Pennsylvania Gets Baseline Demographic Data on Attorneys

The ongoing effort to diversify the legal profession in Pennsylvania received some essential baseline information: aggregated demographic data collected in the 2018-19 Supreme Court attorney registration. Getting that data was the result of several years of research and discussion, driven by the diversification goals of the Pennsylvania Supreme Court and the PBA.

In 2017, Chief Justice Thomas G. Saylor and the Supreme Court directed the Disciplinary Board to include questions requesting voluntary self-identification during the annual attorney registration process. In January 2019, the Disciplinary Board reported the results of that data collection.

Of the approximately 75,000 attorney registrants, about 62 percent self-identified as male and 38 percent as female. Approximately 78 percent self-identified as white and 9 percent as belonging to a minority racial or ethnic group. Approximately 13 percent of registrants selected “prefer not to answer.”

The accompanying chart shows more details.

PBA Executive Director Barry M. Simpson, who was involved in this project from the beginning, said, “We are not surprised by this data; it tells us what we suspected. Pennsylvania attorneys are still not representative of the changing face of the population. And while the statistical under-representation of minorities in the profession is sobering, especially considering efforts to increase diversity, we now have baseline information to help us focus our work to enhance the inclusiveness and diversity of the profession.”

Simpson said the data is needed to provide baselines for both the Supreme Court and the PBA to measure the success and progress of their diversification and inclusion goals. “Efforts to diversify the Pennsylvania legal community are restricted by the lack of data to accurately assess current levels of diversity and changes to those levels,” he said.

“This is a big step forward for the PBA and the courts. We applaud the Supreme Court for its willingness to collect demographic information. It is important that we all work together to make Pennsylvania the most welcoming and inclusive state for lawyers,” Simpson said.

PBA Diversity Officer Trent Hargrove said, “Collection of this data helps paint part of the picture of the current reality of diversity in the profession. It is also important progress toward targeting programs and initiatives based on defined performance criteria and ensuring the delivery of legal services to all population groups.”

Part of the PBA’s mission is to promote diversity in the legal profession. To that end, the PBA adopted a diversity policy in 2006 that said, “The PBA shall promote diversity in its activities, including the election of its officers, Board of Governors and House of Delegates; employment of its staff; composition of committees, sections and task forces, continuing on page 2
Pennsylvania Gets Baseline Demographic Data on Attorneys

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participation in meetings, seminars, publications and other educational activities it sponsors and choosing its vendors.

In the fall 2009, the PBA issued its first House of Delegates Diversity Report, providing data on the gender and racial composition of the PBA House of Delegates, data that was collected via an electronic survey prepared by the House Credentials and Admissions Committee, and indicated that an annual House of Delegates Diversity report would be issued. In 2010, the newly-formed Diversity Task Force made recommendations resulting in the creation of a diversity officer position and a Diversity Team in 2011. The PBA added the purpose “to promote diversity throughout the profession” to Article III of its Articles of Incorporation and its mission statement and in 2012 asked each committee and section to designate a diversity liaison to be a point of contact with the diversity officer for diversity issues.

Collecting demographic data of its various governing bodies, committees and sections and related entities was accomplished, but the PBA had no reliable source of data on the gender, racial and ethnic composition of the PBA or on the attorneys licensed to practice in Pennsylvania.

Jessie L. Smith was vice chair of the Diversity Team when it was established. She is now immediate past co-chair of the PBA Commission on Women in the Profession and a new member of the Pennsylvania Supreme Court Interbranch Commission for Gender, Racial and Ethnic Fairness, who said that Allegheny County’s voluntary race ethnicity identification form given to jurors at the completion of their jury duty has achieved a 90 percent compliance rate. Similar pilots in other counties had a majority compliance rate. Stacey L. Hawkins, a member of the Diversity Team whose career has included more than a decade in diversity practice, also indicated the advantages of voluntary self-identification.

Team members also researched whether there would be any legal barrier to imposing a mandatory reporting requirement and concluded that there would be none. Both New York and Nebraska opted for mandatory reporting as part of their licensing and renewal process.

In November 2013, the Board of Governors and House of Delegates approved a joint resolution of the Diversity Team, the Commission on Women in the Profession, the Minority Bar Committee and the Civil and Equal Rights Committee requesting that the Pennsylvania Supreme Court collect data on the racial and ethnic composition of the legal profession in Pennsylvania.

“...There was one point of opposition, some misunderstanding that this data would be collected in a way that people could find out an individual’s race or ethnicity. But we asked for aggregate data. In the recommendation, it is very clear the data collected will be reported only in the aggregate,” Smith said.

