



FOR PENNSYLVANIA YOUNG  
LAWYERS, HERE'S WHAT'S...



# AT ISSUE

A PUBLICATION BY AND FOR THE YOUNG LAWYERS DIVISION  
OF THE PENNSYLVANIA BAR ASSOCIATION

## A PENNY SAVED ...

*By Eric B. Smith*

Saving — it may be the last thing on an underpaid, overworked young lawyer's mind; possibly beyond a young lawyer's capabilities, you may think. Maybe so. However, if you want to attain certain financial goals in life (such as buying a house, BMW or engagement ring; sending your children to college; retiring early and wealthy; and passing your wealth along to your heirs) you must begin saving, investing and planning now.

"Unless you are heiress to a hotel empire or a Pennsylvania lotto winner, as a young professional, you should think about a plan to accumulate wealth," says Christopher Wiegand, a financial advisor from Conshohocken. "And no rule states you must wait for a spouse or kids."

Saving and accumulating wealth is probably much easier than you think. So, where do you start?

"The most basic tenet in personal finance is to live within your means, and yet the national savings rate has dropped from 12 percent to 2 percent over the last decade," says Wiegand. He suggests starting by asking the question: Do I save? When answering this question, it is important to collect all the information you have on your expenses from last year, such as bank statements, annual credit card summaries, your checkbook ledger, etc., then group every expense as either necessary or discretionary. For example, the mortgage and food are necessary, while the happy hours and vacations are discretionary. Set aside your 401(k) or other contribution in a third

category: savings. Looking at these numbers, determine whether you experienced a profit last year. Said another way, did your take-home pay keep up with the cost of your lifestyle? If you did save, or profit, what percentage of your income did this savings represent? As a general rule, the starting goal is to save 15 percent of your income.

To increase savings, you must do one or a combination of the following: 1) earn more money while keeping your expenses fixed; 2) cut necessary expenses wherever possible, such as by shopping around for a lower auto insurance rate or refinancing your mortgage at a lower rate; or 3) cut discretionary expenses. As

a practical matter, the easiest of the three is the third option. Easier said than done, right? Many of us spend more on optional, leisure-related items than we realize because they are our reward in life for working so hard. They bring us happiness. But they also are the biggest roadblock to establishing a good savings plan. As you will see, discipline is essential to successful savings.

The exercise you just completed was drafting an income statement, similar to that of a company. You now have the foundation for a savings plan. So, did you have a surplus or a deficit last year?

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## PHILADELPHIA'S ULTIMATE WEAPON IN FIGHTING THE WAR ON DRUGS

*By Scott P. Sigman*

In Philadelphia, the District Attorney's Office uses asset forfeiture to hammer drug dealers out of the area and the business. By seizing the houses, apartments, stores and bars used in drug transactions, dealers are forced out of their havens and, ideally, out of the business entirely, which improves the quality of life for the community.

The forfeiture initiative, however, could not be as successful without the tips local law enforcement receive from members of the community. After receiving such a tip, the police then investigate by conducting surveillance, making undercover purchases and/or using con-

fidential informants to make illegal drug purchases. The fruits of the investigation lead to the issuance of a search and seizure warrant, which is then executed by police. Ultimately, the district attorney charges the defendant(s) and initiates forfeiture proceedings against any real property used to facilitate the drug dealing.

A forfeiture proceeding is filed ex parte (without the knowledge of the property owner) and may include an order to immediately seize and seal the property prior to the first listing in court.

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## WHAT'S AT ISSUE

So you're thinking that maybe you, as a young lawyer, should find out more about the YLD, right? I am assuming you have some interest in the YLD or you



**Wells**

would have never made your way to this article. So, what is the best way to become better acquainted with the YLD? Do what I did: Go to the YLD summer meeting!

My first exposure to the YLD was in the summer of 2000. The annual summer meeting was held in State College, and I showed up ready to meet other young lawyers just like me. I didn't know anyone else there and, to make matters worse, none of the other young lawyers knew me.

