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THE NEWSLETTER OF THE  
WESTMORELAND BAR ASSOCIATION  
VOLUME XXIX, NUMBER 2  
MAY 2017

***Survey of Judicial Candidates***

# Three Vie for County's Court of Common Pleas Nominations

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

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



**MAGISTERIAL DISTRICT JUDGE  
ANTHONY  
BOMPIANI**

**Municipality of residence**

I live in Hempfield Township with my wife Kristina of nearly 15 years and our three sons, Domenic (13), Gino (10), and Rocco (7).

**Schools attended, degrees earned, honors received**

I graduated from Hempfield Area Senior High School.

I graduated with a Bachelor of Science in Psychology from St. Vincent College. I was a member of Psi Chi, The International Honors

*continued on page 13*



**LISA  
GALLOWAY  
MONZO**

**Municipality of residence**

Since 2002, I have been a resident of Hempfield Township with my husband, Jeffrey, and our children, Connor and Megan.

Prior to moving to Hempfield Township, I lived in Ligonier Borough, Greensburg and Delmont.

**Schools attended, degrees earned, honors received**

I graduated from Franklin Regional High School, Murrysville, PA in May, 1984 with highest honors, where I was a member of

*continued on page 14*



**JIM  
SILVIS**

**Municipality of residence**

I live in Unity Township.

**Schools attended, degrees earned, honors received**

I graduated from Hempfield Area High School in 1994.

I attended the University of Virginia, where I received a B.A. in Government with a Minor in Philosophy.

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

I obtained my J.D. from the University of Michigan

*continued on page 17*

President's Message

# The Benefits of Membership

by Timothy C. Andrews, Esq.

Hello all solicitors, barristers, and judges. I once again want to thank all the members of the Westmoreland Bar Association for allowing me the opportunity to serve as your president for this upcoming year. In case you weren't able to make the annual meeting, I want to reiterate to everyone that my goal in the coming



year is to work to improve the service to our members. I feel that is the essence of our organization. I will work on that goal to the best of my ability with the assistance of the board and the membership.

I hope that each one of you will spread the word to other members who may not be as involved with our association about the benefits, rewards, and fun that they

can enjoy as an active member in the Westmoreland Bar Association.

The benefits we've all discussed many times. The CLEs, the social functions, the camaraderie, the connections with each other that benefit our practices, and many other advantages and benefits.

I absolutely know that there is no way that I would be at the place in my career that I am without the guidance, assistance, and friendship of my fellow members. A majority of our association is either a solo practitioner or a two-person law office.

The benefits of networking and friendship with our fellow members add a lot for us solo practitioners and for all members regardless of their area of practice.

The rewards include the information and history that each of us can obtain through our connections with other members. This is particularly true when you're active in our committees. In those committees, we have one-on-one discussions that can benefit both your practice and your person. The Inns of Court is a great example of a reward and a benefit. Take advantage if you can. One of the things that I view as a reward, and also a benefit, is when a fellow

member contacts me with questions. I always try to make it a point of interrupting my day to return phone calls to members who have questions on a tax claim matter, a criminal matter, or some other area that they believe I may have some expertise or experience in. My personal experience is that when I contact a fellow member with a question in an area or concern that is unfamiliar to me, I receive the same courteous and prompt responses. This benefit and reward of membership serves both ourselves as practitioners of the law and our clients. I know we're all extremely busy in our practices and our lives, but this association, in my opinion, provides help for both.

The fun that can be derived from membership in

large part has to do with how much involvement each of us choose for our busy lives and practices. The softball game, the Bench/Bar Conference, the Holiday Dinner Dance, or just listening to or sharing a story with a fellow member about the old days or about something that just happened in your practice are small examples of the ways that we can enjoy and have fun as a member of our association.

In conclusion, I'm going to ask that if there is anything that any member wishes to bring up that they believe would help the association better serve all the members, I would encourage

you to contact me at any time during the next year. There have been discussions regarding our association and the transparency that we wish to accomplish. To that end, I would welcome any member who would like to give us notice and sit in on a board meeting so that you would have the opportunity to see how the board functions and hopefully give consideration to being a part of some future board.

Thank you.

*Tim Andrews*

**“I hope that each one of you will spread the word to other members who may not be as involved with our association about the benefits, rewards, and fun that they can enjoy as an active member in the Westmoreland Bar Association.”**



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# Behind the Political Rhetoric

by Pamela Ferguson, Esq.

It's been more than a year since Pennsylvania Governor Tom Wolf signed Senate Bill 166 (Act 5) into law, touting it as a step towards reducing recidivism, relieving the



Pamela Ferguson

pardon system, and providing ex-offenders a greater opportunity to join the workforce.

At the signing ceremony, the Governor emphasized the importance of the law which limits public access to criminal records for individuals previously convicted of low-level crimes and who have served their sentence and remained crime-free for at least ten years:

*"The United States is the world leader in incarceration and a criminal record often carries a lifetime of consequences that often lead to poverty or re-incarceration. This law is a commonsense, positive and unprecedented step to help Pennsylvanians with minor or dated criminal records have a fighting chance at opportunities for gainful employment. Too many first-time and low-level offenders are serving their time and unable to improve their lives after leaving the system because they have a criminal record. We must do everything we can to break this cycle; it is robbing too many of their lives and it is costing taxpayers far too much."*

While the rhetoric sounds good, the reality is disappointing. Yes, it is a step

in the right direction but only a baby step, having no more than a negligible impact on the socioeconomic status of a small percentage of ex-offenders.

On its face, Act 5 sounds like the "commonsense" step Governor Wolf promoted to help minor offenders break the cycle of unemployment and poverty. However, upon closer examination, the law's practical ramifications paint a dramatically different picture.

First, Act 5 only applies to second- and third-degree misdemeanors; felonies, the greatest obstacle to employment, are not included.

Second, the redaction of offenders' criminal information only applies to the public's view, not from the view of law enforcement, government employers, private employers with government contracts, and licensing agencies. This is particularly problematic for ex-offenders who are trying to improve their societal status

through additional education. Many jobs that require a college degree also require a license (teaching, real estate, medicine, occupational, physical and vocational therapy, etc.), and that license may be denied because of a criminal history. Without it, the college degree they might have earned in anticipation of a future career may not be worth the student loans incurred to get it, thus relegating them to a life of subsistence rather than advancement.

In addition to the limitations of Act 5, legal fees and court costs incident to obtaining an order sealing records make it too expensive for some already living in poverty. This may be why in our county only two Act 5 petitions have been filed since the law went into effect on November 14, 2016.

Many of our legislators recognize that Act 5 fails to offer the rehabilitative  
*continued on page 4*

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## the sidebar

the sidebar is published bimonthly as a service for members of the Westmoreland Bar Association. Letters to the Editor should be sent c/o WBA, 129 North Pennsylvania Avenue, Greensburg, PA 15601-2311, fax 724-834-6855, or e-mail [westbar.org@westbar.org](mailto:westbar.org@westbar.org). the sidebar welcomes submissions from members or non-members. Please submit to the Articles Editor, c/o WBA. Back issues from 2000 to the present and a comprehensive, searchable index are available online at [www.westbar.org/thesidebar](http://www.westbar.org/thesidebar).

