



## Judge Caruso Assumes Presidency of Pa. Conference of State Trial Judges



From left to right: Judge John Driscoll, Judge John Blahovec, Judge Gilfert Mihalich, Judge Debra Pezze, Judge Gary Caruso, Judge Daniel Ackerman, Judge Richard McCormick, Jr., President Judge Charles Loughran and Superior Court Judge Joseph Hudock.

On July 28, 2000, The Honorable Gary P. Caruso assumed the office of President of the Pennsylvania Conference of State Trial Judges.

The primary purpose of the 35-year-old conference, which meets twice a year, is to promote the professional development of judges through a continuing judicial education program. Although continuing judicial education is not mandatory, 90% of the judges throughout the commonwealth choose to belong to this dues-paying organization. Appellate court judges are also invited to join the conference but may not hold office.

"I consider it a distinct honor and privilege to represent the Pennsylvania Conference of State Trial Judges," says Judge Caruso. "I believe Pennsylvania has one of the most progressive and hard-working

trial benches in the nation."

In addition to continuing education, the conference offers ethics training and advice and mentoring for new judges and plans to offer classes to help all judges become computer literate. The conference is also working to develop a better understanding of the work of a state trial judge through a continuing dialogue with the Chief Justice of the Supreme Court, the Administrative Office of Pennsylvania Courts, members of the intermediate appellate courts and district justices. The officers of the conference also meet regularly with officers of the PBA and the Governor of Pennsylvania.

Another goal is to establish minimum standards for equipment, staff and security of a courtroom in order to enhance the quality of a judge's life. This year, the

conference also plans to work on a special program to develop a statewide code of civility, or professionalism, to apply to the conduct of state trial judges and the attorneys appearing before them.

In a constant effort to attempt to inform the public of the importance of the work of a state trial judge, the conference promotes an annual "Meet Your Judges Program" in each county. This year, the conference plans to use a public relations firm in an effort to expand the program.

Bunny Baum, director of judicial service, credits Judge Caruso for his active involvement with the leadership of the conference for the past six years. "He is highly regarded by colleagues across the state," says Bunny. "We are looking tremendously forward to his year as President of the Conference."

Executive Director's Report

# Membership Survey Results

by Diane Krivoniak

*Editor's Note: Our president is on vacation this month. "President's Message" will return in the next issue.*

If you were again contemplating law as a profession would you a) choose it without hesitation or b) choose another field?

Do you feel the bar association should take positions on public issues affecting the legal profession?

These and other questions were part of the 1999 membership survey of the Westmoreland Bar Association. The results of that survey provide the bar leaders and you, the bar member, a snapshot view of a "Westmoreland County lawyer."

Additionally, these results allow us to compare the changes and growth of the bar association and its members since the last survey, which was conducted in 1990.

Because both surveys were comprehensive and included a significant number of standard questions relating to demographics and "practice" issues, trends are notable.

One apparent trend shows that we are a graying association. Currently, 90% of WBA members have been in practice 8 years or more. The survey returns reinforce this figure as the majority of respondents indicated that they have practiced law 20 years or longer. It appears that as baby boomers have grown older, so has our bar. The lack of "young" faces in the bar association is made most

apparent by looking at last year's new membership rolls. Just 13 attorneys sought membership in 1999 compared to 24 in 1990.

Another interesting trend is the slight increase in the percentage of female lawyers. In the survey conducted in 1990, 15% of the bar was female. Our current number has gone up to only 21%. In comparison to Westmoreland, the Philadelphia Bar has reported that they expect to hit about a 50/50 split sometime within the next year or two. This topic of "Women in the Profession" is one of many issues under study now by President Diane Murphy and the Planning Committee.

Another noteworthy percentage shows us that more than one-half of the respondents do not practice in any county other than Westmoreland. Those who accept cases outside of Westmoreland do so in Allegheny, Fayette, Indiana, Somerset, Washington, Armstrong, Cambria and Beaver, in that order.

Apparently, Westmoreland County lawyers still represent clients on many varied matters. 75% of the respondents reported that they consider themselves to have a general practice with wills/estates, real estate, family law, personal injury, civil lit and corporate law occupying the majority of the general practitioners' time. The majority of respondents report that they remain sole practitioners although the trend shows that this number has dropped from 55% in 1990 to 46% in 1999.

The survey indicates that attorneys have fared well financially since the last survey. In the current

survey one-third of the attorneys reported a net income of \$75,000–\$100,000 while another one-third net between \$100,000–\$200,000. In the 1990 survey only 15% of the attorneys earned between \$75,000–\$100,000 while 29% earned more than \$100,000. The average hourly charge has also increased. In 1990 40% of attorneys were charging \$76–\$99 and only 25% charged \$100–\$150 per hour. The current survey shows that more than one-half of the respondents charge \$100–\$150.

**Although the 1999 survey gives us a glimpse of today and a glance back to 1990, the results really allow us to prepare for the future.**

On social issues, 76% of respondents indicated that they believe the bar should take positions on public issues affecting the legal profession. Likewise 85% of respondents felt that lawyers should evaluate judicial candidates and then partner with the media to make those results available to the public. This former matter has caught the attention of Past President Richard Flickinger who has sought support from the current bar board to study the changing role of the lawyer and to seek to preserve the practice here on the local level.

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JUNE 15-17

# My First Bench/Bar

by Rachel Yantos, Esq.

On June 15, 2000, I headed down to the Wisp Mountain Resort for my first Bench/Bar Conference. Arriving early, I toured the grounds and was quite impressed with the facilities. During my stay, I enjoyed many events including the pontoon boat ride, the dinners, the BarFlies performance, and, of course, the Young Lawyers Hospitality Suite. The Judges Roundtable on Saturday morning was quite informative. I was very impressed by the camaraderie exhibited by our Bar, and enjoyed getting to meet and socialize with so many members of the Bar in this relaxed atmosphere. I had a wonderful time and look forward to next year's conference.



By standing on a bench, Bruce Mattock brings the same sense of accuracy to his height as he does to his golf scores.



"I don't know, Rich ... you might try Arrid Xtra Dry."



"No, I'd say 'Acapulco Gold.'"



"You know, you don't look so tough without your robes on, pal."



"Hey, little girl, want some gum?"

"So then I say to her, 'What do you mean 'coleslaw'?"

As three BarFlies femme fatales pose for the camera, Jim Wells suddenly feels a surprising urge to belong ...



"Did someone say 'Judge?'"



After the cruel remark Judge Bloom made about the size of his nose, Dan simply chose to ignore his presence.



# Remembering Carl P. Izzo, Jr.

by Robert H. Slone, Esq.

When Carl P. Izzo died July 11, 2000, the Westmoreland Bar Association lost a great friend. Carl died in a Columbia, S.C., hospital following complications after a bone marrow transplant. This was a culmination of a five-year battle that our friend had with cancer.

Carl was born at Wright-Patterson Air Force Base, Ohio, on October 2, 1956, to Lt. Carl P. and Catherine Campbell Izzo of Murrysville. He graduated from Penn Hills High School earning numerous scholastic and activity awards and was a National Merit scholar. He received a B.S. degree in Speech and Communications from Penn State University and had a three-year career as a radio personality and station manager at AM and FM stations in New Kensington, Uniontown and Connellsville, Pa., and Williamston, W.Va. After his

broadcasting career, he entered Duquesne University Law School where he received his J.D. degree and was also Executive Editor of the Law Review.

