2011 and 2021 were historic election years for African American judges in Pennsylvania. In 2011, Judge Cheryl Austin was the first African American woman elected to the Court of Common Pleas of Montgomery County. The fact that it took until 2011 to elect a Black female judge in Montgomery County speaks to the significance of this election. We take note of this historic moment and congratulate Judge Austin on becoming the first Black woman judge on the court. We also congratulate her on her recent retirement from the bench in December 2021.

In 2021, Judge Lori A. Dumas was elected to the Commonwealth Court of Pennsylvania. As we know, Commonwealth Court elections are statewide and the fact that she is only the second Black woman to be elected to this court deserves our recognition and congratulations.

Also in 2021, four African Americans were elected to the Court of Common Pleas of Allegheny County, an astonishing and incredible feat. We congratulate Judge Nicola Henry-Taylor, Judge Elliot Howsie, Judge Tiffany Sizemore and Judge Wrenna Watson. As we celebrate the election of these judges, it is also important that we recognize the historical significance of four African American judges elected in one county, let alone Allegheny County, in one year.

We seek to recognize the incredible accomplishments of these African American jurists profiled here.

**Judge Cheryl Austin**

In 2011, Judge Cheryl Austin became the first African American woman elected to the Court of Common Pleas of Montgomery County. She served in the U.S. Navy for 24 years, retiring with the rank of captain. Upon obtaining a law degree, she became a staff attorney for the Ohio Supreme Court. She subsequently joined the Montgomery County District Attorney’s Office, where she served as assistant district attorney for two years. She became a solo practitioner where she handled elder law, criminal defense and estate resolution cases before sitting on the bench.

**Judge Nicola Henry-Taylor**

Elected to the Court of Common Pleas of Allegheny County in 2021, Nicola Henry-Taylor served as a law clerk to several judges, including the Honorable Justin Johnson of the Superior Court of Pennsylvania, the Honorable Charles Alexander of the Court of Common Pleas of Clarion County and the Honorable Thomas Doerr, of the Court of Common Pleas of Butler County. She subsequently worked for the District Attorney’s office of Allegheny County. She joined the law firm of K & L Gates for three years before starting her own law firm. She served as the diversity director for Duquesne University School of Law; commissioner on the Allegheny County Human Relations Commission; and the Allegheny County Bar Association Ad hoc Committee to Examine Police Use of Force and Court Rules for Bail, Probation and Incarceration.

**Judge Elliot Howsie**

Elected to the Court of Common Pleas of Allegheny County in 2021, Judge Elliot Howsie worked as an intern for the Public Defender’s Office and Neighborhood Legal Services of Allegheny County while he was a student at Duquesne University School of Law. He clerked for the Honorable Justin Johnson of the Pennsylvania Superior Court. For five years, he served as an assistant district attorney for the

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The Historic Judicial Elections of 2011 and 2021
Continued from page 1

Allegheny County District Attorney’s Office. After leaving the Allegheny County District Attorney’s Office, he started his own law firm and worked as a sole practitioner, specializing in criminal law and personal injury cases. On March 19, 2012, he was appointed Allegheny County’s first African American chief public defender. In 2019, he was unanimously confirmed by the Pennsylvania Senate to a seat on the Court of Common Pleas of Allegheny County.

Judge Tiffany Sizemore

Elected to the Court of Common Pleas of Allegheny County in 2021, Judge Tiffany Sizemore served as a public defender in Allegheny County for over two years as head of the Juvenile Division. She was a full-time professor at Duquesne University School of Law, where she developed the Youth Advocacy Clinic. She also engaged in policy and advocacy work related to juvenile court reform, statewide and nationally.

When asked for reflections on her historic win, Judge Sizemore shared, “I am honored and humbled to be a part of this class of historic judges and to serve alongside these highly talented women and men. Allegheny County elected a class of judges who are reflective of the people it serves, and I will never take the support of those citizens for granted. I look forward to continuing a career of public service.”

Judge Wrenna Watson

Elected to the Court of Common Pleas of Allegheny County in 2021, Judge Wrenna Watson served as a Judge of the Pittsburgh Magistrate Court for almost thirty years. She was a hearing examiner for the Liquor Control Board. She served as the chair of the Pittsburgh Planning Commission and Zoning Board of Adjustments. She also sat as a Civil Commitment Hearing Officer for the court. Her father, the Honorable J. Warren Watson, was elected in 1965 and was one of the first African American judges in Allegheny County.

Judge Lori A. Dumas

Elected to the Court of Common Pleas of Allegheny County in 2021, Judge Dumas served as a judge on the Court of Common Pleas of Philadelphia for almost 20 years, since 2002, presiding over family, criminal and civil cases. She sits on numerous boards and is active in several community organizations such as the National Council of Juvenile and Family Court Judges, Penn’s Village, the Mann Center, the Forum of Executive Women, Alpha Kappa Alpha Sorority, Incorporated and the Links, Incorporated.

PBA Annual Meeting
May 11-13, 2022

Thursday, May 12
Minority Bar Committee Meeting • 2:30 to 4 p.m.

