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THE NEWSLETTER OF THE
WESTMORELAND BAR ASSOCIATION
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AUGUST 2022

A Brief History of Politics and the Judiciary

by Caitlin Bumar, Esq.

Recently there has been significant discussion about the United States Supreme Court and the appropriate role (or lack thereof) of politics in its decision-making. As of September 2021, Gallup shows that disapproval of the Supreme Court's decision-making has reached a 20-year high of 53%.¹

A January 2022 poll by the Pew Research Center found that an overwhelming majority of Americans (84%) believe that Supreme Court Justices should not let their political views influence their decisions.² For the past few decades, this view has persisted among the Supreme Court Justices themselves. As Chief Justice John Roberts once described his own perception of his role: "Judges are like umpires. Umpires don't make the rules; they apply them."³

Historically, however, the federal judiciary has been a political body both overtly and subject to manipulation by the other branches of federal government.

¹ <https://news.gallup.com/poll/4732/supreme-court.aspx>

² <https://www.pewresearch.org/fact-tank/2022/02/25/5-facts-about-the-supreme-court/>

³ https://www.washingtonpost.com/blogs/the-fix/post/john-roberts-umpire/2012/06/28/g1QAx5ZM9V_blog.html



Article III of the United States Constitution provides for a vague sketch of the judicial branch, creating a scheme for a Supreme Court and an unspecified number of inferior federal courts. The United States Supreme Court was officially established by the Judiciary Act of 1789. The Court was originally comprised of six Justices appointed by George Washington. Because neither Article III nor the Judiciary Act specify the number of judges or courts, this aspect of the judiciary has been an easy tool for political manipulation.

The early history of our nation was dominated by the power struggle between the Federalist Party and the Democratic-Republican Party. By 1801, the Federalist Party was waning

in influence, owing to the Democratic-Republican Party sweeping the 1800 federal election. The lame-duck Federalist president John Adams and Federalist Congress created 19 new federal circuit judiciary positions and over 40 justice-of-the-peace positions in the District of Columbia. Adams filled as many of them as possible in the last few weeks of his term as a last-ditch attempt to retain some Federalist influence; the legislation was dubbed the Midnight Judges Act. Although the Democratic-Republicans swiftly abolished the new judicial positions upon coming into power, the appointments did lead to the historic *Marbury v. Madison* case, the Supreme Court's decision that it is permitted to

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President's Message

How Much Better To Give ...

by Eric E. Bononi, Esq.

Dear Fellow Westmoreland Bar Association Members:

It is with pleasure and humility that I write this column as a follow-up to the column written by our esteemed colleague, David

DeRose, titled, "We Want You to Commit to the New Pro Bono Program."

As many of you are aware, there are likely four out of five people who qualify for legal aid or who are unable to obtain the legal services

they need. Another four out of five people who want a lawyer have no one to guide them through the legal minefield, and four out of five people will probably be entering the courtroom without a lawyer by their side and talking directly to our esteemed judges on the bench.

Embedding Pro Bono and a commitment to social justice within our Bar Association is an important step to ensuring access to legal justice. Our Bar Association should be rightly proud of their commitment to provide

Pro Bono. It is an important part of being a lawyer but should remain a choice and not be forced upon us as being mandatory, as it is in some states.

Pro Bono work opens up a new world of possibilities for those who are young. It is a great way to start your career but also get professional development opportunity and promotion. Sometimes those free cases will introduce you to a new area that could become quite profitable. As such, it will allow your business to

thrive and lead to developing better skills. By being a Pro Bono volunteer, you will surely gain experience and reputation, but you also learn to be flexible. You will learn to be creative and see what it can give back to your business.

In addition, there are personal benefits of Pro Bono volunteer work. It will shape your personality and change your views on people. It will fulfill a need of others while improving social skills. The philanthropic ideas should encourage everyone to move forward in this direction. As such, to be successful, we need a strong commitment from our attorneys and we need additional members to register. It is a small commitment to ask. We are all proud of our Bar Association and want to continue with being professional and helping those in need.

Thank you. ■

Sincerely yours,

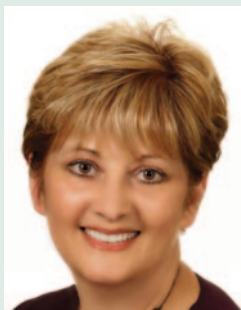
Eric E. Bononi, Esquire
WBA President



LawSpeak

Lawyers have a license to practice law, a monopoly on certain services. But for that privilege and status, lawyers have an obligation to provide legal services to those without the wherewithal to pay, to respond to needs outside themselves, to help repair tears in their communities.

U.S. Supreme Court Associate Justice Ruth Bader Ginsburg (March 2014)



Welcome, Dana Detar

The Westmoreland Bar Association's Board of Directors and Executive Director Alahna O'Brien are pleased to extend a very warm welcome to our new Assistant to the Executive Director, Dana Detar. Ms. Detar joined the WBA at the end of July and shares some introductory comments below:

Please allow me to express my gratitude that I feel in being given the opportunity to work for the Westmoreland Bar Association.

My past experiences include working for the Commonwealth of PA as a Clerical Assistant 3 in the Labor and Industry, Unemployment Section. I also have had the privilege of working at the Westmoreland County District Attorney's Office as a Legal Secretary.

In my personal life, I have a grown daughter, Coby, who is engaged to a very nice young man, Dan. Yes, I am soon to be a mother-in-law!!! I am also the human momma to a very sweet senior dog and a very bad cat.

I look forward to working with Alahna, Susan, and the members of Westmoreland Bar Association. ■

Remembering Aaron M. Kress

Editor's note: Aaron M. Kress passed away on Sunday, April 24, 2022, at the age of 88. He is survived by his wife of almost 60 years, Dorothy; two daughters, Rebecca Kress Fenoglio (Phillip), of Penn Hills, and Margaret Carlson (Brian), of Breckenridge, Colo.; four grandchildren and one great-grandchild. Memorial donations may be made to Rails to Trails, Peoples Library of New Kensington, the Westmoreland Bar Foundation, or any local food banks.

by Rebecca Kress Fenoglio, Esq.

Before I became a lawyer, I was a newspaper reporter. We reporters took turns writing a weekly editorial and my first assigned date was the week of Father's Day. So I wrote a lovely editorial about how much I adored my father and looked up to him but that I would never ever become a lawyer no way no how.

He framed it and hung it in his office.

Dad passed away on April 24, 2022, with me, my sister, and my mom by his side. At the age of 88, he lived a good, long life and wasn't really sick. His heart just gave out.

Dad was born in October of 1933 in Pittsburgh. His family moved to New Kensington when he was a small child. Dad had a variety of jobs growing up, from delivering prescriptions and other pharmaceutical items from Central Drug, his father's drug store, to driving the hearse for a local funeral home. That particular job became problematic when he would park the hearse in front of the house when he came home for lunch. His mother had to ask him to stop doing that because the neighbors would call to ask who died.

