

**Philadelphia Bar Association  
Board of Governors Meeting  
April 28, 2016**

The meeting was called to order at 4:04 p.m. by Chair Lauren P. McKenna.

Upon consideration by the Board, the minutes of the March 31, 2016 meeting were unanimously approved.

Assistant Treasurer Natalie Klyashtorny presented the Financial Report for the period through March 31, 2016. The Association is ahead of budget by over \$25,000. Revenue is slightly under budget by \$16,738 which is primarily attributed to LRIS. Dues are over budget by \$23,878, and the Association has collected 85% of its dues budget. Expenses are running under budget by \$42,648. The Treasurer's Report for the period ending March 31, 2016 was unanimously approved.

Executive Director Mark Tarasiewicz delivered an update on the RFP process for the Bar Association elections. Tarasiewicz reported that the task to secure an online elections company is underway. He thanked Bar Association Chief Financial Officer/Director of Administration Susan Knight for all of her hard work throughout this process. On April 15, 2016, the RFP was sent to six companies. Two of those companies are in the Philadelphia region, including the Association's current election vendor, Elections USA, based in Quakertown, PA, and Telescan, based in Phoenixville, PA. The Association included a detailed list of requirements such as ample time for internal testing by the staff prior to the live election, and the guarantee of a secure system to protect member information. To date, three companies have related their intention to respond, and the remaining candidates have responded that the RFP is under review. The complete proposals must be submitted by May 16, 2016. Thereafter, the submissions will be reviewed and vetted by the Association, Chancellors, Elections Committee Chair, and Elections Procedures Committee Chair, who will narrow down the candidates and speak with the finalists. The Association anticipates that the contract will be awarded in June 2016. In response to an inquiry from Probate & Trust Section Representative Scott Small, Tarasiewicz responded that one of the candidate companies is minority owned.

Executive Director Tarasiewicz also reported that the Association received an invitation from the Pennsylvania Bar Association to participate in a public information campaign to increase awareness about expungement. The Pennsylvania crimes code was amended effective November 1, 2016 to allow expungement of criminal records for individuals convicted of a 2<sup>nd</sup> or 3<sup>rd</sup> degree misdemeanor who have completed punishment and have had a clear record for at least 10 years. The Philadelphia Bar Association has tentatively committed to join several other Bar Associations in the Commonwealth in an advertising campaign funded by the Pennsylvania Bar Association. The purpose of the campaign is to advertise a toll-free number to receive a brochure on expungement. The Philadelphia Bar Association will have the ability to review, in advance, both the advertisement and the brochure. In the past, the Association has participated with the Pennsylvania Bar Association in similar important public information campaigns, and

will express its appreciation for this opportunity at the Pennsylvania Bar Association annual meeting in Hershey, PA in May 2016.

Tarasiewicz also delivered an update on the Association's membership campaign. Email invoices were sent weekly during March 2016. Additionally, several email blasts announcing the extension of the membership dues deadline to avoid a late fee were sent between April 1 and April 15, 2016, which generated over \$42,000 in online renewals. To date, \$1,747,000 combined group and individual membership fees have been collected, which represents a strong 93% of the Association's membership dues budget of \$1,875,000. Although dues are now technically late, the Association will continue to actively follow up into the summer with those members who have yet to renew. Tarasiewicz thanked Manager of Member Services Andrea Morris-Tracey for her hard work on this membership drive, as well as the Section and Committee Chairs and Executive Committee members for contacting their respective members about the benefits of the Association. Tarasiewicz noted that new marketing strategies are underway including a campaign to target specific candidates for renewal. He thanked Web Manager Wesley Terry and Director of Communications and Marketing Meredith Avakian-Hardaway for their help in launching this effort.

Pro Bono Chair Louis Rulli commended the collaboration with the Pennsylvania Bar on the expungement issue, and pondered whether it might present an opportunity to spotlight the Philadelphia Bar Association initiatives and efforts relating to that topic. Young Lawyers Division ("YLD") Chair-Elect Matthew Olesh responded that there are five expungement clinics scheduled in September that the Philadelphia Bar Association will be promoting shortly.

