

Pa. Supreme Court Judicial Independence Commission Enlists County Bars in Civics Education Effort

By Chief Justice Emeritus John P. Flaherty and Superior Court Senior Judge James J. Fitzgerald 3d, Co-chairs of the Pennsylvania Judicial Independence Commission

The trend began in the mid-1990s and soon developed real momentum. Courts were under attack. Judges who made legally correct but unpopular rulings were targeted in recall petitions, impeachment drives and malicious political campaigns. Court-stripping legislation and ballot initiatives to curtail court powers were pushed at the state and national level. At its most extreme, this trend was manifested by a group called Jail-4-Judges that unsuccessfully sought to establish a citizens' grand jury in South Dakota with the power to bring criminal charges against judges who made displeasing rulings.

With the aim of monitoring this trend and fostering better public understanding of the role of the courts through civics education, the Pennsylvania Supreme Court created the Judicial Independence Commission in 2005.

The Judicial Independence Commission worked constructively with county bar leaders in 2007, when a small group of government critics around Harrisburg launched a "Vote No" movement advocating the defeat of all 67 judges seeking retention throughout the commonwealth.

The Commission, bar leaders and the Pennsylvania Bar Association made concerted efforts to explain the retention system to the public and the media, emphasizing that each judge should be judged fairly and on the merits of his or her performance in office. It was a successful educational effort. Voters rejected the campaign to indiscriminately defeat retention judges.

The key word then and now is "education."

The 11-member Judicial Independence Commission now hopes to form a partnership with county bar leaders to promote civics education around the commonwealth. Civics education is essential to American democracy and to our freedom. Yet we have neglected this basic subject in our schools. Sadly, more people can name the Three Stooges than the three branches of government. Our children and our citizens can never be told too often or too clearly how our government is designed and how it operates. It can never be emphasized too often why the judge who issues an unpopular ruling must not be thrown out of office, but rather must be protected in office.

The Judicial Independence Commission seeks to enlist county bar leaders in mobilizing their lawyer-members to go into public schools to teach civics to young people — with an emphasis on courts and the law. More details on this

effort will be spelled out at the Saturday morning plenary session of the Conference of County Bar Leaders on Feb. 28, in State College.

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The Commission has valuable teaching materials at hand. One is a 15-minute video on the Pennsylvania court system that can be used by lawyers in classroom presentations. The Commission also has developed extensive talking points focusing on court-related civics issues.

Other resources are available through another Commission ally in the civics education effort, the Pennsylvania Coalition for Representative Democracy (PennCORD). This organization is a coalition of the Office of Pennsylvania First Lady and U.S. Court of Appeals Judge Midge Rendell, the PBA, the National Constitution Center and the state Department of Education.

With the help of county bar leaders, we can make great strides in educating our young people about the importance of the courts in our unique system of government. ■

43rd Annual CCBL • February 26 -28, 2009 • Nittany Lion Inn, State College
From Your Epiphany to Fat Tuesday: How to Lead the Krewe
Schedule of Events

THURSDAY, FEBRUARY 26, 2009

8:00 p.m. – 10:00 p.m.

Early Bird Registration

9:00 p.m. – 11:00 p.m.

Welcome Reception

Sponsored by PABAR-PAC

FRIDAY, FEBRUARY 27, 2009

8:00 a.m.

Registration, PBA Supermarket and Vendor Fair

8:15 a.m. – 8:20 a.m.

Meeting Your Krewe — How to Get the Most Out of CCBL '09

8:20 a.m. – 9:50 a.m.

Keeping on the Right Parade Route When You're the Leader of the Band

Sponsored by USI Affinity

This seminar will address leadership and ethics as two sides of the same coin — and will address the “Ethics of Duty” and the “Ethics of Consequence” as well as the dilemma that these two standards present.

Keynote Speaker: Porter Halyburton, Commander (Ret), USN; Professor of Strategy (Ret), US Naval War College

THREE BREAKOUT SESSIONS

10:00 a.m. – 11:30 a.m.

Strike Up the Band — Making the Most of Your Year as President

Join other bar leaders and executive directors to hear suggestions for creating and successfully managing a county bar presidency.

10:00 a.m. – 11:30 a.m.

A Recipe For Disaster — Avoidance of Malpractice

CLE 1.5 hours ethics

A potpourri of common malpractice issues faced in every practice area.

10:00 a.m. – 11:30 a.m.

Don't Let the Parade Pass You By — Creative Fundraising for Bar Associations and Foundations

Expand your fundraising potential by joining a panel to address managing successful fundraising events, attracting and keeping annual gifts, identifying and engaging donors for major gifts, and making planned giving a viable part of your fundraising efforts.

11:45 a.m. – 1:30 p.m.

Kick-Off Luncheon, Presentation of Awards and Speaker

AFTERNOON BREAKOUT SESSIONS

2:00 p.m. – 3:00 p.m.

Are You Ready for the Surge? The New 990 Form

Whether your bar is a 501(c)(6) or a 501(c)(3), you should be aware of what is required for the new IRS 990 Form for tax year 2008.

CLE 1.0 hour substantive/CPA 1.0 hour

2:00 p.m. – 3:00 p.m.

Earning Your Beads — How Young Lawyers Can Build and Revive Local YLD Programs Through Participation and Leadership

Earning your beads is a “must” for those young lawyers who are, or desire to become, leaders in their local bar associations. Topics will include building or reviving a struggling YLD, leadership skills/techniques, working with local bar execs, PBA YLD execs, Zone chairs and your membership, and increasing YLD impact in the community.

