On Oct. 31, 2019, Gov. Tom Wolf signed into law Act 77, the broadest election reform in the commonwealth in many decades. Due to COVID-19, the governor signed an amendment to Act 77 on March 27, 2020, extending April deadlines. Mail-in ballots are now available for the June 2, 2020, presidential primary. Different from absentee ballots, mail-in ballots will not require a medical or business excuse to qualify. Anyone registered to vote in Pennsylvania will be eligible for mail-in ballots.

Deadlines for the application and submission of mail-in ballots and absentee ballots have changed. Applications for both ballots must be received by the county election bureau the Tuesday before election day, namely May 26, 2020. Barring any pending ballot challenges, ballots will be mailed to voters 50 days before the election. Absentee and mail-in ballots submitted to the county election board by 8 p.m. on election day will be counted. Voters who mailed in their completed mail-in and absentee ballots may not vote at the polls. Voters who applied for mail-in or absentee ballots, but who cannot confirm that their ballots were received by the election board in time, may vote at the polls by provisional ballot only.

Voter registration has been shortened to 15 days before the election date, namely May 18, 2020. County election boards will count all mail-in and absentee ballots at the county beginning on the morning of election day. Judges of election at each precinct will receive a list of voters who applied for mail-in or absentee ballots. Challenges to absentee ballots will still have to be made at the election precinct.

In the primary, whether at the polls or by mail, voters will receive the ballot of their respective parties. In the general election, straight party voting is no longer possible. Voters will have to vote for each candidate for each position. Down ballot candidates may suffer as a result.

Registered voters will be eligible to apply for regular mail-in ballots by sending in an application to the county board of elections. Voters with permanent disabilities will be eligible to apply for regular absentee ballots upon application to the county.

All 67 Pennsylvania counties will be using paper ballots beginning with the June 2, 2020, primary election. Depending upon the county, ballots may be handed to the voter, and others may be printed out by the voting machine. All ballots will have to be scanned by hand. Mistakes on the ballot will not be corrected; instead the ballot will be destroyed and the voter given a new ballot to complete.

Whether the mail-in ballots will reduce the lines at the polls remains to be seen. With the switch to scanning ballots, longer waiting times and lines can be anticipated. Hopefully, Pennsylvania can avoid the spectacle of two-hour wait times in Wisconsin. Especially with concerns that voters will stay away from the polls due to the risks of exposure to COVID-19, mail-in ballots will present a safer alternative. PBA members should acquaint clients, friends and family with the changes brought about by Act 77 to help Pennsylvanians vote.

Tsiwen Law is a lawyer in Zone One and serves as an elected committeeman for the Fifth Ward in Delaware County. Law, past chair of the PBA Minority Bar Committee, a founder of APABA-PA and NAPABA, was a member of AAPA during the TWLF Strike at UC Berkeley.
FIRST, BUT NOT THE LAST:
Danielle Conway, Dean of Dickinson Law

By Ana Paulina Gomez, Esq.

In mid-February 2020, I was invited to attend an Admitted Student Open House at Penn State Dickinson Law in Carlisle to speak with admitted students about my alma mater. That day, I met a young woman from California and asked her why she applied to Dickinson Law. Without pausing to think of an answer, she said, “Because of Dean Conway.” She further shared that she heard Dean Danielle Conway speak at the National Black Pre-Law Conference and felt very inspired by her message, story and accomplishments. This young woman, who was also admitted to two other excellent law schools, was leaning toward Dickinson Law because of Dean Conway. I was not surprised because Dean Conway is inspiring.

On July 1, 2019, Dean Conway became the first woman and first African American to become the dean of Dickinson Law, the oldest law school in Pennsylvania and one of the oldest law schools in the country. Dean Conway, who is originally from Philadelphia, had eyed Dickinson Law since 1998. At that time, she was a professor at the Georgetown University Law Center and contemplating her next endeavor. Dean Conway interviewed for a position at Dickinson Law but she was not selected. That same year, she became a law professor at the University of Memphis, Cecil C. Humphreys School of Law. After two years in Memphis, she was selected to fill a tenure track position at the University of Hawaii at Mānoa, William S. Richardson School of Law. She became a tenured professor within three years of moving to Hawaii. She also reached another achievement in Hawaii — motherhood. After 14 years in Hawaii, Dean Conway became the dean of the University of Maine School of Law in 2015. Four years later, she learned that Dickinson Law was searching for a new dean. After speaking with Carla Pratt, Dean and Professor of Law at Washburn University of Law, and Gary Gildin, the current Dickinson Law dean, she decided to apply for the position. In January 2019, years of hard work and preparation came full circle when Dickinson Law announced Dean Conway as its new dean.

