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**THE NEWSLETTER OF THE  
WESTMORELAND BAR ASSOCIATION  
VOLUME XXXI, NUMBER 6  
JANUARY 2020**

# Superior Court Returns to Westmoreland County

For the first time in 28 years, the Superior Court of Pennsylvania sat in special session at the Westmoreland County Courthouse on Tuesday, October 22, and Wednesday, October 23, 2019. Judge Jacqueline O. Shogan of Murrysville presided over the judicial panel that included Judges Anne E. Lazarus and Judith Ference Olson, hearing arguments in more than 45 criminal, domestic, and civil cases.

Typically, this Court hears oral arguments in Pittsburgh, Harrisburg, or Philadelphia, however, several times a year it travels to sit in special session in different parts of the state. The Administrative Office of Pennsylvania Courts (AOPC) says the traveling court is designed to better acquaint Pennsylvanians with the process by which matters before the state appeals courts are considered and resolved.



*President Judge Rita D. Hathaway (far left) introduces Superior Court Judges Anne Lazarus, Jacqueline Shogan, and Judith Ference Olson during the special session held at the Westmoreland County Courthouse in October. This was the Court's first visit to Westmoreland County in 28 years.*

This was only the second time Westmoreland County has hosted the Superior Court; the first was in April 1991. "We were delighted to be chosen to host the session and to provide the opportunity for people to observe and learn more about argument before the Superior Court," says Court Administrator Amy DeMatt. "We are fortunate, in Westmoreland County, to have good resources such as the Westmoreland Academy

of Trial Lawyers, the Westmoreland Bar Association, staff at the courthouse, and others, who helped to make the visit a success."

More than 300 middle school, high school, and college students, as well as members of the public, attended the historic two-day proceedings. WBA members Peter Cherellia, Judge Christopher Feliciani, Judge Anthony Marsili, Joyce Novotny-Prettiman, Judith Petrush, John Ranker,

Emily Shaffer, and Bruce Tobin took interested students on Courthouse tours during their visit.

"It was great to see that the Superior Court visit generated significant community interest," says WBA President Joyce Novotny-Prettiman. "Many individuals and school groups attended the arguments and had the opportunity to see an appellate court in action. Seeing an active Court up close and personal is an amazing experience."

The judges had a busy schedule while in

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**SEE PAGE 16 FOR PHOTOS FROM THE SUPERIOR COURT'S VISIT.  
MORE PHOTOS ARE ONLINE AT [WBAPHOTOS.SHUTTERFLY.COM](http://WBAPHOTOS.SHUTTERFLY.COM).**

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President's Message

# Let's Talk About It ...

by Joyce Novotny-Prettiman, Esq.

It seems like people want to talk about everything these days! Just take a look at some of what is on television, social media, blogs, and podcasts. Is there too much information being shared? I would argue that there are important things



that still go unsaid in this era of TMI. We don't talk about the most important things ... and those things many times involve mental health issues.

Many times attorneys deal with clients who are in crisis. The job of a lawyer is to guide a client through a messy divorce, to defend a person who is facing incarceration, to fight for a client's

**"Anything that's human is mentionable, and anything that is mentionable can be more manageable."**  
—Fred Rogers

settlement after a serious injury, or to plan for many other potential problems the future may hold. If you add the pressures of paying law school debt, managing a practice, and meeting family obligations, it is no wonder that practicing law can be daunting.

According to the study conducted by the American Bar Association and Hazelden Betty Ford Foundation in 2016 (see [tiny.cc/2016ABAstudy](http://tiny.cc/2016ABAstudy)), the statistics are frightening:

- Lawyers are 3.6 times as likely to be depressed as people in other jobs.

- 28 percent of licensed, employed lawyers suffer with depression.
  - 19 percent of lawyers have symptoms of anxiety.
  - 21 percent of licensed, employed lawyers qualify as problem drinkers.
- Since this study was conducted, the American Bar Association and bar associations throughout the country have made efforts to combat these problems. It is no surprise that the study also found that attorneys do not seek help because they have concerns about confidentiality. It is so important to know that help is available, so ... let's talk. ■



## Interesting Perspectives

**40%** of law school students feel their schools are not doing enough to offer mental health resources according to the Kaplan Bar Review.

**84%** of law schools reported having policies in place to restrict alcohol served at school events and 62 percent included well-being in professional responsibility courses according to an ABA Law School Assistance Committee 2018 Law School Wellness Survey.

Source: [ABAjournal.com](http://ABAjournal.com)

## Important Resources

The Westmoreland Bar Association continues to provide confidential help through a local **Lawyers Assistance Committee** and anyone needing assistance or trying to find how to assist a colleague can contact our Executive Director at 724-834-6730 for more information. There are funds available to assist people who need help to get started on that journey.

The Westmoreland Bar Foundation has established an Assistance Fund which can provide financial assistance to Westmoreland County lawyers and judges and their family members with expenses such as medical or psychological evaluations. For more information on the **Westmoreland Bar Foundation Assistance Fund**, contact the WBA office at 724-834-6730.

**Lawyers Concerned for Lawyers of Pennsylvania, Inc. (LCL)** is an assistance program which offers confidential help to lawyers, judges, and their family members. Support is provided by a network of volunteer lawyers and judges from around the Commonwealth, other states, Canada, and Great Britain.

**Lawyers Concerned for Lawyers:**  
1-800-335-2572  
**Confidential Hotline:**  
1-888-999-1941

# Doing The Courthouse Shuffle

When you walk the halls of the courthouse in 2020, it may seem the same, but something will be a little off. The faces you've come to recognize will be there, but out of place, as if they were participants in a game of musical chairs that forced them to land in a place different from where they started. Don't fret if you're confused, it's not your memory playing tricks on you. It's merely the result of an unprecedented shifting of personnel within the courts.

"I needed a challenge," Pam Ferguson said, when asked why she left her position as a DRO IV-D attorney, after eight years, to clerk for Judge Mears. Whatever the reason, ten other members of the bar, including the two newly elected judges—Michael Stewart II and Justin Walsh—began new positions within the courts in 2020:

- President Judge Rita Hathaway has moved from criminal court to civil court.
- Judge Scott Mears has moved from family court to criminal court, taking over Judge Hathaway's caseload.
- Newly elected Judge Michael Stewart has taken over Judge Mears' family court caseload.



- Newly elected Judge Justin Walsh has taken over the family court caseload of Senior Judge John Driscoll, who has "retired" (Judge Driscoll

- and Senior Judge Richard McCormick, Jr., are handling Summary Appeal hearings in 2020).
  - Hope Aston left her position as Domestic Relations Hearing Officer to clerk for Judge Michael Stewart.
  - Monique Mears left her position of Juvenile Dependency Hearing Officer to become the new Domestic Relations Hearing Officer.
  - Barbara Jollie left the DA's Office to become the new Juvenile Dependency Hearing Officer.
  - All Counts Master Henry Moore left his position to become the new solicitor for the Sheriff's Office.
  - Karen Patterson left the DA's office to become the new All Counts Master.
  - Rebecca Martz, who began her employment with the county as an intern in the District Attorney's Office, has assumed the DRO IV-D Attorney position, which was vacated by Pam Ferguson in the fall.
- As 2020 promises to be a year of new beginnings, we wish the best for those who have embraced the challenge of change and we look forward to working with familiar faces in new places. ■



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Of the 14 cases listed on the November 2019 Civil Jury Trial list, six settled, seven were continued, and one proceeded to a jury trial.

