



# The Hon. Charles H. Loughran Sets April 2002 Retirement Date

by Diane E. Murphy, Esq.

Most of the attorneys of Westmoreland County, as well as the many attorneys from the surrounding counties have come to know Judge Charles H. Loughran as a “no-nonsense” judge, one who prefers to run his courtroom as a place of serious business and not a place to be silly or frivolous.

Although the Judge feels somewhat remorseful that he is perceived as gruff or mean (as he has been told by some friends), attorneys who have had the opportunity to present their cases in his court become better attorneys because they are required to be well prepared. When they are, Judge Loughran treats them with nothing other than professional courtesy and respect. Rest assured that Judge Loughran is always well prepared for each case that comes before his bench.

Judge Loughran will be retiring in April 2002, but he will not be a stranger to the Courthouse. He will still have his civil trial schedule to work through, and thinks that he will be in his office between five and ten days per month, at least initially. Thereafter, any work as a Senior Judge will be interspersed with his

social involvements and his personal hobbies, some new and some reawakened after many years of being sidetracked because of the enormous demands of being a Judge.

After a long and successful career as a private practitioner, Judge Loughran was elected to the Court of Common Pleas of Westmoreland County in 1978, having been nominated by both the Democratic and Republican parties. He was then retained for an additional ten-year term in November 1987, and again in November 1997. On April 23, 1997, he was elected President Judge of the Court of Common Pleas of Westmoreland County by the members of the Court.

The Judge has also taken on some less-than-traditional duties. In 1979, the Westmoreland County Commissioners appointed him as the Chairman of a five-member committee to conserve and preserve the oil portraits of the former Judges of Westmoreland County that now hang in the various courtrooms.

In December 1993, through the urging of an ad hoc committee chaired by Judge Loughran, restoration and repair to the statuary atop the Courthouse, “Lady Justice

and Her Two Hand Maidens,” was completed.

He was also appointed Co-Chairperson by the then President Judge Gilfert M. Mihalich to study and recommend, if needed, a security system for all entrances of the Courthouse property. As a result, security checkpoints were installed,



The Hon. Charles Loughran and his wife, Sally, on their way to the opera in Vienna, Austria, in September 2001.

and remain, at all entrances. Now everyone who gets stopped and frisked can thank Judge Loughran.

Judge Loughran’s professional memberships and accomplishments also are impressive and extensive. He is a member of the Westmoreland

*continued on page 4*

President's Message

# Lunchtime Lament

by John M. Campfield

**T**otalitarian regimes spend tremendous resources controlling the thoughts and actions of their people. Those regimes seek a single-minded purpose in all that society does. Control is an obsession.

In America we seem to have struck a new and much more clever method of control.



We provide for wide-ranging avenues of thought and action, so long as it is not really important. We have become masters of hidden manipulation, victims of happy complacency. We simply let people think that they really do not have to think that much to do right and have the good life.

My favorite pied pipers of the “don't worry, be happy” group are Oprah and Martha Stewart. Between the two, we are fed with all things needed to lead the good life. Got a family problem? Don't worry. Oprah's got the answer. Need some style? Just tune in to Martha. Having a spasmodic moment and need to think? Sit tight. It will pass. Enjoying complacency? Couldn't be better.

Now you ask: “What in the world does this have to do with lawyers and the practice of law?” Well perhaps we, in some ways, are worse than the souls mind-numbed by the media. While we may not be swayed by some mind-bending media spin doctor, we must ask: “Are we doing what we have been trained and sworn to do when it

comes to matters of significant legal importance?”

Lawyers are trained as critical thinkers. We not only take an oath to uphold the law but, as the preamble to the Code of Professional Responsibility states, a lawyer is a “... public citizen having special responsibility for the quality of justice.”

By now, I hope that all of you know that proposed legislation dealing with “frivolous litigation” has passed each body of the General Assembly, albeit, in slightly different forms. For reference purposes, it is Senate Bill 406. This proposed legislation is, in my opinion, and in the opinion of some others, but one part of a concerted action to reform Tort Law in Pennsylvania. The business, healthcare and insurance interests are, and have been, spearheading this reform. While I don't propose to debate the merits of this reform on this page, I do express my concern of the relative complacency and reactionary attitude of a large segment of the Bar with regard to these efforts. Simply stated, I fear we are not fulfilling our role as “public citizens.”

Reformers like nothing better than a complacent opponent and it is not uncommon when the reform involves the legal system to have a strategy that implores, “first you blame the lawyers.” The “Frivolous

Litigation” Bill is aimed directly at “blaming the lawyers.”

John Marshall, Chief Justice of the United States Supreme Court, writing in *Marbury v. Madison* in 1803, said that “it is a settled and invariable principle that every right, when withheld, must have a remedy and every injury its proper redress.” The essence of civil liberty consists in the right of every individual to claim the protection of the laws whenever he or she has received an injury. One of the first duties of government is to afford that protection. Every attempt to change or limit the remedies and redress changes the rights.

To a great extent I believe the important legal issues involved in the current “reform” efforts have simply become great lunchtime talk—hashed, thrashed and lamented, but forgotten sooner than the meal is digested.

So I urge all lawyers to become more involved; to fulfill all aspects of our role as lawyers in a free society; and use our talents to join the debate that should occur on matters of

such importance to society.



# Nominations Announced for WBA Board, Committees

On Monday, April 1, 2002, the WBA will conclude the 2001-2002 operating year with a complimentary dinner meeting at the Greensburg Country Club. At that time, a new board member will be elected, committees will be recognized and outgoing Bar President John Campfield will be roasted by Jim Silvis and John O'Connell.

Timothy J. Geary will assume the Bar presidency at the conclusion of this meeting.



▲ Incoming WBA President Timothy J. Geary

The Bar Foundation will meet ahead of the WBA annual meeting and Marnie Abraham, Chair of the WBF, will report on the activities of the past year. Election of new Bar Foundation Trustees will take place and the Attorney of the Year will be honored by the Pro Bono Program.

The Nominating Committee has recommended the following members for the Board of Directors and Membership and Building Committees.

## Do You Know an Outstanding Young Lawyer?



Nominations are being accepted for the Outstanding Young Lawyer Award which will be given out at the annual meeting on April 1. The criteria for the award are: ethics and integrity; service to the Bar and its members; leadership; service to projects undertaken by the Young Lawyers Committee; overall participation in Bar-related activities; and community service. Nominations should include a short profile of the attorney and may be faxed to Harry F. Smal, Jr., at 724-836-2041 by Tuesday March 12, 2002.



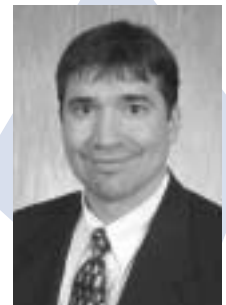
### VICE PRESIDENT: ROBERT I. JOHNSTON

Robert I. Johnston has served three years as a Director on the WBA board. He currently chairs the Professional Liability Committee of the PBA and is a member of the House of Delegates. Bob also serves on the Board of Governors of the

Westmoreland Academy of Civil Trial Lawyers and is a founder, former president and current Program Chairman of the Ned J. Nakles American Inn of Court. He is also on the board of Clelian Heights School for Exceptional Children. A member of the WBA since 1984, Bob is a partner in Belden Law in Greensburg.