In less than a year, Dean Conway has already started to make a mark. The Council on Legal Education Opportunity (CLEO), the longest serving national organization committed to diversity in the legal profession, chose Dickinson Law to host its 52nd Annual Pre-Law Summer Institute. This summer, from June 15 through July 12, Dickinson Law will offer intensive pre-law classes designed to introduce students to the essential skills, knowledge and values needed to be successful in law school. Dean Conway’s vision for Dickinson Law is clear: break into the top 50 list of the U.S. News & World Report, continue to offer innovative clinics that assist the community while offering real-life experience to law students, and increase the diversity within the law school’s student, staff and faculty ranks.

Dean Conway’s success is not only due to her impressive work ethic, but also her genuine care for her work and for those around her. She believes that law is relational and is based on trust and forging relationships. Dean Conway’s advice to anyone is simple. “Say yes to everything and get as much experience as you can. Get out of your comfort zone.”

Ana Paulina Gomez works for the Pennsylvania Insurance Department, where she represents the department in litigation before administrative tribunals and appellate courts and provides the department with legal advice on Right-to-Know Law and contractual and procurement matters. Ana previously worked for the Pennsylvania Department of Education, where she litigated educator misconduct cases and Right-to-Know Law matters at the administrative and appellate level. She was an assistant district attorney at the York County District Attorney’s Office from 2012 until 2015. She clerked for Judge Thomas Kelley in York County immediately after graduating from law school. Ana attended the Penn State Dickinson School of Law, where she interned for Judge Yoette Cane, U.S. District Court for the Middle District of Pennsylvania. She was a senior editor for the Penn State Environmental Law Review and a Miller Center for Public Interest fellow. Gomez is admitted to practice before the Supreme Court of Pennsylvania and the U.S. District Court for the Eastern District of Pennsylvania. She is also a trained mediator.
In this generation of millennials, it is becoming more common and necessary to seek social justice through the use of social media and internet-based advocacy. The hashtags #BlackLivesMatter and #SayHerName are two popular examples. These hashtags were created to voice awareness surrounding the issue of racially motivated police misconduct cases. They cover a plethora of police misconduct cases dating from 2012 through present day. The following summary is intended to provide a brief status update on some of the high-profile cases from the past 18 months.

Miles Hall – June 2019
In June 2019, Miles Hall was fatally shot by police officers in San Francisco, California. It was reported that Hall suffered from mental illness. Hall's family called the police because he was allegedly behaving erratically and running outside with a metal pole. When the police arrived, they shot and killed Hall rather than use crisis intervention training. Many individuals expressed their grief and outrage via #BlackLivesMatter. Hall's family filed a wrongful death lawsuit that is still being litigated.

Ariane McCree – November 2019
Ariane McCree was fatally shot on Nov. 23, 2019. Immediately after this shooting, the #BlackLivesMatter protests started via social media. This incident began at Walmart when McCree was purchasing a new door lock, among other things. Reports on this incident indicate that when McCree was leaving Walmart, he realized that the cashier had not charged him for the door lock. He returned to the store to bring this to the cashier's attention.

When McCree attempted to explain his reason for returning to the store, he was detained in the loss prevention room and handcuffed. Reports further indicated that McCree, in fear for his life, ran to the parking lot in handcuffs seeking help. Police officers followed McCree out to the parking lot and fired shots at him while he sought protection behind parked cars. In contrast, the police officers allege that McCree fled and showed a gun.

McCree's family initiated a wrongful death lawsuit against the officers responsible for the shooting. We hope to provide an update in the next edition of this newsletter.

William Green – January 2020
In January 2020, William Green was fatally shot and killed in Prince George's County, Maryland. The police pulled Green over for alleged erratic driving. They handcuffed Green and placed him in the front of their police cruiser. Subsequently, the police entered the car and shot Green to death. Police alleged they were in fear of their lives. However, video footage showed Green was restrained by handcuffs prior to the shooting. This lead to a public outcry via #BlackLivesMatter.

An investigation is still pending. The family has not made a decision as to whether they plan to initiate a lawsuit.

