



# WBA Plans a Sizzling Summer

What's not to like about summer? Endless weeks of blistering hot days and oppressive humidity, acres of grass that just keep on growing, no matter how often you cut it, the shrill sounds of children who have been released from the confines of school to roam freely, and loudly, for the next 90 days.

Yes, summer officially arrived on June 21 in the northern hemisphere of Planet Earth, and the WBA has sizzling summer plans for you.

## 2002 BENCH/BAR CONFERENCE

The WBA kicked off the summer with the annual Bench/Bar Conference, which was held June 13-15 at The Wisp in Maryland. Although the weather was less than ideal, attendees enjoyed golf, free CLE seminars, pontoon boats, a vendor exhibit, "Lyalot," the musical, and much more. A full report on the



2002 Bench/Bar will appear in the next issue of the sidebar.

2002 bench/bar conference of the westmoreland bar association

## SUMMER QUARTERLY MEETING AND GOLF OUTING

Even if you're not a golfer, you won't want to miss the Summer Quarterly Meeting and Golf Outing on Friday, July 19, at Cherry Creek Golf Course in Youngwood.



The meeting and complimentary lunch begin at noon; golf begins at 1:10 p.m. with eight tee times available.

A \$12 cart fee is payable at the Pro Shop; greens fees have been waived. Please RSVP to the Bar office by July 12, 2002.

## WBA PICNIC & MUSIC FESTIVAL

All WBA members are invited to bring their families and friends to the WBA Picnic & Music Festival at North Hempfield Park in Greensburg on Saturday, August 24, for free music, food, beverages and games.

Musical entertainment will be hosted by The Random Brothers, Western Pennsylvania's most outrageous acoustic band. Other featured entertainers include The Honorable John E. Blahovec and Jimmy Wells;

Walter's Mojo, acoustic pop rock featuring Ed Gilbert; and the smooth sounds of John M. Noble.

Are games more your style? Then be sure to enter the H. Reginald Belden Croquet Tournament or the Bring-Your-Own-Glove Softball Tournament. There will also be a moon bounce and goldfish pond for the children, and a 50/50 raffle to benefit the Westmoreland Bar Foundation.

The fun begins at 3 p.m. with a picnic catered by Patty's Pantry, and lasts until 7 p.m. Please join us. We hope to see you—and your family—there! Please R.S.V.P. to the Bar office by August 10, 2002.



wba picnic & music festival

did you know?

### Did You Know?

... In Pennsylvania, a person is not eligible to become Governor if he or she has participated in a duel ...

See this and other "Laws That Make You Go 'Huh?'" on page 8.

IN THIS ISSUE

2 President's Message

4 Jury Trial Verdicts

5 Remembering George M. "Dobey" Lynch

7 Spotlight on Leonard Reeves

10 Practice Tips

13 To-Wit: by S. Sponte

*President's Message*

# Grandpa, We Hardly Knew Ya!

*by Timothy J. Geary*

Several weeks ago, I watched the movie "The Perfect Storm." It is, for the uninformed among you, a story about the crew of a swordfishing boat sailing out of Gloucester, Mass., that is lost off the East Coast, in what was one of the worst storms of the twentieth century. The crew is attempting the



run back from the Flemish Cap, a bountiful, but very dangerous, fishing area over 500 miles east of Nova Scotia, Canada, when they run into three separate storm systems which collided over Sable Island, known among mariners as the "graveyard of ships."

Historically, I found the movie quite interesting because my maternal grandfather was a "maritimer," i.e., he lived in Nova Scotia. He owned a farm there but spent most of the year fishing out of Gloucester.

I know very little about my grandfather (he died several years before I was born). Some time ago, I found a photograph of him. I also have a photograph of my maternal grandmother, who died shortly after she and my grandfather moved permanently to the United States.

I can see from the photograph that I take after my grandfather in at least one respect; he had arthritis. His fingers were even more gnarled and knotted than my own. He was also built fairly close to the ground so I suppose I am actually like him in at least two respects.

The movie made me think, "What was he like?" Was he afraid when he went out to sea? Did he worry about his family? What were his politics or did he even care about politics?

My mother didn't talk about her parents very often. I know she loved them but her attitude was that life was for the living and she didn't dwell on those who had died. I have one relative left in my mother's generation and since I am going to visit Portland, Maine, early this summer I intend to ask some of these questions.

Why am I prattling on about this ancient history you ask? Well let's get closer to your homes than mine. Have you ever wondered, "Who were the first lawyers in this area? Who fought French and Indians one minute and tried cases the next? Who were the judges that dealt with the rabble that inhabited this area when it was still frontier?"

Remember that not more than fifty or sixty years ago, if you lost a homicide case your client was rather promptly hanged. As an aside, the idea of hanging someone who has been found guilty of homicide does not strike this old prosecutor as a particularly bad idea. In fact, I can think of two people right now who I think would look great hanging by their necks, but I digress.

The reason I am prattling on about history is that the executive board of the WBA has decided to consider and, if feasible, complete a written history of the law in Westmoreland County, or if that is too bold, then at least the history of the WBA.

We have a wealth of materials and an idea but getting from that point to a finished product will require a significant amount of sweat equity and that is where you come in. We are looking for a few good men and women. If you have an interest in history, if you think you have literary skills, if you can type, if you own or at least have knowledge of how a scanner operates, we need you.

Remember, only lawyers can change the image of lawyers and a look back at the history of our great association can show us as well as others that lawyers have helped shape the history of this county in a very positive way. For every lawyer who shames the profession there are scores who every day accomplish deeds both great and small which impact our society, not just as lawyers, but as citizens and neighbors as well.

Will the Ned Nakes of our profession be forced to take a back seat in history to those infamous cretins who brought us Watergate or other such legal "black eyes?" I, for one, certainly hope not.

However, just as you have to work hard and long to earn a good reputation, the same is true of a positive image for the profession. Let's make sure that society remembers the good deeds. I solicit your help.

# Retirement Gala Held for The Hon. Charles H. Loughran



◀ *The Hon. Charles H. Loughran and his wife, Sally, pose with the judge's portrait, painted by James J. Riley of Lancaster, Pa.*

The distinguished judicial career of the Honorable Charles H. Loughran was celebrated at a retirement gala held on May 16, 2002. Over 150 guests attended the formal affair held at Seton Hill College in Greensburg.

