

WHY HAVEN'T LAW FIRMS LEARNED HOW TO DEAL WITH PERSONNEL PROBLEMS?

By Michelle L. Ostrelich

We've heard again and again that the practice of law has become a business. Gone is the level of professionalism and courtesy that once reigned. Gone is the assumption that once we make partner, the three-hour lunches and afternoon tee times begin, and billable requirements end. The journals suggest that competition and profit motive have created sweatshops of associates, an emphasis on the bottom line, and revolving doors for both attorneys and staff. So, managing partners seem to have adopted the business world's philosophy of management in many ways. One of the greatest revolutions in the business world, a revolution created in fact by lawyers, has failed to trickle over to the profession. That is, law firms are still notorious for not dealing effectively (or at all) with personnel issues.

Through innovative and creative litigation, lawyers have created a business world where corporate compliance officers and human resource departments train and invest in their personnel to avoid liabilities. Although Pennsylvania remains an "at-will" state, where employers may terminate employees for any or no reason, we are still subject to many laws which interfere in the employment relationship. For example, Title VII, the Age Discrimination in Employment Act, the Americans with Disabilities Act, and the Pennsylvania Human Relations Act impose liability for

discrimination based on sex, race, religion, national origin, age and disability. Furthermore, courts may impose liability where employers retaliate against employees for asserting their legal rights. Fearing these lawsuits, companies have drafted personnel manuals, instituted internet-use policies, and required their employees to attend diversity training and harassment prevention workshops. The corporate world has faced the risks of sexual harassment, discrimination, and wrongful discharges in the business world. So if lawyers know, and actually helped create, the liabilities that can arise from inattention to personnel, then why don't lawyers work harder at preventing personnel problems in their own firms?

I don't think we can answer the "why" question in this short article, but at least we can answer the "well, what should we do then" question. To prevent certain personnel problems from arising in the first place, law firms should disseminate personnel policy manuals to clarify their policies on hours, wages, and benefits. They should seek counsel from an experienced employment law practitioner to be sure that the manual itself does not constitute a contract of employment, to assure that all relevant laws are addressed (for example, firms with more than 50 employees should include a leave policy in accordance with the Family Medical Leave Act), and to ensure that questions which frequently arise at the firm are answered.

There are several areas particular to law firms that personnel policy manuals should address. First, a personnel policy manual drafted for a law firm should

address the importance of maintaining client confidentiality. Second, a manual should specify the procedure for conducting conflict checks prior to beginning representation in a matter. Finally, as with many other businesses which rely on computer use and research, the manual should include a policy that clarifies that computer and office equipment are for office use only and all files, data and office space may be searched at the discretion of the employer. Otherwise, firms may avail themselves to a breach of privacy where it is unclear whether their employees had an "expectation of privacy" in the use of computers and office equipment.

Law firms should also provide diversity training and harassment workshops for partners, associates and staff. If the thought of seeing your co-workers explore these topics in a workshop format makes you shriek "so-and-so would never go to something like that!", then perhaps your firm needs the most training. To deal with the risk of liability AFTER claims of sexual harassment, discrimination and wrongful discharge are filed, law firms should consider purchasing employment practices liability insurance.

But what should you do in the interim - when you receive a complaint from an employee or you have suspicions of workplace misconduct or criminal acts, such as sexual harassment, discrimination or stealing? These situations preliminarily call for an investigation into the facts. Internally-conducted investigations are the first step to addressing per-

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WHAT'S AT ISSUE

The children of our country are suffering on a daily basis. Our society seems to have abandoned our children. The Colorado school shootings is just one example of the children gone awry in our country. The copycat situations which occurred in many of the Pennsylvania schools is not only sad, but should put fear in our minds and hearts. This was clearly not the beginning of the many juvenile crimes across the state and country which have not only increased in number but, more importantly, in severity, and this will surely not be the end. We must address the problem immediately.



Kathryn Meloni

When I took office as Chair of the YLD, I stressed that one of my focuses for the year would be Children's Issues. As a family law attorney in Delaware County, Pennsylvania, every day I see the tragedies that affect children: divorce, custody battles, parental kidnapping, abuse and much more. It is disheartening to say the least. The YLD has always been the charitable arm of the PBA. My emphasis for this year will largely include activities in the community, with the help and assistance of the local bar associations. These projects cannot be accomplished without the assistance of you, our members.

