WHO CAN YOU DEPEND ON?

Hello and Happy New Year – and welcome to the first Newsletter of 2018!

The title (and theme) for this column came to me when I was hiking and camping in the Grand Canyon this past December. Usually, we do some hikes in Zion and Bryce National Parks to acclimate to the elevation change. We then go to the Grand Canyon and hike down about 7 miles (and 5000-6000 feet of elevation change) from the South Rim to Phantom Ranch at the bottom. Then we hike back up again (~9 miles to be on the trail with water stops). We do this all in a single day – something the National Park Service does not recommend any time of year. This trip we decided to change things up a bit: we camped out in Zion National Park for two nights, had a hotel night, and then went to the Grand Canyon. There we hiked down, set up camp at Bright Angel Campground near Phantom Ranch, and enjoyed the scenery. The next day we broke camp and hiked halfway up to Indian Garden Campground where we spent a (cold) night. On Day 3 we broke camp and hiked back out to the South Rim.

I bet you’re saying to yourself: “Wow, Sara probably saw some beautiful things while hiking and camping, but what does that have to do with our Section?” Well let me tell you!

To hike and camp in the Canyon, one needs to take along everything s/he thinks might be needed. There are ranger stations at Phantom Ranch and Indian Gardens, but they are not there for fun. The rangers do not want or need to rescue people who did not make appropriate plans – that takes valuable resources and possibly endangers the rangers and other visitors. So, as usual, we took more than enough water to get to the next water stop and more than enough food in case we got stuck for an extra night. We took emergency blankets and other things in case we needed them, and extra clothes in case we needed more warmth or got wet. In short, we tried to foresee any dangers or threats to help ourselves.

Quite different from another couple. On our way down, past the halfway point, we met a couple also on their way down. They had planned the down-and-back-in-a-day hike. Given where they were and the time of day, we knew from experience that they would not finish in daylight (and we didn’t see any lights on them). The man was suggesting that they turn around because they were out of water (they each had a single water bottle and no packs). The woman said he had told her it was a max of 6 miles and they didn’t need much water. Poor planning by both of them—especially in this day and age with all information they needed being easily available on the internet! We suggested that they continue to the bottom
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and refill their water rather than trying to climb back out from that point with no water (and no ranger station) available until the rim. We also knew that there were resources available at Phantom Ranch if necessary. Two days later we were speaking with a ranger at the Indian Garden Campground. We mentioned the couple and hoped they’d gotten out safely. The ranger said they had, but apparently they ran out of water again on the way out and finished in the dark.

While emergency preparedness is fairly new to me in the camping context (I just started camping this past Fall), isn’t that what we solo and small firm practitioners do on a daily basis? We (should) have a business plan that includes what we aim for and what the alternative is if a piece of the plan doesn’t come to fruition. We (should) have a budget so that we know what income is expected from what sources, what our anticipated expenses are in various categories, and what to do if revenue is lower or expenses higher than budgeted. We (should) have in place a cyber-security plan that includes our normal safe lawyering practices, vendor contact information, and the steps to take if there is a hack, ransomware attack, or part of our hardware or software mal-functions or ceases to operate entirely.

And if any of those plans don’t work (or, ugh, if we don’t have them in place), we can turn to the PBA - our Other Partner, to Ellen Freeman - law practice management guru extraordinaire, to Victoria White - unmatched ethics guru, or to members of this Section, via the listserv or an actual phone call (yes, you can find Members’ contact information by logging in to the PBA website). Planning for an emergency is never fun, but knowing there is a life raft available is also comforting – and a benefit of Section and PBA membership!

Another benefit of membership, and a life raft of sorts is our annual Conference. You can get almost a full year’s worth of CLE credits, catch upon the latest and greatest in many diverse areas of practice, and schedule free one-on-one sessions with Ellen. This is the premier event for solo and small firm practitioners each year. It will be held July 25-27, 2018 at the Omni Bedford Springs and a stellar program is planned. Mark your calendar now and watch for registration to open.

There are certainly myriad other benefits of membership in the PBA and this Section. On which of them do you depend? What is in your emergency preparedness kit?

Sara A. Austin, a partner in the Austin Law Firm L.L.C. in York, is the immediate past president of the PBA. She is also a past president of the Pennsylvania Bar Institute, Chair of the PBA Solo and Small Firm Section and member of the PBA Commission on Women in the Profession. She is a past president of the York County Bar Association and a Pennsylvania delegate to the American Bar Association.

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Need to install the Casemaker Mobile App on a second device but no longer have the Reference Code used to register? Simply access Casemaker on your PC or Mac and click the “Mobile Application” link under My Accounts on the Casemaker homepage to retrieve the Reference Code. Each reference code allows registration for up to three mobile devices. Sign up for an online webinar today to learn more of the Casemaker features — http://www.casemakerlegal.com/registerWebinar.aspx. For Casemaker research assistance 8 a.m. to 8 p.m. Eastern M-F call toll-free 877.659.0801. You can also call the Bar for research or login assistance at 800.932.0311.
MEMBER SPOTLIGHT:
No More Hoops — You Have to Study
By C. Dale McClain, Esq.

No More Hoops – You Have to Study
The Path to a Wonderful Life as a Solo

It was late afternoon when I came into our apartment house’s center hallway.

A voice says: Where have you been?
I replied: At the playground shooting hoops and at the news shop playing the pin ball machine.

The voice says: You should be studying. How do you expect to go to college?
I replied: Not going to college. Going to work at the post office with my Dad.

The voice says: Oh no aren’t. You are going to study, go to college and make something of yourself. I was denied this opportunity because I was a woman. You are bright. I won’t let you throw this opportunity away.

Entering our apartment my mother says: What was all of that shouting about?
My reply: Mickey (the lady across the hall) is giving me a hard time about not doing my homework and studying. Make her stop bothering me.

In 1939, my parents, my new baby brother and I moved into a house that had been converted into five 400 square foot apartments. Mickey lived in the apartment across the hall from us. She was a secretary in a real estate office.

I was doing okay in school without studying at home. I thought that was the end of it. WRONG!!!

Unknown to me, Mickey and my mother had a discussion on my study habits. Mickey volunteered to work with me every afternoon or evenings when she got home from work, but no more hoops or news shop.

I was in my first semester of my sophomore year in high school. I was doing great in math and science, but just about passing everything else. I decided to give studying a try; however, I did not think it would help or change anything.