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# Behind the Political Rhetoric *continued from page 3*

benefits proponents articulated at its signing. In response, Senators Scott Wagner (R-28th district) and Anthony Williams (D-8th district) have introduced “Clean Slate” legislation that provides for the automatic sealing of non-violent misdemeanors, summary offenses, and juvenile delinquencies after a certain period of time (10, 5, and 7 years, respectively). Further, the records of those found not guilty would be sealed automatically within 60 days.

Describing Act 5 as “cumbersome” and “cost prohibitive,” Senator Wagner has stated that the “Clean Slate” bill offers a process by which the courts and the Pennsylvania State Police will review cases and automatically grant limited access to those who are eligible, thus removing some of the financial barriers to expungement under the current legislation.

One month after the “Clean Slate” legislation was introduced, the Senate

Judiciary Committee reported the bill out to the full Senate. Despite having support from many legislators on both sides of the aisle, SB 1197 has been in the Senate Appropriations Committee since May 16, 2016. A comparable

**“Nearly three million Pennsylvanians, 37.5% of the Commonwealth’s working-age citizens, are estimated to have criminal records.”**

House bill, HB 1987, also remains in limbo before the House Judiciary Committee.

Nearly three million Pennsylvanians, 37.5% of the Commonwealth’s working-age citizens, are estimated to have criminal records. Many of those are minor convictions and/or

arrests without convictions, but in today’s workplace that’s all it takes to block successful re-entry and participation in society.

Despite an offender’s desire and society’s need for their redemption, easy access to online criminal records makes that goal almost impossible. Even the least computer-savvy employer can click on a link and see an applicant’s criminal history, including charges for which no convictions ensued.


Since most applications are now filed online, applicants have no opportunity to show employers that they have become upstanding, productive members of society. Instead, an employer may see only ancient criminal histories, unflattering portraits of who they once were, not who they are today. The pathway to jobs that might help them rise above the poverty level may forever remain inaccessible to them notwithstanding

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their efforts to improve themselves through higher education and vocational training, and all of this because of a mistake made, in some cases, decades before.

“Redemption” research has documented that once an individual with a prior nonviolent conviction has stayed crime free for three to five years, the risk of recidivism is no different than the risk of arrest for those without a criminal record. The Commonwealth’s measly offer of such limited redaction fails to consider this research. Refusing to give a chance to those worthy of redemption and advancement only propagates the stigma attached to such a history, needlessly interposing an arbitrary glass ceiling against their opportunities for success.

A more commonsense approach would be to erase those obstacles to employment after five crime-free years. The greater employment thus achieved might raise state revenues, provide for the gainful support of families and reduce costs for Pennsylvania taxpayers. If, though, the current “Clean Slate” legislation is the only remedy offered, it could be a long time before this approach makes a real difference in the lives of all those Pennsylvanians deserving of a second chance. ■

## LawSpeak

“Although not everyone (very few in fact) can be skilled or erudite in the practice of law, one may nevertheless be of use to many by reaching out to do good works, by testifying before jurors and magistrates, by being vigilant for one another’s interests, and by taking care of those whom one advises or defends.”

*On Duties: A Guide to Conduct, Obligations and Decision Making, by Marcus Tullius Cicero (Quintus Curtius translation)*

# foundation focus

## Greensburg Salem Mock Trial Team Captures District, Regional, and State Titles



Congratulations to Greensburg Salem High School, who earned the 2017 Pennsylvania Statewide Mock Trial Championship by defeating Philadelphia’s Roman Catholic High School in the state finals held March 24-25, 2017, in Harrisburg. This is the team’s first state championship since 2007.

Greensburg Salem advanced to the state finals after earning this year’s district and regional titles. Over 300 teams from across Pennsylvania had the opportunity to serve as the prosecution and defense teams for the case of *Commonwealth of Pennsylvania*

*v. Taylor Edsel*, a fictional criminal case that determined whether the defendant was guilty of committing arson when an advanced automotive plant burned in Wisawa, Pa. Fourteen regional winners then advanced to the statewide mock trial finals.

Eric Dee, a partner at Avolio Law Group in Greensburg, serves as the team’s advisor; Greensburg Salem teacher Beth Simone serves as the team coach. Greensburg Salem will represent Pennsylvania at the National High School Mock Trial Championship to be held in Hartford, Conn., May 11-13. ■

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Westmoreland Revisited

# John B. Alexander, Esq., and The Greensburg Rifles

by *The Hon. Daniel J. Ackerman*

A few years ago, we slipped through, or perhaps over, the bicentennial of the War of 1812, a conflict of our own making,



*The Hon. Daniel J. Ackerman*

in which the fledgling and unprepared United States declared war upon the world's greatest military power; an event that remains rather vague in the mind of Americans. To be sure, we recall a smattering of things concerning the war: Impressments by the British of American sailors on the high seas (though most of the sailors seized were deserters from the Royal Navy<sup>1</sup>); the subsequent burning of the White House and the Capitol; and the Battle of New Orleans, fought unwittingly after the peace treaty was signed.

Following the American Revolution, a lingering cold war existed between the U.S. and Britain. British policy, though not officially stated, was motivated in part by belief that the new republic would eventually fail due to its own ineptness, and would then seek readmission into the empire. Faith in such an outcome caused the British to continue to maintain fortifications in the Northwest Territory in violation of the peace treaty.

At the same time, Americans began to believe that the country's expansion did not have to be

exclusively westward, and looked north with the annexation of Canada in mind. Indeed, once hostilities began, former president Thomas Jefferson openly declared that "the acquisition of Canada, this year, as far as the neighborhood of Quebec, will be a mere matter of marching," and would lead, the following year, "to the final expulsion of England from the American continent."

## O CANADA!

Many Americans had already departed to Canada, but not as invaders. During the Revolution and the following decades, there was a substantial migration of American Tories—or Loyalists, as they were called north of the border—into Upper Canada, a new province which embraced a wide swath of land on the northern shores of the Great Lakes, in what is now Ontario. The exodus was encouraged by generous grants of free

land to those willing, in the eyes of Canadians, to flee the political chaos and high taxes of the republic for the security of the crown.

Jefferson's hyperbole should have appeared ridiculous. After the Revolution, U.S. arms had been reduced to a state of insignificance; the Royal Navy was the world's largest while the British army was battle hardened and had acquired a strong network of Indian allies. Yet, wasn't that also true at the start of the Revolution? Fortunately for America, Great Britain was again embroiled in another bitter war with France, which made its North American concerns somewhat of a sideshow.

Still, military wisdom of the time held that it took three years of drill to make a proper soldier, and in 1812, few Americans had any military experience beyond drill in a local militia, which seldom met more than once a year. In, truth, at no time

<sup>1</sup> Prior to the war, ex-British sailors comprised one-fifth of America's merchant marine, most of whom deserted for higher wages and to avoid service in the Napoleonic wars. Less than half of the sailors in the U.S. Navy could claim to be native-born Americans, and British law did not recognize the ability of a subject to renounce his citizenship for that of another country.



