



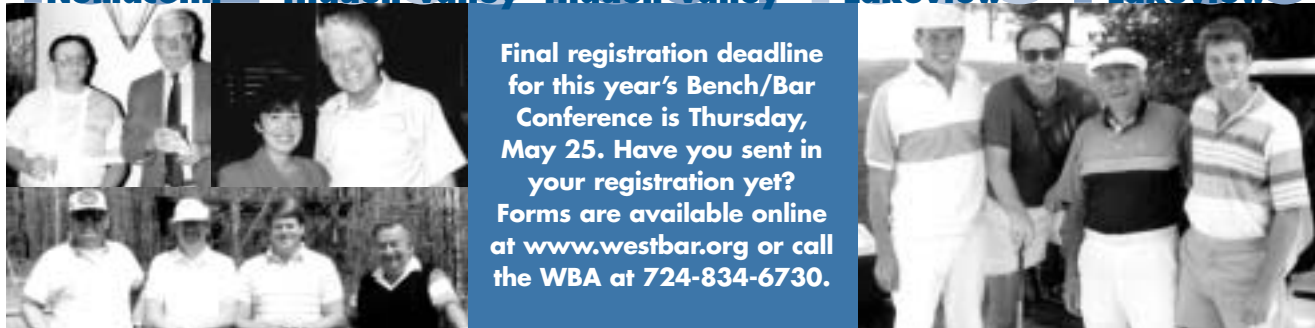
Remember When?

20 Years of Bench/Bar Memories

1987 1988 1989 1990 1991



1992 1993 1994 1995 1996



Final registration deadline for this year's Bench/Bar Conference is Thursday, May 25. Have you sent in your registration yet? Forms are available online at www.westbar.org or call the WBA at 724-834-6730.

1997 1998 1999 2000 2001



2002 2003 2004 2005 2006

President's Message

Balancing Law and Life

by Rebecca A. Brammell, Esq.

You will no doubt notice that this article is not nearly as witty as my first. The Editor practically wrote that one himself. It's a tough act to follow, but I'll give it the old college try.



One of the hardest things we do everyday is try to keep our lives in balance. My observation has been that lawyers are not traditionally good at balancing. I have heard many experienced lawyers comment that they were able to devote their whole lives to their careers because their spouses were able to run the home and care for the children. I often marvel that they were fortunate enough to find partners who were able and willing to take on those responsibilities and stay in the background as the unsung hero, a rare find in today's world, for husband or wife.

It reminds me of a 1955 article, "A Good Wife's Guide," that a friend recently e-mailed to me (you can find it online at www.robinsweb.com/humor/good_wife). I was struck not only by the archaic tone of the subject, but also by the irony that it was sent via this ultra-modern mode of communication. Everyone needs a "wife," the one who takes care of all of that "stuff" and simplifies life. Instead, we are all trying "to do it all."

I used to think it was just me, or just female lawyers, but no, it is all of us—trying everyday to be a good lawyer, who actually gets paid; running an efficient office; trying to be a good parent, while still trying to be a good son or daughter, an affectionate spouse, a good citizen doing charitable works—and that is just in the daytime. Now, add to that laundry, running to the dry cleaners, paying bills, and having a gallon of milk in the refrigerator that

does not offend the nose of the 16-year-old seeking a bowl of cereal. Then, if you have a minute, maybe you will read that stack of periodicals or the newspaper (at least the obituaries), check your e-mail and phone a friend. You know you really need to get the car inspected, exercise more regularly and schedule that colonoscopy ... I'm getting tired just thinking about it.

Last week I had the pleasure of celebrating with friends who just had a \$600,000 jury verdict in a Westmoreland County courtroom.

After the appropriate retelling of the details of the courtroom drama, the male lawyer (in the male/female team) recounted a homefront story. It seems that his 15-year-old son had a teen-age mini-crisis (an absence of hair gel) right in the middle of the three-week preparation for trial. When the "neglected" child complained about the level of parental interest in the dilemma, the response was, "This is not the time to put a stick into the bee's nest."

We've all been there. We've all had that case or client that is "all-consuming" for weeks at a time while so many things are crammed into your head that you cannot take in one more thought, one more sound, or it will be leaking out your ears. When my children were younger, my fear was that I would forget to pick them up somewhere, that they would be standing on the

sidelines of the track or soccer field waiting ...

I know that many other lawyers have far more demanding practices than mine. So, how do we each manage? I have found that we can be a great resource for one another. It is one of the best things that I have gained from my involvement with the Bar Association. Since my divorce, and the revelation that I had a stark lack of friends, I started hanging around with lawyers. Now I find that my best friends are, in fact, lawyers. They are

the ones who understand that I can't always call them back right away when work projects take over. They are the same ones who a solo practitioner can call upon when you think you have the answer to a legal question, but you are just



not sure. They are the ones you can send your family members to so you don't have to take on a brother-in-law as a client. They are the ones you can call upon when your health requires that you ask someone for help. Most of all, they are the ones who have a real appreciation for the difficult balance of the practice of law and life itself.

So, my sage words of advice, find in your fellow colleagues at the Bar the wisdom of their experience. Take a few minutes to share your concerns with other lawyers and if you need help ... ask.

Rebecca A. Brammell

Remembering David W. Cook

Our immediate Past President Jim Silvis recently dedicated his final President's Message to the merits of practicing law in a small town. If any WBA member would have echoed that sentiment it would have been David Cook, who passed away on January 22, 2006.

Not merely a small-town attorney, David was also a big-time war hero. He enlisted in Company I, 110th Infantry of the 28th Division, in 1939 and was called to duty in February 1941. He attended Infantry OCS, was commissioned and served with the 54th Armored Infantry Battalion of the 10th Armored Division in Europe until wounded in action in the battle to capture Trier, Germany during World War II. He was a patient in Army hospitals for three years until he retired in 1945 with the rank of captain.

For his exemplary service, David earned

numerous awards, badges and ribbons including the Silver Star, Bronze Star, Purple Heart, and five Battle Stars. Of all these, he counted the Combat Infantryman's Badge as his most treasured possession. When asked what lessons he learned while serving his country, David said the military taught him "to approach any problem objectively and see it through."

David also had a big-time role in many local organizations. He was a Past President of the WBA as well as volunteer executive secretary for 13 years. He was a vital part of the First

Presbyterian Church of Greensburg where he was a member for over 50 years. He served as president of the Westmoreland Hospital Association, Greensburg Library and Greensburg Kiwanis Club and served on the Westmoreland County Fair Board. He was a member of various Masonic orders, the Sons of the American Revolution, the Scotch-Irish Society, the American Legion, the VFW and other veterans organizations.

John O'Connell, who served on the WBA board with David in 1986, said David Cook, the executive secretary, was conscientious and steady. He truly cared about and believed in the work of the bar association. As for David Cook,

"We can't all be heroes because somebody has to sit on the curb and clap as they go by."

—Will Rogers

the attorney, John admitted he always liked having a case with him because if David was involved, so was money.

David's lunch buddies from The Rialto fondly remember

David's ability to have a new joke every Friday no matter what. Over all the years, David refused to reveal his never-ending source for the jokes.