Dad went to Dickinson for his undergrad and then the University of

Pennsylvania for law school. Upon graduation, he came back to New Kensington with a diploma and, *inter alia*, the phone numbers of two women—both named Dorothy—for him to call to ask out. Dad had it in his head that he was calling Dorothy #1, but he actually called Dorothy #2, who wound up marrying him in 1962. They would have a marriage that lasted just shy of 60 years. Throughout that time, they skied, they biked, they

“The camaraderie he shared with you all, with anyone whose path he crossed in the Courthouse, was one of the great joys of his life. That, and being one year ahead on his CLE credits.”

played tennis, they traveled the world. They raised two daughters who gave them four grandchildren. Dad got to meet his first great-granddaughter, my granddaughter, about one month before he died. And they laughed. Oh, did they laugh.

Dad joined the bar in 1959. During those years, he served time as WBA president and was on the PBA's



Unauthorized Practice of Law Committee. Of course, this was before everyone became an instant internet lawyer, without actually going through the hassle of getting licensed. He was also active with the Westmoreland Bar Foundation and was doing some *pro bono* work well into his retirement.

Dad had a few different solicitorships, including a 20-some-year stint representing the county in tax assessment appeals. After he left the solicitor's office, he gleefully went to work on the other side, representing property owners. His private practice focused a lot on estate litigation and real estate.

After Dad died, I heard from a lot of younger attorneys (I mean, he was 88; everyone was younger). They all talked to me about how he mentored them. This makes sense because Dad loved to tell everyone what to do.

David DeRose was one of those younger attorneys many years ago. “I learned very quickly the practical side of how to practice law and spent a good deal of time with Aaron learning how to do title work, real estate closings, and estate planning and

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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, 100 North Maple Avenue, Greensburg, PA 15601-2506, fax 724-834-6855, or e-mail westbar.org@westbar.org. the sidebar welcomes submissions from members or non-members. Please submit to the Articles Editor, c/o WBA. Back issues from 2000 to the present and a comprehensive, searchable index are available online at www.westbar.org/thesidebar.

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Remembering Aaron M. Kress *continued from page 3*

administration. I incorporated Aaron’s methods into my practice and they still control how I do so many things today,” he recalled.

“Aaron was a quick study, generous with his time, and was so efficient and exacting,” David continued. “He had little tolerance for ‘schmucks’! He had a dry sense of humor that had to grow on you.”

David remembers Dad embracing new challenges instead of letting others lead the way. “I was fresh out of law school in the mid 1970s and this older and seasoned attorney was urging me to put away the IBM Selectric typewriter and start learning how to incorporate a computer into our business,” he said. “Aaron was on the forefront of that while most of us in the office resisted it or simply didn’t want to take the time and put forth the effort to utilize a tool that we now cannot live without.

“He also amazed me when he decided to learn how to fly and accomplished it with such ease. My first flight with him was to Harrisburg to a hearing and the same penchant for detail that he applied to our law practice was readily on display in preparing the airplane for flight that day,” David added.

“Aaron was an amazing man and I am proud to call him and his wonderful wife, Dorothy—my junior high art teacher—lifelong friends.”

Dad’s humor was not lost on many, especially his friends and colleagues, and he was delighted when someone “got the joke,” even if it wasn’t necessarily appropriate. Judge Dan Ackerman recalls that Dad told him that we



Judge Marsili took this photo of Aaron Kress and Becky Fenoglio a few years ago in his courtroom on “Take Your Daughter to Work Day.” It was a happy coincidence that they both happened to be in court that day.

were going to a birthday party for my great-uncle who was turning 99 years old. “Are you taking him a present?” asked Judge Ackerman. “I’ve ruled out green bananas,” said Dad.

Toward the end of his practice, Dad teamed up with Jim Conte. “We associated on assessment appeals, annual tax sale appeals, and even an estate,” said Jim. “Meetings with Aaron ALWAYS involved lunch. My first meeting with him was at his office in New Kensington, but after that, we generally met in my office in Latrobe. Aaron professed to love to drive. If we were meeting to discuss a case, or meeting with a client, we always chose a time that would allow us to have lunch either before or after the meeting; but NEVER a get-together without lunch! Sometimes the meetings to discuss a case were only an excuse.”

Before he teamed up with Dad, Jim thought he knew something about assessment appeals. But, he said, “through Aaron, I learned how little I really knew, and every day I am reminded of how little I know.

Throughout our collegial relationship, Aaron put together first drafts of filings (‘filings in assessment appeals and tax sale appeals are not pleadings,’ he would tell me) and briefs. He was the brain and I was the brawn; I had the office and employed a legal assistant! Between us, we were a good team and with him, the practice of law was a joy. Until his passing at 88 years of age, Aaron certainly had his wits (and his wit) about him and more. He was a capable and competent lawyer, able to consider and discuss legal issues. Of course, the last question of any legal discussion was: ‘Now, where are we going to eat?’”

Jim remembers Dad as a very caring person. “He cared very deeply about his colleagues and those who died unexpectedly or too soon,” he

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Remembering William S. Ferraro

Editor's note: William S. Ferraro passed away unexpectedly Wednesday, June 29, 2022, at the age of 72. Preceded in death by his daughter, Catherine, in 2000, he is survived by his wife of 26 years, Kelly (Schraf) Ferraro; his sister, Karen L. Ferraro and her children, Tiffany Taha (Basil), Mary Catherine Hughes, Alexandra L. Turner (Jeffrey) and Stephen L. Hughes (Elizabeth); and his sisters and brother-in-law, Kim Schraf (Craig), Robert Schraf Jr., and Kerri Korhel. Memorial donations can be made in the name of William S. Ferraro to the Starzl Transplantation Institute, 3600 Forbes Ave. at Meyran Ave., Suite 8084, Pittsburgh, PA 15213.

by John M. Campfield, Esq. and Darrell J. Arbore, Esq.

For a small town, Trafford has given us a remarkable number of skilled and affable lawyers and William “Billy” Ferraro certainly had both of these attributes. Raised there with his sister, Karen, he graduated from its high school in 1968, practiced law there, served as its solicitor, made his home there with his loving wife, Kelly, and daughter, Catherine, who predeceased him, and there he died in his seventy-second year with Kelly by his side.

After high school, he went on to earn a degree in political science at Pitt before taking a great leap to the South to attend Louisiana State University’s School of Law. Why did he do that? I think it was the adventure. You see, LSU had a different program for lawyers. At LSU, as you might expect, Bill was taught civil law, but not the civil law that nearly all the other law schools teach, because in Louisiana, the basis for civil law is the Napoleonic Code, not the English Common Law. Bill’s launch into the South gave him a new perspective on life; he enjoyed it, but he needed to follow his road home, and so he did.

Bill returned to Trafford and Westmoreland County, passed the Pennsylvania Bar Exam, was admitted to all of the courts in Pennsylvania, and began looking for a law firm.

