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THE NEWSLETTER OF THE
WESTMORELAND BAR ASSOCIATION
VOLUME XXIX, NUMBER 3
JULY 2017

Show Me The Money

WBA Operational Audit Reveals All Is Well

by David J. Millstein, Esq.

From the first day John Noble took office as the president of the WBA in April 2016, he made it clear, as he continued to do throughout his presidency, that he was on a mission. “A transparent, association-wide conversation,” is how John described his aim in one of his many President’s Messages in *the sidebar*.

In pursuit of this transparency, John encouraged his board to approve an operational audit of all the books and records of the WBA, and in December 2016 the board responded to his efforts by passing a motion to hire the accounting firm of Deluzio and Company, Greensburg, to perform such an audit. This undertaking directly followed an extensive review by board member Peggy Tremba of the past year’s transactions for both credit cards maintained by the WBA. Though her review did not disclose any discrepancies or issues of concern, the board was determined to go even further to ensure that all operational activities were in good order.

Since no prior WBA board had ever called for such an audit, this was new territory. But as John stated in his January 2017 President’s Message, “To this end, your Board’s mission-



based pursuit mandated a thorough assessment of all long-practiced internal WBA operations for the purpose of improving and enhancing member benefits and services.”

The accounting firm’s original cost estimate was \$3,750. The board delegated supervisory responsibility of the audit to Gary Falatovich and Jim Antoniono, who volunteered their services. They put in many hours to ensure that the audit would be as detailed as possible.

The final bill for the audit was \$12,286.25, substantially more than the original estimate primarily because of the depth of detail the board demanded. Jim and Gary asked Executive Director Diane Krivoniak to produce ten years of board minutes, the last several years of transactions for the checking accounts of the Ned J.

Nakles American Inn of Court, the Westmoreland Academy of Trial Lawyers, the Westmoreland Bar Foundation, and the WBA Activities Fund (a pass-through account for the Bench/Bar and dinner dance events). Although these entities are separate and independent from the WBA (with the exception of the Activities Fund) and are not officially within its purview, they all share Diane as executive director, and the WBA board was determined to include them to make certain that all bases were covered.

The final audit report was submitted to the Board on January 23, 2017, and it overwhelmingly revealed that all was indeed well. All money was accounted for, and the audit’s recommendations are minor: for example, the Association

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President's Message

You May Be Solo, But You're Not Alone

by Timothy C. Andrews, Esq.

Are you a solo practitioner? Join the crowd. Over 50% of our members operate as a solo or two-person firm.

I am one of those solo practitioners. When I left the District Attorney's office in 2000, I had little or no idea how to run a practice. I was lucky enough to have a part-time job with Westmoreland County to help with expenses. Many of you out there started without that benefit. It's a formidable



proposition to begin or maintain a solo practice in this era of multi-million dollar advertising campaigns, direct mailers soliciting clients, and other competition.

Is there a way to gain an edge when you have little to no financial ability to advertise as the big firms do? My experience has been that the edge comes from meeting and knowing members of our association.

When I first started out, I was able to obtain referrals from other members whom I had come to know

over the years. If you are a new lawyer, becoming active in the Westmoreland Bar Association is a good way to begin that process.

Another advantage comes from being able to call a member of our association for advice when needed. In my experience, most members of our association are willing to stop what they're doing and give some advice when requested. I know I am.

“Is there a way to gain an edge when you have little to no financial ability to advertise as the big firms do? My experience has been that the edge comes from meeting and knowing members of our association.”

This not only gives you information, but also gives you one-on-one contact with other association members who may be able to help you in other areas including managing your law office. When I left the District Attorney's office, fellow member Ned Nakles, Jr., reminded me to make sure that I put aside enough money for quarterly payments to Uncle Sam. Though this was a small suggestion, it was something I may not even have thought of—I wasn't used to quarterly tax obligations since I was previously salaried in all of my previous jobs.

I could recite many different pieces of advice that helped me get started in my practice. I hope that whether you are starting out or have been in

practice for some time, you don't hesitate to seek information on any subject that helps you to be more efficient in your practice.

At New Member Ceremonies in the past, I have heard many times judges advising the new members to consider that fact that “your word is your bond.” It applies to your contacts with other members as well as the bench in Westmoreland County.

Once you have established a reputation that your word carries weight, the practice of law is less complicated. There likely will not be the need for another member to require everything from you in writing. Also, when you appear in court, any representation you make will carry a great deal more weight when your reputation has been established as being forthright and up front.

It was one of the best decisions of my career to come back to Westmoreland County after spending a brief period of time after law school practicing in Allegheny County.

Solo practice, or any type of practice of law in today's world, has many complications. The success I have had in my career has as much to do with the help and advice I have received from other lawyers as it does with hard work and understanding of the law.

I hope that all of you find some enjoyment in the practice of law. I know at times I feel overwhelmed and the enjoyment is not always easy to find, but I remember my days working in the steel mill and I think I am fairly fortunate. ■

WBA BOCCÉ & CORN HOLE TOURNAMENT
Friday, July 21
4:30 to 9 pm
Italian Club
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FREE and open to Bar members, families, and guests!

Tim Andrews

Remembering Shawn Boyle

Editor's note: Shawn Boyle, 50, passed away on November 2, 2016. He is survived by his wife, Sarah; his children, Cathleen Boyle, Christopher Myers-Boyle and Samantha Reagan; his two grandsons, Daniel Uziel and Joshua Reagan; his father, Thomas Edward Boyle; his siblings, Betty Lou Alcorn (Mark), Tara Lynn (Shawn), Doris Myers, Thomas P. Boyle, and Brian C. Boyle (Kimberly); his in-laws, Richard L. and Ellen A. Briggs, Elizabeth Jones (Daniel) and Neil Briggs; and numerous aunts, uncles, cousins, nieces, and nephews.

by Joseph W. Lazzaro, Esq.

As attorneys, many of us share a desire to give back to our community and our profession. Rarely do we meet someone who, in addition, also gives back to the world. Shawn Boyle was one of those people.

Shawn helped fellow Americans all over the world serving in the military. He was committed to his strong military background. Even during the busiest periods of his practice, he continued in the Reserves, dedicating his time, his considerable

talent, and his passion to those he knew needed his support in the U.S. Armed Forces.

A 32-year veteran, Shawn served in both the U.S. Army and the U.S. Air Force, attaining the rank of Major and serving as an Officer of the Judge Advocate General Corps (JAG). In his military work, Shawn gave much more than his hours to his assigned military positions. He also dedicated himself to helping young men and women prepare for deployment so that they were confident and prepared when they arrived at their overseas destinations. He devoted his legal skills not just to



preparing military contracts for the government, but also to countless active duty airmen and soldiers who needed help completing their personal income tax returns. He witnessed a lot of struggle in the service, and his heart and his passion were directed to helping his younger compatriots. Everyone he touched knew and felt his love and his dedication.

Shawn saw more of the harsh places in this world than most of us could imagine; he was stationed in too many places to list here. Some of his most memorable service destinations included Operation Morning Star in Egypt in 2005 and Eielson Air Force Base in central Alaska next to the Yukon territory in 2009. At Eielson, he was honored with the Polar Bear Award for enduring an extended and brutal (in his wife, Sarah's, opinion) survival training mission on the snowcapped mountain ridges of the frozen Arctic tundra.