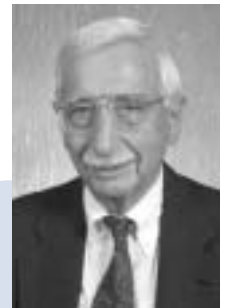
Jon Lewis recalled a story from many years ago when a bumper sticker that read, "Rosalynn Carter for President," magically appeared on the rear panel of David's car. David, an unwavering Republican, unknowingly drove around town for weeks before discovering the bumper sticker. When he finally found it, he pressed his lunch buddies for the identity of the culprit, but to no avail. About a

month later, a second bumper sticker appeared on David's car. This time David found it before too long but still could not find out who was the jokester. On the day Paul Welty retired, Paul admitted to Jon Lewis that he was to blame. He swore Jon to secrecy until after Paul passed away. Jon honored this promise and did not reveal the secret until the WBA memorial service where Paul Welty was honored.

Another story involves David, Tack Hammer and Lady Luck. David could never beat Tack Hammer at cards. Never. The more Tack drank, the better his cards got and the worse David's got. During one evening of cards, David finally felt he had the hand of a lifetime, so he kept upping the ante. When the pot was called, Tack laid down three aces to win. David reportedly stopped playing cards for several years after that.

Long-time friend Ted Herrington reminisced about an unexpected cancellation of law school classes due to a snowstorm. When Ted and his wife, Mary, suggested an escape from Greensburg for a whimsical getaway. David would have no part of the adventure, explaining that the purchase of a household appliance was a more necessary expenditure of money.

For some, heroes may be hard to find. Those who were fortunate enough to rub shoulders with David know that heroes are made, not born and they can even hail from our small town.



▲ David W. Cook

the sidebar

the sidebar is published bimonthly as a service for members of the Westmoreland Bar Association. Letters to the Editor may be sent to 129 North Pennsylvania Avenue, Greensburg, PA 15601-2311, fax 724-834-6855, or e-mail westbar.org@verizon.net.

Back issues from 2000 to the present and a comprehensive, searchable index are available online at www.westbar.org/html/publications.

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New Leaders Chosen, Awards Given at Annual Meeting

Rebecca Brammell assumed the office of President at the Annual Meeting of the Westmoreland Bar Association held on Monday, April 3, 2006, at the Greensburg Country Club.



▲ *Rebecca Brammell*

A member of the WBA since 1986, Becky is a solo practitioner in Penn Township. She is a graduate of the University of Pittsburgh and Duquesne University School of Law.

Becky is currently serving on the Bench/Bar, Elder Law, Orphans' Court, Law Practice Management, Women in the Legal Profession, ADR and Finance Committees, and is a former Westmoreland Bar Foundation Trustee/Outreach Committee Chair.

Becky succeeds James R. Silvis and will serve a one-year term as President.

OTHER ELECTION RESULTS

Barbara J. Christner was elected Vice President for the 2006–2007 term, and Michael J. Stewart was chosen to fill the vacant Director seat on the board. Milton V. Munk, Jr., stepped down as Treasurer, a post he has held for 19 years. He will continue on the board as Assistant Treasurer in 2006–2007. Other board members include President-Elect James E. Whelton, Jr., Directors James R. Antoniono and Donald J. Snyder, Jr., Past President James R. Silvis, Treasurer L. Christian DeDiana and Secretary/Executive Director Diane Krivoniak.

Jacquelyn A. Knupp was elected to serve a five-year term on the Membership Committee and Daniel C. Hudock was elected to serve a five-year term on the Building Committee.

AWARDS GIVEN AT MEETING

Awards given at the meeting included the Pro Bono Attorney of the Year, Young Lawyer of the Year and Committee of the Year. The recipients are as follows.

John E. Bumbaugh

PRO BONO ATTORNEY OF THE YEAR

John E. Bumbaugh, a partner in Bumbaugh & Nicola in North Huntingdon, was named Pro Bono Attorney of the Year at this year's Annual Meeting.

John has been an active participant in the Pro Bono Program since its inception in 1991, and established the Pro Bono Bankruptcy Clinic in 2002. In 2005, he donated an estimated 275 hours to his *pro bono* clients.

According to Pro Bono Coordinator Iva Munk, "John embodies the spirit of his profession in helping others and

promoting an understanding and appreciation of the law. His cooperative demeanor and kindness inures to the mutual benefit to all who have had the privilege and honor of working with him."

Q WHAT DOES THE AWARD MEAN TO YOU PERSONALLY? PROFESSIONALLY?

A I believe this personal achievement goes hand in hand with the professional endeavor I embarked on a few years ago. As I have always stated, there can be no higher accolade an individual can receive than that of his or her own peers. To receive recognition such as "Attorney of the Year" for my efforts in the Pro Bono Program shows me that I have gained the respect and appreciation of my fellow peers and for that I am truly humbled and grateful.

On a personal note, I am the product of a mother and father who constantly emphasized hard work, academic achievement and the maintenance of a strong moral



▲ *Pro Bono Attorney of the Year John E. Bumbaugh receives his award from The Hon. Christopher A. Feliciani, while wife, Renee, and children, Kelsey and John Eric, look on.*

character. I will always remember their repetitive theme of, "To those whom much is given, much is expected." We professionals sometimes forget the great fortune that has been bestowed upon us such as an open gate to access the path of academics and the God-given ability to understand, comprehend, and master the curriculum. In keeping with the edict of my parents, I am mindful of what the good Lord requires of me. I will continue, as much as possible, to contribute my time and efforts in the Pro Bono Program as it is an avenue wherein I feel I can do the most public good and community service.

Q HOW DID YOU FEEL UPON LEARNING YOU WERE THE RECIPIENT?

A I was truly grateful. When Judge Feliciani delivered his eloquent and kind endorsement of me to the Bar Association, I was filled with appreciation and gratitude. What made the moment especially happy for me was that I was in the company of my peers,

but most of all, my wife and children. Without the love and support of my wife, Renee, this arduous journey of the practice of law would be insurmountable. Without the blessing of children to whom I will be able to exhibit the need of public service and charitable acts, a legacy would be unfulfilled.

Q WHY ARE YOU INVOLVED IN THE PRO BONO PROGRAM AND WHAT ADVICE CAN YOU GIVE TO FUTURE CANDIDATES FOR THE AWARD?

A This year will mark my twentieth year in the practice of law. After five years into my practice, I began to see what was good in the profession and unfortunately, what was not-so-good. For many years thereafter, I accentuated the positive and brushed off the negative. I remember using the phrase, "I stopped making apologies for my profession a while ago" when confronted with the ignoble acts of my peers. But, after a few more years, I could no longer passively stand by

under the pretense that I could do nothing about it. Year after year, I witnessed my profession's once gilded image become tarnished and tarnished by the negative. It just seemed to me that the public and media only emphasized the pejorative aspects of lawyers. Why was this? How could this have happened? Perhaps, I said, we [lawyers] need to take the extra effort to restore this image with polish and good old-fashioned elbow grease.

Think about it, what does the public see when the term "lawyer" is thrown about? The nobility of the profession? The sleepless nights we all have had worrying about our client's important matters, the eve of a trial or the inimical series of deadlines and court schedules? No. The public sees only the most bizarre, ridiculous and obtuse cases that, for the most part, are promoted and brought forth by the media and parties hell-bent on furthering the besmirchment of our profession. The public views television advertising of some of our colleagues

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Leaders Chosen, Awards Given *continued from page 5*

that elevates or denigrates our craft to carnival-like levels. So, with this being said, I find within myself a moral and ethical imperative to do whatever I can to publicly send a message that what we do as lawyers is truly a noble service of the public good. I urge every lawyer to open his or her eyes and acknowledge that if we do not start to attend to these wounds inflicted upon us and restore the shine beneath the tarnish of our profession, rest assured, no one else will. Try to do two or three random acts of professional kindness or service every year, devote your time to your church or synagogue, lend some free advice to a neighbor, and yes, come up to the Pro Bono Program ... I have some work for you.