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during the war did the U.S. muster enough troops to win, and in the first year, the attempted U.S. invasion of Canada was shown to be a failure.

A turn of good fortune, however, did eventually occur, after many setbacks, on the western frontier.

#### THE GREENSBURG RIFLES

On August 3, 1807, Thomas McKean, Governor of Pennsylvania, issued a commission to a Westmoreland County lawyer, John B. Alexander, as captain of the "Rifle Company attached to the First Battalion of the Nineteenth Regiment of the Militia." The company would bear the unofficial name of "The Greensburg Rifles."

Five years later, after war was declared, this letter was sent to Secretary of War William Eustis:

*"Greensburg, 6th June, 1812*

*Sir,—In conformity with a resolution of the Company of Riflemen under my command, I have the honor to make the tender of their services to the President of the*

*United States as volunteers, and to ask the acceptance of this offer under the late Act of Congress.*

*By an Inspection Return of the company, made on the third of this month, it appears we muster 1 Captain, 2 Lieutenants, 4 Sergeants, 2 Corporals, 2 Musicians, and 45 Rank and file, all uniformed and equipped for service.*

*I would beg leave to observe to you Sir, that altho' the company under my command is well armed with rifles, such as are ordinarily used by the inhabitants of the Western country, yet those rifles do not appear to be calculated for actual warfare; they are various in appearance, length, weight and calibre [sic].*

*If the President of the United States would arm such Volunteer Corps of Riflemen as may be called into service with the arms of the United States, it would no doubt obviate the inconveniences necessarily to arise from the objections made to the arms now in use.*

*I am Sir, with respect,  
Your obedient Servant,  
J.B. Alexander"*

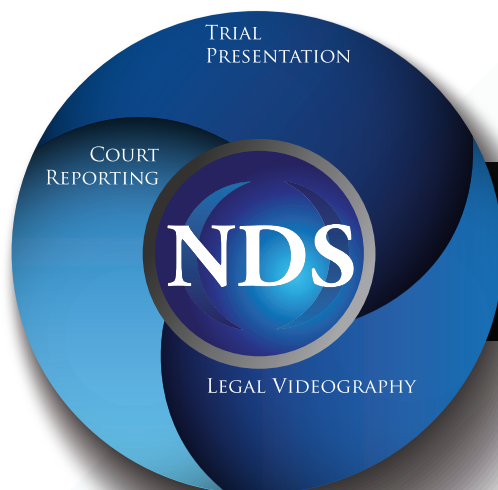
The army's Inspector General responded on July 14, confirming that the tender of the company's services had been accepted, but the request for government-issue rifles was subtly denied as Alexander was told, "Be pleased to organize your company, arm and fully equip yourselves for duty, and expect orders to march; on receipt of which your pay and emoluments will commence."

Orders to march came on the heels of one of the major American defeats of the war. On August 16, a British force of 1,330 men (half of them Native American) advanced against the U.S. garrison at Fort Detroit, then under the command of General William Hull, who was also governor of the Michigan Territory. Hull possessed superior numbers and a strong defensive position, but amazingly he surrendered the fort

*continued on page 8*

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# John B. Alexander, Esq., and The Greensburg Rifles *continued from page 7*

without a fight, ostensibly out of fear of an Indian massacre of the many civilians who had fled to the fort for protection.

The British took 2,500 soldiers as prisoners; seized thirty-three cannon, three thousand rifles and tons of supplies. The circumstances of such a tremendous and unexpected loss led to Hull's court-martial and a sentence of death, later commuted by President Madison.

The orders to Captain Alexander on September 5 made reference to the capture of Hull's army and directed him to prepare his company to march, on the shortest notice, toward the Ohio frontier. The directive also applied to a troop of horse (cavalry), 57 strong, under the command of Captain Joseph Markle, many of whom had been recruited from Westmoreland County.<sup>2</sup>

They were soon on the march to Franklinton, Ohio, a staging point for the Army of the Northwest under the new command of William Henry



*Long rifles, also known as Kentucky rifles, or Pennsylvania rifles, were common to the frontier in Pennsylvania before and during the Revolutionary War and were carried west into Ohio and Kentucky and south into Virginia, Tennessee, and the Carolinas after the Revolution.*

Harrison: prior to the war, the hero of an engagement with the Shawnee, known as the Battle of Tippecanoe; some time after the war, the 9th President of the United States.<sup>3</sup>

Under the caption of "Military Movements" the *Greensburg and Indiana Register* reported on September 17:

*"The Greensburg Riflemen, commanded by Capt. John B. Alexander, marched from this place on Wednesday last to join the Northwestern Army under the command of Governor Harrison. They were as fine a set of men as ever handled a rifle, and we are satisfied will do their duty. The best wishes of their fellow-townsmen and country accompany them."*<sup>4</sup>

<sup>2</sup> Rosters of the men comprising both companies may be found in Albert's history of Westmoreland County at pages 229 and 230.

<sup>3</sup> Harrison took the presidential oath on March 4, 1841, and died of pneumonia a month later on April 4.

## INTO THE FRAY

Intending to secure the frontier and to strike a blow against Britain's Native American allies, Harrison, on November 25, ordered a detachment of 600 men, which included The Greensburg Rifles and Markle's troop of horse, to set out from Franklinton into Indian country for the purpose of destroying their towns along the 120-mile Mississinewa River, a tributary of the Wabash, which runs through Ohio and eastern Indiana.

The expedition embarked on a 19th century version of total war, motivated, at least in part, by the near universal

<sup>4</sup> During the war, to the frustration of the military on both sides, troop movements were regularly reported in newspapers here and in Canada.

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terror of Indians felt by settlers and the rank and file in the army. General Hull's loss of nerve at Detroit upon seeing Indians arrayed against him was disgraceful for an officer of his rank, but it would have been clearly understood by the average person.<sup>5</sup> The objective at hand was not to meet a force similar to their own with beating drums and unfurled flags, but to burn homes and crops in the middle of winter.

It wasn't until mid-December that the troops approached the first town and launched a nighttime attack in which eight warriors were killed and forty-two men, women, and children were taken prisoner. Moving on, they destroyed three more towns downstream, and then turned back, retracing their steps to the site of the first town they had despoiled.

There, on December 18, they were ambushed by several hundred warriors, who in fierce fighting were eventually driven off by the expedition's superior numbers and use of cavalry. Forty warriors and twelve soldiers were killed in the action, including Second Lieutenant Daniel Waltz, of Markle's company, with thirty wounded rounding out the list of American casualties.

On returning to Franklinton, the weather proved even more problematic with 180 soldiers suffering from frostbite. The half-frozen Westmoreland companies would not see further action until spring.

#### THE BATTLE FOR FORT MEIGS

During the winter, General Harrison ordered the construction of a fort in northwestern Ohio near the mouth of the Maumee River that flows into Lake Erie as a staging point for operations into Canada. Construction began February 2, 1813, and when completed, Fort Meigs became the largest wooden-walled fortification in

North America. With the fort nearly complete, its presence drew enemy forces under General Henry Proctor intent upon a siege.