### BOARD OF DIRECTORS: ERIC E. BONONI

Eric E. Bononi earned a degree in Accounting from the University of Notre Dame and his juris doctor from Ohio Northern University, Claude A. Petit School of Law. Eric sits on the Board of Directors for both the Westmoreland Fayette Council of Boy Scouts of America and the Greensburg Uniontown Notre Dame Club. Eric is also an active member of the Greensburg Rotary, the WBA and the PBA. A founding partner of Bononi & Bononi, P.C., in Greensburg, Eric was admitted to the WBA in 1986.



### MEMBERSHIP COMMITTEE: JUDITH KARNS CISZEK

A WBA member since 1981, Judith Karns Ciszek has served on the Finance and Planning Committees and is currently a member of the Fee Dispute and Municipal Law Committees. She spent seven years as an Assistant

*continued on page 10*

## Loughran Sets Retirement Date *continued from page 1*

Bar Association, Pennsylvania Bar Association, and is a past member of the Westmoreland Academy of Trial Lawyers and the Pennsylvania Trial Lawyers Association. He is a “Master” and past President of the Ned J. Nakles American Inn of Court.

He was a member of the Ethics Committee for Pennsylvania Judges under the auspices of the Pennsylvania Conference of State Trial Judges Association, and also served that association as a Zone Representative and a member of the Executive Committee for six years.

On the lighter side, Judge Loughran has offered his time and commitment to community projects such as the Greensburg City Planning Commission, the Westmoreland Hospital Foundation Board, he is a past Vice-President of the Retired Senior Volunteer Program, a past member of the initial County Board for the Mental Health and Mental Retardation Program and a past Director of the Westmoreland Symphony.

Currently the Judge is a member of the Board of Directors of the Woods-Marchand Foundation/Westmoreland Museum of American Art, where he is serves as Secretary of the Board. Additionally, he serves as a Trustee of the Greensburg YMCA.

Judge Loughran is a lifelong resident of the City of Greensburg, where he currently resides with his wife, Sally. They have two daughters, Aimee Loughran Bower

of Wellesley, Mass. and Sydney Loughran Wolf of Boston, Mass. When you ask about grandchildren, Judge Loughran proudly will show you the pictures he keeps on the shelf of his bookcase of his two grandchildren. He is anxiously awaiting the birth of his third grandchild, who is due any day now.

It was during Judge Loughran’s college years that he first began to travel abroad. On his first trip, he spent a summer in Denmark, and to this day he still learns of, explores and appreciates other cultures. You may remember hearing that Judge Loughran was in Austria on September 11 of this last year, and he had more

than a little difficulty getting back to the United States and home. He was very concerned for his children

and grandchildren who lived in the Boston area.

True to form, Judge Loughran has really prepared and thought about what he would like to do with his “free” time in retirement. First and foremost, he anticipates returning to a time when he was mentally free, letting himself



◀ Judge Loughran and his long-time secretary Barbara Frick.



▲ In June 2000, President Judge Charles H. Loughran (far left) helped welcome the Commonwealth Court to Westmoreland County for a historic session. Also shown (L to R) are then-WBA President Diane Murphy, Commonwealth Court President Judge Joseph T. Doyle, WBA Executive Director Diane Krivoniak and Commonwealth Court Judge James R. Kelley.

have fun and finding inner happiness. He wants to be the fun-loving guy that he was in his youth, while appreciating the finer things that have come his way over the years. He has a love of cooking and is planning to audit some cooking classes in the culinary department of a local school. He also plans on picking up where he left off years ago with his interest in sculpting and painting.

Judge Loughran will miss coming to work each day, but he says that he knows it is the right time to retire and he will do so with appreciation and satisfaction with his career.

Cost: \$90 LMC Members \$75 Non-Members (Lunch included)	Presented by: •Federal Mediation and Conciliation Services •PA Bureau of Mediation •Region 6 of the NLRB •Westmoreland County Area Labor-Management Committee
<b>LABOR LAW/ADR WORKSHOP</b>	
March 21, 2002 8AM-4PM	
Four Points Sheraton Mars, PA	
Phone: (724) 925-4247 For Reservation Information	



# Remembering Joe Mitinger

by John N. Scales, Esq.

When I first learned that Joe Mitinger had died, I immediately remembered two incidents that occurred in the early 1950s. Both incidents show what kind of a man Joe was.



▲  
Joe Mitinger

In the early 1950s Joe was a student at Yale, and after one of the holiday breaks, my father, A.C. Scales, drove several of us, including Joe and my roommates, back to school.

In those days it was an eleven-hour drive. When we arrived at school, at about 8:00 p.m. on

Sunday evening, we told my father that he could use one of the beds in our dorm room and one of us would sleep on the sofa.

My father replied, "There's no need to do that, I have to leave right away and drive back because I have to be in court in Greensburg at 9:00 tomorrow morning." None of us, of course, could believe it, but my father left the dorm and headed for his car. Joe Mitinger left also to go to his dorm.

A few days later we learned that Joe had followed my father to his car and rode all the way back to Greensburg with him that night just to make sure that he stayed awake at the wheel and to help with the driving if necessary.

Joe missed classes the next day, but was able to get back to school the following night. Joe's concern

that night was a character trait that stayed with him his whole life.

During Joe Mitinger's last year at Yale, he was captain of the football team, and Joe's team was a championship team that year. Joe played in the defensive line, and in the last game of the season against Harvard, Yale was leading by a very large score in the final minutes of the game. Harvard had the ball, and an outstanding running back began a sweep to his right. Joe had broken through the line and was about to make a tackle when his opponent's knee gave out, and he began to fall. Joe, knowing that this player had a bad knee and knowing that several of Joe's teammates were right behind Joe, threw his own body at his own teammates and blocked them, preventing an almost certain serious

*continued on page 6*



**Court Reporting / Legal Video / Document Imaging / Trial Presentation / Computer Animation**

## Announces Greensburg Office

- Court Reporting
- Video
- Trial Presentation Services
- 2 Conference Rooms
- Staffed Full-Time By Lifelong Westmoreland County Residents:

Mary Emanuele - Managing Court Reporter  
 Joyce Marker-Maybach - Court Reporter  
 Mary Jane Rucci - Court Reporter  
 Joe Hagan - Manager VideoTech



101 North Main Street, Suite 105, Greensburg, Pennsylvania 15601

(Conference Rooms are also available at our Pittsburgh and Erie offices.)

- Schedule your depositions with us -

— 724-853-7700 —

# Remembering Joe Mitinger *continued from page 5*

injury to the Harvard player. As a result of this unselfish act, Joe Mitinger received the Swede Nelson Sportsmanship Award from the Gridiron Club of Boston.

Unselfishness and quick thinking are two other characteristics that stayed with Joe throughout his whole life.

Joe Mitinger was born on October 27, 1930, in Greensburg. His parents were Robert B. and Lucy E. Mitinger. Joe graduated from Greensburg High School in 1948 and spent a year at Kiski Prep School in 1949, before entering Yale from which he graduated in 1953.