The first thing I did was attend the YLD business meeting. It seemed so official — well, except for the social beverages! There were all of these intelligent, energetic people discussing issues facing young lawyers and some great community projects that young lawyers were spearheading all across the commonwealth. I met young lawyers from every part of the state; some had practices similar to mine and some practiced in other areas of law. This seemed like the type of stuff I would really enjoy, and I did enjoy myself that entire weekend ... so much so that I think I have attended every single YLD meeting since that fateful summer meeting in State College.

Your best opportunity to become more acquainted with the YLD is to attend this year's summer meeting July 30-Aug. 1 at the Nittany Lion Inn in State College. I invite you to attend our business meeting. Come and learn how our executive council operates. You can participate in discussions of matters of importance to young lawyers, as well as find out more about the projects that we are working on in our communities and how you can help.

But wait — there is more! There also will be CLE programs designed specifically for young lawyers. Judges from across

*James A. Wells is the current chair of the PBA Young Lawyers Division.*

the state will give practical advice on courtroom procedure and legislators will discuss the legislative process and how an organized bar can affect legislative proposals that have an impact on our profession. You will have the opportunity to learn about the disciplinary system in Pennsylvania and receive practice tips relevant to small, medium and large firms.

And, don't underestimate the opportunity to network with other young lawyers from across the commonwealth at the summer meeting. Because this year's meeting is being cosponsored by the Philadelphia Young Lawyers Division and the Allegheny County Young Lawyers Division, we are anticipating above-average attendance. Make sure you bring extra business cards!

Perhaps most important, the summer meeting is a great time! There will be an abundance of outdoor recreational activities for you to enjoy in State College, including our annual golf tournament. Our evening social activities are a perfect

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**Your best opportunity to become more acquainted with the YLD is to attend this year's summer meeting July 30-Aug. 1 at the Nittany Lion Inn in State College.**

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way for you to meet many other young lawyers in a relaxed, friendly environment. Forging new and lasting relationships, both business relationships and personal ones, is perhaps one of the most rewarding aspects of YLD membership. To this day, many of the young lawyers that I met at my first summer meeting are my best friends. We look forward to each YLD meeting as an opportunity to get together and have some fun. We are not just friends — we are more like family.

I'd love for you to attend this year's summer meeting. I'd like you to join our family.

## At Issue

Editor

Jennifer Walsh Clark

Associate Co-editors

Jenny Y.C. Cheng  
Jane Smedley

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# A PENNY SAVED

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Which of the three previous options best suits you? What are you willing to change? The answers to these questions will help you readjust your income and expenses to create savings or increase the savings you have.

Next, address this question: Where do I save? Where should my savings be housed? There are numerous saving options at your disposal. Basically, these various accounts are classified in terms of how the savings inside of them are taxed, such as taxable, nontaxable and tax-deferred accounts.

Taxable accounts range from your ordinary bank savings or checking accounts to brokerage accounts and accounts with a mutual fund company.

Brokerage accounts allow you to buy and sell stocks and mutual funds through a brokerage firm. Each time you buy or sell an individual stock, you will be charged a brokerage fee. Brokerage accounts are more necessary if

you plan on doing active trading. They are not as necessary if you plan on buying quality stocks and holding them through a dividend reinvestment program, or if you plan on buying mutual funds directly from a mutual fund company.

A dividend reinvestment program (otherwise known as a DRIP) is an account you can establish with an individual company that allows you to buy shares directly from the company. For instance, you can buy stocks directly from Pfizer and Pfizer will arrange to hold your stock certificates and reinvest your dividends for you. There is typically no (or a minimal) transaction fee for this type of transaction. A DRIP also allows you to reinvest all of your dividends, automatically purchasing additional shares. If you plan to buy and hold, and not engage in constant buying and selling, a dividend reinvestment plan may be your best option. You can find a listing of companies offering dividend reinvestment plans at [www.drip-central.com](http://www.drip-central.com). Otherwise, you might want to choose a discount brokerage firm

(such as Charles Schwab, TD Waterhouse or Ameritrade) and open an account. Similarly, mutual fund accounts with a mutual fund company (such as Vanguard or Fidelity) will allow you to buy and sell mutual funds.

