

THE HONORABLE MARK I. BERNSTEIN (RET.)  
506 Westview St.  
Philadelphia, PA 19119  
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[JudgeMarkBernstein@Gmail.com](mailto:JudgeMarkBernstein@Gmail.com)

CURRICULUM VITAE

**2016-Present** Mediator, Arbitrator, and Consultant

**1987-2016** Judge, Court of Common Pleas, Philadelphia County  
Appointed: April 7, 1987  
Elected: November 1987  
Retained: November 1997, 2008  
Commerce Court  
Class Action Program  
Civil Trial Team Leader

**2013-Present** The American Law Institute

**2000-Present** Pennsylvania Supreme Court Civil Jury Instruction Subcommittee

**2000-2016** Elected Secretary to First Judicial District Board of Judges

**2008-2023** Adjunct Faculty, Thomas R. Kline School of Law at Drexel University  
Advanced Evidence, Advanced Pennsylvania Practice

**2006** Visiting Professor, Drexel University  
Department of History and Politics in the College of Arts & Sciences  
“Introduction to U.S. Courts and the Legal System”

**2013-2016** Philadelphia Bar Institute Board of Directors

PUBLICATIONS

*Pennsylvania Rules of Evidence with Comments and Annotations*, updated annually,  
2004-2025

*Privileged? Pennsylvania's Limited Statutory Attorney-Client Privilege*, **The Pennsylvania Bar Association Quarterly**, July 2010

*eDiscovery*, **PBI Press**, 2008

*Expert Testimony in Pennsylvania*, **Temple Law Review**, Summer 1995

*Judicial Decision Making and A Meditation on Judicial Morality*, **The Judge's Book** (2nd Edition), jointly published by the ABA and the National Judicial College, 1994

*The Bill of Rights: A Bicentennial View*, Chairman Board of Editors; *Jury Prerogatives: An American Political Inheritance*, Author, Gateway Press, Inc., Baltimore, MD 1991

*A Battle of Experts*, **The Philadelphia Lawyer**, Winter 1997

*The Premises of the Code of Evidence*, **The Pennsylvania Lawyer**, May-June 2005

*The Opportunity for ADR in Medical Malpractice Cases*, **The Pennsylvania Lawyer**, November-December 2004

*Jury Verdicts in Philadelphia County*, **The Pennsylvania Bar Association Quarterly**, January 2001

*Trial as Theater*, **Trial Magazine**, October 1997, Co-Authored

*Program helps reduce backlog in Philadelphia*, **Judicature**, January-February 1997, Volume 80, No. 4: American Judicature Society

*The Most Proactive Court*, **Court Review**, Fall 1996, American Judges Association

*We the Judges*, **The Responsive Community Spring**, 1995

#### SUPREME COURT APPOINTMENTS

**November 2005**      Pennsylvania Supreme Court Public Health Law Bench Book Committee

**October 2004**      Conference Planner and Faculty  
Administrative Office of the Pennsylvania Courts  
“Medical Malpractice Update for All Trial Judges”  
Expert Evidence in Medical Malpractice  
Pittsburgh, Harrisburg, and Philadelphia

**July 2003**      Pennsylvania Supreme Court Medical Malpractice Mediation Task Force

**May 2002,  
April 2002** Conference Coordinator and Faculty Administrative Offices of the Pennsylvania Court “Frye/Daubert” Science in Court Programs for all Pennsylvania Judges

**January 1990** First Judicial District Study Committee, which prepared a comprehensive analysis with recommendations for reform of the Philadelphia Court System

#### **AWARDS & NATIONAL RECOGNITION**

**September 2016** Philadelphia Bar Association’s Justice William J. Brennan Jr. Distinguished Jurist Award

**March 2013** The American Law Institute

**April 2006** Lawdragon Magazine  
Selected as one of the Lawdragon 500 Leading Judges in America

**April 2000** Foundation for Improvement of Justice, Inc. Annual Award  
A national award for innovative justice programs which have proven effective and can serve as models for others