After a couple of months, I saw a big improvement. All my grades came up. I started to enjoy answering questions and not having to duck behind the person in front of me, so I would not be called on in class. In my senior year, I made the National Honor Society. I applied to Villanova University School of Commerce and Finance and was accepted. I did very well and thought about either getting my CPA or going to law school.

We lived in Narberth, a small town of about 4,000 residents, in Montgomery County. I had worked at the soda fountain of my uncle Paul’s drug store from the time I was 12 years old. At 18, I joined our volunteer fire company and was involved in politics. There were two lawyers in our town and no CPA’s so far as I knew.

Two of my better (read that as BIG tippers) ice cream customers were Bert Bell (at the time he was the NFL Commissioner) and his brother Justice John C. Bell of the PA Supreme Court. When I told them, I was going to Villanova and taking business, both congratulated me. The Commissioner said take accounting and become a CPA. The Justice said take pre-law and go to law school. Not being sure what to do, I took classes in accounting and pre-law.

In the fall of my senior year, I had a job offer ($435.00 per month; remember this for future reference) from Price Waterhouse (“PW” – now called “PwC”), but I decided to apply to Villanova Law School. My LSAT score was not great – read that as NO scholarship. I did my law school interview and was accepted. I needed to get a local preceptor if I wanted to practice law in Montgomery County. I asked both lawyers in Narberth. One said no and the other, Des McTighe (a future PBA President), asked me to wait a few years because he already had a preceptee and could only have one at a time. So, it was off to PwC.

In my first year at PwC, I joined the PA Air National Guard and served as a fireman. On my return from active duty, I decided to take the CPA exam, but I had missed the cram course. I took it and passed it on my first try – my lowest score was in Law. I had saved some money and decided to re-apply to law school. At PwC, I worked with a lawyer from Pepper Hamilton on an audit and he agreed to be my preceptor. I had another interview at Villanova and this time I was offered the scholarship reserved for a CPA.

In the summers after my first and second year of law school, I worked at Pepper as a summer intern and at PwC. Both firms were in the same building in Philadelphia. On graduation, I started at Pepper, completed my preceptorship, passed the bar and was admitted to the bar within 6 ½ months of graduation from law school.

Pepper had a great program for new lawyers. Every 6 months you rotated to a different department.
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(business, litigation, estates, tax, real estate) until Pepper and you decided the department to which you were to be assigned. There was also an opportunity to do several months as public defender and I chose to also do that. Eventually, I was assigned to the tax department and became a state and local tax specialist. In 1971 I was chair of the Philadelphia Bar Association’s State and Local Tax Practice Committee. It was my pleasure and honor to serve as chair of the committee that wrote the PA Income Tax regulations for the new PA Income Tax. We completed the project within three months of the tax taking effect in June of 1971.

Pepper encouraged the associates to bring in new business by giving about 1/3 of such fees back to the associate. This was in addition to your salary. Remember I was making $435.00 per month in 1959 with PwC. In 1964, my starting salary at Pepper was $425.00 per month. I really needed the extra income from fee splitting.

In 1970, Pepper decided to open an office in Radnor. I volunteered to go there as did two other lawyers. My local activities made this a good location for me to develop new business. I was: Vice President of the Board of Commissioners of Lower Merion Township; soon to be the President of the Federation of Civic Associations; the lawyer for the Main Line Chronicle newspaper; Past President of the Active Members of the Narberth Fire Company. After my service on the Board of Commissioners of Lower Merion, I became the lawyer for the township’s Republican party. With my personal business growing, I decided to leave Pepper and open my own office in Montgomery County. In looking at the business section of the Yellow Pages for lawyers, I chose Haverford because there were no lawyers in that town and it was close to my house. I am still there 46 years later and still a solo.

While at Pepper I was active in the bar association as Chair of the Philadelphia YLS and chair of the PBA Young Lawyers Section. In both positions, I started a Bridge the Gap program for new lawyers. In 1978, I was asked to Chair the PBA Economics of Law Practice Committee. Art Birdsall (former PBA county bar director) and I traveled the state promoting inexpensive computers and kept track of new copiers and other office products on index cards. Lawyers around the state were encouraged to call either of us with new ideas or information on office products. Remember in those days there was no internet.

Because of the interest shown in our work and how helpful it was to solo, small firm practitioners and general practitioners, I asked the PBA Board of Governors to form the Solo and Small Firm and General Law Practice Section (now called the Solo and Small Firm Section). The Board approved my suggestion in 1981. I was the first chair and served as such for about 3 years. Section membership has increased over the years because of our great list serve, our newsletter and our programs such as The Conference. Of course, none of this would have happened if we had not had wonderful leadership from our officers and board members of the Section. If you are not a daily follower of our list serve, you should be. You are missing an opportunity to learn or help another solo with a form, a resource or a court decision.

So, this is how I became a solo. I enjoy what I do every day and look forward to helping other solo’s do the same. If you are thinking of opening a solo practice, I would suggest you look for a small community with at least one other lawyer and create good local connections by joining the fire company, getting involved in civic activities, becoming active in politics, get your name in the local paper, etc.

Interested in contributing to the next Solo & Small Firm Section newsletter?

We welcome any awards, updates on committee activities or projects or on matters affecting Solos. Please email your article and a brief bio in Word format, as well as a high-resolution (300 dpi) author photo to the editors, Arlene Ann Dudeck (aad@sdlo.com) and Mary E. Schellhammer (mesesq@wpia.net).
This is the big one. Four attorneys. Five parties. Months of preparation. Now, just two weeks to trial. You pick up the telephone to call the other Defendant’s Counsel. No answer, so you leave a message. Everyone’s busy, you think. With no response, you try the next day. Now the mailbox is full. A little nervous, you try a few times. Soon you are calling every hour. Then finally, an answer! But it isn’t what you expect:

“Hi. This is Attorney Kim Lengert. I’m calling for Fred. Is he available?” “Oh thank goodness! I didn’t know what to do!”

The nightmare had begun. Just over a week before trial, and the other attorney has had a massive heart attack. As a solo practitioner, he had no one to provide cover. Worse yet, there was no one else who knew what courts and what clients were scheduled.

Most of the time we think of succession planning in terms of covering for our retirement, when we can hand over the keys to a younger attorney, put away the piles of pleadings and trade in our suits for shorts and a T-shirt that reads “Courts are for Tennis!” But the same planning that goes into our transition to retirement needs to be in our development plan: because you never know what you just can’t know.