Non-taxable and tax-deferred accounts (i.e., retirement accounts) also should be examined thoroughly and there are several different options, each with their own tax benefit and contribution limits. The most common retirement accounts are IRAs (individual retirement accounts), Roth IRAs and 401(k) plans. Anyone under the age of 70 who has earned income may contribute to an IRA where the contributions are fully deductible on your tax return as

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long as you are not covered by a qualified retirement plan at work. Even if you are covered by a plan, depending on your level of income, the contributions may be either wholly or partially deductible. Earnings

grow tax free, but are taxed on withdrawal at your then existing tax rate.

Roth IRAs are different than traditional IRAs in that contributions are not tax deductible, but all earnings, dividends and capital gains are never taxed. You may contribute to them as long as your income does not exceed \$110,000 (as a single tax payer) or \$160,000 (as a joint taxpayer) per year. The 2004 contribution limit for IRAs and Roth IRAs is \$3,000. You have until April 15 the following year to establish and contribute to your IRA for the preceding calendar year.

401(k) Plans are employer-sponsored plans that have similar attributes as traditional IRAs, but with a \$13,000 contribution limit (for 2004) regardless of income (It should be noted that if you are 50 or over you are entitled to contribute more than the standard limit to IRAs, Roth IRAs and 401(k) plans under a "catch up" provision.).

Contributions to a 401(k) plan are not tax deductible, but rather are contributed from your pre-tax income. The net effect is that you will be taxed on

your income after the 401(k) contribution has been taken out, thereby reducing your taxable income.

"Employer-sponsored, qualified plans are the most tax-advantaged savings vehicle. ... Put your savings here first," says Wiegand. Also, many employers offer a match. For instance, as an example, a firm may match every dollar contributed by the employee up to 4 percent of the employee's income. In this example, that is a 100 percent return on your contributions, up to 4 percent, without accounting for any growth through investment.

There are many other rules governing these types of accounts. Therefore, you should educate yourself through financial publications, financial firms or a financial professional before opening or investing in non-taxable and tax-deferred accounts.

Next comes the fun part, investing. Stay tuned to *At Issue* for the next installment in this series regarding investing!

## CALL ELLEN...

the PBA's Law Practice Management Coordinator, with your questions about equipment purchases, computer technology or human-resources issues.

Call PBA LPM Coordinator Ellen Freedman at the PBA LPM Hotline:  
Ext. 2228 at  
1-800-932-0311

*Eric B. Smith, Esq., practices with High, Swartz, Roberts & Seidel L.L.P. of Norristown in the areas of defense, commercial and real estate litigation. He can be contacted at [esmith@highswartz.com](mailto:esmith@highswartz.com). R. Christopher Wiegand, CFP, CFA is president of Independent Financial Consulting, Inc. and may be reached at [chris@myifc.com](mailto:chris@myifc.com).*

# HIPAA TIPS, THE SEQUEL: DISCLOSURES BY HEALTH CARE PROVIDERS TO LAW ENFORCEMENT OFFICIALS

By Mary Ann La Rock

With the implementation of the Privacy Rule of the Health Insurance Portability and Accountability Act (HIPAA), many health care providers are inquiring about when it is proper to release protected patient information to law enforcement officials. Below are some general guidelines concerning the disclosure of certain patient information.