According to the National Center for Health Statistics, in 1990, there were 1,182,000 divorces and 16.8 per 1,000 children under the age of 18 involved in divorce. Of these, the mother was awarded custody in 72 percent of the cases in which custody was awarded; joint custody was awarded in 16 percent of the cases, with fathers receiving primary custody only 9 percent of the time. Children are caught in between parents in custody battles on a regular basis. I often see "good parents" doing bad things when he/she is involved in a custody battle; parents tend to be too involved in the battle to see that the child is suffering. On the contrary, I have often seen children of divorce manipulating parents in order to get "what they want."

It is interesting to note that a study

conducted by Andrew Cherlin and his colleagues (testing over 11,000 children in Great Britain and over 2,200 children in the U.S.) revealed that divorce itself does not have a negative affect on the children. "This work implies that most of the problems we see in children of divorced parents are due to long-standing psychological problems of the parents, the stresses of poverty and racism, disabilities the children themselves suffer, and so on." See Divorce, nontraditional families, and its consequences for children by Rhona Mahony at <http://www.stanford.edu/~rmahony/Divorce.html>.

"Homeless children are by most accounts among the fastest growing segments of the homeless population. Families with children constitute approximately 40% of people who become homeless (Shinn and Weitzman, 1996). A survey of 30 U.S. cities found that in 1998, children accounted for 25% of the urban homeless population (U.S. Conference of Mayors, 1998). These proportions are likely to be higher in rural areas; research indicates that families, single mothers, and children make up the largest group of people who are homeless in rural areas (Vissing, 1996)."

— *National Coalition for the Homeless, June 1999.*

Child abuse (physical, mental, neglect, and/or sexual) is prevalent across the country. Parents involved in custody battles often claim the other parent is abusive when it is unclear as to whether abuse is actually occurring. The website at <http://geocities.com/guardian-angels/tenaday.html> lists ways that a parent can help to prevent child sexual abuse by taking 10 minutes per day to do the following:

1. Talk to your child and listen to what they are saying;
2. Get to know your child's personality traits, daily habits, and mood swings, so that you can detect a difference if one develops;
3. Take the time to teach your child about good and bad touches, without scaring them away from your hugs and cuddles;
4. Educate your child by teaching him/her about proper names for body parts;
5. Stress to your child that no one is allowed to touch their private areas/parts or do anything that makes them feel uncomfortable in any way;
6. Teach your child that it is important not to keep secrets from parents, even if someone has threatened to harm

him/her or his/her parents.

In many cases, there are threats by one or both parents that he/she will take the child(ren) and leave so that the other parent will never see the child(ren) again. Estimates by the U.S. Department of Justice predicts that in the United States approximately 350,000 children are abducted by their parents each year. See Parental Abduction of Children: An Overview and Profile of the Abductor, prepared by John Kiedrowski, M.A., CHS, Jayewardene, Ph.D, August 19, 1994 at <http://www.childcybersearch.org/rcmp/rcmp6.htm>. According to the study, an overall

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AT ISSUE

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At Issue is published quarterly by the PBA Young Lawyers Division. Editorial items, news material and correspondence should be sent to the PBACommunications Department, P.O. Box 186, Harrisburg, Pa. 17108-0186.

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profile of a parental abduction takes into consideration the following:

1. Both mother and father are likely to abduct their own children.
2. Mothers tended to abduct their children after a court order is made while fathers tend to abduct their child before a court order.
3. Mothers who abduct their children tend to keep them for a longer time than fathers who abduct.
4. The age range for parents who abduct is 28 to 40 years.
5. Fathers are usually employed while the mothers are more likely to be unemployed.
6. Few studies have identified a psychological or sociological profile of the abducting parent.
7. The majority of children are between three and seven years of age. Children taken out of the country tend to be older.
8. Both male and female children are equally likely to be abducted.
9. Children tend to be taken from the home. They are less likely to be taken from another residence or from a school yard.
10. Most searching parents report the abduction of the child to the police on

the day it occurred. There is, however a large proportion of searching parents who delay in reporting the incident.

