

POLITICS AS PUBLIC SERVICE

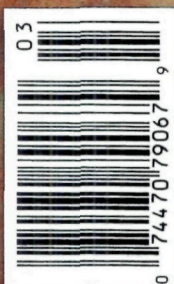
DELAWARE LAWYER

A PUBLICATION OF
DELAWARE BAR
FOUNDATION

Volume 15 Number 1

\$3.00 Spring 1997

Citizen Lawyers



Nonprofit Organization
U.S. Postage
PAID
Wilmington, Delaware
PERMIT NO. 697

Explore
new dimensions
in time.



A.R. MORRIS
Jewelers

*From the Sport Classic Collection
in steel and 18K gold
with and without diamonds.*

GEMOLOGISTS • DIAMOND IMPORTERS
Delaware's Largest Selection of Fine Jewelry and Timepieces
802 Market Street • Wilmington, Delaware 19801 • (302) 658-4013

✕
EBEL

the architects of time

HORTY & HORTY, P.A.

Certified Public Accountants

BUSINESS VALUATION SERVICES

Horty & Horty, P.A. provides business valuation services to the legal profession as well as business owners, investors, financial and estate planners, financial institutions, colleges and universities. Experts directing these services are Certified Valuation Analysts, members of the National Association of Certified Valuation Analysts, a group of Certified Public Accountants who have also fulfilled the rigorous education and experience requirements to qualify them to become Certified Valuation Analysts.

Horty & Horty is a Network member of McGladrey & Pullen, LLP which, together with the other affiliated Network firms, is the seventh largest accounting and consulting practice in the United States. This affiliation provides additional, in depth expertise in the valuation of various types of business as well as support where needed to complete complex valuation assignments in more than one locality.

For further information or consultation with one of our business valuation analysts,
please call

Tom Gilligan, Greg Crump or Jim Horty at (302) 652-4194



COMMONWEALTH TRUST COMPANY

"...an independent Trust Company."

We are an independent non-bank trust company providing trust services which include:

- Delaware business trusts
- Revocable and irrevocable trusts
- Life insurance trusts
- Charitable remainder trusts

Since 1931 we have specialized in serving as trustee for closely-held, family owned business assets as well as those of individual shareholders including securities, real estate, oil, gas and other assets common to closely-held businesses.

In addition, we offer comprehensive planning services for executives and owners of closely-held businesses.

TO LEARN MORE CALL PETER HORTY OR JEFF GETTY AT
302-658-7214

INVESTIGATIONS THAT WORK.

*You can benefit by using S & H
Investigative Services. Here's How:*

INVESTIGATIVE SPECIALISTS

When you hire S & H you are hiring career investigators, not security guards. We're educated, well prepared, and will make a good impression on your client, or on a jury.

YOU WON'T BE EMBARRASSED

Recognizing that you have a client to answer to, we promise to complete your assignment promptly, and at the price quoted.

WE'RE HERE WHEN YOU NEED US

24 hours a day, 7 days a week.
Whether its locating witnesses,

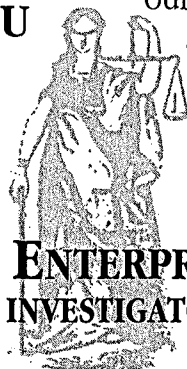
assets, heirs, photographing accident scenes or scars, performing rush surveillances — your emergency is something we can handle. And, we've been in business 23 years (as opposed to an industry average of less than five). We'll still be here when your case comes to trial.

MORE FOR YOUR MONEY

Your reports will be well documented, and we'll send as many as you like, as often as you like, at no additional charge.

YOU'LL RECEIVE A GUARANTEE

If you're not completely satisfied with our efforts on your behalf you pay only our out of pocket expenses. We're that sure of our ability to please you and our mutual clients.



S & H ENTERPRISES, INC.
INVESTIGATORS

302-999-9911
1-800-446-9911

Wilmington - 112 Water Street, P.O. Box 12245, Wilmington, DE 19850

Eastern PA - P.O. Box 146, Oaks, PA 19456

Eastern Shore of MD - P.O. Box 601, Cambridge, MD 21876

C CONTENTS

FEATURES

14

UNITED WAY OF DELAWARE:
A NEW GENERATION OF CARING

Nancy B. Nelson

15

LAWYERS AS CONTRIBUTORS
AND LEADERS

Donald J. Wolfe, Jr.

Laura Davis Jones

19

NATIONAL MULTIPLE
SCLEROSIS SOCIETY

Michele Sands

20

FIGHTING A DEBILITATING DISEASE

Barbara Ann Uberti

Michael A. Friedberg

24

THE AMERICAN RED CROSS
IN DELAWARE

Susan Durnan Walton

25

REFLECTIONS ON
PROVIDING AID

Loretta G. LeBar

Thomas L. Sager

28

CHILDREN AND FAMILIES FIRST

Leslie Newman

29

A GROWING ORGANIZATION
HELPS OUR BASIC SOCIAL UNIT

Mary Miller Johnston

John F. Schmutz

34

JEWISH FEDERATION OF DELAWARE

Leslie Newman

35

SERVING ONE'S FAITH IN
THE COMMUNITY

John A. Elzufon

Jonathan Neipris

38

ACLU: DEFENDING THE
BILL OF RIGHTS

Lawrence A. Hamermesh

Joan Rosenthal

Judith Mellen

39

SPEAKING OUT
FOR FREEDOM

Gary W. Aber



10

Giving Back To
The Community

EDITOR'S NOTES

8

Vernon R. Proctor

CONTRIBUTORS' PAGE

6

LIFESTYLES

10

GIVING BACK TO
THE COMMUNITY

Colleen E. Hicks

OPINION

47

MY FIRST RUN

Richard Abbott

48

RUNNING FOR STATE LEGISLATOR

Matt Denn

Cover illustration by Alan Carr

Top Photograph by Pat Crowe, II

*"Let me just poke my
head into our president's
office and ask."*



*"I'll take care of the
paperwork while you two
grab lunch."*

*"Congratulations
Mr. Apsley, we heard it
was a baby girl."*



That's hometown banking

For Wilmington's best in helpful, attentive service, rewarding accounts and terrific rates on mortgages and savings, stop by Ninth Ward. It's nice to bank where people know your name.

FDIC
INSURED

**9th NINTH WARD
SAVINGS BANK**



400 Delaware Avenue • 421-9090

DELAWARE LAWYER

A publication of Delaware Bar Foundation
Volume 15, Number 1
1225 King Street
Wilmington, Delaware 19801

BOARD OF EDITORS

Vernon R. Proctor, Chairman
Richard A. Levine, Managing Editor
Thomas L. Ambro
David A. Drexler
Lawrence S. Drexler
April Caso Ishak
Hon. Jack B. Jacobs
David C. McBride
Susan F. Paikin
Karen L. Pascale
Elaine C. Reilly
Helen M. Richards
Jeffrey M. Schlerf

DELAWARE BAR FOUNDATION

BOARD OF DIRECTORS

Bruce M. Stargatt, Chairman
Arthur G. Connolly, Jr.
Hon. Randy J. Holland
Michael J. Rich
Nicholas H. Rodriguez
Harvey Bernard Rubenstein
Mary E. Sherlock
Donald J. Wolfe, Jr.

DELAWARE LAWYER

Attention: Chairman, Board of Editors
c/o Suburban Marketing Associates, Inc.
Three Christina Centre
201 N. Walnut Street, Suite 1204
Wilmington, Delaware 19801

Address changes, subscription orders,
requests for information about advertising
should be directed to:

SUBURBAN MARKETING ASSOCIATES, INC.

at the preceding address
Telephone inquiries to (302) 656-8440
Editorial inquiries should be directed to:
Margaret Gilmour, Associate Editor
(302) 656-8440

Delaware Lawyer is published by Delaware Bar Foundation as part of its commitment to publish and distribute addresses, reports, treatises, and other literary works on legal subjects of general interest to Delaware judges, lawyers, and the community at large. As it is one of the objectives of *Delaware Lawyer* to be a forum for the free expression and interchange of ideas, the opinions and positions stated in signed material are those of the authors and not by the fact of publication, necessarily those of Delaware Bar Foundation or *Delaware Lawyer*. All manuscripts are carefully considered by the Board of Editors. Material accepted for publication becomes the property of Delaware Bar Foundation. Contributing authors are requested and expected to disclose any financial, economic, or professional interests or affiliations that may have influenced positions taken or advocated in the articles. That they have done so is an implied representation by each author.

Copyright 1997
Delaware Bar Foundation
All rights reserved, ISSN 0735-6595

Widener University *School Of Law* Graduate Legal Studies

Masters In Law LL.M. in Health Law LL.M in Corporate Law and Finance

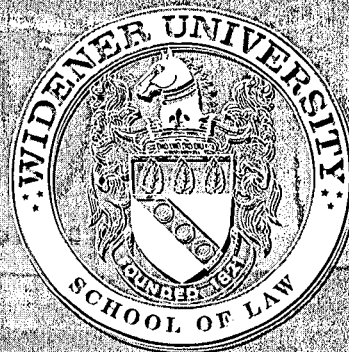
Courses in graduate legal studies are offered in the fall, spring and summer semesters on Widener School of Law's Wilmington, Delaware campus.

- Superb faculty including judges, practitioners and governmental officials
- Full or part-time study
- Opportunity for study abroad in Sydney, Nairobi and Paris.

Call: 302-477-2704 for more information on studies in Corporate Law

Call: 302-477-2138 for more information on studies in Health Law

Widener University School of Law
4601 Concord Pike • Wilmington, DE 19803-0474





Nancy B. Nelson is the Communications Specialist for United Way of Delaware. Prior to joining the organization, Ms. Nelson was the Communications Director for the Chesapeake Bay Girl Scout Council. She has worked in the marketing and communications field for over 12 years. In addition to her position with United Way, Ms. Nelson serves on the boards of Bayard House and The Women's Leadership Center. She also volunteers her time with The Delaware Art Museum and The Ministry of Caring.



Susan Durnan Walton is the former Manager of Communications for the American Red Cross in Delaware. A native of Wilmington, she is a graduate of the University of Delaware and has also worked as a Public Information Officer for the Delaware Department of Transportation. She and her husband Harry reside in Wilmington and are awaiting the birth of their first child this spring.

Lawrence A. Hamermesh is President of ACLU Delaware and has been a member of the Board of Directors since 1985. Mr. Hamermesh is an Associate Professor of Law at Widener University School of Law, where he teaches business organizations, securities regulation and corporate finance. From 1976 to 1994, he practiced law with Morris, Nichols, Arsht & Tunnell, first as an associate and later as a partner.

Joan Rosenthal has been an ACLU Board member from the inception of the state chapter in 1961 until 1978, when she became Administrative Director. Joan then became Executive Director and served in that capacity until 1986. She served for several years as the Delaware representative to the ACLU National Board. Currently, she chairs the affiliate's Legal Review Panel.

Judith Mellen has been the Executive Director of ACLU Delaware since 1986. An activist and advocate, she currently is a member and secretary of the Coalition for Choice and a member of the Board of the Delaware Center for Justice. She was recently appointed to the Wilmington Civil Rights Commission by Mayor James Sills.

Michele Sands began working for the Delaware Chapter of the National Multiple Sclerosis Society in September 1989, shortly after moving to Delaware from Massachusetts. She was hired to coordinate the Chapter's READaTHON®, a reading motivational and fundraising program that is conducted in schools and through the state's public libraries. Michele added the responsibilities of Public Relations Coordinator about six years ago. She is a member of Delaware Press Women.

Thomas L. Sager serves as Associate General Counsel within the DuPont Company's Legal Function. His current responsibilities include oversight of major personal injury litigation as well as litigation support for the entire Function. He received

his J.D. from Wake Forest University School of Law in 1976. Mr. Sager currently serves as Chairman of the Delaware Chapter of the American Red Cross.

Colleen E. Hicks is a native of Dover, Delaware. She received her Bachelor of Science Degree, *magna cum laude*, from Florida A & M University and her J.D. from the University of Wisconsin Law School, where she was on the Moot Court Board. Prior to attending law school, she was an Assistant Corporate Trust Officer at Barnett Banks Trust Company in Jacksonville, Florida. She is a 1995 graduate of United Way's Leadership Delaware Program.

John F. Schmutz was President of the Delaware State Bar Association in 1992-93 and recently retired as Senior Vice President and General Counsel of E.I. du Pont de Nemours & Company, Inc.

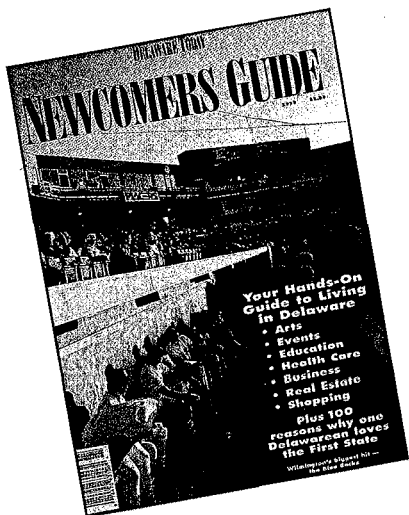
Laura Davis Jones is a partner in the Wilmington law firm of Young, Conaway, Stargatt & Taylor, where she concentrates her practice in the areas of corporate reorganizations and workouts. She has a very active practice representing debtors and creditors' committees in national Chapter 11 bankruptcy cases. She participates as a board member and in other capacities with a variety of charitable organizations in Delaware and the surrounding region.

John A. Elzufon is Managing Director and Senior Litigator of Elzufon & Austin, P.A. He is a 1974 graduate of Georgetown University Law Center and a member of the Delaware (1974) and Pennsylvania (1989) bars. He and his wife, Lena, and their two daughters, Rachel and Aviva, live in Woodbrook.

Jonathan Neipris, a graduate of the University of Pennsylvania and the George Washington University Law School, is Senior Counsel at Blue Cross Blue Shield of Delaware. His community activities include the Executive Committee of Albert Einstein Academy, where he was President for three years; Director of the Delaware Public Health Association and of the Jewish Federation of Delaware; and member of the Ethics Committee and the Institutional Review Board at the duPont Hospital for Children.

Michael A. Friedberg is a director of the firm of Cooch and Taylor. He is a graduate of the University of Virginia (B.A., J.D.) and Georgetown University Law Center (LL.M., Taxation). He is a former chairman of both the Tax and the Estates and Trusts Committees of the Delaware State Bar Association. Mr. Friedberg is currently the Chair of the Delaware Chapter of the National Multiple Sclerosis Society.

P. Clarkson Collins, a partner at Morris, James, Hitchens & Williams, has served as past president of Children's Bureau; was the first president of Family and Children Services (1992); and is Chair, Personnel Committee, of Children and Families First.

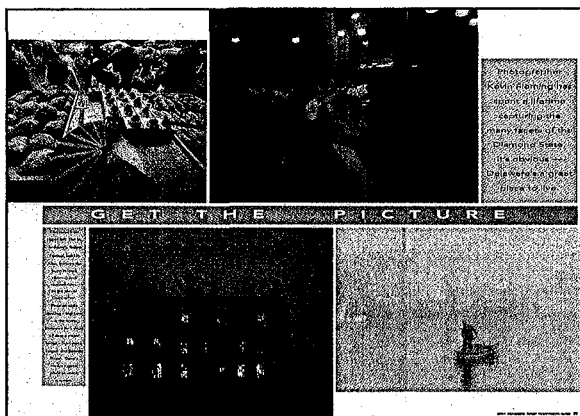


**How do you let
newcomers to Delaware
know about your
products & services?**

THE ALL-NEW 1997 DELAWARE TODAY NEWCOMERS GUIDE

Delaware Today's award-winning editorial staff will highlight cities, towns and neighborhoods in New Castle, Kent and Sussex Counties.

The 1997 Newcomers Guide will be distributed to people moving into and within the state of Delaware by realtors, banks, utilities, major corporations and chambers of commerce.



**DON'T MISS OUT ON THIS
SPECIAL ADVERTISING
OPPORTUNITY TO BE A
PART OF A GUIDE THAT
WILL BE A VALUABLE
ASSET TO NEWCOMERS
AS WELL AS LONG-TIME
RESIDENTS OF THE
STATE OF DELAWARE.**

CALL FOR DETAILS – RESERVE SPACE NOW!

Deadline: March 31, 1997

(302) 656-8440 or 1-800-944-0100

SPLINTERS FROM THE CHAIR

by Vernon R. Proctor

Occasionally, it is good to take a break from *Delaware Lawyer's* usual focus on substantive or professional themes and to look at what lawyers do outside the confines of the courtroom or the closing table. You know, for example, that we have added a "Lawyer Lifestyle" feature and have made that the theme of one issue. This issue is not so much a "lifestyle" collection as it is an effort to show other members of our Bar and our readership that most lawyers' lives have significant public aspects.

The title of this issue, "Citizen Lawyers," neatly summarizes and focuses the point we are trying to make. The word "citizen" is the root of "citizenship," a word that connotes active participation in society. Indeed, the *Webster's* dictionary definition of "citizenship" stresses "the quality of an individual's response to membership in a community." The key word there is "response," signifying activity as opposed to passivity. In addition to the rights and privileges that a person enjoys by virtue of membership in a discrete group, there are correlative responsibilities. In working on this issue, I have learned much about the breadth and the depth of Delaware attorneys' commitments to the communities in which they live.

We concentrated on civic, charitable and religious organizations in developing our theme for this issue. Although Matt Denn and Rich Abbott have contributed wry and thoughtful pieces about their recent experiences in politics – an important aspect of citizenship – we decided to spotlight those "unsung heroes or heroines" among us who have dedicated a substantial portion of their time to assisting those less fortunate than themselves or, more broadly, those less able to participate in their communities.

The Board of Editors selected several organizations – including the American Red Cross, the Jewish Federation of

Delaware, the Multiple Sclerosis Society, the American Civil Liberties Union and Children and Families First – and obtained from each an article by an executive director or comparably titled person describing the mission of the organization. With respect to each such organization, we then selected one or, in most cases, two attorneys who were particularly active in them to describe the "whys and wherefores" of their personal involvement. The very subjectivity of these pieces made them difficult to write: most of us have trouble writing about intensely personal aspects of our lives, and most real "doers" are not self-promoters. We asked our authors basic questions: why did you become involved, what do you do, and how have you made a difference?

Our hope is that, after reading these representative personal accounts, those members of the Bar who are not now actively involved in a community activity may wish to join one of these or, perhaps, one of our myriad other non-profit organizations to make their own effective and valuable "responses to the community." In reading these submissions, I was impressed with the obviously great extent to which Delaware lawyers have already become involved. If this issue inspires at least one more Delaware attorney to give of his or her own time and talents for the public good, then its purpose will have been served.

I would like to express my particular thanks to our associate editor, Margaret Gilmour, who almost single-handedly made this issue happen through her dogged persistence and her usual creativity. I would also like to thank each of our contributors for taking the time at a busy holiday season to prepare these thoughtful articles. ♦

Vernon R. Proctor

Contributors Cont.

Mary Miller Johnston is currently Deputy Disciplinary Counsel, and was formerly a partner at Morris, James, Hitchens & Williams. She became president of Children and Families First in January 1997 and has served as Chair of the Strategic Planning Committee.

Gary W. Aber practices with the firm of Heiman, Aber & Goldlust, where he specializes in civil litigation. He is a 1972 graduate, with honors, of the National Law Center of George Washington University. In addition to general civil litigation, including insurance defense and personal injury, he has also developed a practice involving employee litigation and civil rights.