## REQUIRED DISCLOSURES BY HEALTH CARE PROVIDERS

Under Pennsylvania law, a health care provider is required to report certain patient information to law enforcement officials without patient authorization. The following are required reportable cases:

- Any injury inflicted by a deadly weapon, or any wound or other injury inflicted by means of a person's own act or by the act of another that caused death or serious bodily injury.
- Suicides or attempted suicides with a deadly weapon.
- Suspected child abuse or neglect is to be reported to Childline (1-800-932-0313) and to the Office of Children and Youth in the county where the suspected abuse or neglect occurred. The police must be notified of all cases in which death is resulted from the injuries sustained, all cases of suspected sexual abuse, all cases where serious bodily injury resulted, any case where a school employee allegedly sexually molested a student or inflicted serious bodily injury on a student.
- The coroner must be informed of certain cases under his jurisdiction, including sudden deaths not caused by readily recognizable diseases; deaths occurring under suspicious circumstances, deaths resulting from violence or trauma; any death in which trauma, chemical injury, drug overdose or reaction to drugs or medication or medical treatment was a primary or secondary cause; operative or peri-operative deaths that are not readily explainable; deaths wherein the body is unidentified or unclaimed; deaths due to contagious disease constituting a public hazard; deaths occurring in a prison or penal institution; deaths of persons whose bodies are to be cremated or oth-

erwise disposed of so as to be unavailable for examination; sudden infant death syndrome; and still births.

- Requests of lab results or blood/alcohol/controlled substances if those tests are requested by police.

Also, employers of home health and skilled nursing facilities who have reasonable cause to suspect a patient is a victim of elder abuse are mandated to report the case to the Area on Aging (for purposes of HIPAA, an older adult is a person who is 60 years of age or older).

HIPAA does *not* preempt Pennsylvania law in all of these mandatory reporting cases, and health providers should continue to report such information.

In addition, it is appropriate that health care providers respond to a court order, warrant, a subpoena or summons issued by a judicial officer or a grand jury subpoena. However, it is advisable to

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In the event that law enforcement is requesting assistance from a health care provider for the purpose of identifying or locating a suspect, fugitive, material witness or missing person, a provider may release the following information under HIPAA regulations:

- The name and address of the patient;
- The date and place of birth;
- Social security number;
- ABO blood type and Rh factor;
- Type of injury;
- Date and time of treatment;
- Date and time of death, if applicable; and
- Description of distinguishing physical characteristics, such as weight, height, gender, race, hair and eye color, presence or absence of facial hair, scars and tattoos.

These particular disclosures may occur when law enforcement needs limited and particularized information

about a patient. For example, a witness to a shooting may know the time that an incident occurred and the type of injury sustained by the alleged perpetrator, such as a gunshot wound to the left arm. Law enforcement would then have a legitimate need to ask local emergency rooms whether anyone had presented with a bullet wound to the left arm near the time of the incident.

In such situations, the health care provider may release the above-listed information. However, in such situations, a provider is not permitted to release any protected health information related to the individual's DNA or DNA analysis, dental records or typing, samples or analyses of body fluids or tissue. The rule also notes that a request by a law enforcement official or agency is not limited to direct requests, but also includes requests made by individuals acting on behalf of a law enforcement agency, such as a media organization broadcasting a request for public assistance in locating a suspect, "wanted" posters, public announcements, and similar requests to the general public for assistance in locating suspects or fugitives.

If the disclosure is not required by law, a health care provider may provide law enforcement with requested information about an individual who is or is suspected to be a victim of a crime under certain circumstances. If the individual agrees to the disclosure, such disclosure is, of course, permitted. If, however, the patient is unable to agree to the disclosure due to incapacity, protected information may be disclosed if: (1) law enforcement represents that such information is needed to determine whether a violation of law by a person other than the victim has occurred, and such information is not intended to be used against the victim; and (2) the law enforcement official represents that immediate law enforcement activity would be materially and adversely affected by waiting until the individual is able to agree to the disclosure. Such consent requirements allow victims of crimes to control decision-making about their health information in instances where their personal safety could be at issue, such as instances of domestic violence,

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Mary Ann La Rock is in private practice in Palmerton with the law firm of Serfass & Cheng Law Offices, P.C.