**PENNSYLVANIA NATIONAL  
MUTUAL CASUALTY  
INSURANCE COMPANY  
V.  
ADAM GALLO,  
STAMPED ASPHALT, INC.,  
CHARLES TERPIN AND  
SAUNDRA GALLO  
NO. 4007 OF 2018**

*Causes of Action: Declaratory  
Judgment—Motor Vehicle*

The case involved a declaratory judgment action regarding a single-vehicle accident which occurred on September 26, 2015. On the night of September 25-26, 2015, Adam Gallo and his wife, Sandra Gallo, utilized a Ford F-450 truck owned by Stamped Asphalt, Inc., to visit various restaurants and bars before becoming involved in a single-vehicle accident on the drive back to their



residence. Mr. Gallo was provided the use of the truck through his employment with Stamped Asphalt, Inc., and owner Charles Terpin testified to the permission given to Mr. Gallo for the use of the vehicle outside of official company business.

Plaintiff requested a declaratory judgment that Adam Gallo's use of the company vehicle owned by Stamped Asphalt, Inc., on September 25-26, 2015, constituted a substantial deviation from the limited permission given to him by his employer.

Defendant Sandra Gallo maintained that the conduct of Adam Gallo did not constitute a substantial deviation.

*Trial Date:* November 4, 2019

*Plaintiff's Counsel:* Miles A.

Kirshner, Margolis Edelstein, Pgh.

*Defendants' Counsel:* Michael E.

Megrey, Woomer & Talarico, LLC, Pgh.

*Trial Judge:* The Hon. Harry F. Smail, Jr.

*Result:* Verdict in favor of Defendants. ■

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**Daniel Joseph**

# AlterEgo: Robert Domenick, Monuments Man

by Caitlin Bumar, Esq.

For Attorney Robert Domenick, his devotion to documenting veterans' and military memorials began a decade ago when he and his mother went to plant their yearly Memorial Day flowers on the graves of family members. On this occasion, Robert's mother pointed out the grave of his great-uncle, Clarence George Fitzgerald, whose gravesite was barren; there was no marker or gravestone to be found. Robert's mother explained that Uncle Clarence had a difficult life, being orphaned at a young age. He enlisted at age 33 and served with the 8th Infantry Division of the U.S. Army. He spent 266 days in combat in World War II and was honorably discharged. After the war, he encountered more difficulties, at times homeless and facing a continual struggle with alcoholism. Although he eventually won his fight for sobriety, he passed away in 1959 at the age of 50. No family member obtained a marker for his gravesite.

Intensely saddened that his Uncle Clarence, an honorably discharged World War II veteran, was lying nearly forgotten in an unmarked grave, Robert was spurred into action. After

over a year of obtaining records and communicating with Veterans Affairs, he was able to obtain a bronze marker for his uncle's grave.

Robert's interest in genealogy, travel, and veterans affairs led naturally to his present avocation documenting and cataloging nearly forgotten veterans' and military memorials. Not long after obtaining the marker for his uncle, Robert joined the American Legion, and immediately was interested in their Legion Memorial Project, which collects information on these memorials in a comprehensive online database. Key to the success of the project are individual volunteers like Robert, who tirelessly tour the United States in search of undocumented monuments.



Robert Domenick

“Little towns, villages, and hamlets, that’s where you find them,” says Robert, describing his methodology for seeking out new monuments. Sometimes he will spot them while he is out and about, and sometimes he will make a dedicated trip to an out-of-the-way locale where no monuments are presently recorded in search of hidden gems. Once a new monument is found, Robert photographs it from multiple angles, catalogs information on when it was built, who built it and who it honors, and documents any other unique information or architectural characteristics. All of this information is then submitted to the American Legion Headquarters in Indianapolis for review and approval. To date, Robert has successfully submitted 290 monuments to the database from locations all across Southwestern Pennsylvania.

“They are all unique and interesting,” Robert explains. Each monument has a distinctive character; they have all been built and maintained over the centuries by diffuse groups including local municipalities, American Legion and VFW members, scouting groups, and anonymous local individuals who simply take pride in their community and country. Robert has noticed over the years that despite their often obscure locations or origins, most of our local monuments are still regularly maintained with shined plaques and new flags, wreaths, and flowers. An interesting example of this is the Shaner & Guffy Honor Roll in Sewickley Township; although both towns were destroyed

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# AlterEgo: Robert Domenick, Monuments Man *continued from page 5*

by flooding in the 1950s and were never rebuilt, the honor roll is immaculately maintained to this day.

Over the years, Robert has discovered that there are monuments everywhere. In fact, there are four veterans' memorials on the grounds of the Westmoreland County Courthouse itself. The most noticeable is the statue of the Civil War soldier which stands prominently in Courthouse Square. A marble wall plaque honoring World War II Marine Corps veterans is located in the passageway between the old courthouse and the annex. Interestingly, the image adorning this memorial is taken directly from a theatrical poster from the 1951 film "Halls of Montezuma" (see photos below right).

The Courthouse also houses two World War I memorials. The first is located in the inaccessible former front entrance to the old courthouse; it is a large bronze plaque listing the names



*The Shaner & Guffy Honor Roll in Sewickley Township is immaculately maintained even though both towns were destroyed by flooding in the 1950s and were never rebuilt.*

of all 336 Westmoreland County residents who died during their service in World War I. The second is located

in the WBA's Lawyers Lounge on the fourth floor of the annex. This unique memorial is a framed document which lists the 28 members of the Westmoreland Bar who served in World War I, including Lieutenant Wilson B. Gaither and Lieutenant Albert H. Bell, Jr., who were killed in action (see photo below).

Robert feels these memorials are not just an important part of our local and national history, but are always in development and an important part of honoring our country's service members, past or present.

A new memorial is presently slated for construction near the Peach Plaza Skate & Action Park portion of Twin Lakes Park in Westmoreland County. The memorial is being developed by the Westmoreland County Veterans of the War on Terror who are currently in the process of fund-raising for the monument. The dedication is planned for September 11, 2021. ■

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**Do you know of an out-of-the-way or undocumented Westmoreland County memorial? Contact Robert Domenick by phone at 724-523-9530 or by email at [rpdomenick5@cs.com](mailto:rpdomenick5@cs.com).**

**For more information on the Legion Memorial Project, visit [legion.org/memorials](http://legion.org/memorials).**

**For information on the monument currently in development at Twin Lakes Park, visit [wcvwtm.org](http://wcvwtm.org).**

# foundation focus

## WBF Trustee Jason Yuhas Takes Center Stage



**W**estmoreland Bar Foundation Trustee Jason Yuhas serves as one of five community members on the WBF board.

Jason is with First Commonwealth Advisors, a position he has held for 17 years. He currently serves as the Senior Wealth Advisor, and specializes in the critical areas of retirement planning and wealth transfer strategies. His primary responsibility is to assist his clients with financial options that help meet their individual objectives and goals. Jason has served on the Westmoreland Bar Foundation trustee board since 2011 and currently serves as the Treasurer.



Jason Yuhas

Outside of work, Jason pursues his passions as a guitarist and songwriter for the Andy Davis Band. Let's just say that Jason is one interesting guy. We thought it was time for you to get to know him better.

