

**Philadelphia Bar Association
Board of Governors Meeting
April 24, 2014**

The meeting was called to order at 4:05 P.M. by Chair Eric Weitz.

Upon consideration by the Board, the minutes of the March 27, 2014 meeting were unanimously approved.

Treasurer Wesley R. Payne, IV, presented the Financial Report for the period ending March 31, 2014. He reported that the Association is in good financial condition. Revenues are up and over budget substantially by approximately \$225,000. Membership dues are also up and revenues from LRIS are up. Total expenses are down by approximately \$65,000. After consideration, the Treasurer's Financial Report was unanimously accepted by the Board. Chair Weitz congratulated Bar Staff and leadership for their efforts in achieving these results.

Chair Eric Weitz then asked the Chancellor for his report.

Chancellor Fedullo first reported on the progress of the Civil Gideon Initiative.

He and Sam Milkes met with Chief Justice Castille who has allowed the report to be presented to the Senate Judiciary committee under the chairmanship of Senator Greenleaf. The Chief Justice is now in the process of convincing his colleagues to support the report. Chancellor Fedullo indicated that he, as well as the Chief Justice, hope that Civil Gideon will be enacted in Pennsylvania before the end of the year.

Chancellor Fedullo then reported on progress regarding the Public School Support Initiative. As of April 7, the School District has signed off on the protocols for supporting a school. The protocols are now in place and are available on the Bar website. There is a Tier 3 Platinum level, a Tier 2 Gold level with several levels and forms of participation, and a Tier 1 Silver level for those firms that are unable to volunteer time; participation at the Tier 1, or Silver level, involves only a cash payment.

Chancellor Fedullo reported that he had attended a program yesterday at the U.S. Attorney's Office concerning Youth Courts. The program was run by Zane Memeger and Robert Reed. The program represented an issue involving a star athlete who had punched a competitor in the face. Chancellor Fedullo was very impressed with the program.

Chancellor Fedullo reported that he had lunch two days ago with Judge Doris Smith Ribner, who was appointed by President Obama to an Advisory Commission dealing with minorities and education. Judge Smith-Ribner invited the Chancellor to come down to Washington to speak to the Commission on the efforts of the Bar Association to improve public school education in

Philadelphia. Chancellor Fedullo also reported that he had several other meetings with people regarding the Schools Initiative.

Chancellor Fedullo indicated that he has been asked to make a presentation to the Large Firm Committee on April 30 to enlist the support of the Large Firms on the Schools Initiative. Chancellor Fedullo stated that he has been advised that it is anticipated that each firm in attendance will be willing to participate in the Initiative.

Chancellor Fedullo also reported that next week is Law Week and the Young Lawyers Division is conducting Legal Line and the Goldilocks Trial.

In conjunction with the 60th anniversary of Brown v. Board of Education, the Barristers and the Philadelphia Bar Association are presenting a program at Mother Bethel AME Church. Harold Jackson, the editor of the Inquirer's editorial page, Governor Rendell, and Amber Racine will speak. Chancellor Fedullo had an opportunity to view the documentary film that will be presented; he stated that the film is very moving. The Chancellor encourages all to attend.

On a point of personal privilege, Chancellor Fedullo advised the Board that on April 29 Congregation Kol Ami is honoring him as its Man of the Year. Chancellor Fedullo noted that School District head Dr. William Hite will attend the event as the Chancellor's guest, along with his wife, and that Dr. Hite will participate in the ceremony. Judge Jack Panella will also be there.

The U.S. Supreme Court swearing-in ceremony for Philadelphia Bar Association members will take place on May 5. 12 members of the Association in DC will be sworn in

On May 16 Sam Katz is presenting his film about the making of Philadelphia along with a talk at the PBI Center.

The NALS (National Association of Legal Secretaries) invited Chancellor Fedullo to speak last night at the Doubletree Hotel; he was honored as the 87th Chancellor of the Philadelphia Bar Association.

The Bar Association is proceeding with arrangements for the meeting of world city bar leaders that will be held here in Philadelphia in the fall. We are making a great deal of progress with the details of the arrangements. Chancellor Fedullo specifically thanked Tracey McCloskey and Susan Knight for their efforts.

The Chancellor congratulated Judge Sandra Mazer Moss as having been selected the recipient of the 2014 Sandra Day O'Connor Award. The Chancellor congratulated the Women in the Profession Committee for having selected Judge Moss to receive the award. Chancellor Fedullo commended Judge Moss on being a true mentor. Shelli Fedullo remarked that she had been mentored by Judge Moss, and that their son Billy had also been mentored by Judge Moss.

Deborah Leff appeared at the last Chancellors Forum and was wonderful. The Chancellor also

thanked Kevin Mincey and Cathy Carr and Su Min for speaking at the Forum.

