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THE NEWSLETTER OF THE
WESTMORELAND BAR ASSOCIATION
VOLUME XXVII, NUMBER 2
APRIL 2015

Survey of Judicial Candidates

Nine Vie for County's Court of Common Pleas Nominations

Editor's note: As in past judicial elections, we have made space available for all the candidates for the Court of Common Pleas of Westmoreland County to respond to a series of uniform questions, hoping that the effort enables our colleagues to learn a little bit more about those who seek a seat on the bench. Their answers begin on page 12.

We also asked each candidate to submit an example of his or her legal writing, such as a brief or other law-related document, which best reveals that aspect of his or her professional ability. Those submissions can be viewed in their entirety on the WBA website at www.westbar.org/judicialcandidates.



**TOM
ANDERSON**

See page 12



**HOPE A.
ASTON**

See page 12



**CHRIS
HUFFMAN**

See page 14



**TIM
KRIEGER**

See page 15



**SCOTT
MEARS**

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**THE HONORABLE
DAVID A. REGOLI**

See page 17



**JIM
SILVIS**

See page 19



**THE HONORABLE
HARRY F. SMAIL, JR.**

See page 20



**LESLIE UNCAPHER
ZELLERS**

See page 22

foundation focus

It's Pro Bono, Not The Plague!



by Amanda Stein, Pro Bono Coordinator

A decade later I find myself in the same office where I started my career—where I received my baptism by fire into the legal profession. While the faces and names



▲ Amanda Stein

have changed, the common thread remains; there is an indigent population in our county that needs legal assistance. August 11, 2014, was my first day, and since that day, I have encountered numerous instances of child abuse, including a tragic case of shaken

baby syndrome which resulted in an infant's death, a plethora of evictions rendering clients homeless, and some wild stories and rationalizations that are simply out of this world.

However, in most cases, when you remove the frivolous details, there is a legal issue at the core. Assistant Coordinator Terrilyn Cheatham and I strive to identify those legal issues and evaluate them on a case-by-case basis. Collectively, we all work together to streamline our process, through income and asset screening along with the assessment of the true legal needs of clients, so that when we make a referral to an attorney, it is truly someone who is in need.

I strive to make adjustments to our programs to make the process more convenient and time efficient for the participating attorneys. Our **Reduced Fee Program** is very popular, wherein qualified clients are given a list of

attorneys who have agreed to handle a specific type of legal issue at the reduced rate of \$40 per hour. I would love to have more attorneys on these lists and even be able to expand our categories. The **Custody Program** is busier than ever and true pro bono cases come into the office daily. Additionally, we will be unveiling a new program in which I will be requesting that an attorney

be “on call” for a day, so that if a legitimate legal question comes into the office, I can contact that attorney and simply get an answer for the client. If it is determined the client has a case, then they will be processed in the office and referred to an attorney. No one would be obligated to take a case—just answer a question (however, taking on a case is always welcomed!).

If you have any questions regarding the program, or if I've sparked your interest to participate, feel free to stop by the office (Courthouse, 4th Floor, Suite 403), e-mail me at amanda.probono@comcast.net, or call 724-837-5539. I want to personally thank everyone for their loyal participation to enable the continued growth and success of our programs! 🐾

Franklin Regional Earns District, Regional Mock Trial Trophies



▲ Franklin Regional Senior High School earned the District 1 Mock Trial trophy by defeating Greensburg Salem High School in the finals of the annual competition held at the Westmoreland County Courthouse in February. This year's competitors also included Derry Area, Homer-Center, Kiski Area, Penn-Trafford, Southmoreland, and Valley Jr./Sr. High Schools. Franklin Regional advanced to the Regional competition and earned a berth in the statewide competition held in Harrisburg in late March. Quigley Catholic High School (Beaver County) emerged as champion and will represent Pennsylvania in the national mock trial finals to be held May 8 - 10 in Raleigh, North Carolina.

The Franklin Regional High School mock trial team is composed of (from left to right) Anishaa Sivakumar, Corinne Baker, Adam Schwab, Jonathan Lockwood, Emily Ahlstrom, Bianca Li, teacher coach Jesse McDonnell, and attorney advisor Charles Conway. Not shown are Ryan Bailey and Juliana Landis. 🐾

Annual Ceremony Held

WBA Presents New Members to Bench, Bar



▲ New members of the WBA were presented to the bench and bar on March 17, 2015. From left to right: (back row) Richard N. Lettieri, Matthew R. Comstock, Timothy J. Scelsi, Ryan P. Cribbs, Shane M. Sarver, and P. Michael Boscha; (middle row) Brian Panucci, George C. Miller, Jr., Timothy J. Leonard, Emily Shaffer, Vanda Raszewski, and Kelly M. Eshelman; (front row) Thomas B. Anderson, Katherine M. Bandemer, Megan R. Little, Victor G. Myers, Jaime Marie Hickton, and Jason P. McConnell.

On Tuesday, March 17, 2015, the Westmoreland Bar Association presented its new members to the court.

Following a welcoming address by WBA Past President John K. Greiner, and an invocation by the Rev. Marnie E. Abraham, each admittee was introduced to the court by a member of the association.

The new members presented to the court were: Thomas B. Anderson, presented by Sandra E. Davis; Matthew R. Comstock, presented by James R. Antoniano; Katherine M. Bandemer, presented by John S. Toohey; P. Michael Boscha, presented by David J. Millstein; Ryan P. Cribbs, presented by Ned J. Nakles, Jr.; Kelly M. Eshelman, presented by Abby De Blasio; Jaime Marie Hickton,

presented by The Hon. Meagan Bilik-DeFazio; Timothy J. Leonard, presented by Wm. Jeffrey Leonard; Jason P. McConnell, presented by The Hon. David A. Regoli; Richard N. Lettieri, presented by Scott O. Mears, Jr.; Megan R. Little, presented by The Hon. Christopher A. Feliciani; George C. Miller, Jr., presented by The Hon. Harry F. Smail, Jr.; Victor G. Myers, presented by The Hon. Christopher A.

Feliciani; Brian Panucci, presented by Charles J. Dangelo; Vanda Raszewski, presented by Joyce Novotny-Prettiman; Shane M. Sarver, presented by Daniel Joseph; Timothy J. Scelsi, presented by Dwayne E. Ross; and Emily Shaffer, presented by The Hon. Anthony G. Marsili. John J. Petrush, Jr., was presented *in absentia*.

Following the presentation to the court, Allison Thiel and Joyce Novotny-Prettiman greeted the new members on behalf of the Young Lawyers Committee and the Ned J. Nakles American Inn of Court, respectively. President Judge Richard E. McCormick, Jr., then spoke on behalf of the court. A reception for the new admittees was held at The Rialto in Greensburg immediately following the ceremony. 🍷

View more photos from WBA events on our members-only share site at wbaphotos.shutterstock.com.

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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.

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MARCH 2015 TRIAL TERM

Of eighteen cases listed for the March 2015 Civil Jury Trial Term, five settled, eleven were continued, one was discontinued, and one resulted in a jury trial.

JEFFREY T. MAYO
V.

**ANDREW STARANKO D/B/A
STARANKO AUTO BODY
& CLASSIC CARS
NO. 3575 OF 2013**

*Cause of Action: Breach of Contract—
Unjust Enrichment*

Plaintiff Jeffrey T. Mayo alleged that Defendant Andrew Staranko, d/b/a Staranko Auto Body & Classic Cars, breached an agreement between the parties for the restoration of Plaintiff's 1957 Pontiac ("the vehicle"). Per the agreement, Plaintiff made a one-time payment of \$16,000 to Defendant for the restoration work, which was to be completed within six to nine months. However, after eighteen months, Defendant failed to complete the restoration pursuant to the terms

JURY TRIAL VERDICTS



BY BETH ORBISON, ESQ.,
SHANE M. SARVER, ESQ.,
AND EMILY SHAFFER, ESQ.

of the agreement. Plaintiff then obtained possession of the vehicle and contracted with another shop to have the restoration work completed at the additional expense of \$18,148.02. It was these expenses which Plaintiff sought to recover from Defendant through his breach of contract action.

Defendant made a counterclaim for expenses incurred on additional work and parts that Plaintiff allegedly requested to be done after the agreement

was made. According to Defendant, the additional work greatly increased the restoration's time and expense beyond the scope of the initial agreement. As such, Defendant made a counterclaim against Plaintiff for unjust enrichment based on his performance of this additional work.

Trial Date(s): March 4-6, 2015

Plaintiff's Counsel: Brian P. Cavanaugh, Gbg.

Defendant's Counsel: Wm. Jon McCormick, Bentleyville

Trial Judge: The Hon. David A. Regoli

Result: Verdict in favor of Plaintiff. Jury found that Defendant breached the agreement and awarded Plaintiff \$10,973.88 in damages. Further, the jury concluded that Plaintiff was not liable to Defendant on Defendant's counterclaim. 🌸

**Westmoreland County Civil Jury
Trial Verdicts from 2000 to the
present are available online at
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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

Spotlight on Kristen Weidus

Editor's note: Kristen Weidus is the new Chair of the WBA Young Lawyers Committee. Her one-year term began at the 2015 Annual Meeting, held April 6 at Rizzo's Banquet Hall in Crabtree. Kristen is an associate with Tremba, Jelley & Kinney, LLC, in Greensburg.