Carl started his legal career in Uniontown, Pa., where he worked at the law firm of Webster & Webster, handling everything a general practice lawyer would handle, including divorce, personal injury, products liability and criminal law. He also served as a juvenile prosecutor for Fayette County and assistant solicitor for the Fayette County Children's Bureau.

After a few years, Carl became interested in bankruptcy law and applied to become a Trustee on the Trustee's Panel for the Bankruptcy Court for the Western District of Pennsylvania.

It was at this time that my personal relationship with Carl started

to grow. Since I had already been a panel Trustee for the Bankruptcy Court, it was only natural for Carl to call me with various questions that popped up and to use me as a mentor. However, after a short

period of time, not only would Carl ask me various bankruptcy questions, but I would ask him questions right back. I had grown to respect his knowledge and judgment in this area of law.

It was during the course of these almost-daily telephone calls that I first became aware of

Carl's humor. Let it be known that the calls not only concerned bankruptcy matters, but also Carl's joke of the day, joke of the week, joke of the month, etc. Sometimes, in addition to a joke, he would even sing a song or two as he did have a great love for music. What made it worse for my office was that every time Carl called he would be on the phone for five or ten minutes with one of the secretaries telling them funny stories.

Carl was a hard worker, building his solo practice and then the partnership of Izzo & Cavanaugh into an extremely busy law firm. Since Carl and I were both Trustees we would go to court together many times, often sharing rides with each other to and from Pittsburgh and Johnstown. It was during these numerous drives and the hours that we spent in the car that I could really appreciate what Carl was all about. Not only was he an extremely bright attorney and very personable, but he knew how to get things done. He also knew how to take suggestions and criticism and turn that into a positive.





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In addition to the law, Carl was dedicated to the Knights of Columbus, being a Sir Knight of the Knights of Columbus and taking the Fourth Degree. He was past Grant Knight Trustee and member of the Board of Directors of Greensburg Council 1480, and a District Deputy of the 81st District, a State Legislative Chairman and former State Advocate for the Jurisdiction of the Commonwealth of Pennsylvania. Carl would attend various functions for the Knights of Columbus all over Pennsylvania and he really enjoyed his activities with the Knights.

In 1999, Carl received Pro Bono Awards from the Westmoreland Bar Association in April and the Pennsylvania Bar Association in March for work performed throughout 1998 and 1999.

Carl reached the rank of Eagle Scout at age 13. He was also an Assistant Post Commander of the Law Explorers in Westmoreland and Fayette Counties. He was an active member of Our Lady of Grace Church in Greensburg. Carl is survived by his wife, Maria Claire Spinabelli Izzo, and three children, Emily Grace, Maria Kathryn and Carl P., III. Carl loved his family and the efforts he and his family made over the last five years were heroic. Despite his illness, Carl and his wife made sure that the family moved into their present house which was being built. As busy as Carl was, he always took time to attend his children's sports and music activities.

Carl was a friend to all of us in the Bar Association and he will be sadly missed. An educational trust fund has been established for the children of Carl P. Izzo, Jr. All contributions should be made payable to the Izzo Children Educational Trust and sent to the office of Izzo & Cavanaugh, 128 East Pittsburgh Street, Greensburg, PA 15601.

# Remembering Louis H. Ceraso

by Becky Fenoglietto, Esq.

Louis H. Ceraso passed away in his home Saturday, June 10, 2000, after years of health complications. He is survived by his wife of 40 years, Carolyn; his children, Sharon, John and Sara; four grandchildren; many other relatives, colleagues and everyone who had the honor of knowing him in some way.

Including me. Growing up, he was always my uncle, just as his wife, Carolyn, was always my aunt. For years I didn't know there was no blood between us; but what an honor it is to be his "niece."

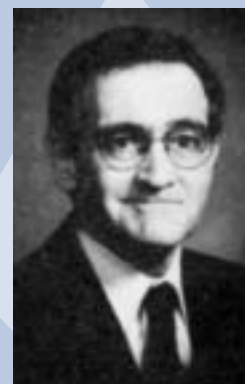
It was said that Uncle Louie was a great lawyer, but a poor businessman. In the mid 60s, after serving in the Army, he returned to Arnold (a suburb of New Kensington) and joined a group of lawyers in a small building across from the post office in New Kensington. He, Irving Green, Aaron Kress (my father) and, until his death, P. Louis DeRose, built a business on nothing more than a handshake. Truly a liability insurance nightmare, it worked—and still does 36 years later.

Uncle Louie never met a client he couldn't represent, even if they couldn't, or wouldn't pay them. "We're all God's children," was a favorite line of his. No one was turned away, and all, whether paying or not, received the same degree of care.

In the days after Uncle Louie's death, much was said and written in the local paper about his talent as a litigator. He litigated against F. Lee Bailey and won. He won his first murder trial as a defense attorney. He was a successful prosecutor in the DA's office. But while he liked the excitement of trial work, he had a passion for researching issues and writing as well. Irv Green remembers that Uncle Louie did all of the appellate writing in their cases together, while he would argue the briefs. "He made all the bullets. I shot them," he says.

Even toward the end of his career, Uncle Louie was still in the books. At the last office Christmas party, he complained, "What's this with serving papers by fax? That's awful. Can they really do that?" Sure enough, a few weeks later, highlighted info about service by fax came across all of our desks courtesy of Uncle Louie.

Uncle Louie was a modest man. A case he and Irv Green took later in his career centered around a man accused of killing his wife. The defense: sleep apnea. Naturally, this made headlines and eventually caught the attention of the national media. One day, producers from "The Geraldo Rivera Show" called and asked him



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## Louis H. Ceraso

*continued from page 5*

to appear on their show. “Who’s Geraldo Rivera? I don’t know any Geraldo,” he answered. “I’m from Arnold.”

He was also very clear about any arrangements after his death. Keep it simple. No eulogizing. Nothing big. But Uncle Louie lost this particular argument. Despite his wishes, an endless line of people stood in the rain to pay their last respects to this man. Even Dante Bertani showed up—on time.

Uncle Louie was a thorough man. He was never one to leave any unfinished business. During his last few days, as he slipped in and out of consciousness, he awoke, turned to his son, John, and said, “Tell Uncle Aaron ...” and lost consciousness again. After wrestling with this for some time, I now believe it’s perfectly obvious what he wanted to say: “Never accept service by fax.”

So, in his honor, we in the little building across from the post office in New Kensington will never accept service by fax. Don’t even try.

## Remembering William F. Caruthers, Sr.

*by Edgar T. Hammer, Jr., Esq.*

**B**ill Caruthers was activity. He was energy. As husband, father, warrior, lawyer, businessman, banker, gardener, skier, hunter, fisherman, card player and concerned citizen, he never slowed down.

Born in 1920, he died at the age of 80 on June 3, 2000, and is survived by his wife, Peggy, sons Bill and David, both lawyers and colleagues at our bar, his daughter, Ann, a school teacher, five grandchildren and two step-grandchildren.