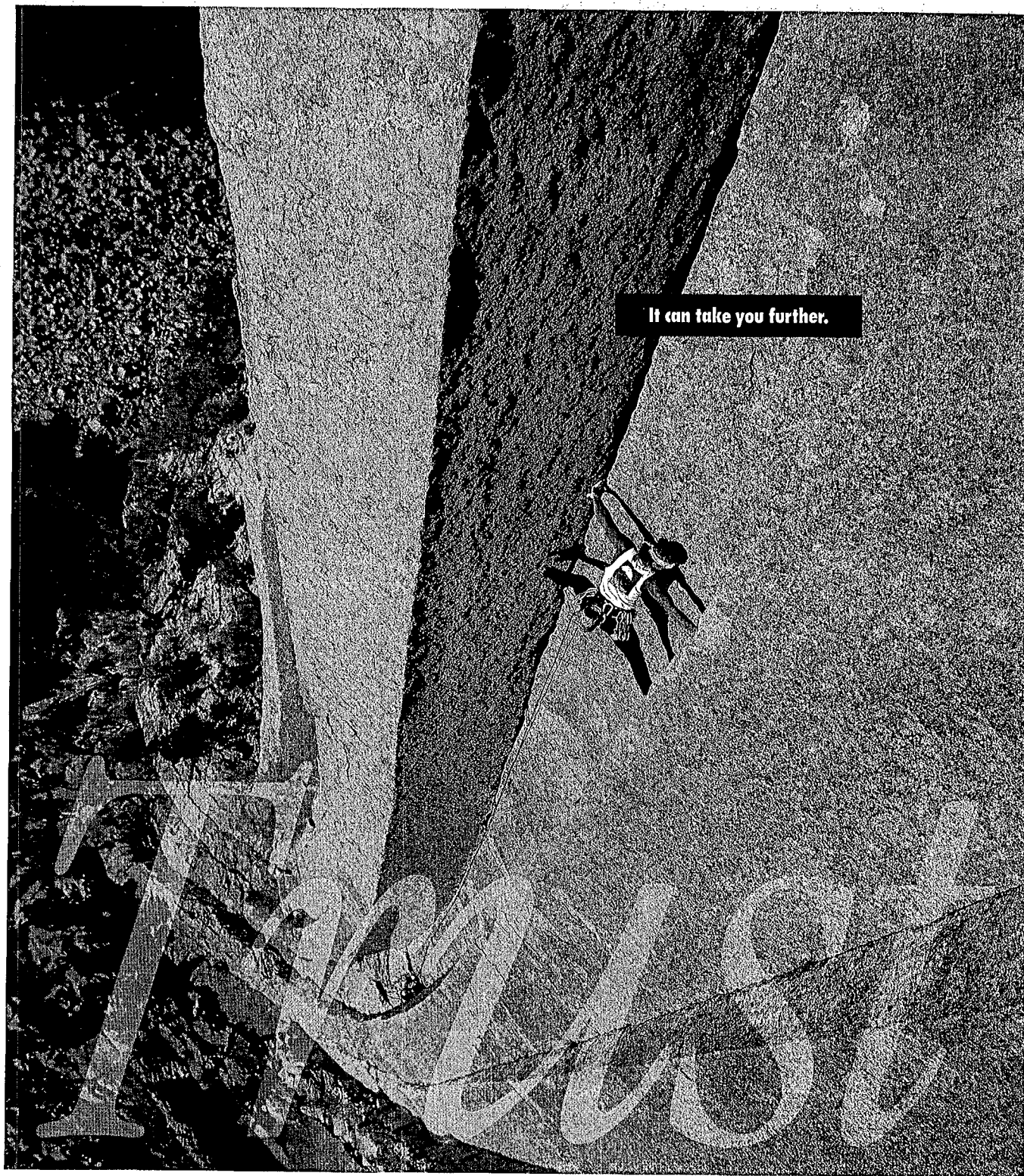
Donald J. Wolfe, Jr. is a partner in the law firm of Potter Anderson & Corroon, where he has practiced primarily in the area of corporate litigation for the past twenty years. He is a recipient of the Delaware State Bar Association's New Lawyer's Distinguished Service Award, and he presently serves as a member of the Delaware Board of Bar Examiners, a Trustee of the

Delaware Bar Foundation and as Chairman of the Delaware Supreme Court IOLTA Advisory Committee.

Barbara Ann Uberti is an ERISA attorney and is Vice President and Division Manager of the Wilmington Trust Company. She has been with Wilmington Trust for ten years and is responsible for its institutional employee benefit business. She also serves on the Board of the Delaware Chapter of the National Multiple Sclerosis Society. Barbara teaches Business Law and Social Policy at the University of Delaware. She earned her B.S. from Villanova University and her J.D. from the Villanova University School of Law.

CORRECTION:

We apologize for the omission of co-author Bernard Conaway and key consultant, Pat O'Brien, Superior Court bailiff, from the Winter 1996 *Law and Technology* issue. These individuals should be credited for assisting Judge Susan C. DelPescio with the article "Fact Finding Down the Digital Highway."



It can take you further.

Westlaw is the source you can trust for the most comprehensive public records.

You've got absolute trust in yourself. Put that same trust in WESTLAW® to deliver public records that can hold the key to success.

For starters, WESTLAW gives you broader coverage than any other source. That helps you reliably check out potential jurors' backgrounds, locate hard-to-find witnesses, qualify prospective

clients or business associates, and more.

And only WESTLAW gives you important links between *related* information with exclusive investigative tools such as People Finder®, Sleuth® and Asset Locator®.

So you can uncover important relationships among people, businesses and their assets that you

may otherwise miss searching any other source.

With sweeping public records at your fingertips, you can trust in WESTLAW to take you further.

Learn more about how to find the public records you need on WESTLAW. Call 1-800-328-9963.



 KeySearching. Research you can trust.

GIVING BACK TO THE COMMUNITY

Colleen E. Hicks

Colleen E. Hicks has been an attorney at Potter Anderson & Corroon since 1994. Her practice areas include public finance and general litigation. While at Potter, she has devoted a considerable amount of time to assisting several non-profit organizations in New Castle County. Colleen believes that giving back to the community is part of being a good citizen. "Assisting non-profit organizations is especially important to me because I am a native of Delaware and

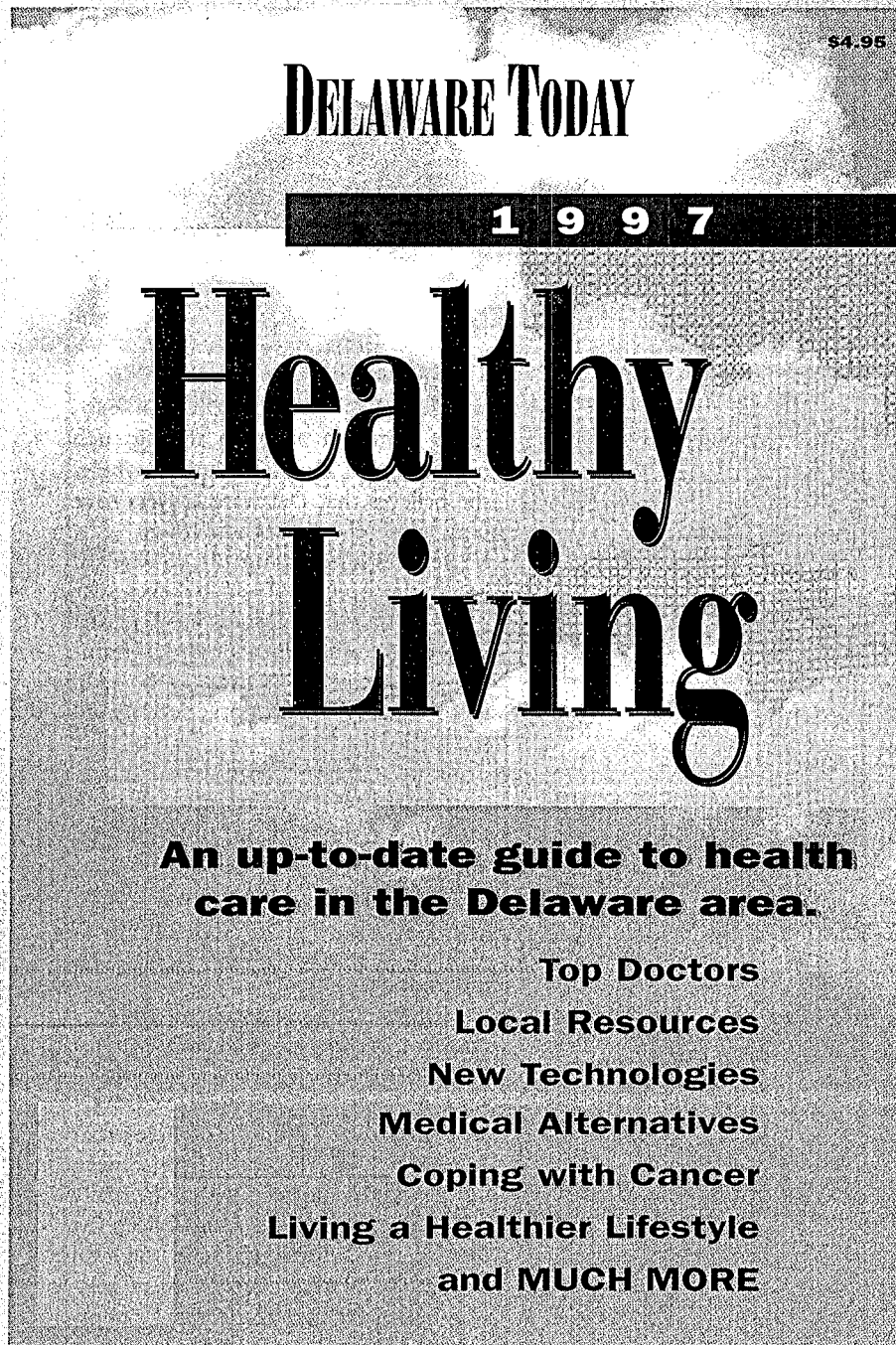
have a personal interest in seeing improvements in the community. I have seen firsthand how community-based programs can positively affect the lives of people."

One of the organizations that Colleen works with is the YWCA of New Castle County. In addition to being a member of the YWCA's Board of Directors, she also serves on the organization's finance committee. "I participated in several legal matters on behalf of the YWCA prior to becoming a Board Member. I wrote legal memoranda and drafted documents for the YWCA shortly after joining the firm. Those assignments benefited the YWCA and at the same time provided an important learning experience for me." Since becoming a member of the Board in June 1996, Colleen has learned how the YWCA serves a special role in the lives of many women and children in the State. "The YWCA is a very vital organization, and I feel that my efforts have a very tangible effect. That is a very rewarding feeling."

Another organization Colleen is involved with is the LPGA Urban Youth Golf Program. The LPGA program is a community-based risk prevention program. It seeks to teach children who are considered "at risk" both golf lessons and life skills. The program uses golf to reinforce and teach self-esteem, self-discipline, commitment and respect for others. While confessing to not being a particularly good golfer, Colleen has served as assistant golf coach and site coordinator for the LPGA organization based in Wilmington. Her volunteer



Special Publication Available Now!



This valuable material is handsomely packaged into
a 6" x 9" book of 240 pages.

Delaware Today has published an up-to-date guide to health care in the Delaware area. It offers information on hospitals, rehab centers, fitness and physical therapy centers, home health care, mental health facilities, nursing homes, and much more.

Included are features like this:

- Finding a local doctor • Prescriptions
- Local news and developments • Exercise and diet • Mind and body • Overcoming cancer • Living with chronic problems • Medical alternatives • The young and old • Hospice care • Area resource listing

To order your copy or to find out more information call

DELAWARE TODAY
302-656-1809

On sale at leading newsstands,
in late January



(800) 460-9044

Toll Free / North America

(214) 404-9005
Main Office

(214) 404-1842
Fax Line

**SKIP TRACING & LOCATION
OF WITNESSES,
DEFENDANTS & HEIRS
AT REASONABLE FLAT RATE
FEES**

(Worldwide Service)

**UNLISTED TELEPHONE
SEARCHES**

**CRIMINAL DEFENSE
REPRESENTATION**
*(Former 1984 '60 Minutes'
Segment - Lynell Geter Case)*

**BACKGROUND
INVESTIGATIONS**
*(For Pre-Employment, Marital,
Business Investment Or Any Other Legitimate
Reason)*

**WORLDWIDE PROCESS
SERVING HANDLED IN OVER
450 CITIES AND
97 COUNTRIES**

**COMPLETE HIDDEN
ASSET
INVESTIGATIONS**

**ON-LINE COMPUTER
SEARCHES
AT REASONABLE FEES**

**CRIMINAL HISTORY &
RECORD SEARCHES**

**BANK ACCOUNTS
LOCATED ANYWHERE INCLUDING
ACCOUNT NUMBERS AND
BALANCES AS OF THE
DATE OF OUR INQUIRY**

(Individuals Or Companies)

**STOCK, BOND &
MUTUAL FUND PORTFOLIOS
LOCATED ON ANYONE IN THE
UNITED STATES**

(Including Accounts & Balances)

**EXECUTIVE
PROTECTION
AGENTS AVAILABLE FOR
DIPLOMATS & EXECUTIVES**
*(One Day To One Year
Assignments)*

**COPYRIGHT &
TRADEMARK
INFRINGEMENT CASES**
*(Former 1983 '60 Minutes'
Segment - Jordache case)*

**PERSONAL INJURY, PRODUCT
LIABILITY & WRONGFUL DEATH
INVESTIGATIONS**

**DRIVERS HISTORIES
& ACCIDENT
FILINGS
IN ANY STATE**

efforts usually involve a time commitment of about two hours per week, including travel time to a local golf course, for each six-week session in which she participates.

Working with the LPGA has been particular fun for Colleen because, before volunteering with the LPGA, her experiences on the golf course were limited to law firm outings. "I have enjoyed my work with the LPGA because it not only provided me with an opportunity to work with at-risk children, but it has also taught me a lot about golf at the same time."

Colleen also recently joined the Board of Directors of Delaware Volunteer Legal Services, an organization already familiar to most Delaware attorneys. Colleen had handled several matters for DVLS prior to becoming a Board member and, therefore, her decision to become a Board member was relatively easy. The Board meets during lunch, which is convenient for her.

Colleen feels that some of the challenges to performing volunteer work involve the lack of funding many non-profit organizations face. Unfortunately, this a common problem among such organizations. However, on the whole, she believes that Delaware lawyers have been generous to local nonprofits.

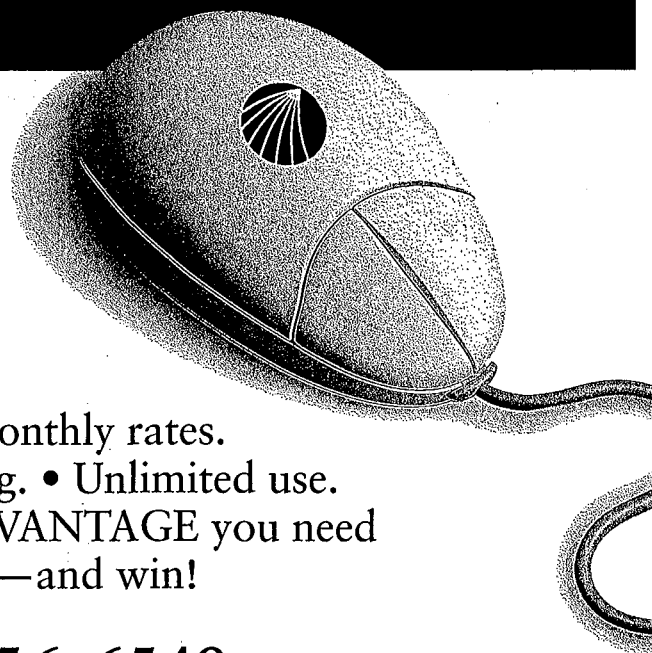
Besides the intangible reward of helping people, Colleen believes that performing services for non-profit organizations also provides good training and various skills that can be used in other areas of her practice. "I am surprised at how often issues that come up in cases I have done for certain non-profit clients also arise in matters for other clients. In addition, when you become a board member, you become somewhat of a spokesperson for that organization at times and, as such, you may be asked to speak at different occasions."

Colleen recently spoke at a recent conference for case managers in conjunction with the First State Case Management Self-Sufficiency Conference in Dover. While the topics that were presented at the conference were not those that she deals with in her daily practice at Potter Anderson, Colleen felt that the opportunity to discuss the legal implication of case manager-client relationships presented an excellent opportunity to practice her public speaking skills. "There is a wealth of skills that can be developed through work with non-profit agencies."

LEXIS•NEXIS®
ADVANTAGE
FOR SMALL LAW FIRMS

A Big ADVANTAGE in Delaware Law...

Delaware case law, statutes,
Secretary of State filings, law
reviews and more for as little as
\$110 per month.*



- Low, flat monthly rates.
 - Predictable pricing.
 - Unlimited use.
- Give yourself the ADVANTAGE you need
to compete—and win!

1-800-356-6548

When you need results.



LEXIS•NEXIS®

A member of the Reed Elsevier plc group

*All pricing includes applicable subscription fee. Program is available to law firms with 10 attorneys or less. Price quoted is for one attorney. Additional charge applies to each attorney in the firm. Note: state and local taxes not included. Some restrictions apply. Prices subject to change. LEXIS and NEXIS are registered trademarks of Reed Elsevier Inc., used under license. ©1996 LEXIS-NEXIS, a division of Reed Elsevier Inc. All rights reserved.

DE0221

Nancy B. Nelson

UNITED WAY OF DELAWARE: A NEW GENERATION OF CARING

For the past fifty years, United Way of Delaware has helped millions of Delawareans. We have worked together with our member and affiliate agencies and our community to make a positive difference...and we have. In 1995, we raised \$18.7 million and helped over 300,000 people. This year, we raised an all-time high of over \$20 million and, through the valuable work of our agencies, we will be able to reach out to even more Delawareans in need.

In a very real sense, United Way is the community. It is a legion of diverse volunteers, supported by committed staff members, who work to provide crucial resources for 87 human service agencies. The mission of United Way of Delaware is to maximize the community's resources to improve the quality of life for Delawareans, and this is accomplished through more than 150 programs provided by the agencies. The programs these agencies offer touch the young and the old; the physically, economically and mentally challenged; and those battling addictions or seeking shelter from abuse. The work of the United Way is to provide help for those in need, hope for the future and a hand to start again.

Some people may view United Way as assisting strangers, but they are not strangers: they are all members of our community. They are our co-workers, our neighbors, our friends and our families. Those in need come from all parts of the community.

In 1996, United Way of Delaware celebrated 50 years of giving, and we rededicated ourselves to our mission of fundraising. THE NEW United Way of Delaware is a leaner,

more efficient organization with a low cost (11.8% and heading toward 10%), committed to getting even more money to the people who need it most. THE NEW United Way is also a more inclusive United Way, as we reach out to more people and as we attract a new generation of Delawareans who will help us continue to make a difference for years to come.

United Way dollars are crucial to our agencies and to enabling positive change in Delaware. Some of the Delawareans helped through United Way include:

- Tracey from The Arc (The Association for the Rights of Citizens with Mental Retardation) who, with the support of this agency, has started the first self-advocacy group in Delaware and has become a leader, helping others just like her realize their dreams;

- Eddie from Big Brothers/Big Sisters, whose father passed away, but who has a wonderful mentor and friend in his Big Brother, John. The two enjoy fishing and other sports as well as just "hanging out together"; and

- Sophia, who was able to survive an emotional and physical battle with breast cancer thanks to the help of the American Cancer Society and its "Reach to Recovery" volunteer group. She is now a "Reach to Recovery" volunteer, helping other women with breast cancer by sharing her experience, strength and hope.