Terrance Franklin – February 2020

Update
Terrance Franklin was fatally shot back in May 2013; however, this case remains relevant since it was just resolved in February 2020. In May 2013, police officers responded to an alleged burglary. When they arrived to the location of the alleged burglary, a basement in Minneapolis, Franklin surrendered with his hands in the air. Despite this, he was shot and killed by an officer. Many social protestors rallied on both Instagram and Twitter crying for justice utilizing #BlackLivesMatter. This social media rally was enough to encourage Franklin's father to initiate a wrongful death suit against the police officer who shot Franklin.

In February 2020, the wrongful death lawsuit settled for $795,000. Details of the settlement have not been disclosed. We hope to provide an update in the next edition of this newsletter.

As the late Dr. Martin Luther King Jr. stated in his 1965 speech: “[o]ur lives begin to end the day we become silent about things that matter.” In other words, because of #SayHerName and #BlackLivesMatter, it is important that we continue to speak up and advocate for change. Initially, #BlackLivesMatter and #SayHerName were merely being used as phrases to raise social awareness for police brutality issues and social injustices across the world. The aforementioned cases, however, illustrate that #BlackLivesMatter and #SayHerName now have two additional purposes. The first purpose is to provide emotional support to the families of individuals who were victims of police brutality. The second purpose is to encourage the families of victims of police brutality to initiate litigation for justice in cases where the evidence

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#BlackLivesMatter and #SayHerName

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supports an argument that the death is a result of police misconduct.

The Franklin case is an example of the strength of these movements. Initially, the family did not file a lawsuit. Encouraged by #BlackLivesMatter and #SayHerName movements, the family initiated a lawsuit and succeeded with a settlement. While the settlement did not bring back the life of Terrance Franklin, it is a form of justice that derived from the #BlackLivesMatter and #SayHerName movements.

It is important that we continue to remain aware of these cases and support both the #BlackLivesMatter and #SayHerName social media movements. For some, social media is their primary source of news and information, which makes these movements even more necessary.

In the next edition of this newsletter, we will provide updates on the aforementioned cases and others, if applicable, as we continue to advocate for social justice and change.

Anthony D. Cox Jr. is an associate attorney at Dickie, McCamey & Chilcote PC. He concentrates his practice in the areas of commercial litigation, insurance bad faith litigation, professional liability, professional malpractice and tort defense, with an emphasis in civil litigation and professional and occupational licensure defense. Anthony previously practiced as a litigation attorney at the Pennsylvania Department of State. While in law school, he served as a judicial intern with the Supreme Court of Pennsylvania and as a student law clerk to President Judge Mary Hannah Leavitt of the Commonwealth Court of Pennsylvania. Anthony is a recipient of the Minority Bar Committee’s Rising Star Award. Anthony serves on his firm’s Diversity Committee and takes pride and striving to diversify the legal profession.

Brandon Jordan is an associate attorney at Marshall Dennehey, where he defends the interests of employers, third-party administrators and insurance carriers in workers’ compensation matters. Brandon received his juris doctor from Widener University Commonwealth Law School, where he served as the Student Bar Association president from 2016-2017. He was an active member of the American Bar Association’s Law Student Division Nominating Committee and chair of its Law Student Division Black Caucus. He also served on the Widener University Commonwealth Law School Alumni Association Board and as Mentorship Program Director for the Black Law Student’s Association. As a member of the Trial Advocacy Honor Society at Widener, Brandon competed in several competitions and took first place in the 2017 Hugh P. Pearce Trial Advocacy Competition. Brandon received the 2017 Starla Williams Student Service Award. He serves as a board member of the Dean’s Diversity Board at Widener University Commonwealth Law School, which oversees the development and implementation of school’s diversity initiatives and in the legal profession. He also volunteers for the school’s Trial Advocacy Honor Society.

Welcome New MBC Members!

Please join me in welcoming the following new members of the Minority Bar Committee:

Kimmo Abbasi  
Sierra Applegate  
DeJonna Bates  
Jaskirat Chhatwal  
Patrick Cicero  
Ellen Fischer  
Marshall Granor  
Dylan Grayson  
Jing Han  
Nicola Henry-Taylor  
Lorenzo Holloway  
Guerline Ladouceur-Laurore  
Nolan Meeks  
Anupma Sahay  
Jason Vespoli  
Thomas Wilkinson

It is my pleasure and honor to welcome you to our committee and thank you for joining us in advancing our mission. I would also like to extend a warm welcome to our new staff liaison, Susan Wolf. I humbly ask that you get involved and stay involved. You will be approached and asked to participate in any one of our 10 subcommittees. Our committee thrives because of the contributions of our members.