The Diversity Team represents a broad swath of experience and focus areas, Smith said, and that ensured that the recommendation had broad support. She was a presidential appointee to the committee. The team included the following: Jacqueline B. Martinez, chair and at-large minority governor, PBA Board of Governors; Melinda C. Ghilardi, vice chair and at-large woman governor; Robert Datorre, representing the YLD; Jennifer L. Ellis, representing Gay and Lesbian Rights Committee; Andrea Farney, representing Legal Service to Persons with Disabilities Committee; Stacy L. Hawkins, representing the Commission on Women in the Profession; Anne N. John, then-PBA secretary and now PBA president-elect; Stephanie F. Latimore, presidential appointee; Sharon R. López, representing the Conference of County Bar Leaders and now PBA immediate past president; Alka A. Patel, representing Minority Bar Committee; Beverly H. Rampaul, at-large minority governor; Michael H. Reed, representing Leadership Recruitment and Development Committee and a past PBA president; James J. Ross, at
Demographic Data

continued from page 2

large unit county governor; Elisabeth S. Shuster, representing Civil and Equal Rights Committee; and Farzeen F. Sidhva, representing Solo and Small Firm Practice Section.

David E. Schwager, the current PBA vice president, was a member of the Disciplinary Board at the time, became chair in 2017 and supported the recommendation. “He was key to getting this accomplished,” Smith said.

“The Minnesota Supreme Court added demographic questions to its attorney registrations in 2016. We sent our Supreme Court the report that the Minnesota Bar sent to its Supreme Court in 2014 seeking this information. Their demographic data was quite interesting — it is very close to Pennsylvania’s even though we have more than twice as many active lawyers and aren’t similar in general to Minnesota,” Smith said.

In January 2014, PBA President Forest N. Myers sent a letter with the approved resolution to then-Supreme Court Chief Justice Robert D. Castille and requested that the information gathered be kept confidential by the Disciplinary Board and that the Disciplinary Board disclose only aggregated data. Castille responded with questions, and the PBA replied and attached the Minnesota Bar Association’s report requesting this data from its Supreme Court.

In 2015, Saylor became chief justice. Based on processes he put in place, he and the other justices considered this resolution along with the Disciplinary Board. By 2017, the resolution had the support of both the court and the board. The question was added to the attorney registration form in late 2017 for the 2018-19 year and approved by the court. The PBA received the aggregate data on Jan. 3, 2019.

Hargrove said the PBA will focus diversity efforts and address specific goals and outcomes important to affinity bar associations as well as collaborate with affinity bars on programs and initiatives.

“This is very important to the PBA’s efforts to welcome all attorneys. We will be able to measure progress. We are delighted that the court included this on the form. Now we have baseline data to work from. Because no one else has collected this information, many people will use this data as a source, just as has happened with the PBA Women in the Profession Report Card,” Smith said.

PBA President Charles Eppolito III said, “As I talk to attorneys across Pennsylvania, I tell them that the PBA is the home for all Pennsylvania lawyers. We exist to serve lawyers. Much of my time as PBA president has been centered on talking to people and learning about what is most important to them. With this demographic snapshot, we can focus our discussions to learn more specifically how we can welcome and include minorities in the profession.”

Commission on Women in the Profession 2019 Spring Conference

The PBA Commission on Women in the Profession 2019 Spring Conference is Monday, April 8, 3-5 p.m., live at the PBA Western Pennsylvania office in Pittsburgh and simulcast in Philadelphia, Erie, Mechanicsburg, Scranton and Allentown.

The conference, “Women in Office: Solutions to the #MeToo Dilemma,” features a panel discussion on what it takes to become part of the movement for change so that future generations of women can live in a world where sexual harassment and violence do not exist and are not tolerated. Panelists include women members of the judiciary, the media and former members of the Legislature.

For more information and to register, go to www.pabar.org/site/calendar.
Exit strategies vary greatly from firm to firm. Some work very well, others not so much. That doesn't necessarily mean that a strategy is flawed or perfect. We do know that once established, it's difficult for a firm to change the path to the door.

Law firms are fluid organizations that experience internal change over time. The marketplace changes continuously as well, and that is often a catalyst for additional change at firms, desired or not. Unless you're a freshly minted attorney, you have already witnessed significant changes, some good, some not so good.

There are many factors that have influenced established exit strategies.
- Size and complexity of firm
- Diversity in age, demographics and other factors
- Profitability and spread between large and small rainmakers
- Management structure — where the firm is on the spectrum from democratic to autocratic
- The norms at other comparable firms when the strategy is/was formed

What we clearly see is that over time even well-thought-out strategies can become unmanageable and even detrimental to the health and stability of a firm. Right now we are seeing that clearly in the rapidly changing alignments of attorneys. Small and midsize firms are dissolving, merging and reforming at dizzying speed. Some of it is a result of pressures created by poor exit strategies or no exit strategies.

My PBA Law Practice Management hotline is ringing off the hook with people trying to navigate their own exit or of those around them. You may think that is because no thought was made about this eventuality. And yes, I see a lot of that. But more often, it is that the thinking was applicable to different times and doesn't work now. Most often, it works for those who are the first in line to exit but not for those left behind.

As children, we played musical chairs. There is always one fewer chair than there are players. You march around the chairs until the music stops then scramble to get seated. Those who have no chair available are out. Remove more chairs and start the music again. Eventually you have just a single chair and two people remaining. We know how it ends.

