



Why Mandatory ADR? Because It Works!

by Bob Johnston, Esq.,
ADR Committee Chair

The Pilot Program of mandatory Alternative Dispute Resolution (“ADR”) has proven so effective in the United States District Court for the Western District of Pennsylvania that effective January 1



▲
Bob Johnston

of this year, the Western District extended mandatory ADR to every civil case filed after that date. Recently, Chief Judge Donetta Ambrose was kind enough to share some of her thoughts about the Pilot Program, which has achieved “amazing results” that far exceeded anyone’s expectations.

The Western District’s program had its genesis in 2001, when the Court, following the directives of the Civil Justice Reform Act of 1990 (28 U.S.C. 471, et seq.) and the Alternative Dispute Resolution Act of 1998 (28 U.S.C. 651), established an advisory committee made up of members of the bench and bar to develop a vigorous ADR Program. Judge Ambrose explained: “Our primary purpose was to better serve the public. We knew people were not really satisfied with the way the system

is working. Discovery has become very expensive in federal court and cases were taking a long time to conclude; we wanted to reduce the expense and delay and improve the public perception of the civil justice system.”

After five years of planning, and educating and training judges and lawyers—both to serve the needs of the system as neutrals and to take advantage of its opportunities on behalf of litigants—the Pilot Program began in June of 2006. “We made an unbelievable effort to sell the benefits of the program to individual lawyers, to law firms, and to bar associations throughout the Western District,” said Judge Ambrose. Hundreds of lawyers have been trained to serve as Mediators, Early Neutral Evaluators, and Arbitrators. The Pilot Program was conducted from June 2006 to December 2007, and involved cases assigned to District Judges Ambrose, Cercone, Hardiman, and Schwab.

Similar to the Pilot Program, the new mandatory ADR program requires that the litigants select from among three ADR procedures (described below) and select a neutral by the time the initial case management conference is conducted. Then they must complete ADR within the next sixty days. Except for exchanging the information required by Rule 26(a)(1), this results in any substantial discovery being deferred



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Chief Judge Donetta Ambrose spoke at a presentation before the 2008 Lawrence W. Kaplan Lecture in Conflict Resolution held in Pittsburgh on May 1. Photo by Marty Barron.

until after ADR is completed. In practice, the process might take as little as four or five months from the time the civil complaint is filed to the completion of ADR.

The Western District program offers three possible procedures: Mediation, Early Neutral Evaluation, and Arbitration. The form of mediation encouraged is Facilitative Mediation, a process in which the mediator, a neutral person chosen by the parties, helps each party articulate his interests and understand those of his opponent, probe each other’s strengths and weaknesses, and generate options for a mutually agreeable

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President's Message

On The Road To The Presidency (Or, How Did I Get Here??)

by Barbara J. Christner, Esq.

Every new president wants to write an initial message that spikes the interest of the members so they will look forward to reading each future message. I am no different. I found myself wondering how many of you are aware of the



learning process involved in becoming president. Believe me, it is exciting!

Since I was first admitted to the Bar Association I have been an active member. I have been appreciative of the

lunch and learns—so important to a young lawyer—the camaraderie, the ability to obtain continuing legal education credits locally, the list goes on. I soon came to realize that the growth of the Bar Association was not only dependent on members, but the board that governs as well, and I wanted to be involved.

I was elected to the Board five years ago at the annual meeting, and later at dinner someone said to me, “And when you are president . . .” I just smiled. I had no intention of running for president. What were they talking about? I assumed my term on the Board would be three years, and the initial term is. I was ready to serve as a member of the Board and that was all I wanted—or so I thought.

Within two weeks the board met for the retreat which occurs every year after election of the officers. This provides us the opportunity to set a schedule for the coming year, to determine how the association can support its members in current challenges facing the legal profession, to review our programs and services, and to assess our involvement in the

community. It also gives new members the opportunity to become oriented to the culture of the board. Now I have settled into monthly board meetings, but quickly realize there are many issues in running this organization.

Although we have many good programs and policies in place in our association, we live in an ever-changing world and we are fortunate to have programs in our state that provide additional learning and support for bar associations. We encourage each new board member to attend the Conference of County Bar Leaders (CCBL) in Hershey or State College. The CCBL works with the Pennsylvania Bar Association to provide an annual program of education and training. Program topics range from the unauthorized practice of law, to pro bono programs, to working with the disciplinary board, to partnering with your community.

After three years on the board, a member is required to assume the vice presidency in order to continue on the board. By that time I had the picture. Here came that presidency they talked about; I was on my way. I now realize my two years as an officer (one year as vice president, one as president-elect), were preparation for this year. What I found most valuable, in addition to the CCBL Program, was the American Bar Association's Bar Leadership Institute (BLI) which is held in Chicago every March. The BLI is for incoming officials of local and state bars, special-focus lawyer organizations, and bar foundations. The seminars are

presented by ABA officials and bar executives from across the country and cover a wide range of topics including fiduciary responsibility, working with the media, public speaking, and message management. They provide an opportunity to discuss topics with many other bar officers and receive the benefit of their experience.

The evenings in Chicago prove to be just as rewarding. Do I need to tell you the food and nightlife are about the best in the country? The only drawback is flying home on a Friday evening. The plane was late and I did not get into Pittsburgh

until 11:00 p.m., only to find that the area had experienced a winter ice storm the day before. I stood outside cleaning my car, standing in several inches of snow and water, until midnight. How quickly we come back to reality!

During the year, I want to draw on the training I had these last years. However, I am not so foolish to not realize that my success will depend on you, the members. We recently held a get together for the committee chairs and co-chairs to establish an outline for the coming year. The excitement in the room was apparent—we have a great bar association. It was not until the meeting was over that a colleague made the remark that there was an enormous amount of talent in that room. Yes, there was, and it's going to be a great year because I get to work with all that talent!



Barbara

Remembering Irving M. Green

Editor's note: Irving M. Green passed away on January 21, 2008. He is survived by his wife, Rita; two children, Cathy Green Samuels and husband, Michael, of Pittsburgh, and Jonathan Green and Debbie King of New York, N.Y.; and five grandchildren, Rachel and Benjamin Samuels and Zachary, Aliza, and Emma Green.

by Aaron M. Kress, Esq.

Attorney Irving M. Green was born in Arnold in 1926. His mother died early on and he was raised, along with his siblings, Mildred, Gerson, and Norman, by his father, Abe Green. He graduated from public school in Arnold.

Immediately after high school, Irv joined the Army and fought in the Battle of the Bulge in World War II. He was awarded a Purple Heart for combat wounds and a Bronze Star for valor. He never talked about it. Few of those guys ever have.

Having received an honorable discharge from the Army, Irv came home, graduated from the University of Pittsburgh and then the Duquesne University School of Law. After graduation, he came back to New Kensington and began his law practice there in 1951, with Attorneys Joe Latella and P. Louis DeRose, Sr. In 1961, the three of them bought and remodeled a building in downtown New Kensington for their law office and invited me to join them. Irv and I maintained that relationship until his retirement from the profession in April of 2007. Forty-six years on a handshake.

After Joe Latella died in 1962, Attorney Lou Ceraso came on board

and we practiced together until Lou's death in 2000. Our relationship was based upon nothing more than a handshake. The three of us were as close as—maybe closer than—brothers. We had nicknames for each other. Lou's nickname was "Aldo," for Aldo Chella—the dapper little Italian guy who sold cheap wine on television years ago. Irv's nickname was "Calhoun," for Algonquin T. Calhoun, the lawyer on an old radio show called "Amos and Andy." I was dubbed "Freddie," for Freddie Laker, the Englishman who ran a bargain-basement airline years ago.

From his admission in 1951 until April of 2007, Irv was deeply involved in the practice of law—mostly criminal law. He was a classic. He represented the widest spectrum of clients imaginable. They included many community and governmental leaders, such as the brothers Mannarino, a former Pa. Turnpike commissioner, a poor soul who was unable to convince a jury that he shot his wife during a fit of sleep apnea, and a local doctor who was ultimately convicted on trading OxyContin for sex with his female patients.

At one point, he kept a separate office with Dom Ciarimboli and the late Father Orlando Prosperi in Rome. (What's a nice Jewish boy doing in the Vatican?)

Irv's work occurred mainly in the civil and criminal divisions of many courts of common pleas, including Westmoreland, Allegheny, Armstrong, Butler, and Indiana counties, as well as the Federal District Court for the Western District of Pennsylvania. He also appeared before the Disciplinary Board of the Pennsylvania Supreme

Court on many occasions on behalf of lawyers who had been accused of straying from the straight and narrow.

Additionally, he had been the Solicitor for the City of Lower Burrell and the Solicitor for the City of New Kensington, holding each post for many years.

He was a master at the art of cross-examination. It seemed to come to him naturally. He knew what to ask, when to ask it, and how to ask it. He practiced that art with the finesse of a neurosurgeon. Part of his success came from the fact that he could size up a witness's character and establish a friendly relationship with him or her on the witness stand, put the witness at ease, whether on direct or cross-examination, and proceed to have them testify in exactly the way he wanted them to. His was an art form that will be sorely missed.

Of all the many remembrances I have of Irv, none stand out more forcefully than his ability to size up a person's character in an instant. He was the best judge of character I have ever met. If he advised me to avoid someone or to trust someone implicitly, I put my faith in his judgment, even though it was counter to mine. In all the 46 years I knew him, I never knew him to be wrong in that regard.