When Shawn moved back into civilian life in 2010, he joined us at Keystone Collections Group as part of our in-house Corporate Law Department. A great contract

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

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



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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Remembering Shawn Boyle *continued from page 3*



Shawn Boyle (seated, second from left) was among those veterans saluted during the Westmoreland Bar Association Holiday Dinner Dance at the Greensburg Country Club in December 2005. The veterans in attendance were: (seated, left to right) Judge Irving L. Bloom, Shawn M. Boyle, George E. Berry, Jr., Robert Wm. Garland, and Leo J. Ciaramitaro; (standing, left to right) James R. Antoniono, The Hon. Giffert M. Mihalich, John W. Peck, II, Morrison F. Lewis, Jr., James R. Silvis, James R. Gaut, Timothy J. Geary, Daniel Joseph, Stuart J. Horner, Jr., Alan K. Berk, Scott O. Mears, Denis P. Zuzik, Robert I. Johnston, Aaron M. Kress, David L. Robinson, The Hon. Joseph A. Hudock, and The Hon. John J. Driscoll.

negotiator, Shawn showed the same commitment to every legal project at Keystone that he had shown in his military deployments. He spent many evenings and weekends with me poring over documents, redrafting clauses, and red-lining terms until the contract was right and ready to sign. Shawn was thoughtful, careful, and thorough in his work. And when he had a point to argue, he was tenacious.

We knew he was a man of conviction and he loved to spend time talking with people about their ideas, beliefs, religion, and politics. He was a life-long learner with a Bachelor of Arts in English Literature from the University of Pittsburgh and a law degree from Duquesne University. More recently he earned his MBA at Seton Hill University in 2012. He had a great interest in Russian culture and language, and would sometimes drop a Russian word or phrase into our conversations.

Shawn's Catholic faith was very important to him. It guided much of who he was as a person. He often taught me about curious aspects of

our shared Catholicism, but most important to him were its aspects of love for God shown by humble service to his fellow man. In this regard, he lived his faith.

"Shawn was always eager to lend a helping hand," said his wife, Sarah. "He was a tremendous friend and an even a better husband and father who would not hesitate to give you the shirt off his back. He lived and breathed for his family."

"We all love our spouses," said Attorney Jayson Lawson, a colleague at Keystone, "but Shawn loved Sarah more than most. He just thought that she was a good woman for putting up with him."

When he received the tragic diagnosis of brain cancer, Shawn met it head on like every other challenge he faced in his life. He focused on his wife and his family, his finances, and on the limited time he had left in this world. There were things he still wanted to accomplish during his remaining days, and he was determined to do just that.

The medical treatment for glioblastoma was tough, sometimes

painful. Most of the time he was hopeful. Many doctor visits occurred at the Walter Reed National Military Medical Center. For Shawn, focus on his own medical care was secondary to something bigger. He immediately moved to help others by serving on a special medical panel including patients suffering from brain cancer at Walter Reed, Johns Hopkins, and the NIH.

With his days approaching an end, Shawn did what he loved. He read (he almost always had a book in his hand), he played chess, he followed his deep Catholic faith and he traveled to Ireland, Europe, and many American destinations that he still wanted to see.

At 50, he died way too young. Shawn taught us to seek, discover, and give, within our world and within ourselves. Shawn taught us to find that the real talent that distinguishes each of us exists not in popularity and not in material wealth; for Shawn, it was found in the transcendent depth and exceptional grace of his heart.

Thank you, Shawn. ■

Westmoreland County Orphans' Court Rules Overhauled

by Emily Shaffer, Esq.

Revised Westmoreland County Orphans' Court Rules became effective Monday, May 29, 2017, and are available for practitioners and litigants on the Westmoreland County website (co.westmoreland.pa.us). The Rules may also be viewed in the Pennsylvania Bulletin, Volume 47, Number 17, at pabulletin.com.

The Westmoreland County Orphans' Court Rules Committee is responsible for the significant overhaul to the Orphans' Court Rules. It consists of Court Administrator Amy Mears DeMatt, Deputy Court Administrator Carol Petrusky, Register of Wills and Clerk of the Orphans' Court Sherry Magretti Hamilton, and attorneys L. Christian DeDiana,

Dwayne Ross, Todd Turin, Linda Broker, and Michael L. Nestico.

The Committee began drafting the new Rules in April 2016, and received approval of their draft from the Westmoreland County Orphans' Court Judges on April 6, 2017. The draft was submitted to the Supreme Court of Pennsylvania's Orphans' Court Rules Committee which returned the draft with questions and recommendations before a final revised draft was submitted and approved.

In an effort to standardize statewide practice, the newly adopted Local Orphans' Court Rules closely follow the directives in the Pennsylvania Orphans' Court Rules. For example, the Pennsylvania Orphans' Court Rules eliminate the need for Exceptions in Rule 8.1, replacing the practice

with the option of filing a Motion for Reconsideration in Rule 8.2. Additionally, Pa.O.C.R. 2.8 permits the filing of preliminary objections to Objections. Said changes are reflected in the new Local Rules WO8.2, regarding Motions for Reconsideration, and WO3.9, which explains the proper procedure for briefing preliminary objections.

Carol Petrusky commented that the new Orphans' Court Rules will benefit practicing attorneys, as the rules are more in line with general civil practice. The Rules will likely make it easier for counsel to navigate Orphans' Court

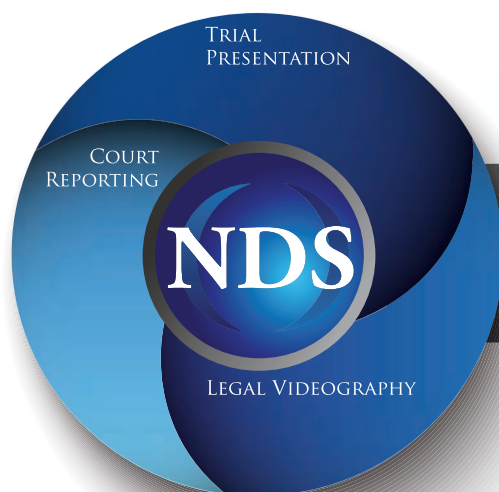
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Emily Shaffer

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Orphans' Court Rules Overhauled

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practice and will reduce the differences in practicing between counties.

Petrusky also noted that the Westmoreland County Orphans' Court Rules Committee successfully worked with the state committee to preserve the local rule on motions practice. Due to the Committee's hard work, Westmoreland County attorneys and litigants continue to enjoy the benefit of Rule WO7.5, which sets forth a clear procedure to promptly bring matters before the court by presentation of a motion. ■

The full set of local rules are available in PDF form on the Westmoreland County website: www.co.westmoreland.pa.us/2295/Local-Rules-of-Court.

Judge Pezze Honored by WPTLA



The Hon. Debra A. Pezze (right) was posthumously honored at the Western Pennsylvania Trial Lawyers Judiciary dinner held at Heinz Field in May. Mike Ferguson says, "As a member of the WPTLA Board of Governors, I was honored to speak to those in attendance regarding Debbie's many contributions to her family, the community, and the Westmoreland County Bar and Judiciary." Judge Pezze was one of four retiring or deceased judges honored for their service. From left to right are Judge Pezze's husband, Tom Balya; Mike Ferguson; Pam Ferguson; President Judge Richard E. McCormick, Jr.; and Judge Pezze's daughter, Angela. ■

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Spotlight on Zack Mesher

Editor's note: Zack Mesher is the new Chair of the WBA Young Lawyers Committee. His one-year term began at the 2017 Annual Meeting, held April 3 at Waterworks Banquet Hall in Greensburg. Zack is a solo practitioner based in West Newton. Other election results for the Young Lawyers Committee included Tim Miller, Vice Chair; Nicole LaPresta, Treasurer; and Emily Shaffer, Secretary.



Q WHAT JOBS HAVE YOU HELD PRIOR TO BECOMING AN ATTORNEY?