As it turned out, A.C. Scales, who also lived in Trafford, knew of Bill and asked him to join the law firm of Scales and Shaw in Greensburg, where I (John) was an associate. A.C. had a penchant for offering any Trafford lawyer a position in the law firm.



Even though Bill was the new lawyer in the firm, he had no compunction in handling cases, nor in speaking his mind. At Scales and Shaw, any lawyer could interact with any other lawyers in the firm and Bill was not shy in providing information and answers to all, sometimes stretching out conversations in an attempt to prevail before others decided to leave the conversation altogether.

One time Bill and I were debating a particular legal matter in the presence of A.C., who was a very kind and soft-spoken gentleman. He was listening to Bill and me, and at the end of our discussion, A.C. simply said: “And still the wonder grew, that one small head held all he knew.” That quiet statement from A.C. silenced Bill then, but Bill continued to enjoy his “conversational” ways with anyone who was willing to listen.

Shortly after Bill joined Scales and Shaw, it dissolved into two firms, and some of the lawyers moved on elsewhere. Bill and I stayed together and formed Campfield and Ferraro, working together for approximately 45 years.

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Remembering William S. Ferraro *continued from page 5*

Bill and I always remained partners; we never changed.

In March 2000, Bill took on the job of Solicitor of the Westmoreland County Tax Assessment Office. Little did he know at that time that the Solicitor job was just the start of a 21-year journey that saw him literally take on nearly every aspect of managing the County Tax Assessment Office.

First, Bill invested 90 hours in studying the property appraisal assessing profession in Pennsylvania, which culminated in him obtaining a Certified Pennsylvania Property Evaluator license. From there, Bill took on the full-time role of Vice Chairman of the Board of Assessment Appeals. Finally, he spent the rest of his career as the Chief Assessor of Westmoreland County, retiring on January 1, 2022. Unfortunately, Bill was not able to enjoy retirement for long because of his ongoing health issues.

Regardless of his official title or position, Bill left his imprint on every aspect of the process and procedures of the Tax Assessment Office and the Appeals Board. For example, Bill

“It will be a long time before the local legal community will be graced by such an interesting character, storyteller, and selfless human being.”

essentially single-handedly drafted the Board of Assessment Appeals Rules of Appeal Procedure. Likewise, with the assistance of Judge Anthony Marsili and attorneys Darrell Arbore and Sharon DiPaolo, he was the primary architect of the Westmoreland County Local Rules Governing Appeals from Real Estate Tax Assessments adopted in 2016.

With only the slightest amount of sarcasm, it was often suggested to Bill that one day the county would erect a bronze statue outside of the Westmoreland County Courthouse Annex on Pennsylvania Avenue, dubbing him the father of assessment law, given his dedication to the office and the development of that area of law for over 20 years. Bill always met

that compliment with his typical, self-deprecating humor, saying that people would forget about him five minutes after he cleaned out his office and retired. Bill may never have a statue erected in his honor, but he was wrong to think that people will not remember him. It will be a long time before the local legal community will be graced by such an interesting character, storyteller, and selfless human being. He certainly will be missed by all those that worked with him many over these many years.

Bill enjoyed reading; he loved grasping information; he loved life. Bill's intelligence and wisdom were remarkable traits. He had a kind wit that showed perception and quick humor, and his laughter was contagious. He valued people, particularly those who needed care. All who came to know him realized that he was a kind, pleasant, and caring man. He kept family and friends dear to his heart. He disdained anger and harm. His richness was in his goodness.

We all have pain and loss in our lives. Bill and his wife, Kelly, suffered more than many of us have, but together they overcame adversity. They had love and kindness for each other and for the very good friends and family they were fortunate to have. We, and so many others, miss him greatly. ■

Remembering Aaron M. Kress *continued from page 4*

noted. “If Aaron was your friend, he cared. I recall a time when Katie went to visit our grandchildren; I was on my own. When Aaron learned of this, he said, ‘You should have told me. Dorothy and I would have invited you for dinner.’ Our friendship expanded to include our spouses, Dorothy and Katie, with outings for dinner and conversations about grandchildren (theirs and ours); especially their new great-grandchild. Aaron was a true family man. All of our get-togethers always had conversations about family.

“Unfortunately, the Fates have taken him away, but we sure had

fun together while it lasted,” Jim concluded.

Dad loved the law. He loved a good case and loved finding just the right statute or case to prove his point. But most of all, he loved his colleagues.

The camaraderie he shared with you all, with anyone whose path he crossed in the Courthouse, was one of the great joys of his life. That, and being one year ahead on his CLE credits. And, if we're being honest, fooling Pittsburgh lawyers into thinking he was some hick lawyer from the sticks and then beating them in court.

But, my goodness he loved you all. ■

IN MEMORIAM



Robert P. Boyer, Jr.

Former WBA member Robert P. Boyer, Jr., of Alexandria, Va., passed away at age 57 on June 13, 2022. A former ADA for Westmoreland County, Rob spent the last 24 years with the Department of Justice in Washington, D.C. He is survived by his wife, Jennifer, two children, and other family members.

Courthouse Emergency Repairs Surprise County

by Joyce Novotny-Prettiman, Esq.

In March of 2022, the Greensburg community was surprised to learn that construction would soon be underway at the Westmoreland County Courthouse.



Joyce Novotny-Prettiman

The unexpected project arose due to concern that the underground parking structure, which was located below the courtyard plaza area bordering Main Street, was in need of emergency repairs as revealed by an engineering survey. The anticipated cost for the entire project is \$7 million.

In April, as the situation was being

researched, Public Works Director Greg McCloskey was quoted by the Tribune-Review as reporting that blueprints indicated the annex building was a separate structure from the parking garage. Mr. McCloskey stated, "If it was just one structure, the project would have gone a lot slower, and there would have to be more meticulous demolition." With this information in hand, the project moved forward.

The courtyard area was fenced off in May so that Carl Walker Construction Inc. could begin the initial demolition phase of the project. The original Courthouse's main entrance was opened to the public along with the entrance in the back of the building on Pennsylvania Avenue. The project started with the

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Watch your step—a visit to the Courthouse offers an obstacle course. Demolition of the courtyard plaza and underground parking garage began in May due to structural concerns. Construction is expected to start this month and be substantially completed by December.

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Courthouse Emergency Repairs Surprise County *continued from page 7*

installation of shoring in the underground garage to brace the structure. Windows were covered in the surrounding structures to protect the glass.

Mr. McCloskey reports that the project is on schedule at the present time. If things continue to go as planned, the demolition will wrap up and rebuilding will begin in mid-August 2022. The next phase of the project will involve the rebuilding of the underground garage and construction of the plaza deck topping.

