

TAP Addresses 'Public Charge' Policy



Mayor Jim Kenney (center, right), with Thomas W. Ude Jr., legal and public policy director, Mazzoni Center (left to right); Immediate-Past Chancellor Deborah R. Gross; Jennifer Clarke, executive director, Public Interest Law Center; Maripat Pileggi; Miriam Enriquez; Julia Hinckley; Ahaviah D. Glaser; Oni Richards-Waritay; and Sonya Schwartz; at the #TakeActionPhilly convening on June 13.

Photo by Thomas E. Rogers

Board Opposes Laws to Arm Teachers

THE BOARD OF GOVERNORS ADOPTED a resolution on June 28 opposing SB 383, SB1188 and any other legislation that would require or permit teachers or school personnel to possess or access firearms or other potentially deadly weapons in the buildings or on the grounds of a school for any purpose whatsoever, including for the purpose of responding to an emergency.

SB 383 would permit school personnel to access firearms on school grounds and SB 1188 would permit school personnel to access electronic stun guns on school grounds. Both bills would prevent the

continued on page 9

By Morgan Berenbaum

AS THE PRESIDENTIAL ADMINISTRATION moves forward, it has focused on making major changes to immigration policy. Such changes could fundamentally alter the way immigrants live in America. Recently, the White House has been working on a proposal that would ultimately change the “public charge” policy. The idea that such revisions to this policy could occur has instilled fear and panic among the immigrant community. #TakeActionPhilly hosted a convening on June 13 to explore ways the public can address changes to the “public charge” policy under consideration by the administration. By bringing public attention to the severity of this issue, Mayor Jim Kenney

introduced the convening by talking about the ways “hateful and haphazard rhetoric [has been] coming from Washington.” He encouraged attendees to be proactive and to continue to promote Philadelphia as the welcoming city it has always been.

Miriam Enriquez, director of the office of immigrant affairs, moderated the five-person panel that discussed how the proposed changes to the “public charge” policy could affect immigrants in the U.S. A “public charge” has been a long-standing federal immigration law that has been used to identify those who may depend on government benefits as their main source of support. If a person is deemed a “public charge,” one can be denied admission into the U.S. or refused an application for lawful permanent residency. Maripat

Pileggi, staff attorney at Community Legal Services, said that this proposed rule would expand the “public charge” policy by adding additional benefits and programs to be part of the consideration that one undergoes during a public charge test. These programs include Medicaid, CHIP, SNAP, WIC and LIHEAP.

According to Sonya Schwartz, consultant at the National Immigration Law Center, if these proposed rules were made the national landscape would inevitably change. Pointing out that one in five children lives with a noncitizen parent, Schwartz said the change to the public charge policy could separate family members who are citizens, from family members who are not. Julia Hinckley, policy

continued on page 6

LAWPAY®

AN AFFINIPAY SOLUTION

Philadelphia Bar Association
Gold Sponsor

In This Issue

4 2018 Bench-Bar

7 HBAPA Cafecito

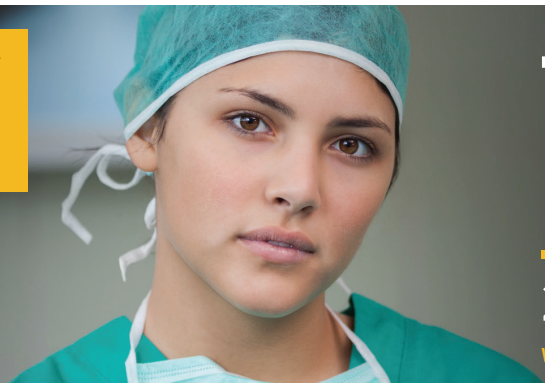
11 Land-Use Law

13 Bar Assn. 5K

15 LGBT Rights Ctte.

18 Quick Bites

MARTIN
LAW



THE LAW FIRM FOR INJURED WORKERS.

215.587.8400 paworkinjury.com

Workers' Compensation | Social Security Disability | Long-Term Disability | Veterans Benefits



LAUREN MCKENNA FOR VICE CHANCELLOR

Dear Friends and Colleagues:

I write to you to announce my candidacy to serve as Vice Chancellor of the Philadelphia Bar Association and to ask for your support.

MY INVOLVEMENT IN THE PHILADELPHIA BAR ASSOCIATION

As a member of the Young Lawyers Division, I came to thoroughly appreciate the value of the Bar Association early in my professional life. When the opportunity arose in 2012 to serve as Co-Chair of the Women in the Profession Committee, I gladly took on the role to leverage my longtime experience in working on women's issues.

In 2013, I was elected to serve on the Board of Governors where I ultimately served as Chair in 2016. At the Chancellor's request, I continued to serve on the Board in 2017. I have also been an active participant in other aspects of the Bar Association, including as Chair of the Women's Rights Committee and as a member of the Judicial Commission.

MY BACKGROUND

I am a partner at Fox Rothschild and a member of its Litigation Department. I was an elected member of the firm's Executive Management Committee for a number of years and Co-Chair of the firm's Women's Initiative. I am admitted to the U.S. Supreme Court, the U.S. Court of Appeals for the Third Circuit, and the U.S. District Courts for the Eastern and Middle Districts of Pennsylvania.

I have been active in many pro bono undertakings during my career and am currently a member of the Board of Directors of Community Legal Services and Philadelphia Legal Assistance. I am also President of the Board of Directors of Eagles Fly for Leukemia.

I ASK FOR YOUR SUPPORT

I firmly believe there is no more relevant and important resource for our legal community than the Bar Association. As Vice Chancellor and ultimately Chancellor of the Bar Association in 2021, I would make it my top priority to promote the importance of our organization and the value of the services it provides to its members. These include CLE, networking, business development and opportunities to interface with the judiciary. I will be dedicated to ensuring our vitality and viability, and to our continued commitment to the Pro Bono community.

I welcome your feedback and support.

Thank you.

Lauren McKenna

215.299.2754 | Lmckenna@foxrothschild.com

Editor-in-Chief

Elisa C. Advani, Esq.

Associate Editors

Regina M. Parker, Esq.

Julia Swain, Esq.

Annie Kernicky, Esq.

Enrique Marquez, Esq.

Mary LeMieux-Fillery, Esq.

**Director of Communications
and Marketing**

Meredith Z. Avakian

The Philadelphia Bar Reporter (ISSN 1098-5352) is published monthly and available by subscription for \$45 per year by the Philadelphia Bar Association, 1101 Market St., 11th floor, Philadelphia, PA 19107-2911. Periodicals postage paid at Philadelphia, PA POSTMASTER: Send address changes to Philadelphia Bar Reporter, c/o Philadelphia Bar Association, 1101 Market St., 11th floor, Philadelphia, PA 19107-2955. Telephone: (215) 238-6300. Association Web site: philadelphiabar.org. Newspaper e-mail address: reporter@philabar.org. The editorial and other views expressed in the Philadelphia Bar Reporter are not necessarily those of the Association, its officers or its members. Advertising rates and information are available from Shawn D. Phillips at American Lawyer Media, 1617 JFK Boulevard, Philadelphia, PA, 19103. Telephone: (215) 557-2340 or e-mail sphillips@alm.com.

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: Thomas E. Rogers, 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

Legislative Immigration Reform is Needed to Open the 'Golden Door'

By Mary F. Platt



DUE PROCESS, RESPECT FOR human rights and fairness are essential elements of our justice system. The Trump administration's separation of migrant families at the borders violated these principles by coercing parents to forgo their due process rights, and treating them and their minor children in a cruel and unfair manner. President Trump's recent opposition to increasing the number of immigration judges, and his call to send immigrants who cross the borders back to their home countries without a hearing, reflects a blatant disregard for the due process rights of these immigrants.

The administration's zero-tolerance policy (which started in April and was suspended in June) resulted in U.S. Customs and Border Patrol agents turning away asylum-seekers at ports of entry who were exposed to extreme violence and life-threatening conditions in their home countries, and forcibly separating infants and other minor children from their migrant parents upon entering the U.S. The children were transferred to the custody of the U.S. Department of Health and Human Services, and held in temporary shelters or placed in foster care while their parents were criminally prosecuted for illegally entering the country. According to the American Academy of Pediatrics, "highly stressful experiences, like family separation, can cause irreparable harm, disrupting a child's brain architecture and affecting his or her short- and long-term health. This type of prolonged exposure to serious stress - known as toxic stress - can carry lifelong consequences for children."

While the bipartisan opposition to the separation of migrant families at the borders and the executive order discontinuing that policy were heartening, the executive order failed to remedy the tragic impact on the children who were separated from their parents and the children of parents who continued to be criminally prosecuted under the zero-tolerance policy. It failed also to remedy an immigration policy that is contrary to federal and international law and ignores our country's need for immigration and immigration reform by Congress.

The Immigration and Nationality Act states that a person who "arrives" at our borders "may apply for asylum" after being subject to "persecution or well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion." The Universal Declaration of Human Rights adopted by the United Nations General Assembly and the United Nations Convention on the Status of Refugees also includes the right to seek asylum.

Today, most of the 2,300 children separated from their parents remain separated. Instead of reuniting all of these families, the administration has focused on seeking to create detention facilities for families that will keep children in their parents' custody during immigration proceedings. The administration asked the District Court for the Central District of California to eliminate the 20-day limitation on detention of migrant children in the *Flores* class action settlement agreement, and

allow children to be detained with their families for an indefinite period in family-residential facilities during the pendency of their removal proceedings. Chicago, Los Angeles, New York and San Francisco sought to block the U.S. Justice Department from modifying the court's ruling on June 29.