A Right before hanging out my shingle, I worked as a contract attorney on document review projects for Orrick, Herrington & Sutcliffe in Wheeling, W.Va. While I was still in school, I worked as a tutor in the Akron Law Academic Success Program and as a clerk in an office space shared by four solo practitioners. Outside of the legal realm, I've worked in a restaurant as a maintenance man, a group and corporate sales intern for Mellon Arena, and a Guest Relations Staffer and Supervisor at PNC Park.

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

A Early on in my career, I had a successful hearing in front of a magistrate and decided to treat myself to a coffee at Sheetz to celebrate. While riding high and thinking about my brilliant legal arguments (which basically amounted to my moving for directed verdict after the plaintiff put on a two-minute case), I ended up locking my keys in my car and had to call the local police for some assistance.

attorney can cut the tension of a day with a joke or a witty remark, that's the kind of person I really enjoy working alongside.

Q WHAT IS YOUR FAVORITE JOURNEY?

A When I was 19, my friends and I took a memorable trip to Niagara Falls for New Year's Eve. Thankfully, most of those records are sealed under the Guy Code of Road Trips. The five of us cramming into a VW Jetta singing Boyz II Men's "End of the Road" is forever burned into my memory, and our Sic Bo game was on fire.

Q WHAT IS YOUR GREATEST REGRET?

A I bought a motorcycle a few years ago, but I waited to ride it until a few months after I passed the road test for my license. By the time I got back on it, I had forgotten what they taught me in my weekend instructional course. I regret either not taking the time to hone my skills before buying one or not buying my bike immediately after learning to ride.

Q WHO ARE YOUR HEROES IN REAL LIFE?

A My family provides plenty of inspiration for how to live a life of service. It might not be the same as putting your life on the line, but I still find it to be heroic. My parents and grandfather have been involved in disaster relief efforts since Hurricane Katrina. I had the chance to put in some time working in New Orleans shortly after Katrina, and it was an incredibly rewarding experience.

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

A Never be afraid to ask questions about things that are unfamiliar to you. Our bar association is filled with great people who are always willing to offer advice or provide some guidance.

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

A In general, I like funny people. So if an





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Spotlight on Zack Mesher *continued from page 7*

Q WHAT IS THE BEST ADVICE YOU EVER GOT?

A David Millstein was kind enough to offer a few pieces of advice to me in the two-and-a-half years that I shared office space with him, such as always be courteous to tipstaffs and clerks in the county row offices, and sit down when a judge is poking more holes in opposing counsel's argument than you are. The most interesting and thought-provoking advice he ever gave me was to never date a woman who couldn't use chopsticks. I learned a lot from him.

Q WHAT DO YOU CONSIDER YOUR GREATEST ACHIEVEMENT?

A Last spring, I was honored to be named a Lions of Pennsylvania Foundation Fellow. It was presented to me by a close friend at our annual Spring Rally dinner in front of my family and my fellow Lions Club members.

Q WHEN AND WHERE WERE YOU HAPPIEST?

A I did a semester in Paris during my undergraduate years. Spending a Saturday afternoon reading a book in the grassy area below the Eiffel Tower was maybe the most relaxing time

in my life. I can't wait for my next opportunity to get back to Europe.

Q WHAT IS YOUR MOST TREASURED POSSESSION?

A A few years ago, I received a Festivus pole to put up during the holiday season.

Q WHAT IS IT THAT YOU MOST DISLIKE?

A As a football official, I can't stand the example that some parents and coaches set for the young athletes. The win-at-all-costs attitude and lack of sportsmanship and respect for one another has me worried for how these youngsters will behave in the future.

Q WHAT IS YOUR GREATEST EXTRAVAGANCE?

A I don't know if it's necessarily an "extravagance," but I can't imagine a car without Sirius satellite radio anymore. I need to enjoy the last few years of the Howard Stern Show before he rides off into retirement.

Q WHAT TALENT WOULD YOU MOST LIKE TO HAVE?

A I wish I had more of a natural talent for playing the guitar. I bought one a few months ago, and I'm nowhere near being able to play Paul

McCartney's "I've Just Seen a Face." It looks so easy in those YouTube videos.

Q WHAT DO YOU VALUE MOST IN YOUR FRIENDS?

A I love spending time with people whose sense of humor meshes well with mine.

Q WHAT PROFESSION, OTHER THAN YOUR OWN, WOULD YOU MOST LIKE TO ATTEMPT?

A When I have a tough day, I always come back to the thought of "Why didn't I become a math teacher?"

Q WHAT IS YOUR MOTTO?

A I have this weird affinity for quoting movies, so rather than trying to come up with my own motto, I'll just borrow a line from "Gladiator"—"What we do in life echoes in eternity." ■

Lawyers' Exchange

(Free to all members of the WBA)

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New Leadership Elected, Awards Presented at Annual Meeting



Incoming President Timothy C. Andrews accepts the ceremonial gavel from outgoing President John M. Noble at the Annual Meeting held on April 3, 2017. Tim will serve a one-year term as President.

At the Annual Meeting of the Westmoreland Bar Association held on Monday, April 3, at Waterworks Event Center in Greensburg, Timothy C. Andrews assumed the office of president.

A former prosecutor with more than 30 years of experience, Tim concentrates his practice in DUI, divorce and custody, and criminal defense. He completed his undergraduate degree at Washington and Jefferson College and obtained his law degree from Capital University Law School in Columbus, Ohio.

Tim succeeds John M. Noble and will serve a one-year term as President.

OTHER ELECTION RESULTS

Margaret Maloy Tremba was elected to a one-year term as Vice President and Joyce Novotny-Prettiman was chosen to serve a three-year term on the Board of Directors. Other

board members include President-Elect James P. Silvis; Director John M. Ranker; Past President John M. Noble; Treasurer L. Christian DeDiana; and Secretary/Executive Director Diane Krivoniak.

Kelly M. Eshelman and Zachary Mesher were elected to the Membership and Building Committees, respectively. Both will serve five-year terms.

AWARDS PRESENTED AT MEETING

James R. Silvis was presented with the President’s Award for Professionalism for his dedication to the practice of law, service to his community, and his integrity and civility as a lawyer (see story on page 10).

Zachary J. Kansler was presented with the Outstanding Young Lawyer Award for outstanding leadership and distinguished service to the legal profession and the community (see story on page 11); and the Historical Committee was named Committee of the Year (see story on page 11).

Rebecca K. Fenoglio was named Pro Bono Attorney of the Year in recognition of her noteworthy volunteer legal representation of indigent Westmoreland County residents (see story on page 12).

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New Leadership, Awards *continued from page 9*



As recipient of the President's Award for Professionalism in 2017, James R. Silvis (center, holding award) joins an elite group including, from left to right: John O'Connell (2002), Jim Antoniono (2015), Milt Munk (2003), Dan Joseph (2004), Jack Bergstein (1999), Dick Galloway (2000), Bill McCabe (2013), Tim Geary (2011), and Vince Quatrini (2007).

President's Award for Professionalism

James R. Silvis

Recognized for his dedication to the practice of law, service to his profession, and his integrity and civility as a lawyer, James R. Silvis was awarded the President's Award for Professionalism at the Annual Meeting on April 3, 2017.

The President's Award for Professionalism is not an annual award. It is presented only when the dedication and achievements of a WBA member should be acknowledged for best exemplifying the highest standards of the profession.

Jim is a partner in the Greensburg law firm of O'Connell & Silvis, where he practices with John O'Connell and his son, Jim P. Silvis. A Navy JAG officer serving from 1965-68, Jim earned his undergraduate degree from St. Vincent College and his law degree from Dickinson School of Law.

