The 30-day period from Sept. 15, 2021 – Oct. 15, 2021 is the annual celebration of National Hispanic Heritage Month, an opportunity to focus on and observe the contributions of Americans with origins from Spain, Mexico, Cuba, Puerto Rico, the Caribbean and Central and South America. President Lyndon B. Johnson signed the National Hispanic Heritage Week bill into law in September 1968. Twenty years later, the bill was expanded into a month-long observance under Ronald W. Reagan. According to California Rep. Esteban Torres, an early supporter of efforts to extend the timeframe, “[w]e want the public to know that we share a legacy with the rest of the country, a legacy that includes artists, writers, Olympic champions, and leaders in business, government, cinema and science.”

We are also mindful that there is a gap in Hispanic representation in the bar, where Hispanic attorneys make up only 1.53% of the profession as compared to 7% of Pennsylvania’s overall population, according to data from the Pennsylvania attorney registration process and the U.S. Census. We encourage all of our attorneys to celebrate National Hispanic Heritage Month and seize this opportunity this month and always, to broaden the bar’s reach.

In Rep. Torres’ spirit, we seek to recognize the incredible accomplishments and contributions of our Hispanic jurists, some of whom are profiled here.

**Judge Julio Fuentes, Senior U.S. Circuit Judge on the Third Circuit Court of Appeals**

Prior to his federal service, Judge Fuentes worked as a judge in the Newark Municipal Court and then as a judge in the New Jersey Superior Court in Essex County. Born in Humacao, Puerto Rico, he moved with his family to New York and grew up in Toms River, New Jersey. He obtained his bachelor’s degree from Southern Illinois University and served in the U.S. Army from 1966-1969. He was honorably discharged with the rank of First Lieutenant. He earned a Master of Arts degree in Latin American Studies from New York University and his J.D. from the University of Buffalo Law School.

In 1999, President Bill Clinton nominated him to the Third Circuit Court of Appeals. He assumed his commission in 2000 becoming the first Hispanic American male appointed as a judge of the Third Circuit. Judge Fuentes, a former high school athlete, played football and wrestled. In 2006, Judge Fuentes was inducted into the National Wrestling Hall of Fame!

**Judge Luis Felipe Restrepo, U.S. Circuit Judge on the Third Circuit Court of Appeals**

Judge Restrepo is the former District Judge of the U.S. District Court for the Eastern District of Pennsylvania. Born in Medellin, Columbia, Judge Restrepo grew up in northern Virginia and became a U.S. citizen in 1993. He attended the University of Pennsylvania and Tulane Law School.

Judge Restrepo has a varied legal background prior to assuming the bench. He began his legal careers as a law clerk with the American Civil Liberties Union National Prison Project. He then served as an assistant public defender in state and federal court, first with the Defender Association of Philadelphia and then with the Federal Defender’s Office in the Eastern District of Pennsylvania. He had his own private practice and then because a U.S. magistrate judge.

In November 2012, President Barack Obama nominated Judge Restrepo to serve as a U.S. District Judge. Two years later, Obama nominated him to serve on the Third Circuit. Restrepo
Spotlighting Our Hispanic Federal Jurists

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began his commission on the Third Circuit in 2016.

Judge Restrepo also assists the profession by teaching. He taught trial advocacy at Temple University Beasley School of Law and the University of Pennsylvania Law School. He co-founded a re-entry program for individuals with violent criminal records returning home to Philadelphia. The program, referred to as Supervision to Aid Re-Entry or STAR, is meant to offer community, hope and a guide to resources for individuals starting out again after serving long prison terms.

Judge Juan R. Sánchez

Nominated by President George W. Bush, Judge Juan R. Sánchez was inducted to the District Court for the Eastern District of Pennsylvania on July 9, 2004. In 2018, he became chief judge, the first Hispanic Chief Judge in the court’s history.

Born in Puerto Rico, Chief Judge Sánchez moved to the Bronx, New York at age 12 where he learned to speak English. He credits his love of baseball for facilitating his transition to life in New York and teaching him the value of teamwork and discipline. The life and death of baseball legend and humanitarian Roberto Clemente helped Chief Judge Sánchez to envision his own future in service. He obtained his bachelor’s degree from the City University of New York City College, where he also played baseball. He attended the University of Pennsylvania School of Law where he received the Benjamin R. Jones Award for commitment to humanity and the law.

Chief Judge Sánchez earned a fellowship to work at Legal Aid of Chester County. He spent 14 years as a Chester County public defender. He was elected to the Chester County Court of Common Pleas in 1997.