Leo A. Ciaramitaro

YOUNG LAWYER OF THE YEAR

Leo A. Ciaramitaro was named Young Lawyer of the Year at the WBA Annual Meeting held April 3, 2006.

The award is given to the young lawyer who best exemplifies outstanding



◀ Bob Johnston (right) presents the Young Lawyer of the Year Award to Leo A. Ciaramitaro (left) at the WBA Annual Meeting held April 3, 2006. Leo has demonstrated exemplary leadership of the Mock Trial program over the last five years, with interruptions occurring when he served two tours of duty with his National Guard unit, first in Germany and then in Iraq.

leadership and distinguished service to the legal profession and the community. In presenting the award, Bob Johnston cited Leo's exemplary leadership of the Mock Trial program over the last five years, with interruptions occurring when Leo served two tours of duty with his National Guard unit, first in Germany and then in Iraq.

Q WHAT DOES THE AWARD MEAN TO YOU PERSONALLY AND PROFESSIONALLY?

A The award meant a great deal personally and professionally. I don't know of another occasion where an

Assistant DA received the award. I was honored the WBA selected me as the recipient this year. The Association provided a great amount of support to the Mock Trial Program and I am proud to be part of the program's success. Additionally, the support the Association provided while I was deployed was incredible and greatly appreciated. I'm hopeful this award will encourage other young lawyers to become part of the WBA and its programs.

Q HOW DID YOU FEEL UPON LEARNING YOU WERE THE RECIPIENT?

A Extremely honored. It was not at all expected, partly because I had never heard of an ADA receiving the award before. This reaffirms the Association's commitment to include all lawyers, regardless of their practice area.

Q WHAT ADVICE CAN YOU GIVE TO FUTURE CANDIDATES FOR THE AWARD?

A Participate in the programs the WBA has where you can, and participate in your community organizations. We all have busy schedules, but part of our duty as Officers of the Court is to bridge the gap between attorneys and the public. The outreach programs are a great way to show the public the commitment to our communities and especially to our

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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.



young people. We all must do what we can to provide the public a positive image of attorneys and getting into communities is a great way to do it.

Bench/Bar Conference

COMMITTEE OF THE YEAR

The Bench/Bar Conference was awarded Committee of the Year at this year's Annual Meeting. The 2005 conference was held at Seven Springs Mountain Resort in Champion, Pa., last June, and was attended by over 100 WBA members. Co-Chair Rachel Huss accepted the award on behalf of the committee.

The Hon. Daniel J. Ackerman, President Judge and Bench/Bar Committee Co-Chair said he was surprised to receive the award. "All of the Bench/Bar Conferences over the years have been so enjoyable; a good Bench/Bar has become something to be anticipated and expected," he



▲ *Bench/Bar Conference Co-Chair Rachel Huss accepts the Committee of the Year award at the Annual Meeting held April 3.*

remarked. "The committee members did a fine job, but it is the members of the bar and bench who attend that contribute the most to the success of the conference. That being said, it is gratifying to receive the recognition of the Bar Association."

This year's Bench/Bar Conference will be held June 15-17 at The Mountaineer Race Track & Gaming Resort in Chester, W.Va.

Did You Know?

The WBA website contains up-to-date information about upcoming meetings, events, CLE seminars and much more.

- Scroll down on the home page for links to the court calendars, jury trial verdicts, local rules, opinions and various county offices.
- Click on CLE Programs to access registration forms for seminars.
- Click on Publications to access back issues of the sidebar and forms and ad rates for the Westmoreland Law Journal.
- Click on Member Resources for current committee lists, an LRS application, a searchable member directory and links to online photo albums.

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Candid Camera: 2006 Annual Meeting

▶ *"I've never told anyone this before, but, oh God, am I glad I got the hell out of this county."*



▶ *And what kind of party would it be without the three most beautiful women of the Bar Association.*



▶ *Oh, I could caption this, you know I could, but I won't.*



▶ *Assembled just for this occasion, Magistrates Falcon, Thiel and Conway are determined to settle once and for all just how many of them it does take to change a lightbulb.*

▶ *Until he took off his glasses, everyone had blithely assumed it was just part of the frame.*



▶ *"It's not what you think," said Dan, "I only read it for the articles."*

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▶ *"Oh please, just take a look and tell me if this rash has started to turn black yet."*

New Members Meet Bench, Bar



◀ New members presented to the Court on Friday, March 17, 2006, included (from left to right): Jayson Lawson, Mark Wible, Lou Anne Demosky, Kevin Feigel, Andrew Skala, Scott Crawford, Philip Shelapinsky, Shaun Griffith, Lori Edwards, Michael Csonka, Richard Thiele, James Stois and Theresa Clark.

On Friday, March 17, 2006, the Westmoreland Bar Association presented its new members to the court. Following a welcoming address by WBA President James R. Silvis, each admittee was introduced to the court by a member of the association.

The new members presented to the court were: Theresa Clark, Michael J. Csonka, Scott E. Crawford, Lou Anne Demosky, Lori A. Edwards, Kevin E. Feigel, Shaun D. Griffith, Jayson J. Lawson, Andrew F. Skala, Philip N. Shelapinsky, James R. Stois, Jr.,

Richard C. Thiele and Mark Wible.

Following the presentation to the court, Jeremy R. Bobby and Robert I. Johnston greeted the new members on behalf of the Young Lawyers Committee and the Ned J. Nakles American Inn of Court, respectively. The Hon. Daniel J. Ackerman, President Judge, then spoke on behalf of the court.

A reception for the new admittees was held in conjunction with the WBA St. Paddy's Day Party, which was held at Bar headquarters immediately after the ceremony.

Editor's note: The following remarks were made at the Presentation of New Members Ceremony held on Friday, March 17, 2006.

*by The Hon. Daniel J. Ackerman,
President Judge*

In the last issue of the WBA magazine, *the sidebar*, its resident humorist and philosopher, who writes under the name S. Sponte, struggles with the question of whether after 35 years of practice he has made

continued on page 10



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New Members Meet Bench, Bar *continued from page 9*

any meaningful difference in the lives of his clients. It is a question, I suppose, that sooner or later we all must struggle with, and there is no better time for you to think of it than right now, as



▲ *The Hon. Daniel J. Ackerman, President Judge*

you start your practice here.

All of you eventually are going to be able to answer the question, yes, I have made a difference, provided you apply the proper standard. Sadly, over the years I have watched some lawyers try to justify themselves by the wrong standard.

They will consider themselves a success when they get and win that one big case which they hope for, but which never comes in. They view success as achieving financial goals.

If your professional life is to be meaningful to your clients, it will not be because of such events. Rather, it will build slowly, almost imperceptibly, with client after client and case after case.

The Platonic definition of justice is excellence in the performance of a given function. If you were a boat builder, you would achieve excellence by building the best boat you were capable of building for your customer; and the price that is paid for the boat or whether or not it wins the America's Cup would not be relevant factors.

The legal culture has put too much emphasis on winning. There is no reliable correlation between winning and being a good lawyer. If you are a criminal defense lawyer and try a lot of cases you can be the best lawyer in the courtroom, and yet your clients may be convicted of something most of the time.

How then should you begin this long and slow process of making a positive difference for your clients? Let me suggest the following:

1. CONTINUE TO EDUCATE YOURSELF. Never stop learning. Attend CLEs, not because they are mandatory, but to see how much you can learn from them. And even in the age of computerized research, read the advance sheets in the area of law in which you practice.

