A word from your incoming chair

By Justin A. Bayer

I have the privilege of following Lars Anderson as the chair of the Young Lawyers Division (YLD) of the Pennsylvania Bar Association (PBA) starting after the PBA’s annual meeting in Philadelphia from May 5 to 7. Lars has worked tirelessly on behalf of the young lawyers of our commonwealth, and his efforts and service simply cannot be overstated. I offer Lars sincere thanks and congratulations, personally and on behalf of the PBA Young Lawyers Division. I hope to continue the efforts of Lars during my year as chair.

The YLD consists of an executive council, comprised of at least one member from each of the 12 zones of the state based upon county geography. If you are new to the PBA, please reference the Pennsylvania counties group by zone map and the list of the members of the executive council on page 7. Please reach out to your YLD zone chair by sending him or her an email to introduce yourself. We need and want you to be involved. Don’t worry if you don’t yet know how you want to become more involved; the first step is to email your zone chair to introduce yourself and we will take it from there. The PBA offers you the best opportunity to meet and form professional and personal friendships with lawyers from across Pennsylvania. However, to help you take advantage of the many opportunities, we need to hear from you.

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Pros(e) & Con(versation)s

By Maxwell Briskman Stanfield

We all love email. It is the fast, convenient and often creative way to gather thoughts for an attentive message. However, as time and technology progress, and electronic communication more quickly becomes the norm, the “art of conversation” slowly slips away. Let us define “the art of conversation” as any verbal communication (face-to-face, phone or video/conference call). In this day of incessant texting and emailing, some younger attorneys are losing touch with what it means to have competent oral communication skills.

Television, movies and, to an extent, law school have embedded within us the false notion that those who speak in front of judges and juries are the ones who require a certain mastery of vocabulary, diction and clear oral conveyance. However, as we all know, verbal communication is a skill that both litigators and transactional attorneys need. Email certainly has its rightful place and admittedly, at times, trumps a phone call or in-person meeting. This does not mean that we should wait to exercise our “conversation muscles” until it comes time for after-hours socialization. The ability to verbalize an explanation or professionally lead a phone conversation is paramount. All things considered, both email and verbal conversation have their pros and cons.

You’ve got mail - The pros of prose

It can be said that one major drawback of a verbal conversation, is the infamous “awkward silence.” This hobgoblin of speech can show up at anytime - business lunches, presentations, meetings, even out and about with friends. Perhaps, in a negotiation, awkward silence can work to one’s advantage. As the saying goes, “whoever talks first loses.” Email, on the other hand, offers its message creator the ability to start, stop, ponder, question, save and come back to the conversation before the interaction is started or continued.

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From your incoming chair
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The Young Lawyers Division and the PBA offer a world of opportunity to our members. Some of the highlights for me have been getting to know other lawyers, members of the judiciary and government, and others in various fields of practice from all across Pennsylvania. I grew up outside Pittsburgh, went to undergraduate school in the Lehigh Valley, and attended law school and live in the Philadelphia area. Being active in the PBA has helped reconnect me to people from across the state. It has also been beneficial to know lawyers from across the state who practice in the same and different areas of the law. No matter where you are from, being involved in the PBA will help you form long-term relationships that will be beneficial professionally and personally.

This year, I urge you to sign up and attend our Young Lawyers annual Summer Meeting and New Admittee Conference August 5-7 at the beautiful Seven Springs Mountain Resort, located about an hour outside Pittsburgh. In addition to social events and activities for adults and children, several fantastic CLE programs will offer our members the opportunity to earn the majority of their CLE credits for the year. Please consider bringing your families and staying for the weekend. See page 24 for a link to the brochure and registration form.

The young lawyers will continue our pro bono efforts through the Wills for Heroes Program. This fantastic program provides free basic estate planning documents to first responders who are on the front lines for our personal safety. We owe them a debt of gratitude and through the Wills for Heroes Program we have the opportunity to make sure they do not have to worry about basic estate documents for their families. We will also continue to support the high school Mock Trial Competition and civic- and law-related education across the state. Throughout the year, we will provide a wide-range of pro bono opportunities, education, networking and fun.

I’ve had the privilege of working alongside some of the most talented and dedicated individuals during my time in the Young Lawyers Division. I am proud and grateful that we have so many wonderful individuals who are deeply involved and believe in our organization. My primary goal this year is to make sure you have the opportunity to benefit from the PBA personally and professionally. Please email me at jbayer@kanepugh.com with any thoughts, suggestions or ideas about what we can do for you, what we can do better, or what you think we could be doing for others. We are always looking for members who want to be more involved and who have ideas about making an impact on our profession. I am grateful for the privilege of serving as your chair of the Young Lawyers Division, and I look forward to hearing from you.
Pros(e) & con(versation)  
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Email allows us to collect our thoughts and creatively integrate a large amount of information into a neatly packed delivery system. When used correctly, email is a blessing. It allows two or more people to effectively work together, independently of one another, to brainstorm, problem solve and share information. Email affords the ability to multitask, flag emails for reminders, automatically integrate into calendars and a host of other wonderful features.

While email certainly has its advocates, there is the propensity for email to get out of hand. Often we will say that we “feel better” or “faster” at accomplishing a task given the option to write it in an email versus verbalization. BigHand3 and Nuance Communications,4 two leading dictation companies (whose products and services are present in many law firms), put this notion to a test. They conducted a study on leading lawyers to see how those lawyers’ verbal dictation and typing speeds compared to one another.5 Surprise, surprise (or maybe no surprise at all) – the verbal dictation speeds were faster than typing. While this study appears to be limited to speed and doesn’t take into consideration clarity, quality and eloquence of what was being said, it certainly shows that typing an email is not always a time saver.

If email is not necessarily a time saver, conversation should be considered as the first option. Especially when dealing with smaller issues that can be quickly remedied with a phone call or meeting.

Conversation is king – no cons to conversation

As lawyers, we strive to be excellent, or at the very least, proficient writers. After all, documents are a key component of the job, and this is likely one of the reasons we gravitate toward email. However, lawyers in general (and especially young lawyers) should be able to clearly verbally articulate our positions and reasoning. This not only helps our own understanding of the information but in the instance a colleague or client questions us on our work product, we can readily deliver a coherent verbal response. Lawyers are confronted every day with situations when a particular issue needs to be addressed on the spot and the safety net of email is not available. Of course, there are exceptions for items that require additional reference, research or clarification.

Another important consideration is the audience. Ask yourself “what is the proper way of communicating in this particular instance?” Sending an email (or text message) under the impression that it suffices simply because you wouldn’t mind receiving it, just won’t do. When encountering the problem of which way is best to start the conversation, a good way to begin is to consider the person on the other end. Is it a colleague, client, potential client, etc.? Is this person known to be tech savvy or more traditional? These considerations can go a long way in sending the right message – literally and figuratively.

All lawyers, young or old, should have the skill to sit down, look someone in the eye, listen to their story and use intelligence and intuition to communicate with that person.

All lawyers, young or old, should have the skill to sit down, look someone in the eye, listen to their story and use intelligence and intuition to communicate with that person. No one should be forever buried in front of a computer screen or mobile device. Further, there exists an even bigger reason as to why verbal communication is still very important. That is the notion that verbal communication allows other non-verbal cues that are instrumental in communication. These non-verbal cues help us decipher bits and pieces of information contained within the conversation but not expressly stated. Litigators probably know this better than most, but this concept would be familiar to anyone who has ever had sales experience, given presentations or is adept at “reading people.” To use a baseball analogy, these non-verbal cues are like the third-base coach of the conversation. We look to them to help guide us in furthering the conversation and steering it to success.

The idea of talking with someone face-to-face, allows us to literally see the whole message and its context. When there are more facts to go on, there is generally more understanding and less confusion. This leads to better efficiency.

While some people have a more natural ability or inclination for verbal communication than others, it is something that can most certainly be learned, practiced and forever improved upon. As with anything in life, if you don’t use it, you lose it. The more we use the art of conversation, the better off we will be as attorneys.

Maxwell Briskman Stanfield is a corporate associate with Eckert Seamans Cherin & Mellott, LLC, in Pittsburgh. His practice focuses on real estate finance, corporate finance, mergers and acquisitions, securities and a wide range of matters within the hospitality industry. He is licensed to practice in both Pennsylvania and California.

Endnotes
3 http://www.bighand.com
4 http://www.nuance.com/index.htm
Plain English in pleadings and motions

By Louis J. Sirico, Jr.

For advocates of plain English, the last frontier to conquer may be pleadings and routine motions. Advocates see errors in understanding stemming from unnecessary redundancy and complexity. But many lawyers are so fearful of changing from the hidebound style that they overlook how the plain English style can help them make their arguments clearly and persuasively.

Consider this motion in *Belli v. Hedden Enterprises*, 2012 WL 3255086 (M.D. Fla. 2012), a case in which plaintiffs were claiming a violation of the Fair Labor Standards Act and seeking to bring a collective action against the employer. The court rules limited a motion to 25 pages. However, the plaintiffs argued that they were presenting a complex case and requested permission to exceed the page limit. Within two hours of the request, and without permission, they submitted a 29-page motion. Thus, they did not place themselves in the good graces of Judge Steven Merryday, who then denied permission and struck the motion.

The judge noted that the plaintiffs could have easily edited the motion to meet the required page limitation. To illustrate, he produced the opening paragraphs of the motion, adding a few technical edits:

Many lawyers are so fearful of changing from the hidebound style that they overlook how the plain English style can help them make their arguments clearly and persuasively.

He then edited these 186 words down to 46 words:

Plaintiffs move (1) to conditionally certify a collective action; (2) to require the Defendant to produce the name, address, and telephone number of each potential class member; and (3) to authorize notice of this action to each similarly situated person employed by Defendant within three years.

Judge Merryday then directed the plaintiffs to file a new motion that was no longer than 25 pages. By editing this passage, the judge showed how to reduce wordiness and improve clarity. He also showed how to spot the verbosity that can bog down your writing. Here are three examples of his edits:

The heading on the motion identified the plaintiffs or defendants by name. If the drafter thought it was necessary to name the parties again in the opening paragraph of the motion, he or she could have used the words “the employees” to identify the plaintiffs and “the company” to identify the defendant. This edit permits the drafter to avoid creating confusion over who did what to whom.

The motion requested permission to submit a 29-page document. Given the need for conciseness, the plaintiffs’ lawyers did not need to complicate the introductory paragraph by telling the court that they were bringing a class action or that they were suing under the Fair Labor Standards Act. If this information was significant, they could have included it in the relevant part of the document.

As for requesting the court to require the defendants to provide information on potential class members and authorizing the plaintiffs to notify them, Judge Merryday saw no need for spelling out the obvious details of the motion, nor did he see the need for words explaining why the plaintiffs’ lawyers were including a memorandum in support of the motion.

Although a drafter might disagree with Judge Merryday on some particulars, the drafter should agree with him on most points. The judge’s edited version is clearer, and the reader would immediately know what the plaintiffs’ lawyers were seeking.

Judge Merryday’s successful editorial surgery on the original motion shows that it is possible to draft motions in plain English and still include all the necessary information.

In the early years of practice, you, the novice attorney, may feel compelled to use timeworn and confusing forms. However, your day will come.
Respect your support staff and support you shall receive

By Daniel Harrison

Finally, you’re an attorney. After years of slaving over mind-numbing outlines and sitting for countless hours of lectures, you’ve graduated from law school and have passed the bar exam. Congratulations. But, now it’s time to prove your worth. Whether you’re working at a top-tier firm or working as a law clerk for a local judge, you’re hell-bent on getting the job done and getting it done the right way. As you will soon realize, this dedication and strong willpower to be successful often creates ample stress and anxiety, which are certainly not new feelings for people who survived in the law school trenches. When working through this exciting, yet difficult, career transition, it’s important to remember to utilize your support staff and, of course, treat them with courtesy and respect starting as soon as you walk into the office on your first day.

The reasons for this are actually simple, yet often overlooked, by attorneys who are new to the game and burdened with the pressure to thrive. First, your paralegal is likely an extremely reliable source of information on many different topics. Many have probably worked as a paralegal for a number of years and therefore possess an array of helpful guidance for a young attorney. From the general office culture to advice on how to schedule appointments and shred paper. Utilize their wealth of knowledge to help you understand the office happenings and, if necessary, to pick their brain about a legal issue or theory. This offers the potential to help advance your knowledge of both the office and the law at the same time.

Although utilizing your support staff for their experience and skills will usually help create a productive work relationship, this must be done in a friendly, professional manner. The law profession is difficult. Deadlines happen, tempers flair. This is the adversarial field you’ve selected to be your bread and butter. Despite this, at a minimum, remember to be kind to all, but especially to your support staff, when seeking their help and advice. While you’re getting settled in, forget about your memo for a few minutes and take the time to sit down get to know your paralegals. Learn about their life and get to know each other’s goals and expectations. Forming a firm and welcoming relationship at the offset of your legal career will do you wonders in the long run. You’ll soon see your paralegals will be happy to assist you in any possible way, even when the assignment is above their pay grade.

