

Legislation Text

File #: 140972, **Version:** 0

Recognizing and honoring Judge Benjamin Lerner, Senior Judge for Philadelphia Court of Common Pleas, for his years of service to the First Judicial District and after he was chosen to receive the Justice William J. Brennan Jr. Distinguished Jurist Award by the Philadelphia Bar Association on December 9, 2014.

WHEREAS, Judge Lerner graduated with a Bachelor's degree from Brandeis University in 1962, and he then attended the University of Pennsylvania, from which he received his Law degree in 1965. Immediately after graduation, Judge Lerner clerked for the Hon. Stanley A. Weigel of the United States District Court for the Northern District of California; and

WHEREAS, Shortly thereafter, Judge Lerner returned to Philadelphia and from 1973 - 1975 he served as Pennsylvania Deputy Attorney General as the Chief of the Criminal Law division; and

WHEREAS, Continuing his career in public service, Judge Lerner served as the City's Chief Defender at the Defender Association of Philadelphia from 1975 - 1990. In this position, Lerner increased his staff of lawyers from 90 to 145, reducing workloads and increasing effectiveness. Lerner was known for professionalizing the Association and making it one of the best defender organizations in the county. Former Gov. Ed Rendell said in 1990 that, "historians 100 years from now will look at Ben Lerner's stewardship and see it marked the turning point in that office"; and

WHEREAS, Judge Lerner was also a member of the Pennsylvania Criminal Procedure Rules Committee from 1977-1986, the Disciplinary Board of the Supreme Court of Pennsylvania from 1980-1986, President of the National Legal Aid and Defender Association 1983-1985, and the Philadelphia Bar Association Commission on Judicial Selection, Retention and Evaluation 1977-1990. Judge Lerner also spent time teaching Trial Advocacy at the University of Pennsylvania Law School. Judge Lerner was also the recipient of numerous awards and honors including: the Philadelphia Bar Foundation "Honorable Gerald F. Flood Memorial Award" for distinguished Service to the Profession (1978) and the Clara Shortridge Foltz Award for excellence in providing indigent defense services (1987); and

WHEREAS, After several years in private practice, Judge Lerner was first appointed to the court in 1996 by then Governor Tom Ridge. Judge Lerner was then reappointed to fill another vacancy on the Court in 1999 again by Governor Ridge. Judge Lerner was elected to a full term that same year; and

WHEREAS, While serving on the court, Lerner was instrumental in getting a substantial raise in fees for court-appointed lawyers who take on capital homicide cases. Appointed by the Pennsylvania Supreme Court to review allegations that court-appointed attorneys were underpaid, Lerner wrote two reports on the issue, finding that attorneys "were terribly underpaid and undercompensated", according to then Administrative Judge John Herron. As a result of Lerner's reports, attorneys' fees were quadrupled, and the strain on the court system has lessened, with more cases completed and off the dockets; and

WHEREAS, For the past three years Judge Lerner has served as Senior Judge, meaning he is over the age of 70. This has not slowed him down however, as Judge Lerner is still Common Pleas Court's chief homicide calendar

judge, also handling pre-trial matters, presiding over guilty pleas and handing many sentencings while also occasionally presiding over nonjury homicide trials; and

WHEREAS, Judge Lerner has provided over 40 years of public service to the citizens of Philadelphia through his years at the Defender Association and now on the bench. This latest recognition by the Philadelphia Bar Association is yet further proof of Judge Lerner's accomplishments and the lives he has changed forever through his work. Philadelphia is truly a better place because of his service; now, therefore, be it

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That Council does hereby recognize and honor Judge Benjamin Lerner, Senior Judge for Philadelphia Court of Common Pleas, for his years of service to the First Judicial District and after he was chosen to receive the Justice William J. Brennan Jr. Distinguished Jurist Award by the Philadelphia Bar Association on December 9, 2014.

FURTHER RESOLVED, That an Engrossed copy of this resolution be presented to Judge Lerner as evidence of the sincere sentiments of this legislative body.