

# THE BENCH-BAR & ANNUAL CONFERENCE RETURNS TO ATLANTIC CITY



PHILADELPHIA  
BAR ASSOCIATION

September 16-17, 2022

Join us in Atlantic City Sept. 16-17 for networking, socializing and the chance to earn up to 10.5 CLE credits.

## FRIDAY, SEPTEMBER 16

8:00 – 9:30 a.m.

### Conference check-in/continental breakfast/meet our sponsors

8:00 – 9:00 a.m.

### Morning Plenary: One Conversation Can Save a Life\*\*\* (1.0 ETH)

Hosted by the Wellness Committee

Taking the time to listen, reach out, to ask and show interest or concern is the most important thing you can do for a person that may be in a place of despair or darkness. You will also learn tips for persuading at risk individuals to get help through available resources with the American Foundation for Suicide Prevention and Lawyers Concerned For Lawyers of Pennsylvania.

Featured Speakers: Laurie J. Besden, Esq.  
Executive Director Lawyers Concerned for Lawyers of Pennsylvania

Scott Godshall, Esq.

Board Chair, Greater Philadelphia Chapter, American Foundation for Suicide Prevention

9:30 – 10:30 a.m.

CONCURRENT SESSIONS (CHOOSE 1):

### No Good Deeds: Tangled Titles in Philadelphia (1.0 SUB)\*\*\*

Hosted by the Young Lawyers Division and the Real Property Section

A tangled title is when a person lives in and has an equitable interest in a property, but for any number of reasons that person is not on the deed. This CLE will inform the audience on the tangled title epidemic facing low-income Philadelphians. Panelists will provide their experience to discuss the process of untangling title through the various agencies and institutions. The intent of this CLE is to educate on the necessity for attorneys to assist low-income clients in untangling title and unlocking intergenerational wealth for our most vulnerable neighbors. This CLE will also include a section on trauma informed lawyering.

Moderators: Winnie Branton, Esq.

Law Office of Winifred M. Branton

P. Michael Jones, Esq.

Staff Attorney, Philadelphia VIP

Panelists: Hon. Abbe F. Fletman, Court of Common Pleas, Trial Division – Civil First Judicial District of Pennsylvania

Eileen B. Quigley, Esq., Senior Attorney, Ballard Spahr LLP

Karima Yelverton, Esq., Assistant Solicitor, Philadelphia Register of Wills

### Maintaining Culture and Engagement in a Hybrid Work Environment (1.0 SUB)

Hosted by the Large Firm Management Committee

As we adjust to our new normal of working in a blended (i.e., remote/office) setting, our panel will discuss how law firms and other legal employers can maintain their culture, promote engagement and networking, and support critical training, mentoring, professional development and retention initiatives in a hybrid environment.

Moderator: Patricia B. Santelle, Esq.

Partner/Chair Emeritus/Former Managing Partner, White and Williams LLP

Panelists: Leigh Ann Benson, Esq. Director, Career Development and Counsel, Cozen O'Connor

Iveliz R. Crespo, Esq., they/them/theirs, Senior Global Diversity, Equity & Inclusion Advisor, Reed Smith LLP

Marcel S. Pratt, he/him/his, Esq.,

Managing Partner, Ballard Spahr, LLP

Benjamin W. Stango, Esq.

Associate, Morgan, Lewis & Bockius LLP

### Trust Me, I'm a Lawyer: Handling Trust Accounts, Fee Splitting and Freelancing (1.0 ETH)

Presented and Sponsored by LawPay

This course will cover the five biggest trust account misunderstandings and your duty to preserve and safeguard client funds and property. The program examines actual situations and reported cases where disputes have arisen, and strategies to resolve those conflicting claims. Hear best practices for maintaining financial control of your legal practice.

Speaker: Claude Ducloux, Esq.

Director of Education, Ethics and Compliance LawPay

10:45 a.m. – 11:45 a.m.

CONCURRENT SESSIONS (CHOOSE 1):

### Trial Team Techniques: How to Be Effective from Any Chair (1.0 SUB)

Operating as part of a trial team adds a layer of complexity to an already intensive and exhausting endeavor. This is particularly true for less-experienced attorneys and teams that do not yet have significant time working together in front of a jury. In this course, we will explore practical, effective methods of labor division at every stage of trial that will make you a stronger teammate and a more compelling advocate from any chair.

Panelists: Hon. Lisette Shirdan-Harris

Administrative Judge

Court of Common Pleas – Trial Division - Civil

First Judicial District

James P. "J.P." Faunes, Esq.