For more information, see the brochure:

Hershey Lodge, Hershey, PA

ONLINE REGISTRATION:
To attend in person, REGISTER HERE.
To attend Committee/Section Day by teleconference, REGISTER HERE.
Simply reciting all the accomplishments and awards amassed by Superior Court Judge Justin Johnson during his life only gives a partial picture of who, to many, was a formal and somewhat inscrutable man. I was privileged to be introduced to him and his family in my young teens. My mother was his children’s kindergarten teacher. Given my early interest in politics and, perhaps law, I vividly remember meeting with him and his father, Oliver Johnson. They introduced me to state representative, then House Majority Leader K. Leroy Irvis, who subsequently hired me for summer work, then appointed me to be his legislative assistant in 1975 and 1976. After insisting that I depart for law school, Representative Irvis thereafter assigned me a host of projects. All the while, Judge Johnson kept a watchful eye and counseled me. Since our initial meeting 53 years ago and my 45-year law career, he remained the best of examples, a mentor and supporter who instilled in me the importance of public service in the law.

Born on Aug. 19, 1933, Judge Johnson passed on Oct. 29, 2021, leaving behind an impeccable legacy. Born into a prominent family, his father was one of the few African Americans to attend Harvard Law School. After a stint in the US Air Force as an aircraft commander and then a major, Judge Johnson earned his law degree in 1962 from the University of Chicago. He then joined his father and older brother, Livingstone, in the law practice of Johnson, Johnson & Johnson located first in Pittsburgh’s Hill District.

Next, he served as a solicitor for the Pittsburgh public schools and was subsequently hired as a partner with the prominent law firm of Berkman, Ruslander, Pohl, Lieber & Engel. Both Judge Johnson and his brother, Oliver, were elected to the bench. He was appointed to the Superior Court in 1980 and retired in 2007. His brother Livingstone retired from his long term on the Allegheny County Court of Common Pleas in 1997.

One could easily see the influence the military had on Judge Johnson, given his ramrod-straight stature and rigid formality, which was always evident, except, perhaps, to his closest friends who knew his humorous side. He thought deeply before he spoke on any topic or responded to any question. I always felt that I was seated at the feet of an oracle.

He won a host of civic awards for civil and human rights and served on the boards of trustees for Mercy Hospital, Southside Hospital, United Way, Princeton Theological Seminary and Carnegie Mellon University. In 1969, the Pennsylvania Supreme Court appointed Judge Johnson to the Pennsylvania Board of Law Examiners, the first African American to hold this position. He remained on the board for over 20 years and served as the chairman for six years.

A devout man, he navigated life’s highs and lows as he was preceded in death by a son who tragically died in a car accident on his way to a ceremony where he was to be celebrated as a young, up-and-coming Atlanta-based professional. His passing led to Judge Johnson’s battle with depression. Turning inward for the rest of his life, he was faithfully tended to by his wife, Florence. Judge Johnson leaves behind his wife and two adult children.

What cannot be ignored is his legacy of fostering and advancing the careers of young lawyers. A perhaps not-so-good example of a lawyer whose career he fostered involved a lawyer who strayed from Judge Johnson’s studied and polite approach at a critical point in his judicial career. In the early 1980s, Judge Johnson ran for a Superior Court position on both ballots. A legal challenge was filed with respect to his Republican nomination petitions. Judge Johnson could have selected any of the established election lawyers in Pennsylvania. Instead, he went with an untested, unproven lawyer.

The case came before the Pennsylvania Supreme Court. When Judge Johnson’s lawyer stood to speak, Chief Justice Nix harshly reprimanded him on his method of service. The lawyer’s aggressively responded, “So what would you have wanted me to do? Take a hammer and attach our pleading to a tree in front of the State Capitol? Would that have satisfied you?” This elephant gun style approach, while successful, could not have been more...
The Chinese Exclusion Act and Professor Amy Wax

By Tsiwen Law

This April 2022 will mark 140 years since Congress’ enactment of the Chinese Exclusion Act of 1882. The Act specifically prohibited the immigration of Chinese laborers to the U.S. in blatant contradiction of the Burlingame Treaty of 1868, which the United States had signed with the Chinese government to assure “the free migration and emigration of their citizens and subjects respectively from one country to the other for the purposes of curiosity or trade, or as permanent residents.” Chae Chan Ping v. United States, 130 U.S. 581 (1889). No parallel exclusion was ever placed on Americans who immigrated to China.

Only a dozen or so years before, the same Chinese laborers were recruited to cross the Pacific Ocean to build the transcontinental railroad across some of the most treacherous mountains in California and Nevada. Their skills with dynamite and navigating mountainous terrain were in great demand. By the time of the Exclusion Law, Chinese workers had laid railroads all over the West, including from the state of Washington to southern California.

Only seven years before, Congress passed its first major immigration law to exclude Asian immigrants in the form of the Page Act of 1875. While the Page Act specifically excluded Asian women and Chinese laborers who immigrated as indentured servants and workers, the Chinese Exclusion Act of 1882 broadened the coverage to all Chinese laborers, regardless of their contractual status. In Chae Chan Ping v. U.S., supra, the Supreme Court explained the need to restrict immigration of the “industrious and frugal” Chinese laborers as having a competitive edge over white workers: “Not being accompanied by families, except in rare instances, their expenses were small; they were content with the simplest fare, such as would not suffice for our laborers and artisans. The competition between them and our people was for this reason altogether in their favor, and the consequent irritation, proportionately deep and bitter, was followed, in many cases, by open conflicts, to the great disturbance of the public peace.” 130 U.S. at 595. The court ignored the fact that Chinese women were precluded from immigration under the Page Act, both by the U.S. commissioner of the port in China and the customs official in the U.S. The absence of families was a result of Congress’ exclusionary law, but the court blamed Chinese laborers for not having their families in the U.S. In fact, the Chinese laborers had families in China to whom they sent money regularly.

