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THE NEWSLETTER OF THE
WESTMORELAND BAR ASSOCIATION
VOLUME XXVII, NUMBER 6
JANUARY 2016

Renee Williams Named New Director of Laurel Legal Services

by Pamela Ferguson, Esq.

With more than a decade of community service under her belt, Renee Williams, Laurel Legal Services' new Executive Director, understands the legal needs of lower-income and indigent families. Whether she's mentoring at-risk children through Big Brothers/Big Sisters, offering comfort and compassion to hospitalized infants and children awaiting surgery at Children's Hospital, or advising clients of Christian Legal Aid of Pittsburgh, Renee's focus is on improving the lives of those less fortunate.

The impetus for Renee's philanthropy was a life-saving liver transplant she received when she was only fourteen months old. Because of her gratitude for what she describes as her "fairy-tale life," Renee lives life to "pay it forward."

In 2012, she was recognized for her volunteerism when she was chosen to be a *Pittsburgh Magazine* "40 under 40" honoree. Renee accepted the honor, stating humbly that volunteering "gives you that personal connection ... and allows you to see that something you're doing is directly and immediately making someone's life better."

Clearly, she is an ideal choice to take over the helm of an organization whose mission statement is "to ensure access to justice for the disadvantaged." While her decision to work for Laurel



▲ *Laurel Legal Services Executive Director Renee Williams*

Legal Services was one grounded in her commitment to help others, it is far from the career path she originally chose.

Determined to pursue her passion for the performing arts, Renee earned a B.A. in theater from Point Park University and moved to Hollywood to work on the set of "The Young and the Restless." After a year of "learning the business," Renee decided that the glitz and glamour of Hollywood were not for her and that she wanted, instead, to pursue a career in law. She returned to Pittsburgh to attend law school at the University of Pittsburgh.

It was as a law student that Renee first worked with indigent families. As

an intern at Christian Legal Aid of Pittsburgh, she saw firsthand the difficulties lower-income families experience when faced with legal issues. Finding the experience personally satisfying, Renee stayed on as a volunteer after graduation. Seven years later, she is still offering her services, despite an ever-increasing workload.

As Laurel Legal Services' new Executive Director, Renee is ready to take on all of the challenges facing her, including what she perceives to be her greatest challenge: finding Laurel Legal Services an identity. Despite being a fixture in Greensburg since its establishment in 1967, "no one really knows what we do," says Renee. "It will be my priority to give Laurel Legal Services an identity."

True to her word, Renee has already begun implementing plans for attaining her goal. With the donation of twenty new PCs from Highmark, Laurel Legal Services is on the verge of entering the 21st century. Renee explains that with new software and technology, they can update their website and "migrate to the cloud," both of which she believes are necessary to the efficient operation of the organization.

Renee hopes that with the implementation of a more user-friendly website and the addition of new programs, the public—and our Bar—will recognize that Laurel Legal Services

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President's Message

A Message of Hope

by Maria E. Soohy, Esq.

As 2015 comes to a close, and we look forward to the blessings and promises of 2016, it is normal that we examine where we have been, how far we have come, and of course the future goals we have set for ourselves. Thus, despite the lawyer jokes and cynicism that is “sometimes” attached to our profession,



we know in our hearts we influence lives and make a positive difference. After all, we are a group of lawyers, high achievers at best, and workaholics often.

Having said that, we all agree that practicing law is stressful. We deal daily with not only the stresses of the profession, but also the stresses in our own personal lives. It's as if we are drawn to the complex, emotional problems of our clients, sometimes forgetting that in order to solve their problems, we have to take care of ourselves.

This very dynamic has led to the fact that attorneys nationwide are at increased risk for mental health problems and addictions ranging from alcohol, drugs, and gambling. While the causes are varied and may range from financial strains to failed relationships, the effects are all similar, none of which are good or healthy. We may all pride ourselves in having our own way of dealing with the double and triple doses of stress we routinely experience. This same pride may mask the realization that our solution of reaching for a double or triple “quick fix” is no solution at all.

Those who attended our most recent quarterly meeting titled “IRV Talks,” learned through firsthand



At the association's quarterly meeting held at the Greensburg Garden and Civic Center on November 17, 2015, Mark F. Flaherty, Esq., President of the Board of Lawyers Concerned for Lawyers of Pennsylvania, and Laurie J. Besden, Esq., Acting Executive Director of LCL-PA, helped launch the WBA Lawyers Assistance Committee's wellness lectures series entitled “IRV Talks.”

The “IRV Talks” concept was inspired by the compassionate work of the late Judge Irving Bloom, who was known fondly by many as being a dependable source of friendship, support, and guidance for those who struggled with drug, alcohol, or mental health issues.

Mark and Laurie spoke candidly about the insidious and devastating personal and professional effects of drug and alcohol abuse and addiction. And they offered hope and help through LCL-PA's free, confidential, non-judgmental and non-obligatory services at the helpline number, 1-888-999-1941, or their website www.lclpa.org. ■

accounts just how devastating addiction in any form can be. The speakers, Laurie Besden, Esquire, Acting Executive Director of Lawyers Concerned for Lawyers of Pennsylvania, Inc., and Mark Flaherty, Esquire,

partner in the firm of Flaherty & O'Hara, shared their stories of addiction and most importantly, their recovery. Their willingness to open dialogue by sharing their personal lives makes them true heroes in a world where often people talk the talk, but are not necessarily willing to walk the walk. I extend my heartfelt thanks to both of them as they continue their efforts to help others heal, one step at a time.

As a profession, we are fortunate to have colleagues like Laurie and Mark, and to have access to LCL-PA, an independent, nonprofit corporation operated by and for the benefit of Pennsylvania lawyers. LCL's mission is to help restore the health and competency of Pennsylvania lawyers suffering from various health problems that cause personal and professional impairment.

We have all heard of it, yet until recently, I had not realized that LCL is there not only for the lawyer who may be in crisis, but also can be a valuable resource when a lawyer's family member is struggling with addiction. This is such an important component of what LCL does, in my opinion. We are not just lawyers and judges; we are mothers, fathers, aunts, and uncles. That means that in some manner or at some time in our lives, we either have or will come face to face with the heartbreak addiction causes.

Addiction and mental illness do not discriminate. They cross financial strata, and hit the uneducated as well as the educated. Often, extremely talented individuals are the most broken. I would venture to say that in some way, some form of addiction or mental health/addiction problem has affected each of our families and/or our extended families.

My message to all is one of hope.

Despite how far gone an addict seems, or how insurmountable the problems of untreated mental illness may appear, as long as those in need of help are breathing, there is hope. The call to action for all of us is to spread the information that help may be just a phone call away.

LCL offers a confidential helpline answered 24 hours a day at **1-888-999-1941**. It offers a range of confidential, non-judgmental services to Pennsylvania's judges and lawyers, members of their families, and law students who are at risk as a result of alcohol and drug use, gambling, depression, or other serious mental illnesses, including free literature, referral to a qualified healthcare provider, peer support, LCL staff support, and referral to discuss concerns regarding a colleague or family member.

Perhaps the call we make will be the tipping point, the one that changes lives, the one that makes the difference. ■



SAVE THE DATE!

**30TH ANNUAL
BENCH/BAR CONFERENCE
OF THE WESTMORELAND
BAR ASSOCIATION**

JUNE 8-10, 2016

**NEMACOLIN
WOODLANDS**

Greg Seabol Joins Lawyers Abstract

Lawyers Abstract Company of Westmoreland County is pleased to announce that Greg Seabol has joined the company. Greg has been in the title insurance and settlement business for more than 40 years. He will be closing his current title agency, Seabol and Company, to join Lawyers Abstract. In addition, Connie Fyalkowski, who has worked with Greg for almost 30 years, is joining the staff at Lawyers Abstract.

Greg will be working with Executive Director Phil Shelapinsky and his staff by conducting closings for members of Lawyers Abstract Company, and searching and reviewing titles. Phil will continue his management role including title review, settlements, and assisting member attorneys regarding diverse real estate issues.