**Q HOW DID YOU GET INTO THE WEALTH ADVISORY PROFESSION?**

**A** I began my career as an insurance agent and over time transitioned to the role as a Wealth Advisor.

**Q MANY PEOPLE DON'T KNOW ABOUT YOUR SKILLS AS A GUITAR PLAYER. DID YOU PLAY MUSIC IN COLLEGE AND DID YOU MAKE ANY MONEY AT IT?**

**A** Yes, I was in a band in college, and used some of the profits to pay for living expenses while I was attending West Virginia University.

**Q ARE YOU FROM WESTMORELAND COUNTY?**

**A** Yes, I'm from Greensburg and graduated from Hempfield High School.

**Q HOW DID YOU GET INTO MUSIC?**

**A** Around 12 years old, I went to Seton Hill where

Duquesne University provided music lessons. I learned to read music and play classical guitar, but I really just

wanted to be a rock star like Keith Richards!

**Q DID YOUR PARENTS SUPPORT YOUR MUSIC INTERESTS?**

**A** My parents bought me my first guitar and made sure I had lessons with all the resources to be successful. I am very grateful for that.

**Q DID YOU EVER CONSIDER PLAYING PROFESSIONALLY INSTEAD OF THE SUIT-AND-TIE PATH THAT WE SEE YOU IN NOW?**

**A** Yes, I was living in the Washington, D.C., area after college and playing professionally. Making a living as a musician is a tough gig. You end up finding other means to support yourself, and eventually move towards another career.

**Q WHAT IS YOUR FAVORITE TYPE OF MUSIC TO PLAY?**

**A** I have always been a fan of classic rock, because that is what I grew up listening to. I also have a strong love for country music.

**Q WHO ARE THE BANDS YOU OPENED FOR OR PLAYED WITH THAT WE MIGHT KNOW?**

**A** Dave Matthews, Blue Oyster Cult in the 1990s. Now it is bands like the Brothers Osborne, and Zac Brown.

*continued on page 8*

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## Jason Yuhas *continued from page 7*

I have played with national acts where there were ten thousand people and bars where there were three people.

**Q TRUTH BE TOLD, WHAT TIME DO YOU GET UP ON A SATURDAY OR SUNDAY MORNING AFTER PLAYING THE NIGHT BEFORE?**

**A** Let's just say it's not early.

**Q DO YOU HAVE A LIFE-GUIDING MOTTO?**

**A** No motto, but I try to live with balance in life ... career, music, and family.

**Q AND IF ANY OF OUR MEMBERS WANT TO GET IN TOUCH WITH YOU AT YOUR OFFICE WHAT WOULD BE THE BEST WAY TO DO THAT?**

**A** Jason Yuhas, VP, Senior Wealth Advisor, First Commonwealth Advisors, 724-836-8818, [Jyuhas@fcadvisor.com](mailto:Jyuhas@fcadvisor.com). ■



## New Member Sketches

The following new members have been approved by the Membership Committee and Board of Directors.

**LUCY ANN BURGUNDER** has been admitted as a participating member of the WBA. She earned a bachelor degree in social work from Temple University and her J.D. from the University of Pittsburgh. Lucy is an associate with Tremba Kinney Greiner & Kerr LLC in Greensburg.

**CHELSEA FORBES** was admitted as a participating member of the WBA. Chelsea received her bachelor degree in communications media from Indiana University of Pennsylvania and her juris doctor degree from Duquesne University. She is an associate with Tremba Kinney Greiner & Kerr LLC in Greensburg.

**REBECCA MARTZ** has been admitted as a participating member of the WBA. She earned a bachelor degree in criminology, law & society from Saint Vincent College and her J.D. from the University of Pittsburgh. Rebecca is the Title IV-D Attorney with the Westmoreland County Domestic Relations Office.

**RICHARD BENJAMIN MCGIFFIN** was admitted as a participating member of the WBA. Ben received his bachelor degree in political science from Duquesne University and his juris doctor degree from Penn State University. He is an associate with Zimmer Kunz, PLLC, in Pittsburgh. ■

## Laurel Legal Caseload Increases By Over 20%

*by Jessica Lynch, Director of Private Attorney Involvement, Laurel Legal Services*

Across Laurel Legal Services' six-county region, the Staff Advocates, along with volunteers in the Private Attorney program, handled an ever-growing caseload in 2019. Specifically, Laurel Legal covered 1,230 Family Law cases and 435 cases involving Housing (such as Landlord-Tenant). For matters involving economic stability (which includes Bankruptcy, mortgage foreclosure, and unemployment compensation), Laurel Legal and its volunteers rendered advice in 548 matters.

Pro Bono attorneys are important partners to legal aid, as they provide expertise as well as additional resources to serve more community residents. In 2019, the private bar (which we call "PAI") handled 147 cases in partnership with Laurel Legal. That's 147 people or families in crisis that would not have received help absent our wonderful volunteers! Here in Westmoreland County, our PAI roster includes Debra Cribbs, Michael Dailey, Kelly Eshelman, Amanda Faher, Tara Hutchinson, Maureen Kroll, Joel Kundin, George Miller, Paul Miller, Jr., Donald Shroyer, and Andrew Skala.

Happily, Laurel Legal's funding has been renewed for 2020 and the Staff is expecting another banner year of new cases. So for anyone with "do more pro bono" on your resolution list, we would love to hear from you! Regardless of whether as Private Attorney volunteer, donor ([www.laurellegalservices.org](http://www.laurellegalservices.org)), or to partner with us in Community Outreach, we welcome you and your firm's involvement. ■

**SAVE THE DATE!  
NEW MEMBER CEREMONY  
MARCH 24, 2020 @ 3 PM**



# To-Wit: Requiescat In Pox

by S. Sponte, Esq.

It was the first thing I noticed when I walked into the office that morning. My secretary, always the epitome of dedication, decorum, and professionalism, was sitting at her desk reading the morning paper. Even though it was only twenty minutes before her starting time, there was work she could have been doing. Because she has always been the epitome of loyalty, professionalism, and diligence, I decided not to dock her pay; after our more than forty years together, I suppose she's earned some modicum of tolerance.

"Okay," I asked her, "what's so noteworthy?"

Rather than answer, she handed me the paper and pointed to something she had circled. "I think you will find this interesting," she said, and as always, she was right. It was the

obituary of a local colleague and indeed I did find it interesting.

I can say with unusually complete truthfulness that I really do like most of my local colleagues. Sure, this is an adversarial business, and of course we knock heads and hearts with colleagues all the time. Many of them, though, are my friends, and once the dust settles from whatever the confrontation *du jour* may be, hostilities cease and our friendships resume. The resumption is always somewhat easier for me if I have prevailed, but regardless of the outcome my colleagues and I remain nothing less than cordial. Even if I have shared no previous relationship with opposing counsel other than the mutual desire for professional evisceration occasioned by the temporality of litigation, once ended I have no trouble resuming my default minimum level of disdain.

Ah, but with this guy it had been completely different; this was a guy I had not liked for a long time, and his passing troubled me not in the slightest.

I'm guessing you're guessing there's a back story here, and you'd be right. It happened a long time ago, and while I am not the sort to hold grudges for more than a few years or so, this was something one doesn't forget, not if one has any sense of professional integrity.

It isn't complicated. He and I had been litigating over a commercial lease and as part of his case at our non-jury trial he had introduced into evidence a forged document. Because I am a good lawyer, I had been able to determine



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## Intellectual Property Law Patents, Trademarks, Copyrights

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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

## To-Wit: Requiescat In Pox *continued from page 9*

in advance of trial that not only was it forged but that he had forged it. Because he was a crappy lawyer, he hadn't a clue that I might figure it out. It was kind of fun lying in wait for him to offer it into evidence at trial, and when he did, I ambushed him with elation.

