

**Philadelphia Bar Association  
Board of Governors Meeting  
June 29, 2021  
Meeting held via Zoom**

Chancellor Lauren McKenna called the meeting to order at 4:04 p.m. and provided a welcome and turned the meeting over to Chair Riley Ross.

The minutes from the May 27, 2021, Board meeting were considered. A motion to approve the minutes was made, seconded and passed unanimously.

Treasurer Matthew S. Olesh then presented the Treasurer's Report for the period ending May 31, 2021. He told the Board that the Association is approximately \$97,000 behind budget; that revenues are approximately \$173,000 behind projections and that expenses are ahead of where they were projected to be by approximately \$75,000. Related to revenues, Treasurer Olesh stated that membership dues are behind by about \$83,000 and that the Lawyer Referral and Information Service ("LRIS") is behind budget by approximately \$68,000.

Treasurer Olesh reminded the Board that the budgeted goal for membership dues was to reach 2019/pre-pandemic numbers and he said that, while those numbers have not been reached, the numbers are "significantly better" as compared to the 2020 year-to-date numbers—approximately \$147,000 ahead. Treasurer Olesh stated that overall revenue is ahead by approximately \$160,000 from the same date last year.

A motion to approve the Treasurer's report was then made, seconded and passed unanimously.

The Board next considered a Resolution Urging the Board of Pardons to Rescind Immediately its Newly Announced Policy Prohibiting Hearings on Applications for Clemency where there are Unpaid Fines, Fees or Costs from Underlying Convictions. Taylor Pacheco, Lead Staff Attorney at Philadelphia Lawyers for Social Equity, provided the Board with information about the resolution.

Pacheco told the Board that criminal records present a significant obstacle to employment for thousands of Philadelphians and that, based on her organization's history of work on this issue, they estimate that approximately 100,000 low-income Philadelphians struggle with the impact of criminal records every day. She told the Board that pardons offer a pathway out of poverty for many of these individuals and that the steady work of the Board of Pardons under Governor's Wolf's administration in granting pardons, has changed many of those individuals' lives for the better.

Pacheco told the Board that this progress is threatened by a change in policy at the Board of Pardons; that, as of March 2021, all pardon applicants are required to pay their court costs and fines in full before their application will be scheduled for merit review. Previously, the Board of Pardons only warned that failure to pay court costs and fines may result in processing delays; it was never an absolute bar to scheduling the matter for merit review. Pacheco told the Board that this will have a disparate impact on black and brown applicants. She told the Board that the proposed resolution calls on the Board of Pardons to immediately rescind this policy and that the Civil and Equal Rights Committee of the Pennsylvania Bar Association and the Pennsylvania Interbranch Commission for Gender, Racial, and Ethnic Fairness both support this resolution. Also, Eileen Murphy, Chair of the Family Law Section, told the Board that the Family Law Section

is in favor of the resolution and stated her belief that the new policy will hinder parents' ability to support their families.

A discussion followed about the Board of Pardons' traditional practice of reviewing the merits of pardon applications on an individual basis and allowing for approval conditioned on the individual's ability to satisfy any financial obligations. Access to Justice Advisor Louis Rulli mentioned an ethics decision from the American Bar Association related to judges' failure to inquire into an individual's ability to pay before imposing imprisonment for failure to pay court costs and fines and how that opinion may offer some persuasive support to Pacheco's organization on this issue. Counsel to the Board Lawrence Beaser told the Board that he supports the resolution and suggested a few amendments to which Pacheco had no objection.

Following the discussion a motion was made and seconded and the resolution as amended passed unanimously, with one Board member abstaining from the vote. Board Counsel Beaser pointed out an additional technical amendment following the vote and the Board was asked if the amendment would change their vote and no member indicated that it would.

Next and related to the work of the Election Procedures Committee, headed by Immediate Past Chancellor Judge Michael Snyder, Chancellor McKenna told the Board that she has asked former Chancellor Rudy Garcia to serve as the Judge of Elections for the upcoming Association elections. Chancellor McKenna reminded the Board about former Chancellor Garcia's experience and then turned the matter over to Chair Ross for the approval process. Chair Ross solicited a motion to approve the appointment of former Chancellor Garcia. A motion was made, seconded and the motion passed. Assistant Treasurer Jennifer Coatsworth and Immediate Past Chair Nicholas Kamau abstained from the vote.