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This comes as a complete surprise to the nabbed dealers who, in most cases, are out on bail within a few hours or a day due to the perpetually overcrowded county jails.

Those defendants will generally return to the same dealing location to get back in the game in order to pay for their newly-needed attorneys and make up for lost profits while they sat in jail. Naively, the bailed drug dealers feel confident that the police haven't even finished their arrest paperwork and probably won't be back to their locations for some time. However, in the case of a "Full Seal" ex parte forfeiture petition filed with a seize-and-seal order, county detectives can immediately seal the subject property by removing anyone inside and boarding up the windows and doors, forcing drug dealers to relocate or give up the business. If a drug dealer enters the sealed property, he or she will be arrested for criminal trespass.

*Scott P. Sigman, Esq. is an assistant district attorney with the Special Narcotics Prosecution Unit. He also is PBA/YLD Zone 1 Co-chair.*

In the case of a dealer operating from a rental property or an apartment, the district attorney uses a modified version of the forfeiture process: Once the police make the arrest, the district attorney files an ex parte forfeiture petition against the lease (Full Seal-Lease) so long as there was contact with the owner or landlord. Similar to the Full Seal proceeding, in the Full Seal-Lease situation, county detectives can immediately seal the subject's leased property and remove anyone inside; the landlord or the landlord's representative changes the locks. If the landlord attempted to evict the drug dealer through regular landlord/tenant proceedings, it could take up to 90 days instead of 24 hours, as in a forfeiture case. In cases where the owner or the landlord cannot be contacted, the district attorney files for forfeiture of the entire property.

In both the Full Seal and Full Seal-Lease scenarios, the owner and/or tenants are notified of the seizure by regular and certified mail, personal service by county detectives and by advertisement in the local newspaper. In cases where the property was sealed, signs are posted

warning of the seizure and utilities are terminated, providing more direct notification to a property owner/tenant. Furthermore, a court listing is provided within 10 days from the date of filing of the ex parte forfeiture petition.

The goal of these proceedings, of course, is the long-term cessation of the drug dealer's operation in that neighborhood; the overall result is a win for the community. In every case, the forfeiture proceeding immediately halts the drug dealer's operation from real property while the criminal prosecution is pending. Moreover, in some cases, forfeited properties are donated back to the community for use as community centers; in other cases, properties are sold at auction to legitimate buyers (who may not straw purchase for drug dealers or have drug convictions themselves). The proceeds from the sale are then used to increase the coffers for the continuing war on drugs.

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# NON-TRADITIONAL LAWYERS: TRYING TO FIT IN THE WORLD OF LAW

By Barbara Smith

The Botox merely made my lips numb; the seaweed wrap caused me to molt. Hair dye, meditation, exercise, diet — such effort, and yet the fountain of youth still evaded me. If only I had known years earlier that the secret to becoming young again was to pass the bar exam!

Miraculously overnight in the spring of aught-two, I was born-again as a young lawyer. Yes, all of you out there with fading eyesight and receding hairlines have not been receiving this newsletter in error. If you have been in practice less than five years, you are young in the eyes of the PBA.

For those of you, like me, who enjoy a bargain, the early year discounts as a young lawyer are a nice perk. But, despite the gentility and hospitality of all involved in the YLD towards novices of any gender, race, religion or bifocal strength, fitting into the bar association can be a bit strained for the second-career lawyer.

Yes, the PBA offers sections and committees for all interests and expertise in the law, and the YLD is designed to ease new lawyers into their chosen field. What, then, is the problem? Simply put, “non-traditional lawyers” (NTLs) have little in common with the under-35 young lawyer, and lack the legal confidence and contacts to be become active in the PBA’s committees and sections in a meaningful way.

So what specific issues do NTLs face?