An artillery bombardment of the fort began May 1, and lasted five days. On the night of May 4, the American General Greene Clay, with a flotilla of 1,200 men, arrived on the river, intent on raising the siege. Half his company disembarked to attack the British batteries, with the rest charged with entering the besieged fort. At about

eight o'clock on the morning of the 5th, John Alexander (now with a rank of Major) led The Greensburg Rifles and a company known as the Petersburg Volunteers out of the fort, on a mission to clear a way through the Indians who were in close proximity to the fort.

As the Indian ranks grew in number in response to the exposure of the American troops, Alexander's men charged them with effect, and under

*continued on page 10*



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<sup>5</sup> In the first year of the war, only the British used Indian allies. As the war progressed, Americans cultivated other tribes to fight on their side as well, giving volunteers some assurance that they didn't have to face native warriors alone.

# John B. Alexander, Esq., and The Greensburg Rifles *continued from page 9*

the cover of their fire, Clay's reinforcements were able to fight their way with bayonets for half a mile to the entrance of the fort. On May 9 the siege was broken under pressure of the fort's artillery. The engagement was a rare American land victory in the Great Lakes theater, obtained at the cost of 600 casualties.

In July, General Proctor once again attempted to take Fort Meigs from the Americans, this time by staging a mock battle in the vicinity of the fort, hoping to draw the defenders out, but the fort's occupants refused to take the bait.

Looking for easier prey, Proctor then set his sights on Fort Stephenson (formerly Fort Sandusky) on the lower Sandusky River (now Fremont, Ohio). There, a garrison of 160 was under the command of Major George Crogan, described as "a mere boy, just of age." Once again, the Westmoreland detachments were among the defenders who, on August 2, faced 1,400 British regulars and Indians. Under a flag of truce, Proctor demanded the garrison's surrender, threatening butchery and massacre as the alternative. Young Crogan replied that if the fort were taken there would be "none left to massacre, as it would not be given up while a man was able to fight." Proctor underestimated the effectiveness of the fort's artillery and in the day's fighting his troops were unable to breach its walls. The British forces withdrew that night, after sustaining 96 casualties, to the Americans' eight.

Twenty-six days later, the 12-month enlistment of The Greensburg Rifles expired and the following order was entered in the record:

*"The Pittsburgh Volunteers, commanded by Capt. Butler, and those of Greensburg, by Lieut. Drum, of Maj. Alexander's battalion, having performed their services, the general hereby presents them an honorable discharge.*

*The general has ever considered this corps as the first in the North Western Army. Equal in point of bravery and subordination, it excelled in every other of those attainments which form complete and efficient soldiers. In battle, in camp, and on the march their conduct has done honor to themselves and their country.*

*A.H. Holms  
Asst. Adj. General"*

## AT WAR'S END

The war would last another year and a half before it officially ended on February 17, 1815. In general, the War of 1812 fell short of achieving any of the American objectives. The issue of impressment on the sea was unresolved; the invasion of Canada failed, for no boundary



By Triple Tri (IMG\_9375) [CC BY 2.0], via Wikimedia Commons

*Fort Meigs in northwestern Ohio was once the largest wooden-walled fortification in North America, and was a strategic site during the War of 1812.*

lines changed; and the U.S. Treasury was nearly bankrupt. Andrew Jackson's late victory in the Battle of New Orleans provided the public with a perception that we had won, and on the western frontier, the door to westward settlement was now ajar and would not be closed.

Following his military service, John Byers Alexander returned to Greensburg and the law practice which initiated in 1804 after his education at Dickinson College. He reportedly fought a duel with a man from Uniontown; both missed their target, and their seconds intervened to thwart another round of shots.

Fond of the title "Major," by which he was widely known, he was one of those of whom it could actually be said that "the law was his life," his sole diversion being the reading of Shakespeare. A brief stint in the General Assembly proved to be not of his liking.

He was married, without children, and his lucrative practice continued to his death in 1840 when he was acknowledged by The Hon. Richard Coulter as, "the eldest brother of this bar." ■

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# To-Wit: A Show of Farce

by S. Sponte, Esq.

The non-jury trial ended, and much to my surprise, Her Honor verbally announced her decision right from the bench. “I find for the plaintiff,” she said, “in the amount claimed. All costs and interest on the defendant.”

Waiting for her to further direct that both defendant and his counsel be immediately taken out and shot was probably expecting too much. Just winning was enough.

My client exploded with enthusiasm, reminding me instantly that, oh yes, he had won as well. “Great job!” he yelled while hugging me and slapping me on the back. “What a Colossus of the law you are.” His family, seated together in the courtroom, also erupted with applause and cheers of ecstasy.

“I was never in doubt,” I lied to him. I am still immensely proud of that wondrous bit of fallacious

spontaneity. Until then, I thought the case a sure loser.

I packed up my briefcase, jauntily hoisted it onto my shoulder, and strode out of the courtroom like a Colossus amidst a glorious cacophony of huzzahs, jubilation, and the enthusiastic waving

**“Winning is way better than losing, to be sure, but it’s not always indicative of who has the greater skill.”**

of arms. Both defendant and his counsel joined in gesticulating, although it seemed their gestures were significantly less laudatory.

For as much as I have practiced it, I don’t get to use my Colossus stride very often. Still, I think I pulled it off with sufficiently contrived aplomb to convince everyone how accustomed

I am to such veneration.

That jaunty little briefcase hoist, a slightly longer gait, the sly, rehearsed smile feigning self-assurance, these are indeed the techniques of a master.

I love being a Colossus, and for just that moment, one brief, wonderful psychotic moment, that’s how I felt. But by the time the elevator hit the first floor of the courthouse and I stepped out into the endless chaos and dismay so endemic to this profession, that feeling, as it always does, just poofed away.

For someone who wants to be a Colossus as much I do, I picked a profession not known for such opportunities. In this business you never know if you’ve won because of your skill or because of someone

*continued on page 12*



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## To-Wit: A Show of Farce *continued from page 11*

else's maladroitness. For that reason, confidence, and even more unfortunately, smugness, remains an elusive commodity.

Perhaps I should have been a weightlifter. One clean, one jerk, and either you've done it or you haven't; either way the result is determined solely by merit. It may not have the same professional cachet as lawyering but then again it's a business in which a plentitude of jerks is a good thing.

Lawyering is more like an Old West gunfight. Winning is way better than losing, to be sure, but it's not always indicative of who has the greater skill. If perchance you win because your opponent accidentally shoots himself in the foot while trying to clear leather, of what reputational and self-esteem moment is it that you've just shot and killed a clown?

At least there's this—you don't have to actually be a great lawyer to be a Colossus, you only have to think you are. It usually takes years to master the sleight of learned hand necessary to pull off this self-deception, but I've done it and now I'm willing to share some of my secrets with you.

Why would I offer such aid and comfort to a potential adversary? Well, despite what you may believe I'm really a soft-hearted guy, and when it comes to opposing counsel, "succor" is the first word that comes to mind.

