

**Philadelphia Bar Association  
Board of Governors Meeting  
November 29, 2012**

The meeting was called to order at 4:04 p.m. by Vice-Chair Mark Zucker. Unfortunately, Chair Brandi Brice was unavailable for the meeting due to an ongoing health concern. Mr. Zucker, on behalf of the Board of Governors, expressed his wishes for Ms. Brice's good health and great success from her treatment.

Upon consideration by the Board, and subject to some typographical corrections, the minutes of the October 25, 2012 Board meeting were unanimously approved.

Treasurer Joseph Prim presented the Treasurer's Report for the period ending October 31, 2012. He reported that, for the first time in a long time, dues receipts are over budget, thanks to the efforts of the Association's staff, Chancellor John Savoth and Chancellor-Elect Kathleen Wilkinson. On the matter of expenses, they have decreased by almost \$80,000 as compared to the budget due to the staff's ability to maneuver during difficult times. After consideration, the Treasurer's Report was unanimously accepted by the Board.

Chancellor Savoth began his announcements by reporting on the various engagements he attended over the last month on behalf of the Association, including the following events: On his 54<sup>th</sup> birthday, he attended the Annual Meeting of the Montgomery County Bar Association, an organization with which we have a great relationship, and acknowledged Robert Szostak, who provided significant assistance with the Montgomery County judges' attendance at the Bench-Bar Conference; Family Day at the National Constitution Center, an organization with which the Board should consider membership given its involvement with the ACE Program; the Chancellor's Forum organized by Wendy Castor-Hess and Judy Bernstein-Baker and featuring Sonia Nazario, the Pulitzer Prize-winning author of *Enrique's Journey*, an account of a Honduran child who journeys through Central America and Mexico to find his mother in the United States; an inspiring Veterans Court graduation ceremony in Judge Dugan's courtroom at the Criminal Justice Center; and the Andrew Hamilton Gala, which was chaired by Chancellor-Elect Wilkinson and organized by Philadelphia Bar Foundation President Wendy Beetlestone. Chancellor Savoth recognized Ms. Beetlestone, who has served as the Foundation's President for the last two years and has been a pleasure to work with, and asked that the Board acknowledge her work and efforts.

Chancellor Savoth also attended Temple LEAP's mock trial camp, a program he started 20 years ago when he served as Chair of the YLD and which continues to be a great program for the Association; the Chancellor's Forum on the Civil Justice Gap presented by the Civil Gideon Task Force, which Joe Sullivan was instrumental in setting up with the assistance of Merrill Zebe, and included panelists Judge Fern Fisher, Lou Rulli, Karen Buck, Judge Anne Lazarus and Chief Justice Ronald Castille. The year-end gathering for the Bar Foundation board observer program for young lawyers was held at Saltz Mongeluzzi and was a successful endeavor for the Bar Foundation and the YLD.

The Public Interest Section holiday party took place the prior evening and Chancellor Savoth recognized Cathy Carr for her well-deserved honor of receiving this year's Andrew Hamilton Award. Chancellor Savoth recognized Chair Brice for an extraordinary job this year leading our Board and informed that she is in excellent spirits and is continuing to receive treatments. He noted that our thoughts are with her. Board Member Scott Sigman celebrated the birth of his twins, Sylvia and Marco. Coming up the following week is the Annual Meeting featuring Chancellor-Elect Wilkinson's incoming remarks, which is also the Association's election day. Best wishes were conveyed to those candidates running in the contested races, including Joe Prim and Al Dandridge, and Michael Snyder and Mary Platt. Finally, Chancellor Savoth acknowledged the aftermath of Hurricane Sandy and offered assistance to anyone impacted; it was also noted that, at the last YLD function, approximately \$200 was collected for hurricane relief efforts.

Vice-Chair Zucker invited Insurance Committee Co-Chair Hank Delacato to discuss the resolution to move the Association's professional liability insurance carrier endorsement from Swiss Re to CNA. Mr. Delacato informed that Swiss Re made a decision to unilaterally cancel big firm policies which led to an RFP being issued by our broker of record, USI Affinity, to 14 carriers, three of which responded per the rules, two of which were invited to make formal presentations and one of which ultimately fulfilled all of the requirements. CNA is endorsed by multiple states and will limit increases in premium for firms over 50 attorneys to no more than 20% per year over the next three years. Swiss Re has \$50 million in premium for its LPL program and 50% of that is the Pennsylvania program. In addition, its market share is declining by two percent annually in a relatively soft market, while CNA has \$200 million in premium and is growing at the rate of three percent annually. CNA has an AM Best rating of "A", while Swiss Re is rated A+. The Association has some claim history in the large firm area. Benefits were discussed, including a membership credit and a reduction of eight percent from current Swiss Re premiums. If a member qualifies for all available credits, that could result in an almost 20% reduction from the current premium, which could amount to a \$200 savings per attorney. It was confirmed that there are no affiliations between CNA and USI Affinity or the members of the Insurance Committee. After consideration by the Board, the resolution to transfer the Association-sponsored Lawyers Professional Liability Insurance Program from Swiss Re to CNA unanimously passed. Vice-Chair Zucker thanked Mr. Delacato and his committee for their efforts.