Bill was committed first to his family, which he looked after like a father hen. He advised, educated and observed, and if he didn’t approve, they knew it ... but at the same time, they knew he was always there for them. Bill personally attended Peggy at home for several years even as his own health was failing; his devotion to her is an example for all spouses to follow.

He served his country with honor in World War II as a member of the U.S. Army Air Corps in the China-Burma-India Theater of Operations.

He graduated from the University of Michigan and Dickinson Law School, entered the practice of law in 1950 with his father, the late Carroll Caruthers, and ended it with his sons, Bill and David, in the law firm of Caruthers and Caruthers, when he retired in 1995. During that time he served as an Assistant District

Attorney in Westmoreland County for eight years, as President of the Westmoreland Bar Association in 1984, as a member of the House of Delegates of the Pennsylvania Bar Association in 1985–1986 and as President of the Western Pennsylvania Trial Lawyers Association.

Bill was a tough lawyer and vigorous in his representation of clients. If you ever had a case opposite William F. Caruthers, you know what I mean when I say vigorous; if he was on the other side of a case, you were busy! Yet, he was always, without exception, the professional in his treatment of clients,

his respect for his colleagues and his deference to the court.

In the latter years of his law practice he served the indigent and needy through his pro-bono activities, for which he received the Westmoreland Bar Foundation’s Pro Bono Attorney of the Year Award in 1994. He also became very active in the American Association of Retired People and was a volunteer member of its Pennsylvania Legislative Committee, which involved lobbying activities, countless meetings and travels to Washington, DC, on a regular basis.

In business, Bill was a director of Irwin Bank and Trust Company, director of Penn State Tool and Die Company and the developer of the Caruthers Hills Plan of Lots in Irwin.



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# Jury Trial Verdicts: May/June

There were only two jury verdicts from the May/June 2000 Civil Division trial terms, both in favor of the defense. Out of 99 cases set for trial, 26 were settled; 35 were continued; 2 were non-jury; 1 was stricken; 5 moved to Arbitration; 1 was non prossed; 1 non-suit was entered; and 5 resulted in verdicts.

vening causes, and/or by a pre-existing medical condition.

*Plaintiff's Counsel:* Harry S. Cohen, Harry S. Cohen & Associates, Pgh.

*Counsel for Defendant Thomas L. Whitten, M.D.:* David B. White, Burns, White & Hickton, Pgh.

*Counsel for Defendant Frick*

*Hospital/Community Health Center:* Donald H. Smith, Meyer, Darragh, Buckler, Bebenek & Eck, P.L.L.C., Gbg.

*Counsel for Defendant James D. Brubaker, M.D.:* Stephen J. Dalesio, Gaca Matis Baum & Rizza, Pgh.

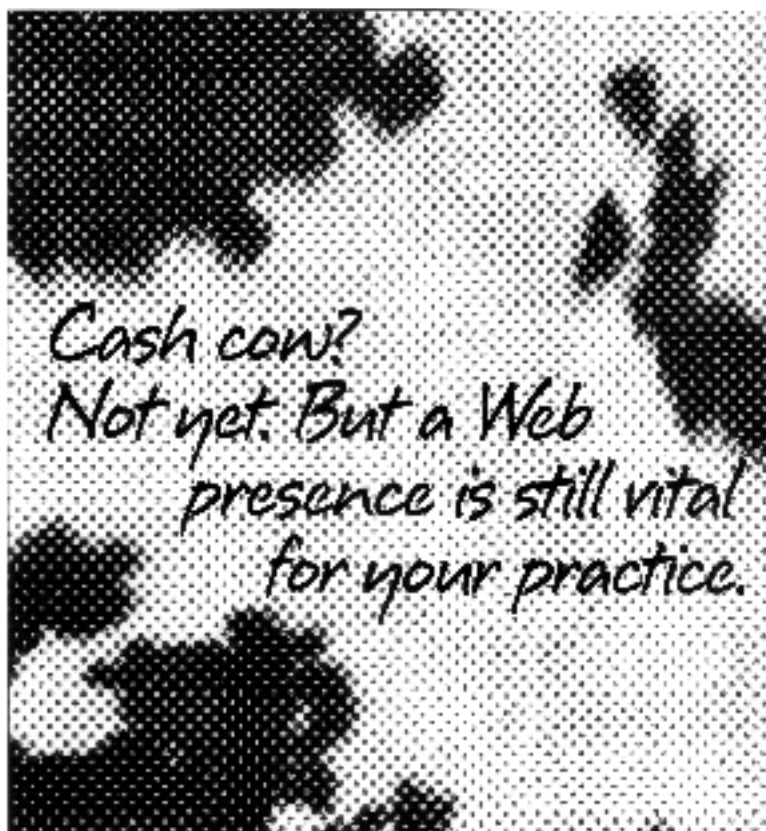
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**LLOYD BASINGER, AN INCAPACITATED PERSON, BY JAMES BASINGER, GUARDIAN V. THOMAS L. WHITTEN, M.D., FRICK HOSPITAL/COMMUNITY HEALTH CENTER, A PENNSYLVANIA HOSPITAL CORPORATION, AND JAMES D. BRUBAKER, M.D. NO. 1290 OF 1998**

*Cause of Action: Negligence—Medical Malpractice*

On August 26, 1997, plaintiff sought emergency room treatment from defendant hospital following an altercation with his neighbor. Dr. Whitten treated plaintiff's injuries to the face, arms and back, and instructed him to follow up with his family physician. On August 28, plaintiff presented himself to Dr. Brubaker, who ordered a CT scan scheduled five days later. That evening, however, plaintiff required treatment at another emergency room. That CT scan showed a skull fracture and bifrontal contusions of the brain with subarachnoid hemorrhage. Plaintiff sued defendant physicians for failure to timely diagnose and treat the skull fracture, and brought this corporate negligence action against the hospital.

In New Matter, defendant physicians asserted, inter alia, that plaintiff's alleged injuries were caused by superseding and inter-



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# AlterEgo: John W. Pollins III

**R**enaissance man: a man with diverse interests and expertise in a number of areas. The term is loosely applied and often overused today, but John W. Pollins III has the credentials to



prove he truly is one. For eight years he taught skiing at Blue Knob; as a kid he played piano in bars; today he has a baby grand stashed in his Greensburg office; he built

his own house and car; he plays classical and flamenco guitar; and he enjoys opera, acting, literature and Shakespeare. But the passion that has consumed him for the past twenty years is one that has been around since the Iron Age—blacksmithing.

From the late second millennium B.C. until the Industrial Revolution, blacksmiths made an immense variety of objects used in everyday life: nails, screws, bolts, swords, shields, armor, axes, hammers, candlesticks, wheel rims, spikes, chains, horseshoes and ironwork used in the furniture and building trades. As machines and less expensive casting processes took over the manufacture of these

## LAW SPEAK

We have to choose, and for my part I think it a less evil that some criminals should escape than that the Government should play an ignoble part.

—Oliver Wendell Holmes in *Olmstead v. U.S.*, 277 U.S. 438 at 470 (1928)

items, blacksmithing evolved into a craft rather than an occupation.

John's interest in blacksmithing began with a forge and anvil that was being stored in his barn. He purchased the equipment for \$35, and immediately began to learn how to manipulate material into works of art. Over the years he has served on the board of directors of the Smiths of America and of the Touchstone Center for Graphic Arts in Farmington, Pa., and has taught and demonstrated his craft.