We hope you will join United Way of Delaware in a New Generation of Caring by showing your continued support. Together, we can meet the ever-changing human needs of our community and realize a better tomorrow for all Delawareans. For more information, please call the United Way of Delaware at 1-800-411-UWAY. ♦

Donald J. Wolfe, Jr.
Laura Davis Jones

LAWYERS AS CONTRIBUTORS AND LEADERS (United Way of Delaware)

It has been several years now since I served as a member of the committee of my law firm charged with monitoring and evaluating the performance of our associates. At some point during my tenure, we determined that each associate at Potter Anderson & Corroon henceforth would be required to become involved in at least two charitable or community service organizations. In retrospect, it seems a pious act of paternalism (there were no women on the committee at the time). The patent irony of mandating volunteerism apparently could not pierce our earnest resolve to institutionalize a tradition of community commitment that had somehow survived among Delaware lawyers without our help for generations. Secure in the knowledge that our cause was just and our hearts pure, we set about the task of meeting individually with our charges to announce our fiat and to explain, as would a worldly elder to a wide-eyed child, the importance of this aspect of a Delaware lawyer's professional duty. Each of our 20-or-so associates patiently endured our sermonizing and, when our righteousness was spent, advised us with admirable restraint that he or she had long since been involved in at least that many such organizations, most reporting that they were participating in several more. We might as well have demanded that every associate commit the alphabet to memory.

It may have been as I was skulking out of the last of those meetings that I began to understand fully the uniqueness of the Delaware Bar and the commitment of its members, young and old, to the concept that, as lawyers, they owe a special responsibility to their community. While the causes they choose to support are as different as each of us is from the other, the fact remains that every Delaware lawyer I know is quietly but ardently involved in some organization or project devoted to societal betterment. That knowledge renders all the more rankling to me the conventional caricature of attorneys as venal, unprincipled and utterly self-involved.

It was therefore with uncharacteristic enthusiasm that I fielded the request to contribute an article to this publication. Here was my chance to proclaim publicly that the archetypal

Citizen Lawyer, widely believed to have gone the way of the dinosaur (and at about the same time), was in fact alive and well and residing by the score in the First State. I accepted at once and, even before that initial conversation ended, began to consider how I might tackle the most troublesome problem I expected to confront: how to reduce to a manageable few the legion of worthy subjects of such a piece.

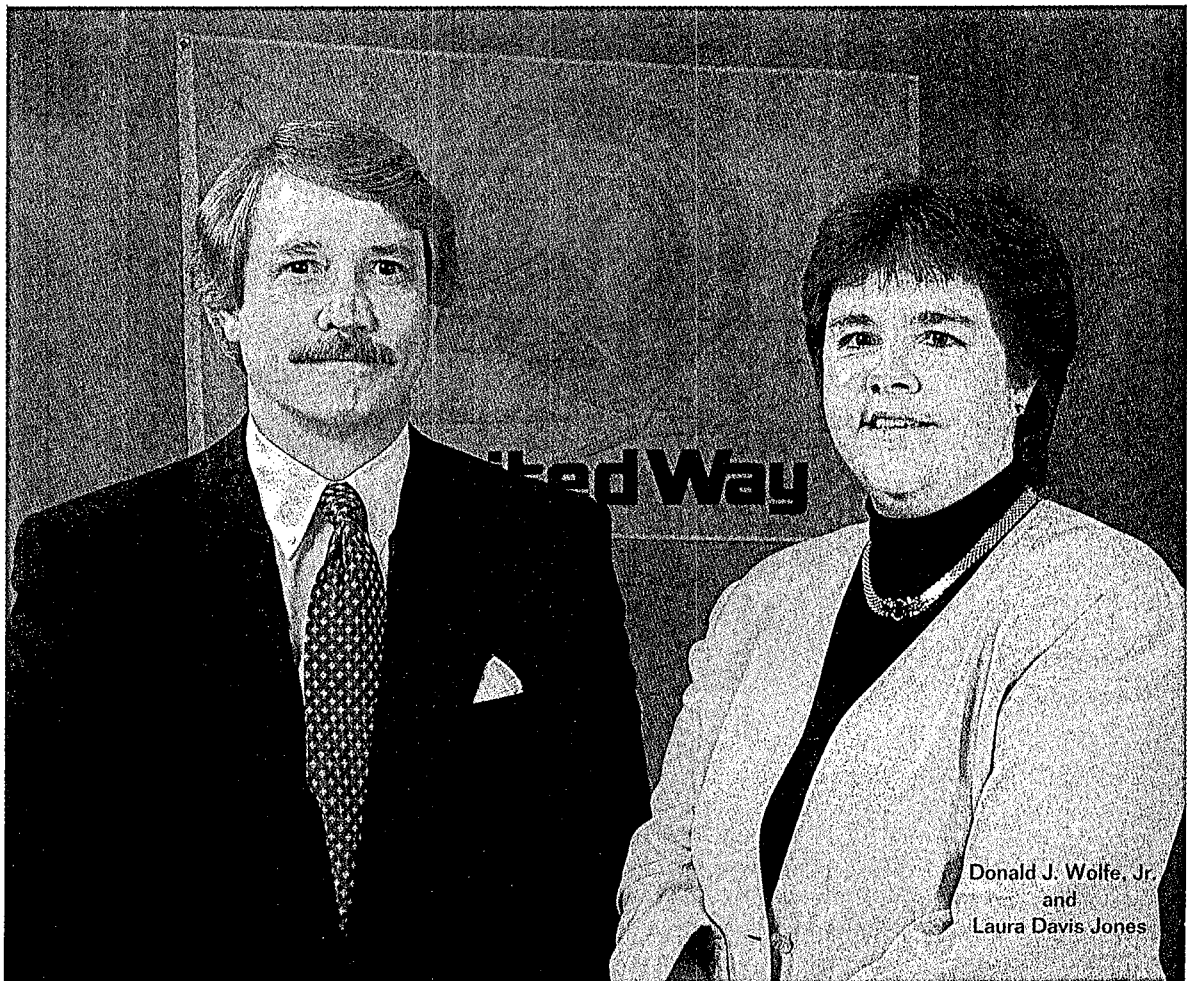
It was only after my impulsive acceptance that my patron explained that this concern should cause me no worry, for the subject of my article had been previously selected. I was to write about me, in particular my solicitation of Delaware lawyers this year and in years past for contributions to the annual United Way campaign. My initial enthusiasm turned to chagrin.

Don't misunderstand. It was not the indecorous prospect of extolling my own saintly nature that bothered me. I have no aversion to self-promotion, and false humility is a posture I abandoned as pointless years ago. My discomfort lay in the belief that I had done nothing that warranted a dram of recognition. As anyone who has ever done so knows, there is no less taxing chore than to ask Delaware lawyers to support a worthy cause. My work with the United Way campaign irrefutably proves the point.

This is not to say that the task is wholly without its impositions. I am, after all, required to sport the spiffy title of Chair of the Professional Division and, in that capacity, to preside passively as the nonlawyer professionals — doctors, dentists, accountants and the like — are courted and cajoled by their respective colleagues. It also falls to me to bear witness to the solicitation of Delaware lawyers, a task handled completely by volunteers at each law office who, if they have a problem or a question, turn for help not to me but to a United Way staff member. I am sometimes forced to hear about this later.

I have also had to endure lunch with the very engaging staffer assigned to my division (she paid), and there is the odd reception or two at which I am obliged to consume more free food and to be subjected without provocation to pleasant conversation. There is also the lawyers' solicitation letter which, this

see Wolfe, page 17



Donald J. Wolfe, Jr.
and
Laura Davis Jones

As a lawyer with the good fortune of working in the very busy legal market of Wilmington, it is easy to fill the days solely with one's law practice and personal commitments. Taking the opportunity to volunteer with a charitable organization like the United Way of Delaware, however, is an extremely rewarding experience that positively affects the balance of your life.

I became a member of the Board of Directors of the United Way of Delaware at the time that Kurt Landgraf ascended to the position of Chairman of the Board. I enthusiastically accepted the appointment to the Board, as I trusted that Kurt would bring to his new position the same commitment and determination that he displays in his corporate work. I quickly found that my trust was well placed when I attended the first Board meeting and observed a focused, no-nonsense approach by Kurt to making the new United Way the best it has

ever been. My expectations were not only met, but greatly exceeded, when I discovered that the dedication was not limited to the Chair, but existed in the full Board, the staff and the volunteers of the United Way. That energy and dedication continues today under the leadership of Chair Cinda Hallman and President Charles Anderson, and permeates the ranks of the United Way organization, with everyone focused on the same goal: maximizing the support to agencies in the community that work hard to improve the quality of life for the people in our State.

The Board of the United Way of Delaware is an active board. Members regularly attend meetings. They come prepared, bringing ideas and various views, all of which are well-received and encouraged by management and other Board members. Board members come armed with the wisdom and experience gained from their responsibilities as business and community leaders outside the boardroom, and they work toward building a successful, effective and efficient organization.

I greatly enjoy participating on the Board of the United Way. I am a beneficiary of the collective wisdom that is brought to the Board, and am able to work with and observe the management of a dynamic, critical organization which, through numerous individuals, is attempting to meet the needs of the community. It is refreshing and encouraging to find that lawyers and other professionals in our community willingly volunteer their time. Working with the Board has allowed me to gain an understanding and appreciation not only of what the United Way is and the services it provides, but also to come to understand and appreciate the charitable efforts that are freely made by some of the busiest people in our community to make the quality of life better for others. It has given me the opportunity to attempt to give something back to a community that has been supportive of me, and has made me aware of how much work needs to be done. The satisfaction that results from working with others to help others is contagious and makes giving of your time easy.

An additional, important benefit of volunteering in the community with other lawyers is the relationships that are established. In the daily practice of law, we come to recognize each other as fellow professionals and often come to know each other as colleagues. If we are very lucky, we may during our careers build some true friendships from our interaction in performing our trade. Volunteering your time and efforts with other lawyers, however, exponentially increases the opportunity of establishing and maintaining relationships and building friendships. The glue that bonds individuals who are giving of themselves to work toward a common goal is strong, and it is certainly rewarding to learn more about each other than simply observing the skills we have as lawyers.

The United Way experience has been a springboard to my becoming involved in a variety of other charitable ventures in the community. The experience confirms my belief that those who are fortunate in this community do reach out and help others who are less fortunate, and the positive rewards of actively participating certainly outweigh the costs of the time and effort it takes to do so. ♦

By Laura Davis Jones

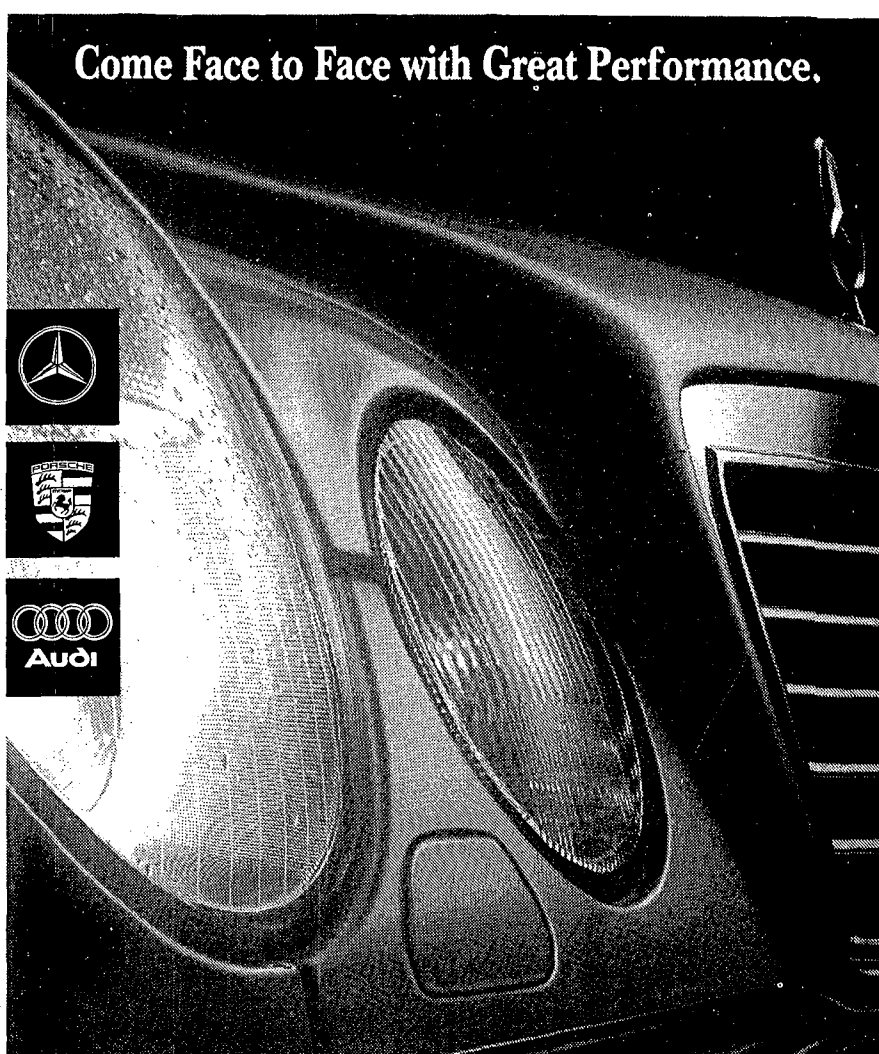
Wolfe, continued from page 15

year, no doubt in recognition of the other burdens placed upon me, I neither wrote nor edited. Recipients can attest that, this year, I did not even have to sign it. The signature it bears is not only quite obviously computer-induced, but misspelled.

My work still not done, I am finally obliged to stand back as the generous contributions of my colleagues flow in year after year. It makes me tired just to think about it. As was once observed of a British officer, here is a leader whose troops will follow him anywhere, but only out of curiosity.

All of this I can do, and darned well I might add. What I cannot do (at least not when there are so many that know the truth) is to make out a tenable case that any of it has made the slightest difference to the perennial success of the lawyers' campaign or has caused me the slightest inconvenience. To attempt to pretend otherwise, in the words of one of my more trenchant colleagues, would be as ill-advised as getting a kidney trans-

Come Face to Face with Great Performance.



At Wilmington Motor Cars, our staff offers the same level of superior performance as the automobiles we sell. Visit Wilmington Motor Cars and come face to face with great performance!



Your authorized Mercedes-Benz, Porsche and Audi dealership

3801 Lancaster Pike, Wilmington, DE (Half-mile east of Rt. 141) 302.995.2211

Lawyers' Professional Liability Insurance

"The Alternate Choice"

A. Horace Werner, Inc.
1300 Market Street, Suite 602
Wilmington, Delaware 19801
302-656-8359

Reliance National Insurance Co.



**Consumers call US to check YOU out!
Don't let them slip away!**

Join the...

**BETTER BUSINESS BUREAU OF DE, INC.
Call 996-9205**

- Arbitration/Mediation Services that benefit your business
- Listing and Advertising in Membership Directory
- Membership Hotline for you and your employees
- Guide to charitable giving
- And much more...



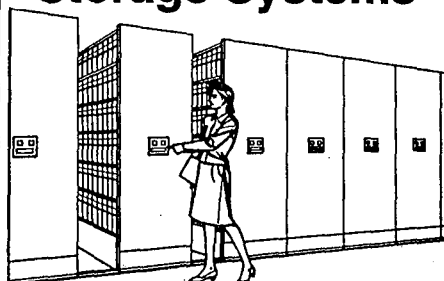
**GIVE YOUR BUSINESS
CREDIBILITY
AND YOUR CUSTOMERS
CONFIDENCE
SHOW YOU CARE**



Better Business Bureau of Delaware, Inc.

2055 Limestone Road • Suite 200 • Wilmington • DE 19808
(302) 996-9200 • Kent/Sussex (800) 464-6331

Mobile Storage Systems



You can mobilize your cabinets and shelving for greater space savings. Adding wheels and tracks creates high-density filing by eliminating useless aisles. Store your records, supplies, data media, reference materials... anything worth keeping in an orderly fashion. TAB offers a wide choice of styles including Electric, Mechanical and Manual.

Call for a free brochure or survey.

TAB of Delaware

222 Philadelphia Pike
Wilmington, DE 19809
Phone: 764-9036
Fax: 302-764-7749

Put our environmental professionals on your legal team...

EXPERT REPORTS & TESTIMONY

NCP ALLOCATIONS AND COST RECOVERY

ENVIRONMENTAL INSURANCE

UNDERGROUND STORAGE TANKS

**HAZARDOUS WASTES—
SITE INVESTIGATION & REMEDIATION**

GROUNDWATER (DNAPLs) CLEANUP

ENVIRONMENTAL AUDITS, PHASE I&II

URBAN BROWNFIELDS RESTORATION

**THE
WHITMAN
Companies
INC.**

*Professionalism and integrity in environmental
engineering and hydrogeology*

HEADQUARTERS:
44 West Ferris Street
East Brunswick
NJ 08816
TEL: 908 390-5858

DELAWARE OFFICE:
307A Street
Wilmington
DE 19801
TEL: 302 656-5549

Visit us on the World Wide Web: <http://www.whitmanco.com>

plant from a bedwetter.

I began to consider ways in which I might gracefully extricate myself from my commitment to pen this piece. Two things intervened to change my mind.

The first was my realization that, in a convoluted sense that only a lawyer can fully appreciate, my own anemic efforts only serve to prove the point. The dispositive evidence that the Citizen Lawyer paradigm continues to flourish in Delaware is that I have needed to do so little to invoke the remarkable generosity of this Bar. The historically extraordinary level and breadth of support that this campaign has enjoyed from Delaware attorneys, consistently ranking them among the most generous professional groups in the nation on a *per capita* basis, has continued in spite of me. If my signature had been misspelled to read Kevorkian, the results would have been no different. The substantial number of Delaware lawyers who support United Way do so not because I ask them to, but because they believe that it enhances the quality of our community and because they view that goal as a critical part of their professional responsibility.

I cannot be sure of the source of this tradition, only that it has been sustained by example for each ensuing generation. Perhaps it derives from the small size of our Bar, or from the magnified effects of peer pressure in such a setting, or from some Napoleonic urge to maintain a distinct identity. More important than its origin is the undiminished survival here of this abiding sense of community, elsewhere quickly waning. Arm-twisting and organized hoopla are no more necessary to bring it forth than was the misguided attempt by my law firm's committee to induce by edict a sense of "volunteerism" among our associates.

I mentioned earlier that there were two reasons that convinced me to contribute this article, but I have related only one. The second can be more briefly stated. When I shared with my sharp-witted spouse my discomfort with the prospect of characterizing myself as a model of the community-minded lawyer, she turned to the bookshelf, paged through the dictionary and, having found what she sought, laid it open before me, pointing me to the definition of the term "model." It read "a miniature replica of the real thing." I decided I qualified after all. ♦

By Donald J. Wolfe, Jr.

Michele Sands

NATIONAL MULTIPLE SCLEROSIS SOCIETY

A lot has changed in the 50 years since the National Multiple Sclerosis Society was founded by Sylvia Lawry, a young woman who was looking for a cure for multiple sclerosis—the disease that afflicted her brother. Since 1946, more and more people have been identified as having this devastating disease of the central nervous system, and chapters of the National MS Society have been established throughout the country to meet the needs of people whose lives are affected by MS. Through the steadfast efforts of research scientists, the mystery of multiple sclerosis is being unlocked. Within the past few years, safe and effective therapies for MS have been developed that treat the course of MS, not just the symptoms, and someday a cure may be found.

One thing has not changed in the past 50 years: the dedication shown by a large number of people who make it a priority to help the relatively small number who have multiple sclerosis. That help comes from many sources: family members who serve on the Board of Trustees and various committees of each chapter; employees of the many corporations that support the efforts of the MS Society; individuals who form teams of walkers and cyclists to support their friends and co-workers who have MS; people with multiple sclerosis who receive training to counsel others with the disease; concerned citizens who aren't acquainted with anyone with MS, but want to help with what they believe to be a good cause. In addition, there are people who participate in an event conducted by the Delaware Chapter of the National MS Society just because it's something they enjoy doing.

The result, here in Delaware, is a growing force of people who are making a difference in the lives of more than 1,000 area residents who have multiple sclerosis. The funds they raise and the time they give are helping the National Multiple Sclerosis Society to achieve its mission of ending the devastating effects of multiple sclerosis.

