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Lengthy Investigation Brings Criticism for Judicial Conduct Board

BY ASHER HAWKINS

Of the Legal Staff

Finding in favor of a Philadelphia Municipal Court judge accused of prohibited campaign conduct, Pennsylvania's Court of Judicial Discipline has scolded the state Judicial Conduct Board for allowing an investigation to languish over a two-year period.

In *In re James M. DeLeon*, the members of the court ruled 4-1 that despite the fact that Judicial Conduct Board Rule of Procedure 31 allows for extensions of the 180-day period within which board counsel are supposed to file charges formally or abandon an action, extending an investigation so that it lasted 900 days was improper.

"We believe that such lengthy, unexplained delay such as occurred in this case, coupled with an egregious lack of diligence on the part of the board such as is present in this case, which results in prejudice to the [accused jurist], can only be remedied by dismissal of the charges," Philadelphia attorney Richard Sprague, who serves as president judge of the court, wrote on behalf of the majority. "We note that, in this case, the

It's Hammer Time

Lawyers Work on Habitat for Humanity Houses Through 'Buildable Hours'

BY HONOR JONES

Special to the Legal

During the sweltering days of late summer, most people are happy to get out of the sun and into the air-conditioned oasis of the office. However, for a few days this July and August, Philadelphia lawyers are abandoning their well-trod office hallways for hotter and dirtier territory.

Lawyers from firms like Morgan Lewis & Bockius and Dechert are volunteering with Habitat for Humanity — a nondominational Christian organization that builds simple and affordable homes for deserving families — through a program called "Buildable Hours."

"Buildable Hours is a Washington, D.C.-based nonprofit organization of law firms that works in conjunction with local Habitat chapters. Law firms commit to donations of physical and financial resources, and, in turn, are able to spend some enjoyable hours contributing to their community.

Most firms donate \$5,000, which traditionally comes out of the summer-associate program's budget. Summer associates, lawyers and law firm employees then pledge to spend a day at the site of the home, working together



Photo by Honor Jones

Dean Krishna, a summer associate for Dechert, works on a Philadelphia building site for Habitat for Humanity.

er at jobs such as dry-walling and insulating. The Buildable Hours program targets summer associates. According to Dechert partner Suzanne Turner, investing in a day at a Habitat building site is a great way

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for summer associates to meet, greet and bond with their co-workers and superiors.

The money would typically be spent on a cocktail party or some other social event, she said. Spending it on Habitat is a worthier and more productive way to interact with co-workers outside of the office.

"You take people out of their ordinary work context and put a hammer in their hands, it puts everyone on an equal footing," Turner said. It has a "great leveling effect," she said and is, fundamentally, "a lot of fun."

Pepper Hamilton sent 16 of its summer associates to the Habitat building site in June. Mindy Persofsky, Pepper Hamilton's recruitment coordinator, said, "the students loved it... They really felt they were making a difference."

She viewed the program as a "great success," and said Pepper Hamilton would definitely be interested in participating again next summer.

According to Persofsky, it's good for summer associates to "get involved in the community as well as the firm."

Buildable Hours can be a great way to unify both the office and the community, participants said. Lawyers work alongside law firm employees; summer associates; Habitat project managers; Habitat beneficiaries and community volunteers. It's a "team-building exercise," Turner said.

"You can't build a house by yourself,"

she said.

"What better way to knock down walls between [people] than to build some," said Roger Goldman, a Washington, D.C., partner at Latham & Watkins, and a co-founder and the president of Buildable Hours.

The program "gives people a chance to interact" outside of their normal environment, Goldman said. "You get to watch people who are supremely confident" in the office "struggle trying to put up dry wall."

Working at Habitat really serves to break down office barriers, he said.

Buildable Hours, which was founded in Washington, D.C., in 2001 by Goldman along with Caplan & Drysdale partner Scott Michel, has been spreading across the nation. It is already in 10 cities, and Goldman anticipates the addition of at least two more by next summer.

This is the "inaugural year" for Buildable Hours in Philadelphia, said Turner, but there has already been a rewarding response.

Eight firms — Drinker Biddle & Reath, Morgan Lewis, Reed Smith, Blank Rome, Fox Rothschild, Dechert, Pepper Hamilton and DLA Piper Rudnick Gray Cary — are signed up to participate.

The growing popularity of Buildable Hours is proof of its success, Goldman said. "There's no infrastructure," he said. It's basically "just a box of [Buildable Hours logo] T-shirts in a corner of my office."

Goldman, a self-proclaimed sufferer of "Habititis," sees the appeal of Habitat in its feel-good results. You're out there "work-

ing with people who are working to help themselves," he said.

"It crosses political lines," he added, not to mention racial, economic and religious borders as well.

Habitat provides housing for deserving families who agree to spend 350 hours working on the construction of their homes. In other words, as its Web site proclaims, Habitat doesn't "build houses for needy families. [it builds] houses with them."

The houses are made affordable through volunteer building, donations and a zero-interest mortgage that allows homeowners to pay the cost of their houses through monthly installments.

According to Habitat statistics, 13 million American families are forced to pay more than 50 percent of their annual income on housing. One out of seven poor families lives in inadequate housing conditions, which are defined by a lack of electricity, hot water or functioning bathrooms. These households include about 3.6 million children, 1.6 million elderly adults and 1.3 million disabled adults.

In Philadelphia, it's estimated that "100,000 families" live in substandard or unaffordable housing, said Paige Johns, a Habitat volunteer coordinator.

According to Johns, having a home is "a basic human right."