Q WHAT JOBS DID YOU HAVE BEFORE BECOMING A LAWYER?

A Prior to law school, I worked each summer for the HELP Foundation Summer Program. I ultimately worked as teacher in a classroom of nonambulatory, nonverbal students.

Q WHAT QUALITY DO YOU MOST LIKE IN AN ATTORNEY?

A I most appreciate an attorney who is relatable and approachable. As an attorney, I try to remember that I am responsible for helping my clients navigate a system that can be very overwhelming. I know I appreciate interacting with

other attorneys who approach practice that way, too.

Q WHAT IS YOUR FAVORITE JOURNEY?

A My greatest journey thus far has been moving to DC for law school from Ohio. I didn't know anyone in the city, and I didn't know much about law school, either. It was the scariest thing I had ever done, and it will always be three of the best years of my life.

Q WHAT IS YOUR GREATEST REGRET?

A I regret not taking a spring break trip in college with my friends.

Q WHO ARE YOUR HEROES IN REAL LIFE?

A My heroes are my parents, and my Grandma Joyce, who passed away the summer after my first year of law school.

Q WHAT ADVICE WOULD YOU GIVE TO NEW ATTORNEYS?

A I would advise new attorneys to get involved in the bar association, and

be sure to reach out to other attorneys for advice. Having mentors has been invaluable, and I believe that it is essential to continuing to grow as a lawyer.



Q WHAT IS THE BEST ADVICE YOU EVER GOT?

A The best advice I ever received was that those who have the most should give back the most.

Q WHEN AND WHERE WERE YOU HAPPIEST?

A I can think of two places/times when I was happiest. The first was when I found out I passed the bar exam, which I learned at Tremba, Jelley & Kinney. The second is when I went to the Finger Lakes with my boyfriend, Ross, for our birthdays last year. It was beautiful, and relaxing, and there was nowhere I would rather be.

Q WHAT IS YOUR MOST TREASURED POSSESSION?

A My most treasured possession is the baby blanket I have had since before I can remember. Once, I even left it at a hotel and my dad tracked it down and paid for the hotel to mail it back to us! It means a lot to me.

Q WHAT IS IT THAT YOU MOST DISLIKE?

A I most dislike negativity, and people who put others down instead of trying to work together and pick each other up.

Q WHAT IS YOUR GREATEST EXTRAVAGANCE?

A My greatest extravagance is that I get my nails done every three weeks, almost no exceptions. I think it's

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The Toughest Man In America

8,000 MILES ACROSS ALASKA: A RUNNER'S JOURNEY ON THE IDITAROD TRAIL

By Jill Lynn Homer and Tim Hewitt
242 pp. Arctic Glass Press. \$16.95.

by *The Hon. Daniel J. Ackerman*

As I recall, not long ago, a sports writer bestowed the appellation of “The Toughest Man In America” upon Tim Hewitt (a title which likely brought forth a blush and a demurrer from the recipient). The thesis behind the statement was that none of our professional athletes, regardless of size, strength, speed, or agility, could match the determination, endurance, courage, or toughness of mind of this slender, graying middle-aged member of the Westmoreland Bar Association, whose day job is that of an employment law attorney.

For years, the feats of our colleague have circulated in conversations between members of the bar producing astonishment and wonder over his prowess as a marathoner, ultra-marathoner, and Iditarod participant. His running of the Bad

Water Ultra-Marathon through the furnace which is Death Valley, followed by the ascent the next day to the peak of Mount Whitney, the highest mountain in the lower forty-eight states, seemed to us the outer boundary of human endurance. But what we knew came only through word-of-mouth, with few details.

In *8,000 Miles Across Alaska*, we do the unimaginable—we accompany Tim on his most perilous treks, the running of the 1,000 mile-long Iditarod Trail, a death-defying race in subzero temperatures. Originally a race for dog sleds, in recent times it has come to include elite cyclists and runners as well. The book's title reflects that Tim has run the race eight times (winning six of the eight).

It is even somewhat difficult to imagine the length of the course. To bring it closer to home, a race from

Pittsburgh of a thousand miles might end on the Gulf of Mexico at Mobile, Alabama, though running that distance in our temperate climate might seem like a spa treatment when compared to doing it in an Alaskan winter.

Jill Homer, an author and Iditarod participant as well, has created a thrilling narrative from Tim's journal entries made on the trail, which leave us in a state of wonder about this unassuming friend in our midst.

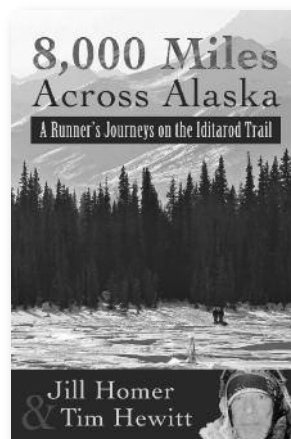
For the most part, the book is a solitary tale of self-reliance in a wilderness setting, punctuated by doubt,

fear, and occasional fatigue-induced hallucinations, where even a slight miscalculation or careless movement may have catastrophic consequences. Along the way, however, we also meet others of interest whose accomplishments also amaze, the foremost being Tim's wife, Loreen, who is more than just a supportive spouse, she is a woman of great courage, who several times accompanied Tim to Alaska and set records of her own on the trail.

Participants in the race are sustained from time to time by the warmth produced by taking shelter in unheated structures, or, in some cases, in heated buildings or homes where a rare hot meal may be provided as a respite from temperatures of 20 or 30 degrees below zero and hurricane-force winds, as well as by bags containing extra food and clothing, which are flown in and dropped off along the trail at various intervals. Such assistance is necessary if fatalities are to be avoided.

After his seventh crossing of the trail, which runs from Anchorage to Nome, Ms. Homer describes Tim as

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Lawyers' Exchange

(Free to all members of the WBA)

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To-Wit: WebJD

by S. Sponte, Esq.

Although I have for quite some time now been prompted by the miseries of an ever-aging body to surf on over to WebMD for a diagnosis, it didn't occur to me until just recently how this concept might also apply to our profession. It seems my muse, usually the very soul of prattle, was uncharacteristically subdued as I perused the website, offering not so much as one tick of the comedic inspiration that has made me the most durable legal humorist of all time.

I get it though; I know from many years of personal experience that being funny always takes a back seat when you are sitting at a computer knowing you have a fatal disease.

My last visit to WebMD was precipitated by naught but an ingrown toenail, a condition that not even I deem as potentially terminal. Thus

unencumbered by the fear of impending demise, my muse grabbed hold.

"If," I said to myself, momentarily disregarding the searing twinge of proud flesh coming from my right big toe, "so many folks are using WebMD to get medical information,

"If so many folks are using WebMD to get medical information, surely there must be a crying need for a similar website to get legal information."

surely there must be a crying need for a similar website to get legal information."

Oh, how quickly I Googled, and as usual, I was right; there is nothing out there like what I had in mind. So I came up with WebJD, the

website where, in simple question and answer form, people can get sufficient information about their legal

problems. And by the way, there is no cost; this is purely an eleemosynary endeavor, my meager effort to give back to all those unfortunate, law-stricken souls out there, many of whom endured the heart-searing tragedies that put my kids through college. I won't make a cent on this but for the fairly substantial advertising revenues I know are out there, and oh, maybe some referral fees.

For the time being, I am fielding all of the queries. Here are just a few early examples:

FROM PUZZLED WIFE: *Without telling me, my husband took out a big insurance policy on my life, and now he's*
continued on page 8



G

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Duke George



Daniel Joseph

The Toughest Man In America *continued from page 6*

he discards the clothing he has worn for more than three weeks—to be exact, twenty-four days, twenty hours, and thirty minutes. Yes, he was the first runner to reach Nome, but he had run the race unsupported. There had been no dropped bags of supplies; all he would eat was loaded onto his sled, “Cookie,” which weighed 140 pounds at the start of the race, and which he pulled behind him for the duration. Nor did he enter any man-made shelter along the way. She writes:

He looked at his face for the first time in weeks. The ashen figure hunched over the sink was unrecognizable. Hollow eyes gazed out of a sunken face chapped with windburn, and he saw a patch of black frostbite on his nose. Wrinkled skin clung to his cheekbones, and clumps of silver hair were matted against his skull. If his face was startlingly sickly, his body looked even worse—sharp angles of his skeleton protruded from what was left of his flesh. The 137 pound person in the mirror looked like a weak old man nearing death, not someone who had the strength to pull more than

a hundred pounds of supplies a thousand miles across Alaska.

His body had paid a price for this challenge, but his smile was unmistakable.