2:00 p.m. – 3:00 p.m.

Make Sure Your Local Minority-Owned Law Firms are Invited to the Fat Tuesday Feast

CLE 1.0 hour substantive

Learn how county bar associations can support minority-owned law practices.

THREE BREAKOUT SESSIONS

3:15 p.m. – 4:15 p.m.

When the Saints Come Marching In — How to Deal With the Media Today

CLE 1.0 hour substantive

This seminar will address print and television reporters in interview situations. Several participants will be chosen for simulated on-camera interviews and the remaining participants will critique the results.

3:15 p.m. – 4:15 p.m.

Don't Let Disciplinary Actions Rain on Your Parade — Unauthorized Practice of Law

CLE 1.0 hour ethics

We all know that the unauthorized practice of law is a daily battle for bar associations and lawyers alike. This session will address the UPL issues of the past year. Always a CCBL favorite!

3:15 p.m. – 4:15 p.m.

The Electronic Filing Masquerade: What's Behind the Mask?

An update on when electronic filing will be available and guidance from the AOPC in regard to counties that are implementing electronic filing for Common Pleas civil case management systems. Also, hear about the benefits and drawbacks to using vendor-based electronic systems as opposed to those written in-house.

3:00 p.m. – 4:30 p.m.

YLD Business Meeting

4:30 p.m. – 5:30 p.m.

Reigning Over the Hurricane — Beer and Bull

6:30 p.m. – 8:00 p.m.

Dinner

8:00 p.m. – 11:00 p.m.

Riverboat Gambling

Sponsored by USI Affinity

SATURDAY, FEBRUARY 28, 2009

8:00 a.m.

Let's Just Eat! Hot breakfast buffet with casual seating and networking

PLENARY SESSION

8:30 a.m. – 9:30 a.m.

A Maintenance Program for Freedom

CLE 1.0 hour substantive

The Pennsylvania Judicial Independence Commission is joining with county bar leaders in a drive to renew civics education in public schools throughout the commonwealth. Learn about this effort to involve lawyers in the classroom.

9:40 a.m. – 9:50 a.m.

Bar Leader Forum/Business Meeting

10:00 a.m. – 11:30 a.m.

Celebrate the New Organized You — Time Management and Virtual Office

CLE 1.5 hours substantive

This fast-paced session will address the demands your dual roles create, whether as a bar exec and foundation director or bar officer and practicing lawyer. We will cover procrastination, organization, communication, prioritization, delegation and completion of your tasks from anywhere at any time.

Who should attend the CCBL?

The CCBL is a *must* for bar association presidents, presidents-elect or other presidential-track officers. Committee and section chairs will also find the training useful. The participation of county bar executive directors and secretaries is a vital part of the conference.

Why should YOU attend?

The CCBL was created to foster fresh and innovative local bar initiatives. The CCBL builds strong relationships among bar leaders and strives to improve the status of the legal profession through effective leadership in the organized bar. The CCBL has been a prototype for other state bars and the ABA's Bar Leadership Institute. By participating in the discussions and workshops at the CCBL seminar, you will get many ideas to take home to your bar association. All CCBL seminar activities are designed to meet your leadership needs and keep you on top of the events shaping Pennsylvania Law.

What about CLE Credits?

The Pennsylvania Bar Institute is approved by the Pennsylvania Supreme Court Continuing Legal Education Board as an accredited CLE provider. This CCBL annual seminar has been approved for up to 6.0 hours of CLE credit.

How do you register?

Download and complete the CCBL registration form and return it with the appropriate fee (checks and credit cards accepted) to the address indicated. The deadline for the receipt of registrations is February 8, 2009. If you are a PBA Unit County Bar Association you are entitled to a \$50 discount on your registration, for use up to three times.

CCBL Needs Your Nominations

ALL NOMINATIONS DUE BY JAN. 20, 2009

CCBL Executive Committee

Each year, one member of the Executive Committee of the Conference of County Bar Leaders fulfills his or her term of office and is replaced by selection. Nominations are sought for candidates whose qualifications must include being a president or past president of a county bar association. **Letters of nomination, or letters requesting consideration for selection, along with a current resume, should be sent by e-mail attachment to michelle.shuker@pabar.org or to Michelle M. Shuker, Esq., Director of County Bar Services, Pennsylvania Bar Association, PO Box 186, Harrisburg, PA 17108-0186.**

County Bar Recognition Awards

The PBA County Bar Recognition Awards recognize outstanding projects and activities conducted by county bar associations during the 2008 calendar year. This awards program is designed to recognize projects of all county bar associations that in some way contributed to the improvement of the legal profession, the justice system or the community.

Gilbert Nurick Award

The Gilbert Nurick Award signifies outstanding contributions to and leadership in bar activities. The award recognizes a PBA member for dedication to and promotion of the organized bar resulting in improved leadership for incoming bar association officers.

The Chief Justice

John P. Flaherty Award

The CCBL Executive Committee created the Chief Justice John P. Flaherty Award in recognition of the Chief Justice's efforts to encourage the work of the Pennsylvania Bar Association and its Conference of County Bar Leaders. The award is given to a qualified PBA member to recognize an outstanding effort to promote the objects and purposes of the CCBL and to improve the legal profession, the justice system or the community. The award need not be given on an annual basis, but rather when the effort should be recognized.