Because the wives of Chinese laborers were prevented from immigration under the Page Act, Chinese men would go to China to visit their families and obtain a certificate of re-entry.
to assure their legal return to the United States and resumption of domicile here. The certificates established their residence in the United States before the passage of the Chinese Exclusion Act.

As if the Exclusion Act were not restrictive enough, six years later, Congress passed the Scott Act to bar the re-entry of Chinese who were returning to the United States, even when they had a certificate of re-entry. Under the Scott Act, all the certificates of entry proving that Chinese laborers resident in the United States on or before Nov. 17, 1880, became invalid. These certificates only applied to Chinese residents in the United States. As a holder of a valid re-entry certificate, Chae Chan Ping challenged the Scott Act and was denied by the U.S. Supreme Court on the grounds that the Chinese Exclusion Act was a sovereign exercise of the government to protect its borders: “The power of exclusion of foreigners being an incident of sovereignty belonging to the government of the United States ... cannot be granted away or restrained on behalf of any one ... Whatever license, therefore, Chinese laborers may have obtained previous to the Act of 1888, to return to the United States after their departure, is held at the will of the government, revocable at any time, at its pleasure.” The decision’s effect was to divest many Chinese laborers of their residence and belongings in the United States.

The court made amply clear that exclusion based on race was an acceptable choice by Congress: “If, therefore, the government of the United States, through its legislative department, considers the presence of foreigners of a different race in this country, who will not assimilate with us, to be dangerous to its peace and security, their exclusion is not to be stayed because at the time there are no actual hostilities with the nation of which the foreigners are subjects.” Ping, 130 U.S. at 606. The Chinese Exclusion Act was the forerunner to numerous other congressional acts which expanded to exclude immigrants from all Asian countries in what became known as the “Asiatic Barred Zone” of 1917. The Chinese Exclusion Law remained in place until 1943 when it was repealed to allow Chinese residents to return to the United States after their departure, is held at the will of the government, revocable at any time, at its pleasure.” The decision’s effect was to divest many Chinese laborers of their residence and belongings in the United States.

The court made amply clear that exclusion based on race was an acceptable choice by Congress: “If, therefore, the government of the United States, through its legislative department, considers the presence of foreigners of a different race in this country, who will not assimilate with us, to be dangerous to its peace and security, their exclusion is not to be stayed because at the time there are no actual hostilities with the nation of which the foreigners are subjects.” Ping, 130 U.S. at 606. The Chinese Exclusion Act was the forerunner to numerous other congressional acts which expanded to exclude immigrants from all Asian countries in what became known as the “Asiatic Barred Zone” of 1917. The Chinese Exclusion Law remained in place until 1943 when it was repealed to allow Chinese residents to apply for United States citizenship. In 1965, Congress passed the Immigration and Nationality Act, which changed the quotas for immigration from race and nationality to hemispheres from which people immigrated. In 2012, Congress passed a statement of regret for the 70 years of racist exclusion laws.

Recently, University of Pennsylvania Law School Professor Amy Wax publicly stated that the United States would be better off with fewer Asian Americans, to whom she attributes certain traits: “We can speculate (and, yes, generalize) about Asians’ desire to please the elite, single-minded focus on self-advancement, conformity and obsequiousness, lack of deep post-Enlightenment conviction, timidity toward centralized authority (however unreasoned), indifference to liberty, lack of thoughtful and audacious individualism, and excessive tolerance for bossy, mindless social engineering, etc.” (Wax’s written reply to Glenn Loury Show listener George Lee, Jan. 2, 2022)

These same stereotypes were applied to Chinese laborers in Senate hearings to support the Chinese Exclusion Act and denial of the right of U.S. citizenship: “They are morally and intellectually incapable, I think ... they have some mental capacity; they are quick in some things; but it seems to me that ingrained into the race for generations is certain qualities of mind which incapacitate the present generation from ever acquiring that sort of knowledge which it is necessary to have for any useful exercise of the elective franchise.” (remarks of former California Governor Haight, U.S. Senate Report 689, Feb. 28, 1877, p. 292)

Prof. Wax’s remarks in support of race-based exclusion of Asian immigrants are only the rantings of a white supremacist in the ivory tower when you ignore the exclusionary laws effect of divesting Chan Chae Ping and thousands of others of their residence and belongings. In the decade following the Chinese Exclusion Act, Congress passed the Geary Act to require only Chinese residents to obtain a certificate proving residence in the United States before the Act’s enactment date. Those Chinese laborers unable to obtain the certificate were subject to deportation and hard labor. The Geary Act was upheld by the Supreme Court in Fong Yue Ting v. U.S., 149 U.S. 698 (1892) using the same rationale espoused in Chae Chan Ping. Tens of thousands of Chinese laborers were unable to obtain certificates because they had to be signed by a “credible white person.” They were effectively expelled from the United States for not having a certificate, not required of any other race or ethnicity.

Only by divorcing the effects of massive racial exclusion and expulsion of Chinese laborers can Wax’s remarks be considered mere rants in the ivory tower protected by academic freedom. Given the long history of the Chinese Exclusion Laws in the United States, Professor Wax’s remarks should be viewed in the context of the systemic and legalized oppression of Asian and Asian American people based on race. Her comments favoring the expulsion of Asians are not entitled to the protection of the academy.

Tsiwen Law is a past chairman and founding member of the PBA Minority Bar Committee, a trial attorney with Law & Associates LLC, and an adjunct professor of Race and the Law at Villanova University Law School.
Racial and religious restrictive covenants have been used frequently in real estate records round the US. The language below was taken from the records affecting 44 homes on West Penn Street in Philadelphia's Germantown section.