Away from the courtroom, he was warm and gregarious. He had a myriad of friends. What was not to love about him? He loved to play golf and then

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▲ Irving M. Green

the sidebar

the sidebar is published bimonthly as a service for members of the Westmoreland Bar Association. Letters to the Editor should be sent c/o WBA, 129 North Pennsylvania Avenue, Greensburg, PA 15601-2311, fax 724-834-6855, or e-mail westbar.org@verizon.net. the sidebar welcomes unsolicited submissions from members or non-members. Please submit to the Articles Editor, c/o WBA.

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Remembering Robert P. Boyer, Sr.

Editor's note: Robert P. Boyer, Sr., passed away on February 19, 2008. He is survived by his wife, Nancy; four children, Robert P. Boyer, Jr., and wife, Jennifer, of Alexandria, Va., Kathleen



▲ Robert P. Boyer, Sr.

Boyer, of Washington, D.C., Rebecca Voskamp and husband, Robert, of Pittsburgh, and Nanette Melham and husband, Jason, of Camp Hill; and six grandchildren, Elizabeth and Jamie Boyer, Noah and Ella Voskamp, and Kathryn and Owen Melham.

by Rob Boyer, Esq.

For those of you who knew my father, you will recall that he was a man of few words. When he did speak and write, especially if he was making or submitting oral or written arguments to a judge or jury, he always chose his words carefully and wrote with precision. As is true of all great lawyers, he wanted to get it “just right.” Because I know he has been looking over my shoulder these past few days as I have been writing this article, I, too, have been striving to choose my words carefully, because in honor of him I want this to be just right. Here goes.

Robert P. Boyer was born in November 1929 and raised in Scottsdale, the youngest of six children, and the first in his family to attend college. Although he never came right out and said it (at least not to me), you could tell just by being around him that second only to the accomplishments of his four children, Dad's proudest achievement was graduating from law school and settling in to the practice of law.

Dad attended both college and law school at Duquesne University. His was not, however, a direct route from high school to college. My father quit high school at age 16 intent on joining the Army. As you are no doubt aware, both then and now, the Army did not enlist 16-year-olds. Not to be deterred, Dad “adjusted” his age, joined the Army, and became a paratrooper with the 82nd Airborne. After being honorably discharged, he finished high school and subsequently attended college on the G.I. Bill. After graduation, he went to work as a civilian for the Army Material Command, saving his pennies with a dream of one day attending law school. A few years later, Dad enrolled in and later graduated from Duquesne Law School in 1962. While Dad spoke fondly of numerous law school classmates and acquaintances over the years, the one name that came up most often, and a person with whom my Dad truly enjoyed a lifelong friendship, was “Joe Hudock.”

After passing the bar, Dad served his preceptorship with Greensburg attorney Herb Buchman. He opened his first and only office in Greensburg

Remembering Irving M. Green

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cards with his buddies at Hillcrest Country Club. He loved food and was a connoisseur of hot dogs.

But his greatest love was for his family. He and his beloved wife, Rita, took each of their grandchildren to Europe as a part of their bar mitzvahs or bas mitzvahs. He devoted his life to his wife, their children, and their grandchildren.

The last of Irv's life was physically difficult for him, but he bore his pain with great dignity and, to the very end, remained more concerned for the welfare of others than he did for himself. His funeral packed the Rodef Shalom Temple. It was a heartwarming event.

He was, and will remain in the hearts and minds of all who knew him, a model of professional competence, integrity, and one who had concern for his fellow man. He will not be forgotten. He will be a hard act to follow.

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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.



on Otterman Street in a building then owned by prominent Greensburg Attorney Emmitt Boyle. Mr. Boyle was good to my father in those early years, always willing to provide advice and guidance and occasionally sending a client Dad's way. Dad also opened a small office in Scottdale where he kept regular Tuesday evening and Saturday morning hours. He served as solicitor for the Borough of Scottdale for a number of years and for the Westmoreland-Fayette Municipal Sewage Authority for over 30 years. Dad served on the board of directors for Frick Hospital. He and Vince Morocco practiced law together for a time.

For the 40-plus years my father practiced law, he was a general practitioner. He wrote wills and probated estates, represented personal injury plaintiffs as well as civil and criminal defendants, handled real estate transactions, and practiced family law. While he had an occasional case in Allegheny County and federal court in Pittsburgh, my father spent most of his practicing life in the halls, row offices, and courtrooms beneath the dome and clock tower of the Westmoreland and Fayette County courthouses. Dad took a real interest in his clients and always took the time to listen carefully to their problems—legal or otherwise—before providing advice or suggesting a particular course of action. One preamble he used to use before providing sound advice to some of his more colorful (and repeat) criminal clients (as well as to his children as they were growing up) was, "I know you are not going to listen to me, but here is what you should do" I know that for me (and I suspect for some of those repeat criminal clients as well) when I ignored his advice, I usually found myself some time later standing before my father, embarrassed,



▲ *The Hon. Joseph A. Hudock, Rob Boyer, The Hon. John J. Driscoll, and Robert P. Boyer, Sr., at the 2007 WBA Fall Gathering.*

seeking additional advice to get myself out of a mess created by my not listening to him in the first place.

My Dad loved being a lawyer and especially loved working for himself—"no boss to worry about; no time clock to punch." He also liked the collegial relationships he had with fellow members of the bar and the daily lunches he shared with colleagues at the Greensburg Elks. Dad also enjoyed helping out younger lawyers, including his son. While we never practiced law together, Dad was always interested in my work—quietly slipping into a courtroom to hear an opening or closing argument I was making, while I was an assistant district attorney; always inquiring about the cases I was involved in after I went to work for the Department of Justice.

Dad was also an active member of the Westmoreland Bar Association, serving on a number of committees over the years. He always looked

forward to and regularly attended bar functions like the annual meeting, Fall Gathering and Holiday Dinner Dance. In the weeks leading up to bar events, Dad would look forward to spending time and sharing a table with friends like the Hudocks, Driscolls, and the Moroccos. I fondly remember the 1992 Holiday Dinner Dance where I proudly introduced my wife, Jennifer,

to my Mom and Dad for the first time. Despite failing health, Dad was able to attend the 2007 Fall Gathering and share what would turn out to be his last bar function with friends like Judge Hudock and Judge Driscoll. I, too, was privileged to share that evening with him and my mother.

After moving to Washington, D.C., in 1998, I would call Dad regularly, not so much to discuss matters I was working on, but more just to hear his voice, bring him up to speed on the escapades of his grandchildren, and discuss life and politics. We would have wonderful conversations about family, the trials and tribulations of life in general, or the latest Washington scandal (one of Dad's favorite topics). I really miss those conversations.

Outside of work, Dad had a number of hobbies, a few of which come to mind—regularly taking my mother to lunch, reading, cooking, and enjoying a good bottle of wine. Anytime I was home, Dad would be reading a new book or the New Yorker magazine. My parents' house was also the preferred holiday gathering place because my sisters and I knew Dad would be planning a stupendous meal with a marvelous wine.

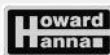
Dad peacefully passed away this past February at the age of 78, my mother at his side. His family misses him terribly.

Dad, I did my best to choose my words carefully and write with precision. I hope I got it "just right."

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Why Mandatory ADR? *continued from page 1*

resolution. Early Neutral Evaluation permits the parties to receive a non-binding evaluation of the case by an experienced neutral lawyer. The third option, Arbitration, is a more formal procedure in which an arbitrator hears evidence and arguments before rendering a non-binding judgment. During the Pilot Program, Mediation was chosen 74% of the time, Early Neutral Evaluation was utilized in 21% of the cases, and 5% of the litigants went to Arbitration. All three procedures are inherently less expensive than the typical process of pleading and discovery, generally costing no more than it costs for a single day of depositions.

How successful was the Pilot Program in promoting “inexpensive and prompt resolution?” According to the statistics reported by the Court, 898 cases were eligible for the program between June 2006 and December 2007. Would you believe, 59% of those cases were closed **before** entering the program? Judge Ambrose explained that although previously some cases were closed before the initial case management conference, this percentage represents a large



◀ Judge Ambrose (second from left) was part of a panel of speakers from the federal courts before the 2008 Lawrence W. Kaplan Lecture in Conflict Resolution held in Pittsburgh on May 1. Photo by Marty Barron.

increase, which they believe reflects the fact that litigants are taking the initiative to engage in efforts to resolve disputes knowing that they will be required to do so anyway. Of the remaining 41% of the cases, 51% of were settled through some form of ADR, 6% were exempted, and 43% were not settled by the end of the program. Remarkably, the total number of cases resolved before or as part of the ADR program—that is, within less than six months of filing—was approximately 717 of 898 (80%).

“As we were providing periodic reports to the Court, the non-Pilot Program judges were indicating they wanted to participate. We were just getting a lot more cases resolved early in the process,” said Judge Ambrose, “and opinions provided by participants concerning their experience indicated a

very high degree of satisfaction with the process.” Judge Ambrose is quick to point out that the system still has the same number of trials as before, but for the vast majority of litigants who eventually settle their cases, ADR is substantially reducing the delay and expense and increasing their satisfaction with the justice system. She adds, “We now have more time to devote to those relatively few cases that do go to trial. It’s really about providing better service to the public.”