In the presentation of the award, Jim was recognized for the manner that he conducts himself in all situations: with decency and respect. He was credited with exhibiting the highest level of professionalism to which attorneys can aspire.

Jim has served his profession locally as Past President of the Westmoreland Bar Association, Past President of the Westmoreland Academy of Trial Lawyers and Past President of Lawyers Abstract. He concentrates his practice

in real estate, wills and estates, and mergers and acquisitions.

Previous winners of the WBA President's Award for Professionalism are Reg Belden (1998), Jack Bergstein (1999), Dick Galloway (2000), John O'Connell (2002), Milt Munk (2003), Dan Joseph (2004), Vince Quatrini (2007), Bob Johnston (2008), Tim Geary (2011), Gene McDonald (2012), Bill McCabe (2013), and Jim Antoniono (2015).

Q CONGRATULATIONS, JIM. WHAT DOES THIS AWARD MEAN TO YOU PERSONALLY AND PROFESSIONALLY?

A I take great pride in receiving the award, and to have my son present it to me was special. Professionally, nothing has changed since I won the award. I still work the same hours and still have many clients whom I have represented for almost 50 years and who really don't care if I won an award or not.

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

A I was shocked to hear I won the award and I certainly was not



2017 President's Award for Professionalism honoree James R. Silvis (left) and WBA President John M. Noble (right).

expecting it. It came as a complete surprise. Had I known about it, I would have gotten a haircut and worn a more colorful tie. Also, I would have prepared a speech giving advice to all the young lawyers who would promptly disregard it.

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

A We don't practice law to win awards. We practice law because it is an honor to be a lawyer and a privilege to walk into a courtroom representing people. By resolving our clients' problems peacefully and looking out for their interest, I believe we are performing a service to society. I accept the award on behalf of all the lawyers who work long hours and over holidays plugging away to represent their clients as best they can. ■

Outstanding Young Lawyer
Zachary J. Kansler

At the Annual Meeting of the Westmoreland Bar Association, Zachary J. Kansler was recognized as the 2017 Outstanding Young Lawyer. This award is given to the young lawyer who best exemplifies outstanding leadership and distinguished service to the legal profession and the community.

Zach has been a member of the Westmoreland Bar since 2012. He is the immediate Past Chair of the WBA Young Lawyers Committee, a member of the Ned J. Nakles American Inn of Court, and of the Pennsylvania Bar Association. Zach serves as the solicitor for the City of Latrobe, Township of Sewickley, the Borough of Irwin, and the Borough of New Alexandria Zoning Hearing Board, and is a member of the Murrysville Planning Commission.

A senior associate with Tremba, Kinney, Greiner & Kerr in Greensburg, Zach resides in Murrysville and focuses his practice on municipal, real estate,



2017 Outstanding Young Lawyer honoree Zachary J. Kansler (left) and WBA President John M. Noble (right).

corporate, and family law. Zach earned a B.A. from Lebanon Valley College and his law degree from Albany Law School.

Q CONGRATULATIONS, ZACH. WHAT DOES THIS AWARD MEAN TO YOU PERSONALLY?

A It is an honor. It is vindication, of sorts, for all the hard work that I have put into my practice of law, as well as the Westmoreland Bar Association and the Pennsylvania Bar Association.

Q WHAT DOES THIS AWARD MEAN TO YOU PROFESSIONALLY?

A I was unaware that notice of the award was sent to local newspapers.

Following the Annual Meeting, I was getting phone calls, emails, and text messages from my clients congratulating me on the award. They were almost as happy as I was, and my municipal clients even made announcements at their public meetings. I would say that, professionally, it means a great deal.

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

A I was elated. It was a surprise when then-WBA President Noble announced I had won.

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

A Just to work hard and remain dedicated to the practice of law and this Association. ■

Committee of the Year
Historical Committee

The Historical Committee was chosen as Committee of the Year at the WBA Annual Meeting held on April 3, 2017. As Chair, P. Louis DeRose led the effort

continued on page 12

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New Leadership, Awards *continued from page 11*



*Historical Committee
Chair P. Louis
DeRose*

to place portraits of Westmoreland County's Past President Judges in their courtrooms at the Westmoreland County Courthouse. The portraits were unveiled at the Winter Quarterly Meeting held in January.

Q CONGRATULATIONS, LOU. WHAT DOES THE AWARD MEAN TO YOU, AS COMMITTEE CHAIR?

A As Chair I am very proud of the work of the Committee and to be recognized by the Bar Association, particularly because we are a rather

low-profile committee (used to dealing with dead people who are unable to thank us personally).

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

A It is always exciting to be honored by your peers.

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

A I was certain there had been a mistake.

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

A Since we did not know we were candidates for the award, it is hard to give advice to others. However, if you wait until all the other Committees have been honored, you might just win. ■

Pro Bono Attorney of the Year

Rebecca K. Fenoglietto



The Hon. Michele G. Bononi (left) presented the Pro Bono Attorney of the Year Award to Rebecca K. Fenoglietto.

The Westmoreland Bar Foundation recently named Rebecca K. Fenoglietto, a sole practitioner from New Kensington, the 2017 Pro Bono Attorney of the Year. This award is given to the attorney who has provided noteworthy volunteer legal representation of indigent Westmoreland County residents.

Becky has been a Pro Bono Custody Attorney for more than 10 years. During that time, she has helped dozens of needy families resolve their custody issues. She recently began volunteering with Pro Bono to resolve divorce cases for those who qualify for free legal representation. Judge Michele Bononi made the award presentation at the April 3, 2017, Annual Meeting of the Westmoreland Bar Foundation detailing Becky's dedication to the profession and her zealous representation of her clients.

The Pro Bono Program of Westmoreland County provides free legal representation to those who qualify according to income guidelines and case merit. This past year the members of the Westmoreland Bar Association volunteered their time to represent over 600 individuals in civil matters.



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"neighbor."

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Q CONGRATULATIONS, BECKY. WHAT DOES THE AWARD MEAN TO YOU PERSONALLY?

A Not going to lie. I'm very proud of this award. As I stated in my remarks when I received this honor, the late great Louis Ceraso would tell us that "We are all God's children." I've tried to live by those words. My work with the Pro Bono Program has always been a big part of who I am as an attorney. I've loved getting to know clients I wouldn't have normally met. I've found them to be hard workers and grateful for just a little bit—or big bit—of help. Being involved in the custody program for so many years was also a great way of showing my own children as they grew up that working for others is important.

Q WHAT DOES THE AWARD MEAN TO YOU PROFESSIONALLY?

A It meant the world to me to be honored by people I've literally grown up with. Sometimes, in the hustle of life, we need to stop for a minute and

remember that we have "family" outside of our four walls, and that night was a great way of reminding me of that.

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

A I was honored beyond words, and for me that is quite miraculous.

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

A Listen to the folks you're helping. They all have stories and some are more fascinating than you'll ever realize.

Q WHY ARE YOU INVOLVED IN THE PRO BONO PROGRAM?

A Why wouldn't I be? Pro Bono work has been some of the most satisfying work I've done in all my years as an attorney. Again, these clients are often some really great people who just need some help. ■



Avolio Elected Director at Special Meeting

WBA President Timothy C. Andrews called a Special Meeting of the Westmoreland Bar Association on Wednesday May 24, 2017, to elect a board member to fill the seat left vacant by the departure of Daniel J. Hewitt and election of Margaret Maloy Tremba to Vice President at April's Annual Meeting.