What follows then are some maxims that may help, a sort of mantra for those starving for self-aggrandizement. There's

no need to thank me. After all, isn't that what we Colossi are for?

1. That jaunty hoist of briefcase to shoulder so persuasive of your power and charisma is much easier if your young associates are carrying the actual files.

2. You are always right. Having the Supreme Court rule against you does not make this any less so.

3. The stride of a Colossus is two meters. Choose your underwear accordingly.

4. To promote the illusion of coolness under fire, liberally apply talc for dryness. Avoid the mouth where this will occur naturally.

5. A deep, booming voice conveys power and assuredness and is worth cultivating, even if it bewilders your husband.

6. Applying an Ivy League law school sticker to your briefcase creates an impression of integrity, honesty, and professionalism. If you didn't graduate from one, use the sticker anyway.

Though you, too, may soon feel like a Colossus, it won't last, those feelings never do. Thankfully though, warranted or not, they return, allowing us to believe just for a moment, one brief, wonderful, psychotic moment, that we've done something good. And aren't those, dearest colleagues, the moments for which we live? ■

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  - Registered over 300 Federal, Pennsylvania, and Canadian trademarks
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Bachelor's degree in Engineering from New York University  
Master's degree in Electrical Engineering from Drexel University  
J.D. from Temple University  
Chemistry studies at University of Pittsburgh  
Registered Professional Engineer (Pennsylvania)  
Formerly Assistant Professor at Villanova University  
Formerly Doctoral Candidate in Mathematics at Bryn Mawr College

## ***Survey of Judicial Candidates*** **Magisterial District Judge** **Anthony** **Bompiani**

*continued from page 1*



Society for Psychology at St. Vincent College.

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

I earned my Juris Doctor from the

Duquesne University School of Law. I graduated in 2003 and was admitted to the bar in 2004.

### **Positions of employment since your admission to the bar**

From 2004 to 2009 I worked with the law firm of Stewart, McArdle, Sorice, Whalen, Farrell, Finoli and Cavanaugh LLC doing mostly family law.

In 2009 I started Bompiani Law Group LLC and practiced predominately in the areas of family law and criminal law.

Also, in 2009 I began working part-time with the Westmoreland County Public Defenders Office.

In January of 2016 I was sworn in as Magisterial District Judge in the jurisdiction of Youngwood, South Greensburg, Southwest Greensburg, and a portion of Hempfield.

### **Membership in law-related organizations**

Until 2010, I was an active member of the Westmoreland County Bar Association. I was heavily involved in the Inn of Court. After our second son was born, I began to use my free time to focus on my family.

I am also the coordinator for the Wills for Heroes program in Westmoreland County. The program provides free estate documents to first responders. In 2016, we partnered with

the Pennsylvania Bar Association to host an event in Penn Township where we helped various police officers and fire fighters.

### **Membership in other organizations**

I am a former member of the Westmoreland Rotary Club. I am also a former member of the Youngwood Area Business Association where I served as Vice President and President.

Currently, I am a member of the Westmoreland Chamber of Commerce. I am also the coordinator for the Hempfield Boys Basketball Travel Program.

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

Through my career, a large majority of my practice was focused on family law and criminal law.

In the area of family law I gained a great experience in various custody cases, divorce cases, protection from abuse cases, and child/spousal support matters. I have been in court many times in these types of cases and I have trial experience in both custody trials and divorce master's hearings.

In the area of criminal law, I have substantial jury and nonjury trial experience. I have tried cases in

Westmoreland County, Allegheny County, Fayette County, and Clarion County. I have had various favorable verdicts in these types of cases.

Currently, my practice is extremely limited due to taking the bench as a Magisterial District Judge. The limited work I do presently is in the area of family law.

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

I have vast experience in custody trials and divorce master's hearings.

I also have jury and nonjury trial experience in many different types of cases including but not limited to DUI, aggravated assault, robbery, burglary, homicide, and attempted homicide. Attorney Christiann Flanigan, Attorney Peter Flanigan, and Attorney Michael Pacek have observed me in trial and are familiar with my experience and skills.

I also have judicial experience serving as Magisterial District Judge. Various local lawyers have been before me. Attorney Ken Burkley and Attorney Jason Huska have been in my courtroom and can be contacted as a

*continued on page 14*

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**Survey of Judicial Candidates**

**Magisterial District Judge  
Anthony Bompiani**

*continued from page 13*

reference regarding the way I handle my courtroom.

**Identify your single-most significant professional accomplishment.**

My most significant professional accomplishment was earning a very favorable verdict in my very first jury trial wherein my client was being wrongfully accused of some very serious crimes. The case was tried against an excellent assistant district attorney. The jury deliberated for over 4 hours and returned with a full acquittal.

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

View online at [www.westbar.org/judicialcandidates](http://www.westbar.org/judicialcandidates) #bompiani. ■

**Survey of Judicial Candidates**

**Lisa Galloway  
Monzo** *continued from page 1*



the National Honor Society.

I graduated from the University of Richmond in Richmond, VA with a Bachelor of Arts in Journalism and a minor in English in May, 1988.

**Honors and Awards:** Dean's List, Westhampton College Board of Leadership, Westhampton College Honor Council, Staff Writer for *The Collegian*, staff reporter for WDCE, Co-Captain of University of Richmond dance team, founding member of Kappa Kappa Gamma sorority. I also served two internships for public relations and advertising while enrolled as a full-time student.

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

I graduated from Ohio Northern University, Pettit College of Law in Ada, Ohio with a Juris Doctorate in May, 1992.

**Honors and Awards:** Moot Court Board of Advocates, National Administrative Law Moot Court Competition Semi-Finalist; Research Assistant for Business Administration and Corporations courses to Professor Andrew Beckerman-Rodau; Instructor for Street Law program in local high schools; Phi Delta Phi Honorary Legal Fraternity

**Bar Admissions:** Pennsylvania Supreme Court, 1992; U.S. District Court, Western District of Pennsylvania, 1992, United States Supreme Court, 1999.