I’ve had the tremendous opportunity of assisting a number of attorneys, both inexperienced and seasoned. These attorneys had different personalities and came from a variety of backgrounds, but they always treated me with the respect I expected and rightfully deserved as an individual who was also trying to get my job done the right way. On the contrary, other paralegals I know have had not-so-pleasant experiences. Some are treated as though they are inferior, simply because they don’t have “Esq.” on their business card. Others have been flat out ignored by their attorneys, which undoubtedly leads to low morale and eventual miscommunication down the road. After working as a paralegal after college and during the majority of law school, I’ve made a vow I will never use my degree as a justification to mistreat, ignore or, even worse, bully my support staff. This should be a mantra you carry within the back of your mind as you aim to build a network of professionals who can attest to not only your impressive lawyering skills, but to your amiable personality as well.

In sum, utility and respect are imperative for a congenial work environment. Show your paralegal you’re more than just another suit looking to gain success at all costs and ensure your staff feels both utilized and appreciated on a daily basis. If you do so, you will be pleasantly surprised how they come to your rescue when you most desperately need it. After all, you are on the same team. Never forget that.

Forging a firm and welcoming relationship at the offset of your legal career will do you wonders in the long run.
Developing a practice specialty as a junior associate

By Johnathan S. Perkins

I have asked a number of seasoned attorneys with noteworthy practice specialties how exactly they developed those niches. A significant number say that their specialties developed mostly as a result of happenstance. Usually, something like: “As a junior attorney, I was assigned a particular matter; I handled it favorably; partners, and ultimately clients, began sending me similar matters; and before I knew it, I had been at my firm for 10 years and was considered the go-to partner in that area.”

As a law student turned junior associate with the stereotypical Type-A personality to match, this method of career development did not jibe well with my need to plan, structure, and control my future (or at least convince myself that I was). What if I ended up an expert in a field about which I was not passionate, or even worse, something I actively disliked?

Fortunately, there have been other answers suggesting a more deliberate approach. Usually, something like: “I always knew I was interested in a particular area of law; after law school, I sought out a firm/organization with a specialty in that area; got to work on some great projects within the specialty; and now I’m the go-to partner for it.” I was always relieved to hear these answers, but I still noticed a couple of problems. First, the specifics of this route were often missing. Second, as any new attorney reading this immediately recognizes, the current legal market is not so flexible that we can simply “seek out” a particular law firm. Nowadays, obtaining an attorney position anywhere is reward enough.

My personal career development path involves elements of both routes. The continued development of my interests and the nurturing of what I hope will ultimately be my “specialty” in higher education has involved careful thought and planning, but admittedly would not have been possible without a bit of good fortune. To that end, I have compiled four key points that have guided me throughout the process of selecting and enhancing my own practice specialty.

1. A variety of work from a variety of partners

In order to truly discover a specific practice area interest, it is important to pursue a variety of work from a variety of partners. Fresh out of law school, many of us have ideas of what type of law we would ultimately like to practice—ideas that, more often than one might expect, disappear quickly in the real world of document review, discovery responses and research memos. Even if we have realistic ideas of our target areas, those areas often prove quite different from what we expected when we were basing our selections solely on the Supreme Court cases we read in law school. Seeking out a variety of work from a variety of partners allows junior associates not only to become acquainted with a variety of specialties but, perhaps more importantly, to obtain a realistic understanding of the day-to-day work that goes into practicing within each area.

I began my career practicing plaintiff-side mass tort work at a prominent Philadelphia firm. After about 18 months, I realized that this was not my passion, and I was fortunate to transition to Montgomery McCracken, a primarily defense-side firm. Confident that this was the side of the “v” where I preferred to practice, I began to make known the fact that I was open to working within multiple practice groups. I made sure to attend a variety of practice group meetings, I knocked on partner doors to ask for work, and I even asked to be moved to an office more centrally-located within my department floor.

2. A specialty based on interest and long-term viability

Selection of a specialty should not be blind. Once junior associates get an idea of the types of specialties out there and what is required to practice within them, they will be in better positions to make selections. Junior associates should select areas that interest them. While bearing in mind that they will need to commit themselves to staying up-to-date with current issues within those areas, researching new and developing sub-issues, and generally surrounding themselves with other professionals who practice within those areas. Remember, the ultimate goal is to be viewed as the go-to specialist for a certain area.

It is important not to forget about practicality and long-term viability. Practical considerations such as timing or even geography can be important. Likewise, it will be much easier for associates to develop specialties if their law firms can provide support and experience to foster growth within those areas. An associate practicing in a state that has outlawed gambling might expect to have a more difficult time developing a gaming law specialty than an associate practicing in Atlantic City or Las Vegas.

Once I arrived at Montgomery McCracken and had been through a variety of work assignments with a number of partners, I realized that I was most interested in higher education, a broad field with a number of sub-categories and a seemingly infinite number of new and developing topics. My firm’s higher education practice group represents a number of notable colleges and universities and has a great reputation, so I knew I would be able to obtain the experience and support necessary to develop.

3. Focused experience

With the selection process complete, associates should move on to substance. While junior associates will obviously continue to receive a variety of work, it is important that they not lose sight of their
selected interest areas. Associates should consistently touch base with partners who practice in their chosen areas: remind partners of their interest, ask for work from them, and request to attend client meetings with them. Junior associates, relatively new to a firm, may be concerned that this consistent follow-up might annoy partners. Don’t worry. Dealing with pesky people (opponents, colleagues, or otherwise) is part of a partner’s job description, and usually, repeated reminders of a junior associate’s interest in a partner’s specialty area will rank fairly low on the annoyance scale, and may even be viewed as complimentary. As junior associates with newly-discovered interests in certain areas, the goal is to become the “go-to” when partners need help with certain work. If this is accomplished, new associates will be able to develop significant focused experience within their chosen area.

During my time at Montgomery McCracken, I have made certain that the higher education attorneys know of my interest. I remind them … a lot. Because of this, I have been able to devote a fair amount of my time to matters for our college and university clients.

4. Internal and external marketing.

This step is closely related to step three, and it is important both within and outside the firm. What good is selecting an interesting specialty and expertise if no one ever thinks to call upon you? Inside the firm, associates should attend any internal CLEs, education presentations and other relevant programming on the topic. They should also seek out writing opportunities, and yes, continue to remind the partners of their interest.

Outside the firm, associates should attend as many external CLEs on the topic as possible. CLEs serve a dual purpose: they assist in developing and maintaining knowledge with respect to new and emerging issues and trends within the chosen area; additionally, since CLEs are often attended by the who’s-who of the respective practice specialty, they also serve as great networking vehicles. Associates should not be afraid to contact CLE speakers or even notable practitioners within the field whom they admire to arrange coffee or lunch (flattery is very effective in achieving this).

Likewise, associates should work with their firms to ensure that their firm webpages convey their chosen interest and provide specifics beyond the boiler-plate pedigree information. Professional networking sites like LinkedIn should also be updated and maintained. Whenever associates attend a conference, join an association, or write an article pertaining to their chosen area of expertise, those experiences should be publicized.

I am fortunate that Montgomery McCracken encourages associates to attend external CLEs, join professional groups and associations, and publish. Each of these activities helps me expand and grow my relevant network. I have chosen higher education and hope to one day be recognized as an attorney with a meaningful specialty within that arena. These four steps will not apply to or work for everyone, but they have proven quite useful to me.

Johnathan S. Perkins is an associate at Montgomery McCracken Walker & Rhoads where he concentrates his practice on higher education clients as well as commercial litigation. He has experience on employment decisions, contract disputes and product liability. Johnathan welcomes opinions and input about this article and can be contacted at jperkins@mmwr.com or 215-772-7456.
The costs of becoming an attorney: How traditional legal education may force talented individuals to seek work elsewhere

By Ethan Simon

As tuition for undergraduate and J.D. programs continues to rise, aspiring attorneys are more likely to decide against pursuing a career in law. While this pressure may weed out those who are not serious about the profession, it also makes a career in law inaccessible to those who cannot afford seven years of increasingly expensive education. The current system of training attorneys in the United States risks overlooking talented individuals who just cannot afford to become a lawyer.

In the United Kingdom, aspiring attorneys can complete all of their schooling in about six years and emerge from their training with far more practical experience than the average American legal graduate. Instead of completing a first degree in a non-legal field, aspiring British attorneys complete a bachelor’s in law, or LLB, in about three years. Then, they complete a Legal Practice Course after another year of full-time study. Finally, they must train with an experienced attorney for another two years and are paid during that time. In London, for example, the average trainee earns about $40,000 per year.

Becoming a lawyer takes almost as long in the UK as it does in the U.S. However, while American law students spend their second and third years of legal training in the classroom, their British counterparts are paid to learn on the job! American law schools offer clinics and volunteer programs through which students can gain practical experience—and even help indigent clients in some cases—but students must pay tuition to participate in those programs.

There are ways to reduce the costs of becoming an attorney without overhauling the current system or adopting the British approach wholly. President Obama remarked that American “law schools would probably be wise to think about being two years instead of three years.” What followed was a fierce debate. Proponents of a shorter program emphasize that a three-year program is just too expensive, especially when there are too few jobs for recent graduates. Defenders of the traditional three-year program reply that students will not have a deep enough understanding of the law and its underlying policies after only two years and that students develop advanced skills and have meaningful legal experiences in the third year of law school.

Recently, several law schools have proposed or even introduced programs in which students can earn their J.D.s in two years. The Thomas R. Kline Law School at Drexel University and Pepperdine University School of Law offer such programs, for instance, but enrollment in those programs is low. Moreover, students matriculating in two-year programs will probably have to take classes year-round and may be unable to participate in summer internships.

The two-year J.D. is not the only alternative to the traditional three-year program. In several states, such as California and Virginia, one can become a licensed attorney without any law school! To do so, he or she must study or work with a licensed attorney for several years before sitting for the bar. Even though this approach is certainly cheaper than law school, the bar passage rate among these law apprentices, or law readers, is low, and finding a mentoring attorney is difficult. Still worse, many clients have trouble taking seriously attorneys who do not have a J.D.

All of these approaches to legal training have merit. A three-year J.D. program is long and expensive, but it enables students to delve deeply into the law and participate in clinics. A two-year program sacrifices time during which students can intern and volunteer, but it is more affordable than the three-year approach. Finally, even though the apprenticeship path is unavailable in most jurisdictions and quite unpopular even where it is an option, there is something to be said for several years of close training with an experienced attorney. After all, Chief Justice Marshall and President Lincoln, among many other great attorneys, learned on the job and without the privilege of a formal law school program.

Just as aspiring lawyers are exploring alternative methods of legal training, employers should be open to applicants from those alternative backgrounds. As higher education costs continue to soar, the likelihood of an employer overlooking an excellent legal mind who just could not afford three years of law school increases. However, an applicant who does not complete a traditional three-year law program can be just as good of an attorney as one who does.

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To make room for attorneys who do not take the customary path, employers may want to consider different hiring options. Traditionally, large law firms and prosecutor's offices host summer associate programs for incoming third-year law students and decide at the end of the summer whether to hire participants. While this system is time-tested, it may be inaccessible to apprentices or law students who do not have a third year. That is not to say that employers have been unwilling to hire students who have not completed a three-year law school program. However, because apprenticeships are rare and two-year curriculums are new, there is little information on the hiring prospects of students who participate in those programs.

Still, firms and other organizations can hedge against any uncertainty associated with students from these alternative academic backgrounds. For example, they could offer an individual temporary employment as a law clerk at a rate below that of a first-year associate. At the end of the temporary employment period, the organization could then decide whether to offer the candidate full-time employment.

Similarly, states could change the requirements for sitting for the bar exam. For example, individuals who do not have a J.D. but have taken legal coursework and worked on legal matters with attorneys may be excellent candidates for admission to the bar. Paralegals with one or two years of legal coursework meet these requirements and, given their exposure to the law, may have more to offer than some fresh law graduates.

Becoming an attorney in the United States is expensive, and there is no indication that tuition for higher education will become more affordable. There are cheaper alternatives to the traditional three-year law program, but those alternatives are still a novelty. Unless they become more widely accepted and available and unless employers consider applicants from these unconventional legal training programs, the legal field will miss out on some great attorneys.

Ethan Simon is a litigation associate at Blank Rome LLP, where he works in the firm’s Princeton and Philadelphia offices. He is a recent graduate of the University of Virginia School of Law and lives with his wife Sydney in Philadelphia.