Following opening remarks by WBA President Timothy J. Geary and an invocation by Bishop Anthony G. Bosco of the Catholic Diocese of Greensburg, speeches and tributes were given by Judge Loughran's friends, colleagues and fellow association members. The evening concluded with a portrait dedication and remarks from Judge Loughran.

Judge Loughran retired from the Court of Common Pleas of Westmoreland County this past April. He was nominated to the Bench in 1978.

After serving in both the Criminal and Civil Divisions for

many years, Judge Loughran was selected by his peers on the Bench to serve as President Judge in 1997, a position to which he brought great energy and enthusiasm. He has long

been regarded by more experienced practitioners as a "trial lawyer's judge" and a no-nonsense jurist who expected and respected preparation and demanded nothing less than the best from those who appeared before him.

Judge Loughran will continue to serve as a Senior Judge in Westmoreland County.

The evening was jointly sponsored by the Westmoreland Bar Association, the Ned J. Nakles American Inn of Court and the Westmoreland Academy of Trial Lawyers.

## 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

March/April 2002 Trial Terms

# Jury Trial Verdicts

by Rachel Yantos, Esq.

Two jury trial verdicts were rendered during the March/April 2002 civil trial terms. Of the 79 cases on the list, 27 settled, 33 were continued, one was discontinued, two were stricken, one involved a consent order, one was stayed pending bankruptcy, one was a nonjury trial, one was a binding summary jury trial, three verdicts were entered and nine were held to the next trial term.

**JOHN W. FAGAN AND  
BROOKE FAGAN, HIS WIFE**

**V.**

**MURAT BANKACI, M.D.  
NO. 6052 OF 2000**

*Cause of Action: Professional Negligence—  
Medical Malpractice—Loss of Consortium*

The husband-plaintiff brought this medical malpractice action against the defendant, an ear, nose and throat specialist, for damage sustained by plaintiff during surgery on his left ear. Plaintiff treated the defendant for problems associated with his left ear for approximately a year and a half before the defendant recommended surgery to remove cholesteatoma of plaintiff's left middle ear. During the surgery of April 12, 2000, defendant cut the vertical portion of the plaintiff's left facial nerve and injured the horizontal semicircular canal. Plaintiff suffered from facial paralysis and disequilibrium, as well as injuries to his left ear and eye, face and neck. His wife claimed loss of consortium.

In new matter, defendant averred that any injuries sustained by plaintiff were the result of superseding, intervening and/or independent causes over which defendant had no control. At trial, the defendant

admitted that he cut the left facial nerve, but maintained that it was an accepted risk of surgery.

*Plaintiffs' Counsel:* Timothy J. Schweers, Harrington Schweers Dattilo & McClelland, P.C., Pgh.

*Defendant's Counsel:* Tyler J. Smith, Marshall, Dennehey, Warner, Coleman & Goggin, P.C., Pgh.

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

*Result:* Verdict for plaintiff in the amount of \$265,000, which included medical expenses of \$49,500. No amount awarded for wife-plaintiff.

**HOLLY A. MOWREY, PARENT  
AND NATURAL GUARDIAN OF  
NASH E. PAULIN, A MINOR**

**V.**

**DONALD J. HOOPER  
NO. 4826 OF 1999**

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

The plaintiff brought this negligence action for injuries sustained by her minor son as a result of a motor vehicle collision. On August 26, 1998, the minor was operating plaintiff's vehicle and traveling south on State Route 2045 in Ligonier Township. The defendant was proceeding north on State Route 2045 when his vehicle struck the vehicle operated by the minor. Plaintiff alleged that the defendant was negligent in operating his vehicle at an excessive rate of speed and in entering the lane of traffic occupied by the minor. Injuries claimed involved those to the minor's left arm, back, leg and body. Plaintiff alleged eligibility for full tort recovery under the Pennsylvania Motor Vehicle Financial Responsibility Law (MVFRL).

At the time of trial, the defendant conceded that he was negligent in the operation of his vehicle. The jury was asked to determine whether the negligence of the defendant was a substantial factor in bringing about the minor's injuries and the amount of damages, if any, to be awarded to the plaintiff.

*Plaintiff's Counsel:* Mark L. Sorice, Stewart, McCormick, McArdle & Sorice, Gbg.

*Defendant's Counsel:* Pamela V. Collis, Summers, McDonnell, Walsh & Skeel, Pgh.

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

*Result:* Jury found that defendant's negligence was a substantial factor and awarded \$25,000 to the plaintiff.

## 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)**



# Remembering George M. "Dobey" Lynch

by Richmond H. Ferguson, Esq.

When my dear friend and colleague, George "Dobey" Lynch died on March 23, 2002, I thought back over my many memories of Dobey and the experiences we shared together over the last 42 years. We graduated together from Latrobe High School in 1949, and by then he had already made quite a name and reputation for himself in several ways.

In 1949, he was a 5' 8½" point guard for the Latrobe High School Wildcat basketball team. Under his leadership, that team won the section championship in extraordinary fashion, a feat not duplicated by any Latrobe High School team for thirty years.

George was a remarkable basketball player, a tremendous ball handler and great play maker. On a fast break, George would take the ball down court and somehow manage to get directly in front of the other team's leading scorer. He would race down the court with the other player in hot pursuit.

Suddenly, much to the opponent's surprise, George would stop dead in the middle of the race, and the pursuing player would tumble over George's shoulders, picking up another foul and giving George two free shots at the foul line.

Other teams began to be wary of chasing him down the floor on a fast break and as a result, he was able to create a lot of plays and lead Latrobe to some outstanding wins against

some great basketball teams in that era.

George was an equally outstanding tennis player, and in 1949, George and a teammate won the Pennsylvania High School State Doubles Tennis Championship for Latrobe High School.

To my knowledge, no other Latrobe High School doubles team has ever won the State Doubles Championship since then.



▲ George M. "Dobey" Lynch

*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

**AKF** Court Reporting & VideoTech Services

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 George M. “Dobey” Lynch

*continued from page 5*

His athletic feats in high school made him very popular and well known among the people of Latrobe, especially the sports fans. Everybody in Latrobe knew who Dobey Lynch was and what he could do as an athlete.

After graduating from Penn State, George served a term in the U.S. Air Force, then taught school. He then attended Pitt Law School, and when he graduated, he began practicing in Latrobe with the late Harold Stewart, Esq., He quickly became extremely well known among the people in Latrobe for his honesty and his integrity in dealing with the legal affairs of various people in the Latrobe area. George became well known among his colleagues in Latrobe for his willingness to take on any cause, even novel ones, with great determination and exhaustive legal research.