Greg graduated from Saint Vincent College in 1971. He immediately began to work for Attorney Emmett C. Boyle, Jr., who was his mentor in searching and examining titles for Attorney Boyle's real estate practice. In 1974, Greg and Emmett founded Westmoreland Abstracts and began to provide title

abstracts to Westmoreland County attorneys. He received his title insurance license from the Commonwealth of Pennsylvania in 1976, and was appointed agent for Commonwealth Land Title Insurance Company in 1977. He then began to provide title insurance policies to clients of Westmoreland County lawyers.

In 1985, together with Mike Noppe and Attorney Frank Fyalkowski, Greg formed Seabol and Noppe, Inc., to provide title insurance and settlement services throughout western Pennsylvania.

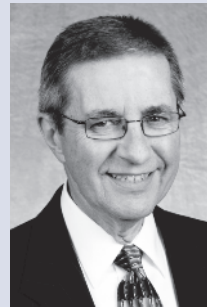
Following the death of Emmett Boyle, Greg acquired his interest in Westmoreland Abstracts and become sole owner. In 1993, he acquired the interest of Mike Noppe in Seabol and Noppe, and in 1996, acquired the interest of Frank Fyalkowski to become sole owner

of his title agency.

The company name was changed to Seabol and Company, Inc., which Greg has continued to operate providing title insurance and settlement services until joining Lawyers Abstract Company in November. ■



▲
Greg Seabol



▲
Phil Shelapinsky

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@westbar.org. the sidebar welcomes submissions from members or non-members. Please submit to the Articles Editor, c/o WBA.

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

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Renee Williams Named New Director of Laurel Legal Services

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handles more than just PFAs. “We have ten staff attorneys available to help with wrongful employment discharge, expungements of ARDs, guardianships, wills, landlord/tenant issues, protection of education rights, and removal of barriers to public benefits,” she says.

Potential clients may either schedule an appointment with an attorney at the Greensburg office or call the helpline on Tuesdays until 8:00 p.m. to speak with an advocate. Elderly clients residing in assisted-living facilities or nursing homes may request a meeting with a staff attorney at their residence. With so many options available, there is no reason why financial constraints should prevent an individual from obtaining legal services.

There are two programs currently being considered that Renee hopes will broaden Laurel Legal Services’ client base and enhance its accessibility to the public. The first program focuses on addressing the needs of our county’s veterans, while the second aims at reducing hospitalized patients’ rates of readmission.

In response to a recent invitation from PaServes¹, Laurel Legal Services is contemplating hosting monthly veterans’ night clinics to afford veterans an opportunity to meet with staff lawyers and volunteer members of our Bar to discuss any legal questions they may have. This is especially important for those veterans whose return to civilian life is marred by mental health issues, drug and/or alcohol addictions, unemployment, and homelessness. With nowhere to turn for advice, they flounder. Veterans’ night clinics will offer these individuals options and alternatives to a life of crime, degradation, and despair.

The second program will establish a medical/legal partnership between Laurel Legal Services and our local hospitals to prevent patient readmission. Over the past fourteen years that Renee has been a volunteer at Children’s Hospital, she has come to recognize

that there are unique socioeconomic issues of lower income and indigent patients that often force their readmission. “Readmission rates of patients who are without utilities, housing, and struggling in abusive relationships are high. Identifying their problems while they are still in the hospital will allow us to find resolutions, so that they can be discharged to a safe environment.”

Feeling safe, finding answers, and resolving impediments to becoming productive members of society is Laurel Legal Services’ identity, and with Renee’s experience, compassion, and enthusiasm, it won’t be long before it is known throughout our community. Get the word out, volunteer your services, and make a point to meet Renee Williams, the new face of Laurel Legal Services. For more information, contact Renee at rwilliams@wpalaw.org. ■

¹ PaServes is Greater Pittsburgh’s first coordinated network of public, private, and nonprofit organizations working together to serve veterans, transitioning service members, and their families.

Lawyers’ Exchange

(Free to all members of the WBA)

REFERRALS ACCEPTED Contracts and business law. Also will do research and writing for attorneys. Contact Terrilyn Cheatham at the Westmoreland County Pro Bono Office —724-837-5539.

OFFICE SPACE AVAILABLE Ferguson Law Associates has a limited amount of office space available for rent in our Latrobe offices. Photos of the building and offices can be found at www.fergusonlawassociates.com using the photo gallery link. Contact Mike Ferguson at 724-537-7671 or mferguson@fergusonlawassociates.com for more information.

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It's Your Chance to Be A Leader

The Westmoreland Bar Association's Nominating Committee is accepting applications from members who would like to serve in leadership positions with the WBA. These positions will be filled by election at the annual meeting in April 2016.

The Nominating Committee will consider applicants for nomination to the office of Vice President of the Board of Directors. The Nominating Committee also will consider applicants for the following positions:

- One opening on the Board of Directors.
- One opening on the Building Committee.
- One opening on the Membership Committee, which must be filled by a "life member." The WBA Bylaws define "life members" as "Participating Members with a continuous period of fifteen (15) years of participating membership.



Military service shall not count toward time served, but military service shall not be deemed a break in continuity. ..." Please refer to the Bylaws, Article III Paragraph 3, for the complete definition.

RESPONSIBILITIES OF AVAILABLE POSITIONS

The **Vice President** automatically succeeds the President-Elect at the expiration of the term of the President-Elect then in office, or if the office

of President-Elect becomes vacant. In the absence of the President and President-Elect, the Vice President presides at any meetings and carries out the President's duties.

RESPONSIBILITIES OF BOARD MEMBERS

The **Board of Directors** ensures that the WBA's mission, services, policies, and programs are carried out. Applicants should have experience in WBA activities such as chairing a committee, attending bar functions, and being active in the bar community. In addition, they must be able to think clearly and creatively, and work well with people, individually and in a group.

Interested candidates should know that the responsibilities include attending each monthly board meeting, the annual board retreat and planning retreat, all bar association and

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Intellectual Property Law Patents, Trademarks, Copyrights

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- Registered at Canadian Patent Office with over 300 patents issued
 - Registered over 300 Federal and Pennsylvania trademarks
 - Obtained patents in all major countries, including European Union, Japan, China, U.K., Germany, Brazil, Mexico, etc.

Bachelor's degree in Engineering from New York University
 Master's degree in Electrical Engineering from Drexel University
 J.D. from Temple University
 Chemistry studies at University of Pittsburgh
 Registered Professional Engineer (Pennsylvania)
 Formerly Assistant Professor at Villanova University
 Formerly Doctoral Candidate in Mathematics at Bryn Mawr College

It's Your Chance to Be A Leader *continued from page 5*

foundation activities, and serving at the president's request.

One position is available for a three-year term. The Director will:

- Attend all board and appropriate committee meetings and special events.
- Serve on committees and offer to take on special assignments.
- Inform others about the Westmoreland Bar Association and its activities and functions.
- Assist the board in carrying out its fiduciary responsibilities, such as reviewing the organization's annual financial statements.
- Take responsibility and follow through on given assignments.
- Contribute personal and financial resources in a generous way according to circumstances.
- Open doors in the community.

RESPONSIBILITIES OF THE MEMBERSHIP COMMITTEE

The **Membership Committee** is the first point of contact that most applicants for membership will have with the WBA. One position for a five-year term is available. The Membership Committee member will:

**APPLICATION DEADLINE:
FRIDAY, JANUARY 22, 2016,
AT 5 P.M.**

- Attend monthly committee meetings.
- Personally interview and educate applicants on the workings of the WBA, including committee assignments, staff responsibilities, and new lawyer opportunities such as the mentor program, the Young Lawyers, and Pro Bono.
- Make recommendations for membership eligibility and class (participating or associate).

RESPONSIBILITIES OF THE BUILDING COMMITTEE

The **Building Committee** is responsible for maintaining the management and upkeep of Bar Headquarters. One position for a five-year term is available. The Building Committee member will:

- Attend quarterly committee meetings.
- Be knowledgeable about the utilization of Bar Headquarters for business and social functions.

- Help to develop the annual budget for operation of the building.
- Make recommendations to the Board of Directors on matters of concern in building upkeep.

The Nominating Committee—Dara A. DeCourcy, Chair, Samuel R. Coury, Terrance C. Ferguson, Charles R. Conway, John Noble, Joe Lazzaro, and Allison Thiel—will meet after the application deadline to review applications, interview candidates, and prepare a slate of nominees to present to the Board of Directors and the membership of the Westmoreland Bar Association.

