Gov’t Lawyer of the Year Award nominations sought

For the past 14 years, the Government Lawyers Committee of the Pennsylvania Bar Association has bestowed its highest honor on a lawyer who works for the government and who is making a difference for the profession and for the people of Pennsylvania. Once again this year, the Government Lawyers Committee is seeking nominations for the Government Lawyer of the Year Award. The award honors a practicing lawyer employed by any branch or level of the government who has made a singular achievement that demonstrates an outstanding contribution to a governmental entity serving the citizens of the commonwealth of Pennsylvania, or who has dedicated his or her career to a governmental entity for the benefit of the citizens of the commonwealth. Once again, the award will be presented at the PBA Committee/Section Day luncheon on Nov. 17 at the Holiday Inn East in Harrisburg.

The recipient of the 2011 Government Lawyer of the Year Award could be someone you know, but the only way for that person to receive the recognition he or she deserves is for you to submit a nomination.

Nominations must be submitted by Oct. 7.

Nominations must be submitted to Michael Shatto at the Pennsylvania Bar Association, 100 South Street, P.O. Box 186, Harrisburg, PA 17108, by Oct. 7.

You may submit the nomination form electronically by going to http://www.pabar.org/public/committees/govtlaw/awards/11nominationforgovtlawyer.asp.

If you have any questions or need additional nomination forms, please contact Michael Shatto at 800-932-0311, ext. 2243, or access the Government Lawyers Committee website at http://www.pabar.org/public/committees/govtlaw/.

Message from the chair

By Robert J. Shea

Welcome to the latest edition of News & Views, the newsletter of the PBA Government Lawyers Committee. It has been a while since our last edition, but our Communications Subcommittee, under the leadership of our new co-chairs, Judith Gilroy and Robert Datorre, is committed to re-establishing the newsletter as the source for information on the activities of the Government Lawyers Committee, news about our members and articles on subjects that will be of interest to practicing government lawyers. To make that happen they will need help, so if you have ever wanted to be published and you have a news item or something interesting that you want to write about, now is your chance. Likewise, if you are interested in talking to law students about careers in government service or have a topic for a CLE lunch and learn, please get in touch with our Professional Development co-chairs, Jayne Blake and Jerry Mackarevich. Or if you have an idea for a public service activity or a social event, our Projects and Outreach co-chairs, Carol Mowery and Jonathan Koltash, will be happy to hear from you to submit a nomination.

Nominations must be submitted to Michael Shatto at the Pennsylvania Bar Association, 100 South Street, P.O. Box 186, Harrisburg, PA 17108, by Oct. 7.

You may submit the nomination form electronically by going to http://www.pabar.org/public/committees/govtlaw/awards/11nominationforgovtlawyer.asp.

If you have any questions or need additional nomination forms, please contact Michael Shatto at 800-932-0311, ext. 2243, or access the Government Lawyers Committee website at http://www.pabar.org/public/committees/govtlaw/.

Continued on Page 2

Also in this edition:

- Subcommittee reports..............2
- Committee leadership...............2
- Why I became a government lawyer.............................................3
- In the spotlight....................4
- 14th Annual PBA Government Lawyers Committee/ Administrative Law Section Holiday Reception.................4
- Eshenaurs Fuels thanks committee for blanket donations .........................5
- Have ‘In the spotlight’ news?.....5
Subcommittee reports

Professional Development Subcommittee

The Professional Development Subcommittee (chaired by Jayne Blake and Jerry Mackarevich) assists in arranging guest speakers for committee meetings and lunch and learns on a variety of topics and panel discussions at Pennsylvania law schools to present graduates who might be considering government practice with an insider perspective. This spring, presentations were held at the University of Pittsburgh, the University of Pennsylvania and Temple University. The subcommittee is always interested in any graduates of the law schools who might be interested in participating in a presentation. The attendance at the panel discussions has been very good.

Projects and Outreach Subcommittee

The Projects and Outreach Subcommittee (chaired by Carol Mowery and Jonathan Koltash) had the annual holiday reception, which was co-hosted by the Administrative Law Section. The reception was an enjoyable time, with attorneys from around the area and multiple judges from the Commonwealth Court in attendance. Additionally, the subcommittee collected food for the Central Pennsylvania Food Bank and held a blanket drive, in which approximately 45 blankets were donated. If you have any ideas for future activities or have an interest in becoming involved with the subcommittee, please contact Jonathan Koltash at jokoltash@state.pa.us.

