A few weeks before I officially took office as PBA president, I participated in four separate Zoom conferences set up by PBA Director of Legislative Affairs Fred Cabell, Legislative Counsel Ashley Murphy and Legislative Coordinator Logan Stover. Accompanied by Max Laun, interim executive director of the Pennsylvania Legal Aid Network (PLAN), and then-PBA President Kathleen Wilkinson, I met with several staffers for Pennsylvania congressional legislators. First, we met with Ashlee Bierworth, a staffer for Rep. Guy Reschenthaler (R-14th), then with Lauran Pauley, senior legislative counsel to Rep. Dwight Evans (D-3rd). Next, we met directly with my representative and neighbor, Mike Doyle (D-18th), and one of his staffers, Joe Telano.

The next day, we had meetings with staff from the offices of Rep. Glenn Thompson (R-15th), Sen. Pat Toomey, Rep. Scott Perry (R-10th), Rep. Conor Lamb (D-17th) and Rep. Brian Fitzpatrick (R-1st).

These meetings were a coordinated effort to obtain more funding for the Legal Services Corp. and the many legal aid service providers in Pennsylvania that are managed by PLAN. We were able to tell these legislators of the desperate need for additional funding for legal services. We had to inform them that our legal service providers have staffing and funding to provide services for only one in five people who walk through their doors. The other four who need and are qualified to receive legal services are turned away.

How sad a commentary is this? Four in five people who qualify for legal aid are unable to obtain the legal services they need. Four in five people who want a lawyer have no one to guide them through the legal minefield. Four in five people may be entering our courtrooms without a lawyer by their side. We can do better.

In terms of doing better, not only do legal service providers need more funding, our court systems could probably be more user friendly. Too often, court rules and procedures are created for lawyers who understand and have experienced the system. There are, however, more and more litigants who are trying to wind their way through the court system without legal counsel and without the knowledge and understanding that is required. Can we create a simpler system?

During our meetings with the congressional representatives and their staff, we also had an opportunity to discuss House Resolution 546, the Effective Assistance of Counsel in the Digital Era Act (EACDEA). This bill would protect an attorney’s ability to confidentially communicate via email with a client who is incarcerated. Unfortunately, since 2005, the Federal Bureau of Prisons has conditioned prisoners’ access to email service upon their waiver of the attorney-client privilege. By contrast, other forms of prisoner communication with attorneys, such as snail mail, phone calls and in-person meetings, are properly protected by the privilege. The EACDEA would fix this problem by prohibiting law enforcement officers from accessing the contents of prisoners’ privileged emails. This bill has overwhelmingly passed the House in a bipartisan vote and is awaiting action in the Senate.

We also discussed HR 6577, the Real Courts, Rule of Law Act, which would move the administration of immigration courts and the judges who preside therein from the Department of Justice to an independent Article I immigration court system. Such a move would ensure complete judicial independence and avoid the clear conflicts that result from having
advocates and judges accountable to the same bureaucracy. This bill does not change substantive immigration law or provide any expanded benefits; it simply assures litigants a fair and impartial adjudicative process not subject to partisan politics.

The opportunity to meet with our legislators is only possible because of the excellent work performed by our PBA Legislative Department and the relationships they have developed with legislators and their staffs. Having these relationships is important for our access to justice initiatives and to provide input into the legislative process. Advocacy for our profession and for our clients, particularly our most vulnerable clients, is something that is at the core of the PBA mission, and our PBA Legislative Department does a great job of it. Fred, Ashley and Logan have their fingers on the pulse of the state Capitol. They know when legislation is moving, and they have relationships with Pennsylvania legislators and their staff members that allow them to advocate for the PBA. They alert our PBA sections and committees about legislation that could affect our practice areas and make certain that our positions and our policies are known to the Pennsylvania General Assembly and Senate.

Prospective and current PBA members often wonder about the benefits of a PBA membership. Although our Legislative Department is touted as a member benefit, it is, admittedly, not a tangible one like a free CLE course, a drink ticket for a PBA reception or a discount on office equipment. Think of it more like an insurance policy for our profession. Fred, Ashley and Logan are always on the lookout for legislation that could be harmful to the practice of law. The PBA could not fulfill its commitment to you — our members — without their fine work.

Jay N. Silberblatt
PBA President

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| **Real Property, Probate and Trust Law Section Annual Retreat**  
Aug. 3-5, Pittsburgh |
| **Animal Law Conference**  
Aug. 18, Philadelphia and webcast |
| **Annual Contracts Workshop**  
Aug. 23, Philadelphia and webcast |
| **Commission on Women in the Profession Virtual Wellness Lunch**  
Sept. 9, via Zoom |
| **Administrative Law Section Commonwealth Court Practicum**  
Sept. 13, Harrisburg |
| **Board of Governors Meeting**  
Sept. 14, Mechanicsburg |
| **Medical Marijuana & Hemp Law Symposium**  
Sept. 14 and 15, Philadelphia and webcast |
| **Diversity Summit**  
Oct. 7, via teleconference |
| **Worker’s Compensation Fall Section Meeting**  
Oct. 13-14, Hershey |
| **Federal Practice Institute**  
Oct. 21, Pittsburgh |
| **Oil & Gas Law Conference**  
Oct. 26, Pittsburgh and webcast |
| **Civil Rights Symposium**  
Oct. 27, Philadelphia and webcast |

Please check the PBA calendar at www.pabar.org/site/Calendar for the most current meetings and events information.