Endnotes
1 How to Qualify as a Lawyer in England and Wales.
2 Should Law School Be Two Years Instead of Three?
3 Two Year Law School Makes Perfect Sense.
4 Reducing Law School to Two Years Would Be a Major Mistake.
5 Two-Year Law School Would Not Build Practice-Ready Lawyers.
6 Determine if a Two-Year Law School Program is a Good Fit.
7 The Lawyer’s Apprentice.
8 Ibid.
9 The Rise in Tuition is Slowing, But College Still Costs More.
Our electronic afterlives: What happens to our digital assets after we die?

By Sarah M. Andrew

For those of us who work in estate planning, it’s common to speak with our clients about what they want done with their “stuff” after they die: the personal library, the record collection, the vintage salt-and-pepper shakers. In recent years, the catalogue of “stuff” that people have expanded to include digital property. The expansion has not been painless or without controversy. And though the law is often slow to catch up with societal changes, there are several important efforts currently underway to codify our relationship to our cyber “stuff.”

We can think of digital assets as belonging to four distinct, yet overlapping categories: (1) online content that we create, such as Facebook and blog posts; (2) electronic property that we purchase and store online, such as i-Tunes music files; (3) access to private information that we store online, such as our e-mail accounts; and (4) access to assets that are simply managed online, such as electronic banking. As we move into an increasingly electronic future, the definition of digital property will continue to evolve. These categories are most useful to illustrate just how many of our interactions have transitioned from real-time, in-person exchanges in the physical world, to the comparatively mysterious (and password-protected) cyber-world.

Problems arise when there is a need to delegate management of digital assets to an agent or executor. No federal law comprehensively covers such delegation. States, including Pennsylvania, are beginning to explore options, as will be discussed below. Until a legal framework is set in place, digital property owners must deal individually with the various companies that provide online services. This is no easy task, as each company has a different governing policy, known as the “terms-of-service” agreement.

A typical terms-of-service agreement will prohibit a user from sharing access to the service with any other person, for any reason. Without specific authorization under the agreement, a user may not appoint an agent to manage online accounts during an emergency or an extended period of incapacity. The most practical solution of sharing login and password information with the prospective agent would be a violation of the agreement, which would threaten the continued use of the service. Any prospective agent who is nevertheless given such access would not be protected from prosecution or liability for actions taken online, even at the express direction of the user. This prohibition extends into the afterlife; a user generally has no legal right to grant an executor access to digital assets. The sad result is that years of collected data such as writings, pictures and other records may be lost forever.

Fortunately, some companies have begun to offer solutions. In February of this year, Facebook began offering users the option to name a “legacy contact.” The legacy contact administers the “memorialized” account that is created when a Facebook user dies. The legacy contact can take certain limited actions that include downloading all of the information saved on the deceased user’s Facebook page, or posting a final message from the user to the world. Google has been offering an “inactive account manager” option since 2013. This option allows a user to dictate what happens to Gmail messages and other Google-related services (including Google Drive, Blogger and YouTube) after death or in case of an extended period of inactivity. Twitter takes another approach, and agrees to work with “a person authorized to act on the behalf of the estate or with a verified immediate family member of the deceased.” No access is granted to the executor or family member, but requests by that person to deactivate the account will be honored.

More and more online service companies are responding to consumer demand by providing such increased control of digital assets. These options are a step in the right direction. However, the sheer number of online services invites confusion, as each company has different rules and policies.

The market response to this problem has generally been the development of digital asset management tools. Companies such as SecureSafe and PasswordBox promise to collect and securely store online account logins, passwords and legacy directions in a sort of digital file cabinet. This method does not overcome terms-of-service restrictions. Further, there are obvious risks to placing such sensitive information all in one place online, no matter how strong the encryption. The estate planner’s response to this problem has not been much better. Most practitioners now include clauses in powers of attorney and wills that contemplate granting access of digital assets to agents and fiduciaries. Such language may or may not effectively override company policies.

Against this backdrop of few good options, the law can provide a much-needed framework for digital asset planning. At this time, there is no federal legislation that controls the fate of our digital assets. Federal laws generally prohibit hacking and spying, but they do not address the
Our electronic afterlives
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appointment of fiduciaries to manage our personal, digital property. There is, however, a general movement throughout the country for states to enact laws and regulations concerning the control of digital assets. This movement received a boost in July of 2014, when the Uniform Law Commission completed and approved the Uniform Fiduciary Access to Digital Assets Act (UFADAA).

The UFADAA specifically addresses the rights of fiduciaries to access and manipulate digital assets on behalf of principals or decedents. The application of the law is limited to personal representatives of decedent’s estates, court-appointed guardians or conservators, trustees, and agents under powers of attorney. The UFADAA defines a digital asset as an electronic record, which includes any type of information stored electronically on a device or uploaded to a website, and rights in digital property. The Act seeks to encompass all of the broad and shifting categories of digital property.

Since the UFADAA was approved just last summer, several states have already adopted the suggested language. Other states, including Pennsylvania, are considering statutory amendments to incorporate the recommendations. On Feb. 20, 2015, Pennsylvania Senate Majority Leader Dominic Pileggi introduced SB518, an addition to the PEF Code (Title 20 Pa.C.S.A.). As of this writing, the bill has been referred to the Judiciary Committee.

The proposed Pennsylvania legislation is based largely on the UFADAA. Individuals would have authority to appoint fiduciaries to manage digital assets in the same ways such fiduciaries may currently be appointed to manage tangible property. The proposed legislation also imposes the same fiduciary duties on agents and personal representatives as currently exist in the PEF code; the fiduciary must still act for the benefit of the principal or estate. In addition, the proposed law offers the same immunity from liability for fiduciary actions taken in good faith.

The spirit of the law is simply to extend all existing fiduciary authority over the principal or decedent’s physical assets to include digital assets, in every conceivable form. In response to industry criticism that the proposed law violates consumer choice and privacy, the law would defer to the account-holder’s choice of agent through a terms-of-service agreement, where such choice has been made in accordance with company policy.

The world has changed in extraordinary ways since the internet has become a widely available part of our daily lives. We live much of our lives online; there is hardly an exchange that cannot be accomplished nearly as well in cyberspace as in the physical world. New forms of digital property are constantly being invented. Our laws should reflect that digital assets are as much a part of our estates as those items we once placed reverently in safe deposit boxes. The passage of SB518 would provide a much-needed tool for estate planning practitioners and our clients. In the meantime, we should probably continue to advise clients to keep a list of logins and passwords handy, just in case.

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I have a vivid early memory of a particular family trip to Colonial Williamsburg, Virginia. After all, what eight-year-old could forget a long weekend in a living history museum with all the pewter flatware one could ever want? I’m kidding. The trip was actually a lot of fun. But that’s not why I remember this particular family vacation.

I clearly recall the trip because our fun was interrupted for hours as I sat in a big room with lots of serious people in dark suits. (I did not know it then, of course, but it was a room full of lawyers.) As a kid, it was torture. The cool thing, though, was that the room listened intently as my dad gave a speech. Even for an eight-year-old, that was pretty neat.

I later learned my family was in Williamsburg for the annual conference of an organization called the Local Government Attorneys of Virginia. At the time, my dad was president of the LGA.

Today, as a young lawyer, I fully appreciate the importance of that Williamsburg trip. My dad was hard at work developing a niche law practice.

I come from a long line of lawyers dating to 1848. That year, my great-great grandfather started a law practice in a tiny, one-horse town in Southern Virginia. Generations of my family followed his footsteps into law. Of the many lawyers in my family, however, my dad remains the most professionally successful. He credits his success with finding, and working hard at, an interesting niche he still enjoys.

In the 1970s, for reasons he still cannot explain, Dad left a great job with the U.S. Department of Justice for work as a county attorney in a then semi-rural area of Virginia. Over the following decade or so, he became active in organizations like the LGA. He became a well-known expert on land-use issues facing local governments. When my dad went into private practice, real-estate developers, construction companies, and anyone dealing with local zoning and building codes came knocking. As a result, over the last 20 years he has been involved in dozens of real-estate projects, large and small. He helped my once-sleepy hometown develop into a bustling, prosperous (and traffic-laden) community.

My dad’s story is the much-condensed version of one lawyer’s quest for a niche practice. My own abbreviated version is also worth recounting, and probably more relevant for other young lawyers.

When I started law school, I immediately began to think about what kind of law I wanted to practice. Early on, I decided I wanted to be a plaintiffs’ trial lawyer. Admittedly, my classmates were often bewildered by my interest in plaintiffs’ practice. They mostly wanted to practice international, sports, and music law, or some combination of the three.

There were a number of reasons for my decision, though. I wanted to represent regular folks struggling with physical, emotional and financial pain. During law school I never heard a current or prospective student profess interest in plaintiffs’ work. To me, this meant less competition out of school, which was appealing in a difficult job market. Also, to be frank, I wanted to avoid the dreaded billable hour, and knew most plaintiffs’ lawyers worked on contingency.

During my last year in school, I decided to look for a part-time job with a personal injury practice in central Pennsylvania. Thanks to Penn State Dickinson’s career portal, I landed an interview with Andreozzi & Associates, a small plaintiffs’ firm based in Harrisburg looking for a part-time law clerk.

During the interview, Ben Andreozzi, the firm’s founder, explained he specialized in “crime victim” litigation. I had little idea what that meant. Given the nature of the work, though, Ben was intrigued by my expressed interest in working with injured plaintiffs. So I got the job.

Within weeks, I knew I had found the work I wanted to do long-term. During my first client meeting, we met with the family of a young man who had been brutally murdered at a nightclub after his killer was allowed inside the establishment with a weapon. The meeting was heart wrenching.

It was also deeply moving and inspirational. The family mostly wanted to ensure other families were spared their heartache. They hoped filing suit against the nightclub would force other establishments to better protect their patrons from violence. Any potential recovery was secondary.

Andreozzi & Associates is most known for representing victims of childhood sexual abuse in civil lawsuits. When I joined the firm, Ben was representing almost a dozen of Jerry Sandusky’s victims, for example. Since then, I have had the honor of working with child and adult sexual abuse survivors who were victimized at religious institutions, schools, hospitals, daycare centers and foster care agencies, to name a few. As one would expect, the work is often tragically sad, which is precisely why I find it so rewarding.

I already experience the personal and professional benefits of working in a niche practice. For one, the community of lawyers in Pennsylvania and around the country who specialize in crime victim cases is small. I have already gotten to know many of them. They are, as one would expect, an extremely passionate group of people.

I am also routinely exposed to issues most personal injury lawyers do not face on a regular basis. Already, friends at other plaintiffs’ firms call to ask for advice on issues we are confronted with in our practice with which they and their firms are less familiar. Such relationships inevitably produce referrals.

Working at a niche firm is not all roses, of course. For one, we reject a lot of work other plaintiffs’ firms might take, which means we refer out potentially

In my experience, lawyers who have a niche practice are happier. They primarily take on work they enjoy, which, in turn, means they simply do better work.

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Finding a niche
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good cases. We pride ourselves, however, on carrying a relatively small caseload, and the resultant personal attention each client receives. Again, this lack of volume can create problems. If a case we believe is strong turns south for some reason, we may not have dozens of other matters waiting to take its place.

Still, I often urge other young lawyers to find their corner of the legal world early. It took my dad decades to develop his niche and turn it into a successful business. Given the financial realities of today’s law schools, however, most young lawyers do not have that luxury.

In my experience, lawyers who have a niche practice are happier. They primarily take on work they enjoy, which, in turn, means they simply do better work. It is hard to excel at something you hate.

I was extremely lucky to land at Andreozzi & Associates, doing something I enjoy. I also think, however, that I played a serious part in steering my career this way. I sincerely doubt I would have gotten my job without educating myself about plaintiffs’ practice and actively searching for work in the field. I encourage young lawyers struggling to find their way to find a practice area they enjoy and work hard at marketing themselves in that area. Maybe they will get lucky too.

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at Andreozzi & Associates, P.C., where he specializes in civil litigation on behalf of sexual, violence and financial crime victims. Andreozzi & Associates recently resolved claims on behalf of 11 of Jerry Sandusky’s victims, successfully represented a child abuse victim in a case against one of the nation’s largest child-care providers, and settled a crime victims’ claim against an international hospitality company. The firm has offices in Harrisburg, Philadelphia and Pittsburgh. For more information, visit victimscivilattorneys.com.

First impressions matter

By Brad Haas

First impressions matter, and there are few professions where this is more apparent than within the legal community. An employer’s initial perception of you can be the difference between landing an interview or becoming another crumpled up and discarded resume. Recently, I had the opportunity to review several law student resumes from various law schools in the Pittsburgh area. The amount of mistakes seen throughout the resumes inspired me to write this piece, listing the top errors I came across.