Information about the program is available at www.pawd.uscourts.gov, the Western District Court’s website. Click on the tab “ADR—Alternative Dispute Resolution” in the upper left corner to gain access to information that answers virtually any question about the ADR program.

So what are we to make of this? Is ADR, and especially mediation, simply a passing fancy? Is it merely something to contend with in the unlikely event one of our cases ends up in federal court, but otherwise ignored? Or is it a tool we should be educating ourselves about, adding to our arsenal of remedies, promoting to our opponents and our clients, when achieving a resolution more quickly and less expensively matters to those whom we represent?

The members of the WBA’s ADR Committee hope to help you become more informed about these issues by presenting articles in *the sidebar*, and a program or two, about issues we feel may promote a better understanding of how to make use of ADR in your practice. We hope you’ll join us in considering the possibilities.

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New Leaders Chosen, Awards Given at Annual Meeting

Barbara J. Christner assumed the office of President at the Annual Meeting of the Westmoreland Bar Association held on Monday, April 7, 2008, at the Greensburg Country Club.



▲ Barbara J. Christner A member of the WBA since 1992, Barbara is a shareholder with Ward & Christner, P.C., in Greensburg. She is a graduate of the University of Pittsburgh and the Duquesne University School of Law. Barbara is a member of the Real Estate, Bench/Bar, and Elder Law & Orphans' Court Committees. She succeeds James E. Whelton, Jr., and will serve a one-year term as President.

OTHER ELECTION RESULTS

Donald J. Snyder, Jr., was elected Vice President for the 2008–2009 term, and John K. Greiner was chosen to fill the vacant Director seat on the board. Other board members include President-Elect James R. Antoniono, Directors Michael J. Stewart and David S. DeRose, Past President James E. Whelton, Jr., Treasurer L. Christian DeDiana and Secretary/ Executive Director Diane Krivoniak.

James M. Fox was elected to the Membership Committee and Larry D. Loperfito was elected to the Building Committee. Both will serve five-year terms.

AWARDS GIVEN AT MEETING

Terence O'Halloran was named Pro Bono Attorney of the Year at the Annual Meeting of the Westmoreland



▲ PBA President Andy Susko recognized outgoing WBA President James E. Whelton, Jr., with the County Bar President's Award.

Bar Foundation, which preceded the WBA meeting (*see article on page 21*).

Awards given at the WBA Annual Meeting included the President's Award for Professionalism and Committee of the Year. The recipients are as follows.

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Leaders Chosen, Awards Given *continued from page 7*

Robert I. Johnston

PRESIDENT'S AWARD FOR PROFESSIONALISM

Robert I. Johnston, a partner in Belden Law in Greensburg, was honored with the distinguished President's Award for Professionalism for his achievements in ethics and integrity; competence and dedication to the practice of law; civility; service to the bar and its members; and dedication to the improvement of the practice of law.

The President's Award for Professionalism is not an annual award, but is presented when the dedication and achievements of a WBA member who best exemplifies the highest standards of the profession with regard to the practice of law should be acknowledged. Previous winners of the President's Award are Reg Belden (1998), Jack Bergstein (1999), Dick Galloway (2000), John O'Connell (2002), Milt Munk (2003), Dan Joseph (2004), and Vince Quatrini (2007).

Q WHAT DOES THE AWARD MEAN TO YOU PERSONALLY?

A When I moved to Westmoreland County from Pittsburgh 28 years ago, it was largely because I wanted to live and be a lawyer in a community that I could really feel a part of. Pittsburgh seemed too big for that. Having the good fortune to know Reg Belden so intimately opened my eyes to the importance of becoming involved with life, both professionally and personally, and of taking the opportunity to be an influence. To my mind, the Professionalism Award is intended to recognize precisely that. And receiving it is very gratifying evidence that perhaps I've spent much of my adult



▲ WBA President James E. Whelton, Jr., presents Robert I. Johnston with the 2008 President's Award for Professionalism.

life moving in the right direction, occupied with the right things. I can't think of anything for which it would be more satisfying to be honored.

Q WHAT DOES THE AWARD MEAN TO YOU PROFESSIONALLY?

A Well, I've always thought we are lawyers in a very special place, the sort of place you would create for yourself if you could. Such a condition is no accident and didn't come into being as a result of any single person. The previous recipients of the Professionalism Award are some of the people, though hardly all, who are most recently responsible for the the conditions we enjoy. To say that it is an honor for me to be included in that group is an understatement the magnitude of which you could never appreciate unless you knew me as a young man. But it is the fact that we practice law in a place where any number of our members, some we've already recognized and many more yet to be honored, give so much every day in service of the way things are that I find most gratifying.

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

A Obviously, I was stunned, and speechless. If you live long enough, you get an award now and again. They don't usually mean much—the sort of thing that could as easily have gone to anyone. But to be recognized by people you admire and respect, for how you've conducted yourself over your professional life, is, as they say, priceless.

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

A Don't be a candidate. The good feelings pass in a few days and it takes years, a career, to even hope to be a recipient. The thing I learned from Reg Belden that I value the most, I think, is that all the stuff we do with and for lawyers, or the community, are personally gratifying, and almost always, fun. They are their own reward and more than just recompense. If we understand that, awards won't matter much, and if we don't, no award will be worth the effort.

Young Lawyers Committee

COMMITTEE OF THE YEAR

The Young Lawyers Committee was honored as Committee of the Year at this year's Annual Meeting. Over the past year, the Young Lawyers have been active with a number of programs including Operation Safe Surf, Lunch and Learns, and Halloween and Christmas parties for members and their families. Outgoing Chair DeAnn McCoy accepted the award for the committee.

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Spotlight on John M. Hauser, III

Editor's note: John Hauser is the new Chair of the WBA Young Lawyers Committee. His one-year term began at the 2008 Annual Meeting, which was held April 7 at the Greensburg Country Club. John is an associate with Reeves and Ross in Latrobe.

Q WHAT JOBS DID YOU HAVE BEFORE BECOMING A LAWYER?

A By my best recollection, I held more than twenty jobs, before becoming an attorney. Although I delivered newspapers, cut grass, and shoveled snow before then, I would say my first real job was working as a grocery bagger when I was 16. From there, I built swimming pools, hauled concrete, painted parking lots, renovated rental properties, maintained



computer labs, worked as a machinist, sold used cars, delivered Amish furniture, and worked as a United States Census Enumerator (to name a few). Excepting a two-week stint at McDonald's and a Christmas break that I worked as a telemarketer, I enjoyed every other job that I have had. Every one was a learning experience, and I met a lot of interesting people along the way.

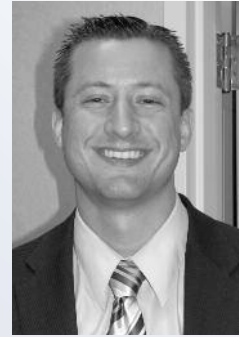
Q WHICH WAS YOUR FAVORITE AND WHY?

A Aside from practicing law, I would have to say that the job I most enjoyed was as a bagger at the old Lincoln Road Foodland in Latrobe. I worked with a lot of friendly, down-to-earth guys and girls my age, and I knew many of the store's customers. There was no stress, plenty of exercise, and there was always time for a good story.

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

A I had a relatively routine criminal case that had just been dismissed, and I was waiting in the magistrate's courtroom for the dismissal paperwork, when the magistrate came in and began preliminary hearings. He was obviously upset that the defendant standing trial had appeared without counsel. It was also apparent that the defendant had been previously instructed that he was to come back with a lawyer, but here he was again requesting a continuance. As the judge became more and more irate, he began repeatedly referring to the defendant as a "comedian." Before the matter was concluded, I got my paperwork and left the courtroom with

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Daniel Joseph

Spotlight on John M. Hauser, III *continued from page 9*

my client, both of us confused as to why the judge kept referring to the defendant as a “comedian.” Several months later, I was on a cruise ship when a familiar looking gentleman took the chair to my left. After struggling to place this certainly familiar face, it came to me that the gentleman was the man from the magistrate’s office. He was the ship’s comedian.

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

A Integrity and a proactive approach to the profession.

Q WHAT IS YOUR FAVORITE JOURNEY?

A The summer after my second year of law school I studied abroad in Ireland. On my way to Ireland, I spent four days in London. While in Ireland I had a residence in Dublin, but I traveled the Irish countryside every weekend both by train and in a tiny rented Opel hatchback. After completing my studies in Ireland, I flew to Milan and backpacked from Milan to Venice to Rome, before flying home through London again. It really was a journey without a destination. More than once I was left searching at dusk for a place to spend the night. One night I gave up the search and slept on the floor of London’s Stanstead Airport. Yet no situation was stressful; not a moment was rushed. It really was a journey. At every moment, I was happy to be right where I was, exploring my surroundings.

Q WHAT IS YOUR GREATEST REGRET?

A Regrets seem pointless to me. I have learned from all of my decisions and experiences and they have become part of who I am. There is no point in wasting time on regrets.

Q WHO ARE YOUR HEROES IN REAL LIFE?

A The Founding Fathers, Abraham Lincoln, and Saint Thomas More, for defending their principles despite great

adversity, for the betterment of mankind.

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

A Pay attention to how other lawyers do things. The practice of law is both an art and a science. Law school teaches you the science, but little of the art. Luckily, I have had the benefit of working with two very good teachers, and our bar association is full of great professionals to learn from.

Q WHAT DO YOU CONSIDER YOUR GREATEST ACHIEVEMENT?