"Gee," I asked his client during cross-examination while waving the document in front of him, "the handwriting on the signature line here sure looks familiar, doesn't it? Do you recognize it?"

He squirmed a bit in his seat but said "no."

"Mr. \_\_\_\_\_," I asked, then turning to counsels' table, "doesn't this handwriting look familiar to you, too?"

The matter was left there until I put my client's case in. Then I readily proved the false signature on the document was in opposing counsel's own handwriting. The judge had no trouble finding for my client.

"In addition," she said from the bench, "I will report this to the Disciplinary Board and the District Attorney for appropriate follow-up."

From that day until he kicked the bucket, I don't think we ever talked again, and I was okay with that.

I don't often talk to felons, convicted or otherwise, and I'm quite certain he had no burning desire to communicate with me. Nothing stirs up a corrupt soul's enmity towards another more than having had that corruption exposed and having then been bested by it as a result.

Oh, what do you do with a man like that, one whose professional *sine qua non* does not include integrity? Not needing the answer as much as I do, our bar association observed his passing as it customarily does; all members were invited to gather at his church for the funeral and enter the front door as a group. It is meant as a salute to a departed colleague, a moment of reflection on what waits for us all, and a reminder of the collegiality

we strive to maintain. I've done it for many others, I hope that some might do it for me, although a church won't figure into it.

This time I didn't go. I was content to let him pass into the hereafter without any unwarranted assistance from me. Someday I may have to answer for these grim, perhaps somewhat celebratory feelings. Being dead is kind of a solemn thing and a permanent one at that. There

must be some nice people out there who will miss and mourn him, and that I can't imagine it doesn't make it any less so.

Somewhere it is written that we shouldn't speak ill of the dead. As I suppose my own turn will someday come, I have always believed in that dictate and always will, just so long as any documents appurtenant thereto haven't been forged. ■

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*Westmoreland Revisited*

# The Upheaval of 1877: Bread or Blood!

*by The Hon. Daniel J. Ackerman*

Best you think that we are living under the ancient Chinese curse, “May you live in interesting times,” you may, if you think it will be consoling, consider the year 1877, a year with seemingly no historic significance, and certainly not one we—some 143 years later—would associate with domestic turmoil. But those who lived through it were frightened that it just might be remembered for the beginning of yet another civil war: not between the states, but between labor

and those who supported and owned the country’s industries.

### THE PANIC OF 1873

The Panic of 1873 has been eclipsed in our national memory by the Great Depression of the 1930s, but the suffering of those caught up in each of these economic crashes were comparable. At the time of the Great Depression, certainly more people were affected, but only because the population had grown to more than three times that of the 1870s.

When the 1873 panic began here, financial markets had already fallen in Europe. On September 18, the Wall Street banking house of Jay Cook and Company failed, partially due to overinvestment in railroad stock, and the country followed suit by falling into the greatest depression it had ever experienced.

The negative effects, however, were not evenly distributed.

Rural communities fared somewhat better, while the suffering was intense in the urban centers which were the hubs of industry and commerce. There, unskilled workers were packed together in grimy tenements, living a hand-to-mouth existence; most of their children dropped out of school, either to work long hours at menial tasks to supplement the family income, or to become enmeshed in street gangs that terrorized the cities. The prevalence of juvenile crime popularized a new term, “hoodlum.” And while the wealthy saw the

value of their investments and property decrease, and some were financially ruined, most of the upper-class continued to enjoy the life Mark Twain satirized in his book, “The Gilded Age.”

Whether the panic had an immediate effect on an individual or not, it cast a pall over the public consciousness, resulting in widespread cynicism, fear, and the loss of trust in public institutions.

### NOT A LOT TO CELEBRATE

In 1876, the country celebrated its centennial, but there was not universal exuberance. In June, the mood was dampened by the unthinkable news that General George Armstrong Custer and those with him in the Dakota Territory had died to the last man at the

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*The Hon. Daniel J. Ackerman*



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# The Upheaval of 1877 *continued from page 11*

hands of the Sioux and Cheyenne.

Pennsylvania Governor John F. Hartranft, at one centennial event, referred to the “growth of lawlessness in our national life.”

In November, the public witnessed the most disputed presidential election in American history, stained by charges of fraud and corruption leveled by the supporters of both Samuel J. Tilden, the Democratic candidate, and the Republican, Rutherford B. Hayes. It was a contest so bitter that a newspaper editor in Kentucky called for 100,000 Democratic volunteers to see that Tilden was inaugurated, notwithstanding the final count (he was not).

As for the economy, the downturn would last for another three years.

## THE NOT-SO-MIGHTY RAILROAD

The sinew connecting manufacturers and producers to their customers, which also had facilitated the settlement of the American west, was the powerful railroad industry. In a little more than a decade, it had rendered the nation’s canal systems obsolete and now faced no competitors in the area of commerce.

Railroad lines owned a tenth of America’s land and were commonly believed to own any number of state legislatures and a hefty chunk of Congress as well. The giant among the lines

was the Pennsylvania Railroad, the country’s largest corporation. Yet even these titans were not immune to the hard times resulting from the panic: 89% of the 364 railroad companies went into bankruptcy. The mantra in the industry now consisted of two words: cut costs.

Cost cutting was evident everywhere. The cost of food, which generally consumed three-fifths of a laborer’s pay, dropped 5% during the first three years of the panic, but at the same time, daily wages fell at least 25%.

Union members constituted only 1% of the workforce, and, with scant exceptions, trade unionism had faltered under threats and economic retaliation from business. Yet, as the situation worsened, workers across the country in various industries formed isolated pockets, often in secret, to act in concert to assert their demands, regardless of the consequences.

Short-term wildcat strikes began breaking out along rail lines in Maryland, West Virginia, and eastern Pennsylvania with such frequency that in some instances, management staffed their trains with replacement crews upon whom they thought they could rely.

In July 1877, the City of Pittsburgh and Allegheny County, with 33 iron mills, 8 steel rolling mills, 7 white lead factories, 73 glass factories, 29 oil refineries, and 158 coal mines, had

every right to enjoy their status as the country’s industrial hub; compared to other urban areas, it was even starting to make a comeback from the economic downturn.

The Brotherhood of Railroad Engineers, one of the few viable trade unions, had recently agreed to a 10% wage cut from the Pennsylvania Railroad, which increased the prospects for stability.

To be sure, there were newspaper accounts about the disruption of train service elsewhere, particularly at Martinsburg, W. Va., where the new president, Rutherford B. Hayes, had sent in federal troops to restore service. Yet, in Pittsburgh there was no organized plan to strike, even though a significant portion of the public would have sympathized with the workers. Interestingly, the PRR was not popular in Pittsburgh, since many saw the railroad’s pricing policy as favoring other markets at the city’s expense, a sentiment voiced in a local editorial titled, “Railroad Vultures.”

