

**Philadelphia Bar Association  
Board of Governors Meeting  
January 21, 2016**

The meeting was called to order at 2:35 p.m. by Chair Lauren P. McKenna.

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

Chair McKenna thanked the Board Members for adjusting their schedules to attend the meeting at the earlier time in order to accommodate the judicial ceremony scheduled later that afternoon. Additionally, she reminded the Board Members that Board meetings are recorded to assist with the minute-keeping, but the recordings are recycled and not preserved.

Chair McKenna announced that the discussion of Pennsylvania House Bill 1538, PN 2509 would be moved to a future meeting.

Chair McKenna introduced Executive Director Mark Tarasiewicz to discuss membership. Tarasiewicz reported that membership dues payments are due by March 31<sup>st</sup>. As of the date of the instant meeting, payments have been sent in by Cozen O'Conner with twelve additional members resulting in an increased payment of \$4,384 over the prior year; Hangley Aronchick Segal Pudlin & Schiller with five additional members resulting in an increased payment of \$1,734; and, Messa & Associates with 1 additional member resulting in an increased payment of \$253. As of the morning of January 21, 2016, the Association has collected dues totaling \$502,000, which represents approximately 27% of the membership dues budget of \$1,875,000 for this year. By comparison, \$637,000 had been collected by February 1, 2015. Chancellor Gaetan J. Alfano is personally calling the managing partners and certain members of firms who renew, to thank them for their support and participation.

Chair McKenna introduced Director of Meetings and Special Events Tracey McCloskey to lead a discussion on the format for the Spring Quarterly meeting. McKenna reminded the Board Members that a topic of discussion at the Retreat was a consideration of whether the format of at least one of the Quarterly meetings should be changed. McCloskey explained the Association was considering changing the format for the Spring Quarterly meeting. In light of the recent survey completed by the Association Board Members reflecting that members value networking opportunities, there is consideration being given to moving the meeting from a luncheon, to an evening reception from 5:30 p.m. to 7:30 p.m.. The general meeting would be followed by a reception during which members could network. There would be no official keynote speaker but the Association would invite Pennsylvania Governor Tom Wolf and Philadelphia Mayor Jim Kenney to speak and mingle at the reception that follows. The room would be set up "theater-style" facing the stage with an open area behind for networking. The Association is looking at alternative venues other than the Bellevue but leaning towards the Bellevue so as not to make too many changes at once. The expense for the event would be similar due to the cost of alcohol. Chancellor Alfano remarked that the Association is struggling with the issue of numerous complimentary tickets advanced to dignitaries and how that could be

limited. McCloskey noted the sponsorship by Precise, Inc. at the Retreat helped offset the cost, and concluded that sponsors want an opportunity to present and/or network with the members, without competing with other sponsors. The Association is discussing how to sell sponsorships and firm spots in lieu of a table at a sit-down luncheon. The ultimate goal of changing the format of the quarterly meeting would be to decrease the cost to the Association while satisfying members' interest in increased networking opportunities. The Association is targeting holding the event in April 2016, and Board Members were encouraged to solicit sponsors.

Chair McKenna introduced Carol E. Tracy, Executive Director, Women's Law Project and Professor Barry Furrow, Director of the Health Law Program, Kline School of Law to present on Consideration of Resolution Supporting HB 1105, PN 2288 which prohibits laws that force doctors to provide medically inaccurate information or treatment. Tracy advised that the Resolution is supported by the Public Interest Section and Delivery of Legal Services Committee. It was explained that House Bill 1105, introduced by Allegheny County Representative Dan Frankel, is a proactive effort intended to prospectively combat legislation that may undermine a patient's right to information. Examples include Florida legislation that limits a physician's ability to discuss with their patient certain concerns that could impact on a patient's health, including access in the home to guns, unless "medically necessary." Another is Pennsylvania Act 13, adopted in 2012, that limits the right of health care providers to use toxic fracking chemical information except to treat their specific potentially exposed patient by cloaking toxic chemical information as "trade secrets" and requiring a confidentiality agreement, which can undermine a physician's obligation to offer protection from potentially harmful chemicals and report potential harm to the Public Health Department, which is contrary to the OSHA Hazard Communications Statute that authorizes physicians to disclose health-impacting information. It was pointed out that this concerns both doctor and patient rights, and Tracy noted her specific concern about the potential impact on women's rights to information and treatment regarding reproductive health. House Bill 1105 is relevant for lawyers who represent and advise physicians; work to protect the public and advance the public's right to know; and, seek to prevent the slippery slope of potential legislation controlling a lawyer's disclosure of information to their client. Upon consideration, the Resolution was unanimously approved.

Chair McKenna introduced Legislative Liaison Committee co-chair Deborah Gordon Klehr to present a status update on the 2015-2016 Pennsylvania state budget. Gordon Klehr reported that there is still no complete budget seven months into the new fiscal year. At the end of December 2015, the legislature sent Governor Wolf the exact same budget that he had vetoed at the end of June 2015. Since the budget failed to include additional revenue including \$350 million of new funds for basic education, the school districts and other social service agencies are starved for resources. The schools have received some funds but far less than what was sought. Although it is agreed there are funds needed for education, there is no agreement to date as to the source of that revenue. Since it is one month from the deadline for legislators to petition for a ballot spot for the primary, an agreement is unlikely at this time. On February 9, 2016, the Governor is presenting his budget address for the next year. The Philadelphia School District took a loan in September 2015 for funding to take them through approximately May 2016, and the Pennsylvania School Board Association filed a lawsuit in Commonwealth Court seeking funding and reimbursement of the interest on that loan. Board Member Larry Felzer, Senior Director of Finance and Operations for the Senior Law Center, commented that the lack

of funding caused some of the smaller non-profit agencies to lay staff off in the fall of 2015. Board Members were urged to reach out to local legislators, and write letters to the editors and editorial pieces about the crisis in an effort to push this matter to resolution.