It is an oxymoron that we as attorneys spend our days helping clients plan for their deaths, transitions into retirement, and putting contingencies in place in case of incapacity, but we do not do the same for ourselves, specifically as it relates to our practices. Think of the cases you took to build your reputation, and the long hours spent building a successful practice: will you leave the future of both to chance? Yet many of us do just that by not creating a succession plan. As the legal profession is characterized by its conscientious attention to every detail, some might wonder how the protection of a succession plan is overlooked. Perhaps it is because we believe that we are immortal: after all, the existence of law and order is a fundamental truth, isn’t it? Maybe it is for the universe, but not for a law office . . . or for a lawyer.

As lawyers, our representation is much more than an analytical algorithm that demonstrates the nuances of human intent against precedent. As a friend once said, “it is one thing to ‘know’ the law, it is another to ‘know’ the law.” It is our ability to think, analyze, compare, evaluate, listen and feel that enables our representation of clients. The practice of law requires our ability to function well: and when we do not, our representation is subject to the “unknowns” of our humanity. A massive heart attack, a critical accident, or a turn in an existing disease are but a few of the countless events that could cause incapacity or death. We don’t know what could happen, but we can plan for the unknown.

There are safeguards within the legal system. Under 204 Pa.Code § 321, the president judge of the local court of common pleas may appoint a conservator for the practice upon motion from the Disciplinary Board. But what if the hearing is the next day? Clients, cases, and a reputation suffer and again there is the passage of time before someone even recognizes the need. A plan for the unexpected is necessary.

There are three rudimentary elements to developing a succession plan that are basic to either a solo or a small firm practice. The elements may be remembered by the acronym “AAA” (not the driving club): Accurate; Accessible; and Another.

1. An accurate listing of clients. Should an emergency situation occur, anyone coming into the office to assist will need to know what or who to look for on court schedules and filing deadlines. Each attorney needs to maintain an accurate list of both active and inactive clients which is updated regularly. "Regularly" does not mean whenever the mood strikes. These lists should be updated each time a new client is added or a matter is completed. At a minimum, the client list must include the name of the client and a file number. Any other necessary information may be accessed through the client file.

Some attorneys may prefer a paper list, or a list on the computer. In our office, we keep both. Our office

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Planning for the Unexpected

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The administrator maintains lists of all active, completed, estate and prospective clients on the main computer system. Each month, a copy of all active and estate clients is sent to the legal team. A paper copy of active and estate clients updated with each status change is kept at the top of our paper filing system. By having an updated copy in a known and accessible location we can easily search for a file number to retrieve a document if needed.

2. An accessible filing system. The location of your files is important. “Over there” doesn’t work for me, and it certainly will not work for the person sent by the Disciplinary Board. As attorneys, we have ethical obligations regarding the maintenance of our clients’ files. As attorneys preparing for the unknown, we have even higher obligations. Whether digital or paper, a client file contains the essence of our client: contact information, financials, relationships, medical, and more. A well maintained client file should contain a record of all pleadings and proceedings, evidence gathered and evidence presented, and the highly protected attorney notes. To expect that anyone could – or would – step into a case without that information assembled and at hand is to expect inadequate representation and a disservice to our profession. Should the “unknown” occur, an attorney coming in to your practice will need access to the client files. Whether files are kept digitally or on paper, they should each be 1.) clearly identified and 2.) up to date.

Again, my office uses both systems. Each main file is labeled with the client’s name and a personal file number. Sub-files normally created are for attorney notes, pleadings, evidence, experts, medical records, transcripts, client correspondence, third party correspondence and billing. Additional sub-files might be created if needed. Each document related to a client is scanned either prior to leaving or upon entering the office. Paper copies are immediately placed in the file. Scanned images are then retained in their corresponding folders in the digital file. As a document is scanned, any court dates or filing deadlines are entered into our calendar/task system. A listing of all events is found on the main system screen or through accessing the client file. An entire client file is accessed with either one entry into the computer or one pull of a file drawer.

3. Another. Our paper system is a back up for our digital system (or visa versa). Our digital system has a three-fold back up. I have a backup and so should you. Having a backup does not require having another attorney in the office. It does require that you find another attorney in the same practice area that you both trust and respect. Form an agreement that should something unthinkable happen, you will cover for each other. In order to cover for each other efficiently, you each must know how the other’s office operates and each of you needs to be known by the other’s staff. Someone close to you will need to know the identity and contact information of the backup attorney should the unknown occur. If this line of contact is at all questionable, I recommend putting the backup attorney (identified as an attorney) in your list of emergency contacts. Once you have decided what you want to do, check with your firm’s attorney about documenting your agreement.

The backup attorney needs to know how to access the systems that you have carefully established and maintained. Though this can be accomplished with a staff member (if you have one), it is a good idea to have written access instructions as well. Our office administrator created a page with the different programs that we use to operate the practice, including phone systems and bank accounts. Each system has the company/application name, our identification code, and password. The master version of the page is edited to match that information pertinent to each of our staff and distributed. By having the information on a single page and notifying the backup attorney where to locate the page, unnecessary struggles should be avoided.

Helping you avoid the struggles - and succeed at your practice - is the purpose of the PBA Solo and Small Firm Section. Our section Chair, Sara Austin, has recently established a new initiative to assist practitioners in developing workable succession plans specifically tailored for Solos and Small Firms. The initiative’s goal is to insure that all SSF attorneys have the information needed to protect their clients and their reputations should the “unknown” occur. Succession planning is an important but often neglected part of developing a successful Solo or Small Firm practice. Make sure it is part of your practice.

Kim L. Lengert, Esquire is the Immediate Past Chair of the Solo & Small Firm Section. She is spearheading the Attorney Surrogacy Rule Initiative for the Section. If you are interested in learning more or assisting with the SSF succession initiative, please contact her at klengert@lengertraiders.com
“Psst. Psst. Yes, you. Come over here. I have something special for you.” The beckoning figure lingered in the shadow at the side of the long hallway at the Bedford Springs Resort. It was a conference unfolding like any other in July. Or was it? Why was this familiar figure summoning him over? He got close and cocked his head slightly in an inquisitive gesture.

She had an unfamiliar look in her eye. Her voice was almost breathless, “This is something you really need. I only get one of these each year. Their value is incalculable. I’ve decided to give you one. I chose you because you come to the conference every year, and never miss one of my sessions. You ask good questions. You take advantage of the one-on-one meeting opportunities. You’ve participated in leadership of the section. And most importantly, you’ve bought me a lot of glasses of wine over the years.”