Arthur J. Birdsall Award

Created by the CCBL Executive Committee, this award is given periodically "to recognize a bar executive who has been a faithful steward of bar traditions, who is committed to the success of his or her bar association, who has enhanced significantly the stature of his or her bar association, who cooperates with other bar executives and bar leaders to make the CCBL the best it can be, and who puts his- or herself second to the needs of the bar association whenever and whatever they may be."

Nomination forms are available online at www.pabar.org/public/localbar/ccblhome.asp. All nominations are due by Jan. 20, 2009.

Download the CCBL registration form at www.pabar.org/public/localbar/2009CCBLRegMailing.pdf

Return completed registration form and payment by February 8, 2009 to:

PBA Meetings Department, P.O. Box 186, Harrisburg, PA 17108-0186

or fax credit card registration to 717-238-4134.

For further information, call the PBA Member Service Center at 800-932-0311.

Room reservations should be made directly with the Nittany Lion Inn.

Call 800-233-7505 and reference Reservation ID Number PAB0226

before February 8, 2009, to receive the PBA CCBL rate of \$105 single/\$115 double (plus applicable taxes).

Recession May Have Silver Lining for Legal Aid Programs

By David Keller Trevaskis,
PBA Pro Bono Coordinator

The Chinese have a curse, “May you live in interesting times.” The power of that curse is clearly felt in these interesting times by the civil legal aid programs across Pennsylvania who handle the legal needs of the the needy. The unprecedented drop in interest rates and the resulting dramatic reduction in IOLTA funding, which provides a significant portion of the budget of many programs, has dealt these historically under-funded legal aid programs a significant blow. As the recession widens, more and more Pennsylvanians need legal aid services and yet there are fewer resources available, adding a second punch to the poor. Even before the recent downturn and budget cuts, studies showed that half of eligible applicants were turned away from legal aid programs due to inadequate staffing. Improved pro bono efforts powered by limited representation efforts across Pennsylvania are helping pick up some of the need, but there is a huge need for new sources of funding to keep legal aid programs working.

It is said that in difficult times you find out who your real friends are. For many legal aid programs in Pennsylvania, their best friend is their local bar association. Local bars have contributed greatly to legal aid programs across the state — accounting for up to 15 percent of the budgets of these programs each year.

Meeting the basic needs of the poor is a community issue, but lawyers have a special responsibility because of the role of attorneys in securing access to justice for all in society. Many bar associations in each of the major legal aid service areas partner with their local legal aid offices on matters such as pro bono referrals, training and recognition. They work together to create awareness of the community work done by bar members. In this time of great need, the legal aid field is approaching its bar partners for additional help.

One potential source of new legal aid funding may be the increased funds flowing to law journals because of increased mortgage foreclosure filings. Some bar

associations have already experienced large increases in law journal revenues due to increased sheriff sales. In Berks, York and Adams counties, MidPenn Legal Services approached its bar association partners for additional funding assistance from surplus law journal revenues and received a very positive reception. Lancaster has yet to see the same increase in law journal revenues as seen in some other counties, but bar leaders there are also looking for additional funding for legal aid. The message the Mid-Penn staff is getting from its bar counterparts is one of “We are in this together and together we can get through it.”

In addition, declining interest rates have significantly impacted IOLTA accounts. As a result of the decline in interest income, reduced IOLTA funding is available. At the PABE meeting in November, Al Azen, executive director of the Pennsylvania IOLTA Board, reported that grants decreased from \$23.5 million to \$16.5 million. All legal service programs in Pennsylvania are affected. For example, in this fiscal year, MidPenn’s

IOLTA support has been reduced by almost \$1 million.

Again at the same time, however, many law journals have experienced revenue increases due to the larger number of sheriff sales being advertised. In the past, there have been legislative attempts to eliminate such required legal advertising, since it is sometimes viewed as only financially benefiting bar associations and their members. At that same November PABE meeting, Nevin Mindlin, PBA legislative director, reported that the issue of law journal advertising is still alive on Capitol Hill. Across the commonwealth, bar associations experiencing the bump in law journal revenue are being asked to increase their funding of legal services. Don Smith, president of the MidPenn Board and the incoming executive director of the Berks County Bar, called it a “win-win situation.” He said, “The legal service providers benefit from the additional funding and bar associations benefit by being able to cite an example of legal advertising revenue fulfilling a need in the community.” ■

Local Bar Execs Among Recipients of PBA Special Recognition Awards

PBA President C. Dale McClain presented special recognition awards to four PBA members, including two local bar executives, who served in bar leadership positions at the national level, Nov. 20 at the PBA House of Delegates meeting.

From left, Allegheny Bar Assn. Executive Director David A. Blaner, who served as president of the American Bar Assn. (ABA) Metropolitan Bar Caucus; McClain; former PBA Young Lawyers Division Chair Justin B. Goldstein, who served as chair of the ABA Young Lawyers Division; Lancaster Bar Assn. Executive Director Evelyn E. Sullivan, who served as

president of the National Assn. of Bar Executives; and Keith B. McLennan, former chair of the PBA Solo and Small Firm Practice Section, who served as chair of the ABA General Practice, Solo and Small Firm Division. ■



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On the *Local Scene*...