Any member interested in running for any of these positions should submit an application to the Chair of the Nominating Committee c/o the WBA. An application form is included with this issue of *the sidebar*; or you may download an application at www.westbar.org. A candidate may submit a completed application by first-class mail, fax (724-834-6855), or email (dk.wba@westbar.org). **The WBA must receive the application by 5:00 p.m. on Friday, January 22, 2016.**

For more information about any of the positions, contact a Nominating Committee member. ■



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— Charles Bukowski,
 novelist and poet,
 March 1992

foundation focus

Taxes, Oh Taxes

by Amanda Stein, Pro Bono Coordinator

In July the phone calls began, and they kept coming right through September 14, 2015. You see, it was time for the county's annual tax sale of real property for those who failed to pay their annual real estate taxes, for whatever the reason.



Amanda Stein

Here in the Pro Bono office, any potential client is permitted to own the home that they reside in, but no other real estate. I can tell you that most clients acquire their homes through the passing of family members and many times these homes are inherited with a bevy of debt, including unpaid real estate taxes. For most, this is the only home they have ever known and they are eager to save their residence.

Thankfully, Westmoreland County Tax Claim Bureau Solicitor Timothy Andrews recognized this to be an area in which our office could assist. Tim was gracious enough to provide an example of the "Petition to Stay Tax Sale," which we then adapted to offer to qualified clients coming through the office to prepare and present, *pro se*, to The Hon. Anthony G. Marsili.

Since this was a new program in the office, there were some obvious kinks to work through, but with the patience of the Tax Claim Bureau and Judge Marsili, our office has an improved plan of attack for 2016. This year we were able to assist 37 clients in their mission to save their home from tax sale. The clients showed true appreciation and gratitude for this opportunity

to, as Judge Marsili would say, "give them one bite at the apple."

As always, I welcome any ideas about programs that we can offer to our clients. With David Millstein in place as our Executive Director, we are constantly searching for ways to reduce or eliminate *pro se* litigants in the county. David has been able to, on multiple occasions, work out consent agreements between landlords and tenants, custody and divorce clients, and various issues for clients who just need a phone call to resolve the matter.

In addition, we have been working towards growing our attorney base for clients who simply have questions about a legal issue that can, potentially, be handled on their own, i.e., debt collection, unemployment, summary offenses, citations, etc. Many people don't know if they have a "case" or if there is anything that they can try on their own to come to amicably resolve their legal issue. By offering a free consultation, the client gets the answer



they need to appropriately handle the issue that plagues them, or they can be referred through the office for legal representation.

Again, my goal is to make assisting the Pro Bono office as pleasant and painless as possible for our volunteer attorneys. I always welcome the opportunity to discuss the program and how it works, to dispel any questions or concerns. Terrilyn and I make it a top priority to qualify clients based upon both income and assets, which can be a tricky process. We've taken this year to perfect our analysis skills, and we are both confident that the clients referred through the program are truly in need.

I am thankful for the participation and cooperation of the District Judges, Common Pleas Judges and their staff, attorneys, and row offices within the Courthouse. Generally, a request from our office is rarely turned down.

Our Pro Bono Program can always use volunteers for various case matters, including telephone consultations, and I always have more room to grow the reduced-fee attorney lists. Our reduced-fee program touches around 50 clients a month, and I love to have an abundance of attorneys who are willing to take cases at the reduced rate of \$40 per hour.

Call me at 724-837-5539 to discuss these rewarding opportunities. It's a choice you won't regret! ■

Looking for a special way to remember someone?

**births deaths
marriages
anniversaries
making partner
passing the bar**

Since 1991, the Westmoreland Bar Foundation has raised thousands of dollars to assist the poor, disabled, elderly, and children in our community. Through the **Memorial Program**, you can honor a colleague or loved one with a contribution to the Foundation. Your gift will help serve the needs of our own who have nowhere else to turn for legal services.

If you would like to make a gift to the Foundation as a meaningful expression of respect, please make check payable to the Westmoreland Bar Foundation and mail to WBA Headquarters, 129 North Pennsylvania Avenue, Greensburg, PA 15601.



May It Please The Court: How Am I Doing?

by *The Hon. Daniel J. Ackerman*

This morning there appeared on my computer screen an email from Footwear Inc. which thanked me for my recent purchase, inquired as to whether I was pleased with their product, and invited me to write a review. Not recalling my purchase, I read further and found it to be a pair of laces for my worn off-brand walking shoes.

Since it is now a societal obligation to please everyone who seeks praise, I wrote that the laces were more than satisfactory. They were of appropriate length, made of malleable material which I could pull into a straight line, or fold back upon itself several times, and tipped with well-crafted plastic nubs which made them extremely easy to pass through the shoe's eyelets. Altogether a five-star shoestring.

Today when one enters into a commercial transaction, they must be prepared, in addition to paying the price, to take a quiz, usually set up as a multiple choice, but sometime requiring an essay describing the experience.



Designed by Freepik

In short, all sellers of goods and services have lined up, hoping to get a pat on the head. Doctors want to know if you were kept too long in the waiting room, and whether its surroundings were sufficiently pleasant. Car dealers ask you to rate your oil change on a scale of one to ten and then type in a few sentences of explanation.

Fortunately, the legal community lags behind the populace when it comes to adopting fads, but the day might not be far off when this one catches on; for the currying of favor, whether with the bench or a jury, is seemingly built into a lawyer's DNA. I suspect this is true, for since retirement I am in daily contact with those who are less likely to give me a smile, a knowing nod, or a look of anticipated approval.

After a trial, might we expect emails popping up in chambers thanking the court for its time and patience, and then asking the judge to complete a brief survey, which should only take a few minutes. For example:

- 1.) *Please rate on a scale of one to ten, considering content and writing ability, my 175-page brief in support of my request for your honor's recusal.*
- 2.) *Using the same scale, please rate the effectiveness of the two-and-a-half-hour video showing my client's physical therapy treatments.*
- 3.) *How would you characterize my reference to opposing counsel as a "total loser"? Brilliant ___; Probably well said ___; Innocuous ___; Should have omitted "total" ___; Should be left for bar functions ___.*
- 4.) *Please provide some indication as to when we might expect your honor's retirement (limited to 200 words or less).*

The bar, I'm sure, would benefit from this type of feedback, and, if it proved successful, we just might see it followed by similar surveys from the bench.

If you found this article helpful, you need do nothing further. If not, comments may be directed to our editor, who will do his best to make you feel valued and important. ■

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Looking to hire or be hired? The Westmoreland Bar Association operates an informal placement service for paralegals, legal secretaries and attorneys by collecting résumés and forwarding them to potential employers at no cost. Contact Bar Headquarters at 724-834-6730, westbar.org@westbar.org, or 129 N. Pennsylvania Ave., Greensburg, PA 15601.

New Member Sketches

ANDREW W. BLENKO has been admitted as a participating member of the WBA. He earned a B.S. in Civil Engineering from Penn State, and his J.D. from Duquesne University. Andrew is a Planning Director/Engineer for North Huntingdon Township, where he and his wife, Patricia, reside with their three children.

NICHOLAS R. DINARDO has joined the WBA as a participating member. Nicholas studied Political Science at Penn State University and earned his J.D. from the University of Pittsburgh School of Law. An associate with Tremba, Kinney, Greiner & Kerr, LLC, in Greensburg, he and his wife, Jacqueline, also live in Greensburg.

CHRISTINA GONGAWARE was admitted to the WBA as a participating member. She earned a B.A. in English/History from Juniata College, and earned her J.D. from Vermont Law School. Christina is a judicial law clerk for The Hon. Rita D. Hathaway.



JANE MYHERS has been admitted as a participating member of the WBA. She earned a degree in Sociology from the University of California, Irvine, and her J.D. from the University of Pittsburgh. Jane is an associate with Tremba, Kinney, Greiner & Kerr, LLC, in Greensburg.

KENNETH F. NOGA has joined the WBA as a participating member. Kenneth studied Philosophy at Juniata College and earned his J.D. from Vermont Law School. He is working with Brian Aston and Jim Fox in Greensburg.

LISA C. PELUSO was admitted to the WBA as a participating member. She earned a B.S.B.A. in Accounting from Duquesne University, and earned her J.D. from the University of Pittsburgh School of Law. Lisa is a sole practitioner in Lower Burrell.