Joe then graduated from the University of Pittsburgh Law School in 1959, after serving as a First Lieutenant with the United States Army in Germany.

Joe's community activities were legendary and included being City Solicitor for Greensburg, a board member of the Greensburg YMCA, past-president and member of the Greensburg Rotary Club, volunteer

for the United Way, trustee of the St. Clair Cemetery, active member of the First Presbyterian Church of Greensburg, and later of the First Methodist Church of Greensburg.

Among his many other interests, Joe Mitinger loved history and enjoyed discussing history with family and friends. He loved music, and could always be counted upon to perform as a pianist.

Joe's father, Bob, and his uncle, Edward Mitinger, maintained law offices for many years on Main Street in Greensburg, and Joe, after practicing for a short time with Attorney John Metz in Pittsburgh, associated himself with the family firm in Greensburg.

Joe's father, Bob Mitinger, always kept a wonderful photograph of Joe in his office in Greensburg. In the photograph Joe, playing on offense for Kiski, had pulled from the line and was leading the interference for a running back, and both Joe and the running back were moving

toward the camera. The running back, who is clearly seen in the photograph, was Bob Mathias, who later, of course, was the Olympic decathlon champion.

Family has always been of the utmost importance for Joe. He was devoted to his children, Elizabeth Locke of London, England; Alice Mitinger, who is a very active lawyer in Pittsburgh; and Louise Mitinger of Pittsburgh.

He is survived by his wife, Diane Rombach Mitinger, and her daughters, Jennifer Rombach of Blacksburg, Va., and Trisha Rombach of Hermitage, Pa. He is also survived by his grandchildren, William and Sara Locke; his brother, Robert Mitinger, of State College, Pa., who was an All American end while playing football at Penn State; a sister, Lucy Cress, of Latrobe; and a sister, Eleanor Mitinger of Hatboro, Pa.

Joe was preceded in death by his former wife, Beth Mitinger.

How desirable it would be to live the kind of life lived by Joe Mitinger. His good humor, his concern for others, his dedication to his family and his community, and his professionalism set standards which we would all wish to realize.

Joe's approach to life was to live simply, to love unconditionally, to give generously, to pray frequently, and to serve completely. Throughout his life he achieved these goals much better than most of us. I miss him greatly.

## 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 **Memorial 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.



### LAW SPEAK

Mrs. Barber is the kind of wife who stands by her husband in all the troubles he would not have had if had not married her.

— Jayne, V.C.,  
*Bondarchuk v. Barber*,  
135 J.J. Eq. 334 (1944)

# Spotlight on The Hon. Charles H. Loughran



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

**A** Construction; worked a summer in Denmark delivering bottled gas for BP; worked in my father's law office.

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

**A** Working in Denmark—guess why!

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

**A** A defendant pled guilty before me for presenting a bogus \$1,000 bill to a teller at the First National Bank of Greensburg. The note stated on its face: "This is phony money." The teller was fired the next day for giving him \$1,000 cash.

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

**A** Promptness.

**Q** WHAT IS YOUR FAVORITE JOURNEY?

**A** Sailing from Martinique to Grenada in the West Indies.

**Q** WHAT IS YOUR GREATEST REGRET?

**A** That I wasn't Mike Kearney for one day.

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

**A** John Adams.

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

**A** Study medicine.

**Q** WHAT DO YOU CONSIDER TO BE YOUR GREATEST ACHIEVEMENT?

**A** After bumbling through parenting to have two wonderful daughters.

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

**A** Dancing with my wife on the terrace, overlooking the ocean on a moonlit night, at the Coral Beach Club in Bermuda.

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

**A** My health.

**Q** WHAT IS YOUR GREATEST EXTRAVAGANCE?

**A** I bought the home next door and razed it the next day.

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

**A** Self aggrandizement.

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

**A** To paint like the impressionists.

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

**A** Loyalty.

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

**A** The Pope (and not because I'm a Catholic).

**Q** WHAT IS YOUR MOTTO?

**A** Love your enemies—it drives them nuts!

## free\* live lunch 'n learn cle seminar

Wednesday, March 13, 2002 • Noon – 1:15 p.m.  
WBA Headquarters

Free Legal Research: PBA's InCite Program  
1 Optional Substantive Credit

*Presenters: Christopher A. Haidze, Esq., and James A. Wells, Esq.*

Brought to you through an exclusive partnership of the PBA and LexisNexis, InCite is an innovative approach to serving the legal research needs of Pennsylvania lawyers. Learn how to use this free legal research program effectively in your practice.

Free lunch (pizza and soda) will be provided.  
Kindly call the Bar office at (724) 834-6730 to preregister.

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



# New Members Introduced to the Court in Annual Ceremony

## CEREMONY HELD IN CONJUNCTION WITH WBA QUARTERLY MEETING

On Friday, February 15, 2002, the Westmoreland Bar Association presented its new members to the court. Following a welcoming address by WBA President John Campfield, each admittee was introduced to the court by a member of the association.

The new members presented to the court are: Rebecca L. Calisti, presented by The Hon. John J. Driscoll; Charles J. Dangelo, presented by The Hon. William J. Ober; Michael E. DeMatt, presented by Lawrence D. Kerr; Robert L. Frey, Jr., presented by



▲ *The new members presented to the Court are (from L to R): Valerie Veltri, Emily Karen Painter, Donna E. Heldman, George H. Love, Jr., Charles J. Dangelo, Robert L. Frey, Jr., Michael E. DeMatt, Rebecca L. Calisti and James A. Horchak.*

John M. Ranker; James A. Horchak, presented by David S. DeRose; Donna E. Heldman, presented by Kathleen N. Kemp; George H. Love, Jr., presented by Robert W. Kutz; Emily Karen Painter, presented by Timothy J. Geary; and Valerie Veltri, presented by Shirley A. Makuta.

Following the presentation to the court, Joseph Massaro, Jr., and Bob Johnston greeted the new members on behalf of the Young Lawyers Committee and the Ned J. Nakles American Inn of Court, respectively. President Judge Charles H. Loughran then spoke on behalf of the court.

A reception luncheon for the new admittees was held in conjunction with the Quarterly Meeting of the Westmoreland Bar Association, which was held at Bar headquarters immediately following the ceremony.

## Mediation, arbitration and all forms of conflict resolution

John M. Campfield, Esquire  
Vincent J. Quatrini, Jr., Esquire  
Dennis Slyman, Esquire  
W. Bryan Pizzi II, Esquire  
William M. Radcliffe, Esquire

The Academy For



Telephone 724-850-8ADR (8237)  
P.O. Box 476 Greensburg, PA 15601

## Aujay Investigative Service

Retired United States Probation Officer  
with over 28 years of investigative experience  
available for civil or criminal investigations.

Reliable • Dependable • Thorough  
Reasonable Rates

**724-864-4468** or **412-609-8714** (cell)  
e-mail: [jaujay@yahoo.com](mailto:jaujay@yahoo.com)



# To-Wit: Accounting for Taste

by S. Sponte, Esq.

