

The COUNTY LINE



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April 2006

PBA Initiates New Communication Vehicles for County Bars: Quarterly Conference Calls and New Listserv

PBA officers sponsored a “beer and bull” session with the county bar leaders during the Conference of County Bar Leaders Annual Seminar on March 3. It was an opportunity for participants to ask questions and to offer thoughts and suggestions on matters of importance to their local bar associations and their practices.

As part of the “beer and bull” session at CCBL, PBA President-Elect Kenneth J. Horoho Jr. and PBA Vice President Andrew F. Susko introduced the idea of PBA officers hosting quarterly conference calls with county bar presidents and executive directors. During the calls, PBA officers will provide updates on issues being addressed at the PBA, and county bar leadership can discuss the latest developments and matters of concern in their counties.

The quarterly conference calls will be an important tool for statewide communication on issues affecting local bar associations and the practice of law in Pennsylvania.

The PBA is in the process of putting together a committee to plan and develop an agenda prior to each of the calls, which are anticipated to be 30-40 minutes long. County Bar leaders have been asked to serve as part of that committee.

The first conference call will be held some time in late June.

County Bar Listserv

The PBA has also subscribed all county bar presidents and presidents-elect to a

new bar presidents’ listserv. PBA President William P. Carlucci detailed the following parameters of the listserv:

1. The listserv will be used sparingly, for the most part to provide information that needs to be communicated quickly.
2. In most cases, the same message will be sent via the PABE listserv.
3. The PBA will not clutter e-mail inboxes with multiple e-mails. For example, legislative alerts will be sent in a manner that recipients only get one copy.
4. The listserv is not just for the PBA to provide information. It also is for users to discuss points of interest with other local bar officers on the list.

Carlucci said, “We believe this listserv will be an effective tool to foster communications among bar association leaders in our state. Hopefully, they will find it a useful source of information during their time as bar association officers.”

County bar presidents and executive directors were sent an e-letter (via the new listserv or the PABE listserv) on March 17 from President-Elect Horoho and Vice President Susko. The letter commented on the success of the recent CCBL meeting and thanked participating counties for their support. ■

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Bar Leaders Honored at 40th Annual CCBL Seminar

On March 3, during the 40th Annual Conference of County Bar Leaders (CCBL) Seminar held at the Nittany Lion Inn, State College, the CCBL honored Johnstown lawyer John J. Bagnato with the 2006 Chief Justice John P. Flaherty Award for Bagnato's long history of service and dedication to Pennsylvania's legal community. Montgomery Bar Association Executive Director Nancy Paul received the 2006 Arthur J. Birdsall Award for her commitment to the legal profession. Selinsgrove lawyer Marvin J. Rudnitsky received the 2006 Gilbert Nurick Award for his history of service and dedication to Pennsylvania's legal community.



(from left) John J. Bagnato receives the 2006 Chief Justice John P. Flaherty Award from CCBL President Kenneth G. Vasil.

The Chief Justice John P. Flaherty Award presented to John Bagnato is named for the former chief justice of the Supreme Court of Pennsylvania. It is presented to an individual who has been active in the CCBL and has worked to improve the legal profession, the justice system or the community. The award is not intended to be an annual accolade.

"This award is designed to recognize those individuals who have gone above and beyond in the promotion of Pennsylvania's legal profession," noted PBA President William P. Carlucci. "The Pennsylvania Bar Association is pleased to honor John for his outstanding dedication to the CCBL, his local bar association and to the legal community as a whole."

Bagnato is a partner in the Johnstown law firm of Spence, Custer, Saylor, Wolfe & Rose. He is a member of the PBA House of Delegates and is a past zone governor on the PBA Board of Governors. He is a past president of the Pennsylvania Bar Institute, the continuing legal education arm of the PBA, and is a former member of the Pennsylvania Bar Foundation Board of Directors.

Bagnato is a graduate of Washington and Jefferson College and the Franklin Thomas Bachus School of Law at Case Western Reserve University.



(from left) Nancy Paul receives the 2006 Arthur J. Birdsall Award from CCBL President Kenneth G. Vasil.

The Arthur J. Birdsall Award presented to Nancy Paul is named for the PBA county bar services director who has served the PBA for 39 years. It is presented to a county bar executive who demonstrates the highest traditions of professional excellence, is committed to the success of his or her bar association and has enhanced significantly the stature of his or her bar association. Birdsall accepted the first award at the 32nd annual CCBL.

"This award is designed to recognize those county bar leaders who go above and beyond what is expected," noted Carlucci. "The PBA is pleased to honor Nancy for her outstanding dedication to the legal profession."

Montgomery Bar Association President William H. Pugh V said in his nomination letter, "We, in Montgomery County, are proud of our bar association and

the professional way that it is run. This is directly attributable to Nancy Paul, our executive director. She has the ability to determine wants and needs of both MBA members and our community — and then effectuate programs to fulfill them."

In the nomination, Paul was commended for her 16 years of service to the MBA. During her tenure, she has created/expanded the association's management technology software, listserv communications and Web site. She oversees all member functions and community outreach programs. She also is credited with expanding the membership of the association and reorganizing its employee and financial structures.