Chancellor Fedullo noted that the Bar 5k Run will take place on May 18.

Chancellor Fedullo noted that the unveiling of two judicial portraits will soon take place. The unveiling of the portrait of Judge DiFino will take place on May 8, and the unveiling of the portrait of Judge Keogh will take place on May 12.

Chancellor Fedullo ceded the floor to Larry Felzer who reported the Senior Law Center Annual Gala will take place on May 21. The Gala will honor our older veterans. The Master of Ceremonies for the event is former Congressman, Iraq war veteran, and MSNBC host, Patrick Murphy. One of the honorees is Dr. Leon Bass, who was one of the first African-Americans to liberate the Buchenwald concentration camp. Dr. Bass, a Philadelphian, returned to Philadelphia after the war only to face the same prejudices that he had seen before the war. Dr. Bass ultimately became the first African-American principal of a Philadelphia High School. Also to be honored at the event by being inducted into the Senior Law Center Hall of Fame is Joseph B. Silverstein, Esq. Larry reported that opportunities for sponsorship of the event are still available and will be greatly appreciated.

Chancellor Fedullo noted that City Council has declared 2014 as The Year of the Veteran.

Karen Buck, the Executive Director of the Senior Law Center stated that the Public interest community is having very hard times, and that seniors who were veterans were significantly affected.

Chancellor Fedullo congratulated John and Nancy Savoth on the occasion of their 32nd wedding anniversary.

On June 13, the Federal Bench-Bar Conference will be held. Danni Banks is putting that together.

4/26 at Jewish Museum at the invitation of Larry and Shelly Beaser. - Shelly Beaser is one of the mothers of the school initiative.

On the Law Firm Laboratory, A very nice first program was conducted by Alan Feldman, Ezra Wohlgeleirnter and Carol Nelson Shepherd. On June 4, the second Law Firm Laboratory Program will be held. The Chancellor's Special Counsel, Kevin Mincey, will speak as will Lee Schwartz and Steve Harvey. In addition, details are being finalized for a fourth speaker for that event.

Chair Eric Weitz indicated that he wished to congratulate Chancellor Fedullo that our Schools initiative is now evidently going to The White House and the American Bar Association. This is an example of how we have taken leadership on an issue that affects all of us including the world around us and the role that attorneys can play in it.

Chair Weitz again challenged the Board to find other things where we can bring the impact of

this Association to effectuate change in our community and to improve it. Members of Board are the desired instruments of change in the Association, and in the community at large. Our membership wants us to be relevant.

We are having fewer section and committee chair meetings this year, and we are trying to make those meetings more meaningful.

Chancellor Fedullo now presented relative to the appointment of Elisa Advani to the Philadelphia Bar Reporter Editorial Board. Chancellor Fedullo noted that Ms. Advani is an Assistant City Solicitor at the Philadelphia Law Department. Ms. Advani is fluent in Spanish, is a graduate of Widener University School of Law, and Villanova University. She is a mentor in the Big Brothers Big Sisters of Southeastern PA program at City Hall and also serves as a volunteer Spanish interpreter for Philly VIP. Upon consideration by the Board, the appointment of Elisa Advani to the Philadelphia Bar Reporter Editorial Board was approved.

A Resolution in Support of Establishing Emeritus Bar Admission Status for Attorneys to Provide Pro Bono Legal Services was presented by Delivery of Legal Services Committee Co-Chairs Karen C. Buck and Joseph Sullivan.

Karen Buck, Executive Director of the Senior Law Center, noted that she and Joe Sullivan have co chaired The Delivery of Legal Services Committee for several years. They invite others to join their committee meetings. Meetings are every month with almost 100% attendance.

This resolution stems from the work of The Delivery of Legal Services Committee. The issue is access to justice and the resolution speaks to ways to get additional access to those who need it the most and can afford it the least. There is a statewide Civil Legal Justice Commission, but there is a civil legal justice crisis in our country. Only 20% of those who need help get help for their needs; 80% go without. More needs to be done. The Chief Justice has asked all of us to renew our commitment to pro bono.

The Resolution came about when The Delivery of Legal Services Committee was invited over 2 years ago to participate with a committee started by the Allegheny County Bar Senior Lawyers Committee to work on this program where over 35 states have endorsed emeritus status for retired or inactive attorneys solely to practice pro bono, but Pennsylvania has not yet put such a program into place. The American Bar Association has endorsed this practice which would allow senior retired attorneys to act to provide pro bono representation by eliminating the requirements for payment of the annual attorney fee.

Joseph Sullivan stated that funding for legal services agencies has gone down, while the need for legal services resources has gone up. Although there is a rise in the need for pro bono services, agency funding is way down. Mr. Sullivan noted that this situation provides a great opportunity to tap into a new resource to get these services provided by retired lawyers.