Beaver

The Beaver County Bar Association provided materials and presentations on the Constitution to over 500 Beaver County students from September through December 2008. Members from both the Bench and Bar traveled to local schools to speak about the Constitution. Pocket Constitutions were distributed, and students signed mock-Constitution posters. These posters will be on display at the Beaver County Courthouse upon completion of the program.

During the Oct. 23 Beaver County Bar Association membership meeting, Judge Ralph E. Scalera was honored and a Resolution was read recognizing that he has been a member of the association for more than 50 years. Judge Scalera received an engraved clock commemorating this achievement.

On the same day, the Beaver County Bar Association's Judge James E. Rowley Service Award was presented to attorney James J. Ross. This award is given to recognize and honor an individual or individuals whose commitment, dedication and service have contributed significantly to the betterment of the bar association or legal profession. The recipient's donations of time, talent and expertise serve as a model to be emulated by fellow members of the association and the Bar in general.

Bucks

On Nov. 13, the Commonwealth Court of Pennsylvania held its first session in the Bucks County Courthouse, capping the year-long celebration of the 125th anniversary of the Bucks County Bar Association.

Chester

The Chester County Bar Association published its fourth annual "Your Access to Justice" supplement in the West Chester *Daily Local News*. The supplement included articles on various areas of law, programs and services offered through the bar association, and articles about the var-

ious organizations supported by the bar association. Attorneys and local businesses placed ads in this 20-page insert and all proceeds were donated to Legal Aid of Southeastern PA, the Domestic Violence Center of Chester County and the Crime Victims' Center of Chester County.

The Chester County Bar Foundation's annual Casino Night brought out over 100 attorneys and professionals to try their hands at Black Jack, Craps, Texas Hold 'Em and roulette. Funds were raised through both a silent and a live auction and the evening generated over \$20,000, which will allow the Foundation to continue to support many local educational and law-related programs and organizations.

Cumberland

In October, the Cumberland County Bar Association held its Seventh Biennial Bench Bar Conference at Allenberry Resort. The total attendance of 150 attorneys throughout the day exceeded that of the 2006 conference. The entire Cumberland County Court of Common Pleas court was in attendance and President Judge Bayley was the luncheon speaker, updating the members on the "state of the judiciary" of Cumberland County.

The Cumberland County Bar Association hosted an honorary membership program and legislative reception on Nov. 13. The U.S. District Court, Middle District of Pa. judges who live in Cumberland County were entertained by a presentation from Justice J. Michael Eakin. The new members honored were Chief Judge Yvette Kane, Judge Christopher C. Conner and Judge William W. Caldwell. After the program, several legislators addressed the group of 160 attendees, talking about current issues of concern, especially the state budget.

Dauphin

The Dauphin County Bar Foundation sponsored its Eighth Annual Arthur L. & Harry B. Goldberg Lecture Series on Oct.

16, featuring Arthur T. Donato Jr. This popular series, which includes two CLE credits at no charge, attracted 149 attendees.

Twenty-four past presidents of the Dauphin County Bar Association attended the annual past presidents reception and dinner meeting on Oct. 21. The dinner was followed by a brief program moderated by President-Elect Renee Mattei Myers.

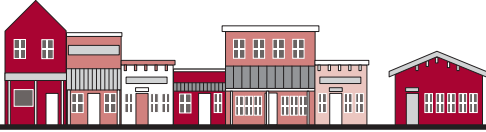
The DCBA and the Keystone Bar Association (formerly the Harrisburg Black Attorneys Association) co-sponsored their Ninth Annual Joint Dinner Meeting on Oct. 22, featuring Trent Hargrove and Peter Speaks.

A Memorial Service was conducted on Nov. 5, at the Dauphin County Courthouse to honor recently deceased members James H. Booser, Samuel A. Schreckengaust Jr., Judge Richard B. Wickersham, and Judge Joseph P. Work. This event provided members an opportunity to demonstrate respect for their former colleagues and commitment to one of the finest traditions of the bar association. A "Last Call" reception was held at the DCBA immediately following the service.

The DCBA, in conjunction with the Conference of State Trial Judges, sponsored a "Meet Your Judges" night on Nov. 13 at the Dauphin County Courthouse. The event was moderated by Janelle Stelson, news anchor for WGAL-TV.

Delaware

Delaware County Elementary and Middle School students recently had the distinction of being the first to view an old and unique document. As part of their study of the history of Pennsylvania, the students were treated to a program sponsored by the Delaware County Bar Association concerning slavery in the county. A feature of the program was the 265-year-old Delaware County Slave Docket, which



On the *Local Scene...*

recorded the trials of slaves that took place during the 1700s, as well as a list of those slave owners who were required to register the slaves they owned born after 1780. (Such slaves became free at the age of 28 in accordance with the Act of 1780 for the Gradual Abolition of Slavery.) The Slave Docket, which disappeared many years ago, was discovered by Alexander Geary, a Chester lawyer, among several volumes he purchased at an estate sale in the 1930s. In 1941, he returned the Docket to the county, where it remained under lock and key because of its fragile and aged condition. Because of its condition, the Docket had to be restored; otherwise it would be lost. In 2003, the Delaware County Bar Association, through the efforts of Gail M. Whitaker, then-president of the association; John J. LaRosa, director of Delaware County Legal, Audio and Visual Department; and O. Warren Higgins, then-chair of the Delaware County Law Library Committee, restored the Docket following an arrangement with the Court of Common Pleas. The association bore the costs of restoration and received custody of the restored Docket upon agreement to display it to schools and other interested organizations in the county. Higgins made the first presentation, for which he received a number of kudos. The students received the presentation with high energy, interest and enthusiasm.