The smile. It was his reason for being there. It certainly wasn't for fame or fortune. Few, outside of a handful of enthusiasts, know the names of the participants, and the Iditarod Trail Invitational offers no prize money. The smile is one of self-satisfaction in knowing that he had challenged himself to his limits and succeeded. If one is to draw a lesson from this fine book, it is that within each of us there are untapped reserves which will enable us to meet challenges, not necessarily physical ones, which even now we can't imagine.

The challenges, dangers, near-misses, and escapes are too numerous to mention, and to do so here would deprive the reader of the element of suspense, which is prevalent on almost every page. Read it and treat yourself to a vicarious adventure in the comfort of your living room; you'll be glad you did. 🐾

To-Wit: WebJD

continued from page 7

hanging out around gun shows. What should I do?

Dear Puzzled Wife: It would appear you need the services of a good estate planning lawyer. Several advertise on this site and could provide the assistance required. Some are even running specials this week on noncupative wills, so hurry up, won't you, and give them a call?

FROM OLD, WRINKLED, AND ALONE: *I am 93 years old, my husband passed away last year leaving me all alone with forty million dollars. I have no living relatives and no experience handling money. What should I do?*

Dear Gorgeous: Wanna catch a movie this Saturday night?

FROM DOUBLEWIDE: *Saying something about my having gained more than three hundred pounds since our civil ceremony, my long-time partner moved out of our doublewide mobile home, taking all the Chihuahuas and my bust of William Howard Taft with him. What should I do?*

Dear Doublewide: Push ups.

See how simple it is? Even you could do it. So I'm going to trademark this name, register the website, incorporate the business, and offer you shares of stock that, in short order, will attain a value that puts Google to shame, even if their P/E ratio might be somewhat better.

Oh, I see happy days ahead, boats, sports cars, a winter home in the sun, but please don't misunderstand—I am not doing this for the money. 🐾

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SILENT AUCTION Annual Holiday Dinner Dance
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Westmoreland Revisited

A Memorable Feast

by The Hon. Daniel J. Ackerman

Lawyers, while not necessarily foodies, are not shy about eating—meetings of the Inn of Court and the Trial Lawyers Academy center on evening meals, and dinner at the WBA annual meeting is a long-standing tradition going back more than a century. Now imagine, if you will, being a member of the bar taking your seat at a flower-decked table at Greensburg's New Fisher House. The occasion: the Fourth Annual Banquet of the Westmoreland Law Association. At your place is a five-page linen-covered



▲
The Hon. Daniel J.
Ackerman

menu and program tied with a green ribbon. The date on the first page reads: Thursday April 30th MDCCCCIII (which, of course, you immediately recognize as 1903).

The five-man committee, serving as host, has gone to great effort to provide not only a splendid meal, but also a literary theme for your amusement. The initial page, among other things, informs, "You are welcome to our house: It must appear in other ways than words." Merchant of Venice, V, 1; and notes, in recognition of the season:

*"Now every field and every tree is in bloom,
The woods are in full leaf, and the year in its highest beauty."*
Virgil.

And now, the menu:



DINNER

Lynnhavens',¹ *"A very quiet beast and of good conscience."*
Midsummer Nights Dream, V, 1.

Clear Green Turtle, *"A savor that may strike the dullest
nostril."* Winter's Tale, I, 2.

Broiled Blue Fish, *"Tis very fresh and sweet sir, The fish was
taken but this night."* Woman Hater, I, 2.²

Julienne Potatoes—Sliced Cucumbers—Queen Olives—
Celery—Sliced Mangoes

Sweetbread Patties aux petits pois, *"Perdition catch my soul
But I do love thee."* Othello, III, 3.

St. Clair Punch, *"Yet I have something in me dangerous."*
Hamlet, V, 1.

Philadelphia Tarpon au Cresson, *"In fair round belly with
good Capon lined."* As You Like It, II, 7.

New Potatoes In Cream, *"The infants of the Spring—In the
warm and liquid dew of youth."* Hamlet, I, 3.

Asparagus on Toast, *"Have you this Spring
eaten any 'sparagus yet?"* Brome.
"Fingers were made before forks." Swift.

Tomato Salad en Mayonnaise, *"Just as in nature, thy
proportions be As full of concord their variety."*
Cowley.

Fresh Strawberries, *"Doubtless God could have made a better
berry, but doubtless God never did."* Butler.

Neapolitan Ice Cream, *"Blockhead! With a fork.?"* Cowper.

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CAN ONE ATTORNEY CHANGE THE WORLD? WATCH ME.

¹ A variety of Virginia oyster.

² A play published in 1620 by Joseph Swetnam.



The Necklace

A Westmoreland Revisited Post-Script

History never ends. That was brought home when I received an e-mail from my friend, **Ila Jeanne Sensenich**, in response to “Cyrus Woods and the Tokyo Earthquake of 1923” (*the sidebar*, January 2015, Vol. XXVI, No. 6), saying that she possessed a necklace which once belonged to Mary Marchand Woods, the wife and widow of Cyrus Woods.

Ila was admitted to the Westmoreland Bar in 1964 and in addition to practicing with her father, Louis, at the firm of Stewart, Belden, Sensenich & Harrington, was also one of our county’s first assistant public defenders. In 1971, she was appointed as a United States Magistrate, serving in that judicial post with distinction until her retirement in 2006.

She related that her grandfather, Chester Sensenich, was a contemporary of Cyrus Woods, both of whom were active in Westmoreland County politics, representing the county in the Pennsylvania Senate. We may assume that the relationship between the two was positive and lasting, for Mary Marchand Woods named Ila’s father as executor of her estate; and after her death, Louis Sensenich served as the first president of the Westmoreland Museum of Art’s board of directors, which evolved pursuant to the terms of Mary’s will.

One of the estate assets was an emerald and diamond necklace, which Woods purportedly gave to Mary during his ambassadorship in Japan. It, along with the rest of her jewelry, was sold to a Greensburg jeweler. Ila’s father was so taken by the necklace that he purchased it from the jeweler and presented it to Ila’s mother. Following her death, it was passed down to Ila. Needless to say, she cherishes both the necklace and the history behind it. And, of course, we’re pleased she chose to share the story with *the sidebar*. 🍷

A Memorable Feast

continued from page 9

Salted Almonds, “*A thirsty evil.*” Measure for Measure, I, 2.

Roquefort and Edam Cheese, Toasted Bent’s Crackers.
“*In which my nose is in great indignation.*”
Tempest, IV, 1.

Coffee, “*Tis strong, and it does indifference well.*”
Twelfth Night, I, 3.

[The program continues with
four toasts by members of the bar]

OLIO³

“*Bid the players make haste.*” Hamlet.
“*Good night, good night! parting is such sweet sorrow,
That I shall say good night till it be morrow.*”
Shakespeare.



What more is there to say, except that perhaps we should rethink just how far we have come in the past eleven decades. 🍷

³ A mixture or medley.

where in the world IS THE WBA MEMBER?



This past August, Dennis Gounley and his wife, Martha, attended the St. Petersburg Ballet Theater's production of Tchaikovsky's "Swan Lake" at the Mikhailovsky Theater in St. Petersburg, Russia.

ST. PETERSBURG, RUSSIA

Remember When? Make New Memories at the 2015 Bench/Bar Conference

Be prepared to make new memories when the WBA returns to the Mountaineer Casino, Racetrack and Resort on June 10-12, 2015, for the 29th Annual Bench/Bar Conference.

We will keep you busy with casino school, live horse racing, the Young Lawyer hospitality suite, golf, scavenger hunts, sporting clays, swimming, hiking, a fitness center, free CLE seminars, the vendor exhibit, an outdoor bar-b-q, live entertainment, and most importantly, the opportunity to unwind and hang out with judges and fellow bar members in a relaxed atmosphere. So, clear your calendars for Wednesday June 10, through Friday, June 12, and plan to head to the Mountaineer for this year's BBC. Your invitations should be arriving in the mail soon. In the meantime, step into the wayback machine and enjoy these memories from 2006. 🍷



Spotlight on Kristen Weidus *continued from page 5*

important to make time for yourself, no matter how busy you get.

Q WHAT TALENT WOULD YOU MOST LIKE TO HAVE?

A I would like to be a better dancer. It is pretty sad how little rhythm I have!

Q WHAT DO YOU VALUE MOST IN YOUR FRIENDS?

A I most value my friends' honesty and ability to remind me what's important. I know I can always count on them, regardless of how long it has been since we have seen each other.

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

A If I weren't an attorney, I would want to be a college professor.

Q WHAT DO YOU LIKE TO DO IN YOUR TIME OUTSIDE OF WORK?

A I love to travel, spend time with my friends, family, and boyfriend, and be outdoors, doing something active like hiking or biking.

Q WHAT IS YOUR MOTTO?

A Never stop fighting—for what you want, what you love, and what you believe in. 🍷



Nine Vie for County's Court of Common Pleas Nominations

continued from page 1

These nine candidates are running in the primary election on May 19, 2015. Voters will choose three Republicans and three Democrats to face off in the November general election. All candidates have cross-filed.