Paul is a past member of the CCBL Executive Committee and also is a past president of the Pennsylvania Association of Bar Executives.



(from left) CCBL President Kenneth G. Vasil presents the 2006 Gilbert Nurick Award to Marvin J. Rudnitsky.

The Gilbert Nurick Award presented to Marvin Rudnitsky is named for the late Harrisburg lawyer who served as PBA president. It is presented to a member of the PBA who exhibits dedication and service to the leadership and promotion of the organized bar and its activities. Although the award is not intended to be an annual accolade, it has been presented every year since it was given to Gilbert Nurick in 1991.

"This award is designed to recognize those bar leaders who have gone above and

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The Long Shadow of the Federal Sarbanes-Oxley Act: Managing Not-For-Profit Professional Organizations, Charities and Other Benevolent Groups

By Dr. David Leslie-Hughes,
Ronald Stockham and Dr. John Park

(Many lawyers sit on boards of non-profit organizations, and indeed many county bar associations have two of their own — the association itself and a foundation: this article takes a timely look at emerging expectations in the field of non-profit management.)

The subject of *good corporate governance* has been addressed in strategic planning, management and operations textbooks for more than 25 years. However, it has been examined at only a superficial level — like a forgotten knot in a tree — until it and the tree were rudely uprooted and thrown into the burning fire of public anger — fanned by the flames of Enron, Worldcom, Adelphia, Global Crossing and Tyco — to name but a few.

Suddenly, public confidence in the traditional financial and activities reports of mega and major corporations was eroded; their annual constituency submissions began to be seriously scrutinized and called into question by regulators: the historical academic momentum for honesty, ethics and meaningful accounting by all types of organizations quickly thereafter became the “clarion call” rather than an ignored or marginalized concept.

Into this environment of public ire and ethical uncertainty, the federal Sarbanes-Oxley Act was planted in order to bring structure and accountability to the boardroom and bring about a new era of *ethics* and *accountability* to corporate shareholders and stakeholders.

However, these new bright “spotlights” on *ethics* and *accountability* did not stop at the doors of commercial corporations only; they were also seen at this juncture as extending their long shadow into the realms of nonprofit organizations. This unwelcome effect has been further boosted by government unease at per-

ceived abuse in the use of charitable institutions following 9/11.

Long known for a somewhat limited amount of attention to this area, the IRS and state regulatory units have been gradually tightening up their requirements in the arena of nonprofit management, particularly relative to those organizations with six- and seven-figure annual revenues.

Fundamental “performance metrics” required of nonprofit organizations — to survive an audit — be it of charities, professional associations or benevolent associations — indeed, any and every one of the some 26 different types of nonprofit organizations recognized under the IRS Code — are gradually becoming expected: these are to provide clear evidence of management and board oversight disclosing honesty, integrity, fairness, respect, trust, responsibility and accountability. And this level of accountability applies to governance, human resources management, financial management and fundraising as well.

These concepts tend to be thought of as in a somewhat of a gray “abstract” area and are often dismissed by the “incrementalists” of this world. However, they nevertheless manifest themselves in common-sense/good management behaviors that also translate into ethical actions and wisdom.

In practical terms, such benchmarks translate into the following:

1. Motto, Vision; Mission and Values Statements: Having a well-defined and formally stated motto, vision, mission statement and values statement to which the organization’s efforts are geared in order to achieve such fundamental tenets effectively. These will need to be reviewed and modified periodically — for example, every five years — to reflect professional, operational and societal changes;

2. Board Composition and Management: Board composition should reflect diversity, be voluntary and have at least eight unrelated members: its bylaws should be up-to-date and well-defined (for example, as to operational *oversight* responsibilities, term limits, undue influence and conflicts of interest);

3. Strategic Planning: Engagement in planning activities to set out objectives, goals and target standards for achievement of these — consonant with the organization’s vision, missions and values;

4. Revenue and Budget Plan & Oversight: Development, approval and constant oversight of the annual revenue plan and budget to ensure the organization’s financial performance meets the pre-approved criteria;

5. Delivery of Appropriate Benefits: Representing the interests of the people that the organization serves by delivery of appropriate benefits, education and advancing public policy in its field of operation;

6. Programs Evaluation: Quantitative and qualitative — efficiency and effectiveness — evaluation of the organization’s programs, projects, management policies and procedures — relative to costs, outcomes, confidentiality (as appropriate), complaints and participants/members satisfaction;

7. Human Resource Management: The organization should have policies for both employees and volunteers, which, as far as practicable, set out clear expectations and provide effective performance evaluation. New board members, employees and volunteers should receive effective orientation and training;

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On the *Local Scene*...

Adams

Family Court Information Session

The Adams County Bar Association sponsored a public-information session about how people who do not have attorneys can represent themselves in certain family court cases. The ACBA recently published self-help forms and instructions that can be used in these kinds of matters; the materials were made available in the county courthouse and on the Internet.

Bradford

Library Donation

The Bradford County Bar Association donated *The Case for Democracy: The Power of Freedom to Overcome Tyranny and Terror* to the Bradford County Library in honor of Judge Evan Williams.

Butler

New Year's Celebration Sponsorship

The Butler County Bar Association sponsored the fireworks portion of the county's "Ring in the Arts New Year's Eve" celebration.