Avoid Generic Information

Example:
“Proficient in WestLaw and LexisNexis”

Generic information can be a quick way to turn off a potential employer. It is certainly understandable that law students need gap fillers due to lack of experience. However, inserting generic and common skills to take away white space is not the best way to handle this. For example, avoid including that you are “proficient in WestLaw and LexisNexis.” This would be similar to saying you are proficient in email. Today, every law student in America is taught legal research, if not exclusively, predominately through these online platforms. As such, you are expected to be capable of effectively researching cases and statutes online.

Other generic entries include things such as “work well in team setting,” “punctual and hard working” and “detail oriented.” These entries are nothing more than lip service. Any person can claim to be hard working and detail oriented, but not everyone can provide strong examples illustrating these attributes. Instead of using boiler plate entries, demonstrate how you exude these characteristics throughout your resume and/or cover letter. Show that you have worked multiple jobs or volunteered during law school to demonstrate your hard work. List a bullet point emphasizing the 30-page appellate brief you drafted to show you are detail oriented. These are the types of tasks employers are interested in gauging your candidacy on.

Show, Don’t Tell

Example: “Drafted motions for summary judgment”

When crafting your resume it is important to put yourself in the shoes of an employer reviewing hundreds of resumes. The tasks given to law school students in their various positions are often very similar. Reading bullet points such
Keep it simple

Example: “Red and Blue Comic Font”

This was one of the more shocking mistakes I came across in the resumes that I reviewed. Many had colored text and unprofessional font types. The legal profession is one that prides itself on tradition. While different fonts and colors might be acceptable if applying for a graphic design position, when it comes to applying for legal jobs it is best to keep things simple. Black type, along with Times New Roman, Arial, or some other traditional type of font is the safest approach. The large majority of employers will view any non-traditional font and/or color as unprofessional.

Review, review, review!

Example: Misspelling your law school

In today’s legal market the majority of available positions will attract multiple applicants. Many applicants will appear to be similar on paper. A preliminary decision on whether an interview is offered could be based on something as simple as a misspelled word. While the extent to which this may harm you will vary depending on the reviewer, many employers will view resumes with any typos or missed punctuation as demonstrating a lack of attention to detail.

Review your resume on at least a weekly basis (if not more often). Upload it to your cell phone or tablet so you can look it over while on the go. Constantly check to make sure that everything is aligned perfectly and the resume is free of any errors. Having another person review the resume can also be helpful, as a fresh set of eyes may catch a mistake you have passed over.

Highlight your attributes, not your weaknesses

Example: GPA 2.33/Class Rank: Bottom 10%

Statistically speaking, someone has to be at the bottom of every law school class, however this does not mean that it should be on a resume. Think of your resume in terms of a first or second date. Would you begin the date by informing the person of your negative qualities and insecurities? A resume is much the same. It is important to make a strong first glance impression with your resume, and leading off with less than stellar credentials is a fast way to end your candidacy.

You want to show off your strong qualities while downplaying your weaknesses. This is certainly not to say you should ever be deceitful, as honesty is the number one rule of resume writing. However, there is a difference between deceit and downplaying negatives. Not including a lackluster GPA and class rank is not being deceitful. If it is not included it is usually just assumed that your GPA is below 3.0. If an employer wishes to discuss your academics further, this can be done during the interview.
A guide for young litigators to be renewed each day

By Barkha Patel

For the past decade, young litigators have been pursuing various fitness activities to relieve their job-induced stress. Even if you personally did not succumb to the craze, you must know someone who is a Cross Fit addict, kickboxing enthusiast or a Zumba star. To deal with the high expectations at work and the anxiety fluxes, professionals have endorsed numerous gym memberships, boot camp programs, 5K races and even personal trainers. Regrettably, many of us have spent a fortune trying to “feel better” after a hard day at work.

Among young professionals, there is a new fitness “trend” towards practicing yoga and meditation. Both practices were formerly stereotyped to be religious activities and assumed to be part of the Hindu way of life. As such, people of different faiths and backgrounds did not concern themselves with learning the reasons and benefits behind these practices. With the help of technology and social media, many people are exposed to articles, blogs and videos explaining various yoga trainings and meditation teachings. A number of celebrities have announced via Facebook and Twitter, on talk shows, and in their “tell all” books that they regularly practice yoga and meditation to not only stay in shape, but also to relieve stress. Some of these people include Twitter co-founder Jack Dorsey, comedian Russell Brand, actress and model Eva Mendes, the all-powerful Oprah Winfrey and media host George Stephanopoulos. They all speak highly of the results, especially how the meditation helps achieve inner peace and control over their minds to tackle their hectic schedules.

The goal of achieving inner peace has frequently been a categorized as unattainable in the 21st century. We live in an era filled with an unquantifiable amount of distractions, desires, commitments and attachments. So, how can you find the time to focus only on yourself?

Meditation. Meditation is a fitness for your mind. Meditation is an attempt to guide and direct your thoughts to gain control over your mind. For example, when you wake up in the morning and organize your thoughts by creating a mental list of tasks and goals for the day, you are beginning to meditate. Before you fall asleep as you lie in bed recalling who you talked to, what you did, and where you went earlier in the day, you are nearly meditating. Many young professionals like yourself start and end their days conducting this mental exercise. With a bit more understanding and effort, you can utilize this exercise for its full potential and rewards. This article can teach you how to refine this prevalent morning and nighttime activity to achieve inner peace. With daily practice, you will have more productive, less-anxious days because you will have harnessed control over your mind.

Atma bodh is a Sanskrit word used in Hindu anthology meaning “self-knowledge” or “self-awakening.” In a nutshell, this meditation calls for self-reflection. What do you need to do? Once you wake up in the morning, instead of checking your phone for missed calls and messages, remain in bed and follow these instructions:

1. Keep your eyes closed and take a few deep breaths.
2. If you believe in God or any higher being, begin by giving thanks for this new day, this new awakening, this new life.
3. With your eyes closed, have your inner voice direct your thoughts to guide you in planning your day.
4. Start off by literally thinking about the tasks to be accomplished.
5. Then, attach your intention to every task. What do you seek to accomplish? For what purpose or what consequence? If you attach an emotion to any task, it will create drive and energy to complete it.
6. Make a pledge to successfully implement the schedule and carry out the tasks by the end of the day.
7. Recognize and accept that you and your inner voice were given this new day for a purpose, to be a productive member of society, to become a better you.
8. With that, open your eyes and start your daily routine.

The trick to properly practicing this meditation (and honestly the hardest part) is to prevent your mind from controlling and diverting you. When your inner voice, or your soul, guides your day, you will not be distracted or coerced by your mind. Accept and realize that the mind and soul are two separate entities. Researchers have determined that the conscious mind has the capacity to store at least four items at one time. At one given moment, you could be thinking about four different things. Therefore, during Atma bodh, it is your job to have your inner voice, your soul, do the work. For a couple of minutes every day, you should stop your mind...
A guide for young litigators

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from thinking about everything in your life. Instead, have your inner voice dictate your goals. If and when your mind directs your thoughts to the past, regain control and focus on your purpose.

Why practice Atma bodh every day? Like every other overloaded and ambitious litigator, I bet you already wake up planning your day. I bet you make a list of all the meetings and phone calls while brushing your teeth or taking a shower. Sometime in between getting dressed and having your morning coffee, you pep yourself up to get everything done and to be productive as possible. You already practice the “mental organization” element of Atma Bodh. Now, supplement your mental planning with a self-realization of your worth. Not everyone is given a new day. But, you were and you will make the most of it. With this self-awakening, you will be able to reduce your anxiety and stress levels, which are produced from your mind, to achieve inner peace.

Our body mechanically renews itself (e.g. 300 billion new cells every day, new stomach lining every three days, new skin every 28 days, etc.). If our bodies live each day as a new day, why can’t we train our minds to do the same?

One cannot practice Atma bodh without its complementary meditation: Tatva bodh. This meditation is performed while in bed just before sleeping. In Sanskrit, Tatva bodh means “knowledge of the truth.” Before you fall asleep, you report to yourself (and/or to the higher being) of your successes and failures, and provide assurances that you did the best you could with the new life you received this morning. Practically, this is the time when you write in your diary or journal about everything that happened today, along with your reactions, emotions and opinions regarding the events that transpired. If you are not in the habit of keeping a diary or journal, I recommend that you start practicing Tatva bodh.

Why practice Tatva bodh? While there are many reasons, I am sure I can appeal to at least two. First, as young litigators, you understand the importance of time. Especially those who work at a private firm counting every 6 minutes as a 0.1 billable, time cannot be wasted. So, why waste that time when you lie in bed trying to fall asleep? Those are important moments when you first close your eyes to the moment you entered deep sleep. Even people like me who fall asleep within a few minutes of lying down still have those few minutes to bill for themselves. Take that time to debrief your day. Examine the things you did well. Admit the things you did wrong. Use this time to have your inner voice speak the truth.

1. Have your eyes closed and take a few deep breaths.
2. Remind yourself that you received a new life today and now it is coming to an end.
3. Report to yourself (and/or to God) about which tasks you were able to accomplish and which you were not.
4. Give assurances to yourself (and/or to God) that you feel remorse for the uncompleted tasks, but also triumphant for the good deeds done.
5. For the parts of the day that did not go as planned, release the burden off your shoulders. Surrender everything so that the weight is lifted.
6. Request a new day and a new life tomorrow so that you can again fulfill your responsibilities and serve your purpose.
7. With that, you are now relaxed, care-free and ready to sleep as if there is no tomorrow.

In addition to the fact that the meditation utilizes a period when you could be wasting time, Tatva bodh is a great way to remove insomnia. I’m sure you can relate that you probably have trouble sleeping after stressful days. We might take longer to fall asleep, or toss and turn throughout the night as we remember what we have left to do. This is because, right before we fall asleep, we think about all the tasks we did not complete and all there is to do when we wake up. We make a mental checklist for the next day, even before we know whether there will be a new day. Therefore, to sleep well, we have to sleep like there is no tomorrow. Release your burdens. You have to let go of the weight because you have to accept that there is nothing you can do now. You have to change your attitude and outlook to realize this fact. If and when you are reborn tomorrow, you will be given another chance to finish your tasks, correct your mistakes, and continue your responsibilities. So, control your mind from thinking about tomorrow’s schedule. Don’t carry your distracted thoughts into your sleep. Be thankful for what you had today and reflect on what you accomplished today so that you have a beautiful night’s sleep tonight.

Rinse and repeat.

Barkha Patel graduated from Drexel University Thomas R. Kline School of Law in 2013 after completing an accelerated six-year BA/JD program. Patel served as a law clerk for the New Jersey Superior Court in Mercer County and is now an associate practicing civil litigation at Delany McBride, P.C. in South Jersey. She is licensed to practice law in New Jersey, Pennsylvania, and the Federal District Court of New Jersey.
Superior Court ruling shows the necessity of registering foreign corporations

By Jason and Kaitlin DiNapoli

Before you sue, do your due diligence. Young attorneys should heed the guidance recently handed down by the Superior Court: Foreign business corporations who fail to register in Pennsylvania lack the capacity to sue. See Drake Manufacturing Co. Inc. v. Polyflow, Inc., No. 959 WDA 2014 (Pa. Super. Ct., Jan. 23, 2015). Because a plaintiff failed to register until after a verdict was entered in its favor, the Superior Court remanded for entry of judgment n.o.v.

In 2007, Drake, a Delaware corporation, agreed to ship parts and machinery to Polyflow, which had a facility in Oaks, Pennsylvania. Two years later, the deal had soured, and Drake filed suit alleging that Polyflow had failed to pay for the products. Polyflow’s answer alleged that Drake was “not registered and authorized to maintain suit in Pennsylvania.” Additionally, Polyflow’s pretrial statement included an exhibit of “Pennsylvania Corporations Bureau information on [Drake].”

During the short non-jury trial, Polyflow did not dispute Drake’s evidence that Polyflow failed to pay for the machinery. Instead, Polyflow’s sole defense was that Drake had not obtained a certificate of authority from the Department of State authorizing Drake to do business in Pennsylvania. Drake had only applied for the certificate on the day of trial.

Polyflow moved for nonsuit on this theory, but the court denied it and announced a verdict of nearly $300,000 for Drake. Polyflow timely filed post-trial motions seeking judgment n.o.v., and Drake attached a newly obtained certificate of authority as an exhibit to its response. Although Drake’s certificate had been obtained after the verdict, the trial court denied Polyflow’s motions.

On appeal, the Superior Court agreed with Polyflow: Drake could not maintain suit without the certificate. As a threshold matter, the court held that Polyflow properly preserved the issue, since a defendant can object to a plaintiff’s lack of capacity to sue either as a preliminary objection or in its answer to the complaint. Next, the court turned to the merits.