That at no time hereafter forever shall any of the said properties be owned, occupied, or leased by any persons other than those of the Caucasian race. That at any time hereafter forever if any person or persons of any other race occupy any of the said properties or any portion thereof, it shall be permissible for any owner or occupier of any property hereinbefore mentioned to evict the same by force of arms or by action at law, and any title given by any deed to any person other than of the Caucasian race shall be null and void. (Emphasis added).

In 1927, the National Association of Real Estate Boards (the precursor to today’s National Association of Realtors®), following the lead of the U.S. Department of Commerce, drafted model racial restrictions for its members to spread across the country, to segregate races, religious minorities and people of differing nationalities, something they believed would uphold property values and lead to better neighborhoods.

The Model Language stated:

1) No part of said premises shall in any manner be used or occupied directly or indirectly by any negro or negroes, provided this restriction shall not prevent the occupation, during the period of their employment, of janitors’ or chauffeurs’ quarters in the basement or in a barn or garage in the rear, or of servants’ quarters by negro janitors, chauffeurs or house servants, respectively, actually employed as such for services in and about the premises by the rightful owner or occupant of said premises.

2) No part of said premises shall be sold, conveyed or leased to any negro or negroes, and no permission or license to use or occupy any part thereof shall be given to any negro except house servants or janitors or chauffeurs employed thereon as aforesaid.

Elsewhere, restrictive covenants were imposed on Pennsylvania land records to prevent ownership or occupancy by Italians, Catholics, Irish, Jews, Chinese and other minorities. Racially discriminatory real estate covenants have been unenforceable under the 14th Amendment of the United States Constitution since 1948. See *Shelley v. Kraemer*, 334 U.S. 1, 68 S.Ct. 836, 92 L.Ed. 1161 (1948). Since 1968, the federal Fair Housing Act (FHA) has prohibited covenants that discriminate against protected classes. See 42 U.S.C.A. §3604.

Even before federal action, Pennsylvania began to address inequality with its original Human Relations Act in 1955. See “Pennsylvania Human Relations Act” Act of 1955, P.L. 744, No. 222, as amended June 25, 1997 by Act 34 of 1997, 43 P.S. §§ 951-963. But despite the laws and the U.S. Supreme Court decision, these historical covenants persist in chains of title. The lack of enforceability does not lessen the sting of these words nor the negative impacts of such language.

In an effort to diminish the force of such upsetting language, modern title searches and the resulting policies of title insurance will add language before listing the appurtenant deed restrictions, something like the following:

Subject to the terms and conditions, but omitting and covenants or restrictions, if any, based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable law…”

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Minority Bar Committee Effort to Nullify Racial and Religious Deed Restrictions

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Is this disclaimer sufficient to make those who would have been excluded by the stated restriction less concerned about living in a home where those people's removal, “by force of arms,” was even contemplated? Is this enough to allow any owner to wonder whether the value of their property will be negatively impacted by the mere existence of this relic of racist or bigoted thinking?

In the last several years, states across the country have begun to think about how racial and other illegal deed restrictions can be removed from the public record. The answer is not simple. The proposed solutions under consideration are as follows:
A. State governments should identify illegal restrictions, possibly by using artificial intelligence;
B. Identified illegal restrictions, whether identified by government agencies, owners, tenants or community associations, should be physically stricken from the record. This conceivably requires using a marker to irradicate the offensive language or a knife to excise the clauses from paper records;
C. Re-record an inoffensive copy of the offending document;
D. Record a document in the chain of title repudiating the illegal language.

I have attended a meeting of the national Uniform Law Commissioners Drafting Committee on Restrictive Covenants in Deeds Act. That committee is wrestling with how to address racially- and religiously-restrictive covenants in all 53 jurisdictions. It is a herculean effort.

Here in Pennsylvania, the PBA’s Real Property, Probate & Trust Law Section, working alongside the Legislative Action Committee of the Keystone Chapter of Community Associations Institute, has sent a Report and Recommendation to the PBA House of Delegates to address this problem in our commonwealth. I am pleased that the Minority Bar Committee supports this effort. Understanding the issues in our county recorders of deeds offices, such as costs and staffing, the section’s subcommittee chose the most efficient option, which we felt had the best possibility of passage with little resistance. We opted for the solution to record a repudiation document to neutralize the power of the offensive language that will remain on record. While it does not obliterate this blemish on our history, it is our effort to create a more perfect union, while maintaining the integrity of land records and not trying to make these offensive clauses disappear.

In taking legislation under consideration by the state House Democratic Caucus, we edited the proposed bill significantly. In essence, anyone with an offending deed restriction would have the ability to record a repudiation document with their recorder, placing that document into the chain of title. Any community association or owner in a community association likewise could record such a document, whether the offending language is in the formation declaration of their association or an underlying land record. (Offensive language can be in the deed itself, a restrictive covenant, declaration of condominium or planned community, plat, subdivision plan or any other recorded document.)

The Report and Recommendation has been unanimously adopted by the RPPT Section Council and is expected to be presented to the PBA Board of Governors and House of Delegates at its May 2022 meetings. As chair of this effort, it is my fervent hope that our bar association leadership will give this Report and Recommendation its unanimous support.

