

**Philadelphia Bar Association
Board of Governors
November 19, 2009**

The meeting was called to order at 4:10 p.m. by the Chair.

Chancellor Sayde Ladov congratulated Joe Sullivan, co-chair of the Delivery of Legal Services Committee, on receipt of the Wachovia Fidelity Award and former Chancellor Andre L. Dennis who will receive the Chancellor's Diversity Award. She congratulated Gaetan Alfano on receipt of the Cesare Beccaria Award. She also praised Judge Annette Rizzo on receipt of the Justice William J. Brennan Jr. Distinguished Jurist Award due to her work on the mortgage foreclosure program. She noted the publicity and a recent story in the *New York Times* about the mortgage foreclosure program. She congratulated Wes Payne, chair of military affairs committee who recently appeared on Fox News 29. She reminded about the Andrew Hamilton Benefit.

The Chair Gaetan Alfano then held the Candidates forum, with all candidates for the Board. John Savoth, Vice Chancellor Elect, made remarks first. He gave his background and noted the advice he received early on was to get involved in the Bar Association. He recognized the power of the Association, noting how Andrew Hamilton went to New York and Philadelphia lawyers are helping others hold onto their houses today being noted in newspapers in New York.

Stacey Tees noted that she has sat on the Board this year after she was elected to replace Wes Payne, who moved up the line. She then announced the workers compensation party on December 1 and need for auction items. Brandi Brice gave her background in tax law, explaining that she holds an LLM and is a tax lawyer, with experience in civil and criminal law. She promised to make informed decisions and noted how she has become more familiar with the committees and sections. Scott Sigmond explained his belief is that the core mission is advocating for the Philadelphia Bar Association and serving the community. He explained how he wears different hats; he can advocate for the civil litigation section as a civil litigator and is familiar with the YLD and also can advocate for the younger members. Marc Tepper gave his background, and explained which various committees, outside associations and boards he has participated in, including in his local community.

The Chair recognized Roberta Liebenberg, who appeared on behalf of the ABA to urge support for a resolution from the Women's Rights Committee entitled Resolution Supporting Legislation To Strengthen The Equal Pay Act. For women lawyers, and women of color, there is an acute difference and wide-standing pay disparity she explained. The existing remedies are not sufficient. There are loopholes which need to be closed. Abbe Fletman also appeared on behalf of the Committee to give information about wage differences in Pennsylvania. Any ethnic group of women is doing worse than women as a whole and women's pay disparity is greater than men's she explained. The resolution is designed to level the playing field. Upon motion made and seconded, the Resolution passed unanimously.

The chair recognized Joe Sullivan, who presented a Resolution Adopting and Supporting The Preliminary Report, Findings and Recommendations of the Chancellor's Task Force on Civil Gideon. In April, this work was authorized by the Board he explained. He pointed to the Gideon v. Wainwright case, which set a precedent for pro bono assistance in civil cases. Recommendations of areas of basic need, imminent loss of shelter, such as mortgage foreclosure, and child custody. Five working groups were formed which included the president judges of Common Pleas and Municipal Court. Each met, analyzed and discussed research around the nation. Assistance was given by Penn Law School. A case statement was recommended to educate the legal community. The housing group wants to increase funding for the poor. The tenant representation project is ongoing but they have recommended approaching the state legislature. The family law working group noted that many litigants are unrepresented and outcomes differ depending on whether the litigant has a lawyer. They proposed a judges list of highly experienced lawyers in given areas who could handle matters on a pro bono basis. The communications group proposed case statements to develop studies of real people where legal representation may be difficult for them. Upon motion made and seconded, the Resolution passed unanimously. Favorable comments were made about the work by Chancellor Ladov and others who praised the work of the Task Force.

Cliff Haines was recognized as PBA President and former Chancellor of the Association and invited to speak. He declined the invitation and stated he came to observe the meeting.

