

Legal Services to the Public Committee
Committee/Section Day Meeting Minutes

November 16, 2006

Present at the meeting were: Sapna Anderson, Sandy Ballard, John Bogdanovicz , John Burt, Norma Chase, Sam Cooper (Board Liaison), Vicki Coyle, Susan K. Danforth, Jeff Ernico, Susan R. Emmons, Karen Forman, Liz Fritsch (Co Chair), William Gallagher, Jessica Goebeler, James Kearney, Christine Kirby, Kate Cramer Lawrence, Angus Love, Kathy Manderino, Don Marritz, Sam Milkes , Art Read, Dveera Segal (Co-Chair), Andy Susko (PBA President-Elect) and Joanne Ross Wilder (Co-Vice Chair). Dale Schell and David Keller Trevaskis represented the Pennsylvania Bar Association.

Joe Campagna and Iva Munk started on the phone but left because of difficulties with the connection. Bob Racunas, Pamela Dalton-Arlotti and Sylvia Hahn soldiered through the entire call; Derek Green (Co-Vice Chair) called in for his Pro Bono Conference report.

The meeting was chaired by Liz Fritsch who welcomed everyone to the meeting and began with introductions. Fritsch then asked President-Elect Andy Susko, who joined the meeting from its start, if he would like to speak to the group. Susko took a few moments to highlight for the group his view that it is “every lawyer’s duty to take a case”. Susko announced that pro bono service would be a focus of his year as President and he emphasized that his approach will be designed to “engage the entire Bar in our [pro bono] work”.

Susko mentioned that Pro Bono Coordinator David Trevaskis had attended, in Susko’s stead, a reception the night before for the First Judicial District. Trevaskis disseminated a form used for signing up for a court pro bono honor roll that was introduced at that reception for the Committee’s review.

Susko then solicited questions from the group and Art Read asked Susko a question about the status of an amicus brief from the Unauthorized Practice of Law Committee. Susko said he did not know the status but would find out.

Sam Cooper gave the Committee an update on the Loan Forgiveness Implementation Committee on which he serves as one of the Tri-Chairs with Philadelphia’s Lou Rulli and Pittsburgh’s Laura Ellsworth. He noted that the Committee is charged with following up on the recommendations of the Loan Forgiveness and Debt Reduction Task Force. Cooper stated that the Committee is looking at both private and public sources for loan forgiveness funds. Don Marritz asked whether there might be pools of government controlled funds to possibly tap to use for loan forgiveness, suggesting as one such example funds from unexpended EasyPass accounts.

Derek Green called in at this time from his Philadelphia City Council meeting and explained that the major new idea for the 2007 Pro Bono Conference (which will be held the third week of June in Philadelphia) was to collaborate with another committee or

section of the Bar to offer a program that would have joint appeal. Possible co-hosts within the PBA discussed at the meeting include the Women in the Profession Committee and the Family Law Section. It was noted that the Philadelphia Bar Association should also be asked to support the conference.

Building on the idea of Cy Pres that Christine Kirby has been researching and promoting for the past few Committee meetings, Trevaskis suggested that a session on Cy Pres at the conference might be a good approach. Fritsch added that Cary Flitter, the 3rd Ernico Award winner of the Committee who was honored for his work in getting Cy Pres awards for civil legal aid was currently working on obtaining another such award for Legal Aid of Southeastern Pennsylvania in a case before Federal Eastern District of Pennsylvania Judge Anita Brody. It was suggested that both of these individuals might be willing to participate in a program on Cy Pres.

Fritsch asked Sam Milkes for a report on the Pennsylvania Legal Aid Network and Milkes reflected on the recent election, noting that with Casey and Specter the field enjoyed strong support for legal services. Milkes highlighted the extension of the sunset provisions of the Access to Justice Act, thanking Representative Kathy Manderino for her leadership efforts on that cause. He shared details of PLAN's statewide employment law project that targets the elimination of barriers to employment both in getting and keeping jobs.

Susko then explained that he was planning to task each committee and section of the PBA to report back within 90 days of his inauguration on the health of the practice area and profession. Susko stated that part of the report would be the status of pro bono representation within each practice discipline. He thought that one result of such tasking might be collaboration with other Bar groups.

Read mentioned an interesting nexus between law schools and pro bono in employment law, especially employment law involving immigrant workers, as another collaborative possibility to explore.

Fritsch shared with those present at the meeting her work with Dveera Segal to review the Committee structure which currently finds four standing subcommittees of the Committee: Development, Law Schools, Pro Bono Conference and Local Support. Fritsch stated that, over the years, there have also been task forces that have grown out of this Committee to address particular problems and issues, such as the recent loan task force which has now morphed into the Loan Implementation Committee Cooper discussed.

Fritsch and Segal suggested to the Committee lay down some of the subcommittees since the subcommittees have been mostly inactive as task forces and new committees have handled their work. Fritsch said a Pro Bono Conference Subcommittee, as demonstrated by its report at the meeting, was still needed. She then suggested that a new subcommittee, the Legislative Subcommittee, be created to both propose new and respond to legislative efforts of the PBA. She explained that PBA Legislative Manager

Nevin Mindlin would be available to work with this subcommittee to fulfill its mission. Fritsch also said that the Committee would need to create by-laws so it had approved ways to turn around responses to an issue. She asked that anyone interested in working on a Legislative Subcommittee contact her directly.

Jeff Ernico raised concern that if the other subcommittees were eliminated there would be no subcommittee dedicated to improving pro bono programs around the state, the original mission of the Local Support Subcommittee. Liz Fritsch suggested expanding the mission of the Pro Bono Conference Subcommittee to include looking for opportunities to promote and expand pro bono participation across the state. Committee Read suggested that there needed to be some way to involve the pro bono coordinators at the law schools to bring law school resources to bear on the mission of the Committee. It was decided to discontinue the Local Support, Development and Law School subcommittees for the present.

Susko used this discussion to elaborate on his plans for pursuing an aspirational goal of pro bono service in the House of Delegates such that every lawyer would always have an active pro bono matter. He referenced his plan for bike rides across PA to fund raise and promote this mission (120 mile rides on a Friday/Saturday weekend, Scranton to Philadelphia and Erie to Pittsburgh).

Read announced a statewide program set for April 12, 2007 of the PBA Civil Rights Committee with PBI at three locations with program sessions originating from each location during the day and the program ending with receptions at each location. The program will end with a Civil Gideon panel.

Trevaskis questioned whether a PR/Website Subcommittee was needed to appeal to the counties for information on what happens as regards civil legal aid and pro bono in each county. He noted the upgraded PBA webpage and encouraged members to check out the Pro Bono Website at <http://www.pabar.org/public/probono/probonohome.asp>.