He nodded in confirmation. His pulse quickened. She glanced furtively left and right, and then slowly extended her arm and opened her left hand, revealing a shimmering 1”x4” laminated piece of paper labeled, simply, FREE PASS.

His inquisitive look let her know she had to provide further explanation. “Look at it,” she said in a voice which clearly showed her excitement and communicated a sense of urgency, “look who issued it! Look what it’s for.” He gently slid the ticket from her palm to take a closer look. On the front of the pass, in tiny print under FREE PASS were the words “Issued by the Disciplinary Board of the Pennsylvania Supreme Court.”

His ever-doubtful lawyer instincts were already telling him this was not possible. He turned it over to examine it further. On the reverse side was printed, “The holder of this pass is entitled to a favorable disposition of one disciplinary matter, regardless of the number of Rule violations cited, during the career of the ticket holder.” He stuttered uncontrollably, “How can this be real? And more importantly, why give it to me? I’m retiring next year, and have never had a complaint.”

“Geez,” she uttered in exasperation, “talk about looking a gift horse in the mouth! These bad boys are real, and top secret. I only get one a year. I can assure you they’re real. But imagine what lawyers would do if word got out there was any chance they could get a FREE PASS.” He nodded in sudden understanding.

“You took over your solo practice from your father, right?” He nodded in agreement. “You inherited all his old client files, right?” His eyes widened. “You’ve got an additional 50+ years of your own files, right?” His face quickly transformed into a painful contorted wince. He knew where this was going and could feel his stomach tightening. He nodded in agreement again.

Her voice rose an octave and simultaneously lowered in volume as she leaned in and furtively asked, “So how are you going to go through all those files, and then contact all the past clients in whose files you’ve found originals to get their permission to either return or destroy them?” Overcome with anxiety she grabbed his shoulders and shook slightly, “Listen, there’s no way you can do that by the time you want to close your office. Even if that’s all you do between now and then. Don’t you see, this is your only way out. I can’t save you all. But I can save you!” Like a Titanic passenger who’d just been pulled out of the icy water into a lifeboat, he gave her a hasty but grateful hug, shoved the FREE PASS deep into his pocket for safekeeping, glanced about furtively, and then scuffled down the hallway at a fast pace.

Oops. The pre-SuperBowl hoopla on the TV in the background distracted me. All that talk about how people got their tickets, how much they spent, lucky winners of tickets, and those who bought before they knew the Eagles would be playing but had faith, must have gotten me thinking subconsciously about free passes. Wouldn’t it be nice if there were such a thing for a lawyer?

Ultimately each and every one of you will retire, willingly and purposefully, or unwilling and/or unexpectedly. As our marketplace becomes ever more challenging, many of you are suddenly opting out as well. I know, because I am getting calls almost daily. The first question is almost always, “What do I really have to do about all these client files?” I know you’re looking for that FREE PASS. But in reality I have none to give. So yes, I’ve been hearing a lot of whining and complaining (continued on page 8)
The Pennsylvania Bar Association Committee on Legal Ethics and Professional Responsibility (the “Ethics Committee”) obtained approval from the PBA House of Delegates to send a request to the Supreme Court of Pennsylvania to implement a technology CLE requirement. If approved, the new rule would not increase the number of credits attorneys are required to take each year. Rather, the change would add a bi-annual requirement for one technology credit, included among the twelve already needed. The purpose of this requested change is to encourage attorneys to make certain that they are up on the technological aspects of legal practice. As you are no doubt aware, competence in Pennsylvania (and many other jurisdictions) requires attorneys to be aware of both the benefits and risks of technology in their legal practice, and to properly mitigate any risks that come with use of technology in their practice.

The recommendation by the Ethics Committee states that, “CLE that would meet this technology requirement would include any course that contains at least one hour addressing available technology for lawyers and/or security and/or ethical issues involved in using technology for legal purposes.” Stay tuned to our Section Newsletter for updates about this potential new CLE rule.

Regardless of whether the technology CLE requirement passes, please remember that it is important for all attorneys to be aware of how to use technology in their legal practice. The right technology can increase your efficiency, lower expenses, and decrease chances for mistakes.

The upcoming Solo Conference is a great opportunity for Pennsylvania attorneys to learn about different types of technology and their uses and risks. The Conference will be held July 25-27, 2018 at the Omni Bedford Springs. Watch for registration information from PBA.

Endnotes
1 See Pennsylvania Ethics Rule 1.1, Competence, Maintaining Competence, Comment 8. “To maintain the requisite knowledge and skill, a lawyer should keep abreast of changes in the law and its practice, including the benefits and risks associated with relevant technology, engage in continuing study and education and comply with all continuing legal education requirements to which the lawyer is subject.” https://www.pacode.com/secure/data/204/chapter81/s1.1.html

Jennifer Ellis is Chair-elect of the Solo & Small Firm Section.
With the current economic climate, a lot of focus has been placed on government spending. One of the programs that always comes under scrutiny is Social Security and particularly the SSI and SSD programs. At some point in our practice, we will all encounter a client who has applied for these benefits. We need to be able to explain the process and either assist them in their application, or understand that they need referred to a fellow attorney who practices in this area. As always, it’s better to know what you don’t know, to serve your client and provide them with the best advice.

So why wouldn’t I pick my husband, Ron, to tell me exactly what I don’t know! Ron has been an Attorney Advisor and Senior Attorney Advisor with the Social Security Administration – Office of Disability and Adjudication Review (affectionately known as ODAR) since 1991. He has written thousands of decisions either granting or denying benefits to Claimants based on the medical evidence presented and/or testimony presented at an administrative hearing before an Administrative Law Judge. He’s the “go-to” guy about these issues in my Bar Association.

Many times I’ll get calls from fellow attorneys only to answer or call them back and hear “Hi Arlene – how’s it going? Do you have Ron’s number – I have a Social Security question.” I’ve asked him to share his vast knowledge of this area to our Members for this issue (or I won’t cook him dinner or wash his clothes) and he agreed.

But seriously – thanks to Ron Dudeck for providing us with guidance on the area of Social Security Disability practice.

1. Please explain the difference between SSI and SSD.

The main difference between SSDI and SSI is eligibility. SSDI provides benefits for disabled or blind individuals who are insured through their contributions to the Social Security trust fund and have the requisite quarters of coverage. SSI is strictly a needs based program based on income and assets and essentially assists lower income individuals who have not worked long enough to earn the credits to qualify for SSDI. Of course, with each program, the individual must still meet the Social Security Administration’s definition of disability to qualify for benefits.