Three related statutes governing the certificate were crucial to the case. The first states that “a foreign business corporation, before doing business in this Commonwealth, shall procure a certificate of authority to do so from the Department of State[.]” 15 Pa.C.S. § 4121(a). The next section negatively defines “doing business,” and the Committee Comment to that section elucidates that “‘doing business’ involves regular, repeated, and continuing business contracts of a local nature.” 15 Pa.C.S. § 4122 Cmt. Section 4141(a) explains that a nonqualified foreign business corporation doing business in Pennsylvania “shall not be permitted to maintain any action or proceeding in any court of this Commonwealth until the corporation has obtained a certificate of authority.”

The Superior Court first clarified that Drake was indeed “doing business” within the meaning of the statute because it maintained an office in Pennsylvania, entered into a contract there, and made dozens of shipments over eight months to Polyflow’s facility.

The court then turned to whether Drake’s post-trial submission of the certificate was enough to save its case. Relying on Pennsylvania Supreme Court precedent forbidding the use of post-trial evidentiary hearings to remedy a deficiency that a party could have cured pre-trial, the Superior Court held that the trial court erred. Since

Drake had no valid excuse for failing to submit the certificate of authority before or during trial, it “could not use post-trial proceedings to correct its own error.”

So what should young Pennsylvania lawyers take from this case? First, make sure that any foreign business corporation you represent has the proper certificate of authority. Second, pay attention to the allegations in an opponent’s answer and new matter. Had Drake requested a certificate when it was served with the answer, its verdict would stand. Third, don’t be afraid to try an unorthodox defense. Polyflow did not contest Drake’s evidence that it failed to pay for the machinery. Rather, its only defense was Drake’s lack of certificate. Such a defense required careful scrutiny of the plaintiff, familiarity with Pennsylvania corporations law, and a bit of courage. The bold move paid off in the end. The day went to the diligent.

Jason DiNapoli practices in Dilworth Paxson’s commercial litigation group. He is also a judge advocate in the New Jersey Army National Guard. He received his J.D. from the University of Notre Dame and his Bachelor of Science in computational physics from The College of New Jersey.

Kaitlin DiNapoli most recently practiced in the Cozen O’Connor’s commercial litigation group. She also received her J.D. from the University of Notre Dame and her Bachelor of Science from the University of Dayton. She served as a law clerk for both Judge Ray Kethledge of the U.S. Court of Appeals for the Sixth Circuit, and for U.S. District Judge Robert Kugler of the District of New Jersey.
Maureen Karr got a temporary protection-from-abuse order against her husband on grounds that he threatened to burn their house down. Two weeks later, according to police, James Karr made good on his promise, and his wife died in the fire.

In Pennsylvania, more than 150 people die every year from incidents involving domestic violence. Astonishingly, Allegheny County for two straight years has tallied more domestic-violence fatalities than any other Pennsylvania county, even Philadelphia. In 2013, there were 28 domestic-violence related deaths in Allegheny County, representing nearly one-fifth of such fatalities statewide, according to the Pennsylvania Coalition Against Domestic Violence.

"Some conclude that PFAs are useless, that they're just a piece of paper," says Spenser Baca, a third-year student at the University of Pittsburgh School of Law who represented Maureen Karr at a PFA hearing hours before she was killed. "But PFAs help the majority of clients."

In December, after 14 years of marriage, Maureen Karr told her husband she wanted a divorce. According to her PFA order, James Karr flipped out: he threatened to burn the house down if he couldn't get his way. The next day, according to police, Thomas Bour poured gasoline on their house and set it ablaze. Thomas Bour faces trial next month on multiple felony charges of arson and risking catastrophe.

"Defendants always make threats," said Baca. "It's surreal when they make true on their threats."

On Dec. 29, Maureen and James Karr appeared separately on the third floor of family court Downtown. Ms. Karr sought a final PFA order lasting three years — the maximum allowed under Pennsylvania law. But a hearing never occurred, as the defendant suddenly dropped to the floor and convulsed. Although James Karr receives disability benefits based on a seizure disorder, Baca suspects he faked a seizure to avoid the hearing. The parties left the courthouse without even seeing a judge.

In Allegheny County, court administrators estimate that only five percent of PFA cases ever go before a judge for a final hearing. Attorneys frequently work out agreements and draft court orders signed by the parties. An administrator will stamp a judge's signature on them, but there is no direct judicial involvement whatsoever in the vast majority of cases.

Other counties surrounding Pittsburgh handle PFA cases differently. For instance, Westmoreland County judges insist that all parties appear before a judge regardless of how the case is resolved. It's impossible to know if a judge's finger-wagging lecture or threat of grave consequences for another infraction would have saved Maureen Karr's life, but it might have. Allegheny County's practice of letting administrators stamp court orders must stop.

Similarly, last September, Nancy Bour of Ross wrote on a PFA petition against her husband: "Threatened to burn the house down if I try to get divorce." The next day, according to police, Thomas Bour poured gasoline on her house and set it ablaze. Thomas Bour faces trial next month on multiple felony charges of arson and risking catastrophe.

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Other counties surrounding Pittsburgh handle PFA cases differently. For instance, Westmoreland County judges insist that all parties appear before a judge regardless of how the case is resolved. It's impossible to know if a judge's finger-wagging lecture or threat of grave consequences for another infraction would have saved Maureen Karr's life, but it might have. Allegheny County's practice of letting administrators stamp court orders must stop.

Moreover, to promote consistency, Allegheny County should have specialized judges with extensive domestic-violence training to handle all PFA hearings. That's how PFA cases are handled in Philadelphia County, which saw its number of domestic-violence fatalities drop by 33 percent last year.

This is also how things are done across the street in criminal court, where just two judges oversee all of Allegheny County's domestic-violence cases. But for PFA hearings, 17 family court judges and three senior judges take turns, ensuring an egregious lack of consistency in court rulings.

On Dec. 30, just hours after appearing in court, James Karr showed up at the couple's red-brick house set on an orange-brick street. The temporary PFA order remained in place, but, according to police, James Karr went in, slammed his wife's head against a wall, knocking her unconscious, then tied her wrists with floral wire used for making Christmas wreaths, doused her with her favorite Smirnoff vanilla-flavored vodka and lit a match.

Maureen Karr died from smoke inhalation and carbon-monoxide poisoning. James Karr, a South Park native, has been charged with criminal homicide and aggravated arson. The Allegheny County district attorney's office plans to argue for the death penalty.

It is impossible to know if Maureen Karr's death might have been prevented. But immediate action should be taken to curb the number of domestic-violence fatalities in Allegheny County. Increased involvement at PFA hearings by judges with advanced training in domestic-violence cases, and the tougher rulings that likely would result, could make the difference.

Todd Spivak, attorney and owner of Spivak Law Firm in Pittsburgh, handles family law and criminal defense matters with a focus on PFA and child custody (spivaklawfirm.com).
Treatment of methadone clinics in municipal zoning ordinances

By Lynne Finnerty

The Pennsylvania Municipalities Planning Code (MPC) governs most of municipalities’ land use and planning development in Pennsylvania. The MPC contains provisions regarding the contents of a municipal zoning ordinance. One of those provisions regulates the location of a methadone treatment facility.2

Section 10621(a) of the MPC provides that:

[A] methadone treatment facility shall not be established or operated within 500 feet of an existing school, public playground, public park, residential housing area, child-care facility, church, meetinghouse or other actual place of regularly stated religious worship established prior to the proposed methadone treatment facility.3

Section 10621(b) gives a governing body the authority to override this prohibition if the governing body votes to do so after a public hearing.4 However, several cases have determined that Section 10621 violates the Americans with Disabilities Act ("ADA") and the Rehabilitation Act.5

In New Directions Treatment Services v. City of Reading, the Court of Appeals for the Third Circuit held, inter alia, that Section 10621 of the MPC facially violates the ADA and the Rehabilitation Act because it singles out methadone clinics, and thereby methadone patients, for different treatment.6 In New Directions, the provider, New Directions Treatment Services (the "Provider"), sought to locate a new methadone treatment facility in the City of Reading which would service more than 100 patients at the facility.7 The specific property that the Provider desired to use was within 500 feet of a residential housing area, as prohibited by Section 10621(a).4 The Provider requested that the City of Reading’s Council permit this use pursuant to Section 10621(b), but the Council unanimously denied the Provider’s application.9 The Provider sued the municipality alleging that Section 10621 of the MPC violates the ADA and the Rehabilitation Act on its face.10

In its rationale, the Court discussed two cases from other circuit courts, which determined that municipal ordinances prohibiting methadone clinics within 500 feet of a residential area violated the ADA and the Rehabilitation Act.11 Further, the Court indicated that there was ample evidence that the Provider’s clients, and methadone patients as a class, do not pose a significant risk.12 There was no evidence presented that there was a link between methadone patients and increased crime.13 Moreover, the Court stated that the ability to waive the ban through Section 10621(b) did not change the fact that Section 10621 facially discriminated against methadone patients.14

A recent Commonwealth Court of Pennsylvania decision interprets and applies New Directions. In March of 2014, the Commonwealth Court decided THW Group, LLC v. Zoning Boarding of Adjustment.15 The Commonwealth Court held that the trial court did not err when it determined that a methadone clinic qualifies as a use for the treatment of patients and a medical office; therefore, it should be allowed in the same zoning district as those uses.16

In THW Group, the Applicant sought to operate a methadone clinic for approximately 200 patients per day in an area zoned for commercial uses, the C-2 District.17 The municipality approved a zoning use permit for the Applicant, and several concerned neighbors challenged the issuance of the permit on the grounds that a methadone clinic is not permitted in a C-2 District.18

The municipality’s zoning ordinance did not define nor express permit or prohibit a methadone clinic from existing anywhere in the municipality.19 The court looked to the dictionary definition of “clinic,” which is defined as a facility for the diagnosis and treatment of outpatients.20 The court observed that in a C-2 District buildings for the treatment of patients and medical offices were uses permitted by right.21 The court stated that a methadone clinic “clearly qualifies as a use of the property for the ‘treatment of patients, and a medical office, both of which are specifically permitted in the C-2 District.”22 Since the C-2 District use regulations were broad enough to encompass a methadone clinic, the methadone clinic was permitted in the C-2 District.23

Importantly, the Commonwealth Court examined New Directions and explained that:

[F]ederal law requires that recovering heroin addicts be treated as persons with a disability under the ADA and the federal Rehabilitation Act. Treating methadone clinics differently than other medical clinics violates the ADA... the trial court here correctly stated, “the [Third] Circuit has held that municipalities are not free to apply differing zoning standards to methadone clinics from an ordinary medical clinic.”24

The Commonwealth Court found that the trial court correctly determined that the methadone clinic was permitted in the municipality’s C-2 District because

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buildings for the treatment of patients and medical offices were permitted there.25
As a result of these cases, Section 10621 of the MPC is no longer good law. It violates the Americans with Disabilities Act and the Rehabilitation Act. Municipalities should review their zoning ordinances to determine if they authorize methadone clinics in zoning districts where the treatment of patients is permitted, regardless of whether that use is designated as a medical office, medical clinic or any other name.

Lynne Finnerty is an associate at Dodaro, Matta & Cambest, P.C., where she practices primarily in the areas of municipal law and education law. She received her B.A. in anthropology from the University of Pittsburgh and her J.D. from the Duquesne University School of Law. She can be reached at lfinnerty@law-dmc.com.

Endnotes: Methadone Clinics
1 53 P.S. § 10101, et seq.
2 53 P.S. § 10621. Section 10621(d) defines methadone treatment facility as, “a facility licensed by the Department of Health to use the drug methadone in the treatment, maintenance or detoxification of persons.” Methadone is used in the treatment of opioid addiction, particularly heroin addiction, and chronic pain management. Methadone FAQs, (last visited Feb. 6, 2014).
3 53 P.S. § 10621(a)(1).
4 53 P.S. § 10621(b).
5 The ADA prohibits discrimination of qualified individuals with a disability by a public entity. 42 U.S.C. § 12132. A public entity includes a local government, such as a municipality. 42 U.S.C. § 12131. Similarly, the Rehabilitation Act prohibits discrimination against a qualified individual with a disability solely by reason of his or her disability by any program or activity receiving federal financial assistance. 29 U.S.C. § 794(a). A program or activity includes a department or agency of a local government. 29 U.S.C. § 794(b)(1) (A).
6 New Directions Treatment Services v. City of Reading, 490 F.3d 293 (3rd Cir. 2007).
7 Id. at 297-298.
8 Id. at 299.
9 Id.
10 Id.
11 Id. at 302-305 (citing Bay Area Addiction Research and Treatment, Inc. v. City of Antioch, 179 F.3d 725 (9th Cir. 1999)); MX Group, Inc. v. City of Covington, 293 F.3d 326 (6th Cir. 2002)).
12 Id. at 306.
13 Id.
14 Id. at 304.
16 Id. at 337.
17 Id. at 333.
18 Id.
19 Id. at 334.
20 Id. at 337.
21 Id.
22 Id.
23 Id.
24 Id. at 342 (citing Freedom Healthcare Services v. Zoning Hearing Board, 983 A.2d 1286 (Pa. Commw. Ct. 2009) and New Directions Treatment Services v. City of Reading, 490 F.3d 293 (3rd Cir. 2007)).
25 Id; see also Freedom Healthcare Services v. Zoning Hearing Board, 983 A.2d 1286, 1292 (Pa. Commw. Ct. 2009) (“[T]he Third Circuit stuck down that statute [53 P.S. § 10621] holding that treating methadone clinics differently than other medical clinics violated the Americans with Disabilities Act of 1990. Simply put, a methadone clinic cannot be treated any differently than a medical clinic that is serving as an ordinary medical clinic.”)