I want you to know that we are here for you. Please use our Listserv as a resource. It is invaluable tool. Please do not hesitate to contact me if there is anything that I can do for any of you.

During this time especially, I hope that all of our members, new and current, continue to be safe and practice the necessary guidelines for maintaining health and seeking assistance when needed.

Tyessa C. Miley  
Chair, PBA Minority Bar Committee
MINORITY BAR ACTIVITIES

Come One, Come All!

By Marisa Lattimore, Esq.

The Minority Bar Committee (MBC) considers the health and safety of our committee a priority. During these unprecedented times, the MBC is committed to finding alternative and new ways to hold our signature events. Chair Tyesha Miley and Vice-Chair Tony Thompson hope to keep things running smoothly throughout the year to help make these activities possible. 2019 was a very good year and we expect 2020 to be even better.

30th Anniversary Minority Attorney Conference

On Oct. 3-4, 2019, the MBC hosted a hugely successful 30th Anniversary Minority Attorney Conference. Yes, in 2019, we celebrated the conference’s 30th year mark. The conference co-chairs were Marisa Lattimore, Rhodia Thomas and Gina Thomas. Our kickoff speaker, Phoebe Haddon, Chancellor of Rutgers University, Camden, New Jersey, and our keynote speaker, Thomas Kline, Kline & Specter, not only gave fantastic speeches, but helped to make the conference a great success. PBA President Anne John attended the conference and gave it two thumbs up. Our conference attendees found the event to be educational, engaging and informative. Again, we congratulate Prince Thomas, the recipient of the A. Leon Higginbotham Award, and Patrice Turenne who received the Rising Star Award.

2019 Minority Law Days

The 2019 Minority Law Days in Philadelphia and Central Pennsylvania were wonderfully successful. The students, as always, learned a lot, were engaged and thoroughly enjoyed the day. The Philadelphia co-chairs were Nigel Scott and Patrice Turenne. The Central Pennsylvania co-chairs were Rachel Hadrick and Roberto Datorre.

Two hundred students attended the Philadelphia program. That’s right, 200 students. The sheer number of participants demonstrated the students’ enthusiasm and eagerness for the event. Kristen Gibbons Feden began the day energizing the students with her discussion about her path to becoming a prosecutor and her role as an advocate. This helped the students to think about and envision themselves as attorneys and advocates. Nigel Scott received the PBA Pro Bono Award in

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Come One, Come All!
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recognition of his years of service chairing this amazing event. Congratulations, Nigel!

Approximately 60 students attended the Central Pennsylvania Minority Law Day. David Raeker-Jordan, professor at Widener University Commonwealth Law School, presented the students with a hypothetical involving President Trump’s use of his Twitter account and First Amendment issues. Judge Royce Morris, Arlene Marshall-Hockensmith and Rick Estacio inspired the students with a discussion about the paths they took to become lawyers. Law students Dylan Grayson and Fred Fleming spoke about their law school experience. This helped the students think about and envision themselves as lawyers and advocates. This is exactly how we want the students to imagine themselves! Rachel Hadrick received the PBA Pro Bono Award in recognition of her years of service chairing this awesome event. Congratulations, Rachel!

The Western Pennsylvania Minority Law Day was tentatively scheduled for April 22, 2020. However, in light of COVID-19, the event is postponed until fall 2020. The co-chairs are Verdell Dean and Imogene Cathey. Verdell Dean also received a PBA Pro Bono Award in recognition of his years of service chairing this fabulous event. Congratulations, Verdell!

Other Subcommittees

In January 2020, the Community Outreach Subcommittee held its annual Martin Luther King, Jr. Day presentation at Shiloh Baptist Church. For the first part of the day, this exciting and informative program consisted of presentations and updates on the Voting Rights Act, immigration, taxes, financial planning, real estate, bankruptcy, regentrification and assessments. The day also included the reading of essay contest submissions written by members of the Temple Black Law Students Association and the presentation of contest awards. As if that was not exciting enough, remarks were shared by community leaders Reverend Sparkman and the Philadelphia Councilman Kenyatta Johnson. E. Nego Pile conducted an open discussion with the audience. The chairs of the Community Outreach Subcommittee are E. Nego Pile and Raphael Castro.