During his early years of practice, George engaged in a wide variety of

civic matters, athletic contests, and community affairs. He and his family were quite well known for their unique and varied entertaining, especially at Halloween when he involved many of his friends in wonderful and funny parties.

He became very active in Latrobe Presbyterian Church, serving in various and many capacities, with a great deal of zeal and leadership and all his fellow congregants soon came to greatly respect his judgment and industry.

George also participated in revitalizing the Mechesneytown Cemetery in Mechesneytown, Pa., just outside of Latrobe, and through his efforts and the efforts of others, the cemetery was rescued from many years of neglect. It soon became well manicured and cared for.

In addition to that cemetery, George also became very actively involved in the Unity Chapel, also in the Latrobe area, and was

instrumental in many of its renovations, including a handicap access.

When Dobey died, many of our high school classmates contributed to an endowment fund set up at the Latrobe Presbyterian Church for the maintenance and preservation of Unity Chapel, in Dobey's name.

George left behind a very wonderful family: his wife, Dottie, possessed of the same competitive spirit and industriousness as her husband, and three children, John, Jerry and Carol. All of his children followed their father's lead and participated significantly in the athletics programs at Latrobe High School during their scholastic years and in their own right, they continued the association of the Lynch name with some superb athletic achievements.

George will long be remembered as being the Chairman of the WBA Gifts Committee. Every year we looked forward to the clever, witty diatribes he would deliver to the outgoing President, accompanied of course by affection and presents. Those presentations were always the highlight of the annual meeting.

Sadly, in 1982, a lingering circulatory problem in his legs necessitated the amputation of one of George's legs. However, he took on this calamity with his usual style and still continued to be as active as though he still had two legs and still, on occasion, played a little tennis and golf with the use of an artificial limb.

George never, in my memory, complained about his predicament to me and we saw each other almost on a daily basis, I can recall one occasion in which I saw him on the street in downtown Latrobe, and he told me he was on his way down to

*continued on page 12*

## 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.



# Spotlight on Leonard R. Reeves

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

A a) Department store delivery boy; b) ditch digger for Peoples Natural Gas Company; c) playground supervisor for Latrobe Parks and Recreation; d) 1960 census taker and enumerator.

## Q WHICH WAS YOUR FAVORITE AND WHY?

A Playground supervisor since many of the youngsters whose lives I touched at that time became lifelong friends and clients.

## Q WHAT WAS ONE FUNNY THING THAT HAPPENED TO YOU AS AN ATTORNEY?

A In the late 1970s I was trying a case before the late Honorable Robert Rial in what is now known as Courtroom No. 9. The case was winding down and on either the third or fourth day Judge Rial advised both counsel that we should be ready to close to the jury later that afternoon as we had only two relatively brief witnesses to testify after lunch.

Just before returning to the courtroom to begin the afternoon session, I visited the men's room. There, the unthinkable occurred. The zipper on the pants of my brand new suit stuck in the open position. No amount of tugging, wiggling, twisting or referring to that zipper in vile and unseemly terms caused it to close. Finally a borrowed pair of

pliers issued the coup de grace to that wretched zipper, that now spent vent. The situation was hopeless.

We all make tactical mistakes during trial. Seldom, however, are they made in the hallway. Before entering the courtroom I mentioned to the evil plaintiff's lawyer the nature of my plight. He merely chortled and, as might be expected of lawyers from the western end of the county, suggested that I use duct tape.

Many, perhaps most of you, never had the pleasure of trying a case before Judge Rial. For the most part he was somewhat laid back during the course of the proceedings, but there was one failure by counsel that would result in your wishing that he would merely jail you for contempt rather than publicly humiliate you in front of the jury and all in attendance. That was the failure to stand when addressing the court. The plaintiff's lawyer, as is fiendishly typical of those of that ilk, now set about asking a series of the most objectionable questions, each of which required me to stand to object. Fortunately I was very adept in the positioning of my yellow pad which saved temporary humiliation, but which I knew would never fly (ha ha) in closing to the jury.

Provisionally when the testimony ended some time in the afternoon Judge Rial called a recess, sent the jurors to their quarters and called us to the bench to discuss points for charge. I immediately advised His Honor of my problem whereupon both he and my unworthy opponent had a good laugh. Each of them made some rather crude attempts at humor after which Judge Rial mercifully agreed that the closings

could take place the following morning.

Even what's-his-name voiced no objection. Seldom have I had a sweeter ruling from any court.

A horror story then, but funny now.

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

A Following through on a promise.

## Q WHAT ARE YOUR FAVORITE JOURNEYS?

A Six trips made in the last six years to Third World countries for the purpose of building churches and homes for Baptist missionaries.

## Q WHAT IS YOUR GREATEST REGRET?

A Not having commenced taking mission trips earlier in life when I had a higher energy level.

## Q WHO ARE YOUR HEROES IN REAL LIFE?

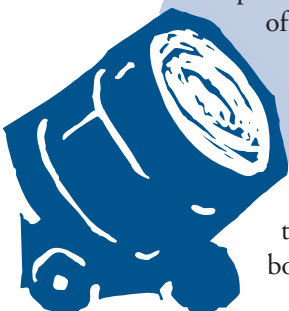
A All of those missionaries serving in Third World countries under the most appalling conditions, but whose dedication to God's service is paramount.

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

A Follow through on a promise.

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

*continued on page 14*



# Laws That Make You Go “Huh?”

How often have you shaken your head in disbelief at the often-nonsensical nature of our legal system and wondered who came up with this stuff? Pennsylvania is not alone in the dumb laws category. Every state has them. The following ditties were found at [www.dumblaws.com](http://www.dumblaws.com). Although many of the laws on this website have been verified, many have been copied from sources which do not include law citations. As such, you probably shouldn't try using these laws as evidence in court unless you plan to be laughing the whole way to jail.

## IN PENNSYLVANIA:

- It is illegal to have over 16 women live in a house together; it constitutes a brothel. However, up to 120 men can live together, without breaking the law.
- It is illegal to sleep on top of a refrigerator outdoors.
- Housewives may not hide dirt and dust under a rug in a dwelling.
- You may not sing in the bathtub.
- A person is not eligible to become Governor if he or she has participated in a duel.
- You may not catch a fish with your hands. In fact, you may not catch a fish by any body part except the mouth. Dynamite may not be used to catch fish.
- In Connellsville, a person's pants may be worn no lower than five inches below the waist.
- In Morrisville, it is required that a woman have a permit to wear cosmetics.
- In Pittsburgh, it is illegal to bring a donkey or a mule onto a trolley car.