## POOR JUDGMENT AND BAD TIMING

Rather than leaving well enough alone, Robert Pitcairn, the line’s western superintendent, managed to combine poor judgment with bad timing, by posting an order on July 16 stating that all eastbound freight trains out of Pittsburgh would be “double-headers” (a train with more cars and



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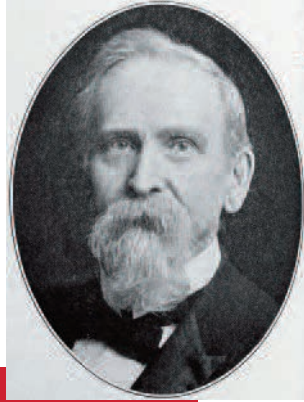
an engine at both ends)—a configuration that the crews viewed as dangerous, and which would substantially reduce the number of conductors and brakemen—suggesting that 50 to 60 men would be put out of work.

On the morning of Thursday, July 19, 49 trains were scheduled to depart from Pittsburgh. When the time arrived for the first double-header to head out, a flagman announced that he was refusing to go, and one or two others stepped forward to join him. The conductor appealed to the rest of the crew, but to a man they refused as well. Replacements were sought in the trainmen’s room, and when all present declined the request they were fired on the spot.

Word of this development quickly spread and a crowd gathered, blocking the switch leading to the main track. As the gathering of strikers, their supporters, and those who were simply curious, increased—with the strikers being but a small minority—PRR managers sought out Pittsburgh’s mayor, William McCarthy, for help.

Perceiving a politically charged issue, the mayor suggested that he could do little in the way of aid, and in fact that was true, for in June, half the police force had been discharged because the city lacked the funds to pay them.

About a half dozen officers were dispatched with little to show for it, and the strikers significantly helped their cause by stopping only freight trains,



*Pennsylvania’s first elected Lieutenant Governor was John W. Latta, a genial Greensburg lawyer who had previously represented Westmoreland County in the state’s house of representatives and senate.*

allowing passenger trains to come and go on schedule (trains with cattle cars were also waved through for the sake of the animals).

At the end of the day’s events it looked like this was just another wildcat dustup like so many others that summer which had died on the vine. It might have been if both sides had let the matter cool—but that was not to be.

The next day, Friday, July 20, the local Brotherhood of Engineers somewhat reluctantly endorsed the strike. Robert Pitcairn, whose order lit the fuse, had departed on a summer vacation and was not immediately present to reconsider the timing or consequences of his order (he returned to the city later that night). Nor was Governor Hartranft available to weigh in on the issue. He, however, would not likely have helped, for the governor had embarked on a six-week railroad tour of the west in a luxurious

private car, the *Pennsylvania*, owned and provided by Tom Scott, president of the PRR.

Next in the line of responsibility was the lieutenant governor, a position recently created by an amendment to the state’s constitution in 1873. The first and present occupant of that office was John W. Latta, a genial Greensburg lawyer who had previously represented Westmoreland County in the state’s house of representatives and senate. Prior to departing, the governor informed Latta that should there be any disturbance which the local authorities couldn’t handle, Latta should send in the militia. Unfortunately, this is just what the lieutenant governor would do after receiving a dispatch from Pittsburgh that entreaties

from the sheriff to disperse the crowd were met with jeers and threats.

**CALL OUT THE GUARD**

The Sixth Division of the Pennsylvania National Guard based in Pittsburgh was called to assemble, but did so slowly. It became apparent that many of its members would be reluctant to use force upon a crowd which might include friends or even relatives.

A second request for more reliable troops from Philadelphia’s First Division was sent by telegraph to Latta. Granting his approval, the lieutenant governor boarded a special train whisking him from Harrisburg to Pittsburgh’s Union Depot, a square brick building which served as both a train station and hotel.

*continued on page 14*






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# The Upheaval of 1877 *continued from page 13*

When he arrived at 1 a.m. on Saturday, July 21, 350 Pittsburgh troops were on hand at the depot. As the day wore on, the crowd supporting the strike had reached 5,000 by the time the 600 troops of the First Division arrived on the scene from Philadelphia.

Yet, even then, with this great assembly, violence had not taken root in the city. Apart from the stopping of freight traffic, there had been nothing more than an exchange of threats and profanities, though some were punctuated with the ominous shouts of “Bread or Blood!” The *Pittsburgh Dispatch* noted in that day’s edition that there had been “a good deal of farce” in calling out the militia under these circumstances.

## THE SITUATION HEATS UP

The hostile mood of the public should have been apparent from the dents, broken windows, and pieces of brick lying on the roofs of the passenger cars carrying the troops when it pulled into the station—evidence of the stoning of the train by mobs as it passed through Harrisburg, Altoona, and Johnstown. Departing the train, the soldiers could see some of the 2,000 idle freight cars and locomotives that were the reason for their presence.

Several of the city’s businessmen approached the commanders of the Philadelphians, urging them to keep their men in place at least until Monday, arguing

that it would reduce the risk of violence. But the First Division had not come all this way to be spectators, so they formed ranks and marched up the street, smartly forming a hollow square, accented by two Gatling guns.

With fixed bayonets, they pressed against the crowd at the 28th Street station and crossing in the “strip district,” not far from the future site of the Pennsylvania Station. There, the crowd was so dense there was little room for them to move. Some irresponsible voices in the throng started yelling, “Shoot! Shoot!” daring the troops to fire. Reminiscent of the Boston Massacre, the troops were pelted with stones, debris, and anything at hand.

About five o’clock, pistol shots were heard, and without orders from their officers the soldiers began firing into the mass of protesters.

In the confusion that followed, troops involved in the firing retreated into what was known as the lower roundhouse at 26th Street and Liberty. Throughout the night, pandemonium prevailed. In the PRR yards, freight cars and buildings—including the Union Depot—were set ablaze.

The same cuts in manpower that had reduced the city’s police force decimated its fire department as well, which struggled to put out the flames that seemed to spring up in every

direction. Firemen were hampered by roving mobs who cut their hoses and threatened to shoot them, until the firefighters agreed that they would only attempt to save non-railroad property. The fires and the accompanying confusion gave way to indiscriminate looting of stores and businesses; everything had escalated out of control.

In the early morning hours of Sunday, July 22, rioters at the lower roundhouse, who until then had to be content with shooting into its windows with pistol and rifle fire, somehow gained possession of a cannon from the Lawrenceville arsenal. Inside the roundhouse, frustrated soldiers who had been ordered not to return

the fire against them were given permission to shoot, but only in the vicinity of the cannon to neutralize its presence.

This tactic kept them secure until the roof of the roundhouse was set ablaze. About 8 a.m., the fire forced the soldiers out and they marched in formation toward Sharpsburg. During their retreat, four soldiers were shot to death from windows along the march. To their rear followed enraged pursuers, backlit by the glow of burning buildings and freight cars.

## THE TOLL

The four soldiers who were cut down during their retreat were the only military deaths. The




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coroner's count of civilian deaths was 20, of which only two were railroad men. The number of wounded is beyond calculation, as some were treated at hospitals, some by doctors at the scene, and others were taken home to be treated by family and friends.

The smoldering ruins of 39 buildings, 104 locomotives, and 1,245 freight and passenger cars were a testament to a financial loss valued at \$5 million, the equivalent of \$120 million today.

As he had done in West Virginia, President Hayes, after almost a month of continued unrest, sent in federal troops to secure the city and end the western Pennsylvania phase of the upheaval. But there was no legal conclusion. The issue of what was the cause of the



*During the Great Railroad Strike of 1877, freight cars and buildings—including the Union Depot—were set ablaze by protestors. Firemen were hampered by roving mobs who cut their hoses and threatened to shoot them, until the firefighters agreed that they would only attempt to save non-railroad property. Illustration from Harper's Weekly.*

riot and who was legally responsible for the damage, as you might expect, would drag on for years both in the courts and the legislature. An Allegheny County grand jury returned indictments

against almost 100 rioters, whose various fates are mercifully beyond the scope of this article.

