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THE NEWSLETTER OF THE
WESTMORELAND BAR ASSOCIATION
VOLUME XXVI, NUMBER 2
APRIL 1, 2014

Board of Judges Reverses Decision

E-Filing Arrives

Effective June 1, 2014, the Prothonotary's Office will no longer accept paper filings of any kind, so says the Westmoreland County Court of Common Pleas Board of Judges. As of that date, only electronic filings will be accepted.

In a move that caught everyone by surprise, the Board of Judges, who already had been on record as opposed to e-filing ("The work of the goddamned devil," according to one jurist), dramatically reversed its position by majority vote at their last meeting. In announcing the decision, retiring President Judge Gary Caruso remarked that while the quick and completely unexpected transition would be difficult, and that while he personally didn't like the idea, he had no reservations about making those he left behind after his retirement as miserable as possible. "In fact," he smirked at this reporter, "I kind of like it."

The recently retired Judge John Blahovec and Judge Alfred Bell, also retiring in the very near future, could not be reached for comment, but are believed to be in accord with their colleague's sentiments.

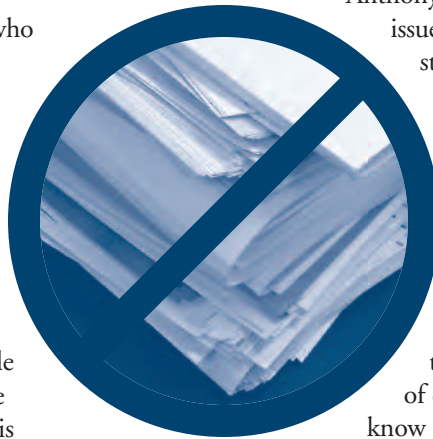
"There will be problems, of course," Judge Caruso went on with a chuckle, "because we're not set up for it yet, we don't have a program in place for e-filing, and there's no way the Prothonotary can possibly be ready in time, but those are just some of the

challenges we, or rather everyone else, will have to overcome. I mean, gee, we've survived computerized research, we've survived the influx of all the new judges, I'm sure we can survive this, too."

Another judge, who declined to give his name, was not so sure. "Lookit," he said, "I don't want to go out on a limb here, but doesn't this involve the use of computers?"

Horton Miniscule Bellweather II is the president of Drecksis Fekachkt, the Philadelphia software company engaged by the county to develop the e-filing software. "Yes," he said, "we should have the Prothonotary's Office up and running in about eighteen months. It will take us about six months to write and install the software and then about a month for the training of Courthouse employees. After that, we figure another eleven months or so to train the members of the bar."

When reminded that his firm created and installed an e-filing system in a neighboring county in less than six months, including training, he responded, "Yes, but this is the Westmoreland County Bar we're talking about."




The Bar Association membership apparently has been caught completely off guard by this decision. The first official response came from the Family Law Committee, whose Chairman,

Anthony Sampson Tostitos, issued a strongly worded statement. "We take great umbrage at this blatant attempt to deprive us of clients who could pay us. This is worse than Obamacare, this is the end of civilization as we know it, and an act of

pure tyranny. Just like our family law brother and sister practitioners in the American Revolution before us, we will stand together against oppressiveness and in favor of charging fees."

When asked what e-filing had to do with charging clients fees, Mr. Tostitos replied, "Everything does, it's all the same thing."

One question appears to remain unanswered. If the Prothonotary's Office will no longer accept paper filings starting June 1, 2014, and if the office is not ready to accept e-filing for at least eighteen months, what are the attorneys supposed to do with their pleadings?

"I have a suggestion," offered Judge Caruso with a smile. 

Presidents' Message

That's What We Said

by Every Past and Present President of the Westmoreland Bar Association

Editor's note: At the U.S. government's highly secret Word Application Lab located in the desert some forty miles southeast of Albuquerque, scientists are working on the underlying meaning of all things said or written by primates.

Going down a long corridor on the first floor, just past the large room where ten thousand monkeys are busily pecking at their typewriters, we entered the office of Clement Venue, the supervisor of what is referred to as X-27, one of the laboratory's many projects. Dr. Venue, a pleasant balding man in his 50s, welcomed us and explained some of the lab's programs.

"I suppose you noticed the monkeys," he said with a grin. "They are not one of our major successes; our goal was to have them reproduce 'King Lear,' but so far, the results have been amateurish and crude. The committee supervising the subject is certain that in none of Shakespeare's plays is there a scene depicting pole dancing.

"I'm delighted, however, with the progress my group has made in developing a supercomputer that will decipher the underlying meaning of

what we say or write in our attempt to communicate. As lawyers, wouldn't it be interesting to know what pronouncement a judge is making about your worth when he says, 'overruled'? We started our work back in the 90s when we became intrigued by President Clinton's query: 'What do you mean by "it"?"

"But, of course, we have had our ups and downs. For instance, we fed the computer James Joyce's 'Ulysses,' and the only feedback was an intermittent belching sound. However, we had a real breakthrough when we scanned in the Magna Carta and found, as some scholars had suspected, that it was the king's shopping list, intended for the greengrocer."

As we said goodbye to Dr. Venue, we asked if we e-mailed him back issues of "the sidebar," would he and his group scan them into the computer in the hope of fathoming the meaning of what, over the years, has appeared in the column "President's Message"? He said he would be happy to do it, and we are now pleased to present to you the unedited result.