11. Communication usually occurs between the searching parent and the abductor.

12. The majority of parental abductions are short-term and resolved within seven days.

13. Various modes of transportation are used to move the child.

14. Children tend to be taken during weekends or summer or winter holidays.

15. The parent abducting the child tends not to use physical force.

For starters, the YLD will be sponsoring a statewide program called Project Kidcare in each of the 12 zones. The program helps to provide parents with an identification card, complete with picture and fingerprints of their child(ren) so that such is helpful in the event that the child becomes "missing." The program can be conducted by your local bar association and/or in conjunction with a community group and/or police department. I have appointed the following members of the YLD executive council to co-chair the event: Chuck Eppolito and Mary Kollas Kennedy. We will work with local zone chairs to help you conduct this

program in your counties. If you are interested in conducting this program in your county, please contact me at (610) 565-1260 or our YLD Liaison, Susan Donmoyer, at (800) 932-0311 ext. 2223. We look forward to working with you on this project and many others in the future.

Additionally, the YLD is assisting PBA President Louis N. Teti with his educational programs in schools across the Commonwealth. On Tuesday, September 21, 1999, approximately 20,000 children across the Commonwealth signed the Constitution and learned what American government is all about. Lou has requested that every lawyer in Pennsylvania go into the schools on Law Day 2000 to talk to students for one hour; if you think about it, one hour each year is not much to donate to helping children in Pennsylvania have a greater respect for the law, the government and, subsequently, for lawyers. We applaud Lou for the work that he is doing and will support him in this project. Please assist us in this effort.

FOURTH ANNUAL YLD "DAY ON THE HILL" FEATURES TORT REFORM DISCUSSION

By Lisa L. Granite

Nearly 100 lawyers gathered at Harrisburg's Tuesday Club Oct. 4 to discuss tort reform and other issues at the PBA Young Lawyers Division Fourth Annual "Day on the Hill."

YLD Chairperson Kathryn A. Meloni opened the day's events by addressing the topic of the first CLE program, "Lawsuit Abuse: Fact or Fiction?"

"Over the course of the past nine years that I have practiced law in Pennsylvania, I have heard cries both for and against tort reform," said Meloni. "Senate Bill 5 concerns an important issue, and we hope that today's panel discussion helps you make an informed decision regarding tort reform."

Panel moderator Laura E. Ellsworth of Pittsburgh, who serves as co-chair of the PBA Civil Justice Coalition Task Force,

agreed, saying, "Tort reform is not a clear-cut, black-and-white issue."

If passed, Senate Bill 5 would allow juries to reduce damage awards if they find that the plaintiff was partly responsible for the loss or injury. Other changes to liability cases would include the need for proof beyond a reasonable doubt as in criminal cases, and limitations to the amount juries can award to either \$250,000 or twice the amount of compensatory damages, whichever is greater.

The panel for the tort reform discussion included Sen. Jeffrey E. Piccola, R-Dauphin; Sen. Allen G. Kukovich, D-Westmoreland; Rep. Babette Josephs, D-Philadelphia; Timothy A. Shollenberger of Shollenberger & Januzzi, LLP; James C. Haggerty, a partner with Swartz, Campbell and Detweiler; and Russell S. Swanger, Jr.,

senior counsel and director of government affairs, Harsco Corp.

The afternoon session, "Beyond Law School: Career Tips and Traps," focused on ways to make a career in law more satisfying and less stressful. Various studies have shown that today's lawyers are increasingly more dissatisfied with their careers, leading to increases in mental and physical health problems, including substance abuse.

To combat these trends, mentoring programs were highly recommended. Panelists said mentoring had benefits that reached far beyond the expected career-related assistance such as that the protégé in a mentoring relationship often felt more competent and effective and devel-

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LAW FIRMS

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sonnel problems in a timely and responsible manner. A good investigation can prevent potential morale problems, and even legal and financial losses. Investigations should be performed without a formal complaint, when management has any reason to believe that the alleged conduct is occurring.

