A meeting of the Pennsylvania Bar Association Minority Bar Committee was held on Thursday, November 15, 2018.

I. Calling Meeting to Order
   Co-Chair Sharon López called the meeting to order and Chaired the Meeting.

II. Introductions of attendees:
   a. Brief introductions of attendees occurred.

III. Action Items.
   A. Approval of October 12, 2018 Minutes.

      Due to the weather affecting meeting and attendance and because the minutes were distributed only recently, this item was tabled for the next meeting.

IV. Discussion
   A. PA Bar Foundation
      Sharon López advised the Committee that the PA Bar Foundation gives financial support to the MBC’s Minority Law Day. The Foundation gives funding to support the mock trial program for high school students, including paying for televising the finals at the PA Supreme Court. She noted the Foundation is having a fundraising event this evening and will be recognizing Senator Stuart Greenleaf for his lifetime legislative record.

   B. PBA Policy process and changing the vote requirement from simple majority to supermajority.
Sharon López introduced the discussion topic. The PBA is studying our policy process and whether to recommend any changes to it. President Eppolito has appointed a task force that is studying the issues and will hopefully be making a report at the May 2019 meeting. Deni Morton is chairing the Task Force and Sharon and Wes Payne from the MBC are on it. They are seeking input on some issues, such as: (1) currently policy positions taken by the PBA House of Delegates require a simple majority vote (51%) for passage of policy positions; should this be changed to a supermajority vote? If so, at what percentage, e.g. 66% vs. 75%; (2) given limited lobbying resources and political capital, how should policy positions taken be prioritized, including by whom? For example, should the House of Delegates have more say in what policy receives more priority? Is the current policy of leaving prioritization to the PBA Executive Director, the PBA Presidential Leadership and the PBA Legislative Director sufficient? Should there be a new supervisory committee to advise and prioritize? (3) Are there certain questions PBA should ask when considering taking a policy position? If so, what are they? For example, in considering whether to take a policy position, the following questions might each be asked, answered, and synthesized:

- Does the proposed policy impact all lawyers?
- Do lawyers have unique knowledge and understanding of a particular policy issue?
- But for us, would no one else take on the issue?

Note the above questions are just examples. Discussion ensued with the following comments/suggestions:

- A number of members felt a supermajority requirement to take a policy position would be disastrous as it would allow a small minority to block popular will from moving forward;
- There was a concern that if policies were put on different tracks for prioritization purposes, that social justice issues and issues of concern by the MBC would be put on the back burner.
- What data do we need to gather to make the best policy reform analysis and recommendation?
- The PBA mission should be a factor in the policy analysis, i.e. how does a particular policy further the PBA mission?
- Another factor for analyzing policy is to ask the question, how does a particular policy position grow bar membership;
- Taking formal policy positions as an organization is just one means of advancing policy positions, be flexible and creative in exploring and using other means of advancing policy, e.g. Presidential statements, media campaigns, specific projects;

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APPROVED FINAL MINUTES – Approved December 14, 2018
• PBA might need to take certain positions or a lead on issues where the PBA has particular weight;
• Sometimes the PBA is not asked to take a position, but the PBA should speak out on the issue anyway;
• We need to be careful to remember our values, but also understand not all members have the same values;
• PBA can gain members from taking certain positions just as it can also lose members;
• Not taking a position is a position/decision;
• We need to be flexible and nimble;
• The line between a social issue and a legal issue is blurry
• There is importance in not being restricted by a supermajority requirement;
• It is most helpful to have suggested changes to address problems as opposed to identifying only problems;
• Is there an area between a 2/3 requirement and a 51% requirement that would make sense?
• Are we content with the status quo?
• The policy process should be transparent;
• The process of prioritizing among the many resolutions is a paramount concern; ask the question, how can we be the most responsive to the items that are the most important to the organization?
• We don’t have the time to build a supermajority on issues, but consensus is important so maybe we need something more than 51%; coming together and engaging and having the discussions is important;

V. Subcommittee Chair Reports:
A. Minority Attorney Conference – Marisa Lattimore, Rhodia Thomas, and Gina Thomas.

Marissa Lattimore reported the next subcommittee meeting is Monday, November 19th at Noon. The Conference will be in October 2019. Location to be determined. She shared some of the potential conference topics discussed so far, including voting rights and suppression, immigration, communities under attack, a judiciary panel.