From his early routes with Aspira Clubs, whose mission is “[t]o empower the Puerto Rican and Latino community through advocacy, education and youth leadership development,” Chief Judge Sánchez has been a role model and dedicated public servant.

Judge Nitza I. Quiñones Alejandro

Nominated by Pres. Barack Obama on Nov. 27, 2012, Judge Quiñones Alejandro was inducted to the District Court for the Eastern District of Pennsylvania on June 13, 2013. She interacted with other military families where hierarchies were based on military rank rather than socio-economic status. She later wrote, “I never would have predicted that someday it would matter in my professional and social interactions that I was a woman, that I was Latina or that I was gay.”

Judge Quiñones Alejandro graduated with a Bachelor of Business Administration with honors from the University of Puerto Rico. She studied law at University of Puerto Rico School of Law.

During a challenging first year of law school, she questioned her decision to pursue law school. Judge Quiñones Alejandro found her sense of purpose working part-time at a legal services clinic in San Juan. Following graduation, she accepted a position with Community Legal Services of Philadelphia where she spent two years before becoming an attorney advisor at the Social Security Administration. The Department of Veterans Affairs poached Judge Quiñones Alejandro, where she became the first female attorney in the office.

After spending more than 10 years with Veterans Affairs, Judge Quiñones Alejandro resigned to run for a position on the Philadelphia Court of Common Pleas. Political advisors suggested shortening her name of the ballot to eliminate “Quiñones” as a way to assimilate and seem “less Latina.” Judge Quiñones Alejandro refused to do so and won the election as an unconfirmed and unendorsed candidate. She became the first female Hispanic judge in the Commonwealth of Pennsylvania. When attorneys in her courtroom attempted to use her inexperience as a judge to run roughshod over opponents or her, she reminded them, “In my [courtroom], no one raises their voice above mine.”

In pursuing consideration for the federal bench in 2012, Judge Quiñones Alejandro made the decision to disclose her sexual orientation to the nomination committee. She was confirmed seven months later with the distinction of being the first openly gay Hispanic person to be confirmed to the federal bench. However, she wrote, “While I was, and always will be, proud of the fact that I am Latina, gay and a woman [], I had never defined myself by any of those characteristics.”
Andrea C. Farney is a founding partner of Triquetra Law, a plaintiff’s law firm in Lancaster, focusing exclusively on employment law, civil rights and appeals. Her employment practice concentrates on discrimination, retaliation and harassment cases, separation and severance agreements, unemployment compensation, and family and medical leave. She represents both public and private employees in all phases of litigation, administrative processes, alternative dispute resolution and appeal. She primarily practices in the Eastern and Middle Districts of Pennsylvania and is admitted in the Third Circuit and the U.S Supreme Court.

Deborah Winokur is Professional Responsibility and Compliance Counsel at Cozen O’Connor with the Legal Profession Services group, where she advises clients on risk management, ethics and professional responsibility issues.

### Pushing Forward: The Need for State-Based Protections Post-Bostock

By Brendan Bertig, Esq.

The Supreme Court recently held that the prohibition on sex discrimination in Title VII of the Civil Rights Act of 1964 includes discrimination based on one’s sexual orientation or gender identity (Bostock v. Clayton County, 2020). Because Title VII’s provisions set forth the framework within which most employers must make their employment-based decisions, Bostock represented a crucial outcome for LGBTQ individuals long exposed to barriers in the workplace. Given the court’s broad holding that one cannot “discriminate against a person for being homosexual or transgender without discriminating against that individual based on sex,” it would not be difficult to conclude that the employment burdens borne by the LGBTQ community were extinguished by the dictates of a single verdict (Bostock v. Clayton County, 2020). It would be equally easy to assume that because other federal laws contain sex-based protections in education, housing and healthcare, Bostock’s rationale extends without delay into these areas as well.

Unfortunately, this is not the case. It is true that Title IX of the Education Amendments Act of 1972 prohibits sex discrimination in federally funded education programs, just as the Fair Housing Act makes it unlawful to deny housing to individuals because of their sex (Gruberg, 2020). Section 1557 of the Affordable Care Act also contains such protections by incorporating Title IX’s sex discrimination provisions (Gruberg, 2020). It would be erroneous, however, to assume that all relevant stakeholders will interpret Bostock as bringing the sex-based mandates of each of these federal laws into conformity with its holding. To the contrary, while the case law strongly supports that result, opponents of LGBTQ equality have already initiated legal attempts to stall Bostock’s full and proper implementation (Human Rights Campaign Foundation [HRCF], 2020). The consequence of these strategies is straightforward: each application of Bostock to other federal statutes will likely require years of litigation.

