

**Philadelphia Bar Association
Board of Governors
April 29, 2011 Minutes**

The meeting was called to order at 4:06 p.m. by Chair Regina Foley.

Upon consideration by the Board, the Minutes of March 31, 2011 meeting were unanimously approved.

Chair Foley recognized Treasurer Joe Prim to present the Treasurer's report for the period ending March 31, 2011. The dues are over budget by this time last year. Part of the reason is due to the addition of new members as well as members who did not renew last year but paid this year. Expenses are also down. Upon motion made, the report was approved.

Chancellor Rudy Garcia reported that the launching of Fastcase, a new benefit to law firms who sign up all their lawyers to be members of the Bar Association, has been successful. Meetings have been set with firms to try to sell them on the concept of saving money on legal research costs, which savings absorbs the costs to be members of the Association. Two firms recently have signed up all their attorneys. The Chancellor also reported that the "Bar Classifieds" has been launched since the last meeting and has 50 listings, most for positions available. Chancellor Garcia believes this is encouraging and he will try to keep the trend going. There was a Section and Committee chair meeting on April 12. He discussed with the Sections and Committees an ABA resolution for adopting a recusal procedure for the Supreme Court. He has sent requests to various committees and the Young Lawyers Division to provide the status of their activities.

The Judicial Commission is hard at work and will complete 45 judicial candidates. Ratings were released twice. For the Court of Common Pleas, 25 candidates were recommended 8 were not recommended; for Municipal Court, 2 candidates were recommended, 5 were not recommended. The Commission is set to finish and will release the ratings shortly. Chancellor Garcia reported that he is making statements about what the rankings mean, including appearing on various shows, including CBS Headline News, with ABC and NBC to follow. The Chancellor would like the Board to spread the word about the work of the Commission.

The Chancellor reported that he attended the Senior Law Center event, HAPS event, the YLD event, and an IP networking event. He reported that many law students are going out to these events. Mayor Nutter recently spoke at a Chancellor's Forum. Chancellor Garcia spoke at a VIP meeting, Real Property Section meeting, and at an event with Ken Feinberg, which was hosted by the Business Law Center. He reported he was set to be a panelist at the George Boyer Vashon Lecture, "Equal Justice Under Law – What's Next?" sponsored by Duane Morris. Lastly, he reminded the Board that Bench Bar planning was underway, as well as to attend the YLD's Casino night, the proceeds of which go to the Bar Foundation.

Executive Director Ken Shear then addressed the Board and paid tribute to the Chancellor for his tenacity for the idea for Fastcase and for pushing through on it, getting firms to come on board.

The Chair echoed Ken Shear's sentiments in this regard and also thanked the staff for their help with the program. The Chair reminded the Board that Law Week was approaching and volunteers for the program were needed.

The Chair recognized Mindee Rueben, Chair of the Women's Rights Committee to present a Resolution Supporting Legislation to Require the Posting of Information Relating to the National Human Trafficking Resource Center Hotline in Certain Establishments. The Resolution has support of many sections including Public Interest Section, Criminal Justice Section, Family Law Section, and Young Lawyer Division. Ms. Rueben reported that House Bill 235, Printers Number 187, seeks to require the posting of a hotline number in locations likely to reach victims of human trafficking. A motion was made and seconded. There was discussion. The Resolution was unanimously passed. Ms. Reuben stated that on August 2 there will be a CLE on human trafficking held by the Women's Rights Committee.

The Chair then recognized George Nagle, Chair of the Tax Section to present a Resolution Supporting Legislation Banning Patents on Tax Strategies. Mr. Nagle explained that the Tax Section wants the Association to support any pending or future proposed legislation to effectively ban or prevent the issuance of "tax strategy patents". He explained there have been tax strategy patents that have been issued and that the Tax Section does not think it is proper to patent a tax strategy. He also discussed Senate Bill 23 which was passed by the United States Senate recently. Michael Berkowitz, from the IP Committee, explained that this type of legislation is broad and could create a loophole for other patents. However, the IP Committee neither supports nor opposes the Resolution. There was discussion whether this issue should be sent to the ABA. However, the Resolution is not solely based on the Senate Bill 23. There was further discussion that this seems to be tax specific issue based on the Internal Revenue Code. The Tax Section acknowledges that patents on business strategies are appropriate, but does not believe that strategies tied to the IRS Code should be patented. Mr. Nagle stated that there is a legal obligation to pay your taxes and this type of proposed legislation could hinder one's ability to pay one's taxes. This could grant a monopoly on how to handle taxes. He reported that the Probate Section supports the Resolution as well. The Chair of the Real Property Section, Cheryl Gaston, stated that the Real Property Section will also support this Resolution. There was discussion how the costs of a patented tax strategy program would hurt low income people and would make it more difficult for small businesses and sole proprietors to pay for tax strategies. There was concern whether the goal of the Resolution was adequately defined. Upon motion made and seconded, the Resolution passed with one member opposed. Abe Reich, one of the Association's liaisons to the ABA, asked if this Resolution should be sent to the ABA for consideration. Abe Reich agreed to contact someone in the Tax Section of the ABA to see what their thoughts are.

Cheryl Gaston, who is also President of the Lawyers Club, announced that there will be a reception sponsored by the Lawyers Club on May 2 for the judiciary from the United States District Court for the Eastern District of Pennsylvania and the Third Circuit.

Lastly, an announcement was made that on May 24, 2011 there will be a dean from each area law school attending a Chancellors Forum about the future of the profession, economic conditions, reporting requirements of law schools, possible changes in law schools, as well as increases and decreases in class size.

Respectfully submitted,

Kathleen D. Wilkinson
Vice Chancellor
Acting Secretary

**Attendance
April 29, 2011**

Present:

Rudy Garcia
John Savoth
Kathleen Wilkinson
Joseph Prim
Wesley Payne
Regina Foley
Brandi Brice
William Fedullo
Danielle Banks
Sean Sullivan
Pedro Ramos
Scott Sigman
Stacy Tees

H. Marc Tepper
Brian Chacker
John Encarnacion
Nikki Johnson-Huston
Gina Rubel
Marc Zucker
Melanie Taylor
Judith Stein
Ourania Papademetriou
Cheryl Gaston
George Nagle
Hon. A. Michael Snyder
Kenneth Shear

Absent:

Sophia Lee
Jacqueline Segal
Jeffrey Campolongo
Richard Harris
Michael Shaffer
Kimberly Ruch-Alegant
Scott Reid

Scott Cooper
Richard Seidel
Carolyn Chopko
Sandra Jeskie
Thomas Fitzpatrick
Julia Swain
David Prewitt