



Cynthia Sheehan Named New Director of Laurel Legal Services

Laurel Legal Looks Ahead

by Cynthia Sheehan, Executive Director, Laurel Legal Services

This is an exciting year for Laurel Legal Services. With the passage of the Access to Justice Act, the state legislature affirmed its commitment to funding legal services, and money from civil and criminal filing fees will help to guarantee the future of our program. Statewide efforts, led by Pennsylvania Legal Services, resulted in special grants this year for technology improvements and additional staff to service clients.

The Board of Directors of Laurel Legal Services has been working since last fall with our Consortium partners, Neighborhood Legal Services and Southwest Pennsylvania Legal Services, and a management consultant, to redesign the management system of the program for better quality assurance. The Board and staff are committed to expanding the scope and improving the quality of representation through the addition of four new attorneys and a new managing attorney, extension of pro bono and private attorney involvement programs in all six counties that we serve,

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After serving as Acting Director of Laurel Legal Services since September 2002, Cynthia Sheehan has been named Executive Director of the legal services system that serves indigents in six surrounding counties. Cynthia, a member of the Pennsylvania Bar since 1975, now heads the organization that operates offices and provides services in Westmoreland, Cambria, Indiana, Armstrong, Clarion and Jefferson counties.

Before commencing her career in the law, Cynthia earned her B.A. from the College of Notre Dame of Maryland and her Masters in Sociology from The University of Pittsburgh. After pursuing her career in sociology for a number of years, she went back to school and in 1975, she obtained her J.D., also from Pitt.

After law school, Cynthia clerked for the Honorable John Sawyer in Beaver County for one year and then joined the staff of Laurel Legal Services. In 1980, she was named managing attorney for Indiana, Armstrong, Clarion and Jefferson counties.

Cynthia takes over from John Kopay, the long-time previous Executive Director, at a most opportune time in the history of the organization. For many years, Laurel Legal Services was feeling the economic pinch of diminished public financing

of legal services for the poor, and as a result, the Westmoreland County office was short staffed. However, with the advent of the state Access To Justice Act, and the receipt of several special state grants this year the organization's income has been enhanced, the Westmoreland office is once again fully staffed, and has the resources to service the needs of the community.

All together, Laurel Legal employs fifteen full time attorneys and is looking to hire four more. In Westmoreland County, Laurel Legal employs five staff attorneys and a managing attorney. Currently Sam Rosenzweig is the managing attorney for the local office, and Kathleen Nagy Kemp, Karen Crow, Vera Ducruet, Heather Shultz and Megan Prezgar hold staff attorney positions. For the last two positions available in Greensburg, the organization had twelve applicants.

Laurel Legal is primarily handling domestic abuse cases, emergency custody and other related family law cases, landlord-tenant cases and public benefit law, especially SSI Disability and unemployment compensation

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Cynthia Sheehan

President's Message

I'm Mad as Hell and I'm Not Going to Take It Anymore

by Timothy J. Geary, Esq.

Do you remember the line from the movie "Network," "I'm mad as hell and I'm not going to take it anymore?" Well that is exactly how I feel right now. As I try to polish up this missive it is February 3, 2003. I say that because our deadline, unlike a newspaper, is about five weeks before you see it and some of what I am going to say may be ancient history by then.



Today is my wedding anniversary and I have been happily married for 36 years! I mention this because it made me realize that I am just a few months shy of my 60th birthday. I guess that I have to admit that I have been waxing nostalgic and considering what other road I could have taken or what other windmill I could have tilted. I as look back I realize that I started out with absolutely nothing at all and I still have most of it left.

I did, however, in my mental wanderings come to a very startling conclusion. Since I am the senior partner in my firm, absent some unspeakable acts, I can't be fired. Also, by the time you read this, it will be too late to recall me as president. What this means is that I have the bully pulpit and I can say anything I want!

What is it that has to do with the image of lawyers that is so controversial? POLITICS! The forbidden arena, similar to the fruit of the tree of knowledge in the middle of the Garden of Eden, but I digress.

I happened to be home for lunch on January 16, 2003, and I turned on the business channel for a stock

market update. Who did I see, live and in person from Scranton, Pa.? None other than himself, George Dubya Bush. He was speaking to a group of healthcare professionals and was lawyer-bashing with a venom that was hateful even by his standards. This is the same Dubya who mentioned in his first debate against Al Gore that he kicked down the trial lawyers in his home state of Texas. Then on Tuesday January 28, 2003, he kicked us in the face again during his "State of the Union" speech.

Our dear leader was telling all these folks in Scranton that it is the trial lawyers who are causing all the "good docs" to leave the practice of medicine because of all the frivolous lawsuits. I may be misinformed but it seems to me that there are plenty of non-frivolous lawsuits taking up my time to waste money on frivolous ones. I am beginning to suspect that the president believes that the Axis of Evil is Iran, Iraq, North Korea and trial lawyers!

I decided that the most important thing to enhance the image of lawyers in this arena is for all of us to be better informed. We need to be able to spout off the correct statistics when the president and his minions are busy misinforming the citizens about medical malpractice and lawsuits in general. More than fifteen years ago the Nye report opined that 11% of the physicians in PA commit 87%

of the reported cases of malpractice. The suggestion then was that the medical profession should weed out the Neanderthals. Still seems like a good idea to me.

I don't, however, intend to do all the work for you so at this point I will digress from anything reasonable and merely vent my spleen. I started to think about some of the things I would have to believe if I should want to become a Bush Republican:

- 1) I would have to believe that a person such as our president, privileged since birth, actually achieved success on his own. In other words, even though he started life on third base I am supposed to think he hit a triple!
- 2) Government should stay out of people's lives (Oh, except when regulating opposite-gender marriages and what language we should speak).
- 3) A Bush Republican thinks it is wise to keep condoms out of public schools like they do in Texas because we all know that teenagers will not engage in sex if they don't have condoms.
- 4) A Bush Republican thinks that biology teachers are corrupting the morals of 6th and 7th graders by teaching them the basics of human sexuality, but that the Bible, which is full of sex and violence, is good reading for any age.

The most important thing to enhance the image of lawyers in this arena is for all of us to be better informed.

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New Members Presented to the Court in Annual Ceremony



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New members presented to the Court were (from L to R): Brian Bronson, Jennifer Love, Robert Liotta, Faith Burns, James P. Silvis, Allisha Chapman, and David Mitchell. Kevin Clancy is not shown.

CEREMONY HELD IN CONJUNCTION WITH WBA QUARTERLY MEETING

On Friday, February 14, 2003, the Westmoreland Bar Association presented its new members to the court. Following a welcoming address by WBA President Timothy J. Geary, each admittee was introduced to the court by a member of the association.