Partner, Feldman Shepherd Wohlgerlenter Tanner

Weinstock Dodig LLP

Mark W. Tanner, Esq.

Co-Managing Shareholder

Feldman Shepherd Wohlgerlenter Tanner

Weinstock Dodig LLP

### Selecting a Managing Outside Counsel: Key Focus Areas (1.0 SUB)\*\*\*

Hosted by the Barristers' Association of Philadelphia In-House Counsel Committee

Whether it is to fill gaps in expertise or to handle a material transaction or litigation matter, outside counsel can be a critical part of the provision of quality and efficient legal services to an organization. This panel will address the growing expectations for outside counsel from the in-house legal department perspective, including with respect to diversity, equity & inclusion, client service, and cost.

Panelists: Ginene Lewis, Esq.

Assistant General Counsel, Head of Defensive

Litigation & Legal Spend Management, Vanguard

Lloyd Freeman, Esq., Chief Diversity & Inclusion

Officer, Buchanan Ingersoll & Rooney PC

Adrienne Gittens, Esq., Corporate Deputy General

Counsel, Comcast

Joel C. Trotter, Esq., Assistant General Counsel

GlaxoSmithKline

### Recent Developments/Legislation in Zoning and Land Use (1.0 SUB)

Hosted by the Real Property Section

In this CLE presentation, panelists address, among other issues, how the city government has expanded the rights of neighboring property owners when it comes to real estate construction and development, revamped the density and height zoning bonus programs utilized during real estate development, and even restricted the ability of short-term rental investors and operators from doing business within city limits.

Moderators: Cheryl L. Gaston, Esq., Spruce Law Group

Natalie Klyashorny, Esq., Nochumson P.C.

Panelists: Hilary J. Emerson, Esq.

Senior Attorney and Counsel, Zoning Board of

Adjustment

City of Philadelphia Law Department

Anne Fadullon

Director, Department of Planning and Development

City of Philadelphia

Alan Nochumson, Esq., Nochumson P.C.

### Best Practices for Handling ESI: Explore Methods for Conducting Effective and Efficient eDiscovery in Anticipation of a Matter (1.0 SUB)

Presented and Sponsored by KLDISCOVERY

Organizations are dealing with ever increasing, complex data volumes and data sources. Understanding and making strategic decisions about that data and its sources is critical

to successfully navigating the discovery process. In this CLE, learn to preserve, collect and disclose potentially relevant information in alignment with the applicable regulatory framework, whether that be federal, state, local or extra-territorial/cross-border.

*Speaker: Eric Robinson, JD/PMP*

*Managing Director, Global Advisory Services & Strategic Client Solutions, KLDISCOVERY*

**11:45 a.m. – 1:30 p.m.**

### **Lunchtime Plenary: Voter Suppression Laws, Attacks on Elections, and the Future of Democracy**

Voter rights and legislation is a fundamental issue that has guided the principles of “freedom” in America. But recent years have seen attacks on election officials, surreptitious new laws stripping away voters’ rights, and fraudulent audits of political elections. This program will examine present-day challenges to voting and what attorneys can do to address challenges, protect voting rights, and out-organize suppression attempts.

*Moderator:*

*Kevin V. Mincey, Esq., Managing Partner, Mincey Fitzpatrick Ross, LLC, Co-Chair, Bench Bar & Annual Conference 2022*

*Panelists:*

*Hon. Jordan A. Harris, State Representative, House Democratic Whip, Pennsylvania House of Representatives*

*A. Michael Pratt, Esq., Shareholder, Greenberg Traurig, LLP*

*Benjamin D. Geffen, Esq., Senior Attorney, The Public Interest Law Center*

**1:30 – 2:30 p.m.**

#### **CONCURRENT SESSIONS (CHOOSE 1):**

### **Pretextual Automobile Stops: Problems and Solutions (1.0 SUB)\*\*\***

**Hosted by the Criminal Justice Section**

For many years Philadelphia County has struggled with the problem of pretextual automobile stops of its citizens by police. This class will discuss this new Philadelphia ordinance and will also examine the new case law in Pennsylvania on automobile stops. We will discuss tips for attorneys who will be litigating these types of unique automobile stop criminal cases.