2. What is the procedure to initiate a claim for either SSI or SSD?

The local Social Security office will assist an individual in completion of an application and review the case to determine if the individual meets the non-disability requirements for eligibility. An application can also be filed by the individual online.

3. What is the standard to be awarded benefits?

To qualify for Social Security disability benefits, an individual must not be able to engage in any substantial gainful activity (SGA) because of a medically-determinable physical or mental impairment(s) that has lasted or is expected to last for a continuous period of at least 12 months or is expected to result in death.

4. Does age make a difference?

The Social Security Administration considers an individual’s chronological age in combination with his or her residual functional capacity, education, and work experience in determining disability by using the grid rules. These grid rules take into consideration that fact that a person’s advancing age may limit the ability to adjust to other work. Under the grid rules, individuals aged 18 to 49 are considered young individuals, individuals aged 50-54 are considered individuals closely approaching advanced age, individuals aged 55 and over are considered individuals of advanced age and individuals 60 years of age and older are considered individuals closely approaching retirement age.

5. What are the steps in the claim process?

Once the application is filed, the local office sends the application and all related paperwork to the Disability Determination Services (DDS) for a decision on whether the individual is disabled. If the claim is denied or the individual otherwise disagrees with the DDS decision, he

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or she may file an appeal for a hearing before an Administrative Law Judge who will make a separate and independent decision.

6. What if my client dies before benefits are awarded – does the claim die with the Claimant?

If a claimant dies before the Administrative Law Judge completes his or her action on a request for hearing, an eligible individual may ask to substitute for the deceased individual and pursue the claim for benefits. The form to review is HA-539 Notice Regarding Substitution of Party Upon Death of Claimant. Individuals eligible to pursue the claim normally include, but are not limited to, a widow/widower, surviving divorced spouse, child or parent depending on the type of claim. The form is available online to review in the event you encounter this fact situation.

7. Can I make a claim on behalf of my special needs child?

An individual under age 18 may qualify for SSI benefits if he or she is found disabled and meets the income and resource requirements for eligibility. An individual may also apply for Childhood Disability Benefits under Title II of the Social Security Act which requires the individual to establish that he or she was under a disability which began prior to the attainment of age 22.

8. Does Social Security ever review these benefits after they have been awarded?

Continuing Disability Reviews are conducted periodically to determine if an individual is still disabled.

9. Any additional advice you would give to our Members?

Have a good working knowledge of the medical evidence in your client’s file. You do not want to have a client testify that he has been unable to get off the couch since his alleged onset date due to his back problems and then find out after the hearing that you submitted progress notes from your client’s treating physician showing that the claimant sought treatment in the last year for injuries sustained while playing softball at the company picnic, shingling the roof of his house, woodworking, mowing the lawn, installing a new door on his minivan and shoveling snow (True Story!).

So thanks, Honey, for answering these questions. I’m off to cook lobster ravioli and throw a load of laundry in the washer.

Ronald D. Dudeck, Esquire is a Senior Attorney Advisor in the Johnstown, Pennsylvania office of the Social Security Administration Office of Disability Adjudication and Review with over 27 years of experience.

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Pennsylvania has a rather unusual environmental protection in its Constitution in Article 1, Section 27 of the 1968 Constitution. The Environmental Rights Amendment states that “[t]he people have a right to clean air, pure water, and to the preservation of the natural, scenic, historic and esthetic values of the environment. Pennsylvania’s public natural resources are the common property of all the people, including generations yet to come. As trustee for these resources, the Commonwealth shall conserve and maintain them for the benefit of all the people.”

For the first 50 years, these words were seen as merely aspirational policy goals. In practice, the Department of Environmental Protection (before 1988, the Department of Environmental Resources) had the sole role as the Commonwealth’s natural resource trustees. Payne v. Kassab, 11 Pa. Commw. 14, 312 A.2d 86 (Pa. Commw. 1973) (“Payne I”). Our courts used a 3-part test to evaluate if the Commonwealth acted within its trustee role: 1) whether there has been statutory compliance with any applicable standards; 2) whether the record show how the actor minimized environmental impact; and 3) whether environmental harms were balanced with public benefit. Id. at 94. The Pennsylvania Supreme Court, not citing this test, affirmed the original Payne judgment on the basis of available statutory protections. Payne v. Kassab, 468 Pa. 226, 361 A.2d 263, 273 (Pa. 1976) (“Payne II”).

Under the old system, any actor who complied with the letter of whatever law applied to a project was found to have acted in compliance with the public trust. This system operated until 2017, when the Pennsylvania Supreme Court published Penn. Envtl. Def. Found. v. Commw., 161 A.3d 911 (Pa. 2017) ("PEDF II"). Justice Donahue, writing for the majority, views Article 1, Section 27 thorough the public trust lens, where the entire government must view their oversight of our natural resources as if functioning as a trustee. The Court sees the Payne I 3-part test as overly restrictive and as an unconstitutional filter concerning Article 1, Section 27 challenges. Id. at 930. The Court further notes that the public trust provisions of Article I, Section 27 are self-executing, not requiring legislation to create a private right of action to enforce our natural resource protections. Id. at 937, citing, Robinson Twp. v. Commw., 83 A.3d 901, 974 (Pa. 2013) (“Robinson II”).

Now that the public has the right to independently enforce the Environmental Rights Amendment, where does that leave a client facing a matter involving environmental or natural resource issues? The Court did not dismantle DEP or other agencies that might play a part managing the Commonwealth’s trust. The Court did not impose any specific test to evaluate how a part of the Commonwealth acts as public trustee. Our Supreme Court gives precious little guidance on how to evaluate whether the Commonwealth or any subdivisions thereof properly fulfilled their roles as trustees of the public’s natural resources.


Without directly stating its opinion in an unpublished opinion, the Commonwealth Court still seems to allow existing statutory and regulatory schemes substantial deference. This approach seems logical, as actors, including permittees, local governments, the DEP, and the public, should be able to rely upon DEP and other governmental actors to perform their authorized duties. Markwest seems to suggest that a plaintiff asserting that DEP missed an issue or failed to protect the public must plead such a failure to invoke public trust protections. It is up to the plaintiff to show where there is a gap. Otherwise, the Courts seem willing to rely on existing administrative process. However, if the plaintiff can point to a gap, the existing administrative process alone may not save the project.