- Regardless of the welcoming invitations from the YLD, it is difficult joining in when the local social activities usually involve happy hours. To anyone encumbered with family responsibilities, they will concur that there is nothing “happy” about the hours from 5 to 7 p.m. If you are lucky enough not to be catching up with the billables at work, you will find us taxiing to dance class or soccer meets, mass-producing cookies for a bake sale, proofreading the final draft essay on Isaac Newton, negotiating a truce for control of the X-box or serving as a white-knuckled co-pilot for the all-too-enthusiastic teenage driver. For others, added to the mix is a hospital or home visit for an ailing parent. Time for

socializing with colleagues? Sure, if you can catch me on Saturday morning while “SpongeBob Squarepants” is on!

- Think getting a job is easier? We thought it would be, but for many the smooth transition to a career in law has been elusive. Many second-career lawyers must take a drastic pay cut in order to be hired as an associate. Unless you have an alternate career that is currently in demand by firms or are one of the fortunate few put through law school by your company, it is difficult to compete against younger students who have had the time to participate in the almost obligatory law reviews and moot courts. And, although some firms claim to prefer the more mature applicants, it is almost unheard of to find a spot in a large firm unless a connection is established during a summer clerkship — a clerkship that is impossible for those who do not have the option to take the summer off from their day job during law school. As a result, many NTLs find themselves in smaller, suburban firms and solo practices. The dream of a comfortable career to pay off huge law school loans and the kids’ college tuitions may remain out of reach.

- It is hard being an amateur, isn’t it? Psychologically, it is doubly so for those who may have risen to the higher ranks in their former profession, and now must admit to themselves and others on a daily basis that they have no idea what they are doing! Compounding the issue is the client’s perception: They see maturity and assume competence. It becomes an interesting charade of emitting the expected aura of confidence while you are inwardly chanting the mantra: “I will not pass out, I will not pass out.” A correlation between the rise in the sale of antacids and my brief stints in the courtroom should be corroborated shortly.

In my opinion, the PBA tends to undervalue the resources of NTLs. Anyone who survives a full-time job and law school simultaneously must be a master of time management. Not surprisingly, my classmates often would describe other activities in which they were involved during this hectic time in their lives. I now see some of these same



*Editor’s note:* The PBA and the YLD remain committed to addressing the ever-changing needs of our membership. The YLD always has been, and remains, a group in which members can interact with others who value the profession and who are interested in discussing important initiatives and issues facing Pennsylvania lawyers. We find that each and every new attorney, regardless of age or background, faces uncertainty of their skills in the courtroom or with clients at some point. This is why meeting more experienced lawyers and judges through bar activities is an ideal opportunity for new lawyers to collect prudent advice, constructive criticism and practice tips they may not find elsewhere. We recognize that our members come from diverse backgrounds and life situations. Some of our members are single, some have families, some practice in large firms, while others are government lawyers or practice in corporations and in countless other situations. The YLD strives to provide a solid balance between professional programming and social activities for all members throughout the year. In addition, the PBA currently is exploring the creation of a second career attorney committee.

If you have ideas on how the PBA can better accommodate YLD attorneys of all ages, please contact YLD Coordinator Jayanne Hayward at 1-800-932-0311, Ext. 2223, or by e-mail [Jayanne.Hayward@pabar.org](mailto:Jayanne.Hayward@pabar.org). (*The YLD Summer Meeting, July 30-Aug. 1, would be a great opportunity for members looking to become more involved to see what the PBA YLD can provide! In fact, many attendees bring their families to the summer meeting, combining family vacation with professional networking.*)

people at various PBA activities with all their years of management, business experience and diplomatic and organizational talents, anxious to utilize their invaluable skills for the association. Yet they are passed over for those whom I believe have put in a greater number of years in the profession. One committee chair recently commented that the credibility of the entire group could be

*Barbara Smith is a second-career attorney practicing in a small firm in Montgomery County. She specializes in elder law.*

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# NON-TRADITIONAL LAWYERS

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endangered if a first-year associate was recommended for a leadership position. Overall, such an approach might be fair, but is not necessarily wise for two reasons: 1) any willing and enthusiastic newcomer, whether young or mature, can infuse a governing body with new perspective and direction; and 2) requiring a mandatory “dues-paying” period before consideration for these positions might eliminate candidates with precisely those talents, skills and experience most relevant to the important issues that the group will be considering (and frankly, some of us might be retired before our “dues” are considered to be paid!).