Now, most of you who know me also know that I have a particular affinity for the First Amendment. I do a fair number of those kinds of cases, I teach the stuff at my old law school and I truly do believe it's one of the most significant reasons why this nation is far different from all others.

I'm not sure when my love affair with the First Amendment started, but I do know that it all comes from my parents. I know I wouldn't have such a passion for the subject had they not been telling me to shut up all the time.

So committed am I to the notion of free expression that I wasn't at all surprised or offended when many years ago the U.S. Supreme Court ruled that, when it comes to

advertising, lawyers were pretty much entitled to the same protections as other businesses. Some of you may well remember that in the "old days," lawyers were pretty much forbidden to advertise at all, other than for a distinguished and therefore nondescript little ad containing name, address and phone number. It was, in those days, a matter of good taste and decorum. The litany was that as members of a hopefully distinguished profession, we should not demean our dignity, such as it is, by actively soliciting business. It was OK to do it on the golf course, just not in print.

Alas, legal advertising has become so fatuous of late that it has me wondering if this First Amendment thing is such a good idea after all. For instance, I recently saw a series of local ads promoting the practice

of an estate attorney. It portrayed him at the funeral home, comforting the bereaved, standing next to an open casket, then turning to the audience and pitching his services. The "kicker" occurred when the dearly departed sat upright in the coffin, faced the camera and said, "You know, he makes death not so bad."

Until I saw those ads, I believed the nadir in tasteless legal advertising to be on the scoreboard at the new football stadium. It's a personal-injury firm's "Injury Report" that is shown whenever a player is injured on the field, a not-at-all subtle reminder that lawyers profit from



*continued on page 10*

**When your client needs criminal defense help quickly . . .**

**refer them to the Belden Criminal Law Group.**



If you don't practice criminal law regularly, the best counsel may be to recommend a team of lawyers with proven experience on both sides of criminal cases.

We invite you to learn more about our firm and our Criminal Law Group at our website: [beldenlaw.com](http://beldenlaw.com) or email [info@beldenlaw.com](mailto:info@beldenlaw.com).



Recommended by lawyers and clients  
across Pennsylvania

**Meet the Belden Criminal Law Group**

724.834.0300  
[beldenlaw.com](http://beldenlaw.com)  
117 N. Main Street, Greensburg, PA 15601

## To-Wit: Accounting for Taste *continued from page 9*

the injuries of others and apparently mightily so to afford such costly self-promotion.

Hey, hey, come on guys, we're lawyers here, dignified, distinguished, respected, remember? The First Amendment certainly protects your right to advertise, but it doesn't protect your right to be crass.

Something needs to be done, and I think I know what. If we really want to clean up this mess, what we need is a code of propriety for legal advertising. It will have to be voluntary, of course, but in this business, as everyone knows, there's voluntary and then there's voluntary.

It will require a new bar association committee. I will chair. I'll hand pick an assemblage of lawyers from across the commonwealth to serve as volunteers. As the new Committee on Legal Advertising (COLA) we would come under the aegis of the bar association's already existing Committee on Commercial Advertising (COCA). We will ask every lawyer and law firm who advertises to voluntarily submit tape or copy of each ad, and if we find the advertisement meets our standards, we will grant it our seal of approval. Simple, huh?

As for standards, I always prefer an "ad hoc" approach. That way, I can simply make up my mind as we go along. However, I realize that some semblance of predictability and uniformity are probably desirable, and, accordingly, I have developed a broad set of standards to guide the would-be advertiser. Bear in mind here that the goal is to enhance the image of the lawyer. That it may also compel good taste is just a bonus.

1. A lawyer may appear in his or her own commercial only if he or she is relatively good looking. No baldness, obesity, bad dentures, bad

rugs or corrective lenses.

2. No finger pointing, ever. Too easily mistaken for a gesture the public is already accustomed to.

3. Good grammar is a must. No "youns" or "younses," please, despite its appeal to the unwashed.

**I know I wouldn't have such a passion for the subject had my parents not been telling me to shut up all the time.**

4. Before a firm can utilize an ad portraying a female lawyer to project the image of a workplace friendly to women, it must demonstrate that it actually has at least one in its employ.

5. No matter how well intended, the use of firearms in advertising is prohibited. The same applies to nooses, garrotes, whips, chains and law books.

6. The use of words such as "jackpot," "bundle," "moolah" and "Shazam" are prohibited.

7. No lawyer may ever appear in any ad without first having demonstrated a basic grasp of diction and grammar.

8. In bankruptcy and family law ads, gaiety is forbidden. So is bad acting and Abe Lincoln facial hair.

I know you're not happy about this, and neither am I. The lesson here is that, unfortunately, our profession can lay no greater claim to taste and propriety than any other profit-driven business. I wish it weren't so, but then again, how much taste and propriety can you expect from someone who expects to get rich doing law, huh?

© 2002, S. Sponte, Esq.

## Nominations Announced

*continued from page 3*

District Attorney and was Deputy General Counsel for the State Treasurer's Office in Harrisburg for three years. For the last ten years, Judith has been in private practice in Greensburg, doing a full range of civil and municipal work. Her community involvement includes performing legal services for community-based advocate groups for learning disabled children and adults.



### **BUILDING COMMITTEE: LARRY D. LOPERFITO**

A WBA member since 1989, Larry D. Loperfito is also a member of the Westmoreland County Representative Board of Governors, Western Pennsylvania Trial Lawyers Association, Pennsylvania Trial Lawyers Association (Membership Committee), PBA, and National Order of the Barristers. Larry has served as the Kiski Area School District Mock Trial Advisor and is a member of the board St. Gertrude's School CORE Committee and the Victorian Vandergrift Museum and

Historical Society. He is also a volunteer solicitor to the Vandergrift Senior Citizens, Inc. and Kiski Valley Special Services, Inc. Larry is a partner in Geary and Loperfito, LLC, in Vandergrift.

# And The Winner Is ...



“Because I look a whole lot thinner when I stand like this, that’s why.”

As a few of you may recall, last issue we ran the First Annual (Maybe) Caption The Photo Contest. For those of you who don’t remember, here once again is the photo to be captioned. We decided to let our readers have a chance to prove just how funny they could be, as we challenged them to come up with their very own funny caption. The results are now in and we are pleased to announce we have a winner.

Now first let me say that, unlike many events sponsored by our Bar, this result was not rigged. The winner was chosen solely on the basis of demonstrated wit, and on no other.

I assure you that no personal considerations were a factor, and further, that I accepted neither money nor lesser recompense in exchange for the result. It was fair and square, all the way.

Now, so as to end the suspense, the winner of the First Annual (Maybe) Photo Caption Contest, and the winner of the all-expenses for two paid free First Class trip to Hawaii for herself and her law partner is ... Jackie Knupp.

And her winning entry? “Because I look a whole lot thinner when I stand like this, that’s why.”

I’m sure you’ll agree it is funny. We’ll write when we get there.

## ATTENTION PARALEGALS, LEGAL SECRETARIES AND ATTORNEYS

The Westmoreland Bar Association operates a placement service for paralegals, legal secretaries and attorneys. If interested, send your résumé to the WBA, 129 N. Pennsylvania Ave., Greensburg, PA 15601.