We do not lock up children with parents who are charged with other types of crimes. The more humane and less costly alternative would be to release migrant families and order parents who are flight risks to wear ankle monitors at the cost some estimate to be as little as \$1.75 per day (versus the hundreds of dollars per day that it costs to detain them) to ensure their appearance at an immigration hearing.

Our nation's historical approach to immigration is epitomized in Emma Lazarus's 1883 sonnet, inscribed on the base of the Statue of Liberty:

"Give me your tired, your poor, your huddled masses yearning to breathe free, the wretched refuse of your teeming shore. Send these, the homeless, tempest-tossed to me, I lift my lamp beside the golden door!"

America needs to open "the golden door" and welcome unskilled immigrants and immigrants with all levels of job skills because it is the right thing to do, in addition to the fact that America needs all types of immigrants to grow its economy. Birthrates in the U.S. have been declining since 2008 despite an improving economy, and have dropped below replacement level. Our population is becoming demographically older and America needs immigrants to increase the number of working-age and military-age Americans.

The U.S. Supreme Court has ruled in cases dating back to 1886 that aliens have due process and equal protection rights under our Constitution, regardless of whether they are legally present in this country. As lawyers, we need to defend the constitutional rights of asylum seekers and other migrants, as well as advocate for Congress to pass immigration laws that keep families together, provide the resources needed to eliminate the large backlog of immigration cases, welcome those seeking asylum and refuge, and provide a just and humane pathway toward citizenship.

Mary F. Platt (mplatt@finemanlawfirm.com), attorney at *Fine-
man Krekstein & Harris P.C.*, is Chancellor of the Philadelphia Bar Association.



PHILADELPHIA
BAR ASSOCIATION



THE PHILADELPHIA BAR ASSOCIATION,
FOUNDED IN 1802, IS THE OLDEST
ASSOCIATION OF LAWYERS IN THE
UNITED STATES.

CONNECT WITH US
PHILADELPHIABAR.ORG

Looking Forward to a Strong Finish

By Vincent N. Barbera



IT IS HARD TO BELIEVE that we are already halfway through 2018. What an incredibly eventful first half it has been.

The Young Lawyers Division reaffirmed its commitment to pro bono service and to access to justice initiatives. Our members

organized and staffed a very successful expungement clinic in February, continuing that momentum through a second successful clinic held in partnership with Philadelphia Lawyers for Social Equity, or PLSE, in late June. We provided countless hours of pro bono services through Legal Advice Live! and Legal Line programs.

Our members continue to demonstrate unwavering commitment to the community. Once again, we supported civic education by serving as judges for the John S. Bradway High School Mock Trial Competition. Dozens of our attorneys gave of their time and talent during our annual Law Week where we presented to students in city classrooms, offered insight into court proceedings as part

of our Lawyer for a Day program, and donned costumes to bring our Fairy-Tale Mock Trials to life for elementary school students.

We have made time to focus on building and growing the relationships and camaraderie that make the Philadelphia Bar Association “home” to so many. We came together for networking happy hours, for top-notch continuing legal education, and even for exercise (shout-out to the YLD running club!) Many registered for, and are participating in, our mentor program, presented by the YLD in collaboration with the Senior Lawyers Committee. Most recently, we celebrated our rich cultural diversity at our annual Diversity Reception on June 26.

It truly has been a great start. But we are far from done. The highly-coveted title of Affinity Bar Association Quizzo Champion will again be contested, with this year’s upcoming competition on July 19 at the Field House. The proceeds of that event are being earmarked to fund public interest and government lawyer scholarships to October’s 2018 Bench-Bar and Annual Conference in Atlantic City. Our annual fundraiser supporting the Philadelphia Bar Foundation, the city’s undisputed champion for access to justice, is set for Sept. 26 at North Bowl. In addition, I am excited to announce that planning is currently underway for a special edition of the People’s Law

School, a community-outreach and educational series to be jointly presented with Temple University.

In short, please continue to stay tuned and involved. If you have an idea for an event or program, or suggestions about how to improve an existing one, please do not hesitate to contact me. This is our Association, one in which we should all take pride.

Vincent N. Barbera (barberav@whiteandwilliams.com), associate at White and Williams LLP, is chair of the Young Lawyers Division.



PHILABENCHBAR.COM

BB

Bench-Bar & Annual Conference

2018

BORGATA

ATLANTIC CITY

OCT. 12-13

SAVE THE DATE



Expanding the Promise of Civil Rights for All

SINCE I LAST WROTE ABOUT THE EQUAL Justice Center, a bold initiative, and another Philadelphia “first” spearheaded by the Philadelphia Bar Foundation, a lot has happened. There have been community events, formal agreements and meetings with member organizations, and floor plans from the building’s architects.

As the project advances, financial support from Philadelphia’s legal, corporate and grant-making communities is critical. Construction of the EJC will be financed through a combination of private fundraising, public sector grants, low-interest debt and New Markets Tax Credits. The public funds are contingent upon securing private funds. So, the Foundation is asking the philanthropic community for support to fuel this project and provide legal and social services to people in need.

The EJC will provide a central beacon of hope for the civil legal needs of Philadelphians who lack the resources to hire private counsel. This is because organizations that provide free or low-cost legal and social services will be together in one building. By providing a permanent, purpose-built location for many of Philadelphia’s civil legal aid nonprofits, the EJC will serve to sustain, strengthen and increase the impact of civil legal services for all Philadelphians.

Too many of our fellow residents and neighbors—young families, elderly, first-time homeowners, new immigrant families, victims of discrimination and abuse and youth effected by community violence, among many others—have an array of legal issues and needs for social services, but have limited abilities to pay or do not know where to turn.

The social impact of the EJC will be significant. It will stand as a symbol of the city’s commitment to the promise of equality under the law, and as an enduring structure that continues to give back to the city and the greater community.

But this is not just about improving things for those legal agencies and their clients. It is about innovating to improve access to justice for all Philadelphians. More than a quarter of Philadelphia’s residents live below the poverty line, and Philadelphia remains the poorest of the nation’s 10 largest cities. For Philadelphians living in poverty, access to affordable or free quality legal and social services is essential.

There is an enduring civil legal justice crisis in Pennsylvania that adversely affects

By Thomas A. Brophy



the courts’ ability to administer justice. This crisis is demonstrated in the ever-increasing number of pro se litigants, a decrease in funding for legal aid, and deeply entrenched chronic poverty challenges. The Philadelphia legal community has asked itself: What innovative and transformative measures can we employ to stretch existing dollars and improve the delivery of civil legal services? A start can be the EJC.

By co-locating Philadelphia’s amazing public interest lawyers, costs and anxieties about long-term accommodations will be reduced. By improving the ability to cooperate and collaborate through shared space and services, awareness of their remarkable work will increase, and they will have the ability to more easily attract funding. By developing new technologies and systems that they design to help to identify and quantify the specific civil legal needs of Philadelphians and provide qualitative solutions to address those needs, the delivery of services to their clients will be improved and access to justice will be more easily attained.

The EJC will contribute a significant social impact to our city. Forty thousand individuals and families are served annually by the EJC’s member organizations, and tens of thousands more benefit from impact litigation, advocacy and policy work. There is a \$202 million aggregate social and economic impact from the legal services that will be provided in the building to individual clients, their families and the broader community.

The EJC concept was developed by the Foundation in conjunction with Regional Housing Legal Services and Pennrose, which is managing the development of a larger project that spans the 800 block of Vine Street. Award-winning architectural firm WRT is designing the EJC in close consultation with the local community.

Residents and businesses in Philadelphia’s Chinatown neighborhood are involved in a multi-year community engagement process, allowing them to voice their vision for the full development site – which, in addition to the EJC, will include low-income and affordable senior housing, a small hotel, parking and public space. Our first community meeting took place in Chinatown in the fall of 2017.

The most recent meeting was held on June 20, and additional meetings will occur throughout the planning process.

This dynamic and remarkable project represents a significant long-term investment and commitment by the city’s legal and philanthropic communities to assure that all Philadelphians have access to justice. The EJC will transform the capacity and operation of Philadelphia’s legal aid

system and we hope you will be a part of it.

The Foundation’s volunteer leadership overseeing the EJC’s creation includes representatives from several dozen regional law firms, corporations and public and nonprofit law. To learn more about the EJC, and how to donate, visit www.PhilaEqualJusticeCenter.org.

Thomas A. Brophy (tabrophy@mdwvcg.com), shareholder at Marshall Dennehey Warner Coleman & Goggin, P.C., is president of the Philadelphia Bar Foundation.

PHILADELPHIA BAR FOUNDATION

30th Annual
Golf &
Tennis Classic



NEW DATE!
August 6, 2018

The Union League Golf Club at Torresdale

For tickets, sponsorships,
and more information, visit
www.PhilaBarFoundation.org

JUNE 14, 2018 FLAG DAY NATURALIZATION CEREMONY



Photos by Thomas E. Rogers

Left: Hon. John R. Padova, U.S. District Court for the Eastern District of Pennsylvania (left); Hon. Linda K. Caracappa, Chief United States Magistrate Judge for the Eastern District of Pennsylvania (center); Hon. Stephanos Bibas, U.S. Court of Appeals for the Third Circuit (center, right); Alex Alfieri, student at Widener University Delaware Law School and summer law clerk to Judge Caracappa (left to right); Heather McGillivray, judicial clerk to Judge Caracappa; Chancellor-Elect Rochelle M. Fedullo; and Ben Wolf Sr., president, Pennsylvania Society of Sons of the Revolution; at the Flag Day naturalization ceremony sponsored by the Philadelphia Bar Association at the U.S. Courthouse on June 14 . Right: Ninety-seven people from 41 countries became U.S. citizens at the ceremony.