Therefore, the inevitable delay in Bostock’s full application makes one thing clear: the Pennsylvania Legislature must sidestep opponents of LGBTQ equality by passing House Bill 300, which would update the Pennsylvania Human Relations Act (PHRA) to include protections for LGBTQ individuals in the areas of education, housing and public accommodations. Legislative action is especially important because, even once fully updated, existing federal protections do not outlaw sex-based discrimination in public spaces or for federally-funded services (HRCF, 2020). In other words, even when the dust has settled on the fight to apply Bostock to all relevant federal civil rights laws, Bostock is only capable of impacting those laws in which sex discrimination is already prohibited. The remaining gaps in these federal laws cannot be remedied through Bostock; they require the intervention of legislators committed to holistically promoting equality.

Key to that commitment is also understanding that even where federal protections do exist, state laws can provide even more expansive protections for LGBTQ individuals. Title VII, for instance, defines an “employer” as a person who has 15 or more employees (42 U.S.C. § 2000e(b)). The PHRA, on the other hand, provides broader employment protections

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by defining an “employer” as any person employing four or more persons (43 P.S. § 954(b)). Therefore, absent a change by lawmakers, the ability of LGBTQ Pennsylvanians to invoke legal protections counter-intuitively turns on the number of co-workers they already work with or are applying to join. Relatedly, failing to update the PHRA allows smaller, anti-equality employers to pass under the radar, even though it is precisely in these more insular environments that LGBTQ individuals are at risk of discrimination.

Despite the progress our Commonwealth has made toward accepting LGBTQ individuals, these intolerant environments persist. According to a recent report, more than one in three LGBTQ Americans faced discrimination in 2020, including roughly 62% of transgender Americans and 43% of LGBTQ people of color (Gruberg, 2020). When asked where these instances of discrimination occurred, “more than half ... said they experienced harassment or discrimination in a public place;” 36% responded that they were discriminated against in the workplace; 21% indicated discrimination in a school environment; and 20% reported discrimination in an apartment community (Gruberg, 2020).

No matter where it occurs, discrimination impacts the mental health of LGBTQ Americans. Predictably, one in two LGBTQ individuals report moderate or significant negative psychological impacts as a result of discrimination based on their sexual orientation or gender identity (Gruberg, 2020). Passing HB 300, which extends non-discrimination protections into the very spaces referenced above, gives legislators the ability to safeguard the emotional well-being of Pennsylvania’s LGBTQ citizens.

Further, by memorializing these protections in Pennsylvania law, legislators make our Commonwealth a more attractive place to live. At present, more than half of LGBTQ students live in states without statutory protections against sexual orientation and gender identity discrimination in education (Conron & Goldberg, 2020). Similarly, half of LGBTQ individuals live in states that do not statutorily prohibit such discrimination in public accommodations, while nearly half of LGBTQ adults live in states lacking statutory safeguards in the context of housing (Conron & Goldberg, 2020). By enacting fully-inclusive non-discrimination laws, Pennsylvania signals to residents, visitors and businesses that it genuinely values diversity and equity. In so doing, the Commonwealth promotes good policy and economic strength.

House Bill 300 must become law. Ever since its central location among the original 13 colonies, Pennsylvania has been known as the Keystone State — the stone on which the associated stones depend for support. As Pennsylvanians, we must recognize that like our Commonwealth, LGBTQ individuals are the keystone of an advancing society, representing the colorful array of diverse perspectives that animate our forward progress.

References


Bostock v. Clayton County (United States Supreme Court June 15, 2020).

Brendan Bertig works as the staff attorney for the PA Interbranch Commission for Gender, Racial and Ethnic Fairness, where he researches legal questions for, tracks legislation related to, and drafts reports on various Commission initiatives. Prior to joining the Commission, Brendan interned for the Allegheny County Public Defender’s Office, Fair Shake Environmental Legal Services and JFCS Immigration Legal Services. He also clerked for U.S. Senator Dick Durbin in Washington D.C., drafting legislation and preparing memoranda for the Senator’s Judiciary Committee staff. He graduated cum laude from the University of Pittsburgh School of Law in 2020.
2021 marks the 150th anniversary of the Chinatown Massacre of October 24, 1871. In remarks about the March 2021 shooting of Asian-American women at three Georgia massage parlors, many commentators mentioned that the violence against Asian-Americans is nothing new in the United States. Since the onset of the COVID-19 pandemic, the reported cases of anti-Asian violence incidents have surpassed 9,000. The conditions that existed in Los Angeles, California in 1871 bear some resemblance to this year. The total population of Los Angeles was less than 6,000, but with the completion of the transcontinental railroad in 1969, the movement of white people from the east foreshadowed demographic changes throughout California.