Clearfield

Legal Eagles Earns ABA Recognition

For the fourth time in as many years, the Legal Eagle program, co-sponsored by the Clearfield County Bar Association and Clearfield County Crimestoppers, is a finalist in the American Bar Association's Outstanding Law Day Activity Awards. The awards are given to programs that have found a creative way of reaching schools and the community and have forged strong partnerships with other groups to discuss areas that concern the law. The Clearfield program is the only rural program to qualify on a regular basis.

Crawford

Charitable Donations

The Crawford County Bar Association donated \$2,715 each to Women's Services, Inc., and the Meadville Public Library.

Dauphin

Annual Meeting

The Dauphin County Bar Association held its annual dinner meeting at the National Civil War Museum in Harrisburg on January 25. The meeting featured a presentation by the Young Lawyers Section of the Angelo Skarlatos Award to Joseph A. Curcillo III for his support to the section. The Equal Professional Opportunity Committee presented the Hon. Clarence C. Morrison Diversity Award to Tyrone A. Powell for his efforts to promote diversity in the local legal community, and the Public Service Committee presented the Pro Bono Lawyer of the Year Award to Heather L. Paterno.

Pro Bono Reception

The Dauphin County Bar Association Pro Bono Program honored 395 program participants at a reception on February 22. The event, coordinated by DCBA Public Service Coordinator Sandy Ballard, was also attended by federal, state and county judges and officials. Participants received a certificate and a special edition recognition coffee mug, and will have their names inscribed on the bar association Pro Bono Honor Roll throughout 2006.

Supreme Court Admission Ceremony

Sixteen members of the Dauphin County Bar Association were admitted to practice before the U.S. Supreme Court at a group admission ceremony on February 27. The motion in support of their admission was presented by DCBA Past President Joseph A. Curcillo III. After being sworn-in, the attorneys observed oral arguments, had lunch and a brief walking tour of Washington, D.C.

Franklin

Past Presidents' Luncheon

On February 24, 12 past presidents still active in the Franklin County Bar Association attended the FCBA's first Past Presidents' Luncheon, hosted by the current officers of the association. The group discussed the presidents' views on the role of the bar association in its members' pro-

fessional lives, member participation in bar events, and more. FCBA plans to make the luncheon an annual event.

Jefferson

Law School Scholarships

The Jefferson County Bar Association announced the continuance of a scholarship fund to benefit county law students. Scholarships are made available to interested county residents who are attending either their second or third year of law school. Last year, a total of \$1,500 was awarded to three students.

Charitable Donation

The Jefferson County Bar Association made a donation to the county's Children & Youth Advisory Board Christmas Campaign. The board provides financial resources for foster children throughout the year.

Lancaster

Donation to Mediation Center

The Lancaster Bar Association Foundation donated \$5,000 to the Lancaster Mediation Center, in an effort to raise community awareness about the center. The funds will be used for the prevention and intervention of potentially violent situations by increasing the use of mediation as an alternative means of conflict resolution.

Lycoming

Office Relocation

The Lycoming Law Association and the *Lycoming Reporter* have moved to Pine Street Plaza, 321 Pine Street, Suite 201, Williamsport; Phone: (570) 323-8287; Fax (570) 323-9897.

Monroe

Annual Dr. Martin Luther King Jr. Celebration

On January 16, the Monroe County Bar Association participated in the annual Dr. Martin Luther King Jr. Celebration Breakfast at East Stroudsburg University.



Following the greetings, musical selection and invocation, was the keynote speaker, Pamela J. Raison, assistant general counsel for AIG Marketing, Inc. Raison was chief counsel of the Pennsylvania Department of State.

The Presidential Award was presented posthumously to Judge Albert R. Murray Sr., Retired Supreme Court Justice for the State of New York. The award recognized Judge Murray's lifetime accomplishments and community service. Judge Murray was the first African American to be appointed as a judge to the Criminal Court for the City of New York and as a Supreme Court Justice for the State of New York.

“Judges and Lawyers Go Back to School” Program

The Monroe County Bar Association is participating, for the sixth year, in the “Judges and Lawyers Go Back to School” program. The program is designed to bring members of the judiciary, attorneys and school children together to help students learn about the law. More than 50 members of the bar association contribute their time and efforts to this program, whose theme this year is “My World-My Responsibility.”

Annual Statewide Mock Trial

The Monroe County Bar Association sponsored the annual statewide Mock Trial at the Monroe County Courthouse during the week of February 20. MCBA members volunteered as judges and scorekeepers for the 10 area high school teams that participated in the event.