Message from the chair

Continued from Page 1

you.

The Government Lawyers Committee exists because the PBA recognized that to engage government lawyers as active members, it needed to provide a forum to serve us and to promote those professional and community activities in which we have an interest. To effectively provide that service, the committee needs your input on what those needs might be and what activities you would like to see us pursue. We want to hear from you. Or, better yet, get involved! Join a subcommittee. Write an article. Participate in an event. It’s your committee, and we need you to make it work for all of us.
Why I became a government lawyer

By Gregg Warner

Editor’s note: This is one of a recurring series of articles about the diverse paths lawyers have taken to public service and the unique opportunities available as a government lawyer. Gregg Warner is counsel to the Senate Judiciary Committee.

Why did I become a government lawyer?

The short story that I usually tell when I am asked this question is that a partner in a private law firm in Harrisburg told me that his firm usually does not hire associates directly from law school, but if I had a couple of years of experience “on the hill,” the firm might be interested. Thirty-three years later I am still working on that couple of years of experience. The private practice attorney arranged an interview for me with Bill Nast, counsel to the Joint State Government Commission, the General Assembly’s central research agency, and I have been working in the legislative arena ever since.

Actually, it was no surprise that I ended up in legislative work. I had always been interested in politics and the legislative process, working on various political campaigns, majoring in political science, serving as a member and then as president of the Student Senate in college and holding a summer internship with a United States senator. So despite the way it came about, it probably was always meant to be.

Nast was my first boss and mentor. He instilled in me many things, but a couple of them come to mind as paramount. One was that despite being a government lawyer, I should be active in the state and county bar associations and maintain contact with members of the private bar. Through Nast, I developed a deep appreciation for the structure and quality of Pennsylvania’s statutory law. He championed consolidating Pennsylvania law so that it would be easy to research for lawyers but also easier to access for the general public. The Joint State Government Commission was a great experience because I had an opportunity to work with an extraordinary staff, to rub elbows with many of the best lawyers in Pennsylvania through their membership on Joint State Government Commission advisory committees and to develop policy recommendations and legislation for the General Assembly’s consideration.

After six years at the Joint State Government Commission, I took the opportunity to come to the Senate and be more on the front lines of the legislative process. I worked for two majority leaders, John Stauffer and Joe Loeper, and with Steve MacNett, longtime general counsel for the Senate Republican Caucus. MacNett knew how to get things done. While MacNett, too, had an appreciation for Pennsylvania’s statutory law, he used the legislative process to develop the law in support of the policy decisions of his clients, the members of the Senate Republican Caucus.

For the past 20 years I have served as counsel to the Senate Judiciary Committee, combining the experience I had with Nast and the Joint State Government Commission, developing policy recommendations and legislation, with my experience with the majority leader’s office and MacNett, learning how the legislative process can be used to forward the legislative priorities of your client, in this case, judiciary committee chair Sen. Stewart Greenleaf.

After 33 years, I can say being a government lawyer has been a very rewarding career. I have done some unique things. I traveled around the state in 1988 debating the so-called “Casey school property tax referendum.” I assisted Greenleaf with a series of hearings on the Camp Hill prison riots. I served as counsel to the Senate Impeachment Committee for the impeachment trial of a state Supreme Court justice. I handled public hearings regarding notorious figures, such as Reginald McFadden and “Mudman” Simon. And, I was a point person during Gov. Tom Ridge’s special session on crime.

However, under Greenleaf’s leadership, I think we are doing some of our most worthwhile work right now. We are looking for ways to reform our criminal justice system to reduce the prison population and its attendant costs. But it is not just about saving money. We are trying to find fairer ways to sentence individuals, to better rehabilitate offenders who are sentenced to prison and to facilitate their re-entry into society as productive citizens. As the senator says, we can be

Continued on Page 5
In the spotlight

Speaking Engagements

Alexis L. Barbieri, executive deputy attorney general, Office of Attorney General, participated as a panelist at the PBA Commission on Women in the Profession Midyear Meeting in Mechanicsburg on March 29. She spoke on the topic of “Influence, Power, and Strategic Communication in Negotiations, the Courtroom, the Office and Beyond.”