The legislature launched an investigation to be conducted by the Riot Committee which issued a report blaming the city and county for failing to keep the peace. In the courts, arguments were made as to whether liability for damages could be pursued under an 1849 statute which gave property owners the right to sue Allegheny County for damages caused by riots, an extension of an 1841 statute that granted the same right to Philadelphia property owners.

The county challenged the constitutionality of these statutes since they did not apply equally to all the counties of the commonwealth, but in 1879, the Pennsylvania Supreme Court held Allegheny County liable under the 1849 statute in the case of *County of Allegheny v.*

*Gibson's Son & Co.* Eventually the PRR agreed to settle its claims for 70¢ on the dollar, with the county floating a bond issue to cover its losses.

The events of 1877 have, for the most part, been long forgotten, but the issues which so confounded that year have continued to reappear in various forms with frustrating regularity to the present day. ■

**SOURCES**

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# Superior Court Returns to Westmoreland County *continued from page 1*

Westmoreland County. In addition to the special sessions, a meet-and-greet reception was held Tuesday evening at the Westmoreland Museum of American Art, followed by a dinner with the Westmoreland Academy of Trial Lawyers at Rizzo's in Crabtree. Wednesday morning began with a free one-hour CLE seminar for WBA members, "Advocating in the Superior Court," before the second day of arguments commenced. ■



*The Hon. Michele Bononi, Westmoreland Academy of Trial Lawyers President Maria Spina Altobelli, The Hon. Anne E. Lazarus, The Hon. Jacqueline O. Shogan, President Judge Rita D. Hathaway, WBA President Joyce Novotny-Prettiman, The Hon. Judith Ference Olson, and The Hon. Meagan Bilik-DeFazio.*



*The Hon. Anne E. Lazarus and Marla Blum were classmates at Temple University.*



*John Scales and Alexander Brown.*



*Judi Petrush and Girl Scout Troop #26279 from Lower Burrell tour the Courthouse.*

*John Ranker leads Greater Latrobe High School students on a tour of the Courthouse.*



*Joyce Novotny-Prettiman gives students from Ligonier Valley High School a tour of the Courthouse.*



*Emily Shaffer, Stephanie Balest, Kelly Eshelman, and Nick DiNardo.*

# Young Lawyers Outing Hits the Bullseye



FindLaw's Mark Melago hit the bullseye as sponsor of the axe throwing event.

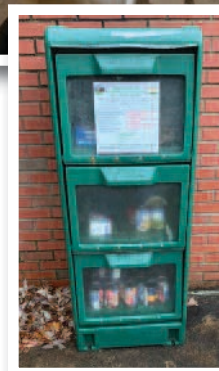
Judge Marsili takes aim.

The Young Lawyers Committee hosted an axe throwing event on Thursday, November 21, at Valhalla in Jeannette. Admission to the event was sponsored by FindLaw.

Axe throwing is a sport in which the competitor throws an axe at a target, attempting to hit the bullseye as near as possible. A staple of most lumberjack competitions, the sport went mainstream in the United States around 2016, when commercial venues started opening for participants to compete in leagues, similar to dart throwing or bowling.

Attendees were asked to bring a non-perishable food item, toiletry, and/or hygiene product to the event to be distributed in Greensburg's new "Little Free Pantries" project. These little free pantries set throughout downtown Greensburg (Saint Clair Park, Lynch Field, and South Pennsylvania Avenue Parklet) help neighbors and community members in need, but rely on the community to keep them full.

The Downtown Greensburg Project maintains an Amazon Wish List for anyone who would like to donate. Shop at [tiny.cc/LittleFreePantries](http://tiny.cc/LittleFreePantries). ■



Young Lawyers Chair Emily Shaffer fills the Little Free Pantries with donated items.

## Lawyers' Exchange

(Free to all members of the WBA)

**OFFICE SPACE** Furnished office space available for rent in existing law office on Main Street in Greensburg. One block from the Courthouse. Call 724-832-7171 for details.

**LEGAL SECRETARY** Well established law firm is currently recruiting for a legal secretary for our Latrobe office. Competitive salary and benefits are available commensurate with experience. Please email resume and cover letter to Connie at: [cnakles@aol.com](mailto:cnakles@aol.com).

**OFFICE SPACE** Downtown Greensburg office available for sublease on Main Street just a few blocks from the Courthouse. Large executive office can accommodate a desk and smaller conference table; smaller office for support staff. Includes private waiting area, large receptionist area, parking area for staff and clients. Furniture, file cabinets, etc., available if furnished space is desired. Email [Greensburgsublet@hotmail.com](mailto:Greensburgsublet@hotmail.com) for more information.

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# Minutes of the Board

## SEPTEMBER 19, 2019

The normal order of business was suspended so that the WBA board could conduct the final interviews for the Executive Director position.

- Board accepted the August minutes as amended by President Novotny-Prettiman.

### FINANCIAL 990 REVIEW

- The board reviewed the 990 and submitted questions for clarification to Accountant Anzovino.

### CHECKING ACCOUNT BALANCE POLICY

- The board agreed to ask Accountant Anzovino to develop a policy for

handling surplus money in the checking account and for the timing of transferring this to the money market fund. Mrs. Krivoniak will report back at the October board meeting.

- Treasurer Iezzi provided the balance of the investments as: \$1.8 million.

## did you know?

**Westmoreland Bar Association Board Minutes from 2018 to the present are available online at [westbar.org/minutes](http://westbar.org/minutes).**

**You must be logged in to view the page. If you have trouble logging in, call Susan Zellner @ 724-834-6730.**

### PRESIDENT'S REPORT BANNER ON NEW BUILDING

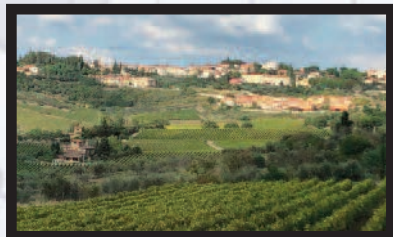
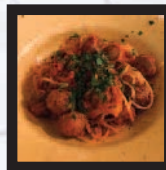
- Board discussed having Lee Calisti have input on the signage on the new building so that it can remain intact throughout the renovation process. Agreed that Mrs. Krivoniak will contact Mr. Calisti for his direction on this.

### YOUNG LAWYERS OLD BUSINESS

- Dinner Dance location: The board discussed relocating the dinner dance from Hannastown, due to condensed space in their new facility. All agreed to check into several other locations and if no other suitable location is found, book the dinner dance at the Museum.

