

**Philadelphia Bar Association
Board of Governors Meeting
April 23, 2013**

The meeting was called to order at 4:03 p.m. by Chair Marc Zucker.

Upon consideration by the Board, the minutes of the March 28, 2013 Board meeting were unanimously approved.

Treasurer Wesley R. Payne IV presented the Financial Report for the period ending March 31, 2013. He reported that the Association is on budget overall, thanks in large part to a settlement of over \$170,000 received by LRIS, which has also collected over \$80,000 for the month of April. Dues revenue is lagging by \$92,000, but staff have also been keeping expenses down by \$56,000, resulting in an overall positive position by \$61,000. Executive Director Ken Shear noted that the first quarter of this year has been better than first quarter last year and that we have already collected 82% of the budget for LRIS. However, there remain significant issues with other sources of revenue, including those identified during the budget meeting in October 2012, but he remains optimistic that the financial report for April will be a good one. He also agreed to provide membership numbers at a future meeting. After consideration, the Treasurer's Financial Report was unanimously accepted by the Board.

Chancellor Kathleen Wilkinson thanked Board Members for their continued service to the Association. Over the last month, Chancellor Wilkinson has attended the George Boyer Vashon lecture with Vice-Chancellor Al Dandridge and Diversity Director Naomi McLaurin; the Workers Compensation Section's spring luncheon; the Support Center for Child Advocates and HAP events; and the Senior Law Center's event, wherein Executive Director Shear was inducted into its Hall of Fame. Chancellor Wilkinson testified on pending legislation relating to the mandatory retirement age of judges, including testimony on not having enough data about its financial impact or medical information on the aging process. She appeared on *6ABC Puerto Rican Panamora* and participated in two PCN interviews, including one with the President of the Pennsylvania Bar Association and one on a panel on merit selection. She also participated in the Ms. JD Program and attended ABA Day on the Hill, wherein Treasurer Payne was also present as the incoming president of the Pennsylvania Legal Aid Network. She also attended a National Judicial College symposium on civility. Chancellor Wilkinson recognized Young Lawyers Division Chair Aneesh Mehta for his participation as a featured speaker yesterday at the Chancellor's Leadership Institute with Temple Law School Dean JoAnne Epps and Villanova Law School Dean John Gotanda. She announced that hearings on Civil Gideon will move forward on May 7 in Harrisburg and on May 23 in Philadelphia. Following this meeting, the Board will attend a spring reception at Del Frisco's.

Chancellor Wilkinson recognized Treasurer Payne and Secretary Sophia Lee for their leadership as Co-Presidents of the Philadelphia Diversity Law Group, which organization received this year's Justice Sonia Sotomayor Diversity Award.

Secretary Lee updated the Board on recent activity connected to the Association's adoption of a resolution opposing the use of racial slurs in business names. In December 2008, the Asian Pacific American Bar Association of Pennsylvania approached the Board for support towards efforts to change the name of a Philadelphia restaurant called "Chink's Steaks" because the name is based on a racial slur against people of Asian descent. Secretary Lee announced that, effective April 1, 2013, the restaurant officially changed its name to "Joe's Steaks + Soda Shop." Secretary Lee expressed her appreciation to the Board for its support and recognized Board Member Kay Yu and Stella Tsai, both of whom made television appearances, on Fox 29 News and NBC10 News, respectively, on the issue of the name change.

Chair Zucker announced that the Barristers' Association is hosting its Annual Awards and Scholarship Soiree on May 17 and that the awardees include Rhonda Hill Wilson for the J. Austin Norris Award, Honorable J. Curtis Joyner for the A. Leon Higginbotham, Jr. Award and the Philadelphia NAACP for the Cecil B. Moore Award.

Philadelphia Bar Foundation President Deborah Gross reported on activities of the Foundation. Ms. Gross sought to increase the Board's familiarity with the Foundation and informed that the Foundation was founded 50 years ago by former Chancellors to help show the world what the law can do. Its first Executive Director was Ken Shear and its purpose is to provide unrestricted grants to nonprofits in the community. On its 25th anniversary, the Foundation distributed \$1.25 million; today, that number has increased to \$11.5 million. Ms. Gross announced that there are numerous opportunities to support the Foundation, including annual giving, participation in the Andrew Hamilton Circle and legacy giving. She noted that some chancellors have given over \$100,000. The goal is to create an endowment large enough that there is no longer the need to raise money. She also noted that the Foundation gave Philadelphia VIP additional funding when the Association decreased its funding to it because of its own budgetary challenges.