Multiple sclerosis is a chronic, often disabling disease that randomly attacks a person's nervous system, wearing away the control that person has over her body (the majority of persons affected by MS are female). People with MS experience a wide range of symptoms including fatigue, visual problems and loss of sensation, and fit many profiles — from those who "look so good," to those who need the assistance of a cane to walk or

must rely on a scooter or wheelchair for mobility, to those who are confined to their beds. Most people are diagnosed with MS between the ages of 20 and 40, but the unpredictable physical and emotional effects can last for the rest of their lives.

The National MS Society is often the first place a person turns after receiving a diagnosis of multiple sclerosis. In Delaware and throughout the country, the MS Society is the primary source of information, services and advocacy for people with MS and for their family members. Through chapter service programs, the Society strives to improve the lives of those affected by the disease in the areas of MS knowledge, physical health, emotional health, family and social support, independent living, long-term care, employment and accessibility.

The Delaware Chapter provides services through offices in each of the state's three counties. Programs and services are designed to complement the medical care provided by one's personal physician. Most are available to individuals with MS at no cost.

Persons with MS, their family members, and friends may choose to attend programs for those newly diagnosed with MS; information programs conducted by professionals on a wide range of topics; self-help groups; family workshops; programs for caregivers; specialized counseling groups; and exercise and aquatics programs. The success of these programs is due in large part to the expertise of the professionals who lead them, many lending their time and expertise at no cost to the MS Society.

Professional and peer counseling is provided through the Chapter offices as well as referrals for medical and other services. Medical equipment, including scooters and wheelchairs, is available for loan; a medical clinic is held twice each month for clients who do not have a personal physician; a wide variety of informational materials and publications is available; and the Chapter maintains a lending library of books and informative audio and video tapes. The Chapter funds short-term aide and respite services for individuals who need assistance with daily living matters. The funds needed to provide services and to advance the cure, prevention and treatment of MS come from the many fundraising efforts of the Delaware Chapter. The Delaware Chapter of the National MS Society, like so many other non-profit organizations, depends upon the efforts of the community for its very existence. While it is vital to receive the financial support of the community, the Society could not meet the challenges faced by people with MS without the devoted service of its many volunteers. ♦

Barbara Ann Uberti
Michael A. Friedberg

FIGHTING A DEBILITATING DISEASE (National Multiple Sclerosis Society)

Every once in awhile, the voice of conscience reminds me how lucky I am. On one such occasion, I decided to join a local board of a charitable organization. I wanted the organization to be well-run, and I wanted it to make a difference in people's lives. The Delaware Chapter of the National Multiple Sclerosis Society fit the bill, and I was welcomed to the board in 1992.

Multiple Sclerosis, or MS, is a disease of the central nervous system. Symptoms vary by individual and include impaired vision, loss of balance, abnormal fatigue, slurred speech and loss of muscle coordination. In the most severe cases, partial or complete paralysis occurs. MS strikes people in their 20s, 30s and 40s. The cause is unknown. There is no cure. There is little in the way of effective treatment. And if you believe the Chinese proverb that the fear of uncertainty is worse than the certainty of fear, then you will understand the disease's devastating consequences. The symptoms come and go with no surefire way of knowing whether they will come again, how severe they will be, or how long they will last. A person with MS can be fine for weeks, months or years, only to be hit with a difficult recurrence of indeterminable length.

My first board meeting got off to a rocky start. Minutes before the meeting began, a fellow board member introduced herself to me and told me that she had objected to my board appointment. She explained that she suffers from MS and believed that the board would be most effective with a membership of MS sufferers and their family members. Since I did not fall into that category, she had concerns about my commitment to the cause. I admired her courage and her honesty. Through the years, she has been a strong advocate for new programs and services to Delawareans with MS and has provided great insight into the course of the disease. I have benefited greatly from her knowledge and viewpoint. Two years ago, she returned the compliment, which meant a lot to me.

The three goals of the MS Society are providing services to people with MS and their families, building public awareness of

the disease, and funding research. The services in Delaware include counseling, equipment assistance, job training, referrals and therapeutic recreation. Public awareness is enhanced by publicity efforts surrounding the achievements of people who suffer from MS and the activities of the Society. Research dollars are generated by special events. It is the fundraising that provided me with the greatest number of opportunities to help.

Like most well-run charitable organizations, the Delaware Chapter of the MS Society has very few paid staff members. The reason is that the priority is to spend the funds on services and on research. The Delaware Chapter has a huge fundraising agenda, running nearly a dozen special events each year. The events include bike tours, a golf outing, walk-a-thons, award dinners, and the READaTHON®. Getting these events planned, organized and implemented is a vast undertaking. Since the organization does not have a large staff, there is a heavy reliance on volunteers to get the jobs done.

Our Executive Director, Kate Cowperthwait, is a master delegator of responsibilities. Every volunteer, regardless of rank, is fair game for her missions. I started out with more traditional "lawyer-like" assignments. I helped to draft a professional code of conduct for staff members and volunteers. I spoke at a press conference for the READaTHON. I chaired the Annual Meeting, where awards are given to individuals and businesses for achievements and contributions to the goals of the MS Society. Kate decided that I needed to have a little fun, too. I helped with the cocktail party and auction at the golf outing at the DuPont Country Club. I was enlisted as a bartender at the Wilmington Library for the Getaway Gala. Most memorable was co-chairing the Casino Night event at Delaware Park. That involved organizing a committee of volunteers to plan the party, solicit contributions of cash and prizes from local businesses, decorate the rooms provided by Delaware Park, and make sure that the event ran smoothly. The night of the event was a lot of fun, with a sumptuous buffet and a Greaseband concert provided by Delaware Park. After the event, a more unusual tradition prevailed. After the

see Uberti, page 23



Barbara Ann Uberti
and
Michael A. Friedberg

I have been asked why I am a volunteer for the Delaware Chapter of the National Multiple Sclerosis Society. The simple answer is because I was asked. Through my Rotary Club of Wilmington affiliation, Norman Hatter, past Chairman of the MS Chapter, called me to ask if I would serve on the Finance Committee. I explained to him that I was a tax lawyer. There was no guarantee that I knew enough about numbers to contribute to the Finance Committee. That was seven years ago. I am now serving my third year as Chairman of the Board.

Prior to my initial contact with the MS Society, I had no direct experience with the disease. I am indeed fortunate enough not to have an immediate family member suffer from such a debilitating illness. But those of us who are fortunate do have a duty to contribute to society. Everyone needs to serve the community in some way. The timing

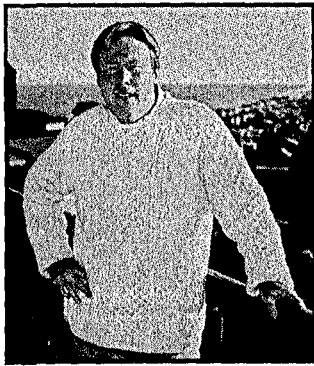
was right, and I joined the MS Board.

The Mission Statement of the National Multiple Sclerosis Society is "to end the devastating effects of Multiple Sclerosis." Multiple sclerosis is a chronic disorder of the central nervous system that most often appears during the young adult years, between the ages of 20 and 40. The cause is still unknown. There is no cure or treatment that can halt or reverse its course.

MS occurs when myelin, a protective sheet surrounding nerve fibers of the brain and spinal cord, is destroyed, thereby disrupting and distorting nerve impulses to and from the brain. Symptoms correspond to the affected areas of the brain and spinal cord, and may include abnormal fatigue, impaired vision, loss of balance and muscle coordination, tremors, slurred speech and partial or complete paralysis. No one can predict how the disease will progress. Symptoms vary among individuals. Without belaboring the details, this devastating disease strikes young adults and

affects everyone around them, especially their immediate families – often including young children. The individual and his or her family must struggle with the disease and all of its ramifications relating to health and employment, affecting every aspect of his or her existence.

So the sympathy exists, as it does with any disease. The "hook" was there. So what pulled me in? I believe it was the ability to contribute and to make a difference. Each Board member is asked to volunteer on at least two committees: a Fundraising Committee and an Administrative Committee. I joined the Finance Committee and the Bike-to-the-Bay Committee and, through my activities, discovered what the MS Society was all about. It really is very simple: a lot of good people helping others. I cannot emphasize enough the number of such people. Most people in Delaware contribute somehow to the MS Society. We start with the "core" of the MS Society, its staff and the volunteers. I include all of the



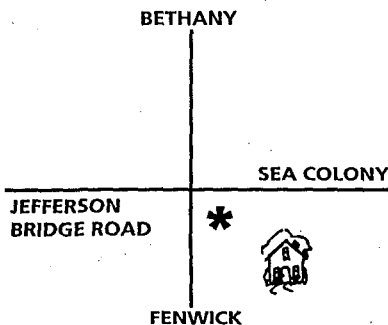
JOE CONNOR
Realtor, GRI

"Everything I touch
turns to SOLD"

KW
**KELLER
WILLIAMS**
Resort Realty

NOW SERVING
BETHANY BEACH
AND
THE LOWER
DELAWARE COAST

*"Business Center ~ Opening Soon
on Ocean Highway just
South of Jefferson Bridge Road"*



**Our customers
are our most
valuable asset!**

(800) 863-4833
(302) 537-3629

www.connors-ocean.com

volunteers on the Chapter Services Committees and the Fundraising Committees. In reaching out further, I include every contributor and every participant in a fundraising event. Anyone who makes a pledge supporting a participant in a fundraising activity is supporting the MS Society and its local and national mission. Events are the strength of the MS Society's fundraising efforts. They make all of its other work possible.

The National Multiple Sclerosis Society was founded in 1946 in order to provide services to people with MS and to fund research into the cause, cure and treatment of MS. It is the only national non-profit health organization that does so. There are 140 chapters and branches, responsible for providing services in designated geographic areas. The Delaware Chapter's goal is to provide its constituents with the skills necessary to cope with a chronic illness and to live their lives to the fullest. Services include providing information, support, the lending of medical equipment, education about the disease, and fellowship.

The local chapter contributes a minimum of 40% of its revenue to the National organization to fund the information and research programs. When I joined the MS Society, the Delaware Chapter raised approximately \$300,000 annually. The Delaware Chapter is now raising over \$1,100,000. We provide in excess of \$400,000 to the National organization to fund its research and information missions. The balance is used to fund the services provided in Delaware. Our expense ratio for raising funds is under 18% for most events, and we strive to minimize expenses and to devote all monies received to the mission. The National organization now analyzes all requests for research grants, focusing specifically on MS projects. Many approved projects cannot be funded, as resources are limited. We need to raise more money in order to approach a cure for MS.

My activities on the Bike-to-the-Bay Committee have been most rewarding. The Committee has been very successful, with the support of all parts of the community, in creating the largest event fundraiser in the State of Delaware. It begins with the devotion of Dick Christopher and Patterson-Schwartz as the primary sponsor. It includes all of the corporate sponsors, the volunteers, the riders and those who support the riders with their pledges. Over 1,450 riders and 200 volunteers participated in the event this year. It is probably the longest

CHRISTIANA

BANK & TRUST COMPANY

PRIVATE BANKING FOR ATTORNEYS
INVESTMENT MANAGEMENT
CUSTOM COMMERCIAL LENDING

PLEASE CALL:
BOB ELDER, PRESIDENT

302-421-5800

MEMBER
FDIC



GREENVILLE CENTER
501 KENNETH PIKE
GREENVILLE, DE 19030

"party" in Delaware, starting on a Saturday at Smyrna High School in the early morning, running down to Dewey Beach for dinner and an overnight rest, continuing on Sunday back to Smyrna High School, and ending with a festive cookout, sponsored for many years by Artisans' Bank. To live in a community where everyone donates time, talent and dollars for the common good is rewarding and inspiring.

Having become involved with the MS Society, I have become obsessed with its goals. Only in the last few years has there been significant progress in developing drugs that inhibit the development of the disease. This has given renewed hope to clients and to all of the volunteers for finding a cure. It is possible that a cure is on the horizon: if so, then we can then all see the results of our efforts. Seeing the success of the organization, locally and nationally, and participating in the mission "to end the devastating effect" of any disease, are in and of themselves rewarding experiences. ♦

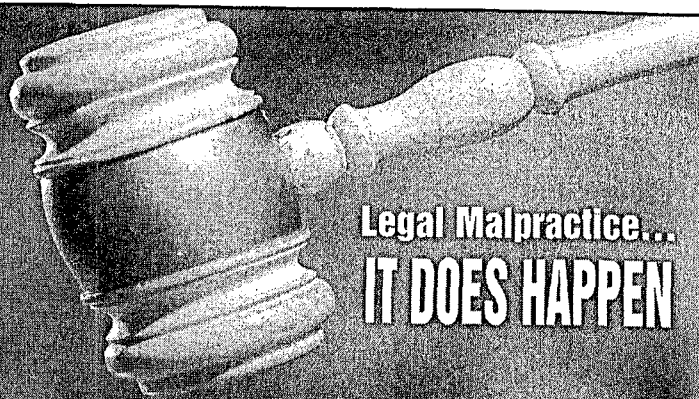
By Michael A. Friedberg

Uberti, continued from page 20

guests left, we committee members changed from party attire to sweatsuits and served as the clean-up crew! I won't say it was as much fun as the dinner dance, but you certainly see the commitment of your fellow volunteers when they are stacking chairs and boxing props in the wee hours of the morning!

The MS Society has provided me with a rich variety of assignments. I'd never considered myself a "jack of all trades" – lawyers rarely are – but, in my volunteer position with the MS Society, I have worn a lot of hats. At every occasion, I have met wonderful people who want to support the common cause of ending the devastating effects of MS. Many have MS or have families members with MS. Others are there out of a sense of compassion and community. I have seen a beautiful microcosm of Delaware through my involvement with the MS Society, and I have gained as much from the experience as I have given. I began by volunteering because the MS Society made a difference in people's lives. As it turned out, the MS Society has made a tremendous difference in my life. ♦

By Barbara Ann Uberti



Legal Malpractice... IT DOES HAPPEN

For some attorneys, legal malpractice is not an area of practice.

I have been doing legal malpractice on a referral basis for Pennsylvania and Delaware attorneys for a number of years.

If a case comes up and you wish to avoid involvement, I will be glad to assist. Referrals paid as allowable by law.

KEVIN WILLIAM GIBSON,
ESQUIRE

214 North Jackson St., Media, PA 19063

800-648-8597 610-565-3800

KWGIBSON@EROLS.COM

Listing of areas of practice does not represent official certification as a specialist in those areas.



OFFICE SYSTEMS... OFFICE FURNITURE...



BERGER BROS. INC

Office Experts Since 1919

655-7166

3RD & MARKET STREET
WILMINGTON, DE

Susan Durnan Walton

AMERICAN RED CROSS IN DELAWARE

In times of crisis, one of the most familiar and reassuring signs that help is close at hand is a red cross. It appears on trucks from which hurricane victims are fed, on the T-shirts of lifeguards, and on the coffee cups from which grateful firefighters drink. This symbol of caring is present wherever disaster strikes, from war-torn countries thousands of miles away to a neighbor's home that was destroyed by fire.

The ideals behind the Red Cross's symbol are at work in less obvious ways too. The co-worker who learned CPR at a Red Cross class could save your life; the kind retiree who spends his mornings driving others to medical appointments; the base volunteer who helps anxious parents get a message to their soldier son stationed overseas.

Given all that the American Red Cross provides to communities across the nation, it is little wonder that *Money* magazine named the Red Cross its 1996 "Charity of the Year." This important designation was based on how efficiently the organization spent its income over a three-year period. Despite an unprecedented number of disasters in recent years, both local and national, the Red Cross is able to direct the majority of its income to victims of disaster.

Since 1905, the American Red Cross in Delaware has served thousands of people each year. With facilities in Wilmington, Milford, and Dover Air Force Base, the Red Cross provides vital services that include disaster relief, transportation, military family aid, international relief programs, and a wide variety of life-saving classes, from first aid and CPR to water safety to AIDS education. In the last fiscal year alone, the Red Cross in Delaware helped 700 Delawareans, responding to 204 local disasters; provided more than 6,000 rides to patients who otherwise would have had no transportation to critical medical appointments; taught 7,000 people life-saving skills; and assisted over 700 hundred members of the armed forces.

The Red Cross is probably best known for its ability to respond quickly and to provide relief in times of disaster. Disaster services are offered to both local and national disaster victims. In 1996, Red Cross in Delaware volunteers traveled to neighboring Maryland and Virginia and as far away as New England and Puerto Rico. While large national disasters, such as last year's Hurricane Fran or the Oklahoma City bombing, get the headlines, it is local disasters such as house fires, floods, and winter storm damage that Red Cross disaster workers face

daily. Those dedicated workers are available, 24 hours a day, and are ready to respond to any disaster at a moment's notice.

The popular image of Red Cross volunteers offering coffee to victims and firefighters only tells part of the story. Red Cross volunteers receive extensive training to provide substantial help to get victims back on their feet. The Red Cross offers immediate assistance, providing overnight shelter, vouchers for meals and groceries, baby supplies, and prescription drugs. Volunteers perform damage assessments and help victims procure furniture, bedding and even new housing.

The Red Cross is also well known for its high-quality health and safety classes. Many Delawareans grew up learning to swim from Red Cross instructors. Equally important are various First Aid and Adult and Child CPR classes that are available both in the community and in the workplace. By offering these classes at low cost, thousands of Delawareans now possess skills that can and do save lives.

Probably less well-known than either disaster services or health and safety classes, but no less important, is the Red Cross in Delaware's transportation program. This program, which serves approximately 20 to 30 individuals per day, five days per week, provides transportation to and from medical appointments to those who have no access to private or public transportation. Clients are referred to the Red Cross by their physicians, and volunteer drivers and dispatchers (some of whom are retired physicians themselves) ensure that clients get to their appointments, some days taking them as far as Southern Delaware or Philadelphia.

Red Cross in Delaware serves the community in many ways too numerous to mention here. And none of this would be possible without the dedication of the Red Cross's many volunteers. Volunteers come from all walks of life. Doctors and homemakers, nurses and lawyers, students and bankers, clerks and clergy: all make up the Red Cross team.

The Red Cross in Delaware has a long and distinguished history of service to the community. Later this spring, the Red Cross will join many other charities when it moves its Northern Office to the new Community Services Building in downtown Wilmington. With the support of the community, it will continue to provide help when "help can't wait."

For more information about the Red Cross in Delaware's programs, classes or volunteer opportunities, call (302)656-6620. ♦

Loretta G. LeBar
Thomas L. Sager

REFLECTIONS ON PROVIDING AID (American Red Cross In Delaware)

My journey to becoming a Red Cross volunteer began with a phone call to one of our distinguished colleagues, Victor Battaglia, Sr. I had just finished doing some volunteer work state-wide that was limited to a six-month duration and was primed to stay active in the community. I also wanted to find a volunteer "niche" for myself with an organization that would offer a variety of activities. As a Deputy Attorney General in the Civil Division of Delaware's Department of Justice, my work demands vary, and I needed to become part of an organization that was flexible enough to fulfill both my desires and my "realities." After I shared this requirement with Victor, he immediately pointed me toward the American Red Cross in Delaware and, within hours, I found myself on the 90th Anniversary Awards Dinner Committee.

The Awards Dinner Committee work was one of the most rewarding experiences in my life because it gave me a sense of generational "connectedness" that I had not previously experienced. The Committee decided to prepare a photo walkway that would be on display for the dinner guests, and I took on the responsibility of searching state archives for photos, newspaper articles and other memorabilia that depicted the activities of the American Red Cross in Delaware.