The new members presented to the court are: Brian P. Bronson, presented by Richard H. Galloway; Faith Ann Burns, presented by Lawrence R. Burns; Allisha S. Chapman, presented by Dwayne E. Ross; Kevin G. Clancy, presented by Jack L. Bergstein; Robert P. Liotta, presented by James Irwin; Jennifer Love, presented by George H. Love, Jr.; David E. Mitchell, presented by The Hon. Joseph A. Hudock; Megan A. Prezgar, presented by The Hon. William J. Ober; Heather Shultz, presented by Kathleen N. Kemp; and James P. Silvis, presented by James R. Silvis.

Following the presentation to the court, Joseph Massaro, Jr., and Richard H. Galloway greeted the new

members on behalf of the Young Lawyers Committee and the Ned J. Nakles American Inn of Court, respectively. President Judge Daniel J. Ackerman then spoke on behalf of the court.

A reception luncheon for the new admittees was held in conjunction with the Quarterly Meeting of the Westmoreland Bar Association, which was held at Bar headquarters immediately following the ceremony.

NEW MEMBER SKETCHES

Brian P. Bronson was admitted to the WBA as a participating member. A graduate of Greater Latrobe High School, Bucknell University and the Duquesne University School of Law, Brian is an associate with Quatrini Rafferty Galloway in Greensburg.

Faith Ann Burns has joined the WBA as a participating member. A graduate of Derry Area High School, she earned degrees from Saint Vincent College and Widener Law School. Faith practices with her father, WBA member Lawrence Burns, in Greensburg.

Allisha S. Chapman has been admitted as a participating member of the WBA. She is a graduate of Derry Area High School, Houghton College and the University of Pittsburgh School of Law. A native of Pittsburgh, Allisha practices with Michael G. Dailey and Matthew D'Emilio in Murrysville.

David E. Mitchell has joined the WBA as a participating member. A graduate of Cuyahoga Valley Christian Academy, David earned an undergraduate degree from Grove City College, a master's degree from Miami University, and his juris doctor degree from Duquesne University. David is a Law Clerk with Superior Court Judge Joseph Hudock in Greensburg.

Megan A. Prezgar was admitted to the WBA as a participating member. A graduate of Monessen High School, the University of Pittsburgh and the



▲
Heather Shultz (L) and Megan Prezgar (R).

Duquesne University School of Law, Megan is a staff attorney for Laurel Legal Services in Greensburg.

Heather Shultz has been admitted as a participating member of the WBA. A graduate of Connellsville Area High School, Clarion University, and Duquesne University School of Law, Heather is a staff attorney with Laurel Legal Services in Greensburg.

New Member Sketches on the remaining new admittees were published in the July-August 2002 issue of the sidebar.

President's Message *continued from page 2*

- 5) A Bush Republican believes that the ACLU, which defends the constitution, is bad, but the NRA, which is also defending the constitution, is good.
- 6) A Bush Republican believes that women cannot be trusted to make reasonable decisions about their own bodies but that multi-national corporations shouldn't have any regulation or control at all, especially oil companies.

I could go on like this for hours but hopefully I have made my point. The president told his Scranton audience that he felt bad that some of them were suffering the consequences of (and I quote) "... a lousy jury and a lousy verdict ..." Perhaps he was just reading from a teleprompter what one of his handlers had written, but jurors are voters after all and I suspect that

they will want an apology. Why would he insult jurors who had heard all the evidence and made what they believed was a reasonable decision, just because he doesn't like the result? Presumably jurors who decide in favor of doctors and hospitals must be good jurors in his book.

Gov. Rendell has proposed that Pennsylvania adopt certificates of merit (after I did my first draft of this epistle, the Supreme Court of Pennsylvania formulated a rule requiring certificates of merit). This will ensure that before any case is filed it will be reviewed by a medical professional who is willing to certify that the case is legitimate, i.e., not frivolous. Hopefully the president will, in the future, offer solutions rather than insults, but I wonder.

Please don't say to me, "Tim, this doesn't affect me because I am not a trial lawyer." It affects all lawyers because the public doesn't know the difference, and at a more base level, if the trial lawyer loses his livelihood in trying med mal or some other type of PI case he is not going to just fade off into the sunset. Rather, he is going to come and take your business away from you. Remember we are the only ones responsible for our image. It is not how it is that matters it is how it looks like it is. Right now it is a sight indeed.



Question? Comment? Contact Tim at: tjg@gllawyers.com



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Spotlight on John Scales



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

A Construction worker.

Q WHAT WAS YOUR FAVORITE AND WHY?

A Construction work was a favorite because as a result, I was in the best physical shape of my life. This was important because the Trafford Softball Team, back in the 1950s, included Judge Marker at first base; Clarence McBride, also of our Bar, as pitcher; and I played shortstop. With those two guys, you had to be in good shape.

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

A During the 1960 World Series, I was trying my first case, a jury trial before Judge Sculco. There was no court on the day of the sixth game of the World Series because all of our Judges at that time had tickets to game number six. The Judges did not have tickets for game seven, and therefore we had to work that day. The jury went out to deliberate the case just as the seventh game was beginning. As soon as Bill Mazerowski hit the home run that won the series, the jury came in with a verdict. Someone on the jury told the Judge that they had actually reached a verdict around the seventh inning, but one of the jurors had brought in a transistor radio in a purse, and the jury delayed bringing in their verdict in so they could hear the end of the game. Judge Sculco laughed and said, "The joke's on you, if you had come in with your verdict earlier, you

could have watched the game on TV with the rest of us in the courtroom."

Another time I was trying a murder case before Judge Earl Keim. I was prosecuting, and our only eyewitness was a young woman who was on the witness stand during very tough cross-examination. After a particularly tough question, she suddenly jumped up and announced to the whole courtroom that she had to go to the bathroom and ran down off the witness stand, around the railing, and just as she got the door of the courtroom, she looked back at Judge Keim and said "Judge, is it all right?" Judge Keim replied, "Don't let me stop you now." As I remember, after she came back from the restroom, she gave a pretty good answer to the question that had been asked.

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

A Honesty and keeping one's word.

Q WHAT IS YOUR FAVORITE JOURNEY?

A Ten days in a small town in northern Scotland, living with a local family as the result of an exchange program sponsored by my church. We were so far north, that in late June and early July, it did not get dark until 11:00 at night and the sun came up about 3:00 in the morning.

Q WHAT IS YOUR GREATEST REGRET?

A Not being able to live several lives and do many things for which there is no time. I would really love to be an architect, a travel and food writer, a teacher, and a lot of other things.

Q WHO ARE YOUR HEROES IN REAL LIFE?

A All of those people who are having a really tough time but don't complain and don't whine.

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

A Always keep your word, always be prepared, be ready to work long hours, remember that your job is to solve problems, not create them or just put in time. Most importantly, always respect the Court, your fellow lawyers, and your clients.

Q WHAT DO YOU CONSIDER YOUR GREATEST ACHIEVEMENT?