That's the scenario when I'm called. There is typically an exit strategy that calls for some payout to retiring stakeholders. It can be as little as the equity account balance. But often it's more. It may be a percentage of revenues originated on average over x-years before retirement. It may be a percentage of the total value of the firm, payable over a number of years. Sometimes it is just a flat number fished out of a cloud in the retiring stakeholder's mind, a self-worth evaluation if you will. Emotions run the highest in this scenario.

None of these strategies is necessarily wrong. All can work provided that the following factors exist:
- The firm is profitable and has stable revenues.
- The firm has continued to hire and develop people who will be able to produce hours and replacement revenues for those exiting.
- Those exiting have put the best interests of the firm ahead of their insecurity and compensation needs and have passed clients and referral sources to those who remain behind.

Here's a typical scenario from a hotline caller. At a small firm with five partners and one associate, three partners are approaching retirement. The firm exit strategy calls for one-year notice, except for disability or illness. At exit time, a valuation of the firm is done. The departing stakeholder is paid 20 percent of the value in three equal yearly installments.

Each of the partners is an island in that they have their own distinct book of business. The three partners closest to retirement have not made any significant effort to transition clients or referral sources. The two younger partners have much smaller books of business. Sometimes the scenario is worsened because the more senior partners own the building and want to execute a long-term lease before they retire or be bought out on the building.

I get concerned calls from one or more senior partners. Each is worried that if he isn't the first to retire, or second, he will not get paid. Yes, they know they have built a house of cards that will collapse under its own weight following their departure. I most certainly get a call from the two younger partners, together or separately. They have made headway in building their skills, brand and book of business. But they know they will not be able to survive economically if they are also saddled with payouts. And what are they buying? What value is left behind for them? They don't want to be disloyal. They don't want to end a relationship in litigation. But they are marching around the chairs and see the inevitable conclusion.

I'm not a magician. There are no secret fixes. Senior partners who are depending on buyout will be sorely disappointed. Younger partners will have to leave to go on their own or move to another firm or the firm will have to become absorbed by or merge with another firm. And that is indeed what we're seeing in the marketplace.

Here is my advice for developing an exit strategy for your firm right now. Avoid getting stuck with a musical chairs situation years from now, because it won't end well.

1. Make it part of the firm culture that everyone plans for and is responsible for their financial situation at retirement. Establish one or more employee-funded retirement plans. Allow room for voluntary contributions by the firm when times are good. Don't lock yourselves into a plan that requires contributions from the firm when profits are low.
2. I am not a believer in mandatory retirement ages. I think many people are cast aside unnecessarily. But I am a believer in mandatory de-equitization at a given age, if it works for your firm's culture.
3. Be cautious about agreeing to pay out more than the value of a capital account upon retirement. If you do:
   a. Keep a sharp focus on the need to keep rebuilding the firm from the bottom.
   b. Formalize succession planning to start not less than five years ahead of anticipated retirement. It must include a continual increase in client work delegated to a successor. It must include introductions to refer-

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Ellen Freedman, CLM, is the law practice management coordinator for the PBA. In that capacity, she assists PBA members with issues and problems that arise on the business side of their practices. She encourages feedback and questions. Ellen can be reached at 800-932-0311, ext. 2228, or by email at lawpractice@pabar.org.
CHILDREN

Superior Court

IN VOLUNTARY TERMINATION OF PARENTAL RIGHTS — partial physical custody — subsequent relocation by other parent — efforts to find child — efforts to reach child — attempts at re-establishing relationship six months immediately preceding termination petition — RIGHT OF CHILD TO COUNSEL — child unable to express legal interests — no preferred outcome from child — confusion and trauma if child learned of parent’s existence — reasonable judgment of attorney — Section 2511 — Adoption Act — 23 Pa.C.S. 2511 — bifurcated analysis — consultation with attorney — attempts to locate parent and child and serve other parent personally — order denying petition to terminate affirmed

In re Adopt. of C.J.A., 2019 PA Super. 40 (Feb. 14, 2019) — Denial of petition to involuntarily terminate parental rights affirmed when, in six months preceding termination petition, parent did nearly everything within power to re-establish relationship with child and perform parental duties, including contacting family of other parent on Facebook and attempting to arrange visits with child, consulting attorney re ways to locate mother and child and using private investigation website to search for mother. Parent filed custody complaint, spoke to police, searched publicly available criminal dockets and, upon discovering other parent had active criminal case, contacted magistrate to obtain address and attempted to effect personal service of custody complaint by hiring constable before resorting to service by publication. Representation of child by counsel meets minimum requirements of 23 Pa.C.S. 2313(a) when child, who was just over 6 years old at time of termination hearing, lacked preferred outcome since he did not realize father existed and it may have been confusing and traumatic for attorney to tell child of existence of father.

IN VOLUNTARY TERMINATION OF PARENTAL RIGHTS — DEPENDENCY — CHANGE OF GOAL — 42 Pa.C.S. 6351 — single notice of appeal for each child filed — two different docket numbers — Com. v. Walker — PA Super. R.A.P. 341 — discrete challenges to termination decree and goal change for each child — quashal required — best-interest analysis — termination and goal change affirmed

In the Mtr. of M.P., 2019 PA Super. 55 (Feb. 22, 2019) — When separate notices of appeal filed for each child but party fails to file separate notices of appeal for each discrete challenge to termination decree and goal change for each child, appeal should be quashed per Com. v. Walker.