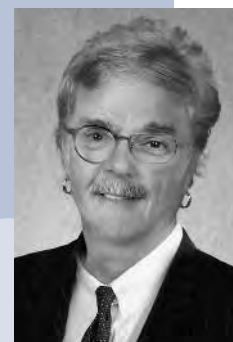
Nuts! Nobody likes us and I don't like you too much myself. To be candid, there are a number of you who I really can't stand, but I can't say that in print. If the public ever saw you at a deposition, they would know how much of a clown you really are.

So what are we going to do about it? My predecessors and I have encouraged you to do something for the benefit of the community, yet no word has gotten back to me that any of you have rushed into a burning building to save its occupants, or donated a kidney to the community food bank.

We have encouraged you to denounce the crass legal advertising that now appears on television, but despite our urging, it still goes on. Maybe that's because it has proven quite profitable and we would all do it if we could afford it.

Civility has been urged, but it's just too much fun to mock our ignoramus colleagues and clients for their pathetic shortcomings. Despite all this, let's look at the positive difference we could all make if we just got up early, showed up on time, and returned our phone calls. It's that simple, and the thought of your doing it makes me still regard you as a jerk, just less of one.

In closing, let me add that in the entire universe there is no better place to practice law than in Westmoreland County, with the possible exception of the isle of St. John. 🍷



▲ The X-27 supercomputer analyzed every President's Message ever in an effort to decipher what our fearless leaders really were trying to say.

Remembering Harvey Weatherwax

Editor's note: Harvey Weatherwax shuffled off this mortal coil on April 1, 2014, survived by his dog, two cats, a staggering cable bill, and his most recent significant other, Kim Nebulous. He was apparently cremated later that same day by person or persons unknown.

by Landis Spillbury, Esq.

Oh, let me think, I sort of remember first meeting Harvey in the summer of '73 when I appeared in court on behalf of a client to present an uncontested motion for a change of name. Harvey was sitting in the back of the courtroom scratching himself and when Judge Selfie asked if anyone was there to oppose the request, Harvey stood up and voiced his opposition. He had no client, but as he explained over the lunch I agreed to buy him if he withdrew his objection, it was nothing personal, he was just hungry.

He had a good laugh about it and I was able to extract a promise from him to never do that to me again, ever, by giving him money for dinner. I must say, he was a man of his word: he never did that to me again for several months. That was Harvey.

For years after, I would see him handing out his cards in the Courthouse cafeteria. We always exchanged brief pleasantries, he would ask after my children, I would tell him to have a highly personal encounter with himself, and I would part company with the warm feeling that only ever comes from hoping to never see him again.

I'm not sure if Harvey had a special area of practice or not. I'd see him in Orphans' Court, Criminal Court,

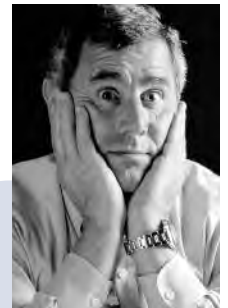
Civil Court, always with overstuffed briefcase in hand and not a client in sight. I'll say this for him, though: he was always willing to take any kind of case no matter how high or petty. Whether I was doing a traffic ticket matter before a District Justice or a certiorari petition before the state Supreme Court, no matter the size or importance of the case I had at hand, Harvey was frequently there, looking for work.

I can't say for sure whether Harvey actually won a case, or even ever had one, but that never slowed him down. Every morning, seven days a week, he was at his desk at seven a.m., and he stayed there diligently until seven p.m. at night. He probably never had any reason to leave it, but it was of no moment to him. He was always there, ready to do battle if battle ever became necessary.

In fact, it was at his desk that his long-time, adoring secretary found him shuffled off. "It's so sad," she told the police, "but he must have had a premonition the end was near because I just typed his new will yesterday. That bastard left

everything to Kim—can you believe it? You'd think he'd leave something to me after all the things I did for him over the years, if you catch my drift."

She was unable to explain either the burn marks all over Harvey's body or the blunt-force wound on the back of his head that seemed to come from a metallic coffee mug with her name on it, found laying on the floor behind his desk chair. 🧐



▲ Harvey Weatherwax

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the **sidebar**

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AOPC Formally Announces Judicial Vacancies

For the first time since that awful quagmire in aught seven (1907 for all you whippersnappers out there), when the judicial vacancies were settled by a tag-team mud-wrestling contest in which the Honorable Horace Quincy Trufflemire and the Honorable Matthias McHenry McNughts muddled the bejesus out of the Not-So-Honorable Shiver Meight Imbers and the Even-Less-Honorable Ralph Enallice Cramdin to claim the open seats, our county has at least three judicial vacancies looming on the horizon—sorry, the other two seats currently occupied by judges you have long-hoped would drop dead are not yet vacant—and both the AOPC and the



WBA are currently accepting applicants for these positions.

The qualifications to be a judge are set forth in the Pennsylvania Constitution; if you know how to find it, you're qualified. The AOPC has correctly stated that neither a law degree nor proficiency in the law is actually a requisite for the job, a clarification which should give great comfort and hope to a number of colleagues considering a mad scamper for the job.

The AOPC carefully guards the secrecy of the applications and does not release the names until after the filing deadline has passed. The reasons for this are pretty obvious. It wants to safeguard the privacy of the applicants and wants to insulate them from political pressure for as long as possible. Nonetheless, we know that a number of our local colleagues have applied

and we know who they are. Needless to say, journalistic ethics prevent us from disclosing the information, as does the potential for being implicated in the break-in.