While plans for the future look of the courtyard plaza are not finalized at this point, it is anticipated



The courtyard area was fenced off in May so the initial demolition phase of the project could begin. The project started with the installation of shoring in the underground garage to brace the structure. Windows were covered in the surrounding structures to protect the glass. The base of the Civil War monument was also covered and the Greensburg Rotary town clock and art installations were temporarily removed for the duration of the project.

that there will be a public gathering space, concrete benches, and shade features. The monuments, including the clock, will be returned to the space. Most importantly, the new plaza will have more drainage and less greenery to avoid future problems.

The fencing will remain in place until the project is anticipated to be substantially completed in December 2022. ■


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There's Room At the Inn for **You!**

by Joyce Novotny-Prettiman, Esq.

As summer is winding down, we are looking forward to the start of a new year at the Ned J. Nakles Inn of Court. Our local Inn of Court had its 25th anniversary just as everything went weirdly off track in 2020. That means this year is expected to be a combination of the celebration of that milestone and a recalibration to return to the work of the Inn. We want you to be a part of our Inn this year!



The Inns of Court's basic goals are to promote professionalism and civility in the legal profession. The Inn is the perfect environment to develop mentorships and friendships alike in a setting where members of the bench and bar come together to develop educational opportunities.

Our local Inn is part of the national organization known as the American Inns of Court which was founded in 1980. One of the founding members of our Inn, Judge Daniel Ackerman, recalls that there were 275 chapters across the country when he, Dick Galloway, Judge Hudock, Bob Johnston, and Ned Nakles, Sr., investigated chartering our local Inn. Several of them attended the Inn meeting in


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I am a member of the Inns primarily because I enjoy the opportunity to interact with and learn from more experienced practitioners in a fun environment. Also, because I want to help preserve the collegiality and cooperative spirit of the interactions among the members of the Westmoreland County attorneys and judges. We have a rare work atmosphere in our county, which we need to actively protect. The Inns is a tried-and-true way to do just that.




— Kelly M. Eshelman

I've belonged to the WBA and other legal organizations for over 50 years and enjoyed it, but only the Inns combines a social hour, a nice dinner, and an opportunity to learn something about the practice of law, from an often-humorous skit put on by members of the Bench and Bar. Although I do PI work, I've learned about real estate, family law, workers' comp, and other areas that have allowed me to at least have a passing knowledge so that I can answer my cousin's questions at the next family get-together. Most of all, it's just fun. You get to see judges and old guys like me struggle to answer a question that some younger lawyer then sets straight, to the delight of the assemblage. And I get to meet the newer members that otherwise I might never run across at the courthouse or otherwise. We all benefit from exchanging ideas on the best ways to be civil and professional, and just good colleagues. Try it—you'll be glad you did.



— Richard H. Galloway

Participation over many years in the pupillage groups of the Ned J. Nakles Inn of Court have provided me with a very satisfying outlet of creative legal expression. Along with the lawyers and judges of my various pupillage groups, the task of formulating and then presenting an interesting and often comedic skit explaining a rather dull principle of law was always rewarding!



— William J. McCabe



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There's Room At the Inn for **You!** *continued from page 9*

Allegheny County, which met at the Federal Building in downtown Pittsburgh, and decided to bring the Inn to Westmoreland County. There are now nearly 400 chartered Inns.

So, who is welcome at our Inn? The answer is: every member of the WBA! The Inn is not limited to "litigators." Our Inn is proud to include a wide variety of practitioners including attorneys who practice family law, elder law, criminal law, employment law, municipal law, and civil law. We have members who do real estate work, appellate work, workers' compensation work, estate work, plaintiff and defense work, and trial work. If you come to an Inn meeting, you will meet judges, senior judges, sole practitioners, mediators, in-house counsel, and attorneys who work in the law firm setting. You will interact with young lawyers and seasoned professionals. These members have one thing in common: they learn from each other through the programs presented and the interactions of the group.




If you have not been to an Inns meeting, it begins with a short networking session, followed by a short program and a delicious meal. Each member is assigned to a group and each group works on an educational program for one of the meetings and shares each meal together as a group. The general group discussions that take place after the meeting have many times been priceless as members share stories and experiences ... and some laughs.

New admittees to the WBA are reminded that the Westmoreland Academy of Trial Lawyers kindly underwrites their dues for the first year so that new members have an opportunity to explore the benefits of the Inn.


Check out the meeting and celebration schedule for the 2022–2023 Inn Year. See you at the Inn! ■

I received a hand-written note from Superior Court Judge Joe Hudock suggesting that I should join the Inns. That was good enough for me. Judge Joe was right; being an Inns member has proven to be an enjoyable social and learning experience shared with members of our chosen profession. My wife loves the Inns also ... one less night to cook !




— Michael J. Stewart

I have been a member of the Inn for over 20 years and I am thankful that Dick Galloway encouraged me to attend the meetings. I have gained valued friendships with attorneys who I would never have had met if I had not joined the Inn and the presentations are always a learning experience.




— Joyce Novotny-Prettiman

I am an Inns member because I enjoy it, because camaraderie in the profession of law is more important today than ever before, and because of the unique educational opportunities that discourse within the profession provides.




— John M. Hauser, III

Participation in Inns of Court provides a unique opportunity for WBA lawyers and judges to meet socially to enjoy a meal together and discuss substantive, procedural, and ethical legal issues and opinions through presentations that are often thought-provoking and entertaining. In doing so, members not only educate each other, they build camaraderie, trust, and friendships. My participation in the Inns over the years has been one of my most rewarding professional activities.



— John M. Ranker

I am a member of the Inns of Court because it has provided me with an opportunity to meet and socialize with attorneys in other practice areas, whom I otherwise would have never met.



— Kerri A. Shimborske-Abel

The Inns has provided me with the opportunity to meet with other attorneys with a broad range of practice areas, to discuss the law and professionalism in a relaxed, casual setting. There's always something to learn and it's a great way to connect and have a good time.



— Matthew Prather

To-Wit: All Fall Down

by S. Sponte, Esq.

I am sitting at counsel's table while Her Honor finishes up her initial remarks to the jury. When she concludes, I rise and approach the jury box. Not two minutes into my opening, Her Honor says, "Counselor, you may wish to take a short break to attend to your sartorial malfunction."

Horrifyingly, it seems that both my trousers and my briefs have fallen to my ankles, leaving me fully exposed for all the veniremen to see; the venirewomen too. Now I will never get the female jurors to pay attention to the facts of this case. That's when I wake up; that's when I always wake up.

It's the same dream I've been having for many years. It's not always exactly the same, but it's always mortifying. Yes, as in "mortify," the root word of which means death. These dreams always jolt me awake to sweaty cold

bullets, and always cause me to wonder what in the Lord's name I was thinking when I abandoned my dream of becoming a proctologist in favor of this.

“From the very first moment we step into a courtroom and find ourselves encircled by the fiercely independent fantasy systems of opposing counsel, judge, and jury, we know or sense fear.”