DEPENDENCY — goal change to adoption — visitation terminated — SUFFICIENCY OF NOTICE OF HEARING TO PARENT — withdrawal of prior attorneys due to parent’s failure to appear — direction to make appointment to requalify for counsel for next scheduled hearing — parent failure to do so — Pa.R.C.J.P. 1101 and 1051 — aggravating circumstances — order adjudicating child dependent, changing permanency goal and terminating visitation affirmed

In the Int. of S.U., 2019 PA Super. 48 (Feb. 21, 2019) — When parent given proper notice of adjudicatory hearing and right to counsel at such hearing but fails to attend or apply for counsel, juvenile court need not delay proceedings further to conduct in-person colloquy re parent right to counsel.

CIVIL LITIGATION

Third Circuit

FRAUDULENT TRANSFERS — partner at law firm — breach of commercial lease by firm — attempt to recover rent — earnings from new position — deposit directly into bank account — tenancy by entireties — subsequent bankruptcy — DEBTOR AND SPOUSE LIABLE — MEASUREMENT OF LIABILITY — waiver — PRO RATA AP-PROACH SUGGESTED IN FUTURE — presumption spending from joint account in proportion to overall ratio of wage to non-wage deposits — deposits — decisions affirmed

In re Titus, No. 17-3701 (Feb. 20, 2019) — When wages of insolvent spouse are deposited into couple’s and entireties’ account, both spouses are fraudulent transferees. Bankruptcy trustee waived any challenge to method used by previous courts to calculate fraudulent transfer liability by not raising issue in first proceeding. In future, to measure liability when faced with entireties’ account, court should generally presume wage deposits were spent on non-necessary expenditures in proportion to the overall share of wages in account as a whole.

SUPERIOR COURT

SALE OF REAL ESTATE — SPECIFIC PERFORMANCE — failure of purchaser to complete transaction — contract interpretation — plenary scope of review — de novo standard of review — MEASURE OF DAMAGES — purchase price — liquidated damages — judgment affirmed in part

Maizano v. Avery, 2019 PA Super. 43 (Feb. 15, 2019) — In action seeking specific performance for contract for sale of real estate, court erred by fault-
is not immediately appealable and, since no request for permission to appeal, appeal from such order quashed.

**CRIMINAL LAW**

**SUPERIOR COURT**

Cruelty to animals — sufficiency of evidence — Section 5511(a)(2.1) — dog locked in room for weeks with single bowl of food — discretionary aspects of sentence — failure to raise in post-trial motion or at sentencing — waiver — judgment of sentence affirmed

*Com. v. Padilla-Vargas*, 2019 PA Super. 52 (Feb. 22, 2019) — Evidence sufficient to sustain conviction for cruelty to animals when defendant placed a dog he owned in room with one bowl of food for several weeks, causing dog to starve to death; challenge to discretionary aspects of sentence waived since defendant failed to raise issues at sentencing or post-sentence motion.

**CRIMINAL PROCEDURE**

**SUPERIOR COURT**

Hearsay — Homicide — email from decedent — indication of marital problems with defendant — handwritten note — indication defendant should be suspect — State of Mind Exception — statements of murder victim — admission of note not error — murder of spouse — evidence marriage not stable — admission of email — harmless error — other overwhelming evidence — judgment of sentence affirmed

*Com. v. Fitzpatrick*, 2019 PA Super. 46 (Feb. 19, 2019) — Judgment of sentence for homicide affirmed, finding handwritten note from murder victim that said, “If something happens to me — [defendant’s name],” was properly admitted under state of mind exception to hearsay, but that email from victim indicting they were having marital problems was erroneously admitted, though any error was harmless given other overwhelming evidence against defendant.

**RIGHT TO SPEEDY TRIAL** — Pa.R.Crim.P. 600 — defendant incarcerated in state correctional institution on other charges when complaint filed — Judicial Delay — Due Diligence — order granting motion to dismiss affirmed

*Com. v. Carter*, 2019 PA Super. 49 (Feb. 21, 2019) — Trial court did not abuse discretion when it found commonwealth failed to exercise due diligence when, despite asking magistrate to have defendant arraigned, commonwealth failed to take necessary steps to accomplish arraignment and to timely list case for trial.

**EMINENT DOMAIN**

**SUPERIOR COURT**

Failure to file preliminary objections — declaration of taking — extent or effect of taking not established — Section 306 — Eminent Domain Code — right to assert ownership and seek just compensation — No Waiver — limited scope of review — order remanding matter for evidentiary hearing affirmed

*Szabo v. DOT*, No. 46 WAP 2017 (Feb. 20, 2019) — Failure to file preliminary objections to declaration of taking does not result in waiver of right to assert ownership and seek just compensation under Section 306 of Eminent Domain Code, 26 Pa.C.S. 101-1106, when declaration does not establish extent or effect of taking.