Tom Anderson



Municipality of residence

Mount Pleasant

Schools attended, degrees earned, honors received

West Virginia University,
B.S. Political Science

Law school(s) attended, date of graduation, honors earned or received, date of admission to bar

Duquesne University School of Law, 1997. Published member of the Duquesne Law Review. Admitted to the Pennsylvania Bar in October of 1997. Admitted to the West Virginia Bar in 2012.

Positions of employment since your admission to the bar

Employed with Thomson, Rhodes & Cowie, P.C. from 1995 to the present. Shareholder since January of 2004. Pennsylvania Super Lawyer, Rising Star, Medical Malpractice Defense 2005 - 2010

Membership in law-related organizations

American Bar Association (1997-), Pennsylvania Bar Association (civil litigation section) (1997-), Allegheny County Bar Association (1997-), Westmoreland Bar Association (1999, 2015), Defense Research Institute (2010) and Safari Club International Legal Task Force (2011-2012)

Membership in other organizations

Director of Pittsburgh Chapter of Safari Club International (2012-), Director of Community Living Care, Inc. (a Greensburg based nonprofit providing services to disabled adults) (2012-), Assistant Cub Master of Cub Scout Pack 270 in North Huntingdon. Safari Club International Member, Dallas Safari Club Member, NRA Member, Ducks Unlimited Member.

Describe your practice, identifying particular areas of expertise, if any, and how your practice breaks down by percentage in areas of law.

Civil trial practice; 80% Medical Malpractice Defense, 10% Employment Discrimination Defense in Pennsylvania and the Federal District Court for the Western District of Pennsylvania, 10% plaintiff's personal injury litigation.

If you claim litigation experience as a qualification, name three members of the bar who have sufficient knowledge and/or experience regarding your litigation skill.

The Honorable Gary Caruso, Sandra Davis, Esq. and Anthony DeBernardo, Esq.

Identify your single-most significant professional accomplishment.

My clients know me on a personal level and trust me to represent them with the highest level of skill and professionalism. Several of my clients, and opposing counsel, have told me they believe I will be an excellent judge. One of my clients in particular, a hospital risk manager, told a hospital witness I was preparing for a deposition that the only thing the hospital would not be happy about if I am elected judge is I won't be the hospital's lawyer any longer.

Submit an example of your legal writing which you feel best reveals your writing and analytical skills.

View online at www.westbar.org/judicialcandidates#anderson.

Hope A. Aston



Municipality of residence

I reside in Hempfield Township.

Schools attended, degrees earned, honors received; Law school(s) attended, date of graduation, honors earned or received, date of admission to bar

I have obtained the following degrees:

- **A.A.:** Associate's Degree in Criminal Justice, Community College of Allegheny County/1984
- **B.A.S.W.:** Bachelor of Science Degree in Social Work, University of Pittsburgh/1986, Magna Cum Laude

Divorce | Custody | Support

KELLY M. ESHELMAN

ATTORNEY AT LAW

231 South Main Street, Suite 309
Greensburg, Pennsylvania 15601

Tel: 724-708-5291
Fax: 724-205-6030

kme@eshfamilylaw.com

- **M.S.:** Master of Science Degree in Child Development and Child Care, University of Pittsburgh/ 1989, Specialization: Play Therapy
- **J.D.:** Juris Doctorate Law, Duquesne University School of Law/1996, Highest Grade in Law and Psychology, Admitted to the Bar in 1997

Positions of employment since your admission to the bar

The following are the positions I have held following admission to the Bar.

- **Attorney:** Child Support and Custody Hearing Officer – 2010 to present, Handled more than 2,500 hearings, Over 99% of recommendations have been accepted “as is” by the Court, Help parents find common sense resolutions to their cases
- **Attorney:** Title IV-D attorney – 2001 to 2010, Prosecuted delinquent child support cases on behalf of custodial parents, Generated federal funding based on excellent performance
- **Attorney:** Family Law – 1997 to 2000, Laurel Legal Services, Advocated on behalf of victims of domestic violence
- **Adjunct Professor:** University of Pittsburgh at Greensburg, Community College of Allegheny County

Membership in law-related organizations

I am a member of the Westmoreland Bar Association and served as the Co-Chair to the Family Law Committee in 2013-2014.

Describe your practice, identifying particular areas of expertise, if any, and how your practice breaks down by percentage in areas of law.

I have extensive expertise in family law matters. I have worked for more than 17 years in the Westmoreland County family court system. I began my legal career advocating on behalf of victims of domestic violence. From there, I was hired to prosecute delinquent support cases on behalf of custodial parents.

I generated thousands of dollars on behalf of families and children in the nine years that I prosecuted cases in family court. Additionally, I was able to help generate income for the County that was received from federal reimbursements based on my outstanding performance figures.

In 2010, I was selected by three family court Judges, the Court Administrator and one Judge-Elect for the position of Hearing Officer. After my first year, I was asked to expand my responsibilities to include conducting Custody Conciliation Conferences.

Because additional staff was not necessary and because I received no additional compensation, taxpayers saved money through the efficient management of the judicial process.

Additionally, I am currently cross-training with the Children’s Bureau Hearing Master to serve in her absence when necessary again saving taxpayers money by eliminating the need to hire additional staff.

I provide coverage for any conflicts that arise with the divorce Master. And over the years, I have completed a great

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Lindsay Turchetta, AWMA
Financial Advisor

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lturchetta@wradvisors.com



Nine Vie for County's Court of Common Pleas Nominations

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deal [of] legal research and writing on various state and federal criminal matters.

If you claim litigation experience as a qualification, name three members of the bar who have sufficient knowledge and/or experience regarding your litigation skill.

No response.

Identify your single-most significant professional accomplishment.

My most significant professional accomplishment is less a particular case or hearing, but rather the development of a set of skills that allows me to help resolve complex – often passionate and painful – disputes within families. It's a set of skills based on (among other things) careful listening and empathy combined with a comprehensive knowledge of the law and the many options it provides for resolving family disputes. It's also a passion for this born out of my education, my legal career, my experience as a mother and wife, and a sense of fairness and compassion that has been part of my character since I can remember. Frankly, it also helps to bring a sense of perspective and

common sense to the disputes with a focus on resolution. Being able to help families in some of their darkest hours, navigating a path forward where children are protected and made to feel valuable and loved, and finding common ground when the parties involved have lost hope are some of the most rewarding moments in my professional career.

Submit an example of your legal writing which you feel best reveals your writing and analytical skills.

View online at www.westbar.org/judicialcandidates#aston.

Chris Huffman



Municipality of residence

I currently reside in Rostraver Township with my wife Kathy and our son Thomas.

Schools attended,

degrees earned, honors received

I attended Gannon University where I earned a B.S. in Finance.

Law school(s) attended, date of graduation, honors earned or received, date of admission to bar

I attended the University of Dayton School of Law. I graduated in May of 1993 and was admitted to practice in the Pennsylvania Bar in January of 1994.

Positions of employment since your admission to the bar

Upon being admitted to the Pennsylvania Bar I established my private practice, Christopher W. Huffman, Attorney at Law, in Greensburg. I have maintained my private practice from January 1994 until the present. Since January 2014, I have been the Solicitor for South Huntingdon Township. In addition to my private practice, I have served as an Assistant Public Defender for Westmoreland County from August 1994 until the present.

Membership in law-related organizations

I am currently a member of the Westmoreland County and Pennsylvania Bar Associations.

Membership in other organizations

I am a founding member of the Belle Vernon Area Drug Elimination Task Force. I currently attend church services at the Church of Saint Anne in Rostraver Township. I have coached baseball, basketball, and soccer in my community as a member of the Rostraver Youth Baseball Association, Washington Township Youth Association and the Belle Vernon Youth Soccer Club. I am member of the Rostraver Township Chamber of Commerce.

Describe your practice, identifying particular areas of expertise, if any, and how your practice breaks down by percentage in areas of law.