Deny it if you wish, but I know you have the same dream, or some variation of it. From the very first moment we step into a courtroom and find ourselves encircled by the fiercely independent fantasy systems

of opposing counsel, judge, and jury, we know or sense fear. It's because adverse

outcomes are often something we can neither control nor prevent, and, alas, it is simply not possible to endure any such defeat without feeling some sense of failure, a failure of performance or skill or worthiness, a subtle but very real chipping away of our essential sense of self. Welcome to the world of sweaty cold bullets.

This is the principal reason cited by mental health experts as to why so many lawyers turn to the palliative cocoon of drink, drugs, and marital infidelity, all in addition, of course to the intrinsic fun factor of such endeavors. Dr. Seymour Hoozis is a noted expert on this subject, and in



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- Period of Construction



To-Wit: All Fall Down *continued from page 11*

an effort to learn more about it, I made an appointment to see him. He greeted me with a hug. “Is your health insurance still the same?” he asked me.

I told him that’s not why I was there this time. “I was wondering,” I asked him, “do other lawyers have the same nightmares I do?”

“Does a bear do doo-doo in the woods?” he replied.

What follows then is a brief compendium of a few dreams that he catalogued for me.

THE AIRPLANE CRASH DREAM—

You are a passenger in an airplane that suddenly nosedives towards the ground. The pilot hastily gets on the horn to thank you for choosing this airline. The plane then hits the ground and explodes, and when you regain consciousness, you realize you are the only survivor. Your joy at surviving this almost certainly negligent tragedy is short-lived, though, when you realize

no one is left alive to take one of your cards.

THE STATUTE OF LIMITATIONS

DREAM—You bolt upright in bed, terrified that the statute of limitations has passed on your big case. Still wearing your Spiderman pajamas, you are driving to the office at breakneck speed when you hit a cement truck

broadside and are shuffled off this mortal coil *eo instante*. The next morning your wife gets the news and weeps tears not of sorrow but of joy because your partner will settle the huge case and at long last, they can now marry.

THE DIRECTED VERDICT DREAM—

After two weeks of trial, you rest your case and opposing counsel moves for a directed verdict. You know your case is airtight, but the judge doesn’t; when he grants the motion, opposing counsel laughs at you, the jury applauds, and the court reporter gestures at you obscenely. Your client leans over and asks who he should hire to sue you.

If you have ever had any one of these dreams, even two, don’t fret, you’re perfectly normal. If, however, you have had all three, well, what can I say? Dr. Hoozis is still accepting new patients. ■

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Westmoreland Revisited

Henry Bouquet: Steadfast In The Face of Possible Disaster

by Daniel J. Ackerman

In August 1756, he was, once again, in a foreign land, and at age 37, he would have not been considered a young man by eighteenth-century standards. Twelve transports that had crossed the Atlantic had just entered the port of New York carrying about a thousand men and officers of the newly created Royal American Regiment, along with Henry Bouquet, who was the commanding lieutenant-colonel of one of its four battalions.



He was neither British nor from America, but was a Swiss soldier of fortune—perceived by others as intelligent, diplomatic, cautious, and lonely. The regiment had been organized, at least in part, due to General Braddock's galling defeat a year earlier in the wilderness of western Pennsylvania. The Seven Year's War was now in full swing,

and the regiment had been specifically created for the war's American theater, known here as the French and Indian War.

With most of the high-ranking British officers serving elsewhere around the globe, about half of the officers of the regiment had been recruited from the European continent, and consisted primarily of soldiers from Germany and Switzerland. The commissions of the officers who were not British qualified them solely for overseas duty, and under British law they could not hold a rank higher than lieutenant-colonel.

Bouquet, who had marched under the banners of several European monarchs, had obtained valuable insights regarding the tactics of wilderness fighting during a campaign in Northern Italy while in the employ of the King of Sardinia. It was an experience that would eventually serve him well.

One of the British priorities in 1758 was the capture of Fort Duquesne. To that end, Bouquet and his Royal Americans were ordered to Philadelphia where Bouquet was placed second in command under Brigadier General John Forbes, who was assembling an expedition against the fort. Bouquet's contributions to the enterprise were considerable. First, he persuaded Forbes that the cutting of a new road through Pennsylvania and over the mountains was preferable to using the old Braddock road to the south; and second, he became invaluable to the general as his forward commander in the field, which Forbes was precluded from doing due to ill health. In six months they achieved a logistical triumph,

for in November 1758, their dogged perseverance forced the French to abandon and destroy the fort.

Upon the ruins of the prior structure, a larger, more imposing fort was built over time. In 1759, the winter garrison of the newly named Fort Pitt consisted of 700 men—300 troops from Pennsylvania and Virginia, and 400 from the First Battalion of the Royal American Regiment. Bouquet and his regiment would remain on the frontier for the next three and a half years.

The French in the Ohio Valley and around the Great Lakes had been primarily trappers, traders, and missionaries who supplied and befriended the Indians, but showed little interest in settling upon their lands. The tribes in the area were drawn into a military alliance with the French, having been dismayed by both a proliferation of English forts in their midst and an incursion upon their ancestral land by white settlers from the east. Their hit-and-run raids upon isolated frontier settlements precipitated a terror which

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Henry Bouquet *continued from page 13*



Colonel Henry Bouquet

depopulated many parts of western Pennsylvania, Maryland, and Virginia. Now, in 1760, with General Wolf's triumph at Quebec and the fall of Montreal, along with a strong garrison at Fort Pitt, the tide was reversed. Many settlers who had been driven away were returning, with even more claiming and building on wilderness land further west.

When the Treaty of Paris officially ended hostilities in 1763, the belligerents, economically depleted by the expense of the war, began the cost-saving expedient of military demobilization—that is to say, most of them did. The exceptions were the several

Native American tribes who felt betrayed by their former French allies who had surrendered their homelands in North America to the English without their consent. There soon were rumblings that this might easily lead to further violence. At the same time, Neolin, a prophet among the Delawares in the Ohio Country, was preaching that all “white faces” must be driven from the land and his people must return to their ancient ways by discarding all white influences in manners, possessions, and tools.

The British were certainly not deaf to the fears expressed by the tribes. The 1758 Treaty of Easton guaranteed Indian protection from colonial encroachments; and later, Parliament issued the Proclamation of 1763, providing that Great Britain would prevent colonial settlement beyond the Allegheny Mountains. These good intentions went unheeded by the general public.

In addition, with the military budget shrinking in North America, gifts to the

western tribes of arms, gunpowder, and hardware were curtailed, while at the same time trespassers on their land escalated.

As a result of these perceived threats, the Ottawa Chief, Pontiac, galvanized his and nine other western tribes into a confederation to simultaneously strike and seize all forts west of the Alleghenys. The assaults, beginning in May 1763, were surprisingly successful, as nine of the eleven forts west of the mountains were promptly subdued. The only exceptions were Forts Pitt and Detroit.

That Fort Pitt was one of the exceptions was due to the fact that Captain Simon Ecuycer, who led its 338-man

garrison (much stronger than the other forts), had early apprehensions of the dangers they might face and prepared accordingly. He maintained correspondence with Bouquet, who was then in Philadelphia, and both were aware that the fort's weakness lay in its long and fragile line of supply over the mountains, which could be easily interdicted by an enemy force at any place of their choosing.