Of course, the vacancies will not be filled by election for up to two years, and that means our courts will be missing three jurists until then. There has been some suggestion that the Governor will fill those vacancies by appointment and that he will accept recommendations from local state representatives. Given the antipathy between the Governor and the Chief Justice of the state Supreme Court, it now appears unlikely that there will be any interim judicial appointments. That leaves a number of would-be applicants up in the air, and has sent at least three of them running to their state representatives to get their money back. 🧐



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Celebrating the Career of Judge (Your Name Here)

With the recent influx of judicial retirements, *the sidebar* is having difficulty keeping up with who is on or off the bench, as well as soliciting and publishing praiseworthy salutes for those heading for the exit. Therefore, future judicial retirees are being asked to consider using *the sidebar's* new online form, where, by filling in a few blanks and checking some boxes, you can mold, in less than ten minutes, a suitable article favorably reflecting upon your career.

The form provides a variety of topics to choose from, so as to lessen the chance that you and the judge in line behind you will produce the same piece. They include, for instance, well written, easy-to-read paragraphs, such as: why being a judge is not as much fun as it used to be; the advantage of getting out before the legislature changes the pension benefits; a list of fictitious names of people you admire who helped you to be a better judge; and, your hopes that the judge replacing you will be sufficiently inept, so as not to make you look bad.

To get the form, go to www.westbar.org and click on the following: Publications > the sidebar > So-long-good-old-what's-his-name. 🧐

“Sneeze Shield” Centerpiece of Westmoreland’s Witness Protection Program

For decades, federal prosecutors have been offering protection to low-level operatives involved in organized crime, creating new identities and establishing undisclosed residences in exchange for incriminating testimony. But what about the average Joe or Jane called to court to testify in both civil and criminal trials on run-of-the-mill cases?

Until now, they were lucky to get bus fare and a thank you. But that may be about to change in our county. A panel of lawyers, judges, and the court administrator are developing a program which could result in better treatment of witnesses, insulating them from the negatives, which in the past, took most of the pleasure out of offering testimony.

To begin with, the panel took a look back to a practice which existed until the late 1960s—that of keeping a few donated sport coats in each courtroom to spiff-up male witnesses, so they didn’t look so slovenly. Women, however, were on their own, but to be honest, were, with a few exceptions, better dressed. The panel will recommend a pre-trial fashion review where counsel will present to the court photographs of prospective witnesses appearing in the clothes they intend to wear to court. The judge will either approve the chosen attire or order counsel to purchase \$600 gift

cards from either Brooks Brothers or Macy’s, to be sold out of the court administrator’s office, so witnesses will not feel self-conscious about their appearance.

The panel’s soon-to-be-released report will urge the trial judge to

instruct each witness that they are entitled to interrupt counsel at any time and inquire as to the need, reasonableness, or motive relative to counsel’s line of questioning. This, the panel concluded, will prevent witnesses

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LawSpeak

“It is forbidden to kill; therefore all murderers are punished unless they kill in large numbers and to the sound of trumpets.”

— Voltaire



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“Sneeze Shield” Centerpiece of Westmoreland’s Witness Protection Program *continued from page 5*

from feeling pressured, and, at the same time, heighten the pursuit of what has become our collective national goal: transparency.

The panel’s minority report recommends, among other things, permitting witnesses to be armed, but that proposal was rejected for the time being, until a pilot program in the district magistrate courts is complete.

Because of the above, the county maintenance department is now working on the construction of eleven six-by-three-foot Plexiglas shields to be interposed between the counsel table and the witness stand (since it was argued that with the new give and take between counsel and the witness, the good nature of the bar might be put to a test) to protect witnesses from physical attack. So as not to alarm jurors, the court will instruct counsel to refer to it, if need be, simply as a “sneeze shield.” 🛡️

Lawyers’ Exchange (Free to all members of the WBA)

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ASSOCIATE WANTED for Nils H. Ljungman & Associates, intellectual property law firm in Greensburg. Interest in technology desirable. Some technical background helpful. Recent graduate welcome. Reply to Diane Krivoniak at dk.wba@verizon.net or by mail to WBA, 129 N Pennsylvania Ave, Greensburg, PA 15601.

Increase in Court-Appointed Fees Sparks Economy

The Bureau of Labor Statistics has confirmed that the sharp rise in employment and consumer confidence can be attributed to a single source: higher fees for court-appointed counsel.

“We missed the boat on this one,” said Nobel-Prize-winning economist and nanny, Paul Kluggman. “Who would have thought that our dismal and depressing economic recovery could be turned around by giving a few extra dollars to court-appointed attorneys in a single county?”

Other experts point out that the expanded fees were symbolic, giving hope to a beleaguered workforce, which was now apparently convinced that if lawyers representing indigent criminals could get a pay increase, anyone could. Fast-food workers, whose standard of living has always been on par with that of young lawyers, were equally encouraged, calling the event a breakthrough. One young lawyer, who asked not to be named, said she was delighted, because she could now afford to buy a cat. 🐱

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foundation focus

Mandatory Pro Bono Looms On The Horizon



Like the omnipresent logo on the right side car mirror, it's a lot closer than it appears. On September 14, 2012, Senator Ima Putz (D, Lackanuttin County) proposed a bill which would establish a mandatory pro bono requirement for every law student applying for admission to the Bar of the Commonwealth. Intended to become effective June 1, 2014, Senator Putz's law would require every applicant for admission to the bar to agree to have completed fifty hours of qualifying pro bono service as a precondition of admission. Qualifying pre-admission pro bono work must have been performed under the supervision of: a member of the law school faculty; an attorney admitted to practice in good standing in the jurisdiction where the work was performed; or a judge or attorney employed in the court system.