I maintain a general practice of law concentrating on litigation. My private

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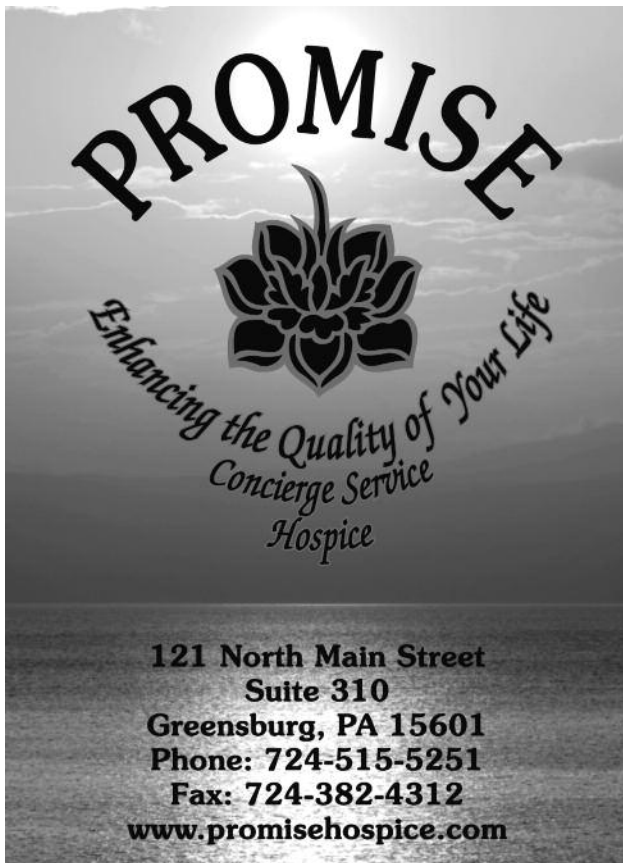
practice breaks down fairly evenly among personal injury, real estate, general litigation, incorporations, business law, wills, estates and family law matters. As a Public Defender, I handle all aspects of adult and juvenile criminal proceedings from the preliminary hearing through appeals to the Pennsylvania Supreme Court.

If you claim litigation experience as a qualification, name three members of the bar who have sufficient knowledge and/or experience regarding your litigation skill.

I have logged thousands of hours in the courtroom doing various types of litigation. My litigation experience includes death penalty, criminal and civil jury and non jury trials, civil and criminal motions, preliminary hearings, appellant work before the Pennsylvania Superior and Supreme Courts, oral argument before Superior Court panels and the Superior Court sitting en banc. Three Members of the bar that can attest to my litigation experience are Ken Burkley, Esquire, Rich Schimizzi, Esquire, Chris Haidze, Esquire.

Identify your single-most significant professional accomplishment.

I regard my decision to remain as an Assistant Public Defender for the past 20 years as my most significant professional accomplishment. I joined the Public Defender's Office shortly after being admitted to the bar to gain trial experience. I have remained there for 20 years because I believe that everyone, regardless of their position in life, deserves to be treated fairly by the Criminal Justice System.



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Submit an example of your legal writing which you feel best reveals your writing and analytical skills.

View online at www.westbar.org/judicialcandidates#huffman.

Tim Krieger



Municipality of residence

Delmont

Schools attended, degrees earned, honors received

Connellsville Area Senior High School; Liberty University B.S. Mathematics

Law school(s) attended, date of graduation, honors earned or received, date of admission to bar

University of Pittsburgh School of Law, J.D. *cum laude*; Executive Editor, The Journal of Law and Commerce; Published - Note: U.S. Antidumping Duty Revocation Procedures: A Comparative Analysis and Recommendation for Change (Vol. II 1991-1992); Admitted to Bar-Pennsylvania 1992; Virginia 1993. Admitted to practice before the Supreme Court of Pennsylvania, the Supreme Court of Virginia, and before the United State District Courts for the Western and Middle Districts of Pennsylvania.

Positions of employment since your admission to the bar

Kincaid, McGrath & O'Keefe, Pittsburgh, Pa 1991-1994; Federal Home Loan Bank of Pittsburgh 1994-1996; Law Office of Timothy A. Krieger Greensburg, Pa 1996-2000; McGrath & Associates Greensburg, Pa 1998-2002; Tucker Arensberg P.C Pittsburgh, Pa 2002-2006; Strassburger, McKenna, Gutnick & Gefsky 2006-present.

Membership in law-related organizations

Pennsylvania Bar Association 1992-present; Virginia State Bar 1993-present; Westmoreland Bar Association; Allegheny County Bar Association; The Federalist Society – Treasurer Pittsburgh Chapter 1992-1996 (approx.); Westmoreland American Inns of Court 1996-1998 (approx.); Federal Judicial Nominating Commission for the Western District of Pennsylvania 2014-present.

Membership in other organizations

Pioneer Presbyterian Church (PCA) Member 1999-present; National Rifle Association Life Member 1993-present; Police Rod & Gun Club Member 2009-present; Westmoreland Community Action – Board of Directors 2009-present; Greensburg VFW Post 33 Member 2009-present; Military Officers Association of America; United States Naval Institute, Ruffed Grouse Society

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Nine Vie for County's Court of Common Pleas Nominations

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Describe your practice, identifying particular areas of expertise, if any, and how your practice breaks down by percentage in areas of law.

Most recently prior to my election to the Pennsylvania House of Representatives, my practice was approximately as follows: Commercial Litigation 30%, Commercial Transactions (including real estate) 30%, General Business representation 30%, and Wills and Estates 10%. Since taking office in 2008, my practice has been limited to the provision of general business/legal advice to clients, and to Wills and Estates.

If you claim litigation experience as a qualification, name three members of the bar who have sufficient knowledge and/or experience regarding your litigation skill.

John Ranker, Esquire, John M. Ranker & Associates, Greensburg, Pa.; Joseph Lawrence, Strassburger, McKenna, Gutnick & Gefsky. P.C. Pittsburgh and Greensburg, Pa.; Beverly Weiss Manne, Tucker Arensberg P.C. Pittsburgh, Pa.

Identify your single-most significant professional accomplishment.

Over more than twenty years of legal experience, two accomplishments come to mind. The first was my representation of the Official Committee of Unsecured Creditors in the Wright Industries Chapter 11 Bankruptcy proceeding. My work included management of the case, coordination with the members of the committee, advising the committee on all strategic and tactical decisions and conducting all necessary litigation. The second accomplishment was the successful negotiation of ISDA Counterparty Master Agreements through which transactions with notional amounts measured in billions of dollars were transacted.

Submit an example of your legal writing which you feel best reveals your writing and analytical skills.

View online at www.westbar.org/judicialcandidates#krieger.

Scott Mears



Municipality of residence

I live in Unity Township with my wife, Monique Mears, and my sons Max (12) and Christian (10).

Schools

attended, degrees earned, honors received

In 1992, I graduated *cum laude* from the University of Pittsburgh with a B.A. in Philosophy.

Law school(s) attended, date of graduation, honors earned or received, date of admission to bar

In 1996, I graduated from the Dickinson School of Law (now Penn State). I was a member of the Appellate Moot Court Board and the *Corpus Juris* Society.

Positions of employment since your admission to the bar

I am a partner in the Greensburg law firm Mears, Smith, Houser, and Boyle, PC. I began my practice in 1996.

Membership in law-related organizations

I am a member of the Pennsylvania Bar Association and the Westmoreland Bar Association (WBA). In 2007, I was admitted to the Westmoreland Academy of Trial Lawyers. I am the only judicial candidate who is a member of that organization. I served as Chairman of the WBA Civil Rules Committee and am a past member of the Ned J. Nakles Inns of Court.

Membership in other organizations

I serve on the Westmoreland Community Action Board of Directors and the Greensburg YMCA Board Personnel Committee. I belong to the Greensburg Rotary. I was a Den Leader for the Cub Scouts and involved in other Boy Scout projects. I coached soccer for Latrobe Recreation and assisted Judge McCormick with the high school mock trial competition.

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TEL: 724-216-5180

FAX: 724-420-5464

john@jacochranlaw.com

Describe your practice, identifying particular areas of expertise, if any, and how your practice breaks down by percentage in areas of law.

My practice is approximately 55% civil litigation (35% Defense and 20% Plaintiff); 20% municipal law; 10% real estate; 10% wills & estates; and 5% family law.

If you claim litigation experience as a qualification, name three members of the bar who have sufficient knowledge and/or experience regarding your litigation skill.

James Antoniono, Dennis Rafferty, and Jeffrey Monzo.

Identify your single-most significant professional accomplishment.

Over the past ten years, I have tried to jury verdict more civil cases in Westmoreland [County] than any other attorney. I achieved very successful results in all cases.

Submit an example of your legal writing which you feel best reveals your writing and analytical skills.

View online at www.westbar.org/judicialcandidates#meas.

The Honorable David A. Regoli



Municipality of residence

I reside in the City of Lower Burrell.

Schools attended, degrees earned, honors received

St. Joseph High School, graduated 1983; Arizona State University, B.A. Public Communication, graduated 1988.