DEP operates a series of discrete regulatory programs, such as regulating air and water pollution, waste management, dams and water encroachments, and other activities that might impact the environment. See generally, 25 Pa. Code Chapters 71 through 299. However, these discrete programs might not regulate every situation or provide full relief for all. For instance, the public might know of localized soil contamination that the government should consider before allowing

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earth disturbance on a property. A neighbor concerned about DEP not acting to manage such a soil disturbance could potentially invoke local government’s Article 1, Section 27 trust obligations to force the local government to manage the issue. Such trust obligation should now trigger independently of any DEP permitting process.

Any party seeking public trust enforcement will likely be required to show that there is a gap in the system, where the existing processes did not address a potential environmental, natural resource or historical resource risk. Full deference to DEP, without an independent verification by the local government approving a development project, might no longer be enough to satisfy public trustee obligations. A petitioner can now argue that a potential harm falls into a regulatory gap, where a historic home could be damaged or old soil contamination could be spread through a neighborhood. DEP also does not always regulate all harms. For instance, DEP does not consider tree cutting an earth disturbance, so long as heavy equipment does not directly disturb soils.

Some Pennsylvania environmental statutes, such as the Water Obstructions Act, do not contain a private right of action. See e.g., 32 P.S. 693.19(b) (any enforcement of the Water Obstructions Act must be raised in the name of the Commonwealth). However, under the public trust doctrine, any actor has a private right of action to enforce the Commonwealth’s trusteeship role. In this respect, PEDF II may have added a private right of action to citizen enforcement in statutory schemes that did not previously include any public enforcement.

The public trust issue can arise in a number of situations. First, if a neighbor wants to fight a permitting action, the neighbor can find a gap in the regulatory scheme, assert a public trust challenge, and challenge a permitting action. Second, a municipal solicitor reviewing any type of permit or other regulatory action is now responsible to determine if there are any unaddressed environmental, natural resource or historical issues that may exist. A solicitor can likely consider actions of a permitting body like DEP as prima facie evidence that the Commonwealth fulfilled its trustee role. However, the acting body can no longer assume that compliance with the permitting scheme fully relieves the government of its public trust obligations to protect the Commonwealth’s natural resources.

Further, an application relying on a DEP permit, where DEP does not properly address all comments in a permit package, may become vulnerable to a public challenge that did not exist before PEDF II. DEP may attempt to address remaining permitting issues in a permit using permit conditions to hopefully address outstanding problems. However, such practice may not generate deferential treatment, as DEP has an affirmative duty, as trustee, to protect the public trust. This approach might restrain permit reviewers from allowing a project to proceed with remaining outstanding questions. In an area without historic preservation protections, a neighbor could use a public trust argument to appeal a permit for a project. Project proponents, project opponents, land owners, solicitors and agency attorneys need to be aware that Article 1, Section 27 can be used as a “gap filler” to resolve issues where the administrative process does not consider every environmental, natural resource or historical question coming before a decision maker. Any agency mechanically reciting the permit procedure without considering natural resource questions that may not be before the agency may find out the hard way that their every decision can be subject to an Article 1, Section 27 challenge.

Rich Raiders, Esq., practices land use, environmental, business, appellate and family law with Lengert & Raiders LLC, Robesonia. In his fleeting moments of down time, Rich attempts to remodel his 19th Century National Register home in the Annville, Lebanon County Historical District.
Common Sense and Why We Should Read It

By Arlene Ann Dudeck, Esq.

When I become obsessed with something – I really become obsessed. So it is no surprise that when I watched the movie National Treasure 1000 times and the PBS Special on Hamilton 500 times I also read Common Sense by Thomas Paine. This writing is important in National Treasure when our protagonists are escaping the FBI. Jon Voight’s character keeps cash hidden in his copy of Common Sense which Nicholas Cage and Diane Kruger eventually use to buy clothes to confuse the bad guys and the FBI and to hide their identity. As a fan of the Revolutionary War, I also watch everything I can on the musical Hamilton. In the musical, Angelica Schulyer (Hamilton’s sister-in-law) sings “I’ve been reading ‘Common Sense’ by Thomas Paine. So men say that I’m intense or I’m insane. You want a revolution? I wanna revelation. So listen to my declaration:’”

While visiting Philadelphia a few years ago I bought a copy of Common Sense and when I pulled it out to write this article, guess what, I found that I had hidden money in its pages (actually a $10.00 bill with the likeness of, guess who, Alexander Hamilton). Other than a place to hide money or as inspiration for a song in a musical – why is Common Sense important to us?

Thomas Paine was one of the founding fathers living from 1737 – 1809. He came to this country with the help of Benjamin Franklin just in time to participate in the Revolutionary War. His powerful pamphlet Common Sense (written January 10, 1776) helped to rally the founding fathers to ratify the Constitution and was a precursor to the Declaration of Independence. I’ve attached a photo showing the portions of the pamphlet I tagged while writing this article. Obviously I found a good portion of it inspiring and important.

So why did I think this document was worth an article in this Newsletter? First, we all need to read things other than our own dictation, correspondence from other attorneys and pleadings or briefs we are composing. Reading expands our thoughts and horizons. I find I can write much better after I’ve read a book (including those lame romance stories I can finish in 2 hours).

My copy of Common Sense is 72 pages long (the actual pamphlet is 48 pages) so it is something that can be easily read in one sitting. Two things stood out to me while ingesting all that Thomas Paine had to say: (1) the writing is surprisingly easy to read which helps explain why this work has survived for over 241 years and why it had such an impact on the Colonists and the Founding Fathers, (2) Thomas Paine lays out an analytical argument that, in my opinion, could rival any United States Supreme Court brief. A win-win for us, as it is something that can take us to another era and give us a reprieve from our work, but also something that can help us in our practice.

Paine’s arguments extend logically (hence Common Sense) from explaining how Kings and Monarchs rise to power, some from birth, some self-proclaimed. In quoting facts from scripture, Paine helped convince the Protestants that freedom from Britain was necessary. “In the early ages of the world, according to the scripture chronology, there were no Kings; the consequence of which there were not wars; it is the pride of Kings which throw mankind into confusion.” Paine addressed his audience in a way that was easy to understand and struck at their hearts. He further equated the actions of Britain to those of a cruel parent, “But Britain is the parent country, say some. Then the more shame upon her conduct. Even brutes do not devour their young; nor savages make war upon their families …” We learn from Thomas Paine that you have to understand your audience and write persuasively in a way that will catch and keep their attention.