2. PROVE YOURSELF TRUSTWORTHY AND RELIABLE TO OTHER MEMBERS OF THE BAR, THE COURTS AND YOUR CLIENTS. With clients, trustworthiness can be demonstrated by something as simple as promptly returning their phone calls. Clients will put up with many of your faults, but they will not tolerate being ignored. With the courts and counsel, sometimes trustworthiness can be demonstrated by something as simple as appearing on time.

3. CHARGE ONLY WHAT YOU SINCERELY BELIEVE YOU ACTUALLY EARNED, EVEN IF YOU COULD CHARGE MORE. And help the needy as often as you can.

4. LEAVE NO ROOM FOR HATE OR ANIMOSITY IN THE EXERCISE OF YOUR PROFESSION. Don't hate

the opposing lawyer or the opposing litigant; it is self-destructive and will cloud your judgment. Always treat everyone with civility and insist that your clients do the same.

5. EXPLAIN TO YOUR CLIENTS WHAT THEY CAN EXPECT IN DEALING WITH THEIR PROBLEM. Make no guarantees as to the outcome and promptly disabuse them of unrealistic expectations.

6. FINALLY, AVAIL YOURSELF OF THE BENEFITS THAT CAN BE DERIVED BY GETTING TO KNOW YOUR FELLOW LAWYERS THROUGH PARTICIPATION IN THE WESTMORELAND BAR ASSOCIATION, THE INNS OF COURT AND OTHER PROFESSIONAL ORGANIZATIONS THAT MAY BE OPEN TO YOU.

If you do these things, and others which are dictated by your better judgment, it will not be long before you will recognize that you are making a difference and that your efforts are generating a compensation greater than the fee.

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Committee Reports

ADR and Mediation

by Charles F. Wade, Esq.

ADR Committee

Rumors are abounding that our Supreme Court will be mandating mediation in the domestic arena in the near future. In addition, the Federal Courts are about to mandate ADR in certain areas. The



▲ Chuck Wade

Federal Program in the Western District of Pennsylvania is a four-judge pilot program, with Judge Ambrose being a driving force. In a nutshell, any civil case which comes before any of the four judges in the pilot program will mandate either mediation, arbitration or evaluation. Presently the Federal Courts are in the process of having

people qualified in those three areas so the program may be implemented.

With all this in mind, the ADR Committee, along with the Domestic Bar and the Courts, is pursuing an aggressive plan to have some type of ADR, specifically mediation, implemented in our Courts this year. In view of the fact that our Supreme Court is looking into domestic ADR, the first logical area to explore is mediation in the divorce and custody arena, and then to expand thereafter.

The next judge who tells me that he or she is anxiously awaiting their next custody trial will be the first. Universally, the judicial and domestic law community dislikes and tries to avoid custody trials. Having mediation prior to a trial ideally will alleviate much of the dissatisfaction that litigants feel as a result of the process.

A major problem with clients is that even with a settlement of the issues, many feel they haven't had the opportunity to vent. Although we have many capable Masters in this county dealing with the economic issues in divorces, some of these divorces continue for years, with exceptions and appeals. One goal of mediation is to help some of these clients (not all) develop skills that will solve many of the problems prior to reaching trial.

The type of mediation which is contemplated is such that clients will not only be able to solve the immediate problems, but problems that arise in the future. I, for one, will not miss that emergency phone call because my client's spouse picked the wrong dentist.

continued on page 12



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Committee Reports *continued from page 11*

At the recent mediation training, which many of us attended, there was a pervasive fear that mediation may be yet another way of eliminating the attorney from the equation. Let me put your mind at ease. Nothing could be further from the truth. The mediators in this area are to be used only as a tool so that clients can reach an agreement and gain tools to solve other problems as they arise.

Mediators, when finished, will present areas of potential agreement to both attorneys. From that point on, it is the responsibility of the attorneys to meet with their clients, review the areas of agreement, and draft all final marital settlement agreements and/or custody and visitation orders and agreements.

Mediation in the civil area is somewhat different in that attorneys would have to be involved, and are involved, generally from the very beginning, and during mediation. Hopefully, with all parties working together, we can initiate a system in the Courts of Westmoreland County which would more effectively deal with the many issues that we all struggle with. This system will, among other things, strive to alleviate the pressure on our Courts and make the practice of law a more satisfying and less stressful profession.

As this is only the beginning of a process, we welcome any comments and thoughts from the Westmoreland Bench and Bar. Contact Chair Bob Johnston (rjohnston@belden-law.com) or Co-Chair John Noble (jnoble@mdbbe.com).

Historical Committee

Courthouse Centennial Update

by P. Louis DeRose, Esq., Historical Committee Chair

In less than a year, we begin the year-long celebration of the 100th anniversary of the construction and dedication of the Westmoreland County Courthouse. This beautiful building was opened in the fall of 1907 and formally dedicated on January 31, 1908. Most of us are in and out of this structure daily without truly appreciating how grand it is to work there and how lucky our county is to have it as our most recognized landmark.

The Courthouse Centennial Committee has worked for three years to appropriately commemorate the Centennial. Several events are planned in 2007, including an art show of local artists, tours of the entire building open to the public and students from the area, and the publication of “This American Courthouse,” a coffee-table-style book focusing on the history of the people who built the Courthouse and those who have gone before us as officials, lawyers and clerks. The celebration will culminate with a Grand Ball in January 2008.

Each of these events requires serious funding. Although some funds have been raised and grant money may still be available, it will not be enough without more help.

Many lawyers have been generous with their contributions, time and suggestions in support of this important project, but in order to complete the work, we are still far short of the funds needed to reach our goal. Many thousands of dollars are needed almost immediately. With a base

membership of nearly 500, we can, and should, do better. The Westmoreland Bar Association is, in many respects, the true host of this centennial celebration.

Surely, each one of us—sole practitioner or firm member—can make a minimum gift of \$100, and many of us can do considerably more.

Those of you who have already contributed deserve a special thanks, but this appeal is to you as well. It is the members of the Westmoreland Bar Association who have a right to be proud of this, the fourth Westmoreland County Courthouse, perhaps the most beautiful courthouse in western Pennsylvania.

We also have the duty to lead the way by participating in the celebration and by giving enough to support the substantial effort being made by the Committee—an effort

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worthy of the Westmoreland Bar Association and worthy of the members who served in this grand edifice for the first 100 years.

Please forward your contribution to: Westmoreland County Courthouse Centennial Fund, Chapel Hill Professional Center, 126 Mathews Street, Greensburg, PA 15601.

Bench/Bar Committee

Big Brothers Big Sisters to Attend Bench/Bar Conference

by Abby De Blassio, Esq.

Think back to when you were younger. Other than your parents, who touched your life in some simple, but special, way? Who

is that person you always remember with a smile?

Maybe it was your grandmother, who took you for long walks, crunching leaves underfoot in the fall, or your next-door neighbor, who let you help him fix his car. Or, maybe it was someone who took you fishing, or taught you how to bake cookies, or showed you how to catch fireflies in a jar. Maybe it was someone who included you in an everyday activity because it was fun for both of you.

Being a Big Brother or Big Sister is about sharing simple magical moments like these with a child. Many of us had that special person who opened doors and widened our horizons on the world. But some children don't have that special person. By being a "Big," you can be that person to a child, and you will be forever changed by the

experience. I know I have been. Through my involvement with my Little Sister, I have experienced the joy and satisfaction that comes with seeing how my efforts directly help a child improve self-confidence and self-esteem, improve grades, improve

relationships, and make intelligent life decisions.