The Membership Development Subcommittee is co-chaired by Jackie Martinez, Sharon López, and Cherylle Corpuz. The subcommittee completed two of its goals since the beginning of the bar year: (1) adding to the webpage profiles of all MBC Executive Council members, and (2) the assignment one of its subcommittee members, Ana Paulina Gomez, to serve as the MBC welcoming concierge. The subcommittee believes that by becoming a subcommittee connector, you can develop a more engaged membership and build your network without taking on more than you can handle.

Legislative Subcommittee co-chairs are Tsiwen Law and Brenda Marrero. Rachel Hadrick and Marsha Grayson are co-chairs of our Governance Subcommittee. The Nominations Subcommittee is chaired by Henri Pierre Marcoux and Sharon López. The Government Attorneys Subcommittee co-chairs are Beverly Rampaul, Nefertiri Sickout and Gina Thomas.

As for our illustrative newsletter, congratulations to the new chair of our editorial board, Arlene Marshall-Hockensmith! We know we are in good hands as she is already doing an awesome job. Wes Payne is editor of the Jumping Silos column; Ana Gomez is editor of the "First But Not The Last" column; Marisa Lattimore reports on MBC activities; Maraleen Shields reports on the Rising Star Program; and Anthony Cox is editor of #Black Lives Matter/#Say Her Name column.

11th PBA Diversity Summit

The 11th PBA Diversity Summit will be held on Oct. 7, 2020 at the Doubletree by Hilton in Plymouth Meeting, Pa. The Diversity Summit Subcommittee is collaborating with the Montgomery Bar Association to produce an awesome event. You do not want to miss it so mark your calendars now. The co-chairs of this subcommittee are Andrea Farney, Patrice Turenne, Sharon Barney, Jay Silberblatt and Anthony Cox.

PBA Nominations

As for PBA nominations, Jay Silberblatt received the vice president nomination; James Antonio received the treasurer nomination; and Beverly Rampaul received the secretary nomination. Congratulations!

PBA Staff Liaison Louann Bell retired at the end of March. I know she will be missed by all of us, but I will especially miss her. They say that all good things come to an end. A special thank you, Louann, for your many years of being a part of the MBC! We wish you a happy retirement. We welcome Susan Wolf, who has filled the staff liaison role.

Special thanks to our chair, vice-chair, co-chairs and all of our MBC members. Without you, none of this would be possible. If you are not already a member of the PBA and MBC, please consider becoming a member. As Mahatma Ghandi said, “Be the change you want to see in the world.”

Marisa currently serves on the executive counsel of the Minority Bar Committee and is co-chair of the Minority Attorney Conference Subcommittee. She is a past chair and vice chair of the MBC and is a member of the PBA House of Delegates. Marisa is a member of the Helen O. Dickens Auxiliary of the Abington Health Foundation Women’s Board. She was a director on the board of the Senior Lator Center, the only nonprofit organization in Pennsylvania dedicated solely to protecting the rights of the elderly.
The **Rising Star Award** recognizes the outstanding achievements and accomplishments of a member of the Minority Bar Committee on the rise. The recipient of the award for 2019-2020 is Patrice M. Turenne.

Patrice received her Bachelor of Arts degree in economics from the University of Pittsburgh and her Master of Arts degree in professional and business communication from LaSalle University. In 2015, she obtained her law degree from Widener University School of Law. At Widener, she was a merit scholar and an Executive Board member of the *Widener Journal of Law, Economics, and Race*. Her practice focuses on labor and employment matters. After spending her first few years in private practice, she recently moved to an in-house position with Bimbo Bakeries USA. Patrice was named a 2019 Pennsylvania Super Lawyers “Rising Star.”

Patrice is committed to pro bono and community services. In 2018, she was named to The Garage Community and Youth Center’s Executive Board. She served as the YLD Liaison to the Minority Bar Committee from 2017-2019. She also serves as Young Lawyers Division Zone 9 co-chair, co-chair of the Philadelphia Law Day and the Diversity Summit Subcommittees. Patrice is a member of the PBA’s 2019-2020 Bar Leadership Institute. Patrice is an active member of the Montgomery Bar Association, including participating in the 2019 Leadership Academy and serving as the treasurer of the Young Lawyers Section.

**Maraleen D. Shields:** Let me be the first to say congratulations on being named the 2019-2020 Rising Star Award recipient. As I was reading through your accomplishments and community involvement, I had to confirm that you have, in fact, only been practicing law for four years. When do you sleep? What motivates your level of involvement?