The DCBA Family Law Legal Education Committee presented a well-attended seminar: "How DNA Technology is Impacting the Law of Paternity." The seminar featured Pa. Supreme Court Justice Seamus McCaffery, who discussed paternity issues, including the presumption of paternity, estoppel and how DNA testing is impacting this area of the law.

The Delaware County Bar Association and First Keystone Bank presented a well-attended CLE seminar entitled "The 2008 Markets: Key Differences with Past Cycles." The seminar featured Robert B.

Albertson, principal and chief strategist for Sandler O'Neill & Partners, L.P., an investment banking firm. Albertson is a graduate of both the Harvard Business School and Carnegie-Mellon University as a Tau Beta Pi scholar. He has been a frequent commentator for CNN, CNBC and Nightly Business television as well as other business news media, including *The Wall Street Journal*, *The New York Times*, *The Economist* and *The American Banker*.

The Young Lawyers Section of the Delaware County Bar Association held its annual Christmas party for underprivileged children. The YLS hosts a party with lunch, entertainment, crafts and a visit from Santa, who has a gift for each child. In addition, the children's mothers are also treated to a pair of gloves. In order to make this happen, the YLS depends on the generosity and support of the local bar and community each year.

Franklin

Pennsylvania Bar Association President C. Dale McClain was the special guest at the Franklin County Bar Association's annual fall dinner at Penn National Golf Club near Fayetteville. McClain joined more than 50 FCBA members at the event, and noted to the group that he succeeded former FCBA president Martha Walker as president of the Conference of County Bar Leaders in the late 1990s.

The Franklin County Bar Association Young Lawyers Division raised nearly \$2,000 for the annual Heart Walk to benefit the Franklin/Fulton Division of the American Heart Association. About a dozen YLD members participated in the walk. This was the first year that the YLD was involved in the local Heart Walk.

The Franklin County Bar Association welcomed six attorneys into the bar during its annual admission ceremony, held Dec. 5, in the Franklin County Courthouse in Chambersburg. All four Court of Common Pleas judges presided over the

ceremony, which also was attended by several county row officers. FCBA President Janice Hawbaker and Young Lawyers Division Chairperson Andrew Benchoff joined the Bench in welcoming the new members and encouraging their involvement in the bar association. The YLD hosted a reception following the ceremony.

Former Franklin County Bar Association president Denis DiLoreto received the 2008 Edmund C. Wingerd Jr. Memorial Award in recognition of his career-long service to the bar, his clients and the local community. The award was presented Dec. 5. Given biennially, it honors the memory of "Ted" Wingerd, who had been a highly respected member of the bar for 55 years. It was funded by a local couple who wanted a way to remember the man who had been both their attorney and friend for several decades. The monetary component of the award is given to a charity of the recipient's choice.

Lancaster

The Lancaster Bar Association conducted a professional clothing drive to benefit the PA Working Wardrobe Program, which is in turn sponsored by the Lancaster Council of Churches.

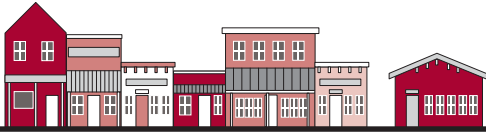
Lebanon

The Public Relations Committee of the Lebanon County Bar Association recently donated \$1,000 to the Lebanon Rescue Mission. The Mission has provided shelter, nourishment, clothing, education and healthcare to homeless men since 1945. It is hoping to have its free medical clinic for the homeless open in January, according to the Rev. Chris Smith, the mission's director.

The Toys for Tots warehouse in Lebanon County has been broken into four times recently. During the most recent burglary, thieves not only walked away with \$2,600 in toys, but also about \$1,000 in tools used to repair donated bicycles. The

(Continued on Page 8)

the county line



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LCBA's Public Relations Committee has pledged \$1,000 to help restore the program and members of the Association have promised a 10 percent match in time for the Toys for Tots Campaign's Dec. 19 distribution. Nine hundred local families are expected to benefit from the toy drive.

Throughout the course of the year the committee has supported other local organizations, including the Under 20 Festival at Lebanon Valley College, Domestic Violence Intervention and the American Red Cross; provided scholarships for Law Day and participated in PennDOT's Adopt-a-Highway program. The committee is responsible for creating a positive image of Lebanon County attorneys through charitable and service-oriented efforts.

Lebanon County Bar Association member Liz Judd and Executive Director Dena Woelfling took the Constitution to the classrooms this September, as a follow-up to the national "Celebrate the Constitution" event. A 40-minute lesson plan, which highlighted the Constitution as it pertains to a young adult's life, was taught to the seventh grade social studies classes at Annville Cleona Middle/High School. Lesson plan ideas came from the PBA's K-12 Law Day Lesson Plan. The program, which gives students an opportunity to learn about the Constitution through engaging learning activities, was well received by teachers and students.