Without being too esoteric and knowing that my appellate experience is (extremely) limited, Paine argues his beliefs in a manner that is worthy of presentation to a newly formed country or to a panel of jurists. His writing style reminded me of what I had been taught about writing briefs. Provide the issue, the facts, your argument and conclusion. Common Sense follows this road map, and although the style is important, the substance of what Thomas Paine argues is the reason

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to take some time and read this pamphlet. Let’s look at his work and see how it stacks up with presenting an argument in Court:

The Issue: Should America break free from Britain and form its own country?

The Facts: The year is 1776 and the colonists are in the midst of deciding whether to declare their independence from Britain. There have been several bloody battles already, including the one at Lexington and the country is torn between whether it is better to “run back to the Mother country”, known as reconciliation, or declare their Independence and take control of their own destiny, as difficult as the journey may seem.

The Argument:
1. Monarchy is the worst form of “government” and if America stays with Britain it will be used as a pawn for any pleasure, war or otherwise, of the Monarch. The subjects of any King have no control over who rules them, whether due to hereditary succession or overthrow.

2. America is self-sufficient presently. As Paine argues “I challenge the warmest advocate for reconciliation, to show a single advantage that this continent can reap, by being connected with Great Britain. … Our corn will fetch its price in any market in Europe, and our imported goods must be paid for buy them where we will.” In other words, America does not need “coddled” by Britain in order to survive. We have our own strengths.

3. Distance between America and Britain, in and of itself, is a detriment to America. “To be always running three or four thousand miles with a tale or petition, waiting four or five months for an answer, which when obtained requires five or six more to explain it in, will in a few years be looked upon as folly and childishness. There was a time when it was proper, and there is a proper time for it to cease.”

4. A navy provides the ultimate strength for a country and “[n]o country on the globe is so happily situated, so internally capable of raising a fleet as America. Tar, timber, iron and cordage are her natural produce. We need go abroad for nothing.” Building a fleet will also provide an instrument of commerce. If America builds ships and then decides it does not wish to have its own navy or use them for trade, the ships can be sold which will provide independent funds for America’s use.

5. Britain cannot defend America so why should we defend Britain? “Common sense will tell us, that the power which had endeavoured to subdue us, is of all others, the most improper to defend us. Conquest may be effected under the pretence of friendship; and ourselves, after a long and brave resistance, be at last cheated into slavery. And if her ships are not to be admitted into our harbours, I would ask, how is she to protect us? A navy three or four thousand miles off can be of little use, and on sudden emergencies, none at all. Wherefore, if we must hereafter protect ourselves, why not do it for ourselves? Why do it for another?”

6. America’s youth makes this the perfect time to declare independence. “Youth is the seed time of good habits, as well in nations as in individuals. … Our present union is marked with … these characters: we are young, and we have been distressed, but our concord hath withstood our troubles, and fixes a memorable area for posterity to glory in.”

The Conclusion: For the reasons set forth above, it is in America’s best interest to declare their independence from Great Britain. “…independence is the only BOND that can tie and keep us together. … Let the names of Whig and Tory be extinct; and let none other be heard among us, than those of a good citizen, an open and resolute friend, and a virtuous supporter of the rights of mankind and of the FREE AND INDEPENDENT STATES OF AMERICA.”

So – do you think Thomas Paine made a good argument? For those of you who do appellate work, would his analysis convince a panel of jurists that America should declare its independence? I’d love to know what you all think. Please feel free to provide any comments to me at aad@sdlo.com.

As an aside, Thomas Paine donated any royalties from the sale of the pamphlet (which sold 500,000 copies in its first year) to George Washington’s Continental Army. I’d say that’s putting your money where your mouth is.

1 I shouldn’t be quoting lyrics, but more about that in the next Newsletter.

2 All quotes are from Common Sense by Thomas Paine. I have not added page numbers from my copy of the pamphlet, as they may differ based on different editions which have been printed.

Arlene Dudeck is a partner in the law firm of Sahlaney & Dudeck in Johnstown. Her firm concentrates in the areas of Estate Administration, Estate Planning, Business Planning and Real Estate.
This is the first of a recurring column for our newsletter featuring news from the Young Lawyers Division. It is a pleasure to invite you to participate in the 2018 Statewide High School Mock Trial Competition weekend. The competition will take place in Harrisburg on March 23-24.

Now celebrating its 35th year, the Statewide Mock Trial Competition continues to thrive. What began with a few schools in the Philadelphia area has bloomed into a flourishing program involving over 300 teams and 3,000 high school students from across the Commonwealth. Students competing in the program work together to prepare and try a legal case in court. Meanwhile, they hone their public speaking skills and learn valuable lessons about our legal system from the many volunteer lawyers participating in the competition. The State Competition in Harrisburg will see the top 14 teams from around the state competing for the championship. This year’s State Champion earns the honor of competing in the national mock trial tournament in Idaho later this spring.

The championship weekend begins with Rounds 1 and 2 on Friday, March 23 at 3:00 p.m. and 6:30 p.m. Round 3 is scheduled for Saturday, March 24 at 8:30 a.m. and the Final Round is scheduled at 11:30 a.m. All trials will be held in the Dauphin County Courthouse. To participate in the weekend’s event please click Judging Panel Volunteer Form to submit your response electronically.

The Young Lawyers Division and the students appreciate the heavy demands of your challenging schedule, and thank you for considering being a special part of this important law-related program that greatly benefits our Pennsylvania high school students.

Megan E. Will is a lawyer licensed to practice in the Commonwealth of Pennsylvania and is engaged in the general practice of law in Somerset County, Pennsylvania, with focus toward criminal defense, juvenile, family law, estate planning, and estate administration. She also functions as Independent Court-Appointed Conflict Counsel, and is an active member of the Somerset County Bar Association. Megan is a graduate of Susquehanna University with bachelors degrees in political science and Spanish. She obtained her juris doctor from the Duquesne University School of Law, receiving the Pro Bono Service Award and Excellence in Criminal Advocacy award. Megan presently serves on boards of directors for three local nonprofit organizations. She is the only Somerset County attorney who is qualified to represent clients who speak only Spanish.
S.B. 501, sponsored by Senator Thomas Killion, seeks to amend Title 18 (Crimes and Offenses) and Title 23 (Domestic Relations) to remove the option of third-party safekeeping for a defendant ordered by the court to surrender firearms, weapons and ammunition. The goal of this legislation is to increase safety for parties and their children in Protection From Abuse (PFA) and domestic violence situations. The law currently allows persons convicted of a misdemeanor crime of domestic violence 60 days to surrender their firearms; however this bill would require that such persons relinquish their firearms within 24 hours. In the bill’s original form, convicted abusers and PFA defendants may only relinquish firearms to the county sheriff or other law enforcement agency or to a federal firearms licensed dealer. This change prevents a person from transferring firearms to third parties such as friends, relatives, neighbors, etc.