Of course, an investigation should begin with reference to the firm's well-drafted complaint procedure in its personnel policy manual (see above). On June 18, 1999, following two United States Supreme Court decisions which held that employers are subject to vicarious liability for unlawful harassment by supervisors (*Burlington Industries v. Ellerth*, 524 U.S. 775 (1998); *Faragher v. City of Boca Raton*, 524 U.S. 742 (1998)), the Equal Employment Opportunity Commission (EEOC) released new guidelines directing employers on how to prevent harassment in the workplace and avoid liability. The EEOC guidelines recommend that any effective anti-harassment policy and complaint procedure should contain the following elements:

- a clear explanation of prohibited conduct;
- an assurance that employees who make complaints of harassment or provide information related to such complaints will be protected against retaliation;
- a clearly described complaint process that provides accessible avenues of complaint;
- an assurance that the employer will protect the confidentiality of harassment complaints to the extent possible;
- a complaint process that provides a prompt, thorough and impartial investigation; and
- an assurance that the employer will take immediate and appropriate corrective action when it determines that harassment occurred.

In fact, law firms should consider broadening the complaint procedure to include complaints about any misconduct, such as all kinds of discrimination or violations of rules or policies of the firm. Once the policy is in place the investigation should:

- be performed by a trained and objective investigator;
- be done in a timely manner (only a few days should elapse between each step in the process);
- include interviews with anyone who may be involved or who may have witnessed the problem;
- all steps in the process should be

recorded and documented in writing; and

- all parties should be informed of the results of the investigation and resulting disciplinary action taken, if any.

Specifically, once the investigation is complete, the investigator should evaluate the evidence and determine whether or not the alleged wrongful conduct has occurred. A memorandum of determination should be written and filed in the alleged wrongdoer's personnel file. The memorandum should incorporate the law, policy, or rule that the employee is alleged to have violated. For example, if an employee is accused of sexual harassment, the legal definition of sexual harassment found in Title VII, EEOC guidelines and the Pennsylvania Human Relations Act should be included in the memorandum of determination.

The memorandum should point to as many facts as possible to support the decision and document each reason for the decision. The investigator may include for consideration the credibility of the parties involved. If the evidence is found to be inconclusive and the investigator cannot make a determination, the employer should take no action against the employee. If the evidence permits the investigator to conclude whether or not the alleged misconduct occurred then it should state the conclusion and recommended course of action. The burden of an employer is that it must act fairly and in good faith in making its decision.

The memorandum of determination should then be submitted to a managing partner of the firm for action, if they are not the same person as the investigator. It is recommended that the investigator be a disinterested party and not the same individual authorized to discipline employees for misconduct. This gives support to the unbiased nature of the investigation. By separate memorandum, the managing partner should state the discipline, if any, taken against the alleged wrongdoer. Disciplinary action ranges from written or verbal warnings, to suspension with or without pay to termination. The type of discipline chosen may reflect whether it is the first violation of policy, part of a pattern of misconduct and the nature and seriousness of the misconduct.

Once a decision is rendered and the memoranda are complete, the managing partner should meet with each party separately and review the decision thor-

oughly. Each party should be allowed an appeal process during which they may offer any additional facts they feel would change the determination. Firms may wish to ask employees to sign receipt of the memoranda to have evidence that the employee was notified of the disciplinary action and potential discipline for future misconduct.

If an employee refuses to sign the memoranda, then the managing partner should note that the employee refused to acknowledge the discipline. The memoranda should then be filed in the alleged wrongdoer's personnel file ONLY, and not in the file of the employee who lodged the complaint. If the complaint is filed in the personnel file of the employee making the complaint and an adverse employment decision is made against that employee at a later date, the individual may allege that it was done in retaliation for the complaint.

It is clear that the face of the workplace is changing, even in law firms. Partners, however, may be reluctant to admit or recognize that personnel problems can occur at their own firms (not that I would ever suggest that lawyers have disproportionately large egos or anything). To avoid liability and to be responsible and fair employers, law firms, like all businesses, should be attentive to personnel issues AS THEY ARISE.

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YEAR 2000 ELECTION OF OFFICERS FOR THE PBA/YLD

By Jacqueline M. Vigilante

It's hard to believe it, but we are almost midway through another bar year, and as the end of the year approaches, it's time to start thinking about next year's YLD elections, which will take place at the PBA's annual meeting in May. As the incoming Chair of the Division, I have been asked to provide you with a primer on the elected positions in YLD leadership. We hope that by putting this information out there early, we can encourage new (and renewed) interest in leadership.