Putz's brainchild is intended to provide legal assistance to those who would otherwise be forced to maneuver through the legal system unaided. It is also intended to help prospective attorneys learn how to lose.

Strangely however, seasoned members of the Bar are exempt from this obligation because, as Sen. Putz explains, they have already developed a keen aversion to the poor and underprivileged.

Although well intentioned, the proposed legislation has met with

resounding opposition. Calling it "Putz's Revenge," many lawyers are comparing it to indentured servitude. Critics maintain that the inexperienced law school graduates who take on the responsibility of this work, frequently against experienced would-be lawyers, will get their asses handed to them.

"Not a big deal," respond the advocates. "These are poor people, down and out, the victims of society's cruelest hoaxes. They're losing their homes, their jobs, their kids, their credit, and their cars. Losing a lawsuit now and again can't possibly make their lives any crappier."

In an effort to reach a compromise, Putz's supporters have offered an amendment which would pass the responsibility for pro bono work from law school graduates to the established, well-to-do practitioner, those who "don't need the money."

The proposed amendment provides that every lawyer who has been admitted more than ten years and who is financially secure, of good moral and professional standing, shall annually provide proof of completing fifty hours of pro bono work.

Opposition to that proposal has been somewhat less than the original proposal, except for the reaction of the

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foundation focus

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Family Law Committee who has issued a broadside: “Youns are taking the bread and butter right out of our mouths,” it proclaims. That committee has already held its third and fourth emergency meetings to make certain its members were completely united in opposition to pro bono and to assure that they all know how to spell it.

It remains to be seen how this plays out in the Commonwealth. The needs of the poor for legal representation are indisputably well documented, but there remains stern opposition from many lawyers who insist that they already do plenty of it on an informal basis.

“All of us,” they universally maintain, “do pro bono work when we refer our country club members to our corporate lawyer partners and don’t charge for the referral. We also represent our caddies at half our \$500-an-hour rate, provided we get free golf lessons, of course, and we almost never sleep with our female clients. What more do you want from us?”

Models Wanted

Calendar to Reveal the Naked Truth

The Westmoreland Bar Foundation is pleased to announce its First Annual Attorney Pin-Up Calendar, established to further its mission to provide scholarships, law-related education, community partnering projects, legal services, and free health insurance to WBA members.

If you wish or drool to volunteer, and if you are able-bodied looking, you can strike the pose of your choice for one of the calendar months during the year 2015. That means twelve for those of you who are calendarly challenged. Yes, we know this sounds perverse,

but all we need for you to do is pose in front of a camera the same way you are currently posing at home in front of your mirror.

The Foundation has secured the volunteer services of several local photographers who are dying to see a naked lawyer. When finished, the calendar will be available for sale to the public. The price will be \$100 for members of the general public, \$200 for forensic ornithologists, \$300 for former clients, and \$500 for convicted sex offenders.

Our models will have a variety of choices regarding their pose:

- **BOUDOIR.**

Nude with see-through vest, open crotch knee socks, large lollipop.

- **NATURAL.**

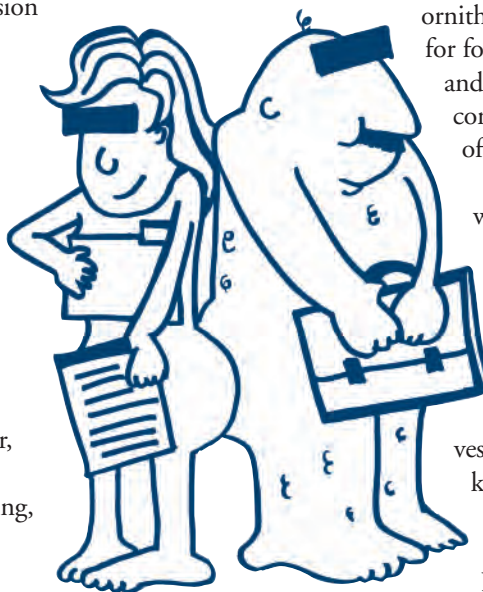
Nude with all blemishes, ages spots, scars, fat creases, and warts


air-brushed out. Optional: bald spots filled in. For male or female.

- **STUFFY CONSERVATIVE.** Nude with vest, moustache, and knee socks held up by suspenders.
- **MAPLETHORPE KINK.** Nude with paper clips, stapler, corduroy and stained antimacassars.
- **THE FULL MONTY.** Completely nude, slathered in widespread English breakfast.

Although only twelve colleagues can be included in the final version of the Pin-Up Calendar (unless you’re Jewish, then thirteen), all photographs will be posted on the Bar Association website and on the Courthouse bulletin board.

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To-Wit: Go To Hell

by S. Sponte, Esq.

I've had enough of this crap. I quit. You think its fun every two months or so coming up with this sh**? You think it's easy to sit at the computer until blood seeps out of my forehead just so's I can provide you with a guffaw or two?