MARCO F. SYLVANIA has been admitted as a participating member of the WBA. He earned his undergrad degree in History from Saint Vincent College, and his J.D. from Nova Southeastern University. Marco is an associate with Bononi & Company, PC, in Greensburg.

CLAIRE E. THROCKMORTON has joined the WBA as a participating member. Claire studied Spanish and Government at Skidmore College in Saratoga Springs, N.Y., and earned her J.D. from the University of Pittsburgh School of Law. She is an associate with Tremba, Kinney, Greiner & Kerr, LLC, in Greensburg. ■

G

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Daniel Joseph

The Lawyer's Dilemma

Sooner or later most lawyers will have to face the question, posed either by another or themselves, concerning their representation of a bad cause or person. In James Boswell's epic biography, *The Life of Samuel Johnson, LL.D.*, published in 1791, we find the following exchange sparked by a question raised by Boswell to his subject.

"I asked him whether, as a moralist, he did not think that the practice of law, in some degree, hurt the nice feeling of honesty. JOHNSON. 'Why no, Sir, if you act properly. You are not to deceive your clients with false representations of your opinion: you are not to tell lies to a judge.' BOSWELL. 'But what do you think of supporting a cause you know to be bad?' JOHNSON. 'Sir, you don't know it to be good or bad till the Judge determines it. I have said that you are to state facts

fairly; so that your thinking, or what you call knowing, a cause to be bad, must be from reasoning, must be from your supposing your arguments to be weak and inconclusive. But, Sir, that is not enough. An argument which does not convince you may convince the Judge to whom you urge it; and if it does convince him, why, then, Sir you are wrong, and he is right. It is his business to judge; and you are not to be confident in your own opinion that a cause is bad, but to say all you can for your client, and then hear the Judge's opinion.' BOSWELL. 'But, Sir, but does not affecting a warmth when you have no warmth, and appearing to be of

one opinion when you are in reality of another opinion, does not such dissimulation impair one's honesty? Is there not some danger that a lawyer may put on the same mask in common life, in intercourse with his friends?' JOHNSON. 'Why no, sir. Everyone knows you are paid for affecting warmth for your client; and it is, therefore, properly no dissimulation: the moment you come from the bar you assume your usual behavior. Sir, a man will no more carry the artifice of the bar into common intercourse of society, than a man who is paid for tumbling upon his hands will continue to tumble upon his hands when he should walk on his feet.'" ■



▲ Samuel Johnson



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To-Wit: Me, Myself, and I Object

by S. Sponte, Esq.

She was, for me, the perfect client; elderly, poor, alone, and about to lose her beloved home for unpaid taxes. I couldn't have been happier. I, in turn, was for her the perfect lawyer—free—and for that she couldn't have been happier herself.

Her children were willing to help her pay the unpaid taxes, so lack of funds wasn't the problem. She had just misplaced the tax bill is all, and then she forgot about it. As a result the property had been purchased at the most recent tax sale for a tenth of its value by your typical cretinous bottom feeder, and after she had refused his offer to sell it back to her at full value he commenced process to heave her out into the street.

"A real Simon Legree, huh?" I commented to her at our initial meeting.

"No," she replied, "I think his name is Howard."

Despite the fact that her home had already been sold, there was a procedural defect in the process, and on that account I was certain the sale could be set aside. Her eyes glistened

“It was another crusade, another chance to don mask and cape and take vengeance on the miscreants of the world. And who says the practice of law isn't any fun?”

with tears when I told her, and mine were headed in that direction as well.

"God bless you, God bless you, God bless you," she said as she departed. It was a lovely sentiment to be sure, but

I'm a lawyer now for forty-five years and I think that kind of salvation has long been off the table.

Ah, but still, it was another crusade, another chance to don mask and cape and take vengeance on the miscreants of the world. And who says the practice of law isn't any fun?

I immediately filed a petition to set the sale aside and the court scheduled it for oral argument. I prepared for it as I always do, by rereading my brief and complimenting myself on its acuity. Before I left for court that morning, I honed my didactic mien to a razor's edge in front of my bathroom mirror, and by the time I walked into the courtroom, I was loaded for rancorous vivisection. Other than causing me to



continued on page 12



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To-Wit: Me, Myself, and I Object *continued from page 11*

erroneously discount all the validity of an opponent's argument from time to time, it is truly such fun to be a raging moralist.

I was alone at counsel's table when His Honor took the bench. "I have been advised that neither opposing counsel nor his client are going to appear," he announced, "so I'll just sign your proposed order," and with that he picked up the large fountain pen he keeps on his bench just for that purpose.

"No, wait," I bellowed, "I object," and I hastily looked around for something to throw at him.

"Object?" I thought to myself, "did I say 'object'?"

"Object?" His Honor queried, "did you say 'object'?"

Now if this were a television show, this would be the time the camera

would close in on my face, I would turn towards it and as an aside would explain to a startled but adoring television audience why I was objecting to the entry of my own order. But there is no camera, there is no television audience, there is only you, and I have to make do with it.

So listen, what fun is it to slaughter a dragon if there is no gore, what joy if there is no writhing in agony, no echoing death rattle to proclaim one's primacy? It's not for nothing this is called an adversarial profession, and while that may drive many genteel-minded folks away from it, it can also provide a great deal of lawful gratification for those of us for whom a violent, victorious denouement is the icing on the blood; without an opponent physically present to suffer the ignominy of defeat at the end

of a crusade, what is there to savor?

I know what you're thinking. You're thinking that there must be a parole officer somewhere in my background, but you'd be wrong. Yes, I take both victory and defeat with the same sense of intense personal investment one usually reserves for gladiatorial combat, and yes, I probably would have been a great Roman, but no, that's as far as it goes. Butterflies are safe around me, as are most other living, intelligent creatures.

"Your Honor, may I have a moment?" I asked.

"I think you need a lot longer than that," he replied, "but certainly."

"Have you ever argued a case?" I whispered to the tipstaff seated near me at counsel's table. When she shook her head in the negative, I made the same inquiry of the court reporter. Getting the same response, I quickly calculated that there was no one else in the courtroom who could take up a spirited, doomed defense for the absent reprobates, no one who could stand in as a target for my wrath *du jour*.

"I withdraw my objection," I advised the court, and with that he signed the order, stood up, shook his head at me in disbelief and left the bench. The court reporter and tipstaff quickly followed.

I sat there for a while in the otherwise empty courtroom. So there would be no slaughter, not even so much as a modicum of tussle, only the emptiness of *lexis interruptus* and the simmering solace that soon enough another chance would come my way. I picked up my briefcase and went to lunch. I was really hungry.

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where in the world IS THE WBA MEMBER?

Maureen Kroll visited Santorini, Greece, with her daughters, Sophia and Caroline, in November 2014.

"If I remember correctly," Maureen says, "I am wondering if I could find a way to move to Santorini!"

Santorini, in the southern Aegean Sea, is the site of one of the largest volcanic eruptions in recorded history, some 3,600 years ago. Its resulting tsunami decimated the island of Crete, 68 mi to the south. A popular theory holds that this eruption is the source of the legend of Atlantis.



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Westmoreland Revisited

Philander C. Knox: Forgotten Giant

by *The Hon. Daniel J. Ackerman*

South of the Monongahela, in the City of Monessen, six avenues are named for industrialists and lawyers who were instrumental in the creation of the city. From the riverbank, the avenues, in descending order, are: Donner, Schoonmaker, McKee, Reed, Knox, and Motheral¹—names, which, for the most part have faded from our collective memory, except for local residents and motorists, who know them only in the context of an address.



▲
The Hon. Daniel J. Ackerman

William H. Donner had operated a tin plate mill in Indiana before moving his operation to the banks of the Monongahela; Colonel James M. Schoonmaker, who had served as a Union cavalry officer, was vice president and general manager of the P&LE Railroad; H. Sellers McKee was a glass manufacturer who had also engineered the development of Jeannette; while James H. Reed, Philander C. Knox, and George B. Motheral were members of the Pennsylvania bar.