A Of course, this would be taking care of my family, but in addition, I have been very fortunate to have been involved regularly with helping students seeking to attend college. I have been able to work with school districts in meeting with students and with their parents, and I have regularly interviewed students who are applying to college. I have been almost as happy as they and their parents when they have been accepted.

Q WHAT IS YOUR IDEA OF PERFECT HAPPINESS?

A On a selfish note, sitting on the deck at the shore, just before sunset, looking at the water and with a good book on the Civil War. On an unselfish note, peace for all.

Q WHAT IS YOUR MOST TREASURED POSSESSION?

A One item would certainly be one of James Michener's books, personally autographed with a brief note, when Mr. Michener and I were both delegates to the Pennsylvania Constitutional Convention in the late 1960s.



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and increasing efficiency and productivity by upgrading the technology in use in our offices.

The three Consortium programs are completing a fourteen-county needs assessment to identify problems of greatest concern to the client population. The results will be used to plan expansion of services in the future, by developing cooperative projects with community partners and seeking resources to support them. Some projects under consideration are additional services to the elderly, and services to address the housing, employment, medical and other legal problems of those affected by the changing economy.

We will continue to provide basic services in our priority areas of domestic violence, loss of custody, loss of shelter or utilities, and loss or denial of public benefits, and hope to be able to meet the demand for these services with the increase in staff.

Planned technological improvements will enable us to improve our advice and brief service component, so that eligible clients will be able to obtain prompt telephone legal advice and referrals to other community services through a helpline.

We also plan to develop a website, with links to the other legal services websites in the region and the state, to provide basic information on legal issues of concern to our clients, as well as full information on how to access our program and other community services.

I look forward to the challenge of expanding and improving the ability of Laurel Legal Services to move toward the goal of equal access to justice, working with our Board, staff, county bar associations, and community partners.

cases all for those who cannot afford to pay for such services. Routine custody cases are referred out to the Westmoreland Bar Foundation Pro Bono Program on a contract basis. Pro Bono attorneys do the cases for no fee, and there is also a reduced fee project. The Bar Foundation receives payment from Laurel Legal Services to help fund the project.

“Westmoreland County is unique,” says Cynthia, “in that no other county in our service area operates such a well organized and comprehensive pro bono program. We’ve been able to integrate our services with the services provided to indigents by the bar association and, as a result, we have a comprehensive system in place to provide services in Westmoreland County to a large population who cannot otherwise obtain such services. We refer several hundred cases a year to

the Westmoreland County Pro Bono Program, and the public is well served.”

Cynthia looks forward to expanding the organization’s services into new areas, such as housing law, to be able to offer expanded comprehensive coverage to qualified individuals in her service area.

Laurel Legal Services is managed by a Board of Directors of thirty members, including current Board President Judith Karns Ciszek, Jim Whelton, Michele Bononi, Denis Zuzik, Dick Galloway, Dan Joseph, and Gary Falatovich, all of our bar.

I have always wanted to be a public interest lawyer,” says Cynthia, “and I look forward to serving the community for years to come.” Cynthia lives in Kittanning, is the mother of Emily, 22, a social worker in Maryland, and is the current president elect of the Indiana County Bar Association.

Law Library News

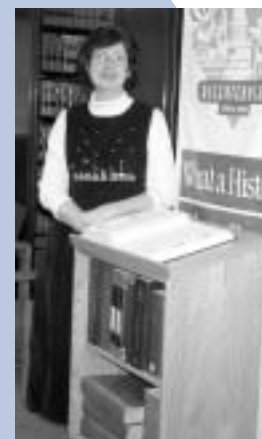
Renovations to the Westmoreland County Law Library recently have been completed and attorneys now have access to a new meeting room. Available on a first-come-first-served-basis, the new Law Library Meeting Room is not a study, but is available for attorney-client conferences.

Attorneys who wish to use the room should ask for assistance at the circulation desk.

Other improvements to the Law Library include a new dictionary stand purchased in memory of Law Library Clerk Dorothy Mosier, who passed away last August. Dorothy, who worked at the Law Library for 15 years, was always very kind and helpful to WBA members using the library and the purchase of this dictionary stand will ensure she is not forgotten.



▲ Inside the new Law Library Meeting Room.



▲ Law Librarian Betty Ward shows the dictionary stand purchased in memory of Law Library Clerk Dorothy Mosier, who passed away last August.

practice tips

by John M. Noble, Esq., Co-Chair, Alternative Dispute Resolution Committee

For anyone who may question the future of mediation within the Pennsylvania court system, consider this—there are currently more than 7,000 certified mediators in the State of Florida alone! In fact, in one recent mediation conference, the attending defendant company hired as their defense counsel an Orlando-based attorney who was one of 24 full-time mediators in his law firm servicing the Jacksonville-Orlando-Sarasota area! With more and more states following Florida's lead, can Pennsylvania court-directed mediation be far behind?

In Blair County, for example, the long-running Summary Jury Trial

Why Mediate?

option has spawned court-directed mediation sessions with appointed experienced trial attorneys serving as mediators for those attorneys still not yet comfortable with the summary jury trial process. Dozens of cases have since been successfully mediated and it would appear that the non-binding mediation conference remains the number one preference in alternate dispute resolution.

So, why should you mediate your case? Consider the following most commonly asked questions:

WHY NOT GO TO PRE-TRIAL?

The average personal injury claim has simply gotten too expensive to prepare for trial given the high price of expert testimony. All too often, a plaintiff's attorney must negotiate the fee in order to settle the case solely because of the expenses involved. Mediation generally precedes the expert expense

and saves everyone money, including the insurance carrier who, more than likely, has orders from above to keep defense costs at a minimum as well. In the rare instance where costs are not a factor, the attorney's "time" plays the significant role and, where mediated negotiations usually result in the carrier's "best" offer, why not get your settlement sooner than later?

IS MEDIATION BINDING?

One of the more favorable aspects of mediation versus litigation is that you control your own destiny. If you feel confident that your ADR should be binding before a sole arbitrator or panel, you are free to choose that forum. While most mediation conferences are non-binding settlement conferences before a single mediator, you can agree with your opponent to proceed in a "high/low" binding

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Why Mediate? *continued from page 7*

arbitration or even a “baseball” arbitration where both sides pick their number and the arbitrator chooses his figure and then molds the award to the number closest to his or her selection. As counsel, you have the function of determining what form of ADR will best serve your client’s interests.

IS MEDIATION GENERALLY LIMITED TO CIVIL LITIGATION MATTERS?

