



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



AT ISSUE

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

TIPS ON PRACTICING LAW IN RURAL AND SMALL-TOWN PENNSYLVANIA COUNTIES

By Timothy S. Burns

I've practiced law both in a major city and in rural Pennsylvania, and I'd like to share my perspective on the differences. During law school, I worked two years as a law clerk for a downtown Pittsburgh law firm; upon graduation, I have more than four years' experience clerking for two Cambria County judges in addition to having my own private general practice. With that, I hope that this article provides some tips to those "big city" lawyers who have to travel to one of our more rural counties, which in turn helps you have a very meaningful legal experience there.

Know Where You Are Going

My first tip may sound like common sense, but it can avoid some serious problems: Know where you are going. Some rural and small-town courthouses tend to be out of the way, off of the main highways — not necessarily located in the largest town in the subject county. Traveling to a rural magistrate's office can be even more of an adventure if you do not know where you are going. My advice is to get precise directions ahead of time. Granted, anyone can get to any county from the turnpike, but actually *reaching* the courthouse or a magistrate can be another story. Besides the directions, have the judge's or magistrate's phone number with you in case you are running late or get lost. As a courtesy, it would help to call the respective judge's chambers ahead of time (perhaps when you enter your appearance), and explain that you are an out-of-county lawyer and not familiar with the area. In fact, the judicial staff may even give you directions and tips on parking, etc. Most importantly, if you are going to be late for whatever reason, *call* the judge's chambers. If you have the courtesy to

call ahead of time, odds are the judge will accommodate you, but if you do not call, odds are the judge may proceed without you.

Know Your Judge

The last sentence in the previous paragraph leads me to my next point: know your judge. If you are traveling to a new county, it does not hurt to find some background information on the judge you will appear before. Practical information like the judge's education or professional experience could give you an indication as to how the judge may rule, or you may find that you have some-

thing in common that could break the ice. More important, you should find out about the judge's temperament and courtroom demeanor. Questions such as the following are important: Does the judge like out-of-county attorneys (if not, make sure you follow the rules!)? Does the judge permit extended legal arguments, or does he/she expect you to get to the point? Will the Judge permit you to be a few minutes late? The list can go on and on, but these are questions you should know ahead of time. Above all, though: be respectful, you are a guest. Furthermore, remember that

continued on Page 3

THE WAR ON DRUGS FACES A BUDGET CRUNCH

By Scott P. Sigman

In June, Philadelphia County District Attorney Lynne Abraham was faced with a \$2 million reduction in her allocation by the Philadelphia City Council for the second consecutive year. She was forced to shut down the Special Narcotics Prosecution Unit and to reassign all of the elite unit's attorneys.

Special Narcotics Prosecution was a unit formed after a review of a prototype unit that aggressively prosecuted violent narcotic offenders in one part of the city, West Philadelphia. Since the prototype unit was so successful in reducing violent crime and attacking upper-level drug organizations, the decision was made to go citywide and Special Narcotics Prosecution was designed to do just that. The unit became a nationwide model through the U.S. Department of Justice's Weed & Seed Program.

The unit's purpose was to investigate, successfully prosecute and achieve long prison sentences for some of the city's worst drug offenders. Assistant district attorneys would work pre-arrest with law enforcement and the community to identify and target drug organizations that distributed large quantities of crack cocaine, cocaine, methamphetamines, heroin, prescription pills, PCP and marijuana throughout the city.

Once targeted, the unit's assistant district attorneys would work with law enforcement to investigate and arrest the offenders. Assistant district attorneys would then prosecute the offenders using "Community Prosecution" and working closely with law enforcement. Community members would appear at

continued on Page 5

THE WAR ON DRUGS FACES A BUDGET CRUNCH

CONTINUED FROM PAGE 1

preliminary hearings and bail hearings to ensure that the offender remained in custody on high bail. The community members would also appear at sentencing to ensure that the offenders received the toughest appropriate sentences allowed under the law.

This approach led to an immediate reduction in street violence and reported violent crime. There was also an increase in drug, gun and asset seizures associated with this hands-on prosecution.

In a recent drug prosecution in the North Philadelphia 26th District Weed & Seed Site, a convicted crack dealer named

Juan Camargo was identified as a public nuisance by Weed & Seed. Camargo had been arrested for the 19th time for selling crack cocaine on the 2100 block of Orianna Street. This block sits one block from the McKinley Elementary School and just five blocks from Norris Square, a once notorious, needle-filled "drug user" park that was reclaimed by the neighborhood; the reclamation was led by community leader and Weed & Seed board member Sister Carol Keck. Camargo, feeling confident after numerous acquittals using a high-priced private defense attorney, chose a public defender for the first time. This case led to a conviction, but Camargo was sentenced to minimal jail time and he quickly returned to 2100 Orianna Street.

Not long after Camargo returned to the streets, he was arrested again for crack sales from 2100 Orianna Street.

This time around, Camargo was prosecuted by Special Narcotics and under the "Community Prosecution."

Now, due to current budget restraints, this type of prosecution faces uncertainty. As the violence in our city neighborhoods increase and with the influx of high-quality heroin and crystal methamphetamines to Southeastern Pennsylvania the need for Special Narcotics Prosecution in our county district attorney's offices is vital to protect the community as a whole.



Sigman

Scott P. Sigman is an associate with the Philadelphia law firm Bochetto & Lentz, P.C. He serves as a PBA YLD Zone 1 co-chairperson and vice chair of the Philadelphia Bar YLD.

ARE YOU MISSING SOMETHING?

If you haven't given the PBA your e-mail address, you're missing out on one of the latest member benefits, the *PBA E-News*. This electronic publication features up-to-the-minute announcements of PBA legislative action, special events, member benefits and meetings. The *PBA E-News* also contains "Court Summaries" — a popular feature of the *Pennsylvania Bar News* — two weeks before the print version.

There are three easy ways to sign up:

1. Send an e-mail to jodi.wilbert@pabar.org with the words "Member e-mail address update" in the subject line.
2. Log on to the Pennsylvania Bar Association Web site at www.pabar.org, scroll down to the bottom of the left column on the front page and complete the e-mail address form.
3. Call the PBA Member Services Center at 1-800-932-0311 or (717) 238-6715. A Member Services Center representative will add your e-mail address to your membership information and will e-mail immediate verification of it to you.

PBA MIDYEAR MEETING

JAN. 18-22, 2006

BELLAGIO HOTEL & CASINO, LAS VEGAS, NEV.