Family Law Section Chair Michael Bertin and Executive Committee member Sarah Katz presented a Resolution in Support of Amending Pennsylvania HB 414. This bill is part of the flurry of legislation related to child abuse reporting in response to the Penn State travesty. This bill has already passed the House and is on its way to Senate; the bill is moving fast, so time is of the essence. HB 414 amends the Domestic Relations statute in custody matters and requires the court to make determinations about certain additional information. Currently, the statute requires the court to determine whether family members have any convictions of certain crimes. The amendment would require, among other things, a determination as to whether general protective services were sought by a party seeking custody. Most families that receive general protective services receive them voluntarily and such services could include a parenting class, anger management class or therapeutic services required to stabilize a family. There are two-fold concerns with the requirement that a court determine whether general protective services were received: (1) there could be a dampening effect on families that will not voluntarily seek services because they do not want a negative inference in future custody battles; and (2) there is a due process concern as to the nature of the information sharing between the courts and the Department of Public Welfare since there is no formal procedure for determining what material is included in a family's file. Upon consideration by the Board, the resolution was unanimously approved. Association Lobbyist

Tony Crisci will be given a copy of the resolution to disseminate, as the bill is currently before the House Judiciary Committee. Chancellor Wilkinson commended the Family Law Section for the fantastic work it has accomplished to date, including its work on this resolution and the City RFP issue that arose earlier this year.

Pennsylvania Health Law Project Executive Director Laval Miller-Wilson and Regional Housing Legal Services Managing Attorney Judy Berkman presented a Resolution Supporting the Expansion of Medicaid Benefits in Pennsylvania Under the Affordable Care Act (“ACA”). The Delivery of Legal Service Committee initiated this resolution, which resolution also has the support of the Public Interest and Business Law Sections. The resolution seeks to encourage the Commonwealth of Pennsylvania to expand Medicaid under the ACA, which program states must opt into per the recent U.S. Supreme Court opinion on the issue. Opting-in would expand coverage to an additional 600,000 to 800,000 uninsured low income adults in Pennsylvania. Mr. Crisci suggested that this would be a timely resolution to pass by the Association. Of great concern to the DLSC is the number of Philadelphian and Pennsylvanians who do not have health coverage. Citizens at the 100% poverty level would receive a tax credit for the entirety of the expense of health insurance, whereas citizens at less than 100% poverty level will not be eligible to receive federally subsidized coverage from the public exchange. This resolution suggests a solution that will bridge that gap. Upon consideration by the Board, the resolution unanimously passed.

Chancellor Wilkinson reported on Pennsylvania House Bill 436 – Lawyers as mandated reporters of suspected child abuse. Two bills, House Bills 436 and 431, arise from the Sandusky events. House Bill 436 requires that all attorneys be mandatory reporters of child abuse, raising attorney-client privilege and work product concerns, and conflicting with the Supreme Court as the only authority to govern the legal profession. A full cabinet meeting was held on this issue. Mr. Crisci recommended that we try to meet with the proponent of the legislation, Representative Stephens, who is aware of our concerns. In the meantime, the Pennsylvania Bar Association, through its Legal Ethics and Professional Responsibility Committee, stated opposition to this bill in connection with its intrusion on the attorney-client and work product privileges. A meeting will be scheduled with Mr. Crisci to discuss how to better negotiate directly rather than have to take a hard position, as the legislation is no longer being fast-tracked. Board Member Brad Shuttleworth suggested that the duty of loyalty also be addressed. Chancellor Wilkinson will report back at the next meeting.

Young Lawyers Division Executive Committee Member Rachel Kopp reported on the activities of the Young Lawyers Division. YLD is holding a comedy benefit on May 9 for the Bar Foundation at Helium Comedy Club. YLD has kicked off efforts to prepare for Law Week, which will include many different opportunities to visit with schools and show children how to become a lawyer. Finally, YLD is hosting a happy hour at Smith’s Bar.

There being no further business, the meeting was adjourned at 4:53 p.m.

Respectfully submitted,
Sophia Lee
Secretary

Board of Governors
Attendance
April 23, 2013

Voting Members:

Present:

Kathleen D. Wilkinson
William Fedullo
Albert Dandridge
Sophia Lee
Mary Platt
Wesley Payne
Marc Zucker
John Encarnacion
Nikki Johnson-Huston
Brian Chacker
Jennifer Coatsworth

Kay Yu
Rachel Gallegos
Natalie Klyashtorny
Rachel Kopp
Ourania Papademetriou
Brad Shuttleworth
Mark Cohen
Sara Jacobson
Kevin Mincey
Gordon Wase
Richard Vanderslice

Absent:

Jacqueline Segal
Eric Weitz
Gina Rubel
Scott Reid
James Rocco
Emily Marks
Dawn Tancredi
Christian Petrucci

Brandi Brice
Edward Beitz
Barbara Sicalides
Meredith Brennan
Howard Goldberg
John Savoth
Aneesh Mehta

Non-voting Members:

Present:

Louis Rulli
Judy Stouffer
Kenneth Shear

Rudolph Garcia
Deborah Gross
Richard Alonso

Absent:

Michael Hayes
Flora Yarnall
Justine Gudenas
Heather Austin
Sayde Ladov

Lawrence Beaser
Cheryl Disch
Abraham Reich
A. Michael Pratt