In 1997, John was invited to submit a piece for the gates of the new Globe Theater in London. His primrose element was featured in *Smithsonian* magazine and John

was recognized by the Worshipful Company of Blacksmiths—an honor that gives him the authority to inspect iron in England and tear it down if he thinks it's not "up to snuff."

In life, as well as blacksmithing, John is a journeyman on his way to mastery. "I've mastered Damascus blades and traditional 18th century structural iron. I'm doing sculpture now," he says, "but maybe I'll lose interest and take something else up. Maybe competitive chess. That's something I'd like to get back to when I'm old and weary."

Somebody better warn World Champion Garry Kasparov now.

## Jury Trial Verdicts *continued from page 7*

*Trial Judge:* The Hon. Daniel J. Ackerman

*Result:* Molded verdict for Defendants as a result of special findings of the jury.

### JOHN FICK AND ARABELLE FICK, HIS WIFE V. THRIFT SUPPLY, INC. OF NEW KENSINGTON NO. 6767 OF 1996

*Cause of Action:* Negligence—Slip and Fall—Loss of Consortium—Arbitration Appeal

Plaintiff entered the defendant's hardware store near closing time on May 29, 1995. Since the primary entrance was closed, defendant's employees allegedly required plaintiff to enter through the "exit" door. The complaint asserted that the door jam of the "exit" door was raised one to two inches above the concrete pad without a metal bevel

on the outside of the door jamb, causing plaintiff to trip and fall. Injuries included those to the neck, back, right shoulder, left knee and head, as well as acute exacerbation of his chronic arthritis. His wife claimed loss of consortium.

In New Matter, defendant claimed contributory/comparative negligence and assumption of the risk. Defendant also asserted lack of duty and/or proximate cause; plaintiff's damages were unforeseeable consequential damages; and plaintiff had notice of the alleged dangerous condition.

*Plaintiffs' Counsel:* Stephen Yakopec, Jr., Arnold.

*Defendant's Counsel:* Paul G. Mayer, Jr., Sheehy Mason, Pgh.

*Trial Judge:* The Hon. Charles H. Loughran, President Judge

*Result:* Verdict for Defendant



From the Bench

# The View from Family Court

by The Honorable Alfred B. Bell and The Honorable Anthony G. Marsili

The Westmoreland Bar Association asked us to share some of our experiences and thoughts on being new judges in Westmoreland County. As you're aware, we took office on January 3, 2000, and were assigned to the Family Court Division.



Judge Alfred B. Bell



Judge Anthony G. Marsili

In addition, we each do half of all Protection From Abuse (PFA) actions and half of the Orphans' Court matters, with Judge Bell handling estates and guardianships and Judge Marsili handling terminations and adoptions.

## LAWYER VS. JUDGE

In the past nine months, we have come to realize that there is a different thought process involved in being a lawyer as opposed to being a judge. As attorneys for over twenty years, we were engaged in the role of being advocates for our individual clients and applied the law to certain fact situations that put our clients in the best position possible. Now, being judges, we are no longer advocates.

We now have the responsibility to listen to both sides, determine the equities of both sides, and weigh those equities before applying the law in order to make a decision. As lawyers, we did not fully appreciate all of the factors that went into a judge's ultimate decision, because as an advocate representing a client, you naturally become focused on the merits of your client's point of view, as opposed to what may be fair and just under the circumstances. As a judge, you begin a hearing with the assumption that there have been no predetermined facts or issues, unlike attorneys who are going into a hearing thinking they know what the facts and issues are.

One of the procedural matters that assists a judge is a good, brief summation of the case by the lawyers prior to the actual taking of testimony. As lawyers, we didn't appreciate the importance of a good concise

opening statement of a case which permits the judge to have the opportunity to understand the position of each party.

## FAMILY COURT CAN AFFECT MANY LIVES

Another practical matter that has become important to us as judges is the importance of running the judge's schedule. While attorneys, naturally, are most concerned about their own cases, as judicial officers we have the responsibility to make the entire judicial system operate. We must give each litigant time in court, and scheduling is a very important matter for each of us where dates and amounts of time needed for any particular hearing are concerned. This is particularly true since we deal with custody and other family situations that affect the lives of many people.

Although neither of us had any recent extensive experience with the day-to-day practice of family law, we recognize that family court is very important in the

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## From the Bench

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day-to-day lives of the people who appear in our courts. Traditionally, family court is the first assignment of new judges—an assignment often viewed as a necessary step in one's judicial career with the ultimate goal being to leave family court eventually and move to other areas of the law. In reality, we have discovered family court is one of the most important aspects of the legal system and our society. Even on difficult cases we have the opportunity to make an actual positive impact on individuals and their families.

On a daily basis we have discovered that family court judges affect more people in significant ways than in other areas of the law. Often times, the only contact that a majority of the individuals have with the legal system or the Courthouse comes through family court and domestic relations.

On a more personal note, we also have discovered that the vast majority of attorneys who work in the family law area are very competent, concerned, and knowledgeable people, who are dealing with clients in

very trying and emotional situations. Every member of the WBA should recognize the importance of the family court lawyers and the difficulties they have regarding such emotional issues as custody, visitation, and support. We suggest that attorneys always strive to maintain their civility and professionalism toward other members of the bar, even when their clients may be highly emotional and distraught.

### ORPHANS' COURT MATTERS

The issues involving termination of parental rights and adoption, and the emotions of the children, foster parents and natural parents involved are difficult, oftentimes through no one's fault as to the current situation that brings the parties to court. The extensive backlog of cases regarding terminations and possible adoptions unfortunately illustrates the great number of families in our society who are at risk and have difficult times coping on a day-to-day basis. But, once a case reaches the adoption phase, there is truly no more joyful proceeding than to watch adopting parents and the children have their dream realized.

Estate matters and guardianships are interesting portions of the Orphans' Court, and the lawyers are well-schooled in presenting their cases. Guardianships, however, are generally extremely sad and somewhat trying in the sense that they involve helpless people who need the protection and help of our society. In some ways, the guardianship hearings make one wonder not only what these people were like prior to their present incapacity but also what each of our futures will be like as we become elderly.

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ABSTRACTS

REAL ESTATE & MORTGAGE CLOSINGS

# To-Wit: The Big Kahuna, Part II

by S. Sponte, Esq.

Fighting is by rounds, and Round One was no fun at all. I started off with a complaint in federal court on behalf of three students who had been expelled without benefit of any form of due process hearing. Well actually, they had not been expelled, as Kahuna testified on the witness stand, the school district had merely “suspended all forms of service.” The distinction made sense to him, and I thought “Hmm, I should rest my case right now.”

Their crimes were heinous all right, especially to a high school principal who used to be a gym teacher. They had violently assaulted the principal in absentia with barbed verbiage, on the school bus, laughing, kidding around. And because, in Kahuna’s own words, their conduct presented an immediate security threat to every soul living within a twenty mile radius of the high school, they were dragged into his office the following day, searched, placed under “Principal’s Arrest,” and removed from the school premises by members of the school’s elite security force. I assume that the initials they all wore on the shirt collars of their brown uniforms stood for “School Security,” but I’m not certain.