Secretary and Membership Chair Jacqueline Segal reported on the membership outreach initiatives. First, Segal reminded the Board Members that, as Ambassadors of the Association, they must each actively urge prospective members and members to join and renew their membership. Second, Segal, on behalf of the Association, thanked those Board Members who have brought in new members this year, which is critical to sustaining the organization. Third, Segal advised that the Association is moving forward with the phone marketing campaign by Comnet. That campaign consists of three phases: (1) an immediate outreach to all members who have paid through 2015 who have not yet renewed for 2016, in which case the late fee will be waived for anyone who renews during the call; (2) commencing in June 2016, outreach to all members who have paid only through 2014; and, (3) also in June, outreach to former Members who paid only through 2012 & 2013, and encourage them to rejoin. Segal reported that possible discount incentives for phases (2) and (3) are currently being considered.

Chancellor Gaetan Alfano thanked Tarasiewicz, Segal and Morris-Tracey for their efforts. He observed that the Association's target of \$1,875,000 in 2016 membership dues still represents a decrease of approximately \$70,000 in dues from 2015, so the goal should be \$2,000,000. He stressed this is achievable with the Board's help. Assistant Secretary Jennifer Coatsworth asked if there are any specific large firms who have not yet renewed, and the Chancellor responded that, although not necessarily "large," there are some "underperforming" firms being targeted by the Association. He reminded the Board that fifty percent of the Association's operating budget comes from dues alone, and the receipt of another \$250,000 could result in a very positive year.

Past Chancellor William Fedullo and Past Chancellor and Zone 1 Governor Kathleen Wilkinson reported on the 10<sup>th</sup> Annual World City Bar Leaders conference held in Barcelona, Spain on April 13-16, 2016. Both Fedullo and Wilkinson thanked Chancellor Alfano, Tarasiewicz and Director of Meetings and Special Events Tracey McCloskey for inviting them to represent the Association at the conference.

Wilkinson stressed the importance of continuing the legacy of the Association's participation at this conference, and noted that the expense for the two of them to attend were not covered by the Bar Association. She remarked that, in 2013, Philadelphia entered into friendship agreements with Barcelona and Montreal, and those relationships were nourished at the conference. Wilkinson spoke about the history of the Association and the diversity of the Chancellors. Wilkinson and Fedullo visited the Barcelona Courts and Bar headquarters, housed in a magnificent building built in the 1800's. The Bar has 200 employees, and a law library that includes books going back to the 1800's in Spanish and Catalan .

Fedullo stated that Bar Representatives attended from Chicago, Montreal, Brussels, Paris, London, Amsterdam, Milan, Frankfurt, Shanghai, Tokyo, Warsaw, Budapest and Barcelona. He noted Chicago and Montreal are aligned with the Philadelphia Bar Association on the issues of Rocket Lawyer and Legal Zoom which could help to fend off future support by the ABA of those entities. Additionally, the impact of technology on the profession was addressed. Personal interactions included assurances by the London Representative that England would not leave the European Union, and the Shanghai Representative who expressed concern about potential future oppression and its impact on lawyers and citizens in China. Heartfelt comments were made by the Paris and Brussels representatives on the impact of terrorism on the civilian and legal communities, and by the Japanese delegation on the two recent earthquakes, which occurred during their presentation about relief efforts following the recent catastrophic earthquakes. Fedullo commended the Philadelphia Bar Association's great strides on gender equality. He pointed out that 62% of the Montreal Bar Association young lawyers are female, and the Chicago, Philadelphia, Paris and Montreal Bar Associations are being led by women this year or next.

The next World City Bar Leaders conference will next be held in Tokyo in September 2017 and in Chicago 2018, and both Wilkinson and Fedullo stressed the Association should continue to have a presence at those conferences since the Association is viewed as the oldest and best Association in America, and its involvement "helps to bring our worlds together."

Assistant Secretary Jennifer Coatsworth presented on the Board of Governors *pro bono* requirement pursuant to Bylaws Section 216A, that requires each Board member, whether appointed or elected, to certify, for the period ending June 30, that they (1) have undertaken one new *pro bono* matter; (2) are employed on a full-time basis by a public interest organization; or, (3) have provided alternative support if they are prohibited from handling a *pro bono* matter based upon his or her position or is prevented from handling a *pro bono* matter due to other circumstances. Coatsworth reminded the Board members that the Certification must be returned to her or Director of Public and Legal Services Klitsch on or before July 5, 2016. If the form is not returned timely, action may be taken under Bylaws Section 212 which may include reporting

the delinquent Board member's name to Philadelphia VIP Executive Director Sara L. Woods, Esq. for the assignment of a *pro bono* case. Coatsworth advised she has to date received completed forms from only one-third of the Board members, and urged all delinquent members to comply forthwith.