To find out how you can share the magic with a special child, please stop by the vendor exhibits at

this year's Bench/Bar

Conference on Friday, June 16, 2006, between 3 and 6 p.m., at Mountaineer Racetrack and Gaming Resort, in Chester, W.Va. At that time, members of Big Brothers Big Sisters of the Laurel Region will be available to show how small efforts on your part can mean the world to a child.



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Summer Concert Series Preview

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

Greensburg is not only the seat of county government, it's also the home of some pretty good music, both at the Palace Theatre and, during the summer, Friday evening at the Concerts in the Park series at St. Clair Park. I didn't attend every concert in 2005, but of the ones I did this is my list of favorites, including a bonus concert. Some of these performers will be back in 2006, so I encourage you to avail yourselves of these great stress relievers at two great concert venues.



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

STEVEN KELLOGG AND THE SIXERS

I try to listen to a group before attending their concert, and after listening to these guys on CD, I thought they were just "okay." But it was their live performance at St. Clair Park that grabbed me and has me wanting to see them again. Kellog writes songs of lost love that, somehow, are upbeat and enlightening. As soon as they took the stage, they were "on" and they never stopped—singing, dancing, and, on a couple of occasions, running through the crowd. This was a high-energy show that was perfect for a summer evening under the stars.

CHRIS SMITHER

I first saw Chris Smither several years ago at the park, and he immediately became one of my favorite singer-songwriters. He is originally from New Orleans, and is the leading practitioner of the finger-picking blues style of Mississippi John Hurt. His lyrics prove that he is a philosophy major, whether or not he ever matriculated; he is both very thoughtful and very funny. His

sound is strong lead guitar, strong bass line, strong foot percussion, and a weather-worn whiskey voice, all from one performer. Last August's concert was sponsored by WBA member Ned Nakles, and Smither returns this summer on June 9.

SUSAN TEDESCHI AND JACKIE GREENE

There was a time when I thought Susan Tedeschi was derivative of Bonnie Raitt (probably because of very similar renditions of "Angel from Montgomery"), but her voice and style have matured and expanded over time. Her show this fall at the Palace Theatre showcased her new album, "Hope and Desire," and included covers of other artists. She has also written some pretty good blues rock numbers including "Just Won't Burn" and "Rock Me Right."

Jackie Greene opened for Susan Tedeschi last year. He has an impressive new CD, "Sweet Somewhere Bound." Ralph Conrad believes he is the next Bob Dylan; I say the similarity begins and ends with the lavolier harmonica, but agree that Greene was multi-talented and exciting.

MARY ANNE REDMOND

As Jim Silvis said, "What a set of lungs." From the very first line of John Hiatt's "Cry Love," Ms. Redmond's voice rang out strong as the opening performance of the summer series. With songs ranging from R&B classics to her own compositions, she returns in 2006, on June 23, with special guest Emily Zuzik (yes, that Zuzik).

SCOTTY'S BLUES PEDDLERS WITH THE FELICIANI BROTHERS

Although it required us to travel to Seven Springs for the Bench/Bar Conference, I thought this was one of the highlights of my musical year—and not just because Chris called me

up on stage to sing backup. Who would have thought that soft-spoken, black-robed Judge Feliciani was such a great singer, guitarist, pianist, and entertainer? He was backed by his brothers and a great blues band, including special guests saxophonist-attorney James Boggs and vocalist-attorney Leslie Uncapher. John Blahovec, you don't know what you missed. They are back by popular demand at this year's Bench/Bar Conference.

Most of the 2006 schedule for the series at St. Clair Park is completed, and it sounds as satisfying as past summers. Chris Smither is back in June, bluegrass-new-grass group The Biscuit Burners are scheduled for July 7, country swing band Big Sandy and the Fly Rite Boys touch down July 21, the Iguanas, a Southwest rock-and-roll band, are scheduled for August 4, and Pittsburgh native Amy Rigby is set for August 18.

My pick for most unusual group? Gjallarhorn, a Finnish-Swedish ensemble that makes Iceland's Bjork (remember "The Swan Dress" at the Oscars?) seem normal. They'll perform on July 28.

Join me and the Silvis clan at St. Clair Park every Friday evening for great, free music, guaranteed to give you a peaceful, easy feeling for the weekend.

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— The Hon. Learned Hand, *A Fanfare for Prometheus* (1955)

To-Wit: Edifice Lex, Wing 3

by S. Sponte, Esq.

Dear Fellow Board Members:

I am pleased to submit to the Board the annual report of the Edifice Lex Self Aggrandizement Committee, which I have the honor to chair, together with this year's list of proposed candidates for admission. The committee has worked hard to come up with a slate of candidates that meet the Board's established criteria, and I trust you will be in accord with our recommendations.

To recap briefly, Edifice Lex was established as the lawyer's hall of fame some fifteen years ago in Sioux City, Iowa, for the avowed purpose of recognizing, memorializing and honoring those members of our profession who, by dint of their hard work, their accomplishments, their dedication to the principles of lawyering and their remarkable and

inexplicable capacity to avoid obvious mental illness, have throughout their careers come to exemplify the finest traditions of the bar.

COOPER "COOP" DEVILLE—

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KAY SARAH SARAH—

Unjustifiably remembered as malephobic, Kay gained her notoriety

as the first family law practitioner of the modern era to argue that the inveterate problem of deadbeat dads could be significantly ameliorated by reinstatement of the rack as a court-imposed sanction. Burned out by the time she was 40, she determined to get as far away from the practice of law as she could, a career decision which led her to run for and obtain a seat on the county bench. Alas, her career went downhill from there when the president judge, whose ex-wife, Kay, she had successfully represented in the divorce, and who was apparently still miffed at losing his Porsche in the settlement, assigned her in perpetuity to criminal court where, by the end of



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To-Wit: Edifice Lex, Wing 3 *continued from page 15*

her career, she was widely known as “The Judge Who Knew Too Little.”

IRVING “BUZZ” AHLWHAYZ—Acknowledged for all of his career as a flamboyant and highly successful trial lawyer, Buzz was honored by his bar association on the occasion of his retirement with a large and lavish party. Drink in hand as always, Buzz took to the microphone and addressed the assemblage. “Half the cases I won, I should have lost,” he remarked philosophically, “and half the cases I lost I should have won. So all in all, I guess I was screwed half the time.”

PROTANTO PAEMINT—Born of New Zealand immigrants, Protanto worked his way through college and law school as a development follow-through coordinator for the Girl Scouts of America (“Time to pay for the cookies, me bucko”), then launched a highly successful career in the field of eminent domain. He single-handedly created such

revolutionary concepts as the reverse taking and the speculation approach to value. He spent his retirement years authoring the treatise by which he is best known, “Vacant Lots—America’s Priceless Heritage.”

EZEKIAL ELIJA SCHMALTZ—A regrettably forgotten litigator from the mid-nineteenth century, Ezekial became increasingly frustrated trying to prove meaningful bodily harm resulting from the rear-end collisions of horse-drawn wagons. Endeavoring to provide his plaintiffs with sufficiently serious injuries to make personal injury claims worth both their and his while, he developed the evidentiary technique to demonstrate that drivers actually sustained the greatest damage from being lacerated by their own buggy whips when struck from behind, thus forever entrenching whiplash as a staple of personal injury claims.

COSMO AURELIUS PACKPENNY

—A jurist of unwarranted obscurity, he freed the judiciary from the constraints of antiquated case law by maintaining throughout his career that the doctrine of *stare decisis* was an unconstitutional infringement of his right to free speech. His pioneering work in this field thus set the stage for the accession to power of a great number of latter-day United States Supreme Court justices.