A I am still pretty young. I hope that my greatest achievements are yet to come.

Q WHAT IS YOUR IDEA OF PERFECT HAPPINESS?

A “To laugh often and love much; to win the respect of intelligent persons and the affection of children; to earn the approbation of honest citizens and endure the betrayal of false friends; to appreciate beauty; to find the best in others; to give of one’s self; to leave the world a bit better whether by a healthy child, a garden patch, or a redeemed social condition; to have played and laughed with enthusiasm and sung with exultation; to know even one life has breathed easier because you have lived ... this is to have succeeded.” I first read that when I was 17 and I liked it so much that I read it again

several more times until I had memorized it. I have given copies typed from memory to lots of my friends and a framed copy sits in my office. (Although incorrectly attributed to Ralph Waldo Emerson, the true author of that work is unfortunately unknown.)

Q WHAT IS YOUR MOST TREASURED POSSESSION?

A A set of wooden rosary beads that I got at the Vatican when I was backpacking Italy and my leather briefcase that my parents bought for me when I passed the Bar.

Q WHAT IS IT THAT YOU MOST DISLIKE?

A Lima beans. I really dislike lima beans. Seriously, how can anyone enjoy eating those?

Q WHAT IS YOUR GREATEST EXTRAVAGANCE?

A I am not really extravagant, but I suppose that I spend money on things that I think are higher quality. Quality to me describes not the latest fashion or technology, but rather things that stand the test of time like good linen sheets, fine leather, or solid hardwood (not plywood) furniture.

Q WHAT TALENT WOULD YOU MOST LIKE TO HAVE?

A I would like to be able to play a musical instrument by ear and speak a foreign language fluently.

Q WHAT DO YOU VALUE MOST IN YOUR FRIENDS?

A That they are trustworthy, courteous to others, and fun to be around.

Q WHICH LIVING PERSON DO YOU MOST ADMIRE?

A My mother and my grandfather.

Q WHAT IS YOUR MOTTO?

A Treat others the way you wish to be treated.

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To-Wit: Reflections On A Blind Pig

by S. Sponte, Esq.

How can this be, how can this possibly be? How can a clown of a lawyer without any grasp of the Rules of Civil Procedure, without a clue as to when something needs to be filed on a case and where, prevail over a competent, experienced practitioner? And if you think that upsets me, just imagine how upset I'd be if I weren't the clown in question.

It has taken me a long while to grasp the complex implications at issue here, and like a bad meal I'm not sure when I'll be done digesting it. The intellect/digestion analogy is apt, for it's become apparent, as the years have mercilessly marched on, that both those similar functions can no longer keep pace and have dropped back into the company of another

notable bodily laggard hanging around at the rear.

It all started when I appealed from the decision of a local magistrate because my client had been awarded less money than she wanted. Defendant responded with a counterclaim, the same claim he had lost at the magistrate's hearing but had not appealed.

With that, a distant bell went off in the dimming recesses of my memory and a quick look at the magistrate's rules of civil procedure—and by "quick" I mean five minutes to read them following an hour's search to find them—convinced me I was on to something. The denial of the counterclaim had to be appealed to be preserved.

Preliminary objections to the counterclaim were in order, and since I haven't done this kind of work for a

while, I should have renewed my acquaintance with the procedural rules appurtenant thereto. I should have, but I didn't.

As it turns out I had forgotten something and what I had forgotten was how the passage of time cruelly conspires with the arrogance of experience to make baboons of us all. Rather than check the rules I used to know so well, I headed down a path I prefer to think of now as "Experimental Civil Procedure." Instead of putting the preliminary objections on some future argument list as required, I incorrectly scheduled it for motions court some four days hence.

continued on page 12



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Leaders Chosen, Awards Given *continued from page 8*

Q WHAT DOES THE AWARD MEAN TO YOU, AS COMMITTEE CHAIR, PERSONALLY?

A As Mike Stewart said when he presented the award, there are many great young lawyers who are each actively working to showcase our profession in a positive way. I felt honored to be recognized as one of those young lawyers about whom Mr. Stewart spoke. The award shows me that the hard work of the Young Lawyers Committee has been acknowledged, and we are very appreciative of that recognition.



▲ DeAnn McCoy accepts the Committee of the Year Award on behalf of the Young Lawyers.

Q WHAT DOES THE AWARD MEAN TO YOU AND YOUR COMMITTEE PROFESSIONALLY, AS MEMBERS OF THE WBA?

A The Young Lawyers Committee members are very eager to be involved in the bar association, and this recognition encourages new attorneys to participate in the bar association and its activities.

Q HOW DID YOU FEEL UPON LEARNING YOUR COMMITTEE WAS THE RECIPIENT?

A I felt extremely grateful and a bit relieved. When I became Chair of the Young Lawyers Committee, I was entrusted with the responsibility of demonstrating my committee's continued purpose to the bar association. I felt compelled to show that the Committee provides an essential contribution to the bar.

When I heard the announcement that the Young Lawyers Committee was being acknowledged with the Committee of the Year Award, I was relieved that we had reached our goal and had demonstrated our contribution to the bar association; our efforts were being acknowledged.

Q WHAT ADVICE CAN YOU GIVE TO FUTURE COMMITTEES AND COMMITTEE CHAIRS WHO STRIVE FOR THE AWARD?

A The Young Lawyers Committee established goals that we wanted to achieve, and then developed a plan to achieve those goals. We all worked together to make the year a success. No one person shouldered all the responsibility.

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To-Wit: Reflections On A Blind Pig *continued from page 11*

I kind of picked up on my mistake as soon as I walked into court that morning and opposing counsel called me a baboon. We stepped out into the hallway where he then launched into a litany of my other mistakes. Although my notice of appeal had been timely filed, the complaint had not. And to my further embarrassment, I had not timely served him with the notice of appeal, if you can call the complete absence of any notice at all a timeliness issue.

But he conceded I was right on the preliminary objections and asked me how much more money my client needed to go away. I told him, he said "done" and was thereafter gone in a huff. Well, half a huff, but who's counting.

Now I know what you're thinking.

You're thinking that despite my procedural gaffes I was right on the law and isn't that what really counts?

Ah, but here's the worst rub of all—I wasn't right about the law either. It was a clever argument to be sure, but the case I relied on had been recently reversed by an appellate court.

So there it is. I am heartbroken to think that the profession that has defined me for so many years and to which I have devoted so much energy and passion could be so mercurial as to let the likes of me win anything at all. But despite my bitter disappointment, I have to admit there is at least one positive thing to emerge from this morass. Anyone care for a truffle?

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January and March 2008 Civil Trial Terms

Jury Trial Verdicts

by Rachel Huss, Esq., Charles J. Dangelo, Esq., and Thomas L. Jones, Esq.

January 2008 Civil Trial Term

Forty-five cases were listed for the January 2008 Civil Jury Trial Term: eight settled, twenty-three were continued, one was tried non-jury, two were binding summary jury trials, one was a non-binding summary jury trial, one summary jury trial was scheduled, one engaged in ADR, one was transferred to arbitration, four verdicts were entered, and three were held to the next trial term. The jury verdicts for the January trial term are summarized below.

**ROADWAY PHARMACY, INC.,
A PENNSYLVANIA CORPORATION**

V.

**GERRY & ASSOCIATES,
A PARTNERSHIP
NO. 4319 OF 2002**

—

**ROADWAY PHARMACY, INC.,
A PENNSYLVANIA CORPORATION**

V.

**EDWARD DALLAPE, INDIVIDUALLY
AND T/D/B/A GERRY & ASSOCIATES,
A PENNSYLVANIA GENERAL
PARTNERSHIP, HERMAN C.
ROLES, INDIVIDUALLY AND
T/D/B/A GERRY & ASSOCIATES,
A PENNSYLVANIA GENERAL
PARTNERSHIP AND VIOLA
TAORMINA, EXECUTRIX OF THE
ESTATE OF GERALDINE ZUCCO,
DECEASED**

**NO. 1130 OF 2006 (CONSOLI-
DATED AT NO. 4319 OF 2002)**

*Cause of Action: Breach of Contract —
Right of First Refusal*

This was an action for breach of contract arising out of the Defendants' failure to honor the Plaintiff's right of first refusal relative to undeveloped acreage adjacent to a strip mall in Seward, Westmoreland County. The Defendants sold the property for \$80,000 to a third party without first



offering it for sale to the Plaintiff, an owner of a pharmacy in the strip mall.

In a motion for summary judgment, Defendants contended that the right of first refusal was extinguished when the subject property was sold at a tax sale and subsequently repurchased by the Defendants, a contention that the court denied as a matter of law. At trial, Defendants argued that the right of first refusal did not include the vacant land, which Plaintiff's expert valued at \$510,000. The jury viewed the property in question.

Plaintiff's Counsel: Jeffrey T. Olup, Bassi, McCune & Vreeland, P.C., Charleroi

Counsel for Defendant Gerry & Associates: Eric D. Hochfeld, Sahlaney & Dudeck Law Office, Johnstown

Counsel for Defendant Estate: Richard T. Williams, Sr., Johnstown
Defendant Edward Dallape: Pro Se
Trial Judge: The Hon. Daniel J. Ackerman

Result: Molded verdict in favor of Plaintiff in the amount of \$410,000.

KEVIN WELDON

V.