It was zero tolerance amplified by zero intellect, but alas, the hearing which took place months later was not a pretty sight. On the day before the hearing, two sets of parents told me they had already placed their respective children in private schools and had no desire for any kind of Kahuna relief a court could offer save capital punishment.

Alas, the only remaining student had orange hair and lip, tongue, nose and ear rings, and for some inexplicable reason he insisted on telling the Judge exactly what parts of Kahuna’s body he would thoroughly love to excise with a dull Exacto knife. It was at about that time that the Judge began to stare out the window and I sensed we had irretrievably lost his attention.

Indeed we had, and it took him only five minutes to render an adverse decision. Now maybe it was my imagination, maybe not, but I swore I could see flecks of foam forming at the corner of the Kahuna’s mouth as the judge announced his decision.

**Despots always give you another shot, and more likely sooner than later, he’ll do something else he can be sued for. I can hardly wait.**

You know what the biggest problem with crusades is? It’s the losing of them. It’s that crushing, numbing feeling you get when the banner that took so much emotional energy to hoist in the first place comes crashing down around you. It took me days to get over it. I couldn’t help but feel I could have won that case if only I had done something differently, like maybe sent the kid to a good hairdresser.

But you know what’s good about dealing with despots? They always give you another shot. And

sure enough, not two weeks later, I got a call from another client in that school district. At the beginning of the school year, Kahuna had suspended

their boy from all extracurricular activities for the remainder of the school year for leaving study hall to go to the bathroom without a hall pass. Oh, he had asked for one, but the teacher didn’t believe he really had to go. They must be putting something in the water fountain in the faculty lounge.

Now that graduation time had arrived, Kahuna had decided that commencement was an extracurricular activity and refused to allow the kid to attend his own graduation.

“So,” said the judge after the close of testimony on my petition for preliminary injunctive relief, “I have to decide if commencement is an extracurricular activity. Does that about sum it up?”

“Yes, Your Honor,” I replied.

“I am so impressed with how quickly the court has grasped the delicate nuances of this proceeding,” replied opposing counsel, a smarmy little guy who must have been charging his client by the snivel, “and I have prepared a seventy five page trial memorandum on that exact issue.”

He handed it to the judge who promptly threw it in the waste can and said, “This is the most outrageous case I have seen in years. This kid will attend graduation with his class and court is now adjourned.”

*continued on page 12*



# From the Bench

*continued from page 10*

## PROTECTION FROM ABUSE (PFA) CASES

Finally, we have found that the most difficult and overwhelming aspect of family court is the handling of Protection From Abuse (PFA) cases. The number of PFA cases is continuing to rise at a substantial rate. As of August 11, 2000, we passed the 475 mark, and there seems to be no end in sight. The sheer volume of such cases consumes an inordinate amount of judicial time involving all aspects of our legal system on both the civil and criminal side.

In addition, the majority of such cases are very difficult to decide since many of them involve verbal accusations and threats with no witnesses other than the two parties who are testifying to absolute opposite versions under oath.

PFA actions are so important because there is always the spectre of a potential homicide in each and every one of these cases. Consequently, the Courts must provide adequate time and consideration for each and every PFA that comes before it. The PFAs are also intertwined with other aspects of society concerning custody, visitation, drug and alcohol problems, and unemployment, that require so many societal resources to solve the underlying problems.

### IT'S IMPORTANT TO BE HEARD

We both feel that it is important to allow the litigants an opportunity to appear before the Court and present their arguments. We also believe that it is important to provide a forum where everyone will have their day in Court and be given an opportunity to be heard.

We have come to the realization that while the attorneys and the judges may have participated in lengthy negotiations or discussions in chambers, there is a necessity for

the parties, the litigants themselves, to have an opportunity to meet and see the judge and allow the individuals to feel that they are part of the process.

Overall, we both have had very positive experiences and are looking forward to working with all lawyers who appear before the Courts of Westmoreland County.

# To-Wit: The Big Kahuna

*continued from page 11*

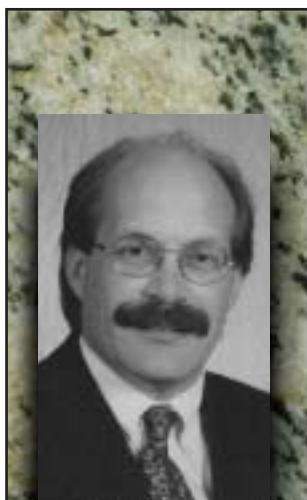
Oh, oh, oh, oh, would that I could prolong such moments for an eternity. In a heartbeat, the anguish of Round One was washed away and there stood I, Ali standing over Liston, snarling triumphant, taunting him to get back up.

Oh, I know, it was just a little case, one of a series of little cases in a quietly desperate career that hasn't much to show for it save such occasional glories. It was momentary, with a half life less than that of a decaying muon, yet it was a decisive victory of good over evil, the stuff that makes crusades ever worth the effort.

Kahuna and I, we're not done yet. Like I said, despoths always give you another shot, and more likely sooner than later, he'll do something else he can be sued for. I can hardly wait.

Until that fortuitous event, I'll keep my lance at the ready. However, lest any of you recognize a good thing when you see it and are thinking of horning in on my good fortune, let me give you a word of advice. Keep your hands off. Remember, I found him first.

©2000, S. Sponte, Esq.



JOHN M. NOBLE, ESQ.  
GREENSBURG, PA  
(724) 853-2296  
FAX: (724) 836-0532  
mdbbegsb@westol.com

## DISPUTE RESOLUTION UIM/UM ARBITRATION MEDIATION

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BINDING/NON-BINDING



COST-EFFECTIVE



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NEUTRAL THIRD-PARTY INPUT



SWIFT RESOLUTION



DIRECT PARTY PARTICIPATION



FLEXIBILITY



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ATTORNEYS AT LAW

GREENSBURG OFFICE: 114 SOUTH MAIN STREET, GREENSBURG, PA 15601

# Spotlight on Rabe Marsh



**Q** WHAT JOBS HAVE YOU HELD PRIOR TO BECOMING AN ATTORNEY?

**A** Patching highways for PennDOT.

**Q** WHICH WAS YOUR FAVORITE AND WHY?

**A** Patching highways for PennDOT. There aren't many choices, are there?

**Q** WHAT IS THE FUNNIEST THING THAT'S HAPPENED TO YOU AS AN ATTORNEY?

**A** Reading Alan Berk's "Spotlight."

**Q** WHAT IS THE QUALITY YOU MOST LIKE IN AN ATTORNEY?

**A** Good cross-examination technique.

**Q** WHAT IS YOUR FAVORITE JOURNEY?

**A** From Greensburg to the Chester River in Maryland—and back.

**Q** WHAT IS YOUR GREATEST REGRET?

**A** That I didn't learn to play golf in my teens.

**Q** WHO ARE YOUR HEROES IN REAL LIFE?

**A** Circumnavigators such as Joshua Slocum [first man in recorded history to sail around the world singlehandedly] and Webb Chiles [first American to round Cape Horn alone].