Law school(s) attended, date of graduation, honors earned or received, date of admission to bar

Ohio Northern University, Claude W. Pettit College of Law, graduated 1991

- Law Review, Lead Articles Editor 1990-1991;
- Moot Court Board of Advocates;
- Jessup International Law Competition Team;

- American Jurisprudence Award for Criminal Law; and
- Italian American Legal Society, President

Publication:

- Note, *The Dangers and Pitfalls Resulting from Narrowing the Scope of Judicial Immunity*, 16 O.N.U. L.Rev. 111 (1989)

Admitted:

- Supreme Court of Pennsylvania, November 1991
- United States District Court for the Western District of Pennsylvania, 1991
- United States Court of Appeals (3rd Circuit), 1992
- Supreme Court of Arizona, September 2010

Positions of employment since your admission to the bar

Judge, Court of Common Pleas of Westmoreland County, July of 2014 - Present;

Prior Experience:

Judicial Law Clerk; Honorable Paul R. Zavarella, 1991-1992;

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Nine Vie for County's Court of Common Pleas Nominations

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Solo practice of law from November 1991 - July 2014;
 Assistant Public Defender, Westmoreland County,
 1992-1994;
 CARS Protection Plus, Inc. - General Counsel 1998-2014;
 Solicitor for the following:
 — Westmoreland County Sheriff's Office, 2000-2013;
 — Borough of Avonmore, 2008-2014;
 — Municipal Authority of City of New Kensington,
 2012-2014;
 — Borough of Tarentum, 2013-2014;
 — Freeport Borough Zoning Hearing Board, 2013-2014;
 — Westmoreland County Clerk of Court's Office, 2014
 Councilman, City of Lower Burrell 1998-2014

Membership in law-related organizations

Westmoreland County Bar Association, Since 1991;

- 2005-2006 Served on the WBA Planning Committee;
- 2004-2014 Served on the WBA Political Action Committee;

Pennsylvania Bar Association, Since 1991

- 2000-2010 Appointed by the PBA Board of Governors to serve on the PBA Judicial Evaluation Investigative Committee for all state wide judicial candidates. I

interviewed the potential judicial candidates, conducted interviews with persons and colleagues familiar with his or her abilities and submitted comprehensive reports to the Judicial Evaluation Commission for their use in determining whether or not the candidate should be recommended by the PBA as qualified to hold the position.

- 2006-2010, Nominated and elected to serve on the Pennsylvania Bar Association House of Delegates.

Supreme Court of Pennsylvania

- 2000-2006 Appointed by the Pennsylvania Supreme Court to be a Hearing Committee Member for the Disciplinary Board. During that time, I presided over numerous cases of attorney misconduct and wrote recommendations and opinions to the Disciplinary Board for appropriate discipline. In 2004, I was designated to serve as a Senior Member of the Hearing Committee.

Allegheny County Bar Association

Pennsylvania Association of Trial Lawyers

Association of Trial Lawyers of America

Pennsylvania Association of Criminal Defense Lawyers

State Bar of Arizona

Membership in other organizations

I.U. 7 Federal Credit Union, Board of Directors 2009-2012

Sons of Italy;

Italian Sons and Daughters of America;

Westmoreland Columbus 500;

NRA Life Member

Laurel Legal Services Board of Directors 1993-1994

Describe your practice, identifying particular areas of expertise, if any, and how your practice breaks down by percentage in areas of law.

Currently I serve as a Judge [of] the Court of Common Pleas. I am assigned to the Civil Division. Since my appointment, I have presided over jury and non-jury trials. I also hear all pretrial matters in the civil cases assigned to me. I have also filled in on several occasions when necessary in the Criminal Division presiding over Parole and Probation Revocations, Pleas and Bench Warrants.

Prior to my appointment, I had a diverse solo practice of law. I would characterize my practice as primarily a litigation practice. I tried numerous civil and criminal trials during my 23 years as a practicing attorney. I also served many municipalities and authorities as a solicitor during my career.

- Civil litigation 35%;
- Criminal litigation 35%;



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you say
"neighbor."**

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 State Farm General Insurance Company
 Bloomington, IL

- Municipal law 20%; and
- Wills and Estate Administration 10%

If you claim litigation experience as a qualification, name three members of the bar who have sufficient knowledge and/or experience regarding your litigation skill.

Daniel Joseph, Esquire
Ned Nakles, Esquire
Larry Loperfito, Esquire

Identify your single-most significant professional accomplishment.

I would describe my single-most significant professional accomplishment as being appointed by former Governor Tom Corbett to become a judge in our county. Being sworn in by the Honorable Donetta W. Ambrose on July 21, 2014 and being able to serve as a colleague with the current bench in Westmoreland County is a great honor. We have always enjoyed an outstanding bench in Westmoreland County. The bar was set very high by the current and former judges and I am honored to serve along side of them. As a judge, I strive to make sure that each person and attorney that appear before me are treated with dignity and respect and receive a fair and impartial hearing.

Submit an example of your legal writing which you feel best reveals your writing and analytical skills.

View online at www.westbar.org/judicialcandidates#regoli.

LawSpeak

“When two opposite points of view are expressed with equal intensity, the truth does not necessarily lie exactly halfway between them. It is possible for one side to be simply wrong.”

— Richard Dawkins,
biologist and author

Jim Silvis



Municipality of residence

I live in Unity Township.

Schools attended, degrees earned, honors received

Hempfield Area High School; Class of 1994. I graduated from the University of Virginia in 1998 with a B.A. in Government and a Minor in Philosophy.

Law school(s) attended, date of graduation, honors earned or received, date of admission to bar

I obtained my J.D. from the University of Michigan School of Law in 2001. I was admitted to the Pennsylvania Bar on April, 12, 2002.

Positions of employment since your admission to the bar

O’Connell & Silvis 2001-present
Assistant County Solicitor,
Westmoreland County,
2010-present
Westmoreland County Public
Defender, 2003-2005
Superior Court Clerk for Judge Joseph
Hudock, 2008

Membership in law-related organizations

Westmoreland Bar Association,
2002-present
—Board of Directors, 2013-present
Lawyers Concerned for Lawyers,
2006-present
—Speak one-on-one with
attorneys from across
Pennsylvania struggling
with anxiety/depression
Ned J. Nakles American Inn of Court,
2002-present
Lawyers’ Abstract, 2003-present

Membership in other organizations

St. Thomas More Society of the
Diocese of Greensburg, 2006-present
—Currently serving as Vice-President
Greensburg-Hempfield Area Library
—Board of Directors, 2014-present

Westmoreland County Historical Society
—Board of Directors, 2013-present
Laurel Legal Services
—Board of Directors, 2013-present
St. Vincent Basillica Parish
—Member, 2009-present
Police Rod and Gun Club
—Member and Solicitor,
2003-present
Rotary
—Member, 2014-present
National Rifle Association
—Member

Describe your practice, identifying particular areas of expertise, if any, and how your practice breaks down by percentage in areas of law.

I spend approximately 40% of my time handling municipal law in my position as Assistant County Solicitor. In addition to that, another 30% of my practice is criminal law, 10% real estate, 10% wills/estates and the rest is comprised of other general civil cases (contracts, non-competes, unemployment compensation, etc.)

If you claim litigation experience as a qualification, name three members of the bar who have sufficient knowledge and/or experience regarding your litigation skill.

Three people who could speak to my litigation experience are: Chris Nichols, Richard Flickinger and John O’Connell

Identify your single-most significant professional accomplishment.

My most significant professional accomplishment occurred between April and August of 2011. During that five month span, I [tried] three criminal jury trials and received not guilty verdicts on all counts at each case. (Commonwealth v. Stevens, 1972 c 2010; Commonwealth v. Derry, 4482 c 2010; Commonwealth v. Rabo, 3511 c 2010).

Submit an example of your legal writing which you feel best reveals your writing and analytical skills.

View online at www.westbar.org/judicialcandidates#silvis.

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Nine Vie for County's Court of Common Pleas Nominations

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The Honorable Harry F. Smail, Jr.



Municipality of residence

Hempfield Township

Schools attended, degrees earned, honors received

Grove City

College, Grove City, PA - Dual Degree: BA-Business Administration-Marketing; BA-Political Science-Pre-Law; Honors Graduate, Recipient of the Scottish Rite of Freemasonry Merit Scholarship and the National Association of Credit Unions Localized Academic Scholarship, Outstanding Young College Student of America (1988), Kappa Alpha Phi Fraternity (several elected positions), Student Government Association, Law Club, Economics Club, Management Club; Graduation-May 1988

Law school(s) attended, date of graduation, honors earned or received, date of admission to bar

Duquesne University, School of Law, Evening Program (1993-1997). Worked full-time as a Westmoreland County Probation/Parole Officer while putting myself through law school. Outstanding Young Man of America, 1996, 1998; Who's Who Among American Law Students, 1994, 1995, 1996, 1997; Phi Delta Phi: International Legal Fraternity, 1996-present; Student Bar Association Representative, 1993-1994, 1995-1996, 1996-1997.

