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THE NEWSLETTER OF THE  
WESTMORELAND BAR ASSOCIATION  
VOLUME XXXII, NUMBER 4  
NOVEMBER 2020

# Remembering The Honorable Gilfert M. Mihalich

*Editor's note: The Hon. Gilfert M. Mihalich passed away on Tuesday, June 2, 2020. Preceded in death by his wife, Pauline, he is survived by his sons, Leonard A. (Janice), of Ruffs Dale, and Gil (Joanne), of Bentleyville; and daughter, Gail (Brian) Lever, of Princeton, Mass. He is also survived by two granddaughters, three great-grandchildren, and nieces and nephews. Memorial contributions may be made to the Alzheimer's Association of Pittsburgh or the American Cancer Society.*

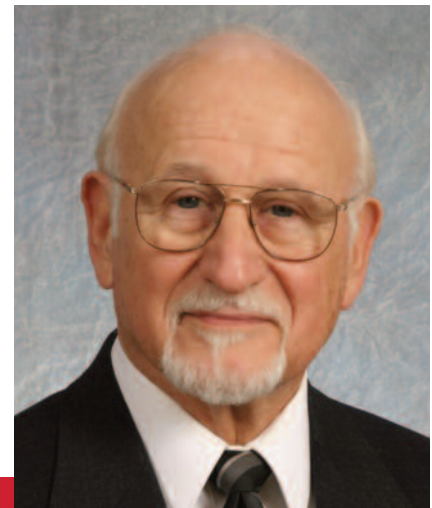
by *The Hon. John E. Blahovec*

There is a generation of lawyers at our bar, who, if they were asked to describe their perception of a president judge, would likely picture in their minds a distinguished looking white-haired jurist with a white goatee seated upon a high bench on the uppermost floor of our courthouse; and they would tell you that his name was Gilfert Mihalich. They would also tell you that he was there for quite awhile, from 1972 to 1996. During those 24 years, he was a dominant figure on our bench who presided over some of the most high-profile criminal trials ever to reach our court. He was, in fact, known across the state, and had his fifteen minutes of fame on national television because of a novel, and to be honest, controversial sentence imposed in a rape case; for Judge Mihalich was always one to speak his mind. Few, if any, enjoyed being a judge more than he did.

His was an American success story. As one of three sons born to Matthew

and Kathryn Mihalich, Croatian immigrants who settled in Monessen, he was preceded by his older brother Leonard, and followed by a younger sibling, Herman<sup>1</sup>. Pride in their Croatian heritage and devotion to their new homeland was a Mihalich family trademark. World War II called for such patriotism, and the family did its part, though, tragically, Leonard was killed in action when his plane was shot down over Germany. Gil also stepped forward and enlisted in the Army Air Corps, and was awaiting pre-flight training at Lowry Field in

<sup>1</sup> Herman went on to a distinguished career as a member of the Pennsylvania House of Representatives.



Denver when the war ended in August 1945. The loss of his older brother had a profound effect upon him, and following the war he was intent upon bolstering the interests of veterans by serving in the Monessen post of the American Legion, eventually becoming

*continued on page 17*

## A Fresh Start

The Westmoreland Bar Association has moved to 100 North Maple Avenue in Greensburg. See story on page 2.



# A Fresh Start

by Emily Shaffer, Esq.

After years of discussion, deliberating, planning, and finally, acting, the Westmoreland Bar Association closed the doors at 129 North Pennsylvania Avenue for the last time. On August 31, 2020, WBA staff, along with the help of five movers, packed boxes and



Emily Shaffer

bags and completed the move to a freshly renovated building at 100 North Maple Avenue. Facing the historic St. Clair Park and getting perfect visibility upon entering Greensburg from East Otterman Street, the Westmoreland Bar Association almost seems to have undergone an entire rebranding, reiterating to the Greensburg community “We aren’t going anywhere!”

This idea of WBA permanency in Greensburg resonates with members who revere the bar association as an anchor in the legal community tying members to a mutual home base. Whether in person or remotely, members can always find safe harbor in the familiarity and years of experience the WBA leadership, staff, and members have to offer. This notion of collegiality was a motive behind the purchase of the original building in 1991, and the purpose for maintaining a brick and mortar building in the digital age. But, as the years flew by and the building and membership aged, conversations started regarding the practicality of remaining in that building.

It is no secret to members that the Pennsylvania Avenue building required some cosmetic improvements after 30 years of use. However, according to



The new headquarters of the Westmoreland Bar Association, located at 100 North Maple Avenue in Greensburg.

David DeRose, chair of the Building Committee, the bigger concern was the ADA accessibility of using the top floor for meetings and seminars. In the midst of discussions on whether to sell or upgrade the building, bar leadership was approached by 2018-2019 WBA President John Ranker, who asked that

**Through the hard work of our leadership and staff, we have been given the opportunity to firmly situate ourselves in a new home that will grow with us and foster the dependability of the association we have come to rely on.**

consideration be given to purchasing a property on Maple Avenue. This idea, in November of 2018, led to a resounding vote in favor of selling the current building, and the Maple Avenue property was purchased for \$301,712.20.

Joyce Novotny-Prettiman, 2019-2020 WBA President, noted that the idea of purchasing a new building had

been discussed for quite some time at the WBA. “It was actually exciting to move on from the discussion about *IF* we needed a new building to just making it happen.” To her, the most important feature of the new building had to be inclusivity and accessibility, and she hopes that all members will now feel that there are no barriers to their participation in any bar association meeting, event, or CLE.

In order to ensure that the new building would achieve these goals, the Board enlisted the assistance of local architect Lee Calisti of Lee Calisti Architecture + Design, as well as the general contractor, ArTECH Group, LLC. Despite the coronavirus pandemic unexpectedly falling in the middle of construction, the building was timely completed thanks to the dedication and quick work of all involved.

Although no one could have predicted the present pandemic, input from the WBA Board, the Building Committee, and WBA staff ensured that the building would be readily equipped to deal with COVID-19 considerations. With a large meeting room and outdoor courtyard, members are free to safely social distance while using the space. Additionally, and more importantly, the new building



has technology upgrades that were not available to members previously. These features give members the option to hold remote or partially remote meetings—an asset for larger committees. Regardless of the desire for remote participation by some, WBA staff report that demand for in-person use of the building remains intact.

For those interested in interacting in person, WBA leadership hopes that the outdoor courtyard space will offer a change of scene. The outdoor option will give members the benefit of open-air meetings and the opportunity to experience local events—like the Summer Concert Series at St. Clair Park. The location of the building gives the Bar Association great visibility in the community, and the ability to gather outdoors will assist in community outreach.

Inside, the beautiful 4,450-square-foot building features a single level with four meeting rooms, two offices, a copier room, a reception desk and waiting area, a kitchen, bathrooms, and a storage room. Visitors are able to park at the metered street parking,

*Accommodations in the new building include, clockwise from top left, a meeting room for 4-6 people, a small board room that seats 8-10, the CLE conference room with space for 60, and a large board room that seats 12.*



### So Where Do I Park?

There are metered spots along North Maple Avenue, both in front of the building and the next block south. Covered metered spots are available in the Dr. Robert W. Queale lot on North Maple. Or you can use the lot by the old building and walk one block down the hill.

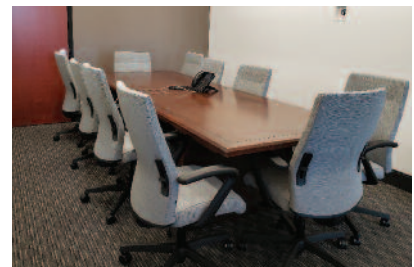
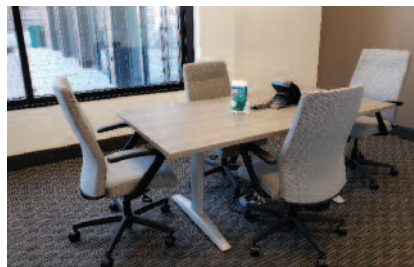
which includes one handicap spot in front of the building.

WBA staff and leadership are thrilled to welcome all members to the new building, but ask for patience as the move is still fresh. Joyce notes, “We will have to get used to a new way of doing things and change can be difficult—so we hope our members will help our staff through this adjustment process.”