The meeting adjourned at 7:30 p.m. ■

## where in the world IS THE WBA MEMBER?



I love traveling, and I especially love traveling to Europe. This fall a friend and I took the trip we had been planning for the better part of a year. We started in Barcelona, went on to Seville, headed north to San Sebastian (Donostia is the Basque name), then to Madrid, followed by a "detour" to Florence, Italy, before returning to Barcelona. We were blessed with beautiful weather everywhere. We traveled primarily by high speed train, which was a great experience, but we also used local trains, subways, flew to Italy, and took the occasional taxi or Uber. As with most travel in Europe, we also did lots of walking and climbing stairs! Travel is wonderful because of what one sees - beautiful museums (both the Prado and the Uffizi this trip), the churches and the architecture (Sagrada Familia makes both lists), the amazing European markets - and because of the people one meets; a highlight was a discussion in a bar in Seville with a mother and daughter traveling from Georgia (the country, not the state) about current events in both of our countries. Pictures can't capture the beauty of the places we saw, but here are a few of my favorite memories. — Barbara Artuso



**BARCELONA, SEVILLE, SAN SEBASTIAN, & MADRID (SPAIN) + FLORENCE (ITALY)**



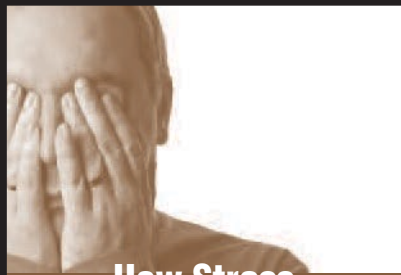
**C A L E N D A R   O F   E V E N T S**

*All committee meetings and activities will be held at the WBA Headquarters unless otherwise noted. Visit [westbar.org](http://westbar.org) for more information about activities and CLE courses, and **register online**.*

For PBI CLE courses, call 1-800-932-4637 or visit [pbi.org/westmoreland-county](http://pbi.org/westmoreland-county).

**FEBRUARY**

- 5** [PBI CLE] Estate & Elder Law Symposium 2020, 9 a.m. to 4:10 p.m., 5S 1E  
[CLE] Trial Tips In Action, 5 p.m., Westmoreland County Courthouse, 1.5S
- 7** [CLE] Overview of Bankruptcy for The Non-Bankruptcy Practitioner, Noon to 1:15 p.m., 1S
- 11** Ned J. Nakles American Inn of Court, 5 p.m.
- 12** [CLE] Trial Tips In Action, 5 p.m., Westmoreland County Courthouse, 1.5S
- 13** [PBI CLE] Negotiating Software and Technology Contracts 2020, Noon to 4:15 p.m., 4S
- 17** Courthouse closed in observance of Presidents Day
- 18** [CLE] Parental Alienation in Custody Cases, Noon to 1:15 p.m., 1S
- 19** [PBI CLE] Mobile Productivity – Discovery and Safety, 9 a.m. to 12:15 p.m., 2S 1E  
Membership Committee, Noon  
[CLE] Trial Tips In Action, 5 p.m., Westmoreland County Courthouse, 1.5S
- 20** [PBI CLE] Leave Time in Pa. 2020, 9 a.m. to 1:15 p.m., 4S  
Board Meeting, 4 p.m.
- 25** [CLE] Trial Tips In Action, 5 p.m., Westmoreland County Courthouse, 1.5S
- 26** Senior Lawyers Committee, 4 p.m.
- 27** [CLE] Criminal Law 101, Noon to 2 p.m., 2S



**How Stress Affects Lawyers**

Stress affects all people and all professions. Stress in the legal profession, however, is well-documented. Lawyers work in an adversarial system with demanding schedules and heavy workloads, which may contribute to increased stress levels.

Lawyer assistance programs are available to help lawyers manage stress effectively. Contact Lawyers Concerned for Lawyers for help: [www.lclpa.org](http://www.lclpa.org).

LAC Committee members:  
Joyce Novotny-Prettiman, Tim Geary,  
Jim Antoniono, Chris Skovira,  
Linda Broker, Stuart Horner,  
Tom Shaner, Linda Whalen.



# Leaders Needed for WBA.

The Westmoreland Bar Association's Nominating Committee is accepting applications from members who would like to serve in leadership positions with the WBA.

The position of **Vice President** of the Board and **one** opening on the **Board of Directors** will be among the positions to be filled by election at the annual meeting. Additionally, there is **one** opening on the **Membership Committee**, and **one** opening on the **Building Committee**.

The Nominating Committee—Chair Charles R. Conway, Samuel R. Coury, Terrance C. Ferguson, John M.

Ranker, Cindy Stine, Scott E. Avolio, and Timothy R. Miller—will meet in February, 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**. See the reverse side of this announcement for the application, or download a form at **westbar.org**. Candidates may submit a completed application by first-class mail, fax (724-834-6855), or email ([westbar.org@westbar.org](mailto:westbar.org@westbar.org)), or complete the application online at **westbar.org/nominations**. **The WBA must receive the application by 4:30 p.m. on Friday, February 14, 2020.**

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



## Board

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.

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 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.

## Membership

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:

- 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).

## Building

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

**2020-2021**

**CANDIDATE INFORMATION FORM**

*Applications must be returned to the Westmoreland Bar Association by February 14, 2020.*

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.*

Charles R. Conway, Chair  
Samuel R. Coury  
Terrance C. Ferguson  
John M. Ranker  
Cindy Stine  
Scott E. Avolio  
Timothy R. Miller

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: \_\_\_\_\_

# Trial Tips in Action 2020



An accredited provider for the PA Board of Continuing Legal Education

Trial Tips in Action (Mock Trial)  
Westmoreland County Courthouse  
5 Dates Available  
January 29  
February 5, 12, 19, 25  
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

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.

Name \_\_\_\_\_

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:

**Wednesday, January 29**

**Wednesday, February 5**

**Wednesday, February 12**

**Wednesday, February 19**

**Tuesday, February 25**

### Pre-Registration Fees

WBA Members - FREE

Non-Members \$30 **per session**

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

Bill my  MasterCard  VISA  DISCOVER for

\$ \_\_\_\_\_ (Amount).

Card # \_\_\_\_\_

Expiration Date \_\_\_\_\_ 3-digit code \_\_\_\_\_

Credit Card Billing Address \_\_\_\_\_

## 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.**

**Join us at The Rialto for pizza or sandwiches following the competition compliments of the Westmoreland Academy of Trial Lawyers.**





# Overview Of Bankruptcy For The Non-Bankruptcy Practitioner



An accredited provider for the PA Board of Continuing Legal Education

— LIVE — 1 Substantive Available

## Presented by the Bankruptcy Committee

The purpose of the presentation will be to explore areas where bankruptcy proceedings overlap with non-bankruptcy areas of practice. While bankruptcy is itself a distinct field, the effects of a party filing for bankruptcy can impact any case in unexpected ways. With this presentation, we will aim to provide a general background to the areas of bankruptcy that non-bankruptcy practitioners are likely to encounter in the course of practice.

Attorney Jarvi will be discussing Tax Issues in regards to Bankruptcy.

### Speakers:

**\*The Honorable Gregory L. Taddonio**

United States Bankruptcy Court,  
Western District of Pennsylvania LLC

**\*Gwenyth Gamble Jarvi, Esquire**

United States Bankruptcy Court,  
Western District of Pennsylvania LLC

### February 7, 2020 Overview of Bankruptcy For The Non-Bankruptcy Practitioner

Name: \_\_\_\_\_

Attorney ID #: \_\_\_\_\_

#### Pre-Registration Fees

\_\_\_ WBA Members - \$35

\_\_\_ Non-Members \$55

#### Non-Credit:

\_\_\_ FREE

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

\_\_\_ Bill my \_\_\_ MasterCard \_\_\_ VISA \_\_\_ DISCOVER for

\$ \_\_\_\_\_ (Amount).

Card # \_\_\_\_\_

Expiration Date \_\_\_\_\_ 3-digit code \_\_\_\_\_

Credit Card Billing Address \_\_\_\_\_

**Friday,  
February 7, 2020  
12:00pm - 1:15pm  
WBA Headquarters**

#### Seminar Fees:

##### PRE-REGISTRATION:

(Must be prepaid & received at the WBA office by 12 pm February 6, 2020.)