**LOUIS J. PHILLIPS, O.D.,
SIGHTLINE LASER EYE CENTER
LLC, KIMBERLY R. RIGGS, O.D.,
GLENN C. COCKERHAM, M.D.
NO. 3100 OF 2002**

*Cause of Action: Negligence—
Medical Malpractice*

On May 11, 2001, Plaintiff Kevin Weldon was examined by Defendant Louis Phillips, O.D., and LASIK surgery was performed by Defendant Glenn C. Cockerham, M.D., on Plaintiff's left eye at Defendant Sightline Laser Eye Center's facility. Plaintiff was referred to Dr. Cockerham by Defendant Kimberly Riggs, O.D., after her initial evaluation indicated he was an appropriate candidate for LASIK surgery. Plaintiff experienced post-operative vision complications. Plaintiff alleged that, as a result of Defendants' negligence, he developed nighttime starburst and halo vision problems because of pupil dilation beyond the treated portion of his eye.

At trial, Plaintiff introduced expert medical testimony that Defendants did not take an accurate pre-surgical exam and failed to appropriately measure his pupil size and clear him for surgery. Defendant Cockerham argued that, prior to surgery, he disclosed the common side effects of the procedure to Plaintiff and obtained his informed

continued on page 14

Jury Trial Verdicts *continued from page 13*

consent. Defendants Phillips, Riggs, and Cockerham presented expert medical testimony that the care and treatment they provided Plaintiff met the applicable standard of medical care.

Plaintiff's Counsel: Ralston S. Jackson, Odermatt & Jackson, Pgh.

Counsel for Defendant Cockerham: Marian Schleppey, Gaca Matis Baum & Rizza, Pgh.

Counsel for Defendant Riggs: Daniel T. Moskal, Law Office of Joseph Weimer, Pgh.

Counsel for Defendants Phillips and Sightline: M.J. Tindall and Deborah A. Kane, Weber Gallagher Simpson Stapleton Fires & Newby, Pgh.

Trial Judge: The Hon. Gary P. Caruso

Result: Molded verdict in favor of Defendants.

PRIME, INC.

V.

NANCY ANDRUS

V.

RAMONE MATOS NO. 3428 OF 2005

Cause of Action: Negligence—
Motor Vehicle Accident

On October 11, 2003, Ramone Matos (Additional Defendant) was driving a tractor-trailer truck owned by Prime, Inc. (Plaintiff) on Route 70, in Hempfield Township. Nancy Andrus (Defendant), who was driving her vehicle in the same direction on Route 70, approached and then attempted to pass Plaintiff's truck. When Defendant

entered the left lane, she struck a deer, lost control of her vehicle and collided with the Plaintiff's tractor-trailer. Plaintiff's vehicle sustained damage and was out of service for a period of time. Plaintiff's complaint against Defendant averred that, as a result of the accident, it sustained property damage to the truck in the amount of \$8,515.01. Defendant subsequently filed a Complaint against Additional Defendant, alleging that he was negligent and liable for the accident.

Plaintiff presented evidence at trial that Defendant was speeding and/or traveling too fast for conditions at the time of the collision. Plaintiff also introduced evidence to show that a deer crossing sign was posted in the area where the accident occurred. Defendant, on the other hand, testified that the deer abruptly appeared in the left lane and she was unable to avoid striking it. She argued that she was faced with a sudden and unexpected emergency. Defendant did not pursue her claim against Additional Defendant.

Counsel for Plaintiff and Additional Defendant: Rebecca Sember and Nigel Greene, Rawle & Henderson, LLP, Pittsburgh and Philadelphia

Defendant's Counsel: Scott O. Mears, Mears, Smith, Houser & Boyle, PC, Gbg.

Trial Judge: The Hon. William J. Ober

Result: Verdict in favor of Defendant.

SANDRA MUSCENTI

V.

LOSS PREVENTION, INC. AND SUPERVALU T/D/B/A SHOP-N-SAVE NO. 2262 OF 2005

Cause of Action: Defamation—
Invasion of Privacy—
False Imprisonment—Negligence

Plaintiff was accused of retail theft of a pack of cigarettes by Defendant Loss Prevention, Inc. Plaintiff has not been criminally charged in this matter. Her employment at a Shop-n-Save store was subsequently terminated by

Defendant Supervalu. A security guard employee of Loss Prevention, Inc., a third-party contractor retained by Supervalu to provide asset protection in its stores, testified that prior to his apprehension of Plaintiff, he was approached by Defendant Supervalu's store manager and was told he had reason to believe that Plaintiff was not paying for cigarettes she was taking from the store. As a result of the allegations, Plaintiff maintained that her good name was injured, she was brought into disgrace and disrespect among her former employer and coworkers, she suffered great humiliation and embarrassment, and that her restraint of freedom from movement while being interrogated in the store constituted a detention of Plaintiff against her will and was unlawful. Plaintiff claimed she suffered, and will continue to suffer, a loss of income and benefits as a consequence of her discharge, and sought punitive damages resulting from Defendants' willful, wanton, and reckless conduct.

At trial, Defendant Supervalu argued that the statements made by the store manager were not defamatory in that they were made only to the Loss Prevention employee in his capacity as a security guard and, thus, the audience was limited and the statement did not harm Plaintiff's reputation in the community. Supervalu also argued that Plaintiff had executed a release of Loss Prevention from liability and that a release of a third-party contractor agent released the principal, Supervalu, as well.

Plaintiff's Counsel: Susan N. Williams, Gbg.

Defendants' Counsel: Thomas P. Birris, Marshall, Dennehey, Warner, Coleman & Goggin, Pgh.

Trial Judge: The Hon. Gary P. Caruso

Result: Molded verdict in favor of Defendants. The jury found defamation on behalf of Loss Prevention, but that Loss Prevention had been released from liability. The jury found no defamation on behalf of Supervalu.

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**ROBERT W. LLOYD AND
KIMBERLY L. LLOYD, HIS WIFE
V.
GARRETT BELE AND CORY NEDLEY
NO. 4528 OF 2004**

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

Plaintiff Robert W. Lloyd was employed as a truck driver. On July 3, 2002, Plaintiff was making a delivery in Manor Borough, Westmoreland County, when he stopped his truck on the berm of the Harrison City Manor Road to unload his trailer. While Plaintiff was standing beside his truck, Defendant Garrett Bele drove his vehicle onto the Harrison City Manor Road from a nearby driveway. Defendant then struck and injured Plaintiff. Plaintiff's complaint against Defendant and his employer, Cory Nedley, contained counts of negligence, agency and negligent entrustment.

At trial, Plaintiff presented evidence that he sustained an injury to his right knee as a direct result of the accident and that the injury caused permanent damage. Plaintiff also indicated that he was forced to stop working as a truck driver and now is employed in less strenuous positions. Defendant argued that Plaintiff, prior to the accident, placed himself in a crouched position along the roadway, which obstructed Defendant's view of Plaintiff.

Plaintiff's Counsel: Bruce J. Phillips, Wetzell, Caverly, Shea, Phillips & Rodgers, Wilkes-Barre

Defendants' Counsel: Dwayne E. Ross, Reeves and Ross, Latrobe

Trial Judge: The Hon. William J. Ober
Result: Verdict in favor of Defendant.

March 2008 Civil Trial Term

Forty-eight cases were listed for the March 2008 Civil Jury Trial Term. Of those, 11½ settled, 21½ were continued, summary judgment was granted in one, two were non-jury verdicts, one non-jury trial was scheduled, three verdicts were rendered, and eight were held to the next trial term. The March trial term jury verdicts are summarized below.

**LINDSAY PROCTOR
V.
LOIS J. MORRIS
NO. 194 OF 2006**

*Cause of Action: Negligence—
Motor Vehicle Accident*

On December 31, 2004, Plaintiff was driving her vehicle on Route 136 in Hempfield Township, when she encountered another vehicle that had struck a deer. Plaintiff slowed and stopped her vehicle; however, shortly thereafter, a vehicle driven by Defendant collided with the rear of Plaintiff's vehicle. Plaintiff's complaint in negligence against Defendant alleged that she sustained, among other things, injuries to her head, neck, and back, and that the accident may cause her to lose a soccer scholarship.

At trial, Plaintiff presented evidence that she had been awarded an athletic scholarship by Geneva College to play soccer and that, based on her athletic achievement at high school, she was expected to succeed at college sports but the accident prevented her from playing at the level required by college athletics. In addition, Plaintiff presented evidence regarding Defendant's driving behavior and the sight distance available to her prior to the accident.

Defendant presented evidence on

the issue of liability, arguing that she used reasonable care prior to the accident and that she had a limited sight distance. Moreover, Defendant argued that Plaintiff received her scholarship and was able to engage in some athletic activity at Geneva College.

Plaintiff's Counsel: Jon M. Lewis, Gbg.

Defendants' Counsel: Kenneth Ficera, Mears Smith Houser & Boyle, P.C., Gbg.

Trial Judge: The Hon. William J. Ober

Result: Verdict in favor of Plaintiff in the amount of \$23,980.02.

**CYNTHIA YUTZY AND MATTHEW
YUTZY, ADMINISTRATORS OF THE
ESTATE OF AUTUMN ROSEMARY
YUTZY, DECEASED, AND CYNTHIA
YUTZY, AN INDIVIDUAL**

V.