Executive Director Alahna O’Brien comments that the building is open for business, but there are items in each room the contractor is working to

finish. At this point, members will be able to attend meetings and CLEs and are able to reserve meeting rooms on a limited basis until all rooms are complete. Members seeking to utilize a meeting room should contact the WBA to schedule (*see page 19*).

Though it seems change has been forced upon us time and time again this year, change for the WBA is something members have demanded. Through the hard work of our leadership and staff, we have been given the opportunity to firmly situate ourselves in a new home that will grow with us and foster the dependability of the association we have come to rely on. Joyce is thrilled to welcome members to the new building, a space that “brings technology into the picture so that we can continue to enjoy that personal interaction that makes the WBA so special. That interaction, be it in person or through new virtual options, helps us all grow as lawyers and helps us to serve our clients better.” ■



## 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, 100 North Maple Avenue, Greensburg, PA 15601-2506, fax 724-834-6855, or e-mail [westbar.org@westbar.org](mailto: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](http://www.westbar.org/thesidebar).

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# Remembering Morrison F. “Moe” Lewis, Jr.

*Editor’s note: Morrison F. “Moe” Lewis Jr., passed away on Thursday, July 23, 2020. Preceded in death by his oldest daughter, Bridget, he is survived by his wife of 55 years, Rosemary Sheridan Lewis, of Jeannette; children, Diane Ebner (Neil), of Wexford, Karen Primm (Ed), of Mt. Lebanon, and Susan McFarland, of Greensburg; his son-in-law, Terry Broaddrick, of Washington; 13 grandchildren, Megan Cleary (Alex), Allison and Ryan Broaddrick, Connor and Olivia VanDyke, Rachel, Amanda, Holly, and Nikki Ebner; Isabella and Chase Primm, and Michaela and Riley McFarland; numerous nieces and nephews; and any kid who walked into his home who lovingly called him “Uncle Moe.”*

by Richard H. Galloway, Esq., and Vincent J. Quatrini, Jr., Esq.

If you ask anyone who knew Moe Lewis, they would all agree he was no fashion plate! It was not his style. It was not who he was. Never one to elevate appearance over substance, Moe’s lack of pretense was becoming. Lawyers and judges recognized the package Moe offered as an attorney included integrity, diligence, respect for the law, and respect for his opponents; if that didn’t satisfy you, then perhaps you should look elsewhere for representation.

Moe worked his way through college and law school as a glass cutter at Jeannette Glass, then practiced law in Westmoreland County until he retired in 2015 at age 78. A past President of the Westmoreland Bar Association, he served as an Assistant District Attorney, and as Solicitor for the Westmoreland County Coroner’s Office and Jeannette Municipal Authority. We knew Moe as a colleague who maintained a general practice, with an emphasis on disability-related claims—Black Lung, Social Security Disability, and Workers’ Compensation—and as an attorney who was well regarded by his colleagues and the members of the Westmoreland County bench. Everybody liked Moe!

Outside of the law, Moe was a board member and former President of the

Westmoreland County Community College Board of Directors. He was a proud member of the Jeannette School District School Board for decades, and was recognized as an outstanding Jeannette alumnus. He loved the

**“Lawyers and judges recognized the package Moe offered as an attorney included integrity, diligence, respect for the law, and respect for his opponents.”**

community of Jeannette, its school district, its Jayhawks Athletic teams. Above all else, he loved his family and loved to tell you stories about them, the things that they have done as a family, their accomplishments, and just what being a family meant.

Moe truly walked the walk. He and his wife, Rosie, provided a home for young unmarried pregnant women. In all, 19 young women enjoyed the warmth and hospitality of the Lewis’ home rather than other places, which under the circumstances of that day and time might be substantially less hospitable, warm, and giving.

Moe was an important member of our Westmoreland Bar Association family, and in writing this article, it



was only natural to remember how we first got to know him.

**DICK GALLOWAY:** I first encountered Moe when he was a part-time Assistant DA. He was conversant and possessed the common sense and savvy to get many criminal cases resolved to the satisfaction of the police, the victim, and the defendant without dragging everyone through a bare-knuckles trial.

We interacted on a number of minor cases; however, it was not until we squared off in a murder trial that had been granted a change of venue to Easton, Pa., that I and my then law partner, Dan Ackerman, had a chance to take the full measure of Moe as a prosecutor.

It was the second trial for the same crime, the murder of a young woman who had entered our client’s vehicle as a hitchhiker. A conviction in the first trial, in which Moe did not participate, was overturned as a result of prosecutorial overreach. The second trial was a different matter.

Moe was one of two ADAs assigned to the case. Not knowing what to expect, we soon learned firsthand that affable and easygoing Moe was a superb trial lawyer when the stakes were high.

Moe projected a genuine sincerity that was apparent to the jury. He had a command of the facts and was particularly skillful in slowly, step-by-step, building the Commonwealth’s case in chief. Moe



was sophisticated and effective on the medical issues (a byproduct of his disability work), insightful and skillful on cross-examination. You could tell that the jury just flat-out liked him. After a week or more of trial, the jury returned a verdict of guilty of murder in the first degree, a second time. The record was clean. The verdict held on appeal.

Midway through that trial, my father, who lived about 90 minutes north of Easton near Scranton, and who had never seen me in court, drove down and stayed for several days to watch the trial. One day, I was unable to get to lunch with him on time because I was meeting with a witness. When I finally arrived at the restaurant, to my surprise, I found my dad sitting with the two ADAs—Moe had invited him to join their table. My dad later told me what nice fellows the prosecution team were and how much he had enjoyed his lunch with them! It was typical of Moe; he was simply a classy, nice guy.

In every other matter I went on to have with Moe, he was the same affable, easygoing ADA I had always known. But thereafter, I never lost sight of the fact that if I had to go to trial with him, I'd better bring my lunch bucket because he was indeed, a formidable—albeit polite and civil—opponent in the courtroom.


**VINCE QUATRINI:** I met Moe when I was an intern for Congressman John H. Dent. Moe's office was in the Law & Finance Building at 35 West Pittsburgh Street in Greensburg. The Congressman's office was in the rear building (the annex) and shared a parking lot with the front building. I was in awe of Moe even before I started practicing law: he could saunter in to the office before 10 a.m., fit in lunch, and be headed home before 3 p.m. He maintained this enviable schedule for 40 years.

In 1974, I took my brand-new law degree and moved from the annex to the front building where the office suites were occupied by Fred Dent, Irv Bloom, Al Nichols, Lou Kober, and

Moe Lewis. Never having taken a course in administrative law in law school, I had to learn it on the job when Moe would hand me Social Security Disability files and Federal Black Lung claims. Twelve years after Moe gave me a file involving the disability claim of a brewery employee, the Supreme Court of Pennsylvania held that an aggravation of a pre-existing, non-work-related medical condition was a compensable work injury. I am forever grateful to Moe for giving me the opportunity to make a better world for injured workers.

When Dennis Rafferty and I purchased the former East Pittsburgh Street elementary school, we invited Moe to share space with our new firm. He stayed for 30 years. Moe timed his arrival at work to meet the mailman, who was hopefully carrying checks. Moe could file the accounting in an estate before the ink was dry on the short certificates. He seconded every motion ever made at a bar association annual meeting. He carried a cup of hot steaming coffee, at all times. He was a lifetime subscriber of Publishers

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# Fall Quarterly Meeting Held; Awards Presented

The Fall Quarterly Meeting of the Westmoreland Bar Association was held on Wednesday, September 9, 2020, at the Latrobe Country Club. WBA President Scott E. Avolio welcomed the members, whose attendance was capped at 80 due to social distancing guidelines, and gave an update on the progress of the new headquarters building. The event was sponsored by Somerset Trust Company.



WBA Past President Joyce Novotny-Prettiman officially passed the gavel to President Scott E. Avolio at the Fall Quarterly Meeting held on September 9, 2020.

## AWARDS PRESENTED AT MEETING

Committee of the Year and Outstanding Young Lawyer are typically awarded at the Annual Meeting in April. However, since the Annual Meeting was held virtually this year, the awards were postponed until they could be presented in person.

Past President Joyce Novotny-Prettiman announced that although both the Investment Committee and New

Building Development Committee did extraordinary work this year in the financing and planning of the new building, the Executive Director Search Committee, which was responsible for narrowing a field of 50 applicants down to 5, was chosen as Committee of the Year. Emily Shaffer was chosen as the Outstanding Young Lawyer.