Marshal Granor is a past chair of PBA Real Property, Probate & Trust Law Section and is a member of the Minority Bar Committee. He is also a fellow in the College of Community Association Lawyers. Marshal practices with his father, Bernard, in Montgomery County, concentrating on community association law and real estate transactions.
First, But Not the Last: Brenda Marrero

By Taylor Pacheco

Today, we know Brenda Marrero as the first Latina Executive Director of the Public Interest Law Center and the trailblazing former deputy director and chief inclusion and diversity officer of Community Legal Services (CLS). But even before her legal career became what it is today, Brenda was extraordinary. If the source of her success could be whittled down to a word, it would be resilience. Resilience is what carried her through her family’s move from Managua, Nicaragua, to the United States, a move that began under extraordinary circumstances. Her father, a government lawyer under the Somoza government, also served as an intelligence agent, working to infiltrate the socialist Sandinista National Liberation Front. When his cover was revealed, an assassination attempt was made on him and his wife, prompting the family to seek asylum in the United States when Brenda was three years old.

Within the span of a week, Brenda’s family was forced to flee and leave behind everything. They ended up in Monterey Park, California. Their little family started over again, thousands of miles from their family, friends, careers and everything they knew. They struggled to rebuild the community and life they knew in Managua. Her father never practiced law again. Her mother worked a series of jobs while attending night school at the local community college. Eventually, she secured a stable administrative position. Brenda and her older sister attended school and were enrolled in English As Second Language classes at a private Catholic school. Brenda attended Mount St. Mary’s University in Los Angeles, where she studied political science. Her decision to become a lawyer stemmed from a terrible racist workplace harassment incident against her mother. Her mother was ridiculed for her accent by co-workers. For a woman forced to leave her family, friends, country, and culture behind to only be humiliated in her workplace for her accent, the treatment left her devastated. “She was never the same after that,” Brenda recalls. The process of seeking justice only added insult to the injury. Brenda’s mother spoke to management about the harassment, yet no action was taken. Brenda asked one of her college professors, a lawyer, for advice and was directed to file a complaint with the Equal Employment Opportunity Commission. The process of working with her mother to navigate the system was Brenda’s first introduction to the legal system. “My mother was treated with so little dignity. She got a lawyer, but it never seemed like he believed her. Somehow her case became about her and how she got along with people.” Her mother ended up taking a paltry settlement. She never held a full-time job again after that experience. Brenda said of her mother, “She looked so defeated. That was the moment I said, ‘I’m going to become a lawyer and I’m never going to treat my clients like my mom was treated.’”

It is a promise Brenda fulfilled many times over. Brenda studied law at Temple. Law school was a new challenge. Looking back, she wishes she had had a mentor, someone to guide her in the same manner as her classmates. She remembers struggling not only to find her circle, but to put a shape to the type of law she wanted to practice. Slowly, she found her people and her footing. She joined the Latino American Law Student Association and the Hispanic Bar Association. Without mentors, professors of color, or parents who were lawyers, she and her friends found their paths and helped each other along the way. Today, Brenda is a hugely admired member of the Philadelphia legal community with an enviable career. But as a young lawyer, she experienced both successes and failures. She struggled to find a job before graduation and eventually landed at a small firm. She worked full-time while studying for the bar exam because she had no other option. Shortly before she received her bar results, her beloved abuelita passed away. Then she learned that she failed the bar exam. It was her resilience that caused her to persevere. “I was determined to pass, to do this.” And she did. She changed firms, practicing medical malpractice and workers’ compensation before finding her way into legal aid, first at the Aids Law Project and handling Medicare appeals at a firm. Eventually, she began work at Community Legal Services (CLS) in the Elder

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First, But Not the Last: Brenda Marrero
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Law Unit. She loved working with seniors, especially Latino seniors, as CLS’s only native Spanish speaker. They reminded her of her abuelita and further connected her to the work.

During her time at CLS, she was promoted to deputy director of operations and chief diversity and inclusion officer.

“The experience at CLS was phenomenal: the leadership experience, the management experience was incredible. I brought my life experiences, and they accentuated my leadership style. The position required me to work with everybody. To communicate effectively, to listen and lead, you must bring with it a certain level of humility. You can’t walk into the room and think you are right about everything.”

Looking back at the many roles and achievements that she accomplished so far, Brenda notes the importance of Latino lawyers and lawyers of color putting themselves in positions of visibility for younger generations to see. She borrows a tenet espoused by Supreme Court Justice Sonia Sotomayor: “Make your story accessible. Be visible in a way that shows students and young lawyers that there is success at the end of your story.”

All things considered, Brenda says: “Every accomplishment I really appreciate, because I could have gone in another direction, but I found a resilience, because it is a privilege to be a lawyer.”

Taylor is the deputy director of Philadelphia Lawyers for Social Equity, which provides expungement and pardon services to low-income Philadelphians and works to improve outcomes for all individuals impacted by the criminal justice system through community education, advocacy and strategic litigation. Taylor is a 2016 graduate of the University of Pennsylvania Law School. Her career after law school included positions with the New Jersey Office of the Public Defender and the Support Center for Child Advocates. She is a member of the Barristers Association of Philadelphia, Philadelphia Bar Association and Pennsylvania Bar Association, where she is a member of the Bar Leadership Institute class of 2021 and serves as the Young Lawyers Division Zone 1 co-chair.

Welcome New Members
The PBA Minority Bar Committee welcomes its new members who have joined September 2021 through March 2022.

