

**Philadelphia Bar Association  
Board of Governors  
May 28, 2009**

In the absence of the Chair and Vice Chair, the meeting was called to order at 4:03 p.m. by Chancellor-Elect Scott Cooper.

Chancellor-Elect Cooper requested that the Minutes of the April 30, 2009 meeting be approved. The minutes were approved. Assistant Treasurer, Wesley Payne, then presented the financial report through the end of April. Although he reported that the Association is under budget by \$21,000, he anticipates that the Association will be meeting the budget for the year. Although revenue is under budget by about \$23,000, expenses have also been kept under budget. The Treasurer's report was moved, seconded, and accepted.

Chancellor Sayde Ladov reported to the Board that she recently made a speech to the graduating class of Philadelphia Municipal Court's Drug Treatment Court. This Court has a very high success rate. It was tremendously inspiring for her to give this speech and to honor Judge Louis J. Presenza who is retiring from the Municipal Court. Chancellor Ladov reported that she was invited to sit at the graduation of the first class of Drexel Law School. This class took a chance on a school with no building or accreditation. Now named after Earl Mack, the school is located in a new building, has accreditation, and has brought a lot of pride to the legal community.

Chancellor Ladov stated that 16 of 17 candidates recommended by the Judicial Commission were successful during the primary election and she congratulated the Commission, its chair and that bar staff. Chancellor Ladov stated that there had been a phenomenal kickoff event for "Lawyers in Transition." She also advised the Board that the Association will receive the Harrison Tweed Award given by the American Bar Association (ABA) for the Association's work on the Mortgage Foreclosure Program. The Law Practice Management Division will also receive the Small Firm Project Award from the ABA General Practice, Solo and Small Firm Division.

Chancellor Ladov urged everyone to sign up for the Quarterly luncheon. She also stated that June 3 would be Jewish Law Day and that she and Justice Jane Greenspan will be honored. She also mentioned that the GALLOP & LGBT Rights Committee's Annual Summer Associates Reception would be held on June 15 and on June 16, YLD in connection with the Philadelphia Diversity Law Group will be presenting diversity scholarships. She stated that as bar leaders, the Board members should attend these events.

Chancellor-Elect Cooper recognized Association Lobbyist Tony Crisci to report on the budget. He stated that there is no money in Harrisburg. A new budget must be in effect by June 30. The Governor has asked the secretaries for the various departments to address which issues will be affected first if there is not enough money. He reported that there will be a \$3 billion deficit this year. Even with a one percent increase in income taxes there will be a shortfall. The issue is whether to raise taxes or pass a bare bones budget. Voters do not want tax increases. They either pass a bare bones budget or come back in fall and supplement the budget. Legal

services, which is a fairly small amount of the budget, was zeroed out and the courts are facing upwards of \$30,000,000 in cuts. Schools will be affected as well. The Association has already sent a letter to Harrisburg about legal services. The Association will continue to work with Pennsylvania Legal Services in this regard. With regard to taxing legal services, he reported that there is no movement on taxation of legal services at this time. It was suggested we should send letters to Harrisburg on this issue. With regard to surplus from M Care fund, there are many plans on how that money can be spent. The “rainy day fund” has not been touched yet.

The Association’s Local Government Relations Consultants, David Hyman and Denise Smyler were recognized. Attorney Hyman stated that a lot of what the City will do with its budget depends on what the Commonwealth comes up with. There are wide gaps in the budget. There have been discussions on increasing sales taxes and changes in pension fund structure which would require guidance from Harrisburg. The consultants have been focused on the situation with the Courts.

Chancellor-Elect Cooper introduced President Judge Dembe to make a report on the State of the Courts. She started out by thanking the Association for fighting for the Courts’ budget. With a cobbled together budget, the First Judicial District has not had to fire people. They have been on a zero growth budget for years and have done a lot more for less for years. The court employees will be given several unpaid furloughed days with the goal to spread them out. For the money given to the Courts, the Courts give back \$65 million dollars to the City’s budget so there is no reason to cut the Courts’ budget. Electronic filing will continue to expand. The First Judicial District does not intend to close the special courts, and will keep the Mortgage Foreclosure Program going. With regard to new family court, representatives visited family courts in New York to see what works and does not work in family court buildings there. It is recommended that the plan for a new family court building go forward sooner rather than later.

Wendy Beetlestone was recognized to speak on the state of legal services funding. She reported legal services funding is bleak right now. They are hoping to have that money back in the budget. With regard to IOLTA, in 2008-09 there was a large cut and this year there will be another 10 percent cut, 41% in total over two years. With regard to federal funding, there are more restrictions than before.

With regard to Bar Foundation, Ms. Beetlestone stated that there is a lot of concern with law firm participation. The Andrew Hamilton event this year will be cut back to give more money to legal services. She encouraged everyone to participate in the “Raising the Bar” campaign. Class action payments that have not come back to legal services via “Cy Pres” are being monitored. She also drew the Board’s attention to “Philadelphia Lawyers Care,” which is an award winning Foundation publication. The Foundation’s focus is on getting away from fundraising to instead approaching lawyers individually for donations. Given a down economy, diversification of approaches is key.

Pedro Rivera was recognized to update the Board on the School District budget. The School District adopted a \$3.2 million operating budget and a smaller capital budget. The budget is balanced. The School District is reliant on State money and much of what they budgeted is based on estimating the State’s appropriation. They also are looking for effective collective bargaining with the Teachers’ Union. The City’s schools are still below the adequacy

level recommended with 52% of its budget coming from the state, 28% from the City, and 18% from the federal government. On funding 1 in 6 dollars go to charter schools, 76% of the school population is low income, and 15% is devoted to special education. More information can be obtained from the school website.

Judy Berkman and Pam Walz were recognized to present a Resolution Opposing Changes to Public Welfare Code Regarding Medical Assistance Estate Recovery Liens. Attorney Berkman reported that there is support for this Resolution from the Public Interest Section and Real Estate Section. Ms. Berkman made many points about how the Public Welfare Code works with regard to estates and other tenancies under the current law. The new law would impose an administrative lien which would override current law in many areas. Pam Walz then explained how this would affect elderly people in particular who receive Medicaid. This will also affect how life insurance is paid out. The Pennsylvania Society for Elderly Persons noted this will affect the elderly more, especially those unable to engage in estate planning. It was reported that the Pennsylvania Bar Association was looking into this as well. Upon motion made and seconded, the motion passed unanimously.

Upon there being no further business, the Board went into executive session at 5:03 p.m.

Respectfully submitted,

Kathleen D. Wilkinson  
Secretary

Board of Governors  
Attendance  
May 28, 2009

*Present:*

Sayde J. Ladov  
Kathleen Wilkinson

Scott Cooper  
Sophia Lee

Rudolph Garcia  
Wesley Payne

Stacy Tees  
Jeffrey Campolongo  
Eric Milby  
Patricia Dubin  
Joseph Prim  
Daniel Blickman  
Jacqueline Segal

Michael Berkowitz  
Michael Schaffer  
Brian Chacker  
David Prewitt  
Karen Detamore  
Judith Stein  
Maria Feeley

Jeffrey Gross  
Sean Sullivan  
Albertine DuFrayne  
Grace Sweeney  
Regina Foley  
Grace Manno  
Richard Harris

*Absent:*

Joseph Prim  
Richard Seidel  
Gaetan Alfano  
Michael Hayes  
Rosemary Pinto

Mehrin-Masud-Elias  
Danielle Banks  
A. Michael Pratt  
Stephanie Resnick  
Mary Platt

Troy Wilson  
Laura Feldman  
Christine Pau