

**Philadelphia Bar Association
Board of Governors Meeting
October 29, 2020**

The meeting was called to order by Chair Kamau at 4:09pm.

The minutes from the September 24, 2020 Board meeting were considered. A motion to approve the minutes was made and seconded and passed unanimously.

Treasurer Zucker presented the Treasurer's Report. The report is good again this month. The Association's numbers for the month of September and for the first 9 months of the year are all well within our budget. In fact, the Association brought in \$200,000 *more* in revenue during the nine-month period than was anticipated in the revised budget – still \$500,000 less than in this period last year, but within the new budget range.

On the expense side the Association spent about \$38,000 less than what was budgeted for the nine-month period and compared to last year, spent \$511,000 less, so that offsets the decrease in revenue compared to last year at this time. Netting the revenue and expenses together, thanks to the vigilance and hard work of the staff and Chancellors, the Association has brought in about \$334,000 more than it spent in those nine months. That is even better than last year at this time, when the Association had brought in \$328,000 more than it spent in the first nine months of 2019. And when all of the activities that the Association has been able to implement within that tight budget, and all the value that the members are getting are considered, these numbers are really laudable.

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

Assistant Secretary Kirkpatrick presented on the Board of Governors Pro Bono Requirement and Diversity Inclusion Action Plan Checklist. As part of the responsibility of being a member of the Board of Governors, there are two requirements. The first is to complete at least four actions on the diversity inclusion action checklist. Looking at the checklist, most board members will note that they are able to easily complete at least four of the items on the checklist. Once Board members complete the form that was sent out with the meeting notice, Board members were instructed to return the form to Assistant Secretary Kirkpatrick or Director of Public and Legal Services Charlie Klitsch.

Additionally, the second requirement that all Board members are mandated to complete is to handle at least one pro bono matter this year. There is an exemption if you work full-time for a public interest organization. Once your requirement is satisfied, Board members were requested to return the forms to Assistant Secretary Kirkpatrick or to Mr. Klitsch. These are slightly behind this year, as they were originally to be completed by the end of June, so Board members were requested to complete and return the forms as quickly as possible.

Reggie Shuford indicated that when looking at the first item on the diversity checklist, the first item caught his eye. It indicates forming a mentorship with an attorney of color or someone of a different race. He indicated that since there is an underrepresentation of diverse lawyers in the profession, this requirement might be revised, as it could be a well-intended

aspiration, that might obfuscate the goal. He suggested it might be revised in light of that. He thinks those that are particularly under-represented should be given particular consideration no matter who the mentor would be. The language must recognize the specific inequities of people of color.

Chancellor Snyder asked Mr. Shuford to look at revising the requirements and he agreed to do so. Assistant Secretary Kirkpatrick mentioned that this is the same form that has been used for years and asked what the process would be to update it. Mr. Shuford had mentioned at a Diversity in the Profession Committee meeting in the beginning of the year that the checklist might be tweaked generally, then COVID happened and there was not as much of an opportunity to work on the revision. He indicated that he would be interested in participating in a general revision. Vice Chancellor Payne pointed out that when the form was devised, it was anticipated that society would change and that it would be updated from time to time. Executive Director Hurdle agreed and suggested that the Diversity in the Profession Committee should work on this and potentially bring a revision to the Board. Treasurer Zucker pointed out that the by-laws don't require any specific language. Assistant Secretary Kirkpatrick added that the implicit bias test is eye-opening.

Immediate Past Board Chair Racine asked whether election volunteering counts for the pro bono requirement. Secretary Coatsworth indicated that she believed that it would qualify under clause three of the bylaw. Larry Beaser indicated that if you were doing election protection for a specific non-profit it would qualify.

Immediate Past Board Chair Racine presented on the Barristers' Association Annual Thanksgiving Turkey Drive. Every year the Barristers conducts a turkey drive. They have received an even greater number of requests for donations this year because so many more people are unemployed or having financial difficulty, because of COVID. This year a good number of firms are still donating, but some firms are not, because they cannot afford it. She asked anyone to donate who can do so. The turkey drive will be socially distant, which is much different than in previous years, and they can only provide turkeys, and not the other side dishes due to COVID restrictions on numbers of people working on the packaging. They need about 800 turkeys to have a sufficient number to feed the families for the organizations with which they partner. The quicker you can get the donation in, the better, because then they can order the turkeys. She then donned her signature turkey glasses and allowed other Board members to take pictures.