Calling All Writers!
The YLD At Issue editors are now accepting article submissions meeting the following criteria:
1. The subject matter should be relevant to young lawyers.
2. Articles should be no longer than 1,200 words. Longer articles may be considered to run as a series.
3. All submissions must include a short author biography and a digital photo of the author (300 dpi resolution preferred).
4. Electronic submissions (MS Word) are preferred. Please submit articles to Jonathan Koltash at jonathan.koltash@gmail.com.
5. Articles for the Fall 2015 issue are due by Aug. 20, 2015.

Ethan V. Wilt of Juniata College (center) was the winner of an essay contest sponsored by the PBA Civil & Equal Rights Committee, the PBA Young Lawyers Division and the PBA Law-Related Education Committee on the importance of state and local policies to the protection of civil and equal rights. Wilt’s essay was entitled, “The Road to Equality: An Examination of How the Courts Are Keeping Pennsylvania on the Right Path.” He is shown with YLD Chair Justin Bayer and Philip Yoon, chair of the PBA LRE Committee.
Guilty: A verdict of fact or injustice?

By Caroline Donato

I
t was always clear to anyone who knows me or my family that I’d practice law. My parents are both attorneys. Growing up, I remember classmates and their parents asking me how my dad can stand to represent and defend guilty people. I vividly remember being offended by the question. My dad, however, was never affected by this reaction. He’d consistently say, “Caroline, I protect each client’s rights, and I do that until the government proves that it should take them away.” Those words have always remained with me.

From a young age I gravitated toward criminal defense, initially because I idealized my father, but as I grew older, because I developed a passion for that same advocacy and purpose. I grew to believe in protecting an individual’s constitutional rights, trying the government every step of the way to ensure that the judicial process is legally executed, and ultimately challenging the inevitable stigma attached to a client as soon as he or she is charged with a crime.

But, over time, I’ve never escaped the type of question that once deeply offended me as a child. Now my peers and colleagues ask: “How can you represent and defend someone like that?”

Like what? As soon as an individual is charged with a crime, an immediate stigma attaches to his or her character. This isn’t a new phenomena. When an individual is charged with a crime, many people in our society jump to conclude that the accused probably committed the crime. And if the facts look bad, the same folks generally conclude that the accused definitely committed the crime.

The law, however, must not permit such hasty conclusions. The law requires an objective analysis of each case, a determination of which party has the burden of proving each issue, and an analysis of the facts as presented. Unfortunately, it doesn’t always play out that way.

This topic has recently arisen in the context of the Serial podcast. For those who don’t know, Serial is a series of episodes that seek to uncover the truth behind the 1999 murder of a high school senior named Hae Min Lee (“Hae”). Her ex-boyfriend, Adnan Syed (“Adnan”), has been serving the first 15 years of a lifetime jail sentence for her murder. Throughout the entire podcast, the listener can’t help but wonder, “Did Adnan kill Hae Min Lee?” To this day, Adnan insists he didn’t.

It never looked good for Adnan. There’s a main witness who testified that Adnan told him he was going to kill Hae. This witness said Adnan was upset that Hae broke up with him and was dating someone else. The witness helped the police locate Hae’s abandoned car and, according to the witness, allegedly helped Adnan bury the body in a sketchy city park. Finally, what appears to be the icing on the cake, Adnan can’t remember what he did that afternoon.

No, this doesn’t look good at all. Six weeks after Hae’s disappearance, Adnan was arrested for the murder of his ex-girlfriend. After two trials (the first trial was a mistrial), a jury of his peers convicted Adnan of first degree murder.

So, did he do it or didn’t he? The government’s case has many issues. For instance, the main witness has no credibility. He gave several contradictory statements to the police; his testimony was inconsistent in each trial; his testimony never quite matched up with phone records and cell phone tower pings; he was referred to a criminal defense attorney by the prosecution; and he was given a sweet plea deal in exchange for his testimony. Yet, the defense arguably failed to explain these issues to the jury, and it didn’t help that Adnan was a practicing Muslim.

According to Adnan’s loved ones, the jury indicated a certain prejudice.

I’ve scrutinized the facts of this case with my friends, colleagues, along with now millions of people who have listened to the podcast. It is really difficult to prove one way or the other if Adnan actually murdered Hae or had any involvement in her death. Either way, a general inquiry has been, if Adnan didn’t do it, why couldn’t he prove it?

From a legal standpoint, that’s not a relevant question. It’s not the defendant’s burden to prove whether or not he or she committed the crime. It’s the government’s burden to prove beyond a reasonable doubt every element of the alleged crime. In Adnan’s case, Serial host Sarah Koenig illustrates there was insufficient evidence; the government did not meet its burden, and the jury entered a guilty verdict because it believed Adnan probably did it anyway.

This brings us back full circle. Fifteen years later, Adnan still insists from prison he is innocent, and if the podcast accurately describes the facts as presented at trial, the government failed to produce sufficient evidence that Adnan committed first degree murder. Imagine that this was you, your spouse or a loved one. There is increasingly less of a distinction between an actual criminal conviction and the stigma the vast majority of the public readily attaches to an accused as soon as he or she is charged. This distinction shouldn’t be taken lightly, and the impulse to jump to conclusions of guilt or innocence is an injustice that we, as a collective society, must be willing to challenge.

So next time I’m asked how I can advocate on behalf of an alleged criminal, I’ll give the same answer I learned as a kid. But as attorneys, we have a duty to ask a question in response: how can the prosecution prove its case?

Caroline Donato is an associate attorney at MacElree Harvey in the business department. She is a member of the Corporate Compliance, Investigations, and Criminal Defense Practice Group. She concentrates her practice on a range of complex business and criminal defense related matters. You can read more about her practice and the firm at macelree.com.
**AWARDS**

**VERDINA Y. SHOWELL AWARD**

**PBA presents Wills for Heroes award to Daniel McKenna**

Organizers of the Wills for Heroes program presented the 2014 PBA Verdina Y. Showell Award to Daniel J.T. McKenna of Ballard Spahr LLP, Philadelphia during a ceremony at the PECO in Philadelphia in January.

The award recognizes outstanding community service and commitment to the Wills for Heroes program and is named in memory of a lawyer with Exelon Business Services Company LLC who was an early proponent of the Wills for Heroes program in Pennsylvania. The program was initially brought to Pennsylvania by McKenna, who serves on the board of the national Wills for Heroes Foundation, the nonprofit organization responsible for encouraging national expansion of the program.

"Without the efforts of Dan and Verdina, the Wills For Heroes program may have not gotten off the ground in Pennsylvania and certainly would not be as successful as it is today," said Lisa Shearman, co-chair of the Wills for Heroes program in Pennsylvania.

Through the Wills for Heroes program, a team of lawyers come to a designated location, where they review a questionnaire filled out in advance by each pre-registered participant. Answers are entered into a computer program, and after lawyer reviews the resulting document with the participant, the will is printed, signed and notarized. Upon request, lawyer volunteers also work with participants to prepare advance medical directives (living wills) and durable powers of attorney.

Since the PBA Young Lawyers Division adopted Wills for Heroes in 2008 as one of its major community service projects, the program has provided wills and other estate planning documents to more than 5,000 first responders, military veterans and their significant others.

**MICHAEL K. SMITH EXCELLENCE IN SERVICE AWARD**

**PBA YLD gives Michael K. Smith Excellence in Service Award to Kimberly Moraski**

The PBA Young Lawyers Division presented its Michael K. Smith Excellence in Service Award to Kimberly Moraski of Scranton during the Annual Meeting Awards Luncheon, May 6, at the Sheraton Philadelphia Downtown Hotel, Philadelphia.

The award is named in memory of a young Philadelphia lawyer committed to providing legal services for low-income people and to offering law-related educational programs to students. The award is presented to a Pennsylvania young lawyer who, through his or her exemplary personal and professional conduct, reminds lawyers of their professional and community responsibilities.

Moraski is a member of the Pennsylvania Bar Association. She serves on the board of the Lackawanna Bar Association Young Lawyers Division and assists with a number of the division’s projects and programs, including the high school mock trial competition. Moraski also serves on the boards of the Pennsylvania Defense Institute’s Northeast Young Lawyers Committee and Lackawanna Pro Bono Inc., which provides free or reduced legal services to indigent citizens.


She is an associate of the Chartwell Law Offices. She began her legal career with Munley and Associates, Scranton, and later joined the Lackawanna County Public Defender’s Office.

Moraski is a Phi Beta Kappa graduate of Dickinson College, Carlisle, and magna cum laude graduate of the Widener University School of Law, Harrisburg.
Quigley Catholic High School wins PBA Statewide Mock Trial Competition

Quigley Catholic High School won the 32nd Annual PBA Statewide High School Mock Trial Competition at the Dauphin County Courthouse in Harrisburg in March 2015. The team went on to represent Pennsylvania in the national mock trial finals held May 14 - 16 in Raleigh, North Carolina, where the school ranked 13th out of 46 teams.

The Quigley Catholic High School mock trial team was composed of students Sarah Belsterling, T.J. Belsterling, George Burnet, Emily Chinchilla, Emily Cronin, Megan Gannon, Gabrielle Ingros, Ellen Kruczek, Austin Kuntz, Annamarie Lovre and Jacob Stumm. The teacher coach was Timothy Waxenfelter. The attorney advisor was Jennifer Popovich.


Joining Quigley Catholic High School Mock Trial Team in the final round of competition was the team from Roman Catholic High School, composed of Vincent Capitolo, Tom Leonard, Logan Moore, Anthony Nguyen, Josh Piccoti, Michael Schwoerer, Phil Tedros and Kyle Westerfer. The teacher coaches are John Pensabene and Patrick Prendergast. The attorney advisor is Steven Patton.

Pennsylvania Supreme Court Justice J. Michael Eakin presided over the final round of competition.

This year’s hypothetical case centered on murder charges filed against the president of a college honor society accused of killing a fellow student who had uncovered the honor society’s cheating scheme.

The case was written by Jonathan A. Grode of Philadelphia, Paul W. Kaufman of Philadelphia, Jonathan D. Koltash of Harrisburg and Talia Charme-Zane, an alumna of the Pennsylvania mock trial program and former captain of the Central High School team in Philadelphia.

The co-chairs of the Mock Trial Executive Committee are Koltash and Traci L. Naugle of Altoona.

Earlier in the competition, Quigley Catholic High School competed with Nazareth Area High School (Northampton County) and Roman Catholic High School competed with Eden Christian Academy (Allegheny County) in the semi-final round.

Eight other teams participated in the state championships, including: Abington Heights High School (Lackawanna County), Altoona Area High School (Blair County), Cumberland Valley High School (Cumberland County), DuBois Area High School (Clearfield County), Franklin Regional High School (Westmoreland County), Jenkintown High School (Montgomery County), Merion Mercy Academy (Montgomery County) and Strath Haven High School (Delaware County).

This year, a total of 314 teams from 264 high schools competed in the district and regional levels of Pennsylvania’s mock trial competition - one of the largest in the nation.

Through the competition, eight-member student teams are given the opportunity to argue both sides of the case in an actual courtroom before a judge. The students, who play the roles of lawyers, witnesses, plaintiffs and defendants, are assisted by teacher coaches and attorney advisors in preparing for competition.

Volunteer lawyers and community leaders serve as jurors in the trials. The juries determine the winners in each trial based on the teams’ abilities to prepare their cases, present arguments and follow court rules.

The Pennsylvania Cable Network recorded and aired the final round of the competition in April. The Pennsylvania Bar Foundation, the charitable affiliate of the Pennsylvania Bar Association, provided funding support for the broadcast.

Congratulations to the Quigley Catholic High School mock trial team, winner of the Statewide High School Mock Trial Competition. Quigley Catholic High School represented Pennsylvania in the national mock trial finals, where the team ranked 13th out of 26 teams.
You are invited to attend the 2015 YLD Summer Meeting and New Admittee Conference at Seven Springs Mountain Resort in Seven Springs, Pennsylvania. This premier legal conference is planned for young lawyers by young lawyers.

