

Legal Service to Public Committee  
Committee/ Section Day Meeting Minutes  
November 29, 2007

Present at the meeting were: Al Azen, Sandy Ballard (Co-Vice Chair), Sam Cooper, Vicki Coyle (Co-Chair), Susan Danforth, Jim DeAngelo, Sylvia Denys, Susan Emmons, Elizabeth Fritsch, Sylvia Hahn, Barbara Kittrell, Kathleen Lawrence, Representative Kathy Manderino, Sam Milkes, Bob Racunas, Art Read, Joanne Ross Wilder, Dveera Segal (Co-Chair), Andy Susko (PBA President), Susan Swope, William Warner. Nevin Mindlin (Legislative Director), David Trevaskis and Gabriele Miller Wagner represented the Pennsylvania Bar Association

On the phone were: Karen Forman, Jim Kearney and Christine Kirby

The meeting began at 11:35 a.m. when PBA Staff Liaison and Pro Bono Coordinator David Trevaskis introduced the temporary PBA Pro Bono Office Administrative Assistant Gabriele Miller Wagner and noted that she was reachable at 1-800-931-3211 extension 2297 and at [cbs-pb@pabar.org](mailto:cbs-pb@pabar.org). Trevaskis shared that Administrative Assistance Kirti Sonalkar was on maternity leave. Trevaskis also thanked those on the phone for hanging on as the Committee meeting had a late start after the PBA ceremony for retiring Pennsylvania Supreme Court Chief Justice Ralph Cappy ran a bit longer than planned.

Following introductions of all those present and on the call, Co-Chair Dveera Segal then turned to a discussion of the Increased Legal Services Funding and Provision of Increased Legal Services Proposals that had been passed by the Board of Governors in August and which were going before the House of Delegates tomorrow, on November 30, 2007. Segal said she and others had encountered very few questions and no opposition to the proposals as she presented the proposals asking for support from other committees and sections and the various zones. Segal noted that the big question was really what to do as next steps if, as she hoped, the proposals passed the House. While our proposed resolution suggested that the Committee would engage in further study and propose steps toward implementation, Segal raised the question of having a Task Force created for this purpose. Liz Fritsch, Sam Milkes and Bob Racunas all spoke in support of such a Task Force. Segal added that she had discussed the idea already with PBA President Andy Susko. Everyone at the meeting agreed that the Task Force approach was the way to proceed.

Sam Cooper gave a brief update on the Loan Forgiveness Implementation Committee. As a Tri-Chair of that Committee, Cooper shared that he and his fellow chairs thought one issue in particular that may be of interest to the Legal Services to the Public

Committee was that the PA LRAP is still vitally necessary despite the federal legislation recently signed into law as there are differences in scope and length of commitment between the federal and state efforts. Kathleen Lawrence shared a little background on the new federal funding and she reiterated Cooper's comments about the need for statewide, PBA and law school efforts to continue. Cooper noted that the loan tri-chairs also discussed the need to get the LRAP committee back on track. The tri-chairs thought an in-person (via video conferencing) meeting of the entire committee would be a good idea. Cooper said no firm date has been set, but it will occur in mid-January 2008. Cooper ended his report with his personal thanks, and the thanks of the Minority Bar, for the civil legal aid community's support of the recent Diversity Summit in Philadelphia.

Nevin Mindlin, PBA Legislative Director, then was given the floor to discuss the support his office gives the Committee and to ask for support from members in fighting the proposed legislation which would impose a sales tax on legal services, which tax might even apply to pro bono representation. Mindlin noted that his importance is that he stands for the 29,000 plus lawyers in the PBA. He explained the new tools on the PBA website that allow members to easily access their representatives for sending messages and he encouraged everyone to be active on this issue and in support of the PAC. Representative Kathy Manderino explained the importance to her of letters from constituents.

Segal then turned to a discussion of 2008 Pro Bono Conference ideas as PBA President Susko joined the meeting. Susko shared his vision of doing the pro bono conference in Harrisburg next spring as part of a Day on the Hill in April which would be focused on civil legal aid. The exact date has not been determined yet and will depend on the legislative calendar. Susko called this an "extraordinary opportunity" and though he admitted the idea was not fully designed or developed, he suggested that it would mirror the ABA's Day on the Hill that he and Sam Milkes had participated in. Susko outlined a day that would begin with participants getting a quick training on lobbying, with background provided on specific issues of PBA interest such as increased funding for civil legal aid and increased representation of the poor. These folks would then be sent up to the capitol to lobby legislators on those issues with the day ending with the participants, legislators, county bar executives and others coming together for a 1-2 hour panel presentation for CLE on the topics of the day. Susko said he hoped he could get PCN to film it all and then have the day end with a reception. The idea was enthusiastically approved by the Committee.

Trevaskis then gave an abbreviated Pro Bono Coordinator's Report, mentioning third year funding through the IOLTA Grant, mentioning the work being done on the PApronono.net and PALawHelp.org sites and asking for material for the Spotlight on Pro Bono/E-News Report and Website. The meeting ended at 12:35 p.m. as the group moved to lunch.

Postscript: The resolutions of the Committee passed the HOD on 11/30/07. See below:

The Pennsylvania Bar Association House of Delegates approved two resolutions with great impact on the legal aid community in Pennsylvania at its meeting in Harrisburg held on November 30, 2007.

In the first of two resolutions submitted by the Legal Services to the Public Committee which had been approved in August by the PBA Board of Governors, the PBA HOD was asked to urge the General Assembly of Pennsylvania to restore the appropriation for civil legal services to indigent people to past levels of support, adjusted for the current value of appropriations of the past, and for increases in the number of people living in poverty.

Specifically, this resolution called for a restoration of funding to the Pennsylvania Legal Aid Network, Inc. which provides legal service in every county of the state and as well as specialized services in certain areas, such as health, housing, and the needs of farm workers. The resolution passed unanimously.

The second resolution that was also submitted by the Legal Services to the Public Committee and approved last August by the BOG, provided that the PBA urge the Commonwealth of Pennsylvania to provide legal counsel as a matter of right to low income persons in those categories of adversarial proceedings where basic human needs are at stake, such as those involving shelter, sustenance, safety, health or child custody.

This resolution was overwhelmingly passed by the HOD. It echoes an earlier resolution of the American Bar Association that urged federal, state, and territorial governments to provide legal counsel as a matter of right at public expense to low income persons in those categories of adversarial proceedings where basic human needs are at stake, such as those involving shelter, sustenance, safety, health or child custody, as determined by each jurisdiction.

Michael S. Greco, who served as President of the American Bar Association during the 2005-2006 Association year, addressed the PBA House of Delegate on video urging the passage of the resolution. PBA President Andy Susko used his report to the HOD to express his strong support for both resolutions and they were successfully presented to the HOD by Legal Services to the Public Co-Chair Dveera Segal and Pennsylvania Legal Aid Network Executive Director Sam Milkes.