Take Action Philly

continued from page 1

director at the Health and Human Services Cabinet, said that if these additional programs are added to the policy, family members will be forced to weigh the risks of accessing food and healthcare to exposing their noncitizen family members to the risk of deportation.

Ahaviah D. Glaser, director of Health Policy for the Office of Government Affairs and Policy Lab, discussed the impact this policy change would have on healthcare. She explained that family members will be afraid to bring their sick children in for treatment for fear that they would deport family members. The problem has already begun, said Oni Richards-Waritay, executive director at the African Family Health Organization. She has seen

many young women afraid to get medical attention for fear they, or other family members, might face deportation.

The panel talked about ways the city of Philadelphia can help take action against this proposed rule from going into effect. The audience was encouraged to educate service providers and immigrant families on this proposed change, to urge policy makers to oppose changes, to engage in story advocacy to document both the harm and how benefits help families thrive, and to submit public comments on the draft rule after the rule is posted.

Morgan Berenbaum (mberenbaum@philabar.org) is the public interest intern at the Philadelphia Bar Association.

PHILADELPHIA BAR ASSOCIATION

THE PHILADELPHIA BAR ASSOCIATION, FOUNDED IN 1802, IS THE OLDEST ASSOCIATION OF LAWYERS IN THE UNITED STATES.

CONNECT WITH US
PHILADELPHIABAR.ORG

LAWYER LAWYER REFERRALS

For details on placing a Lawyer to Lawyer referral ad, contact Lana Ehrlich at 215-557-2392 or lehrlich@alm.com.

<p>COLLECTIONS & ENFORCEMENT OF JUDGMENTS</p> <p>Drew Salaman 30 year lecturer/course planner Pennsylvania Bar Institute "He wrote the book" Contingent Fees Available Salaman Grayson, P.C.</p> <p>The Judgment Doctorsm 100 South Broad Street Philadelphia, PA 19110 (215) 568-7575 drew@salamangrayson.com</p>	<p>COUNTY CRIMINAL DEFENSE LAWYER</p> <p>Send me your County criminal cases. I pay referral fees.</p> <p>Delco, Montco, Chester, and Phila. Felonies, Misdemeanors, DUI'S In practice since 1991 and hundreds of trials</p> <p>THE DATNER FIRM ROBERT F. DATNER Great results for your clients</p> <p>610-394-3000, 267-455-5777 Call anytime.</p>	<p>AIR CRASH LITIGATION</p> <p>The Wolk Law Firm (215) 545-4220</p> <ul style="list-style-type: none"> • Our practice is limited to aircraft accident litigation for plaintiffs. • We are Airline Transport and Type Rated jet pilots. • We are Flight Instructors. • We are aviation legal writers and lecturers with nationwide litigation experience. <p>www.airlaw.com</p>	<p>ADR</p> <p><i>Bucks County Mediation and Arbitration Center</i> <i>Barbara N. Lyons, Esq.</i></p> <p>Arbitration Mediation Case Evaluation</p> <p>215-340-7655 bcmac.org</p>	<p>WORKERS' COMPENSATION REFERRALS</p> <p>For State Workers' Compensation Referrals: PAUL B. HIMMEL 2017 Super Lawyer Certified Worker's Compensation Specialist 215-931-2550 phimmel@freedmanlorry.com</p> <p>For Longshoreman and Harbor Worker Referrals: DAVID LINKER 215-931-2547 dlinker@freedmanlorry.com</p> <p>F L FREEDMAN & LORRY, P.C.</p>
--	--	--	---	--

HBAPA Launches Networking for Minority Women Attorneys

By **Melissa Martinez**

INSPIRED BY DIVERSITY IN THE LEGAL profession and mentoring, Melissa Martinez, associate at Saul Ewing Arnstein & Lehr LLP, with the Hispanic Bar Association of Pennsylvania, launched “Cafecito” on May 11, a breakfast series for minority women attorneys.

The goal of the series was to create an informal, yet intimate networking environment to allow minority women attorneys to discuss challenges in the workplace and benefit from the experience and advice of other attendees over breakfast at a host law firm. While the topics, speakers and attendees change with each session, the small-group setting remains unchanged, as this is the key to the unique experience of the series. Creating a share-friendly environment for a small group of minority women attorneys, of diverse professional and personal backgrounds, allows attendees to form deeper interpersonal connections. Contrast this with other networking events where droves of attendees attempt to collect as many business cards as possible before the end of the evening. A more valuable relationship is one that goes below the surface, where the focus is on the quality of the relationship rather than the quantity of relationships. Cafecito fosters precisely this type of environment.

The series launched its first session at host-firm Saul Ewing Arnstein & Lehr LLP. Approximately 20 women were invited, with a broad range of profiles—women with less than one year of legal experience and women with more than 20 years of legal experience, federal prosecutors, solo practitioners and associates



Heather Tranen (left), with attendees at the first Cafecito networking breakfast on May 11.

Photo courtesy of the Hispanic Bar Association of Pennsylvania

and partners at large law firms. The group was lead through an interactive session on personal branding by speaker Heather Tranen of Schtick, a career consulting, professional development and content strategy firm. Tranen challenged the attendees to think about defining their personal brand, and then provided tips and advice for how to use social media to build it. The first session was a success. The attendees were open and honest about their challenges in personal branding and left the session with specific action items.

The series will continue this fall for its next session on vocal empowerment, and HBAPA looks forward to reporting back!

Visit www.hbapa.net and click on “Cafecito Corner” for more information.

Melissa Martinez (Melissa.Martinez@saul.com) is an associate at Saul Ewing Arnstein & Lehr LLP.

ATTORNEY DISCIPLINARY / ETHICS MATTERS STATEWIDE PENNSYLVANIA MATTERS NO CHARGE FOR INITIAL CONSULTATION

Representation, consultation and expert testimony in disciplinary matters and matters involving ethical issues, bar admissions and the Rules of Professional Conduct

James C. Schwartzman, Esq.

- Judge, Court of Judicial Discipline
- Former Chairman, Judicial Conduct Board of Pennsylvania
- Former Chairman, Disciplinary Board of the Supreme Court of Pennsylvania
- Former Chairman, Continuing Legal Education Board of the Supreme Court of Pennsylvania
- Former Chairman, Supreme Court of Pennsylvania Interest on Lawyers Trust Account Board
- Former Federal Prosecutor
- Selected by his peers as one of the top 100 Super Lawyers in Pennsylvania and the top 100 Super Lawyers in Philadelphia
- Named by his peers as *Best Lawyers in America* 2015 Philadelphia Ethics and Professional Responsibility Law “Lawyer of the Year,” and in Plaintiffs and Defendants Legal Malpractice Law

1818 Market Street, 29th Floor, Philadelphia, PA 19103 • (215) 751-2863

LAWYER LAWYER REFERRALS

For details on placing a Lawyer to Lawyer referral ad, contact Lana Ehrlich at 215-557-2392 or lehrlich@alm.com.

DE & NJ

REFERRALS

Motor Vehicles Accidents
Slip and Fall
Motorcycle Accidents
Workers' Compensation
Medical Malpractice
Mass Torts

Inquiries@lundy.com or call
Carmen Diaz at 215-246-9203

1-800-LundyLaw®

INJURY & DISABILITY LAWYERS
PA • NJ • DE

Offices located in Wilmington, DE & Cherry Hill, NJ
Full Referral Fees Paid

Need A Game Changer?

Expert Witness/ Mediator

Real Estate and Title Insurance
With Over 30 Years Major
Law Firm Experience.

Robert M. Schwartz
610-212-7344
robertm.schwartz@gmail.com

For more information on placing a
Lawyer to Lawyer referral ad, please con-
tact

LANA EHRLICH at

215-557-2392 or lehrlich@alm.com



CONTINUING LEGAL EDUCATION

PHILADELPHIA BAR ASSOCIATION



My Membership. My CLE.

JULY CLE COURSES

VIDEO ENCORE - An Inside Look at the Purpose, Procedure, Pitfalls, and Punishment in Support Contempt Actions

Wed., 7/11/18 - 12:00 - 1:30 p.m. (1.5 SUB)

A “Can’t Miss” video encore for attorneys handling support contempt actions.

The program will offer practical guidance regarding the best ways to prepare and present a contempt petition along with how to properly represent a defendant in a support contempt action. The program will provide instruction on topics including proper procedure for the filing of a contempt petition, types of preparation and information gathering that should be performed for contempt hearings, types of purge factors to be considered, and tips on what to do and what not to do when presenting one’s petition to the court.

VIDEO ENCORE - Can I Really Be Sanctioned or Disciplined for My Filing?

Thu., 7/12/18 - 9:00 - 10:30 a.m. (0.5 SUB/1 ETH)

Need an ethics credit?

In this video-encore CLE program, learn how the new Public Access Policy requires lawyers to change how and what they file in every Pennsylvania court. On Jan. 8, 2018, Pennsylvania’s Public Access Policy went into effect. The policy applies to all civil, family and criminal cases in the appellate and trial courts, and requires filing parties to redact confidential information. If a party violates the policy, a court can impose sanctions. Panelists will address the practical effects of the new policy and will demonstrate how attorneys can prepare their offices to comply with the new Rules.