- Earn CLE credits in a relaxed environment
- Enjoy social and recreational activities with your families and other conference attendees
- Meet other attorneys from across the commonwealth, as well as justices, judges and Pennsylvania Bar Association leaders

Click here for the brochure and registration form.
As an attorney approaching 40, I have been noticing and reading about the number of layoffs at firms since the legal recession started seven years ago. Prior to that time, lawyers were laid off, in most cases, because of the inability to meet expectations of the firm's management. Now, I am increasingly aware of firms reducing staff through mass layoffs, stealth layoffs or voluntary buyouts. This is really nerve-wracking and increases the anxiety my colleagues and I feel in 2015. Is this a trend?

Unfortunately, since the practice of law is, after all, a business, layoffs will always be a possibility in many firms. Rather than having mass layoffs, a number of firms and businesses are having “stealth layoffs,” quietly reducing staff so as not to have a huge impact on others remaining at the firm. This shedding may well be necessary, as firms don’t want any negative publicity, and stealth layoffs occur under the radar. Often, staff in a large firm may not become aware of the change until they find out lawyer “Joe” or “Sally” is no longer with the firm.

Layoffs are becoming a way of life. Even if one doesn’t deserve the loss of a job, firms need to trim so as to maintain healthy revenues, enabling them to continue to thrive. One managing partner of a New York City large firm quoted, “Even in successful years, we recognize that there are challenges in this market today, and that expenses and staff have to be managing regularly for us to meet our client needs and remain profitable. We are trying to plan smartly for the future...constantly looking at the market for litigation, which is both volatile and unpredictable.”

Quite frankly, I have always thought that a law degree would offer employment security, if not specific job security. Being with a firm for decades is probably not in the cards for many lawyers today. Ultimately, every position is, in a sense, temporary, be it three years or 12 years. As I found out personally many years ago, my layoff ultimately led to an opportunity, and I opened my own national career consulting practice 20 years ago.

For many lawyers today, even the equity partner whose business has been driven down is susceptible to being pushed out. In my practice, I am seeing an increasing number of “service partners,” lawyers in their late 30’s through 50’s who have been attached to an attorney who has developed a large book of business. The problem arises when the firm’s executive committee informs department directors that they must cut expenses. Hence, that loyal service partner could be replaced at less compensation.

One needs to be aware of what is going on in a large firm, not only your particular department or location, and of your particular value to that firm. Most of us are replaceable, sometimes at less compensation than our own salary. Keeping your skills and area(s) of expertise up to date and bringing in business to the firm could make a difference between keeping your job or being displaced.

In this era of unpredictability for secure employment, a young lawyer will probably be employed by four to six firms in his or her 30- to 40-year legal career. Some eventually go into solo practice or a small partnership arrangement where they can see up front what is transpiring as a business, rather than hearing rumors about potential layoffs impacting their livelihood.

In my experience counseling and guiding lawyers, many stay too long—rather than not long enough—in a particular position. Some lawyers I have met have been on “cruise control.” While this might have been acceptable prior to the onset of changes in the legal profession, it is no longer tolerated. If you are cruising, it might be time to explore your options, both within and outside the sanctuary of law—rather than to be a layoff casualty.

On my desk in the office is a valuable quote: “To each of us, at certain points in our careers, there come opportunities to rearrange our formulas and assumptions, not necessarily to rid the old, but more to profit from adding something new.”

Good luck!

David E. Behrend, M.Ed., is the director of Career Planning Services For Lawyers in Ardmore, PA (www.lawcareerconsulting.com), serving the career needs of lawyers going through career or employment transitions. To e-mail him questions for future “Career Corner Columns,” use yld@pabar.org.
What’s going on in our counties

ZONE 1 (Philadelphia)
Zone 1 held its annual Law Week activities and outreach from April 27 to May 1. A resounding success, the event included programming such as Lawyer for a Day, Legal Advice Live!, a special Legal Line, Lawyer in the Classroom, and the ever-popular Goldilocks “trials.” The Zone 1 YLD is planning another Caravan in the future and will reach out to area PBA membership and young lawyers.

ZONE 2 (Berks, Carbon, Lehigh, Northampton, Schuylkill)

LEHIGH
The Bar Association of Lehigh County’s YLD held monthly happy hours, typically on the fourth Thursday of the month. On April 23, a happy hour was held at Grille 3501 in Allentown. On May 28, a happy hour will be held on the patio at The Wooden Match, 61 W. Lehigh Street, Bethlehem.

In lieu of the June happy hour, YLD members are being encouraged to attend the Brews and BBQ networking event in the Courtyard at The Barristers Club on June 18, from 5:30-8:00 p.m. to taste samples from local breweries, enjoy barbecue, music, and preview the new line of Minis and BMW's from Daniels BMW.

NORTHAMPTON
A YLD meeting was held on April 20. YLD members assisted with another successful Law Day at the courthouse on April 27. The YLD will continue to support the annual fundraiser for North Penn Legal Services, which is scheduled this year for Aug. 6 at Melt in Center Valley. A Wills for Heroes program will be offered to a local fire company on Aug. 26. Jill McComsey and Ricky Santee will be looking for volunteers to assist. YLD members will be involved in a number of service projects this year, including the Holiday Hope Chest Program and the Miracle League Trick or Treat function.

ZONE 3 (Adams, Cumberland, Dauphin, Franklin, Juniata, Lancaster, Lebanon, Perry, York)

CUMBERLAND
The Cumberland County YLD partnered with the Franklin County YLD and enjoyed a Hershey Bears hockey game in March. The YLD will hold this event again next season. May 1 marked Cumberland County’s celebration of Law Day. This year, the CCBA YLD participated with local elementary schools to teach the students about the Magna Carta. Local judges, attorneys, clerks and other community leaders taught third, fourth, and fifth graders the story of Robin Hood and held a mock trial. The CCBA also donated a book that illustrates and teaches about the Magna Carta to all elementary schools and public libraries in Cumberland County. The CCBA YLD has begun hosting happy hour evenings every other month. Its next event will be held in June in downtown Carlisle. On June 28, the Cumberland County YLD will be attending a Harrisburg Senators baseball game. On July 16, the Cumberland County Bar and Dauphin County Bar will join together for the annual picnic held at Allenberry Resort. The YLD from both organizations will be fighting to take home the trophy, awarded to the winner of the invitational. This year’s event will likely be a field games Olympiad. Cumberland County will be fighting hard to bring the trophy back to their side of the river.

DAUPHIN
The Dauphin County Bar Association Young Lawyers Section participated in mock trial in February and March by serving as jurors and local coordinators. The YLS also held its annual St. Patrick’s Day party on March 19. On April 26, the YLS spent a beautiful spring day at the ballpark as co-sponsors of the Zone 3 Caravan at a Harrisburg Senators game. The YLS celebrated Law Day by attending its annual Law Day breakfast on April 29 and going out in local classrooms throughout the month of May. The YLS is also geared up for the start of its summer volleyball league, which began on May 14.

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What’s going on in our counties

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FRANKLIN

Since February of 2015, the Franklin County Bar Association YLD has been involved in many activities, and many more are scheduled. On March 31, the YLD participated in the Wilson College Professional Development Conference. It was a smaller conference than the previous year, but still well attended by FCBA YLD. On March 28, the YLD attended the Hershey Bears ice hockey game in conjunction with Cumberland County YLD. The March YLD happy hour was held at John Allison House in Greencastle. April’s happy hour was held at Roy Pitz in Chambersburg. Some members attended the 23rd Annual Vigil for Victim’s Rights, sponsored by Women In Need on April 21. On May 1, the YLD held its annual Law Day and participated in the third annual “Walk a Mile in Her Shoes,” sponsored to benefit women in need. YLD assisted with the Franklin County Legal Services book sale, held from May 7 – 10 and Juror Appreciation Day on May 11. FCBA YLD members organized a Wills for Heroes event on May 16 and attended a happy hour on May 21. The YLD members are looking forward to participating in the Race Against Poverty on June 5.

LANCASTER

In early February, the Lancaster YLS held its first quarterly happy hour of the year. Many of its members volunteered as jurors in the Mock Trial Competition in February. On May 1, 2015, the LBA had its annual Law Day Luncheon to recognize the students participating in the Mock Trial Competition, and the YLS members who participated as jurors were in attendance. YLS members are continuing to volunteer with the Boys and Girls Club of Lancaster. The YLS put a team together and ran in the YWCA’s Race Against Racism 5k. YLS members met with representatives of MidPenn Legal Services to encourage the YLS to participate in the Volunteer Attorney Program. The Lancaster Bar Association held its annual dinner on May 6, which was attended by many YLS members. The YLS conducted a CLE on bankruptcy on May 5. The YLS held its second quarterly happy hour networking event in conjunction with the Lancaster Young Professionals on May 21.

LEBANON

On April 28, the Lebanon Young Lawyers hosted Laurie Besden, Esq., deputy executive director for Lawyers Concerned for Lawyers, to do a “Lunch and Learn” where attendees could obtain a CLE ethics credit. Held at the Lebanon County Courthouse, the event was open to all lawyers. Continuing the annual tradition of holding an event with a neighboring county’s Young Lawyers, the Lebanon YLD squared off against Berks County for a day of paintball at Roundtop Mountain Resort in Lewisberry on May 9. The Lebanon YLD also held a YLD happy hour in May.

YORK

The York County Young Lawyers Section has been off to a busy start to spring. The YLS participated in the York St. Patrick’s Day parade, held a happy hour on April 30, and celebrated Law Day with a lunch on May 4. Additionally, the YLS will be hosting a family picnic with a York Revolution baseball game in June, a Penn State tailgate in October, several more happy hour events, and its annual Wills for Heroes event in September. All of the events are well attended by members of the bar association, young and old. Anyone is invited to join the YLS at any time. Information about York County and the YLS programs is available on the YCBA website: www.yorkbar.com.

ZONE 4 (Lycoming, Montour, Columbia, Northumberland, Snyder, Tioga, Union)

In late summer/early fall, the Zone 4 Caravan will be held at Knoebel’s Amusement Park in Elysburg. There will be a picnic at the pavilion, followed by an afternoon at the park. Tentatively scheduled are a happy hour in August at the Old Corner in Williamsport, which will be open to members of the bench and bar, and a Wills for Heroes event on Sept. 24, which the YLD plans to coordinate with the Lycoming Law Association.

ZONE 5 (Bradford, Lackawanna, Luzerne, Monroe, Pike, Sullivan, Susquehanna, Wayne, Wyoming)

MONROE

Mentoring lunches continue to occur once a month, and recently, the YLD hosted the Honorable Magisterial District Justice Daniel Higgins. The YLD helped raise more than $1,000 for Big Brothers/Big Sisters at the annual Bowl-a-thon in March and volunteered at the Wills for Heroes event at Fern Ridge State Police Barracks. Looking toward the future, the YLD is preparing for a wine tour with the Monroe County Bar Association as a fundraiser for the Monroe County Bar Foundation, which will take place in the early fall. The YLD also plans to host a day of laser tag or paintball with one of the neighboring counties. If interested, contact Hillary Madden at hmadden@royledurney.com.

ZONE 6 (Fayette, Greene, Washington, Westmoreland)

No report was submitted.

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ZONE 7 (Clarion, Crawford, Erie, Forest, Jefferson, McKean, Venango, Warren)

ERIE
The Erie County young lawyers have been hosting monthly happy hours, several of which invite other practice areas to join. On June 11, the Zone 7 Caravan event will take place at Presque Isle Downs and Casino. Several young lawyers in Erie County continue to be active in the Attorney and Kids Together program that pairs attorneys with homeless children for several activities and outings from April through August.

ZONE 8 (Bedford, Blair, Cambria, Fulton, Huntingdon, Indiana, Mifflin, Somerset)

BLAIR
The Blair County Young Lawyers Division Committee sponsored its first Wills for Heroes event at Penn State Altoona on April 25. It was a great success, with over 30 volunteers providing estate planning documents to over 20 first responders and their spouses. The event was a partnership between Penn State Altoona, through its Criminal Justice Organization, and Blair County Bar Association. Another event will be planned this summer. Lunch & Learns, sponsored by the Blair County YLD, continue with presentations to be scheduled in the near future. Upcoming presentations will include “Custody Process in Blair County” and “Cloud-based Computer Systems for Law Offices.” The cost is $15 per person. Lunch & Learns will continue to be scheduled by the Blair County YLD, continue with presentations to be scheduled in the near future. The Blair County YLD will be organizing a group of young lawyers to be sworn in at the Supreme Court of the United States. It will be scheduled on an argument day, so space is limited. Please contact the Zone 8 Chair Joel Seelye at joel@grabillandseelye.com if you are interested.

Anyone in Zone 8 who is interested in being on the mailing list for events in the Zone, please email Joel Seelye at joel@grabillandseelye.com.