#### **NATIONAL PRESENTATIONS**

**September 2017** “The Art of Mediation”  
Professional Liability Defense Federation Annual Meeting  
Chicago, Illinois

**May 2015** “Wage and Hour”  
American Conference Institute

**April 2015** “Chemical Products Liability and Environmental Litigation”  
American Conference Institute

**January 2015** “17<sup>th</sup> Litigating Disability Insurance Claims”  
American Conference Institute

**October 2014** “Masters in Trial Program”  
American Board of Trial Advocates

**October 2014** “E-Discovery Intelligence: Beyond Basics”  
E-Discovery Intelligence

**July 2014** “6<sup>th</sup> Annual Forum on Defending and Managing Employment Discrimination Litigation”  
American Conference Institute

**May 2014** “21<sup>st</sup> National Forum on Wage and Hour Claims and Class Actions”  
American Conference Institute

**May 2014** “E-Discovery Briefing”  
The Huron Legal Institute

**April 2014** “27<sup>th</sup> National Advanced Forum on Bad Faith Litigation”  
American Conference Institute

**January 2014** “17<sup>th</sup> National Conference on Consumer Finance Class Actions & Litigation”  
American Conference Institute

**November 2013** “Bad Faith Litigation – A View from the Bench”  
American Conference Institute

**June 2013** “Forum on Aggregate Litigation and Class Action”  
American Law Institute

**April 2011** “View from the Bench: The Judicial Perspective on Daubert Motions and Challenges”  
American Conference Institute

**December 2009** Drug and Medical Device Litigation Conference  
American Conference Institute

**October 2009** Consumer Rights Litigation Conference and Consumer Class Action Symposium  
National Consumer Law Center

**September 2009** “Civil Court Judicial Forum”  
National Business Institute

**December 2008** “View from the Bench – Judicial Views on Medical Products Litigation Today”  
American Conference Institute

**November 2007** “Preparing for Climate Change Liability”  
American Conference Institute

**September 2007** “The Chemical Products Liability Trial: Winning at Every Stage”  
American Bar Association

|                                   |   |
|-----------------------------------|---|
| <b>March 2007</b>                 | Mealey’s Mass Tort Insurance Coverage Conference<br>Mealey Publication & Conference Group                           |
| <b>February 2007</b>              | “Managing Complex Litigation”<br>American Conference Institute  |
| <b>November 2006</b>              | “Bad Faith and Punitive Damages”<br>American Conference Institute   |
| <b>June 2006</b>                  | “The Perfect Expert Witness”<br>2008 SEAK National Expert Witness Conference  |
| <b>April 2006</b>                 | “Drug and Medical Device Litigation”<br>Marcus Evans  |
| <b>March 2006</b>                 | “E-Discovery Preparedness for Pharma”<br>American Conference Institute  |
| <b>February 2006</b>              | “Class Actions”<br>Law Seminars International   |
| <b>November 2005</b>              | “Bad Faith and Punitive Damages”<br>American Conference Institute   |
| <b>October 2005</b>               | “Drug and Medical Device Litigation”<br>Marcus Evans  |
| <b>April 2005</b>                 | “Document Management and E-Discovery”<br>American Conference Institute  |
| <b>April 2005</b>                 | “Bad Faith and Punitive Damages”<br>American Conference Institute   |
| <b>December 2004</b>              | “Drug & Medical Device Litigation”<br>American Conference Institute   |
| <b>March 2004</b>                 | “The Tenth National Advanced Forum on Litigation – Bad Faith and Punitive Damages”<br>American Conference Institute |
| <b>April 2002,<br/>March 2001</b> | National Advanced Forum on Bad Faith and Punitive Damages<br>American Conference Institute                          |
| <b>November 1999</b>              | “Judges & Lawyers in Complex Litigation Conference”<br>Mealey’s Publications<br>West Palm Beach, Florida            |