Additionally, Coatsworth spoke on the Individual Diversity and Inclusion Action Plan Checklist, adopted by the Board in December 2014. Coatsworth reminded all Board Members of their responsibility to complete the Checklist supplied by the Association, reflecting their individual activities and involvement to support and improve diverse and inclusive behavior, and return the completed Checklist to her by the end of 2016. Coatsworth thanked Diversity Chair Sophia Lee and Vice Chair Kevin Mincey for their role in developing the Plan and Checklist.

Professional Guidance Committee Co-Chair Robert S. Tintner reported on medical marijuana and proposed amendments to Rules of Professional Conduct Rule 1.2(d). On April 17, 2016, Pennsylvania became the 24<sup>th</sup> state to approve the use of medical marijuana. All of the northeastern states have now adopted legalized medical marijuana, and Colorado, Alaska, Oregon and Washington have approved legalized adult recreational use of marijuana. Since the manufacturing, distribution, dispensation, possession, and interstate transport of marijuana is still illegal under federal law, a conflict is created for lawyers who are advising clients on issues relating to this topic.

In anticipation of this dilemma, in the fall of 2015, the Philadelphia Bar Professional Guidance Committee and the PA Bar Association Legal Ethics and Professional Responsibility Committee co-authored a joint formal opinion to address the concerns of Pennsylvania lawyers hired to assist potential medical marijuana business owners or others who may be interested in becoming involved in the business, in an effort to ensure their behavior is consistent with PA Rule of Professional Conduct 1.2(d) which states, *inter alia*: "A lawyer shall not counsel a client to engage, or assist a client, in conduct that the lawyer knows is criminal or fraudulent, but a lawyer may discuss the legal consequences of any proposed course of conduct with a client and may counsel or assist a client to make a good faith effort to determine the validity, scope, meaning or application of the law."

The Committees carefully weighed the competing interests of the need to abide by the Professional Rules with the concerns of sending potential clients and business to other jurisdictions. A joint formal opinion was released, distinguishing between counseling and assisting the client in an illegal activity in contrast to simply discussing the legal consequences of doing so. The Opinion concludes that a lawyer may provide advisory services to a client and discuss the consequences of certain acts consistent with Rule 1.2(d) as it is presently drafted. The lawyer advising a client in the marijuana business must advise a client about the effect of federal law and policy, and the lawyer may not advise a client to engage in conduct that violates federal criminal statutes or to assist a client in such conduct even if authorized under state law.

Further, the concerns about aiding and abetting criminal ramifications caused the Committees to recommend that Rule 1.2 be amended with an exception under 1.2(e) that provides: "a lawyer may counsel or assist a client regarding conduct expressly permitted by the law of the state where it takes place or has its predominant effect provided that the lawyer

counsels the client about the legal consequences under other applicable law of the client's proposed course of conduct." The Disciplinary Board and the Supreme Court of Pennsylvania have circulated a notice with the proposed changes to Rule 1.2. These changes are anticipated to be adopted, and comments may be submitted by June 3, 2016.

Chancellor Alfano appointed to the Elections Committee ABA Delegate Butler Buchanan, Board Member Lawrence Felzer, Rachel Kopp, Diversity Chair Lee, Board Member Ira Lefton, Vice Chair Mincey, Wesley Payne, IV, Honorable Tina Maria Rago, Gina Furia Rubel, Pro Bono Chair Rulli and Past Board of Governors Chair Brad Shuttleworth. The appointments were unanimously approved.

Additionally, the Chancellor appointed to the Philadelphia Bar Reporter Editorial Board Stephanie Kammer and Enrique Marquez. Both appointments were unanimously approved.