The special meeting was held at the Westmoreland County Courthouse, and the quorum of attendees unanimously elected Scott E. Avolio, founding partner of Avolio Law Group in Greensburg, to a three-year term as Director ending on April 6, 2020. ■

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MAY 2017 TRIAL TERM

Of the fourteen cases listed for the May 2017 Civil Jury Trial Term, four were settled, eight were continued, one was resolved as a non-jury trial, and one was tried by jury.

**JACOB J. BIEDINGER, SR.,
AND CONSTANCE
BIEDINGER, HIS WIFE
V.**

**FRANCES M. HAMILTON,
AN INDIVIDUAL
NO. 2730 OF 2015**

*Cause of Action: Negligence—
Loss of Consortium*

On June 21, 2013, Plaintiff Jacob J. Biedinger, Sr., went to help his son, who was renting a portion of the building owned by Defendant at 3356 Route 130, Harrison City,

**JURY TRIAL
VERDICTS**



BY BETH ORBISON, ESQ.,
EMILY SHAFFER, ESQ.,
AND LEEANN PRUSS, ESQ.

Penn Township. When leaving the premises, Plaintiff alleges that he fell over a large piece of asphalt in the grass on Defendant's property. Plaintiff also

alleges various injuries that required chiropractic treatment.

Defendant maintains that she was not legally liable for Plaintiff's fall, and that no one knew where the piece of asphalt came from or how long it had been there. Defendant further alleges that Plaintiff's injuries are not related to the fall.

Trial Dates: May 9–10, 2017

Plaintiffs' Counsel: E. David Harr, Gbg.

Defendant's Counsel: Katherine P. Berquist, Weinheimer Haber & Coco, P.C., Pgh.

Trial Judge: The Hon. Anthony G. Marsili

Result: The jury returned a unanimous verdict in favor of the Defendant. ■

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To-Wit: Edifice Lex, Wing Four

by S. Sponte, Esq.

Well, it's that time of year again; winter has passed into a bleak and muddy early spring, it's raining like hell and it's gray and windy, the perfect atmosphere to once again announce the newest inductees into Edifice Lex. Some of you may recall how instrumental I have been, lo these several decades just past, in establishing Edifice Lex, the lawyers' hall of fame located in Sioux City. I still recall my impassioned plea in support of its founding. "Halls of fame are critical for an institution's success," I wrote. "Just look what its presence has done for baseball and football and what its absence has done to badminton."

The years since its founding have been an unqualified success, mmm-mostly. We all no doubt recall with remorse how, moments after his installation, Timothy Bordeaux-

LeShank brought shame and humiliation on both the institution and our profession by dropping trou on the dais and mooning the Judges' table. Who knows how serious the repercussions might have been had not

“Halls of fame are critical for an institution's success. Just look what its presence has done for baseball and football and what its absence has done to badminton.”

the jurists there assembled by that time already availed themselves of the open bar into temporary blindness.

As for the embarrassing information that came to light after Shirley Ujest's induction, well, what can one say? Yes, she had established a highly profitable

estates and trust practice, but as was subsequently discovered, she had never been to law school. The tipoff was her anomalous behavior; had she not treated everyone with such courtesy and respect her charade might never have been suspected.

The repercussions have been profound. That she could maintain such a lucrative legal practice without any formal training is something bar associations all over the country have vigorously clambered to keep secret.

But let's move on to more pleasant things, shall we? I am privileged to announce this year's group of inductees. Clearly each is a lawyer of substance, although what that


continued on page 16



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Daniel Joseph

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

substance is maybe isn't completely as clear. Nonetheless, as you peruse the following, I am sure you will conclude that each has had a career worth our noting.

BESSIE MAY MUCHO—A passionate believer in the notion that pro bono work is the highest and best calling of a lawyer, Bessie May devoted untold hours laboring on behalf of those whose economic circumstances proscribed the more traditional and way-more-beloved system of fee-for-service. She came to be known as the Sister Theresa of the Courthouse, and because of her adulation and popularity, a lot of her colleagues felt constrained to follow suit. Strangely enough, while many of them signed the petition submitted to our board urging that she be canonized, most of them misspelled the word; everyone knows that “canonized” doesn't have two Ns in it.

GAMBINO M. SCHWARTZ—A flamboyant and passionate trial lawyer, he scaled the pinnacle of demonstrative advocacy when, in defense of a client accused of a particularly gruesome form of assault, he replicated the attack by nailing his own hand into the jury box to show how little it really

hurt. When the appellate court sent it back to be retried for a third time, he withdrew, noting that he no longer had the resources to effectively represent his client.

CARMINE O. DEWALLAWALLA—A wrongful death specialist, he set an as yet unequalled record by successfully handling 119 consecutive cases in which his client was dead. Alas, his career and life came to a tragic conclusion when, while out jogging one evening, he ran head first into the rear of a hearse he had been pursuing. The rear door sprung open, the casket shot out the back and he was crushed to death. “Done in at last by the weight of the evidence,” he was heard to murmur at the last.

WOLFGANG AMADEUS SCHIESSKOPF—A transcendent legal prodigy, he was able from very birth to babble on about the law with the best of law professors. He graduated law school at the age of three months and soon thereafter experienced an epiphany that led him to believe the practice of law was a spiritual and creative art form, which, to flourish, must flow unimpeded by material considerations. Accordingly, he vowed to never request nor accept

any kind of fee for the duration of his career. He died of lexaplexy at the age of six months and was buried *in forma pauperis*.

LULU GEHRIG—Known as the “I Won't Iron Lady” for her incredible work ethic and endurance, she was the attorney of record in 2,130 consecutive cases over fourteen years without ever taking a vacation. At the height of her glory, she was stricken with ALS, Acute Litigation Stupor, a disorder of the central legal system which strikes its victims with the inability to utter so much as a single word in a courtroom. Thus afflicted, she had no choice but to abandon a career in the law and instead become a judge, where her complete taciturnity on the bench was universally mistaken for intellectual contemplation.

Thank you so much for your attention. I'm sure you agree that this year's inductees, as has been true for all the inductees of Edifice Lex, have set the bar as high as is possible for our profession, and leave behind reputations that can only cause us to shake our heads with wonderment. And now, won't you please return your pledge cards as soon as possible. ■

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A.P. Herbert, *Uncommon Law*

WBA Operational Audit Reveals All Is Well *continued from page 1*

should stop paying for alcohol for its members at certain events because it violates long-standing written policies prohibiting the same, and a cash advance option of one Bar credit card should be eliminated, even though it had never been used.

Almost everyone on the Board was pleased with the findings, despite the cost. One can surmise



it was worth every penny if membership services have been improved and enhanced, even though there may be no more free liquor at WBA events. ■

Westmoreland Revisited

William Axton Stokes

by The Hon. Daniel J. Ackerman

He was thirty-six years old when he came to the Westmoreland Bar in 1850—late middle-age for that era, and likely too late in life, as a newcomer, to establish a decent practice. William Axton Stokes, however, was not a novice lawyer looking forward to his first client; he brought his most important client with him, one which was emerging as one of the corporate giants of the 19th century, for Stokes was chief counsel for the



The Hon. Daniel J. Ackerman

Pennsylvania Railroad. It was at its behest that he left behind a lucrative practice in Philadelphia to come west and make his home in Greensburg.

The railroad had been organized just four years earlier and was intent on creating an east-west grid across the commonwealth. By 1850, the 137-mile corridor from Harrisburg

to the foot of the Alleghenies was complete. On the western side of the mountains, work was still in progress, with the acquiring of rights-of-way and the laying of track. The legislature had extended to the railroad the sovereign right of eminent domain which it frequently exercised against landowners who were less than anxious to grant an easement at the railroad's offered price. Since many forced to submit to the PRR's taking wished to litigate the value of their loss in court, the railroad wanted their counsel in the southwestern part of the state where the litigation would occur.