That concludes this Committee’s report. As always, thanks to all of you for once again affording me the opportunity to be of service to the profession.

Yr hmbl & obdnt srvnt,
S. Sponte, Esq.

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January/February 2006 Trial Term

Jury Trial Verdicts

by Charles J. Dangelo, Esq., and Jacquelyn A. Knupp, Esq.

Of the forty-six cases called for the January/February 2006 Civil Jury Trial Term, sixteen settled, fourteen were continued, one resulted in a binding summary jury trial verdict, one case was moved to arbitration, one case was moved to binding arbitration, one was sent to mediation, one was stricken from the trial list, one complaint was dismissed, one case was withdrawn, one was tried previously in December 2005 and two were held to the next term. The two cases upon which juries deliberated, and the binding summary jury trial verdict, are summarized below.

TRICIA L. HOYLE
V.
BOBBI LYNN THOMAS
NO. 232 OF 2001

*Cause of Action: Negligence—
 Automobile Accident*

On January 18, 1999, Plaintiff Tricia Hoyle was driving her vehicle in a northbound direction on State Route 982 in Unity Township, Pa. Defendant Bobbi Lynn Thomas, who



was driving in a southbound direction, crossed the center line of the roadway and collided with Plaintiff's vehicle. Plaintiff subsequently filed a complaint against Defendant seeking damages for various injuries to her head, neck, shoulders, and chest, as well as compensation for lost wages and unpaid medical bills.

Plaintiff testified that, following the automobile accident, she experienced ongoing neck and mid-back pain. Plaintiff presented expert testimony in support of her claim.

Although Defendant admitted liability, she disputed the extent and duration of Plaintiff's injuries. Defendant presented the testimony of a medical expert, who opined that

Plaintiff had sustained a soft tissue injury to her neck and back, and that her injury had completely resolved.

Plaintiff's Counsel: Dennis B. Rafferty, QuatriniRaffertyGalloway, P.C., Gbg.

Defendant's Counsel: Scott O. Mears and Richard F. Boyle, Jr., Mears, Smith, Houser, & Boyle, P.C., Gbg.

Trial Judge: The Hon. William J. Ober

Result: Verdict for Plaintiff in the amount of \$16,019.98.

**CHARLES PERSON AND
 SUSAN PERSON, HIS WIFE**
V.
**REUSS ENGINEERS, INC.,
 ADVANCE PRODUCTION TOOLS
 T/D/B/A ADVANCE LIFTS, INC.**
NO. 7656 OF 2003

*Cause of Action: Product Liability—
 Industrial Machinery*

Plaintiff Charles Person was employed by Timkin Latrobe Steel as worker in its vac arc department. Plaintiff's duties required him to place large, heavy steel objects onto a hydraulic lift table, which had been custom-designed and built by Defendant, Reuss Engineers, Inc. On December 8, 2001, a heavy metal object fell from the hydraulic lift table and crushed Plaintiff's right foot. Plaintiff underwent numerous surgeries including a partial amputation of his right foot, and he was unable to work for months.

Plaintiffs filed suit against, among others, Defendant Reuss Engineers, alleging that the hydraulic lift table was improperly designed and constructed. Plaintiffs' design argument focused on the absence of a chain safety clamp to secure objects to the table. Plaintiffs also argued that the table was defective

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Jury Trial Verdicts *continued from page 17*

because it lacked warnings with regard to the use of the device.

Defendant argued that, at the time of the injury, Plaintiff was using the hydraulic lift table to cut and weld, a use for which the table was not designed or intended. Defendant also pointed out that a crane was available to provide support to the heavy metal objects being welded.

Plaintiffs' Counsel: Sandra S. Neuman and John Gismondi, Gismondi & Associates, Pgh.

Defendant's Counsel: Thomas W. Smith, Mears, Smith, Houser, & Boyle, P.C., Gbg.

Trial Judge: The Hon. William J. Ober

Result: Verdict in favor of Defendant. While the product was found to be defective, the jury determined that the defect in the hydraulic lift table did not cause Plaintiff's injuries.

KAREN S. FOSTER AND ERNEST FOSTER, HER HUSBAND

V.

DAVID HUTTON, JR., AND RISSINGER'S TRUCKING AND EXCAVATING, INC.

V.

ERNEST FOSTER, ADDITIONAL DEFENDANT NO. 789 OF 2003

Cause of Action: Negligence—Automobile Accident

On January 9, 2002, Plaintiff-husband Ernest Foster was driving north on State Route 954 in Indiana, Pa. Plaintiff-wife Karen Foster was a passenger. Defendant Hutton failed to yield the right of way at the intersection of State Route 422 with State Route 954, causing Plaintiff-husband to apply his brakes suddenly. As a result, Plaintiffs' vehicle was hit from behind by a coal truck owned by Defendant Rissinger. Plaintiff-wife claimed injuries including complex tear of medial meniscus of the right knee

with required surgery, lumbar and cervical injuries, headache. Plaintiff-wife avers total disability as a result of the accident. Plaintiffs claim lost wages of \$48,672.00.

Defendant Rissinger denied negligence, claiming the accident was the result of the negligence of Defendant Hutton and Plaintiffs. Defendant Rissinger also disputed the nature and extent of Plaintiff-wife's injuries.

Defendant Hutton denied negligence, claiming the accident happened when Plaintiff-husband unexpectedly came to a stop at the intersection of State Route 422 and State Route 954, causing the coal truck to hit Plaintiffs' vehicle from behind.

At the time of trial, the parties agreed to submit this case to a binding summary jury trial because the Defendants and Additional Defendant

admitted liability and agreed on their respective percentages of liability. The only question to a jury was whether Plaintiff-wife was injured and if so, what are her damages. Plaintiffs did select the limited tort option on their insurance.

Plaintiffs' Counsel: Roger D. Horgan, Abes Baumann, P.C., Pgh.

Defendant Rissinger's Counsel: George N. Stewart, Zimmer Kunz, Pgh.

Defendant Hutton's Counsel: Dwayne E. Ross, Reeves and Ross, Latrobe

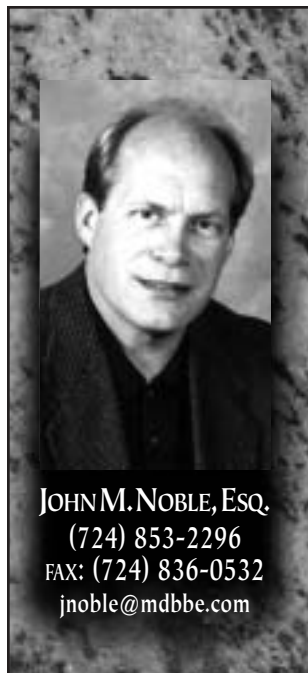
Additional Defendant Foster's Counsel: Walter C. Faderewski, Law Office of Joseph S. Weimer, Pgh.

Trial Judge: The Hon. Daniel J. Ackerman, President Judge

Result: Plaintiff-wife did not sustain a "serious impairment of bodily function."

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AlterEgo: Leonard R. Reeves, Attorney

Leonard R. Reeves, Layman Assisting Missionaries

by Beth Orbison, Esq.

Eleven years ago, Attorney Leonard Reeves answered a call for help in Bolivia, which was to mark the beginning of years of service as a volunteer with the Christian Laymen Assisting International Missionaries ("CLAIM"), a branch of Baptist International Missions, Inc. Since that time, Leonard—with no prior experience in construction—has traveled to 10 different locations, all around the globe, engaging in projects that culminated in the construction of several buildings.