Chancellor Snyder presented on the ABA Judicial Intern Opportunity Program (JIOP). In years past, we have participated in the ABA JIOP program. Many of the board members participated and donated in the past. He received a letter from the ABA President asking the Association to participate again. The ABA Section of Litigation provides essential support to young diverse law students and they begin their legal career. The program provides funding to those students. This year, there is a challenge to donors to reach a \$10,000 goal, and once that is achieved, it will be matched. He asked the Board to contribute any amount of money that they are able to give. This will go a long way to helping to encourage young people of diverse backgrounds to enter the legal profession. He will send the Board members a link tomorrow explaining how to donate. Mike Van der Veen asked if it would be ok for him to suggest this to the Trial Lawyers, and Chancellor Snyder agreed that it would be great if he would do so.

Executive Director Hurdle presented his Executive Director's report. He wished the Board a happy Halloween from the Bar staff and a photo was shared of the staff meeting this morning, which showed the staff in costume.

The Association is in a better financial picture at the end of September 2020 than it was in September 2019. This is thanks in part to the Board's efforts at membership and CLE programs. When the revised budget was approved in June it projected a deficit of \$240,000, but now the deficit is down to \$24,000, and it is believed that can be maintained or improved based on exceeding revenue and managing expenses. The Association did not cut marketing or communications, and instead became more aggressive in this space, launching a social media campaign which featured many Board members. Based on his calls with many Bar executives, there are some bar associations that are having considerable trouble, but some who started their fiscal year on a June timeframe did not have much impact from a membership perspective, which is good news. It shows the value of bar association membership is proven. The 2021 budget is being sent to the finance committee tomorrow and the finance committee will meet next week so a budget can be presented to the Board next month.

LRIS is exceeding its budget and call volume and referral volume is very close to pre-pandemic levels. This sets the ground work for revenue for next year. Membership renewals will start earlier this year, so membership renewal prospecting will be launched in mid-November instead of December and the campaign will focus on community. The tagline will likely be "be a part of it, a community that matters." The staff is working with the new Communications Director and going into the new year with early dollars will be important. The tagline will be used throughout bar campaigns and there will be an emphasis going forward using the tagline.

CLE programming continues to be outstanding as coordinated by Director of CLE, Tara Phoenix. There are important issues and important skills presented. There have been CLEs on diversity and election litigation. An election litigation CLE was featured in the Legal. As part of the new communication strategy, Ms. Phoenix is working with Communications and Marketing Director Rachel Kipp on getting CLEs advertised in advance so that attendance can be increased. Executive Director Hurdle highlighted an upcoming CLE on November 12, called Seeking Justice for all, which is a 4.5 hour CLE calling attendees to see what they can do to effect change. He also mentioned that the Delivery of Legal Services Committee and Civil Gideon Task Force continue to be on the front line of the eviction diversion program.

He thanked everyone for attending the Quarterly meeting. The staff thought the content was great. The staff learns from each of these productions and have determined that shorter programming blocks are most effective.

Executive Director Hurdle also updated the Board on IT issues and reported that the Sharepoint migration is almost complete to the cloud. There is a new phone system as well, which will be rolled out as part of the new facilities. Photos of the new office space were also shared with the Board. All staff will now be located on the 10th floor. There is glass in the conference room to make it brighter than it's been while maintaining privacy. The offices of the staff will be separate, but will have glass fronts, so light flows through the organization. The timeline is that construction is expected to be completed in late November or early December and furniture delivery will be at the end of December. There have been several updates to

technology and the board room will have state of the art conferencing systems. The last renovation was 1982.

Chancellor Snyder provided his Chancellor's announcements. He indicated that the Board will be very excited to return to the new offices that will be functional and attractive when it is returned. He thanked Executive Director Hurdle's husband, Kevin, who provided free high-end design services. It will be a truly exciting new space.

There are no contested offices for the Bar Association election. All offices will be approved at the Annual Meeting on December 8, and there is a slate of good, excited interested people who will help move the Association forward in a positive way.

He indicated the Association is giving the staff time off with pay for the election to vote or serve as poll watchers or poll observers, and he made a similar request of law firms and law schools, so that they can fully participate in the election. This is one of the most important elections in decades. He mentioned that if anyone didn't see the quarterly meeting yesterday, it was an impactful and engaging meeting. If you didn't see it, you can go in the link and watch. A highlight was Immediate Past Chancellor's reaction at the surprise to watch those who love her celebrate her. He also complimented her speech. Chancellor Snyder also thought keynote speaker Jeff Rosen's comments were very poignant. The discussion centered around the challenges to the constitutions and the ideals that unite us and he also reminisced about his experiences with Justice Ginsberg. One of those stories focused on an aria in the Scalia Ginsberg opera called, "We are Many, We are One." He encouraged the Board to keep this theme in mind.