Positions of employment since your admission to the bar

- Westmoreland County Court of

- Common Pleas, Judge in Family Court Division, 2014 to Present
- Law Offices of Harry F. Smail, Jr., P.C. Attorneys at Law, Owner/President, 1998-2014; Self made. Built practice with average 50% increase in case development over sixteen (16) years.
- Blum, Reiss & Plaitano Attorneys at Law, Associate, 1997-1998

Membership in law-related organizations

- A. Westmoreland County Sheriff's Office, Solicitor, 2012-2014
- B. Westmoreland County Clerk of Courts Office, Solicitor, 2010-2014
- C. Adamsburg Rescue 14, Solicitor, 2011-2014
- D. Westmoreland County Republican Committee, Solicitor, 1998-2004, 2008-2014
- E. Westmoreland Bar Association Vice-President, Director of the Board, Chair of the Membership Committee, Chair of the Young Lawyers Committee Board, Young Lawyers Liaison, Planning Committee Member, Civil Law Committee Member, Criminal Law Committee Member, Family Law Committee Member, ADR Committee Member, Bench/Bar Committee Member, Municipal Law Committee Member, Real Estate Law Committee Member, Elder Law Committee Member, Business/Employment Committee Member, Bankruptcy Committee Member, Orphan's Court Committee Member, Young Lawyer's Committee Member, Membership Committee Member, Length of Membership, 1997-present
- F. Federal Criminal Justice Act Appointee, 2000-present
- G. Laurel Legal Services, Inc., Director of the Board, 2004-2011
- H. Pennsylvania Bar Association Young Lawyers Member, 1997-present
- I. Christian Legal Society Member, 2009-present

- J. Mediation Counsel of Western Pennsylvania, 2012-present
- K. National Association of Community Mediation, 2012-present
- L. National Association of Criminal Defense Lawyers, 2003-present
- M. American Association for Justice, 2006-present
- N. Republican National Lawyers Association, 2012-present
- O. Pennsylvania Trial Lawyers Association, 1998-present
- P. Pennsylvania Association of Criminal Defense Lawyers, 2008-present
- Q. Pennsylvania Association of Justice, 2012-present
- R. Western Pennsylvania Trial Lawyers Association, 2008-present
- S. American Inns of Court, 1998-present
- T. The Federalist Society, 1996-present
- U. Hempfield Area School District Moot Court Coach, 2008-2010
- V. Pennsylvania Association of Probation, Parole and Correction, 1990-1998

Membership in other organizations

- A. Goodwill Industries Board Member, 2000-2002
- B. Boy Scouts of America, Director of the Board, 2010-2011
- C. Girl Scouts of America, Director of the Board, 2010-2011
- D. YWCA of Westmoreland County, 2013-Present
- E. East Suburban Citizen Advocacy Honorary Member, 2007-Present
- F. United Way of Central Westmoreland, Board Member, 1999
- G. The Rotary Club of Greensburg, 1998-2002; 2009-Present
- H. Brotherhood of the Fraternal Order of Elks, 1994-Present
- I. Westmoreland Lodge 518, F. & A.M., 1998-Present
- J. Ancient Accepted Scottish Rite of F. & A. M. of the Valley of Pittsburgh, 2010-Present
- K. Westmoreland Cultural Trust, 2009-Present

L. Westmoreland Museum of Art, Contributor Member, 2009–Present
 M. Westmoreland Jazz Society, 2009–Present
 N. Westmoreland County Chamber of Commerce, 1999–Present
 O. Westmoreland County Republican Committee, Committeeman, 1998–Present; Young Republicans, Chair, 1998–2000; Solicitor, 1998–2004, 2008–2014
 P. Business Advisory Counsel of the National Republican Congressional Committee, Honorary Chairman, 2006
 Q. National Rifle Association (NRA), 1993–Present; NRA Golden Eagles, 2008–Present; NRA Life member, 2012–Present
 R. Firearm Owners against Crime, 2011–Present
 S. Fraternal Order of Police Lodge 62, 2012–Present
 T. Greensburg Country Club, 2007–Present
 U. American Slovia Home (ASH Club), 2005–Present
 V. Hilltop Club, 2009–Present
 W. Golf League Member, 2010–Present

Describe your practice, identifying particular areas of expertise, if any, and how your practice breaks down by percentage in areas of law.

Until 2014, when my private practice was closed to accept an appointment as Judge to the Court of Common Pleas, my practice was a self-made, hands-on litigation firm that was particularly adept in all areas of Family Law. With a strong work ethic, applied discipline, decisive business administration and conservative fiscal management, I was able to grow the practice an average fifty percent (50%) share each year since inception. In my criminal representation of clients on state, federal or appellate levels, I achieved great success in mitigating or reserving prior outcomes through diligent investigation and procedural application. This drive to go the extra mile for every client, whether private, court appointed, reduced fee or pro bono, rewarded my office with a

reputation of client commitment that fostered our Success. My practice areas breakdown in the following percentage fields:

Family Law	30%
Criminal Law	20%
Federal Law (including Criminal, Civil, Bankruptcy and Adversarial Proceedings)	10%
Civil Law	5%
Personal Injury	5%
Estate Law	5%
Real Estate	5%
Employment Law	5%
Business Law	5%
Elder Law	5%
Vehicle Law	5%

These percentages also include appellate work to the Pennsylvania Superior Court, Pennsylvania Supreme Court and the 3rd Circuit Court of Appeals, when necessary.

If you claim litigation experience as a qualification, name three members of the bar who have sufficient knowledge and/or experience regarding your litigation skill.

Richard Bruni, Maureen Kroll, and Lee Demosky.

Identify your single-most significant professional accomplishment.

My single-most significant professional accomplishment is successfully protecting the individual rights

of my clients in the face of extreme adversity. In the submitted writing hereafter included, I was able to vacate and remand for a new trial a sentence of four (4) to ten (10) years for an older defendant, Joseph Robert Tedeski. When I first met Mr. Tedeski, all hope of bringing the truth to the Court's attention had been exhausted with a belief that success could not be achieved on appeal. Through careful and detailed analysis of Mr. Tedeski's trial and preliminary proceedings, I was able to establish overzealous representations that did not reflect the true facts regarding the innocence of my client. I applied all of my energies to vindicating this man who I believed in and whose wife faithfully complied with all of my directives to achieve Mr. Tedeski's freedom. Some attorneys never get to experience the true sense of professional accomplishment of winning on appeal and giving another human being the liberty that was wrongfully denied him. In my years of legal practice this situation rarely presents itself where you can take on the power of the Commonwealth and overcome it through the Superior Court to bring true justice to a wronged individual.

I was presented the opportunity to defend the first challenge to the Castle Doctrine in Pennsylvania in the Fall of

continued on page 22

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Nine Vie for County's Court of Common Pleas Nominations

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2011 when Dr. Charles Gallo was charged for defending himself within his own vehicle, a clearly protected area under the Castle Doctrine enacted earlier in 2011. Through the effort and fortitude of a very cooperative client and the assistance of Attorney Karen Kiefer, the charges of Dr. Gallo were ultimately withdrawn at the Preliminary Hearing. Significant lawyering and preparation through skilled negotiation by parties, that would prefer confidentiality, prevailed so that another innocent man was not wrongly prosecuted. To be involved in two (2) cases where justice prevailed, presented experience that solidified why I entered this most Honorable profession. My love of the law has motivated my desire to enter the judiciary for the ability to inspire equality, equity, neutrality and a level playing field for all parties and counsel that may come before my Court. My experiences through these significant professional accomplishments have strengthened my belief that common sense and common respect must prevail for justice to be preserved.

My ultimate accomplishment was ascending to the bench, never giving up until I attained that goal.

Submit an example of your legal writing which you feel best reveals your writing and analytical skills.

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Leslie Uncapher Zellers



Municipality of residence

I currently live in Allegheny Township, Westmoreland County.

Schools attended, degrees earned, honors received

I attended Kiski Area School District through ninth grade, and then transferred to Culver Girls Academy (Culver Academies) in Culver, Indiana, where I graduated Cum

Laude in 1984. I then attended Bucknell University in Lewisburg, Pennsylvania and graduated with a BA in Sociology in 1988.

Law school(s) attended, date of graduation, honors earned or received, date of admission to bar

I attended The University of Pittsburgh School of Law, graduating in May of 1991. While at Pitt Law I was a member of Phi Alpha Delta Law Fraternity and served as a teaching assistant in the legal research and writing department. I passed the bar exam in 1991 and was admitted to the Pennsylvania Bar on December 16, 1991 and the Westmoreland Bar on December 17, 1991. I also have been admitted to practice in the United States District Court (Western District of Pennsylvania) and in the Federal Court of Appeals, both while I was employed by the District Attorney's Office.

Positions of employment since your admission to the bar

Westmoreland County District Attorney's Office
(1991-1997)

Uncapher Uncapher & Fox, Vandergrift, PA
(1997 – present)

Judicial Law Clerk, Court of Common Pleas of
Westmoreland County (3/26/2006 – 2/4/2015).

Membership in law-related organizations

I have been a member of The Westmoreland Bar Association and The Pennsylvania Bar Association each year since the time of my admission to the Bar in 1991. I was briefly a member of The Allegheny County Bar Association after my admission to the Bar. I have also been a member of The Pennsylvania District Attorneys Association and The Ned Nakles Inn of Court (formerly the Westmoreland Inn of Court). I was a member of the board of the Inn of Court at its inception, serving (as best I can recall) as the treasurer. As a member of the Westmoreland Bar Association, I have

served on several committees, including but not limited to the Family Law Committee, the Criminal Law Committee, the ADR Committee (I attended and completed the first mediation training held in Westmoreland County), and the Bench/Bar Committee. I have served as a CLE lecturer for the Pennsylvania District Attorney's Institute (Asset Forfeiture) and the Westmoreland Bar Association (PCRA), and I also greatly enjoy teaching law day every year, as I have done for the last 7 years. I also have had the opportunity to be a guest lecturer at Kiski Area Upper Elementary School for the civics/humanities program, and spoke to the sixth grade students on the subject of elections and voting prior to the general election in 2014. As a representative of the District Attorney's Office, I was able to teach courses in the law of search and seizure and testifying in court to law enforcement officers. I have also appeared as a guest lecturer in the Criminal Justice Program at the Westmoreland County Community College. I was selected to participate as a member of the focus group from Westmoreland County to the Pennsylvania Sentencing Commission in 2014.