**Q** WHAT ADVICE WOULD YOU GIVE TO ATTORNEYS NEW TO THE PRACTICE OF LAW?

**A** Sign up for online legal research, and don't be timid about asking older lawyers for advice.

**Q** WHAT IS YOUR GREATEST ACHIEVEMENT?

**A** Passing the bar.

**Q** WHAT IS YOUR IDEA OF PERFECT HAPPINESS?

**A** Sitting in a small fishing boat on a Canadian lake, sipping scotch, while catching large, smallmouth bass.

**Q** WHAT IS YOUR MOST TREASURED POSSESSION?

**A** My family.

**Q** WHAT IS YOUR GREATEST EXTRAVAGANCE?

**A** A 35-foot Tartan sloop.

**Q** WHAT IS IT THAT YOU MOST DISLIKE?

**A** Answering surveys and calls from telemarketers.

**Q** WHAT TALENT WOULD YOU MOST LIKE TO HAVE?

**A** To play the piano in a cocktail lounge.

**Q** WHAT DO YOU MOST VALUE IN YOUR FRIENDS?

**A** Discretion with confidences.

**Q** WHICH LIVING PERSON DO YOU MOST ADMIRE?

**A** General Colin Powell.

**Q** WHAT IS YOUR MOTTO?

**A** If a man ain't fishin', he's fritterin' away his time.

## Lawyers' Exchange\*

(\*Free to all members of the Bar)

2 ROOM OFFICE SUITE now available. Will improve to suit. Access to library and conference room. Call (724) 834-9087.

WANTED: LEGAL-SIZE FILING CABINETS for donation to the Westmoreland Symphony. Please call the WSO at (724) 837-1850 or Reg Belden at (724) 834-0300 to arrange your charitable contribution.

McDONALD, SNYDER & WILLIAMS, P.C. is pleased to announce that Daniel J. Hewitt, Esquire, joined the firm as an associate at the firm's office at 1004 Ligonier Street, Latrobe, PA.

TRANSCRIPTION/TYPING SERVICE. Fast service. Reasonable rates. Contact Terri @ (724) 668-7018.



# St. Vincent Offers WBA Use of Videoconferencing Center

**N**eed to take a deposition of a witness in California? Want to hold a meeting with a client located in Ohio? Have an attorney in Philadelphia who is handling some work for you?

The next time you are looking to hold down costs while still adequately representing a client, why not consider videoconferencing?

The WBA is pleased to announce an offer from the St. Vincent College Small Business Development Center to allow members of the bar the use of their videoconferencing center. The offer waives room costs and other expenses of operating a high-end technology center. The only charge that will be passed on to the user is the phone line costs. This saves



◀ *Randy Rhodes, multimedia coordinator at St. Vincent, shows WBA member Sam Rosenzweig the capabilities of the videoconferencing equipment offered through the Small Business Center at the college.*

both time and money, and the options are amazing. Photographs, charts, overheads and even videotapes can be incorporated into the meeting as can three-dimensional objects. Conferencing can occur with just one site or with several sites, although the costs of the

other room rentals, phone line charges and equipment usage may then be your responsibility.

To find out more about St. Vincent's videoconferencing center and costs for use, bar members should call Angela Zalich at the Small Business Development Center at (724) 537-4572.

## Fall Gathering Will Be Held at Nemacolin Woodlands

**T**his year's Fall Gathering is being held on Saturday, October 7, 2000, at Nemacolin Woodlands Resort & Spa in Farmington, Pa. Come and enjoy the beautiful fall foliage, the exquisite ambiance at Nemacolin Woodlands, and a relaxing evening of conversation with colleagues and invited guests.

The cash bar opens at 5:30 p.m., heavy hors d'oeuvres will be served from 6 to 9 p.m., and entertainment will be provided by pianist Jim Sykes. The cost is \$20 per person.

Since Monday, October 9, is Columbus Day, why not make the most of your long holiday weekend and take advantage of all Nemacolin Woodlands Resort & Spa has to offer—luxurious accommodations and a multitude of fun-filled activities for all ages and seasons:

- Spa/Fitness Center.....\$25/day*
- 18 Holes of Golf.....\$79 at The Links; \$150 at Mystic Rock*
- Horseback Riding.....\$50/hour*
- 50-ft. Climbing Wall.....\$10/climb*

A limited number of rooms are available at a special rate of \$240 per night. To receive this rate, you must reserve your room through the Bar. Please R.S.V.P. to Bar Headquarters by September 22, 2000.

### *On The Move ...*

**ROBERT P. LIGHTCAP** has new mailing and e-mail addresses. Regular mail should be sent to: Post Office Box 920, Latrobe, PA 15650; e-mail to: [lcap@sgi.net](mailto:lcap@sgi.net); electronic documents to: [lcap4@sgi.net](mailto:lcap4@sgi.net).

**TERRY FAYE** has a new address. She can be reached at 1 North Maple Avenue, Greensburg, PA 15601.



# WBA Family Picnic at Idlewild

▶  
John  
Noble  
and  
family



◀ Karen Ferri and family

▼ Ryan Kammerer and son



◀ John Greiner  
and Jeff and  
Lisa Monzo  
with families

▶ Jackie  
Knupp  
and  
family



## Actions of the Board

### JUNE 20, 2000

- Met with Professor Cherry regarding community programs offered by Duquesne Law School.
- Reported that law journal and bar association funds were merged.
- Allocated necessary funds to the Westmoreland Bar Foundation.
- Decided to adjust credit limit of bar association's credit card.
- Decided to rebid kitchen quotes to include new cabinets and establish "functional" kitchen.
- Agreed to hang the Inn of Court's photo portrait of Ned Nakles, Sr., on second floor in large meeting room.
- Reviewed present mentor policy which assigns second-year board director the responsibility of matching mentors.
- Reviewed a request from Unauthorized Practice of Law Committee to enter appearance on possible unauthorized practice case. Voted not to enter appearance.
- Reported that the Supreme Court is in process of approving CLE via the

internet and for-profit CLE providers are permitted to offer CLE courses throughout Pa. beginning in September.

- Agreed to partner with St. Vincent, the Futures Commission and the League of Women Voters for a town meeting to educate the public about the findings of the commission.
- Agreed to partner with St. Vincent on the use of their videoconferencing center which waives room costs and passes on only line usage.
- Authorized the purchase of gift certificates for bar staff in appreciation for their efforts in organizing the bench bar conference.

### JULY 18, 2000

- Accepted the recommendation of the membership committee: Joseph Massaro, participating; Christian Marquis, Associate.
- Authorized purchase of glass-paneled fire door for the Main Street entrance of Lawyers Abstract.
- Agreed to include request from Center for Lesbian and Gay Civil Rights to circulate interest sheet for representation of lesbians and gay men in Pennsylvania in the next sidebar.

- Denied request to pay for committee chair to attend national seminar.
- Reviewed prototype for board handbook which details the duties and responsibilities of board members.
- Agreed to hold reception for Reg Belden, who will assume the office of PBA President in May 2001.
- Reviewed court appointed hourly fees for surrounding counties, ranging from a low of \$25 (Allegheny) to a high of \$75 (Washington).
- Agreed to accept Court Administrator Paul Kuntz's offer to explore the establishment of electronic filing in Westmoreland County.
- Agreed to continue exploring the posting of court opinions on the internet.
- Reviewed the date for the planning committee retreat: September 26–27, 2000.
- Authorized the start up of an e-group for board members.
- Referred kitchen bids to Building Committee. Carpet bids also referred to the committee.
- Announced the site for the 2001 bench bar conference: The Wisp Resort scheduled for the third Thursday–Saturday of June.