Montgomery

New Membership Alternative

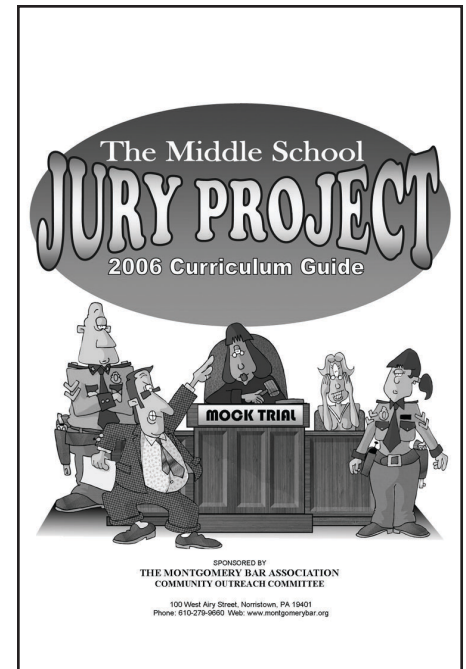
The Montgomery Bar Association (MBA) instituted a new associate membership alternative for out-of-county attorneys — called eAssociate Membership. Associate members who opt for “e” status will receive the weekly *Montgomery County Law Reporter*, the quarterly “Sidebar” member newsletter, and the MBA Legal Directory exclusively in paperless, electronic format. All other usual membership benefits remain.

According to Nancy Paul, executive director for the MBA, the eAssociate [membership] alternative was born in response to rising print costs and postage rates. Paul said, “Many of our current members already elect to receive on-line versions of our publications because they’re easily searchable, printable and always available. Many feel that networking opportunities and other bar benefits outweigh the perceived value of getting our resources in print format. By keeping our annual membership costs below the cost of an average billable hour and passing along our print and postage savings, we hope to encourage even more attorneys to get involved in our organization.”

Middle School Jury Project

The Montgomery Bar Association launched a new project aimed at familiarizing middle school students with the legal system, the jury process and the importance of jury service. The Middle School Jury Project was developed by the MBA’s Community Outreach Committee and expands upon the PBA’s Mock Trial Program. The project provided area middle school students with an opportunity to participate as mock jurors after observing an age-appropriate mock trial at the courthouse, before an actual judge. A volunteer lawyer affiliated with the Montgomery Bar is paired with a teacher from the middle school to co-teach a lesson on the jury process and the importance of jury service. That same lawyer acts as a guide and mentor to the class when they make their trip to the court house. Where possible, middle school students view teams from their respective high schools and have an opportunity to interact and discuss their verdicts after the trial. With the assistance of their teacher and the (MBA-written) curriculum guide, students deliberate and render verdicts as an actual jury would do. The project received accolades from participating teachers and students and will be held annually in hopes of providing middle school students an early introduction to the Mock Trial Competition. The MBA

hopes that students will develop an early understanding of their civic duty as future jurors in the legal system.



Cover of the Montgomery Bar Association Middle School Jury Project Curriculum Guide

Northampton

“People’s Law School”

The Northampton County Bar Association’s Service to the Public Committee held another “People’s Law School” in March and April. The classes, taught by attorneys, are designed to help area residents better understand the law, enabling them to deal more effectively with situations that involve legal considerations.

Pike

Christmas Gifts Donation

The Pike County Bar Association donated over 100 Christmas presents to the Center for Developmental Disabilities for their annual Christmas party.

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On the *Local Scene...*

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Warren

“Battle of the Bells”

The Warren County Bar Association raised \$274 in the Salvation Army’s “Battle of the Bells.” The fundraising challenge assists the Salvation Army’s ministry in the county.

Washington

War Crimes Seminar

The Washington County Bar Association co-sponsored a free public seminar at California University of Pennsylvania featuring John Cencich, a professor from the university. Cencich led the war crimes investigation of Slobodan Milosevic, and provided a behind-the-scenes look at war crimes, crimes against humanity, mercenaries, murderers and spies. Continuing legal education credits were made available for attorneys.

Wayne

Community Service Award

The Wayne County Bar Association, along with the Dorflinger-Suydam Wildlife Sanctuary, presented their bi-annual Judge James Rutherford Community Service Award to Mark R. Zimmer of Honesdale. Zimmer is known for his work in surveying and forestry.

Wilkes-Barre/Luzerne

Association Admission Ceremony

In a courtroom ceremony, the Luzerne County Bar Association welcomed 13 law school graduates into the association. State Superior Court Judge Correale Stevens was the principal speaker.

Charitable Donations

The Luzerne County Bar Association Charitable Foundation Inc, the charitable arm of the Wilkes-Barre Law and Library Association, made donations to the

Greenhouse Program, which provides vocational training for persons with mental illness, to the Greater Wilkes-Barre Family YMCA, the Luzerne County Head Start program, the Wilkes-Barre Catholic Youth Center and to St. Jude’s Children’s Research Hospital (for Katrina-related relief efforts).

York

Minority Law School Scholarships

The York County Bar Association is offering scholarships to area minority students who attend accredited law schools for the 2006-07 academic year. The scholarships are intended to encourage minority students to apply to law school. The scholarship fund will award \$5,000 in assistance annually to qualified law students; awards are renewable for two additional years. ■

PBI Courses

Here is a listing of courses being offered by the Pennsylvania Bar Institute. Dates, times and locations are subject to change.