Chancellor Snyder reminded the Board that the Annual Meeting is scheduled for December 8. The winners of the Justice Sandra Day O'Connor Award, Citizens Bank Achievement Award and Justice Ruth Bader Ginsberg Legal Writing Competition will be announced. The RBG award will be presented by Nina Totenberg of NPR and she will provide memories and recollections of her friendship with Justice Ginsberg. Also, the most important part of the meeting will be Chancellor-Elect McKenna's opportunity to present her plans for the year and Chancellor Snyder will present a reflection on the past very unusual year.

As we go through the week, he asked the Board to keep safe and keep their loved ones safe in the aftermath of the shooting of Walter Wallace. He hoped that there can be some peace returned to the City in the wake of all the tragedies that have been experienced this year.

The end of year holiday events will be very different this year (they will be less fattening) and will be all virtual. They will be an opportunity to get together and enjoy one another and remember that we are still a community. Although the community has changed, it has grown.

Chancellor Snyder is proud of where the Association is financially and with membership engagement. The Board has had an incredibly active year of engagement. He thanked the Board members for working so hard to that effort. This has been one of the most dynamic years for committee and section activities that he has seen. He commented that when he and Executive Director Hurdle are on their calls with National and Statewide Bar Presidents and Executives, our Association are in much better shape than any other association, particularly in how low the deficit will be, if any. He is incredibly proud of what the Board has accomplished. He thanked

Executive Director Hurdle and the staff for all they've done. The Association did not cut any function, but expanded the functionality. It shows how much value the Association has and he encouraged the Board to share with their friends all the value that can be gained by membership.

The Chancellor also announced that the Association was approached by an organization to sign a CEO's diversity and equity pledge and the Association will be the second bar association in the nation to sign, and the first one is the ABA. He is incredibly proud that we will be able to do this. It is a commitment for the future.

He thanked the Board and the section chairs and the staff for continuing to do more with less, and do it with a smile. The staff is amazing and have made this an Association of which we can all be proud.

Chair Kamau made his announcements and echoed the thanks given to the staff. He particularly emphasized the production of the quarterly meeting. He thought the production was outstanding and congratulated everyone who participated in producing the meeting and all of the Bar Stars who were celebrated at the meeting. Additionally, he indicated that we are five days from the most consequential election of our lives and as lawyers, we have a duty to do all we can. He reminded the Board that there will be poll workers and observers, who will have the opportunity to make any challenges to the procedures. There are opportunities for those in both political parties. He indicated that lawyers are considered most desirable for poll observer positions and there are still training opportunities if you have not already volunteered.

The meeting was then adjourned to Executive Session at 5:01pm.

Respectfully submitted,
Jennifer S. Coatsworth
Secretary

**Board of Governors
Attendance
October 29, 2020**

Voting members present:

Hon. A. Michael Snyder (Ret.)
Lauren McKenna
Wesley Payne
Jennifer Coatsworth
Kathleen Kirkpatrick
Marc Zucker
Matthew Olesh
Nicholas Kamau
Riley Ross
Alisha Rodriguez
Michael van der Veen
Dominique Ward
Diane Penneys Edelman

Lawrence Felzer
Dino Privitera
Wendi Barish
Kris Calalang
Erin Lamb
Craig Levin
Andre Webb
Hillary Ladov
Maureen Farrell
Arly Smith-Pearson
Cheryl Upham
Mark Mazzanti
Rochelle Fedullo

Amber Racine

Reginald Shuford

Absent:

Benjamin Barnett

Meghan Claiborne

Francesca Iacovangelo

James Berardinelli

P. Douglas Sisk

Neelima Vanguri

Nipun Patel

Michael Zanan

Tom Innes

Randi Rubin

Reuben Asia

James Tolerico

Non-voting members present:

Lawrence Beaser

Leslie John

Abraham Reich

Harvey Hurdle

Absent

Butler Buchanan

Invited guests present:

Louis Rulli

Natalie Klyashtorny

Nikki Johnson-Huston

Hon. Sandra M. Moss (Ret.)