Bouquet hastened to assemble supplies for the relief of Fort Pitt. In Carlisle, he brought together 32 wagons, 300 pack animals and livestock, and 60,000 pounds of flour and powder. Additional appeals for relief were heard from Fort Bedford and Fort



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Ligonier as well. Even the area around Carlisle was under the threat of attack, causing the town to overflow with refugees who had abandoned their homes in the west and were fleeing to Philadelphia. All of this greatly complicated the assembly of his expedition.

On July 17, the wagons, livestock, and some 500 soldiers, which included 60 men unfit for duty because of illness or injury, but with prospects of recovery, were moving west. Three days out, they encountered an estimated 1,300 refugees at Shippensburg, which historian John Boucher described as “a starving, frightened, grief-stricken multitude,” fleeing eastward.

Bedford was reached on July 25, and Ligonier on the 28th. Bouquet then reorganized his relief column, leaving his wagons and most



In the Battle of Bushy Run, a charge of the 42nd (Royal Highland) Regiment of Foot scattered the Native American warriors, bringing a decisive victory to Colonel Bouquet's Anglo-American force.

of the provisions behind as he initiated a rapid movement to Fort Pitt with 400 pack animals and 450 soldiers.

On August 5, after a 17-mile march, he planned to rest his column at a station midway between Forts Ligonier and Pitt and then move through the

Turtle Creek Valley at night to avoid the possibility of ambush. A mile east of Bushy Run, at one o'clock in the afternoon, shots were fired against his advance guards causing several casualties.

The fire was from warriors, most of whom had left the siege of Fort Pitt for this engagement. The ensuing attacks on both flanks were repulsed by the Royal Americans and Scots of the Black Watch, who charged with war cries, fixed bayonets, and double-edged swords.

Their gains were soon lost, however, when the warriors turned their attention to the supply train at the column's rear.

Night fell after seven hours of bloodletting. Bouquet suffered 60 killed and wounded and described his situation as “truly deplorable.” Knowing the Indians seldom attacked a fortified defensive position, he selected a hill and improvised a makeshift fort with flour bags to bolster his defense and shield the wounded. His men spent a long night plagued with thirst, a mile from Bushy Run, and waited for the dawn.

With morning, the assaults on the hill resumed, and were repulsed, but at a cost of mounting casualties. Perceiving that his position was untenable, Bouquet saw that he must take the initiative. He ordered two companies to withdraw from the line, while units on their right and left moved in, thinly filling the gap and reducing the perimeter, giving the appearance that they were undertaking a retreat.

Sensing victory, overconfident warriors plunged into the circle, unaware that Bouquet had placed two companies of Highlanders in a covered ravine to the east; they rose up and fired a volley into

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Henry Bouquet *continued from page 15*

their midst and then fell upon them with bayonets. As the aggressors retreated away from the Scots, they crossed in front of two stationary companies exposing them to more flanking fire and another charge driving them two miles before they dispersed.¹

The siege of Fort Pitt was broken. More importantly, so was the will of the tribes who had responded to Pontiac's call to engage Britain's regular forces. It did not, however, end Indian depredations on the frontier.²

¹ Bouquet suffered 50 killed and 60 wounded for a total of 110 casualties, or 25% of his force.

² For 1763, it is estimated that 600 civilian inhabitants were killed, with hundreds captured or missing.

Bouquet now directed his attention to planning an offensive thrust into the Delaware towns in the Ohio Valley, though he was far short of having the 1,000 troops necessary for such an advance. The lack of provincial support would delay the offensive for a year. This failure of the colonies, particularly Pennsylvania, to respond to his requests for militia regiments and provisions proved to be an ongoing frustration.

The Quaker-dominated Pennsylvania Assembly was loathe to increase its scant military budget, even to protect its own citizens, and failed to heed the pleas and arguments advanced not only by Bouquet, but other prominent leaders, such

as Bouquet's friend from Philadelphia, Benjamin Franklin.

Eventually, on October 2, 1764, the expedition, now 1,200 strong, proceeded west. As his force neared Indian villages, their occupants sent emissaries to Bouquet to discuss terms of peace. His troops had been strictly ordered to avoid any personal contact with the Indians, any insults, and, above all, any bloodshed.

Negotiations began quickly and, as the march proceeded, one by one, the tribes agreed to Bouquet's straightforward demands: the termination of all hostilities; the release of all captives; and sending deputies to Sir William Johnson, the British Superintendent of Indian Affairs.

It was a triumph of military diplomacy; the expedition accomplished its goals without firing a shot and without casualties on either side. The young king, George III, promoted Bouquet to the rank of Brigadier General, and designated him as commander-in-chief of all His Majesty's forces in the Southern Department of North America.

The histories of military commanders usually ignore their personal lives. We know, however, that Bouquet had an infatuation with a widow, Nancy Willing, which he was "getting over," and while leaving for his new post in Florida, he wrote to Peggy Oswald:

"...when shall I see you again? I shall always think of myself of some importance while I possess a Share of your Esteem. Adieu My Companion, My Friend, my all. While I breathe I shall remain Irrevocably yours..."

Henry Bouquet, a man of great accomplishments and promise, arrived in Pensacola in August at the height of the fever season, fell ill, and died on September 2, 1765, at age 46. We can only surmise what a difference this gifted officer might have made had he lived to participate in Britain's next war ... with its American colonies. ■

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Corrine M. Ausec has been admitted as a participating member of the WBA. She earned a bachelor's degree in philosophy from Bloomsburg University of Pennsylvania and her J.D. from the University of Pittsburgh School of Law. Corrine is a Staff Attorney with Seton Hill University in Greensburg.



Erika N. Dowd has been admitted as a participating member of the WBA. Erika earned both her bachelor's degree in journalism and her J.D. from Duquesne University. She is an associate with Quatrini Law Group in Greensburg.

Carly Bellini was admitted as a participating member of the WBA. Carly studied political science at Temple University and received her juris doctor degree from the University of Pittsburgh School of Law. She is the Pro Bono/PAI Director with Laurel Legal Services in Greensburg.



Coleton J. Hawbaker has been admitted as a participating member of the WBA. He earned his bachelor's degree from Kent State University and his J.D. from Cleveland-Marshall College of Law. Cole is an associate with Long & Long in Greensburg.



Caitlin Bumar has been admitted as a participating member of the WBA. Caitlin earned a bachelor's degree from Indiana University of Pennsylvania, where she studied psychology. She earned her J.D. from the University of Pittsburgh School of Law, and is a Law Clerk for The Hon. Harry F. Smail, Jr.



Erica Hixson was admitted as a participating member of the WBA. Erica received her bachelor's degree from the University of Pittsburgh at Greensburg and her juris doctor degree from the Charlotte School of Law. She is a Staff Attorney with Blackburn Center Legal in Greensburg.