Any dispute can be mediated whether it’s a personal injury claim, property damage dispute, construction matter or family issue. For example, in many counties, mediation is court-directed at the outset of a divorce action and, while no such system is yet in place in Westmoreland County, the mediation process has served divorcing Westmoreland County couples who wish to reasonably terminate the marriage, resolving all equitable distribution, support and custody issues while eliminating the emotional drain of costly litigation. Another example is an Ohio company which provides mediation services for school systems which “focuses on interests rather than

positions, separates the people from the problem and utilizes objective criteria to arrive at a mutually acceptable resolution” noting that mediation far outweighs the “adversarial effects of litigation” offering an environment where “involved parties may invent options for mutual gain.”

WHEN IS THE BEST TIME TO MEDIATE A CASE?

Again, as counsel, you decide when the timing of your intended mediation best serves your client’s interests. Sometimes, a carrier will request a mediation session before you file your Civil Action Complaint. While some plaintiff attorneys have expressed distrust with such a proposal, many carriers have recognized that they will more than likely end up paying the same or similar settlement amount after years of mounting defense costs and choose a course of attempted early disposition. In most cases, however, discovery proceeds up to that point when experts are about to be retained with both sides hoping to forge a settlement without incurring the heavy pre-trial witness expenses. In more hotly debated liability-dispute

matters, it has been my experience that these cases proceed to mediation on the eve of the set trial date with both sides attempting to control their own destiny through settlement as opposed to the risks associated with unexpected trial results.

IF I SUGGEST MEDIATION, ISN’T THAT A SIGN OF WEAKNESS?

While this may have been the response of the opposition a few years ago, ADR has since evolved into a very well-accepted practice which addresses the mutual interests of all parties who wish to reduce risk and litigation expense.

WHAT DOES MEDIATION COST?

Typically, a two-hour non-binding settlement conference involving two parties costs \$500 with the parties sharing the expense although frequently the carrier will pay for the mediation upon conclusion of the settlement. On the occasion when the mediation conference exceeds two hours, the parties are charged hourly with a reduced hourly rate for necessary travel. Often, written material is submitted to the mediator in advance of the session which is reviewed at an hourly rate, usually \$150-\$200 an hour. Flat fee arrangements for one-half/full-day sessions are also generally negotiable given multiple parties.

ARE THERE ANY OTHER REASONS TO MEDIATE A CASE?

While the above discussion is certainly not exhaustive, one very good reason to mediate a particular file is for your own mental health. Too often, attorneys find that they have a few pending matters that they just can’t bring themselves to look at the file to prepare for trial. Maybe it involves a difficult client, a case you wish you hadn’t taken, or mounting expenses. Whatever the reason, you can do yourself a real favor and get that file closed—through mediation.

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To-Wit: Dear Clients

by S. Sponte, Esq.

Dear Clients, I trust this newsletter finds you well and happy-ish (happy-ish, because we can't have too much well-being among my clients, now can we?), and that you and your loved ones thoroughly enjoyed your holidays.

I spent most of my holiday vacation doing some hard thinking, something I never seem to be able to do when I'm in the office. You see, this year just past was not as good as I would have liked, financially speaking, and so I've been thinking a lot about how to make the new year better, for me. Apparently just being the best damn lawyer in the county doesn't cut it anymore.

A few days before Christmas, I got a mailing from a competitor law firm,

and I use the term "competitor" here in its most generous sense. It was a client newsletter, chatty, breezy, upbeat, and yes, in case you're wondering, I was a client of theirs. That was probably why they included an update on the law of disorderly conduct.

True, it was a shameful ploy to garner favor and fees, but I figure if it works for them, it should work for me. So I decided to do a chatty, breezy newsletter, too. Yeah, yeah, I know, they thought of it first, but mine would be well-written and informative. And whereas my competitor focused on updates in the law, I'm going to make mine more of a holiday family chat. My sister has been sending a family newsletter every year now since her second divorce and if she can make her humdrum march towards eternity sound interesting, surely I could make something

noteworthy out of the tempestuous gyrations of a law practice.

So let's get down to it, shall we? I am somewhat pleased to report that this year only a few of my clients got caught, and then mostly on minor matters. In fact I didn't think I was going to make any money at all in my criminal practice until the FBI closed in on Abdul. Oh, thank God for Abdul, this was not a good year for him either. True, I had to share the fee with someone who knew something about both immigration and Fourth Amendment law but, hey, it was still half a cake. So what do you say we all give Abdul a big round of applause. Atta boy, Abdul, send me your new address.



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To-Wit: Dear Clients *continued from page 9*

Thanks also to Marge and Bill Quarhague. They finally decided to get that divorce they've longed for. I guess twenty-five years of living hell was enough for both of them.

Now, as most of you know, I don't do divorces, haven't for years, but they've been good clients for a long time, thanks mostly to their kids, Grotessa and Schmuell, or, as he's known to his pals, Honky the Frog. They never could get along with the juvenile authorities.

So, even though I hate family law like the plague, how could I say no to them? Well, I mean, how could I say no to Bill, not after he just won the state lottery and all. Don't worry, I'm sure Marge will have no trouble finding someone else to represent her. And Marge, P.S., if you think you have any chance toglom onto Bill's good fortune as part of equitable distribution, well, I know all about your ten-year affair. I mean, I ought to, it was with me, remember?

You all might be interested to know that I have signed up to take some continuing legal education courses this year, and trust me, it's not just because the state supreme court says I have to. The first one, *Defending The Tax Fraud Case*, is scheduled for May, just in time for the start of Mike Terrehaute's trial. Don't fret, Mike, I'll be ready. Have you wiped your computer hard drive clean like I told you?

And Rocco, you'll be pleased to know that there have been a few changes in the law about passing bad checks. I may be able to get you off this time. But you'll have to pay me in cash, I'm sure you understand.

There was an interesting case just recently decided by our state supreme court. It seems that the state does indeed have the power to prohibit nudity in places where alcohol is being served. I know that comes as a big disappointment to many of you who still think the two complement each other oh so nicely, but Tommy and Buffy, at

least you can rest easy. It doesn't apply to alcohol being served in the home. You can still have your "open house" parties, but do try and remember to draw your blinds next time. And as an aside there, guys, try and learn the names of your guests before the revelry starts. No more name tags, huh? As you already know, your homeowner's policy doesn't cover tetanus.

And finally, since 9/11, many of you have purchased guard dogs to protect your homes from illegal intruders. The law says you are responsible for your dog's known aggressive tendencies. But the truth is the only terrorists likely to illegally invade your house these days are our own government officials, seeing as

they no longer need search warrants, and if your dog bites one of them, you could be held liable. If that happens, the only thing I can do to help you is applaud. Otherwise you're on your own.

It is my fondest hope for all of you that you will continue to prosper, to be happy and to have all of life's blessings. If you don't, well, you know where to find me. Until next year, I remain

Your humble and most obedient servant,
S. Sponte, Esq.

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Can't get enough Sponte? More articles are online at www.funnylawyer.com.

John Scales *continued from page 5*

Q WHAT IS IT THAT YOU MOST DISLIKE?