**EMPLOYMENT**

**Third Circuit**

Salary reduction — tenured college professor — Due Process — 14th Amendment — language in employer policy — judgment for plaintiff reversed

*McKinney v. Univ. of Pgh.*, No. 17-3084 (Feb. 14, 2019) — Employer policy indicating each faculty member who performs satisfactorily will receive percentage increase does not provide legitimate expectation in continuance of base salary such that it becomes protected property interest for purposes of due process clause of 14th Amendment.

**MORTGAGE FORECLOSURE**

**SUPERIOR COURT**

Second mortgage foreclosure action — Loan Interest and Protection Law — Act 6 — Preliminary Foreclosure Notice — prior foreclosure action dismissed — Separate Notice Required — de novo standard of review — plenary scope of review — order affirming verdict in favor of lender reversed

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- **Civil Rights Symposium**
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Thu., Apr. 18, 2019 Mechanicsburg & Live Webcast
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PROTECTION FROM ABUSE

Superior Court

COUNSEL FEES — allegations of constant abuse — two petitions filed for temporary relief — alleged incident during custody exchange — standard of review — abuse of discretion — 23 Pa.C.S. 6117(b) — withdrawal of petition in exchange for agreed upon custody exchanges — failure to prove allegations — improperly equated with bad faith — order directing payment of counsel fees reversed


SENTENCING

Superior Court


Com. v. Sebokta, 2019 PA Super. 58 (Feb. 25, 2019) — Sufficient evidence to sustain convictions for endangering welfare of children and corruption of minors, but judgment of sentence vacated because court improperly found defendant ineligible for Recidivism Risk Reduction Incentive program under 61 Pa.C.S. 4503 due to her conviction for solicitation to commit simple assault; ineligibility for RRRI arises only from conspiracy and attempt.

SEXUAL OFFENDERS

Superior Court

FAILURE TO REGISTER — SEX OFFENDER REGISTRATION AND NOTIFICATION ACT (SORNA) — motion to withdraw guilty plea — sentence issued day before Com. v. Muniz decision rendered — conviction in New York — lifetime registration required in New York for rape conviction — conviction in 1983 — subsequent relocation to Pennsylvania — EX POST FACTO CHALLENGE REJECTED — judgment of sentence affirmed

Com. v. Santana, 2019 PA Super. 53 (Feb. 22, 2019) — Judgment of sentence for failure to comply with registration requirements under SORNA affirmed since no ex post facto violation when defendant had been convicted of sexual offenses in New York for which he was required to register for life.

Volunteer Judging Panel Needed for Mock Trial Championship

The PBA Young Lawyers Division invites PBA members to participate in the 2019 Statewide High School Mock Trial Competition weekend on March 29-30 in Harrisburg. Volunteers are needed for the judging panel.

Now celebrating its 36th year, the Statewide High School Mock Trial Competition continues to thrive. What began with a few schools in the Philadelphia area has blossomed into a flourishing program involving nearly 300 teams and 3,000 high school students from across the commonwealth. The state championship 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 Georgia later this spring.

The championship weekend begins with Rounds 1 and 2 on March 29 at 2:00 p.m. and 5:30 p.m. Round 2 is scheduled for March 30 at 8:30 a.m., and the final round is at 11:30 a.m. All trials will be held in the Dauphin County Courthouse.

This year’s hypothetical case is a criminal jury trial in which the defendant, a local pain management doctor, is accused of prescribing opiate painkillers outside the realm of normal medical practice, resulting in the overdose death of his patient.

Serving as co-chairs of the Mock Trial Executive Committee are PBA YLD Immediate Past Chair Jonathan D. Koltash of Harrisburg and Young Lawyers Division Chair-elect Jennifer Menichini of Pittston.

Anyone interested in volunteering to act as a scoring judge should go to www.pabar.org/public/yld/judgingpanelvolunteerformblurp.asp or contact Maria Engles at maria.engles@pabar.org.

Civil and Equal Rights Champion Nominees Sought

The PBA Civil and Equal Rights Committee is seeking nominations for its inaugural Civil and Equal Rights Champion award. Nominees must be a lawyer, member of the judiciary or legal academic who has made a significant contribution to the advancement of civil and equal rights for Pennsylvanians.

For more information and the nomination form, go to www.pabar.org. Nomination deadline is March 31.

Law Practice Management

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These are not necessarily pleasant things to think about. They are certainly not easy things to think about. Nonetheless, it’s essential to have a strategy in place that has the flexibility to work when the marketplace or firm demo-
PBA Committees Provide Opportunities for Partnering

Agricultural Law
To study questions and problems affecting rural and agricultural interests in Pennsylvania and monitor and/or make recommendations concerning proposals for legislation or regulations relating to such interests.

Alternative Dispute Resolution
To address current issues of mediation, arbitration and other alternative dispute resolution processes, including mediation and arbitration of private and court-connected ADR programs. The committee shall conduct professional education programs in alternative dispute resolution and study and recommend standards of practice for neutrals. The committee shall propose and monitor legislation regarding alternative dispute resolution.