Q TELL ME ABOUT YOUR FIRST INVOLVEMENT WITH CLAIM.

A Every 4 to 6 weeks, we get a newsletter at our church [the Independent Baptist Church in

Blairsville] that informs us of the work of missionaries around the world, and the ways in which they need help. In 1995, Missionary Jake Wiebe in Bolivia, was looking for a team of volunteers to build a dormitory at a Christian camp on the outskirts of Santa Cruz. I had no prior experience in construction, but when I arrived, with a group of nine other people, they put me to work mixing mud and pushing the loaded wheelbarrow to the bricklayers. I also painted walls and assembled furniture in the two weeks that it took us to complete the 25-bed facility.

I was so impressed by the generosity and kindness of the Bolivian people. Realize that these people are very poor, they have almost nothing—they sleep on dirt floors on blankets for beds, and they cook over a fire in a hole in the

center of a small one-room house.

While we were there, they discovered that it was my wife's birthday, and in spite of their poverty, they brought gifts in celebration. One man gave my wife a beautiful ring that he made himself, and she still wears that ring today.

I went there as a proud American, believing that we had so much to offer the Bolivian people, but returned seriously humbled by their unqualified love and generosity. I realized that what I took from there far outstripped what little I was able to leave.



▲ Leonard R. Reeves

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AlterEgo: Leonard R. Reeves *continued from page 19*

Q SO THIS FIRST EXPERIENCE ENCOURAGED YOU TO DO MORE?

A Yes. The next year I went to Guadalajara, Mexico, to help build a camp facility. After watching the masons for a period of time, I eventually learned how to lay bricks myself, and was able to pitch in. The following year, I returned to Bolivia, to the same camp that I'd been to in 1995, and helped construct a gymnasium and playground.



Q DO THESE TRIPS USUALLY TAKE YOU TO THIRD-WORLD COUNTRIES?

A Not always. On my fifth mission trip, I went to Japan. We had all of the modern equipment that we needed at our disposal. There, we built a three-story church and an adjoining apartment for the pastor in just three weeks; we had started with a vacant lot. In addition to the eleven people from all over the United States who were on our team, a dozen or so volunteers from the local naval station and many Japanese nationals, who belonged to the congregation, came to help. I will never forget how everyone welled with emotion at that moment when, on the last Sunday that we were there, the steeple of the church was set in place. I cherish the photo which was taken of five Americans, including me, as we bolted down this steeple, a sacred moment for these loving Japanese Christians.

There is also help that is needed in the United States. On my sixth mission trip, I went to Tennessee to help Baptist International Missions, Inc., work on construction that was

being done at its home office. And in 2006, CLAIM is concentrating its efforts in the United States because of the devastation caused by Hurricane Katrina. For example, I was on one of three teams who went down to Gulfport, Miss., to rebuild the home of a local pastor.

Q DOES YOUR WIFE ACCOMPANY YOU ON THESE MISSIONS?

A She does when she is able. On some of these missions, it is recommended that women not participate because of the primitive and unsafe conditions.

Q DO ANY TRIPS STAND OUT AMONG THE REST?

A My three trips to Guyana in South America were incredible, incredible journeys. Greg and Wendy Mann are missionaries who live with their three children in Port Kaituma, Guyana, which is eerily close to Jonestown, the home of the dreadful massacre orchestrated by Jim Jones. Port Kaituma is a village of natives and very primitive. The primary means of transportation is by river. A few people have vehicles, but even then, there are only two miles of roads and no gas stations. The hospital in Port Kaituma consists of one small room that is elevated on stilts. Cows and pigs congregate underneath the structure, and there are no doctors, only a nurse who renders whatever care she is able to give. The inhabitants of this area are banana and coconut farmers, along with fishermen and hunters.

The Manns lived in deplorable conditions as they sought to bring Christianity to the native population, so we built them a home. Greg Mann ministers to the Amerindian tribal populations of four small villages, some of whom are more receptive to his presence than others. In the village of Falls Top (population 150), the tribe is warlike, and therefore, more difficult to reach. In contrast, the

people of Sebai (population 300) are a passive and loving tribe, and extremely welcoming.

On my second trip to Guyana, my wife, Patty, and I went to Georgetown, the capitol of Guyana and where 80% of the population of Guyana lives. In Georgetown, we worked on the early stages of the erection of a large church, with the supplies brought in by horse-drawn wagons.

Although the Manns were the first people to introduce Christianity to these tribes nine years ago, almost one-half of the population are now regular attendees at church services. Last year, we added to an existing church and built a nice home for the National Pastor of Sebai, a man who studied to become a pastor so that he could take over the local ministry.

Q HOW ARE THESE MISSION TRIPS FINANCED?

A Each volunteer pays for all of his or her own expenses—airfare, room accommodations, and food allowance. A sizeable percentage of the volunteers, who are of average means, are subsidized by their own church. The people that we help have so little. I usually find myself wanting to leave them with so much more.

Q CAN ANYONE VOLUNTEER FOR THIS ORGANIZATION?

A No one's offer of assistance would be rejected. If you are interested, look up the Baptist International Missions, Inc., and the current needs of CLAIM on the worldwide web at www.bimi.org.

Q WHAT PROMPTED YOU TO EMBARK ON THIS MISSION WORK?

A In my younger years, I was busy with my practice, and I didn't have the time. Now that I've slowed down a bit in my work, I can give this way. I was so thankful for what the Lord had given me that I wanted to return something to Him.

Candid Camera: 2006 St. Paddy's Party



▲ *"Well, I'll be damned. Looks like he can reach it with his tongue after two beers."*

▲ *"So I said to him, 'You call that a haircut, Bozo? I said I wanted it really short on top, now fix it!' Next time I'll just shut up."*



▶ *"Who knew saints could have so much fun?"*

▼ *"No, Jim, he hasn't been watching you, and even if he has been, he'd forgive you."*



▲ *"Imagine my surprise," Chris said later, "when I showed up with my green talis mistakingly thinking it was Rosh Hashanah."*



foundation focus

Senior Fair Held in New Kensington



Bono Program, which goes on the road to New Kensington once a month, and Laurel Legal Services.

Hundreds of seniors attended the fair to view a variety of educational exhibits.

Pro Bono Coordinator Iva Munk and Sam Rosenzweig, Managing Attorney of Laurel Legal Services, Inc., participated in a Senior Citizens Fair in New Kensington on March 10, 2006. The fair, sponsored by State Representative John Pallone, was held to promote the services and programs available to senior citizens in Westmoreland County, especially the New Kensington area. Iva and Sam were available to discuss services provided by both the Pro



PFA Training Held

The Blackburn Center arranged for Kathy Morrison, Legal Counsel for the Pennsylvania Coalition Against Domestic Violence, to provide a training session on the recent changes to the Protection from Abuse Act that become effective May 8, 2006.

Kate Wiatrowski, paralegal for the Pro Bono Program, attended the April 28 training session.