Pauline M. Calabrese has been admitted as a participating member of the WBA. She earned a bachelor's degree in pre-law from Pennsylvania State University and her J.D. from Duquesne University School of Law. Pauline served as an attorney in juvenile court for several high-profile custody cases. The film *Losing Isaiah*, is based on a number of cases, including one in which Pauline was court-appointed to represent one of the parties. She is an associate with DeBernardo, Antoniono, McCabe & Davis in Greensburg.



Marcus L. Martin has been admitted as an associate member of the WBA. Marcus earned a bachelor's degree from Indiana University of Pennsylvania, and his J.D. from the University of Pittsburgh School of Law. He is a sole practitioner in Pittsburgh.



Daniel N. Carr was admitted as a participating member of the WBA. Daniel studied psychology at SUNY at Fredonia and earned a master's degree in industrial/organizational psychology from CUNY Brooklyn. He received his juris doctor degree from Duquesne University School of Law. Daniel is an associate with Tremba, Kinney, Greiner & Kerr in Greensburg.



Amanda L. Fitzhugh Porter has been admitted as a participating member of the WBA. She earned a bachelor's degree in English literature from the University of Pittsburgh and her J.D. from Duquesne University School of Law. She is a sole practitioner in Hidden Valley.

Steven J. Reddy was admitted as a participating member of the WBA. Steven studied criminal justice & psychology at the University of Pittsburgh at Greensburg. He received his juris doctor degree from Duquesne University School of Law. Steven is an Assistant District Attorney for Westmoreland County. ■



A Brief History of Politics and the Judiciary

continued from page 1

determine the constitutionality of acts of the United States Congress.

Interestingly, the Midnight Judges Act also provided for the size of the Supreme Court to be reduced to five Justices. This provision was also reversed by the Democratic-Republicans, and between 1807 and 1863 four Justices were added to the bench, bringing the total to ten. In 1866, Congress decided that the size of the court should again atrophy, this time to seven Justices through retirement and/or death. This was done explicitly to avoid President Andrew Jackson appointing more new Justices. The next president, Ulysses S. Grant restored the number of Justices to nine in 1869, and it has remained at this number since.

A slightly more modern example of political gamesmanship with the composition of the highest court came about as a result of the New Deal. On May 27, 1935, a conservative majority of the Supreme Court struck down three significant New Deal laws passed by a Democrat-controlled Congress and presidency. Given the moniker “Black Monday,” the day gave us the law school classic cases *Humphrey’s Executor v. United States*, *Louisville Joint Stock Land Bank v. United States*, and *Schechter Poultry Co. v. United States*. These cases limited executive influence over regulatory agencies and in the process rolled back debt protections for farmers, wage and labor laws, and food safety regulations.

In response to this blow, President Franklin D. Roosevelt proposed court-packing legislation which would allow the current president to appoint one additional Supreme Court Justice for each Justice over the age of seventy who refused to retire. This proposal was unpopular even among Roosevelt’s own party, with Congress stalling on the bill and Roosevelt’s vice president expressing his explicit disapproval.

However disfavored by both political parties, the court-packing threat worked. On March 29, 1937, the Supreme Court handed down three more decisions, this time all favorable to New Deal legislation.

Aside from larger disputes over the composition of the bench, Supreme Court Justices were historically politically active operatives in their own rights. Overt political considerations were originally the prime motivating factors in presidents’ appointment choices. Most Supreme Court Justices of the nineteenth century came from federal, state, or local political positions with no prior judicial experience. The majority party in the Senate often refused to take up the Supreme Court nominations of opposing-party presidents because of political disagreements. The nineteenth century saw 23 failed Supreme Court nominations; most of these were the result of inter- or intraparty political disputes. President John Tyler holds the record (eight) for unsuccessful Supreme Court nominations.

Those nominees who did get confirmed as Justices were not

prohibited from partisan political activity after their ascension to the Supreme Court. Our nation’s first Chief Justice, John Jay, was a prominent legal and political advisor to George Washington. Justice John Catron served as a campaign manager for James Polk during his 1844 presidential campaign. Justice Joseph Story worked as a speechwriter for Senator Daniel Webster and helped him craft the first federal bankruptcy legislation. Between the 1830s and 1890s, nearly a quarter of sitting Supreme Court Justices considered or ran presidential campaigns. For approximately 100 years, there was no question that Justices were explicitly political actors in addition to arbiters of the law.

Only over the course of the twentieth century did the perception of the Supreme Court shift from a third political branch of government to impartial legal interpreters. One major event to spur this change was the scandal surrounding Democratic President Lyndon B. Johnson and Justice Abe Fortas in the late 1960s. The two men had a famously close

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relationship, with direct phone lines from the White House to Fortas' home and office being installed by LBJ. Fortas would often share information about Supreme Court deliberations and policy advice with the president. Fortas even wrote some of Johnson's most famous speeches.

By the late 1960s, Fortas had come under scrutiny for accepting financial compensation from various third parties who may have participated in legislation before the Supreme Court. This issue served as a catalyst for Republican congressional members—already perturbed by his close relationship to the president and his pro-civil liberties rulings—to begin a crusade to remove Fortas from the bench. Richard Nixon (another Fortas opponent) took the presidency in 1969, and Fortas retired in lieu of undergoing an impeachment trial.

In the wake of the Fortas scandal, Supreme Court Justices voluntarily agreed to new limitations and mandatory disclosures on outside financial contributions (although there



is still no formal ethics code to guide Supreme Court Justice behavior as exists in all lower courts). Justices also began disentangling themselves from political advisory positions, especially those involving the executive branch. Former Arizona senator Sandra Day O'Connor is the most recent Supreme Court Justice to be appointed from a political background; this occurred over 30 years ago in 1981.

The ideological shift from partisan judges to the ideal of impartial umpires has coincided roughly with the increase in power and jurisdiction held by the Court in the past century. In the 54 years after the 1803 *Marbury* decision, the Supreme Court struck down only two federal laws. Contrast that with the eight-year period between 1994 and 2002 wherein the Court struck down 32 federal laws either in part or in whole.

Aside from its original jurisdiction, Article III, Section 2, of the Constitution provides that Congress may restrict or remove the Supreme Court's appellate jurisdiction. This has rarely been executed in practice, and it is extraordinarily unlikely that a deeply divided Congress could agree on what jurisdictional limits, if any, would be appropriate. In the same fashion, Congress is well within its rights to pass legislation (however unlikely) imposing term limits on Justices or altering the numerical composition of the Court.