This resolution asks the Pennsylvania Supreme Court to waive the annual registration fee for retired lawyers who will only act to represent individuals thru legal services agencies on a pro bono basis. The service would only be provided thru the Legal Services agencies that would train, insure and supervise these lawyers. The lawyers will still need their 12 hours of CLE, but part of that would be provided free by the Agencies.

The agencies will provide the backup support to the lawyers to provide what they need in order to represent the clients. On a vote of 38-2 the Professional Responsibility Committee approved the resolution. A presentation was made to the Cabinet, which also approved the resolution. No organization that has heard this presentation has failed to support the resolution.

Karen Buck pointed out that this exemption status would only be for pro bono representation provided thru recognized legal services agencies, and not by lawyers doing this on their own.

Ms. Buck and Mr. Sullivan were careful to point out that passage of this Resolution is only the first step in pursuing this much-needed change in the rules. By passing this Resolution, we are merely recommending that the Supreme Court take such action. It was further added that the Allegheny County Bar Association has approved this resolution. The resolution will also be submitted to the Pennsylvania Bar Association for approval at its next meeting, so the hope was that the Philadelphia Bar Association can be shown to have acted on this Resolution before any action taken by the Pennsylvania Bar Association.

Marc Zucker spoke in favor of the resolution and complimented Judge Denis Cohen and Karen and Joe for pursuing this initiative and shepherding this Resolution to us. It is recognized that this is a step in the right direction, but it is only a first step.

Past Chancellor Kathleen Wilkinson stated that she supports this Resolution completely, and therefore she made a motion that the Resolution be passed. Chancellor Fedullo seconded the motion.

Larry Beaser asked for a friendly amendment to the Resolution whereby there should be a semicolon instead of a comma after the first Whereas Clause. The presenters indicated that they had already caught this error and agreed to make the change.

Lauri Kavulich asked a question as to how lawyers would be notified of this exemption and program. Joe Sullivan said that the mechanics have not been worked out yet, but that much more detailed brainstorming will be needed if the Supreme Court adopts the rule Change. It would, of course, be up to the Supreme Court to determine the actual mechanics and structure of the rules changes.

It was also noted that Pennsylvania has the 4th largest percentage of seniors in the country.

A vote was taken and the motion passed unanimously.

Chair Eric Weitz briefly commented on the progress of the Law School Outreach program, noting that we have learned that many of our conceptions and thoughts regarding law students were inaccurate; in particular that the law students knew more about the American Bar Association and that they knew very little about the Philadelphia Bar Association. Chair Weitz asked Co-chair of the Law School Initiative committee, Michael Hayes to report. Chair Weitz thanked the co-chairs, Michael Hayes and the undersigned for their efforts.

Michael Hayes indicated that a great deal of feedback has been obtained since the Bar Leadership Retreat and we have moved forward positively. Significant progress has been made with the initiative. The following activities or actions are taking place, based on our discussions with the law students and with leaders of the YLD and of the Public Interest Section's Law School Outreach Committee:

- 1.** Letters are now going to go out to the following constituencies to recruit them to sign up to be part of the Outreach teams:
 - 1.** Law Student leaders
 - 2.** Law school faculty members
 - 3.** Bar Association leaders – officers, members of the Board of Governors, Section Chairs, Committee Chairs
 - 4.** Young Lawyers Division members
 - 5.** Judges
- 2.** We are going to put together a signature event at each law school in the fall to showcase the benefits of Bar Association membership, with a speaker who will talk about the “Secrets of the Hiring Committees: What Law Firms Won’t Always Tell You” (because the one thing that law students are always interested in is how to get a job)
- 3.** Because we recognize that law students need to learn networking skills on a personal basis, we are going to work to provide a series of events that provide both opportunities for networking, and skills instruction on networking
- 4.** What will ultimately drive law students to join the Philadelphia Bar Association is if we can show the law students that we will help them get opportunities to become employed, and to develop the skills necessary to allow them to market themselves as being worthy of being employed.

Mike Hayes advised the Board that the co-chairs have sent each of the members of the Board of Governors copies of the letters that we propose to send out to constituencies to create teams that will go into the law schools to present the programs, including the signature program. Our goal is to speak to each law school with this program

We have received feedback from YLD and other committees. We learned that first year students are more interested in course work. The co-chairs need the cooperation of each member of the Board in this initiative, and hope that each Board member will volunteer to be part of these teams. In order to be successful, the co-chairs want your ideas and thoughts; this is a dynamic

project and not a static program.

Chair Weitz also reported that some of the Bar Sections and Committees have commented that a lot of programming needs to be done but that the Committees or Sections don't have financing from the Bar to support these necessary programs. Therefore, the Chancellor and the Chair are encouraging Sections and Committees to consider developing sponsorship programs, similar to those successfully employed by certain Sections for a number of years. A process has been developed to allow for sponsorship programs in the Business Law Section and with the YLD Division.