VIDEO ENCORE - Paperless Chase: iPad Best Practices for Lawyers

Fri., 7/13/18 - 12:00 - 1:30 p.m. (1.5 SUB)

Bring your iPad and learn basic tips to effectively and innovatively use technology in your practice.

Attorneys always look for ways to set themselves apart from their colleagues, in the 21st century that includes the use of technology. This video-encore CLE program will help introduce innovation to your litigation practice, and demonstrate efficiencies that attorneys can use on a daily basis using your iPad. From preparing cases, to mediation, arbitration and trial, keep everything at your fingertips without carrying stacks of paper documents and case notes. Learn how to create simple presentations, present evidence in the courtroom, display pictures and documents at a deposition, or present evidence at an arbitration, mediation or trial. Learn from an experienced litigator and “iPad guy” how to master the basics and effectively incorporate and maximize the use of an iPad into your practice.

VIDEO ENCORE - No Reasonable Doubt About It: Medical Marijuana in PA is Here to Stay

Tue., 7/17/18 - 12 - 2 p.m. (2 SUB)

This video-encore CLE program will examine Pennsylvania’s Medical Marijuana Program and its intersection with criminal law. Panelists will offer an overview of the medical marijuana program in Pennsylvania and provide guidance on how to identify and analyze criminal law issues that are impacted by the use of medical marijuana. If you are an attorney practicing in Pennsylvania, medical marijuana is sure to impact your practice at some point in the near future. Don’t miss this encore program!

VIDEO ENCORE - Election Day 2018: How the City Holds Elections and Preserves the Right to Vote

Wed., 7/18/18 - 9:30 - 10:30 a.m. (1 SUB)

In this video-encore CLE program, panelists examine how the City of Philadelphia prepares for and holds elections on Election Day. Specific topics will include how fraud is monitored by the District Attorney and how Election Court operates as the day unfolds. Panelists will also address how recent redistricting litigation has affected preparations for Election Day.

Quill is No More: State Tax Nexus After Wayfair

Tue., 7/24/18 - 9 - 10 a.m. (1 SUB)

Hosted by the Tax Section

In issuing its recent decision in *South Dakota v. Wayfair, Inc.* the U.S. Supreme Court overturned more than 50 years of jurisprudence that required out-of-state retailers to have a physical presence in a state before they could be required to collect and remit sales and use taxes on sales made to in-state customers. While the court analyzed and upheld the South Dakota statute at issue, it did not provide any specific guidance as to what connection a taxpayer needs to have with a state to be subject to its taxing jurisdiction under the Commerce Clause, other than reaffirming that a “substantial nexus” is required, and holding that “substantial nexus” does not require a physical presence. This one-hour breakfast CLE program will address the holding in *Wayfair*, as well as its wide-reaching implications, not only for out-of-state and e-commerce retailers with respect to sales and use tax, but also its potential impact on the overall concept of economic nexus and a state’s ability to impose various types of taxes, including income taxes.

VIDEO ENCORE - Search and Seizure Update 2018

Tue., 7/24/18 - 12:30 - 1:30 p.m. (1 SUB)

Hear the latest updates in the area of search and seizure.

The law of search and seizure is challenging and ever-evolving as new cases are added to the Fourth Amendment mosaic. A thorough knowledge of search and seizure law is vital to the practice of criminal law. In this video-encore CLE program, Professor David Rudovsky will highlight new developments in the area of “reasonable expectation of privacy,” cell phone searches and searches by parole officers, among many others. Professor Rudovsky also shares new perspectives in Pennsylvania constitutional law.

VIDEO ENCORE: Philadelphia Property Tax Foreclosures: Process & Prevention (a Guide for the Perplexed)

Wed., 7/25/18 - 12:30 - 2:30 p.m. (2 SUB)

Hear guidance regarding the timeline of tax foreclosure process, city filing procedures and defenses/redemption.

The City of Philadelphia has increased its filing of property tax foreclosures by 1,200 percent in recent years. Many lawyers handle private mortgage foreclosures, but are not familiar with the different rules and procedures involved in defending a property tax foreclosure in Philadelphia. In this video-encore CLE presentation, attendees will learn the basic procedures used in a tax foreclosure case pursuant to the Municipal Claims and Tax Liens Act (MCTLA) and the current Court of Common Pleas procedures that have evolved to handle the increased filings. Panelists provide an overview of the city’s brand new Tax Foreclosure Prevention Program created to help preserve Philadelphia’s high rate of homeownership while collecting needed revenue for city services.

VIDEO ENCORE: Ethics and Malpractice Avoidance

Tue., 7/31/18 - 12:30 - 2:30 p.m. (2.0 ETH)

Attend and earn a discount on your malpractice insurance, advised and administered by USI Affinity. The discount does not apply to part-time policies.

This video-encore CLE program, applicable to attorneys in all practice areas, will provide guidance regarding how to protect yourself and minimize your chances of being sued for malpractice or being subject to other ethical issues. Panelists will address the primary reasons why attorneys are sued, the stages of a representation where attorneys get into trouble, practical steps an attorney can take to minimize risk, as well as professional liability insurance, which is critical in protecting the law firm and the attorney in the event of legal malpractice.

***Additional courses to be added at the end of the month.**

TO REGISTER
Visit the CLE page at PhiladelphiaBar.org

For questions regarding Philadelphia Bar Association CLE,
contact Director of Continuing Legal Education Tara D. Phoenix at 215-238-6349 or tphoenix@philabar.org.

Social Media, From Personal Use to Practice Promotion

By Maureen M. Farrell

ACCORDING TO ALCYIA A. KINCHLOE, founder of Kinchloe Law, LLC, social media is a great way for small firms to compete with the big guys without spending a fortune. The Solo and Small Firm Management Committee hosted a program to discuss lawyers' use of social media on May 31. Panelists were Kinchloe and Hon. Tina Maria Rago, Workers' Compensation Office of Adjudication. Maureen M. Farrell, chair of the Committee, moderated. Kinchloe uses social media to publicize her law practice and two podcasts that she hosts. As a member of the judiciary, Judge Rago keeps her personal social media presence private, but she encourages a social media presence for the Workers' Compensation Section and for other legal professionals.

Both panelists first began using social media by joining Facebook to reconnect with people from the past. Judge Rago created her personal Facebook page many years before she became a judge. She joined the platform "kicking and screaming," but found it to be another way to connect with her daughter, and she

embraces the opportunities Facebook and other platforms present to showcase the Section's educational, social and philanthropic programming.

When Kinchloe opened her office four years ago, she branched out into different practice areas. "Social media gave me the opportunity to redesign who I was and reach out to more people," she said. She said she enhanced her social media presence by joining lawyer-related Facebook groups that have served as educational tools and referral sources. Social media gave her the opportunity to "build [her] reputation in a different space." Not only has she used social media to boost her professional credibility, she also has used it to develop new friendships within the legal community-at-large.

"You must be very careful about what you post. It must be true and not misleading, because social media posts constitute lawyer advertising," Judge Rago said. She mentioned an ABA article from 2014 that gave 10 tips for compliance with advertising rules, encouraging attendees to "be very careful, because posts reach out into other jurisdictions and one must not



Photo by Thomas E. Rogers

Alycia A. Kinchloe (left to right); Judge Tina Maria Rago and Maureen M. Farrell at the Committee's meeting on May 31.

violate rules in those jurisdictions." Farrell followed up by mentioning that lawyer-advertising disclaimers must be large enough to read.

Kinchloe talked about creating a content strategy, as would be done for any other business venture. "Figure out who you are going to reach and what you are trying to do," she said. "Don't be afraid to post interesting content as a lawyer." The

panelists suggested using social media to humanize yourself for your audience with continuously fresh and brief content, but if your principal, mother or client would disapprove, do not post.

Maureen M. Farrell (maureen@maureenfarrell.com), principal at the Law Offices of Maureen M. Farrell, Esq., is chair of the Solo and Small Firm Management Committee.

Board Supports Laws to Strengthen Free Speech

THE BOARD OF GOVERNORS UNANIMOUSLY adopted a resolution on June 28 supporting SB 95 and any other similar bill that would strengthen protections against Strategic Lawsuits Against Public Participation, or "SLAPP" suits.

In response to public criticism, powerful actors sometimes file lawsuits against their critics for no other purpose than to deter the critics from continuing to voice their opinions. Lawsuits filed for no purpose other than to impede or chill the valid exercise of free speech are sometimes referred

to as SLAPP suits. Though lacking in legal merit, SLAPP suits can be expensive and time-consuming to defend.

Defendants in SLAPP suits are often unable to secure representation because current law does not provide a fee-shifting mechanism that would allow defendants who succeed in getting a meritless suit dismissed to recover attorneys' fees. In the Pennsylvania General Assembly, the Senate has passed SB 95, which, among other things, would immunize defendants from civil actions based solely on the defendant's

constitutionally protected speech, including speech connected to government action or public policy; authorize defendants in such actions to file motions to dismiss the action based on the constitutionally protected nature of the speech at issue; direct courts to stay all discovery proceedings until after a ruling on such a motion to dismiss; allow either party to take an immediate appeal from a ruling on such a motion to dismiss; and award attorneys' fees and costs as well as damages of at least \$10,000 to a defendant who prevails on such a motion

to dismiss.