While searching the state archives, I found photos of women preparing packages for our troops in Europe during World War II. Those photos took me back to a Christmas Eve when my mother and seven of her sisters talked about and showed my cousins and me photos from their war efforts. While looking at a photo of Delaware women working in a Red Cross clinic on Broom Street, my thoughts drifted back to my mother's description of one of the loneliest times in her life but for one special person: a Red Cross volunteer. Mother had tuberculosis when she was 12 years old and spent a year at a sanitarium that was more than 200 miles from her family. The one special person who befriended her and helped her through the separation from her family was a Red Cross volunteer who visited twice a week for that entire year. Those twice-weekly visits by a caring human being made a difference in Mother's life. As I looked at the photo, I could not help but reflect that this Red Cross volun-

teer's kindness and caring had somehow reached across the years and affected my life in ways that I would never know. Preparing that photo walkway was my own personal walk through a family "memories" album and led me to reflect on how those volunteers from the past had helped those I loved. Through those volunteers, my life is somehow better. I also realized that, through my volunteer efforts, I could be a part of that generational inheritance: helping those in need today will help those yet unborn in ways that I will never know. I had found my "niche."

There are many ways volunteer energy can be channeled in the Red Cross. Volunteers are given staff-level responsibilities and are depended upon to provide many vital services. Be it disaster work, teaching life-saving skills, driving patients to medical appointments, fundraising, or administrative tasks that must be done to keep a state-wide office running 24 hours a day, there is a place for everyone and everyone is needed. This year, I will be working again on another major fundraising event, and I also plan to begin my training for disaster work.

It is gratifying to know that, coupled with the vital services it provides, the Red Cross is fiscally responsible. For many years, *Money* magazine has included this organization among its choice of the ten best-managed charities in the nation. This past November, it named the American Red Cross "Number One"! Affiliation with that level of excellence gives me a sense of pride and provides the incentive to do what I can to continue that excellence here in Delaware. I am told by staff that it is the tremendous reliance on well-trained volunteers that helps keep costs in line and allows management to commit a high percentage of every dollar directly to programs, thus making the "number one" rating possible.

To learn more about the American Red Cross, make a visit to one of our three Delaware offices. If you have Internet access, check www.redcross.org/. You will find staff and volunteers who are committed to making a difference by improving the quality of life, enhancing self-reliance and concern for others, and helping people prevent, prepare for and respond to emergencies. I know that the Red Cross in Delaware makes a difference in people's lives. Won't you join us in whatever way you can? ♦

By Loretta G. LeBar



Loretta G. LeBar
and
Thomas L. Sager

My association with the American Red Cross in Delaware began approximately 11 years ago. At that time, my former supervisor, Leo F. Hannon, Chief Labor Counsel at DuPont, had been asked to help find someone on his staff who might want to "volunteer" some time and energy to this non-profit, which was in need of some labor law expertise. My immediate inner reaction to this inquiry, which was extremely well masked, was "Why me?" But immediately recognizing this as the opportunity of a lifetime – or, perhaps more accurately, acknowledging the source of the request (the boss) – I jumped at the chance to get involved. With no prior experience with the Red Cross, I had no idea where this commitment would ultimately take me. Little did I know then that this was just the begin-

ning of a truly wonderful relationship.

What is not widely known about the American Red Cross, both in Delaware and nationally, is that this organization is a volunteer-led and driven non-profit organization, not a government agency. In Delaware alone, there are at any point in time up to 1,200 active volunteers serving in any number of capacities, from service delivery to Board membership. Consequently, the opportunity to meet, work, network and develop meaningful relationships with some of the most talented and civic-minded citizens of this state and nation is there for the taking. By illustration, my initial volunteer assignment was on the Chapter's Employee Relations Committee, which assignment was tailor-made for me, given my labor background. The experience was absolutely terrific! It afforded me the opportunity to work upon some unique and complex employment issues that only enhanced my abilities and effectiveness as a labor practitioner for

DuPont. The other tremendous side benefit came from my association with some outstanding Human Resource professionals who, too, volunteered to serve on this committee.

It was not too far into my Employee Relations Committee assignment that I realized that there were chances to make a difference in other parts of the organization as well. And no, I did not need any extensive training or special expertise to make a difference elsewhere. Whether it was service delivery, financial development, finance, volunteer recruitment, special events or simply conveying the Red Cross message to the public, there were all kinds of challenges that required volunteer involvement and that also broadened my perspective about the non-profit world.

On a far more personal note, I have been moved to tears on any number of occasions upon hearing firsthand from some of our clients – the disaster relief

victim who was left homeless and without the barest essentials, only to find the Red Cross there ready to help her secure clothing, medical prescriptions and a temporary place to live until she could begin rebuilding her life, or the CPR course participant who was able to apply his new skill and thereby save a life. The person who has left the most lasting impression upon me, however, was a young mother whose first child was born physically challenged and who felt that

...the opportunity to meet, network and develop meaningful relationships with some of the most talented and civic-minded citizens of this state and nation is there for the taking.

this just might have been avoided had she received the proper prenatal care. It was only through the transportation services provided by the Red Cross that she was able to receive those vital services during her second pregnancy. She was so grateful to the local chapter that she insisted upon appearing before our Board while pregnant to express her gratitude and to explain what that service meant to her and her family. There was not a dry eye in the room. Stories like this are not so unusual to the American Red Cross, but I will never forget that particular one. It gave me, a leadership volunteer, the opportunity to connect in a highly personal way with one of the many individuals served by the American Red Cross in Delaware. And yes, this story did have a happy ending: her second child was born without any complications.

The opportunity that landed in my lap 11 years ago is there for others to seize. Take advantage of it and get involved: you will never regret it. Just ask any number of some of the most respected members of our Bar, "What has the Red Cross meant to you both personally and professionally?" I suspect that you will hear more of the same. ♦

By Thomas L. Sager



American Red Cross
in Delaware

**The American Red Cross
in Delaware
wishes to thank the
legal community of Delaware
for their
generous gifts of time and support.**

This acknowledgement was made possible by
a gift from a friend of the American Red Cross.

***The Way it is...
staggeringly, in the
Information Age
90% of the documents
handled daily in the
workplace are...***



Still on Paper!



Paper. It's the curse of the modern workplace. You stack it, sort it, shuffle it, file it... and eventually lose it. And the whole time you mutter, "there's got to be a better way." There is; File Magic Plus. It's award winning, Windows-based document management system that lets you conduct business without handling paper. At last. File Magic Plus works by scanning and storing any document, with text and graphics, so that you can find it or fax it in a snap with simple keywords or phrases. Call Hilyard's at 1-302-995-2201 to find out how you can end the paper curse. Then, like PC Magazine, you'll believe in magic too.



1616 Newport Gap Pike
Wilmington, Delaware
(302) 995-2201

Leslie Newman

CHILDREN AND FAMILIES FIRST

Family and Children Services of Delaware, Inc., is a not-for-profit social service agency with thirteen offices throughout the state, ranging from Claymont to Roxanna/Frankford. The organization began in July 1992 as a result of a merger of two established agencies: The Children's Bureau of Delaware, which started in 1916, and Family Service Delaware, which began in 1884.

Family and Children Services expanded further through a 1995 merger with Turnabout Counseling and Community Services, a Kent and Sussex-based social service organization. This enhanced organization is now known as Children and Families First.

Children and Families First seeks to improve the quality of individual, family and community life through prevention, treatment, education and training services. In 1995, services were provided to over 29,000 unduplicated clients. Our services include parent support services, family foster care, adoption, counseling, employment readiness, human sexuality services for teens, a residential treatment center for teens, Hispanic services and workplace services.

Children and Families First is a member of the United Way of Delaware, Sussex County United Way, Family Service America, and the Child Welfare League of America. The organization is accredited by the Council on Accreditation for Services to Children and Families and is

licensed for outpatient treatment by the Division of Alcoholism, Drug Abuse and Mental Health and as a child-placing agency by the Department of Services for Children, Youth and Their Families.

The organization is governed by an active Board of Directors. The Board is supported by a strong committee structure that includes Finance, Public Relations, Personnel, Property, Nominating, Executive, Program and Policy Review, Advocacy, Strategic Planning/Oversight and Fund Raising. The Board has successfully raised funds through an annual Friends' Campaign and CHILD'S PLAY. The latter is a program that allows the agency to raise funds at the same time that it is providing a valuable community service. Children throughout the state and nearby Pennsylvania write stories, plays and poems. Our volunteers read them and select entries for a program book. CHILD'S PLAY TOURING THEATRE, a not-for-profit professional acting group based in Chicago, then selects seven or eight works and transforms them into performance material. The group spends one week in Delaware performing those selections, spending one day in Sussex County, one day in Kent County and three days in New Castle County. The week culminates in a dinner dance where excerpts from CHILD'S PLAY are performed and a member of the community receives the J.Thompson Brown Award for strengthening family life in Delaware. ♦

Mary Miller Johnston
John F. Schmutz

A GROWING ORGANIZATION HELPS OUR BASIC SOCIAL UNIT (Children and Families First)

My involvement with Children and Families First (formerly Family & Children Services of Delaware, Inc.) began with a request for assistance from another attorney, P. Clarkson Collins, Jr., of Morris, James, Hitchens & Williams. Clark had been tapped to prepare an *amicus curiae* brief in a termination of parental rights case. As I was soon to learn, these cases are uniformly heartbreaking. This case was especially so.

The mother was the long-time victim of schizophrenia. As a direct result of her illness, she was woefully neglectful of her three children, one an infant. The children had been removed to a foster home, where they were receiving excellent, loving care. The issue was a test of the then newly-enacted statute listing inability or failure "to plan adequately" for the child's needs as a basis for terminating parental rights. Clark and I took the position that the mother's rights should be terminated.

As the mother of an infant and a toddler myself, I struggled with wanting the best for those children in foster care, and yet my maternal instinct caused me to recoil from the idea of taking children from their mother. Sadly, there was no question that the mother loved her children. I believed that she tried to the best of her ability in her impaired mental state to care for them. In the end, however, it just wasn't enough. She was unresponsive to medication and there was no realistic hope for improvement.

As much as can be in such a situation, the ending was a happy one. The mother's parental rights were terminated and the children, by then well-adjusted, straight-A students, were adopted by their eager foster parents. The children have a new lease on life.

After the case was over, Clark asked if I would be willing to join the Board of what was then the Children's Bureau. (Two mergers with other social service agencies have resulted in the present name.) I had long been impressed with the agency, which provided a full range of family counseling service as well as foster care and adoption assistance. Children and Families First now specializes in foster care for children with special medical needs, even for kids who are on respirators. Adoption services focus on minority and older children and sibling groups, who are more difficult to place. Other statewide services include education and support for teenage parents and their babies; human sexuality programs for teenagers; Hispanic counseling, crisis intervention, and advocacy; a residential treatment center for drug-addicted teens; employment readiness education; and a full array of family counseling to treat and prevent abuse and to keep families intact.

I had no idea what a commitment I was making. The Board of Children and Families First is a real "working" board. As other attorney members Clark Collins, Patricia Lyons, and Jack Schmutz also discovered, board members do not simply attend meetings and pass on policy predetermined by the (very capable) executive director, Alvin Snyder. Early on, I was asked to take the lead in strategic planning. Knowing virtually nothing about the effects on the agency of such things as managed care and welfare reform, I faced a steep learning curve.

The trick for me, since I felt ill-equipped to steer the strategic planning in the right direction myself, was to find an expert in the community with the necessary skills to do my job for me. We found just such a person in Ronald E. Sullivan, who does sophisticated strategic planning for The DuPont Company on a daily basis. His availability was limited because

see Johnston, page 33



John F. Schmutz
and
Mary Miller Johnston

A 13-year old girl whose parents both abuse drugs. A one-month-old orphaned minority boy. A pregnant teenager who does not understand the importance of prenatal care and has no way to get to a care-giver even if she wanted that care. Parents and their elementary school son's teacher who can't deal with the boy's disruptive behavior in school. A legal Hispanic immigrant and his family who have just arrived in Wilmington without food, shelter or a job. A school principal unable to deal with the rapid rise in drug abuse in her school. These are examples of the people that Family and Children Services of Delaware helps.

Family and Children Services of Delaware has been built by the merger in recent years of three large social service agencies: Family Service Delaware,

the Children's Bureau and Turnabout Counseling. The merger of these organizations was driven importantly by the increased need for services by people such as those just mentioned, and by the necessity of eliminating duplication and providing services more efficiently. To identify more clearly its priorities and to distinguish it from the Delaware State Department of Family and Children Services, this year the agency changed its name to Children and Families First.

Although the present organization is relatively new, its constituent parts have helped children and families throughout Delaware for many years. Family Service Delaware began more than a century ago, in 1884. The Children's Bureau has served the community since 1916. In addition to providing some of the same counseling services as Family Service, the Children's Bureau also supplied adoption services of various kinds. Although of more recent vintage, Turnabout has focused its efforts

in Southern Delaware, where it has similar programs including a very strong substance abuse program. Last year, Family and Children Services of Delaware served more than 29,000 different people throughout the state from 13 offices ranging from Claymont to Roxanna/Frankford.

When I first became a board member of Family Service about 25 years ago, its core service was counseling, although it also had a few ancillary services such as Travelers' Aid, employee assistance programs and home health aid. In the 1970s, the agency's home health care aides helped my father to care for my invalid mother. With the changes in needs and the aforementioned mergers, its mission has expanded to include a broad range of services to improve the quality of individual, family and community life through prevention, treatment, education and training. Examples of these services include parenting support services; family foster care; adoption; drug, alcohol and other coun-

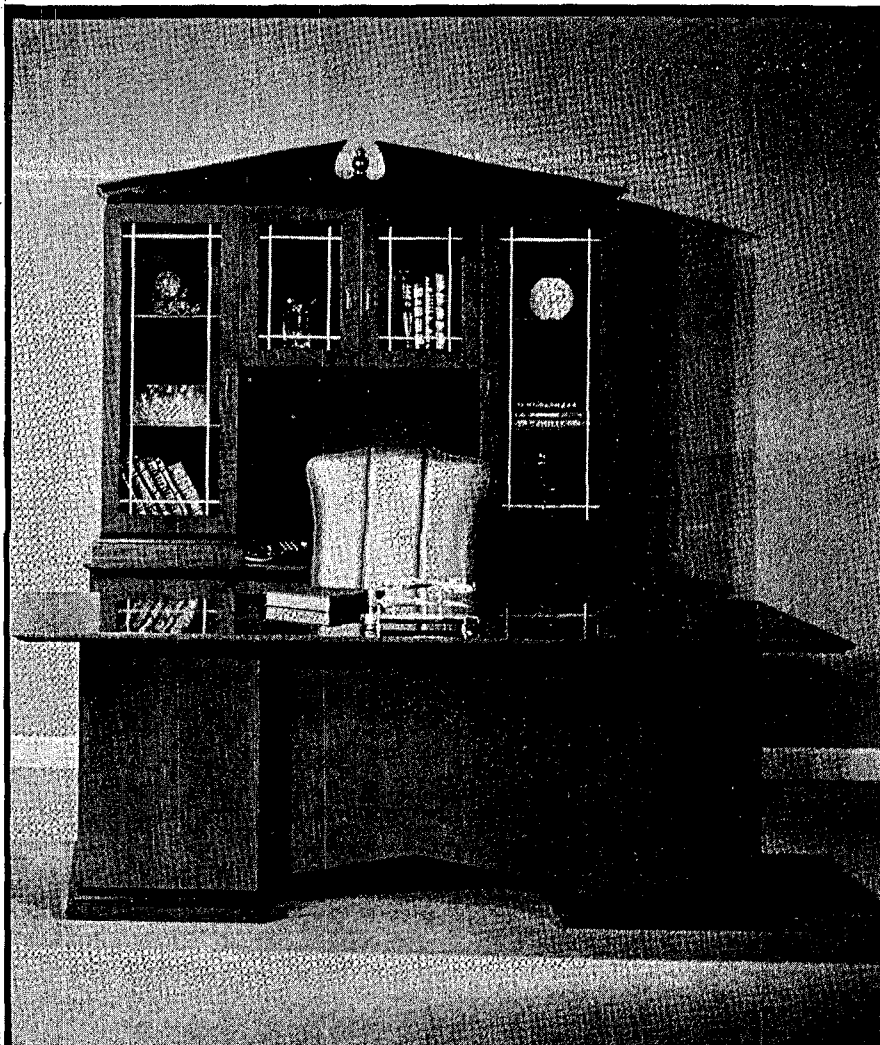
selling and education programs for teens; and employment and workplace services. While the agency originally operated only out of its offices, it now reaches out in schools and homes to where the people with problems are and either gives them help directly or helps to connect them with those who can give that aid.

As with most agencies, I and other Board members served on Board committees such as finance, nominating, program, fundraising and public relations, and shared their general advice. When executive directors left, they also

**...I discovered
that more than 20
members of the
Delaware Bar
had served as
members of the
Boards of Family
and Children
Services or its
predecessor
agencies.**

formed a search committee to look for a new leader. I served as President from 1982 to 1984. The merger of Family Service Delaware with the Children's Bureau raised the need for legal skills. David B. Ripsom, then with Duane Morris & Heckscher, drafted the merger agreement. Once of his primary counterparts with the Children's Bureau was P. Clarkson Collins, Jr., now managing partner of Morris, James, Hitchens & Williams. Dave also at one time was President of Family Service and Clark was President of the Children's Bureau. Mary Johnston, in consultation with Dave and Clark, drafted the 1995 merger agreement between Turnabout Counseling and Family and Children Services.

I never realized the extent of lawyers' contributions to Family and Children Services until I began this short piece for *Delaware Lawyer*. In looking back over some of the old mastheads, I discovered that more than 20 members of the Delaware Bar had served as members of the Board of Family and Children Services or its predecessor agencies, including five members of our Bar who were or became members of the Federal or state judiciary. Mary Johnston, for-



PAOLI WOOD OFFICE FURNITURE
10 YEAR GUARANTEE

TAB OF DELAWARE

- Fine Wood Furniture • Legal Shelving • Lateral File Cabinets
- Movable File Systems • Computer Furniture • Letter/Legal File Supplies
- System Furniture • File Indexes • Fire-proof Files • Bar Code Systems

(302) 764-9036 • FAX (302) 764-7749

INTEGRATED TECHNOLOGIES

M A N A G E M E N T

Empowering Attorneys Through Stronger Technology

SPECIALTY EXPERTS IN:

- Technology Consulting Services
- CD Rom Library Applications
- Document Coding and Imaging
- The Internet
- Case Management

710 Yorklyn Road, Hockessin, Delaware 19707

Tel: (302) 234-5353 ■ Fax: (302) 234-5350

VEHICLE LEASING

PERSONAL SERVICE IS OUR BUSINESS

We Cater to:

- Small Businesses
- Professionals
- Car & Truck Fleets

Benefits of Leasing Your Next Car:

- No Capital Investment • Lower Monthly Costs
- Drive More Car For Your Money
 - A New Car Every 2-3 Years
 - No Resale or Trade-in Hassle

Call the Leasing Professionals At:
(302) 656-4977

WINNER Group Leasing
Offices in Downtown Wilmington, Delaware

KRESTON LIQUOR MART

PERSONALIZED SERVICE SINCE 1933
SAME FAMILY - SAME LOCATION

**A TOUR OF OUR
WINE CELLAR
IS LIKE A TRIP
AROUND THE WORLD!**

WINE TASTING EVERY SATURDAY 12-5

**VOTED #1 BEST PLACE TO BUY WINE
- DELAWARE TODAY**

904 CONCORD AVENUE
(CONCORD AVENUE & BROOM STREETS)
WILMINGTON, DELAWARE

Major Credit Cards & Mac Card Accepted
Ample Parking On Our Lot

652-3792 Fax 652-3725
9am - 9pm Monday thru Saturday

SEEING IS BELIEVING!

merly of Morris, James, Hitchens & Williams, is our current President. Clark Collins, Patricia Lyons, Joanne Sundheim and I currently serve on the Board; Dave Ripsom and Richard P.S. Hannum are on the Advisory Board; and Max S. Bell, Jr., is on the Honorary Board.

Lawyers can make an important contribution to organizations such as Family and Children Services. First, as illustrated above by their role in our various mergers, they can provide valuable guidance on legal issues. Second, because of the nature of their training and their ability to identify and articulate issues, they provide valuable insights to board and committee meetings. Mary Johnston chaired our committee to refine our vision of the future of our agency and to define a strategic plan for its achievement. Third, lawyers and their families, by their favored position in our society, can make financial contributions to organizations that serve those less fortunate than they. Finally, by their many contacts in the community, lawyers can provide valuable access to community resources.