- June 14-19, 1999** “Effective Caseflow Management”  
Faculty, The National Judicial College  
Reno, Nevada
- August 1998** “Better Trials Through Evidence Technology”  
American Judges’ Association Annual Conference  
Orlando, Florida
- November 17, 1997** “Judges, Experts, & Science: What Should the Law Allow,”  
The Institute for Science and Interdisciplinary Studies  
Hampshire College
- July 19, 1997** “Scientific Evidence in the Courts: Concepts and Controversies”  
The Roscoe Pound Foundation  
Forum for State Court Judges  
San Diego, California

**SELECTED PRESENTATIONS TO JUDGES**

- February 2015** “Civil Jury Instructions”  
Pennsylvania Conference of State Trial Judges
- December 2013** “Courtroom Strategies to Maximize (or Minimize) Damages in the  
Catastrophic Injury Case”  
Pennsylvania Association for Justice
- February 2013** “Litigation Evidence”  
Pennsylvania Conference of State Trial Judges
- July 2012** “Fit, Frye and Forensics”  
Pennsylvania Conference of State Trial Judges
- February 2010** Orphans’ Court Session  
“Evidentiary Issues in Will Contests”  
Pennsylvania Conference of State Trial Judges
- January 2010** Faculty, Pennsylvania Conference of State Trial Judges New Judges  
School
- November 2009** “Complex Litigation Opening to Verdict”  
American College of Business Court Judges
- February 2009** “Evidence on Film”  
Pennsylvania Conference of State Trial Judges

**November 2008** “National Judicial College and Resources Beyond the Court of Common Pleas”  
Court of Common Pleas of Philadelphia County New Judges School

**October 2008** “ADR in Business Courts – What Works Best?”  
Conference of Chief Justices Mid-Atlantic Regional Conference

**October 2008** “An Advanced Evidentiary Primer”  
Administrative Office of the Pennsylvania Courts

**June 2008** “Trying a Case in Bankruptcy Court”  
Pennsylvania Bar Institute

**February 2008** “Evidence: Nuts and Bolts”  
Pennsylvania Conference of State Trial Judges Annual Meeting

**October 2007** “Dealing with Complexities in Civil Litigation”  
Conference Planner and Faculty  
Administrative Office of the Pennsylvania Courts

**July 2006** “Public Health Issues”; “New Civil Jury Instructions: Structured Settlement Protection Act”  
Pennsylvania Conference of State Trial Judges Annual Meeting

**July 2006** “Secrets of the Code for Administrative Judges”  
Commonwealth of Pennsylvania Department of Labor & Industry  
Workers’ Compensation Judge’s Conference

**October 2004** “Medical Malpractice Update for All Trial Judges”; “Expert Evidence in Medical Malpractice”  
Conference Planner and Faculty  
Administrative Office of the Pennsylvania Courts  
Pittsburgh, Harrisburg and Philadelphia

**January 2004,  
January 2006** Faculty, State Conference of Trial Judges  
New Judges Conference  
“Matters Arising During the Introduction of Evidence”  
“Conduct of the Civil Jury Trial”

**May 2002,  
April 2002** Conference Coordinator and Faculty Administrative Offices of the Pennsylvania Court, Programs for All Pennsylvania Judges  
“Frye/Daubert Science in Court”

**January 2002** “Conducting Jury Trials”  
“The Civil Process”  
State Conference of Trial Judges New Judges Conference

- November 2001** “Judicial Resources Beyond the State”; “Judicial Decision Making”  
Court of Common Pleas of Philadelphia County New Judges School
- 2001** “Scientific Evidence in Pennsylvania”  
Pennsylvania State Trial Annual Conference of Trial Judges
- 1999-2001** Chair, Philadelphia Court of Common Pleas Education Committee
- 1992-1994** Member, Pennsylvania State Conference of State Trial Judges Education Committee
- 1991-1992** “Controlling the Courtroom: An Interactive Presentation on the Disruptive Defendant in a Criminal Case”  
Pennsylvania New Judges School
- 1989-1992** “The Judicial Perspective”; “The Role of the Judge”  
Court of Common Pleas of Philadelphia County New Judges School