## Committee of the Year Executive Director Search Committee

The Executive Director Search Committee was chosen as Committee of the Year at the WBA Fall Quarterly Meeting held on September 9, 2020. Formed in July 2019 after Executive Director Diane Krivoniak announced her retirement, the committee was tasked with advertising for and interviewing candidates to recommend to the Board of Directors. The new Executive Director, Alahna O'Brien, was hired in October 2019. Chaired by The Hon. Michele G. Bononi, the committee members included Maria Altobelli, Scott Avolio, David DeRose, Dick Galloway, Dan Joseph, Adam Long, Bill McCabe, Joyce Novotny-Prettiman, Dennis Persin, John Ranker, and Emily Shaffer.

**Q CONGRATULATIONS, JUDGE BONONI. HOW DID YOU FEEL UPON LEARNING YOUR COMMITTEE WON?**

**A** I know that members of the committee worked hard in selecting the candidates so it was gratifying to see their hard work was acknowledged. We put a lot of time into it with reviewing all the résumés, narrowing them down to who to interview, then two days of interviews to narrow it down to who to recommend to the board.

**Q WHAT WAS THE MOST DIFFICULT PART ABOUT SEARCHING FOR A NEW EXECUTIVE DIRECTOR?**

**A** Trying to narrow it down because there were a lot of qualified candidates.

**Q WHAT WAS THE EASIEST PART ABOUT FINDING A NEW EXECUTIVE DIRECTOR?**

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**A** We didn't have to make the final decision. After we recommended three or four candidates, the board made the final decision.



WBA Past President Joyce Novotny-Prettiman (left) and President Scott E. Avolio (right) with 2020 Outstanding Young Lawyer Emily Shaffer (center).

## Outstanding Young Lawyer Emily Shaffer

**A**t the Fall Quarterly Meeting of the Westmoreland Bar Association, Emily Shaffer was recognized as the 2020 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.

In presenting the award, Past President Joyce Novotny-Prettiman said, "Emily always brought fun ideas to the table and thought outside the box. She planned multiple new events this past year including the escape room and axe throwing. When you ask her for an opinion you will always get an honest answer. I am so impressed with her dedication; she set a perfect example for all young lawyers."

A member of the Westmoreland Bar since 2014, Emily is the immediate Past Chair and a current member of the WBA Young Lawyers Committee. She also serves the WBA on the Activities, Family Law, New Building, Planning, and Publications Committees.

Emily earned a B.S. from the University of Pittsburgh at Greensburg and her law degree from Duquesne University School of Law. She is currently the Title IV-D Attorney for Westmoreland County.

### **Q CONGRATULATIONS, EMILY. WHAT DOES THIS AWARD MEAN TO YOU PERSONALLY?**

**A** Honestly, it felt good to hear all of the nice things Joyce had to say about me and the fact that she took the time to speak with Judge Marsili and others and included their feedback as well. I think we all have those moments of self-doubt wondering if we're doing enough or making

an impact so it was just validating to hear some positive feedback from people I really respect.

### **Q WHAT DOES THE AWARD MEAN TO YOU PROFESSIONALLY?**

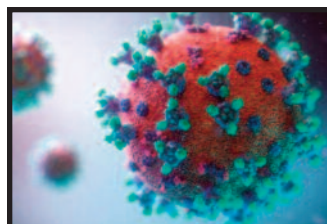
**A** It means that all of the hard work I've been putting in hasn't gone unnoticed. Chairing the Young Lawyers Committee takes a lot of work, but beyond that I got to attend board meetings and see the work and effort it takes to run the WBA and be able to better appreciate the importance of getting involved. I took on the role of YL Chair in the same year I left clerking and went into practicing family law—the support I got from the WBA is, without a doubt, the only way I was able to make such a big change and keep my sanity (although some may deny that I kept my sanity).

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

**A** I was really surprised because I didn't even know awards were being given since the annual meeting was virtual this year. I was taken off guard and I don't even think I fully thanked Joyce and the WBA Board for inviting me to be involved and for all they did to help and support me professionally and in my role as YL Chair. So, thank you all for choosing me—I am truly honored.

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

**A** Don't be afraid to put yourself out there and get involved because that's the only way you get to have these great experiences. The people I've met while becoming involved in the WBA have helped me in every aspect of my career, from giving me advice after a contentious court hearing to becoming references for job opportunities. I've also made a lot of friends along the way! ■



## Coping with COVID-19?

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# Bench/Bar In The Time Of COVID

by Joyce Novotny-Prettiman, Esq.

The WBA moved forward with Bench/Bar in 2020 despite the challenges of COVID-19. On September 10 and 11, 2020, the venue for this year's event was the Latrobe Country Club. The selection of a local venue enabled attendees to return home on Thursday night. While there was limited enrollment this year, the event was well-attended by WBA members. The September dates enabled the plan to include many outdoor activities. Since our area was doing well managing the challenges of the virus, this timeframe also made sense given concerns for even more challenges in the approaching winter months. The most common comment during the event went something like this: "It is so great to be able to see people in person!" If you were not able to attend Bench/Bar this year, here is what you missed.



Joyce  
Novotny-Prettiman

Each day started out with the opportunity to golf at the beautiful golf course surrounding the clubhouse. If a zen start was more your thing, an outdoor morning yoga session was a great choice to kick off Thursday's events. Lunch was



Highlights of this year's Bench/Bar Conference at Latrobe Country Club included the vendor show (top left) and golf (above). Judge Justin Walsh and WBA President Scott Avolio took to the links (left).

served on the patio thanks to our lunch sponsor, Lawyers Abstract Company. The ballroom area allowed for social distancing during the CLEs which included Personal Injury 101, presented by Mike Ferguson, and Navigating Your Practice Through COVID-19, which provided members with an overview of the various agencies and programs available to help assist our members and their clients through the stress of this pandemic. All members can contact the WBA office for this information. As always, thanks to Network Deposition Services for recording our Bench/Bar CLEs.

Latrobe Country Club was very helpful in providing a space that worked to social distance our Vendor Exhibit "Hour" and Ameriserv generously sponsored our vendor exhibit drinks. As always, we thank our vendors and encourage our members to support them. Our vendors included Ameriserv, CCA Solutions Inc., FindLaw, Hefren-Tillotson, Keystone Engineering Consultants, Inc., Law Firm Marketing Year, Lawyers Abstract Company, Network Deposition Services, Private Wealth Management, Somerset Trust, RJ Swann Insurance, Unity Printing, and the Westmoreland County Food Bank.

Thursday evening dinner was served poolside thanks to our sponsor, Private Wealth Management. We enjoyed live entertainment compliments of Brothers Kelly.

Friday morning breakfast was offered before a malpractice avoidance seminar and Judges' Roundtable. Golf was offered to wind down the event on a pleasant note. The WBA thanks our members who were able to attend and hope that next year's Bench/Bar will be post-COVID.

The WBA staff and Board deserve a big round of applause for making this happen in 2020. Great work! ■

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# bookmark What Have You Been Reading?

by Caitlin Bumar, Esq.

Like any reading enthusiast, I have a sizable stack of long-neglected books sitting in a corner that I always mean to get around to someday. Staying at home this spring provided me with a long series of somedays, and so I was finally able to move many of the books from the towering stack on the floor to their prominent places on the shelves with the other “read” books, much to my husband’s relief. I’ve chosen five books that particularly stood out and which I would recommend to any bibliophile. I’ve attempted to choose an eclectic mix of books, so hopefully every reader of *the sidebar* can find something that piques their interest.

## A MANUAL FOR CLEANING WOMEN: SELECTED STORIES ❖

*Lucia Berlin* ❖ Prior to the publication of this collection of short stories in 2015, Lucia Berlin had achieved little acclaim, despite being a prolific American short-story writer with 76 stories published in her lifetime. Over ten years after her death, *A Manual for Cleaning Women* was published, and Berlin’s writing finally has achieved the widespread recognition that it deserves. This collection of 43 stories catalogues the lives of working class women in the mid-twentieth century. Each of Berlin’s subjects possesses a quiet strength and a sense of resiliency relatable to anyone who has ever struggled. Berlin’s style is evocative, finding profound moments in mundane settings—dentists’ offices and laundromats. Overall, *Cleaning Women* is a wonderful introduction to an author who was neglected



in mainstream literature for far too long.