ZONE 9 (Bucks, Chester, Delaware, Montgomery)

Chester County Bar Association Young Lawyers Division promotes and preserves the interests of its younger members by encouraging professional development through educational and service programs and activities. The YLD offers the benefits of meeting and socializing with other members of the Chester County Bar Association and encourages young lawyers to participate in the association’s general activities. Meetings are held on the first Wednesday of each month at 12:00 noon at the Chester County Bar Association building. Lunch is provided at no cost to CCBA members. The YLD completed the mock trial competition in February for its district, with Devon Preparatory School emerging as the winner. The YLD is planning to create an event similar to that of Philadelphia’s Homeless Advocacy Project to help homeless people obtain birth certificates. The YLD expects to hold a pilot event this summer with a larger scale event in the fall. The YLD will be hosting its annual Phillies night in August and hopes to organize a second amendment and sporting clays CLE event to take place in September. Additionally, the CCBA YLD is starting a pro bono initiative. More information will be provided in the next report.

DELAWARE
The Delaware County Bar Association Young Lawyers Section has had a busy year so far. During the months of January, February, and May, the YLS ran its Mock Trial Program, culminating in the crowning of a winning high school team that was sent to the state competition in Harrisburg. In April, the YLS hosted the Annual Judge’s Cocktail Party, where members mingled with judges from Delaware County. The YLS sponsored a breakfast for the Commonwealth Court judges on May 8, when the Court held session in Delaware County. The YLS hosted its annual Phillies Game tailgate on May 12.

MONTGOMERY
The Montgomery Bar Association Young Lawyers Section has had a busy few months. The YLS wrapped up its regional Mock Trial Competition in March, with Jenkintown High School being crowned the winner. The winning team was honored at the Montgomery Bar Association Law Day festivities. On March 19, the YLS hosted its annual March Madness event at Dave & Busters in Plymouth Meeting. There, members of the MBA networked, while enjoying food and the first round of March Madness. On April 15, YLS members supported the Montgomery Child Advocacy Project (MCAP) by dining at PJ

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Whelihan’s in Blue Bell, where 15 percent of every tab went to supporting the great work MCAP does throughout the year to protect the rights and interests of children in Montgomery County. On April 24, the MBA honored the YLS at the MBA’s Annual Dinner Dance. The MBA recognized the YLS for its community service efforts, past and present.

ZONE 10 (Armstrong, Beaver, Butler, Lawrence, Mercer)

BEAVER
The Beaver County YLD has concluded the local Mock Trial competition and one of the local schools, Quigley Catholic High School, competed in the national competition in May. At its annual Law Day ceremony, the YLD gave out a civic appreciation award to a deserving member of the community who regularly volunteers and donates his or her time to help the community be a better place. The YLD is also getting ready for its annual charity golf outing to be held on Flag Day on June 15. Each year, the money raised at the golf outing is used to donate an adaptive bike to a child through the Variety children’s charity. Finally, the YLD plans on having another Habitat for Humanity build day in the summer or fall.

BUTLER
The Butler County Young Lawyers continue to hold monthly meetings. Last month, the meeting took place as a happy hour. As summer approaches, the young lawyers are looking into attending a baseball game and hosting a summer picnic.

ZONE 11 (Cameron, Centre, Clearfield, Clinton, Elk, Potter)

The PBA YLD Zone 11 Caravan will take place at Tussey Mountain Wingfest in either July or August. From May 2015 through late July 2015, the YLD softball team will participate in the Centre County Rec League and will host a happy hour event after each weekly game to which the entire CCBA is invited.

CENTRE
“Meet the Judge Night” with President Judge Thomas K. Kistler was held on April 27. YLD members met with Judge Kistler and hiked up Tussey Mountain and, upon reaching the top, members enjoyed snacks and beverages and discussed work/life balance issues. The YLD hosted a Bridge the Gap CLE Program on April 25 at the CCBA office. On March 28, a Wills for Heroes event organized by the YLD provided more than 30 first responders and/or veterans, who left with a free, simple estate plan. Ten attorney volunteers and more than 15 Penn State University law students helped run the event.

On March 22, the Centre County Bar Association YLD held an American Cancer Society Relay For Life fundraiser at Otto’s Pub and Brewery, a local microbrewery and restaurant in State College. On April 11 and 12, the YLD participated in Relay for Life event on Penn State’s Campus. The CCBA YLD team was the third-highest fundraiser out of 103 teams, raising more than $5,300.

ZONE 12 (Allegheny)

A Wills For Heroes event was held April 25 at Scott Township VFD. On Feb. 19, the Diversity Committee of the Allegheny YLD hosted a Lunch and Learn titled, “The Marriage Equality Decision in Pennsylvania - A Conversation with Witold Walczak, legal director of the ACLU of Pennsylvania.” Walczak helped lead the legal team that successfully challenged Pennsylvania’s ban on same-sex marriage. The event presented a rare opportunity to learn fascinating details about the historic Whitewood v. Wolf case from an insider’s perspective, including strategies on timing, venue and selecting plaintiffs, challenges faced in the litigation, any surprises encountered, and predictions about marriage equality on a nationwide level.

The Public Service Committee of the Allegheny County Bar Association YLD held the first annual “Strike Out Hunger” fundraiser on March 8 at Latitude 360 in Robinson Township. Strike Out Hunger was a fun, family-friendly afternoon of bowling, auctions and heavy appetizers, with all proceeds directly benefiting the Allegheny County Bar Foundation’s Attorneys Against Hunger (AAH) Campaign.

The YLD co-sponsored “History Uncorked: We Can Do It!,” presented by BNY Mellon, on March 6. This premier party for young professionals featured a 1940s theme in anticipation of the History Center’s upcoming exhibition opening: “We Can Do It! WWII.” Uncorked guests enjoyed music from DJs and live bands, food and beverages from local Pittsburgh vendors, the ever-popular silent auction, while networking with their peers and getting an exclusive opportunity to explore the History Center’s exhibit and collections. All proceeds benefited the programs and services of the History Center and Western Pennsylvania Sports Museum.

The YLD Membership Services Committee will host two book club meetings with beverages and light snacks. This is an ongoing monthly project.

The YLD Public Service Committee created a new event specifically for children: “Fairy Tale Mock Trials.” Children served as jurors in the trial of The Three Bears v. Gold E. Locks, while volunteers acted out the trial. The trial was entirely scripted, with costumes and props. The children, however, decided the verdict.

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There were three presentations: March 28 at the Shaler North Hills Library, April 11 at the Dormont Public Library, and April 23 as part of Take Your Kid to Work day.

The ACBA YLD Public Service Committee’s “VIP” Very Important Papers Program is presented to senior citizens and their caregivers to emphasize the importance of organizing and preserving certain documents. The program covers such topics as wills, health care and financial powers of attorney, living wills and the probate process. The VIP program is free and is presented to community groups throughout the county. Attorney volunteers will discuss the topics and take questions from the audience for a total presentation of approximately one hour. The presentations at community centers will take place in April through June. Volunteers attended the training session on March 17 at the YLD Public Service Committee meeting.

On March 19, the YLD Arts & the Law Committee and the Homer S. Brown Division, in conjunction with the Pittsburgh Irish & Classical Theater, hosted the second annual PICT UnCommon Pleas, a mock appellate argument of Shakespeare’s “The Tempest!” Former Governor Tom Corbett and Highmark Health’s Dan Onorato played the iconic figures, pleading their innocence and the other’s guilt. The evening included an open bar and a three-course dinner at the Duquesne Club. Four well-known Pittsburgh attorneys, including the YLD’s own Joe Williams, conducted arguments before a panel of six federal and state court appellate and trial judges.

The Duquesne Bar Buddies program is seeking attorney volunteers to mentor third-year day and fourth-year evening students at Duquesne Law School as they prepare for the bar exam this summer. The time commitment for the program is minimal, and will vary by student, but generally mentors are encouraged to provide test-taking and study tips, time-management ideas, and stress management advice. To kick off the program, Duquesne hosted a meet-and-greet reception on March 10 at the law school.

The ACBA YLD Member Services Committee invited YLD members for a tour of some of the newest breweries in the Pittsburgh area on March 21. The group gathered at the East End Growler Shop inside the Pittsburgh Public Market. From there, a shuttle took them to Grist House Brewing, where grist is turned into beer by a family dedicated to craft brewing. After a tour and tasting there, the group visited nearby Draai Laag, the first brewery to call Millvale home since 1845.

The Bar Leadership Initiative continued with its Lunch and Learn series aimed at promoting the health and well-being of the members of the bar association, with a focused discussion on stress management for young attorneys. Its featured speaker, Ken Hagreen, Esq., the former executive director of Lawyers Concerned for Lawyers, provided information on healthy ways to decrease stress, improve mental health and achieve a positive work-life balance. The event was held at noon on March 31 at the Academy Room on the 9th Floor of the City-County Building. Lunch was provided.

The YLD and its Bar Leadership Initiative Class hosted its first-ever Desk to 5k Program. The YLD is hosting a running club every Wednesday night for 11 weeks, beginning March 25. The purpose of the program is to get all levels of runners—fast, medium, walker—prepared for the Project Prom 5k on June 6. This is not limited to lawyers; persons of all ages and experience levels are invited to participate.

The YLD Public Service Committee sent approximately 100 care packages to active duty military personnel deployed to combat zones this year. The YLD Public Service Committee seeks both in-kind and monetary donations for the care packages. It costs approximately $40 to put together and ship each care package (with shipping alone costing $15.90). If you would like to make an in-kind donation, please contact JBrennan@Levi-coffLaw.com. Monetary donations can be made payable to the “Allegheny County Bar Association” with “MVP Care Packages” written in the memo line. Monetary donations can be sent to Julie Brennan, Centre City Tower, Suite 1900, 650 Smithfield Street, Pittsburgh, PA 15222. The care packages were assembled in late April or early May.

The YLD continued its happy hour of the month program, hosting happy hours at different locations throughout the city each month.

The Education Committee of the ACBA YLD continued its speaker series with young industry professionals from the City of Pittsburgh and the surrounding area. This after-hours and happy hour program took place on Friday, March 27 at AlphaLab’s offices. AlphaLab is a Pittsburgh-based startup incubator that provides early-stage technology companies with an extensive mentor network, educational sessions with industry leaders, and a rich entrepreneurial work environment within a nationally ranked accelerator program. The panel featured: Bobby Zappala, co-founder and CEO of Thrill Mill; Jayon Wang, co-founder and CEO of LifeShel; Justine Kasznica, Esq., counsel, Schnader Harrison Segal & Lewis LLP; Courtney Williamson, co-founder and CEO of Ablilife; Sarah Keller, Esq., associate, Buchanan Ingersoll & Rooney PC; and Mike Crosse, Esq., managing partner, Baer Crosse LLC. The panelists shared their stories of entrepreneurial success, the legal challenges startups and their counsel face, and the burgeoning Pittsburgh startup community.

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On May 14, the Little Black Book Party was held at Easy Street in One Oxford Centre. This event was an exclusive opportunity to meet and greet other young lawyers, as well as professionals from various industries across the city of Pittsburgh. For the low price of $15, attendees received refreshing drinks, delicious food and, most importantly, access to other professionals who could expand their little black book of contacts for client referrals, expert testimony and more. In fact, the committee even provided the little black book at the door!

The ACBA YLD held a scavenger hunt around the city of Pittsburgh on April 24. Heavy appetizers, a cash bar, and prizes for the top three teams awaited the participants at the finish line at Storms Restaurant.

The YLD Bar Leadership Initiative (BLI) is an annual program designed for YLD members who are interested in becoming more involved in the bar association, making professional and personal contacts, and developing skills to position members to assume leadership positions within the ACBA. On April 29, past BLI graduates and YLD leaders were available to answer any questions about BLI, their YLD experiences, BLI requirements, and the application process, during a pay-your-own-way at Easy Street Bar and Restaurant. Applications for BLI were available through the ACBA’s website (http://www.acba.org/BarLeadership) and were due by May 15. For questions, please email Laura Bunting at laura_bunting@pawd.uscourts.gov.

On May 5, the Hispanic Attorneys Committee and the YLD collaborated on this annual celebration of Cinco De Mayo at the Blue Line Grille. The celebration included drinks, an appetizer buffet and plenty of opportunities to network.

The YLD is excited for what looks to be another exciting year of Pittsburgh Pirates baseball. Join the YLD on Thursday, July 23 to see the Pittsburgh Pirates take on the Washington Nationals at PNC Park at 7:05 p.m. Tickets for this event are $38 and include a ticket to the game (Section 103) and $5 loaded value to be used at concession stands. All are welcome, so be sure to invite your friends, family and co-workers. Only 35 tickets are available, so reserve your ticket today. The registration deadline is Monday, June 15. Tickets sold on first come, first served basis.