I attempted to find out just how many NTLs are entering the law these days but I found that the law schools could not easily give me the numbers I sought: Second-career lawyers are sitting in day school classes while some first-timers are attending at night. My evening division class at Widener University School of Law’s Delaware campus hovered around 100 students in 2002. Yet when I switched to the day division for my last semester, I spotted some additional “mature” students. Whether the raw numbers of second career attorneys entering the ranks are statistically significant is an open question. The

resources within this group, however, should not be discounted.

What, then, can NTLs do?

First, write to the PBA president, the YLD chair or me (if you prefer an outsider to be the rabble-rouser: my e-mail is: bsmith@montcolawyer.com) with your suggestions on what you need from the PBA and what you can give. Are you interested in a chance to meet with other NTLs at a bar function? Do you have specific experience you feel might benefit a committee/section? How do you think NTLs might best contribute to the PBA?

Next, and most important, get out there and let everyone know that you are a second-career lawyer. Tell them who you are and what you can do. Our time in this career is shorter than others will have, so do not waste time being modest.

The PBA continues to grow and has acknowledged the changing faces of its membership throughout the years. Now it is time to grasp the unfathomable notion that for some, the law did not come first and, in the finest legal tradition, take advantage of that fact. We are here, we have talents and we are willing!

## HAVE YOU TRIED PBA INCITE YET?

Getting started with PBA InCite™ is easy — all you need is your PBA membership number and you can start your research almost immediately! Simply click on the InCite logo in the upper left corner of the PBA Web site ([www.pabar.org](http://www.pabar.org)) to begin.

Once you are on the “Welcome to InCite” page, click the “Register Now” bullet to re-register and get your new password (all members must re-register due to security upgrades on the Web site). A pop-up box will appear, where you will enter your PBA membership number and create/confirm your password. Your membership number will serve as your “username” when you sign in to InCite; your password can be any word you choose from three to 10 letters.

After you confirm your password, click on “Step 2” and fill out your “Profile Information” in the next pop-up box. This includes your name, address, e-mail address, phone number and practice area(s). When you have completed your profile, click “Submit.”

A confirmation box will appear to show that your information has been submitted successfully. The box will contain a link that allows you to return to the sign-in screen. Enter your username (PBA membership number) and new password, and you will see the “Terms and Conditions” page. Read it over, click “Accept” at the bottom of the page and you’re ready to research!

Note: Your browser must be set to receive Java Script and cookies in order to use InCite. This is not a concern for the majority of users because these are default settings for your browsers. The “techies” who may have disabled these options will have to restore these browser settings. Learn how to check these settings at [www.pabar.org/incitecookies.shtml](http://www.pabar.org/incitecookies.shtml).



YLD SUMMER MEETING  
YLD JULY 30 - AUGUST 1  
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YLD SUMMER MEETING

# COURTHOUSE CAFÉ

By Jenny Y.C. Cheng

## Lehigh County Courthouse, Allentown

If you ever find yourself near the courthouse in Lehigh County around the noon hour, don't get too excited. Allentown may have been forever memorialized in the Billy Joel song of the same name, but downtown Allentown is not that memorable, especially since the famous Hess's department store is no longer around. Nonetheless, some of the nearby restaurants may make it worth your while, depending on your tastes.