## VISIT SUNNY CHERNOBYL ❖

*Andrew Blackwell* ❖ *Visit Sunny Chernobyl* chronicles Andrew Blackwell’s travels to some of the world’s most polluted and devastated locales, from the titular Chernobyl to the Great Pacific Garbage Patch to vast swaths of the deforested Amazon rainforest. With an engrossing storytelling style, Blackwell gives firsthand accounts of the devastation that humanity can inflict on nature in spite

of our best efforts. Yet even considering the heavy subject matter, Blackwell writes with a dark wit and a sincere hope that we as a species can learn from our mistakes. *Visit Sunny Chernobyl* is a thought-provoking read for anyone interested in the health of our planet.

## GOOD OMENS ❖

*Neil Gaiman and Terry Pratchett* ❖ Two juggernauts of the sci-fi/fantasy genre, Neil Gaiman and the late Terry Pratchett, collaboratively wrote *Good Omens*, first published in 1990. The novel recently gained renewed attention with the release of a faithfully adapted miniseries last year on Amazon Prime Video. *Good Omens* follows the friendship of a demon and an angel from their first awkward meeting in the Garden of Eden to their best attempt at averting a modern-day apocalypse. They’re helped and hindered in their pursuit by a bizarre but lovable litany of characters, from

a gang of British school kids to the Four Horsemen themselves. Both authors’ dry British humor manages to successfully take the entire subject of organized religion and turn it into a good-natured comic romp about being true to yourself. It’s a quick, but thoroughly enjoyable read, and if you’ve already enjoyed the book, make sure to check out the miniseries.

## THEY THOUGHT THEY WERE FREE: THE GERMANS, 1933-45

❖ *Milton Mayer* ❖ First published in 1954, *They Thought They Were Free* is an absolute must-read for any World War II buff or for anyone who has ever wondered how everyday Germans became enmeshed in the Nazi Party. In the

*continued on page 10*

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# What Have You Been Reading? *continued from page 9*

years following the war, Milton Mayer, a research professor at the University of Frankfurt, conducted ongoing interviews with ten ordinary German men who had belonged to the Nazi party. Over time he built an easy and friendly rapport with the men; he did not, of course, divulge his Jewish heritage. Mayer was able to dig deeply into each man's life story and what prompted him to join and support the Nazi party. The most striking aspect of the book is the men's inherent relatability coupled with the men's fond remembrances of the time period and their refusal to consider the ideological evils of Nazism, even once the true horrors of what had occurred were revealed. The ending of the book is dated, because Mayer's predictions for modern-day Germany simply did not come to pass. Even so, *They Thought They Were Free* is a terrifying examination of every ordinary person's

capacity to tolerate evil, and it should be read by anyone with an interest in preventing democracy from slipping into fascism in any modern society.

### THE BEGINNER'S GUIDE TO RAISING CHICKENS ❖ Anne Kuo ❖

The COVID-19 pandemic has encouraged many people to give more than a passing thought to homesteading and self-sustainability. Take, for example, Westmoreland County's recent spate of backyard chicken ordinance debates. If you're considering raising a feathery flock of your own, Anne Kuo's book is a great introduction. Kuo lives in Orange County, California, with her brood, and she conscientiously devotes space in her book to making sure that every reader can understand and comply with their local zoning laws. Kuo's love of all things chicken is apparent throughout. With full-color illustrations, detailed coop-building plans, and a focus on health and

sustainability for hens and humans, *Raising Chickens* is a wonderful introduction for anyone who has ever considered giving homesteading a try. ■



**O**f the 13 cases on the September 2020 Civil Jury Trial list, 5 settled and 8 were continued. ■



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# To-Wit: Remembrance of Thing Past

by S. Sponte, Esq.

He was starting to sweat. I liked that. His eyes had already taken on the glassy stare of a deer in the middle of the road as a late model GMC Suburban, headlights ablaze, bore down on it. He tried rephrasing the question and again I raised the same objection: “No proper foundation.”

The rivulets of sweat on his forehead and around his ears now became a tsunami, fogging up his glasses and dripping down onto his yellow legal pad.

“Just a moment, please,” he said as he took out a microfiber cloth to clean his glasses. I noticed the logo of the American Academy of Trial Lawyers on the cloth and wondered where he got it.

This was the deposition of the president of a corporation I had sued on behalf of my client, and this young, inexperienced defense counsel was

**“He was starting to sweat. I liked that. His eyes had already taken on the glassy stare of a deer in the middle of the road as a late model GMC Suburban, headlights ablaze, bore down on it.”**

trying to get some business records into evidence. The trouble was that he didn’t know how.

Other than for my congenital antipathy for defense counsel, there

really was no reason to torment him this way. When he soon asked for a fifteen-minute recess I nodded my assent, whereupon he scurried out of the office like a mouse seeking the haven of a hole.

I had some business of my own to take care of and was standing in the men’s room doing just that when I sensed someone standing directly behind me. Unfinished and unadvisedly, I whirled around, causing him to jump out of the way with an alacrity quite amazing for someone who’s been dead as long as he has.

“Christ!” I exclaimed. “What are you doing here?”


Now I know what you’re thinking,  
*continued on page 12*



G

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**Daniel Joseph**

# To-Wit: Remembrance of Thing Past

*continued from page 11*

and you're wrong. My spontaneous exclamation had nothing to do with the son of G-d, no. "Christ" happened to be this late gentleman's first name, a colleague we had all known as "Christy."

Being dead, he said nothing. Rather, he just wiped himself off and stared at me with a disapproving frown. He then wagged a wrinkled finger at me and disappeared, leaving naught behind but a few yellowed paper towels.

In the next instant I found myself much younger, just out of law school and taking the deposition of the doctor in my first tort case. Christy had been defense counsel in that case, and there he was again, sitting across the table from me in his forever attire, a blue double-breasted suit, white French cuff shirt, brown shoes, silver hair brushed straight back and several fountain pens protruding from the pocket of his coat.

"Now," I said to the doctor, "please refer to your records and tell me your diagnosis of my client."

"I object," Christy said. "You haven't laid the proper foundation." I didn't know what he meant, so I asked the same question again, this time with different pronouns. Again he objected and again I rephrased, this time leaving out the adjectives. When he objected again I didn't know what to do.

After an agonizing pause, he said, "Unless this witness can testify these records were prepared under his supervision or control, and that they were made in the regular course of

business at or near the time of the treatment, I will continue to object."

It was an act of kindness I've never forgotten. I recall it often and it always feels as kind as the moment he gifted me with it.

I immediately found myself back in the present deposition and alas, also back in my seventies. Before my young colleague could stutter another word, I said to him exactly what Christy had

said to me years before. When the deposition ended, he said, "Thanks," nothing else, but that was all he needed to say.

Handing down the kindness Christy handed down to me felt really good. Nonetheless, the trial of this case is coming up soon, and I am eagerly looking forward to kicking his ass. That will feel really good, too. ■

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*Westmoreland Revisited*

# A Conemaugh River Prospector

The search for minerals and the wealth they may bring has been a constant theme in the Americas since the time of the Conquistadors.

by Daniel J. Ackerman

William Johnston lived on a spit of land on the northern boundary of our county, where the Loyalhanna Creek flows into the Conemaugh River<sup>1</sup>. Some two miles up the river from his cabin and gristmill, he began prospecting in 1798. He sought neither gold nor silver, but rather a rock, which in many ways was of greater significance—salt.

There are only a few places in the world where salt cannot be found, but



Daniel J. Ackerman

the quantity, quality, and accessibility vary greatly from place to place. Sodium chloride is unique in that it is a rock which is both consumable and can change from a solid to a liquid, and then back again into a solid. It is a necessary component of all human and animal bodies, as it contributes to the functioning of living cells. Yet, strangely, it is one which the body is incapable of producing on its own. On a normal day, our cells contain about 250 grams of salt (enough for three or four salt shakers), which are depleted through perspiration and urination, but which can usually be replenished by a normal diet.

## WORTH YOUR WEIGHT IN SALT

It's not foolish to compare salt to gold or silver, since throughout history possession of salt was equated with wealth, and it was one of the most



treasured commodities. It was called a divine substance by Homer, and indeed, salt has symbolic significance in many world religions. Its worth is reflected by the fact that in many cultures it became the standard currency.