We’ll forward it to potential employers at no cost to you.

Contact Bar Headquarters at (724) 834-6730 for more information.



## Reminder

*Have you paid your 2002 membership dues to the Westmoreland Bar Association? If not, dues must be remitted before March 15, 2002. Members who do not pay by this date will be dropped from the rolls of both the local and state bars.*

## Lawyers' Exchange\*

(\*Free to all members of the Bar)

### OFFICE FURNITURE FOR SALE

General office furniture including computer desk, complete computer system, metal file cabinets and other furnishings. Any reasonable offer will be considered. Thomas P. Cole, II. 724/836-4390.

### CUSTODY ATTORNEY NEEDED

The Westmoreland Bar Foundation has one custody attorney position available. Family law experience is required. Custody cases are processed three to four times per year and attorneys are paid on a per case basis. If interested, send a résumé and letter of intent to the WBA, Attn.: Diane Krivoniak, 129 N. Penna. Ave., Greensburg.

# Bench/Bar to Inaugurate Diva House

by Robert I. Johnston, Esq.

In keeping with the spirit of innovation which has characterized John Campfield's year as President of the WBA, the upcoming Bench/Bar Conference slated for June 13-15 at Deep Creek Lake will feature the addition of "Diva House." The concept had its origin last year when the Board rented a condominium near to the Young Lawyers condo, dubbed "Grey House," where older or more contemplative attendees could rest and relax without feeling the need to sing and dance and otherwise enjoy themselves.

According to some, Diva House represents yet another concession to

a special interest group, in this case, one whose identity is somewhat misidentified by the name they've chosen (the more popular, and some might say, more representative "Grey Ladies House," my own personal favorite, was summarily rejected).

over the line at one frequency, and your TV signal comes over the same line at another frequency? Well, this is the same thing. The Grey House folks use the place for naps and such, and the Divas are mostly interested in the bathrooms.

They'll hardly see each other."

Put off for yet another year was whether to make accommodations available for

the only interest group not yet recognized. "We have a name, but no place to go," said the group's spokesperson, Rich Victoria. If the group has its way, next year you may be able to go to the "Middle Aged White Man's Condo." According to John, "it's just another frequency." See you at the Wisp.



Interestingly, Grey House and Diva House will share the same condo. When asked how that was possible, John is reported to have said, "it's like technology" (most things are "like technology" for John). "Actually, I got the idea from cable TV," John explained. "You know how your telephone comes

**For complete insurance protection, we've got you covered.**

For over 60 years, USI COLBURN INSURANCE SERVICE has been meeting the needs of Pennsylvania lawyers. We can satisfy your insurance requirements through the following programs:

- Medical Insurance
- Employee Benefits
- Disability Insurance
- Term Life Insurance
- Long Term Care
- Medicare Supplement
- Professional Liability
- Fidelity and Surety Bonds

For more details or a quote on coverage call today:  
412-885-6570  
1-800-WCOLBURN  
www.colburn.com



201 Caste Village, Pittsburgh, Pennsylvania 15236

## Lawyers Abstract Company of Westmoreland County

James C. Ripple – Manager

**129 NORTH PENNSYLVANIA AVENUE  
GREENSBURG, PA 15601**

Telephone 724 - 834-2822

**Agents for Commonwealth Land Title Insurance Company**

FULL TITLE SEARCHES

TITLE INSURANCE

ABSTRACTS

REAL ESTATE & MORTGAGE CLOSINGS



# Jury Trial Verdicts

**NOVEMBER/DECEMBER 2001 TRIAL TERMS**

Out of 95 cases set for trial during the November/December 2001 civil trial terms, 32 settled, one was stricken, one was dismissed, one was discontinued, three moved to arbitration, one arbitration appeal was quashed, one was stayed upon the filing of bankruptcy, one was a non-jury trial, 26 were continued, nine verdicts were entered and 19 were held to the next list.

**REBECCA RENSHAW AND BENNY JOHNSON**  
V.

**EUGENE P. BEHAGE AND LINDA LEE BEHAGE, HIS WIFE**  
NO. 5739 OF 1998

*Cause of Action: Fraudulent/  
Negligent Misrepresentation*

Plaintiff-buyers brought this action to recover damages incurred as a result of their reliance on misrepresentations of defendant-sellers during their purchase of real estate in 1997. The complaint alleged that buyers encountered problems of an insufficient water supply in that water had to be hauled to the property once a month, an inoperational swimming pool and the infestation of carpenter ants.

Sellers asserted compliance with their duties and obligations involved in the transaction. They maintained that any damages were caused by the buyers' personal home inspectors. To the extent insufficient coverage existed under homeowners warranty, sellers asserted accord and satisfaction and the failure to mitigate damages.

*Plaintiffs' Counsel:* Kenneth P. McKay, Pgh.

*Defendants' Counsel:* Gary F. Sharlock, Marks O'Neill O'Brien & Courtney, Pgh.

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

*Result:* Molded verdict for plaintiff in the amount of \$15,500. Jury found negligent failure to disclose material facts concerning the property.

**JAMES N. MARTIN**  
V.  
**JOSEPH H. QUINN**  
NO. 7551 OF 1997

*Cause of Action:*

*Civil Rights, 42 U.S.C. § 1983*

This civil rights action arose out of the improper incarceration of plaintiff for three days at the Westmoreland County Prison. Plaintiff alleged that the defendant, a deputy sheriff for the county, altered a court order to make it appear that a bench warrant had been issued for the plaintiff. As a result of this violation of his constitutional rights, plaintiff also claimed mental anguish, injury to his reputation and the inability to attend to his business while incarcerated.

*Plaintiff's Counsel:* Kenneth B. Burkley, Gbg.

*Defendant's Counsel:* Irving M. Green, New Kensington

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

*Result:* Liability was not disputed. Jury awarded plaintiff \$5,000 compensatory damages and \$1,200 punitive damages.

**MARLENE A. HASLETT AND DANIEL A. HASLETT, HER HUSBAND**


V.

**ESTHER C. HILL AND JAMES A. STONE**  
NO. 8386 OF 1996

*Cause of Action: Negligence—  
Motor Vehicle Accident—Negligent  
Entrustment—Loss of Consortium*


Plaintiffs brought this action against defendants as a result of a motor vehicle collision that occurred on January 6, 1995, at the intersection of State Route 56 Bypass and Powers Drive. Wife-plaintiff was a guest

*continued on page 14*

**BANKRUPTCY** 

Now Accepting Referrals In Chapter 13

**Edward E. Gilbert, Esq.**  
*Attorney-At-Law*



Telephone  
724-836-4730

140 South Main Street  
-Third Floor-  
Greensburg, Pennsylvania

## Jury Trial Verdicts *continued from page 13*

passenger in a vehicle operated by her husband. While plaintiffs were traveling north on the bypass, the vehicle operated by defendant Stone entered the intersection against a red light and collided with the passenger side of plaintiffs' vehicle. Plaintiffs alleged the negligence of defendant Stone in failing to have the vehicle under proper control due to weather and road conditions and in driving under the influence of alcohol and without a license, and the negligence of defendant Hill in entrusting her vehicle to Stone. Wife-plaintiff's injuries included, inter alia, blood in the urine from internal injuries and cervical and left wrist sprain. Husband-plaintiff claimed loss of consortium.