The changes occurring in funding of charitable organizations intensify the need for all our help. While at one time United Way agencies such as ours were proscribed from soliciting contributions, solicitation is now a necessity. Federal funds are diminishing. Added demands for state funds make it increasingly difficult for social service agencies to obtain such funds adequate to meet the ever-growing demands. Furthermore, the large number of charitable groups under the United Way umbrella, and givers' ability to designate recipients of their funds, further pressure resources. These demands place a premium on the contributions, contacts and advocacy of lawyers.

I believe the support we lawyers give to social service agencies such as Family and Children Services has one further important impact: it is an important means of preventing people from running afoul of the legal system. Drug, student and family counseling help avoid broken homes, a cause of crime and a burden on the courts. Our work on adoption and with foster parents helps provide the opportunity for children to become whole and contributing members of our society. Hours and dollars spent in support of organizations such as Family and Children Services help repay our debt to society for our fortunate position in it. ♦

By John F. Schmutz

Look your best...



302-292-2202

888-292-2230

Men's fine clothing
at your convenience



"Allow me to show you how to
maximize your clothing investment
in the privacy of your home or office."

Paul Stike

"WE'LL GET YOU THERE"

OFFICE AUTOMATION + NETWORKS
CASELOAD TRACKING + MULTIMEDIA
CUSTOM APPLICATION DEVELOPMENT
DATA BASE MANAGEMENT + VISUAL
BASIC + ACCOUNT MANAGEMENT
OFFICE INTEGRATION + INTERNET
DEVELOPMENT + COMPUTER
CONSULTING + BUSINESS SOLUTIONS
DOCUMENT MANAGEMENT + CD-ROM
MASTERING + DOCUMENT ARCHIVING
WEB PAGE DESIGN & IMPLEMENTATION

1-800-378-0302

MORGAN
COMPUTER SERVICES, INC.

MICROSOFT SOLUTION
PROVIDER

Johnston, continued from page 29

he was out of the country most of the time, but we managed to commandeer his services. Before he knew what had hit him, he was on the board, too, and now chairs the strategic planning committee.

So, my strategic plan worked: find some people who really know what they are doing, get them on the board before they can formulate plausible excuses to decline, and then take the credit for a job well done. I have managed to follow the same procedure in placing John W. Land of Delmarva Power as Chair of the Program &

**Children and
Families First is
simply one way I
am trying to make
some very small
difference, just a
little bit at a time.**

Policy Review Committee and James H. Gilliam, Sr., as Chair of the Advocacy Committee.

As a result of being perceived as having accomplished something worthwhile for the agency, mostly through the good efforts of other people who are truly competent and dedicated, I was asked to become president of the board. Of course, this "honor" may simply be the result of my being perceived as someone foolish enough to take on what amounts to a substantial part-time job for two full years. Probably the latter.

My 91-year-old grandmother has a timeless saying: "You can't return a favor — you have to pass it on." Children and Families First is simply one way I am trying to make some very small difference, just a little bit at a time. Former President Jimmy Carter said it much better than I can: "I have one life and one chance to make it count for something." President Carter is a source of inspiration, as are the countless attorneys in this community who give unselfishly (and virtually anonymously) of their time, expertise and money to help those less fortunate. I feel privileged and honored to have had the opportunity to work with many of those attorneys in trying to make our lives count for something. ♦

By Mary Miller Johnston

"Family & Business: THE SURVIVAL FACTOR"

A Television Documentary

MYTH:

Estate taxes affect only the wealthy in this country.

REALITY:

Estate taxes can easily devastate the average American family's finances.

MYTH:

Estate taxes are designed to break up family fortunes.

REALITY:

Unfortunately, the cash needed to pay the hefty estate taxes due at death can force the sale of a family-owned business... or even worse, start a life-long, bitter dispute between family members who have an interest in the estate.

MYTH:

Ignore the estate tax... it isn't a big deal.

REALITY:

You and your family cannot afford to ignore this American financial tragedy. Find out more about estate taxes — before it's too late.

Channel 2

Thursdays 7:30pm

March 20, May 8

Watch For Your Family's Sake.

Brought to you as a public
service by members of the



The Initial Advantage

American Society of CLU & ChFC

Delaware Chapter

P.O. Box 1529

Wilmington, DE 19899

302-656-8118

Leslie Newman

JEWISH FEDERATION OF DELAWARE

The Jewish Federation of Delaware began 61 years ago to mobilize the Jewish Community to address issues, meet needs and build an agenda for the future. It seeks to bring people together into a community coalition, grounded in Jewish teachings and heritage, to strengthen the State of Israel, the global Jewish family and local organizations in order to further the survival of the Jewish people. It has three primary functions:

- to ensure needed resources (funds, buildings, leadership);
- to provide a structure for the Jewish community to interact with the non-Jewish community; and
- to coordinate planning in the Jewish community (build an agenda for the future with clearly defined priorities; allocate and manage community resources).

RESOURCES

The agencies under the umbrella of the Jewish Federation of Delaware include the Jewish Community Center, Jewish Family Service, the Albert Einstein Academy (day school), Delaware Gratz Hebrew High School, Hillel at the University of Delaware and the Milton & Hattie Kutz Home (nursing home). Funds are raised to support activities in Wilmington, the greater Newark community and Dover.

The Jewish Federation owns the Garden of Eden Complex, which houses the Jewish Community Center, Jewish Family Service, Albert Einstein Academy and Gratz Hebrew High, as well as a Family Campus with outdoor activities including a pool, tennis, softball, and picnic facilities. It also owns the River Road Complex, which houses the Milton & Hattie Kutz Home.

The Jewish Federation raises funds through an annual campaign as well as through endowment. Each year the annual campaign reaches out to Delawareans to support programs in Delaware as well as in Israel and around the world. Approximately one third of the campaign is sent overseas to help Jewish people in need and to resettle and acculturate immigrants to Israel. In 1996, our Annual Campaign will raise approximately \$1,500,000.

The 1997 Campaign is under way. Numerous serial and cultural events are associated with the campaign. On November 3, a Dinner of Commitment was held at the Delaware Art Museum. Gerard Edery, a classical guitarist, entertained with ethnic music. On December 8, Henry Winkler was featured speaker at the Chai Dinner at Adas Kodesch Congregation. The campaign concludes with Federation Shabbat, where all

Delaware congregations worship together (Jan. 24), a community concert featuring Doug Cotler (Feb. 8) and Super Sunday (Feb. 9), an all-day phonathon organized by the Young Leadership Development Alliance.

An active Endowment Committee works to raise funds for the Jewish Federation as well as its constituent agencies. Individuals have the opportunity to make gifts that meet personal interests while assuring the future of the Jewish community.

The Jewish Federation supports leadership development through the Young Leadership Development Alliance. This group welcomes newcomers to the community, encourages participation in activities and will learn skills to be tomorrow's leaders.

INTERFACING WITH GENERAL COMMUNITY

The Jewish Community Relations Committee is the arm of the JFD that advocates, educates and stimulates positive relationships in the community. Each September, it hosts a candidates forum along with Hadassah. The committee meets regularly to discuss current topics of concern, frequently hosts speakers of interest and responds when appropriate to issues.

The Holocaust Education Committee sponsors a yearly remembrance day that includes a worship service the evening before and an interfaith program at the County Building on French Street. Secular as well as religious leaders participate.

PLANNING

The Jewish Federation of Delaware has just completed a population study to facilitate planning for the future. The study identified areas of growth, population trends and implications for service delivery. This information has been shared with synagogues, agencies, community service groups and the general public through the *Jewish Voice*, our local newspaper, as well as through town meetings. A planning committee has been convened to assess this information and to make recommendations to the Board. The results of this study will most likely affect how the 1997 campaign dollars are allocated.

The Allocation Committee, composed of a wide range of individuals, meets each spring and reviews requests submitted by the various agencies. The committee reviews budgets, evaluates program effectiveness and makes recommendations to the Board of the Federation about how best to utilize the available funds. These recommendations include overseas and local allocations.

The JFD also coordinates a community calendar, holds meetings with the executives of the various organizations and acts as a resource and partner. ♦

**John A. Elzufon
Jonathan Neipris**

SERVING ONE'S FAITH IN THE COMMUNITY (Jewish Federation of Delaware)

One might first ask: why become involved at all? It can be frustrating (usually trying to persuade people to do things they should do without being prodded), often involves "crisis management" during regular business hours (when you have enough hassles) and almost always takes more time than predicted (it is very helpful to be blessed, as I am, with an understanding and supportive spouse). In trying to formulate an answer, I am reminded of a great musician (I cannot recall the name) who, when asked to define jazz, responded: "If you have to ask the question, you'll never understand the answer." Fortunately, many attorneys are involved and have no need to ask the question. Indeed, if there is a "downside" to an article such as this, it is the high likelihood that there are others, not featured here, whose contributions are greater and more worthy than mine.

My present community involvement focuses on institutions and issues centered around the Jewish faith. My wife, Lena, and I take great pride in being Jewish and great pride in the contributions that the Jewish people have, for centuries, made to humanity. I am involved because, as a father, I hope my two daughters will feel this same pride. I am involved because the contribution I make to my community, whether it be the relatively small Jewish community or the larger Delaware community, satisfies my belief that each of us should strive to make this world a better place to be – a concept consistent with a core mission of the Jewish people known as Tikkun Olam: to "mend the world."

In Delaware, the central planning and fundraising organization for the Jewish Community is the Jewish Federation of Delaware (JFD). I serve on its Board as one of its Vice Presidents and chair the Jewish Community Relations Committee (JCRC). The JCRC is the public affairs arm of the JFD. The goal of the JCRC is to work with government leaders and the media as an advocate for Israel and to promote policy in keeping with Jewish values and the welfare of the Jewish people. The JCRC combats anti-Semitism and other forms of bigotry and seeks civil rights for all. It does not do this in a vacuum: it participates in programs and coalitions with other civic groups and religious organiza-

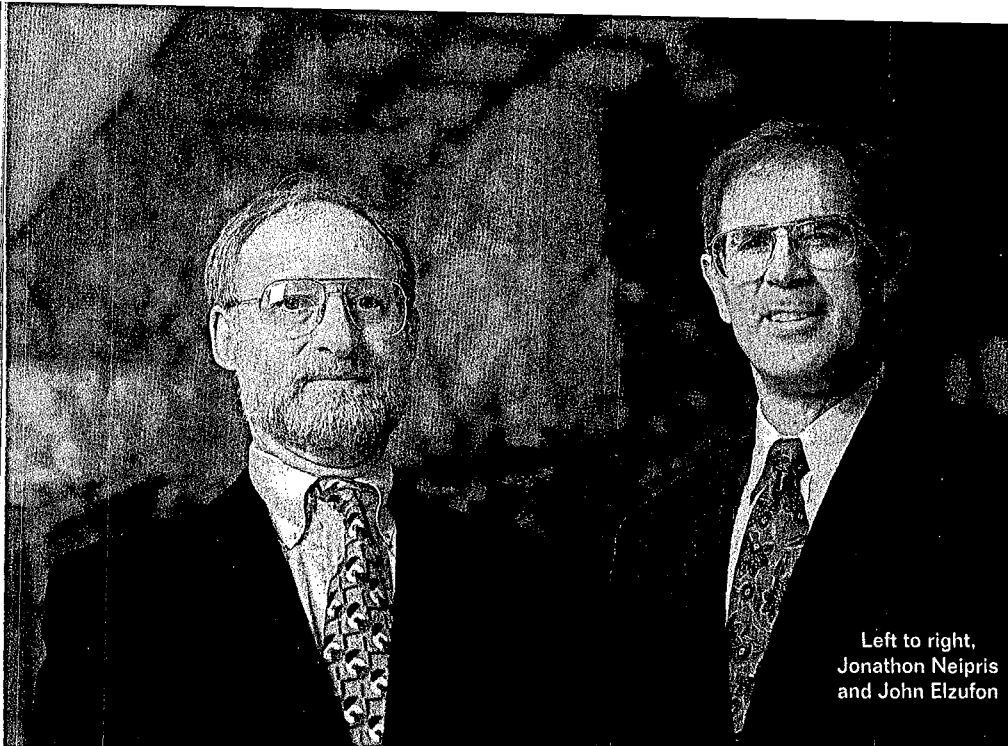
tions for matters and issues of common concern (combating hate groups, church/state relations, etc.).

When my term as JCRC Chair expires this year, I'll assume Co-Chair responsibilities of the Allocation Committee of the JFD. As a central fundraising entity, the JFD also has the responsibility to allocate the funds that have been raised. The ultimate allocation decision is the JFD Board's, but the Allocation Committee considers the various funding requests and recommends to the Board how it feels the funds should be spent. Some of these funds go to agencies in Israel (not the Government), but most stay here in Delaware. Fund allocation is difficult because the needs of the various agencies exceed the funds available. I am reminded of the story about an Illinois attorney, Abraham Lincoln, whose neighbor once asked why Lincoln's three sons were crying. Lincoln replied that each of his sons wanted \$2.00: each deserved \$2.00, but he only had \$4.00. As the story is told, Lincoln kept the \$4.00 and let his sons cry. The JFD does not have that option. The funds it raises must be allocated and decisions, often difficult ones based on community-established priorities, must be made.

My longest continuous involvement in the Jewish community has been with my synagogue, Adas Kodesch Shel Emeth Congregation. I have been on its Board of Governors since 1982 and I was its President from 1985 to 1988. My motive for being involved is the same as that of anyone who has ever been involved with his or her house of worship: it is a focal point of religious expression and the institution where my children receive their religious training. It is important to me that my synagogue be a viable and vibrant organization that my children view as a place where they want to go and not as a place where they have to go.

Equally long as my relationship with my synagogue is my involvement with Israel Bonds – as one of the representatives of my synagogue and, more recently, as Co-Chair of Israel Bonds for the State of Delaware. Among the many lessons that the Jewish people (and, I hope, the rest of humanity) have learned through the tragedy of the Holocaust is that the Jewish people need their own homeland. It is an unfortunate fact that most nations in this world

see Elzufon, page 37



Left to right,
Jonathon Neipris
and John Elzufon

A MEAL ENJOYED BY EINSTEIN

It's not clear whether I can properly call myself a "cook-at-law" (or is it "attorney-at-cook"). Nonetheless, the opportunity to write about my community involvement experiences seems well conveyed in the manner of cookbook writing. Both food and community provide us with sustenance. Both are routinely involved with pleasurable interactions with others. Also, each is affected by the multitude of group heritages that may apply, whether regional, national or religious. Of course, the number a recipe serves is directly related to the size of the community involved. One can cook for two, often an intimate community, or plan to feed the world and deal with the global community.

The catchy yet misleading title of this article does indeed refer to Albert Einstein. However, rather than being about Albert Einstein, the Nobel Prize-winning scientist and academician, it is written about Albert Einstein Academy, a noble and prized science-teaching institution. Albert Einstein Academy is the community Jewish day school in Delaware which, in a dual curriculum, instructs on both secular and Judaic topics. Like so many other communal institutions, it has a voracious appetite for the contributions of its supporters and members. I was privileged to be able to feed young Einstein during a

recent "growth spurt."

My particular version of Community Stew (a P'ecole Juive) has ancient roots (even older than potatoes) with daily religious and academic instruction being a staple for "the People of the Book." However, I assure you that your adaptation can be prepared using whatever ingredients suit you. In any season, a wide variety is available locally.

This recipe does not produce what is now commonly referred to as a "comfort food," although the result is often deeply satisfying. The need to mix disparate components and to break down the fibers of tough ingredients is generally more challenging than comfortable. Distinctive flavors, though, are needed to give identity to the stew.

I have often observed these stews to be influenced by the home cooking of the chef's childhood. There were several versions of this community stew that I recall from my home. After my recipe won some acclaim, my father informed me of its striking similarity to a dish my grandfather served religiously about 60 years before. (We chefs might say, "Plus ça change, plus c'est la même chose.") I recreate the recipe here with the awareness that everyone will have his or her own variant.

COMMUNITY STEW (A L'ECOLE JUIVE) INGREDIENTS *I worthy cause*

May be selected locally or, if desired, from a range available internationally. A selection criterion I recommend is the cause that, if you could serve only one,

you believe would make the greatest difference in the world.

1 bunch committed individuals

These are great to support the structure of what's being cooked up, as well as to appreciate the progress of the dish.

Professional Staff - Best Quality

Defined as the best you can afford. Need for the quantity of this ingredient varies based on the project, with some being predominantly professional and others almost exclusively volunteer.

Agency need

What aspect of the cause or organization demands first-priority attention.

Family support

May be omitted only if you don't have a family.

Employer support

May not be applicable if self-employed or if no work time is occupied by phone calls or meetings.

Preparation

Astonishingly enough, this is a matter left entirely to the judgment of the chef. I will describe only two of the many approaches to the preparation. First, one can respond to the call of the ingredients. What does the agency or cause cry out to be done? Assuming you are capable of executing, proceed. Second, because of the chef's predilection for a particular style, one can perform one's favored method of food preparation: for example, (b)raising money, or becoming (em)broiled.

Preparation time

How much time do you have?

Serving suggestion

Ideally, this should be served as one of many dishes in the communal, potluck style in which we all bring what we can, what we think will be enjoyed, and what we're comfortable in sharing.

But why should one cook a Community Stew? Thomas Jefferson wrote in 1812 that "Private charities ... are certainly among the duties we owe to society." A Rabbinic sage of the second century stated, "It is not your obligation to complete the work [of perfecting the world], but you are not free to desist from it either." Lukens and Rosso, in *The Silver Palate Cookbook*, advise not only that "stews make special memories" but that "Stew says something special to your guests; they feel welcomed, comforted, nourished."

To my taste, this is a most satisfying meal. ♦

By Jonathan Neipris

TRADEMARK & COPYRIGHT SEARCHES

TRADEMARK - Supply word and/or design plus goods or services.

SEARCH FEES:

COMBINED SEARCH - \$260
(U.S., State, and Expanded Common Law)
U.S. TRADEMARK OFFICE - \$120
STATE TRADEMARK - \$125
EXPANDED COMMON LAW - \$165
DESIGNS - \$145 per U.S. class (minimum)
COPYRIGHT - \$155
PATENT SEARCH - \$390 (minimum)

INTERNATIONAL SEARCHING

DOCUMENT PREPARATION

(for attorneys only - applications, Section 8 & 15, Assignments, renewals.)

RESEARCH - (SEC - 10K's, ICC, FCC, COURT RECORDS, CONGRESS.)

APPROVED - Our services meet standards set for us by a D.C. Court of Appeals Committee.

Over 100 years total staff experience - not connected with the Federal Government.

GOVERNMENT LIAISON SERVICES, INC.

3030 Clarendon Blvd., Suite 209

Arlington, VA 22201

Phone: (703) 524-8200

FAX: (703) 525-8451

Major credit cards accepted.

TOLL FREE: 800-642-6564

Since 1957

**Let's not
pollute
our
ocean
of air**



**like we
polluted
theirs.**

**AMERICAN
LUNG
ASSOCIATION®**
The Christmas Seal People®

Space contributed by the publisher as a public service.

Elzufon, continued from page 35

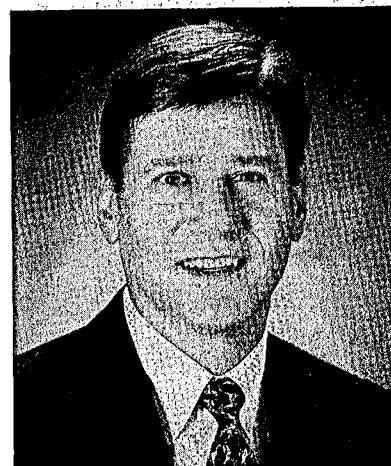
do not treat the Jewish people with the dignity and respect that we receive in this wonderful country. Israel is a place where all Jews, regardless of background, are free to practice their religion and to fulfill their spiritual calling. Since the first Israel Bond was issued in 1952, Israel has raised over \$50 billion for economic development and construction of infrastructure. With the collapse of the former Soviet Union, Israel will absorb a number of immigrants equivalent to the entire population of France moving to the United States of America. Israel Bonds help Israel provide these impoverished immigrants with a decent place to live, schools, hospitals and job training.