Director of Continuing Legal Education Tara Phoenix reported on Philadelphia Bar Association CLE programming. The Association became an official CLE provider for PA, DE and NJ effective February 1, 2016. Association-sponsored CLE has gotten off to a strong start. In February there were 11 programs with 243 attendees that generated revenue of approximately \$13,500. Since the Association budgeted \$7,000 based on programs commencing February 15, 2016 and courses began on February 1, 2016, that month's revenue exceeded expectations. In March 2016, 17 programs were held with 582 attendees that generated revenue of approximately \$33,540, which exceeded anticipated revenue of approximately \$16,150. Three and four hour programs have increased revenue production. In April 2016, which is a CLE compliance month, there have been 4 programs with 60 attendees that generated \$2,800 and a total of \$20,000 is anticipated for this month. The number of courses or hours have increased monthly. The offer of 6 free CLE credits as part of the 2016 Membership Campaign has generated significant interest. The first free credit course was presented on April 27, 2016, and 78 members attended and offered great feedback. There are 3 upcoming programs scheduled for the week of May 2 and a total of 60 individuals have preregistered to date. A number of CLE courses are scheduled in May including on the topics of hoarding intervention, workers compensation and criminal justice. Additionally, at the suggestion of the bench, a program entitled The Nuts & Bolts of Pennsylvania's Post-Conviction Relief Act will be held June 7, 2016 and also videotaped in an effort to encourage the certification of additional volunteers to handle these cases.

The Association has been contacted by a number of providers to offer CLE to different organizations. For instance, CLE on legal topics will be provided at a conference in June 2016 for a group consisting primarily of accountants, financial planners and educators requiring psychology courses. Phoenix encouraged those interested in presenting CLE to develop a topic not yet scheduled. Finally, Phoenix noted that a number of proposals have come in for CLE at the Bench Bar Conference on unusual topics such as wine law at new times that will increase opportunities for networking.

Fedullo suggested the scheduling of CLE coordinating with a golf outing, and Chancellor-Elect Deborah Gross announced the upcoming 28<sup>th</sup> Annual Philadelphia Bar Foundation Golf & Tennis Classic on June 20, 2016 at Waynesborough Country Club.

YLD Chair-Elect Olesh reported the commencement of Law Week on May 2, 2016. The YLD thanked the Association Staff and the Board for its support in this significant undertaking that includes the “Goldilocks Program,” which is Fairy Tale Mock Trials for 2<sup>nd</sup> and 4<sup>th</sup> grade students starting May 6, 2016. There is a need for individuals who speak Spanish because one of the trials will be conducted in Spanish. Olesh said there is room to accommodate any volunteer who may be interested. Law Week activities include YLD members visiting classrooms to speak with and educate students, chaperoning students around City Hall to observe courtroom proceedings, and holding clinics in various library branches. Any Board Member interested in assisting with Law Week activities should contact Olesh or YLD Chair Erin Lamb.

A Report on Merit Selection Legislation was presented by Director of Public and Legal Services, Charles Klitsch. We have discussed this issue for a long time and the Philadelphia Bar has been campaigning for merit selection for over 50 years. It is part of the Bar Association By-Laws, which shows how strongly we feel about the issue. It also shows that those who drafted the By-Laws knew it would not be something that was accomplished in a few years and would be an ongoing effort.

We are the closest we have been in ten years. There are two bills in the General Assembly right now with HB 1336 and SB 44. The House Bill will be up for a vote first in mid-May. The Bar is taking action to support the bill and encourage votes for it. The Chancellors have sent a letter to the Philadelphia and Suburban Legislators encouraging them to vote for the bills. The Legislative Action Center will go live next week and encourage members to send a letter encouraging their legislators to vote for it. All members of the Board are encouraged to take this action and encourage their friends and colleagues to do the same.

There is strong opposition to the bill from unions, because of their success in recent elections. Pro-life groups also oppose it, because they feel like they can campaign better when there are elections as opposed to a commission. So, we are urging members to contact legislators in support of the bill. If the bill passes, it has to be passed again in the next legislative session before it can appear on the ballot. If it passes in the legislature both times, the first time it could be on the ballot would be Fall, 2017. If it doesn't make it then, the next opportunity for it to appear on the ballot would be Fall, 2019.

A Resolution, regarding Innovative Models for Nonlawyer Assistance and Practice was presented by Joe Sullivan, Co-chair of the Delivery of Legal Services Committee, and the Honorable Denis P. Cohen, Co-chair of the Professional Responsibility Committee. Mr. Sullivan provided background as to where the issue has been and where it's heading in Philadelphia and nationally and Judge Cohen will discuss the issues raised when discussing the resolution. It is co-sponsored by DLSC and Professional Responsibility Committee.