# foundation focus



## Weiss and Hankey Scholarships Awarded to Local Law Students

Memorial scholarships were recently awarded to two University of Pittsburgh law students who demonstrated both academic achievement and financial need.

*Todd Ferencak*, a first-year law student at the University of Pittsburgh School of Law, was awarded a total of \$4,500 for the Judge David H. Weiss and Donald Laird Hankey Memorial Scholarships.

Todd, who lives in Vandergrift and graduated from Saint Vincent College, says his decision to attend law school was based on a desire to help people who were unable to help themselves. "My education is a means of closing the gap between

my goals and where I actually am today," he said. Todd impressed the committee as a dedicated young man whose work ethic and commitment make him more than worthy to receive this year's award.

*Timothy Stevenson* of Belle Vernon was also awarded \$4,500 for the Donald Laird Hankey Memorial Scholarship. A graduate of Washington & Jefferson, Timothy is entering Pitt's School of Law this semester.

Timothy's desire to be a lawyer dates back to the eighth grade. He credits his involvement in the National Forensic League in high school as the "one factor that has not only influenced my choice to study law, but my whole approach

to life." It improved his speaking, critical thinking and researching skills and cemented his desire to excel as an attorney.

This year, Timothy helped high school students excel in forensics as the debate coach for the Belle Vernon School District. His teams from Trinity and Belle Vernon participated at both the state and national level. The committee felt that Timothy's life experiences and dedication to his goals set him apart from the remaining applicants.

Both of these awards will be presented annually with applications distributed in early spring.

## Donations Honor WBA Members and Others

A number of memorial donations have been made to the Westmoreland Bar Foundation's "Special Way to Remember" program.

Those remembered include: Bill Caruthers, Sr.; Lou Ceraso; Carl P. Izzo, Jr.; Ned J. Nakles, Sr.; Sam Rosenzweig's mother, Ruth; John Scales's brother; Gary F. Selway; former Director of Domestic Relations Hugo Vivio; and Ann M. Wohlgemuth.

To honor friends, colleagues or loved ones through this program, send your tax-deductible donation to the WBF at Bar Headquarters.

*Looking for a special way to remember someone?*

**Births • Deaths • Marriages • Anniversaries  
Making Partner • Passing the Bar**

Since 1991, the Westmoreland Bar Foundation has raised thousands of dollars to assist the poor, disabled, elderly and children in our community. Through the **Special Way to Remember** program, you can honor a colleague or loved one with a contribution to the Foundation. Your gift will help serve the needs of our own who have nowhere else to turn for legal services.

If you would like to make a gift to the Foundation as a meaningful expression of respect, please make check payable to the Westmoreland Bar Foundation and mail to WBA Headquarters, 129 N. Pennsylvania Ave., Greensburg, PA 15601.





# Voice Recognition Software Viable Option for Your Office

by Harvey A. Zalevsky, Esq.

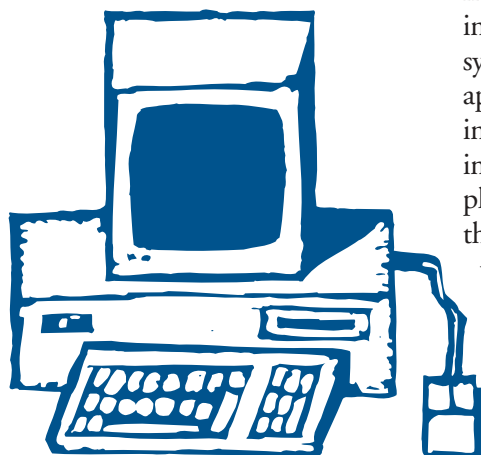
What's an individual who has developed the hand-eye coordination to type an index-finger-generated speed of a whopping ten words per minute to do, in an age where everything is run on computer keyboard? The answer: VRS.

Voice Recognition Software (VRS) has been available for some time but it has only become of practical significance due to vast improvements in both the software and hardware. It really is an amazing concept; a piece of machinery first learning how *you* speak and then, as if by magic, accepting your speech as dictation.

Until the advent of the Pentium III processor, systems simply have not been fast enough to instantaneously turn speech into print. Now, with the right hardware, and of course a decent software package, your computer can actually print your words almost as fast as you speak them.

I am speaking the words that you are now reading into a microphone which is attached to my computer, and, as I speak these words, they are appearing on my computer monitor. I have been using VRS since Maxch of this yore. Prior to that time I employed a full-time secretary who would take my microcassette dictation and within a few hours (or sometimes not within a few hours) provide me with a hard copy of my words. I would then review and edit the document and give it back to her to redo. Of course, she was using a computer with word processing and thus after the initial

draft, redrafts were relatively simple. Although I could have learned how to use the word processing package, what good would it have done me? I couldn't type fast (or perhaps accurately) enough so as not to interrupt my workflow. In fact, I developed an "I-don't-need-to-learn-how-to-use-word-processing" mentality and consequently,



even though I was a computer science minor in college, the only remaining skill at my disposal was an ability to turn the system on and off. This mentality continued after several false starts in learning how to type. Simply put, typing is just not my cup of tea.

Enter VRS. While not making the keyboard/mouse (or administrative help) obsolete, VRS permits you to undertake almost every computer word processing function orally. From cursor movement, to the selection of text and of course

most importantly, the actual dictation of document text, VRS provides vast opportunities for the "digitally handicapped." Even better, the more you use it, the more accurate it becomes because, with minimal additional effort, it actually learns not to repeat mistakes.

Before I could use my newly acquired system, I had to read from screen-provided text for in excess of one hour. Now, the system is ready for use after approximately five minutes of initializing! There have been improvements made in the voice playback such that you can select the most recently dictated line or the entire document to be read back to you in your own voice to determine the accuracy of that which appears on the screen. You are therefore able to prepare and proof real property deeds (for those of us still doing them ourselves) without the assistance of another warm body. While I can use my system with virtually any noteworthy word processing package, my system is also compatible with other non-word-processing software that I am running on my computer. This means that instead of typing

*continued on page 18*

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## William F. Caruthers, Sr.

*continued from page 6*

But he was not all business and not all work. He loved to plant a large garden and to share in his harvest. I never went without after I casually mentioned that I liked kohlrabi and parsnips; thereafter, they were delivered to my doorstep annually, together with red raspberries and other of his produce. His table reflected his canned and frozen bounty throughout the year.

Bill loved the outdoors. If it was an outdoor activity, he did it. Hunting, fishing, downhill skiing, which he took up at the age of 50, and cross-country skiing, which he took up at the age of 60, were his sports. He was an active member and supporter of the Western Pennsylvania Conservancy because of his interest in the preservation of nature.

When not outdoors, he loved cards, especially poker, which, as far as I am concerned, earned him a tidy second income. When Bill raised, you had better seriously consider folding. Gin, Kings in the Corner and Hearts were other favorites.

Perhaps Bill's finest trait was his interest in people. He liked people and loved to converse with anyone about most anything. He was never shy or embarrassed to approach strangers to strike up a conversation. On a trip, in a restaurant, at a party, before he left he knew half the people there. If you ask what was Bill's glory, the answer would be that it was his family and his friends.