- Isabela Alvarez, Dilworth Paxson LLP, Philadelphia
- Ashley Baker, Bala Cynwyd
- Brendan Bertig, Pittsburgh
- Ricardo Brown-Whitt, Pennsylvania Institutional Law Project, Pittsburgh
- Micah Bucy, Hawke McKeon & Sniscak LLP, Harrisburg
- Melina Dixon, Legal Aid of Southeastern Pennsylvania, Norristown
- Mariane Gardner, Cherry Hill
- Katrina Harrison, Easton
- Leslie Heffernen, Pitcairn Trust Company, Blue Bell
- Kanika Henderson, Henderson Law LLC, York
- Veronica Hoof, Governor’s Office of General Counsel, Harrisburg
- Dana King, Plymouth Meeting
- Mylon Medley, King of Prussia
- Quamaha Montgomery, Carlisle
- Oderah Nwaeze, Faegre Drinker Biddle & Reath LLP, Philadelphia
- Vinanti Pandya, Carlisle
- Robert Repko, Repko Law LLC, Doylestown
- Brooke Scicchitano, Eckert Seamans Cherin & Mellott LLC, Philadelphia
- Dana Smith, Philadelphia
- Rakim Solomon, Goldman Sachs Trust Company, Blackwood
- Lin-Chi Wáng, Allentown
- LaTasha Williams, Franklin County District Attorneys Office, Harrisburg
- Jocelyn Womack, Philadelphia
- Sheila Woods-Skipper, Philadelphia Court of Common Pleas, Philadelphia
#BlackLivesMatter & #SayHerName

By Anthony D. Cox Jr.

Millennials continue to express their outrage and hold public officials accountable through the use of social media and hashtags. These hashtags include both #BlackLivesMatter and #SayHerName. Both hashtags were created to voice awareness surrounding the issue of racially motivated police misconduct cases.

These hashtags, however, are also used in order to provide advocacy and support for members of the black and brown community, as they strive to break barriers. In honor of Women’s History month, we want to use this opportunity to #SayHerName and celebrate Judge Ketanji Brown Jackson.

On Feb. 25, 2022, President Joe Biden nominated Judge Ketanji Brown Jackson to become the 116th Associate Justice of the Supreme Court of the United States. On April 7, a bipartisan group of senators confirmed Judge Jackson’s nomination. Judge Jackson will be the first black woman to sit on the Supreme Court of the United States. We #SayHerName and celebrate Judge Ketanji Brown Jackson.

Judge Jackson faced a plethora of adversity during her confirmation hearings. She was questioned about some of her past decisions and painted out as someone who is unfit to uphold the United States Constitution. Despite these barriers placed before Judge Jackson, she handled herself with poise, confidence, character and perseverance. For this, we #SayHerName. For this, we celebrate her.

Our next edition will discuss Judge Jackson in greater detail. At that time, it is our hope that we will be referring to her as Justice Jackson and celebrating her for becoming the first black woman to sit on the Supreme Court of the United States. #HistoryMaking #SayHerName.

Anthony D. Cox, Jr. is an attorney with Eckert Seamans, where concentrates his practice on a wide variety of complex commercial and business litigation matters as well as professional liability and professional and occupational licensure defense. Anthony is the current co-chair of the PBA Minority Bar Committee and a member of the Dauphin County Equal Professional Opportunity Committee.

When Anthony is not litigating cases before state and federal courts or agencies, he is committed to furthering diversity, equity and inclusion in the profession.

Judge Ketanji Brown Jackson

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When Anthony is not litigating cases before state and federal courts or agencies, he is committed to furthering diversity, equity and inclusion in the profession.
Many articles have been written about Wesley (Wes) R. Payne IV becoming the 95th chancellor of the Philadelphia Bar Association. On the behalf of the Pennsylvania Bar Association (PBA) and Minority Bar Committee (MBC), we congratulate Wes for that incredible accomplishment, not just because he is one of our own, but because it is an awesome feat for him as a Black man. In the 220-year history of the Philadelphia Bar Association, Wes is the fourth Black man to hold this position. Andre L. Denis held the position in 1993, (A. Michael Pratt in 2008 and Albert S. Dandridge in 2015).

Hardworking, committed and driven are just a few of the words that describe Wes. He has been a member of the PBA for years and a former chair of our own MBC. He is a long-time member of the House of Delegates, a former Zone One governor, former PBA-at-Large minority governor, chair of the PBA Diversity Team, former president of the Conference of County Bar Leaders and an active participant in our Minority Attorney Conference and law Day Programs. He is also an active member of the Military and Veterans Affairs Committee and the PBA Civil and Equal Rights Committee. He is simultaneously a valuable and hardworking member of our PBA and the Philadelphia Bar Association by choice. This is a true testament to his commitment and determination to serve.

Many describe Wes as a colleague, friend and mentor. We are honored and proud to call him as our colleague and friend. In a past interview with Philadelphia Magazine, his children said, “It is as if he [knows] and [is] friends with everyone in Philadelphia. At least it [seems] that way.” Well, we can add our belief that he knows and is friends with everyone within the commonwealth or at least it seems that way. In fact, we are confident that there are not many MBC members or PBA members who do not know who Wes is. Wes is always available to lend a helping hand or to listen if you need advice. In fact, long after he stepped down as chair of the MBC, he continued host MBC meetings at his law firm, White and Williams, for many years. He is genuinely a true colleague and friend.

Loving husband and proud father are also words that describe Wes. Wes has been happily married to San Lewis-Payne for 33 years. They share three children, all of whom are doing amazing things. Pali B. Payne-Story, his oldest child, is pursuing a doctorate in psychology at the Philadelphia College of Osteopathic Medicine. As for their twins, Paisley Payne is a medical student at Cooper Medical School of Rowan University, and Wesley Payne V is a chip off the old block as a second-year law student at the University of Maryland Francis King Carey School of Law.

