This issue of our association’s flagship publication is dedicated to reaching a milestone: our 125th anniversary. Little could our predecessors have imagined all the changes (good and bad) that have shaped our profession. One constant through the many decades has been the PBA’s unrelenting focus on improving the practice of law. It is the primary reason I’m so proud to serve as your leader for the next year — to make things better for all lawyers who practice in Pennsylvania. Thank you to the many contributing writers and to our communications staff for pulling together this look at the PBA’s past as well as some peeks of the future.

Speaking of the communications staff, I commend them on the phenomenal job with the May/June issue of The Pennsylvania Lawyer magazine. Both the article and the photographs by Wilkes-Barre photographer Brittany Boote portrayed a much better portrait of me than I deserve or to which I am entitled. Due to space limitations, however, one of the things that was not included in the profile were photographs of my family.

Family is so important to me, probably because it was instilled in me from an early age by my parents. Some of my earliest and most vivid memories are of my parents and me packing up the family car what seems like virtually every weekend and driving to visit my grandmother, aunts, uncles and cousins in the Washington Heights section of Manhattan, which, in those days of the mid-1960s, was lovingly referred to as Frankfurt on the Hudson because of the preponderance of German Jewish refugees living there. Later on, I can recall my parents’ Sunday morning calls to far-flung relatives — in the era long before unlimited minutes — and my father announcing, “Dialing Chicago!” My older sisters will corroborate the fact that even though I was an established lawyer in my 40s, my mother would always remind me to not forget to call relative so-and-so on his or her birthday.

So along with this column is a photograph of my wife Laurie and me with our 28-year-old (hard to believe) twins, Melissa and Max.

As many of my PBA friends know, Max has been a “theater kid” for many years and has been fortunate enough to have had some great jobs in the theater industry since graduating from George Washington University six years ago as a presidential scholar in the arts in drama.

Melissa lives in Bradford County with three other women and works a few days a week in a nursing home (a job that I hope she resumed by the time you read this). Melissa has some special needs and, because she is a twin, we noticed her delays at an early age and got her involved with therapies and early intervention well before her first birthday. She has developed into such a friendly and happy young woman. We are blessed that she and Max are extremely close and we all speak frequently, even though we are separated by miles (and recently by stay-at-home orders).

Which brings me to the past three-plus months. The COVID-19 pandemic demonstrated that not all courts, government offices and law firms were prepared for the remote practice of law, court filings and proceedings and other legal processes. Our citizens and business community must have access to the legal services they need at all times — especially in a time of crisis. Many courts and government offices have the technology to provide secure electronic filing and video capabilities to conduct court proceedings. Many do not. The capabilities are not consistent across and even within Pennsylvania’s 67 counties. If these and other challenges are not overcome, adverse consequences may fall on individuals and families.
What is clear is that our law offices, government offices and all courts must be prepared to continue to operate seamlessly, even in the face of such a crisis situation. Continuing legal education rules and bar admission examinations and rules are in need of similar updating.

As a consequence, the first act that I took as president was to form a special task force on assuring the continuity of delivery of legal services, chaired by former 3rd U.S. Circuit Court of Appeals Judge Thomas I. Vanaskie. This group, established under the PBA umbrella, brings together representatives of the PBA, Pennsylvania Association for Justice, Pennsylvania Defense Institute, Pennsylvania District Attorneys Association, Public Defender Association of Pennsylvania, Pennsylvania Association of Criminal Defense Lawyers and other stakeholders to develop recommendations to update processes and technology to enable the legal system to continue to operate under any similar emergency circumstances. I look forward to updating you on this group’s progress in the months ahead.

On a personal note, it has been my honor to work side-by-side with Anne John this past year. As a result of COVID-19, her final months in office were disrupted, forcing her to forego travel to many of your counties as she had planned. She was truly a “wartime president,” spending far more time advocating around the clock in the state and federal legislative, judicial and executive branches than she spent in her law practice. Under her leadership, the PBA accomplished, among other things:

• Appointing a COVID-19 Task Force that developed a Resources Guide that provided significant information for practitioners, particularly in the early days of the pandemic.
• Playing a critical role in the drafting and passage of a bill in the state House to allow lawyers to return to our offices under applicable health and safety requirements and a bill, now Act 15 of 2020, to expand the ability to obtain notarized documents during the pandemic. During the crisis, it was extremely important that lawyers retained the ability to work with clients on legal issues related to their health and estate planning.
• Securing the extension of certain continuing legal education deadlines and the amendment of certain rules and procedures to enable lawyers to cope with the crisis and for graduating law students to begin practicing law on a limited provisional basis due to the postponement of the July bar exam.
• Expanding the Wills for Heroes program that provides free wills and other estate planning documents to include frontline medical professionals.
• Successfully lobbying Gov. Wolf and his administration to expand the ability of lawyers to return to their offices to provide critical legal services.

Anne and the rest of your PBA leadership and staff recognized that our members were hurting. Our clients were hurting. Everything and everyone was hurting. From Day One of this crisis, the PBA has been fighting for our members and providing important resources to you. Never has it been more clear that if you were facing the challenges that were thrust upon legal practitioners and you were not a member of the PBA, you and, in turn, your clients were missing out. The PBA was a critical source of important information in the opening hours of the crisis and in the days and weeks that have followed. This has served to vividly demonstrate the role that the PBA plays in and day out and its value to all Pennsylvania lawyers.

I trust that you and your family will stay safe and healthy and that we will see each other in your county, or at least “virtually,” very soon.

And please join me in taking some time to reflect on the PBA’s 125 years of history and how together we will continue to tackle the challenges that lie ahead. ☺

David E. Schwager
PBA President

If you’re a PBA member and you want the legal community to know about your appointment, promotion, recent speaking event or other law-related news, why not submit your announcement to run as a “People” item?

The most frequent types of “People” announcements we run are for appointments/elections, awards/honors, being published, firm moves and speaking engagements. We run items on recipients of county bar awards, but we do not list county bar committee and section appointments. We do not run prospective notices, particularly for speaking or meeting events, as these are subject to change, and we do not include lawyer and law-firm “best of” announcements. Given the PBA’s large member base, we also monitor for how frequently individuals are listed in the column. Photos are welcome, black and white or color. If provided electronically, photos should be high resolution. Most electronic photos we receive are as JPEG files.

The editors reserve the right to reject “People” submissions and to edit for style and length of announcement. Accepted announcements will appear in either the PBA’s Pennsylvania Lawyer magazine or Pennsylvania Bar News tabloid, depending on when notices are received in the editorial cycle.

Email “People” column notices to editor@pabar.org or mail to the Pennsylvania Bar Association, Attn: People Column, 100 South St., P.O. Box 186, Harrisburg, Pa. 17108-0186.

The Pennsylvania Lawyer 5 July/August 2020