LIVE VIA SATELLITE

How to Prepare the Pennsylvania Inheritance Tax Return, Thurs., April 20; 8:30 a.m. to 12:45 p.m.; registration at 8:00 a.m.; 4 substantive CLE credits

Allentown	New Castle
Bellefonte	Philadelphia
Doylestown	Pittsburgh
Easton	Reading
Erie	Scranton
Greensburg	Stroudsburg
Hollidaysburg	Uniontown
Honesdale	Villanova
Indiana	Warren
Johnstown	Washington
Lewisburg	West Chester
Mechanicsburg	Wilkes-Barre
Media	Williamsport
Montrose	York

Scranton

Expert Testimony: A Judge’s Perspective on the Top 10 Do’s & Don’ts, Tues., April 25; 12:00 noon to 4:15 p.m.; registration at 11:15 a.m.; 4 CLE credits (3 substantive/1 ethics)

LIVE VIA SATELLITE

Allentown	Media
Bellefonte	Montrose
Chambersburg	New Castle
Doylestown	Pittsburgh
Easton	Reading
Erie	Schuylkill Haven
Greensburg	Scranton
Hollidaysburg	Stroudsburg
Honesdale	Uniontown
Indiana	Warren
Johnstown	Waynesburg
Lancaster	West Chester
Lewisburg	Wilkes-Barre
Mechanicsburg	Williamsport

Successfully Litigating the Auto Accident Case, Wed., April 26; 8:30 a.m. to 4:30 p.m.; registration at 8:00 a.m.; 6 CLE credits (5 substantive/1 ethics)

LIVE VIA SATELLITE

Allentown	Pittsburgh
Chambersburg	Scranton
Doylestown	Stroudsburg
Easton	Towanda
Erie	Uniontown
Greensburg	Villanova
Hollidaysburg	Warren
Mechanicsburg	West Chester
Mansfield	West Decatur
Mill Hall	Wilkes-Barre
Montrose	Williamsport
New Castle	York
Philadelphia	

General Practitioners’ Update 2006, Wed., June 28; 8:30 a.m. to 4:10 p.m.; registration at 8:00 a.m.; 6 CLE credits (5 substantive, 1 ethics)

Contact PBI’s Customer Service Department for more information at (800) 932-4637, (800) 247-4724 or (717) 796-0804.

Bar Leaders Honored at 40th Annual CCBL Seminar

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beyond what is expected,” Carlucci said. “The PBA is pleased to honor Marvin for his dedication to the entire legal profession. He is a true leader in Northumberland County and across Pennsylvania.”

Rudnitsky is a past member of the PBA Board of Governors and currently serves in the PBA House of Delegates. He is a member of the Judicial Retention,

Professionalism and Judicial Independence committees and also serves on the PBA Media Response Team and the Commission on Multi-Disciplinary Practice. In addition, Rudnitsky is a member of the American Bar Association, National Network of Estate Planning Attorneys, National Academy of Elder Law Attorneys and the Susquehanna Valley Estates Planning Council. He also is the chair of the Disciplinary Board of the Pennsylva-

nia Supreme Court and is a life fellow of the Pennsylvania Bar Foundation.

Active in his community, Rudnitsky is a past president of the Selinsgrove Rotary Club and is a co-founder, director and secretary for the Selinsgrove Area Youth Foundation.

Rudnitsky is a graduate of the Pennsylvania State University and the University of Pittsburgh School of Law. ■

Photo Highlights from the 40th Annual CCBL Seminar



CCBL attendees were treated to remarks from Chief Justice Ralph J. Cappy of the Supreme Court of Pennsylvania.



PBA President William P. Carlucci provided the introduction for Chief Justice Cappy.



(from left) Incoming CCBL President Alfred Jones Jr. receives the president's gavel from outgoing President Kenneth G. Vasil.



Some of the bar executives attending the CCBL break from the full schedule for a group photo.



(from left) Sam Milkes, David Trevaskis and Hope Guy presented “The Ethics of Pro Bono” program on Friday.



Kimberly Hamilton, president of the Centre County Bar Association, gave the welcome address.

County Bar Presidents to Join PBA President for Hersheypark Picnic at PBA Annual Meeting in June

A new feature of this year's PBA Annual Meeting is the special "Picnic in Hersheypark with the PBA President and County Bar Presidents," which will be held on Friday, June 9, after the House of Delegates Meeting.

Incoming PBA President Ken Horoho encourages all county bar presidents to attend this special informal event, which promises fun, food and one of those rare opportunities for all to gather in one place and not need a tuxedo, a tie or a babysitter.

The picnic itself will take place from 4:00 p.m. — 6:00 p.m. in the Wildcat Pavilion. Picnic fare includes traditional BBQ chicken, burgers and hot dogs, along with plenty of sides, beverages and sweet treats. County bar attendees and their family members who purchase tickets for the event via the annual meeting registration process will receive Hersheypark tickets at the PBA discounted rates of 45 percent off the price of regular adult

admission and 22 percent off the price of junior admission. The discounted tickets will be honored at the park from 10:00 a.m. — 10:00 p.m. on Friday, June 9 only.

With live entertainment, dolphin and sea lion shows, games, food (chocolate!) and shopping, Hersheypark has something to delight everyone. The park offers 60 rides from the mild to the wild, including 10 coasters, 6 water rides and more than 20 kiddie rides.