We are very proud of our friend and colleague, Wes Payne IV, on becoming the 95th chancellor of the Philadelphia Bar Association. When asked to share a few thoughts on his most recent accomplishment, Wes said, “I will always be thankful to the MBC and its members for its support throughout the years because it was the first committee in any organized bar that gave me the opportunity to take the lead in seminars, CLE and eventually to co-chair the committee.”

Congratulations, Wes!
Everyone is familiar with the PBA Solo and Small Firm Committee. It is one of the largest and most active committees in the PBA. Further, the Solo and Small Firm Committee has been highlighted several times in the Changing Silos column of this newsletter for its good work. It is not lost upon me, with respect to the members of the Minority Bar Committee (MBC), the Solo and Small Firm Committee may, in many respects, be a second home to me. However, did you know that the PBA also has a Large Law Firm Committee? The committee meets regularly and has provided CLE and non-CLE training for its members and the PBA throughout the pandemic.

The mission of the Large Law Firm Committee is to study and make recommendations regarding membership development and retention of attorneys in large firms in Pennsylvania. The committee accomplishes this goal by developing programs and services to enhance the value of PBA membership for those attorneys that work in larger firms through the state. However, this is not as simple as it seems. Although a solo practitioner or small/boutique firm can fairly well be defined as the same type of firm by size throughout the commonwealth, the definition of a large firm may vary depending on its location. Accordingly, a large firm in Scranton may not be considered a large firm in Pittsburgh or Philadelphia. As a result, the committee has attempted to develop relevant and innovative programming for the members of larger firms throughout the state and strives to make its work relevant to mid-size and smaller/boutique law firms as well. To do this and to have a larger audience for its message, the committee has, on occasion, partnered with the PBA’s Diversity, Equity and Inclusion Team and the Women in the Profession (WIP) Committee to create meaning and valuable content and programming.

The committee’s programs include, but are not limited to:

- **Pre-COVID Associate Retention.** This program evaluated what the next generation of attorneys are looking for in a law firm/practice, work-life balance, and the redefining of success within the law firm.

- **Associate Development During COVID and the “Best Practices.”** This program focused on engaging, training and motivating associates by increasing internal communications, minimizing the feeling of isolation while working from home, team building, and work-life balance.

- **Diversity, Equity and Inclusion (DEI) in the Law Firm and the Path to Success.** This program examined defining DEI as well as defining associate/law firm success, developing initiatives that eliminate barriers, and creating opportunities for diverse attorneys, leadership paths to success, and sponsorship and allyship.

- **Business and the Practice of the Law Post-COVID.** This program addressed the business and practice of the law post-COVID, focusing on large law firm workspaces, engaging with the workforce, attracting and retaining talent, processes for onboarding and mentoring, business development, and maintaining client relationships.

Working with the PBA Quality of Life/Balance Committee to promote quality of life and work/life balance, evaluate recommendations and pledges, assisting with well-being programs, and events with outreach to attorneys.

The programming offered by the Large Law Firm Committee addresses issues and situations faced by small and mid-size firms and not just large law firms. Therefore, the information is timely and made available to all PBA members because the webinars, like those of many other committees, are saved and can be viewed at a later date or time.

Because the Large Law Firm Committee was established less than 10 years ago, it is not as large or established as many other PBA committees. There are opportunities for leadership in the committee and/or the opportunity to actively participate and develop the programming offered. Considering the growth of the MBC and our members also spreading out and growing their practices in larger and mid-size firms throughout the commonwealth, the Large Law Firm Committee may be a committee that some of our members wish to join. It offers relevant, practical and timely programming that our members may find beneficial. So, if you are in a large law firm or any size firm for that matter, and you are interested in issues such as retaining associates, DEI or the practice of law after COVID, you may wish to take an hour or so of your day and sit on the next Large Law Firm Committee meeting.

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.
HOUSTON'S RISING STAR AWARD PROGRAM

Spotlight on 2022 Rising Star: Brandon Jordan

By Jada S. Greenhowe

The Houston’s Rising Star Award is the Minority Bar Committee’s opportunity to recognize the outstanding achievements and accomplishments of one of its members on the rise. The future of the Minority Bar Committee (MBC) and the Pennsylvania Bar Association (PBA) is bright. The recipient of the 2022 Houston’s Rising Star Award is Brandon J. Jordan.

Brandon received a Bachelor of Arts in political science from the University of Pittsburgh at Johnstown in 2013. In 2017, he earned his Juris Doctorate from Widener University Commonwealth Law School, where he served as president of the Student Bar Association. During law school, he clerked for federal Judge Magistrate Martin C. Carlson of the Middle District of Pennsylvania and participated in moot court and numerous trial advocacy competitions. In 2017, he was awarded first place in the Hugh P. Pearce Trial Advocacy Competition and received the Starla Williams Student Service Award.

Brandon is a trial attorney at Liberty Mutual Group Inc. His practice primarily consists of representing Liberty Mutual and its policyholders in a variety of complex civil litigation matters including, but not limited to, workers’ compensation, personal injury and property damage claims. Prior to his tenure at Liberty Mutual, Brandon served as a litigation attorney at Marshall Denehy Warner Coleman & Goggin, where he represented employers and insurers in workers’ compensation matters before both state agencies and state courts. He also conducted and defended depositions of witnesses in preparation for litigation.

Inspired by the work and activism of Thurgood Marshall and numerous other attorneys who used the legal system as a vehicle for reform during the Civil Rights Era, Brandon developed a passion for the law at an early age. Brandon shares his passion for the law through his work with the PBA and the Wright Legacy — a consortium of professionals, including lawyers of varying practice areas, teachers and counselors focused on encouraging and equipping high school students with the skillset to become attorneys.