**LATROBE AREA HOSPITAL,
A CORPORATION
NO. 4647 OF 2003**

*Cause of Action: Negligence—
Medical Malpractice*

Cynthia Yutzy became pregnant in the spring of 2001. During the morning of January 5, 2002, Ms. Yutzy went into labor and reported to the Latrobe Area Hospital emergency room. After sitting in the emergency room for a period of time, Ms. Yutzy

continued on page 16

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Jury Trial Verdicts *continued from page 15*

was taken to the Hospital's obstetrics ward. At approximately 11:00 a.m., Ms. Yutzy reported to Hospital staff that she had something protruding from her body. The Hospital discovered that Ms. Yutzy had a prolapsed umbilical cord and performed an emergency caesarean section. However, the child, Autumn Rosemary Yutzy, suffered from neonatal asphyxiation due to the prolapsed umbilical cord and died several days later. Ms. Yutzy and her husband, Matthew Yutzy, filed this professional negligence action against the Hospital for the death of their daughter.

At trial, Plaintiffs contended that the Hospital breached the standard of care by delaying medical treatment. The Yutzys presented evidence to show that Ms. Yutzy was not examined when she arrived at the hospital and that she was allowed to sit in the emergency room for an unreasonable period of time before she was taken to the obstetrics ward. This breach, in the Yutzys' view, increased the risk that their baby would die from the prolapsed umbilical cord.

The Hospital argued that Ms. Yutzy did not mention the prolapsed cord when she arrived at the hospital and that Ms. Yutzy's recollection of the events of January 5, 2002, was inaccurate. Its evidence indicated that the Hospital took immediate action once Ms. Yutzy mentioned the prolapsed cord, and that it played no role in the death of the Yutzys' child.

Plaintiff's Counsel: Anthony W. DeBernardo, Jr., DeBernardo, Antoniono, McCabe, Davis & DeDiana, Gbg., and E. David Harr, Gbg.

Defendant's Counsel: Thomas B. Anderson, Thomson, Rhodes & Cowie, P.C., Pgh.

Trial Judge: The Hon. William J. Ober

Result: Prior to the jury reaching a verdict, the parties entered into a confidential high-low settlement agreement. The jury returned a verdict in favor of Defendant, and the Yutzys received an amount consistent with the settlement agreement.

**DANIEL P. BUCHKO, ADMINISTRATOR
OF THE ESTATE OF ELIZABETH A. BUCHKO,
A/D ELIZABETH ANN BUCHKO, DECEASED
V.**

**SCOTT E. STRUBLE AND GAIL STRUBLE
NO. 1359 OF 2000**

*Cause of Action: Negligence—Motor Vehicle Accident—
Wrongful Death and Survival*

Elizabeth A. Buchko was killed in an intersection collision on February 28, 1999, at 2:50 a.m. in Derry Township where Route 30 is intersected by Route 217 at Kingston. Mrs. Buchko was traveling westbound on Route 30 when her car was struck in the intersection by a car driven on Route 217 by the Defendant, Scott E. Struble. The intersection was controlled by a traffic signal.

At trial, the jury had to make a determination as to which driver had the green light. The Defendant and his passenger testified that they had the green light. The Plaintiff attempted to show, through the testimony of an engineer, that the Defendant and his passenger, the only surviving witnesses, were not telling the truth. The Defendants countered with testimony from their engineer in support of the surviving witnesses' testimony.

Plaintiff's claim against the driver's mother, Defendant Gail Struble, for negligent entrustment of the vehicle was bifurcated.

Plaintiff's Counsel: John M. Leonard and Kevin P. Leonard, Leonard & Leonard, Latrobe

Defendants' Counsel: Scott O. Mears and Richard F. Boyle, Jr., Mears, Smith, Houser & Boyle, Gbg.

Trial Judge: The Hon. Daniel J. Ackerman

Result: Molded verdict in favor of Defendant. The negligent entrustment claim need not be tried since the jury found no negligence on behalf of the driver.

Correction: In the *Keefer v. Wisniewski* case from the November 2007 trial term (reported in the February 2008 issue of the sidebar), the first sentence should read: "The Plaintiff, Ms. Keefer, appealed a \$3,750.00 arbitration award in her favor, arising out of an automobile collision ..."

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AlterEgo: Karen Kiefer, Attorney

Karen Kiefer, Theater Maven

How did a world traveler and an international contract lawyer in Washington, D.C., end up being the President of the board of a community theater in a small town in southwestern Pennsylvania?

Karen Kiefer decided to leave Washington and move back to her hometown and family base in Westmoreland County after she adopted her son, Mark, from Transylvania, and her daughter, Johanna, from Latvia. “I wanted my children to have roots,” explains Karen. Located a short walk from her Scottsdale home—which is an Arts and Crafts era residence that is listed in the National Historic Register and has been in Karen’s family for 100 years—sits the Geyer Performing Arts Center. The Center was resurrected about 20



▲ *Karen Kiefer in the Geyer Performing Arts Center in Scottsdale. Photo courtesy of The Westmoreland Trust.*

years ago from the original Geyer Opera House. Karen’s mother was one of the founding members of the theater. “When I was asked to serve on the Board for the Geyer, I saw this not just as an opportunity to promote this little gem in Scottsdale, but as an opportunity for my children, who are

both interested in different aspects of the performing arts,” said Karen.

In those 20 years, the 100-year-old building, which they own, has been transformed into a thriving small town theater at a time when many small towns are dying. Purely by the efforts of industrious and resourceful volunteers, the theater currently operates in the black. “From 2006 to 2007, we doubled our numbers,” Karen says proudly. The bulk of their revenue is from ticket sales and advertising in the Playbills. Fund-raisers, grants, and workshops also add to the coffers, but donations come from less likely sources, too—for one month out of each year for the last four years, state prisoners paint, clean, and repair the building; the carpet has *continued on page 18*



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AlterEgo: Karen Kiefer *continued from page 17*

been cobbled together from discarded strips of carpeting from the Kennedy Center; when the Masons decided to renovate their facility, the Geyer obtained their old theater seats; and the Geyer's website has been developed by a volunteer, Lisa Zaucha, owner of Halo Web Designs in Greensburg.

If you hear "local theater" and think "Waiting for Guffman," think again. The theater's technical director, Willie White, was formerly with the Pittsburgh Ballet, and after a stint in Los Angeles, has settled in Scottsdale. Regionally-known playwright Martha Oliver resides locally and her play, entitled "H.C. Frick," depicting the entrepreneur as a character in Faust, will be performed this year as part of the Geyer's 20th Anniversary celebration. Vocalist Christine Maroney of "Moonlight Cabaret" fame has performed on New York City stages.

The Geyer boasts an ambitious year-long calendar of events. Beginning with a performance of "The Man of La Mancha," in 1988, the theater has produced a succession of popular Broadway plays. The roles are not played by equity actors, but by amateurs from the community. "Anyone—adults and children—can audition," explains Karen. "We post ads in the newspaper and on the web, and we get participants from all walks of life—teachers, nurses, press people, lawyers, doctors, seamstresses, technicians, carpenters, and make-up artists—who all volunteer their time."

In addition to plays and musical theater, the Geyer regularly features old-time cabaret shows featuring

roaming vocalists with cocktails and dinner; and "Saturday Rocks," where any local rock band can take the stage, showcase its music, and compete for a place in the annual "Battle of the Bands." Once a year, the Geyer recognizes its best with an Awards Night in which limousines pull up to the red carpet, and champagne toasts honor the best actors, producers, and directors of the previous year.



Photo courtesy of The Westmoreland Trust

The 300+ seat Geyer Performing Arts Center has its own theater manager and education director. A theater camp for children operates throughout the summer, and students enrolled in home school programs meet every Friday as part of "Arts in Unison," producing two shows each year. "Hundreds of students benefit from our programs over the course of the year," Karen says. "And many of our children have moved on to careers in the theater. Maggie Martinson-Echard was Cosette in the national touring company of 'Les Miserables,' Jeremy Rolla is a master electrician with the

international touring company of 'Hello, Dolly,' Jason Coffman is in stage lighting in Philadelphia, Steve Smith appears on Broadway, and many, including Julie Snyder [Don's daughter] are pursuing careers in music and education."

The Geyer has several ties to the Westmoreland County legal community. Iva Munk volunteers at the Geyer from time to time. James Lederach's daughter, Sarah, has danced at the Geyer with Sandra Ovitsky's Dance Academy, and David and Doreen Petonic's children have performed at the Geyer as well. Among the Geyer's patrons are Jim and Marilyn Gaut, Jim Falcon, and Bruce King.

Karen, who has been on stage herself with the Scottsdale Choral Society, delights that her children are "naturals" on the stage—at only 14 years old, Mark played the violin and was the Fiddler in "Fiddler on the Roof" and Johanna has performed in "Oklahoma" and "Beauty and the Beast."

It is not unusual for Karen to spend 8-10 hours a week at the theater or engaged in theater business. She can be proud of the role that she and the Geyer Performing Arts Center play in the Scottsdale community to foster the performing arts and community spirit.

Karen warmly extends an invitation to all WBA members to be her guest and attend a performance at the Geyer. For a calendar of events and ticket information, visit the website at www.geyerpac.com or call 724-887-0887.

Get Connected!

Need access to a wireless Internet connection in Greensburg? WBA members are welcome to use the WBA offices and wireless network to conduct business online.

Popular use of the Internet has brought mankind some of the greatest advancements in communication, education, and intellectual development. It also brings spam, predators, and the unauthorized practice of law.

If you learn of non-attorneys operating websites to practice law in our community, please contact the WBA. Thank you.