Animal Law
To promote the particular interests of lawyers practicing in the area of animal law; promote the study and understanding of laws, regulations and court decisions dealing with animals; and educate the legal community and the public as to the needs to address various animal-related issues.

Appellate Advocacy
To promote communication and cooperation between lawyers who practice before the state and federal appellate courts and members of the judiciary and provide the opportunity to identify and address the means to achieving quality practice in all manner of appeals. The committee shall enhance the knowledge and professional capability of lawyers through focused educational programs. The committee shall foster dialogue between the bench and the bar, explore means and methods to improve and advance the appellate process and may review and make recommendations concerning the rules of procedure that affect appellate process.

Bylaws
To propose suggested changes in the bylaws and review comments on changes suggested by other entities within the PBA.

Charitable Organizations
To deal with matters of concern to lawyers who are employed by or who represent charitable organizations, public sector lawyers whose work involves charitable organizations and lawyers who serve as directors, officers or volunteers of charitable organizations. The committee members plan and implement educational programs relating to the laws governing charitable and other nonprofit organizations.

Children’s Rights
To study questions and problems that affect children and to monitor and/or make recommendations concerning legislation relating to their interests. The committee shall inform lawyers on matters concerning children and develop programs for the legal profession to promote more effective advocacy on behalf of children in trial and appellate courts and implement such public education campaigns as are deemed appropriate.

Civil and Equal Rights
To promote and defend civil rights and responsibilities, fair treatment and equal opportunity for all individuals and the avoidance and elimination of wrongful discrimination and unfair bias by: (a) monitoring actual and proposed legislation, litigation, rules of conduct and procedures, and other relevant developments; (b) educating the legal community and the public; and (c) making proposals and recommendations to advance and effect the goals of the committee.

Clear Communication
To reward and encourage efforts to improve access to the law by demystifying its language, enabling lawyers to better counsel clients and increase respect for the legal profession by promoting the importance of clear articulation in all forms of correspondence, including electronic media. Formerly known as the Plain English Committee.

Collaborative Law
To address current issues regarding the collaborative law dispute resolution process; educate attorneys and the public about the collaborative law dispute resolution process; recommend standards of practice for attorneys using the collaborative law dispute resolution process; and monitor, propose and/or support legislation or rules of court that further the development of the collaborative law dispute resolution process.

Community and Public Relations
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Position Openings

HOFFMEYER & SEMMELMAN LLC — The safe harbor for your legal needs.

Employment Opportunity
Family Law Attorney: custody, divorce, visitation and related matters
**Attorney:** civil litigation, decedent’s estates, real estate, wills and related matters.

Applicants must have at least five years’ experience and be enthused about client contact and marketing. Benefit plan includes matching 401(k) and profit sharing, paid holidays, 15 vacation days, life insurance coverage, paid CLEs and paid professional memberships dues. Please email cover letter and resume to mheidelbaugh@hoffsemm.com.

ATTORNEY REAL ESTATE/TRANSACTIONAL — Small Cumberland County law firm seeking a full-time attorney with 3-5 years of experience handling transactional matters including residential and commercial real estate, loan documentation, business planning and estate planning. Ideal candidate is a self-starter with great people skills and good sense for marketing and client contact. Excellent work environment with opportunity to develop practice along lines of personal professional interests. Compensation commensurate with experience and existing clients. Benefits include matching 401(k), life insurance, paid CLEs and professional membership dues. Qualified candidates should submit a cover letter, resume and minimum salary requirements to contact@ReagerAdlerPC.com. Submissions will be strictly confidential.

For Sale


By William F. Hoffmeyer, Esq. — Cherry Lane Publishing publishing@cherrylanepublishing.com 717-846-8846

It Pays to Advertise in Legal Marketplace

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**MEDICARE SET ASIDES/CONDITIONAL PAYMENT RESOLUTIONS** — Susan V. Mason, ESQ., MSCC — Protect your client, your practice and extinguish exposure under the Medicare/Medicaid Secondary Payer Statutes. Personalized service and expertise you can trust. 412-302-8880 smason@firstreviewinc.com

Legal Resources

**CAREER PLANNING SERVICES FOR ATTORNEYS** — David E. Behrend has been a statewide resource for Pennsylvania lawyers going through employment transitions, including those displaced and recent graduates. 30 years assisting professionals as career counselor/consultant. In office or telephone consults with absolute confidentiality.

90 Cricket Avenue, Ardmore, PA 610-658-9838 www.lawcareercounseling.com
Behrend42@aol.com
“It’s only your career we counsel.”

Office Space

OFFICE SPACE AVAILABLE — East York law office has approximately 800 sq. ft. (6 offices and 2 work stations) available for lease. Receptionist, three shared conference rooms, fully equipped shared lunch room, WiFi and ample free parking provided. Contact Shirley at 717-757-7602 or sseitz@gdls.com

For more information, go to www. pabar.org/site/For-Lawyers/Sections/ Intellectual-Property-Law-Section/Proj- ects-and-Programs/IP-Annu al-Writing-Competition. Entry deadline is April 15.
PBA Committees

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To formulate and implement plans for improving the image of lawyers in Pennsylvania through client and public relations. The plans shall include specific methods to improve client relations; to publicize the positive contributions of lawyers to society; to educate the public about lawyers, the law and legal institutions in an effort to improve and develop good public relations for lawyers; and to address unwarranted criticism of lawyers or of the legal system.