The Lebanon County Bar Association has recognized an overwhelming need for access to the legal system for low- to moderate-income residents whose income exceeds the local legal aid income guidelines and whose resources are clearly insufficient to pay prevailing legal rates. Lebanon County MidPenn Legal Services has estimated that approximately 40 cases per month that fall into the income level of approximately \$13,000 to \$26,000 annually (approximately 250% of the Federal Poverty Guideline) are turned away. Eligibility for the Modest Means

program is based on type of legal matter, client income and assets, and availability of participating attorneys. The Modest Means attorney agrees to provide legal services for a flat fee in the following areas: Family Law, Landlord/Tenant, Simple Wills and Powers of Attorney, Deed Transfers, Unemployment Compensation Hearings before Referee, PFA – Plaintiff/Defendant and Chapter 7 Bankruptcy. The proposed Modest Means Program is voluntary and each attorney who participates is not required to represent the individual assigned to him/her if he or she is not comfortable or does not want to take the case. Discussion is in the works with the Court of Common Pleas Judges and County Commissioners to establish a fair way to reduce the cost of filing and litigation expenses, especially in domestic cases where a litigant must pay for a Conciliator and Special Master. Until guidelines can be agreed upon, the client will be responsible for any court fees and other direct costs, such as long-distance phone charges and photocopying expenses. The LCBA is anticipating a high percentage of the membership to participate in the program, which will be underway in January 2009.

Monroe

The Monroe County Bar Association sponsored its annual bus trip to New York City on Oct. 19. More than 50 people, members and friends, participated.

On Nov. 10, 2008, the MCBA held its Business Luncheon Meeting and CLE at Thai Thani restaurant in Stroudsburg. More than 60 MCBA members attended the meeting, which preceded a CLE seminar on "Legislative Politics and Effective Involvement," presented by Nevin Mindlin, legislative director for the PBA.

The Monroe County Bar Association sponsored its annual Mock Trial Invitational at Pleasant Valley High School in Brodheadsville. More than 180 students from high schools in Monroe County and surrounding areas participated in the day-

long event. The winner of the tournament, Pocono Mountain East High School, was awarded a \$200 check. More than 40 members of the MCBA volunteered to work as advisors to the teams and to judge student performance at the event.

Youngsters in Monroe County were treated to the annual Children & Youth Holiday Party at the East Stroudsburg First Presbyterian Church. The Christmas party has been sponsored by the MCBA for over 15 years. Santa Claus (District Magistrate Judge Michael Muth, a member of the MCBA) stopped by to celebrate with the children and distribute gifts. Gifts are donated by members of the Monroe County Bar Association and others.

More than 90 MCBA members and guests attended a holiday gathering at Mountain Springs Resort in Reeders, featuring a cocktail hour, dinner and dancing. Falling snow helped make the evening memorable.

A swearing-in ceremony, organized, presented and sponsored by the Monroe County Bar Association, was held in the Monroe County Courthouse in Stroudsburg. MCBA President Gerard Geiger presented the candidates to President Judge Ronald Vican. Following the event, participants and their guests and other members of the MCBA were invited to a holiday open house at the Monroe County Bar Center.

Northampton

The Northampton County Bar Association celebrated the return of one of its Common Pleas judges from a tour in Iraq with a reception in the courthouse. Judge Edward G. Smith (Captain Edward G. Smith, USN) returned from his six-month tour as the Rule of Law Adviser at the U.S. Embassy in Baghdad, Iraq. A few weeks later, Judge Smith was awarded the Bronze Star in a ceremony at the courthouse. It was "standing room only" to witness the event.

Courses from the PBI



In September, the Northampton County Bar Association supported the nomination of then-President Judge Robert A. Freedberg to fill a vacancy on the Pennsylvania Superior Court. Judge Freedberg was sworn in as a Superior Court judge on Sept. 12, with the bar association invited to attend both the ceremony and a reception.

The NCBA Peoples' Law School once again used a case scenario — based on the fatality of parents in an auto accident and whether or not the grandparents were in a position to care for the surviving children — to tie all of the weeks of the program together. This has worked well for the program in that it gives the students a sense of how and why one case can take years to resolve in the courts.

The NCBA Bench Bar Conference was held at Crystal Springs Golf Resort in New Jersey. There was the usual camaraderie between bench and bar as well as the CLE courses. An added bonus was hearing of the adventures of one member's climbing of Mt. Everest. Attorney Joseph Yannuzzi completed the daunting challenge of scaling Mt. Everest this past summer.

NBA YLD members have been busy with the Holiday Hope Chest program: shoe boxes are wrapped and filled with gift items for children of all ages and distributed to youth organizations throughout the Lehigh Valley. This project is one of our most successful YLD projects during the year.

Schuylkill

The Schuylkill County Bar Association conducted a coat drive, amassing approximately 100 coats that were donated to the Salvation Army and made available to community members who come to the Salvation Army's Friday soup kitchen. ■

Dates, times and locations are subject to change. Contact PBI's Customer Service Department for more information at (800) 932-4637, (800) 247-4724 or (717) 796-0804 or visit their Web site at www.pbi.org.