So Stokes purchased a tract of 180 acres on a high rise on the northwest side of Greensburg (which is now the site of the main campus of Seton Hill University) where he erected a splendid home, farmed, and bred fine livestock. There he would meet a young telegraph operator (still approaching age twenty) who also was employed by the railroad, and who would rise to prominence and become an old friend. The meeting was described years later in the

autobiography of the man who had been the telegraph operator—Andrew Carnegie:

I had never spent a night in a strange house in my life until Mr. Stokes, chief counsel of the Pennsylvania Railroad, invited me to his beautiful home in the country to pass a Sunday. It was an odd thing for Mr. Stokes to do for I could little interest a brilliant and educated man like him. The reason for my receiving such an honor was a communication I had written for the 'Pittsburgh Journal'... The subject was upon the attitude of the city toward the Pennsylvania Railroad Company. It was signed anonymously and I was surprised to find it got a prominent place in the columns of the "Journal" then owned and edited by Robert M. Riddle. I, as operator, received a telegram addressed to Mr. [Thomas A.] Scott [Superintendent of the PRR's Western Division] signed by Mr. Stokes asking him to ascertain who the author of the communication was... I was afraid that if Mr. Scott called upon him [Riddle] he would hand him the manuscript which Mr. Scott would certainly recognize at a glance. I therefore made a clean breast of it to Mr. Scott and told him I was the author. He seemed incredulous... Mr. Stokes' invitation followed soon after. The visit is one of the bright spots of my life. Henceforth we were great friends.

The grandeur of Mr. Stokes' home impressed me but the one feature of it that eclipsed all else was a marble mantel in the library. In the center of the arch, carved in marble was an open book with this inscription:

He that cannot reason is a fool,

continued on page 18

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William Axton Stokes *continued from page 17*

He that will not, is a bigot,
He that dare not, is a slave.

Those noble words thrilled me. I said to myself, some day, some day, I'll have a library (that was a look ahead) and these words shall grace the mantel as here. And so they do in New York and Skibo¹ to-day.

In the decade which followed Attorney Stokes' arrival in Greensburg, he surprisingly had the time to represent clients other than the Pennsylvania Railroad, and far from being viewed as an outsider, he was received as a popular and esteemed member of the bar, all while enjoying the life of a country squire. But with the turn of the decade, dark political clouds appeared on the horizon and the election of Abraham Lincoln strained the social fabric of the country. In politics, William Stokes was a Democrat, and we see his views, again, through the eyes of his friend Carnegie, who recalled:

Another Sunday which I spent at his home after an interval of several years was also noteworthy. I had then become Superintendent of the Pittsburgh division of the Pennsylvania Railroad. The South had seceded, I was all aflame for the flag. Mr. Stokes being a leading Democrat argued against the right of the North to use force for the preservation of the Union. He gave vent to sentiments which caused me to lose my self-control, and I exclaimed, 'Mr. Stokes, we shall be hanging men like you in less than six weeks.' I hear his laugh as I write and his voice calling to his wife in an adjoining room: 'Nancy, Nancy', listen to this young Scotch

“In the center of the arch, carved in marble was an open book with this inscription: 'He that cannot reason is a fool, He that will not, is a bigot, He that dare not, is a slave.' Those noble words thrilled me. —Andrew Carnegie

devil. He says they will be hanging men like me in less than six weeks?”

Continuing he wrote:

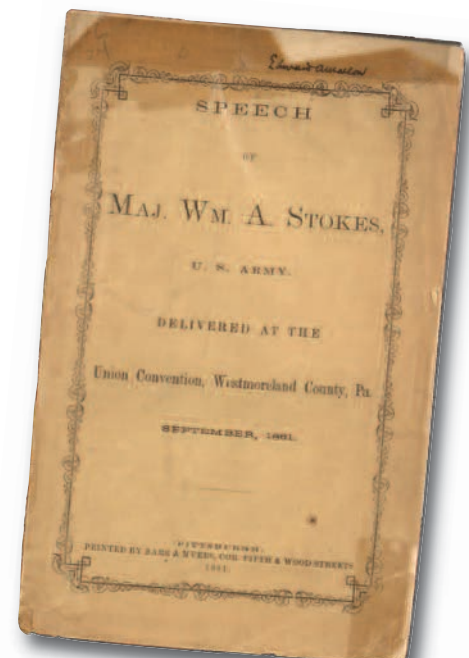
Strange things happened in those days. A short time after, that same Mr. Stokes was appealing to me in Washington to help him to a Major's commission in the volunteer forces. I was then in the Secretary of the Treasury's office helping to manage the military railroads and telegraphs of the Government. This appointment he secured, and ever after was Major Stokes. So that the man who doubted the right of the North to fight for the Union has himself drawn [a] sword in the good cause. Men at first argued and theorized about constitutional rights. It made all the difference in the world when the flag was fired upon.

Public speeches by military personnel about the war were discouraged, but Major Stokes claimed an exemption from any such restriction, because he had promised to address the Union Convention of Westmoreland County prior to his enlistment. Joining him at the podium in September 1861, and providing supporting remarks, was another Westmoreland County lawyer, U.S. Senator Edgar Cowan. In what was considered a stirring address, Stokes urged the public in general, and fellow Democrats in particular, to support the war effort. While there had only been one major battle up to that time, the decisive defeat of the army at Bull Run, the major was

prescient in his vision of the fierceness of the conflict, which, beyond anyone's imagination, would last another four years.

He declared: “As recently as last winter I was the zealous advocate for concession and compromise, for I thought conciliation and compromise, if possible, on any terms, [was] at once the truest policy and highest duty ... Fellow Democrats, allow me to therefore say, that you best prove your party purity by sustaining the existing Government ... We are in the midst of one of the most tremendous wars ever waged on earth ... Rightly to rebuke the rebellion we must accept its own test ... It has appealed to arms and if we evade or avoid the final irrevocable sentence of the sword, we encourage subsequent attack. To make peace with armed traitors is to offer a premium to armed treason ... Surely it is neither wise nor valiant to yield to demands backed by force. If you now surrender to dictation, for what has the National treasure been expended, for what has your brother's blood been shed?”

The same year, the 47-year-old major was given command of Camp



¹ Carnegie's Scottish castle and estate.

² Mrs. Stokes' name was Mary. References to her in the Stokes collection in the Flavey Memorial Library at Villanova University refer to her as Mary, as did his correspondence to her. It is likely that Carnegie, in writing his autobiography decades after the event, recalled her name incorrectly.

Thomas, outside of Columbus, Ohio, a training facility for recruits from Pennsylvania, Ohio, and Indiana, to prepare them for service in the Western Theater with the 18th U.S. Infantry.

Two years later, in 1863, Major Stokes purchased the *Westmoreland Republican and Farmers Chronicle*, a newspaper he had contributed to extensively which had been in circulation since 1819 as a counterpart to the Federalist publication, the *Greensburg Gazette*. Notwithstanding the Republican appellation, the paper's views, prior to and after the sale, maintained a Democratic slant. His stint as a publisher was brief. He sold the paper 19 months later, and with the end of the war, resumed his law practice.