*Moderator: Thomas J. Innes, III, Esq., Defender Association of Philadelphia*

*Panelists:*

*Aaron Marcus, Esq.*

*Chief of Appeals, Defender Association of Philadelphia*

*Paula E. Sen, Esq.*

*Police Accountability Unit, Defender Association of Philadelphia*

*Councilman Isaiah Thomas*

*Councilmember At-Large, Philadelphia City Council*

### **“I’ll Talk to the Child Now”: Perspectives on the Child Interview from the Bench and Bar (0.5 SUB/0.5 ETH)**

**Hosted by the Family Law Section**

This CLE presentation will address ethical issues facing lawyers, as well as some of the vexing questions facing family court judges who have to decide whether to interview a child in chambers or in open court; whether siblings should be interviewed together or separately;

whether there are good reasons to interview a child earlier in the case, instead of at the end; and whether lawyers should have pre-trial contact with children to probe their preferences.

*Moderator: Mark A. Momjian, Esq.*

*Momjian Anderer, LLC, Philadelphia*

*Panelists: Hon. Viktoria Kristiansson*

*Court of Common Pleas - Family Division*

*First Judicial District of Pennsylvania*

*Aneesah El-Amin-Jaamia, Esq.*

*Partner, Family Law Practice Group*

*Willig, Williams & Davidson*

### **Working with Diverse Clientele: Culturally Competent Lawyering (1.0 ETH)**

**Hosted by the Diversity in the Profession Committee**

Culturally competent lawyering requires a relationship of trust, building rapport and empowering clients. People of different cultures may communicate in different ways or have varying cultural values that can impact problem-solving and decision making. This CLE will explore diversity in action, cultural humility, ways to be a more mindful lawyer, and practical strategies to work with clients of varying backgrounds.

*Moderator: Maria L. H. Lewis, Esq.*

*Chief Diversity Officer, Faegre Drinker Biddle & Reath LLP*

*Panelists: Brenda Marrero, Esq.*

*Executive Director*

*Public Interest Law Center*

*Chi-Ser Tran, Esq.*

*Staff Attorney, Language Access Project and SSI*

*Unit at Community Legal Services (CLS)*

*Raymond M. Williams, Esq.*

*Senior Counsel*

*Past National Diversity & Inclusion Partner*

*DLA Piper*

**2:45 – 4:15 p.m.**

#### **CONCURRENT SESSIONS (CHOOSE 1):**

### **Artful Negotiations: Getting What You Want Sooner Than Later (1.5 SUB)**

**Hosted by the State Civil Litigation Section**

This CLE presentation offers tips and tactics from the bench, bar, and beyond on getting your case settled quicker and winning your civil litigation matter.

*Moderator: Denise M. Mandi, Esq.*

*Law Offices of Denis O. Wilson, NJ*

*Panelists: Hon. Daniel J. Anders, Supervising Judge*

*Court of Common Pleas, Trial Division – Civil, FJD*

*Damaris L. Garcia, Esq., AIG, Philadelphia*

*Catherine P. Gicker, CIFI, FCLA*

*Senior Claims Service Consultant, Allstate*

*Hon. Sande Mazer-Moss (Ret.)*

*Dispute Resolution Institute*

*Thomas D. Summerville, Esq., Simon & Simon, PC*

*Dino Privitera, Esq.*

*The Privitera Law Firm LLC*

### **Advanced Health Care Decision Making: Discussing Life and Death with Your Clients – Legal and Practical Perspectives (1.5 SUB)**

**Hosted by the Probate and Trust Section**

Health Care Power of Attorney and Living Will estate planning documents are among the most “un-legal” of legal documents that can test the patience of any drafter who is trying to ascertain a client’s wishes. This CLE program will address the legalities and realities of appointing a health care agent; setting out the clients wishes

in an advance directive or living will, and the legislative and judicial history in Pennsylvania of the individual’s right to choose how they will and will not receive health care

*Panelists: Jordan E. Stone, M.D.*

*Medical Director, Palliative Care*

*Pennsylvania Hospital*

*Karen L. Wolfe, Esq.*

*Commons and Commons, LLP*

*Philadelphia*

*Bode Hennegan*

*Founder & President*

*Life Managers & Associates*

### **Practicing with Integrity and Responsibility Part 1: Proactively Addressing Ethical Issues Arising Involving Your Law Practice and Clients (1.5 ETH)\*\*\***

**Hosted by the Solo & Small Firm, Fee Disputes and Professional Responsibility Committees and APABA-PA**

This dynamic two-part program will provide attendees with the tools and information they need to ensure they are practicing with integrity and responsibility while navigating and resolving important ethical issues. Part I will focus on ethical issues involving clients and one’s law practice, using scenarios to offer guidance and address common and uncommon issues.