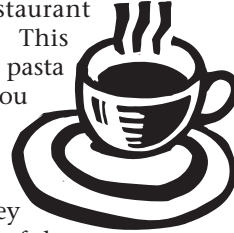
Beginning with what is closest in proximity to the courthouse located at the corner of Fifth and Hamilton Streets, there is the Subway sandwich shop catty-corner from the courthouse. There is not much to say about Subway; if you've been to one Subway shop, you've been to them all.

On the same side of Hamilton Street (the main drag for the downtown), between Fifth and Sixth Streets, is a great restaurant and bar called the Federal Grille. A good lunch and dinner spot if you want a nicer and a slightly more formal setting. They also allow cigar smoking! (A real plus if you're an ole fogie who likes a good stogie every now and then.) They have burgers, chicken and

salads. Supposedly, they have great steaks as well. It's a nice choice for lunch if you plan on napping the afternoon away.

Strolling right along up to 602 Hamilton Street, is a cute little bistro-like restaurant called Pastaficio. This restaurant features pasta made to order — you pick your pasta and your sauce. (I'm partial to the vodka sauce myself.) They also make wonderful salads. They are fairly quick and reasonably priced. It often gets very busy at lunchtime, so seating is at a premium. You may want to get it to go and find a nice bench to sit and enjoy your lunch while watching traffic go by on Hamilton.

Now, if you don't mind venturing a little further from the courthouse, then cross Hamilton Street and walk past the beautiful monument at the intersection of Seventh and Hamilton Streets. You will find a great pizza shop called Mancino's Pizza Restaurant. The food is good and a personal favorite of mine is the original sub. It's a cold sub with provolone cheese, salami, prosciutto and



ham. The bread is the real kicker — the rolls are made fresh every day in the shop. It is definitely worth the stop.

Finally, if you are counting calories, then the place next door to Mancino's is the place for you. It's called Green and Things. It is a hot and cold food bar. You serve yourself and pay by the pound. The cold things are a nice variety of pasta, egg, tuna, and chicken salads, every kind of salad topping you could possibly want, a nice selection of fresh fruit and occasionally some sushi (nothing too elaborate). The "Things" consist of fried chicken, baked chicken, meatloaf, roasted potatoes, stir fry and rice. The fare will change a little, but the basics remain constant. I won't take you any further, because the next restaurant is another two blocks away, which would not be conducive to effectively utilizing your lunch hour unless you wanted to spend the time speed walking.

*Directions:* From U.S. Route 22, from the Lehigh Valley Exit of the Pennsylvania Turnpike, take U.S. Route 22 East and exit onto Seventh Street/Route 145 South. Travel to the Soldiers and Sailors Monument at the intersection of Seventh and Hamilton Streets and bear left at the monument onto Hamilton up to Fifth Street. Parking spaces on the street are at a premium, so come early armed with lots of quarters.

*Jenny Y.C. Cheng is a co-owner and partner of the law firm, Serfass, Serfass & Roth, P.C. in Palmerton. She is also a YLD Zone 2 co-chair and a co-chair of the Carbon County Young Lawyers Committee.*

## HIPAA TIPS

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while also allowing the health care provider to exercise professional judgment in releasing information in the event that the patient is incapacitated.

Lastly, a health care provider may, consistent with applicable law and standards of ethical conduct, use or disclose protected health information if: (1) the provider, in good faith, believes the use or disclosure is necessary to prevent or lessen a serious and imminent threat to a person or the public; and (2) the disclosure is made to a person reasonably able to prevent or lessen the threat (including the target of the threat).

In sum, HIPAA both recognizes that certain situations require mandatory reporting of protected patient information to law enforcement agencies or other specifically designated organizations while also permitting the discretionary release of information under particularized circumstances. If a situation is not a mandatory reporting case, it is wise to consult counsel prior to disclosing protected health information, time and circumstances permitting, of course.

## Upcoming Events

July 30 - Aug. 1 — YLD  
Summer Meeting, Nittany Lion  
Inn, State College

Jan. 26-29, 2005 — PBA  
Midyear Meeting, The Atlantis,  
Paradise Island, The Bahamas