**Positions of employment since your admission to the bar**

- Quatrini Rafferty Galloway, Associate Attorney 1992 – 1995
- Westmoreland County Court of Common Pleas  
Judicial Law Clerk to the Honorable Donetta W. Ambrose 1993
- Westmoreland County Office of the Public Defender  
Assistant Public Defender 1995 – 1999
- Westmoreland County Juvenile Probation  
Balanced and Restorative Justice Coordinator 1999 – 2003
- Certified by the Pennsylvania Commission on Crime and Delinquency as a Balanced and Restorative Justice Trainer
- Helped author *“Building Bridges Between Your Community and Your Court – A Handbook for Community Members”* published by Pennsylvania Commission on Crime and Delinquency
- Author, Pamphlet – *“Balanced and Restorative Justice – Community Protection, Victim Restoration and Youth Redemption”*

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Seton Hill University, Adjunct Professor 1996 – 2007  
 Belden Law, Attorney 2005 – 2008  
 Galloway Monzo, P.C., Founding Partner 2008 – Present  
 Westmoreland County Court of Common Pleas  
 Judicial Law Clerk to the Honorable  
 Rita Donovan Hathaway 2015 (7 months)

#### Membership in law-related organizations

Member of Westmoreland Bar Association and Pennsylvania Bar Association, 1992 – Present;

- Chairperson of the Young Lawyers Division of the Westmoreland Bar Association from 1994 – 1996. Created Lunch and Learn programs, increased the budget by eight hundred (800%) percent, created a form book, developed and implemented a service project (PennDot Highway Clean-up Project and Habitat for Humanity) and administered the mentor/mentee program of the Westmoreland Bar Association.
- Awarded Westmoreland Bar Association's "Outstanding Committee of the Year" as Chair of the Young Lawyers Committee in 1997.
- Awarded Westmoreland Bar Association's "Outstanding Young Lawyer of the Year" in 2002.
- Instructor and Panelist for various CLE programs, including WBA and PBA sponsored town meeting on Juvenile Law.
- One of the first attorneys in PA trained as a member of the Pennsylvania Bar Association Project Peace Program and helped to initiate the alternative dispute resolution program in the Hempfield Area School District.
- Former co-chair of Gifts Committee and former chair of Bench/Bar Committee

Ned J. Nakles American Inns of Court, Former Board Member and member (approximately 5 years).

Westmoreland Bar Foundation, Former Board Member, 1995-1998.

Pennsylvania Bar Association House of Delegates, Delegate from Zone 6, 1996 -2005.

#### Membership in other organizations

First Presbyterian Church, Greensburg, PA

- Elder Trustee and counsel to Board of Trustees at First Presbyterian Church, Greensburg, PA 2004 – 2010;
- Created, wrote and trained church leaders on First Presbyterian Church's Safety Policy for Children, Youth and Vulnerable Adults
- Served as a Sunday school teacher for 8th grade students (2006-2010)
- Served as a mentor to students in confirmation classes (2004-2010)
- Instructor for the tutoring program, tutoring 3rd – 5th grade students in all subjects every Wednesday evening from October to May (1992 – 1997).

Hempfield Area School District

- Initiated and implemented alternative dispute resolution program in the Hempfield Area School District through Pennsylvania Bar Association Project Peace. Conducted trainings and mediations for teachers and students throughout Hempfield Area School District. (2000 – 2001);
- Homeroom Parent, Maxwell Elementary School (2003-2010);
- Member of Parent Teacher Organization, Maxwell Elementary School (2003-2010);
- Volunteer (numerous projects), "Partners In Education" 2003 – 2010;
- Chair of "Santa's Secret Shop," Maxwell Elementary School, (2004-2008);
- Career Day Speaker, Maxwell Elementary School, Wendover Middle School;
- "Senior Day" Chair, Hempfield Area High School, Varsity Softball, 2015 – present;

Pittsburgh Vipers Ice Hockey Team

- Manager of youth hockey team (2013-2014)
- Volunteer, ice hockey tournaments (2003 – 2015)

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

*continued on page 16*

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**Survey of Judicial Candidates**

# Lisa Galloway Monzo *continued from page 15*

Although my practice at present is approximately 80% civil litigation, including product liability, personal injury and wrongful death in four counties, I also have an extensive background in criminal law, having represented both adult and juvenile offenders. I also have a comprehensive knowledge of administrative issues, including Medicare, Medicaid and ERISA subrogation. In addition, I taught business law at Seton Hill for 11 years. I presently manage the personal injury section of Galloway Monzo, P.C.

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

Dennis B. Rafferty, John K. Greiner, John W. Peck

**Identify your single-most significant professional accomplishment.**

One of my greatest legal accomplishments was preparing, filing, and pursuing a wrongful death action for a person

who was killed in a DUI accident and left behind children from different marriages. At the time of the fatal accident, our client was in the midst of divorce proceedings. The facts relating to Dram Shop liability were exceedingly difficult and were in the control of the opposing parties, triggering numerous motions for summary judgement, which we were able to successfully contest. There were courts in two counties that had to be addressed and ultimately satisfied as to the merits of our action and the ultimate resolution. Nonetheless, we were able to successfully negotiate a resolution, through mediation, and as importantly, achieve a distribution of the proceeds to the satisfaction of all of the parties and courts.

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

View online at [www.westbar.org/judicialcandidates#gallowaymonzo](http://www.westbar.org/judicialcandidates#gallowaymonzo). ■



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**Survey of Judicial Candidates****Jim Silvis***continued from page 1*

School of Law in 2001. I was admitted to the Pennsylvania Bar on April 15, 2002.

**Positions of employment since your admission to the bar**

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

**Membership in law-related organizations**

- Westmoreland Bar Association, 2002-present  
-Current President-Elect
- Lawyers Concerned for Lawyers, 2006-present
- Ned J. Nakles American Inn of Court, 2002-present
- Lawyer's Abstract, 2003-present

**Membership in other organizations**

- Greensburg-Hempfield Area Library  
-Board of Trustees, 2014-present
- Westmoreland County Historical Society  
-Board of Directors, 2013-present
- Laurel Legal Services  
-Board of Directors, 2013-present  
-Current Treasurer
- St. Thomas More Society of the Diocese of Greensburg  
-Member, 2006-present;  
Vice-President
- St. Vincent Basilica Parish  
-Member, 2009-present
- Police Rod and Gun Club  
-Member and Solicitor, 2003-present
- Rotary  
-Member, 2014-present
- National Rifle Association  
-Member

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

My private practice is comprised of general litigation (60%), real estate (10%), criminal defense (10%), and representing small businesses (30%) with their organization, non-competes, unemployment compensation, etc.

At the Westmoreland County Solicitor's Office, the majority of my time is spent reviewing Children's Bureau contracts and representing the Area Agency on Aging in Guardianship cases.

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

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

**Identify your single-most significant professional accomplishment.**

My most significant professional accomplishment occurred between April and August of 2011. During that time, I tried three criminal jury trials and received not guilty verdicts on all counts in each case. (*Commonwealth v. Stevens*, 1972 C 2010; *Commonwealth v. Derry*, 4482 C 2010; *Commonwealth v. Rabo*, 3511 C 2010).

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

View online at [www.westbar.org/judicialcandidates#silvis](http://www.westbar.org/judicialcandidates#silvis). ■

## where in the world IS THE WBA MEMBER?

WBA member John Bumbaugh (right) stands in front of the barracks at Fort Sill in Lawton, Okla., with his daughter, Private Kelsey Bumbaugh (left), upon her graduation from basic training last December. Kelsey is now stationed at Fort Sam Hood in San Antonio, Tex., where she is training in health care services to be a medic. This is not Kelsey's first appearance in the sidebar. She was all smiles in the April 2006 issue (at right) when her father was awarded Pro Bono Attorney of the Year. Also shown are her mother, Renee; brother, John Eric; and The Hon. Christopher A. Feliciani.