A View from the U.S. Trustee's Office

SIMULCAST – Jan. 22: Greensburg, Washington

noon to 3:15 p.m.; check-in at 11:15 a.m.; 2 substantive/1 ethics CLE credits

The Amazing Case

SIMULCAST – Jan. 29: Doylestown, Lebanon, Pittsburgh, Warren, Wilkes-Barre

9 a.m. to 4 p.m.; check-in at 8:30 a.m.; 6 substantive CLE credits

22nd Annual Civil Litigation Update

SIMULCAST – March 25: Allentown, Bellefonte, Chambersburg, Doylestown, Easton, Greensburg, Indiana, Johnstown, Mansfield, Mechanicsburg, Mill Hall, New Castle, Reading, Scranton, Stroudsburg, Towanda, Uniontown, Villanova, Warren, Waynesburg, West Chester, West Decatur, Wilkes-Barre, Williamsport

9 a.m. to 4:45 pm; check-in at 8:30 a.m.; 5 substantive/1 ethics CLE credits

Auto Law Potpourri

SIMULCAST - Feb. 11: Doylestown, Erie, Greensburg, Meadville, Mechanicsburg, Media, New Castle, Pittsburgh, West Chester

9 a.m. to 1:15 p.m.; check-in at 8:30 a.m.; 3 substantive/1 ethics CLE credits. Must attend entire program to receive ethics credit.

ADVANCED Pennsylvania and Philadelphia Realty Transfer Tax

SIMULCAST – March 18: Erie, Mechanicsburg, Pittsburgh, West Chester
noon to 3:15 p.m.; check-in at 11:30 a.m.; 3 substantive CLE credits

BASIC Pennsylvania and Philadelphia Realty Transfer Tax

SIMULCAST – Jan. 27: Doylestown, Greensburg, Mechanicsburg, Norristown, Pittsburgh, Warren
12:30 p.m. to 2:30 p.m.; check-in at 11:45 a.m.; 2 substantive CLE credits

Consumer Debt Litigation

SIMULCAST – March 10: Chambersburg, Doylestown, Erie, Greensburg, Mechanicsburg, Media, Washington, West Chester

9 a.m. to 12:15 p.m.; check-in at 8:30 a.m.; 3 substantive/1 ethics CLE credits. Must attend entire program to receive ethics credit.

Dealing with the Problem Employee

SIMULCAST – Feb. 26: Erie, Greensburg, West Chester

noon to 4:15 p.m.; check-in at 11:30 a.m.; 4 substantive CLE credits

Five County Criminal Practice

Feb. 26: Media

March 26: Doylestown

noon to 4:15 p.m.; check-in at 11:30 a.m.; 4 substantive CLE credits

Gas Leasing Update

SIMULCAST – Jan. 28: Greensburg, Mansfield, Meadville, Mechanicsburg, Mill Hall, Montrose, Warren, Washington, Wilkes-Barre, Williamsport

12:30 p.m. to 4:45 p.m.; check-in at noon; 4 substantive CLE credits

Gulf Coast Conference

Jan. 30 – Feb. 1: Marco Island, Florida

8 a.m. to 10:15 a.m.; check-in at 7:30 a.m.; 5 substantive/1 ethics CLE credits

Who's on First? Lien Priority in Pa.

SIMULCAST – March 26: Chambersburg, Easton, Greensburg, Stroudsburg, West Chester, Wilkes-Barre
8:30 a.m. to 12:45 a.m.; check-in at 8 a.m.; 4 substantive CLE credits

Litigation Evidence: Federal and Pennsylvania Variations

SIMULCAST – Feb. 24: Chambersburg, Doylestown, Easton, Greensburg, Lebanon, Mechanicsburg, New Castle, Pittsburgh, Stroudsburg, Villanova, West Chester, Wilkes-Barre

noon to 4:15 p.m.; check-in begins at 11:30 a.m.; 4 substantive CLE credits

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PBI's Roger Meilton Retires After 38 Years

By Dick McCoy, PBI and Lisa Granite, PBA

Friends and colleagues met on Oct. 28 in Camp Hill to honor Pennsylvania Bar Institute (PBI) Executive Director Roger B. Meilton, who retired Dec. 31, after 38 years of service. PBA Executive Director Barry M. Simpson presented Meilton with a framed print of the Maclay Mansion, the PBA's historic headquarters building in Harrisburg. PBI President Thomas G. Wilkinson Jr. presided over the event, which also launched the PBI Meilton Fund to support the technological growth of PBI into the future.

Speakers included state Rep. Glen Grell, PBA Executive Director Emeritus Theodore Stellwag, Minnesota CLE Executive Director Frank V. Harris, PBA President C. Dale McClain, PBI Past President Stephanie Latimore and PBI Past President and Honorary Director Stanley H. Siegel.

Under Roger's guidance, PBI seminars and other services have grown dramatically in both quantity and quality. From a few seminars in the early 1970s to over 2,200 annual presentations today, Roger has directed a vision of PBI as the primary source for practical, reliable information for the bar of the commonwealth. The PBI "yellow books" (the color predates even Roger's tenure) have become the standard pragmatic reference books for Pennsylvania practitioners. Because of his efforts, PBI today offers every educational service from publications to podcasts, webcasts and webinars, ensuring that the lawyers of Pennsylvania have ready access to the information they need to practice effectively.

With the advent of mandatory CLE in Pennsylvania in 1992, Roger led a period of rapid growth during which PBI expanded both the number of CLE programs and their reach across the state.

Three conference centers devoted to CLE will serve as a lasting "bricks and mortar" tribute to Roger's vision for PBI. In 1997 PBI and the Philadelphia Bar Association agreed to jointly operate the CLE Conference Center in the Wanamaker Building in Philadelphia. To meet

the need for increased staffing required by the demands of the bar under mandatory CLE, Roger led the project to build a home for PBI in Mechanicsburg. Most recently, Roger responded to the need for a home for PBI in Pittsburgh by encouraging and designing the Professional Development Conference Center in downtown Pittsburgh.

