

Philadelphia Bar Association

Board of Governors Meeting

March 26, 2015

The meeting was called to order at 4:08 P.M. by Chair Brad Shuttleworth.

Upon consideration by the Board, the minutes of the February, 2015 meeting were unanimously approved.

Treasurer Wesley R. Payne, IV, presented the Financial Report for the period ending February 28, 2015. He reported that the Association is in good financial condition. Our revenues are down \$101,000, and we are about \$70,000 under budget and our expenses are running a little under budget by about \$30,000. Wes indicated that both of these issues would be likely to normalize by the end of April. Decreased revenue is the result of later sending of dues payments. After consideration, the Treasurer's Financial Report was unanimously accepted by the Board. Susan Knight was complimented for doing a yeoman's job in handling the audit.

Chair Brad Shuttleworth then asked the Chancellor for his announcements.

Chancellor Dandridge indicated that he had just attended a meeting with the *Inquirer* editorial board and that no questions were raised that were not anticipated. He felt that the meeting went well.

The Quarterly luncheon was well-attended. Past Chancellor William Fedullo received the traditional award of the replica of the gold snuff box.

The Chancellor attended a diversity panel that was held at the Thomas Kline Law School at Drexel University. The Chancellor was asked to speak as was Judge Pamela Pryor Dembe and Judge Darnell Jones.

The Chancellor attended a meeting held at the Veterans' Multi-Service Center. The Board was reminded that the issue of service to veterans is one of the Chancellor's initiatives. Chancellor Dandridge said that there were great conversations with the attendees. We are looking for ways to assist the veterans at the center.

The Chancellor attended and participated in the high school mock trial tournament at Temple Law School. The finalists were Roman Catholic and St. Joe's Prep; Roman will go on to the state championships.

Chancellor Dandridge indicated that last week he and his partner Denny Shupe got the Business Journal award and then there was the decision 2015 candidate's forum for the Pa. Supreme Court race. 10 of the 12 candidates were there.

The Chancellor also went to a program from the National Bar Association Women's Legal Division. Chancellor Dandridge said that it was an excellent program.

A speed networking reception was held last evening at Pepper. The event was well-attended and successful.

Chancellor Dandridge indicated that he and Meredith Avakian-Hardaway are going to the USO center at airport to participate in a presentation of personal items for members of the military by the Workers Comp Section. In addition, Chancellor Dandridge indicated that he and Mark Tarasiewicz will be talking to the managing partners of the major law firms over the next month as to what we can do for them and to encourage them to support Bar Association membership for all of their associates and partners.

Chair Brad Shuttleworth then asked David Faw to present the Independent Auditor's Report for consideration. Mr. Faw indicated that the audit was performed over the last month. Audit committee meetings were held on February 25, and March 12, at which time the draft report was submitted. The draft report was approved by the committee on that date as was the Association's tax return. The change in net assets was a negative \$ 95,435, which included net loss of the Sections and operating losses. The largest component was the decreased value of the Daniel Garber painting which went down \$50,000. Also our investments did less well than last year. We are meeting with our broker to determine whether changes can, or should be made, in our investment policy. The report was unanimously approved.

Civil Rights Committee Co-Chairs Molly Tack-Hooper and Su Ming Yeh and Committee member Scott Kelly presented a Resolution Supporting Legislation to Abolish Civil Asset Forfeiture.

The Board was first presented with a brief background re Civil Asset Forfeiture. In Pennsylvania, the government can take any of your property if law enforcement alleges a connection between that asset and any alleged crime. The proceeds of the forfeiture go to the law enforcement entity that brings the proceeding which is an in rem proceeding against the property. Arrest or conviction or even being charged with the crime are not necessary. Multiple hearings are scheduled and if the property owner misses even one of those hearings the forfeiture is granted. The prosecutor has a very low burden of proof, needing only to prove that the property was connected to a crime. Most people whose property is taken never get to a judge. Eighty percent of all cases end with a default judgment. The median value of the property taken is only \$180.00.

Unfortunately, Philadelphia has drawn a national spotlight for being particularly aggressive on civil forfeiture. Forfeiture proceeds represent 10 percent of DA's budget and are outside of the budget process.

A Resolution was presented to ask for 2 major reforms:

1. Forfeiture should not happen unless the owner of the property is convicted of a crime.
2. The proceeds should not go to the agency asking for the forfeiture.

There may be a bill introduced in the Senate to make these changes.

The Real Property Section, Criminal Justice Section, and the Delivery of Legal Services Committee have all supported the resolution. The YLD and the Public Interest Section have also supported the Resolution. State Civil is voting on this resolution shortly. All Sections that have voted have supported the resolution.

If a motion to suppress is granted, that evidence does not get to come into the forfeiture hearing. Most criminal attorneys don't know this.

Larry Beaser asked for a clarification regarding a citation of the statute. The citation form was changed.

Lou Rulli pointed out that criminal forfeiture would not be changed.

A motion was made to pass the Resolution. A vote was taken and the motion passed.

Chair Brad Shuttleworth made no announcements

Chair Brad Shuttleworth asked if there were any new business to discuss.

Chair Brad Shuttleworth asked for any items of Good and Welfare.

There being no further business, the meeting was adjourned at 5:05 P.M.

Respectfully submitted,

Judge A. Michael Snyder (ret.)

Assistant Secretary

**Board of Governors
Attendance
March 26, 2015**

**Voting Members:
Present:**

Albert Dandridge
Gaetan Alfano
Deborah Gross
Hon. A. Michael Snyder
Wesley Payne
Brad Shuttleworth
Lauren McKenna
Rachel Kopp
Natalie Klyashtorny
Rahat Babar

Lawrence Felzer
Jeremy Menkowitz
Ira Lefton
Jeffrey Rosenthal
Nycole Watson
William Fedullo
Maria Bermudez
Robert Muench
Su Ming Yeh
Joseph Turchi

Absent:

Jacqueline Segal
Mary Platt
Rachel Gallegos
Emily Marks
Dawn Tancredi
Peter Newman
Erin Siciliano
Kathleen Kirkpatrick
Kevin Mincey
Julia Swain

Nycole Watson
Rachel Keene
Eric Weitz
Erin Lamb
Graham Laub
Dina Ronsayro
Scott Small
Steven Rothberg
Robert Casey
Jennifer O'Leary

**Non-voting Members:
Present:**

Jennifer Coatsworth
Lawrence Beaser
Mark Taraseiwicz
Kathleen Wilkinson

Sophia Lee
Louis Rulli
Vivian Luckiewicz

Absent:

Molly Peckman
Rachel Branson
Steven Bizar
M. Kelly Tillery
Heather Austin
Andrew Laver
Hilda Thompson
Cheryl Disch

Abrahan Reich
Butler Buchanan