## First "PBA Fair" to be Launched in Pittsburgh September 18–19

**P**ick up useful tools for managing your professional and personal lives at the first "PBA Fair," September 18–19 at the Westin William Penn in Pittsburgh.

The fair, which is open to members and nonmembers, will offer a variety of programs covering practical aspects of practicing law. The feature program, "Check the Pulse of Your Office: Management and Technology Tools for the Busy Lawyer," will explain how to perform a law firm self-audit. Attendees will get tips on management, strategic planning, marketing, and more. Follow-up services including consultant referrals will also be available.

The "Software Shoot-out" will outline the pros and cons of six different legal software systems including Juris, Pyramid, Omega, Timeslips, Tabs III, and PC Law Pro.

Ellen Freedman's "Getting Paid" CLE credit seminar also will be offered at the fair. "This has been a popular seminar that really hits a nerve with attorneys," said Freedman, who is the PBA law practice management coordinator. Lawyers who attend will learn a methodology to ensure payment from clients.

Other professional programs will include "Marketing on a Limited Budget: Helpful Tips," "Hot Tips 101: Financial Management Tools for your Practice," "Who Gets What? Determining Law Firm Salaries," and "Virtual Lawyer: Using Technology to Stay Connected." Both the "Hot Tips" and "Virtual Lawyer" programs will be worth CLE credits.

On the life management side, attendees will be able to learn about planning for retirement in "Personal Financial and Retirement Planning," as well as how to help their children get into the best college in "Paving Your Child's Road to College."

Registration for the two-day event is \$35. In addition to the registration fee, all programs that offer CLE credit will cost \$20. For more information, contact the PBA at (800) 932-0311.

## VRS

*continued from page 17*

your ticklers in Microsoft Outlook, you can dictate them. It also means that my VRS is helpful with my billing software. Of course, the spell check function so prominent in virtually every word processing package is available for those of us who possess satisfactory diction skills but who couldn't spell to save our souls. In short, anything that requires alphanumeric keystrokes

can benefit from the use of voice recognition software.

It is my prediction that the use of voice recognition software will soon become commonplace in virtually every application where a keyboard-controlled computer is found. For now it offers those of us left off the computer-world train the opportunity to hop a freight using our voices rather than our untrained stubby little fingers for locomotion. Once you get used to the momentum, it is an exhilarating <hiccup> ride!

# Membership Survey Results *continued from page 2*

This survey also addressed balance of life and lifestyle issues. The answer for over 50% of the respondents in regards to choosing the profession of law again was “without hesitation”; 16% indicated that they would choose another line of work; 34% indicated that they would consider it with “caution.” These results do not necessarily correlate with the stress of the practice as 41% of the attorneys feel that their practice is out of control “some of the time.” In response to this seemingly high percentage, the WBA leadership has provided help through the Lawyers Concerned for Lawyers Committee. To-date CLE programming has brought in specialists to educate and advise attorneys on depression, stress and other quality of life issues. An additional CLE seminar is scheduled for September 21st titled “Quality and Balance of Life.”

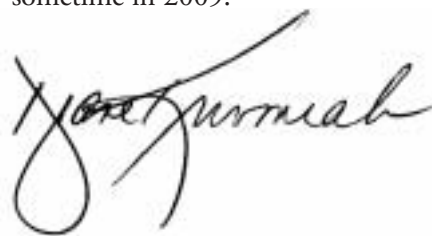
On personal matters 50% of respondents reported that they know of lawyers in Westmoreland County who have severe alcohol problems while no one reported knowing any attorney with a serious drug problem. For anyone struggling with addiction problems or for anyone wanting to seek help for a colleague who is struggling, the Lawyers Helpline is available 24 hours a day. It is confidential and staffed with personnel skilled in working with lawyers. That number is 800-566-5933. Help is also available through the WBA and the local LCL committee which is presently chaired by Judge Irv Bloom.

The highest scoring items in the survey dealt with the bar facility, membership services and staffing: 100% of the attorneys reported that they read the bimonthly

newsletter and 99% rate that publication above average. 86% felt that the bar headquarters and meeting rooms were adequate for CLE programming, client meetings and committee luncheons. The staff, too, received a high approval rating (100%) with respondents indicating that they deal with the bar staff on a weekly to monthly basis for matters including the law journal, CLE, and committee work.

Although the 1999 survey gives us a glimpse of today and a glance back to 1990, the results really allow us to prepare for the future. The Planning Committee mem-

bers, who designed and dispersed both surveys, will be meeting in September to continue to study the results. Armed with this information, their task is to continue to move the WBA forward. Stay tuned for their recommendations and keep your eye out for the next survey—which might very well be coming your way via a wireless handheld phone/computer—sometime in 2009.



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# CALENDAR of Events

## SEPTEMBER

- 4 Labor Day Holiday
- 6 Municipal Law—Noon
- 8 Women in Profession—Noon
- 13 CLE Lunch 'n Learn—Noon
- 13 Membership—Noon
- 19 Family Law—Noon
- 19 Board Meeting—4 p.m.
- 20 Young Lawyers—Noon
- 20 Info Tech/Electronic Filing Demonstration—1 p.m.
- 20 WBF Trustees—4:30 p.m.
- 21 Elder Law/Orphans' Court—Noon

## OCTOBER

- 7 Fall Gathering—5:30 p.m., Nemaocolin Woodlands
- 9 Columbus Day Holiday
- 11 Membership—Noon
- 17 Family Law—Noon
- 17 Board Meeting—4 p.m.



Westmoreland Bar Association  
129 North Pennsylvania Avenue  
Greensburg, PA 15601

# This Month in Legal History

**1753** — Max Washington, George's younger brother, chops down a prized cherry tree. When confronted by his father, Max says, "I cannot tell a lie, Father—George did it." He goes on to have a very successful career as a trial lawyer.

**1827** — Ezekiel Pontoon and Priscilla Quilter form the first mixed gender law partnership in the country. It lasts less time than the Wright brothers' first flight when Pontoon finds out that Quilter won't make the coffee.

**1935** — Lothario Beneducci forms Mutual Bonanza Insurance Company, the first automobile liability insurance company completely owned and operated by plaintiffs' counsel.

**1935** — Mutual Bonanza goes belly up.

**1944** — Carmen Miranda Wehrning successfully argues the first case establishing the precedent that requires police to warn all criminal suspects of their constitutional right to wear fruit.

**1973** — In a futile effort to bolster a presidency crippled by Watergate, the National Association of Republican Lawyers kicks off its "We Love Dick" campaign.

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**free\* live cle seminar**  
Wednesday, September 13, 2000  
WBA Headquarters  
Noon to 1:15 p.m.

**Choosing a Business Entity in Pennsylvania**  
1 Optional Substantive Credit

*Guest Speaker: Michael A. Cassidy, Tucker Arensberg, P.C., Pittsburgh, Pa.*

Choosing the proper business entity is crucial to the success of a new business. This course will acquaint you with LLCs, LLPs, corporations, partnerships and joint ventures to assist you in determining when it is appropriate to choose each entity. *Pizza and soft drinks will be served.*

Call (724) 834-6730 to register.

\* Seminars are free for those who do not wish to receive CLE credits.