Thanks to Roger's quiet yet dynamic direction, PBI has become one of the most respected CLE organizations in the country.

In 1984, Roger's leadership in CLE was recognized by his election as president of the Association of Continuing Legal Education Administrators (ACLEA).

Roger was appointed to the prestigious ABA Standing Committee on Continuing Education of the Bar from 1990 to 1993. He subsequently served on numerous ALI-ABA committees and

assisted in the drafting of ALI-ABA's influential book on Attaining Excellence in CLE.

In addition to his work in CLE, Roger has been active in the community. He was a member of the board of directors of the Ronald McDonald House in Hershey from 1987 to 1992. Roger also has been active in his support of Lawyers Concerned for Lawyers, serving on the board of directors beginning in 2002 and as treasurer from 2003 to the present.

Roger graduated from Bethany College and received his law degree from the University of Pittsburgh School of Law.

When asked to comment, Roger characteristically remarked, "Enough said already about my retirement. I appreciate the notice and other than sending on my thanks to all of the bar execs for their support over the years, I think that covers it." ■

Courses from the PBI

(Continued from Page 9)

LLCs, LPs, S Corps, & C Corps: Choosing the Best Business Entity for Ultimate Results

March 24: Allentown
Simulcast – March 25: Chambersburg, Easton, Erie, Greensburg, Mansfield, Meadville, Mill Hall, Montrose, New Castle, Norristown, Stroudsburg, Warren, Washington, Wilkes-Barre, Williamsport, York

9 a.m. to 12:15 p.m.; check-in at 8:30 a.m.; 3 substantive CLE credits

Persuasion for Transactional Lawyers

March 31: Scranton
8:30 a.m. to 4:30 p.m.; check-in begins at 8 a.m.; 6 substantive/1 ethics CLE credits

Practice Before the Veterans Administration

SIMULCAST - February 17: Chambersburg, Greensburg, Lebanon, Mansfield, Meadville, Mill Hall, Montrose, New Castle, Philadelphia, Pittsburgh, Villanova, Warren, Washington, Williamsport

9 a.m. to 1:15 p.m.; check-in begins at 8:30 a.m.; 4 substantive CLE credits

Selecting & Influencing Your Jury

SIMULCAST - March 27: Doylestown, Greensburg, Mechanicsburg, Norristown
8:30 a.m. to 3:30 p.m.; check-in begins at 8 a.m.; 6 substantive CLE credits

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BRINGING EXCELLENCE TO CLE

28-Year Veterans Take on New Roles at Berks County Bar Association

*By Joi Vanstone,
Berks County Bar Association*

After more than 28 years as the executive director of the Berks County Bar Association, Barbara I. Kittrell has retired from the position.

For almost three decades, Barb has shepherded the Berks Bar during a time that the association has more than doubled in size. With her support, many noteworthy achievements were made, including a pro bono program that became a model for the rest of the state. Barb also encouraged the development of the Stepping Out and Older & Wiser programs in Berks County, long before they became popular elsewhere in the commonwealth.

Barb was president of the Pennsylvania Association of Bar Executives (PABE) from 1990 to 1991 and secretary of the National Association of Bar Executives (NABE) from 1992 to 1993. For her outstanding service to the Berks bar, Barb was the inaugural recipient of the LeRoy Hyman Award. She was honored with the NABE Communications Section's E.A. Wally Richter Award in 2000 and the Pennsylvania Bar Association Arthur J. Birdsall Award in 2002.

Taking her place as executive director will be Donald F. Smith Jr. Don is a 1978 graduate of Dickinson School of Law. He is leaving the practice of personal injury law after 28 years with Liever, Hyman & Potter, P. C., in Reading.

Don was president of the Berks County Bar Association in 2000 and presided over the Berks County Bar Foundation for three years, beginning in 2001. He received the LeRoy Hyman Award in 2005 and the Pennsylvania Legal Aid Network's Excellence Award in 2007. Currently, Don chairs the board of directors for MidPenn Legal Services. ■

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**MARCH 2, 2009 IS THE
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Bar Foundation Seeks Nominees for 2009 Louis J. Goffman Awards

Nominations are now being accepted for the Pennsylvania Bar Foundation's Louis J. Goffman Awards.

Named in honor of the late PBA past president from Philadelphia, the Louis J. Goffman Awards have been recognizing Pennsylvania's finest pro bono providers for 20 years. The nomination deadline is May 1, 2009, and the awards presentation will take place during the PBA Annual Meeting scheduled for June 2 - 4 at the Hilton Pittsburgh in Pittsburgh. Don't miss your opportunity to nominate a worthy individual, law firm or organization from your county. For additional information and nomination forms visit [www.pabarfoundation.org/Programs %20and%20Awards/Louis.aspx](http://www.pabarfoundation.org/Programs%20and%20Awards/Louis.aspx). ■

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Nominate Someone You Know

The Pennsylvania Bar Association is seeking nominations for its Child Advocate of the Year Award, sponsored by the Children's Rights Committee, and the A. Leon Higginbotham Jr. Lifetime Achievement Award, sponsored by the Minority Bar Committee. Details and nomination materials for both awards can be found on the PBA Web site at www.pabar.org



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