Los Angeles newspapers began to promote anti-Asian sentiments among their readers. As more Chinese railroad builders returned to the West Coast from their completed jobs in the mountains, newly arrived white labor was confronting the reality that Chinese were employed in many occupations due to the labor shortage that pre-existed the completion of the railroad. The Chinese population of Los Angeles was less than 200 and mostly concentrated in Old Chinatown.

Like other more developed Chinese-American communities, Los Angeles’ Chinatown had competing organizations engaged in business. On the day in question, two such organizations were involved in a violent confrontation in Chinatown. Hearing a gunshot, a local police officer ran out of the bar to investigate and was wounded in the process. A white civilian rendering him aid was also shot. The civilian eventually died from his wounds and rumors spread throughout the town that Chinese were on a killing spree of white people.

Shortly thereafter, a mob of a 500 people gathered in Chinatown, mostly Irish and Mexican, and began ransacking and pillaging homes and businesses. When the Chinese were securely hidden in their buildings, the mob tore holes in the walls to drag them out. Once the mob pulled the Chinese residents into the open, the rioters shot and hung 17 Chinese from the covered wagon, the corral gate beam, and an awning over the sidewalk. Two more Chinese residents were knifed to death, bringing the toll to 19. Of those murdered by the mob, only one was involved in the original altercation. The mob stole cash, jewelry and gold owned by the Chinatown residents and paraded the loot for all to see.

Although more than 100 people were indicted, only eight were convicted of violent crimes. Eight defendants appealed their convictions to the California Supreme Court and succeeded in having their convictions reversed in the case of People v. Crenshaw. The case set a precedent for persons indicted for killing Chinese residents in California when Crenshaw and the others left San Quentin as free men. So ended the largest mass lynching incident in U.S. history that is unknown by most Americans. Hopefully, the shootings of March 2021 will be understood in this broader historical context.

Tsiwen Law is an attorney and adjunct lecturer of Asian-American legal history, and a past governor-at-large of the Pennsylvania Bar Association.
First, But Not the Last: Judge Donald Hahn

By Ana Paulina Gomez. Esq.

Donald Hahn has several “firsts” under his belt: first Asian-American State College Borough Council member, first Asian-American mayor of State College and the first Asian-American district judge in Centre County.

When reaching those achievements, he did not think about the fact that he was the first minority to achieve those positions. “Oftentimes when you try to break barriers, it is without being conscious that you are... I wanted to be [in] borough council, I wanted to be mayor, and I wanted to be judge... being the first of whatever is incidental.” However, he admits that the older he gets, he recognizes more the importance of diverse representation.

Born in Bellefonte, Judge Hahn grew up in State College. Judge Hahn’s father, a South Korean, was a math professor at the Pennsylvania State University. His mother was from North Korea. Growing up Asian-American in State College was not always easy. Judge Hahn remembers being stared at in public places because he was different. He also remembers being called names due to his heritage. Despite these experiences, he was not deterred from achieving his goals.

Judge Hahn graduated from the Pennsylvania State University in 1987. Having an interest in politics since he was a teenager, he decided to attend the Villanova School of Law in 1992. Before becoming district judge, he practiced bankruptcy law before the U.S. District Courts for the Middle and the Western Districts of Pennsylvania and the U.S. Court of Appeals for the Third Circuit. Judge Hahn was board-certified in consumer bankruptcy law by the American Board of Certification (ABC) and was the only lawyer certified by the ABC in Centre, Clinton, Huntingdon and Mifflin counties. He was also a member of the American Bankruptcy Institute and the National Association of Consumer Bankruptcy Attorneys.

After law school, Judge Hahn returned to State College with the goal to, at some point, run for office. He started his political career by serving on the State College Community Development Block Grant Citizen Advisory Committee, the Community Land Trust Board of Directors and the Planning Commission. His first campaign for Borough Council resulted in him serving three terms. In the last two elections, in 2005 and 2013, he won by over 1000 votes each time. Due to term limits, he was unable to run for reelection. However, in 2017, the State College mayor decided that she was not going to run for reelection. At that time, Judge Hahn decided to run for mayor. This campaign was different. “During the three times I ran, I never mentioned my heritage. I think my philosophy was that I wanted to build up my credentials in a color-blind way... But I have to say that when I ran in 2017 for mayor, the political climate became more hostile to diversity.” At the time, immigration fueled hostility. It was that hostility that energized Judge Hahn’s own appreciation for what his parents experienced as immigrants: “their love for this country but also the difficulty of leaving their home and comfort zone in order to try to make a better life for their family.” When he ran for mayor, he wanted to project State College as “a welcoming community.”