*Moderator: Josh J.T. Byrne, Esq.*

*Marshall Dennehey Warner Coleman & Goggin, P.C.*

*Co-Chair, Professional Responsibility Committee*

*Panelists: Hon. Tiffany L. Palmer*

*Court of Common Pleas - Family Division*

*First Judicial District of Pennsylvania*

*Thomas J. Farrell, Esq., Chief Disciplinary Counsel*

*Disciplinary Board of the Supreme Court of*

*Pennsylvania, Harrisburg*

*Robert S. Tintner, Esq.*

*Partner, Fox Rothschild LLP*

*Professional Guidance Committee Member*

*Ethics Hotline, Philadelphia Bar Association*

*Kay Kyungsun Yu, Esq.*

*Kay Kyungsun Yu Law, Philadelphia*

### **Carjacking, Armed Robbery, Murder, Aggravated Assault Etc.: Changes in Direct File Juvenile Procedures Under Act 96 (1.5 SUB)**

On December 21, 2021, new provisions of the Federal Juvenile Justice and Delinquency Prevention Act, were implemented in Pennsylvania. This legislative change, known as Act 96, required a retooling of the longstanding practices which had been in use when a Direct File Juvenile was arrested. The purposes of this course are to provide a description of the current procedures which are in place regarding Direct File Juveniles and to serve as a guideline for attorneys who represent youthful clients in the criminal justice system.

*Moderator: Hon. Lillian Harris Ransom, Senior Judge*

*Court of Common Pleas, Trial Division - Criminal First*

*Judicial District of Pennsylvania*

*Panelists: Meghan R. Goddard, Esq.*

*Divisional Deputy City Solicitor, Child Welfare Unit*

*City of Philadelphia Law Department*

*Robert Listenbee, Esq.*

*First Assistant District Attorney*

*Philadelphia District Attorney’s Office*

*Michelle E. Mason, Esq.*

*Chief, Juvenile Special Defense Unit*

*Defender Association of Philadelphia*

*Michael B. Scott, Esq.*

*Executive Director*

*Philadelphia Juvenile Justice Service Center*

**4:30 – 5:30 p.m.**

**Friday Closing Plenary: Fall 2022 Term U.S. Supreme Court Roundup (1 SUB)**

Hosted by the Appellate Courts Committee

This timely CLE program will preview cases before the U.S. Supreme Court in its October 2022 Term, which will begin just a few weeks after the Conference. Panelists will inform attendees about cases involving such crucial matters as elections and legislative districting, affirmative action, free expression, personal jurisdiction, and a range of criminal law topics. The program will alert attendees to these key cases so attendees can anticipate the arguments and better appreciate the issues presented.

*Moderator: Charles "Chip" Becker, Esq., Leader, Post-Trial and Appellate Practice, Kline & Specter, P.C., Lecturer in Law, University of Pennsylvania Carey Law School*

*Panelists: Keith M. Donoghue, Esq., Assistant Federal Defender Appeals Unit, Federal Community Defenders Office Eastern District of Pennsylvania*

*Shane Haselbarth, Esq., Post-Trial and Appellate Advocacy Practice Group Marshall Dennehey Warner Coleman & Goggin, P.C. Andra M. Laidacker, Esq., Appellate Department Kline & Specter Helen A. Lawless, Esq., Kline & Specter*

**FRIDAY NIGHT**

Join us for a Bench-Bar celebration at the Borgata Beer Garden and Pool, including presentation of the 2022 Justice William J. Brennan Jr. Distinguished Jurist Award, followed by the YLD After Dark afterparty at the Gypsy Bar!

**SATURDAY, SEPTEMBER 17**

**8:30 a.m.**

**Continental Breakfast/mingle with sponsors**

**9:00 – 10:00 a.m.**

**CONCURRENT SESSIONS (CHOOSE 1):**

**Practicing with Integrity and Responsibility Part 2: Proactively Addressing Ethical Issues Arising and Involving the Court and Other Counsel (1.0 ETH) \*\*\***

Hosted by the Solo & Small Firm, Fee Disputes and Professional Responsibility Committees and APABA-PA

This dynamic two-part program will provide attendees with the tools and information they need to ensure they are practicing with integrity and responsibility while navigating and resolving important ethical issues. This, Part II, of these practical CLE presentations, will focus on ethical

issues involving the court and other counsel.