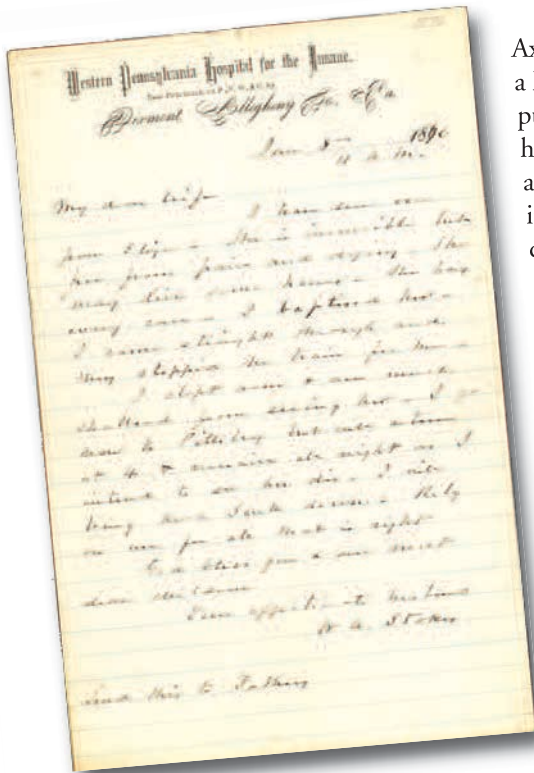
Eventually, he sold his home and farm and returned to Philadelphia where he lived in retirement until his death on April 3, 1877, at age 63.

*Your affectionate husband,
W. A. Stokes
Send this to Father*

Stokes' friend, Andrew Carnegie, who was 21 years his junior, would outlive him by 42 years. Upon the sale of Carnegie Steel to J. P. Morgan in 1900, Morgan supposedly congratulated Carnegie on becoming the richest man in the world. In acts of unparalleled philanthropy, the young man who so admired Stokes' library and dreamed of having one of his own, would donate 1,689 libraries to cities and towns across the continental United States, Hawaii, and Puerto Rico. ■

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William Axton Stokes was a lawyer, farmer, publisher, soldier, husband, father and friend. But it is a short letter, dated January 8, 1870, which gives us a glimpse of his humanity. Its subject is Eliza, who lies dying in an insane asylum. Is she a friend, a relative, or perhaps, more likely, his daughter? It was handwritten on stationery,

obviously obtained from the staff, captioned, "Western Pennsylvania Hospital for the Insane."

January 8, 1870, 11 a.m.

My dear wife,

I have seen our poor Eliza. She is insensible but far from pain and dying. She may live some hours. She has care, I baptized her. I came straight through and they stopped the train for me. I slept none and am much shattered from seeing her. I go now to Pittsburgh, but will return at 4 and remain all night as I intend to see her die. I will bring Anna Sculs down. Rely on me for all that is right.

God bless you and our most dear children.



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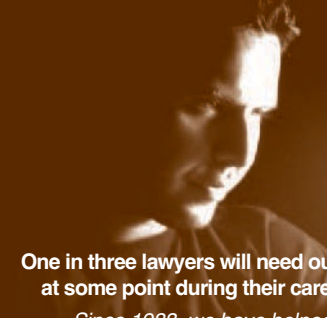
JULY

- 11** [PBI CLE Simulcast] The Best Retirement and Estate Plans for Attorneys, 8:30 a.m. to 4:15 p.m., 5 S 1 E
- 12** Real Estate Committee, Noon
- 13** [CLE] Bench/Bar Video Replay, Noon to 3 p.m., 2.5 S
- 19** Elder Law & Orphans' Court Committees, Noon
Membership Committee, Noon
- 21** [PBI CLE Simulcast] The Essentials of Chapter 7 & 13 Bankruptcy Practice, 9 a.m. to 4:15 pm, 5 S 1 E
Bocce & Corn Hole Tournament, 4:30 to 9 p.m., Italian Club, Jeannette
- 26** [PBI CLE Simulcast] Special Needs Trust, 9 a.m. to 1:15 p.m., 4 S

AUGUST

- 1** [PBI CLE Simulcast] Drafting Better Trusts, Noon to 4:15 p.m., 4 S
- 7** [CLE] Bridge the Gap, 9 a.m. to 1:15 p.m., 4 E
- 9** [CLE] Debt Issues Involving a Divorce, Noon to 1:15 p.m., 1 S
- 16** Membership Committee, Noon
- 24** [CLE] Video Compliance Period Seminar
- 30** [PBI CLE Simulcast] Help! The Rules are Changing...and They Impact ALL Pa. Court Filings, 9 a.m. to 12:15 p.m., 2 S 1 E

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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.

We know it is hard to ask for help. LCL discreetly provides resources, support and information.

Your call to us and the help we provide is confidential. You incur no expense or any other obligation by calling LCL.

We can often help when others cannot.

1-888-999-1941

Lawyers Concerned for Lawyers

WBA BOCCE & CORN HOLE TOURNAMENT

Enjoy picnic food,
bocce, corn hole &
refreshing beverages
(wine, beer & mixers
provided).

Friday, July 21st

4:30-9:00pm

*Food served beginning at 5pm

Italian Club

899 College Avenue,

Jeannette

Catered by Smokey Bones

**This event is FREE & open to Bar
Members/Families & Guests!**

**RSVP by Monday, July 17th
724-834-6730**

Find your team or
sign up solo & we will
find a team for you.

Prizes for winners!

**Monday,
August 7, 2017
9:00 am - 1:15 pm
WBA Headquarters**

Seminar Fees:

PRE-REGISTRATION:
(Must be prepaid & received at the WBA
office by 12 pm August 4, 2017)
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)

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)

Pizza and Soda 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

As a courtesy of the Westmoreland Bar Association, this seminar is being offered **FREE** to **newly admitted WBA attorneys** who are required to complete the Bridge the Gap program by their first CLE compliance

The program also serves as a great refresher for any attorney admitted to practice in Pennsylvania.

PROGRAM FORMAT

This four hour program produced by the PA CLE Board consists of the following sections.

- ◆ Introduction from the Chief Justice
- ◆ Communications
- ◆ Practice Management
- ◆ Fiduciary Requirements
- ◆ Overview of the PA Supreme Court Disciplinary System
- ◆ Outreach Programs & Resources

Moderated by:

Kim R. Houser, Esquire
Mears, Smith, Houser & Boyle PC

Four (4) ETHICS 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.

Bridge the Gap — August 7, 2017

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 _____

Three digit security code on back of card _____

Credit Card Billing Address _____

*** PRE-REGISTRATION Fees: 4 Ethics credits available**

- I am a Newly Admitted Attorney, WBA Member — **FREE**
- I am a Newly Admitted Attorney, Non-Member - **\$20 FLAT FEE**
- \$30 per credit hour, WBA member
- \$50 per credit hour, Non-member

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 August 4, 2017.**

Debt Issues and How It Relates To Your Practice

— LIVE — 1 Substantive Credit Available



An accredited provider for the PA Board of Continuing Legal Education

What do you do when one of your clients or opposing party files for bankruptcy? For many attorney's bankruptcy is something they avoid at all costs, but in some cases it's unavoidable. The purpose of this informal discussion is to examine the relationship between bankruptcy and other practice areas like personal injury, worker's compensation and family law. So, the next time your client or a bankruptcy trustee calls you and says you need to deal with the bankruptcy court or informs you that they need to file for bankruptcy you'll be better prepared.

Topics of Discussion include:

- General bankruptcy.
- How professionals are hired in bankruptcy case.

Speaker:

Matthew M. Herron, Esquire
The Debt Doctors @ QuatriniRafferty

Moderated by:

Vincent J. Quatrini, Jr., Esquire
QuatriniRafferty

One (1) Substantive Credit is 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.

August 9, 2017

Debt Issues and How It Relates To Your Practice

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 _____ 3-digit code _____

Credit Card Billing Address _____

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 Seminar Fees - Please return this form and your payment to the WBA Office, 129 North Pennsylvania Avenue, Greensburg, PA 15601, **by 12 pm August 8, 2017.**

**Wednesday,
August 9, 2017
12:00 pm - 1:15 pm
WBA Headquarters**

Seminar Fees:

PRE-REGISTRATION:

(Must be prepaid & received at the WBA office by 12 pm August 8, 2017.)