##### CLE Credit

WBA Members - \$35 per credit hr.

Non-Members - \$55 per credit hr.

##### Non-Credit

FREE

##### WALK- IN:

##### CLE Credit

WBA Members - \$45 per credit hr.

Non-Members - \$55 per credit hr

##### Non-Credit

FREE

Lunch 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](http://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](mailto:westbar.org@westbar.org).

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 6, 2020.**

# Parental Alienation in Custody Cases

— LIVE — 1.5 Substantive Credits Available



An accredited provider for the PA Board of Continuing Legal Education

Presented by the Family Law Committee

## Topics of Discussion:

1. Difference between Parental Alienation and Estrangement.
2. Types of personalities and psychological disorders that could play into Parental Alienation.
3. How alienation can weigh into the court's decision and custody factors.
4. What can attorneys do to demonstrate alienation at trial.
5. Is it ever time to walk away?

## Moderated by:

**\*Kelly M. Eshelman, Esquire**  
Ferguson Law Associates, LLC

## Panel:

**\*Dr. William Bush**  
Behavior Management Consultants  
**\*The Honorable Michele G. Bononi**  
Court of Common Pleas  
**\*Elizabeth J. McCall, Esquire**  
Bononi & Company PC

**Tuesday,  
February 18, 2020  
12:00pm - 1:30pm  
WBA Headquarters**

## Seminar Fees:

### PRE-REGISTRATION:

(Must be prepaid & received at the WBA office by 12 pm February 17, 2020.)

### CLE Credit

WBA Members - \$35 per credit hr.  
Non-Members - \$55 per credit hr.

### Non-Credit

FREE

### WALK-IN:

### CLE Credit

WBA Members - \$45 per credit hr.  
Non-Members - \$55 per credit hr

### Non-Credit

FREE

Lunch 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](http://www.westbar.org)

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## February 18, 2020 Parental Alienation in Custody Cases

Name: \_\_\_\_\_

Attorney ID #: \_\_\_\_\_

### Pre-Registration Fees

\_\_\_ WBA Members - \$35 per credit (\$52.50)

\_\_\_ Non-Members \$55 per credit (\$82.50)

\_\_\_ CJE Credit - FREE

### Non-Credit:

\_\_\_ FREE

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

\_\_\_ Bill my \_\_\_ MasterCard \_\_\_ VISA \_\_\_ DISCOVER for

\$ \_\_\_\_\_ (Amount).

Card # \_\_\_\_\_

Expiration Date \_\_\_\_\_ 3-digit code \_\_\_\_\_

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 17, 2020.**

# Westmoreland County Criminal Practice 101



— LIVE — 2 Substantive Credits Available

An accredited provider for the PA Board of Continuing Legal Education

## Presented by the Criminal Law Committee

### Topics of Discussion:

- \*Overview of the Westmoreland County Criminal Process from A-Z
- \*Client Consultations & Fee Agreements
- \*Handling a Preliminary Hearing
- \*Effective Plea Bargaining Strategies
- \*Omnibus Pre-Trial Motions
- \*Trial Tips
- \*Sentencing Considerations & Alternatives

### Speakers:

**\*Michael D. Ferguson, Esquire**  
Ferguson Law Associates

**\*Timothy C. Andrews, Esquire**

### February 27, 2020 - Westmoreland County Criminal Practice 101

Name: \_\_\_\_\_

Attorney ID #: \_\_\_\_\_

#### Pre-Registration Fees

\_\_\_ WBA Members - \$35/credit (\$70.00)

\_\_\_ Non-Members \$55/credit (\$110.00)

#### Non-Credit:

\_\_\_ FREE

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

\_\_\_ Bill my \_\_\_ MasterCard \_\_\_ VISA \_\_\_ DISCOVER for

\$ \_\_\_\_\_ (Amount).

Card # \_\_\_\_\_

Expiration Date \_\_\_\_\_ 3-digit code \_\_\_\_\_

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 26, 2020.**

**Thursday,  
February 27, 2020  
12:00pm - 2:00pm  
WBA Headquarters**

#### Seminar Fees:

##### PRE-REGISTRATION:

(Must be prepaid & received at the WBA office by 12 pm February 26, 2020.)

##### CLE Credit

WBA Members - \$35 per credit hr.

Non-Members - \$55 per credit hr.

##### Non-Credit

FREE

##### WALK-IN:

##### CLE Credit

WBA Members - \$45 per credit hr.

Non-Members - \$55 per credit hr.

##### Non-Credit

FREE

Lunch 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](http://www.westbar.org)

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*You are cordially invited to attend the*  
***Presentation of New Members***  
*of the*  
***Westmoreland Bar Association***  
**Tuesday, March 24, 2020**



*The court en banc will recognize the newest members of the WBA at the annual  
New Members Ceremony scheduled for  
Tuesday, March 24, 2020,  
in Ceremonial Courtroom #3 at the Westmoreland County Courthouse at  
3:00 p.m.*

*Attorneys eligible to participate in this presentation:*

***Mark D. Brooks***  
***Lucy A. Burgunder***  
***Chelsea Forbes***  
***Rebecca Martz***  
***Richard B. McGiffin***



***RSVP by March 16, 2020***  
***to the WBA Office 724-834-6730***  
***or register online at [www.westbar.org](http://www.westbar.org)***



WEALTH MANAGEMENT

# What Video Options Will Work For Your Next Case?

— LIVE — 1 Substantive Credit Available



An accredited provider for the PA Board of Continuing Legal Education

*How attorneys are using video technology to their advantage in litigation.*

From courtroom admissibility issues to a nuts and bolts breakdown of filming an effective video deposition, this presentation will help attorneys understand what options they have to use video technology to their advantage in litigation.

Over my 13 years in the hot seat at trial, I have seen my share of effective video playbacks as well as not-so-successful clips. I will share my insight along with real examples of the following:

- Video for Depositions
- Video for Demand
- Specialty Video (Drone, Surveillance, Site Inspection, Etc.)

**Speaker:**

**\*Jody Wolk, Director, Business Development**

Precise, Inc.

**March 26, 2020 What Video Options Will Work For Your Next Case**

Name: \_\_\_\_\_

Attorney ID #: \_\_\_\_\_

Phone \_\_\_\_\_

**Pre-Registration Fees**

\_\_\_ WBA Members \$35

\_\_\_ Non-Members \$55

**Non-Credit:**

\_\_\_ \$10

\_\_\_ 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 \_\_\_\_\_ 3-digit code \_\_\_\_\_

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 March 25, 2020.**

**Thursday,  
March 26, 2020  
12:00 pm - 1:00 pm  
WBA Headquarters**

**Seminar Fees:**

**PRE-REGISTRATION:**

(Must be prepaid & received at the WBA office by 12 pm March 25, 2020.)

**CLE Credit**

WBA Members - \$35 per credit hr.

Non-Members - \$55 per credit hr.

**Non-Credit**

\$10

Waived for Young Lawyers (practicing 10 years of less)

**WALK- IN:**

**CLE Credit**

WBA Members - \$45 per credit hr.

Non-Members - \$55 per credit hr

**Non-Credit**

\$20

Waived for Young Lawyers (practicing 10 years of less)

Lunch will be provided.

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Fax: 724-834-6855

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