**Patrice M. Turenne:** Maraleen, thanks so much! Yes, it’s true. I have only been practicing for four years but my involvement in my local legal community really began during law school. Since law school I have had mentors encourage me to remain active in both the legal community and the greater community. My level of involvement is greatly motivated by my love of people and my desire to be of service.

**Maraleen D. Shields:** Your legal career has focused on labor and employment matters. What drew you to this practice area?

**Patrice M. Turenne:** I started my legal career with a focus on litigation. I was really drawn to labor employment because of the people aspect of the practice. In private practice, I had numerous opportunities to impact the lives of others whether by providing a defense to a company, counseling an employer on the law or helping an individual get closure following an unlawful termination.

**Maraleen D. Shields:** You recently made the move from private law firm practice to an in-house position. What prompted your move?

**Patrice M. Turenne:** My passion for labor and employment is what motivated my move to an in-house position. In my current role I get to do it all day, every day, which I truly enjoy.

**Maraleen D. Shields:** In addition to developing your practice, you have been active in several pro bono and community service activities. What is “The Garage” and how did you become involved?

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Patrice M. Turenne: The Garage Community & Youth Center is an organization that started in Kennett Square and has since expanded to a second location in West Grove, Pa. The Garage is an after school and youth development program serving middle and high school students. The organization’s mission is to empower youth to pursue their potential. I got involved while I was in private practice. My firm at the time conducted a back to school drive for school supplies. I had an opportunity to hear Kristin Proto, the executive director speak about the organization, its mission and various programs. I knew after hearing her speak and visiting the garage that I wanted to get more involved, and the rest is history.

Maraleen D. Shields: You are also quite active within the PBA, as well as your home county bar association. How are you serving these organizations?

Patrice M. Turenne: I started my involvement with the PBA as a YLD member and then YLD liaison to the MBC. Many thanks to Sharon López for reaching out to me when she became a co-chair of the MBC and pulling me further into the fold. I have been able to get more involved with the committee as a result of her support, guidance and leadership. I also currently serve as YLD co-chair of Zone 9. I helped plan the last YLD summer summit and had the honor of serving as a panelist for an employment discrimination CLE. I am active in the Montgomery Bar Association Young Lawyers Section (YLS) and am treasurer of the YLS this year. My passion is service so I am always looking for ways to do more service and get other young lawyers excited and involved in service.

Maraleen D. Shields: What are your hopes and goals for the PBA and MBC?

Patrice M. Turenne: Even as a young minority attorney, I still face what I will call bias. Diversity and inclusion are such important issues in our world. I hope that the work of the PBA and MBC will continue to provide education of these important issues and have a continued positive impact on the issues facing minority attorneys. I hope that we can engage members of the majority to attend our events to learn and grow. Finally, I hope that our work encourages minority young adults to pursue careers in the law.

Maraleen D. Shields: How does your community service inform your legal practice and how does your legal practice inform your community service?

Patrice M. Turenne: My community service informs my legal practice by keeping me attuned to the issues impacting the community at large. I endeavor to apply what I learn to my practice. I have been fortunate to work for organizations that are passionate about community involvement and service. I am always on the lookout for ways to positively impact the community with my own skills and through partnerships with community organizations.

Patrice is currently co-chairing the upcoming Diversity Summit, which will be held in October 2020 in Montgomery County.

Maraleen joined Fitzpatrick Lentz & Bubba PC in 2014. She is a shareholder of the firm’s Litigation and Trial Practice Group and Healthcare Group. As a member of the Litigation and Trial Practice Group, she manages a wide array of matters, including healthcare business disputes, municipal liability, class action litigation, personal injury matters, contract disputes and general complex litigation. She handles all phases of litigation and appellate practice. As a member of the firm’s Healthcare Group, she focuses on peer review and credentialing matters, licensing and professional board disputes, Health Care Quality Improvement Act (HC-QIA), Health Insurance Portability and Accountability Act of 1996 (HIPAA) and Health Information Technology and Economic and Clinical Health Act (HITECH) compliance, the OIG exclusion program, and risk mitigation and event management. She represents healthcare professionals engaged in the fair hearing and appellate review process, and before state licensing boards. Maraleen is a frequent speaker on healthcare and diversity, equity and inclusion matters. She received her B.A. from Kenyon College in 2000 and her J.D. (magna cum laude) from the University of Pittsburgh School of Law in 2003.

Minority Bar Committee Speakers Bureau
The Minority Bar Committee occasionally receives requests for diverse speakers in the legal profession from other PBA sections and committees, professional organizations and members of the public. The MBC Speakers Bureau List has recently been updated.