It isn't. When I started this column thirty-eight years ago, it was just on a whim. I was getting a massage at the "Y," see, and the masseur had me on my back and was spreading my legs in two different directions and I thought to myself: one, "I hope he's enjoying the view," and two, "This is just what the judge did to me today."

That's when this whole "S. Sponte" thing occurred to me. It was just a joke. Now, three hundred columns later, I'm done, I haven't got anything more to say.

And the pressure? Oh my God, do you have any idea what its like to be a

revered icon? No, of course you don't, look who I'm talking to.

I get these letters, "Oh please keep it up." Yeah, like that's going to happen.

“All I ever wanted was to be the best damned lawyer in the county. Well, I accomplished that my second year of practice.”

"You are the only reason I read the magazine." "I can't wait for your next article." "Don't ever stop." "What are you doing this Saturday night?"

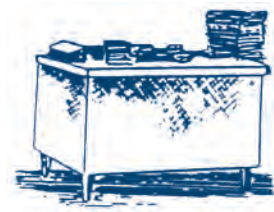
I never wanted to be revered, that was your idea. All I ever wanted was to be the best damned lawyer in the county. Well, I accomplished that my second year of practice.

So this is my last column. You're not going to have S. Sponte, Esq., to kiss around anymore. But I'll tell you what I do want. I want a dinner in my honor. I want to be celebrated by all of you. It's the least you can do for the guy who has entertained you with unsurpassed wit and style for nigh on to forty years. And I don't want to have to pay for my own dinner like last time.

So you know where to find me. I like my steak rare. Otherwise you can all go to hell.

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Can't get enough Sponte? Too bad. I told you I'm not writing anymore. Didn't you read the article? Putz.



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Ex-Navy-SEAL-Turned-Lawyer Focuses on Boundary Line Disputes

“He’s a God-send,” said Diane Krivoniak, Executive Director of the Westmoreland Bar Association, speaking about new WBA member Burt Ransom.

“Before he opened his office on Alwine Avenue, the Lawyer Referral Service had the impossible task of trying to find lawyers willing to take on boundary line cases. Even lawyers who had experience handling cases for members of some of the

Mexican drug cartels shied away, unwilling to expose themselves to the danger and abuse which accompanies representation of adjoining property owners.”

“When I saw Burt wearing a bulletproof vest and a sidearm at his swearing in,” remarked Judge Anthony Marsili, “I thought he may be the answer to one of the court’s long-standing problems. Since going on the bench, I have only seen nine of these cases, and three have resulted in lawyer or client fatalities, all before preliminary objections were

decided. It is the type of litigation which brings out the worst in people.”

Mr. Ransom, at six-foot-four and 260 pounds, cuts an imposing figure.

His voice is soft, but penetrating, as he focuses his steel-blue eyes upon the listener. He believes that his Navy experience has prepared him for work that other members of the bar hope to avoid, and his unrelenting goal is to convince the adjoining property owner that engaging in

litigation may well have life-changing consequences that may not have been immediately recognized by the owner.

“Property rights are an emotionally charged subject for many people,” he says, with a shy smile. “I just try to make them understand, through my

“I just try to make them understand, through my unique powers of persuasion, that there are worse things than losing a few feet of ground.”



▲
Burt Ransom

unique powers of persuasion, that there are worse things than losing a few feet of ground.”

Though new to our bar, Mr. Ransom will offer a CLE at the Bench/Bar Conference, entitled “Fear Induced Mediation.”

On the personal side, the single-and-not-seeing-anyone Mr. Ransom lives in a small apartment above his office. He relaxes by listening to classical music and spending his off hours as a bomb squad volunteer with the Pittsburgh Police Department. 🍌

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Better Late than Never

CLE on Procrastination a Big Hit, Despite Sparse Attendance

Notwithstanding the smallest attendance of any CLE in memory, University of Pittsburgh law professor Laurence Glib mesmerized the seven WBA members in attendance with his program entitled, “Why Do it Now?” Professor Glib, widely known for his progressive ideas in the fields of procedure and legal ethics, is an advocate for delay and procrastination as the basis for a successful law practice.

“Most lawyers,” he said, “do themselves and their clients a disservice by acting precipitously and trying to reach solutions to legal problems in an expeditious manner.” Delay and indifference to deadlines is a talent not taught in law schools, but one which he believes should be cultivated by the

practitioner in search of higher professional standing,

Time and again, he pointed out, using colorful anecdotes, how lawyers

“Delay and indifference to deadlines is a talent not taught in law schools, but should be cultivated by the practitioner in search of higher professional standing.”

labored tirelessly over the preparation of a brief, only to read in the morning paper that the Supreme Court had

changed the law after the brief was submitted. Someone has to pay for this waste of time and it is usually the client. The professor anticipates that it will not be long before we see clients filing malpractice actions alleging “gross diligence.” “Had these lawyers been late with their briefs,” he argues, “they would have avoided substantial embarrassment, and earned the client’s admiration. And there is no downside to doing this, for as we all know, judges never read briefs in a timely manner, if at all.”

The advocacy group What’s The Rush estimates that in a country of our size, the bar loses over 8,700 hours a year by being on time for court appearances. Yet, most

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CLE on Procrastination a Big Hit, Despite Sparse Attendance

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lawyers continue to be prompt even though they know that the court has scheduled a dozen or more hearings or arguments, all for 9:00 a.m.