Since 1992, I have served as a member of the Board of Directors of Delaware's Hebrew day school, Albert Einstein Academy. Those of you who know me are aware that my children do not attend this school. My involvement with this Board is as a non-parent and, since I do not have any day-to-day relationship with the school, my goal is to add objectivity to discussions and decisions. I think it important that a community the size of Delaware have a strong and vibrant Hebrew day school as an available educational option for Jewish families.

For the past few years, I have also been involved in activities that blend community service with a personal interest of mine. I enjoy reading and learning about "historical Jesus." I enjoy various opportunities to teach about this subject and, from time to time, I've also led discussion groups at the Jewish Family Services Interfaith Group and several Christian churches. The subject is fascinating, and I hope that my involvement will help strengthen the relationship between Delaware's Jewish and Christian communities.

I conclude by returning to the question first posed. Rabbi Abraham Joshua Heschel, one of this century's great teachers, often asked himself: "What have I done today to earn the love and respect of my family?" Community service is far from the only answer, especially because one of its "drawbacks" is that it lessens available quality time with your family, but it is part of the answer. ♦

By John A. Elzufon



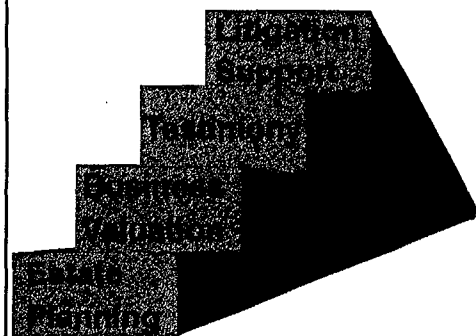
TOM SHOPA
Managing Director

McBride Shopa
& company

Certified Public Accountants
and Management Consultants

providing support
services to the legal
community for almost
20 years

For your clients:



*Our mission is to recognize
our clients wants,
determine their needs, and
support them in
achieving ongoing success*

Reach us at:

Tel: 656-5500

Fax: 656-8024

eMail:

consulting@mcbrideshopa.com

Lawrence A. Hamermesh
Joan Rosenthal
Judith Mellen

ACLU: DEFENDING THE BILL OF RIGHTS

The American political system is built upon two fundamental ideas, the first of which is the idea of majority rule through electoral democracy. This idea is well rooted and firmly established in our political culture. It is taught pervasively in the public schools, and the habit of voting, and abiding by the majority decision, is instilled early in the educational process: every child votes to determine who should be eraser monitor.

The second idea is less well established, less understood, not at all well rooted in popular culture and much more fragile. That is the idea that even in a democracy, the majority should not always rule, that in order to guarantee individual liberty and personal autonomy, the democratic majority must be sharply and firmly limited. Just because one group outvotes another it cannot be allowed to gain unlimited power. If whites have more votes than blacks, they should not be allowed to deny blacks equal treatment before the law. If Christians have more votes than Jews or if Christians and Jews together outvote the followers of Krishna Consciousness, they should not be allowed to deny those they outvote the right to practice their religion freely. Republicans and Democrats ought not to be allowed to band together and deny the right of free speech or of equal access to the ballot to socialists, the KKK or homophobic protesters. This idea defines the difference between democracy and liberty. It is neither a recent idea nor the invention of the ACLU. Rather it is a deeply conservative idea rooted in the very beginnings of American history.

The guarantees of liberty are not self-enforcing. Those with power often undermine the rights of individuals and groups who lack the political influence, the numerical strength or the money to secure their birthright of freedom. That is why ACLU programs—in the courts, in the legislatures and in the public forum—have most often been on behalf of people with the special vulnerability of the powerless.

Delaware lawyers and ACLU Delaware

In our state, the task of guarding our constitutional freedoms has been taken up most often, and most appropriately, by members of the Delaware Bar. An entire chapter of *The*

Delaware Bar in the Twentieth Century, from which the preceding passages were taken, is devoted to a history of the Delaware affiliate of the ACLU, and that history is dominated by the contribution of Delaware lawyers. With rare exception, that contribution has been in the form of unpaid, *pro bono* service.

Since the formal establishment of ACLU Delaware 35 years ago, five Delaware lawyers – Irving Morris, Jacob Kreshtool, Thomas G. Hughes, Max S. Bell, Jr., and now Lawrence A. Hamermesh – have served as president of the affiliate. ACLU Delaware is proud that lawyers have constituted a large fraction of its Board of Directors, and is grateful for the guidance and support of all those who have convened, month after month, to debate the civil liberties significance of potential new cases and proposed legislation. ACLU Delaware lawyers (Norman Monhait, Eugene Maurer, Jr., Bruce Stargatt, Thomas Ambro, Ellen Meyer and Carl Schnee) have contributed their time serving on a standing review committee that evaluates the facts and legal merits of civil liberties complaints to determine whether to pursue them further. ACLU Delaware lawyers (Karen Jacobs Loudon, Richard Cohen, Richard Elliott and John Osborn) have contributed their time reviewing legislation proposed by the General Assembly and providing comments, both critical and positive, about the civil liberties significance of proposed legislation. ACLU Delaware lawyers (including Elizabeth McGeever, Max Bell and Selma Hayman) have planned and participated in a variety of educational programs for high school students, and for religious and community groups, all aimed at enhancing public awareness of the scope and importance of the constitutional protection of individual rights.

Undoubtedly, however, the most rewarding work by lawyers for ACLU Delaware is the representation of clients whose civil liberties cases are accepted by the Board of Directors of ACLU Delaware. The two cases described below illustrate how Delaware lawyers have contributed, in concrete and specific ways, to the preservation of the rule of law and the protection of civil liberties.

Although the litigation schedule is a source of great satisfaction, it does not measure the effectiveness of the ACLU's work. Much of the Delaware affiliate's activity consists of behind-the-scenes administrative and investigative work: mediating, letter-writing, telephoning, attending meetings, negotiating, and a

see ACLU, page 41

Gary W. Aber

SPEAKING OUT FOR FREEDOM (American Civil Liberties Union of Delaware)

Unlike many of my compatriots who have contributed to this issue of *Delaware Lawyer*, my involvement with a non-profit organization (the American Civil Liberties Union) cannot be said to rest on such high ideals as charity or unselfish giving. Rather, I have become involved with the ACLU for many of the same reasons that the law as a profession attracted me. The law is more than merely a means of feeding one's family and providing the wherewithal to enjoy one's existence in this world. Unlike the American Red Cross, the Multiple Sclerosis Society, and other more traditional charitable organizations, the American Civil Liberties Union provides two outlets to me in my profession, satisfying both non-professional and professional goals.

First, the ACLU provides a means of expressing a respect for the law and, more specifically, of defending the constitutional protections unique to American democracy. Second, it provides an opportunity both to provide a rationale to the public for those liberties embodied in our constitutional system and to understand the public's reaction to the rationale for those rights, of which they may not always have a full appreciation.

Again unlike the other organizations represented in this issue, a lawyer's primary obligation in connection with the ACLU is to provide legal assistance for those individuals who are entitled to constitutional protections. This has led me to handle such cases as *Shoemaker v. State* (involving the right of an accused to be tried by a judge, trained in the law), *Wilmore v. City of Wilmington* (involving a class action of minority firefighters for alleged discrimination in the promotion process at the Wilmington Fire Department), and several other matters. However, this article is devoted not to that purpose for my participation in the ACLU, but rather to the non-litigious, educational ones. Those principally involve speaking at public forums on various issues concerning citizens' rights under the United States Constitution and its Bill of Rights.

Several examples spring to mind that illustrate both the ACLU's desire to educate the public and my own need to serve the law. Perhaps one of the best and earliest examples was a speaking engagement to which I was invited involving the basic

First Amendment rights surrounding the Nazi Party's desire to march in Skokie, Illinois. As many may remember, in an obvious bid for public attention, the American Nazi Party sought to march through the streets of Skokie, a suburb of Chicago. Skokie had not only a significant Jewish population but numerous survivors of the Holocaust, with the obvious expected reaction. A debate before a Jewish audience at a local synagogue was scheduled, following Friday night services. I was asked, and volunteered, to take on the task of setting forth the ACLU's position that the despicable views of the Nazis fell within the protection of the First Amendment and could not be subject to a "heckler's veto."

The reaction of the audience to this point of view was swift and obvious. The emotional baggage of the subject of the debate understandably overshadowed the intellectual arguments made on behalf of the ACLU's position. However, numerous members of the audience, at the end of the debate and afterwards, admitted either understanding more fully the ACLU's position, or at least intellectually respecting the ACLU's point of view while continuing to disagree with it. The gratification of having endured such a debate and having won the respect of some members of the audience, as well as sensing at least minimal movement in the viewpoints of some people, more than made up for the negative aspects of that endeavor. I have had similar experiences at other public presentations before such groups as local Rotary and Kiwanis clubs and Sunday morning church roundtables.

Another similarly memorable debate was an opportunity to argue on behalf of the "exclusionary rule" against a noted local "lawyer-author," Charles P. Brandt. Mr. Brandt's long years of criminal expertise, matched against my limited criminal experience, made him a formidable opponent in debating this much-maligned legal theory. (For the non-lawyers reading this, the exclusionary rule requires the barring, at trial, of any evidence seized in violation of the Fourth Amendment's protections against unlawful searches and seizures.) Here, as in other forums, many members of the audience reacted, either by changing their viewpoints ever so slightly, or at least by respecting the ACLU's point of view without adopting it.

Such endeavors do not produce monetary support for either the ACLU or other charitable organizations represented

Your clients can be confident they'll get the best from you...

You can be confident you'll get the best computer training from us!

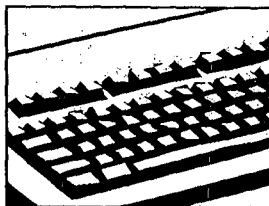
Computer Education

University of Delaware

For more information, call 302/831-8842,
or e-mail CE@mvs.udel.edu.
For scheduled classes, visit us on the web at
<http://www.udel.edu/twkee/webcompu.html>



Division of Continuing Education



You will benefit from:

- courses in the latest software
- one person to a computer
- expert faculty
- courses designed for adults
- hands-on, practical training
- economical rates for group training at your site or ours

in this magazine. However, I feel they serve a legitimate purpose in becoming a starting point for a rational discussion of positions that are often viewed as "left wing" and without merit, if not in convincing people of the correctness of the ACLU's point of view. It must be understood that Delaware's small population, where many people know each other, provides a much different environment for these discussions from what would be possible in a more metropolitan, heavily-populated area. This fact provides an additional rationale and benefit for participation in an organization such as the American Civil Liberties Union, where the "Delaware"

These public opportunities, associated with participation in the manifold activities of the Delaware affiliate of the ACLU, provide psychological benefits that would not otherwise be available in day-to-day courtroom procedures.

way of doing things entails, if not a higher degree of respect for the organization, then a lower level of abuse directed against it.

These public opportunities, associated with participation in the manifold activities of the Delaware affiliate of the ACLU, provide psychological benefits that would not otherwise be available in day-to-day courtroom procedures. Those benefits emanate from giving truly intellectual service to the law, rather than just serving the business side of the profession. ♦

By Gary W. Aber



DOES YOUR DOCTOR STILL
MAKE HOUSE CALLS?

**THE PHONE
DOCTOR
DOES.**

When your business phone service is interrupted, you want it repaired now. The Phone Doctor prides itself on providing fast, efficient service. American-Made equipment, including COMDI-AL, ITT & ATT in stock. For your peace of mind, we're available 24-hours a day, 7 days a week, we're just a phone call away.

Serving Wilmington Professionals Since 1969.

1607 WEST NINTH STREET • WILMINGTON, DE 19805 • (302) 658-3333

considerable amount of persistence and just plain nagging. Behind this approach, however, is the very viable threat of litigation that is the hallmark of the ACLU.

Bus Signs and Political Expression (Excerpted from The Delaware Bar in the Twentieth Century)

The work of volunteer Delaware lawyers has often enabled the ACLU to resolve disputes prior to litigation. One such effort occurred in the spring of 1987 when the Delaware Nicaraguan Network (DNN) and Pacem in Terris (PIT) attempted to purchase political ads on Delaware Area Regional Transportation (DART) buses. The DNN and PIT approached the advertising agency that handled DART's accounts for the placement of placards on DART buses and contracted for posters to be displayed for one month. The posters were to read:

Nicaragua is not our enemy—Tell Congress—no more Contra aid.

Sponsored by Pacem in Terris and Delaware Nicaraguan Network — 656-2721.

Before displaying any of the posters and without prior notice, DART unilaterally canceled the contract. At a meeting, DART's administrator told the DNN and PIT that DART had the ads rejected as a "business decision." DART further said that there were no written guidelines for accepting advertising and that it made such decisions on a case-by-case basis.

The DNN and PIT turned to the ACLU, which enlisted one of its volunteer cooperating attorneys, Lawrence S. Drexler, to investigate the matter. Drexler determined that DART's actions constituted state action subject to the First Amendment's restrictions and that the seemingly content-based rejection of DNN's advertising violated the First Amendment rights of PIT and DNN. The ACLU placed the matter on its agenda for approval to represent PIT and DNN in an effort to enforce the contract.

With the ACLU board's authorization to act, Drexler wrote to the administrator for DART to tell him of the ACLU agreement to represent PIT and DNN. Four days later, on the advice of its counsel, DART reversed its decision and accepted the DNN and PIT posters as contracted.

Free Expression in the State Workplace

Not all ACLU clients are easily stereo-



A Feast for Your Senses

- **WEDDINGS AT DELAWARE CENTER FOR HORTICULTURE**
This unique and intimate facility has seating for 200 guests; all DCH catering is by Toscana
- **PARTIES AT LA SALETTA, TOSCANA'S PRIVATE ROOM**



t a v o l a
TOSCANA

14TH AND DUPONT STREETS • WILMINGTON, DELAWARE
302.654.8001



Attention: Attorneys & Firms

This is your magazine...

as we invite you to take advantage of it to communicate to the rest of the legal community. Therefore, we offer lawyers and law firms special rates to announce new partners, mergers, relocations, the formation of a new firm, or equivalent news.

1/3 Square (4 5/8" w x 4 7/8" d)	\$300
1/6 Horizontal (4 5/8" w x 2 1/4" d)	\$200

Suburban Marketing Associates, Inc. publisher of Delaware Lawyer, would be pleased to assist you with the design and production of your ad.

For information, phone 302-656-8440

ARE YOU WORKING TO WIN? OR JUST WORKING?

IKON Office Solutions offers you the solutions to win.

With more than 800 offices, IKON has the strength and resources to meet your needs.

EQUIPMENT SOLUTIONS NETWORKING SOLUTIONS OUTSOURCING SOLUTIONS

If you're looking for a competitive advantage to help you win, look to IKON. After all, if you're going to work, why not Work to Win?

IKON

Office Solutions

IKON Office Solutions...the single-source solution for all of your office technology needs.
We help our customers Work to Win.

Wilmington (302) 792-9051

New Castle (302) 323-0300

Locations in Pennsylvania, New Jersey and Delaware. See your local White Pages under IKON.

Evidence can win cases

but only if you can find it.

American Document Management's legal imaging services turn boxes of jumbled papers into indexed, searchable, computerized data that you can access without leaving your desk.

Our litigation support services include: scanning, indexing/coding, optical character recognition, full-text conversion, CD-ROM publishing and project management.

Why waste time looking for misplaced evidence?
Let American Document Management help you:

- ✓ Access information within seconds.
- ✓ Increase productivity and cut costs.
- ✓ Utilize flexible presentation options.
- ✓ Gain a competitive edge.

End the paper chase with American Document Management!

248 Chapman Road Suite 100 Newark, DE 19702
(302) 455-9000 Fax (302) 455-0890



American Document
MANAGEMENT

typed as "liberal" or "left-wing." And not all ACLU cases are resolved through negotiation, nor do they all reach the United States Supreme Court. Sometimes "Eternal Vigilance" takes ACLU lawyers into unpredictable places. Such was the case with ACLU lawyer, Richard Elliott.

You might not think that the ACLU would take up the cause of a prison guard. Neither did Karl Paolini, at first. Then a correctional officer at the Delaware Correctional Center in Smyrna, Paolini was fired in early 1994 because of "inflammatory" material in his privately printed satirical newsletter, which was replete with racial and ethnic references no one would describe as politically correct.

After the state's Merit Employee Relations Board heard Elliott's presentation of Paolini's appeal, however, it concluded that "there was not just cause to terminate Mr. Paolini," and that "the evidence does not support a finding that there was a safety and security problem resulting from the publication of the newspaper. The Board directed that Paolini be reinstated and awarded back salary.

It is natural, even for the most well-intentioned public officials, to believe that criticism and inflammatory words are contrary to the public interest and therefore deserve sanction. It is just as important, though, that lawyers like Elliott are willing to give their time and talents to protect freedom to express thoughts and ideas that they personally might find distasteful. This kind of public service does not always endear the lawyer to his or her peers, the press or paying clients. In this case, however, at least the client was grateful, grateful to Elliott and the organization that sponsored Elliott's involvement. As Paolini wrote in a letter to ACLU Delaware after his successful appeal:

I find it ironic that the fundamental support I needed for victory came from an organization that I am often times ideologically at odds with. I believe in one's rights to disagree, to have one's own opinions, beliefs and ideas, and the fundamental right to intelligently (to the best of one's ability) articulate them. I believe strongly in that and you have proved to me that you all do too.

Yes, we do. And Lawrence Drexler and Richard Elliott, in the finest tradition of *pro bono* service by Delaware lawyers, gave their time generously in service of the cause of free expression that Mr. Paolini so forcefully recognized and articulated. ♦

Abbott, *continued from page 47*

there is time for public service. I also hope that my run for office showed the public that lawyers are real people, that they care about the community in which they practice, and that lawyers have certain unique qualities that lend themselves to public service.

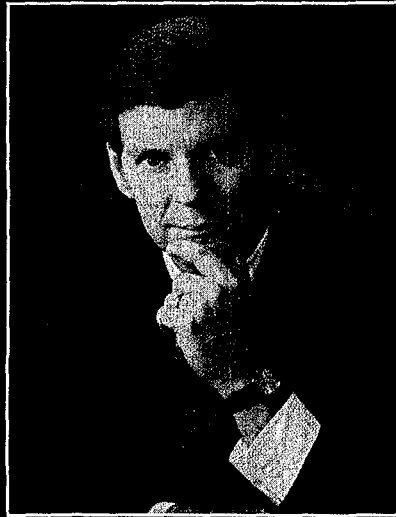
It is also worth mentioning out that my campaign drew many young professionals, especially lawyers, into the political process. These more junior members of the bar, and of other professions, had an opportunity to devise a strategy, design ads and campaign materials for publication, organize events, and take on many other significant responsibilities while also pitching in to stuff the envelopes, put up the yard signs, make the telephone calls and do the other less glamorous tasks. It showed everyone that a core group of young professionals really can operate as well as the battle-tested veterans.

The question arises whether my candidacy made any lasting contribution to the public good beyond the economic boost provided to the local billboard, printing and radio industries. Not surprisingly, I think my candidacy did make a few points that will live on. The media are still asking County officials whether they intend to eliminate the position of Public Safety Director. This suggests that even the local press has figured out the attractiveness of this proposal to increase government efficiency, which was one of the major planks of my campaign platform. In addition, the County government has recently announced its intention to acquire additional parkland in the high-growth residential areas. I was the only candidate running for County office who emphasized the critical need to set aside lands for both near-term recreational purposes and long-term, open space preservation.