Prior to the Whiskey Rebellion in 1791, the farmers of Western Pennsylvania who shipped their whiskey across the mountains to the east often received payment in salt. Its most important historic application was that of a preservative, for in the absence of ice it was the prime method of preserving meat and fish from spoilage.<sup>2</sup>

The manufacture of salt as a commodity goes back almost three thousand years, and its value stemmed from the laborious process of obtaining it. In some places it was mined from the earth like other minerals, but more often it was obtained by a process of evaporating salt water from the sea or brackish springs and streams by boiling it over a fire. The colonists at Jamestown procured salt in this

manner from seawater, as was done at other places along the eastern seaboard. As people moved west, away from the sea, the location of new settlements were frequently influenced by the proximity to sources of salt. In early nineteenth-century America, salt production was prevalent at Cape Cod; Onondaga, New York; along the Kanawha River in Virginia (now West Virginia); and here, in the Conemaugh River Valley. The early salt industry took hold here thanks to the perseverance of William Johnston, and the abundance of fuel, i.e., coal.

## EUREKA!

Like most prospectors, Mr. Johnston built on the discovery of others. Legend has it that sometime between 1795 and 1798 a Mrs. Deemer took note of brackish water emerging from the earth. Technically, it came from an "artesian seep," caused by subsurface pressure, which formed a pool on the north bank of the Conemaugh.

The site was about a mile upstream from the promontory bearing Johnston's Westmoreland homestead, named Point Pleasant (later known locally as "Johnston's Point," and to raftsmen traversing the river, "Port Johnston.").

Like a good scientist, Mrs. Deemer proved the hypothesis which had formed in her mind by drawing water from the pool and boiling it until it evaporated, leaving behind "a fair sample of salt."

Mr. Johnston followed suit and began producing salt about two miles upstream from Point Pleasant in November 1798, and strived for the next thirteen years to manufacture salt

*continued on page 14*

<sup>1</sup> This river and the Kiskiminetas, which it becomes, mark the boundary between the counties of Westmoreland and Indiana. Indiana County was formed out of Westmoreland in 1803.

<sup>2</sup> The only other method was to dry the meat and fish in the sun or over a fire (referred to as smoking) which produced a hard inferior substance called jerky.

# A Conemaugh River Prospector *continued from page 13*

with mixed results. J. A. Caldwell, in his *History of Indiana County Pennsylvania, 1745-1880*, concluded that Johnston's manufacturing process during those years operated on "a small scale ... [and] little was accomplished."

Wars always produce shortages of some commercial goods, and the War of 1812, with its concurrent naval blockades, greatly restricted the United States' ability to import salt from other countries. Prior to the war, most of the salt used in America came from Liverpool, England, and was conveniently transported as ship's ballast. The war broke out in June, and the following month, William Johnston, in an uncertain gamble to increase production, *drilled* his first successful saltwater well on the north bank of the Conemaugh where Saltsburg now stands, opposite Johnston's Point on the south bank.

## BELOW THE SURFACE

The word *drill* is somewhat of a misnomer—at least to us—for the

process didn't involve a rotating grooved metal cylinder that today we would associate with drilling. A more descriptive term was in use at the time—"kicking down" a well.

It all began by fitting an iron rod into a wooden tube which was hammered into the ground or riverbed until it hit rock. The rock, in this instance, was a porous sandstone infiltrated with saltwater from an ancient ocean which flooded the area 350 million years ago.

At this point, a metal chisel was attached to the end of the rod and the pounding continued. The mechanism—the machine, if you will—which repeatedly raised and dropped the chisel, consisted of a wooden tripod with a pulley at its top that held the rope bearing the chisel, also known as an auger, at one end. The other end of the rope was tied to a hickory spring-pole balanced on a fulcrum.

The pole was set at about a 45-degree angle, with a heavy stone

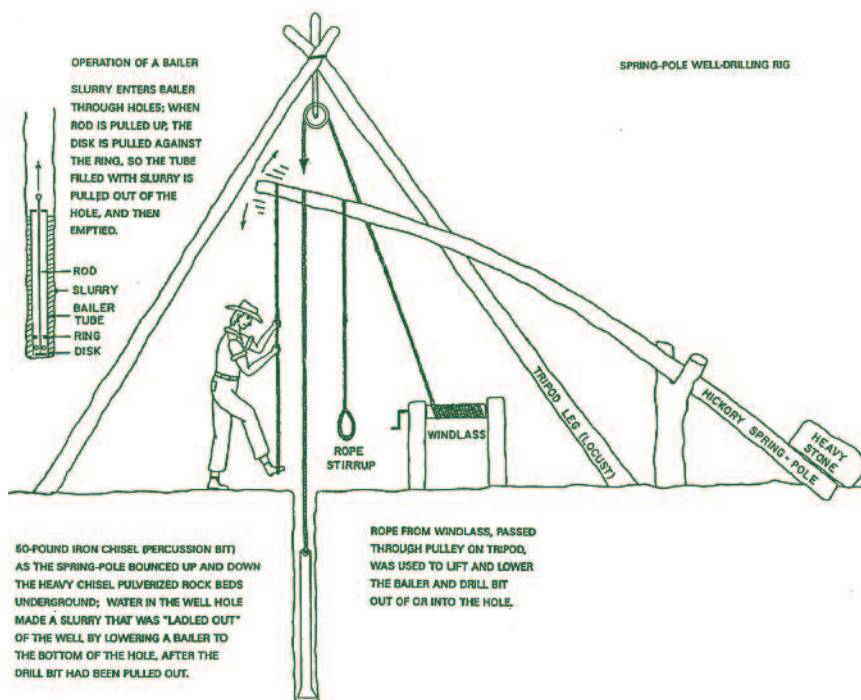
attached to its short base below the fulcrum, which in this case was a substantial fork cut from a tree. Ropes, also attached to the long end of the spring-pole, ended in stirrups, which permitted the operators to tramp down upon the stirrups, raise the stone-weighted end of the spring-pole and then release it, causing the spring pole and the chisel to whip up and down, chipping away at the limestone.

Once well into the limestone, in Mr. Johnston's case, at a depth of 287 feet below the surface, a mixture of saltwater and mud, known as "slurry," began to flow into the well and was removed through the three-inch hole by a "bailer," a porous cylinder which replaced the chisel, which was pulled to the surface where the mixture would be boiled to evaporation, resulting in—you guessed it—salt. Should any of you wish to try to duplicate this process, you should know it took Mr. Johnston nine months of "kicking" to reach the depth of 287 feet, and about 400 gallons of saltwater needs to be evaporated to produce a bushel of salt. Little wonder that salt was so highly valued.

While the process described was viewed as novel here, similar manufacturing processes were taking place in the Orient as early as the twelfth century. While this last fact would certainly have been unknown to Mr. Johnston, he was, in fact, onto something which would change the economy of western Pennsylvania for the better for decades to come and make him a rather wealthy man as well.

## IN NEED OF A BIGGER BOAT

Born near Gettysburg, it is believed that William Johnston first saw the Conemaugh in 1794 when traveling here in the company of a friend, Billy Perry, who a year earlier had built a dam and cabin where the Loyalhanna Creek empties into the river. It is



A drawing of a spring-pole drilling rig by William C. Dzombak from his book, "Salt in the Conemaugh Valley." Courtesy of the Saltsburg Historical Society.



apparent that Johnston liked what he saw and when winter approached, he and Perry backtracked east to spend the season in Franklin County with the design of returning to Perry's cabin in the spring. That hoped-for season allowed their return, but this time they were accompanied by Johnston's bride, Alice Royer, demonstrating a commitment to stay.

On arrival, to their shock and dismay, they found the dam destroyed and the cabin burned. Undefeated by their disappointment, rebuilding began; a new cabin and dam, along with a grist mill and a linseed oil mill, and the acquiring of a larger tract of land, which included the point. All of which seem to confirm a laudatory nineteenth century description of Johnston as "a man of remarkable energy, courage, and nobility of character."

The risk accompanying the sinking of the 1812 well was not born by Johnston alone, for he had acquired partners: William Shields and Samuel Reed. The success of the well was not

### To Boat Builders

Any person that would wish to build a few KEEL BOATS, in the course of this ensuing spring, and summer (on the shares), can be supplied with a commodious yard, dwelling house with a good garden, and plenty of first rate materials, suitable for building said boats, by applying to the subscriber, living at the mouth of Loyalhanna, Westmoreland county.