**SELECTED PRESENTATIONS TO THE BAR**

- January 2018** “Keeping it Real; How to Excel in Cross-Examination at Trial”  
Philadelphia Bar Association  
(Three-Part Cross-Examination Series)
- December 2017** “Cross-Examination of the Expert Witness”  
Philadelphia Bar Association  
(Three-Part Cross-Examination Series)
- November 2017** “Your First Cross-Examination”  
Philadelphia Bar Association  
(Three-Part Cross-Examination Series)
- November 2017** Pennsylvania Association for Justice  
Annual Med Mal Seminar
- June 2015** “Cross-Examination”  
PA Defense Institute
- April 2015** “Cy Pres”  
Community Legal Services
- April 2015** “Civil Practice: As the Judge Sees It”  
Pennsylvania Bar Institute



**April 2015** “Evidence through the Movies”  
Berks County Bench Bar Conference

**March 2015** “Civil Litigation Update”  
Philadelphia Bar Institute

**March 2015** “Cross Examining the Expert Witness”  
Philadelphia Bar Institute

**January 2015** Philadelphia Trial Lawyers Association  
“Evidence and Effective Trial Advocacy”

**October 2014** Drexel Law Review Symposium  
Thomas R. Kline Law School at Drexel University

**May 2014** “Dissecting Cross-Examination”  
Philadelphia Family Law Section Bench/Bar Program

**April 2014** “Evidence Through the Movies”  
Carbon County Bench Bar

**April 2014** “Effective Depositions of Financial and Economic Experts”  
Pennsylvania Bar Institute

**April 2014** “16<sup>th</sup> Annual Personal Injury Potpourri”  
The Dispute Resolution Institute

**February 2014** “Legal Risks Presented by the Rogue Employee”  
American Bar Association Section of Litigation

**November 2013** “Effective Courtroom Counsel”  
Bench-Bar Conference, Luzerne County Bar Association

**October 2013** “Dissecting Expert Cross-Examinations”  
Bench-Bar Conference

**May 2013** “The Greatest Cross-Examination Ever”  
“Settlement/Mediation”  
Dauphin County Bar Association

**April 2013** “Evidence Through the Movies”  
Berks County Bench Bar

**January 2013** “Settlement/Mediation”  
“The Greatest Cross-Examination Ever”  
Washington County Bench Bar

**October 2012** “E-Discovery in PA Courts”  
Bench-Bar Conference

**June 2012** “The Trial of a Bad Faith Case”  
Pennsylvania Association for Justice

**April 2012** “Trial of a Will Contest Case”  
Pennsylvania Bar Institute

**October 2011** “The Vulnerable Expert Witness:  
Keeping it Real in Cross-Examination!”  
McDevitt & Kline, LLC

**September 2011** “Back to the Future – Corporate Counsel’s Role in Managing Risk in 2012  
and Beyond”  
8<sup>th</sup> Annual Corporate Counsel Symposium

**June 2011** “Civil Practice & Procedures in the Court of Common Pleas”  
Pennsylvania Bar Institute

**June 2011** “Keeping it Real: The Pitfall of Expert Theory Against Factual  
Testimony”  
Bucks County Bar Association

**June 2011** “Keeping it Real: The Pitfall of Expert Theory Against Factual  
Testimony”  
Philadelphia Association of Defense Counsel