In 1894, these gentlemen, with the exception of Donner, acted in concert to purchase farmland with the intent of developing a town along a newly created branch of the Pittsburgh, McKeesport, and Youghiogheny Railroad. The new landowners, incorporated as the East Side Land Company, attempted to lure a major industry to the site, which, in turn, would create a demand for lots. Their efforts, however, were without success until Donner was given the incentive of a \$10,000 bonus and 20 free acres, which resulted in the construction of his new plant in 1897.

All of the men involved courted and obtained success in their given fields, but it was Philander Knox who would achieve the greatest prominence.

ON THE ROAD TO GREATNESS

Christened Philander Chase Knox, he was born May 6, 1853, in Brownsville²; one of nine children of David S. Knox and Rebecca Page Knox. His parents moved from Connellsville to Brownsville in 1836, where his father applied for a position with the Monongahela Bank. By age 31, David Knox had learned the printing trade, taught

school, and edited the *Uniontown Democrat*; yet when the bank's directors asked for his recommendations, being a man of few words, he replied: "I am the son of a poor Methodist preacher and have made my own way in the world since I was fifteen years old. This is my only recommendation." It was enough. He would be a dedicated employee of the bank the remainder of his working life.

Philander emulated his father in several ways. After attending both public and private schools in Brownsville, he enrolled in the Agricultural College of West Virginia, which would eventually become West Virginia University. While there, he worked in a printing office, learning to set type, and subsequently he was employed at the *Brownsville Clipper*, "doing everything from sweeping the floors to writing editorials." Eventually, after college, he also took a position at the Monongahela Bank for a short time following his father's death.

He did not, however, earn a degree at West Virginia. In fact, he was expelled; the precipitating offense, he would

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¹ Another avenue was named for George O. Morgan, a P&LE executive and one-time president of East Side Land Co., but was lost to urban redevelopment.

² The 1816 home in which he was born and raised, still stands at 322 Front Street and continues as a private residence.

Philander C. Knox *continued from page 13*

later say, was, “playing billiards.” Yet, Knox’s departure from West Virginia did not turn out to be the misfortune he may have thought it to be at the time.

He promptly enrolled at Mount Union College, where his performance on the debating team brought him to the attention of the young prosecuting attorney of Stark County, Ohio, William McKinley. The lifelong friendship that developed between the two would place Knox on the national stage in years to come.

Upon his graduation in 1872, he took employment at the Monongahela Bank with the goal of earning enough money to see him through his plan to the study of law.

AN INDUSTRIOUS GENIUS

In 1872, the path to admission to the bar in most cases didn’t run through a university law school, but rather through the law office of a preceptor: a practicing lawyer who would mentor the aspiring student. Initially, Seth T. Hurd, a lawyer and owner of the *Brownsville Clipper*, filled that role for Knox, but in November 1873, Knox moved to Pittsburgh and the office of H. Bucher Swope, the

United States District Attorney.

Mr. Swope died the following February, and both his government position and his law student passed to David Reed, who would be his mentor until Knox was admitted to the Allegheny County bar on January 14, 1875. Two months later, Reed hired Knox as one of his assistants in the U.S. Attorney’s office.

During this time, Reed’s nephew, James H. Reed, also studied law under his uncle’s tutelage and looked after his uncle’s private practice. The two young men became friends, and when David Reed died in 1877, they decided to become partners, hanging their shingle in front of their Fifth Avenue office: “Knox & Reed, Lawyers, P.C. Knox and J.H. Reed.”

Even in their most optimistic moments, the two, both in their early 20s, could not have imagined the eventual scope or longevity of the firm they had formed. Several entries in their account book in 1880 showed promise of things to come. They read:

“H.C. Frick (Yough Bk. v. Overholt)\$25.00
H.C. Frick (Yough Bk. v. Overholt) (costs).....4.47”

Nine years later, the firm was on a retainer of \$675 per quarter from the P&LE Railroad, and its annual receipts had increased from \$12,178 in 1880, to \$110,000 (\$2,750,000 in today’s currency)—a notable sum for two 36-year-old lawyers. Knox could summarize their accomplishment, saying, “A lawyer need not be a genius, but he is obliged to be industrious.”

RIGHT PLACE, RIGHT TIME

Human elements, as well as chance, often combine with talent to bring about success. With Philander Knox, we find some fortuitous examples: his outgoing personality; his friendships with James H. Reed, who became the firm’s negotiator and business organizer, and, as we will see, with William McKinley; and his marriage to Lillie Smith, the daughter of the president and owner of the LaBelle Steel works, a union which would produce three sons and a daughter—all of which afforded him social acceptance and introduction to Pittsburgh’s industrialists and bankers at a time when the city was the country’s fifth largest, and only New York banks held more money than those in Pittsburgh.

A sportsman, and a man who loved horses, Knox once drove his two-horse team on Brunot Island’s racetrack, breaking the amateur speed record for such an event. Small in stature, standing at 5 foot, 5 inches tall—one author referred to him as, “A bright little sparrow of a man”—he was a natural litigator and appellate advocate.

An unconfirmed manuscript, written by a friend, describes an incident, shortly after his admission to the bar, which, even if it was not exactly true, depicts the personality of the man, who along with his more lofty accomplishments would become the president of the Duquesne Club and the Pennsylvania Bar Association. Knox, according to this account, was

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prosecuting a businessman, who was on trial in federal court for fraud. On the second day of the trial, Knox appeared in formal attire with a lily of the valley in his buttonhole. At the end of the morning session, Knox made a motion for a continuance until the next morning because he intended to be married that afternoon in Trinity Church. The motion, fortunately, was granted. Jack Heard, the author of the manuscript then related:

“Knox thereupon invited the judge to come to the wedding, as well as the members of the jury, the defendant’s attorney, the U.S. Marshal, and the court attendants. The defendant, who was then free on bail, inquired whether he, too, might come and Knox said he would be more than welcome. Almost everyone connected with the case attended the wedding and stayed for the reception and refreshments which followed. The next day’s newspaper account of the reception noted that the judge had danced with the bride, as had the foreman of the jury, the attorney for the defense and the defendant, himself.” When the court reconvened the following morning all of the participants were present, except the defendant, who had absconded.

His professional life as a partner with Knox & Reed followed a more traditional, but, nonetheless, interesting and extremely lucrative course. Edmund Morris, one of Theodore Roosevelt’s biographers, noted, “Knox had argued himself into the highest income bracket of the law.”

When the South Fork Dam burst in May 1889, causing the Johnstown Flood, Knox represented the dam’s owner, the South Fork Fishing and Hunting Club of Pittsburgh and its patrician members (of which he was one), successfully advancing an “Act of God” defense. At the same time, he made substantial contributions to the relief efforts on behalf of Johnstown’s residents.

During the turbulent days of the Homestead strike of 1892, he was the chief attorney for Carnegie Steel. And

in 1900, the firm of Knox & Reed played an important role in bringing to conclusion the business breakup of Andrew Carnegie and Henry Clay Frick, as well as providing counsel in the organization of United States Steel, the nation’s first \$1 billion corporation.


FROM PITTSBURGH ATTORNEY TO U.S. ATTORNEY GENERAL

Over the years, the firm experienced occasional changes. In June 1892, James H. Reed took a seat on the federal bench, but, missing the practice, returned to his old firm after only 16


months of service (joking that when he became a judge, his digestion was bad, but his “rest” on the bench had restored his health). Attorney George B. Motheral became the partnership’s business manager, and early on, Edwin Smith became a member of the firm and eventually a partner, after his brother Albert turned down a similar opportunity, providing the origin of the firm’s present name, ReedSmith.

Like Reed, Philander Knox would take leave of the practice, but for a more extended time.

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Philander C. Knox *continued from page 15*

In November 1896, William McKinley, the former prosecutor from Stark County, then Ohio's governor, defeated William Jennings Bryan to become the 25th President of the United States. Knox was known to be under consideration for a position in McKinley's cabinet and both Carnegie and Frick lobbied for his appointment as attorney general, with the latter telling the president-elect that Knox was, "an independent advisor who does not trim his advice to suit the desires of his client."

Knox let it be known that he would not accept the attorney generalship. However, McKinley's first two appointees to the post served abbreviated terms, with each moving on to a judicial position, and when the president's offer was tendered again in 1901, Knox accepted and was sworn in as the nation's 44th attorney general.

