

**Summary of
PBA House of Delegates Meeting
May 17, 2019
Lancaster Marriott, Penns Square, Lancaster**

Meeting of the PBA House of Delegates was held at the Annual Conference on May 17th, 2019, beginning at 9:05 a.m.

Revised Agenda copy attached. Following is a brief summary of the reports and actions taken at the meeting. (Numbers correspond to Revised Agenda).

4. Meeting was conducted by the Chair of the House of Delegates, the Honorable James J. Ross.

SPECIAL ORDERS.

The annual report and State of the Judiciary Address was given by the Honorable Thomas G. Saylor, Chief Justice of Pennsylvania Supreme Court.

Justice Saylor noted that there was a new requirement for "succession planning" being developed especially for solo practitioners and small firms, as well as the following considerations:

1. Temporary licenses for military spouses.
2. Credit for CLE for public service through local legal service agencies.
3. A plan for Senior Judge Allocation review was also being finalized.

Report of the American Bar Association President, Bob Carlson, was delivered.

President Carlson made special comments on the pro bono attorneys and organizations and complimented Pennsylvania on its program. He noted that there are 14 Pennsylvania members of the ABA House of Delegates and 500 nationwide.

Law Day 2020 will be the anniversary of the 19th Amendment relating to women voting.

5. PBA officers of the PBA elected for the upcoming year are as follows:

Vice President:	Kathleen D. Wilkinson
Chair House of Delegates:	Kim D. Martin
Secretary:	Beverly H. Rampaul
Treasurer:	Terry D. Weiler

Approval of the election to ABA House of Delegates for two year terms, are as follows:

Sarah A. Austin
Charles Eppolito, III
David E. Schwager
Michael H. Reed

6. Task Force on PBA dues structure: copy of report of May 1, 2019 is attached to this summary.

Recognition of County Legislative Contributors was reviewed by Charles Eppolito, III, outgoing PBA President. Statewide there were 15 contributors, with Lycoming County being number 14, in the amount of \$500.00 and no others from Zone 4.

7. Report and recommendation of Judicial Administration Committee.

Section 2 of Act 95, of 2010, was repealed as no action has been taken since it was passed.

Risk Assessment Instrument discussed and approved.

Supported adoption to prohibit Paper Terrorism and to include support to public officers in that prohibition.

8. President Charles Eppolito, III, noted visits in each PA County over the past fifty-three (53) weeks. He has met with all nine (9) Pennsylvania Law School Deans and attended a meeting in March in Harrisburg of all the Law School Administrators.

Confirmed there has been no dues increase for three (3) years, stressing the dues structure must be affordable, fair and meet the needs of the organization. The PBA is the largest lawyer organization in Pennsylvania and its "future is bright".

He related the good operation at PBA to a very sound financial status and a great staff that he worked with.

A Multi page listing of the legislative positions taken by the PBA from 2006 through November 2018 is attached to this summary.

9. Report and recommendations of the Civil and Equal Committee, were all approved.

Primary focus was to provide statewide rules for immigration, status and guidelines to insure accessibility to the courts for all persons.

Number 593 of 2019, to keep bail money for restitution unless a hardship can be shown by the current law.

10. Legal Ethics and Professional Responsibility Committee more specific areas of certification can be allowed, under the existing rules; it requires at least twenty-five (25) years of experience and this matter needs further study and consideration. Recommendation denied.

11. Statement by President Elect Anne N. John and she was accompanied to the podium by a great number of different colleagues from the western part of the state, and music from Mr. Rogers.

She emphasized the role of lawyers as stewards of the law, assisting the public with law connections and helping lawyers to establish the basis for improving the profession.

Plans emphasis for new committees, which would be to revamp and refocus legal and academic committee for legal transition for students, new occupational efforts and retirements. There is a new task force for implementation of civility and professionalism.

To assist members in what tools we have to do research, publication and further and better committee involvement.

