

**Philadelphia Bar Association
Board of Governors Meeting
February 24, 2011**

The meeting was called to order at 4:13 p.m. by Chair Regina Foley.

Chancellor Rudy Garcia made his remarks. He summarized the recent print and television media coverage he received, including interviews in *The Philadelphia Inquirer*, *The Legal Intelligencer*, *Al Dia*, *The Metropolitan Corporate Counsel*, *In Focus*, *Puerto Rican Panorama* and *Newsmakers*. Chancellor Garcia announced that at least 30 publications have made note that he is the first Hispanic Chancellor of the Philadelphia Bar Association. Chancellor Garcia also spoke at several organizations' events, including the Philadelphia Paralegals Association, the Barristers' Martin Luther King, Jr. Breakfast, the Pennsylvania Bar Association Mid-Year Meeting and the National Conference of Bar Presidents.

Chancellor Garcia summarized other activities involving and undertaken by the Association. He noted that the Association's amicus brief filed in the matter *Gillard v. AIG Insurance Company* was cited several times in the opinion published by the Supreme Court of Pennsylvania. Chancellor Garcia reported that proposed state legislation, Senate Bill No. 9, would require that anyone receiving public benefits offer proof of identity and status by way of government-issued identification. Chancellor Garcia posited that the need for such a requirement has not been demonstrated and noted that, in Pennsylvania, 18% of senior citizens and 25% of African Americans who are eligible for public benefits do not have government-issued identification as would be required by Senate Bill No. 9. Based on a resolution passed by the Association in 2007 which opposed similar legislation, Chancellor Garcia wrote letters to each of the state legislators stating the Association's opposition to such legislation. Chancellor Garcia also reported that Pedro Ramos and Larry Beaser, on behalf of the Association, are assisting with the drafting of regulations relating to the Philadelphia law enacted last year to regulate lobbying.

Chancellor Garcia then announced his recent appointments. They are Brandi Brice and Mark Zucker to the Audit Committee, and Althea Banks, Secretarial Supervisor at Marshall, Dennehey, Warner, Coleman & Goggin, and Pat Patterson, Executive Director of the Philadelphia Trial Lawyers Association, as lay investigators to the Judicial Commission.

Chair Foley made her announcements. She commended the Association's staff for their work on making the Bar Leadership Institute a success and the Chancellor for facilitating a panel for Section and Committee Chairs. She also announced that the Young Lawyers Division Boot Camp had taken place the previous week and that Chancellor Garcia was honored by the Justinian Society at a luncheon that had taken place the previous day.

Assistant Secretary Jacqueline Segal was recognized to explain the pro bono requirements under Section 216 of the Association's Bylaws. Each member of the Board

must comply with the pro bono requirements by June 30. Scott Sigman reminded the Board that the Philadelphia Court of Common Pleas hosts the Pro Bono Honor Roll each year and that qualifying attorneys should sign up for the Honor Roll.

Chair Foley recognized ABA Delegates Andre Dennis and Abe Reich to report on the 2011 American Bar Association Mid-Year Meeting. Andre reported that Resolution 10E, relating to the ABA's opposition to any proposal that cuts funding for the Legal Services Corporation for fiscal year 2011 and which was supported by the Association based on past positions taken, was unanimously approved by the ABA House of Delegates. Andre suggested that the Board consider what steps it should take in the future to further the Association's position on this issue. Abe reported that ABA Resolution 115, relating to judicial disqualification and recusal, was taken off the table and expects that the issue will return to the House in or around August 2011. Abe urged the Board to review such issues as judicial disclosures of campaign contributions and states' uniform procedures to disqualify judges, and stated that he will return to the Board with recommendations before August.

Chair Foley recognized Philadelphia VIP Executive Director, Sara Woods, and VIP Board Member and Chair of the 30th Anniversary Gala, David Unkovic, to announce the activities planned for VIP's 30th Anniversary Gala scheduled to take place on March 19 at the Westin Hotel. Dave acknowledged VIP's three partners, the Association, Community Legal Services and the Philadelphia Bar Foundation, and recognized each for its annual contribution. Dave also thanked the Board for their volunteerism and contributions to VIP. Sara recognized the Association for its leadership in requiring pro bono service as is set forth in the Association's Bylaws. Sara further noted that Ken Shear will be honored at the Gala, as well as former chancellor Frank Devine, founding VIP Executive Director Eve Klothen, former Governor Ed Rendell and a volunteer lawyer who has accepted 300 cases over the last ten years from VIP. Sara also described the Speaker Series that will feature speakers throughout the year, including City Managing Director Rich Negrin and former Assistant Attorney General of Massachusetts Owen Lefkon. Finally, Sara described the "30 for 30" challenge posed to lawyers and law students to encourage 30 hours of pro bono service this year. Sara closed her remarks by thanking the Board for helping those most in need for the last 30 years and for the next 30 years.

Tony Crisci was invited to provide the legislative report. Tony reported that the General Assembly is in a new session and that Governor Tom Corbett will be announcing his proposed 2011-2012 budget on March 8. A \$4 billion deficit is anticipated and it is unclear where the budget cuts will be. Tony noted that the majority leaders will want to have the budget approved in a timely manner. Tony also noted that the General Assembly's priorities are the budget and the tort reform as set out in House Bill No. 1, which significantly changes the law on joint and several liability. Tony also reported activity on Senate Bill No. 1 relating to school vouchers and Senate Bill No. 9 relating to the requirement that those seeking public benefits prove status with valid forms of government-issued identification. Tony concluded by reporting that he has not heard anything about funding cuts for legal services.