Professor Glib points out what we all know to be true: “Somebody has to arrive last, and it might as well be you.” He suggests that even if you are perpetually late for court and the judge finds you in contempt, resulting in your spending the night in jail, in the long run you are still ahead of the game by embracing procrastination.

Rushing to be on time or to meet some arbitrary deadline causes stress, which is a known cause of numerous illnesses. With that in mind, he also advises lawyers to postpone as long as humanly possible returning a client’s phone call, since whatever they have to say will likely do little to increase the lawyer’s opinion of them.

The fortunate few who were, by chance, at the WBA office and took in the CLE (for some reason, notice of the event was sent out a few days

later), learned that while the Constitution provides a right to a speedy trial to those alleged to have committed a crime, many so charged would just as soon put off their day in court in the hope that the passage of time and unanticipated events might improve their prospects; and many lawyers feel the professional obligation to oblige them.

According to the professor, procrastination has been unfairly maligned, pointing out the cautionary aphorisms which speak in its behalf, such as: “All things come to he who waits”; “Look before you leap”; and the biblical, “The last shall be first.” Even Shakespeare, in listing the things we are expected to bear in life, has Hamlet mention “the law’s delay.”

He concluded his lecture by praising the succinct conclusion of one of our best procrastinating practitioners, who said: “If you wait til the last minute, it only takes a minute.” 🧐

correction\$ AMPLIFICATIONS



In our February “Where In The World” article, we ran a photograph of **Jim Kelley** with an imposing Rococo structure in the background. The building, however, is not the St. Peter Stiftskeller Restaurant in Salzburg, as we reported, but rather, the west entrance to the Arnold Municipal Building, apparently photographed on one of Jim’s earlier vacations. Nice try, Jim. 🧐



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A Recent Trial Term

Jury Trial Verdicts

Of thirty-one cases listed for a recent Civil Jury Trial Term, one was decided by a flip of the coin, four were conducted as trials by combat, three were laughed out of court, twenty were continued due to lack of interest, and three jury trials were held.

**STEINWAY
V.
BALDWIN**

Plaintiff brought this medical malpractice action against his physician for a surgical misadventure in which Defendant removed Plaintiff's brain instead of his tonsils. Returning a special verdict for Defendant, the jury determined that this was a case of *damnum ab inuria* and that Plaintiff could still have a career as a lawyer.




**SCHVANTZ
V.
KISHMER**

In this action, Plaintiff sued Defendant for rear-ending him at a stoplight. Plaintiff based his entire claim on the assured clear distance ahead rule, even though this was not a motor vehicle accident. Jury found for

the Defendant, noting on its verdict slip that it might have found for the Plaintiff had Plaintiff's counsel been as good looking in person as he appeared in his television ads.

**JUM PING
V.
JAY HOSAFAT**

In this collection case, Plaintiff, the owner and chef at a local Chinese restaurant, brought suit against Defendant to collect for an enormous bill Defendant incurred while dining at Plaintiff's luncheon buffet. Defendant argued that it was an "all-you-can-eat" buffet, but Plaintiff insisted that after Defendant's fifteenth trip to the buffet table, he told Defendant, "That's all you can eat." Verdict for Plaintiff, plus fifteen percent tip. 

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Lawyer Museum and Park Begins Second Year

A little over a year ago, the Pennsylvania Lawyer Museum and Park opened its doors in the attractive town of Bellefonte. Glenn Gosling, a recently retired law clerk, who, during his thirty-eight-year career, had the opportunity to observe his fellow lawyers objectively, is the museum's curator. In an interview, he explained the purpose and need for this unusual facility, said to be the first of its kind in the nation.

"There is," Mr. Gosling pointed out, "a great deal of curiosity about the bar and where its members fit in the larger picture. That is to say, what is their place in the natural world? How do they fit into the planet's ecosystem? What do they eat, and what makes them laugh, are questions that we believe fascinate the public. With a grant from the PBA, scientists from the Planet Green channel are ranking all life forms to determine their respective usefulness and contribution to the planet. While the numerical ranking is still secret, sources close to the project hint that lawyers are clearly ahead of crows, but still a few points behind bandicoots. While lawyers outscore the bandicoots on their work ethic, the bandicoots leave the lawyers in their dust in the cuteness category. When the study is complete, we hope to devote a special exhibit to its findings."

On entering the museum, one sees a large mural depicting Moses and his son-in-law, Jethro—history's first court administrator, who wears a pained expression as if anticipating all the judges and lawyers he will be forced to deal with. The various galleries are each devoted to different types of practice. In the orphans' court gallery, there is a



▲ *The proposed "Hall of the Immortals," set to open in 2015.*

bust of Morton Fist, who went down with the *Titanic* in 1912, and is remembered as the last lawyer to have included a decedent's wristwatch as an asset in an estate inventory.

In the tort bar section of the civil gallery, there is a challenging interactive display which allows visitors to try to calculate in their heads contingent fees as a computer flashes out various offers and demands in a simulated settlement conference. Here visitors can see if they have what it takes to be a plaintiff's lawyer.


The criminal law gallery has, among other things, a historic exhibit dedicated to the stalwart prosecutors who have guarded public safety by

denying ARD to the contrite and repentant.