In 2019, another opportunity to run for office knocked on the door. The district judge for the Borough of State College and the Campus of the Pennsylvania State University retired. Judge Hahn seized the opportunity to run for office and easily won. Although he took office at the beginning of the pandemic, Judge Hahn’s transition was both smooth and successful. He increased the number translators in the court system, supported mediation in landlord/tenant cases and backed restorative justice.

While society has changed since his childhood in State College, Judge Hahn knows that racism continues to exist, albeit more covertly. While people are respectful and polite towards him, he is aware that “there are quite a few people who do not see me as a legitimate judge because of my race.” One way to fight racism is to treat each other with respect. “When someone acts disrespectfully for the sake of honesty, it encourages others to act the same way.” Judge Hahn hopes that, as a society, we can stand up when we witness racism or injustice. “I think it

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is important to recognize that when someone is being attacked and no one stands up, it is very easy to feel alone... to feel isolated.” He encourages minority attorneys who experience racism to reach out to other minority attorneys who understand their experiences and can lend support and guidance. His advice is not to let ignorant or racist comments and/or actions deter minorities from their goals or from being who they are.

Judge Hahn believes diversity and access to different opinions is essential. “Ultimately, I am a child of Central Pennsylvania, but my Korean heritage gives me a different perspective and I am appreciative of it. There is a different perspective.”

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 Yvette Cane, U.S. District Court for the Middle District of Pennsylvania. She was a senior editor for the Penn State Environmental Law Review and was 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.

First, But Not the Last: The Honorable Donald Hahn
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As this year progresses, our world continues to change. We are still navigating the pandemic in a virtual world. The pandemic and the COVID-19 vaccine dominate the headlines. However, we cannot let our outcry of #BlackLivesMatter and #SayHerName stop during these unprecedented times. 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 today. The following summary is intended to provide a brief status update on some of the more high-profile cases in recent time.

George Floyd – May 25, 2020

“I can’t breathe ... I can’t breathe!” These were the last words of George Floyd. On May 25, 2020, George Floyd was murdered by Officer Derek Chauvin in Minneapolis, Minnesota.

Prior to the murder of Floyd, it was reported that Floyd purchased cigarettes from a neighborhood store using suspected counterfeit money. In response, the neighborhood store called 911 and informed the police that it was their belief that Floyd had made a purchase with counterfeit money. Subsequently, the police arrived. Viral video footage showed Floyd being arrested and pinned to the ground by Chauvin. Video footage further shows Chauvin kneeling on Floyd’s neck while Floyd was pinned on the ground. Bodycam and cellphone footage revealed Chauvin kneeling on Floyd’s neck for approximately eight minutes and 46 seconds, as Floyd repeatedly said, “I can’t breathe.” Cellphone footage also showed Floyd calling out for his mother who had passed away approximately two years prior to this incident. Unfortunately, Floyd’s

#BlackLivesMatter & #SayHerName

By Anthony D. Cox Jr., Esq.
cries for help and air were not answered and he was murdered with Chauvin’s knee on his neck.

The murder of Floyd rightfully led to public outrage. Citizens from all 50 states responded by protesting peacefully and seeking justice. On April 20, 2021, a jury convicted Chauvin on state charges of second-degree unintentional murder, third-degree murder, and second-degree manslaughter. He now faces federal charges for violating Floyd’s civil rights. Community rallies continue to force even more investigations into Officer Chauvin’s past conduct. He is currently facing an indictment related to allegations that he carried out similar acts against a 14-year-old boy back in 2017. We will continue to monitor the federal portion of this matter and the new pending indictment regarding allegations arising from 2017.

Breonna Taylor-March 13, 2020

On March 13, 2020, Breonna Taylor was fatally shot by Louisville Police Department in her own apartment. The Department executed a no-knock search warrant at Taylor’s home. The department was targeting two other men that they believed associated with Taylor’s boyfriend. The officers allegedly suspected that Taylor’s boyfriend, Kenneth Walker III, was receiving packages containing drugs from the two men.