That was in April; in September, McKinley was dead, assassinated in Buffalo, and his vice president, Theodore Roosevelt, ascended to the presidency. Roosevelt promptly reappointed Knox to his own cabinet, and at age 48, Knox was its youngest member. Later, TR declared him to be "The greatest Attorney General this government has ever had."

Knox's previous lack of drive in the McKinley cabinet had earned him the nickname "Sleepy Phil"; but that appellation was completely rebutted by his service under the vigorous Roosevelt, who would use him as the instrument of choice for his trust-busting agenda, and, by which, it may be said, the attorney general broke from his old corporation and financial associates.

Knox simply needed direction. As a friend would put it, "There must be a client—Knox would not know himself without one." In Roosevelt, he found

the ideal client—one with a mission and zeal. Knox's prosecution in *Northern Securities Co. v. United States*, 193 U.S. 197, 24 S. Ct. 436, 48 L.Ed. 679 (1904), which resulted in the dissolution of a railroad monopoly, sustained the power of the government against strong unlawful corporate combinations, and was hailed at the time as "the greatest victory the government ever won under the Sherman law."



▲ *President Theodore Roosevelt with members of his cabinet seated and standing around a table: Lyman J. Gage, Philander C. Knox, John D. Long, John Hay, James Wilson, Elihu Root, Ethan A. Hitchcock, and Charles E. Smith.*

In addition to the anti-trust prosecutions, Knox was entrusted with the United States' \$40 million acquisition of the Panama Canal from its French owners—a transaction he completed without the aid of any outside lawyers. Knox's legal skills were so apparent and appreciated that when a Supreme Court vacancy occurred, the president, at the suggestion of the Secretary of Defense, William Howard Taft, offered the post to Knox, who declined the honor.

There was, of course, the social side as well: Knox and Roosevelt became fast friends, and often rode together in Rock Creek Park. An accomplished equestrian, the flamboyant Knox set Washington abuzz when he outbid the Count of Monte Cristo at auction to obtain a brace of high-stepping horses. A frequent visitor with the first family, when the Roosevelt children were asked who their father's favorites were

they would shout in unison, "Mr. Root³ and Mr. Knox."

Knox's own family could call four separate residences "home": a Washington mansion at 1527 K Street, NW, another in Pittsburgh, a summer home in Beverly, Mass., and a country estate at Valley Forge with a great house, which, at the time of the Continental Army's encampment, served as the headquarters for George Washington's chief of artillery, General

Henry Knox (a coincidence, not a relative). The estate is maintained by the National Park Service and is open to the public.

FROM SENATOR TO SECRETARY OF STATE

On June 10, 1904, another branch of government called. Pennsylvania's Governor, Samuel W. Pennypacker, appointed Knox to fill a vacancy in the United States Senate, occasioned by the

death of Senator M.S. Quay. The following year, Senator Knox was reappointed and legislatively confirmed for a full term.

Theodore Roosevelt, though not without regret, honored his promise not to seek a third term, and when the Republican National Convention was held in Chicago in the summer of 1908, seven candidates vied for delegates. In the final ballot, Knox came in second behind the winner, William Howard Taft. After Taft's election, and upon Roosevelt's urging, Knox agreed to accept Taft's invitation into his cabinet (his third cabinet position under three successive presidents), this time as Secretary of State⁴.

³ Secretary of State Elihu Root.

⁴ Technically, Knox was ineligible for the post at the salary of \$12,000 a year because he had been a member of the Senate when the pay was raised from \$8,000. To protect the appointment, Congress, at his urging, reduced his pay to its former level.



▲
Philander C. Knox,
1905

As Secretary, he would make the Department of State more efficient by reorganizing it into regional divisions, maximizing the expertise acquired by members of the Foreign Service. His emphasis on trade as a means to promote democracy and stability became known as “Dollar Diplomacy,” which would become the core of the U.S. foreign policy in Latin America.

While “Dollar Diplomacy” officially did not last beyond the Taft administration (Wilson scrapped it in favor of what he called “Moral Diplomacy”), it is easy for one to argue that it has not gone out of style, especially when we consider the economic sanctions the United States and other nations impose on those who act outside the pale of acceptable behavior. In a manner of speaking, Knox’s efforts in Far-Eastern diplomacy would bear fruit when the Japanese government presented a gift of 2,000 cherry trees to the American people, which became a Washington tourist attraction.

A POPULAR RETURN TO THE SENATE

In the election of 1912, Woodrow Wilson defeated both of his trusted friends, Taft and Roosevelt. Knox left Washington at the end of Taft’s term the following March, and returned to the practice of law in Pittsburgh. The new Seventeenth Amendment provided for the direct election of U.S. Senators, and in 1916, Knox became the first Senator from Pennsylvania to be elected by popular vote. In 1920, his name again was placed in the running as a Republican presidential candidate, but the bid again fell short of the nomination.

On October 12, 1921, Senator Knox, at age 68, collapsed and died outside his senate chamber. He was buried near his Valley Forge home. It can’t be said that Philander Knox raised himself up from poverty, but, at the same time, he was not a child of the gentry. Some writers wrongly jump to the conclusion that he came from a privileged family because his father was a “banker.” In fact, his father was simply a bank teller, and later cashier, who supported a wife and nine children on an employee’s wages.

Like his father before him, Philander could have said that he made his way in the world from an early age to the pinnacle of his chosen profession, and served his country in a variety of impressive roles: attorney general under two presidents, secretary of state, and twice as a senator. It is also apparent that he lived an exuberant life as one of the most interesting characters of the Gilded Age. ■

Author’s note: My sincere thanks to Daniel Zyglowicz, President of the Greater Monessen Historical Society, for providing sources on the city’s early history; and to attorneys Daniel I. Booker and Michelle A. Mantine of ReedSmith for histories of the firm.

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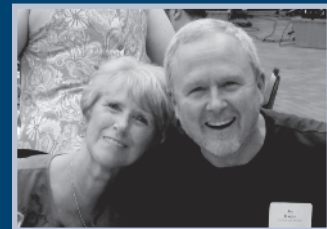
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Actions of the Board

SEPTEMBER 10, 2015

- Voted to allow for online bill payment for bills less than \$500 as outlined by the revised policy and to rename the policy "Check Signing and Online Bill Paying Policy."
- Voted to add \$3,000 a month to the Pershing Investment account through the end of 2015 and to reevaluate our monthly contributions beginning January.
- Voted that the \$10,000 surplus from the 2015 Bench/Bar Conference be earmarked for use at the 30th BBC at Nemaconlin Woodlands Resort.
- Voted to discontinue the printing of the annual court calendar and to notify the court administrator that the bar will no longer provide this service beginning with the 2017.
- Authorized the advertising of an administrative assistant to replace Mrs. Klosky upon her retirement and to develop new job descriptions for WBA.

it's a boy!



Congratulations to Tyler Jones and his wife, Heather, who welcomed their son, Trey, into the world on November 16, 2015. Tyler is an associate with Mary Ann Petrillo in Irwin.

OCTOBER 12, 2015

- Accepted the Membership Committee report as submitted: Kristy Rizzo and Andrew Blenko as participating members.
- Voted to develop an RFP for submission to local CPA firms and WBA member-CPA firms for the 2015 WBA annual review.
- Voted to accept the list of submitted monthly expenses that are under

the \$500 threshold for purpose of online bill paying.

- Voted to provide a \$500 donation to the Supreme Court task force for the purpose of assisting in the publication of a "History of the PA Supreme Court" book.
- Voted to adjust the dues invoice to reflect the PBA dues minus the 10% unit county discount.
- Voted to hold an Open House on October 30 from Noon to 2 p.m. with a lunch and a financial gift to thank Mrs. Klosky for her 26+ years of service to the bar association. ■

Important Local Rules Update

The Office of the Westmoreland County Court Administrator has taken over duties as the new publisher of local rules. The office will continue to publish the local rules in accordance with the requirements of state law, and will continue to make all rules, including any new local rules or amendments, available to subscribers.

Access to the local rules and updates remains free of charge online at <http://tiny.cc/westmoreland>, or scan the QR code at the right.



You may sign up through the Westmoreland County website's News Flash process to be notified by email or text message when changes are made to the local rules. Follow the link on the County website's Local Rules page for instructions on subscribing to the automatic notification for local rule changes. If you were a subscriber through the Westmoreland Bar Association, your information has been migrated to the new subscription list for automatic alerts on rule updates.

