

**Philadelphia Bar Association  
Board of Governors  
May 25, 2010 Minutes**

The Chair Richard Seidel called the meeting to order at 4:03 p.m. Upon motion made, and seconded, the Minutes of the April meeting were approved, subject to the addition of Cheryl Gaston as present, and clarification that the Chancellor noted that the addition of any law school dean(s) to the Board would not impact the quorum requirements.

Assistant Treasurer Wes Payne was recognized to present the Treasurer's report. Dues revenue is slightly under budget, and expenses were under budget. LRIS revenue is ahead of budget. The Chair again gave praise to the work of LRIS in keeping the Association in the black.

The Chair reported that he and Chancellor Scott Cooper discussed the idea of a written annual report being prepared to the members concerning work of the Association, including the efforts of committees and sections. The Association is in the process of coordinating a template for the report. The Chair recently attended Criminal Justice and State Civil Litigation Section meetings, and a YLD Executive Committee meeting.

The Chair discussed the importance of Zone One in the House of Delegates for the Pennsylvania Bar Association ("PBA"). He reported that during the recent PBA annual meeting, there was debate on a resolution that Zone One House members actively participated in and their involvement was very important to the outcome on a particular vote. Criminal Justice Section representative Angus Love was recognized and reported that support of Zone One was critical concerning a resolution supporting an opportunity for juveniles sentenced to life in prison be considered for parole at some point during their confinement. Vice Chair John Savoth then praised the work of Angus Love and commended all who participated from Zone One and stated the Association should be very proud. Chancellor Cooper also showed his appreciation to Angus Love.

The Chancellor made many announcements. He stated that the Bar Academy conducted another sell-out event at news radio KYW; he thanked Judge Michael Snyder, the chair of the Bar Academy. The Chancellor participated in a phone interview with Legal Services Corporation regarding Philadelphia Legal Assistance Center, Inc. The National Mock Trial competition was held in Philadelphia, sponsored by the PBA, with strong participation by Zone One. He also participated in a Senate Roundtable against the sales tax proposal on professional services with other business leaders. He reported that there is a large number of other business segments that came to aid of attorneys, who recognized that a sales tax on attorney fees impacts more than our profession, and can hurt business overall.

The Chancellor reported that Chancellor-Elect Rudy Garcia and others attended the PBA annual meeting in Hershey. New PBA President Gretchen Mundorff is very receptive to the Philadelphia Bar Association. He attended the swearing in celebration of attorneys by the United States Supreme Court. The clerk of the court spent an hour with them; they were treated very well.

The Chancellor was invited to make remarks at a panel discussion held at the University of Pennsylvania, "Behind the Rise and Fall of Philadelphia's Prison Population," based on a recent study by the Pew Charitable Trusts. He also gave remarks at the presentation of the Gideon Award at Temple Law School graduation. He presented at a City Council caucus in mid May. He also was in attendance at the announcement at City Hall about the Family Court building which is on the verge of groundbreaking. The Chancellor also stated that YLD Comedy Night went very well.

The Chancellor then announced that the Association needs to appoint a Treasurer for the Campaign to Elect Qualified Judges. He thanked Jeff Gross and Sean Sullivan who stepped forward to be co-chairs on the annual report. Applications are now being sought for the position of Diversity Director. He noted that Scott Reid, Ken Shear and many others have worked hard on this. He reminded everyone of upcoming events: the Breakfast of Champions, commerce court reception, bar night at the Phillies, IP event, and federal bench bar. The Chair reminded Board members to fill out their pro bono forms.

The Chair recognized Maria Feeley, Co-Chair of the Planning Committee for the ABA 2010 Women in the Law Leadership Academy. While this event is usually held in Chicago, this year they were able to convince the ABA to come to Philadelphia. She reported that the programming was great. The ABA was impressed with the fact that they sold out before the deadline a capacity of 550. They were able to raise more money for sponsorship in Philadelphia than other cities have and hopefully ABA will want to hold more events here.

Bruce Franzel and Lisa Washington were recognized to present a Resolution to Amend Sec. 208 and 602 of the Bylaws. They reminded the Board they discussed at the last meeting having deans of local law schools be represented on the Board of Governors, through amendment of Section 208. There was discussion of how the deans would decide who would attend any given meeting and whether that complies with applicable nonprofit board law. There was further discussion how the deans would agree amongst themselves who would represent them at a given meeting. It was suggested that the selection would be in a manner set by the Board of Governors, with designation in a manner approved by the Board of Governors. There was discussion that there could be issues of how much time they should have to designate and how it would be known where the materials are to be sent. Mr. Franzel stated the timing issue would be handled by the Board when it drafts the procedures.

There was a presentation on appointment of the Chairs to the Judicial Commission and amendment of Section 602. Mr. Franzel stated that the main concern is they do not want someone who had no concept of the workings of the Commission and/or the Investigative Division. It was proposed that the last line of Sec. 602 states that they must have first served during a judicial election year as either a commission member or a trained investigator in the investigative division.