**May 2011** “Bad Faith Claims Litigation”  
Pennsylvania Bar Institute

**April 2011** “Power Tools for the 21<sup>st</sup> Century Trial Lawyers”  
McDevitt & Kline, LLC.

**April 2011** “How to Prepare and Try a Significant Case in Commerce Case  
Management”  
Pennsylvania Bar Institute

**April 2011** “View from the Bench”  
Delaware Valley Corporate Counsel Association

**April 2011** “You Know It When You See It: Bad Faith Update”  
Dispute Resolution Institute

**December 2010** “Philadelphia Mass Tort Symposium”  
Dispute Resolution Institute

**December 2010** “Cross-Examination for the 21<sup>st</sup> Century”  
Pennsylvania Bar Institute

**November 2010** “Expert Cross-Examination”  
Temple University Beasley School of Law

**November 2010** “Trial of a Will Contest Case”  
Pennsylvania Bar Institute

**October 2010** “The Philadelphia JPT Conference”  
Philadelphia Bar Association Bench Bar Conference

**October 2010** “Bad Faith Seminar”  
Pennsylvania Association for Justice

**June 2010** “The Stress and Success of Cross-Examination”  
Pennsylvania Association for Justice

**April 2010** “Trial of a Will Contest”  
Pennsylvania Bar Institute

**April 2010** “The Shark Within: Cross-Examination of the Experts by the Experts”  
Earle Mack School of Law at Drexel University

**April 2010** “The Stress and Success of Cross-Examination”  
Pennsylvania Bar Association  
Civil Litigation Section Annual Retreat

**December 2009** “The Abolitionist Judge’s Dilemma”  
Gratz College

**October 2009** “A View from the Bench – Cross-Examination”  
Dispute Resolution Center

**June 2009** “The Stress and Success of Cross-Examination”  
Bucks County Bar Association

**April 2009** “The Stress and Success of Cross-Examination”  
Pennsylvania Bar Institute

**February 2009** “The Greatest Cross-Examination Ever”  
Bucks County Bar Association

**November 2008** “Expert Reports: A View from the Bench”  
Pennsylvania Institute of Certified Public Accountants”

**September 2008** “The Greatest Cross-Examination Ever”  
State Bench-Bar Conference  
Philadelphia Bar Association

**September 2008** “Mass, Class or Pass: Making Strategic Decisions in the Big Chemical Co.”  
American Bar Association

**June 2008** “Philadelphia Commerce Court Management Program: Judge Pro Tem Training Session”  
Philadelphia Bar Association’s Business Litigation Committee

**June 2008** “Evidence Through the Movies”  
Klehr Harrison

**June 2008** “Judging the Expert”  
Pennsylvania Association for Justice

**April 2008** “The Greatest Cross-Examination Ever! Insights from Judge Bernstein and Larry Bendesky”  
Pennsylvania Bar Institute

**April 2008** “Personal Injury Potpourri”  
The Dispute Resolution Institute

**December 2007** “Auto-Law Judicial Viewpoint”  
Pennsylvania Trial Lawyers Association

**December 2007** “United States Supreme Court Update for Public Interest Practitioners”  
Pennsylvania Bar Institute

**December 2007** “Handling Business Litigation in the Philadelphia Commerce Case Management Program”  
Pennsylvania Bar Institute

**November 2007** “Effective Cross-Examination Techniques”  
Pennsylvania Institute of Certified Public Accountants

**October 2007** “Evidence Through the Movies”  
Beaver County Bench Bar Conference

**June 2007** “Controlling Their Expert & Winning Your Case”  
Live Telephone/Video Webcast  
American Law Institute/American Bar Association

**June 2007** “Evidence Through the Movies”  
York County Bench Bar Conference

**June 2007** “Judge Bernstein Presents Evidence Through Movies: Evidence Can Be Fun”  
Pennsylvania Bar Institute

**April 2007** “Civil Practice and Procedure in the Philadelphia Court of Common Pleas”  
Pennsylvania Bar Institute

**April 2007** “Spoliation of Evidence”  
DRI Personal Injury Potpourri Seminar

**March, April 2007** “Evidence Through Movies”  
Pennsylvania Bar Institute  
Mechanicsburg, Philadelphia, Pittsburgh, Scranton, Allentown

**December 2006** “E-Discovery”  
The Delaware Valley Corporate Counsel Association

**October 2006** “Overview of Evidence Law”  
Northampton County Bench Bar Conference

**September 2006** “Breakfast at Bernstein’s – Evidence with Bernstein”  
State Bench-Bar Conference  
Philadelphia Bar Association