In new matter, defendants asserted the limitations provided for in the Pennsylvania Motor Vehicle Financial Responsibility Law (MVFRL). Defendants also asserted the affirmative defense of a general release executed by husband-plaintiff.

*Plaintiffs' Counsel:* John F. Hooper, Pgh.

*Counsel for Defendant Hill:* Jeffrey C. Catanzarite, Summers, McDonnell, Walsh & Skeel, L.L.P., Pgh.

*Counsel for Defendant Stone:* Thomas W. Smith, Mears and Smith, P.C., Gbg.

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

*Result:* Verdict in favor of wife-plaintiff and against defendant Stone in the amount of \$42,000.

**BERNARD BAHELEDA**

**V.**

**LARRY MCCURDY**

**NO. 1117 OF 2000**

*Cause of Action: Negligence—Premises Liability*

On June 20, 1999, plaintiff delivered a swimming pool sliding board to the defendant's residence. Plaintiff was helping the defendant carry it to the swimming pool when he tripped over a green plastic sandbox in the yard. Plaintiff asserted that defendant was negligent in failing to warn him of the presence of the sandbox. Plaintiff twisted his right knee and tore the anterior cruciate ligament of the right knee, which required surgical repair.

The defendant denied negligence in failing to warn plaintiff of a condition that was open and obvious.

*Plaintiff's Counsel:* James J. Lestitian, Kim A. Bodnar, Pgh.

*Defendant's Counsel:* Maria Spina Altobelli, Jacobs & Saba, Gbg.

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

*Result:* Verdict for defendant.

**NANCY J. DODD AND**

**ROBERT DODD, HER HUSBAND**

**V.**

**THERESA GROSSER**

**NO. 2241 OF 1999**

*Cause of Action: Negligence—Motor Vehicle Accident—Loss of Consortium—Arbitration Appeal*

On July 4, 1997, the wife-plaintiff was traveling east on Frick Avenue in Mt. Pleasant when defendant's vehicle entered the road from an alleyway and collided with the front end of plaintiff's vehicle. Plaintiff claimed soft tissue injuries that caused paralysis of her left upper extremity and the inability to work for five months following the accident. Husband-plaintiff asserted a claim for loss of consortium.

Defendant denied negligence and asserted the affirmative defenses of contributory/comparative negligence, assumption of the risk and the provisions of the MVFRL.

### STOP REFERRING AWAY YOUR CLIENTS

Oakmont Investment Advisors, Inc. is partnering with attorneys to help them manage their client's assets by utilizing individually managed accounts. As a Registered Investment Advisor, bring your clients top rated institutional money managers such as Pitcairn Trust Co., State Street Global Advisors, and J. & W. Seligman & Co., and keep their business in house.

For an appointment call  
Ronald E. Heakins at 1-866-OAKMONT  
(6256668)

Oakmont Investment Advisors, Inc. is a registered investment advisory firm registered with the SEC.

*Plaintiffs' Counsel:* Rachel E. Morocco, Morocco Morocco & Specht, P.C., Trafford.

*Defendant's Counsel:* Maria Spina Altobelli, Jacobs & Saba, Gbg.

*Trial Judge:* The Hon. Gary P. Caruso

*Result:* Molded verdict for defendant.

**DEBRA J. TALLERICO AND  
SAMMIE JO TALLERICO,  
A MINOR  
V.  
DOUGLAS E. WELSH  
NO. 9961 OF 1995**

*Cause of Action: Negligence—  
Motor Vehicle Accident—  
Binding Summary Jury Trial*

Plaintiffs' action arose from a motor vehicle accident that occurred on December 23, 1993, on State Route 366 in Lower Burrell. Plaintiff was operating her vehicle, in which the minor-plaintiff was a passenger, when the defendant's vehicle collided into the rear of plaintiffs' vehicle. The complaint alleged, inter alia, that defendant was negligent in operating his vehicle while in an impaired condition and in failing to observe plaintiffs' vehicle and stop his vehicle within the assured clear distance. Both plaintiffs alleged soft tissue injuries.

The defendant denied operating his vehicle in a negligent manner and asserted the affirmative defenses of contributory/comparative negligence and assumption of the risk, as well as those found in the MVFRL.

*Plaintiffs' Counsel:* John E. Quinn, Evans, Portnoy & Quinn, Pgh.

*Defendant's Counsel:* Kim Ross Houser, Mears and Smith, P.C., Gbg.

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

*Result:* Verdict for plaintiff in the amount of \$1,000. No award for minor-plaintiff.

# Gambling Assessment

*by Judge Irving Bloom*

After attending the Bar Association's jaunt to the September Steelers-Bills game with a side trip to investigate the laws of probability in Niagara Falls, Ontario, I thought it appropriate to discuss compulsive gambling. Let's play twenty questions:

	YES	NO
1. Did you ever lose time from your practice due to gambling? .....	<input type="checkbox"/>	<input type="checkbox"/>
2. Has gambling ever made your home life unhappy? .....	<input type="checkbox"/>	<input type="checkbox"/>
3. Did gambling ever affect your reputation? .....	<input type="checkbox"/>	<input type="checkbox"/>
4. Have you ever felt remorse after gambling? .....	<input type="checkbox"/>	<input type="checkbox"/>
5. Did you ever gamble to get money to pay debts or solve financial difficulty? .....	<input type="checkbox"/>	<input type="checkbox"/>
6. Did gambling cause a decrease in your ambition? .....	<input type="checkbox"/>	<input type="checkbox"/>
7. After losing, do you feel you have to return as soon as possible to win back your losses? .....	<input type="checkbox"/>	<input type="checkbox"/>
8. After winning, do you have a strong urge to return and win more? .....	<input type="checkbox"/>	<input type="checkbox"/>
9. Do you often gamble until your last dollar is gone? ....	<input type="checkbox"/>	<input type="checkbox"/>
10. Do you ever borrow to finance your gambling? .....	<input type="checkbox"/>	<input type="checkbox"/>
11. Have you ever sold anything to finance gambling? .....	<input type="checkbox"/>	<input type="checkbox"/>
12. Are you reluctant to use gambling money for normal expenditures? .....	<input type="checkbox"/>	<input type="checkbox"/>
13. Does gambling make you careless of the welfare of yourself and your family? .....	<input type="checkbox"/>	<input type="checkbox"/>
14. Do you ever gamble longer than you had planned? .....	<input type="checkbox"/>	<input type="checkbox"/>
15. Have you ever gambled to escape worry or trouble? ....	<input type="checkbox"/>	<input type="checkbox"/>
16. Have you ever done anything illegal, or even thought of it, such as, hitting the old-rust account to finance gambling? .....	<input type="checkbox"/>	<input type="checkbox"/>
17. Does gambling cause you to have difficulty in sleeping? .....	<input type="checkbox"/>	<input type="checkbox"/>
18. Do arguments and frustrations create within you an urge to gamble? .....	<input type="checkbox"/>	<input type="checkbox"/>
19. Did you ever have an urge to celebrate good fortune by gambling? .....	<input type="checkbox"/>	<input type="checkbox"/>
20. Have you ever considered self-destruction to put an end to your problems as a result of gambling? .....	<input type="checkbox"/>	<input type="checkbox"/>

If you have answered yes to at least seven of these questions, you have a serious problem. If so, call Lawyers Concerned for Lawyers, 717-737-9660 or 1-888-999-1941 for help. It is nonjudgmental and confidential. Trained professionals in the field of dealing with compulsive gambling are available to help you with your problems.