Membership in other organizations

I served on the board of directors of the Kiski Valley YMCA beginning in December 1997, and was a member of the local board and the corporate board of directors when the Kiski Valley YMCA and the New Kensington YMCA merged and became the Valley Points Family YMCA. I resigned from the board of directors of the YMCA in 2009. I also have been very involved in my church, serving as the Christian Education Director, and I was elected to serve as a member of the Array of the Anglican Diocese of Pittsburgh. I was a member of the Latrobe Chapter of the Harley Owner's Group for one year in 2011-2012. I've been a member of the Parent Teacher Organization at Kiski Area for six years, and currently serve as home room mom!

Describe your practice, identifying particular areas of expertise, if any, and how your practice breaks down by percentage in areas of law.

For the last eight years, I have served as a judicial law clerk, and therefore my private practice has been very limited. I have primarily retained a few of the family law clients that had engaged my services prior to my accepting that position. I also have had occasion to do a small amount of real estate and estate work, primarily for friends and family only. As a judicial law clerk, I was honored to work closely with the court, assisting in the legal research and writing required for the drafting of judicial opinions, and preparing for motions and trials in the matters that came before the court.

While I was in the District Attorney's Office, I was responsible for the prosecution of criminal cases in Westmoreland County. While I took a personal interest in drug and drug-related crimes, I prosecuted all types of cases, both misdemeanor and felony.

In private practice prior to my employment as a judicial law clerk in 2006, I practiced primarily in Family Law (50%) both as private counsel and as a court-appointed attorney in Children's Bureau, Juvenile and in custody cases, serving as a guardian ad litem. My practice also included criminal defense (15%), real estate (15%), estates (10%) and general litigation (10%). (These percentages are, of course, estimates).

If you claim litigation experience as a qualification, name three members of the bar who have sufficient knowledge and/or experience regarding your litigation skill.

John W. Peck, Esq.
Jeffrey D. Monzo, Esq.
Amy L. Keim, Esq.

Identify your single-most significant professional accomplishment.

I should probably consider my work as defense counsel (along with former WBA member James Wells, Esq.) in a homicide case in which my client was acquitted of all but a Recklessly

Endangering charge (Commonwealth v. Pierre Johnson). But really, the most significant professional accomplishment of my career to date is a tie between two cases which were of little legal significance in the history of jurisprudence but very significant to me personally:

The first involved a case where I was able to win custody of a child (now 14) who was essentially abandoned and living with a manager of a trailer park after her brother, a registered sex offender with whom she had been living, was incarcerated on a parole violation. Her mother was a drug addict and her father was in state prison for drug violations. She went to live with my clients, her maternal uncle and aunt. I still maintain contact with the family and for several years, she sent me Christmas cards thanking me for saving her life and calling me her angel. Those cards are more valuable than any payment I've ever received on a case.

The second is when I served as a police labor attorney to the police officers who were involved in the incident where Lower Burrell Police Officer Derek Kotecki was shot and killed at the Dairy Queen on Greensburg Road on the border of Lower Burrell and New Kensington. While my husband [New Kensington Police Chief Ron Zellers] took charge of the crime scene, I spent the entire night at the New Kensington Police Department counseling, interviewing and representing the legal interests of the police officers who were witnesses to Officer Kotecki's murder and in particular the New Kensington Police Officer who discharged his weapon at the perpetrator, Charles Post. (Ultimately it was determined at autopsy that Post died as a result of a self-inflicted gunshot wound).

Submit an example of your legal writing which you feel best reveals your writing and analytical skills.

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CALENDAR OF EVENTS

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

APRIL

- 21** Family Law Committee, Noon
Meet the judicial candidates.
[FREE CLE] Emotional Intelligence: What Is It and Why It Matters, 4 to 5 p.m., 1 ethics credit available
- 23** Ned J. Nakles American Inn of Court, 5 p.m.
Last meeting of this year!
- 28** [CLE] Video Compliance Seminar, 9 a.m. to 3:45 p.m., 5 optional substantive and 1 optional ethics credits available
- 29** [CLE] “Kids for Cash” Documentary and Panel Discussion, 9 a.m. to 12:15 p.m., 2 optional substantive and 1 optional ethics credits available
LOCATION: Penn State Fayette, Eberly Campus
- 30** Board Meeting, 4 p.m.

MAY

- 1** Law Day classroom visits begin.
We need volunteers! Call Terrilyn at 724-837-5539 to sign up.
- 13** Real Estate Committee, Noon
- 18** [CLE] Navigating Casemaker, Noon to 1:15 p.m., 1 optional substantive credit available
Bring your own laptop for hands-on training.
- 19** Family Law Committee, Noon
- 20** Membership Committee, Noon
Elder Law & Orphans’ Court Committees, Noon
- 25** Courthouse closed in observance of Memorial Day
- 26** 53rd Annual Memorial Service of the Westmoreland Bar Association, Noon, Westmoreland County Courthouse, Ceremonial Courtroom No. 3

LAWYERS CONCERNED FOR LAWYERS CORNER

- The 12-step recovery meeting, exclusively for lawyers and judges, is in downtown Pittsburgh every Thursday at 5:15 p.m. For the exact location, call Pennsylvania Lawyers Concerned for Lawyers at **1-800-335-2572**.
- LCL has a new website at www.lclpa.org. Attorneys and judges will find information on how LCL can help them, a member of their family or a colleague who may be in distress. It is confidential and easy to navigate. Visit it today.
- Lawyers Confidential Help Line: **1-888-999-1941**. Operates 24 hours a day.



***Westmoreland Bar Association's
53rd Annual Memorial Service
Westmoreland County Courthouse
Courtroom #3***

***Tuesday, May 26, 2015
at 12:00 pm***



In remembrance of:

- ***The Honorable Irving L. Bloom***
- ***B. Patrick Costello***
- ***Richard A. Kovach***
- ***Gene E. McDonald***
- ***Robert D. McVey***
- ***Robert J. Milie***
- ***James L. Nardelli***



Kindly notify the bar office in advance if you intend to share a special memory.

**Following the service, a complimentary luncheon
will be held at the Commissioners' Meeting Rooms.**

2015 WBA Memorial Service Registration

Fax 724-834-6855 or
Return to WBA
129 North Pennsylvania Avenue
Greensburg, PA 15601

_____ I will attend the Memorial Service on **Tuesday, May 26, 2015** at 12 pm in
Courtroom #3.

Name (please print) _____

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**Monday,
May 18, 2015
12:00 pm - 1:15 pm
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(Must be prepaid & received at the WBA
office by 12 pm May 17, 2015)

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WALK- IN:

CLE Credit

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Non-Credit

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Lunch will be provided.

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Erin M. Leonard-Salas
Ronald S. Lombard
Charles C. Mason Jr.
Zachary Mesher
Milton V. Munk Jr.
John M. Ranker
Shane M. Sarver
Mark J. Shire
James R. Silvis
Christopher P. Skatell
Donald J. Snyder Jr.
Sue Swick
John N. Ward

UNAUTHORIZED PRACTICE

Co-Chair - Aaron M. Kress
Co-Chair - Joseph W. Lazzaro
Milton V. Munk Jr.

WBF PRO BONO

Chair - Richard H. Galloway
Rebecca K. Fenoglietto
Melissa A. Guiddy
Kathleen N. Kemp
Terence O'Halloran
M. Samuel Rosenzweig
Bruce C. Tobin

YOUNG LAWYERS

Chair - Kristen C. Weidus
Katherine M. Bandemer
Nelson D. Berardinelli

Pravin Michael Boscha

Stephen M. Crevak
Ryan P. Cribbs
K. Casey Crytzer
Trent A. Echard
Shane M. Gannon

Adam Gorzelsky
Cody J. Harding
Andrew C. Harvan
Jaime Marie Hickton
Tyler J. Jones
Zachary J. Kansler
Bradley Allen King
Elsie R. Lampl
Nicole M. LaPresta
Erin Nicole Larimer

Erica L. Laughlin
Jayson J. Lawson
Erin M. Leonard-Salas
Adam J. Long
Tamara J. Mahady
Zachary Mesher
Timothy R. Miller
Victor G. Myers
Michael L. Nestico
Brian Panucci
Ian Petrulli
Michael V. Quatrini
Vanda Raszewski
Corey J. Sacca
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Allison E. Thiel
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Christopher E. Vincent
Douglas J. Welty