The Philadelphia Bar Association authorizes the Chancellor or the Chancellor's designee to communicate the content of this resolution to members of the General Assembly, the governor, state and local public officials, other bar associations, and the public at large, and to take such other action as may be appropriate.

To view the full resolution, visit PhiladelphiaBar.org.

Schools

continued from page 1

public from obtaining information or records about the presence of firearms on school grounds through Pennsylvania's Sunshine Act or Right-to-Know Law.

In the wake of school shootings, some lawmakers have suggested that arming teachers or school personnel with guns would be a positive safety measure. Proposals to increase the number of weapons in

the buildings or on the grounds of a school increase risk to students.

Further, increasing the number of armed staff in the buildings, or on the grounds of a school, sows distrust between students and teachers and school personnel, impairing the creation of a safe, supportive environment conducive to learning.

Certain law enforcement agencies have opposed proposals to arm teachers or school personnel because having weapons

on school grounds is likely to increase the risk of accidental injury or violence at school. Additionally, having armed school personnel may lead to confusion during active-shooter situations that would endanger police and the school community. Teachers and school personnel are not trained law enforcement officers, but educators, whose role it is to teach and nurture students. Even trained law enforcement officers often misperceive people of color and people with disabilities to be safety

threats and use force—including deadly force—against them disproportionately.

The Philadelphia Bar Association authorizes the Chancellor or the Chancellor's designee to communicate the content of this resolution to members of the General Assembly, the governor, state and local public officials, other bar associations, and the public at large, and to take such other action as may be appropriate.

To view the full resolution, visit PhiladelphiaBar.org.



Lawyer Referral and Information Service

(215) 238-6333

PhiladelphiaBarLawyers.com

TRUST US TO HELP

LRIS Has Been Helping the Community Since 1948

- LRIS refers potential clients to approximately 175 attorneys.
- LRIS attorneys are in good standing, have professional liability insurance and must meet certain experience requirements.
- LRIS attorneys practice in more than 150 areas of law.
- In 2017, LRIS received 25,425 inquiries and made 11,208 referrals.

If You Have Someone You Cannot Help... Refer Them to Us!

Questions?

For questions, contact Director of Public and Legal Services Charlie Klitsch at (215) 238-6326 or cklitsch@philabar.org.

Lawyer Referral and Information Service
of the Philadelphia Bar Association
1101 Market St., 11th Floor
Philadelphia, PA 19107



Community Considerations of Land-Use Law

By Leah Cilo

LAND-USE LAW HAS THE ROLE OF RECONCILING codified regulations with impassioned opinions and roots of people who live in the community being regulated. In short, city zoning is a concept by which the human condition can be measured, because it involves how we manage the business of living and working together. The Philadelphia Bar Association presented a CLE titled “Philadelphia Zoning & Land Use 2018” on April 19. Panelists were Darwin R. Beauvais, partner, and Meredith L. Ferleger, associate, at Dilworth Paxson LLP; Elizabeth Baldwin, executive director of development services at the Department of Licenses and Inspections; Frank DiCicco, chairman of the Philadelphia Zoning Board of Adjustment; and Martin Gregorski, director at the Philadelphia City Planning Commission.

Beauvais and Ferleger provided an overview of what steps to take when confronted with a zoning issue in Philadelphia. Beauvais said that attorneys should first familiarize themselves with the Philadelphia Zoning Code Section 14-100 – Section-1006. Understanding the code is the first line of defense for

attorneys, because it describes the various players, the definitions, the applicable regulations, the purpose of the system as it relates to the comprehensive plan, zoning classifications and distinctions, adjustments, non-conforming properties, the power of the Department of Licenses and Inspections, developmental standards, district overlays, developmental standards, parking issues and signage. Overlays are special policies that have been added to existing zoning provisions.

Section 14-300 is probably the most important section for new practitioners, according to Beauvais, because it outlines all the various agencies that potentially can be a part of the zoning process. They include the Water Department, the Streets Department, City Planning Commission, Art Commission, Historic Commission, and the Department of Licenses and Inspections. A property might be subject to review by any number of these entities.

After taking a walk through the zoning code, Beauvais encouraged attorneys to take an actual walk and see the property in question. With code in hand, determine what zoning classification applies to the parcel.

Ferleger discussed the process of



Photo by Thomas E. Rogers

Frank DiCicco (left to right), Meredith L. Ferleger, Martin Gregorski, Elizabeth Baldwin and Darwin R. Beauvais at the Philadelphia Bar Association CLE on April 19.

dividing a large lot into smaller ones and consolidating small lots into a bigger one. She noted that the Office of Property Assessment is always involved in subdivisions and consolidations of lots, because it issues addresses and tax-account numbers.

Following Beauvais and Ferleger’s overview of the zoning code, Baldwin, DiCicco and Gregorski discussed the business of how these formulaic regulations play out among actual residents, property owners, developers and businesses. DiCicco said that long-time city

residents have difficulty accepting the social changes that the regulations are attempting to codify. He related the tale of a South Philadelphia resident who was trying to stop a warehouse from being turned into loft-space residences, because even though the sheet metal shop that was in the warehouse closed 40 years ago, someday it might open again and provide jobs.

Leah Cilo (lcilo@paworkinjury.com), is an associate at Martin Law LLC.

Insights Into City's Election System, Looking Forward

By Michelle Flamer

THE PHILADELPHIA ELECTION DAY mantra of “vote early and vote often” is said at times with a wink, but some might say it cynically implies that Philadelphia’s election system is inherently corrupt. The Government & Public Service Lawyers Committee, the City Policy Committee, The Barristers’ Association of Philadelphia, Inc. and the Hispanic Bar Association of Pennsylvania cohosted a Philadelphia Bar Association CLE titled “Election Day 2018: How the City Holds Elections and Preserves the Right to Vote” on May 8, a week before Pennsylvania’s May 2018 primary election. Maria E. Bermudez, owner and principal attorney at the Law Office of Maria E. Bermudez, LLC, moderated a panel including Peter Berson, assistant district attorney, Philadelphia District Attorney’s Office; Charles Gibbs, president of The

Barristers Association of Philadelphia, Inc. and attorney at the Law Offices of McMonagle Perri McHugh Mischak and Davis; and Seth Bluestein, chief deputy commissioner, Philadelphia City Commissioners - Office of Commissioner Al Schmidt.

Voter fraud is not a myth, according to Berson, but he said that it is uncommon in Philadelphia. When it happens, he said, it is most often because of someone’s inexperience or ignorance of the election process. In the last decade, the Philadelphia District Attorney has prosecuted only 10-12 cases, and all resulted in convictions. Berson discussed a recent case in the city’s Hunting Park section involving a special election held in the 197th Legislative District. There was a significant number of write-in votes for a candidate who did not qualify for a ballot position. The machine operator stole votes but the entire election board was complicit, result-



Photo by Thomas E. Rogers

Seth Bluestein (second from left, left to right), Peter Berson, Maria E. Bermudez and Charles Gibbs, with Nicholas S. Kamau (left) and Jordan E. Segall, coauthors, Government & Public Service Lawyers Committee, at the Philadelphia Bar Association CLE on May 8.

ing in the arrest and prosecution of each member.

But what about voter suppression, are voters being denied access to the polling

places? The provisional ballot, according to Gibbs, is a judge of election’s best friend because it alleviates argument at

continued on page 19



Photo by Thomas E. Rogers

The Business Law Section held its 2018 Commerce Court Reception at the Loews Philadelphia Hotel on May 23. At the reception, the Section honored Hon. Patricia A. McInerney, Supervising Judge for the Philadelphia Court of Common Pleas, for her many years of service to the court.

Left: Judge Patricia A. McInerney (center) with Marcel S. Pratt, Philadelphia City Solicitor, Business Law Section vice chair and Business Law Section Business Litigation Committee cochair; and Elizabeth S. Fenton, Business Law Section Business Litigation Committee cochair; at the 2018 Commerce Court Reception on May 23.

PHILADELPHIA BAR ASSOCIATION CLE - WORKERS' COMPENSATION SECTION

Safe, Productive Ways to Incorporate Tech Into Practice

By Regina M. Parker

THE USE OF TECHNOLOGY IN THE courtroom has proven to be a beneficial litigation tool. The reliance on technological advances has led to an amendment to the Pennsylvania Rules of Professional Conduct that requires attorneys to remain apprised of the risks and benefits of using technology to litigate cases. The Workers' Compensation Section hosted a Philadelphia Bar Association CLE titled "The Mobile Workers' Compensation Lawyer - In & Out of the Courtroom" on May 11. Daniel J. Siegel, principal of the Law Offices of Daniel J. Siegel, LLC and president of Integrated Technology Services, LLC, presented.

Attorneys have always had an obligation not to disclose information relating to the representation of a client. Siegel said that public access policy now enforces this obligation. The Pennsylvania Supreme Court adopted an additional rule or comment to the rule of competence regarding technological developments and resources. Starting July 1, in addition to understanding the rules and procedures of the court, attorneys must also abide by the Pennsylvania Public Access Policy. This policy requires redaction of confidential and sensitive information in electronic

evidence and computer-generated exhibits, including removal of Social Security numbers from medical records, financial records and other documents.

Siegel discussed some caveats surrounding the ethical obligation to maintain confidentiality of information. The use of devices can be very "un-confidential," he said. As an example, typical e-mail and the use of free Wi-Fi do not maintain confidential communication. Siegel discouraged using free Wi-Fi to access attorney files. He said that third parties can monitor what sites you are visiting and even monitor your keystrokes, including passwords.