When the officers entered, a gunfire exchanged occurred when Taylor’s boyfriend believed the officers were intruders. The officers opened fired with more than 20 rounds, hitting objects in the living room, dining room, kitchen, both bedrooms, etc. Taylor was shot eight times and pronounced dead at the scene. No drugs were found in the home.

Sadly, the officers that murdered Breonna Taylor have yet to receive any charges. In fact, in September 2020, officials decided the officers would not be charged with the murder of Breonna Taylor. Citizens continue #SayHerName, but justice has yet to say Breonna Taylor’s name.

Despite the lack of justice thus far, our community continues to rally. Our community continues to #SayHerName. While justice has yet to prevail in this case, the Smithsonian Institution Museum found its own way to honor Taylor’s memory. The Smithsonian will feature a painting of Breanna Taylor at the museum.

See Smithsonian Museum Exhibit.

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.” While we are nowhere near where we strive to be, these police brutality cases have shown that we are no longer willing to be silent. Say it with me: #BlackLivesMatter and #SayHerName.

These awkward and uncomfortable conversations with our peers are more important than ever right now. It is further important that we continue to use our voices, hold public officials accountable and advocate for change. #BlackLivesMatter #SayHerName.

Anthony D. Cox Jr. is an associate attorney at Dickie, McCamey & Chilcote, P.C. He concentrates his practice in the areas of commercial litigation, insurance bad faith litigation, professional liability, professional malpractice and tort defense, with a particular emphasis in civil litigation and professional and occupational licensure defense. Prior to joining the firm, Cox 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 as well as a student law clerk to President Judge Mary Hannah Leavitt of the Commonwealth Court of Pennsylvania. Anthony is a prior recipient of the Minority Bar Association Rising Star Award. Currently, Anthony serves on his firm’s Diversity Committee and takes pride and striving to diversify the legal profession.
Jumping Silos

Lawyers Concerned for Lawyers Pennsylvania (LCL-PA):
Confidential help for attorneys, judges, family members and law students who may need it

By Wesley R. Payne IV, Esq.

Normally, this column is a bit light-hearted and addresses other committees and sections in the Pennsylvania Bar Association (PBA) from the perspective of a member of the Minority Bar Committee (MBC) who participates in the other committee or section and explains how you can become more active in those groups as an MBC member. But this time around, I want to use this space to make you aware of an essential mental health benefit available to all attorneys, judges, family members and law students available through Lawyers Concerned for Lawyers Pennsylvania (LCL-PA). All services of LCL-PA are 100% confidential, voluntary, and free of charge.

At the onset of the pandemic, most attorneys were too busy with the effects of the pandemic to worry about themselves or how the pandemic may impact their mental health. I doubt many of us even gave LCL-PA a thought. As you may recall, we all thought the pandemic was only going to last for a few weeks or may be a few months max. Then we would return to normal or at least what we considered “normal.” However, as the pandemic drags on and there seems to be no end in site, many have accepted isolationism and lack of human interaction as something that is a part of the new “normal.” However, I implore you not to feel as if you must face this alone. Taking care of your mental health and sanity is key to getting past and beyond the pandemic. LCL-PA is available to help you if, and when, you need it.

LCL-PA developed a 62-page COVID-19 Mental Health Resource Guide discussing the confidential services offered by LCL-PA. The guide is updated regularly and can be found on LCL-PA’s website at www.lclpa.org. The guide covers topics like:

• General Coronavirus (COVID-19) Information and Updates
• Confidential Helplines
  - Lawyers Concerned for Lawyers of Pennsylvania Lawyers Confidential Helpline
  - Judges Concerned for Judges of Pennsylvania Judges Confidential Helpline
  - The National Suicide Prevention Lifeline
• Free CLEs on the following topics:
  • The Impaired Lawyer: A Call to Action
  • Coronavirus and Your Mental Health: A Lawyer’s Guide to Coping with Isolation, Anxiety and Fear in Uncertain Times
  • Your Time to Thrive: A Journey to Wellness in the Legal Profession
  • Coronavirus and Your Mental Health
  • No One Makes It Out Unscathed: The Effects of Personal Trauma and Stress On Our Lives
  • Attorney Licensure and the Impaired Professional
  • Don’t Give Up Five Minutes Before The Miracle (LexVid & Lawline)
  • Intervention Strategies for Helping Legal Professionals
  • Staying Mentally Safe, Sound and Sober during COVID-19
  • General Lawyer, Judge and Law Student Well-Being During & After the Public Health Crisis
  • Transitioning Back to the Workplace & In-Person Interactions
  • Skills & Techniques to Help Cope with Pandemic and Work-Associated Stress
  • Stress, Anxiety, Depression, Trauma, PTSD, Burnout & Fatigue During and Related to the Public Health Crisis
  • Alcohol and Other Substance Use During the Pandemic