Please contact the Court Administrator's Office, Tami Silvis (724.830.3829), or Bobbi Weaver (724.830.3828) with any questions. ■

wba news

Consider being a SCORE volunteer counselor!

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SCORE "Counselors to America's Small Business" is America's premier source of FREE and CONFIDENTIAL small business advice. We are looking for volunteers!

**For more information,
Call 724-539-7505
Email score@email.stvincent.edu
www.westmoreland.score.org**





CALENDAR OF EVENTS

All committee meetings and activities will be held at the WBA Headquarters unless otherwise noted. Visit www.westbar.org for more information about activities and CLE courses, or to **register online**.

JANUARY

- 13** Real Estate Committee, Noon
- 18** Courthouse closed in observance of Martin Luther King Day
- 19** Family Law Committee, Noon
- 20** Membership Committee, Noon
Elder Law & Orphans' Court Committees, Noon
- 21** [CLE] Custody Conciliation Dos and Don'ts—Revisited, Noon to 1 p.m., 1 substantive credit available
- 28** [CLE] Trial Tips In Action, 5 to 6:45 p.m., 1.5 substantive credits available

FEBRUARY

- 2** [CLE] Westmoreland County Permanency Practice Summit, 10 a.m. to 3:30 p.m., 4 substantive credits available
- 3** [CLE] Trial Tips In Action, 5 to 6:45 p.m., 1.5 substantive credits available
- 11** [CLE] Trial Tips In Action, 5 to 6:45 p.m., 1.5 substantive credits available
- 15** Courthouse closed in observance of Presidents Day
- 16** Family Law Committee, Noon
- 18** [CLE] Trial Tips In Action, 5 to 6:45 p.m., 1.5 substantive credits available
- 23** [CLE] Trial Tips In Action, 5 to 6:45 p.m., 1.5 substantive credits available

You are not alone.

One in three lawyers will need our help at some point during their careers.

Since 1988, we have helped over 6,000 attorneys in need.

A WORD ABOUT CONFIDENTIALITY

We understand your concerns about privacy and confidentiality. LCL is equally sensitive about your career and your license.

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We can often help when others cannot.

1-888-999-1941
Lawyers Concerned for Lawyers

2016-2017 CANDIDATE INFORMATION FORM

Applications must be received by the Westmoreland Bar Association by January 22, 2016.

I am interested in serving in a leadership role with the WBA and would like the Nominating Committee to consider me for candidacy. I understand that, if elected, I will be expected to attend all committee meetings and will be expected to accept and fulfill designated responsibilities.

I wish to run for the position of:

- Vice President
- Director (3 yr.)
- Membership Committee (5 yr.)
- Building Committee (5 yr.)

Please provide the following information. Attach additional background information that you feel would be helpful to the committee.

Nominating Committee Members:
If you have any questions, please contact them.

Dara A. DeCourcy, Chair
Samuel R. Coury
Terrance C. Ferguson
Charles R. Conway
John Noble
Joe Lazzaro
Allison Thiel

Name: _____

Firm: _____

Address: _____

Phone: _____ Year admitted to practice: _____

Law School: _____ Year joined WBA: _____

Activities with the Westmoreland Bar Association (limit of 3):

1) _____

2) _____

3) _____

Other professional information (limit of 3):

1) _____

2) _____

3) _____

Signature: _____ Date: _____

New Lawyers Bootcamp 2016:

A series of lunch-n-learn programs geared to teach new lawyers tactics, tips and tricks to give you what you need to succeed in the practice of law.

— LIVE —



An accredited provider for the PA Board of Continuing Legal Education

WBA Headquarters

129 North Pennsylvania Ave.
Greensburg, PA 15601

Seminar Fees:

PRE-REGISTRATION:

(Must be prepaid & received at the WBA office by 12 pm day before each seminar.)

CLE Credit

WBA Members - \$30 per credit hr.
Non-Members - \$50 per credit hr.
Young Lawyers - \$15 per credit hr.

Non-Credit

No Charge

WALK- IN:

CLE Credit

WBA Members - \$40 per credit hr.
Non-Members - \$50 per credit hr.
Young Lawyers - \$15 per credit hr.

Non-Credit

No Charge

Lunch will be provided.

Westmoreland Bar Association

129 North Pennsylvania Ave.
Greensburg, PA 15601
724-834-6730
Fax: 724-834-6855

www.westbar.org

For refund policy information, or if special arrangements are needed for the disabled, please contact the WBA Office at 724-834-6730, or

by email at westbar.org@westbar.org.

Custody Conciliation Do's and Don'ts - Revisited Thursday, January 21, 2016 - 1 Substantive Credit 12:00 pm - 1:15 pm

- Learn how to prepare your client and yourself for the first step in the custody process - the Custody Conciliation Conference

Speaker:

Bruce C. Tobin, Esquire
Westmoreland County Custody Hearing Office

The Basics of Durable Financial Powers of Attorney Wednesday, February 17, 2016 - 1 Substantive Credit 12:00 pm - 1:15 pm

- Learn how to prepare durable financial powers of attorney, including considerations raised by the latest statutory changes.

Speaker:

L. Christian DeDiana, Esquire
Chair of Elder Law Committee

Building a Successful Private Practice in Westmoreland County Wednesday, March 2, 2016 - 1.5 Substantive Credits 12:00 pm - 1:45 pm

- Learn how to master the tricks of the trade as far as building a financially successful practice, regardless of the area of the law.

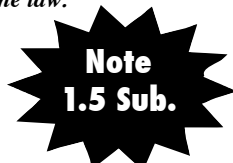
Speaker:

Michael D. Ferguson, Esquire
Ferguson Law Associates

Basic Procedures of Magisterial District Judge Cases Wednesday, May 18, 2016 - 1 Substantive Credit 12:00 pm - 1:15 pm

Speakers:

- The Honorable Denise Thiel
- The Honorable L. Anthony Bompiani
- The Honorable Charles R. Conway III
- The Honorable Helen M. Kistler



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

New Lawyers Bootcamp 2016

Name: _____

Attorney I.D. # _____

Address: _____

Email: _____

Phone: _____

Pre-Registration Fees

CLE Credit:

- WBA Members - \$30 per credit hour
- Non-Members - \$50 per credit hour
- Young Lawyers - \$15 per credit hour

Non-Credit:

\$0

Sign me up for:

- January 21, 2016 – 1 substantive credit no credits
- February 17, 2016 – 1 substantive credit no credits
- March 2, 2016 – 1.5 substantive credits no credits
- May 18, 2016 – 1 substantive credit no credits

Enclosed is my check made payable to the Westmoreland Bar Association.

Bill my MasterCard VISA DISCOVER for \$ _____ (Amount).

Card # _____

Expiration Date _____

Credit Card Billing Address _____

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 day before each seminar.**

Trial Tips in Action 2016

A chance to earn **FREE CLE credits**

An accredited provider for the PA Board
of Continuing Legal Education



Trial Tips in Action (Mock Trial)
Westmoreland County Courthouse
6 Dates Available
January 28
February 3, 11, 18, 23 & March 1
Courtrooms #3 & #5

Volunteers are needed to score high schoolers as they demonstrate courtroom proceedings in a Mock Trial.
Your participation as a juror in a “trial tips in action” seminar qualifies you for 1.5 free CLE substantive credits per session.

Only 12 jurors are needed for each session, so return the registration form as soon as possible.

No walk-ins can be accepted.

WBA Trial Tips in Action Seminar Registration Form

Fax 724-834-6855 or mail completed form to: WBA, 129 North Pennsylvania Avenue, Greensburg 15601

Please check the appropriate area :

Register me as a juror for the trial advocacy seminar, **I do want 1.5** FREE CLE substantive credits per session.

Register me as a juror for the trial advocacy seminar, I do **NOT** want CLE credit.

Name _____

Address _____

Email address _____ Telephone _____

For those wishing CLE credit: Attorney I.D.# _____

All sessions are scheduled to begin at **5 pm**, please plan to arrive 15 minutes prior.

Please choose 1 or more sessions you wish to serve as a juror:

- Thursday, January 28
- Wednesday, February 3
- Thursday, February 11
- Thursday, February 18
- Tuesday, February 23
- Tuesday, March 1

PLEASE NOTE:

The total time frame for each session will be approximately 1 hour and 45 minutes.