The offices that are available each year for general election are the Chair-Elect, Secretary, and Treasurer; in alternate years the Division Delegate to the House of Delegates and the ABA/YLD District Representative are elected. This May, the ABA District Representative will be elected. According to our by-laws, any young lawyer running for an elected office must be under the age of 36 at the time of the election and be a member of the Pennsylvania Bar Association in good standing.

The young lawyer elected as Chair-Elect in one year succeeds to the office of Chair of the Young Lawyers Division in the following year. The Chair, the Chair-Elect and the Immediate Past Chair all serve on the PBA Board of Governors and in the House of Delegates. The time commitment for the office of Chair-Elect is really three years. The Chair of the Division is responsible for representing the Division in the community and bar and is also responsible for guiding and leading the Division.

The Treasurer is elected each May and is responsible for overseeing the budget which is allotted to Young Lawyers Division. The budget is used to support the Division's projects and committees so that funds are available to achieve all of the Division's desired goals for community service and service to the Bar. The Treasurer works hand-in-hand with the Division's Coordinator and other staff members as well as the PBA's

Treasurer to ensure fiscal soundness and responsibility.

The Secretary is also elected each May and serves a one-year term beginning at the end of the Annual Meeting, like the Treasurer. The Secretary is responsible for keeping the minutes of the Division's meetings and conferences.

The House Division Delegate is elected every other May and serves a two-year term beginning at the end of the Annual Meeting in which he or she was elected. The House Delegate is a member of the House of Delegates, the PBA's policy-making body, and is responsible for attending both House meetings each year and representing the YLD at those meetings. The House Delegate is also expected to keep the YLD informed of the issues before the House and to seek YLD input on those issues.

Each of the officers listed above is elected, after proper nomination and credentialing, at the Annual Meeting of the PBA, during the YLD business meeting. The election is a secret ballot vote of all YLD members in attendance at the meeting.

The ABA/YLD District Representative is an officer of the PBA/YLD according to our by-laws; however, the ABA/YLD District Representative is elected pursuant to the by-laws of the ABA/YLD. A candidate for the District Representative position must be nominated through the ABA/YLD and must be a member of the ABA/YLD. The ABA/YLD then sends ballots to each of its affiliate young lawyer organizations in the State, and each such organization casts one vote. The individual so elected is then automatically placed on the Executive Council of the PBA/YLD and the Executive Council of the ABA/YLD. The District Representative is required to attend each of the four ABA/YLD meetings annually and each YLD Business Meeting. The term is two years. The ABA/YLD District Representative is our link to the ABA and to other Young Lawyer organizations nationwide, and the Representative reports to us on what's going on in other areas.

The ABA District Representative is also responsible, according to the ABA's agreement with FEMA (Federal Emergency Management Agency) for organizing young lawyers in the state to provide pro bono service in the event of a federally declared disaster. The PBA and PEMA (Pennsylvania Emergency Management Team) works with the ABA District Representative in this regard.

Finally, and in addition to all of the elected positions, there is the Young Lawyers Division Executive Council which is comprised of one or more Zone Chairs from each of the 12 zones of the state. The Zone Chairs are young lawyers who are appointed to the position by the current Chair and who serve one-year terms, which may be expanded by subsequent chairs. The Zone Chairs attend YLD business meetings and serve a link between the PBA/YLD and the local county bar associations. Many of the current officers started their service with the YLD as a Zone Chair. Although they are not officers of the Division, Zone Chairs certainly serve as leaders of the Division.

Well, there you have it — a basic roadmap to who we are and how we serve the Division. The best part is that any young lawyer reading this article can inquire about running for any of the positions which I've discussed. All it takes is a desire to be involved and stay involved. If you have that desire and want to serve as a Zone Chair or Committee Chair next year, I would love to hear from you. Please contact me at jaccivig@aol.com.

Jacqueline M. Vigilante is chair-elect of the YLD.

ZONE REPORTS

Zone Two

In Carbon County, the Young Lawyers Division participated in the local observance of Constitution Signing Day. The celebration was observed at the Leighton Area Middle School. Participating in the program were over 200 fifth grade students, State Senator James Rhoades, State Republican Keith McCall, Carbon County Bar Association Chancellor Dan Miscavige and Young Lawyer Division Co-chair Steve Serfass.

Prior to the start of the program, the speakers addressed the students as to the importance and relevance of the Constitution in our everyday lives. The students participated in a signing ceremony where they were able to sign their names to a scroll attached to a large copy of the Constitution.