WILLIAM JOHNSTON

N.B. None need apply but those who can come well recommended as good workmen.

January 14, 1813

*William Johnston ran an ad in the Pittsburgh Mercury offering riverfront property suitable for the building of keel boats, which were needed to transport his salt beyond the local market. From "Salt in the Conemaugh Valley." Courtesy of the Saltsburg Historical Society.*

hidden under the proverbial bushel, as demonstrated by this November 20, 1813, newspaper report:

#### POINT SALT WORKS

*We are informed that on Monday last, Messrs. Reed, Johnston & Co.*

*completed their salt works, at the Point, in this county, and have commenced making salt. It is said that, with forty kettles only they have made thirty bushels of salt per day. We wish them all the success their enterprise merits.*

Success was swift in coming. In short order, the partners sold off a one-third interest in this one well for the handsome sum of \$12,000 (\$192,347 in today's currency) and investors appeared from as far as Baltimore.

The profits from the enterprise gave William Johnston the opportunity to expand his real estate holdings and he graciously gave his sister, Jane, now Mrs. Andrew Boggs, a tract of land on the north side of the river where her husband, after the war's end, laid out the town of Saltsburg.

Indicative of Johnston's faith in this boom, on January 28, 1813, he ran an advertisement in the *Pittsburgh Mercury*, offering riverfront property suitable for the building of keel boats,

*continued on page 16*



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# A Conemaugh River Prospector *continued from page 15*

which obviously were needed for the transportation of salt beyond the local market.<sup>3</sup> This was a market which included such diverse customers as Fort Pitt and Mrs. Deemer. Johnston's account book shows a sale of thirteen pounds of salt to Mrs. Deemer on September 4, 1812, for 65 cents. It's likely she was pleased she didn't have to make it herself.

Four years after the start of production with the 1812 well, the partnership under the name of the Conemaugh Salt Works was operating

<sup>3</sup> The seasonal shallowness of the rivers and their boulder-strewn bottoms posed a hazard to navigation and was an argument later offered to the legislature for building the western section of the Pennsylvania Canal.

four wells producing a supply of water and brine sufficient to keep sixteen furnaces running and turning out 100 bushels of salt per day throughout the calendar year.

By 1825, there were seven salt works along the riverbanks: four on the Indiana side and three on the Westmoreland side. Five hundred thousand bushels of salt came out of the valley in the year 1830, and the area became a major supplier to new settlements in the west.

New salt manufacturers were soon created downriver, where it became the Kiskiminetas, near the Westmoreland hamlet of Salina, and below, and were even more numerous and

larger than the earlier wells above the point. The downriver development of wells was spurred by the fact that continual use of the earlier wells eventually produced a diluted brine with less salt. Eventually there would be 35 such establishments running down the several rivers to Pittsburgh. But nothing remains static. Throughout the nineteenth century new wells were opened as older ones began to fail, and then the new ones in turn lost their effectiveness, and so it went, until the salt industry in the Conemaugh Valley was gone.

## JOHNSTON'S LEGACY

William Johnston did not live to see the demise of the salt industry here, or even its earlier downriver expansion, for he died in 1821. His 23-year quest to find and manufacture salt strengthened the economy of western Pennsylvania, and his efforts helped stimulate the young country's westward movement.

He also made himself a moderately wealthy man, as reflected by the assets of his estate: 2,280 acres of land in five different counties with numerous buildings and an operating salt works. And while he could never have imagined it,

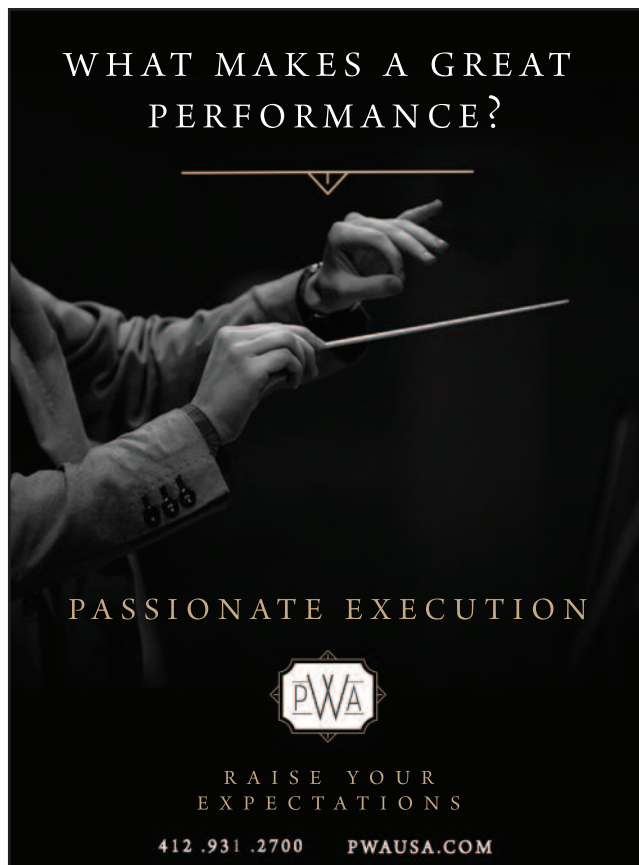
William C. Dzombak in his comprehensive work, *Salt in the Conemaugh Valley*, suggests even longer-range implications arising from Johnston's efforts:

*When William Johnston drilled his first salt well, he accomplished more than what he set out to do. He set in motion a flurry of activity that spread far beyond the Conemaugh Salt Works and even changed the course of history, world-wide. What happened? Oil! Oil was found to be more valuable than the brine that came with it, just as the coal eventually became more valuable than salt made by boiling brine with coal. ■*

## SOURCES

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- Dzombak, William C. Salt in the Conemaugh Valley. Closson Press, 2004.
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*A word of thanks to Louisa Fordyce, PhD, Saltsburg Historical Society.*



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Lewis F. Korn, "Thoughts"



# Remembering The Honorable Gilfert M. Mihalich *continued from page 1*

the post commander. His service, over a period of 73 years, was duly recognized when he was awarded the Distinguished Service Award by the American Legion's Department of Pennsylvania in 1991.

The arrival of peace was followed by Gil obtaining degrees from Duquesne University and the University of Pittsburgh School of Law. He clerked on both the Pennsylvania Supreme Court and our court of common pleas. On the road to becoming "Judge Mihalich" he maintained a private law practice in Monessen and served diligently as an assistant district attorney.

I first became acquainted with him as a young lawyer in the latter part of 1976. It was always an intimidating experience for me to appear before him in court. Yet, I, and other lawyers, quickly learned that total preparation was the key to success in his courtroom. He commanded respect, and he deserved it. He presided with dignity and decorum, was courteous and respectful to counsel, and was always willing to offer advice after a case was over if it was requested.

I was privileged to appear before Judge Mihalich as both a defense

lawyer and as an assistant district attorney. He looked a bit like Zeus up there on the bench, with his regal bearing and no-nonsense demeanor. His demand for preparation made you a better trial lawyer. He taught me and so many others a great deal. If our relationship had ended at that point, I would have been blessed to cross his path, but fate would bring us closer.

**“He commanded respect, and he deserved it. He presided with dignity and decorum, was courteous and respectful to counsel, and was always willing to offer advice after a case was over, if it was requested.”**

In 1985, Gary Caruso and I were elected to our court of common pleas. Within days of our election, we went to see Judge Mihalich, who would “sort of” be our new boss. He spent hours with us answering questions, offering advice and making suggestions. His door was always open to us and every other judge. There was good reason for him to be the first elected president judge in our county. Every judge

respected him and followed his leadership. Every judge knew that the president judge would have their back when needed.

My journey from a lawyer who practiced in front of Judge Mihalich, to being a colleague of Judge Mihalich, was a great one. I would have been fortunate even if our relationship ended there. But it did not. Gil loved the legal profession and constantly tried to improve the practice of law, especially in the orphans' court. His bench/bar books on adoption and guardianship greatly streamlined those proceedings, and are still referred to by lawyers today. Along the way, he taught me lessons about procedure and judicial decision-making that I used every day on the bench.