**Confidential Helpline 1-888-999-1941  
24 hours a day, 7 days a week**

## Actions of the Board

### JANUARY 15, 2002

- Approved formation of local Political Action Committee allowing the WBA to continue to contribute to PBA PAC. Funds to be allocated annually in WBA budget but donations would be solicited from individual members so that contributions can be made directly to candidates. This local PAC would hope to improve visibility of legal profession and get attention of local legislators.
- Thanked Chuck Mason and Terry Van Horne for developing PAC proposal and asked each of them to serve as co-chairs of the PAC board with charge of implementing the new program.
- Approved Membership Committee recommendations to accept following as participating members: Rebecca Calisti, Daniel Pagliari, Anthony Vigilante, Emily Painter.
- Heard report from Municipal Law Committee which included request from Smart Growth for attorney to serve on Smart Growth Board and deferred the appointment to Municipal Law Committee.
- Reviewed architect's drawings and cost estimates for improvements to the WBA headquarters.
- Agreed to invite Young Lawyer representative from Westmoreland Bar to attend the PBA New Member program.
- Increased rates for non-member room usage of bar headquarters as follows:
 

1 hour	\$20
2-4 hours	\$30
5-7 hours	\$40
all day	\$50
- Approved providing free CLE seminars up to two hours in length before Laurel Legal Services board meetings to "thank" those attorneys who dedicate their time and resources to LLS.
- Reviewed report from the Women in the Legal Profession Committee which included plans to coordinate two CLE programs in 2002.

- Reviewed American Bar Association's recommended changes for our Lawyer Referral Service program and agreed to delay implementation of WBA Lawyer Referral Service changes until the end of 2002.
- Heard report on PBA's ProjectPEACE which will include West Hempfield Elementary School as a site for the state-sponsored conflict resolution program. WBA member John Casario will be the attorney participant.
- Discussed Senate Bill 406, the frivolous lawsuit bill, and learned that PBA is presently working on an initiative with the courts to present a compromise on the issue so that self-imposed regulation is an option.
- Heard report on the PBA InCite program with Westmoreland attorney training postponed until March when added features will be added to the program.
- Voted to offer full-time government lawyers a discounted rate for dues as established by the PBA .
- Agreed to hire a part-time employee to assist staff on CLE matters.
- Approved PBA's request to contact the legislators in support of the Access to Justice Act which will attach \$4-\$5 surcharge on first-time filings of certain legal documents in courts and Register of Wills offices with proceeds going directly to IOLTA.
- Approved attendance of Harry Smail, YL Chair, to the upcoming Bar Leaders conference in State College.
- Agreed to reimburse YL Chair for expenses incurred for luncheon and committee meetings.

## Reg Belden Receives Leadership Award

On Friday, February 23, 2002, The Greensburg Area Cultural Council honored H. Reginald Belden, Jr., with the Harry K. Wilcox Award for Arts & Community Leadership at its 13th annual "Grand Finale" event.

The theme for the event was "A Salute to Greensburg: A Great American Town." The Harry K. Wilcox award is given to individuals who demonstrate their dedicated support of the arts in the Greater Greensburg area.

"Once again, Reg's commitment to his profession and his community serve as working examples of what

each of us can and should aspire to accomplish," says WBA President John Campfield.

An active member of the Greensburg community for many years, Reg has served as president of the Westmoreland Symphony and Westmoreland Society. He also is a past vice chair of the Westmoreland Trust and vice president of the Greensburg Area Cultural Council.



▲  
Reg Belden



# foundation focus

## The Numbers Are In On Pro Bono



On July 30, 1990, Westmoreland Bar Association members overwhelmingly approved a resolution to sponsor a pro bono program in Westmoreland County for the purpose of significantly expanding availability of legal services for the poor. Now, almost 12 years later, the Pro Bono Program of the Westmoreland Bar Foundation continues to serve the needy of the county—and continues to grow.

In Pro Bono's first year, 49 clients were helped and the volunteer list consisted of approximately 50 attorneys. In 2001, a total of 570

intakes were completed and Pro Bono now operates three programs: Attorney-for-the-Day, Custody and Reduced Fee.

The Attorney-for-the-Day Program accounted for 221 intakes in 2001. The Attorney-for-the-Day Program solicits attorneys to come to the Pro Bono office one morning or afternoon to meet with indigent county residents who have been sued in a non-fee-generating case pending in Westmoreland County.

The Custody Program completed 120 intakes last year. In this program, attorneys meet with

indigent Westmoreland County residents who want to pursue custody. Individuals are placed on a waiting list and are asked to complete a questionnaire. When the questionnaire is returned, an appointment is scheduled with one of the program's three attorneys. The attorneys are responsible for attending the initial custody conference until there is a signed order, after which the attorney is allowed to withdraw their appearance.

There were 229 intakes completed in the Reduced Fee Program. This program is utilized when a client wants to file an action or when a volunteer attorney is unavailable under the Attorney-for-the-Day Program. Attorneys contacted under this program have agreed to charge clients a mere \$40 per hour for their services. However, clients must meet the guidelines in order to qualify for the reduced fee.

*continued on page 18*

**MOVE OVER KINKO'S**

online at  
[www.businesspartner.com](http://www.businesspartner.com)

**HERE COMES BUSINESS PARTNER!**

- Color Copies
- UPS Shipping
- Computer Rental
- Signs & Banners
- Laminating / Binding
- Giant Posters
- Web Design
- Video Production
- Printing
- Specialty Advertising
- Graphic Design
- Trade Show Displays

★ **TWO LOCATIONS** ★

**GREENSBURG**  
Route 30 West (next to Denny's)

**724.836.2900**

**IRWIN**  
324 Main Street

**724.863.7888**



# foundation focus

*continued from page 17*

In all of these programs, the petitioner is required to pay the court filing fee. A short time ago, the need for another Custody Program attorney became available. If you would like to offer your services in any of these programs, contact Pro Bono Coordinator Iva Munk at 724-837-5539 for details.

## We Need Your Help for Law Day 2002

On May 1, 2002, the Westmoreland Bar Association, along with the Pennsylvania Bar Association and other county bar associations throughout the Commonwealth, will participate in the nationwide observance of Law Day.

The theme for Law Day 2002—“Celebrate Your Freedom: Assuring Equal Justice for All”—had been decided long before the devastating events of September 11. Subsequently, this Law Day will focus on how our courts and legal

system have assured equal access to justice for all Americans.