The student participation in the program was enthusiastic and the event proved to be a very worthwhile sponsorship on the part of the Bar.

The Berks County Young Lawyers Division held its Stepping Out Program in May, an annual crab fest/pool party in July, an annual golf outing at the Reading Country Club followed by drinks, dinner and more drinks in August, and later in August, had "YLD Night at the Reading Phillies" followed by a picnic. An annual Young Lawyers Division holiday party is being planned for December.

— *Steven R. Serfass*

Zone Three

On Oct. 9, Zone 3 held its YLD Caravan high atop Sterrets Gap in Perry County at the luxurious mountain top home of legendary local criminal defense attorney William C. Costopoulos. Approximately 30 attendees enjoyed not only delicious food, but a fantastic view of Cumberland Valley. The event was an enjoyable and relaxing evening for all. Attorney Costopoulos is extended the sincere gratitude of the Zone 3 co-chairs for opening up his home for our local young lawyers.

The Cumberland County YLD also held its second annual Casino Night on Nov. 12 at the LeTort Community Center of the U.S. Army War College in Carlisle. The charitable event raises money for the Prenatal programs of the local YLD.

In order to attract new members to the Cumberland County YLD, the committee held two receptions at local restaurants, the Market Cross Pub and Angelina's.

Further receptions may be held in the spring to encourage new members to get involved.

—*Mary Kollas Kennedy and Seth A. Mendelsohn*

Zone Nine

The Young Lawyers Division in Montgomery County recently reorganized. There are now four officers and four separate committees; each committee has two co-chairs. The four committees are membership, community service, social activities and a mock trial committee. The first meeting with the new chairs was held on Sept. 30.

The Young Lawyers recently sponsored a Halloween Happy Hour at the Great American Pub, Conshohocken on Oct. 21.

The Doctor/Lawyer project has resumed in which one doctor and one attorney are paired together to go into fourth and fifth grade classes and speak about the physical and criminal dangers of drugs and alcohol.

The Young Lawyers also undertook their first annual 5-K run and 1-K walk which was held Nov. 20. It started at the Montgomery County Bar Association located at 100 Airy Street, Norristown. The money raised from the run went to underprivileged families who cannot afford to purchase holiday meals.

—*Lisa J. Cappolella*

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EDITOR'S COMMENT

Lou Teti, the current President of the PBA and former YLD chair, has established as the theme for his presidency a revolutionary concept to the practice of law. Lou is raising an awareness to the members of the bar the need to achieve a healthy balance between attorneys' personal and professional lives. This concept of balance in the lives of lawyers is one which, prior to this time, was either dismissed as impossible or not addressed at all. There are distinct reasons for the need to address quality of life issues at this time and encourage lawyers to attempt to reach a balance in their personal, professional and civic lives. Of greater relevance to this publication and its readership, however, is how the concept of balance applies to and may affect young lawyers, since it is generally assumed that most young lawyers have little, if any, control over their nonprofessional lives because of the nature of the demands of the profession at the early stages of their careers.

The focus on lifestyle balances in the lives of lawyers is revolutionary because it contradicts the "work first" philosophy which has prevailed in the profession over the past 15 or 20 years. Technological advances envisioned to save time and make life easier have only made the practice of law more hectic and stressful. While fax machines, cell phones and e-mail have facilitated instant communication, they have also multiplied exponentially the demands and stresses on the practitioner. Rising starting salaries for associates have been accompanied by an equal increase in billable (and nonbillable) hourly demands, leaving little time for meaningful attention to personal growth.

This "balance revolution" is a natural counter to these societal trends, but its advocacy by a high ranking bar leader is significant and, in many ways, courageous. The visionary and significant part of the concept of balance is in the realization that, for the betterment of the profession and its practitioners, there is a need to redefine our roles as lawyers to include our families and communities.

It is easy to dismiss the concept of balance as simply a desire by some attorneys to work less and be less driven.

Jonathan G. Higie practices with Peacock Keller in Washington. He is co-editor of At Issue and YLD Zone Six co-chair.