And it was fun to be in his company. Through the years, from having coffee every morning with Gil and Judge Bernie Scherer, to lunches with Judge Charlie Marker, Gil, Leo Bacha, Steve Mikosky, and Jack Beck, to Super Bowl parties at the Mihalich house, to Christmas parties at my house, we became close friends. We ate many a fish sandwich together at Johnny L's in South Greensburg, and I'm not too cheap to say Gil paid for most of them.

Gil and I traveled to Bench/Bar Conferences together and were

*continued on page 18*

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*Bookmark the link and smile!*

# Remembering The Honorable Gilfert M. Mihalich *continued from page 17*

roommates for years. We also played golf together, but never too well. Bottles of Stoney's and Heineken and an occasional shot of V-O were consumed, but always in moderation.

Over the years, the Mihalichs, the Markers, and the Blahovecs shared many dinners here and in Hershey or Pittsburgh or Philadelphia where judicial conferences were held. Judges from other counties attending these conferences would remark about how the Westmoreland County judges and their spouses always sat together, and we did because we genuinely liked each other and that camaraderie started with our leader, Gil.

When I refer to the Mihalichs, I'm referring to Gil and his lovely wife, Pauline. Their marriage would last 68 years. They had three children, sons Leonard and Gil, and a daughter, Gail Lever. In time, their family would see the arrival of two granddaughters and three great-grandchildren. Gil's devotion to Pauline knew no limits and their love story was not impaired by the illness which eventually took her in 2018. Rather, their bond and love were highlighted by the care and commitment he showed for her.

As I remember my friend, my focus turns to the special, warm, and personal moments most often. I think

of him pulling "the magic penny" from behind my daughter's ear, and the ears of the many children who appeared before him for adoption. I think of him belting out "Hark, the Herald Angels Sing" at Christmas parties. I think of him and Gil and Lenny sitting with me and my Dad at Ernie and Wes Long's goose dinners in Export, laughing and telling tall tales. I think of him at Redstone as the President of the Tenants Association, I think of him mourning the death of Pauline. I think about visiting him at Brookdale and how he always seemed happier to see my wife, Marylou, than me. I think of

how his days were drawing to a close and we always ended our visits with a warm handshake or a hug and the words, "I love you, buddy."

Judge Gilfert M. Mihalich passed away in his nursing home on June 2, 2020, at age 93. He was a man of faith, a great family man, a great patriot, a great judge, and a great man. He was my mentor, my colleague, my boss, and my dear friend. Our journey together was one of the greatest joys of my life. I would not have missed it for the world.

Rest in peace, Gil. Thank you for being my friend. ■

# Remembering Morrison F. "Moe" Lewis, Jr. *continued from page 5*

Clearing House. He was kind. He took every opportunity to share the lives of his loving, and lovely wife, Rosie, his four daughters, Bridget, Diane, Karen, and Susan, and his gaggle of grandchildren. Moe was always ready to mentor a young and/or new member of the bar. He was a rabid Jayhawk, having devoted a lifetime of legal and community service to his hometown of Jeannette. He practiced his Christianity, all day, every day. He

was a loyal friend to many. He was a proud and proficient member of our legal profession for more than 50 years.

And so we propose the following for Moe's legacy—when you are a person who does right by everyone, serves your family, your community, and your profession with honor, you don't have to worry about the wrinkles in your suit. May you rest in peace, our friend. ■

## Holiday Dinner Dance Cancelled

Due to the ongoing COVID-19 pandemic we are sad to report that we are unable to hold our 2020 Holiday Dinner Dance. We look forward to seeing everyone next year.

## got news?

Do you have news to share with the sidebar? Making Partner? Engagement? Marriage? Birth? Moving? Retiring? Anniversary? Milestones? Awards? Community Involvement? Accomplishments? Email [westbar.org@westbar.org](mailto:westbar.org@westbar.org) and we'll publish your news in the next available issue.



# FAQ On Using Our New HQ

The Westmoreland Bar Association is pleased to be open for business in our new headquarters at 100 North Maple Avenue in Greensburg. Members and non-members are welcome to use our rooms for client meetings, depositions, mediations, master hearings, and other gatherings.

## Q WHAT KIND OF ROOMS ARE AVAILABLE?

A Our new building has four rooms of varying sizes for your use:

- Small meeting room: holds 4-6 people (2-3 during COVID)
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## Q WHEN ARE ROOMS AVAILABLE?

A Rooms are available during regular office hours on a first-come, first-served basis: Monday through Thursday, 8:30 a.m. to 5 p.m.; Friday, 8:30 a.m. to 4:30 p.m. You must reserve a room to ensure that we have space to accommodate you; no walk-ins can be accepted.

## Q HOW DO I MAKE A RESERVATION?

A Call us at 724-834-6730 during regular office hours to schedule a room.

## Q IS THERE ANY COST?

A There is no cost for WBA members to use our rooms unless they are being used for a mediation. Half-day mediations are \$50; whole-day mediations are \$100. Room fees for non-members can be found on our website at [westbar.org/building-usage](http://westbar.org/building-usage).

## Q WHERE CAN I PARK?

A There are several metered spots along North Maple Avenue, both in

front of the building and the next block south, that are often available.

There is one handicapped parking meter directly in front of our building. Covered metered spots can be found in the Dr. Robert W. Queale lot on North Maple. You can also use the metered

lot by the old building and walk one block down the hill.

## Q DO I HAVE TO WEAR A MASK?

A During the COVID pandemic, we are requiring masks for all who enter our building. ■

## WBF Attorney Assistance Program



### Get a helping hand ... Give a helping hand ...

The Westmoreland Bar Foundation, through its Attorney Assistance Program, provides need-based assistance to Westmoreland Bar Association members who are experiencing financial difficulties.

### Get a helping hand ...

WBA members struggling with items such as unreimbursed medical expenses and expenses associated with the necessities of daily life, such as food, rent, and utility bills, are encouraged to seek help through the Program. Financial aid from the Foundation is intended to be temporary and designed to help through an emergency time in a caring and considerate manner.

### Give a helping hand ...

WBA members are encouraged to help their fellow attorneys by making a donation to the Attorney Assistance Fund. All donations received are used for direct financial support and are tax-deductible.

Information about the Attorney Assistance Program and an application are available online at [westbar.org/attorney-assistance-program](http://westbar.org/attorney-assistance-program) or contact the WBA office at 724-834-6730.

**If you are in need of help, or know someone who is, the Westmoreland Bar Foundation is here to provide support.**

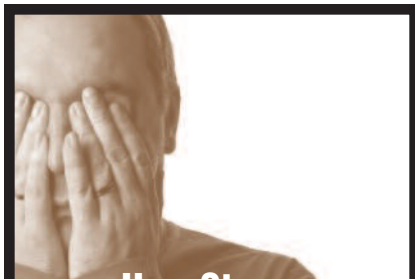
## CALENDAR OF EVENTS

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

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

### NOVEMBER

- 9** [PBI CLE] PBA Workers Compensation Fall Section Meeting 2020, 8:30 a.m. to 4:30 p.m., 4.5S 2E
  - 10** Civil Litigation Committee, Noon Board Meeting, 4 p.m.
  - 11** Courthouse closed in observance of Veterans Day
  - 12** Criminal Law Committee, Noon
  - 13** [PBI CLE] Powerful Witness Preparation 2020, 9 a.m. to 4 p.m., 5S 1E
  - 16** [PBI CLE] Nonprofit Institute 2020, 9 a.m. to 4:30 p.m., 5S 1E
  - 18** Real Estate Committee, Noon
  - 19** [PBI CLE] School Law Update 2020, 9 a.m. to 1:15 p.m., 3S 1E Elder Law & Orphans' Court Committees, Noon
  - 20** [CLE] PA Interlock Roadmap: Court to Completion, Noon to 1 p.m., 1S
  - 26** Courthouse closed in observance of Thanksgiving
  - 27** Courthouse closed in observance of Thanksgiving
- ### DECEMBER
- 1** [PBI CLE] Pennsylvania Attorney-Client Privilege and Work-Product Doctrine 2020, 9 a.m. to 12:15 p.m., 3E
  - 3-4** [PBI CLE] Real Estate Institute 2020, 8:25 a.m. to 4:10 p.m., 10S 2E