Corrections System

To study the corrections system in Pennsylvania and make recommendations for its improvement.

Cybersecurity and Data Privacy

To analyze cybersecurity issues and educate PBA members about legal, regulatory and industry standards that preserve the confidentiality of protected information. The committee will advocate for best practices and legal and regulatory requirements that address data privacy concerns; for best practices to prevent, detect and mitigate data breeches; and for unified standards.

Disability Services

To institute statewide programs to educate both lawyers and the public on issues regarding the legal rights of the disabled. The committee shall study and make recommendations concerning all legislation or rulemaking pertaining to mentally disabled and physically handicapped persons.

Federal Practice

To promote communication and cooperation between lawyers who practice in federal courts and members of the federal judiciary and provide an opportunity to identify and address the differences between the local district court rules and orders of court that affect practice of law in the eastern, middle and western districts. The committee shall enhance knowledge and professional capabilities of lawyers who practice law in the U.S. district courts in Pennsylvania and shall promote the welfare of attorneys and judges employed by the government of the United States. The committee may review and make recommendations concerning federal legislation and proposed changes to the Federal Rules of Civil Procedure, Criminal Procedure and Bankruptcy Procedure and the Federal District Court Rules.

Gaming Law

To review, study and make recommendations concerning legislative proposals in the area of gaming law; promote the understanding of laws, regulations and court decisions in the gaming area; and develop materials and educational programs of interest to the gaming practitioner to promote improvements and professionalism in the field of gaming law.

GLBT Rights

To study matters pertaining to the recognition and protection of the legal rights of the gay, lesbian, bisexual and transgender (GLBT) community. The committee will monitor and make recommendations on issues and developments in the law impacting GLBT people in the public and the legal profession.

Government Lawyers

To deal with matters of interest and concern to government employed lawyers and provide services and programs directed to assist members to achieve their career goals. The committee shall conduct its activities with the objectives of educating lawyers on the valuable opportunities and experience available through government service and educating the public on the important and unique role served by government lawyers.

Health Care Law

To review, study and make recommendations concerning legislative proposals for reform in the health care system and address ethical considerations as related to the medical and legal professions. The committee shall propose additional recommendations relating to litigation involving medical and hospital practices.

Immigration Law

To provide a forum to address issues in the area of immigration law; monitor and make recommendations concerning legislation in this area; and promote the understanding of immigration-related laws, regulations and court decisions.

In-House Counsel

To deal with matters of concern to lawyers engaged as in-house corporate counsel and to plan and implement educational programs in areas of particular interest to in-house corporate counsel.

Insurance Staff Attorney

To promote the interests of staff counsel, foster quality professional conduct and provide appropriate service to its members in cooperation with the PBA.

Judicial Administration

To review, study and make recommendations concerning legislative issues regarding the operation, procedure and reform of the state and federal court systems. The committee shall also develop and recommend measures seeking to improve the administration of the courts and shall address issues of court reform consistent with established PBA policy.

Large Law Firm Committee

To study and make recommendations regarding membership development and retention of attorneys in large firms in Pennsylvania. The committee shall develop programs and services to enhance the value of PBA membership for this group of attorneys. A large law firm is generally defined as a firm of 50 or more attorneys.

Law-Related Education

To oversee many of the law-related youth education programs undertaken by the PBA. These programs include Celebrate the Constitution, Project PEACE and Law Day. The committee is composed of active PBA members interested in law-related education, county bar association executive directors, civics and government educators and school administrators.

Lawyers Assistance

To develop programs to assist impaired lawyers, their law partners, clients and families.

Legal Services for Exceptional Children

To develop programs designed to educate members of the legal profession on current legislation and/or regulations affecting exceptional children and their families. The committee shall study, review and make recommendations concerning legislation or regulations affecting exceptional children and their families.

Legal Services to the Public

To provide assistance in the creation of programs designed to provide for the delivery of legal services to indigent persons within the commonwealth. The committee shall monitor and make recommendations concerning all legislation regarding unmet legal needs and pro bono service.

Medical Marijuana and Hemp Law

To keep members of the bar apprised of developments within the field of medical cannabis and hemp law by fostering communications and facilitating continuing education programs in the areas of client representation, industry developments, and ethical and other issues of concern to members. It will also monitor legislative developments and/or make recommendations concerning legislation and regulations affecting such interests.

Membership Development

To develop and implement programs to increase the association’s membership base and to retain current members. The committee shall also evaluate, develop and implement new programs and services designed to enhance the overall value of a PBA membership and to generate new revenue for the association. continued on page 12
Karen E. Grethlein is with Marshall Dennehey Warner Coleman & Goggin, King of Prussia. She has been a PBA member since 2012 and is a member of the Bar Leadership Institute class of 2018-19.