Senator Killion reached out to the PBA about having lawyers included as repositories of firearms relinquished in PFA orders and misdemeanor crimes of domestic violence. The Solo and Small Firm Section, with the help of the PBA Professional Responsibility Committee, drafted a Report and Recommendation, ultimately adopted by the PBA. The Report and Recommendation states that S.B. 501 must provide that there be a written agreement between an attorney and his or her client stating that a firearm may be relinquished to said attorney upon the express, written condition that the firearms would be returned to the client or otherwise transferred, only if in strict conformance with applicable law. Section members sought to determine whether it would be ethical for attorneys to accept relinquished firearms and found no prohibitions under the Rules of Professional Conduct.

The last action on S.B. 501 was a press conference held on November 14, 2017. The bill currently resides in the Senate Judiciary committee. There have been negotiations pertaining to this bill, and it is predicted to be voted on in March.

This Update was provided by Fredrick Cabell, Jr., Naomi R. George and Ashley P. Murphy of the Pennsylvania Bar Association Legislative Department. We thank them for their vigilance in presenting issues which are important to our Section and for being a liaison to the Legislature, assuring that our concerns and comments are recognized. The following picture is of your Solo and Small Firm “Angels” (eye roll especially for the Angel on the left) who have their carry permits and are ready for this legislation – from left to right, Arlene Dudeck, Kim Lengert and Deni Morton.
Happy New Year to our Members and we hope you’ve enjoyed this Winter 2018 Edition of the Newsletter. While we watch the Olympics and see all these talented athletes putting everything into their performances, we know that we have our own Olympic team here at the Section. We have coaches, family and lots of teammates to help us through our training and performances. No one does it alone. So let’s review all the gold medal winners who contributed to this issue.

We’ve added a new column, thanks to Megan Will, who will be reporting on YLD news. As Solos and Small Firms, we understand the need to help young lawyers and provide them with the benefit of our experience. The Mentoring Initiative is officially up and running. Please remember that you can apply at any time to become a Mentor or Mentee and we will work with both participants to get a mutually beneficial match. For more information, just contact Arlene at aad@sdlo.com or Megan at megan.e.will@gmail.com. The application can be accessed at http://www.pabar.org/site/Members/Sections/Solo-Small-Firm-Section/Mentoring. A big thank you to those who have volunteered to be in this initial class, and to our immediate past Chair Kim Lengert, who envisioned this program.

Our Member Spotlight could not have been better. The gold goes to Dale McClain, to whom we owe a debt of gratitude (otherwise we would not exist). Dale was kind enough to share his inspiring story and provide us with the coaching and focus we all need.

Ellen Freedman hit the podium with her article on “Free Passes.” The style is different from what we’ve seen from Ellen, which only helps to drive her message home. We also thank Sara, Jen, Kim, Rich and the team at the Legislative Department for keeping us up to date on all the news affecting our practices and cheering us on – just like a coach, just like a family.

A team would not be a team unless they cheered on other’s successes. In that spirit, we want to acknowledge the following news from our Members:

- Congrats to Dave Landay of Pittsburgh, PA who received a favorable unanimous decision from the Pennsylvania Supreme Court in a workers’ compensation case that decided an employer cannot recover attorney fees erroneously paid to a claimant’s attorney. The case has been active since 2009 and was finally decided in the opinion you can read at Parker v. WCAB (County of Allegheny), decided January 18, 2018. Just like the Olympians, we never give up.

- Bill Hoffmeyer has been busy competing in multiple events by presenting (or to be presenting) the following seminars: Clearlaw Institute Webinar on February 16, 2018 on FSBO issues; Half Moon seminar on March 22, 2018 in Fort Washington along with a Surveyor on Trespass actions and Easements & Rights of Way, PBI Webinar on January 10, 2018 on How to Terminate a Client; PBI General Practitioners Updates on December 2017, NBI in November 2017 on Estate Planning.

- Steven Fairlie of North Wales, PA won a Not Guilty Verdict in Bucks County regarding a juvenile rape charge. The charge was made 8 years after the crime was alleged to have happened and Steven had to litigate for his client in spite of the lack of DNA and fingerprint evidence.

A couple of reminders to keep us on the medal course:

- A request for nominations for the annual Solo and Small Firm Section Award will be out in the near future. If there is a Section Member you feel has exhibited the qualities that our Section advances, please enter their name and the reason for your submission to the Committee. Rita Alexyn will be sending out the request on the listserv which gives you time to calculate the scores (as the Olympic judges do) and let the Committee know who you think is your winner.

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A reminder that the Public Access Policy is now in effect and practitioners should be aware of the requirements of every county’s local rules regarding pleadings. The USJ Portal with links to local rules can be found at [http://www.pacourts.us/public-records/public-records-policies](http://www.pacourts.us/public-records/public-records-policies). Also, PBI has an on-demand course on the Policy – just go to its website at [www.pbi.org](http://www.pbi.org) and click on the On Demand tab.

The 2018 Clarity Award will be presented at the next PBA Annual Meeting, on May 10, 2018, at the Hershey Lodge in Hershey, PA. You can nominate an individual who you believe exemplifies the best in clearly communicating about the law to others. Complete the form located at: [http://www.pabar.org/public/committees/PLA01/awards/Clarity-Nomination-2018.pdf](http://www.pabar.org/public/committees/PLA01/awards/Clarity-Nomination-2018.pdf) with the name of your nominee and send it no later than March 29, 2018, to: Louann Bell, PBA Committee Relations Coordinator, 100 South Street, P.O. Box 186, Harrisburg, PA 17108, Fax: 717-238-7182 or email: Louann.Bell@pabar.org

The next Section Meeting will be held May 10, 2018 at 2:30 at the Hershey Lodge in connection with the PBA Annual Meeting. We’d love to see many of you attend.

GO USA and the PBA Solo and Small Firm Section – we will be cheering on all of you whether you’re competing in Half Pipe or litigating a difficult issue in Court. Just like a coach and just like a family – we are here for you.

Our next issue deadline is May 11, 2018. We welcome your submissions (otherwise you have to read those articles that Arlene writes). You all have so much to contribute and you’re all gold medal winners to us.

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**PBA Solo & Small Firm Section**

**Annual Conference**

**July 25-27, 2018**

**Omni Bedford Springs Resort**

**Bedford, PA**