Chair McKenna led a discussion on Philadelphia Bar Association Bylaws Section 406 on Voting. At the Bar Leaders Retreat there was discussion about the Association voting process and, in particular, whether the Association should continue using in-person voting given the low turnout at the polls and the expense associated with that process. Chancellor Alfano advised that the cost for the polls for in-person voting and mail ballots is between \$25,000 and \$30,000. Additionally, mail ballots create significant work for the Association staff. In 2015 only approximately 200 members voted in person. A discussion ensued about online voting, which can trigger concerns about security checks, current email addresses, confidentiality, and spam filter interference. Some felt that in-person voting presented network opportunities. Another comment was that reduced in-person voting was a sign of a general lack of interest in bar elections and governance, which needed to be separately addressed. The topic would be subject to further discussion in the future.

Chair McKenna reported on the Bar Leaders Retreat. Initially, she thanked Assistant Secretary Jennifer S. Coatsworth and Immediate Past Chair Brad V. Shuttleworth for taking notes at the Retreat. Chair McKenna summarized that the Retreat was a great success and people were engaged and happy to attend. Many topics addressed at the Retreat will be discussed during the course of the year. Chancellor Alfano echoed that the Retreat was successful and he was delighted by everyone's input and participation.

Chancellor Alfano raised the appointment of Immediate Past Chancellor Albert S. Dandridge III to the Philadelphia Lawyer Editorial Board. The appointment, which was made at the end of year 2015, was unanimously approved at this meeting.

Further, Chancellor Alfano urged the Board Members to broadcast any stories and articles about the Association to others with whom they may be involved including their Sections, Committees, Firms, and Affinity Bar Associations, in an effort to generate Association support.

Director of Communications and Marketing Meredith Z. Avakian-Hardaway announced a Chancellor's Forum, Crime & Punishment: Criminal Records as a Barrier to Equality on January 27, 2016 from 4:00 p.m. to 5:30 p.m. at the Bar Association 11<sup>th</sup> Floor Conference Center, featuring Benjamin D. Geffen, Staff Attorney, Public Interest Law Center of Philadelphia; Janet Ginzberg, Staff Attorney, Community Legal Services of Philadelphia; Rep. Jordan Harris, State Representative, 186th Legislative District in Philadelphia; Laurie A. Malone, Deputy District Attorney, Pre-Trial Division, Philadelphia District Attorney's Office; and, moderated by The Barristers' Association of Philadelphia current President Shabrei M. Parker, of counsel, Mincey & Fitzpatrick. Avakian-Hardaway thanked Barristers' Association President-Elect Kevin Harden, Jr. for his help assembling the presentation.

Executive Director Tarasiewicz announced a Chancellor's Forum on the Pennsylvania Attorney General Race on March 1, 2016 from 4:00 p.m. to 5:30 p.m. at the Bar Association 11<sup>th</sup>

Floor Conference Center, featuring John M. Morganelli, District Attorney, Northampton County, Pennsylvania; Sen. John C. Rafferty, Jr., Pennsylvania's 44th Senatorial District; Josh Shapiro, Chair, Montgomery County Board of Commissioners; Stephen A. Zappala, Jr., District Attorney, Allegheny County, Pennsylvania; and, moderated by Chair McKenna.

Each Forum is complementary for Association members and \$15.00 for non-members, and advance registration is required. Both Avakian-Hardaway and Tarasiewicz urged Board Members to save the date and attend, and also to encourage others to attend.

Chair McKenna reminded Board Members of the significance of the Lawyer Referral and Information Service ("LRIS") to the health of the Association. The Association is looking to promote LRIS and encourages Board Members to serve as Ambassadors of the Association and spread the word about the services that LRIS provides, in an effort to maximize the use of LRIS which will, in turn, benefit the Association. If any Board Member has a question about LRIS they should contact former Chancellor and LRIS Committee Chair Sayde Ladov.

There being no further business, the meeting was adjourned at 3:50 p.m..

Respectfully submitted,  
Jacqueline G. Segal  
Secretary

**Board of Governors  
Attendance  
January 21, 2016**

**Voting members**

**Present:**

Gaetan J. Alfano  
Deborah R. Gross  
Mary F. Platt  
Jacqueline G. Segal  
Jennifer S. Coatsworth  
Regina M. Foley  
Natalie Klyashtorny  
Lauren McKenna  
Kevin Mincey  
Lawrence Felzer  
Peter Newman  
Erin Siciliano  
Ira Lefton  
Maureen Farrell

Teresa Rodriguez  
Adam Taylor  
Albert Dandridge III  
Matthew Olesh  
Katayun Jaffari  
Thomas Innes  
Dina Ronsayro  
Scott Small  
Maureen Olives  
Eileen Quigley  
Brad Rush  
Joseph Turchi

**Absent:**

Rahat Babar  
Jeremy Menkowitz  
Rachel Keene  
Kathleen Kirkpatrick  
Jeffrey Rosenthal  
Julia Swain  
Myisha Lacey-Tilson  
Edward Beitz

James Funt  
Angela Giampolo  
Wendy Hess  
Brad Shuttleworth  
Erin Lamb  
Jennifer O'Leary

**Non-voting members**

**Present:**

Rochelle Fedullo  
Lawrence Beaser  
Mark Tarasiewicz  
William Fedullo  
Sophia Lee

Louis Rulli  
Mary-Kate Breslin  
Butler Buchanan  
Kathleen Wilkinson

**Absent:**

Steven Bizar  
Steven Sher  
Andrea Yannuzzi  
Debra Coulbourn  
Andrew Laver  
Cheryl Disch