The new Reese's Xtreme Cup Challenge is the first interactive dark ride to pit car against car in a high-energy scorefest. Two vehicles with competing teams travel through a series of exciting competition zones. Hang onto your laser blasters and take aim at the targets as you swoop, climb, and dip through the action. Accumulate as many points for your team as



Hersheypark's Famous "Great Bear" Coaster

you can — the winning car will be declared at the end of the challenge, and a sweet reward awaits all who play!

Bring the whole family for a day of excitement at the park. See your annual meeting registration brochure — due to arrive soon — or register online at www.pabar.org or call the PBA at (800) 932-0311, X 2234 ■



PENNSYLVANIA BAR ASSOCIATION ANNUAL MEETING

**June 7- 9, 2006 Hershey Lodge &
Convention Center, Hershey, Pa.**

Annual Dinner/Dance

Awards Breakfast

Committee/Section Day

Continuing Legal Education

House of Delegates Meeting

Law School Alumni Receptions

Picnic in Hersheypark with PBA
and County Bar Presidents

Pro Bono Conference

Real Property, Probate & Trust
Law Section Spring Meeting

Women in the Profession Conference
featuring Christine Todd Whitman

C/S Day Young Lawyers Division
Luncheon

Register online at www.pabar.org or
call (800) 932-0311, X 2234.

The Long Shadow of the Federal Sarbanes-Oxley Act: Managing Not-For-Profit Professional Organizations, Charities and Other Benevolent Groups

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8. Financial: Accurate financial records must be kept, with suggested annual review or auditing by an independent certified public accountant where yearly revenue exceeds \$150,000; with at least quarterly reports explaining material variations between actual and budgeted revenues and expenses. Written policies and appropriate documentation should exist covering: (i) investment of the organization's assets and reserve funds, (ii) purchasing practices and (iii) key internal control procedures (for issues like check-writing, handling of cash, etc.);

9. Legal and Insurance: The organization should conduct an annual review of its compliance with known existing legal, regulatory and financial reporting requirements (for example: regarding licensing, registration, human resources, fiscal reporting, taxation, lobbying, political advocacy and fundraising). A bi-annual check should also be carried out to ensure that the organization's insurance coverage is adequate in the light of its activities and financial capacity;

10. Openness and Publicity of Activities: Annually updated information should be available — for example, on an Internet Web site — about the organization's purposes and program activities, along with relevant financial data;

11. Public Advocacy: Public education and public policy advocacy by the organization are issues that should be carefully reviewed and approved by the board of directors before publishing to ensure that they are factually accurate and comply with any legal restrictions that may apply relative to the organization's status as a nonprofit organization;

12. Fundraising: On average a nonprofit organization should bring in three times as much as it spends on fundraising (a 3:1 ratio). Its fundraising materials must be accurate and truthful, clearly stating the tax deductibility or non-tax deductibility

of gifts and that the use of the proceeds must honor the intentions of the donors. It should have policies in place governing the solicitation activities of any staff, volunteers and consultants, etc. and also regarding acceptance and disposition of monies donated.

Undoubtedly, Sarbanes-Oxley, other legislation (federal and state), along with the general political climate are moving the world of the nonprofit organizations — in the many incarnations in which these exist — toward a general expectation of higher management standards. Such developments will most likely have an impact on the standards by which liability comes to be measured and criteria relative to which errors and omissions insurance can be obtained. It is thus a *reality* that nonprofits *should make the effort* to more nearly mimic commercial corporations in their operational and management techniques to stay “effective” and “clean” as the future continues to unfold. ■

Dr John Park is a faculty member and associate director of the Department of Management Development at Penn State University. Dr David Leslie-Hughes is a practicing attorney, on the board of directors of the Bucks County Bar Association, the chair of its Long-Range Planning Committee, vice president of the Charitable Foundation of the Bucks County Bar Association (CFBCBA) and also executive chairman of the John Lloyd Huck Institute for Management Science Research. Ronald Stockham is a practicing Bucks County attorney and vice president of the Pennsbury Society Trust (the William Penn Estate).

2006 – 2007 CCBL Executive Committee

PRESIDENT: Alfred Jones Jr. (Centre)
300 South Allen Street, Suite 300
State College, PA 16801-4841
(814) 237-6268, Fax (814) 237-3660
ajones@dmjklaw.com

VICE PRESIDENT: Terry D. Weiler (Berks)
1136 Penn Avenue, P.O. Box 6895
Reading, PA 19610
(610) 378-1933, Fax (610) 378-9896
tdweiler@fast.net

SECRETARY: Michele S. Dawson (Wash.)
90 West Chestnut St., Suite 700
Washington, PA 15301
(724) 228-5338, Fax (724) 228-5181
mdawson@johnsondawson.com

TREASURER: Samuel T. Cooper III (Dauphin)
213 Market St., 8th Floor, P.O. Box 1248
Harrisburg, PA 17108-1248
(717) 237-6022, Fax (717) 237-6019
scooper@eckertseamans.com

MEMBERS: George A. Verlihay (Beaver)
2521 Darlington Rd., Beaver Falls, PA 15010
(724) 843-9250, Fax (724) 843-9258
gavsmv@ccia.com