As a society with such diverse cultures, it is important to focus our commitment to democracy and the rule of law. Public opinion surveys have stated there is a diminished respect for the courts and the legal system. The goal of Law Day 2002 is to help students recognize the importance of our commitment to justice and democracy as a society, and by doing so, promote public trust and confidence back in the courts.

Law Day 2002 is designed to educate our children about the legal system and celebrate our American heritage of democracy, liberty and justice. Judges and lawyers will be able to reflect upon how important equal justice is for all Americans regardless of their race, disability, gender or economic status.

Activities and programs, such as essay contests, best Web site contests, and free legal seminars, are being sponsored throughout the country by schools, bar associations, courts and civic groups in an effort to commemorate the day.

For information on how you can get involved in the WBA's Law Day 2002 efforts, please call Pro Bono's Kate Wiatrowski at 724-837-5539.

## WBA Wins 2001 Coats for Kids Challenge



▲ *Wally Tobin of the Westmoreland County Children's Bureau (left) receives a kid's coat from WBA President John Campfield (right) as part of the 2001 Coats for Kids Challenge. The WBF raised \$3,085 in its holiday fund drive for the Children's Bureau. (Editor's optional caption: "Honest to God, John, she said it was yours!")*

The Westmoreland Bar Association won the 2001 Coats for Kids Challenge by raising \$3,085 to the Washington County Bar Association's \$2,785 by the official deadline of December 19, 2001.

In early December, the Washington County Bar Association issued a “friendly” fund-raising challenge in connection with their annual holiday gift drive. They believed their members could generate more charitable dollar donations than WBA members.

This year, the money raised by the WBF was used to purchase coats and winter apparel for the children serviced through the Westmoreland County Children's Bureau. The Children's Bureau purchases an average of 180 coats annually.

Thanks to the Young Lawyers Committee for lending its name to this project and for their support of this worthy charity drive.



**YES! I WANT TO VOLUNTEER FOR LAW DAY 2002!**

*Please fax form to Kate Wiatrowski at 724-837-4221.*

NAME \_\_\_\_\_

PHONE \_\_\_\_\_

SCHOOL PREFERENCE \_\_\_\_\_

GRADE PREFERENCE \_\_\_\_\_

AVAILABILITY (MAY 6–10) \_\_\_\_\_

# Local Elementary School Chosen for PBA Anti-Violence Conference

**W**est Hempfield Elementary School will be one of 12 Pennsylvania elementary schools attending the third annual Project PEACE training conference to be held Feb. 21-23 in Harrisburg. West Hempfield was chosen from dozens of school applicants to be the region's representative at the conference.

Sponsored by Attorney General Mike Fisher and the Pennsylvania Bar Association, Project PEACE (Peaceful Endings Through Attorneys, Children and Educators) works to reduce conflict and violence in Pennsylvania elementary schools by teaching students how to discuss and mediate disagreements peacefully. Teams of principals, educators, parents, counselors and attorneys representing the 12 elementary schools from across the commonwealth were selected to participate in the Project PEACE training conference through a competitive application process.

The Project PEACE training model was developed by LEAP-Kids. It initially was created for a program in Indiana and has since been modified to meet the needs of Pennsylvania's schools. Pennsylvania is the second state in the country to offer this type of peer mediation training to elementary schools.

The team from West Hempfield Elementary School will include: Randall Sarnelli, principal; Lisa Maloney, guidance counselor; Lori Roscher, K-5 educator; and Stefanie Bergamasco, parent. Local lawyer John M. Casario will serve as the team's attorney partner.

"We are pleased to have West Hempfield be a part of the Project PEACE training conference," noted

Attorney General Mike Fisher. "Project PEACE provides schools with a valuable learning opportunity to help them empower children with the knowledge and confidence to resolve disputes peacefully."

During the conference the school teams will be introduced to the peer mediation process through hands-on learning activities. They will receive instruction in such areas as adjudication versus mediation, diffusing conflict situations and the necessary skills of conflict resolution. By the end of the training, the schools will write their own mediation plans, which will be introduced to their local schools. Each school then will select and train its own student mediators.

The past Project PEACE schools have seen great results in the reduction of conflict among their

students," Pennsylvania Bar Association President H. Reginald Belden Jr. said. "We look forward to this year's group of schools seeing the same improvements."

The instructors at the Project PEACE training conference are experts in mediation within the courts and schools. The trainers include Artemus Carter, Street Law Inc., Washington D.C.; Mary Ellen Schaffer, Director of Student Services, Lamont IL; Karla Taylor-Temple, a mediation trainer, Indianapolis IN; and David Keller Trevaskis, Pennsylvania Bar Association Pro Bono Coordinator, Harrisburg PA.

For more information about the Project PEACE program and a list of the 12 schools, visit the Pennsylvania Bar Association Web site at [www.pabar.org](http://www.pabar.org).



▲ John M. Casario

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

**DISPUTE RESOLUTION  
UIM/UM ARBITRATION  
MEDIATION**

- SETTLEMENT CONFERENCES
- EVIDENTIARY HEARINGS
- BINDING/NON-BINDING
- COST-EFFECTIVE
- CONFIDENTIALITY
- NEUTRAL THIRD-PARTY INPUT
- SWIFT RESOLUTION
- DIRECT PARTY PARTICIPATION
- FLEXIBILITY

**MEYER-DARRAGH-BUCKLER-BEBENEK & ECK**  
ATTORNEYS AT LAW  
GREENSBURG OFFICE: 114 SOUTH MAIN STREET, GREENSBURG, PA 15601

## CALENDAR of Events

### MARCH

- 13 Membership, Noon  
*Lunch 'n Learn*: Free Legal Research: PBA's InCite Program, Noon–1:15 p.m.  
 Planning, 4 p.m.
- 15 St. Paddy's Day Party, 4 p.m.
- 19 Family Law, Noon  
 Board Meeting, 4 p.m.
- 29 Good Friday, Courthouse closed

### APRIL

- 1 Annual Meeting of the WBA and WBF, Greensburg Country Club, 4 p.m.
- 10 Membership, Noon
- 16 Family Law, Noon  
 Board Meeting, 4 p.m.

# TOP TEN

## Top Ten Reasons To Attend 2002 Bench/Bar Conference of the Westmoreland Bar Association

1. Activities at Diva House restrooms to be captured on secret videotape, used in BarFlies production.
2. Golf tournament not rigged this year.
3. First annual Hunka Hunka Burning Boat Race.
4. CLE credit offered to all who remain awake during PBA President's special slide presentation of highlights of year in office.
5. LCL introduces program to assist Family Law practitioners in acquiring social graces.
6. First opportunity for Judge Bloom to test out Clydesdale transplant.
7. Dan Joseph's CLE seminar, "Things I Do With My Palm."
8. Board of Judges to present own show, "Who's Laughing Now?"
9. As always, tipping discouraged.
10. All vendors' products free with attached coupon.



Westmoreland Bar Association  
 129 North Pennsylvania Avenue  
 Greensburg, PA 15601-2311

PRESORTED  
 STANDARD  
 U.S. POSTAGE

**PAID**

GREENSBURG, PA  
 PERMIT #678