Going back into the rotunda, one sees a large banner announcing "Lawyers in the Food Chain." This display challenges the stereotype of the lawyer as a predator. In a colorful and detailed diorama, which is not for the faint of heart, it depicts the average trusting lawyer as prey, being gobbled up by predator judges, other lawyers (often of the opposite sex), packs of jurors, office overhead, insurance companies, angry clients, and the media-bird, which dines exclusively on wounded lawyers. This mesmerizing display depicts with clarity life in the legal jungle.

Before leaving, a visitor should stop in the family court gallery, at least to see one exhibit demonstrating how, through evolution, family court lawyers have developed a skin 60% thicker than other legal species, and 250% thicker than the general public.

The park aspect of the facility is in the works. Mr. Gosling explained that plans for it were being developed by the board's superlawyer subcommittee, whose members did not wish to share museum space with "those other lawyers." The subcommittee has engaged an architect to design a structure that will be a replica of the Temple of Artemis and upon its completion in 2015, will be named the "Hall of the Immortals."

The museum is open Monday through Friday, 8:30 a.m. to 4:00 p.m. Admission is free for members of the bar. All others pay a nonrefundable retainer of \$45, plus \$10 an hour (seniors and injured persons with unsettled claims, \$35/\$8). 

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the sidebar to Re-Launch as Tabloid

You know it's true; a WBA member could be deported to Bosnia to face war crimes charges and no word of it would be reported on these pages. That is because we have always had a light-hearted approach to bar news. We chronicle awards, committee meetings, lawyers who help old ladies cross the street, or veteran Courthouse employees, whose hobby may be downloading pictures of puppies from the web. But we never write anything bad about anyone. Isn't that nice? As a result, we have disseminated an image of the practice of law being sheer fun.

In contrasting this with reality, however, lawyers—many of them young—may question why they so frequently feel anxious and exhausted (“I’m sorry to tell you, counsel, that in this type of case the Statute of Limitations is two years, not four.” *Fun.* “By your failure to answer requests for admissions in a timely

manner, you have admitted all the facts alleged by your opponent.” *More fun.* “I just spoke with the district attorney, and he asked me to inform



you that we will be seeking the death penalty for your client.” *Really fun).*

So, in an attempt to create a more accurate portrayal of our legal world, with our next issue we will be switching to a tabloid format where we will report on the somewhat darker side of the practice. We will address disciplinary actions against lawyers

and opine on future candidates for the same; judicial reversals will be pointed out for those who don't read the advance sheets; we will have exposés, similar to our article last June on judicial naps; S. Sponte, Esq., will be less restrained in his assessment of life at the bar; and in the *Westmoreland Revisited* space, we will deal with more contemporary history starting with a three-part article entitled, *Shysters and Frauds of Recent Memory*. Also, our photographer, Nick Gotcha, has a tiny new camera with night vision capabilities, and will be haunting the parking lots at WBA events.

So, although our articles and photos will be somewhat different, we will still have fun. In fact, we think future issues will be awaited with greater anticipation and we can only imagine the pleasure many of our readers will experience when they come to the end of each issue and can say with a sigh of relief, “They didn't mention me.” 🤖

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CALENDAR OF EVENTS

APRIL

- 1** Bi/triannual April Fool's issue of *the sidebar* magically appears
- 3** Weekly Family Law Committee Meeting
Topic – How To Make More Money
- 10** Weekly Family Law Committee Meeting
Topic – How To Make More Money
- 14** Elder Law Committee Meeting
Topic – How To Remember Clients' Names
- 15** Elder Law Committee Meeting
Topic – When The Hell Did We Last Meet?

MAY

- 1** Employer Law Committee Meeting
Topic – What's The Matter With Kids Today? with Guest Speaker Chattersworth Reaming III, author of "Those Babies," an anecdotal history of the humorous and touching side of child labor. Discussion of misguided statutory prohibitions and straw vote favoring repeal to follow.
- 9** Editorial Board Committee Meeting
Topic – Damage Report
- 19** Real Estate Committee
Topic – Dirty Deeds
- 21** [CLE] One-hour Lunch and Learn: How To Get Credit for CLEs You Didn't Attend – 12 credits (10 sub, 2 ethics—done for the year, baby!)
- 29** Family Law Committee Whine and Hard Cheese Tasting

LAWYERS UNCONCERNED FOR LAWYERS CORNER

- The two-step IRS lien-relief procedure will be presented by Professor I. M. Agoniff at the next meeting of Spenders Anonymous. Professor Agoniff, author of "Giving The IRS The Two Step," holds the Koch Distinguished Faculty Chair at St. Pete's School of Law and Catering, and he refuses to return it. 3 CLE credits are available. \$35 at the door, but free for any attendee whose empty-pocket circumstances result from a recent binge.
- Idiots Anonymous will present a Bridge the Gap seminar for those colleagues who, despite at least ten years in practice, are still dumb as a stump. Learn the basics of practicing law for a change, huh, especially if you've got the hots to be a judge. Topics include "Statute of Limitations: Bad," "Commingling Funds: Very Bad," and "Petitions and Motions: Learn The Goddamn Difference." Admission free, sponsored by The League of Legal Malpractice Insurance Companies.