Karolyn Vreeland Blume (Lehigh)
Conflict Resolution Services
Mediation & Arbitration
1738 Victoria Circle, Allentown, PA 18103
(610) 730-5159, Fax (610) 791-0568
kvblume@conflictresolutionsservices.com

Thomas Vincent Casale (Monroe)
Resorts USA Inc., P. O. Box 447
Bushkill, PA 18324-0447
(570) 588-6661, Fax (570) 588-1903
Tom_casale@rank.com

Kenneth G. Vasil (Erie)
Jones School Square, 150 E. Eighth St.
Erie, Pa. 16501-1269
(814) 456-4000, Fax (814) 454-7411
kgvasil@elderkinlaw.com

Samuel D. Miller III (Montgomery)
1349 Valley Dr., P.O. Box 547
Lansdale, PA 19446-0547
(215) 368-0380, Fax (215) 362-0151
sdmiller3law@verizon.net

MEMBER YLD: Hope Guy (Clinton)
Roberts Miceli & Boileau
146 Water Street, Lock Haven, Pa. 17745
(570) 295-4110, Fax (570) 748-6790
hope@robertsmiceli.com

Member PABE: Becky Morgenthal (Cumb.)
Exec. Director, Cumberland County Bar Assn.
32 Bedford Street, Carlisle, PA 17013
(717) 249-3166, Fax (717) 249-2663
ccba@pa.net

Board of Governors Liaison:
Francis X. O'Connor (Susquehanna)
300 Main Street, P.O. Box 591
Great Bend, PA 18821-0591
(570) 879-2534, Fax (570) 879-2672
fxocon@epix.net

PBA's Day on the Hill Provides Counties With Unique Opportunity to Get to Know Their Legislators

The Pennsylvania Bar Association's 10th annual Day on the Hill program, scheduled for Tuesday, May 23, at the Hilton Harrisburg & Tower, provides a forum for discussion between lawyers and members of the Pennsylvania Legislature. The day will begin with the CLE program, "Rules of the Game: The Legislative Process from the Inside Out," followed by the annual "Luncheon with Pennsylvania Legislators."

This popular luncheon provides PBA members with a unique opportunity to network with members of the Pennsylvania Senate and House of Representatives. The lunch is free to all PBA members. The day's scheduled program will conclude with the CLE session, "Elections 2006: 'Shake Up' or 'Make Up'."

Interested in attending? Join with others in your county to set up a delegation from your local bar association to have lunch with your county's legislators or meet with them on the Hill. Contact the PBA Legislative Department at (800) 932-0311, ext. 2207 for more details.

PROGRAM SCHEDULE:

9:00 a.m.

Registration & Continental Breakfast

9:45 a.m.

Welcome by PBA President William P. Carlucci and YLD Chair Jennifer J. Clark

10:00 a.m.-noon

"Rules of the Game: The Legislative Process from the Inside Out"
CLE Program

Noon-1:30 p.m.

Luncheon with Pa. Legislators

1:45 p.m.-3:15 p.m.

"Elections 2006: 'Shake Up' or 'Make Up'" CLE Program

3:15 p.m.-3:45 p.m.

Feedback Session

Rules of the Game: The Legislative Process from the Inside Out

What goes on behind the scenes at the State Capitol? How do bills really become law? What rules and procedures exist to govern the political process and protect public interest? These and other questions will be answered during this informative program about the inner workings of Harrisburg. Leading legislators, legislative staff and lobbyists will provide attendees with a comprehensive overview of what makes Harrisburg tick — and how that happens. Topics will range from the internal structure of the state legislature to the impact of lobbyists to how lawyers can best communicate with their legislators. Take advantage of this opportunity to learn from the experts!

Panelists:

J. Andrew Crompton, Esq., counsel to President Pro Tempore, Senate of Pennsylvania

Sen. Jane M. Earll

Rep. Kate Harper

Neeka Jones, director of legislative development & counsel, Office of Senator Vincent J. Hughes

John Milliron, lobbyist, Milliron Assocs. Brian Preski, Esq. chief of staff, Office of the Speaker, House of Representatives

Sen. John C. Rafferty Jr.

Deborah M. Suder, lobbyist, Buchanan Ingersoll P.C.

Rep. W. Curtis Thomas

Rep. Mike Turzai

Rep. Jake Wheatley Jr.

Sen. Anthony H. Williams

Rep. Rosita C. Youngblood

Elections 2006: "Shake Up" or "Make Up"

Hear from noted Pennsylvania political experts about the 2006 General Assembly elections and how changes in the Legislature will impact the legal profession in the commonwealth. Will there be a "shake up" in November, or will candidates be able to "make up" with voters? This group of featured panelists, including political commentators, pollsters and reporters, will lead attendees through a discussion of hot topics such as changing voter attitudes, the highest number of open seats in years, changes in legislative leadership and how those changes will affect future legislation and the practice of law. It's a program you don't want to miss!

Panelists:

Flavia Colgan, political contributor to MSNBC-TV, CNBC and Fox News Channel

Sean Connolly, senior associate for communications, Triad Strategies
Alison Hawkes, reporter, Calkins Media Group

G. Terry Madonna, director, Center for Politics & Public Affairs



Registrations for the 10th Annual Day on the Hill are due by May 17, 2006.