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• Nutrition and Eating Disorders During the Pandemic
• Supporting Others During the COVID-19 Crisis

Additionally, there are topics addressing the effects of racism on mental health, the trauma caused by racism and BIPOC and LGBTQ+ mental health issues. LCL-PA not only keeps current with pandemic-related issues but also existing social stressors that exist may impact an attorney’s mental health and well-being. The goal of LCL-PA is to assist attorneys, judges, family members, and law students in an open and inclusive manner. Seeking help is not a bad thing. If you need to speak with someone or know of an attorney that may need to speak with someone, remember the services offered by LCL-PA.

Wesley R. Payne IV, a partner in Philadelphia’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.

Welcome New Members

The PBA Minority Bar Committee welcomes its new members who have joined since April 2021.

- Sophia Al Rasheed, Fair Shake Environmental Legal Services, Pittsburgh
- Christine BienAime, UPMC Pinnacle, Harrisburg
- Shalisa Brunson, Philadelphia Legal Assistance, Philadelphia
- Micah Bucy Hawke, McKeon & Snicas LLP Harrisburg
- Jasmine Butler, CGA Law Firm York
- Jacqueline Carter, Office of Chief Counsel, Pennsylvania House of Representatives Harrisburg
- Keion Cook, Philadelphia Da’s Office, Philadelphia
- Melissa Davis, Southeastern Transportation Authority, Philadelphia
- Yulier Gonzalez, Philadelphia
- Andrew Green, Norristown
- Taryn Hardy, Santicola Steele & Fedele, Beaver
- Spencer Hill, Ballard Spahr LLP, Philadelphia
- Riquan King, Woodstown, NJ
- Quamaine Montgomery, Carlisle
- Alexandra Morgan-Kurtz, Pennsylvania Institutional Law Project, Pittsburgh
- Oderah Nwaese Faegre, Drinker Biddle & Reath LLP, Philadelphia
- Jaevan Owens, Wilmington, DE
- Vinanti Pandya, Carlisle
- Johnnie Peace, Silver Spring, MD
- Robert Repko, Repko Law LLC, Doylestown
- Simone Washington, Willow Grove
- Tamika Washington, Law Office of Tamika Washington, Philadelphia
- Roxanne Zhilo, Greenblatt Pierce Engle Funt & Flores LLC, Huntingdon Valley
MINORITY BAR ACTIVITIES

Come One, Come All!

By Marisa Lattimore, Esq.

On Oct. 7-8, 2021, we held one of our signature events virtually, the 31st PBA Minority Attorney Conference. For the first time ever, we had a sports panel with two Hall of Famers—Maurice Cheeks and Franco Harris. Our keynote speaker was Lt. Governor John Fetterman, and our A. Leon Higginbotham Award winners were the Honorable Carolyn Nichols and the Honorable Theodore McKee. The conference co-chairs were Marisa Lattimore, Gina Thomas and Rhodia Thomas. Our subcommittee members are the Honorable Stephanie Domitrovich, Carlton Johnson, Tsiwen Law, Wesley Payne, Michael Sand, Jessie Smith, Jackie Martinez and Su Ming Yeh.

A. Leon Higginbotham Jr. Lifetime Achievement Award Recipients:

There were many interesting and engaging panels:

- **Environmental Issues Affecting Minority Communities:** Gina Thomas, Esq. moderated the panel, which included Diane Stares, Esq.; William Cluck, Esq. and Cecil Rodriguez.

- **Financial Recovery: How Do Businesses Recover from COVID-19:** Tsiwen Law, Esq. moderated the panel that included Judge Renee Cardwell Hughes and Narisa Sasitorn.

- **Professional Athletes and Social/Criminal Justice Reform:** Tom Kline, Esq. moderated the panel that included Maurice Cheeks, Franco Harris, Riley Ross III, Esq., Reginald Wilkes and Judge Dwayne Woodruff.

- **Marijuana Update:** Carlton Johnson, Esq. moderated the panel that included Tauhid Chappell, Cherron Perry-Thompson and Patrick Nightingale, Esq.

- **Jury Source Lists and the Perception of Justice: Increasing Representativeness:** Judge Stephanie Domitrovich moderated the panel that included Cheryl Austin, Judge Cathy Bissoon, Judge Lucretia Clemons and Lisette McCormick, Esq.