Brandon currently serves as the PBA’s Young Lawyers Division Liaison to the MBC, a role designed to increase the participation and engagement of law students with the PBA through mentorship, facilitating connections between practicing attorneys and law students, and providing valuable insight on and solutions to some of the issues relevant to graduating law students and newly admitted attorneys. As a board member of the Wright Legacy, Brandon aids in and oversees the development of the organization’s 10-week substantive law sessions, which are subsequently taught at schools throughout Chester County.

While Brandon enjoys his current practice area and plans to continue to leverage his skillset in more complex matters, his ultimate goal is to become a judge. As a judge, Brandon envisions rendering verdicts that will bring life-altering and positive change to those over whom he presides. He hopes to bring fairness, transparency, honesty and empathy to the position. The MBC congratulates Brandon on his success, and we look forward to following his positive impact not only within the PBA and MBC but the legal profession as a whole.

If you know someone whose outstanding achievements and accomplishments as members of the PBA Minority Bar Committee should be recognized, we hope you will consider submitting a nomination. Nomination forms may be found through this link on the PBA website.

See page 14 for a list of previous Rising Stars.
MINORITY BAR ACTIVITIES

Come One, Come All!

By Marisa Lattimore

Under normal circumstances, everything would be going according to plan. However, we have yet to return to normal times even though things seem to be opening back up. As such, some of our Minority Bar Committee (MBC) events will, once again, be held virtually this year. While we had to scale back some of our signature events over the past two years, this year brings the promise of many in-person programs. No matter if they are in-person or virtual, our programs are amazing, and we are excited to bring them to you.

Our virtual Diversity Summit will be held on Friday, Oct. 7. Sessions will include discussions on voting rights; diversity, equity and inclusion (DEI); intergovernmental relations, and criminal legal reform. I expect this Summit to be better than ever and hope to see you there. We will keep you updated as our planning for the Summit progresses. The Diversity Summit co-chairs are Andrea Farney, Beverly Rampaul, Mike McDonald, Jada Greenhowe and Jay Silberblatt.

The chair of our Nominations Subcommittee is Henri Marcial. If you want to know about upcoming awards or leadership positions in the PBA, Henri is your man. He keeps our MBC involved and informed about PBA awards and positions that may be of interest to our members.

Tsiwen Law is the chair of our Legislative Subcommittee. This subcommittee keeps the MBC up to date on legislative issues, bills and laws that affect our minority communities and our PBA community-at-large. Tsiwen states, “In a year when the political balance of Congress is at stake and Pennsylvania still has not approved its final map of political districts, the Legislative Subcommittee has been the conduit for timely information from Harrisburg about the status of Pennsylvania’s new legislative map and what the prospects will be for pending and new legislation.” This subcommittee keeps us well abreast of important bills and legislation, and as you can see, we’re in good hands.

The chair of the Newsletter Subcommittee and editor of our illustrious newsletter is Arlene Marshall-Hockensmith. Our newsletter never missed a beat even when COVID was raging. Not only did we get every issue out, but we also actually published an extra issue -- that was some feat! Wes Payne is editor of the Jumping Silos column; Taylor Pachero is editor of our First But Not the Last column; Marisa Lattimore updates us on MBC activities; Jada Greenhowe is editor of the Rising Star column; and Anthony Cox is editor of #Black Lives Matter/#Say Her Name column.

Our Membership Subcommittee chairs are Ana Paulina Gomez, Sharon López and Jacqueline Martinez. We are happy to share that we currently have over 200 members and our membership increases monthly.

Unfortunately, our Minority Law Day Programs stalled due to the COVID-19 pandemic. As Nigel Scott, chair of the Philadelphia Law Day Program states, “One of the major casualties of the pandemic has been our inability to meet in-person, and this has been felt most acutely in the suspension of our High School Law Day program. Our last event was held in October 2019, just prior to the onset of the pandemic, and for the past two years we have struggled to adapt to our new reality. Just as courts, businesses and individuals have adapted to the expansion of virtual meetings, we will explore the same, and look forward to once again hosting the High School Law Day program, in one form or the other, this fall.”

Roberto Datorre and Rachel Hadrick are the co-chairs of our Central Pennsylvania Law Day Program. Imogene Cathey

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Come One, Come All!
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and Verdell Dean are co-chairs of our Pittsburgh Minority Law Day Program. Hopefully, we will be able to host some version of these programs this year. We miss the students and know they miss having these educational, informative and incredible programs.

Our Outreach program co-chairs are Raphael Castro and E. Nego Pile. Unfortunately, this program also stalled as a consequence of the pandemic. Hopefully, in 2022, we will start up this program again.

Plans for our 2023 Minority Attorney Conference are just getting underway. It will be held Thursday and Friday, Oct. 5-6 in Harrisburg. The co-chairs are Marisa Lattimore, Gina Thomas and Rhodia Thomas. It seems like a long way off, but it will be here before we know it.

Our YLD Liaison is Brandon Jordan, and our PBA DEI Team Liaison is Mike Sand.

Of course, our Minority Bar Committee would not be what it is without our great leadership team. Our co-chairs, Anthony Cox and Su Ming Yeh, keep our committee going strong. Shelley Smith is our Vice Chair and our secretary, La Toya Bellamy keeps us up to the minute with the minutes.

If you’re not already a member of our MBC, please join 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 worked for the Supreme Court of Pennsylvania for many years for Chief Justice Robert Nix, Chief Justice John Flaherty and Chief Justice Stephen Zappala.