LAWTON, OKLAHOMA

## underreview A Disturbing Mutiny

by The Hon. Daniel J. Ackerman

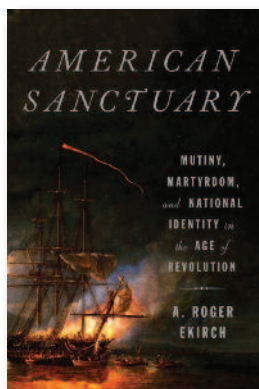
**A. ROGER EKIRCH'S HISTORY, *AMERICAN SANCTUARY*, PANTHEON, 285 PAGES, 2017**



Eight years ago, when Dr. Ekirch, a distinguished professor of history at Virginia Tech, began his research, it is unlikely he foresaw how topical his story of the 1797 uprising onboard the *HMS Hermione* off the coast of Puerto Rico would be today. The little-known incident set in motion an outcry which contributed to

the denial of a president's bid for a second term, a mentality which would be accepting of a declaration of war, and a re-examination by the United States of the rights of immigrants.

The 32-gun British frigate *Hermione*, which could accommodate a crew of 220, had in its service in 1797 nearly 70 sailors impressed from U.S. merchantmen. Many, but not all of those impressed seamen were Americans, mixed in with



other nationalities, including British deserters who had fled their own navy for the better wages and the more relaxed discipline of the merchant marine. At the time, Britain once again was locked into a long war with France, a conflict in which the U.S. remained neutral.

On the night of September 21, the ship's Captain, Hugh Pigot, a man of frequent unpredictability who was easily provoked into flogging his crew, would forfeit his life along with the lives of ten of his officers in a bloody uprising initiated by impressed sailors; it was the worst mutiny in the history of the British navy. After taking over the ship, the crew sailed to the Spanish colony of Venezuela, then a French ally, and from there dispersed to the four winds, many to America, which had the reputation as the "best poor man's country" in the world.

Most of the mutineers would never be found. Within a year, a British dragnet of the Caribbean produced 19 crewmembers, all of whom were in custody, for under admiralty law any member of the crew who did not actively oppose a mutiny became part of it.

In February 1799, an American schooner arrived in the port of Charleston, S.C., where a member of its crew sought out the British consul to inform him that he had overheard one of his shipmates telling another that he had been on the *Hermione* at the time of the mutiny. Shortly thereafter, the shipmate was protesting from a Charleston jail cell that he was Jonathan Robbins, an American seaman from Connecticut, whom the British had impressed at sea from an American vessel and forced upon the *Hermione*, who did not partake in the massacre. Another member of *Hermione's* crew identified the accused as Thomas Nash, an Irishman, who was one of the mutineers who broke into Captain Pigot's cabin where the captain was grievously wounded and then dragged onto the deck where Nash ordered his cohorts to "throw the bugger overboard."

Was the accused Nash or Robbins? Professor Ekirch addresses this question in the best tradition of a mystery writer; so for this review, the less said the better. The legal issues raised during his narrative are many, including jurisdiction over crimes committed at sea; whether the citizenship of the accused was legally relevant; could impressed sailors claim the right of self-defense against their captors; did the accused, if an alien, enjoy the right to counsel and trial by jury; and the power of the chief executive to extradite or expel aliens. Most of these sound like bar exam questions for certification as a proctor in admiralty.

If you yearn for mysteries and sea stories, or for a better understanding of current events, but would feel guilty for not reading the advance sheets, this fine book may be for you. ■



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# Special Membership Meeting Set for May 24

Notice is hereby given that a Special Meeting\* of the Westmoreland Bar Association has been scheduled for the purpose of electing a board member to fill the open seat on the WBA board of directors for a three-year term ending on Monday, April 6, 2020. The special meeting will be held on **Wednesday, May 24, 2017, at 4:30 p.m., at the Commissioners' Meeting Rooms, Westmoreland County Courthouse.** Fifty (50) members of the bar will satisfy the requirement of a quorum.

WBA President Timothy Andrews requests that interested WBA members submit their intention to run for the open seat to the Executive Director by email ([dk.wba@westbar.org](mailto:dk.wba@westbar.org)), fax (724-834-6855), or mail (129 N. Pennsylvania Ave., Greensburg PA 15601-2311) before Monday, May 10, 2017, at 5 p.m.

\* Pursuant to Westmoreland Bar Association Bylaws Article IV, Section 3: Special meetings may be called by the President or Board of Directors, or upon the request of ten percent (10%) of the Participating Members of the association. The Secretary shall give notice of the meeting in writing to all members of the association stating therein the purpose or subjects to be considered at such special meeting and no business shall be transacted except as listed in the notices.

## BRIEFLY SPEAKING



**Phil McCalister** is in his final two years as President of the Board of the Westmoreland County Community College Education Foundation. "We are in the middle of a \$52 million capital fund drive," he says.

"We've already raised a significant amount from public sources, but it's on my watch that we need to raise \$5 million from individual sources and other foundations." Phil's term began in 2014-15. ■



After two decades of service, **Vince Quatrini** has left the Advisory Board of the Community Foundation of Westmoreland County. Vince was the primary founder of the CFWC in 1995, which has grown to include 200 funds with total assets of nearly

\$22 million. Vince will continue to serve on the board of directors of The Pittsburgh Foundation, which merged with CFWC in 2010. ■



Congratulations to **Marcus Martin** (center) on receiving the CALI Excellence for the Future Award for achieving the highest grade in the Family Law class at the University of Pittsburgh School of Law for the Fall 2016 semester. Marcus interned with **Kelly Eshelman** (left) at Eshelman Law Office, LLC, and is currently a law clerk at Seton Hill University for **Imogene Cathey**, General Counsel (right). ■

## it's a girl!



Congratulations to **Michael V. Quatrini** and his wife, Megan, who welcomed their daughter, **Stella Helene**, on November 20, 2016. Weighing 4 lb 11 oz and measuring 18 in. long, Stella joins her "fuzzy brother"—a chihuahua rat terrier mix named Chip, at home. Michael is an attorney with **QuatriniRafferty, PC**, in Greensburg.

## got news?

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

**PARALEGAL:** Large insurance defense firm is seeking an experienced workers' compensation paralegal to work in their growing Pittsburgh office. The ideal candidate must be able to handle various tasks at one time, while maintaining a high attention to detail and accuracy. Time management, professional communication skills and organizational skills are necessary to work in our fast-paced environment. Candidate must be able to work independently and have a desire to assume significant responsibility. Our benefits include a competitive salary, healthcare benefits, 401K and bonus potential. If you are looking for a place to grow professionally, email your resume and cover letter to: [resume@tthlaw.com](mailto:resume@tthlaw.com).