The circumstances for the resolution originated in 2012 when the ABA created the Commission on the Future of Legal Services. It discussed, over two years, all facets of how the practice of law is evolving as far as the pressures of the profession and the needs of the public and how those have evolved with social media and other innovations. The ABA Commission adopted Resolution 105 in February 2016 which proposed a model of regulatory objectives for the provision of legal services, which was just a statement of objectives and did not call for any

action by any state supreme court. The ABA realized that the regulation and guidance in each state is typically governed by the supreme court of the state. Therefore, they put together a list of model objectives that each state Supreme Court should be guided by in exploring models for alternative legal services. The more specific prompt for the ABA was when the Washington State Supreme Court in June 2012 created a category of quasi-legal non-lawyers, called Limited License Legal Technicians, which could perform a number of legal functions which that state's Supreme Court did not believe required a three year law degree. Since that action was taken, there was a wide range of reactions from those who strongly oppose to those who strongly favor this initiative and the ABA commission examined all of these.

20% of those who need legal services and can't pay the attorney can obtain the legal services that they need through legal services providers or pro bono initiatives at bar associations and law firms. Legal Services providers have gotten smaller while the need has grown. Public funding and funding from all sources of grants are down, so funding is down for the legal services community and they are working with less funding. This has caused offices to close, especially in rural areas, and less service delivered. The good news is that pro bono participation has increased, which has kept the number to only 20%. The ABA has been struggling with inquiries about why we can't do better in the area of delivery of services. The reality is that working class and middle class folks can't afford a lawyer, not just the indigent.

One option is to get someone who doesn't charge as much for a simple legal service such as a will to perform that function for the public. This raises the issue of the regulation of the profession and ensuring the quality of legal services and ensuring sufficient training for the services that are being provided. This is a different resolution to the proposal to the PA Supreme Court for the creation of an Access to Justice Commission. This resolution goes to the issue of whether and in what form the PA Supreme Court will create a structure and guidelines for legal services to be provided by a community of quasi-lawyers who do not have a law degree. For the Washington State program, there was an entire regulatory system that was created and those who participate have to do 3000 hours of training, there is a regulatory proceeding and they are often sponsored by an accredited services provider. This is what prompted the ABA to take action.

The resolution itself was examined and the concerns were raised to achieve a seat at the table in addressing the matter. The concerns raised in the whereas clauses were: addressing the issue of getting access to legal services for low and middle income members of the public, excellence of legal advocates and putting an end to the practice of providing legal services without licensure and the sufficient experience or training which creates issues for lawyers and clients and which is exemplified by organizations like LegalZoom that don't have any accountability or regulation. The risk to the client is that they don't get what they paid for, because the services they obtain are not to the proper standards. The concern is the lack of regulation and the information obtained may be inaccurate. Members of the legal community are also suffering because there are fewer jobs available for properly trained lawyers. The resolution also addresses the fact that these issues were created by innovations in technology that allow members of the public to obtain legal services in an unregulated forum.

The Whereas clauses indicate that these concerns are not incompatible and new opportunities can be created to expand legal services while maintaining standards of regulation and quality. California and Oregon are studying similar programs to those in Washington State. The New York Court of Appeals has also created a program for trained non-lawyers in Brooklyn housing court. These are some examples of programs that are regulated where quasi-legal work is done by non-lawyers.

We are asking to have a seat at the table. The resolution reflects the issue and requests the PA Supreme Court acknowledge the regulations from the ABA and says that if the Court considers creating a system of regulation for non-lawyers doing legal work, we ask that we be provided an opportunity to provide input. This is not an issue that will go away any time soon. We want to be part of the process if limited licenses are put in place. The PBA is also taking a position and we want to make sure that our concerns are addressed as well. Past Chancellor Bill Fedullo asked to amend the Whereas clause to include LRIS as a model and advocate for what we are doing as a part of that program and explain that LRIS requires certification. Mr. Sullivan said that was a good idea, but the issue is that the resolution is modeled on what the ABA has said in Resolution 105 and he deferred to Judge Cohen and the Professional Responsibility committee on this issue as it pertains to the access to legal services of any type.

Judge Cohen thanked those involved for allowing them to be here. He specifically acknowledged Chancellor Elect Gross who spearheaded this initiative and raised the issue. The Family Law Section and YLD also played a large part in this initiative. The Professional Responsibility Committee voted unanimously (17-0) in support of this proposed resolution.

The Resolution asks for the Supreme Court to take action and examine the issues including access to justice, protecting the public, protecting the core values of the profession and sustaining private practice of law to determine how to move forward and that the Bar Association be asked to participate in the discussion.