Denise Smyler and David Hyman were invited to provide the city policy report. David noted that Philadelphia was about to experience the highest level of City Council turnover since 1980, as current City Council President Anna Verna decided against running for re-election. By way of example, David noted that there is a potential list of 10 candidates for the 8th Councilmanic District. Also, the DROP program will be an issue of significance, as three candidates are running from the DROP program. Once petitions are filed and the list of candidates finalized, David and Denise will put together a City Policy Committee program on certain of the races. Finally, David reported that reform is in the air. Denise reported that there are many vacancies on the bench, in the Court of Common Pleas and in the Municipal Court. The Association's Judicial Commission has already received 35 applications. Chancellor Garcia noted that, during the last judicial election in 2009, *The Philadelphia Inquirer* recommended that voters vote only for judges approved by the Judicial Commission, and 16 of the 17 recommended by the Commission were elected. Chancellor Garcia will work towards a similar recommendation from the newspaper this year.

The minutes of the December 21, 2010 board meeting and the January 7, 2011 Retreat meeting were approved with corrections as follows: Joe Prim was present at the December 21, 2010 meeting and Larry Beaser's report on the Association's Conflict of Interest Policy at the January 7, 2011 Board Retreat was clarified

Treasurer Joe Prim was recognized to provide the Treasurer's Report. Treasurer Prim acknowledged that 2010 was a difficult year with lower revenue received from membership dues than anticipated, which trend prompted then Chancellor-Elect Garcia to organize the Membership Task Force. However, the Lawyer Referral and Information Service came through and despite LRIS' increased expenses and other unanticipated functions sponsored by the Association, revenue came in over-budget by \$12,000. Treasurer Prim thanked the Association's CFO, Susan Knight, and LRIS. The Treasurer's Report was then adopted by the Board.

Chancellor Garcia nominated Jovan Goldstein, a CPA/Partner with Milligan & Company, as a lay member of the Judicial Commission for a two-year term. Chancellor Garcia also nominated Angie Halim of Ahmad & Zaffarese LLC as a member of the *Philadelphia Bar Reporter* Editorial Board for a three-year term. Both were unanimously approved by the Board.

Chancellor-Elect John Savoth nominated Michael Hayes to serve a one-year term on the Historical Society Board. He was unanimously approved by the Board.

Chancellor Garcia sought Board approval to add a new Immigration Law Committee to the Association's Register of Committees. Chancellor Garcia explained that when a lawyer called and informed him that the Association did not have an Immigration Law Committee, the Chancellor responded that it was a good idea to have one. The Board unanimously approved the creation of the Immigration Law Committee, and the new committee will be added to the Register of Committees.

Chair Foley recognized Brad Shuttleworth, Chair of the Criminal Justice Section, to present a resolution approving amendments to the bylaws of the Criminal Justice Section. The proposed amendments seek to simplify the Section's operating procedures, to contain language that is gender neutral, to conform with the Section's operating practices and to eliminate the requirement that the Board approve future amendments. Counsel to the Board, Larry Beaser, directed attention to Section 903 of the Association's Bylaws which states that section bylaws may not be inconsistent with the Association's Charter or Bylaws. A discussion ensued about the various sections' bylaws and it was noted that 50% of the sections require Board approval of section bylaw amendments and 50% do not. Chancellor Garcia moved for approval of the proposed resolution to approve amendments to the bylaws of the Criminal Justice Section with the qualification that any revisions to the Criminal Justice Section's bylaws are to be consistent with the Association's Bylaws, and further noted that the Board will have a more detailed discussion on the requirement of Board approval for section bylaw amendments as a general policy issue. The motion was passed unanimously.

Chair Foley discussed Old Business. She reminded the Board that completed Conflict of Interest forms should be forwarded immediately to Charlie Klitsch, if they have not already been submitted. Scott Sigman recognized Cheryl Gaston as the incoming President of the Lawyers Club of Philadelphia. Scott also announced that Judges Annette Rizzo and Cynthia Rufe have organized a trip to Italy with other judges and law professors from March 5 to March 11, 2011. The Honorable Michael Snyder announced that the next event of the Bar Academy will take place at the African American Museum of Philadelphia on March 2. Finally, Chair Foley announced that the Association's March Quarterly Meeting, at which Justice Sonia Sotomayor will receive the Chancellor's Diversity Award, was sold out in record time filling both the ballroom and balcony floors.

There being no further business, the meeting was adjourned at 5:14 p.m.

Respectfully submitted,
Sophia Lee
Secretary

Board of Governors
Attendance
February 24, 2011

Present:

Rudolph Garcia
Sophia Lee
Jacqueline Segal
Joseph Prim
Regina Foley
Brandi Brice
William Fedullo
Larry Beaser

Jeffrey Campolongo
Michael Shaffer
Sean Sullivan
Stacy Tees
Pedro Ramos
Kimberly Ruch-Alegant
Scott Sigman
Marc Zucker
Nikki Johnson-Huston

Melanie Taylor
Ourania Papademetriou
Cheryl Gaston
David Prewitt
Hon. A. Michael Snyder
Kenneth Shear
Abraham Reich
Andre Dennis

Absent:

John Savoth
Kathleen Wilkinson
Wesley Payne
Danielle Banks
Richard Harris
John Encarnacion
Scott Cooper
Richard Seidel
Carolyn Chopko
H. Marc Tepper
Brian Chacker

Gina Rubel
Sandra Jeskie
Julia Swain
Thomas Fitzpatrick
Judith Stein
George Nagle
Scott Reid
Sayde Ladov
Louis Rulli