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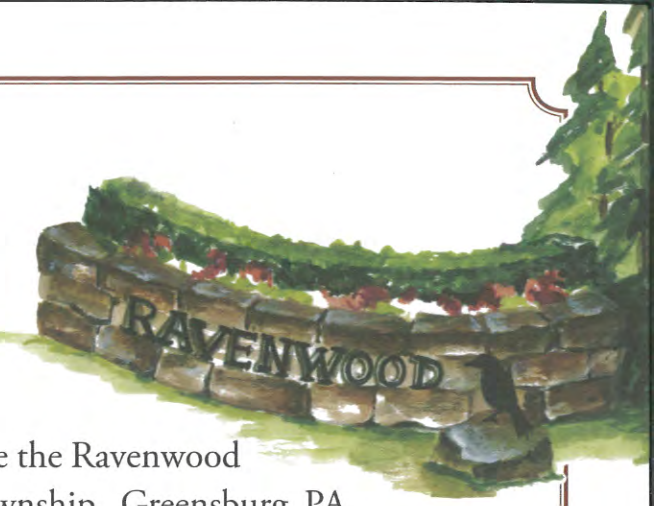
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Please visit our website at www.ravenwoodhomes.com. You will find more information regarding each available lot, including acreage and orientation within the development. Also included is information about the surrounding area and answers to some of the most frequently asked questions. Please contact us to learn more about Ravenwood, and to schedule your own personal tour.

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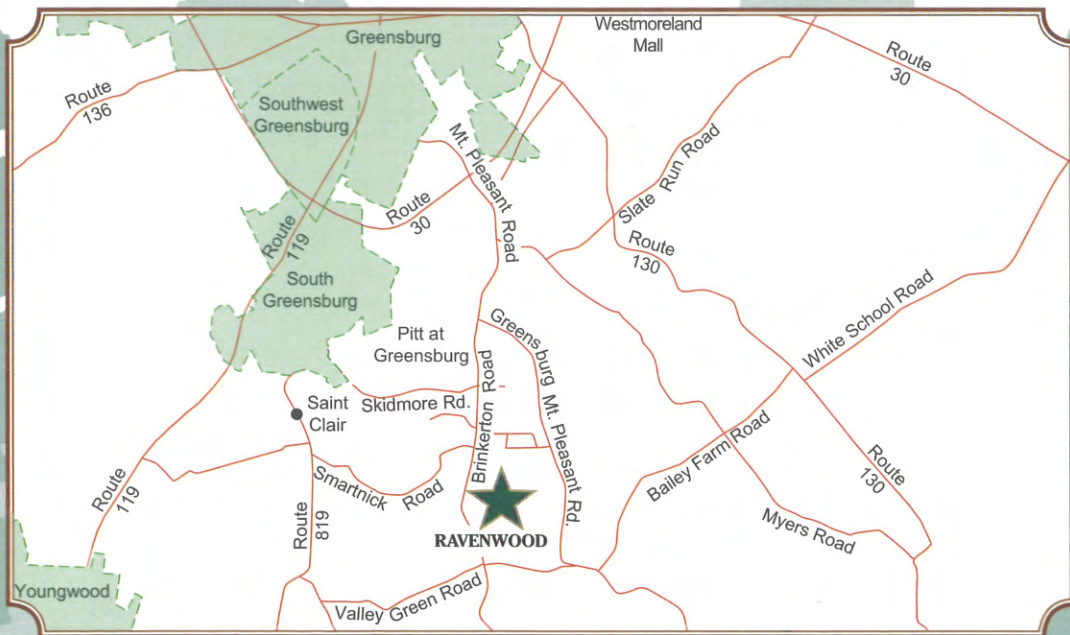
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Understanding the Child Welfare System 201 *

— LIVE —
1.5 Substantive Credits Available

Hosted by the training committee of the Westmoreland "Children's Roundtable," this seminar will include information about:

- Explanation of what it means for a case to be in "treatment" or "ongoing" Understanding the CPP and FSP
- What are they and what are the differences
- How the goals are developed
- How the goals can be used to move a case to closure and success
- How these are used for Concurrent Planning

Speaker: **Jason Slonceski**
Westmoreland County Children's Bureau - Caseworker Supervisor

1.5 Substantive Credits are available toward your annual CLE requirements.

You may pre-register for this seminar by visiting the westbar.org website. You must "LOG IN" to register OR submit the form below.

Understanding the Child Welfare System 201 May 16, 2014

Name: _____

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Pre-Registration Fees

CLE Credit:

WBA Members - \$30 per credit hour (1.5 credits = \$45)

Non-Members - \$50 per credit hour (1.5 credits = \$75)

Non-Credit:

FREE

To qualify for Pre-Registration Seminar Fees - Please return this form and your payment to the WBA Office, 129 North Pennsylvania Avenue, Greensburg, PA 15601, by **12 pm May 15, 2014**.

Friday,
May 16, 2014
12:00 pm - 1:30 pm
WBA Headquarters

Seminar Fees:

PRE-REGISTRATION:
(Must be prepaid & received at the WBA office by 12 pm May 15, 2014)


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WBA Members- \$30 per credit hr.
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WALK-IN:
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Non-Members - \$50 per credit hr.

Non-Credit
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Lunch will be provided.
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We invite you to join us to learn how to use various research efficiency tools to streamline the legal research and legal drafting processes and to retrieve strategic information for litigation.

Wednesday, May 21, 2014
12 pm to 1 pm

Westmoreland Bar Headquarters
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Legal Research Updates and Enhancements

Speaker
Cory Daschbach

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Topics of Discussion
Case Law, Shepard's, Public Records, search filters, browsing TOCs, the Legal Issue Trail and Topic Summary Reports

Registration Form

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Return the form to the WBA office by 12 pm on May 20th