- **Can We Rule Out Harassment and Discrimination in the Practice of Law?** Wesley Payne IV, Esq. moderated the panel, which included Jenifer Coatsworth, Esq.; Jay Silberblatt, Esq.; Victoria White, Esq. and Thomas Wilkinson Jr., Esq.

Continued on page 12
We hope you were able to attend our Minority Attorney Conference. If not, there is always next time!

On July 28, 2021, the Pennsylvania Legal Aid Network celebrated its 2021 Martin Luther King, Jr. (MLK) Summer Intern Class with a virtual recognition reception. The summer internship program, managed by Arlene Marshall-Hockensmith, our newsletter editor-in-chief, is designed to increase racial and ethnic diversity in Pennsylvania legal aid programs. In addition to the remarks of each intern, President Judge Kim Berkley Clark, PLAN Board President, and featured speaker, the Honorable Joanna McClinton, shared some wonderful words of encouragement and support for the next generation of attorneys. Gabrielle Francis, a first-year law Widener Commonwealth Law School student, spoke on the behalf of the 2021 class. The reception video is available on the PLAN website at: https://youtu.be/w0N0U71_zBk n. The latest edition of the PLAN MLK Internship and Fellowship Program Newsletter is available at Summer-2021-MLK-Newsletter.pdf (palegalaid.net). PLAN is now accepting applications for its 2022 MLK Summer Internship Program. Additional information and application instructions can be found here: https://palegalaid.net/internships-fellowships.

MBC co-chairs Anthony Cox and Su Ming Yeh, Vice-Chair Shelley Smith and Secretary LaToya Bellamy keep our committee going strong despite the obstacles presented by the COVID-19 pandemic. Our MBC leadership, subcommittee chairs and our committee members do the hard work that make our MBC the fantastic committee it is today.

Our Legislative Subcommittee, co-chaired by Tsiwen Law and Brenda Marrero, keeps us up-to-date on legislative issues, bills and laws that affect minority communities and our PBA community at large.

Our newsletter editor-in-chief, Arlene Marshall-Hockensmith, works hard to get our illustrious newsletter out on time. The editorial staff includes Wesley Payne, Jumping Silos column; Ana Paulina Gomez, The First But Not Last column; Anthony Cox, The #Black Lives Matter/#Say Her Name column; and Marisa Lattimore, Minority Bar Activities column. Maraleen Shields focuses on the Rising Star Program that recognizes the outstanding achievements and accomplishments of rising MBC members in her column.

The Membership Subcommittee is co-chaired by Sharon Lopez, Ana Paulina Gomez and Jacqueline Martinez. Our MBC continues to grow and gain momentum as we acquire new members each month.

Due to the pandemic, our Minority Law Day programs are on hold. We keep our fingers crossed that we will be able to continue the programs soon. The co-chairs of our Central Pennsylvania Minority Law Day are Roberto Tomas Datorre and Rachel Hadrick. Our Pittsburgh Minority Law Day co-chairs are Imogene Cathey and Verdell Dean. Nigel Scott chairs our Philadelphia Minority Law Day. The students are just as eager as us to resume our Law Day programs.

Our Outreach Subcommittee is co-chaired by Raphael Castro and E. Nego Pile. As the world begins to reopen, we look forward to this subcommittee’s work within our communities.

Our Diversity Summit is gearing up for the fall of 2022. The co-chairs of the subcommittee are Anthony Cox Jr., Andrea Farney, Beverly Rampaul, Mike McDonald, Jada Greenhowe and Jay Silberblatt.

Michael Sand is our liaison to the Diversity, Equality and Inclusion Team. Brandon Jordan is our liaison to the Young Lawyers Division.

As you can see, our committee and subcommittees are always busy with lots of engaging, educational and informative activities. There is something for everyone! If you are not already a member of the PBA and our MBC, please join us today. As Mahatma Ghandi said, “Be the change you want to see in the world.”

Marisa Lattimore is counsel for Super Bakery, concentrating on trademarks. She served as manager of diversity and professional development initiatives for Wolf Block LLP. She served for the Supreme Court of Pennsylvania for many years for Chief Justice Robert Nix, Chief Justice John Flaherty and Chief Justice Stephen Zappala.
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PBA Minority Bar Committee Mission Statement
The mission of the Minority Bar Committee of the Pennsylvania Bar Association is to assure full and equal participation of minorities in the PBA, the legal profession and the justice system in general.