Executive Director Ken Shear stated this is the only year that the Board has been asked to be involved in how the Commission is governed since the Commission was first formed. He explained that what the Board would be approving is a revised method concerning the selection of the Commission chair. Board Counsel Larry Beaser agreed this is very important as well, and noted that having someone chairing the Commission with experience is very important to the

Commission. Upon motion made and seconded, there was further discussion. Lou Rulli added it is very important to have experience before an election year and the Commission is not a place to get on the job training. It was pointed out that the Chair is appointed by the Chancellor. The Resolution amending both sections, 208 and 602, passed unanimously. Bruce Franzel stated that there needs to be publication of these proposed changes to the Membership of the Association, pursuant to Section 1100(B), and the proposed Bylaw amendments can be voted on by the members at the Quarterly meeting.

The Chair then recognized Joseph Sullivan, Civil Gideon Task Force co-chair, to present a resolution from the Civil Gideon Task Force to support the ABA Model Access Act. Mr. Sullivan reminded Members that there was a Civil Gideon Task Force appointed last year. He drew attention to a 2006 ABA Resolution and noted that the Association was one of the original co-sponsors of the resolution. There are three different working groups in the Task Force which includes judges and lawyers. They have been working hand in hand with the ABA. The ABA wants to develop a Model Act to provide representation in areas of basic needs. The Task Force is asking the Association to be a co-sponsor of two resolutions which will be discussed this summer at the ABA meeting. There is a provision in the Resolution to allow localities to determine the precise reach and implementation of Civil Gideon in their jurisdictions. Funding is another issue which was overlooked by ABA but will be in the proposed Resolution. PBA is also working on this issue through its Access to Justice Committee. The Philadelphia Bar is working closely with ABA on Civil Gideon issues. He recommended we be able to join with ABA to share resources. The Chancellor asked if something should be added to authorize the Philadelphia delegates to vote consistent with the Resolution. The bylaws themselves say that the Association representatives to the ABA are authorized to speak consistent with the Resolution. Upon motion made and seconded, the Resolution passed unanimously.

Secretary Kathleen Wilkinson was recognized and advised the Board that Joe Sullivan and former PBA President Andy Susko will be recognized at the annual Friends of Farm Workers reception for their work on Civil Gideon and she urged everyone to attend the event to be held in June.

The Chair recognized Lou Rulli to make remarks about Civil Gideon. He stated that the words "equal justice under law", includes the type of work the Association is addressing. Seventy years after the Supreme Court building opened, the Court did not recognize a right to counsel until Gideon v. Wainwright when the Court held one cannot be deprived of the right to counsel in a criminal case. In 1981, Lassiter was denied right to counsel in a case involving her parental rights. Today, although Supreme Court has not ruled, most states find a right to counsel in such proceedings. One day maybe there will be a case with regard to the right to counsel in civil matters, a civil Gideon. He believes we are on the path for civil Gideon right to counsel. A Task Force subcommittee is trying to develop a program to educate the bar and the public. There will be a Chancellor's forum on Wednesday, July 7 at noon. The Massachusetts and Boston Bar Associations have done a lot of work in this area. He pointed to former chancellors Bill Klaus and Marvin Comisky, who lead the way for access to justice.

The Chancellor then raised the subject of dues and member services. He announced that Rudy Garcia will lead a task force to look into this issue. Rudy Garcia stated he is forming a task force to look at a variety of issues including dues, revenue sources, and how to provide more

to members. He has received some information and is tracking what other bars are doing. He plans to hold a meeting next month to begin discussions on this subject and have recommendation ready by early next year.

There being no further business, meeting was adjourned at 5:11 p.m.

Respectfully submitted,

Kathleen D. Wilkinson  
Secretary

**Board of Governors**  
**Attendance**  
**May 25, 2010**

*Present:*

Scott Cooper  
Kathleen Wilkinson  
Larry Beaser

Rudolph Garcia  
Wesley Payne  
Sophia Lee

Richard Seidel  
John Savoth  
Regina Foley

Stacy Tees  
Brandi Brice  
H. Marc Tepper  
Tom Wilkinson  
Lou Rulli  
Danielle Banks  
Albertine DuFrayne  
Maria Feeley  
Peter Berson

Jeffrey Campolongo  
Kimberly Ruch-Alegant  
Angus Love  
Hon. A. Michael Snyder  
Karen Detamore  
Michael Schaffer  
Judith Stein  
Richard Harris  
Ken Shear

Michael Berkowitz  
Mary Platt  
Scott Reid  
Daniel Blickman  
Jeffrey Gross  
Pedro Ramos  
Jacqueline Segal  
Sean Sullivan

*Absent:*

Joseph Prim  
Mehrin Masud-Elias  
Stacy Tees  
Scott Sigman  
Sayde Ladov  
Gaetan Alfano  
Carolyn Chopko  
Lee Applebaum  
Shanese Johnson  
Alfred Fuscaldo  
A. Michael Pratt  
Scott Reid  
Andre Denis