▲ *Defending state champion Greensburg-Salem High School defeated Julia R. Masterman High School, Philadelphia, on Saturday, April 1, to win the Pennsylvania Bar Association Young Lawyers Division Statewide Mock Trial Championship in Harrisburg. This is Greensburg-Salem High School's third statewide mock trial championship title in the past six years—winning the last two consecutive years. Greensburg-Salem goes to Oklahoma City May 11-13 to compete against 42 other schools for the national title. Last year, the team finished 12th in the nation.*

Business of the Board

FEBRUARY 21, 2006

- Accepted Membership Committee recommendation as submitted: Jayson Lawson, participating.
- Decided that Asst. Treasurer DeDiana should arrange to speak to Advisor Brahim ahead of board retreat to review investment allocation and to present that report at the retreat.
- Established policy to review bar association investment allocation every two years.
- President Silvis reported that the Pennsylvania Fund for Client Security has invited him to dinner at LaMont; Mr. Silvis asked board for any input they might have on this matter.
- Decided to forward a living trust company ad, that appears to be the unauthorized practice of law, to the Attorney General's office and the UPL committee.
- WBA member John Hauser has agreed to serve as Chair of the Explorers Post.
- PR Committee reported that it met to discuss the PBA PR campaign and recommended that WBA not expend any money to adopt it.
- Agreed to consider taping the living trust seminar, a joint public education program with the state Attorney General's office, to air on cable stations within the county, and directed Ms. Christner and Mr. Whelton to examine feasibility of the project.
- Reviewed Pa. insurance trust grant award that will help cover costs of technology update in the CLE room and decided to rebid with Computer Connections.
- Mr. Whelton suggested implementing a Law Day essay contest on the

wba

importance of an independent judiciary; contest would also bring recognition to our current bench. The contest would be open to all high school seniors in Westmoreland County and would award cash prizes.

- Named the Bench/Bar Conference the WBA Committee of the Year to be awarded at the Annual Meeting in April.

MARCH 21, 2006

- Accepted Membership Committee recommendations as submitted: Dennis DelCotto and Michael Garafola, participating; Richard Victoria, Roxanne Turner, Benjamin Ciocco and Christine Cahin, associate.
- President Silvis appointed Bill McCabe and David Regoli to fill two openings on the PBA House of Delegates for three-year terms, beginning in Fall 2006.
- Mrs. Krivoniak reported that Computer Connections is scheduled to install new audio/visual equipment during week of April 10.
- Decided to pursue sponsorship of videotaping a 30-minute show on Living Trusts from PBI, PBA, and the Attorney General's office; Comcast to report back at next board meeting.
- Decided not to purchase a satellite dish or to run cable up to large conference room from first floor so PBI could hold seminars in the WBA headquarters.
- Referred issue of WBA dues of retiring members to the Membership Committee.
- Chair-Elect Bobby reported that the Young Lawyers Committee will kick off its community service program with the croquet tournament held at the University of Pittsburgh at Greensburg in June. Ms. Brammell suggested that the bar foundation could be involved.

- Chair-Elect Bobby also reported that he intends to have more interaction between senior bar members and YLs.
- ADR Committee reported that model rules for family law ADR should be ready for submission to the courts by late summer and that a CLE seminar will be scheduled after the rules have been approved.
- Recommendations of the planning retreat were reviewed with following decisions:
 - Referred Planning Committee recommendation to establish Judicial Independence Committee to the PR Committee.
 - Declined recommendation of Planning Committee to send complimentary invitations to the Bench/Bar Conference to five district justices and decided, in the alternative, to invite the district justices to the WBA Quarterly Meeting.
- Selected Leo Ciaramitaro as the Outstanding Young Lawyer of the Year; Mr. Johnston will present the award to Mr. Ciaramitaro at the Annual Meeting in April.
- Accepted the Investment Committee's recommendations to the Board regarding investment accounts.

And Baby Makes ...

Dustin and Lisa Barr welcomed their daughter, Lyla Marie, on March 17, 2006. Lyla tipped the scales at 9 lb 3 oz and joins big sisters Brynne and Layne at home. Dustin is a partner with Flickinger & Barr in Ligonier and is currently looking for a support group for fathers who have had three daughters in less than four years.

Jennifer and Ray Dupilka are the proud parents of a baby girl, Cara Ann Dupilka, born February 17, 2006. She weighed 6 lb, 14 oz, and was 18½ inches long. Cara joins her big sister, Raven, and big brother, Raymond, at home. Jennifer is a partner with The Love Law Firm in Youngstown.

Rachel and George Huss are proud new parents of daughter Rebecca Lynne, who was born on February 18, 2006. She weighed 7 lb 1 oz and was 21 inches long. Rachel is a law clerk for President Judge Daniel J. Ackerman.

The Leechalk family has officially expanded and is doing well. Emma Caroline Leechalk was born on Friday, March 10, 2006, to parents Amber and Gregory Leechalk. She weighed in at 9 lb and was 21¾ inches long. Emma's big brother, Caleb, is adjusting well, according to Amber. "He has had his unhappy moments, but for the most part is a real trouper," she said. Amber is an associate with McDonald Snyder & Lightcap in Latrobe.



On The Move ...

JOHN N. SCALES has joined Meyer Darragh Buckler Bebenek & Eck as a partner. He can be reached at 114 S. Main Street, Greensburg, PA 15601-3114; phone 724-836-4840; fax 724-836-0532.

Got News?

Do you have news to share with the sidebar? Making Partner? Marriage? Birth? Anniversary? Accomplishments? Send us a fax (724.834.6855), an e-mail (westbar.org@verizon.net), a note by carrier pigeon or any other means and we'll publish your news in the next available issue.

CALENDAR OF EVENTS

MAY

- 10** Membership, Noon
- 12** CLE Lunch 'n Learn: "Equitable Procedure in Historic Preservation in Gettysburg," Noon-1:15 p.m., 1 optional substantive credit
- 15** Planning, 8 a.m.
- 16** Family Law, Noon
CLE Lunch 'n Learn: "Primer for Practice Before the Superior Court, Noon-1:15 p.m., 1 optional substantive credit
Board Meeting, 4 p.m.
- 17** CLE Lunch 'n Learn: "SSD/SSI Issues: The Basics," Noon-1:15 p.m., *Lower Burrell City Hall*, 1 optional substantive credit
- 18** Elder Law/Orphans' Court, Noon
- 23** CLE Lunch 'n Learn: "Use of Focus Groups in Trial and Settlement of Civil Litigation," Noon-1:15 p.m., 1 optional substantive credit

- 24** ADR, 4 p.m.
Dine Around: Tarentum Station, 6:30 p.m.
- 25** Final registration deadline for the 2006 Bench/Bar Conference
Local Public Officials Law Series, 7-9 p.m., *University of Pittsburgh at Greensburg, Village Hall*, 2 optional substantive credits
- 26** WBA 44th Annual Memorial Service, Noon, *Westmoreland County Courthouse, Courtroom 5*
- 29** Courthouse closed in observance of Memorial Day
- ### JUNE
- 5** Bankruptcy, Noon
- 14** Courthouse closed in observance of Flag Day
- 15-** Bench/Bar Conference, *The*
17 *Mountaineer, Chester, W.Va.*
- 20** Family Law, Noon
Board Meeting, 4 p.m.
- 22** LCL Volunteer Training, Noon-2:15 p.m.

LAWYERS CONCERNED FOR LAWYERS CORNER

- The 12-step recovery meeting, exclusively for lawyers and judges, is in downtown Pittsburgh every Thursday at 5:15 p.m. For the exact location, call Pennsylvania Lawyers Concerned for Lawyers at **1-800-335-2572**.
- LCL has a new website at www.lclpa.org. Attorneys and judges will find information on how LCL can help them, a member of their family or a colleague who may be in distress. It is confidential and easy to navigate. Visit it today.
- Lawyers Confidential Help Line: **1-888-999-1941**. Operates 24 hours a day.



Westmoreland Bar Association
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