## IN WEST VIRGINIA:

- Children may not attend school with their breath smelling of “wild onions.”
- It is legal for a man to have sex with an animal as long as it does not exceed 40 lb.

- It is illegal to sleep on a train.
- Road kill may be taken home for supper.
- Whistling underwater is prohibited.
- In Huntingdon, it is legal to beat your wife as long as it is done in public on Sunday, on the courthouse steps.

## IN OHIO:

- Women may not wear patent leather shoes in public; men might see the women's underwear reflected in their shoes.
- It is illegal to get a fish drunk.
- It is illegal to catch mice without a hunting license.
- You must honk the horn when you pass another car.
- No one may be arrested on Sunday or on July 4.
- In Youngstown, you may not run out of gas or ride on the roof of a taxi cab.

## IN MARYLAND:

- In Baltimore, it is illegal to take a lion to the movies and to curse inside the city limits.
- In Ocean City, a law from the early 1900s prohibits men from going topless on the Boardwalk. Eating while swimming in the ocean is also prohibited.

## 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.

*Jablonsky Distributing Co.*

Imports, Specialties and Domestic Beers

**724-834-2958**

Delivery Service Available

VISA, MasterCard & Discover Accepted

8 Zeller Street, Greensburg · Open Monday thru Saturday 9 to 9



## bookmark What Have You Been Reading?

by *The Hon. Richard E. McCormick, Jr.*

In taking up Dan Ackerman's gauntlet to let you know what I've enjoyed reading, I have to disagree with his aversion to books of or about lawyers and judges (see the March-April 2002 issue of *the sidebar*).



▲  
*The Hon. Richard E. McCormick, Jr.*

I read a lot of Grisham and Martini and Patterson for pleasure, but they don't stay too long in my memory. All of Scott Turow and John Mortimer's "Rumpole of the Bailey" stories do have staying power, and I wonder almost daily if the eventual estate of Harper Lee will reveal something akin to "To Kill A

Mockingbird," which is within reach as I write this.

I am mostly a reader of fiction; for non-fiction to impress me it should have the qualities of good fiction. Many of the authors mentioned have written a number of good works.

### MASTER AND COMMANDER

(and 19 others in the series) ♦ by Patrick O'Brian ♦ Captain Jack Aubrey and Dr. Steven Maturin cruise the Seven Seas and battle the enemies of the crown. Wonderful stories that evoke a bygone era.

### GOLF IN THE KINGDOM

♦ by Michael Murphy ♦ Baffling spoons, Zen and phenomenology beside the Firth of Forth. If you're a golfer and a Buddhist, you might understand it, or at least you'll enjoy the effort.

### THE AMAZING ADVENTURES OF KAVALIER AND CLAY

♦ by Michael Chabon ♦ Comic book superheros battle the Nazis. A marvelous novelist, mesmerizing tale.

### THE MAN WHO LIKED SLOW TOMATOES

♦ by K.C. Constantine ♦ Mario Balzic, the Chief of Police of Rocksborg (read McKees Rocks and Greensburg), Pa., solves murders and encounters the thinly disguised denizens of our county seat.

### BEAUTIFUL SWIMMERS

♦ by William Warner ♦ The watermen of the Chesapeake, and the increasingly difficult task of harvesting crabs from the Bay.

### ROCKET BOYS

♦ by Homer Hickam, Jr. ♦ A West Virginia coal patch teenager turns a passion for rocketry into a career with NASA.

*continued on page 19*

# 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**

**Business Partner**.COM  
The Marketing Center

# Estate Planning and Administration for Medical Assistance Recipients

by Peggy Hooker, Esq.

The Public Welfare Code, 62 P.S. §§ 1410 and 1412, requires that the Department of Public Welfare (DPW) recover the costs of providing Medical Assistance (MA) benefits from the estates of certain recipients. The requirement applies to the estates of decedents who received MA for nursing facility services, home and community based services or related hospital and prescription drugs, who were age 55 years or older at the time of receipt of benefits, who died on or after August 15, 1994, and who received MA on or after that date. Final regulations implementing the "estate recovery program" were published by the Department on November 2, 2001, and published at 31 Pa.Bull. 6034. Log on to <http://www.pabulletin.com/secure/data/vol131/31-44/1957.html> to

locate the regulations online. A review of the regulations in this article would not leave room for the practice tips. So, refer to the regulations for the details and refer to this article for advance planning guidance for advising individuals about to enter a nursing home or for administering estates subject to the program.

## practice tips

### ADVANCED PLANNING FOR INDIVIDUALS ENTERING A NURSING HOME

For families arranging their affairs before a nursing home admission, who would like to preserve some assets for heirs, keep the following considerations in mind:

- The nursing home resident may retain \$30 per month as a

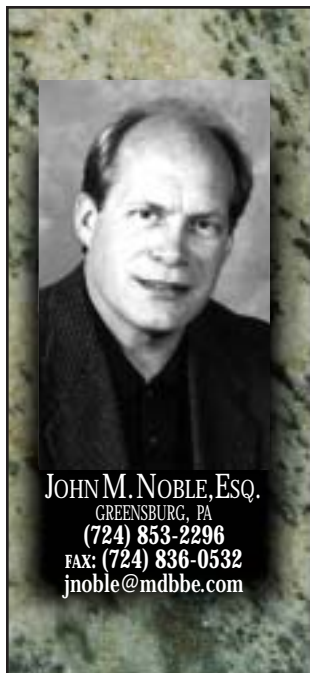
personal allowance. The nursing home will ask if you want to keep the money in a patient trust account. If you prefer, the money can be deposited to a regular bank account, and the bank account

can be titled jointly, in trust for (ITF) or payable on death (POD) to another person. When the nursing home resident dies, money in a joint, ITF or POD account will not

be in the resident's estate and will not be subject to estate recovery.

Just be sure that during the resident's life the account does not grow so large as to make the resident's countable assets (including this account) exceed the \$2,400 resource limit for eligibility.