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

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.

Treatment and Recovery for Chemical Dependency

— LIVE — 1.5 Substantive Credits Available



An accredited provider for the PA Board of Continuing Legal Education

Topics of Discussion:

1. Navigating Levels of Care
 - *How to advocate for clients as they navigate?
 - How to access a short detox compared to longer treatment options.
 - *What power/influence do we hold as attorneys/caseworks/advocates/etc?
 - *How to access treatment for those without health insurance?
2. Medication assisted treatment
 - *Discussion of treatment options.
 - *Use of medication and therapy.
3. Drug Testing
 - *When do you find it necessary?
 - *How to insure it is used properly?
4. Helping addicts
 - *How can we as attorneys/caseworkers/advocates lead individuals to accepting treatment?

Speaker: Daniel Garrighan
*Jade Wellness

1.5 Substantive Credits are available toward your annual CLE requirements.

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

August 18, 2017

Treatment and Recovery for Chemical Dependency

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 _____ 3-digit code _____

Credit Card Billing Address _____

Pre-Registration Fees

CLE Credit:

- WBA Members - \$30 per credit hour (\$45)
 Non-Members - \$50 per credit hour (\$75)

Non-Credit:

- \$5 Flat Rate (includes pizza)

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 August 17, 2017.**

Friday,
August 18, 2017
12:00 pm - 1:30 pm
WBA Headquarters

Seminar Fees:

PRE-REGISTRATION:

(Must be prepaid & received at the WBA office by 12 pm August 17, 2017)

CLE Credit

WBA Members - \$30 per credit hr.

Non-Members - \$50 per credit hr.

Non-Credit

\$5 Flat Rate

Sponsored by:

- CASA of Westmoreland, Inc.
- Westmoreland Bar Association

WALK-IN:

CLE Credit

WBA Members - \$40 per credit hr.

Non-Members - \$50 per credit hr.

Non-Credit

\$5 Flat Rate

Waived for Young Lawyers (practicing 10 years or less)

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

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.



Thursday

August 24, 2017

WBA Headquarters

9 am - 3:15 pm

Seminar Fees:

PRE-REGISTRATION:

(Must be prepaid & received at the WBA office by 12:00 pm August 23, 2017)

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)

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

129 North Pennsylvania Ave.

Greensburg, PA 15601

724-834-6730

Fax: 724-834-6855

www.westbar.org

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Session 1 — 1.5 Substantive Credits

9:00 am – 10:30 am (Video from 3/23/17)

Fagnilli & Kosir On Deeds

Whether you're an "old timer" or a "newcomer" to real estate, the authors of *Fagnilli and Kosir On Deeds* will give you insight and guidance to the requisite parts of a deed and the requirements for effective and accurate drafting and delivery. Ms. Fagnilli is vice president and counsel in the Pittsburgh, Pennsylvania, office of Chicago Title Insurance Company. She has substantial experience in underwriting commercial transactions, as well as an expansive knowledge of agency underwriting issues. Mr. Kosir is of counsel to Meyer, Unkovic & Scott LLP, and is a member of the firm's Real Estate and Lending, Litigation and Dispute Resolution, Corporate and Business Law, and Construction Law Groups. He has significant civil litigation and general practice experience in all areas of real property law with extensive experience in all facets of real estate development, sales, construction, and leasing.

Session 3 — 1 Ethics Credit

1:00 pm - 2:00 pm (Video from 6/16/17)

Malpractice Avoidance with Attorney Bethann R. Lloyd

•"Attorney Engagement Letters: A Liability or a Valuable Risk Management Tool?"

•60 minutes

•Although confirmation of a lawyer's fees is an ethical requirement, a few lawyers comply, let alone embrace the engagement letter as a risk management tool. This CLE will go beyond the fee confirmation basics and discuss how to maximize our firms engagement letter to avoid a claim or to help to defend a claim already in progress.

Speaker:

Bethann Lloyd, Esquire

Cipriani & Werner, PC

Session 2 — 2 Substantive Credits

10:45 am – 12:45 pm (Video from 5/12/17)

Mental Health Impacts on Children & Adults

The "Mental Health Impacts on Children and Adults" training will cover several areas of focus around how mental health can have an impact on the families served through the Family Court Dependency and the Child Welfare systems. This panel style presentation, will include local experts in the area of mental health and will be facilitated by Meredith King, Senior Advocate Supervisor of CASA of Westmoreland. Participants will have an opportunity to ask the panelists questions regarding mental health, how this influences the families within child dependency process, and other related topics.

Panel:

- Child Trauma and Trauma Informed Care: Marie Wolf-Hatalowich, LSW, King and Associates, Inc.
- Family Systems and Cognitive Behavioral Therapy: Dr. Paul Niemiec, LPC
- Mental Health Stigma: Laurie Barnett Levine, LSW

Session 4 — 1 Ethics Credit

2:15 pm - 3:15 pm (Video from 6/16/17)

PA Disciplinary Board Primer: Who Picks Up After You

This CLE will review what happens to a deceased attorney's, or disbarred/suspended attorneys practice when there is no responsible successor.

Speakers:

*Angelea Allen Mitas, Esquire

*Denis P. Zuzik, Esquire

*The Honorable Anthony G. Marsili

*Lawrence M. Kelly, Esquire

3.5 SUBSTANTIVE and 2 ETHICS Credits are available toward your annual CLE requirements.

August 24, 2017 Video Compliance CLE

Name: _____

Attorney 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 fees, by visiting the westbar.org website. You must "LOG IN" to register OR submit this form to the WBA Office, 129 North Pennsylvania Avenue, Greensburg, PA 15601, by 12:00 pm August 23, 2017.

Sign me up for:

Session 1 – 1.5 substantive credits no credits

Session 2 – 2 substantive credits no credits

Session 3 – 1 ethics credit no credit

Session 4 – 1 ethics credit no credit

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

Association.

Bill my MasterCard VISA DISCOVER for

\$ _____ (Amount).

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Expiration Date _____ 3-digit code _____

Credit Card Billing Address _____

Untangling UM/UIM Auto Coverage

— LIVE — 1 Substantive Credit Available



An accredited provider for the PA Board of Continuing Legal Education

We all review our clients' automobile declarations page when we represent them in a PI case. The information on the declarations page, however, may not always provide you with a complete picture of the coverage available to your clients. Come and learn about what else you need to review in order to maximize recovery for your clients.

Topics of Discussion include:

- UM/UIM Coverage
- Stacking Waivers
- Household Vehicle Exclusion
- Other Insurance Clause

Speakers:

Dennis B. Rafferty, Esquire

QuatriniRafferty

Jessica L. Rafferty, Esquire

QuatriniRafferty

Joyce Novotny-Prettiman, Esquire

QuatriniRafferty

One (1) Substantive Credit is 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.

September 26, 2017

Untangling UM/UIM Auto Coverage

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 _____ 3-digit code _____

Credit Card Billing Address _____

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 Seminar Fees - Please return this form and your payment to the WBA Office, 129 North Pennsylvania Avenue, Greensburg, PA 15601, **by 12 pm September 25, 2017.**

**Tuesday,
September 26, 2017
12:00 pm - 1:15 pm
WBA Headquarters**

Seminar Fees:

PRE-REGISTRATION:

(Must be prepaid & received at the WBA office by 12 pm September 25, 2017.)

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

129 North Pennsylvania Ave.

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.