Chancellor-Elect Wesley R. Payne, IV then provided the Board with a report on the work of the Membership Committee. He thanked all of the Committee and Section members as well as the Board for their collective efforts on the membership drive. He said that while the results of the membership drive were not as fruitful as they may have hoped, he was very pleased with the efforts of all those involved. Chancellor-Elect Payne specifically recognized and thanked Vice Chancellor Zucker for the calls he made to thirty former members of the Association.

Chancellor-Elect Payne told the Board that this effort was a learning experience and that the hope is to start it in the first quarter next year. He also told the Board that one of the suggestions for next year is to make the Membership Committee a standing committee. Chancellor McKenna added her belief that there is a need to focus on membership year-round and that she agrees with Chancellor-Elect Payne that there should be a standing membership committee. She said that because this will be a long-term effort she and Chancellor-Elect Payne discussed having the Chancellor-Elect serve as the Chair of the committee in order to instill continuity in the membership effort at the leadership level. Chancellor McKenna also told the Board that the membership issue will likely be a standing agenda item for future meetings.

Chancellor-elect Payne told the Board that the Membership Committee's work won't end at the end of the month but that the Committee will begin meeting regularly to strategize on membership efforts for next year. A discussion followed about the establishment of a standing committee and Immediate Past Chancellor Judge Snyder moved for the establishment of the standing committee and that the Chancellor-Elect be denominated the Chair of that committee. This would be a standing committee created pursuant to Section 8.1 of the Bylaws. A motion for the creation of the standing membership committee was made, seconded and passed unanimously, with

Immediate Past Chair Nicholas Kamau abstaining.

Executive Director Harvey Hurdle Jr. then provided the Board with his report. Regarding membership, he stated that he has come to realize the need to enhance new member recruitment, in addition to the member retention efforts, as well as to consider the possibility of different membership models, such as organizational memberships. He told the Board that they will be considering these and other strategies as ways to improve membership numbers of the Association.

Executive Director Hurdle told the Board about the most recent monthly review of LRIS cases showed 65 open cases in litigation, at different procedural postures. His expectation is that as courts open up there will be an increase in revenue from these cases, although, given court schedules, most of that revenue will not be realized until 2022. He also told the Board that call and referral volume for the lawyer referral service has come back to pre-pandemic levels. Executive Director Hurdle also commended Director of Continuing Legal Education Tara Phoenix for the work she has been doing with CLEs. He also reminded the Board that the CLE budget was made before the decision to provide free CLEs and he is happy with the revenue from CLEs.

Executive Director Hurdle told the Board that over next 6 to 9 months Senior Leadership will evaluate the organizational structure of the Association and how best to utilize the stimulus money the Association received through the PPP in a way that will enhance the sustainability of the Association. He also stated that the Association is on track to have a large portion of personnel return to the office sometime shortly after Labor Day.

Next, Chair Ross asked members of the Board to present their Board Commitments. Board member Damaris Garcia provided the Board with an introduction, including that this is her first year on the Board. She told the Board that her commitments are to bring her firm to 100% membership; to like, retweet, and share the Association's social media posts; and to attend the Bench-Bar conference.

Board member Scott Small next told the Board about some of his professional background and experience with the Board. He told the Board that his commitments are to sponsor at least two law students; to like, retweet, and share the Association's social media posts; and to attend the Bench Bar conference. Small also told the Board about his recent work on the planning committee for a CLE program held on World Elder Abuse Awareness Day and about a celebration in the fall commemorating the fifth anniversary of the Elder Justice Resource Center, which plans to re-open on July 6<sup>th</sup>.

Chair of the State Civil Litigation Section Denise Mandi told the Board about her professional background. She also stated her commitments to get one new member to join and three prior members to re-join the Association; to attend the Bench-Bar conference; and to bring attorneys who would normally not attend the meeting to the Executive Committee meetings of the State Civil Litigation Section. She also stated that she has made efforts to improve the diversity of the State Civil Litigation Section. She told the Board that the Section is working on an event for the fall and that she has managed to get two sponsors for that event.

