PHILADELPHIA BAR ASSOCIATION
FAMILY LAW SECTION MEETING MINUTES
JULY 11, 2016
Chair Dina Ronsayro, Esquire, presided.

I. WELCOME AND INTRODUCTION: Dina called the meeting to order at 12:10 p.m., welcomed everyone, and acknowledged the Honorable Daniel Sulman and Custody Master Jacqueline Vergara were in attendance.

II. CORRECTIONS OR ADDITIONS TO MINUTES: The June minutes were approved.

III. TREASURER'S REPORT: The financial information was not available as of the time of this report.

IV. ANNOUNCEMENTS:

A. Dina encouraged everyone to register and attend the Philadelphia Bench-Bar in September where our Section is presenting a program introducing the four new Philadelphia Family Court judges.

B. Dina reminded the Section to consider volunteering at the Help Desk in Family Court. Please contact Lee Schwartz, Esquire, via e-mail to schedule a day to help (lee@schwartzjordan.com) – i.e., either Monday or Wednesday from 12:00 p.m. to 3:00 p.m.

V. PROGRAM: "Urine Drug Testing Primer"

A. Susan Pearlstein, Esquire, introduced speaker and forensic chemical consultant Heather L. Harris, MFS, JD, D-ABC.

B. Notable Points (see also the PowerPoint attachment)

1. Urine drug testing is the most common type of drug testing.

2. Stimulants – Note that individuals suffering from schizophrenia may show symptoms similar to those one has when taking stimulants.

3. Hallucinogens – e.g., LSD and PCP; not commonly abused

   a. PCP – These are hallucinogens that cause dissociation. Users of PCP may appear to have a mental illness. Ketamine is a cousin of PCP.

   b. LSD – These are hallucinogens that do not cause dissociation, such as mushrooms and peyote.
4. Depressants – e.g., Valium, Xanax, alcohol, and benzodiazepines
   a. Symptoms are easy to recognize, as users usually appear lethargic, slow-moving and have droopy eyes.
   b. Note that some medical conditions can mimic these symptoms.

5. Analgesics – e.g., opiates (also depress central nervous system), acetaminophen, ibuprofen, and hydrocodone; Note that consistent use of these may have the side effect of constipation. Also, because one can build a tolerance to opiates, one may need an increased prescriptive dose to achieve the same pain relief. Thus, one may show higher than normal levels of opiates, but one may still be legitimately using the drug as prescribed.

6. Cannabinoids – e.g., marijuana
   a. These are Schedule 1 drugs with severe penalties for illegal use.
   b. There is a narrow ability to legally use medical marijuana in PA; one must visit a doctor who is specifically licensed to determine when to dispense the drug, and it will be given via oils, tinctures and edibles (i.e., one does not receive any original plant material).
   c. These cause decreased reaction time because they reduce one’s attentiveness.
   d. These have been approved to help patients suffering from conditions such as IBS, AIDS, and cancer.
   e. Note that the bloodshot, glassy eye appearance is most likely due to the smoke from marijuana and not necessarily the drug itself. Keep in mind that you also need to have a baseline comparison to see if that person does not normally have red in their eyes.

7. Pharmacokinetics
   a. Absorption – This is how the drug enters the body; note that insufflation means via snorting and transdermal can also be via suppository.
   b. Distribution – This is how the drug travels through the body
i. Water soluble drugs travel through the body quickly (e.g., alcohol). Fat soluble drugs travel less quickly (e.g., marijuana).

ii. To feel the effects of a drug, the molecules of the drug have to pass the blood-brain barrier. For instance, when one uses heroin, it is actually morphine that passes through the barrier.

c. Metabolism – This is when the effects of the drugs are felt and when the body begins processing the drug.

i. The metabolites of a drug are useful to examine what drugs were in one’s system (and if there were combinations of drugs).

ii. Metabolites of Cocaine – Testers can determine if one paired alcohol with cocaine. They can also determine whether the cocaine was smoked as crack or whether it was snorted. Note the metabolites of cocaine are not active drugs on their own.

iii. Metabolites of Diazepam – These are all active drugs on their own.

iv. Metabolites of Alcohol – The metabolite is acetate which is in acetic acid (also known as vinegar). The breathalyzers are used to detect alcohol ingestion because this metabolite is expelled when breathing.

d. Excretion – this is how the metabolite exits the body.

8. Screening test – Note that if the screening test reflects positive results, one should obtain a confirmation test afterwards. For instance, ibuprofen use may show a positive result for cannabis, so it is important to have the confirmation test, too. The confirmation test is able to identify chemical compounds to the exclusion of other compounds.

9. Drug Screen Panels

a. Basic Drug Screen Panel – This is the most common panel used. This test identifies the classes of drugs that may be in the system but not the individual drugs themselves (i.e., they cannot distinguish between heroin and morphine).
b. Expanded Drug Screen Panel – This is a panel used when you want to screen for additional drugs, such as prescription benzodiazepines. Keep in mind these panels become more expensive when you add additional drugs to screen.

10. Types of Samples
   a. Blood – This is the best sample to show what may be happening in the brain.
   b. Saliva – Samples can be taken roadside with mouth swabs.
   c. Hair – This is useful to show long term drug exposure, but hair is susceptible to exposure to things in the environment.
   d. Tissues – Tissue testing is typically used on deceased individuals.

11. Note that even though a drug may be detectible in one’s system, this does not mean the person was under the influence of the drug for the whole time that the drug was detectible.

12. Adulteration of samples – Individuals may try and change drug test results by exercising intensely and drinking a lot of water, taking specialized herbal remedies which claim to flush drugs, or using special mouth washes or shampoos.

13. Recognizing adulterated samples – Authorities are aware of the many ways people try to avoid having a positive drug test. To determine whether a possible user is drinking a lot of water to avoid a positive result, they check one’s creatinine level to examine if the level is below normal because of dilution (with the normal level being 5 mg/dL). Note that creatinine is made when you eat animal protein/meat. Thus, vegetarians and vegans may have lower levels of creatinine.

14. Accessioning – This is the process where the samples come in tubes to labs and are assigned test codes. Some criminal defense attorneys may argue that sample vials were accidentally swapped during accessioning to dispute the validity of test results.
VI. **COMMITTEE REPORTS:** Committee meeting time/dates and announcements are disseminated over the FLS list serve.

VII. **GOOD & WELFARE:** None.

**NEXT SECTION MEETING:** Monday, September 12, 2016, at 12:00 p.m. on the 15th Floor of the Philadelphia Family Court building at 1501 Arch Street.

**NEXT EXECUTIVE COMMITTEE MEETING:** Thursday, September 15, 2016, at 12:00 p.m. on the 11th Floor of the Philadelphia Bar Association at 1101 Market Street.

Respectfully submitted,

[Signature]

Kristine L. Calaung, Esquire
Secretary

**ATTACHMENTS (2):**

- June 2016 PA Appellate Court Family Law Slip Opinions –Courtesy of Sara Slocum, Esquire, of Astor Weiss Kaplan & Mandel, LLP

- Urine Drug Testing Primer PowerPoint