Attorneys can be far more efficient, Siegel said. He discussed many options to accommodate individual practice needs. Laptops can be a very useful and beneficial tool during trial, and hotspots or jetpacks provide secure mobile internet service accessible only with a password. Jetpacks may have capacity to connect as many as 15 devices and are often challenging for others to hack. Tablets and smartphones are also useful tools. The Wacom Bamboo Capture Pen and Touch Tablet takes handwriting and converts it into readable text, providing the option of sending handwritten notes directly to a laptop device. In instances where tablets



Photo by Thomas E. Rogers

Daniel J. Siegel at the Philadelphia Bar Association CLE on May 11.

or laptops are not accessible, another option is a smart watch. They provide, at least, access to your calendar and text messages.

Siegel said the goal is to choose and select the tools that you believe are essential to your practice. However, the obligation to competently safeguard information has become challenging with the use

of technology. Attorneys must be mindful to only access files via a secure internet service, and to install anti-virus protection on all devices to be used.

Regina M. Parker (RParker@tthlaw.com), associate at Thomas, Thomas & Hafer LLP, is an associate editor of the Philadelphia Bar Reporter.

PHILADELPHIA BAR ASSOCIATION 39TH ANNUAL 5K RUN/WALK



Photo by Thomas E. Rogers

The 39th Annual Philadelphia Bar Association 5K Run/Walk benefitting Support Center for Child Advocates was held at Memorial Hall in Fairmount Park on May 20. More than 1,000 runners and walkers participated, and people of all ages enjoyed fun, family-friendly activities including the Buchanan Ingersoll & Rooney Kids Dash, the Caesar Rivise Team Competition, Face Painting, Balloon Animals and more.

For race results visit sccalaw.org/39th-annual-philadelphia-bar-association-5k-runwalk/.

Left: Runners sprint from the starting line of the Philadelphia Bar Association 5K Run/Walk on May 20.

Buchanan Kids Dash Connects Kids, Community

THE PHILADELPHIA BAR ASSOCIATION'S 39TH ANNUAL 5K Run/Walk went off without a hitch and once again featured the Buchanan Ingersoll & Rooney Kids Dash as part of the day's activities. The free, 200-yard, non-competitive dash invites children ages 4-10 to have their own moments in the race's limelight.

"The Kids Dash is the most fun of the whole morning," said Frank Cervone, executive director of the Support Center for Child Advocates, the beneficiary of the 5K Run/Walk event. "Plenty of kids participate – some very small who run down the road in varying states of ability, speed and direction – cheered on by their families and friends. Everyone has a great time."

Directed by H. Marc Tepper, shareholder at Buchanan Ingersoll & Rooney, the Kids Dash branched from an annual firm sponsorship into its own featured event of the day, giving kids an opportunity to get involved and further highlight the mission of Child Advocates to care for kids in the community.

The kids run was Tepper's brainchild as a family-friendly addition to the day's fun festivities – an idea the planning committee supported unanimously. The rest quickly became history, and the inaugural Kids Dash premiered in 2010.

Tepper fondly recalled the early years. "As a running enthusiast, I wanted to get involved with helping to organize the run. The Association's Bar Run Committee was generously welcoming. I had a novel idea, but the whole group helped make the Buchanan Kids Dash a reality," he said.

Eight years later, more than two dozen kids delight in the chance to run in their own race on the big day.

"Watching kids of all levels participate is always a fun spectacle and we couldn't be happier about the traction the event has garnered," Tepper said. "The Kids Dash is a great way to get involved with a great event and do some-



Photo courtesy of H. Marc Tepper

H. Marc Tepper (blue jacket) and Frank Cervone (pink t-shirt) stand with the runners participating in the Buchanan Ingersoll & Rooney Kids Dash before the start, during the Philadelphia Bar Association 39th Annual 5K Run/Walk.

thing for the families of the attorneys who are running. I'm grateful to the Committee and its leaders, Manny Pokotilow, Eric Marzluf and Frank Cervone, for their unwavering support since day one."

Since the beginning, the Kids Dash received great support not only from organizers, participants and their families, but especially from Child Advocates. Teaming up with Child Advocates was a no-brainer. "Our Philadelphia office has long supported the important work of Child Advocates," Tepper said. "It's a natural fit to partner with them and host a great event that's fun and fits their

mission."

Child Advocates provides legal assistance and social service advocacy for child victims of abuse and neglect in Philadelphia County. Its programs, staff, volunteers and supporters work to secure safety, health, education, justice, well-being and a permanent, nurturing environment for every child.

"The Kids Dash is an opportunity to demonstrate our connection and commitment to children and the important work we do every day," Cervone said.



TAKES PLEASURE IN ANNOUNCING THAT

Brian C. Hall
Daniel J. Sherry, Jr.
Todd A. Schoenhaus

HAVE BECOME PARTNERS IN THE FIRM



Trial Lawyers Representing the Catastrophically Injured and Their Families

1634 SPRUCE STREET • PHILADELPHIA, PA 19103 • 215-546-6636
1930 ROUTE 70 EAST, SUITE Q-42 • CHERRY HILL, NJ 08003 • 856-751-6652
info@erlegal.com • www.erlegal.com

LGBT RIGHTS COMMITTEE - ANNUAL INGRAM, ROSENBLUM AWARD PRESENTATIONS



Photo by Thomas E. Rogers

The LGBT Rights Committee presented its Cheryl Ingram Advocate for Justice Award to Leonore F. Carpenter, professor at Temple University Beasley School of Law, at Field House on March 20. The late Cheryl A. Ingram served as the director of policy administration for the Philadelphia Bar Association. She also served on the board of Gay and Lesbian Lawyers of Philadelphia, including a term as its treasurer. She reached out to both the American and the Pennsylvania Bar Associations to be inclusive of the lesbian, gay, bisexual and transgender community, and encouraged the Philadelphia Bar Association to endorse a number of pro-LGBT resolutions.

The Committee presented its David M. Rosenblum Law Student Leader Award to Jasper Katz, student at Temple University Beasley School of Law, during the LGBT Rights Committee Summer Associate Reception at The Lounge @ 1735 on June 14. The late David M. Rosenblum was the legal director of Mazzoni Center, a tireless lawyer and advocate and an LGBT organizer while in law school.

Left: Leonore F. Carpenter (center), with her wife, Tiffany L. Palmer, editorial board member, The Philadelphia Lawyer (center, right); Colin J. Beisel (left to right) and Christa Lefvko, cochairs, LGBT Rights Committee; and Chancellor Mary F. Platt; at the Cheryl Ingram Award Reception on March 20. Right: Jasper Katz (second from left) with R. Barrett Marshall, staff attorney, Community Legal Services (left to right); Elizabeth P. Weissert, associate, Ballard Spahr LLP; Mark S. Stewart, partner and chair, Ballard Spahr LLP; Beisel; Jason A. Leckerman, partner, Ballard Spahr LLP; Levko; and Erika White, senior diversity coordinator, Ballard Spahr LLP; at the LGBT Rights Committee Summer Associate Reception on June 14.

WORKERS' COMPENSATION SECTION SPRING PARTY



Photos by Robert P. Schenk

Left: David M. Sansweet, attorney at Fine And Staud LLC (left to right); Raashida Fleetwood; Raphael M. Duran, associate, Marshall Dennehey Warner Coleman & Goggin, P.C.; Maria Ciccotelli, cochair, Workers' Compensation Section CLE Committee; and Paul B. Himmel, senior shareholder, Freedman and Lorry, P.C.; at the Workers' Compensation Section Spring Party at Waterworks on June 14. Right: Display of desserts at the Section's Spring Party on June 14.

THE PHILADELPHIA BAR ASSOCIATION Workers' Compensation Section held its annual Spring Party at the Waterworks in Philadelphia on June 14. The event included a festive "Clam Bake" menu, beautiful views of the riverfront and historical Waterworks buildings, as well as

abundant sunshine. It was well attended by members of the Section, and a great time was had by all.

In furtherance of its charitable contributions mission, the Section accepted donations to Alex's Lemonade Stand Foundation. This organization is certainly well

known and near and dear to many of the Section's members for its mission to change the lives of children with cancer through funding important research, raising awareness, supporting families and empowering everyone to help cure childhood cancer. The Section thanks all who attended this

event, and for the generosity of its members in supporting Alex's Lemonade Stand.

Alexis Handrich (ahandrich@pondlebocky.com), attorney at Pond Lebocky Stern Giordano, is a cochair of the Workers' Compensation Section.

Changing the Story by Being a Child Advocate

By Moira Mulrone

I HAVE WORKED FOR THE SUPPORT CENTER for Child Advocates for eight years as the director of development and communications. In this role, I raise much-needed funding and awareness to support our mission. I routinely boast about the most skillful staff who work alongside the region's most generous pro bono attorneys. I am also a lawyer; and eight months ago, I became a Child Advocates volunteer attorney.

Going into this process, I was uncertain and insecure. I had not practiced law in 10 years, and I had not been in a courtroom in 20. Would I be able to make a connection with my client? Would I be able to appear with confidence at the bar of the court and advocate for the needs of a child? My hesitation was overshadowed by my excitement about being able to serve the mission in a new way.

To get started, I attended a "How to Handle a Child Abuse Case" training session. I have attended this workshop several times before to learn more about our agency's work and to support my colleagues while getting my CLE credits. Now, I was attending it with a new goal in mind, to learn how to be an effective child advocate. So, I sat up-front, paid close attention and took notes. This time it was for real.