12. PBABAR-PAC Informational Report, urging everyone to be contributors and supporters of the Legislative PAC efforts.

13. GLBT Rights Committee specific changes were OK'd which emphasizes the confidentiality in county courts for dealing with issues, with complaints of harassment and discrimination and

publication of change of name hearings. Further, sealing records and closure of hearings or other protections which are recommended to be implemented.

14. The Treasurer, Terry D. Weiler, reviewed the soundness of the financial state of the PBA, and reiterated no dues increase.

15. Report of the PBA Executive Director, Barry M. Simpson: he reported that there would be no dues increase, emphasized that UPS rather than Federal Express should be used, which is being subsidized.

Brief update on the PBI transition was made and will be circulated to the membership.

16. Memorial Recommendations presented on behalf of Charles C. Keller, former PBA President and member of the House of Delegates, who died at the age of 93, while still practicing.

The Honorable Lawrence W. Kaplan, who had been a judge for thirty (30) years, in the Family Court of Allegheny County.

Robert Raphael, who practiced extensively in Allegheny County, and became known as the "father of family law".

17. Recommendation by the Family Law Section was approved that noted that non-precedential opinions can be cited for their persuasive value, from the Superior Court.

18. Report of the Pennsylvania Bar Foundation, was received.

19. Elder Law Section; recommendation under House Bill 51 was approved for caretaker status, and noted that there has been a disparity in the presumptive eligibility.

Revision to House Bill 706, as noted under Federal Law was ok'd. Pennsylvania needs to allow Inheritance tax election to be made by a Trustee and Executor on the same inheritance tax returns.

20. Information report by the Young Lawyers Division, by Alaina C. Koltash:

Mentor Program for law students can be done electronically, as there has already been a match of seventy-eight (78) mentors and students.

Students can join the committees, and begin to participate as they enter practice.

Mock trial finals were held in Harrisburg.

21. Civil Litigation Section recommendations were approved:

CHRIA: direct allowance of reports to be given, was recommended that investigations be released to the victims upon court order or subpoena, reflecting no liability to the senders.

House Bill 1171 victims of sex abuse matters, would allow victims to speak to law enforcement even though there had been a settlement even though the release agreements may have specific wording otherwise.

Pa. R.E. 401 Class Relevance describe the relevancy of the class including race, sex, gender, identity be revealed and however this can be evaluated under Rule 403 which could note a prejudicial impact if released.

22. Real Property Probate and Trust Law Section clarification that a transfer between a person and a Trust not be exempted the same as to a person, for consistency in various Pennsylvania counties.

23. Solo and Small Section report recommendation: an amendment to Pennsylvania Rule of Criminal Procedure 231(C) who can be present at Grand Jury. Disclosures can be done when OK'd by a President Judge; however, further clarification is necessary.

24. Children's Rights Committee recommended a tuition or waiver for children in foster for college; this was extensively debated and rejected by the House although it had been approved by the Board of Governors.

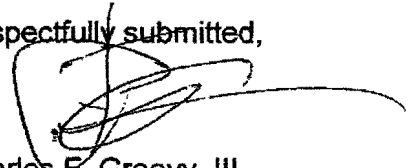
Application for ID and drivers licenses, for foster children was approved and recommended.

25. The gavel of the PBA President was passed by the Honorable Ross, current Chair to Kim D. Morton, the incoming House of Delegates Chairperson.

In conclusion, there was no presentation of any local matters and no unfinished business or new business.

The House was adjourned at 2:00 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Charles F. Greevy, III', with a long horizontal flourish extending to the right.

Charles F. Greevy, III,
HOD Delegate

FUTURE MEETINGS

Meetings of the Statewide PBA and HOD are as follows:

November 15, 2019 – Sheraton Harrisburg Hershey, Harrisburg

May 8, 2020 – Annual Meeting to be held at the former Sheraton Hotel now Philadelphia 201 Hotel in Philadelphia.

November 20, 2020 – Sheraton Harrisburg Hershey, Harrisburg