Chancellor Elect Gross indicated we don't know what the Supreme Court would do, but Michigan did an extensive study on this issue. We are hoping to push the Supreme Court to examine the issue. It is something that we need to look at and recognize. We don't know whether the Supreme Court will take action on this. Assistant Treasurer Klyashtorny raised the issue of how this affects the young lawyers and this may be premature. Chancellor Elect Gross indicated that we consulted the YLD, so we want to have a seat at the table so that young lawyers are not adversely impacted. Judge Cohen stated that this is not premature because the ABA has already encouraged state Supreme Courts to take action. He also pointed out that the YLD was consulted and there are specific provisions of the resolution that address the needs and concerns of young lawyers which relate to availability of legal jobs and the high cost of legal education. Mr. Sullivan indicated that the goal was to put all of the issues on the table and ask the Supreme Court to examine all of the issues and include the Bar Association in their discussion if the Court decides to take action. Past Chancellor Kathleen Wilkinson asked whether the intent of this resolution would be neutral, and Mr. Sullivan and Judge Cohen confirmed our intent with the resolution is to remain neutral. Ms. Wilkinson also asked whether there would be concerns from the Supreme Court of the costs of undertaking a study? The response was that we don't know whether there will be an argument that the costs of such a study would be prohibitive and the



Court may decide on their own because of all of the issues circulating related to this matter. Chancellor Alfano indicated that one of the Boards of the Supreme Court may be assigned to conduct the study.

YLD Chair Erin Lamb thanked Judge Cohen and Joe Sullivan for listening to the YLD's concerns that as it was previously drafted was not neutral. She indicated that there will be pushback and people who feel pressured by this and do not believe the resolution, even as revised is neutral, so there will need to be a sale process to our members. There is some pushback from the rank and file members who don't believe that their concerns are being addressed by the resolution, even as re-written. There is specific concern over use of the term "innovative" and additional history may need to be included. Mr. Sullivan acknowledged that this will be a lengthy process and there will be a lot of consideration over a long period of time. He indicated that we are interested in taking a look at all of these issues in an even-handed manner.

Scott Small indicated that in light of the recency of the Michigan's findings maybe a Whereas clause should be included indicating the recent outcome in the Michigan Supreme Court to create an additional level of persuasiveness.

YLD Chair Elect Matt Olesh indicated that the passage of this resolution would not preclude us from later opposing whatever the outcome of the study would be. Judge Cohen agreed and said we need to make sure all of these issues are raised and addressed.

Erin Siciliano asked what was the motivation of the ABA to putting out these findings and questioned whether this was done in connection with the backlash to the Rocket Lawyer initiative of the ABA. The Commission on the Future of the Legal Profession was put in place in 2012, well before the Rocket Lawyer issues arose. Assistant Executive Director Paul Kazaras responded that the timing of Resolution 105 was separate from Rocket Lawyer, because Rocket Lawyer was done under cover and this resolution was out in the open and the process was lengthy. Rocket Lawyer was out of left field and did not have proper consideration. He also addressed YLD Chair Elect Olesh's point and said he spoke to the Family Law Section that whether there should be non-lawyers providing any legal services is a point that should be studied adequately. We need to address these concerns in an analytical fashion. It doesn't mean that we will agree with whatever the study's results are. He does not agree with the particular regulations in Resolution 105, but he thinks the issue should be studied.

Maureen Farrell stated that she agreed that we want something neutral. She has heard from a number of people that her prices in doing estate planning work are exorbitant so they are turning to non-lawyer alternatives like Legal Zoom. She expressed that estate planning attorneys will be particularly effected by non-lawyers doing this work. Mr. Kazaras stated that the Family Law and Solo and Small Firm lawyers indicated the same point that they felt as though they were being singled out. Everyone thinks that they are the ones being attacked. The point is that many of these concerns cut across various areas of practice and so it needs to be studied and everyone needs a seat at the table. We can't ignore the internet and non-trained lawyers doing legal work, so we need to establish forms of regulation and study the issues to address this.

Former Chancellor Bill Fedullo indicated that Chicago and NY want to be allies on this and it was discussed at the World Bar Leaders meeting. Each state needs to regulate the unauthorized practice of law, so the court needs to address it and we need a seat at the table. Past Chancellor Wilkinson asked what precludes the committees and sections of the Bar Association from conducting our own studies and coming out with our own opinions. Chancellor Elect Gross indicated that at a County Bar Leaders dinner last night it was discussed and all of the County Bar Associations agree and are going to do exactly what Ms. Wilkinson suggested.