Regardless of one's political leanings, the perception of Supreme Court Justices as impartial legal arbiters is a uniquely modern conception. Despite assertions to the contrary, partisan concerns have nearly always influenced the makeup and decision-making of the Supreme Court. It remains to be seen how the highly partisan and rapidly changing political landscape of the United States will influence the lasting legacy of the Supreme Court for the generations to come. ■



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- 5** Courthouse and WBA offices closed for Labor Day
- 12** [PBI CLE] ADA Update: Reasonable Accommodations in the Workplace 2022, 9 a.m. to 12:15 p.m., 2S 1E
- 13** [PBI CLE] Persuasion Skills for Trial Success 2022, 9 a.m. to 12:15 p.m., 3S
- 14** Real Estate Committee, Noon
Membership Committee, Noon
Board Meeting, 4 p.m.
- 15** Elder Law & Orphans' Court Committees, Noon
- 22** [PBI CLE] Fundamentals of Estate Planning 2022, 9 a.m. to 4:30 p.m., 5S 1E

- 23** [PBI CLE] Current Issues for Child Advocates Fall Training 2022, 9 a.m. to 1:00 p.m., 2.5S 1E
- 26** Inns Kickoff Party, 5 p.m., El Diablo
- 27** [CLE] Tips & Tools for Co-Parenting, Noon to 1:15 p.m., 1S
- 28** [CLE] Risk Management, 10 a.m. to 11 a.m., 1S
- 29** Criminal Law Committee, Noon

OCTOBER

- 3** [PBI CLE] Lincoln on Professionalism, 9 a.m. to 12:15 p.m., 3E
- 10** Courthouse and WBA offices closed for Columbus Day
- 12** Membership Committee, Noon
Board Meeting, 4 p.m.



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Tips & Tools for Better Co-Parenting

The Pennsylvania Bar Association Family Law Section created a video as a resource to help parents who are separated or divorced learn how to improve their co-parenting relationships with positive communication and behavior. The video shows parents how strong, positive communication with their co-parent reduces stress and benefits their children.

The video features realistic vignettes showing parents how to avoid common sources of conflict and insightful commentary from experience judges and mental health practitioners.



Moderator:
Maureen S. Kroll, Esquire
Chair, WBA Family Law Committee

Sponsored by the WBA Family Law Committee

LIVE CLE

**Tuesday, September 27, 2022 • Noon to 1:15 pm • WBA Headquarters & Via Zoom
1 substantive credit • \$10 WBA members/\$55 Nonmembers**

TIPS & TOOLS FOR BETTER CO-PARENTING

TUESDAY, SEPTEMBER 27, 2022 • NOON TO 1:15 PM

Name: _____

Attorney ID #: _____

Email: _____

Seminar Fees:

- WBA Family Law Committee Member - FREE
- WBA Member - \$10
- Nonmember - \$55
- Noncredit - \$10
- Young Lawyer Noncredit - FREE

Choose one:

- In Person
- Via Zoom

Choose one:

- Enclosed is my check made payable to the Westmoreland Bar Association.
- Bill my credit card for \$ _____.

Card #: _____

Expiration: _____ CVV: _____

Billing Address: _____

Lunch will be provided.

To qualify for **pre-registration fees**, return this form and your payment to:

Westmoreland Bar Association
100 North Maple Avenue
Greensburg PA 15601-2506

by **Noon on September 26, 2022**, or register online at westbar.org.

Walk-in fees of \$45 WBA members/\$55 Nonmembers will be charged for registrations received after Noon on September 26, 2022.

Phone 724-834-6730
Fax 724-834-6855

For refund policy information, or if special arrangements are needed, contact the WBA office at 724-834-6730 or email westbar.org@westbar.org.



INTEGRITY FIRST CORPORATION RISK MANAGEMENT FOR ATTORNEYS

Free of Charge Legal Malpractice Risk Management Program
Qualifies For 1 FREE PA CLE Ethics Credit

*Topic: Update on Legal Malpractice Claims
and Tips on How to Avoid Them*

Speaker: Scott R. Eberle, Esq., Member - Burns White
Program Sponsor: INtegrity First Corporation, Don Ivof - President

By Attending, You May Qualify For Underwriting Credit/Discounts.
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9/28/2022
IN PERSON ONLY



Greensburg Garden &
Civic Center
951 Old Salem Rd 15601



10:00 AM -
11:00 AM

Meet the Instructor: Scott R. Eberle, Esq.



Scott Eberle chairs the Burns White Ethics and Legal Malpractice team and is an experienced trial attorney representing lawyers in legal malpractice actions. Complimenting his litigation practice, Mr. Eberle regularly counsels lawyers, pre-or post-claims or suits, on professional ethics and professional responsibility matters, including those facing disciplinary charges before the Office of Disciplinary Counsel, as well as matters before the Pennsylvania Lawyers Fund for Client Security, and the Pennsylvania Judicial Board. He also represents attorneys in Reinstatement Proceedings and candidates for admission to the bar in matters before the Board of Law Examiners. Mr. Eberle is a frequent speaker on legal malpractice avoidance, lawyer ethics, and risk management before law firms, bar associations, and legal organizations.

REGISTER NOW AT :

<https://bit.ly/INF-CLE-9-28>



**save
the
date!**

FALL
**QUARTERLY
MEETING**

Includes one FREE
ethics CLE credit for
WBA members who
attend, followed by
drinks and dinner.

Invitations
will be
sent in
late
September.

**MONDAY, OCTOBER 24 • 4 PM
RIZZO'S BANQUET HALL
CRABTREE, PA**

Take back control of your life.

Forge Health helps people reclaim their lives by providing the highest quality treatment available for mental health, substance use, and trauma.

We are mission-driven and offer comprehensive outpatient care that's convenient to access, affordable to use, and customized to the unique needs of each individual.

We look forward to working with you on your journey to recovery.
Let's forge a new path forward, together.

TREATMENT TAILORED TO YOU

- We understand patient needs, deeply. Forge Health was founded by veterans, individuals in recovery, and people with family members who have suffered mental illness, trauma, and addiction.
- The Forge Care Model has been tested and proven to work. It's an evidence-based, goal-oriented methodology for the treatment of substance use, mental health, and associated trauma.
- Our services are 100% confidential, and we help keep costs down because we're in-network for all major health insurers.
- We provide intakes in as little as one business day so you can start getting the care you need as soon as you're ready.

WHAT OUR CLIENTS SAY

97%

would recommend our program to people they care about

98%

report that they feel they can receive support from the program should they need it

100%

state that they feel safe with us and in our care

97%

report working on the issues they identified as important

OUR PROGRAMS

Therapy and Counseling

We'll collaborate to create a personalized plan that provides ongoing support so you can move forward. Meet regularly with your clinician and attend group sessions to identify negative thought patterns and develop alternate strategies to approach challenges.

Intensive Outpatient Programming (IOP)

IOP consists of a structured schedule of group and individual counseling sessions in which we work through your biggest obstacles in a direct and purposeful way. We explore topics that build you up and encourage change.

Medication Assisted Treatment (MAT)

Not everyone needs medication, but research shows that prescriptions like Suboxone, Vivitrol, and Naltrexone – combined with therapy – can be a highly effective route to recovery for some people. Forge physicians are highly skilled and trained in this practice.