Chair Weitz advised the Board that after the tragedy of last year's Boston Marathon, Kay Yu competed in and completed the Boston Marathon this year after having been injured in it last year.

Chancellor Fedullo asked to make two additional announcements: The Hispanic Bar Association is honoring Tom Duffy tonight in City Hall. Chancellor Fedullo encouraged all who were able to come to honor Tom Duffy.

Also, Chancellor Fedullo advised that the Lawyer Referral and Information Service (LRIS) is doing commercials on KYW We want to support success of LRIS and the recognition that these commercials will help drive cases and clients to them.

Finally, Chancellor Fedullo reported on the status and nature of House Bill 436, which was just signed into law by Governor Corbett.

The purpose of the bill is to stamp out child abuse. However, it is felt that there is an overreaching in the bill which was signed by the governor that would eliminate confidentiality and that would require reporting by all for even the suspicion of child abuse. Chancellor Fedullo noted that we are opposed to some of the language in the bill as overreaching. The bill as it now exists, and as it was signed by the governor, would put both lawyers and their staff at risk. Although the Pennsylvania Bar Association has indicated its approval of this bill, Chancellor Fedullo believes that we should somehow voice our reservations regarding the specific language of the bill and its potential effects. Chancellor Fedullo will ask someone in the appropriate position to do so to make a Kings Bench Petition to the Supreme Court in order to hopefully eliminate the provisions in the bill which eliminate attorney client privilege.

Michael Hayes stated that the Professional Responsibility committee previously addressed this bill and felt that it would adversely affect attorney-client privilege.

What is particularly of concern is that this bill gives no privilege to an attorney's staff. This bill takes away from the Supreme Court the ability to regulate the practice of law and assumes this power by the legislature. Chancellor Fedullo noted that the Supreme Court is supposed to be the only body regulating attorneys and the practice of law.

Treasurer Wes Payne agreed with the fundamental construct that only the Supreme Court is to control the practice of law.

Chancellor Fedullo stated that the risk to the profession in the bill is that the mere suspicion of abuse creates a requirement for reporting. Chancellor Fedullo noted that there is a potential for abuse of the system in certain family law situations where one party, for a tactical advantage, may state that they “Suspect (the other party) of Child Abuse” and would this law require that the attorney report this communication.

Lee Schwartz, Board Representative from the Family Law Section agreed that the provisions of House Bill 436 represent an important issue that we must speak about. He indicated that the Family Law Section voted against the bill.

Chair Eric Weitz stated there has to be some sensitivity in our communications that we as the Philadelphia Bar Association NOT be seen as supporting child abuse. Chair Fedullo commented that the clients who come to us need to have some sense that their communications will have confidentiality. Chancellor Fedullo stated that in recognition of this potential for the position of lawyers to be misstated is why it is hoped that a legal service agency can take the prime speaker role on a Kings Bench Petition.

Immediate Past Board Chair Marc Zucker noted that Wes Payne and Sophia Lee were honored at the ABA for their work with the Philadelphia Diversity Law Group.

There being no further business, the meeting was adjourned at 4:58 p.m.

Respectfully submitted,

Judge A. Michael Snyder (ret.)
Assistant Secretary

**Board of Governors
Attendance
April 24, 2014**

Voting Members

Present:

William Fedullo
Hon. A. Michael Snyder
Wesley Payne
Mary Platt
Eric Weitz
Ourania Papademetriou
Kay Yu
Natalie Klyashtorny
Rahat Babar
Lawrence Felzer
Lauren McKenna

Jeremy Menkowitz
Erin Siciliano
Kathleen Wilkinson
Marc Zucker
Edward Beitz
Michael Ecker
Lee Schwartz
Scott Small
Jeffrey Dashevsky
Lauri Kavulich

Absent:

Albert Dandridge
Gaetan Alfano
Jacqueline Segal
Brad Shuttleworth
Jennifer Coatsworth
James Rocco
Rachel Gallegos
Rachel Kopp

Emily Marks
Dawn Tancredi
Peter Newman
Maria Bermudez
James Funt
Amara Chaudhry-Kravitz
Judy Berkman
Howard Goldberg

Non-Voting Members

Present:

Michael Hayes
Lawrence Beaser
John Savoth
Sophia Lee

Rochelle Fedullo
Kevin Mincey
Deborah Gross

Absent:

Mark Tarasiewicz
Louis Rulli
May Mon Post
Heather Austin
Judy Stouffer
Hilda Thompson

Richard Alonso
Cheryl Disch
Sayde Ladov
Abraham Reich
Butler Buchanan