A In addition to complainers and whiners, lawyers who practice law by making work that is completely unnecessary and serves no real purpose and takes up a lot of unnecessary time.

Q WHAT IS YOUR GREATEST EXTRAVAGANCE?

A A collection of old movies/videos, particularly from the 1940s, 1950s, and 1960s, many of which are in black and white. My theory is that if a movie is in black and white and on television after midnight, it has a pretty good chance of being good.

Q WHAT TALENT WOULD YOU MOST LIKE TO HAVE?

A Music. I am no doubt the only member of our Bar Association who has been asked to leave a church choir twice—once before my voice changed, and once again after my voice changed.

Q WHAT DO YOU MOST VALUE IN YOUR FRIENDS?

A Good conversation and a sense of humor.

Q WHICH LIVING PERSON DO YOU MOST ADMIRE?

A Included in any such list would have to be a client who had lost his son in a very tragic accident. When the case came up before a Judge involving punishment for the violations of the other driver, this father tearfully and publicly forgave the individual who had caused his son's death. There was an incredible reaction in the courtroom and everyone who was there was moved and uplifted. I believe that forgiveness is important and essential in our lives.

Q WHAT IS YOUR MOTTO?

A I would be happy to adopt one of my father's mottos which was, "If we get justice, we'll just have to appeal."

November/December 2002 Trial Term

Jury Trial Verdicts

by Rachel Yantos, Esq.

One hundred six cases were placed on the trial list for the November/December 2002 civil jury trial terms. Of these, 32 were settled, 2 were stricken, 1 complaint was dismissed, non pros was entered in 1, 4 were tried non-jury (1 of which resulted in a non-suit), summary judgment was granted in 2, 5 moved to arbitration, 33 were continued to the next term, 1 was continued generally, verdicts were entered in 6 and 19 were held to the next list.

LISA A. FRANK

V.

**DR. ROBERT R. FRANZINO AND
WESTMORELAND REGIONAL HOSPITAL
NO. 3759 OF 2000**

Cause of Action: Professional Negligence—Medical Malpractice

This medical malpractice action arose from the defendant-physician's alleged failure to diagnose and treat the plaintiff's condition of pseudomembranous colitis, which necessitated surgical procedures due to extensive abdominal injuries. On September 20, 1998, plaintiff presented to the emergency room of defendant-hospital with complaints of

significant lower abdominal pain. Dr. Franzino diagnosed plaintiff as having a suprapubic hematoma. The following day, plaintiff returned to the emergency room and was admitted. Plaintiff was diagnosed with an acute abdomen and taken to the operating room for a subtotal colectomy with end ileostomy. Plaintiff underwent a reversal of the ileostomy in January 1999. Plaintiff alleged negligence against defendants in failing to administer and properly interpret diagnostic tests so as to discover the colitis, in failing to admit her to the hospital and administer antibiotic therapy so as to prevent the need for her subsequent abdominal colectomy, and in failing to consider the significance of plaintiff's prior medical treatment.

The defendants denied that plaintiff's subsequent symptoms and procedures occurred as a result of any actions of Dr. Franzino. Defendants also denied that Dr. Franzino was an ostensible agent of Westmoreland Regional Hospital, and averred that he was an employee and/or independent contractor of Westmoreland Emergency Medical Specialists.

continued on page 12

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Jury Trial Verdicts *continued from page 11*

Plaintiff's Counsel: Sandra S. Neuman, Gismondi & Associates, P.C., Pgh.

Defendants' Counsel: James R. Hartline, Thomson, Rhodes & Cowie, P.C., Pgh.

Trial Judge: The Hon. Gary P. Caruso

Result: Molded verdict for defendants. Jury found that Dr. Franzino was not negligent.

**PAULA BRANDT
V.**

**JEFFREY ABBOTT, T/D/B/A FOUR
SEASONS LAWN SERVICE AND**

**CHRIS MILLER
NO. 1167 OF 2001**

**PAULA BRANDT
V.**

**BRETT TOMAN
NO. 2479 OF 2001**

**(CASES CONSOLIDATED FOR
TRIAL AT NO. 1167 OF 2002)**

*Cause of Action: Negligence—
Motor Vehicle Accident—
Arbitration Appeal*

Plaintiff filed this negligence action as a result of a motor vehicle accident that occurred on April 16, 1999, in

Rostraver Township, Westmoreland County. Plaintiff was traveling east on Finley Road and approached its intersection with State Route 201 ("Allen's Crossroads"). While plaintiff was stopped in traffic on Finley Road due to a red traffic signal, her vehicle was struck from behind by defendant Brett Toman, an employee of defendant Jeffrey Abbot, t/d/b/a Four Seasons Lawn Service. Mr. Toman had been operating a vehicle owned by his employer in an easterly direction on Finley Road behind plaintiff's vehicle. Plaintiff sustained soft tissue injuries in the accident, and had previously selected the limited tort option of automobile insurance coverage. Plaintiff limited her claim to damages for loss of income less the amount of wage loss benefits payable by her first-party insurance carrier.

Defendants admitted the agency of Brett Toman, and that the occurrence of the accident was due to the actions of Mr. Toman. However, defendants contended that plaintiff was not entitled to any amount above and beyond her first-party wage loss benefits.

Plaintiff's Counsel: Mark S. Galper, Bergstein & Galper, P.C., Monessen

Defendants' Counsel: Patrick J. Loughney, Gorr, Moser, Dell & Loughney, Pgh.

Trial Judge: The Hon. Gary P. Caruso

Result: Molded verdict for defendants. Jury found that the negligence of Brett Toman was not a substantial factor in causing any injury to plaintiff.

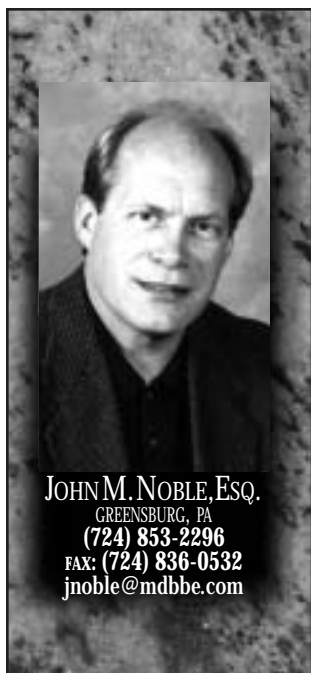
**LAUREN L. SOSTARICH
V.**

**GREG A. MCFADDEN
NO. 7985 OF 2000**

*Cause of Action: Negligence—
Motor Vehicle Accident—
Binding Summary Jury Trial*

This motor vehicle collision occurred on March 4, 2000, at approximately 1:05 p.m. in Madison Borough, Westmoreland County. Plaintiff was operating her vehicle in a northerly direction on State Route 3012 ("Yukon Road"). Defendant was traveling east on State Route 3037 ("Main Street"). Plaintiff alleged that she was proceeding to make a left hand turn from Yukon Road onto Main Street when the vehicle driven by the defendant impacted with the driver's side of her vehicle. Plaintiff asserted that defendant was using a cell phone, was traveling at an excessive rate of speed and was inattentive to the roadway. In addition to soft tissue injuries, plaintiff sustained fractures to the lumbar spine, sacrum and pubic rami. Plaintiff elected the limited tort option of insurance coverage, but asserted that non-economic damages were recoverable since she sustained serious bodily injury.