Philadelphia Bar Foundation President Wendy Beetlestone was invited to present on the planned launch of the Bar Foundation Individual Giving Campaign and to discuss the annual bar dues check-off to the Bar Foundation. Ms. Beetlestone discussed the pressures on legal services organizations and the difficulty of raising funds in the current environment, which includes low interest rates, IOLTA not pushing off as much, and the William Penn Foundation's decision to cut grants to legal services organizations. In past years, the Bar Foundation has tried to fill the gap by raising monies; for example, the Bar Foundation gave away \$700,000 this year versus \$563K the previous year. She noted that cy pres awards help with increasing grant awards overall and usually account for about \$100,000 of the grants, however, cy pres awards are currently in the \$25,000 range,

which means that the Foundation is \$75,000 below budget with this item. Against this backdrop, the Bar Foundation is launching an individual giving campaign and is asking firms to encourage individual giving to the Bar Foundation. As well, Ms. Beetlestone asked that members of the Board contribute individually to the Foundation. Looking at different areas to increase individual giving, Ms. Beetlestone requested that consideration be given to increase the annual bar dues check-off to the Bar Foundation from \$25. The dues statements for January have not yet been printed.

Treasurer Prim suggested that the dues check-off to the Bar Foundation increase to \$35. A discussion ensued about the merits of an increase to the check-off. On average, the Bar Foundation raises \$30,000 to \$35,000 from the check-off; approximately 1,200 members pay the check-off amount. Large law firms generally receive consolidated bills that include the check-off to the Bar Foundation. However, large firms tend to make their own contribution arrangements with the Bar Foundation rather than use the dues check-off. No increase in membership dues are anticipated for next year, but it was suggested that consideration be given to a membership dues increase in the future as well as the membership impact of both an increased check-off to the Bar Foundation and increased dues. The merits of an opt-in versus an opt-out of the check-off were also discussed. There was some concern that there may be lower membership renewal rates because of an overall increase in the bottom-line amount.

There was also discussion about how to restore the funding cut to Philadelphia VIP that was approved with the budget during the last meeting and consideration was given to whether Philadelphia VIP should also benefit from a separate check-off in the dues notice. There was also a suggestion that the dues notice include a letter from the Association leadership regarding the VIP funding cut and seeking individual contributions from the membership. Following additional discussion, the Board approved a resolution to increase the dues check-off to the Bar Foundation to \$35. Vice Chancellor Fedullo voted no on the resolution. Chancellor-Elect Wilkinson offered to speak further to the Bar Foundation to request that due consideration be given to VIP. Ms. Beetlestone took the suggestion under advisement and agreed to add that issue to its agenda.

Vice-Chair Zucker invited Civil Gideon Task Force Co-Chair Joseph A. Sullivan to present the annual report on the activities of the Task Force. Mr. Sullivan recognized former Chancellor Sayde Ladov for authorizing the creation of the Task Force and thanked Chancellor Savoth, Chancellor-Elect Wilkinson and Vice-Chancellor Fedullo for their continuing support. Mr. Sullivan offered an eight-page report that was circulated with the Board materials setting forth the short-term, mid-term and long-term goals for the Task Force. He also emphasized that the case for Civil Gideon is compelling and suggested that the Board review Professor Rulli's justice gap article in the Philadelphia Lawyer. The Task Force is comprised of four working groups, including housing, family law, education and strategic planning. A Chancellor's Forum on closing the justice gap, discussed earlier in the meeting, was presented by the Task Force. The Strategic Planning Working Group is collaborating with the Supreme Court and the State Senate to organize statewide hearings wherein broad-based concerns relating to Civil Gideon are

addressed. State Senate Judiciary Committee Chairman Stewart Greenleaf is interested in participating in these hearings. Members of the judiciary interested include Judges Dembe, Neifield and Lazarus. Mr. Sullivan asked that the Board please review his report.

There being no further business, the meeting was adjourned at 5:31 p.m.

Respectfully submitted,  
Sophia Lee  
Secretary

Board of Governors  
Attendance  
November 29, 2012

Voting Members:

Present:

John Savoth	Ourania Papademetriou
Kathleen Wilkinson	James Rocco
William Fedullo	Eric Weitz
Sophia Lee	Kay Yu
Jacqueline Segal	Rudolph Garcia
Joseph Prim	Melanie Taylor
Kimbery Ruch-Alegant	Jennifer Coatsworth
Marc Zucker	Regina Foley
Scott Sigman	Gordon Wase
Stacy Tees	Larry Felzer
Marc Tepper	Michael Bertin
John Encarnacion	Robert Szostak
Gina Rubel	A. Michael Snyder
Rachel Branson	

Absent:

Wesley Payne	Scott Reid
Brandi Brice	Aneesh Mehta
Pedro Ramos	Brad Shuttleworth
Brian Chacker	Wanda Flowers
Nikki Johnson-Huston	Brad Begelman
George Nagle	

Non-Voting Members:

Present:

Lawrence Beaser	Louis Rulli
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Kenneth Shear  
Wendy Beetlestone

Judy Stouffer

Absent:

Michael Hayes  
Scott Cooper  
Sayde Ladov  
Daniel Siegel  
Heather Austin

Flora Yarnall  
Andrea Malone  
Cheryl Disch  
Abraham Reich  
A. Michael Pratt

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Voting Members:

Present:

Absent:

Non-Voting Members:

Present:

Absent: