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Philadelphia lawyer Tom Kline's \$7.5M gift spurs program for continuing education of Pa. judges

Philadelphia plaintiffs personal injury lawyer Tom Kline has donated \$7.5 million to Duquesne University School of Law to create a program where the state's nine law schools will collaborate with the Pennsylvania Unified Court System to deliver continuing education courses and seminars for all the trial and appellate judges in the commonwealth.

Kline, a 1978 Duquesne Law graduate, joined university officials in Pittsburgh Tuesday afternoon to announce the Thomas R. Kline Center for Judicial Education, which could give judges who dealt with criminal cases more often than business-related litigation, a chance to refresh their knowledge in that area.

Philadelphia plaintiffs personal injury lawyer Tom Kline has donated \$7.5 million to Duquesne University School of Law for the creation of the Thomas R. Kline Center for Judicial Education, which will collaborate with the state's nine law schools and the Pennsylvania Unified Court System to deliver continuing education courses and seminars for all state trial and appellate judges.

Kline said he sees the program, what Duquesne said is the first initiative of its kind in the country, as one with a broader purpose of educating the judiciary about a wide-ranging number of subjects.

"I'm convinced this can be a national model," he told the Philadelphia Business Journal in a Tuesday interview. "There has long been a barrier between academia and the judiciary, and now they will work together to establish the requirements."

When asked about business leaders on occasion being frustrated that judges are not as attuned to business concepts when overseeing commercial disputes, Kline said it's a good idea to have classes focusing on those issues. He said judges and academics will be able to suggest specific curriculum.

Dan Filler, dean of Drexel University's law school, which was named after Kline when the trial lawyer made a \$50 million donation to the school in 2014, said legal academia has traditionally felt some distance with practicing lawyers and the judiciary. He said this program should help fuse a connection with jurists by giving them access to the latest research.

Filler, who attended the Tuesday event, said the program will present opportunities for law schools to propose areas of expertise – such as business courses – that their faculty members could offer the judges.

"A lot of times you judges take the bench with a certain set of experiences," Filler said. "If a judge comes from being a [district attorney], they might not be as up on business issues. Or if they come from a firm like Pepper [Hamilton], they might not be as familiar with motions to suppress. They come in with areas of expertise but are then asked to become generalists on the bench. We don't ask that of anyone else. So what this center can do is fill in the gaps for them."

Duquesne said the CJE program will be using the expertise of scholars in law, science, psychology, health sciences, legal ethics and other areas, and will also “address emerging areas of law and create a new model for statewide judicial education.” The school added that a small number of universities offer national seminars for judges from across the country for a cost, and University of North Carolina operates a judicial college that offers courses for judges in that state, but does not partner with that state’s other law schools. That makes the Thomas R. Kline Center for Judicial Education a one-of-a-kind program, Duquesne said.

The Kline donation stems from a December 2016 order of the Supreme Court of Pennsylvania requiring all Pennsylvania trial and appellate court judges and justices to take, annually, 12 continuing judicial education (CJE) credits. Beginning in January 2018, four of those annual credits must be delivered by the Administrative Office of Pennsylvania Courts (AOPC) to state judges and justices.

Duquesne Law will work in collaboration with the eight other law schools in the state and the AOPC to plan and assist in delivering, free of charge, these four CJE credits to more than 600 jurists. Five of those law schools are in the Philadelphia region — Drexel University, University of Pennsylvania, Villanova University, Temple University and Widener University.

Kline said the idea came about when Duquesne President Ken Gormley connected him with Pennsylvania Supreme Court Chief Justice Thomas Saylor. Duquesne Law Dean Maureen Lally-Green, who spent 11 years as a Pennsylvania Superior Court judge, contacted the deans of the other eight state law schools, who will serve on a board overseeing the CJE program.

The Pennsylvania judiciary has been besieged with controversy in recent years, ranging from three state Supreme Court judges leaving the bench due to scandal and the Philadelphia Traffic Court being eliminated last year in the wake of seven judges being convicted in a ticket-fixing scandal. There has long been a call for Pennsylvania to join the 44 other states that do not elect their trial and appellate judges.

“I was not motivated by those outlier cases [of judicial misconduct], which has left a black eye on the judiciary system in Pennsylvania,” Kline said. “I think we have a well-functioning judiciary in this state. I don’t see this as coming from a negative but rather as enhancing the judiciary.”

Kline, 70, spent years working for legendary trial lawyer James Beasley at The Beasley Firm in Philadelphia before partnering with Shanin Specter to open his own firm, Kline & Specter, in 1995. It has become arguably the most powerful plaintiffs personal injury firm in the state.

In 2007, Kline served as plaintiffs attorney in the Vioxx litigation, which resulted in a \$4.85 billion settlement paid by Merck & Co. In 1999, he secured a \$50 million verdict against SEPTA for a boy whose foot was torn off in a subway escalator. In recent years, he represented victims in the Jerry Sandusky sexual abuse case, the Salvation Army building collapse and the Amtrak 188 derailment.

Kline has put some of the tens of millions of dollars he has earned toward legal education and in those occasions, the money has been earmarked for specific niches in legal education.

In 2014, a Drexel Law donation — the largest single gift in the university’s 126-year history — included a large bequest, plus the former Beneficial Bank building at 12th and Chestnut streets that will house the new Thomas R. Kline Institute of Trial Advocacy of the Kline School of Law.

Kline said he toured the historic building Monday to see the progress of the construction first hand. He expects it to be open in December for use by the new trial advocacy program.

Filler said the new facility will not replace the school's main building at 3320 Market St. but rather supplement it with a location focused on experiential learning. It will include several rooms geared for simulated depositions, opening and closing statements, cross-examinations, counseling and jury deliberations. Video equipment means that faculty does not have to be present and can review student performance later.

The Kline Institute will be available to juris doctorate candidates, but Filler said the school is still determining whether it will create an LLM program in trial advocacy. Temple Law has one of the top LLM programs in the country in that field.