- Advise nursing home recipients to designate a named beneficiary (not the estate) of all life insurance policies and annuity contracts or IRA accounts, so that the death benefit will not pass through the estate and be subject to estate recovery.
- If the individual entering the nursing home is setting up a burial reserve or pre-paid burial agreement, take some steps to designate a named beneficiary to receive any excess not used for the funeral, so that the excess funds will not be paid to the estate.
- If spouses own real estate jointly and one spouse enters a nursing home, leaving a healthier spouse at home, consider re-titling the home to the "well" spouse alone and changing that spouse's will to disinherit the nursing home spouse. (Don't forget the implications of the spousal



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

election against the will, however.) Or, consider deeding the house to well spouse for the term of his or her life with a remainder to the children or other designated individuals, in order to remove the property from the estates of both spouses.

- If the individual entering the nursing home is retaining \$2,400 in a cash account (as the allowable resources), consider titling the account ITF or POD.
- Where the individual entering the nursing home has disabled relatives, and his or her estate may include significant assets upon death (e.g., life insurance, non-countable real property, etc.), advise the individual that assets bequeathed or devised to a "special needs trust" for a disabled beneficiary under age 65 are exempt from estate recovery. The individual may want to execute a new will. The special needs trust

is a good idea anyway, since outright inheritance of assets by a disabled individual may cause him or her to lose valuable public benefits like SSI or Medicaid.

- Advise third parties (usually adult children) to keep accurate and detailed records of any expenses they incur on behalf of the MA recipient (the most common being real property taxes, maintenance costs and utilities on the former residence, which can remain a non-countable resource during the MA recipient's life but is subject to estate recovery upon the MA recipient's death). DPW may allow the heir to recoup such expenses in settling an estate recovery claim.
- Do not rely on facility of payment provisions of insurance policies or statutes like 23 Pa.C.S. § 3101 to take assets out of the probate estate; these are considered probate assets.

**ADMINISTERING ESTATES  
SUBJECT TO ESTATE RECOVERY**

When you are called upon to act as the personal representative of or attorney for an estate, the first task is to determine whether or not DPW may have a claim against the estate. Family members are often confused about Medicare and Medicaid and will tell you that the decedent received one type of payment when it was actually the other. (There is no estate recovery for Medicare benefits.) Or, they may tell you that the decedent received neither. This is also often incorrect. To be safe, write DPW and ask for a statement of claim. DPW has a 45-day deadline for responding and providing a statement of claim. Failure to respond by the deadline waives the claim. But under the new regulations, your request for the claim must provide detailed and accurate information about all assets

*continued on page 12*

Limit:	\$100,000/ \$300,000	\$300,000/ \$600,000	\$500,000/ \$1million	\$1million/ \$1million
Years firm continuously covered:				
1	\$356	\$445	\$490	\$552
3	\$513	\$641	\$706	\$796
5	\$555	\$694	\$764	\$861
7	\$579	\$724	\$797	\$898
9+	\$603	\$754	\$830	\$936

# of attorneys \_\_\_\_\_ x rate per attorney \_\_\_\_\_ = PREMIUM

**OUR BEST OFFER, RIGHT UP FRONT.**  
(WHY WASTE TIME NEGOTIATING WHEN IT'S NOT BILLABLE?)

Save significantly on malpractice insurance, without haggling. Lawyers Direct offers select small firms\* the best possible rates, so simple you can calculate your own. Work directly with people who understand lawyers and their insurance needs. No hassles, no markups and no delays in claims or service. Have your expiration date handy and call us at 800-409-3663. Or visit [www.LawyersDirectInsurance.com](http://www.LawyersDirectInsurance.com).  
And save yourself some money, not to mention your precious time.



Lawyers Direct is underwritten by Professionals Direct Insurance Company. Rated A- (Excellent) by A.M. Best.

\*Firms with one to five attorneys, each with gross billings under \$300,000, with no attorney spending more than 25% of his time in Personal Injury or Financial Transactions, no negligence claims within the last five years, and no history of disciplinary action.

## Remembering George M. “Dobey” Lynch

*continued from page 6*

the local haberdasher to pick up a pair of socks. He said he was going to try to negotiate the purchase of only one of the socks at half price, since he only needed one. So, you can see George always, always had a sense of humor.

The last couple of years of George's life, he suffered considerable amounts of pain, but still continued to practice law and take a very strong interest in all of the civic and athletic activities that were occurring in and about the Latrobe area.

Perhaps the one single object that most symbolized the spirit of Dobey Lynch was his cane. His cane was a slightly-modified tennis racket that represented his acceptance of a challenge and his refusal to embrace defeat. Anyone from Latrobe seeing Dobey walk down the street with his cane immediately knew who he was and what he was.

His colleagues in Latrobe and many of his friends and neighbors in the Latrobe area will sadly miss George M. “Dobey” Lynch, a truly remarkable man.

## Estate Planning and Administration for Medical Assistance Recipients

*continued from page 11*

of the estate to start the clock ticking. You may want to delay requesting the claim, where you can, until your information is reasonably complete, just in case DPW fails to respond to an effective request by the deadline.

Other measures to consider in negotiating claims with DPW are:

- Try informal settlements with DPW and unrecorded family settlement agreements in lieu of probate where assets do not warrant or require probate, and ask DPW to reduce its claim by an amount that would have been paid to the executor and the estate's attorney if probate had proceeded. Chances are that they will allow such fees, though minimal, and only ask for the remainder to be paid to the Department, especially if the executor and attorney do some work in gathering and liquidating assets.
- For claims subject to the postponement rules, seek settlement and compromise, agreeing to waive postponement in exchange for payment of a discounted amount.
- Request interest-free installment payments of claims rather than complete liquidation of a valuable asset (particularly real estate) to satisfy a claim.
- Seek “undue hardship” waivers liberally, if you believe you have any equitable argument. Formally request such waivers even where the regulations suggest that a waiver will be automatic in your case.
- Attempt to obtain a stipulation from DPW to fair market value if the personal representative liquidates any tangible property subject to DPW's claim.
- The personal representative should check with DPW to see if it is necessary to continue to revive liens placed on estate assets during a postponement period.

The local DPW office is willing to answer your questions about estate recovery, and the Office of Legal Counsel and the Third Party Liability Section (the estate recovery arm) of DPW are usually quite cooperative. Consult them with any reasonable idea you have for assisting your clients through the estate recovery maze.

practice  
tips

### 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



# To-Wit: Just Saying “No”

by S. Sponte, Esq.