Gerard M. Mackarevich, deputy chief counsel to the Pennsylvania Department of Labor and Industry’s Unemployment Compensation Board of Review Division, was a course planner and faculty member in a recent half-day CLE, sponsored by the Pennsylvania Bar Institute in Mechanicsburg, Pittsburgh and Philadelphia. The topic of the program was “Unemployment Compensation.” Mackarevich instructed on eligibility provisions relating to voluntary terminations from employment, work availability and independent contractors.

Elections/Appointments

Jonathan W. Kunkel, assistant counsel to the Pennsylvania Department of Corrections, recently assumed the role of vice president of the Dauphin County Bar Association.

Cindy Fillman, consumer liaison and bureau director for the Bureau of Market Analysis and Education, left the Pennsylvania Insurance Department to rejoin the Office of General Counsel as staff attorney for the Department of Aging. Fillman also married Kraig Haines on June 12.

Awards/Honors

Sarah C. Yerger, senior deputy attorney general for the Office of Attorney General, received the “Spirit of Heart” Award for her lifelong service and commitment to the American Heart Association. She also received the 2010 Open Stage “Women Who Care” Award, in recognition of her unselfish devotion to the Greater Harrisburg community and to the arts, including Open Stage.

Miscellaneous

Rob Teplitz, chief counsel and policy director at the Department of the Auditor General, has announced his 2012 campaign for the state Senate (PA-15 - Dauphin/York). He can be reached at rob@robetaplitz.com.

Save the date!

14th Annual
PBA Government Lawyers Committee/ Administrative Law Section Holiday Reception

Tuesday, December 13, 2011
5:30 p.m. to 7 p.m.
Pennsylvania Bar Association Headquarters
100 South Street, Harrisburg

More information coming soon!
Eshenaurs Fuels thanks committee for blanket donations

The Pennsylvania Bar Association’s Government Lawyer Committee collected 45 blankets to benefit Eshenaurs Fuels’ annual “Eshenaurs Great Comfort Drive” last winter. With the committee’s help, the Harrisburg company collected more than 1,700 blankets that were distributed to the Bethesda Mission, Goodwill, The Salvation Army and shelters within the mid-state area.

Eshenaurs Fuels received the following letter, thanking the company for the blanket donations:

Thank you so much for the blankets, especially the four bags of children’s blankets you generously donated to the homeless children we shelter. Without your kind and faithful support, we would be unable to provide these items within our budget constraints. Your donor friendship means a great deal to us, and we are very grateful.” – Lori Hoffmaster, executive director, Shalom House.

Why I became a government lawyer

Continued from Page 3

tough on crime while still being smart on crime.

Even more fundamentally, Greenleaf has taken the lead in identifying ways to reduce the possibility that Pennsylvania’s criminal justice system imprisons innocent persons. I am working with the senator on proposals to provide investigators and prosecutors with “best practices” to help reduce the possibility that an innocent person is convicted. Yes, we want to make sure that those who commit crimes serve their just sentence, but we also want to make sure that we are not creating additional victims by sentencing innocent individuals to prison.

After 33 years, the issues remain challenging and keep me interested. I still believe that the consolidation project is a worthy one. As a government lawyer I have had a chance to work with many fine legislators and legislative staff to develop public policy and shape Pennsylvania’s statutory law. It is a rare privilege.

Save the dates for these upcoming events

PBA Women in the Profession Fall Retreat
October 21-22
The Hotel Hershey, Hershey

PBA Minority Bar Committee Diversity Summit
October 27
Hilton Harrisburg, Harrisburg

PBA Committee/Section Day November 17
Holiday Inn East, Harrisburg

Pennsylvania Bar Foundation Night Out November 17
Sheraton Harrisburg Hershey Hotel, Harrisburg

PBA House of Delegates Meeting November 18
Sheraton Harrisburg Hershey Hotel, Harrisburg

PBA Midyear Meeting January 25-29
Caribe Hilton, San Juan, Puerto Rico

Do you have ‘In the spotlight’ news?

Send your news of recent appointments, honors, speaking engagements — and family news — to Carol Mowery at camowery@state.pa.us, or submit your news via a quick click on the “Newsletters” page of the Government Lawyers Committee Web site at www.pabar.org/public/committees/govtlaw/pubs/newsletters.asp.