

June 2008

Dear Outreach to Children Committee members:

As we move to sunset the committee with the advent of the new PBA president's inauguration, I wanted to take a moment to thank you for your service on the committee for the past two years. We have accomplished a lot with last year's CHILDREN'S SUMMIT and the work in support of this year's National Council of Juvenile and Family Court Judges conference in Philadelphia, "A NATIONAL FORUM ON CHILDREN, FAMILIES AND THE COURTS: PLANNING FOR THE FUTURE." The ongoing work of the committee will be carried on by remaining PBA committees.

Please do not view the sunset of our committee as reflecting any diminution in the PBA's commitment to children. We have been fortunate to have two immediate past PBA presidents, Ken Horoho and Andy Susko, who have made children a focus of their work. Incoming President C. Dale McClain shares their commitment and that is reflected in the new Child Advocate Pro Bono Committee that he has established under the leadership of Mary Pugh, who many of you may remember as one of our featured presenters at the Children's Summit. The following profile of incoming PBA President C. Dale McClain appeared in the Monday, June 2, edition of the *Pennsylvania Law Weekly*; this article, along with the wonderful piece in the May/June 2008 issue of *The Pennsylvania Lawyer* magazine, shows Dale's focus.

Again, thank you for your support and hard work.

Cheryl L. Young, Chair

**McClain Brings Small Practice Outlook to PBA
Montgomery County lawyer assumes leadership this week**

By Peter Hall
Of the *Law Weekly*
phall@alm.com

As a long-time solo practitioner, C. Dale McClain sees a variety of meanings in the Pennsylvania Bar Association's slogan "Your Other Partner."

In addition to the partnership between the PBA and its members, the idea refers to the partnership between the state and county bar organizations, of which 50 are directly affiliated with the PBA through a dual membership requirement.

"We partner on membership, we partner on programs. The interest of the PBA and the local bar are sort of the same," McClain said.

Despite that close relationship with many of the local bar associations, the PBA is in competition with specialty bar associations for lawyers' time and money, McClain said.

As the incoming PBA president, McClain said he has planned to make an outreach effort to lawyers around the state a priority during his one-year term. By holding events in new locations and employing technology to span Pennsylvania's vast distances, he hopes to make the organization's resources more accessible to attorneys like him, who can't spend a day or more away from the office to attend bar association events.

McClain will formally take office as president at the PBA's annual meeting in Hershey, Pa., this week.

McClain launched his general law practice in December 1972 after several years with Pepper Hamilton. When the firm decided to close its office in Radnor, Pa., on the Main Line, McClain chose to go out on his own.

A 1964 graduate of Villanova University School of Law, McClain first worked as a certified public accountant for Price Waterhouse in Philadelphia. He said the firm's close work with Pepper Hamilton inspired his decision to attend law school when a scholarship became available.

As an associate in the firm, McClain worked in a number of departments and did volunteer defense work. He said he enjoyed each area of practice he sampled, and that helped his decision to become a general practice attorney based in Haverford, Pa., near his long-time home in Lower Merion Township.

McClain and his wife Carol now live in Worcester Township, Pa., and McClain divides his time between the Haverford office and a home office.

Retention

McClain cites data showing that the PBA is less likely to retain young lawyers as members in counties where the PBA has no ties to the county bar association. In counties where a PBA membership is packaged with the county bar association membership - a "unit county" - the rate of retention is 70 percent compared to 50 percent in counties where there is no link.

"Obviously there's something that is attracting them to the unit counties that they're finding the need both the local bar and the PBA," McClain said.

With the cost of fuel a growing concern, McClain said he believes that taking PBA programs on the road to cities where it has previously not held events is one strategy to bolster involvement.

"People are saying, 'Why can't I go and do my professional program locally; cut down on travel; cut down on expense?'" he said.

He said that such convenience is especially important to solo and small firm practitioners like himself.

"When I'm out of the office, there's no one to cover for me," he said.

Technology is another key to improving the accessibility of PBA programs. He noted that over a year ago, the Pennsylvania Bar Insurance trust agreed to begin installing videoconferencing equipment in local bar association facilities to allow programs to be broadcast from events in the state's major population centers. The effort involves nine or 10 county bar associations, McClain said.

He noted that the Pennsylvania Bar Institute's conference center in the Wannamaker Building in Philadelphia is a model of the concept. A similar facility is in the works in Erie, Pa. and the Montgomery Bar Association has its own videoconference center.

PBA headquarters in Harrisburg is also equipped for videoconferencing as is the PBI's headquarters in Mechanicsburg, Pa.

McClain said he envisions a similar facility somewhere in the northeast part of the state.

He added that the Internet could be employed to make seminars and conferences interactive over long distances.

McClain said he believes facilitating more participation in PBA events will help preserve its membership.

"An active participant rarely if ever drops out of an organization," McClain said.

Also in the interest of preserving membership, McClain said he believes the organization needs to make an effort to ensure members don't drop out automatically. He said many members who allow their memberships to lapse, do so without realizing.

"There are letters going out, but there's no personal contact," he said.

"I think we have a great product, but you need to treat it like a company would. You need a little customer outreach."

In addition to making sure that members who don't renew their memberships get a personal phone call, he hopes to engage members of the Young Lawyers Division in an effort to bring new lawyers into the organization.

McClain said his outlook on bolstering involvement and driving up membership in the PBA is shaped by his volunteer work outside of the legal profession.

In addition to his elected office as a member of the Lower Merion Township Board of Commissioners he served as the township's tax collector, the chairman of the Delaware Valley Regional Finance Authority and president of the Lower Merion Federation of Civic Associations. McClain has also served as president of the Catholic men's group Men of Malvern and has been a member of the Boy Scouts of America for 63 years serving as a member of the Valley Forge Council's Eagle Scout Board of Review.

In any of those positions, he employed a personal outreach and persistence to convince people to become involved.

"I think the bar association is not unlike any social, civic or educational association," he said.

Political Role

On a statewide political front, that approach could be used to build a personal rapport with each member of the legislature. By encouraging members to approach their state representatives and senators, build a relationship and communicate the PBA's interests, the organization would benefit from more awareness in the legislature, McClain said.

Other projects on McClain's agenda involve pro bono work in the child advocacy arena and efforts to help older attorneys manage the conclusion of a practice, he said.

McClain said a number of counties have established successful child advocacy projects including Philadelphia, Delaware, Montgomery and Lehigh counties. However, there is little if any coordination between the counties.

McClain said he hopes to coordinate the production of a best practices handbook to help other counties begin child advocacy programs.

McClain said he also hopes to engage senior lawyers in an effort to help older lawyers wind down their practices. He said elderly lawyers who begin to lose control of their case loads is becoming more of a problem and is likely to increase in coming years.

To encourage lawyers to become involved, the PBA must petition the Supreme Court for protection from malpractice claims against lawyers who step in to help.

McClain posed a scenario in which an elderly lawyer with 500 case files seeks help from another attorney.

"It's going to take a while to go through those," McClain said.

Before the new attorney has time to properly assess all of the files, the statute of limitations expires on one of the cases putting a client out of court. That attorney could be subject to a malpractice claim by the client, he said.

McClain said he has worked during his time as president-elect to put his programs in motion. As a result, he will be free during his time as president to respond to issues as they arise.

"You don't start your presidential programs the year you become president because by then it's already too late," he said. "If you don't have something in place by the time you become president, you're going to be so taken up with everyday issues you'll never get anywhere."

#