It was a spectacular day of learning. I got a clear presentation of the underlying law, useful resources and helpful practice tips. I left knowing that I had access to everything I needed to become a skilled child advocate, especially because I could rely on the expertise of my partner social worker and consulting attorney.

Next came courtroom observation. Guided by a Child Advocates staff attorney, we took a tour of Family Court and sat in on a hearing. Here, all the small

questions I did not know I had were answered - which line do I use to enter the courthouse, where is the bathroom or where do I sit in the courtroom? With fewer little things to worry about, I could focus my attention on my client and the matter before the court.

I met with Jodi Schatz, director of intake and pro bono services, and discussed several possible cases. All were important; some were sad. One involved a large sibling group; another, an infant. Then we found "Quentin," a severely disabled teen living in a residential placement. Quentin's family is unable to care for him. This unique case was difficult for Jodi to match with a volunteer, so I knew it was the one for me.

Over the past few months, I have met with Quentin at his placement, attended meetings, and appeared in court. I have successfully advocated for him to receive an extension allowing him to remain in

the child welfare system until age 21. We have celebrated his 18th birthday together. At all points along the way, I have had the support and advice from the amazing Child Advocates staff who truly put the "support" in Support Center for Child Advocates. Together, we change the story.

Moira Mulrone (mmulrone@sccalaw.org) is the director of development and communications at the Support Center for Child Advocates.

Have an Ethics Question?



PHILADELPHIA
BAR ASSOCIATION

Call the
Philadelphia Bar Association
Ethics Hotline at
215-238-6328



Answers to Common Questions on Tax Reform

WITH THE END OF THE YEAR LOOMING on the horizon, some may be wondering how their 2018 tax returns will be affected under the new tax laws. For this month's interview, I sat down with Patrick E. Beaudry, CPA, CFA®, senior resident, PNC Center for Financial Insights, to discuss a few planning tactics that may address some of the most common questions regarding tax reform.

Mary Ashenbrenner (MA): If a homeowner has an existing mortgage of \$850,000, can he still deduct all of his mortgage interest?

Patrick Beaudry (PB): Under the new law, mortgage interest will only be deductible for mortgages of \$750,000 or less. However, the new limit applies to mortgages taken out after Dec. 15, 2017. If your existing mortgage was taken out prior to that date, it will be unaffected. The former limit of \$1 million will continue to apply and, if you itemize, you should still be able to fully deduct the interest for income tax purposes.

MA: If that same homeowner keeps his existing \$850,000 mortgage and then takes out an additional mortgage, for example on a second home, what is his deduction limit?

PB: If he decides to take out an additional mortgage, he would not be able to deduct the interest on it. The new limit is \$750,000 in total, and your existing mortgage of \$850,000 already exceeds this amount.

MA: What happens if he refinances his existing \$850,000 mortgage?

PB: If he refinances his existing mortgage, which was taken out prior to Dec. 15, 2017, the \$1 million cap would still apply as long as he does not increase the mortgage amount.

MA: If I take out a home equity loan to pay for home improvements is the interest no longer deductible?

PB: Interest on home equity loans and home equity lines of credit is still deductible as long as the loans are used to buy, build or substantially improve your home, and the amount of the loan or line, in combination with any other mortgage debt, does not exceed the new \$750,000 limit.

MA: With the higher gifting limits now, should individuals gift more to their families?

PB: The IRS has increased the annual exclusion gift limit from \$14,000 to

By Mary E. Ashenbrenner



PNC WEALTH MANAGEMENT

\$15,000 in 2018. This means that you can gift up to \$15,000 or \$30,000 for a married couple to anyone without gift-tax consequences. For those who wish to gift more, the new tax legislation effectively doubled the lifetime estate and gift-exclusion amount to \$11.18 million for an individual and \$22.36 million for a married couple in 2018. This could create a window of opportunity to transfer assets, such as a business ownership or forgiveness of a loan.

MA: What type of assets are best for gifting?

PB: You should consult with your tax and legal advisors to determine which of your assets are best for you to give away. For some, ownership of a family business can be a good candidate for gifting as it may accomplish other planning objectives, such as business-transition goals. You may also want to consider forgiving an existing loan to a family member or to a trust for their benefit, such as a mortgage you took out for your children or grandchildren.

MA: How might tax reform affect the way I give to charity?

PB: You may want to explore "bunching" charitable gifts in the years you itemize. For example, instead of gifting \$10,000 per year, a \$30,000 gift every three years, possibly through a donor-advised fund, may increase your tax benefit. Those who itemize and make charitable donations consisting of a mix of cash and other assets may want to consider new tax provisions providing increased benefits for cash contributions. There is no longer a limit on how much you can itemize.

MA: What are the new ways to use 529 plans under tax reform?

PB: The 529 plans have been expanded to allow tax-favored withdrawals of up to \$10,000 per student per year for elementary and secondary school expenses, including tuition for public, private or

religious schools, but not home schooling. You can also now transfer funds in 529 plans to Achieving a Better Life Experience Act accounts for certain family members with special needs. Keep in mind that not all states allow tax-free distributions for elementary or secondary-school tuition.

Given the complexities of tax reform, now is a good time for individuals to review their wealth plans with their advisors before next tax season hits.

Mary E. Ashenbrenner (mary.ashenbrenner@pnc.com or 215-585-1041) is a senior vice president with PNC Wealth Management.

The PNC Center for Financial Insight is PNC's dedicated center of thought leadership that serves as a knowledge resource for clients in conjunction with their PNC advisors. Its purpose is to deliver relevant, actionable strategies that support clients' wealth management objectives.

¹Changes to the federal estate and gift tax exclusion amount are set to expire in 2026. Prior to making a gift, you should consult your professional tax advisor. Under the new law, the Treasury is called upon to prescribe regulations as may be necessary or appropriate to clarify the implications as a result of differences between the basic exclusion amount in effect at the time of the decedent's death and at the time of any gifts made by the decedent.

²Careful consideration of existing requirements regarding reasonable compensation should be involved in the decision-making process. In addition, practical concerns, such as an employer prohibiting their employees from changing their employment status, may limit the ability to change the nature of income.

This article is for general information purposes only and is not intended to provide legal, tax, accounting or financial advice. Individuals should consult their tax advisor to understand how the recently enacted tax reform may affect them.

The material presented in this article is of a general nature and does not constitute the provision by PNC of investment, legal, tax, or accounting advice to any person, or a recommendation to buy or sell any security or adopt any investment strategy. Opinions expressed herein are subject to change without notice. The information was obtained from sources deemed reliable. Such information is not guaranteed as to its accuracy. You should seek the advice of an investment professional to tailor a financial plan to your particular needs. For more information, please contact PNC at 1-888-762-6226.

The PNC Financial Services Group, Inc. ("PNC") uses the marketing names PNC Wealth Management® and Hawthorn, PNC Family Wealth® to provide investment, wealth management, and fiduciary services through its subsidiary, PNC Bank, National Association ("PNC Bank"), which is a Member FDIC, and to provide specific fiduciary and agency services through its subsidiary, PNC Delaware Trust Company

or PNC Ohio Trust Company. PNC also uses the marketing names PNC Institutional Asset Management®, PNC Retirement Solutions®, Vested Interest®, and PNC Institutional Advisory Solutions® for the various discretionary and non-discretionary institutional investment activities conducted through PNC Bank and through PNC's subsidiary PNC Capital Advisors, LLC, a registered investment adviser ("PNC Capital Advisors"). Standalone custody, escrow, and directed trustee services; FDIC-insured banking products and services; and lending of funds are also provided through PNC Bank. Securities products, brokerage services, and managed account advisory services are offered by PNC Investments LLC, a registered broker-dealer and a registered investment adviser and member of FINRA and SIPC. Insurance products may be provided through PNC Insurance Services, LLC, a licensed insurance agency affiliate of PNC, or through licensed insurance agencies that are not affiliated with PNC; in either case a licensed insurance affiliate may receive compensation if you choose to purchase insurance through these programs. A decision to purchase insurance will not affect the cost or availability of other products or services from PNC or its affiliates. PNC does not provide legal, tax, or accounting advice unless, with respect to tax advice, PNC Bank has entered into a written tax services agreement. PNC does not provide services in any jurisdiction in which it is not authorized to conduct business. PNC Bank is not registered as a municipal advisor under the Dodd-Frank Wall Street Reform and Consumer Protection Act ("Act"). Investment management and related products and services provided to a "municipal entity" or "obligated person" regarding "proceeds of municipal securities" (as such terms are defined in the Act) will be provided by PNC Capital Advisors.

"PNC Wealth Management," "Hawthorn, PNC Family Wealth," "Vested Interest," "PNC Institutional Asset Management," "PNC Retirement Solutions," and "PNC Institutional Advisory Solutions" are registered service marks of The PNC Financial Services Group, Inc.

Investments: Not FDIC Insured. No Bank Guarantee. May Lose Value.

Insurance: Not FDIC Insured. No Bank or Federal Government Guarantee. Not a Deposit. May Lose Value

Funky Kingston Takes Over East Falls

By James Zwolak



TWENTY YEARS AGO, THERE WERE FEW local venues hipper and butt-kickingly delicious than the Jamaican Jerk Hut on South Street. The Hut's authentic jerk cuisine, served out back in its colorful, breezy picnic area, provided a delectable Caribbean respite to our brutal concrete summers. Its adverse possession (allegedly) and adaptive reuse of the filthy lot next door was years ahead of its time. The Hut's unfortunate lengthy, gradual demise – which unquestionably began with its “jump the shark” moment in the “chick wit” novel (and film adaptation of) “In Her Shoes” - had left a massive hole in our Jamaican-food scene. Not anymore.