Joseph W. Lazzaro, Esq., UPL Committee Co-Chair
Aaron Kress, Esq., UPL Committee Co-Chair
724-834-6730

Westmoreland Revisited

Justice Louis L. Manderino

by Dan Joseph, Esq.

“People Make Places” was the answer delivered in a voice that would have been the envy of actors and broadcasters. The question that brought the answer—posed by an erudite law clerk, me—was “Why would a Supreme Court Justice keep his office in Monessen when he had the whole Commonwealth from which to choose?”



▲ Dan Joseph

During his seven-year tenure on the Pennsylvania Supreme Court, beginning January 3, 1972, until the date of his death at the age of 49, Lou Manderino never lost his sense of place that connected him to Westmoreland County and especially

to the City of Monessen. He was deeply rooted in Monessen. He served on the school board, as city solicitor, as member of the Mon-Valley Sewage Authority, on the Monessen Library Board, on the Monessen Parking Authority, on the Monessen Civic Center Authority, on the Chambers of Commerce, and served on many other community and civic organizations. His wider reputation is evident from the fact that Duquesne Law School, where he served as both professor and dean, created a scholarship in memory of him, and the library at California University of Pennsylvania was dedicated in his name and honor. He was extremely proud of the fact that he was designated to serve as a delegate to the Pennsylvania Constitutional Convention from 1967 through 1968, and at the recommendation of the

author James A. Michener, he served on the Executive Committee and as Co-Chair for the local Government Committee.

He was born in 1929 to Anthony and Angelina Manderino, both of whom emigrated from Calabria, Italy. His parents, who sacrificed to educate their children, encouraged him. Justice Manderino would reflect on the fact that his father was a carpenter and brag proudly about his carpentry skills. His mother stayed at home and raised six children. His brother, James Manderino, served as a Pennsylvania legislator during the same time that Lou Manderino served on the Supreme Court of Pennsylvania. Jim, also known as “Big Jim,” served as Majority Leader and as Speaker of the House. They were a powerful duo.

continued on page 20

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Justice Louis L. Manderino *continued from page 19*

He was the father of three daughters. It's no secret that he had gone through a very difficult divorce during which time he was separated from his daughters. A week prior to his death, I had dinner with him in Pittsburgh and I asked him how he was handling the fact that he had not seen his daughters for a period of time. He replied to me that he hoped someday they would understand how much he loved them. A week later, on Thursday, November 8, 1979, he died of a heart attack while walking near the Frick Building in the City of Pittsburgh. He had been in Pittsburgh that day to help a former law clerk gain employment with a law firm. I've never forgotten his comment to me about his love for his children and the pain that he felt as a result of not seeing them.

His greatest skill was that of a teacher/communicator. In that capacity, he excelled as a professor and ultimately as Dean of the Duquesne University School of Law. I met him when I was a first-year law student taking his Torts class. It was the most exciting class in law school. He made it that way. In addition to Torts, he also taught Evidence, a subject that he thought was most important for a lawyer. He told me that if a law student had only one subject to learn in law school, that subject should be evidence.

He became a judge on the Commonwealth Court of Pennsylvania when it was newly formed. His first law clerk was Judge Donetta Ambrose, who clerked with him on both the Commonwealth Court and on the Supreme Court of Pennsylvania. While a Justice on the Supreme Court, he was often in the minority and would dissent in many of the decisions of the Court. He was not one for long-winded opinions. It was his position that you should state your opinion, the reason for your opinion, and give the most current and strongest authority for that reason. He was not bound by precedent. He would often say that precedent was fine unless it was wrong,



▲ *Justice Louis L. Manderino*

and if he felt it was wrong, he was not reluctant to write a dissent when he could not convince the others to join in a majority opinion.

He had a great sense of justice. Concepts of justice were very simple for him. He often said that if it didn't feel right in his gut, then it just wasn't right. He looked at the situation through the eyes of the disenfranchised and not through the eyes of the corporate interest. It was not uncommon for other justices' law clerks to draft the opinions that were then sent to the other justices for review. That was not Justice Manderino's style. His law clerks worked on drafts and then debated each sentence of the draft with him. When the final product came out, it was his work and not the clerks'. That process of drafting opinions and debating the opinions with him was the intellectual highlight of my clerkship.

Some of the Court's decisions during my time with him were the opinions of

the Court that struck down the Sunday Blue laws, allowed for the building of the tower at Gettysburg, established the rule that a suspect must be arraigned within six hours of his arrest, otherwise any confession that they obtained would be inadmissible, and established the right to a speedy trial, which at that time was within 180 days of the date of the filing of the complaint. These criminal law decisions have since been eviscerated by the courts. He always held the prosecution's toes to the fire, requiring that they met their burden of proof. He felt that the caption of a criminal case putting the Commonwealth of Pennsylvania as the opposing party spoke volumes about the uphill fight facing an accused.

I had the privilege of clerking for him from 1972 through 1974. During that time he was my employer but also my mentor and friend. He taught me many lessons about life that I have relied upon until this day. Four of them have been important to me, not only as a lawyer, but also as I have proceeded through life: (1) Don't judge someone until you have walked in their shoes; (2) But for the grace of God, go I; (3) To thy own self be true; and (4) A friend will never ask you to compromise your integrity to do a favor for them. Lessons valuable not just for a lawyer, but for all citizens.

Some of the best times I had with him were when we would travel together between Pittsburgh and Harrisburg or Philadelphia. His wit was unmatched. During one Supreme Court argument, Justice Manderino leaned back in his high-back chair and fell over backwards. All that could be seen from the podium were his legs pointed straight up in the air. The lawyer arguing the case said that he hoped his argument hadn't overly excited the Justice. Justice Manderino quickly remarked that it was the anticipation of his opponent's argument that had caused the fall.

When he was not in court, he would hold court daily at Johnson's

LawSpeak

"When will our consciences grow so tender that we will act to prevent human misery rather than avenge it?"

— Eleanor Roosevelt

Restaurant in Monessen. At that time, Johnson's operated 24 hours a day, 365 days a year. After he finished work at the Supreme Court office, he would head off to Johnson's and would be there until the wee hours of the morning having coffee and smoking cigarettes, debating all types of issues with his cronies.

During his first race for the Supreme Court, he lost to Justice Pomeroy. Merit selection was a topic that was debated between him and Justice Pomeroy during that race. Although he respected Justice Pomeroy, it was during that race that Lou Manderino came to firm conviction that merit selection was not the way to select appellate judges. His firm conviction was that a person with his background would always be passed over for someone from a big law firm. He was extremely concerned about who would select the selectors.

As a speaker, there was none finer than Justice Manderino. His booming voice, filled with passion, and his gesturing arms enthralled whomever he was speaking to. But despite all of his achievements and activities, he always remained humble. He had a plaque on his wall that read "IBM." I asked him why the computer company gave him a plaque and he said it was a plaque from friends that stood for "Italian Big Mouth." Like a comet, his blaze was both unique and short lived, leaving in his wake a darker, less luminous Supreme Court of Pennsylvania.

His untimely death has always been a tremendous loss to me and there is not a day that goes by that I do not think of him. More importantly, it was a tremendous loss to the justice system. He was the most intelligent person with whom I have been associated.

His first law clerk, Judge Donetta Ambrose, wrote an article about him that described him in the following way: "When I say that Lou Manderino was unique, let me say that I would not attempt to classify him as 'liberal,' 'progressive,' or anything else, after all, there are thousands of those people, but there was only one Lou Manderino." How true.

foundation focus

Terence O'Halloran Named Pro Bono Attorney of the Year



Terence O'Halloran, a sole practitioner in Greensburg was named the Pro Bono Attorney of the Year for the second year in a row at the 2008 annual meeting of the Westmoreland Bar Foundation held in April. This award is given to the attorney who has provided noteworthy volunteer legal representation of indigent Westmoreland County residents.

Terry has been a Pro Bono volunteer since the program's inception in 1991. He has provided countless hours over the past several years representing clients in bankruptcy and other consumer-related issues.

Judge Christopher Feliciani made the award presentation at the annual meeting. He detailed Terry's dedication to his clients and recognized him for bringing knowledge and a sense of humor to those he represents, lifting the spirits of those who find themselves in difficult situations.

The Pro Bono program of Westmoreland County provides free legal representation to those who qualify according to income guidelines and case merit. This past year the members of the Westmoreland Bar Association volunteered their time to represent over 500 individuals on civil matters.

Q WHAT DOES THE AWARD MEAN TO YOU PERSONALLY THE SECOND TIME AROUND?

A In truth, it was gratifying that the President of the Pennsylvania Bar Association was in attendance when I won the award this year. I know that President Andy Susko has made *pro bono* work his pet project this year and



Judge Christopher Feliciani presented the Pro Bono Attorney of the Year Award to Terry O'Halloran at the annual meeting.

I was really pleased to be a part of the panel with him for the discussion before the annual meeting this year. Bob Johnston has done so much to pass on President Susko's message so that everyone was alert to the *pro bono* calling this year. Personally, I'm really proud!

But let's be honest, I don't do enough to get it twice in a row. There are so many others that do so much! The Pro Bono custody lawyers should get combat pay! I believe there is sacrifice above what I do, and it should be recognized!

Q WHAT DOES THE AWARD MEAN TO YOU PROFESSIONALLY THE SECOND TIME AROUND?