Chair McKenna focused on what we were asked to do today and looked specifically at the three “Be it Resolved” clauses. She recognized based on the conversation, there will definitely need to be more discussion. Chancellor Elect Gross suggested changing the word “innovative.” Professor Rulli suggested that we use the word “emerging” or “alternative” in the resolution. This was accepted by Mr. Sullivan and Judge Cohen, so the amendment was treated as a friendly amendment. With the clarification, there was a motion to approve and it was passed unanimously.

Chair McKenna acknowledged that this is exactly the kind of discussion we are hoping to have as a Board.

Chancellor Alfano recognized Paul Kazaras, Assistant Executive Director, who indicated that on April 14, 2016 the NJ Supreme Court decided to allow admission by motion into New Jersey without the NJ Bar Exam. One condition is that any state allowed to be admitted by motion must also allow New Jersey attorneys admission by motion to that state. Chancellor Alfano wrote a letter to the PA Board of Law Examiners encouraging them to allow admission of NJ lawyers contemporaneously with the effective date of the NJ rule. The NJ lawyers have not said when they will implement this, so it was important to include the time frame condition. This is important because there is so much cross practicing between our membership and New Jersey and we are always trying to break down barriers to practicing in both states. It is in the interest of Philadelphia lawyers and the public.

Former Chancellor Kathleen Wilkinson indicated that as a recent addition to the Board of Law Examiners, she received the letter and it will be addressed by the Board. Former Chancellor Alan Feldman also wrote to her separately on this issue. She understands the position.

Director of Communications and Marketing, Meredith Avakian-Hardaway, talked about the Soda Tax Chancellor’s Forum. In the theme of being relevant, the next Chancellor Forum will be on this issue. This will be held on May 18, 2016 at 4pm at the Bar Association, followed by a wine and cheese reception. We are mindful of being balanced in the planning of the event. We have representatives on both sides of the issue who will discuss the varying viewpoints. We had twenty registrants within the first three hours of advertising the event. She encouraged the Board to attend.

Chancellor Alfano also discussed the Judicial Retirement Age, which was the subject of a previous Chancellor’s Forum. This issue was on the ballot last week, but they are not counting the results. It will be on the ballot again in November. Chancellor Alfano asked whether the Bar Association should take a position and we decided this will be addressed at the next meeting.

There being no further business, the meeting was adjourned at 5:40 p.m.

Respectfully submitted,  
Jacqueline G. Segal  
Secretary  
Jennifer S. Coatsworth  
Assistant Secretary

**Board of Governors  
Attendance  
April 28, 2016**

**Voting members**

**Present:**

Gaetan J. Alfano  
Deborah R. Gross  
Mary F. Platt  
Jacqueline Segal  
Jennifer S. Coatsworth  
Natalie Klyashtorny  
Lauren McKenna  
Kevin Mincey  
Lawrence Felzer  
Jeremy Menkowitz  
Peter Newman  
Erin Siciliano

Ira Lefton  
Jeffrey Rosenthal  
Myisha Lacey-Tilson  
Edward Beitz  
James Funt  
Maureen Farrell  
Teresa Rodriguez  
Scott Small  
Matthew Olesh  
Eileen Quigley  
Brad Rush

**Present on phone:**

Katayun Jaffari  
Erin Lamb

Brad Shuttleworth

**Absent:**

Regina M. Foley  
Rahat Babar  
Rachel Keene  
Kathleen Kirkpatrick  
Julia Swain  
Angela Giampolo  
Wendy Hess

Adam Taylor  
Albert S. Dandridge III  
Thomas Innes  
Dina Ronsayro  
Maureen Olives  
Jennifer O'Leary  
Joseph Turchi

**Non-voting members**

**Present:**

Mark Tarasiewicz  
William Fedullo  
Rochelle Fedullo  
Sophia Lee  
Louis Rulli

Steven Sher  
Mary-Kate Breslin  
Butler Buchanan  
Kathleen Wilkinson

**Absent:**

Lawrence Beaser  
Steven Bizar  
Andrea Yannuzzi  
Debra Coulbourn  
Andrew Laver  
Cheryl Disch