B. Minority Law Day – Rachel Hadrick, Verdel Dean, and Nigel Scott

Rachel Hadrick reported on Central PA Law Day. There were about 60 students from 4 different schools and a good number of volunteers. The topic was student first amendment protest speech in light of Parkland, Florida, e.g. the problem was one where students wanted to protest gun violence by wearing shirts to school and
holding a rally off-site during non-school hours. This year we collaborated with the Philadelphia PA Law Day group by sharing their problem. She thanked Nigel Scott for writing the problem and noted that it was well received by all involved. Prof. Raeker-Jordan from Widener Law School taught part of the day, there was also a panel of Black Law Student Association representatives and two panelists who discussed their career path. One idea for improvement was to introduce some legal concepts in the beginning, e.g. stare decisis; Another idea is to extend the time for the career path panel so students have more time to ask questions.

Nigel Scott reported for Philadelphia Law Day. He reported that he thought this year’s event ran very well, and was one of the best in the last several years in terms of running on time and having sufficient volunteers. There were 170 students from 12-15 different schools. The University of Pennsylvania also sent 10 student volunteers who really made a difference. Teachers were very grateful and students engaged.

C. Community Outreach – Raphael Castro, Leticia Chavez-Freed, and Samatha Divine Jallah

Sharon reported that unfortunately, Samantha has to step down as a co-chair of the committee due to conflicts.

Raphael Castro reported, including giving a brief background on himself. He is currently in the BLI class. He believes that Youth Court as a project may be ready in the Fall Semester. He explained the concept of Youth Court. He also advised he had a meeting with the school district of Philadelphia and that there is a staff position for the district dedicated to running Youth courts. He also reported that a middle school has been selected in Central PA.

Sharon suggests a news article on Youth Courts for the next issue of Houston’s Legacy.

D. Nominations Committee – Henri Marcial & Carlton Johnson

Sharon reported for Henri and Carlton. She advised that unfortunately our nominee (Gina Thomas) for Government Attorney of the Year was not successful. However, the consensus was that the recipient was very deserving. Tips for resubmitting Gina’s nomination next year were shared.

Sharon further reported that the Nominations Committee assisted Lisa Watson with her nomination to the PA CLE Board. Sharon noted that there is an upcoming Minority Attorney Governor at Large position that will be open. There is also time for people to submit names for the Anne X. Alpern award and the Lynette Norton Award.

Andrea Farney reported that the 10th Diversity Summit was a success. There were 60 people attending. She did get some feedback that some people were unable to attend because of the Minority and Women Law Firm Business Development Forum the day prior. The formal evaluations have not yet been reviewed, but the informal feedback was that the panels were well received as was the keynote speaker. She brought up the possibility of cutting a panel to add some time for small group discussion on some of the substantive topics. Sharon Barney noted that the sponsorships were pretty good. Patrice thought the event went well and also thought we should consider adding some time for small group or further discussion on the heavy substantive material.

VI. New Business
A. ZOOM Chat feature Use/No conference call use. Sharon advised the next meeting will use ZOOM again. She said there is a chat feature that individuals can use to ask questions of the moderator/speaker.

VII. Follow-Up
A. Attorney Letters to Prisoners – Leticia Chavez-Freed and Riley Ross

Sharon reported that the issue of attorney correspondence to prisoners is still not resolved. Riley Ross reported that the ACLU and the Pennsylvania Institutional Law Project have brought a lawsuit and information on it is available from the ACLU website. The case is assigned to Judge Jones of the Middle District of PA. There is a hearing in January.

VIII. Member comments or concerns.
Sharon recognized Jackie Martinez, Brenda Marrero and Ed Lanza (posthumous recognition) for the Al Día Emerging Latino Lawyers Awards recently presented.

IX. Adjournment. Motion made and seconded to adjourn.

Next Meeting Date: December 14, 2018 – (Arlene Marshall-Hockensmith Leading with special presentation on the recent firearm amendments to the Protection from Abuse Act).
Next Executive Council Meeting December 3, 2018.

Minutes Submitted by Andrea C. Farney, Secretary.