Many lawyers wear their high income, astronomical billable hours and large numbers of clients as badges of honor to be admired and envied by others. Success in the profession by those people is what is most important and they discourage young lawyers from venturing down a path that involves any less personal sacrifice because that "is not how to succeed in the practice of law." Worn less prominently on their cloaks of honor are the strained marriages, distant personal and familial relationships, health problems brought on by stress and general disenchantment with their lives that are often borne out of the sacrifices which were made in the name of professional success.

In fact, it takes greater discipline and effort to achieve a balance in life than it does to concentrate on one area at which you may feel most comfortable. Balance is not achieved because of lack of desire but is the outgrowth of a greater desire to adequately tend to the myriad of demands on our time.

The focus on lifestyle balances in the lives of lawyers is revolutionary because it contradicts the "work first" philosophy which has prevailed in the profession over the past 15 or 20 years.

Young lawyers are less equipped than more established practitioners to achieve this balance. The younger practitioner is told what to do, where to be and how long to be there. The consequences of deviations from these orders generally are met with "perhaps you would be happier some place else" or "we do not see you on the partnership track." At the early stages of a career, these pronouncements are viewed by many young lawyers as career homicide and most will do everything and anything to avoid them. The result is often overworked associates with greater disenchantment with the profession and resentment toward its members.

There are no easy answers to how a young lawyer can attain a balance in their personal and professional lives. So weighty are these issues, that Teti has

appointed a Task Force on Quality of Life and Balance, chaired by Kenneth Horoho (also a former YLD Chair), a subcommittee of which will examine the issues facing young lawyers.

What is known, however, is that the decision to achieve a balance in life involves courageous choices, perhaps at the very early stages of the legal career. The analysis of a potential job which involves prestige, money and experience must be accompanied by hourly expectations and quality of life issues. Our profession is losing many bright and engaging young lawyers because of the many unintended consequences of seeking professional success at any cost. It is time for all lawyers, and especially young lawyers, to reconsider what constitutes success. These choices often require greater personal and professional sacrifices than are required to become a firm's "super associate" but the personal rewards are equally fulfilling.

It is the obvious and necessary goal of all young lawyers to grow and be successful in the profession. At times, hard work and long hours are the unavoidable price to pay for this growth. It should be equally important, however, that we all strive to become better parents, better friends, better community and bar leaders, better spouses and more content with our total lives. For the betterment of our profession and its professionals, this revolution is one that is too important to be ignored.

DAY ON THE HILL CONTINUED FROM PAGE 3

oped a sense of identity with the firm that might otherwise be lost in a sea of billable hours.

John H. McRedmond, assistant director of Lawyers Concerned for Lawyers; Jennifer L. Murphy, an associate with Duane, Morris & Heckscher; Michelle L. Ostrelich, an associate with Kassab Archbold & O'Brien, LLP; and Andrea Belefonte Puppio, an associate with Ferrara, Belefonte, McFadden & Ferrara, LLP, comprised the panel discussing career satisfaction. Both CLE programs were approved for credit by the Pennsylvania Continuing Legal Education Board.

Other activities included tours of the Capitol and a reception at PBA headquarters. In addition to other attendees, approximately 80 legislators were present at the reception.

YLD CALENDAR OF EVENTS

Event	Date	Location
YLD New Admittee Conference	Feb. 25-27	State College, PA
PBA Annual Meeting	May 10-12	Hershey, PA

Above is a list of YLD events scheduled for 2000 so far. For more information on these events, call Susan B. Donmoyer, ext.2223, at (800) 932-0311.

CALL ELLEN...

the PBA's Law Practice Management Coordinator, with your questions about equipment purchases, computer technology or human-resources issues.
Call PBA LPM Coordinator Ellen Freedman at the PBA LPM Hotline: ext. 2228 at (800) 932-0311

How can YOU help educate our students about the law?

LAW DAY 2000

“Celebrate Students: Judges & Lawyers Go Back to School”

MAY 1-5, 2000

PBA is inviting judges and lawyers across Pennsylvania to go back to school for a day to help students learn about the law. For more information, call Jennifer Branstetter at (800) 932-0311 Ext. 2216.

PBA ANNUAL MEETING

MAY 10-12, 2000

HERSHEY LODGE, HERSHEY

PBA ANNUAL MEETING

A newsletter published by the Pennsylvania Bar Association Young Lawyers Division, P.O. Box 186, Harrisburg, Pa. 17108-0186
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