My sister-in-law, Christina, and her husband Stefan, had sent me the web-link to Side of the Road Jerk Chicken, located at 3502 Scotts Lane, Building 21, in East Falls, with an immediate demand to review. Habitual drinkers in Northern Liberties will recognize the Side

of the Road as the brainchild of James Leggett – a.k.a. the “Jerk Chicken Man.” Leggett's late-night Jamaican food truck in Northern Liberties served many a tavern goer – myself included - with spicy jerk favorites. The former telecom executive recently relocated into a new space in East Falls' Sherman Mills complex. The three of us – and my daughter Elena – headed out immediately.

The setup is mostly takeout, with one large outside table. We inhaled virtually all of the blackboard menu. Leggett jerks everything in an adjacent field he shares with a drone company. The sides of Roasted Brussels Sprouts – which he purchases from an East Falls urban-farmer friend – were impossible to roust from Elena's hands. Same with the “melt-in-your-mouth” Coconut Rice.

Side of the Road's main menu had Jamaican mainstays, as well as items I had never seen jerked before. All were reasonably priced at \$10. The classic Chicken Breast was sublimely moist, with a crispy, jerk-infused skin rife with Scotch Bonnet Pepper heat, and served with a slice of

white bread. The Texas Beef Brisket was not as spicy as the chicken, but its lengthy baste in the smoker produced a smooth, mellow taste.

With seafood, Leggett experiments beyond the usual flaky white fish; his Jerk Salmon Slider was expertly smoked, its succulent pink flesh tinged with fire and sweet fury. Six large shrimps arrive with shells and tails intact and were similarly awesome. But Leggett's piece-de-resistance was his Jerk Turkey Leg special; which went from the smoker to Leggett's prolific Instagram feed then into our bellies in less than five minutes. My companions were so full that I made my coworkers smell the remaining leftover legs during lunch the next day.

Side sauces are all homemade, from Leggett's deathly jerk sauce to fruity varieties such as pear, blueberry and mango. We also loved his excellent homemade Pineapple Lemonade and Ginger Tea.

Leggett's cooking has devoted fans from all over Philadelphia, and he is a must-



Photo by James Zwolak

follow on Instagram and Twitter. Side of the Road is well worth the pilgrimage from Center City to East Falls. The Hut's lofty torch has been passed to the Jerk Chicken Man; what are you waiting for?

James Zwolak (James.Zwolak@phila.gov) is a divisional deputy city solicitor in the City of Philadelphia Law Department.

LEGAL ADVISORY UPDATE FROM USI AFFINITY

Top 5 ways for Lawyers to Obtain New Clients

GOOD LAWYERS NOT ONLY PRACTICE LAW, THEY GENERATE new business. To do so, they know what it takes to attract and retain new clients.

1. Every Person They Meet is a Potential Client

Your insurance agent, the checker at the grocery store, your child's teacher – these could all be potential new clients, or could lead you to new clients, if you allow them to do so. How you act toward everyone you meet will likely determine whether they could become a future client, and you should take no one for granted.

2. Build Strong Relationships at Work

People you work with (and used to work with) are in a great position to give you business. Many lawyers do not have time to take all the cases they are offered, and if the matters are within your practice area, these attorneys could be willing to send these clients your way, provided you did not burn any bridges with them.

3. Be Interested in Your Current Clients

People want lawyers who they think care about them and their legal issue. If you are interested in your clients and the work you are doing for them, they will generally be more receptive to the advice you give, even if it is not always positive. When you take the time to listen to your clients, they will be grateful, believe that you are invested in their case, and not hesitate to recommend you to others seeking legal representation.

4. Talk About Your Work – Positively

Talk about your work in addition to writing articles and speaking at Philadelphia Bar Association programs. Talking about your work as a means to generate new business requires you to show enthusiasm about what you do. People tend to remember those who seem to enjoy their work, and are not afraid to show it.

5. Be the Best Attorney You Can Be

Doing good work is perhaps the best way to obtain

new clients. Word gets around about an honest attorney who offers effective representation and looks out for the best interests of clients, just as it does about those who do not. If you are dishonest at all in your personal or professional life, it will get out. Lawyers are always being tested, whether in the office, at home or in a social situation. Clients look for attorneys who know how to handle themselves at all times.

Are you looking for ways to attract new clients and protect your growing law practice? Contact USI Affinity today at (800) 265-2876.

For more information about insurance, visit the Philadelphia Bar Association Insurance Exchange at www.usiaffinityex.com/PhiladelphiaBar. For Lawyers' Professional Liability and other business coverage, you can continue to visit the regular Philadelphia Bar Association Insurance Program website at www.mybarinsurance.com/PhiladelphiaBar. If you'd like to talk to someone about insurance and benefits options for Philadelphia Bar Association members, call USI Affinity Benefit Specialists at 1-855-874-0267.

For over 75 years, the divisions of USI Affinity have developed, marketed and administered insurance and financial programs that offer affinity clients and their members unique advantages in coverage, price and service. As the endorsed broker of the Philadelphia Bar Association and more than 30 other state and local bar associations and with more than 30,000 attorneys insured, USI Affinity has the experience and know-how to navigate the marketplace and design the most comprehensive and innovative insurance and benefits packages to fit a firm's individual needs.

People



Leigh Ann Buziak, partner at Blank Rome LLP, was recently elected to the board of directors of the Public Interest Law Center.



Michael Sklaroff, partner at Ballard Spahr LLP, has been named a 2018 Lifetime Achievement Award winner by The Legal Intelligencer.



Anthony B. Haller, partner at Blank Rome LLP, was elected to serve on the executive committee of the American Inns of Court.



Gabriela Raful, partner at Galfand Berger, LLP, has been selected for the Pennsylvania Bar Association's Leadership Institute.



J. Denny Shupe, partner at Schnader Harrison Segal & Lewis LLP, received a Pennsylvania Bar Association Jeffrey A. Ernico Award on June 21.



Mary Cushing Doherty, partner at High Swartz LLP, was awarded the honor of The Leukemia & Lymphoma Society Woman of the Year for the Philadelphia area.



Zane David Memeger, partner at Morgan, Lewis & Bockius LLP, was honored at Common Cause's annual Building A Better Democracy Awards Reception



Bradley Smith, associate at Galfand Berger, LLP, presented "The Gig Economy – Workers' Compensation and Liability Considerations" at the 17th Annual Pennsylvania Workers' Compensation Conference.

on June 12 at the Pyramid Club in Philadelphia.

"People" highlights news of members' awards, honors or appointments of a community or civic nature. Email news to Thomas E. Rogers, senior managing editor, Philadelphia Bar Reporter, at trogers@PhilaBar.org.

Elections

continued from page 11

the polling place over whether a voter is qualified to vote. Previously, a voter whose name did not appear in the poll books had to travel downtown to City Hall to plead their case before the Election Court. Today, a voter can simply cast their vote on a provisional ballot at the polling place, and their qualification will be determined by the Office of the City Commissioners after election day.

Bluestein and his office are already at work to prepare for the presidential election in 2020. He said he anticipates that the City of Philadelphia will need between \$22 million and \$35 million to replace its aging inventory of voting machines with new machines certified as secure by the Commonwealth of Pennsylvania. However, the federal Help America Vote Act granted \$13.5 million to Pennsylvania for new voting machines and Philadelphia's share is only approximately \$1 million. Time will tell how the city will close that financial gap.

Michelle Flamer (Michelle.Flamer@phila.gov) is a senior attorney in the City of Philadelphia Law Department.



PHILADELPHIA BAR ASSOCIATION CAREER CENTER

Post with us...
Reach thousands of *candidates today!*



Start at CareerCenter.PhiladelphiaBar.org

SIDNEY L. GOLD & ASSOCIATES, P.C.



Philadelphia's Employment Lawyers

FOR MORE THAN 30 YEARS, Sidney L. Gold & Associates, P.C. has dedicated its practice to the field of employment law and civil rights litigation. The firm's attorneys take great pride in serving as both aggressive and compassionate advocates for victims of unlawful discrimination and harassment. As a result, the Martindale-Hubbell® Bar Register has certified Sidney L. Gold & Associates as a pre-eminent law firm in the field of labor and employment law. More than 4,500 lawyers throughout Pennsylvania and New Jersey look to Sidney L. Gold & Associates to refer their clients.

With a team approach, the firm's attorneys represent clients in all aspects of employment law litigation, including all forms of workplace discrimination, sexual harassment, wrongful termination, retaliation, whistleblower, employment contract, wage and hour, and Family and Medical Leave Act claims. A boutique practice with a small-firm atmosphere, Sidney L. Gold & Associates provides personal attention to its clients, who, at the same time, benefit from the experience and expertise of the entire team.

Sidney L. Gold & Associates is proud of its skilled attorneys and is honored by the recognition Super Lawyers® has bestowed upon this year's recipients.

SIDNEY L. GOLD & ASSOCIATES, P.C.

1835 Market St., Suite 515

Philadelphia, PA 19103

Ph: (215) 569-1999 • Fax: (215) 569-3870

www.discrimlaw.net