A Professionally, to be honest, it doesn't mean a thing. And that's the way it should be. Nobody does Pro Bono for a professional return; to do otherwise is to defy the definition. We all do it because we know we're lucky to be here to begin with!

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foundation focus *continued from page 21*

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

A Frankly, embarrassed. I really didn't see it coming. I was set up by Judge Feliciani in the presentation, after all! (*Editor's note: Judge Feliciani asked Terry, as last year's recipient, to present the award to this year's recipient. It wasn't until Terry saw his own name on the plaque that he realized he won.*)

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

A Nobody does this for an award. The ones who will get it after me know the right thing to do. They don't need me to tell them.

Q WHY ARE YOU INVOLVED IN THE PRO BONO PROGRAM?

A After attending the panel discussion before the annual meeting, there is no need to answer this question. EVERYONE at the meeting was involved in Pro Bono work. I could NOT have been prouder of my profession than I was then! Westmoreland lawyers are a tremendous group!



▲
Rita DeBlock

Meet Rita DeBlock

Rita DeBlock joined the Pro Bono Program in March 2007 as a Legal Assistant. A graduate of Western Michigan University with a B.S. in social work and political science, she also completed paralegal classes at Duquesne University.

Before joining the Pro Bono Program, Rita was employed by Kirkpatrick & Lockhart and Kvaerner Metals in Pittsburgh. After six years of commuting by bus to Pittsburgh, Rita decided enough was enough and began her job search in Greensburg.

Rita serves on the Board of the Humane Society of Westmoreland County and spends most of her free time fund-raising. If anyone would like to buy or sell raffle tickets to benefit the Humane Society, call Rita. "I love my job," she says, "and I enjoy helping those less fortunate than myself."

Volunteers for Justice

The Pro Bono Program extends thanks to all the attorneys who volunteered their time from October 2007 to March 2008: Marnie Abraham, Gary Alexander, Maria Spina Altobelli, Tim Andrews, Barbara Artuso, Jason Bertram, Marla Blum, Meagan Bilik, Linda Broker, John Bumbaugh, Larry Burns, George Butler, Brian Cavanaugh, David Colecchia, Ralph Conrad, Samuel Coury, Chris DeDiana, Jennifer Love Dupilka, Rebecca Fenoglietto, Vince Finoli, Rich Flickinger, Mike Garofalo, Dennis Gounley, Debra Henry, Stu Horner, Dan Hudock, Ryan Kammerer, Karen Kiefer, Maureen Kroll, Stephen Langton, James Lederach, Irene Lubin, Shirley Makuta, Chuck Mason, Jason Mazzei, Phil McCalister, Scott Mears, Jim Michael, Paul Miller, Don Moreman, Debra Nicholson, Keith Nicola, John O'Connell, Terry O'Halloran, Dennis Persin, Brian Petroski, Pamela Roudebush, Robert Slone, Mark Sorice, Todd Turin, Mark Wible, William Wiker, Susan Williams, and Jerry Yanity.

Actions of the Board

FEBRUARY 19, 2008

- Approved Membership Committee recommendations: Jeffrey Lucht, Jason Bertram, Charles Fox IV, and Timothy Krieger, participating.
- Voted to allot \$100 for a ½ page ad in the Legal Services Corporation's annual recognition program for PBA President Andy Susko who will receive an award.
- Learned that the city of Greensburg is requiring a monitoring system for the fire alarms for all Greensburg business and voted to use a local supplier for this monitoring system.
- YL Chair DeAnn McCoy reported that three Operation Safe Surf presentations are scheduled, two Lunch and Learns are planned, and YLs are hoping to arrange a regional caravan.
- Mr. Snyder and Mr. Antoniono will be attending the ABA Bar Leadership Institute in Chicago March 13–15.
- A Pro Bono CLE will be offered ahead of the WBA annual meeting and will feature a panel discussion including President Judge Blahovec, PBA President Susko, and local pro bono participants.
- Agreed to present Committee of the Year award to the Young Lawyers.

MARCH 18, 2008

- Brian Bronson has agreed to fill the current opening on the LLS board.
- PBA President Susko invited WBA President Christner to join him April 9 in Cranberry for dinner with other local bar presidents.
- All roof leaks have been patched for a total amount of about \$400.
- Learned that the publication of Unclaimed Property advertising, which is funded by the Pennsylvania Treasury and mandated by law for publication in the law journal, will occur in June.

wba

- Voted to waive interviews of former WBA members seeking reinstatement; agreed that payment of dues would be sufficient for reinstatement.
- Voted to extend honorary membership to WBA member John Pollins. This was seconded by Mr. Stewart and the motion carried.
- Agreed to offer first floor unoccupied space to new tenant.

APRIL 15, 2008

- President Christner attended PBA joint Zone dinner in Cranberry with PBA President Andy Susko and other local bar presidents; several issues were discussed including e-filing, web sites, PBA Day on the Hill.
- President Christner, John Ward, and Mrs. Krivoniak met with Chamber president Tom Sochaki to discuss the WBA's involvement with educational programming at the Chamber.
- Mrs. Krivoniak met with a software/website development team to discuss using our current database to provide a dynamic website.
- Lawyer Referral Service has been receiving a large number of bankruptcy calls; board agreed that the Bankruptcy Committee should be asked to help out with brochures or bankruptcy clinics.
- New Kensington attorneys have decided to meet monthly on the third Wednesday at Noon at King's Restaurant.
- YL Chair John Hauser announced this year's officers and reported that the following activities are planned:
 - Croquet tournament
 - Bench/Bar Conference suite
 - YL Picnic at Peg Tremba's house
 - CLE every other month
 - Lunch and Learn every other month
 - Four happy hours for the year
 - Judge Dinner with Criminal Court first of October
- Approved reimbursement of up to \$200 per member for five bar members to attend the PBA Day on the Hill on May 5.

Bench, Bar Introduced To New Members



▲ *New members of the WBA were presented to the bench and bar on March 14, 2008. Front row: Christina K. Hurnyak, Leeann M. Pruss, Jonathan P. Altman, Michael V. Quatrini, and Eric H. Dee. Back row: Christopher R. Giles, Ronald R. Retsch, Charles F. Fox, IV, Jason T. Bertram, April Milburn-Knizner, and Scott A. Henderson.*

On Friday, March 14, 2008, the Westmoreland Bar Association presented its new members to the court. Following a welcoming address by WBA President James E. Whelton, Jr., each admittee was introduced to the court by a member of the association.

The new members presented to the court were: Jonathan P. Altman, presented by Charles R. Conway, III; Jason T. Bertram, presented by Larry D. Loperfido; Eric H. Dee, presented by Jon M. Lewis; Charles F. Fox, IV, presented by Charles F. Fox, III; Christopher R. Giles, presented by James B. Gefsky; Scott A. Henderson, presented by Peggy Henry Hooker; Christina K. Hurnyak, presented by Charles R. Conway, III; April

Milburn-Knizner, presented by Stuart J. Horner, Jr.; Leeann M. Pruss, presented by Karen L. Crow; Michael V. Quatrini, presented by Vincent J. Quatrini, Jr.; and Ronald R. Retsch, presented by Peggy Henry Hooker.

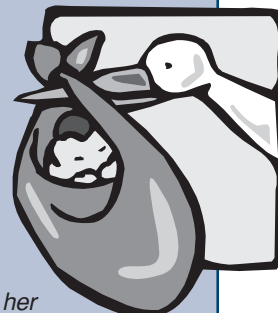
Following the presentation to the court, DeAnn McCoy and James T. Boggs greeted the new members on behalf of the Young Lawyers Committee and the Ned J. Nakles American Inn of Court, respectively. President Judge John E. Blahovec then spoke on behalf of the court.

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

And Baby Makes ...

Jim Horchak and his wife, Beth, are proud to announce the birth of their daughter, Preslee Claire, born January 21, 2008. Preslee weighed 7 lb 6 oz. and was 18" long. Preslee's brother, Max, 4, and sister, Quinn, 2, are very excited with their new sister.

Harry Smail and his wife, Rene, are very happy with the new addition to their family: Caileana Vallon Smail, born February 5, 2008, at 6 lb 2 oz. and 17 1/2" long. Harry reports that his daughter, Alexa, is equally thrilled with both her new sister and her newly acquired Pa. driver's license; now she can drive her little sister around town and pick up formula as a favor for her dad.



CALENDAR OF EVENTS

JUNE

- 11** Membership, Noon
Bankruptcy, Noon
- 12** 22nd Annual Bench/Bar
Conference of the Westmoreland
Bar Association, Oglebay Resort
& Conference Center, Wheeling,
W.Va.
- 13** 22nd Annual Bench/Bar
Conference of the Westmoreland
Bar Association, Oglebay Resort
& Conference Center, Wheeling,
W.Va.
Courthouse closed in observance
of Flag Day
- 17** Family Law, Noon
Board Meeting, 4 p.m.
- 18** Northern Lawyers Luncheon,
Noon, King's Restaurant, New
Kensington

JULY

- 4** Courthouse closed in observance
of Independence Day
- 9** Membership, Noon
Bankruptcy, Noon
- 15** Family Law, Noon
Board Meeting, 4 p.m.
- 16** A CLE Event: "Fair Housing Act
of 1968," Noon to 1:15 p.m.
Northern Lawyers Luncheon,
Noon, King's Restaurant, New
Kensington
- 17** Elder Law & Orphans' Court,
Noon

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.



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