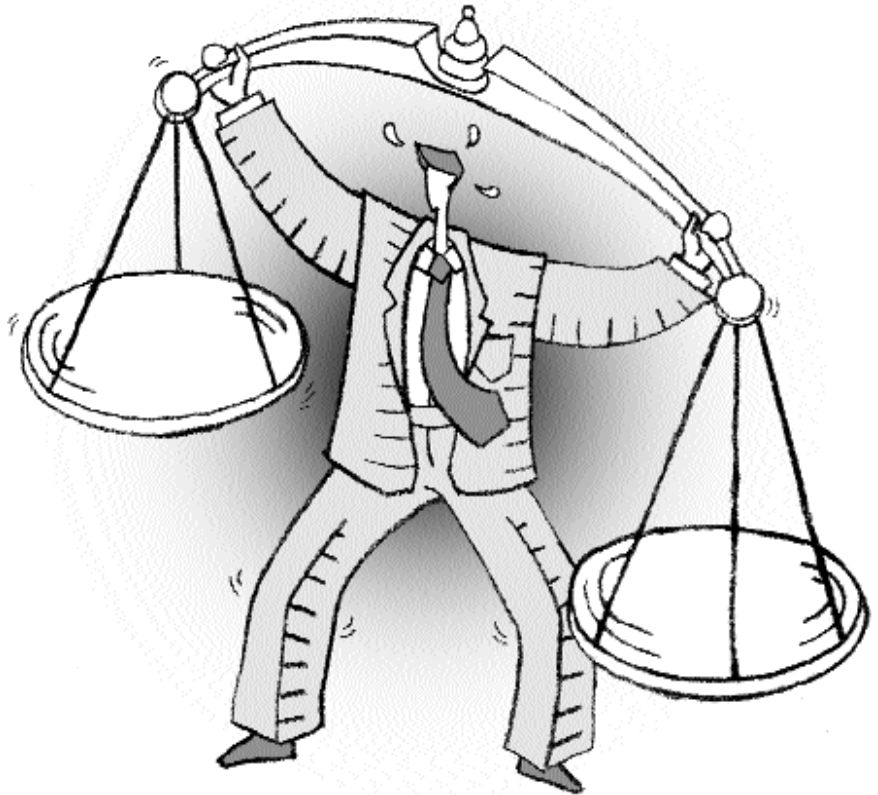
The program is presented in cooperation with the Pennsylvania Bar Institute, an accredited continuing legal education provider approved by the Pennsylvania Supreme Court CLE Board.

The program has been approved for 3.5 hours of substantive CLE credit.

CLE Registration Fees are \$40 for PBA Members and \$60 for non-Members
For more information, call (800) 932-0311, Ext. 2223 or 2207.

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Reduce Potential Date Conflicts

Contribute to and Consult the PBA Master Calendar

It is important to PBA leadership to be able to attend local bar association events and get to know their leadership and members. The PBA Master Calendar, at www.pabar.org/calendar.shtml, was developed, in part, to reduce potential date conflicts so that bar leaders have the most opportunities to attend the most number of events throughout the year.

So that the PBA does not schedule our significant functions and events at the same time as yours — and vice versa —

please submit your bar association's calendar of events to County Bar Services Director Arthur Birdsall at Art.Birdsall@pabar.org (or use our regular mailing address) and keep us abreast of any changes throughout the year.

Then, please consult the master calendar often as you plan your events throughout the year.

Thanks to those of you who have already submitted your calendars of events! ■

2006-07 PABE Officers

At the November Pennsylvania Association of Bar Executives Meeting, the following officers were elected:

President - Becky Morgenthal, Cumberland County Bar Association

Vice President - Diane Krivoniak, Westmoreland Bar Association

Secretary - Susan Kenny, Monroe County Bar Association

Treasurer - David Blaner, Allegheny County Bar Association

Congratulations!

Send Us Your News

June 5, 2006 is the copy deadline for the July 2006 issue of the newsletter.

To submit news for *The County Line*, please use the enclosed "News and Views" form or call PBA County Bar Services Director Arthur Birdsall at (800) 932-0311, ext. 2218; write Arthur Birdsall, PBA, PO Box 186, Harrisburg, PA 17108; or e-mail Art.Birdsall@pabar.org.

County Bar Services Director: Arthur J. Birdsall

***The County Line* Editor:** Patricia M. Graybill

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Mark Your Calendars:

**PBA Public Service Institute
April 28, 2006**

Omni William Penn Hotel,
Pittsburgh

**Civil Litigation Section
Annual Retreat**

April 28-30, 2006

Nemacolin Woodlands Resort
and Spa, Nemacolin

**PBA Annual Meeting
June 7-9, 2006**

including

- **Committee/Section Day**
- **Picnic in Hersheypark with PBA President and County Bar Presidents**
- **Pro Bono Conference**
- **Real Property, Probate & Trust Law Section Spring Meeting**
- **Women in the Profession Conference**
Hershey Lodge & Convention Center

**PABE Summer Retreat
"NOW and Then ...
on the Road"**

August 20 - 22, 2006

Plymouth Meeting
...with a few side trips

Visit www.pabar.org
for more information,
or call (800) 932-0311.