**July 2006** “Evidence Code Authentication and Fryebert”  
Philadelphia City Solicitors

**April 2006** “Expert Testimony: A Judge’s Perspective on the Top 10 Do’s and Don’ts”  
Pennsylvania Bar Institute  
Pittsburgh, Philadelphia, Scranton

**March 2006** “Secrets of the Code”  
Northampton County Bar Association of Pennsylvania

**February 2006** “New Pa. Suggested Standard Civil Jury Instructions”  
Pennsylvania Trial Lawyers Association

**November 2005** “Practical Views on Experts from the Judges Perspective”  
Philadelphia Bar Association

**September 2005** “Evidence with the Honorable Mark I. Bernstein”  
State Bench Bar Conference  
Philadelphia Bar Association

**July 2005** “Trial by Judge”  
The Lawyers’ Club of Philadelphia

**May 2005** “Class Action Litigation”  
Pennsylvania Trial Lawyers Association

**April 2005** “Secrets of the Code – The Pennsylvania Rules of Evidence”  
Pennsylvania Bar Institute  
Philadelphia, Harrisburg, Mechanicsburg

**March 2005** “Alternative Dispute Resolution in Class Action Litigation”  
Pennsylvania Bar Institute

**December 2004** “The Explosion and Evolution of Class Action Law”  
Pennsylvania Bar Institute

**October 2004** “Secrets of the Code”  
Commonwealth of Pennsylvania Office of General Counsel

**October 2004** “Evidence for the Trial Lawyer – Judicial, Plaintiff and Defense  
Viewpoint”  
Pennsylvania Trial Lawyers Association

**September 2004** “Does the Case Go to the Jury? Advice on Defending or Prosecuting a  
Summary Judgment Motion in a Bad Faith Case”  
Philadelphia, Pennsylvania, Mealey’s Publications

**September 2004** “Bad Faith Mock Trial”  
Pennsylvania Defense Institute

**July 2004** “Med Mal Mediation...and Arbitration”  
Pennsylvania Bar Institute

**June 2004** “Bernstein on Evidence: Overview of the Meaning of the New Code of  
Evidence”  
Philadelphia Association of Defense Counsel

**April 2004** “Insurance Bad Faith”  
Pennsylvania Trial Lawyers Association

**March 2004** “Preparation & Settlement in a Day Forward Environment”  
Pennsylvania Bar Institute

**February 2004** “Jury Instructions”  
Philadelphia Association of Defense Counsel

**December 2003** “Jury Instructions: How to Ace the Charge Conference”  
Pennsylvania Trial Lawyers Association

**November 2003** “Jury Trial Innovations: To Be or Not to Be?”  
Pennsylvania Bar Institute

**October 2003** “Understanding Frye and the Use of Expert Testimony at Trial”  
State Bench-Bar Conference  
Philadelphia Bar Association

**September 2003** “Bad Faith Cases: What Are They Worth?”  
Philadelphia, Mechanicsburg, Pittsburgh  
Pennsylvania Bar Institute

**May 2003** “Legal Evidentiary Issues – The State of Frye/Daubert – MCARE Act and  
Qualifying Experts”  
Pennsylvania Trial Lawyers Association

**April 2003** “Expert Testimony Update”  
DRI Annual Personal Injury Potpourri

**September 2002** Drug Litigation Conference  
Philadelphia, Pennsylvania, Mealey’s Publications

**July 2002** “What’s Protected Under the Attorney Client Privilege”  
City of Philadelphia Law Department

**March 2002** “Damages: Proven Strategies & Trial Tactics”  
Pennsylvania Trial Lawyers Association

**December 2001** “Products Liability Law & Strategy”  
Pennsylvania Trial Lawyers Association

**November 2001** “New Pennsylvania Rule of Civil Procedure 207.1,”  
Pennsylvania Bar Institute

**October 2001** “Scientific Evidence in the Courts: Concepts and Controversies”  
The Donald E. Wieand Sr. American Inn of Court

