 26.



**Wendy Beetlestone**, a shareholder with Hangley Aronchick Segal & Pudlin was a speaker at the BVR/Mealey’s Women in the Legal Profession Summit on Sept. 17 where she discussed “Rainmaking, Negotiating and Collaborative Development.”

## ■ NAMES ARE NEWS

“People” highlights news of members’ awards, honors or appointments of a community or civic nature. Information may be sent to Jeff Lyons, Senior Managing Editor, *Philadelphia Bar Reporter*, Philadelphia Bar Association, 1101 Market St., 11th fl., Philadelphia, Pa. 19107-2955. Fax: (215) 238-1159. E-mail: reporter@philabar.org. Color photos are also welcome.

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of you! *Autter*

Great Job!  
Lou

We're all proud!  
*Att*

Congrats Bobbi!  
- Matt

Bobbi,  
Congratulations  
you are so  
deserving!  
*Epstein*

This is GREAT!  
and well-deserved.  
Allen

Congratulations!  
Rachel

Bobbi,  
Well deserved!  
Congratulations!  
Nancy

Congratulations  
Bobbi, you deserve  
it!  
Ria

Congratulations!  
Carol

CONGRATS!!  
LH

Congrats Bobbi -  
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Mary

Bobbi,  
well deserved! I'm very  
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great lawyer!  
- Paul

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M

what an honor,  
congratulations!  
Sue



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