If you would like to be added to the list, please request a MBC Speakers Bureau Survey from PBA Staff Liaison Susan Wolf at susan.wolf@pabar.org.
A little-known section of the Pennsylvania Bar Association (PBA) is the Aeronautical and Space Law Section. I must admit that I never heard of this section until I was assigned to serve as the liaison to it for the Board of Governors. So as not to be completely uninformed before attending my first meeting, I took a quick look at the PBA bylaws to see what the section is and what it does. Section 624 of the PBA bylaws, which establishes the section, states:

Section 624. Aeronautical and Space Law. — The section on Aeronautical and Space Law shall take as its province the development and practical working of aeronautical law and the law of outer space in all their aspects.

The bylaw description sounded interesting but did not tell me much about the section or what it actually did. In short, the section was still a complete mystery to me. So I looked forward to the first meeting to find out what this section was all about with an eye toward the idea that MBC members may be interested in the meeting.

The meeting was eye-opening. Although, true to its name, the section addresses issues with respect to “outer space” and the laws addressing such things as the intellectual property rights with respect to satellites and transmissions from satellites, etc., it does a great deal more. The section spends a great deal of time addressing everyday issues with respect to “inner space” and the law regarding “Unmanned Aerial Vehicles” (UAVs), more commonly known as drones. Now, that seemed interesting from a recreational point of view, but I learned there are a vast number of applications for drones beyond recreation use and that an increasing amount of law is being developed in this area. The law is not only regulatory but impacts criminal and civil practices as well. Most importantly, the law with respect to drones is developing at a rapid pace.

There are federal and state laws and a few older local ordinances that apply to drone use. The federal laws vary as to the purpose that you or your client may intend to use the drone.

- If your clients wish to use drones for work or business purposes, your client is required to follow the requirements of the Federal Aviation Administration’s (FAA) Part 107 Small UAS Rule. This would require your client to pass the FAA Aeronautic Knowledge Test to obtain a Remote Pilot Certificate.
- To fly a drone for fun or pleasure you are required to follow the FAA’s recreational model aircraft rules and pay the appropriate fees pursuant to (FAA) Part 101. You must also comply with the airspace and latitude regulation and the rule that requires that your drone is within your line of sight while you are flying the drone.
- Government employees (federal and state) in the state of Pennsylvania must comply with FAA Part 107 or obtain a federal Certificate of Authorization.

Although the laws may vary as with the intended use, the FAA Modernization and Reform Act of 2012 Public Law 112-95), Extension, Safety and Security Act of 2016 (Public Law 114-190) and the Reauthorization Act of 2018 (Public Law 115-254) give a pretty good outline of the federal laws that apply to the use of drones. However, there are other laws such as the Federal Criminal Code in Title 18 and the Federal Aviation Statutes in Title 49 that may also apply.

Additionally, state laws such as Title 18 Sec. 3505, which makes it unlawful to operate a drone to intentionally or knowingly conduct surveillance of another person (i.e. spy, harass or intimidate) in a private place, operate in a manner that places another person in reasonable fear of bodily injury, or to deliver, provide, transmit or furnish contraband. Further, the Pennsylvania Department of Conservation and Natural Resources has determined that drones can only be operated in “designated flying sites” and only within the following states parks: Beltsville, Benjamin Rush, Hillman, Lackawanna, Prompton and Tuscarora state parks. Drone use is prohibited at all other state parks. Finally, to keep laws regarding the use of drones uniform within Pennsylvania, as of Oct. 12, 2018, the state has limited the regulation of drone by municipalities unless expressly authorized by the above-referenced statute.

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So, why should the members of the Minority Bar Committee (MBC) care about this section and the work it does? Well, the answer is very straightforward: because aeronautical and space law touches upon almost every aspect of our members’ practices and their personal lives. For the criminal practitioner, the use of drones and surveillance by law enforcement is becoming more mainstream and “drone crimes” such as private citizens spying on another person, are becoming more common under Act 78. For the civil practitioner, drones are used by various experts to prepare exhibits that demonstrate different views for the use at trial and hearings. For the estates and trust and zoning attorney, these issues are relevant as well because who owns the airspace above your property anyway and how far up do you own the space above your property? Furthermore, as drone technology improves and the use of drones increases in personal and commercial use, what rules and regulations will apply to drone use and which agencies will have authority over the drone and/or drone user? So, I guess regulatory and administrative practices are also impacted. Additionally, the general practitioner and corporate attorney may have to advise either individuals or commercial clients with respect to what they can and cannot do with drones.