I'm sorry," I said to the woefully plaintive African-American woman on the phone, "but I just don't think I can help you."

Was that me saying no? Was that the same me who has bled with every sad soul in my path ever since I hung up my shingle more than thirty years ago?

And this case was right up my alley. Her twelve-year-old son had just been picked up by the police and held at the station under suspicion of firing a weapon in the town. The only evidence against him was that he was seven blocks away from the scene at the time. When the police cruised by in response to a complaint and snatched him off the street, he was playing with his friends. He had no

weapon, he had no record, he was nowhere near the scene, but he was black and he was on the street.

He wasn't held long, maybe three hours, before the police called his mother. She drove down to the station, retrieved her badly frightened son and left, but not before delivering a tirade which, if she was to be believed, curled the wallpaper in the Chief's office. And now she was out for revenge.

"What would you like me to accomplish for you," I had asked.

"I want to teach them a lesson," she replied.

"Do you mean an apology," I inquired, but I already knew the answer.

"No, I want to teach them a lesson."

"And how large a lesson did you have in mind?"

It was clear, of course, that she wanted money and lots of it. And while I had enormous empathy for her plight, I knew I couldn't help her, at least not the way she wanted. As grievously as her son had been intruded upon, there was little money in the case. I certainly could have obtained for her and her boy an apology, maybe even written in blood, but that wouldn't have satisfied her. The only blood writing she wanted was as a signature affixed to a check.

I surely know that being black in America is no easy feat. Neither is being Jewish for that matter, and that in significant measure accounts

*continued on page 14*



**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).

  
**BELDEN  
LAW**

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: Just Saying “No” *continued from page 13*

for my resonance with these kinds of cases. But if my years at the bar have taught me anything at all it's that the law can't solve everyone's problems, and as a concomitant result, neither can I.

I have not come to this place in my career easily. In earlier times, I would have had this case signed up *eo instanter*. I would have filed suit, I would have spent countless hours on the matter, I would have perhaps gained a small recovery for the client and counsel fees for me as well. But not anymore.

This change of posture has come to me not so much as an erosion of spirit as an erosion of faith. The judiciary has grown considerably more crimped in its willingness to deal with such issues, in part the legacy of a president who now has

the great good fortune to remember nothing of what he did to cut out the heart of the federal bench.

In addition, the current strictures of political correctness have created a nation of whiners, a populace who, in the belief that the courts and the legislatures are the proper means by which to avenge every slur or correct every deficit, have so trivialized the playing field that ears once attune to such matters now turn deaf. Do we really care to accord every form of discrimination the full and mighty protection of the law? I think not. I mean, if there's no one left to abuse and

make fun of, why bother to get up in the morning?

Oh, and this used to be such fun. Nothing ever excited me quite as much as suing a pompous public official who had become surfeit with the arrogance of power.

“You only think you can do this,” I might say to myself through gritted teeth as I filed for injunctive relief or

declaratory judgment, “but really you can't.”

“You might think no one can stop you,” I might say with sneering lips as I scheduled a deposition, “but I can.”

It has been in my blood and in my constitution for so long I hardly know what to do with the new sense of freedom. No longer will I lay awake at night dreaming of wreaking havoc on those bent upon wantonly intruding into the private lives and liberties of my clients. No longer will I yearn for bodily torture as a sanction against pomposity, stupidity or just plain meanness. I'm free of all that now, free, free, I tell you. From now on, it's just real estate closings for me. Yeah, that's it, real estate closings—and lots of golf. For once I'm going to have a real life in the law.

I know I can do this. I know I can live without having my moral juices constantly aquiver, just like I know I can learn to eat baloney sandwiches on white bread with mayonnaise. There's really nothing to it, really nothing at all.

There, I feel ever so much better. Now what did I do with her phone number? It's here somewhere.

© 2002, S. Sponte, Esq.

**If there's no one left to abuse and make fun of, why bother to get up in the morning?**

## Spotlight on Len Reeves

*continued from page 7*

**A** Being a recipient of the Grand Slam Award from the Foundation for North American Wild Sheep.

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

**A** A close and right relationship with God.

**Q** WHAT ARE YOUR MOST TREASURED POSSESSIONS?

**A** My faith (knowing the Lord and His forgiveness and mercy) and my family (wonderful wife, Patty, five equally wonderful children and seven grandchildren who are beyond wonderful).

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

**A** The exploiting of children for any reason.

**Q** WHAT IS YOUR GREATEST EXTRAVAGANCE?

**A** That's easy when you are a part owner of two minor league hockey teams.

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

**A** Musical ability.

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

**A** A sense of humor.

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

**A** The missionaries mentioned previously and Ronald Reagan.

**Q** WHAT IS YOUR MOTTO?

**A** “I like grandkids better'n kids.”

# Candid Camera: Chamber BASH



▲  
"To get to the other side, that's why!"



▲  
"No, I don't think so. Can I see what's behind Door Number 3?"



▲  
"No, honest, I am the President Judge. Wanna see my chambers?"



▲  
Jovial as ever, Judge Driscoll flashes one last smile for the camera before being led away in cuffs.



▶  
"No, first you pay me, then I file suit."



▲  
"So this is the Courthouse, huh?"



◀  
"Yes, I'm pregnant again and no, he's not happy."

## LCL Committee Receives Mental Health Award

The WBA's Lawyers Concerned for Lawyers Committee was honored at the Mental Health Association in Westmoreland County's Innovations dinner held on Tuesday, June 11, at the Mountain View Inn in Greensburg.

At an evening celebrating visionaries in promoting mental health, the LCL Committee was recognized for promoting wellness in the workplace.

Considerations included demonstrating outstanding promotion of mental health within the constituency; utilizing health promotion and stress management strategies; and demonstrating a unique investment in the community's mental health.

Also recognized at the event were Seton Hill University's Art Therapy

and Marriage and Family Therapy Programs and Latrobe Area Hospital's Child/Adolescent Mental Health Services.

The Mental Health Association in Westmoreland County is a United Way agency that works for better mental health and victory over mental illnesses, such as schizophrenia, depression, anxiety disorders and bi-polar disorder through programs of advocacy, education and service.



▲ WBA President Timothy J. Geary and Director Robert I. Johnston accepted the Innovations Award from the Mental Health Association in Westmoreland County on behalf of the WBA Lawyers Concerned for Lawyers Committee.