Defendant raised the affirmative defenses of contributory/comparative negligence and assumption of the risk. Defendant asserted, inter alia, that plaintiff was negligent in failing to obey a stop sign, failing to yield the right-of-way to defendant, and in



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failing to keep a proper and adequate lookout of the road prior to entering the roadway on which defendant was traveling. Defendant also raised the Pennsylvania Motor Vehicle Financial Responsibility Law (MVFRL), and its amendments known as Act 6, which precluded the introduction and recovery of medical bills by plaintiff at the time of trial and which governed the limited tort option selected by the plaintiff.

Plaintiff's Counsel: Mark Neff, Edgar Snyder & Associates, LLC, Pgh.

Defendant's Counsel: Maria Spina Altobelli, Jacobs & Saba, Gbg.

Trial Judge: The Hon. Daniel J. Ackerman, President Judge

Result: Jury attributed 80% negligence to the defendant, and 20% to plaintiff's contributory negligence. Jury awarded plaintiff damages in the amount of \$20,000.

**TIMOTHY E. SMAIL AND
TAMRA A. SMAIL, HUSBAND AND WIFE
V.**

**A. RICHARD KACIN, INC., A CORPORATION;
AND RONALD D. ANDERSON, T/D/B/A ANDERSON
PLUMBING, A SOLE PROPRIETORSHIP; ANDERSON
PLUMBING, A CORPORATION, PARTNERSHIP,
PROPRIETORSHIP OR OTHER LEGAL ENTITY
NO. 1040 OF 2001**

*Cause of Action: Breach of Contract—
Breach of Warranty—Negligence—*

Unfair Trade Practices and Consumer Protection Law

On January 31, 1994, plaintiffs entered into a written agreement with A. Richard Kacin, Inc., for the construction of a two-story residential dwelling. The contract provided that "all materials shall be new and both workmanship and materials shall be of as good quality as the market affords in the respective grade specified." Kacin retained subcontractor Ronald D. Anderson (Anderson Plumbing), who performed all of the plumbing-related construction and installation. Plaintiffs moved into the residence on September 15, 1994. In October, 1999, the plumbing system began to experience sudden and

unexpected leaks. The plaintiffs employed a plumbing contractor, who concluded that the "pitting" of the plumbing lines resulted from the excessive use of soldering flux or an action known as "dipping" during the installation of the system by defendants, which deviated from the acceptable standard of care for installation of the system. Plaintiffs averred that the defendants failed and/or refused to inspect the system, make repairs and provide reimbursement to plaintiffs. Theories asserted included those for breach of contract, breach of warranty, negligence and violations of the Unfair Trade Practices and Consumer Protection Law (UTCPL), 73 P.S. §§ 201-1 to 201-9.3.

Defendants averred that they provided materials and workmanship with respect to the plumbing system that fully complied with all applicable standards of care. Furthermore, defendants denied that they had a legal and/or contractual obligation to make repairs or replacements with respect to the plumbing system. In new matter, defendants asserted that plaintiffs' claims were barred by the limitation of actions set forth in the contract and the applicable statute of limitations.

Plaintiffs' Counsel: Bernard P. Matthews, Jr., Meyer, Darragh, Buckler, Bebenek & Eck, PLLC, Gbg.

Defendants' Counsel: Thomas P. McGinnis, Alan G. Stahl, Zimmer Kunz, PLLC, Pgh.

Trial Judge: The Hon. Gary P. Caruso

Result: Verdict for plaintiffs in the amount of \$36,473.

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Candid Camera: Bench/Bar Revisited

We finally got around to developing our rolls of film from last year's Bench/Bar Conference, and this is what we found—some may say we shouldn't have bothered.

Be sure to block off June 12-14 for the 2003 Bench/Bar Conference at Lakeview. Who knows? You, too, may be ridicul—, er, featured in a future issue of *the sidebar*.



▲
"Come on, Jim, tell me. Is that zit on my chin gone yet?"



▲
"Now let's see, is it clockwise or counterclockwise?"



▲
"Just three more drinks and I'm going to ask her out."



▲
"Damn, did I pee on my shoes again?"



▲
"Hey, Michelle, show them one more time."



▲
"So tell me, Reg, how did you beat that kiddie porn rap?"



▶
"Let me just get this hocker out, and they're all yours."

bookmark What Have You Been Reading?

by Ned Nakles, Jr., Esq.

My reading falls into three categories. First, I enjoy classical history with an emphasis on religious and scriptural study. Second, I enjoy historical novels. Finally, I always enjoy a good old-fashioned page-turner. What I am reading at any given time will depend upon my current mental and emotional state at work and my ability to concentrate. These are my favorites from each category.



▲ Ned Nakles, Jr.

JERUSALEM: ONE CITY, THREE FAITHS

◆ by Karen Armstrong ◆ This book traces the history of the city of Jerusalem with an emphasis on the religious practices of the Jews, Christians and Muslims. The author explains the origin of each religion's holy sites and how these, the three religions of Abraham, have coexisted sometimes peacefully, sometimes violently. The book gives the reader a much clearer understanding of the current situation in the Middle East.

WHO WROTE THE BIBLE ◆ by Richard Elliott Friedman ◆

This fascinating book exploring theories of authorship of the Torah (the first five books of the Old Testament). Over

the last century scholars have developed the "Documentary Theory." This theory holds that four to six different authors writing in different times and places and for different audiences wrote these fascinating biblical tales. The various writers can be identified through writing style, language and also by the name they use when referring to God. Anybody wishing an example of this book need simply read the two distinctly different stories of creation found in Chapter 1 and 2 of Genesis.

THE GREAT POEMS OF THE BIBLE ◆ by James L. Kugel

◆ Various books of the Bible are written in a metered verse, which is both stark, and spare yet breathtakingly beautiful. This book explains and demonstrates the linguistic structure of biblical poetry (a fascinating topic in and of itself) and analyzes many of the significant poems of the Bible. Reading this book will heighten your appreciation of numerous books of the Bible including Psalms, Proverbs, Isaiah as well as other wisdom literature.

MASTER OF THE SENATE: THE YEARS OF LYNDON JOHNSON ◆ by Robert Caro ◆

Using the career of Lyndon Johnson as a backdrop, Caro provides an incredibly detailed history of the United States Senate. The book utilizes as its common historical thread the legislative effort

continued on page 18



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Actions of the Board

DECEMBER 17, 2002

- Accepted Membership Committee recommendations as presented: Claudine Orlosky, Gregory Artim, Matthew Prather, associate; Peter Gough, David Mitchell, Megan Prezgar, Heather Shultz, participating.
- Approved the amended 2003 budget.
- Heard report that laptop has been purchased by the WBA to be used for use at CLE seminars.
- Reviewed Building Committee report which recommended that the soon-to-be-vacated Lawyers Abstract space should not be used for Pro Bono. Instead the space would best serve the association if it were

rented to the legal community. Committee also recommended that space in the rear of that floor could best serve the association as additional meeting and storage space.

- Discussed the mentor mixer put on by the Trial Academy and agreed to investigate the possibility of using the Inns as the official mentor program for all new lawyers.
- Heard report from Vision Group that recommends a Living Trust education program be offered to the public and include representatives from the area hospitals, banks and chairs of the Orphans' Court/Elder Law committee.

JANUARY 21, 2003

- Heard report from the Executive Committee of the Westmoreland Bar Foundation concerning their goal to

raise nondiscretionary funds for community outreach programs .

- Heard presentation of idea from Mr. Millstein for the BarFlies performance to be used as a fund-raiser for the Foundation. Board suggested that the Outreach Committee of the Foundation pursue this event and perhaps use this event to replace the Fall Gathering.
- Accepted membership committee recommendations as presented: Charles Bell and Brian Bronson, participating.
- Heard report that the WBA has been offered a partnering arrangement with Citizens Bank whereby Citizens Bank would pay \$50 towards WBA dues for those WBA members who hold their accounts at Citizens Bank; decided to review entire proposal and take action in February.
- Voted to continue to offer Free Lunch Fridays to attorneys and their staffs in partnership with YWCA technology center.
- Learned that WBA has been asked to provide Westmoreland County court opinions to the Jenkins Law Library for their website and in exchange Jenkins will provide complimentary subscriptions to all judges and the law library. Tabled until additional information can be reviewed.
- Discussed the final report from House of Representatives Judiciary Committee that recommends that legal advertising in law journals and newspapers remain "as is" for the time being.
- Decided that Nominating Committee make report at Annual Meeting for the candidate of board member, and membership and building committee members.
- Heard proposal from Ned J. Nakles American Inns of Court concerning a mentoring program whereby the Inns would provide "mentoring" and trial academy or the WBA offset the membership fee for each mentee.

On The Move ...

ABBY DE BLASSIO has relocated her office to Station Place, 101 Ehalt St., Suite 107, Greensburg, PA 15601. Her number remains 724.832.9440; fax 724.832.9443.

DANIEL C. HUDOCK has joined McDonald Snyder & Williams in Latrobe. He can be reached at P.O. Box 758, Latrobe, PA 15650; 724.539.3511; fax 724.539.3527.

CHRISTOPHER D. NAKLES has moved to 1068 Clearview Drive, Suite 6, Latrobe, PA 15650. He can be reached at 724.537.6700; fax 724.537.8665.

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— Debbie Snider and Ginny Castine of Ward & Christner, P.C., Greensburg
On-Site Training is \$60 per hour.

Phone Support for Microsoft Office Programs

Phone Support is a convenient way to get help when you're having trouble using your Office programs such as Microsoft Word, Excel, PowerPoint, Access, Outlook or Publisher. Simply call the YWCA Technology Center and get an answer to your question within two business days (usually the same day). *Phone Support is \$20 for the first 15 minutes and \$15 for each additional 15 minutes.*

YWCA Technology Center

424 N. Main St., Greensburg PA 15601

Phone: 724-834-9390, Fax: 724-834-9391

Email: Technology@ywcawestmoreland.org

wba

Hatha Yoga at the Bar

Many WBA attorneys are practicing more than law these days—they are practicing Hatha Yoga at the Bar with Christine Sumner.

Hatha yoga is the most widely practiced form of yoga in America.



This branch of yoga uses body postures, breathing techniques and meditation in order to achieve a sound, healthy body and a clear, peaceful mind.

There are nearly 200 hatha yoga postures, with hundreds of variations, which work to make the spine supple and to promote circulation in all the organs, glands, and tissues. Hatha yoga postures also stretch and align the body, promoting balance and flexibility.

A trial class was conducted at the WBA on February 5, 2003, for those who wanted to try hatha yoga before committing to the six-week session which began the following week.

If you are interested in joining the hatha yoga class in the current session or in future sessions, please contact the Bar office at 724.834.6730 for more information.

Office Space Available

The Westmoreland Bar Association anticipates available rental space for use by law-related business. Total available space is approximately 2,500 sq.ft., although it can be subdivided. Interested persons should contact the WBA office.

foundation focus

GS Middle School Thanks WBF

January 3, 2003

Thank you for your generous donation of \$300.00 to the Greensburg Salem Middle School Giving Tree Project. This donation was used to purchase clothing and personal hygiene items for needy children in the Greensburg Salem Middle School. It is through your compassion and concern for the children in our school that we were able to make their holiday a little brighter.

Thank you once again for your generosity and I wish you a healthy and prosperous new year.

Sincerely,

Thomas J. Marshall, Principal



As in 2001, the Washington County Bar Association issued a “friendly” fund-raising challenge in connection with their annual holiday gift drive. They believed their members could generate more charitable dollar donations than WBA members. The WBA won the challenge in 2001, but the WCBA was victorious in 2002.

The money raised by the WBF was used to purchase coats and winter apparel for the children serviced through the Westmoreland County Children’s Bureau.

Thanks to all who opened their hearts (and wallets) for this worthy cause.

WBA Loses 2002 Coats for Kids Challenge

The Washington County Bar Association emerged as champion in the 2002 Coats for Kids Challenge. WCBA members generously donated over \$2,400, while WBA members contributed \$2,000.



▲ Pro Bono Coordinator Iva Munk, WBA Executive Director Diane Krivoniak and WBF Trustee Jo Milie wrapped Christmas gifts at Barnes & Noble in Greensburg. Donations from patrons benefited the Westmoreland Bar Foundation.

And Baby Makes ...

Leslie Uncapher and husband Ron Zellers welcomed their daughter, Jordan Marie Zellers, into the world on December 18, 2002. Jordan was 8 lb. 6 oz. and 20 1/2 inches long. Leslie is partner with Uncapher Uncapher and Fox in Vandergrift.



What Have You Been Reading? *continued from page 15*

during the 1940s and 1950s to achieve the first Civil Rights. Lyndon Johnson is portrayed as a talented and innovative Senate leader who is nothing like the Vietnam Era President we all remember. The book also features prominently the careers of Senators Richard Russell and Hubert H. Humphrey.

LONDON ♦ *by Edward Rutherfurd* ♦ This is a historical novel in the style of James Michener tracing the history of London through the lives of three families. It is easy reading yet at the same time loaded with information about the growth and development of my favorite city. This book is must reading for anyone intending to travel to London who wishes to gain an appreciation of the quaint and quirky nature of its streets, sites and people.

THE AGONY AND THE ECSTASY: A BIOGRAPHICAL NOVEL OF MICHELANGELO ♦ *by Irving Stone* ♦ This historical novel traces the early Renaissance in Florence through the life of Michelangelo and the Medici family. Stone's descriptions of Michelangelo working at his craft are so vivid you can almost hear his chisel against marble or smell his paint-stained rags as he lay on his back high on a scaffold year after year painting the ceiling of the Sistine Chapel. For the reader, this book is pure ecstasy.

POPE JOAN ♦ *by Donna Woolfolk Cross* ♦ Legend has it that during the dark ages a woman posed as a monk and eventually, because of her considerable intelligence and talent rose to become Pope. Many believe that the Church has tried to cover up or erase the existence of the woman Pope. This book turns that legend into a delightful page-turning novel, which no woman (nor man, if he is honest) will be able to put down.

FIERCE INVALIDS HOME FROM HOT CLIMATES ♦ *by Tom Robbins* ♦ The implausibility of this novel makes it one of my favorites. Switters, a CIA agent on a mission in a South American jungle, gains total consciousness through an LSD-like drug. However, in the process he is cursed by the tribal chief who supplied the drug that if his feet touch the ground he will die immediately. In his quest to escape the curse (and to make love to his teen-age stepsister), he ends up walking on stilts while living in a convent with pro-choice French nuns in a desert in the Middle East. If this description piques your interest, you'll not be disappointed.

LawSpeak

"The man who wants a jury has a bad case."

— Oliver Wendell Holmes, *Holmes-Pollock Letters*, Harvard University Press, 1946, P. 74

RED STORM RISING ♦ *by Tom Clancy* ♦ The premise of this early Tom Clancy book is that World War III has just broken out between NATO and the Soviet bloc. That may sound somewhat dated, and perhaps it is, but the book is a fascinating study of conventional ground, naval and air warfare occurring in Germany, Iceland and the North Atlantic. Like many authors, Clancy's earlier works dwarf his current efforts. "Red Storm Rising" certainly proves the rule.

THE ENEMY WAS OUT THERE ♦ *by General James Shelton* ♦ This book by General James Shelton focuses on the battle of Ong Thanh in Vietnam in 1967. The battle drew national attention because Major Donald Holleder, then a nationally known football star on the Army football team, was killed during its fighting. I include this book because my uncle, Thomas Hinger (awarded the Silver Star and Purple Heart for his part in the battle), is prominently featured. A group of veterans of this devastating battle meet on an annual basis at West Point where Major Holleder has been remembered through the naming of the sports arena the "Holleder Center." There they are joined by Pulitzer Prize-winning author David Maraniss who is currently writing his own book about the battle. Those veterans who gather at West Point each year hail from different places and different walks of life; they are some of the finest men I have ever known and are heroes all.

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The Disease of Addiction

by Judge Irving L. Bloom

Addiction surrounds its victims with violence, degradation, guilt, anger, hopelessness and sometimes death. Until recent scientific advances in the research of addiction, it has been called sinful, devil possession, a character weakness, a symptom of psychiatric disorder, or just plain being stupid. Understanding the complex nature of the disease of addiction is critical to an attorney, members of the judiciary, or members of government who protect our citizens.

Addiction affects about 14% of the United States population and is as involuntary as other medical conditions. Addiction totally interferes with a person's ability to survive successfully in society. There is absolutely no medical difference between alcohol addiction or any

other form of substance addiction such as cocaine, crack or heroin.

The basic tenet for total recovery is absolute abstinence from all mood-altering substances. All external mood-altering chemicals must be removed through abstinence after detoxification. Because of the nature of brain chemistry that causes addiction, return to normal drinking or drug use or other chemical use is impossible and must at all costs be forever removed from the individual involved.

Denial is part of the defense mechanism in protecting the disease of addiction. Breaking denial by proper treatment is the keystone of the therapeutic process. Breaking through the denial is as important as total abstinence from all mind-altering drugs in the aiding of recovery.

Self-destructive activities caused by addiction require evaluation by experienced professionals as do changes in physical function. The success rate in addiction illnesses commonly occurring in attorneys and other professionals exceeds recovery rates associated with most chronic addictive conditions in the general population. Inadequate treatment and self-treatment are as non-result-producing in the addiction illness as they are in diabetes, cancer and heart disease. It is extremely important when you feel yourself falling into addiction or you know of others who are having addictive problems to reach out and get help.

If you need help or know someone whom you feel needs help, call **Lawyers Concerned for Lawyers** at 1-800-335-2572 or 1-888-999-1941.

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9+	\$603	\$754	\$830	\$936

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*Firms with one to five attorneys, each with gross billings under \$300,000, with no attorney spending more than 25% of his time in Personal Injury or Financial Transactions, no negligence claims within the last five years, and no history of disciplinary action.

CALENDAR of Events

MARCH

- 7 Winter Festival at Seven Springs
 13 CLE Lunch 'n Learn:
 Bankruptcy and the Effects
 on Support and Alimony
 Payments, Noon
 Town Meeting on New
 Directions in Family Court,
 UPG, 7 to 9 p.m.
 14 St. Paddy's Day Party, 4 p.m.
 18 Family Law, Noon
 Board Meeting, 4 p.m.
 19 Membership, Noon
 Parent Counsel &
 Guardian, Noon
 Real Estate, Noon
 25 Solo/Small Practice, Noon

APRIL

- 7 Annual Meeting, 4:30 p.m.
 10 CLE Lunch 'n Learn: "Taking
 a Deposition in a Workers'
 Compensation Case," Noon

**T
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N**

Top Ten Reasons Why The Bush Administration Hates Lawyers

1. Divert premium dollars from insurance executive pension plans to allegedly injured plaintiffs.
2. "You know, Armand, I don't mind that they represent all those indigent people, but you'd think they'd try to pick some who had money and breeding."
3. File worthless product liability claims against multi-national corporations, thus reducing their capacity to provide county club memberships for all senior male executives.
4. Bring facetious class actions against governments and corporations on behalf of people, some of whom aren't even natural born citizens, for pity's sake.
5. That damned First Amendment.
6. "We all know that scheduling medical malpractice depositions of the defendants on the very first day of the club championship just isn't done, old bean."
7. "Yeah, well, let a few of those bastard lawyers get indicted for income tax fraud and see if they like it."
8. Fourth Amendment suppression hearings for defendants, when, well, darn it all, you know they deserve to be in jail for something.
9. "Women's rights, gay rights, minority rights, where will it all end. Get me another highball, Martha."
10. "You know, St. John, being a slumlord isn't nearly as much fun as it used to be."



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