*Moderator: Kristine L. Calalang, Esq., Law Office of Kristine L. Calalang Co-Chair, Solo and Small Firm Management Committee*  
*Panelists: Hon. Idee C. Fox, President Judge, Court of Common Pleas First Judicial District of Pennsylvania Jonathan T. Hoffman, Esq., Member, Cozen O'Connor, West Conshohocken Robert S. Tintner, Esq., Partner, Fox Rothschild LLP Professional Guidance Committee Member Ethics Hotline, Philadelphia Bar Association*

**The False Claims Act: Views from the Bench and Whistleblower, Government, and Defense Counsel (1.0 SUB)**

Hosted by the Federal Courts Committee

Enacted in 1863, the False Claims Act (FCA) remains one of the most potent weapons in the federal Government's fraud-fighting arsenal. The FCA addresses a wide variety of fraudulent schemes. The United States Attorneys' Office for the Eastern District of Pennsylvania has obtained some of the largest recoveries in FCA history and remains on the forefront of the statute's enforcement. This presentation will provide a brief overview of the FCA for practitioners unfamiliar with the statute, followed by a discussion on the status of FCA enforcement.

*Panelists: Zachary Arbitman, Esq., Feldman Shepherd Wohlgeleer/Tanner Weinstock Dodig LLP (Moderator) Eastern District of PA Judge (TBD) Charlene Keller Fullmer, Esq., Deputy Civil Affirmative Chief, U.S. Attorney's Office, Eastern District of PA Jaclyn Unis Whittaker, Esq., Morgan, Lewis & Bockius LLP*

**Addressing Equity and Access to Justice: Philadelphia Municipal court Civil Division (1.0 SUB)**

Hosted by the Public Interest Section and the Municipal Courts Committee

Over the past several years, advocates have been pushing for reforms for litigants in the Civil Division of the Philadelphia Municipal Court. This program will examine the current state of affairs in the Philadelphia Municipal Court Civil Division with an eye toward how the court is seeking to adopt national best practice standards where needed, and address reforms for litigants.

*Panelists: Hon. Mathew S. Wolf, Philadelphia Municipal Court First Judicial District of Pennsylvania Kenneth Baritz, Esq., Baritz Law Associates Vikram Patel, Esq., Supervising Attorney in the Housing Unit Community Legal Services Chair, Public Interest Section Kerry Smith, Esq., Senior Staff Attorney, Homeownership and Consumer Rights Unit Community Legal Services Eric Solomon, Esq., Solomon Law Group Hon. Gregory Yorgey-Girdy, Philadelphia Municipal Court, First Judicial District of Pennsylvania*

**10:15 – 11:15 a.m.**

**Judicial Plenary: Keep it Brief: Pointers from the Bench on Effective Legal Writing (1.0 SUB)\*\*\***

Presented by the Court of Common Pleas, First Judicial District of Pennsylvania

This panel of Court of Common Pleas judges from the First Judicial District of Pennsylvania will provide insight into their decision-making processes and the things judges expect from an effective brief or memorandum of law. The judges will share their preferences as to specific aspects of brief writing, including organization, tone, language, use of case law, citation and formatting, and style – along with some of their pet peeves.

*Moderators: Hon. Monica N. Gibbs, Court of Common Pleas, Trial Division – Criminal First Judicial District of Pennsylvania Hon. Stella M. Tsai (she/her/hers), Court of Common Pleas, Orphans' Court Division First Judicial District of Pennsylvania Panelists: Hon. Daniel Sulman, Court of Common Pleas, Family Division First Judicial District of Pennsylvania Hon. Nina Wright Padilla, Supervising Judge, Commerce Court Court of Common Pleas First Judicial District of Pennsylvania Hon. Barbara A. McDermott, Court of Common Pleas, Trial Division – Criminal First Judicial District of Pennsylvania Hon. Joshua Roberts, Court of Common Pleas, Trial Division – Civil First Judicial District of Pennsylvania*

**11:30 a.m. – 1:00 p.m.**

**Roe and the Path Ahead (1.0 SUB)**

On June 24, the Supreme Court issued a decision in *Dobbs v. Jackson Women's Health Organization* that left the constitutional protections for a woman's right to choose in peril across the country. This timely CLE plenary addresses the impacts and implications of overturning *Roe v. Wade*. Panelists will examine these new challenges not only to the right to choose and reproductive care, but also implications for the LGBTQ community, and for protections of civil rights in general, and what attorneys can do to address these challenges.

*Moderator: Cherri Gregg, Esq., Host/News Anchor, WHYY*  
*Panelists: Amal Bass, Esq., Interim Co-Executive Director/Director of Policy & Advocacy, Women's Law Project (WLP) Keir Bradford-Grey, Esq., Partner, Litigation Department, Montgomery McCracken Walker & Rhoads LLP Angela D. Giampolo, Esq., Giampolo Law Hon. Joanna McClinton, State Representative, House Democratic Leader, Pennsylvania House of Representatives*

\*\*\*Denotes sessions that will be available to virtual attendees