**October 2001** “Myths & Realities About Jurors: An Inside Look at What  
Jurors Think”  
Pennsylvania Bar Institute

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|--------------------------------------|--|
| <b>September 2001</b>                | Sulzer Hip Implant Litigation Conference 2001<br>Philadelphia, Pennsylvania, Mealey's Publications   |
| <b>December 2000</b>                 | "Discovery Tips for Med Mal Cases: Laying the Foundation for Victory"<br>Pennsylvania Trial Lawyers Association  |
| <b>July 2000</b>                     | "Medical Malpractice Kaleidoscope"<br>Pennsylvania Trial Lawyers Association   |
| <b>June 2000</b>                     | "Medical Malpractice Expert Testimony: The Keys to Victory"  |
| <b>April 2000</b>                    | "Daubert/Frye: How to Keep Your Expert in the Case"  |
| <b>April 2000</b>                    | "Ethics for the Trial Lawyer"  |
| <b>May 1999</b>                      | "Daubert – Frye: Will the Court Allow Your Expert to Testify"<br>Philadelphia Trial Lawyers Association  |
| <b>April 1999</b>                    | "Anatomy of a Commercial Trial"<br>Pennsylvania Bar Institute  |
| <b>November 1998</b>                 | "Reflections on the Cross-examination of Expert Witnesses"<br>Philadelphia Association of Defense Counsel  |
| <b>May 1998</b>                      | "The World According to Daubert – The Next Five Years"   |
| <b>April 1998</b>                    | "1998 Expert Witness Seminar"  |
| <b>February 1998</b>                 | "Insurers' Insolvencies in Medical Malpractice Cases"  |
| <b>February 1998</b>                 | "Civil Practice in the Philadelphia Court of Common Pleas,"<br>Pennsylvania Bar Institute  |
| <b>November 1997,<br/>April 1997</b> | "Solving Problems Before They Arise: Using ADR to Achieve Your<br>Client's Objective"<br>"Fourth Annual Personal Injury Institute"<br>"Affordable High-Tech for Everyday Cases"<br>Alternative Dispute Committee, Philadelphia Bar Association |
| <b>February 1997</b>                 | "Medical Malpractice Litigation: A New Era"<br>Pennsylvania Bar Institute  |
| <b>January 1997</b>                  | "Valuation of a Personal Injury Case and Settlement in a Day<br>Forward Case Management System"  |



- December 1996** “Automobile Insurance Law and Ethics”  
 “Selected Issues in Insurance: Bad Faith Litigation”  
 “Prospering in a Day Forward Management System”  
 “Cross-examination of the Expert Witness”
- December 1996,  
 May 1995** Philadelphia Association of Defense Counsel  
 Annual Meeting Speaker
- Fall 1996** “Mediation in Philadelphia Court of Common Pleas”  
 Alternative Dispute Committee  
 Philadelphia Bar Association
- January 1996** “Philadelphia Court of Common Pleas Practice: The Day Forward  
 Program”
- June 1996** “Prospering in a Day Forward Case Management System”  
 Philadelphia Trial Lawyers Annual Meeting
- April 1996** “Expert Testimony in Pennsylvania”
- December 1995** “Philadelphia Civil Practice: Back to the Future”

#### **PUBLIC PRESENTATIONS**

- October 2012** “Using Law and Society Knowledge for the Social Good”  
 Mid Atlantic Law & Society Association  
 Drexel University Earle Mack School of Law
- April 2012** Drexel Philosophy Club Talk  
 Drexel University Earle Mack School of Law
- October 2008** Visiting Lecturer  
 Drexel University
- November 2007** “Reading: Kitzmiller v. Dover School District”  
 St. John’s College Alumni Event
- March 2007** “What’s Right with the American Jury System”  
 Quadrangle
- April 2006** “Mass Tort – And Justice for All?”  
 Law Journal Television