## Actions of the Board

### MAY 21, 2002

- Board allocated \$1,000 to Historical Committee for work on bar history project.
- Accepted Membership Committee recommendation to approve Larissa McGrew as associate member pending payment of dues.
- Reviewed report that IOLTA awarded the Westmoreland Bar Foundation \$19,000 to operate the Pro Bono Program for the July 2002–June 2003 cycle.
- Directed the Finance Committee to meet with Bill Few Associates to review the investment policy of the WBA.
- Agreed to purchase CD at Citizens Bank.
- Discussed the Innovations Award that the WBA will receive from the Westmoreland Mental Health “for promoting wellness in the workplace” and agreed to purchase a table and an ad for \$500.
- Directed the Young Lawyers Committee to establish written policy for election of officers.
- Authorized Milt Munk, Treasurer, Wes Long, Chair, and Chuck Mason to be signatories to PAC account.
- Authorized search for location of 2003 Bench/Bar Conference.
- Reviewed and approved date of bar association picnic—August 24.
- Reviewed and approved date and format for Memorial Service—Friday, June 21 at 11:30 am.
- Agreed to nominate young WBA lawyer for the PBA Leadership Institute.
- Entertained report concerning an invitation from Seton Hill College to collaborate on a lecture series which will feature nationally known speakers. Agreed to support the efforts of Seton Hill College lecture series pending the review of written materials.
- Agreed to allow a National Law Journal web service to use our jury verdicts for reimbursement of costs incurred for the publication of this information.

## Lawyers' Exchange\*

(\*Free to all members of the WBA)

**ATTORNEYS** Mid-sized firm has associate position available with 0–7 years' experience in insurance defense litigation. Admission to Pennsylvania Bar required. Salaries are negotiable. Please send resumes to: Attn: Hiring Partner, 707 Grant St., Gulf Twr. Ste. 2400, Pittsburgh, PA 15219.

**COMMERCIAL SPACE** Greensburg, charming in-town office suite, 6 or 7 lg offices + 2 or 3 steno offices; off-street parking; Rent dependent upon space leased: 724-834-9087.

wba news



# foundation focus

## Law Day 2002 Celebrated by WBA



In an effort to educate children about the law, the Westmoreland Bar Association participated in Law Day 2002 celebrations held during the second week of May.

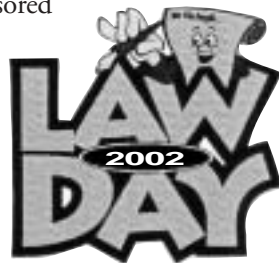
Part of a month-long, statewide campaign sponsored by the PBA and county bar associations, this year's Law Day program was designed to bring together judges, lawyers and schools to help children learn how our courts and legal system seek to assure equal access justice for all Americans.

According to The Hon. Richard E. McCormick, Jr., Law Day 2002

is a "great outreach program for the Bar Association."

The Hon. Debra A. Pezze, who visited Greensburg-Salem Middle School, agrees. "I love this program. We need to take every opportunity to capitalize on the current interest of the court system."

Interest was very high in the third grade classes at Metzgar Elementary. "The students were so enthusiastic that the teacher had to remind them a number of times to calm down and speak one at a time," said Diane Murphy, who visited the school.



## LAW DAY 2002 PARTICIPANTS

### PARTICIPATING MEMBERS

Mary E. Baloh  
The Hon. Alfred B. Bell  
Rebecca A. Brammell  
Amy S. Cunningham  
Michael G. Dailey  
David S. DeRose  
James N. Falcon  
Timothy J. Geary  
Melissa A. Guidy  
James A. Horchak  
Michael A. Johnson  
Karen L. Kiefer  
Timothy B. Kinney  
Suzanne J. Mahady  
The Hon. Richard E. McCormick, Jr.  
Diane E. Murphy  
Joyce Novotny-Prettiman  
David G. Petonic  
The Hon. Debra A. Pezze

Harry F. Smail, Jr.  
Denise Snyder Thiel  
Susan Zydonik

### PARTICIPATING SCHOOLS

Aquinas Academy  
Bovard Elementary  
Franklin Regional Senior High  
Greensburg-Salem Senior High  
Greensburg-Salem Middle School  
Kiski Area Senior High  
Latrobe Elementary  
McCullough Elementary  
Metzgar Elementary  
Mt. View Elementary  
Scottdale Elementary  
St. Florian School  
Stanwood Elementary  
Valley School of Ligonier

Harry Smail, Jr., found the same enthusiasm in Bovard Elementary's fourth grade classes. "It was outstanding. It's very encouraging to see our future is secure."

"Great kids. Good energy," said Michael Johnson of St. Florian's fourth, fifth and sixth grade classes. "I enjoyed the encounter."

The schools were just as impressed with the Law Day 2002 program, which was called "Celebrate Your Freedom: Assuring Equal Justice For All."

"I think this is a great idea!" said a second grade teacher at Latrobe Elementary. "[It's] nice that busy people take the time to come into the classroom and make learning real for the children."

An eighth grade teacher at Greensburg-Salem Middle School said, "I really enjoyed being able to take the students into the judge's chambers. It was a great place for the presentation."

The kindergarten class at Stanwood Elementary even touched an emotional chord with their presenter. "We sang her some of our patriotic songs and she got tears in her eyes," they reported.

Thanks to the 22 judges and lawyers who brought the Law Day program to 14 schools throughout the county, and to Pro Bono's Kate Wiatrowski for organizing the visits.

*continued on page 18*

## LAW SPEAK

"To decide issues of law on the size of the person who gets advantage or claims disadvantage is treacherous."

— The Hon. Robert H. Jackson,  
*Bruce's Juices, Inc. v. American Can Co.*, 330 U.S. 743 @753 (1947)

Candid Camera:

# Judge Loughran's Retirement Gala



◀ "What is that, in your mustache, Bob? Ravioli?"

▶ If you look carefully, you will notice that Judge Loughran is looking younger while the portrait is already beginning to age ...



## foundation focus

continued from page 17

### Chamber BASH Thanks

A very sincere and heartfelt thank you to all of the Bar Foundation and Association members who helped to make the Courthouse BASH [held May 22] a special event.

I know that our members enjoyed the chance to hang around the hallowed halls and enjoy good food, camaraderie, and the kids from Greater Latrobe Senior High!

Please extend our gratitude to all of your members and colleagues who helped make that evening special.