Board member Craig Levin told the Board about his background and referenced his recent election to the Bench of the Court of Common Pleas. He told the Board that he has committed to sponsoring law students; to take all the CLEs through the Association; and to attend the Bench-Bar conference.

Chair Ross had no other announcements.

Chancellor McKenna made the following announcements:

- Chancellor McKenna told the Board that the Judicial Commission has already met to review the results of the recent judicial poll, which had an approximate 40% participation rate increase from the last poll conducted.
- Chancellor McKenna told the Board about several upcoming events in addition to the Bench-Bar conference, which will include the presentation of the Brennan award and a recognition of Immediate Past Chancellor Judge Snyder. She mentioned a fall program to honor Bar Stars and the 50/60/70 year Association members. She also told the Board that the Summer Quarterly meeting will continue the tradition of honoring Judge A. Leon Higginbotham and consist of a panel discussion on the topic of diversity, equity and inclusion with several general counsel from Fortune 500 companies, moderated by Marcel Pratt. The Justice Sonia Sotomayor Award will also be presented to Brenda Marrero, Executive Director of the Public Interest Law Center, at the Summer Quarterly meeting.
- Chancellor McKenna told the Board that the Diversity Advisory Panel has developed a survey that should be distributed within the next thirty days and she thanked the Panel for their efforts.
- Chancellor McKenna thanked Board member Scott Small and the organizers of the recent World Elder Abuse Awareness program for inviting her to be a part of their great program.
- Chancellor McKenna told the Board that she was honored to be a part of the recent program co-sponsored by the Association, the Asian Pacific American Bar Association of PA and the school district of Philadelphia, with Senior Judge Denny Chin who spoke on issues related to the Asian American experience.
- Chancellor McKenna commended the International Law Committee and co-Chairs Diane Edelman and Jeremy Heep for the recent CLE program with the bar associations of Lyon, France and Montreal, Canada. She also thanked Director of Continuing Legal Education Phoenix for the technical work in coordinating across continents and time zones for the program.
- Chancellor McKenna told the Board that she and Executive Director Hurdle participated in a Pennsylvania Bar Association organized discussion and idea-sharing session about the work of the Association and that it was a great way to enhance the Association's profile.
- Chancellor McKenna recognized and congratulated Director of Continuing Legal Education Phoenix for receiving the inaugural Amber M. Racine Legacy Award from the National Bar Association, Women Lawyers Division, Philadelphia Chapter at its June 17<sup>th</sup> event.

The meeting was adjourned at 5:04 p.m.

Respectfully submitted,

Michael Stackow  
Secretary

**Board of Governors Attendance  
June 29, 2021**

**Voting members present:**

Lauren P. McKenna  
Wesley R. Payne, IV  
Michael J. Stackow  
Michael T. van der Veen  
Matthew S. Olesh  
Jennifer S. Coatsworth  
Riley Ross  
Kristine L. Calalang  
Diane Penneys Edelman  
P. Douglas Sisk  
Erin Lamb  
Craig R. Levin  
Lauren Banton  
Melanie J. Foreman  
Damaris L. Garcia

Denise M. Mandi  
Angella Middleton  
Scott S. Small  
Ying Zhou  
Marissa Bluestine  
Eileen G. Murphy  
Maureen Farrell  
Arly Smith-Pearson  
Joyce C. Sun  
James R. Malone, Jr.  
Mark Mazzanti  
Hon. A. Michael Snyder  
Nicholas S. Kamau  
Reginald T. Shuford

**Absent:**

Marc J. Zucker  
Lawrence S. Felzer  
Bethany R. Nikitenko  
Dino Privitera  
Neelima Vanguri  
Wendi Barish

Nipun J. Patel  
Andre J. Webb  
P. Michael Jones  
Ernest Holtzheimer  
Jordan Stokovsky

**Non-voting members present:**

Lawrence J. Beaser  
Abraham C. Reich

Harvey Hurdle

**Absent:**

Wilson M. Brown  
Butler Buchanan, III

**Invited guests present:**

Louis S. Rulli  
Rochelle M. Fedullo