Finally, you may want to be up on this area of the law if you plan to purchase a drone for your or someone else’s personal and recreational use. Failing to properly register the drone or to have the appropriate certificate to operate the drone could lead to fines and potential criminal proceedings. Also, failing to keep the drone within your line of sight could lead to potential civil liability if someone is injured by the use of the drone.

I am glad that this section was assigned to me because it opened my eyes to an area of law that is developing right around me and I had no idea that it even existed. So, I recommend that at the next Committee/Section Day, if you have the opportunity, drop by the Aeronautical and Space Law Section meeting. I am sure that you will find the meetings and topics as interesting as I did.

Wesley R. Payne IV, a partner inPhiladelphia’s White and Williams LLP and chair of its diversity committee, is the Zone One governor on the Board of Governors. A member of the PBA House of Delegates, Payne is active in the PBA Minority Bar Committee and a former chair of the PBA Military and Veterans’ Affairs Committee. Payne is the vice chancellor of the Philadelphia Bar Association, a member of the Barristers Association of Philadelphia, and past president of the Philadelphia Association of Defense Counsel. He is active in pro bono and civic activities. A cum laude graduate of Washington and Lee University, Payne received his J.D. from the University of Maryland School of Law. He served in the U.S. Army Judge Advocate General’s Corps from 1988 until 1991.
The Asian Pacific American Bar Association of Pennsylvania (APABA-PA) denounces the increase in racist attacks and xenophobic profiling against members of the Asian Pacific American (APA) community in the wake of the global coronavirus (COVID-19) outbreak.

Amid public fear and panic about the COVID-19 outbreak, there are increasing reports across the country of attacks targeting APA communities linked to racist assumptions about who has COVID-19. For example, in San Fernando, CA, a 16-year-old APA boy was physically attacked at school after being accused of having COVID-19 because he is an APA. In Plymouth, IN, two Hmong men were denied service at hotels due to the false assumption that they were Chinese and carrying COVID-19. In New York City and in Philadelphia, PA, APAs were physically and verbally assaulted in subway stations or trains, in incidents being investigated as COVID-19-related hate crimes. The fact that COVID-19 was first detected in Wuhan, China, has at times led to APAs being stereotyped as infected with the virus, and this racist assumption hurts APA communities all over the country. These and other racist attacks harm APA communities and the larger community by stoking animus between groups when it is important to be as cooperative as possible.

These violent incidents recall past attacks that have remained a permanent stain in U.S. history, including the 1982 murder of Vincent Chin, an American perceived by his killers as being part of the Japanese auto industry that was surging against the U.S. auto industry at that time. We must denounce anti-Asian bias and racial intolerance and stop it from becoming normalized.

As part of this effort, APABA-PA urges the media, elected officials and community leaders to help stop the spread of xenophobia and misinformation by only sharing confirmed and verifiable information pertaining to COVID-19, how it spreads and what actions we can take to ensure the best protection for everyone. In addition, APABA-PA encourages providing information about all measures that impact APA communities in multiple languages so that those with limited English proficiency are able to access important information in a timely manner. APABA-PA continues to encourage local efforts to curb xenophobia, such as city officials reminding the public that it is safe to support local APA-owned businesses to the extent possible while adhering to social distancing and quarantine rules, such as grocery and convenience stores, and takeout and delivery food services, and to support their APA neighbors.

COVID-19 is an important public health challenge that is also causing widespread economic harm. It does not discriminate by race. The harm caused by COVID-19 will be greater if we allow it to divide us, and eradicating the virus will depend on our ability to work together.

APABA-PA encourages anyone who encounters or witnesses attacks or harassment to report it to 911 immediately and request language assistance from law enforcement entities if needed. In Philadelphia, reports can be made to the Philadelphia Commission on Human Relations (PCHR) at 215-686-4670 or leave a voice message at the 24-hour hotline at 215-686-2856. Reports can be made anonymously. In Pennsylvania, reports can also be made to the Pennsylvania Human Relations Commission (PHRC) at 717-787-4410.

Founded in 1984, APABA-PA represents the interests of the APA law students, lawyers and judges and the APA community across the commonwealth of Pennsylvania by supporting the advancement of APA attorneys and promoting justice, equity and legal access, especially for all APA communities. APABA-PA routinely speaks out on legal issues that affect the APA community in Pennsylvania.