Cordially,  
Andy Stofan, Latrobe Area Chamber of Commerce

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

## PENNSYLVANIA DRUNK DRIVING DEFENSE

by Patrick F. Lauer, Jr.

The practical answer to PA DUI prosecutions. This easy-to-use looseleaf provides exhaustive coverage of Pennsylvania law, tactics and procedure, with:

- LITIGATION TIPS
- UP-TO-DATE ANALYSIS
- QUESTIONING TECHNIQUES
- PA STATUTES, RULES, AND REGS.
- COURTROOM STRATEGIES
- MOTIONS AND FORMS

To order, for JUST \$80, simply call *Revere* at

**1-800-262-1776**

or visit [www.reverepublishing.com](http://www.reverepublishing.com)

# What Is Psychotherapy?

by Judge Irving L. Bloom

Psychotherapy treats the person behind the illness. In less serious situations, the therapist may first try short term counseling (10 to 20 weeks) without medication. Sometimes anti-depressants are needed to quickly lift an individual out of a serious depression, thereby allowing therapy to work more effectively. Also, there are cases of major depression where there exists a serious health risk or the person is suicidal and hospitalization may be required.

Generally speaking, there are three types of psychotherapy: behavioral therapy which concentrates on current behaviors, cognitive therapy which focuses on thoughts and beliefs, and interpersonal therapy which involves current relationships. Cognitive and behavioral therapy helps the person to recognize and change negative styles of thinking and behavior that may contribute to depression. This therapy can teach a person better coping skills, thereby, changing our reactions to and reducing the harmful effects of stressful situations. Interpersonal therapy looks at how one can work and live with other people more effectively. It seeks to change those “toxic” relationships that can trigger or worsen an episode of depression.

Sometimes the therapy is personal—just the person and his or her therapist. Other times it involves a group of people who openly and frankly discuss their problems and experiences with others under the guidance of a professional facilitator. LCL sponsors two such “lawyers only” group meetings in Philadelphia—one for stress and one for anxiety and depression. Lawyers and judges can attend these meetings which are conducted by a team of psychiatrists at no charge.

A good therapist can help a person understand how depression has tainted their self-perception and come to understand how others may view you. Because most people don't understand the symptoms of depression, they may see someone suffering from mood changes as untrustworthy or insincere, or, if they cry easily or seem overanxious are merely weak, or, the anxious and irritable are labeled as “always in a bad mood” and are to be avoided. Therapy helps a person to gain insight on how and why others react to their outer symptoms of depression. This understanding combined with learning to modify those thoughts and habits that contribute to stress, anxiety and depression can rebuild one's relationship with self and others.

For more information for yourself,  
or someone you know, call  
Lawyers Concerned for Lawyers Confidential Helpline:

**1-888-999-1941**

## bookmark

continued from page 9

**THE SOUND OF TRUMPETS, PARADISE POSTPONED and TITMUSS REGAINED** ♦ by John Mortimer ♦ The creator of “Rumpole of the Bailey” chronicles the further decline of the British empire.

**ENGLISH CREEK** ♦ by Ivan Doig ♦ The McCaskills of Montana are cowboys, shepherds and forest rangers on the verge of World War II. Doig's writing is richly descriptive and poetic.

**I, CLAUDIUS and CLAUDIUS THE GOD** ♦ by Robert Graves ♦ The greatest historical novels ever about the reign of the Roman Emperors Augustus, Tiberius, Caligula and the survivor Claudius.

**ECHO HOUSE** ♦ by Ward Just ♦ Three generations of political influence in Washington, D.C.

**THE LAW OF THE LAND** ♦ by Charles Rembar ♦ The development of the law in a most entertaining random connection of anecdotes and references.

**ENIGMA** ♦ by Robert Harris ♦ Intrigue among the code breaker geniuses of World War II. Soon to be a major motion picture.

**HEARTS IN ATLANTIS** ♦ by Stephen King ♦ The best seller finally gets it right in these interconnected stories about my generation and our trouble growing up.

**BEACH MUSIC** ♦ by Pat Conroy ♦ A great southern storyteller continues to draw from his upbringing to explore the vagaries of the human mind.

**COLD MOUNTAIN** ♦ by Charles Frazier ♦ A Confederate conscript walks back home through beautiful forests and troubling reminiscences.

# CALENDAR of Events

## JULY

- 4 Courthouse closed for Independence Day
- 10 Membership, Noon
- 12 *Free (Lunch) Friday:* Quick Tips on Using the Internet, Noon
- 16 Family Law, Noon  
Board Meeting, 4 p.m.
- 19 Summer Quarterly Meeting and Golf Outing, Cherry Creek, Noon
- 24 Info Tech, Noon
- 25 Vision Group, Noon

## AUGUST

- 14 Membership, Noon
- 20 Family Law, Noon  
Board Meeting, 4 p.m.
- 22 CLE Video Compliance
- 24 WBA Picnic & Music Festival, North Hempfield Park, 3 to 7 p.m.

# TOP TEN

### Top Ten Most Interesting Quotes From Bench/Bar

1. "Cap'n Dan, Cap'n Dan, how can we be lost? The lake is round."
2. "It's like golf. You have to keep your head directly over the ball."
3. "No, Cap'n Dan, that isn't an iceberg. Oh no! I think Tim Kinney just fell overboard."
4. "You know, I never knew before how relaxing Jell-O can be."
5. "Cap'n Dan, Cap'n Dan, I couldn't find you an eye patch, but if you like, I'll glue this bagel to your eyebrow."
6. "You know, if taking a Breathalyzer test for CLE credit is retroactive, I'm good until 2014."
7. "Cap'n Dan, Cap'n Dan, I don't know what 'avast there' means, and please stop calling me your 'matey.'"
8. "Okay, Lee, next year 'flitting' can be an activity."
9. "Cap'n Dan, you'd look a lot better standing in the prow with one hand shading your forehead and your other hand shoved inside your shirt if you'd waited until we left the pier."
10. "If Cap'n Moron sings 'Yo ho ho and a bottle of Tums' one more time, I'll give his stomach something to be upset about, all right."



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

PRESORTED  
STANDARD  
U.S. POSTAGE  
**PAID**  
GREENSBURG, PA  
PERMIT #678



**WBA Fall Gathering**  
**Saturday,**  
**September 14, 2002**  
**Greensburg**  
**Country Club**

*Look for your  
invitation in  
early August.*