- May 2004** “Mediation and the Medical Malpractice Crisis”  
“Expanding Mediation Opportunities”  
Sponsored by Pennsylvania Council of Mediators
- October 2003** The Great Issues Series Seminar – “Marbury v. Madison”  
St. John’s College, Annapolis, Maryland
- October 2002** “Mass Tort Litigation Skills for Paralegals”  
Philadelphia, Pennsylvania, Mealey’s Publications
- April 5, 2000** “Jury Verdicts in Philadelphia”  
Pennsylvania Association of Mutual Insurance Companies
- 1994** “Medical Malpractice Crisis,”  
Jefferson Medical College  
Thomas Jefferson University
- April 21, 1993** “Justice and Crime in Philadelphia”  
Arco Chemical Company Civic Action Program
- 1992** “The Democratic Myth”  
“Discovering our Fundamental Freedom”  
Teacher Training Institute
- November 1990** “You be the Judge: An Interactive Demonstration of Decision-Making  
Processes in Sentencing”  
Temple University School of Criminal Justice
- October 1989** “Criminal Case Backlog and the Court of Common Pleas of Philadelphia  
County”  
Eversley Vaughan Memorial Lecture of the Mt. Airy Learning Tree

**PAST AND PRESENT PROFESSIONAL AFFILIATIONS**

American Board of Trial Advocates

American Law Institute

Pennsylvania Bar Institute – Board of Directors

American Bar Association Business Law Section Business Court Representative

American Bar Association Section of Legal Education and Admissions to the Bar,  
Site Team Member

American Conference of Business Court Judges

Pennsylvania State Conference of Trial Judges – Zone Representative

American Judges Association, Board of Governors, April 1999-April 2002

Judicature Society

American Bar Association-Judicial Division

Pennsylvania Bar Association, Alternative Dispute Resolution Committee, Professionalism Committee, Plain English Committee, Judicial Administration Committee

Philadelphia Bar Association

The Delaware Valley Environmental American Inn of Court

The Temple American Inn of Court

#### **CASE MANAGEMENT AND MEDIATION PROGRAMS**

**December 1994** Designed and implemented “Day Forward Case Management,” a system for achieving ABA “time to disposition” standards for all Major Jury Civil Cases in Philadelphia County.

**1993** Designed and implemented “Complex Case Mediation Program,” a voluntary alternative to litigation through mediation of complex commercial disputes.

#### **PRIOR LEGAL EXPERIENCE**

**February 1980-  
April 1987** **Partner, *Fineman & Bach, P.C.***  
(Formerly *Berson, Fineman & Bernstein*)  
1608 Walnut Street  
Nineteenth Floor  
Philadelphia, PA 19103  
Specialized in civil litigation and supervised attorneys and legal staff.

**July 1976-  
February 1980** **Associate, *Martin Heller, P.C.***  
Specialized in trial, trial preparation and civil litigation.

**September 1974-  
July 1976** **Assistant Public Defender, *Defender Association of Philadelphia*, Criminal Litigation**

### CIVIC ACTIVITIES

**May 2006**                   Methodist Services for Children & Families, Board of Directors  
**May 2006**                   Methodist Family Services of Philadelphia, Board of Directors  
**1998-2001**                 Unitarian Society of Germantown, Board of Directors, President, 2001

### CIVIC ACTIVITIES BEFORE TAKING THE BENCH

Philadelphia Lawyers Against Apartheid, Executive Committee  
Philadelphians for Recycling, Executive Committee  
Sudden Infant Death Resource Center, Advisory Council  
West Mt. Airy Neighbors Community Association, Board of Directors

### PERSONAL DATA

**Born:**                       August 18, 1947  
                                  New York, New York

**Marital Status:**       Married to Linda M. Bernstein, Administrative Law Judge Social Security  
                                  Administration (Retired)

**Education:**             Law School of the University of Pennsylvania  
                                  Philadelphia, Pennsylvania Juris Doctor, 1973

                                  St. John's College Annapolis, Maryland  
                                  Bachelor of Arts, 1969  
                                  "The Great Books" Curriculum