Where did you attend law school?
Drexel Law School

What would people be surprised to know about you?
The right side of my face used to be paralyzed as the result of a rare virus. On that side, I lost my ability to smile, taste, raise my eyebrow, hear, and I also lost some balance function. In retrospect, I’m sure it was funny to watch, because I couldn’t walk in a straight line without falling over. I am extremely fortunate that with medical treatment, most of what I lost returned. But to this day, I have partial permanent hearing loss in my right ear. Further, since then my natural impulse has been to smile, because for a while I thought I never would be able to fully smile again. So if we’re at an event together, don’t be surprised if, with an ear-to-ear grin, I ask you to repeat yourself.

What’s on your desk right now?
Giant water bottle. Lots of coasters. Reeses peanut butter cups. A notepad with a cartoon moose, bear and beaver that reads “May the forest be with you” that I bought on vacation in Canada. A pencil sharpener in the shape of the Liberty Bell. Piles of papers — some larger, some larger.

What’s your media mix?
Music; Hamilton soundtrack, Muse, Robyn, Grimes, Gary Clark Jr., Cam, Queen, Bruce Springsteen, Genesis. TV: The Office, Parks and Recreation, Family Guy, Game of Thrones, NFL (New York Jets), NHL (Toronto Maple Leafs or Philadelphia Flyers).

When you’re not working, what do you do?
Play video games, wedding plan with my fiancé or travel. In the last two years, I’ve been to Ireland, Scotland, Canada and India. I’m going to Singapore this summer.

What is your favorite book and why?
Path to Power by Robert Caro. It’s a fascinating origin story of LBJ, one of the most villified yet effective politicians in American history.

Who is your hero and why?
Serious answer: Most of my family members. They are indomitable, kind and quirky. I can’t imagine my life without them. Less serious answer: Curtis Martin, New York Jets #28. I am a member of the sad group of people known as New York Jets fans. For my eighth birthday, I got a Curtis Martin jersey. He is a National Football Hall of Fame inductee and one of the greatest running backs of all time. He has also been recognized numerous times for his community work and volunteerism.

When you were a child, what did you want to be when you grew up?
I had a phase where I wanted to be Carmen Sandiego. I even have a red trench coat.

What do you wish you could tell your younger-lawyer self?
Send fewer emails, make more phone calls. Easiest way to get to the bottom of something is talk to someone instead of trying to decipher meaning from a cryptic email.

Karen Grethlein and her fiancé, Charlie Luo, Maple Leafs fans extrodinaire
PBA Committees
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Military and Veterans’ Affairs
To study and make recommendations, provide educational programming and coordinate statewide efforts on legal matters affecting active, reserve and National Guard military service members, retirees, veterans and their families.

Minority Bar
To develop programs to promote the issues and concerns of minority attorneys and to study, review and make recommendations concerning all legislation impacting minority citizens in the commonwealth. The committee shall seek to encourage more participation in the PBA by members of the minority legal community.

Professional Liability
To monitor and make recommendations concerning lawyers’ liability case law and related statutes and administrative developments, including lawyers’ liability insurance coverage and the market for that insurance, the formation and operation of any PBA-related lawyers’ liability insurer and PBA-sponsored or endorsed lawyers’ liability insurance programs. The committee shall explore and conduct legal malpractice avoidance and loss prevention programs.

Quality of Life/Balance
To identify issues in the changing legal marketplace that adversely affect the lawyer’s ability to balance his/her professional and personal life. The committee shall identify solutions to improve the quality of life of lawyers and develop ways to disseminate those solutions and recommendations.

Senior Lawyers
To serve as the voice of the senior lawyers within the association and to enact services, programs and activities for members to enhance their continued careers and quality of life. The committee shall serve the interests and needs of the profession and the public by sharing the accumulated knowledge and experience of its members. PBA members age 60 and older qualify for membership.

Shale Energy Law
To keep members of the bar apprised of developments within the field of shale energy law by fostering communications and facilitating education for both attorneys through CLE programming and the public through participation in community programs. The committee shall also monitor legislative developments and/or make recommendations concerning legislation and regulations affecting such interests.

Statutory Law
To assist any entity of state government and of the PBA regarding bill draftingmanship and codification. The committee shall review legislation or other proposals to improve Pennsylvania’s legislative process and the public’s participation therein.

Unauthorized Practice of Law
To investigate all complaints against any person not authorized to practice law who is alleged to be performing acts or services constituting the practice of law, to take informal action as necessary against the unauthorized practice of law, to punish or prevent the unauthorized practice of law and to coordinate its activities with those of similar county bar association committees.

Women in the Profession
To assess the current status of women in the legal profession and identify barriers that prevent them from full participation in the work, responsibilities and rewards of the profession, to make recommendations to the PBA Board of Governors and House of Delegates for action to solve problems the committee identifies and to develop educational programs to address discrimination against women lawyers and the unique problems they encounter in pursuing their professional careers.

Details will be coming in a future Bar News issue of PBA President-elect Anne N. John’s newly formed Legal Academics Committee.