**Jurors will receive 1.5
FREE CLE substantive
credits for an entire session.**



Coordinated by the Westmoreland County Children’s Bureau with assistance from CASA of Westmoreland.

This seminar qualifies for required credits for those attorneys practicing in Dependency Cases as required by Administrative Order effective January 1, 2011.

**Tuesday
 February 2, 2016
 9:00 am - 3:30 pm**

**Location:
 Westmoreland County Courthouse
 Commissioners’ Meeting Room**

**Seminar Fees:
 PRE-REGISTRATION:**
 (Must be prepaid & received at the WBA office by 12:00 pm January 19, 2016)
Seating is limited, No walk-ins will be accepted.

CLE Credit
 WBA Members - \$30 per credit hr.
 Non-Members - \$50 per credit hr
Non-Credit
 \$10 Flat Rate
 Waived for Young Lawyers (practicing 10 years or less)

Westmoreland Bar Association
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Session 1 — 2 Substantive Credits

10:00 am - 12:15 pm

A Dialogue with Dr. Karen Morris and Desirea Patterson-Watson

- Dr. Morris is a committed advocate for children with her focus spanning sexual and physical abuse assessments, foster care entrance/transfer/discharge assessments.
- Dr. Morris has assisted child welfare professionals when confronting medical issues.
- Desirea Patterson-Watson is a Forensic Interviewer at **A Child’s Place at Mercy**.
- Caseworker, service coordinator, and therapist with focus on inner-city youth, mental health, autism, trauma, and child development.

Lunch Break: 12:15 pm - 1:15 pm (Lunch on own)

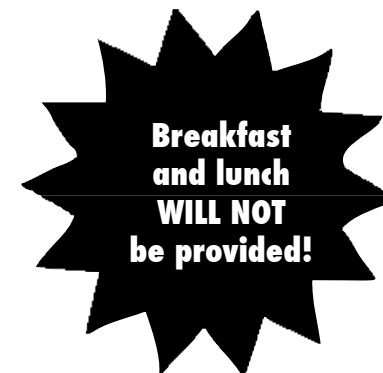
Session 2 — 2 Substantive Credits

1:15 pm - 3:30 pm

An Introduction to Motivational Interviewing with Joe Boggio, Jr - JPO II, Westmoreland County Juvenile Probation

- Employed by the Westmoreland County Juvenile Probation Office since 1994 and holds the position of Probation Officer II
- Motivational Interviewing trainer and coach, as well as a Youth Level of Service Master Trainer.

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



4.0 SUBSTANTIVE CREDITS are available toward your annual CLE requirements.

Feb. 2, 2016 Westmoreland County Permanency Practice Summit

Name: _____
 Attorne I.D. # _____
 Address: _____
 Email: _____
 Phone: _____

- Pre-Registration Fees**
 CLE Credit:
 WBA Members - \$30 per credit hour
 Non-Members - \$50 per credit hour
 Non-Credit:
 \$10 Flat Rate
 Waived for Young Lawyers (practicing 10 years or less)

To qualify for pre-registration, please return this form and your payment to the WBA Office, 129 North Pennsylvania Avenue, Greensburg, PA 15601, **by 12:00 pm January 19, 2016.**

Sign me up for:

- Session 1 – 2 substantive credits no credits
 Session 2 – 2 substantive credits no credits

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 Bill my MasterCard VISA DISCOVER for \$ _____ (Amount).
 Card # _____
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Adventures in Medicare

— LIVE — 1.5 Substantive Credits Available



An accredited provider for the PA Board of Continuing Legal Education

Thursday,

February 4, 2016

4:00 pm - 5:30 pm (CLE Credit)

5:30 pm - 6:00 pm (Q&A)

WBA Headquarters

Seminar Fees:

PRE-REGISTRATION:

(Must be prepaid & received at the WBA office by 12 pm February 3, 2016)

CLE Credit

WBA Members - \$30 per credit hr.

Non-Members - \$50 per credit hr.

Non-Credit

\$10 Flat Rate

Waived for Young Lawyer's (practicing 10 years or less)

WALK- IN:

CLE Credit

WBA Members - \$40 per credit hr.

Non-Members - \$50 per credit hr.

Non-Credit

\$20 Flat Rate

Waived for Young Lawyers (practicing 10 years or less)

Light Refreshments will be provided.

[Westmoreland Bar Association](http://www.westbar.org)

129 North Pennsylvania Ave.

Greensburg, PA 15601

724-834-6730

Fax: 724-834-6855

www.westbar.org

For refund policy information, or if special arrangements are needed for the disabled, please contact the WBA Office at 724-834-6730, or

by email at westbar.org@westbar.org

Provide a general overview of Medicare and how the Medicare system works.

This course will include:

- Eligibility and enrollment in Medicare.
- Various components of the Medicare system.
- The characteristics and function of each component.
- How they interact within the Medicare system.
- How to compare and evaluate the available options to achieve the most effective and affordable health care coverage.

Who should attend:

- Attorneys who are approaching retirement.
- Attorneys who have parents approaching retirement.
- Attorneys who field questions from clients on Medicare issues.

Speaker: William McKendree, J.D.

- Bill McKendree is the supervisor for the APPRISE program in Allegheny County. APPRISE is Pennsylvania's State Health Insurance Assistance Program, helping consumers with Medicare, Medicaid, long term care and health insurance concerns.
- Prior to his position with APPRISE, Mr. McKendree was Director of the Western Pennsylvania Center for Aging Services.
- Mr. McKendree also teaches courses on Health Law, and Health Care Policy at the University of Pittsburgh's School of Law and the School of Pharmacy.

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

February 4, 2016 Adventures in Medicare

Name: _____

Attorney I.D. # _____

Address: _____

Email: _____

Phone: _____

Pre-Registration Fees

CLE Credit:

WBA Members - \$40 per credit hour

Non-Members - \$50 per credit hour

Non-Credit:

\$10 Flat Rate

Waived for Young Lawyers (practicing 10 years or less)

Enclosed is my check made payable to the Westmoreland Bar Association.

Bill my MasterCard VISA DISCOVER for \$ _____ (Amount).

Card # _____

Expiration Date _____

Credit Card Billing Address _____

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 February 3, 2016.**

2016 Personal Injury Update

— LIVE — 2 Substantive Credits Available



An accredited provider for the PA Board of Continuing Legal Education

Topics of Discussion include:

- A review of significant case law developments.
- Strategies for handling complex or difficult Subrogation issues.
- Procedural requirements for properly settling a Wrongful Death and Survival Action.
- Discussion of the nuances of engaging in pre-litigation settlement negotiations with insurance claims adjusters.

Speaker:

Michael D. Ferguson

Ferguson Law Associates



Two (2) 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.

April 14, 2016

2016 Personal Injury Update

Name: _____

Attorney I.D. # _____

Address: _____

Email: _____

Phone: _____

Enclosed is my check made payable to the Westmoreland Bar Association.

Bill my MasterCard VISA DISCOVER for \$ _____ (Amount).

Card # _____

Expiration Date _____

Credit Card Billing Address _____

Pre-Registration Fees

CLE Credit:

- WBA Members - \$30 per credit hour (2 credits=\$60)
- Non-Members - \$50 per credit hour (2 credits=\$100)

Non-Credit:

- \$10 Flat Rate
- Waived for Young Lawyers (practicing 10 years or less)

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 April 13, 2016.**

**Thursday,
April 14, 2016
12:00 pm - 2:00 pm
WBA Headquarters**

Seminar Fees:

PRE-REGISTRATION:

(Must be prepaid & received at the WBA office by 12 pm April 13, 2016)

CLE Credit

WBA Members - \$30 per credit hr.

Non-Members - \$50 per credit hr.

Non-Credit

\$10 Flat Rate

WALK- IN:

CLE Credit

WBA Members - \$40 per credit hr.

Non-Members - \$50 per credit hr.

Non-Credit

\$20 Flat Rate

Waived for Young Lawyers (practicing 10 years or less)

Lunch will be provided.

Westmoreland Bar Association

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Greensburg, PA 15601

724-834-6730

Fax: 724-834-6855

www.westbar.org

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724-834-6730, or

by email at westbar.org@westbar.org.