### How Stress Affects Lawyers

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

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

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



# PA Interlock Roadmap - Court to Completion



— LIVE — 1 Substantive Credit Available

An accredited provider for the PA Board of Continuing Legal Education

## Presented by the Criminal Law Committee

### Topics of Discussion:

1. Legal Updates - Chichkin vs Comm
2. The mechanics of how the Interlock devices works
3. Interlock - Court to Completion
4. What a client should expect at installation
5. Servicing the Interlock device
6. Lockout and other real-world complications
7. End of Program, Compliance and Removal of the Interlock Device

**Speaker:**  
**\*Kathleen Riley**  
SmartStart

**Due to social distancing guidelines, this program is open to the first 15 paid registrations; no walk-ins will be accepted.**

**November 20, 2020 - PA Interlock Roadmap: Court to Completion**

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

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

**Pre-Registration Fees**

\_\_\_\_ WBA Members - \$35/credit

\_\_\_\_ Non-Members - \$55/credit

**Non-Credit:**

\_\_\_\_ FREE

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

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

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

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

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

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

\_\_\_\_\_

To qualify for Pre-Registration Seminar Fees - Please return this form and your payment to the WBA Office, 100 North Maple Avenue, Greensburg, PA 15601, **by 12 pm November 19, 2020.**

**Friday,**  
**November 20, 2020**  
**12:00pm - 1:00pm**  
**WBA Headquarters**

### Seminar Fees:

#### PRE-REGISTRATION:

(Must be prepaid & received at the WBA office by 12 pm November 19, 2020.)

#### CLE Credit

WBA Members - \$35 per credit hr.

Non-Members - \$55 per credit hr.

#### Non-Credit

FREE

**Due to social distancing guidelines, this program is open to the first 15 paid registrations; no walk-ins will be accepted.**

Lunch will be provided.

Westmoreland Bar Association

100 North Maple Avenue

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.



# Bench/Bar Video Replay

3 SUBSTANTIVE & 1 ETHICS Credits  
are available toward your annual CLE  
requirements.



An accredited provider for the PA Board  
of Continuing Legal Education

## Monday

December 21, 2020  
WBA Headquarters  
9:00 am - 1:30 pm

### Seminar Fees:

#### PRE-REGISTRATION:

(Must be prepaid & received at the  
WBA office by 12:00 pm December 18,  
2020 )

CLE Credit

WBA Members - \$35 per credit hr.

Non-Members - \$55 per credit hr.

Non-Credit

\$10 Flat Rate

Waived for Young Lawyers  
(practicing 10 years or less)

**Due to social distancing guidelines,  
this program is open to the first 15  
paid registrations; no walk-ins will  
be accepted.**

Lunch will be provided.

#### Westmoreland Bar Association

100 North Maple Avenue

Greensburg, PA 15601

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special arrangements are needed for  
the disabled, please contact the WBA  
Office at 724-834-6730, or by email at  
westbar.org@westbar.org

**Bench/Bar attendees who did NOT receive CLE credits for these seminars at the Latrobe Country Club are eligible to receive FREE 3 Substantive Credits & 1 Ethics Credit when attending all sessions.**

### Session 1 — 2 Substantive Credits

9:00 am - 11:00 am (Video from 10/10/20)

#### Westmoreland County Personal Injury 101

##### Topics of Discussion:

- \*Phone consultations - the questions you need to ask and answer when a client calls.
- \*What cases to take and what cases to decline.
- \*The initial consultation - building the foundation of a case.
- \*Getting started - what should I do first?
- \*Tips for building an effective case.
- \*Monitoring the case - Issues to keep an eye on.
- \*Preparing a settlement demand and brochure.
- \*Settlement negotiations and tips.
- \*Litigating a case from Complaint thru Trial.

##### Speaker:

\*Michael Ferguson, Esquire

### Session 3 — 1 Ethics Credit

12:30 pm - 1:30 pm (Video from 10/11/20)

#### Malpractice Avoidance with Bethann Lloyd

##### Speaker:

\*Bethann R. Lloyd, Esquire

### Session 2— 1 Substantive Credit

11:15 am - 12:15 pm (Video from 10/10/20)

#### Behavioral Health Services and How to Access Them

Attendees will learn how funding for Mental Health services flows, the Role of WCSI (Westmoreland Case Management and Supports, Inc.), mental health services for both children and adults, and the resources available to help consumers, family members, citizens, and professionals.

##### Speakers:

\*Dirk Matson, Administrator, BHDSEI

\*Renee Dadev, Supervisor, Children's Behavioral Health

\*Sara Stenger, Supervisor, Adult Behavioral Health

**Due to social  
distancing  
guidelines, this  
program is open  
to the first 15 paid  
registrations; no  
walk-ins will be  
accepted**

## December 21, 2020 Bench/Bar Video Replay

Name: \_\_\_\_\_  
Attorney I.D. # \_\_\_\_\_  
Phone: \_\_\_\_\_

### Pre-Registration Fees

CLE Credit:

\_\_\_\_\_ WBA Members - \$35 per credit hour

\_\_\_\_\_ Non-Members - \$55 per credit hour

Non-Credit:

\_\_\_\_\_ \$10 Flat Rate

\_\_\_\_\_ Waived for Young Lawyers  
(practicing 10 years or less)

To qualify for pre-registration, please return this form and your payment to the WBA Office, 100 North Maple Avenue, Greensburg, PA 15601, **by 12:00 pm December 18, 2020.**

### Sign me up for:

\_\_\_\_\_ Session 1 - 2 Substantive credits

\_\_\_\_\_ Session 2 - 1 Substantive credit

\_\_\_\_\_ Session 3 - 1 Ethics credit

\_\_\_\_\_ 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 \_\_\_\_\_





An accredited provider for the PA CLE Board

# Bridge the Gap — Video

4 Ethics Credits Available

**Tuesday,  
December 22, 2020  
9:00 am - 1:15 pm  
WBA Headquarters  
(Please note the new address)**

**PRE-REGISTRATION:**

(Must be prepaid & received at the WBA office by 12 pm December 21, 2020.)

CLE Credit

WBA Members- \$35 per credit hr.

Non-Members - \$55 per credit hr.

Non-Credit

\$10 Flat Rate

Waived for Young Lawyers

(practicing 10 years or less)

**Due to social distancing guidelines, this program is open to the first 15 paid registrations; no walk-ins will be accepted.**

**Pizza and Soda will be provided.**

Westmoreland Bar Association

**100 North Maple Avenue**

**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 deadline.

**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:**

Maria Altobelli, Esquire

Mears, Smith, Houser & Boyle PC

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

**Due to social distancing guidelines, this program is open to the first 15 paid registrations; no walk-ins will be accepted.**

**Bridge the Gap — December 22, 2020**

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

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

Name: \_\_\_\_\_ \$ \_\_\_\_\_ (Amount).

Attorney I.D. # \_\_\_\_\_ Card # \_\_\_\_\_

Address: \_\_\_\_\_ Expiration Date \_\_\_\_\_

Email: \_\_\_\_\_ Three digit security code on back of card \_\_\_\_\_

Phone: \_\_\_\_\_ Credit Card Billing Address \_\_\_\_\_

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

\_\_\_\_ I am a Newly Admitted Attorney, WBA Member

\_\_\_\_ I am a Newly Admitted Attorney, Non-Member - \$20 FLAT FEE

\_\_\_\_ \$35 per credit hour, WBA member

\_\_\_\_ \$55 per credit hour, Non-member

**\*To qualify for Pre-Registration Seminar Fees - Please return this form and your payment to the WBA Office, 100 North Maple Avenue, Greensburg, PA 15601, by 12 pm December 21, 2020.**





Lawyer Referral Service of the  
Westmoreland Bar Association

# JOIN THE LAWYER REFERRAL SERVICE IN 2021 AND LET THE PIECES THAT BUILD YOUR PRACTICE FALL INTO PLACE.

Join today!  
Download an  
application at  
[westbar.org](http://westbar.org)  
or call the WBA  
at 724.834.6730.

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BY PANEL MEMBERS IN 2020.**

**500+ NEW CLIENTS IN 2020.**

**STILL ONLY \$125/YEAR  
REGISTRATION FEE.**

**OVER 1,000 CALLS IN 2020.**

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grow your business.

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- On every order of court
- In all row offices
- In all county offices
- In every MDJ office
- In all community libraries

Still just \$125!