Moreover, I am confident that my campaign brought substance — a scarce commodity in most political discourse — to the issues of land use and zoning. Those issues were at the forefront of the 1996 County campaign debates. Rather than merely repeating the intellectually and logically obvious point that “reasonable, planned development is a good thing,” I made a specific proposal to change the current process to allow greater citizen input, while ensuring that the Council would have the final say on planning and zoning decisions. While the logic of my proposal was lost on some groups, including the editorial board at

BASSETT, BROSIUS & DAWSON, INC.

FINANCIAL & INVESTMENT CONSULTING



Frederick J. Dawson, ChFC, CLU
Financial Advisor

**Building and
conserving wealth,
reducing taxation,
and producing
dependable
income streams
since 1980.**

**Call for a FREE
12 minute cassette
tape that explains
our work.**

E.A. Delle Donne Corporate Center
1011 Centre Road, Suite 308, Wilmington, DE 19805
(302) 999-9330

SECURITIES OFFERED THROUGH
INVESTMENT, MANAGEMENT & RESEARCH, INC. MEMBER NASD/SIPC.

Independent Jewelry Appraisal Co.

Appraisal Specialties

- Insurance
- Divorce
- Bankruptcy
- Estate Liquidation
- Expert Witness

William J. Schuh
Graduate Gemologist

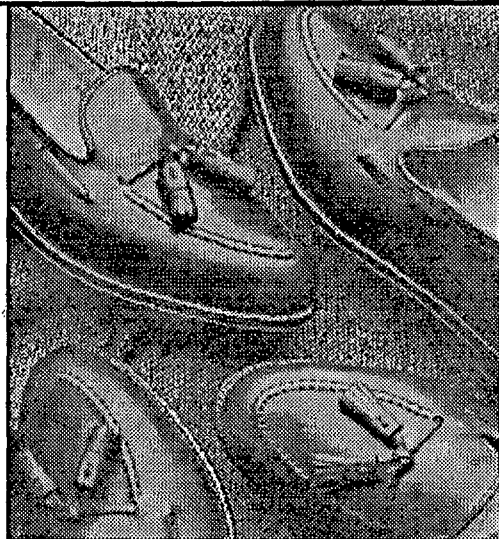


(302) 655-2004

FAX (302) 429-5953

901 Market Street, Suite 460 Wilmington, DE 19801

A CLASSIC SHOE

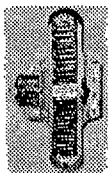



Alden
NEW ENGLAND

*Traditional
patterns,
crafted with
extraordinary
attention
to detail.*

GREAT SHOES THAT FIT EVERY FOOT AND LIFESTYLE

We specialize in hard to fit sizes, 6-15, AAA-EEE. If your size isn't in stock, we'll order it. No sales tax on shoes.



Sherman Brothers
Fine Men's Shoes since 1953

CENTER CITY PHILADELPHIA • 215.561.4550 / ROSEMONT • 610.527.2323
QUAKERTOWN • 215.536.5511 / CHADDS FORD • 610.558.1700, 302.656.9389

The News Journal, individuals knowledgeable about development issues recognized that some adjustment to the current system was needed to stave off more radical proposals.

No one should discount the value of having vibrant competition for elected office. It is absolutely essential to the success of a democratic electoral process. The public exchange of ideas and proposals is the stuff that campaigns are supposed to be made of.

I would be remiss if I did not close by explaining just how gratifying and encouraging the experience of running for office really is. When total strangers approach and offer to volunteer for your campaign, senior citizens thank you for saving them money due to your reminder of the senior property tax exemption, and your fellow attorneys go out of their way to express their admiration for your efforts, you truly understand what running for public office is all about. While there certainly are a number of slimy, evil political people out there, the process is still important. I firmly believe that I and many others are better for participating in it. ♦

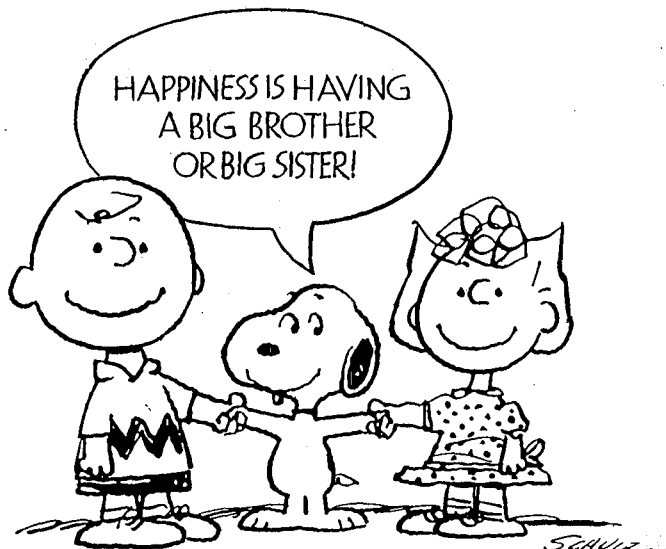
Denn, continued from page 48

more law firms in Delaware would do the same for their attorneys, as lawyers have a great deal to offer as legislators.

THE LAWYER AS CANDIDATE

The first thing I learned as a candidate was to forget much of what I had learned as a lawyer. As lawyers, we are accustomed to captive audiences: whether we are dealing with juries or judges, we say our piece with the expectation that the people hearing us will do so attentively. Not so on the campaign trail. People these days are busy, and whether you are showing up at their door or sending them mail to read, it is not reasonable to expect a lot of their time. So on the campaign trail, the focus is on repetition and broad themes.

The most important part of a legislative campaign in Delaware is campaigning door-to-door. Over the course of ten months, I knocked on over 16,000 doors (including houses I went to twice), and talked to between 4,000 and 5,000 people. I wrote down the names of everyone I spoke to, along with notes on what we spoke about, and I sent everyone a post card with a personal note about our conversation. This door-to-door campaigning was



Created exclusively for Big Brothers/Big Sisters of America by Charles M. Schulz. Copyrighted 1950, 1958, 1960 United Features Syndicate, Inc.

VOLUNTEER NOW!
CALL YOUR LOCAL BIG BROTHERS/
BIG SISTERS AGENCY



AFFILIATED

BIG BROTHERS/BIG SISTERS OF AMERICA

very successful, but it also took its toll physically. I had a succession of winter colds, I was attacked by a rottweiler and menaced by a variety of other dogs and, perhaps most memorably, I was chased down the street by a woman who thought I was a CIA sympathizer of Mao Tse-Tung.

Aside from my dogged door-knocking campaign, the other advantage my campaign had was an enormous base of volunteers. For a variety of reasons, a wide array of volunteers was drawn to my campaign, ranging from Delaware College Democrats to family friends to dedicated Democrats I had met while serving as a volunteer myself. This volunteer corps allowed us to do phone canvassing and district-wide literature drops, and it also saved us a tremendous amount of money in what is known as "mail prep" costs - folding, labelling, and sorting political mailers, which is usually done by professionals for a fee.

THE LAWYER AS DEBATER

Many people think that being a lawyer is an advantage as a political candidate, because candidates debate and argue and a lawyer can bring his skills to bear. Maybe that is true in other races, but it is not true in state legislative races. The truth is that there is very little public interaction between most candidates for state legislative seats. I appeared with my opponent in public only twice - once at a candidate's night where we each spoke for three minutes to an audience of perhaps 20 people, and once at a candidate's forum where we shared a stage with about a dozen other candidates. Unlike races for statewide and federal office, very few people attend debates for legislative races, and while it certainly can't hurt to do well at them, a debate victory will rarely shift the course of the campaign.

THE LAWYER AS FUNDRAISER

The worst part of running for office is raising money. As bad as the idea of calling up hundreds of people and asking them for money sounds, the act of doing it is even worse. My job was made slightly easier because many of the donors to political campaigns in Delaware are lawyers, and during my five years at the bar I have been fortunate to meet many of them who ultimately donated to my campaign. The lawyers who donated to my campaign had no agenda. They came from both sides of the political aisle, from the plaintiffs' and defense bars, and

We Can Computerize Your Law Practice

in Delaware and connect you
to any practice in the world.

- CUSTOMIZED INSTALLATIONS
- SPECIALIZED SYSTEMS
- PERSONALIZED RELIABLE SERVICE
- INTERNET • NETWORKING



PC DOCTORS

Computer Sales • Consulting • Maintenance

32 POSSUM PARK MALL - NEWARK, DELAWARE 19711
302-366-8979 FAX 302-453-9078

Attention Delaware Valley Businesses

Great opportunities are now available to become a business partner with the Philadelphia Eagles in 1997!

Place your company in the spotlight with the region's favorite team and best fans while you discover new and exciting ways to grow your business.

For details,
call the Eagles offices at
215-334-1350.



Exceptional Quality Transcripts
from

CORBETT & ASSOCIATES

ACCURATE • DEPENDABLE • PROFESSIONAL

1st in the State with a
Certified Realtime Reporter Available

Rapid Turnaround

Reporting for all Types of Legal Proceedings

Min-U-Script Free with All Transcripts

ASCII Disks on Request

Discovery ZX

In-House Videographers

Ellen Corbett Hannum, RPR, CM, CMR, President
Registered Professional Reporter

1400 FRENCH STREET, WILMINGTON, DELAWARE 19801
302-571-0510

"When your practice deserves the very Best"

THE LOWEST PRICES AVAILABLE FOR THE BEST SERVICES AVAILABLE

ASSET LOCATION

National & International.
Uncover real estate, UCC filings, cars,
boats, aircraft, business affiliations.

Bank accounts, numbers & balances,
stocks, bonds, mutual funds, & safety
deposit boxes located.

Some No Locate - No Charge
Services available.

VOLUME
DISCOUNTS
AVAILABLE

CALL NOW FOR A PRICE LIST.

Solve all your collection, post judgement & investigation needs.

Confidential Research Consultants (800) 850-5568

INVESTIGATIVE SERVICES

BACKGROUND INVESTIGATIONS PERFORMED
MATRIMONIAL INVESTIGATIONS

Find all the information needed for pre-
hiring, investor reports, witnesses,
jurors, defendants or divorce actions.

**SKIP TRACING, CHILD RECOVERY
& CUSTODY INVESTIGATION**

"The family suggests
that memorial
contributions be made
to the American
Heart Association."

When people want to
honor a loved one
and fight heart disease.

THE AMERICAN HEART
ASSOCIATION
MEMORIAL PROGRAM®



American Heart
Association



This space provided as a public service.

from up and down the state. What they had in common was that they had respect for who I was and the work I did as a lawyer. Their contributions, along with those of friends, family, and other traditional Democratic party donors, allowed me to match the incumbent's fundraising almost dollar for dollar. That type of even playing field is rare in races against incumbents, who receive thousands of dollars from political action committees and lobbyists. In the fundraising arena, my experience as a lawyer was probably a distinct advantage.

THE CAMPAIGN ENDS

After ten months of long days and long nights, I lost the election. My opponent worked hard and did very well in his part of the Senate district, and many Democrats whose votes I needed stayed home because of the absence of any competitive races for statewide or federal offices. Although I was disappointed to lose, I could not help but be encouraged by how well I did given the odds. I lost by eight points: the last person to run against my opponent had lost by 28 points, and the one before him by a similar margin. And in a year in which not a single incumbent legislator was defeated, I came closer than any other challenger in the state.

In the end, though, politics can be a very humbling business. A couple of days after election day, I rented a small moving van and cleared all of the garbage out of my home (which doubled as a campaign headquarters). Laden with signs, fliers, and other assorted knickknacks, I drove to the top of a local landfill, paid my fee, and unloaded the remnants of the Denn campaign. The landfill supervisor, an older bearded man wearing bright yellow galoshes, looked curiously at what I was dumping. "Did this guy run for office?" he asked.

"Yeah, he did," I said.

"Did he win?"

"No, he did pretty well, but he lost."

"He bought all this crap and he still lost?"

"Yeah, I guess he did."

One day, when I have accomplished some of the things that I set out to do here in Delaware, I will look back on my encounter with the landfill supervisor and have a good laugh about it (it's kind of funny even now). In the meantime, I encourage both lawyers and non-lawyers to get involved in the political process. The state needs your services, and I guarantee you that no matter whether you win or lose, you will not soon forget it. ♦

MY FIRST RUN: A year to remember, a year to forget?

by Richard Abbott

Running for public office is certainly not for everyone. Every once in awhile, however, an attorney feels the urge to seek a public office with greater responsibilities than those of a notary public. If you relish awakening at 4:30 a.m. to go shake hands with workers at a plant gate (who are rarely happy to see you), or you hunger for the chance to spend your evening greeting voters at your nearby grocery store, or you have always dreamed of walking in a small town parade, then running for public office may be the right thing for you.

I decided to run for public office for many of the same reasons that others choose to do so. I have been active in the community as a volunteer for non-profit organizations and served as Civic Association President in my neighborhood. Being born and raised in New Castle County, I felt an obligation to try to make it a better place to live. Finally, I thought that my legal experience would help provide more critical analysis and openness to the somewhat settled, closed processes of County Council.

Additionally, I ran because I am an admitted political junkie. From my college days as a Political Science major and head of the College Republicans, through my years as a volunteer on numerous campaigns and work in the offices of Senator Roth, Governor duPont and the President *pro tem* of the Pennsylvania State Senate, I became more addicted to politics and the political process. In fact, it is a wonder that I made it to age 32 without running for office. We all know, however,

that timing is everything.

I can assure any questioning readers that I did not run for the office of New Castle County Council President based on any delusion that it was a prestigious job. Nor did I seek the office with the false hope that the general public really cared about the position. Instead, I ran because I happen to believe that Council President is an important position, as it involves decisions about land use and other matters that most directly affect the citizens of this County. For example, the County handles Parks and Recreation, Libraries, Police and Paramedic Services – not very sexy subjects, but important to everyone's quality of life.

Finally, I ran for office because I felt that the County Council and the rest of the County government were headed in the wrong direction. Citizens did not feel that they had any say in County government, which is a disturbing statement in a State where citizens confidently call the Governor's office to care for matters as trivial as repair of a pesky pothole. People rightly contended that they were not being offered the type of "due process" rights that we attorneys hold near and dear: notice and an opportunity to be heard. Multi-story apartment buildings and tall telecommunication towers were being approved without the affected neighbors' knowledge or input. Change was needed.

When a candidate faces defeat, it may be difficult at first to determine whether the months of hard work actually accomplished anything. Somehow, I believe that my campaign did. Although we didn't win, we tried real hard, and we did it without compromising our integrity – a unique approach to take in modern-day politics, even in Delaware's relatively civil political climate! I hope that other lawyers see that they too could make very credible candidates, and that

see Abbott, page 43



Rich Abbott was the Republican Candidate for NCC Council President.

RUNNING FOR STATE LEGISLATOR (A Personal Perspective)

by Matt Denn

Last year, I mounted an underdog campaign for the Delaware State Senate against a 26-year incumbent. I lost by a 54-46% margin, making my race the closest in the state against an incumbent legislator. *Delaware Lawyer* asked me to give you a lawyer's perspective on Delaware's political process.

THE CAMPAIGN BEGINS

I began my campaign for the State Senate just days after an enormous snowstorm in January, 1996. With fliers in hand, I travelled to the neighborhood of Glendale, walked from door to door, and met about 50 incredulous citizens of the 12th Senate District who were more interested in what had possessed me to be out in the snow than they were in my ideas for education reform. As darkness began to fall, I decided to knock on one more door. I clambered up a snow-covered driveway and onto the porch, knocked on the door, slipped on a patch of ice, and tumbled over the side of the porch into a snowdrift. As I reached out to break my fall, I grabbed a sharp, rusty piece of metal and cut my hand. I do not think I won the vote of

the shocked woman who answered the door, but I did manage to talk her out of calling 911. And as I trudged back to my car, using a discarded Wawa's bag as a tourniquet, I asked myself – for the first but surely not the last time that year – why I had decided to put myself through this.

The reason was simple. I ran for political office because I wanted to do more for Delaware than I could as a practicing lawyer. I grew up in Delaware, and I came back here after law school deter-

mined to fight for people who had been shut out of the system. I worked for two years on a fellowship at Delaware Volunteer Legal Services. I travelled to churches, state service centers, homeless shelters, and senior homes to find people with legal problems and to help solve them. It was immensely satisfying work: I was able to keep people from losing their homes, their jobs, and their children. I learned a great deal about being a lawyer, and I helped an awful lot of people. But the primary lesson I learned, from travelling throughout the state and seeing first-hand the conditions in some of our neighborhoods, was that the biggest problems afflicting Delaware do not have legal solutions. Make no mistake – *pro bono* representation for individuals is critically important. Lawyers have a moral and ethical duty to do it, and I continue to do it. But it is not enough.

So I decided to run for the State Senate, with the goal of making Delaware the first state where we can truthfully tell each and every kid that he can do whatever he wants to do if he has the talent and the will. But first, I needed to check with the boss.

THE LAW FIRM AND THE CAMPAIGN

Unfortunately, many people who would make wonderful elected officials never run for office because their jobs make it impossible. I was lucky. My law firm (Young, Conaway, Stargatt & Taylor) bent over backwards to make it possible for me to run, and many of my colleagues there volunteered time and made generous donations to my campaign. The practice of law and the practice of politics can both be all-consuming, and it is almost impossible to do both at the same time without the support of a person's co-workers. I got that type of support from my colleagues, and I wish that

see Denn, page 44



Matt Denn was the Democratic candidate for the State Senate in the 12th District.

Attorneys' Advantage is extending a special invitation to lawyers in Delaware. Simply contact Professional Liability Insurance, Inc. to receive your no-obligation quotation. Plus, you'll receive a complimentary copy of *The Quarter Hour*, our policyholder risk management newsletter.

Attorneys' Advantage lawyers professional liability program offers a broad policy with liability limits available per claim and aggregate up to \$5 million, plus these special benefits:

■ Comprehensive Risk Management Program...

Earn up to a 10% premium credit through a combination of continuing education, self study program, and risk management seminars.

■ Alternative Dispute Resolution Savings...

Reduce your deductible by 50% on all claims you agree to settle through binding arbitration.

■ Deductible...

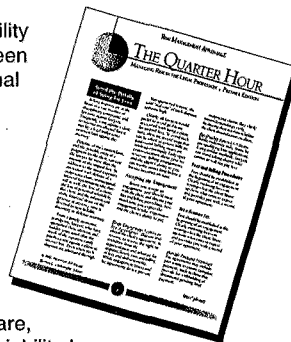
Available with an aggregate deductible option, plus per claim deductibles up to \$25,000. All deductibles apply only to any loss amounts you may incur, not defense costs.

*Attorneys' Advantage
is pleased to announce
Professional Liability Insurance, Inc.
has been named exclusive
Administrator for
the State of Delaware*

■ Financial Stability...

Attorneys' Advantage is underwritten by TIG Insurance Company, A.M. Best rated A (Excellent), XI.

Professional Liability Insurance, Inc. has been serving the professional liability needs of the legal community for over a quarter of a century. We can help you develop the professional liability insurance coverage which best meets your needs. If you practice law in Delaware, contact Professional Liability Insurance, Inc. to obtain your no-obligation quotation and risk management newsletter, *The Quarter Hour*.



Professional Liability Insurance, Inc.
P.O. Box 2287
300 Delaware Avenue, 17th Floor
Wilmington, DE 19899
302-658-8000 • Fax 302-658-8054
800-441-9385

PLI Professional Liability Insurance, Inc.

Attorneys' Advantage SM

TIG INSURANCE SM



THOS. DAVID

The finest quality men's & women's
designer clothing at prices fit for the '90s.

Wilmington, Delaware, 904 Market St. Mall 302-656-8458
Center City, Philadelphia, 4th & Race Street 215-922-4659
East Falls, Philadelphia, 3500 Scotts Lane 215-843-3155
Haverford, Pennsylvania, 393 W. Lancaster Ave. 610-642-8467