Bradley Bridge was recognized from the Public Defenders office who spoke in support of a Resolution from the Public Interest Section regarding Opposition to the Sentencing of Minors to Life Sentence. He explained the number of juveniles who could be affected. In 2005, Rober v. Simmons was decided and the court found sentencing juveniles to death was unconstitutional due to juveniles are not mature enough to understand the consequences of their actions. As a result, there is litigation about whether that same theory applies to sentencing juveniles to a life sentence. There are two house bills pending to deal with this as a problem. He advised the Board that the Resolution passed through Criminal Justice Section without opposition from the DA's office, Delivery of Legal Rights Section, or Delivery of Legal Services Committee. Upon motion made and seconded, there was discussion about what cases are pending and what is the proper age when one is an adult. There was further discussion that for first- and second-degree murder, a juvenile is tried as an adult and one issue being whether the person would be appropriate for release not that the person would be released. There was discussion about whether the bills referred to in the Resolution are inconsistent within themselves. The Chancellor made a motion to table and asked that the Resolution be given further consideration after review of the cases and due to the inconsistencies with the bills. The motion to table was seconded. The time frame for the motion to table was discussed. Seventeen members voted in favor of the motion to table; there were 5 opposed.

The Chair recognized Jamie Ray-Leonetti to present a Resolution from the Legal Rights of Persons with Disabilities Committee regarding EEOC testimony. The Resolution is being made because the EEOC has published a notice of proposed rule

making and have asked for comments on their proposed regulations. Part of the process includes submission of written comments and suggestions. She presented some comments on behalf of her employer at a town hall meeting. There are two areas of the regulations which they want to comment on: introductory language portion. The second set of comments concerns the definition of “disability.” Upon motion made and seconded, the Resolution passed with one abstention.

The Minutes were moved, seconded, and approved.

Treasurer Joe Prim was recognized to present the Treasurer's Report ending October 2009. The Association is ahead of what they were budgeted for with dues. LRIS has done very well. Expenses were up a little due to increased costs. Upon motion made and seconded, the Treasurer’s Report was approved.

The Chair recognized Jacqueline Segal from the Ad Hoc Committee for Disaster/Pandemic Planning. She directed attention to the report which discusses past actions, current, and future actions. The committee had representatives from the courts and the Association. A web page was created for members to use with the following information: court information for the courts, addresses and contact information, emergency service information, medical information, home preparedness, evacuation and weather links. A manual can be downloaded from the website. She reported that attention to this Committee’s work has been given through CLE’s, postings to Bar Reporter on line, give-aways such as flashlights. The greatest challenge is making sure members are familiar with the website. The website can be made a members home page. She reported that staff must maintain the website, update the information, and continue to promote member awareness. The Chancellor thanked her for her last three years of hard work.

The meeting was adjourned at 5:20 p.m.

Respectfully submitted,

Kathleen D. Wilkinson
Secretary

Board of Governors
Attendance
November 19, 2009

Present:

Sayde J. Ladov
Scott Cooper
Richard Seidel

Rudolph Garcia
Gaetan Alfano
Joseph Prim

Kathleen Wilkinson
Wesley Payne

Michael Hayes
Regina Foley
Brian Chacker
Daniel Blickman
Patricia Dubin
Ella Herbin
Jeffrey Gross

Jacqueline Segal
Michael Schaffer
Mary Platt
Andre Dennis
Judith Stein
John Savoth
David Prewitt

Michael Berkowitz
Sean Sullivan
Troy Wilson
Lyndora Patterson Tiller
Ken Shear
Stacy Tees

Absent:

Sophia Lee
Grace Manno
Rosemary Pinto
Mehrin Masud-Elias
Karen Detamore
Maria Feeley
Danielle Banks
Jeffrey Campolongo
Richard Harris
A. Michael Pratt
Stephanie Resnick
Albertine DuFrayne
Eric Milby
Laura Feldman
Christine Paul
Grace Sweeney