"We keep costs low," Johns said. Habitat homes are simple — most have only one bathroom — but they're "safe" and "decent... We want to build more houses as opposed to fancier houses," Johns said.

The long-term goal, for Johns, is in

"restoring neighborhoods... That's where the lasting change lies," she said.

And the need is undeniably great. "There are people living in horrendous conditions," Goldman said.

He believes that programs like Buildable Hours should be an important part of the budgets of law firms.

"There's a number of things large law firms do really well," Goldman said, "but integrating themselves with the community on the ground level isn't" usually one of them.

According to Goldman, it's important to show summer associates that law firms have "values that go beyond excellent advocacy" and into the moral arena as well.

Goldman understands how difficult it is to take time from one's career to spend doing volunteer work, but he believes that Buildable Hours is particularly well suited to the legal lifestyle.

"Lawyers are very busy in their lives," he said, and this program provides them with "an efficient and rewarding way to contribute to the community" that fits "relatively easily into their demanding schedules."

Buildable Hours is the "perfect melding of community service and summer associate activity," Turner said.

Gene Durling, the director of professional recruitment and development for Fox Rothschild, also spoke of the importance of law firms devoting time to community service.

"Part of providing legal services is being aware of... and giving back to the

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community," she said.

According to Durling, Buildable Hours is a great way for firms to fit pro bono time into their schedules. She described the program as "well run and well coordinated."

Fox Rothschild's manager of professional recruitment, Sarah Loague, said that all of the summer associates "commented that it was one of the events they enjoyed the most so far."

After a successful inaugural year, Fox Rothschild looks forward to participating again next summer.

Buildable Hours originally spread to Philadelphia through Dechert, whose D.C. branch had previously participated in the program.¹⁸ Turner and partner Caroline Olson organized a luncheon in the spring to inform other firms about the program, and it grew from there.

Turner emphasized her concern for the idea of community — a community of law firms as well as a community of Philadelphians, living and working together.

The "long-term goal" of the program, Turner said, would be to "build a house from start to finish" in conjunction with Habitat and other Philadelphia law firms. It would "really be our own home," she said. And it would be great to see all the firms in the city "collectively working on a project" for the greater good.

"We really didn't want this to be Dechert-driven," Turner said. "We were thrilled to launch it, but we're intent on making it a collective, citywide initiative."

"A home is something so many of us take for granted," Olson said.

"We're pretty lucky here working in the Cira Centre. ... It gives you a good sense of perspective" to get out and help those who are less fortunate, she said.

Dechert employees put in their time at a North Philadelphia Habitat site in late July. Matt Smith, a full-time paid employee of Habitat and a construction site supervisor, described the day as "hot, humid and a little miserable." This didn't stop Dechert's summer associates, along with partner Caroline Olson and recruitment assistant Jennifer Ferguson, from cheerfully tackling the tasks at hand.

They worked at scaffolding and nailing up Tyvek — a waterproof covering for the walls. Hammers and ladders were involved, and some relative incompetence inevitably ensued, but the enthusiastic (and sweaty) workers left that afternoon with some definite accomplishments.

According to Smith, no matter how little experience people have with construction, they "have a good time when they come out," and they also get to "learn a new ... applicable skill."

People leave with "a very physical sense of satisfaction," he said. "At the end of the day, you can say, 'I put up that wall.'"

Dechert employees worked under Smith's supervision, alongside future Habitat homeowner Sonny Bullock. Bullock and his wife,

along with their two daughters — aged 6 and 13 — will move into the very house Philadelphia law firms worked on when construction finishes this fall.

Bullock "can't wait" to make a home out of the structure he's helped build from the very beginning. Getting to participate in the building process is the "part [he likes] most of all," Bullock said.

He remembers when the site was nothing but a dusty clearing with a few piles of boards, and he is "overwhelmed" to see the way his house has grown.

"My wife has plans already," he said. Spreading his hand over the dirt lot he pointed out where the yard would go. "Maybe some flowers," he said, "an alleyway."

Buildable Hours co-founder Michel described a similar joy in seeing a house go from construction site to home.

"I was hanging dry wall, and I took a break for water," he said. "I saw a child on a tricycle in the back yard of a house I helped build three years ago."

It was an indescribable feeling, he said. "The phrase win-win is often overused, but it really applies here," Michel said. "It's an occasion to get to know members of the firm while also doing some valuable community service."

Even "cocktail parties get old after a while," said Zach Smith, a Dechert summer associate.

Fellow summer associate Dean Krishna agreed.

"It's a welcome change after the usual," he said. "It's good to get out and mix with people in the community."

Besides, joked summer associate Shevon Rockett, "at the end of the day you feel a lot better than [I did] after last night's party."

This seemed to be the overwhelming response among everyone involved in the program.

"It was a great experience," said Persofsky. "It's a good way to give back ... everyone said they would definitely do it again."

Some of the volunteers from Fox Rothschild even "talked about coming back when the house is completed to see the dedication ceremony" when the house is handed over to its family, said Loague.

It really is a great "gift," Bullock said. It "helps the community ... and keeps the property value up," he said. And he enjoys "getting to meet a lot of people who are putting in time volunteering ... and learning" along with him.

While relaxing in the heat after a few hours of work, the Dechert summer associates stood around talking with Bullock and the Habitat supervisors. Rome wasn't built in a day, and this house certainly had a lot more work to be done, but there was a distinct feeling of accomplishment and camaraderie in the muggy air.

As the Dechert volunteers headed back to the glass and chrome heights of the Cira Centre, it did feel as though some barriers had been broken down. Olson and her summer associates left on a note of good-natured laughter.

"We'll always have scaffolding," she said. •