# wba news



129 North Pennsylvania Avenue  
Greensburg, PA 15601-2311

[www.westbar.org](http://www.westbar.org)

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## CALENDAR OF EVENTS

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

### MAY

- 2** [CLE] Advanced Directives for the Health Care Act, Noon to 1:15 p.m., 1 substantive credit available
- 5** Battle of the Ages VIII: WBA Softball Spectacular, 4:30 p.m., Altman Field, Jeannette, Pa.
- 10** Real Estate Committee, Noon
- 12** [CLE] Mental Health Impacts on Children and Adults, 11:30 a.m. to 1:30 p.m., 2 substantive credits available
- 16** Family Law Committee, Noon
- 17** Elder Law & Orphans' Court Committees, Noon
- 24** [CLE] How To Secure, Review, and Use Medical Records, Noon to 1:15 p.m., 1 substantive credit available  
**Special Membership Meeting, 4:30 p.m., Westmoreland County**

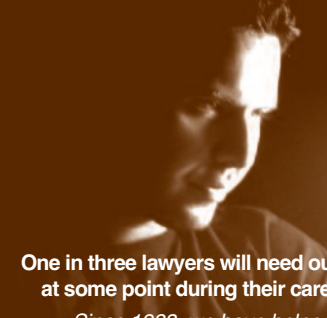
### Courthouse, Commissioners' Meeting Rooms

- 25** 55th Annual Memorial Service of the Westmoreland Bar Association, 3 p.m., Westmoreland County Courthouse, Ceremonial Courtroom No. 3
- 29** Courthouse closed in observance of Memorial Day

### JUNE

- 14** Courthouse closed in observance of Flag Day  
31st Annual Bench/Bar Conference of the Westmoreland Bar Association begins!
- 15** 31st Annual Bench/Bar Conference of the Westmoreland Bar Association continues
- 16** 31st Annual Bench/Bar Conference of the Westmoreland Bar Association ends

**You are not alone.**



**One in three lawyers will need our help at some point during their careers.**  
*Since 1988, we have helped over 6,000 attorneys in need.*

**A WORD ABOUT CONFIDENTIALITY**  
We understand your concerns about privacy and confidentiality. LCL is equally sensitive about your career and your license.  
We know it is hard to ask for help. LCL discreetly provides resources, support and information.  
Your call to us and the help we provide is confidential. You incur no expense or any other obligation by calling LCL.

**We can often help when others cannot.**  
**1-888-999-1941**  
**Lawyers Concerned for Lawyers**



**WESTMORELAND  
BAR ASSOCIATION**

## Special Membership Meeting

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*\*Pursuant to Westmoreland Bar Association By-Laws Article IV, Section 3: Special meetings may be called by the President or Board of Directors, or upon the request of ten percent (10%) of the Participating Members of the association. The Secretary shall give notice of the meeting in writing to all members of the association stating therein the purpose or subjects to be considered at such special meeting and no business shall be transacted except as listed in the notices.*

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Notice is hereby given that a Special Meeting\* of the Westmoreland Bar Association has been scheduled for the purpose of electing a board member to fill the open seat on the WBA board of directors for a three-year term ending on Monday, April 6, 2020.

The special meeting will be held on **Wednesday, May 24, 2017, at 4:30 p.m. at the Commissioners' Meeting Rooms, Westmoreland County Courthouse**. Fifty (50) members of the bar will satisfy the requirement of a quorum.

WBA President Timothy Andrews requests that **interested WBA members submit their intention to run** for the open seat to the Executive Director by email, fax or mail **before Monday, May 10, 2017, at 5 p.m.**

**Register online at [westbar.org](http://westbar.org) or return this form by fax (724-834-6855), mail (Westmoreland Bar Association, 129 N Pennsylvania Ave, Greensburg PA 15601-2311), or email ([westbar.org@westbar.org](mailto:westbar.org@westbar.org)) by Wednesday, May 17, 2017.**

Name \_\_\_\_\_

\_\_\_\_\_ **I will attend the Special Meeting of the Westmoreland Bar Association on Wednesday, May 24, 2017, at 4:30 p.m. at the Commissioners' Meeting Rooms, Westmoreland County Courthouse.**

# Mental Health Impacts on Children and Adults

— LIVE — 2 Substantive Credit Available



An accredited provider for the PA Board of Continuing Legal Education

**OPEN TO EVERYONE; including Caseworkers, Service Providers, Judges, CASA Volunteers, Attorneys, Caregivers, and others!**

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

## Panel:

- Child Trauma and Trauma Informed Care: Cindy King, MSSA, LCSW, LISW-S, King and Associates, Inc.
- Family Systems and Cognitive Behavioral Therapy: Dr. Paul Niemiec, LPC
- Mental Health Stigma: Laurie Barnett Levine, LSW.

**Two (2) Substantive Credit are available toward your annual CLE requirements.**

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

**May 12, 2017**

## Mental Health Impacts on Children and Adults

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

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

Address: \_\_\_\_\_

Email: \_\_\_\_\_

Phone: \_\_\_\_\_

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

Bill my  MasterCard  VISA  DISCOVER for \$ \_\_\_\_\_ (Amount).

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

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

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

## Pre-Registration Fees

### CLE Credit:

- WBA Members - \$30 per credit hour (\$60)  
 Non-Members - \$50 per credit hour (\$100)

### Non-Credit:

- \$10 Flat Rate  
 Waived for Young Lawyers (practicing 10 years or less)

To qualify for Pre-Registration Seminar Fees - Please return this form and your payment to the WBA Office, 129 North Pennsylvania Avenue, Greensburg, PA 15601, **by 12 pm May 11, 2017.**

**Friday,  
May 12, 2017  
11:30 am - 1:30 pm  
WBA Headquarters**

## Seminar Fees:

### PRE-REGISTRATION:

(Must be prepaid & received at the WBA office by 12 pm May 11, 2017)

### CLE Credit

WBA Members - \$30 per credit hr.  
Non-Members - \$50 per credit hr.

### Non-Credit

\$10 Flat Rate

## Sponsored by:

- CASA of Westmoreland, Inc.
- Westmoreland Bar Association

## WALK- IN:

### CLE Credit

WBA Members - \$40 per credit hr.  
Non-Members - \$50 per credit hr.

### Non-Credit

\$20 Flat Rate

Waived for Young Lawyers (practicing 10 years or less)

Lunch will be provided by:  
CASA of Westmoreland, Inc.

## Westmoreland Bar Association

129 North Pennsylvania Ave.  
Greensburg, PA 15601  
724-834-6730  
Fax: 724-834-6855

www.westbar.org

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

# Westmoreland Bar Association

## DINE AROUND

### 2 Nights, 2 Restaurants, 2 Great Meals

Join other bar members and their guests for an informal evening of food and conversation. The Dine Around will travel to two different eateries on two different weeknights over two months. Register for one, or register for both. There are openings for approximately 12 attendees with no registration costs.

Reservations are necessary and taken on a first-come, first-served basis. **Register online** at [www.westbar.org](http://www.westbar.org), or call the Bar office at **724-834-6730** to reserve your Dine Around date(s).

Start time: **5:30 p.m.** • Cost: **On own**, as ordered from menu.

**Tuesday, May 16: Touchdown Club**  
**3901 State Rt. 30 E, Latrobe, PA 15650**



Originally a private club organized to benefit St. Vincent college athletes in need of financial aid, the club is now open to the public. The décor is filled with local Latrobe memorabilia, including Arnold Palmer, the Steelers and many hometown heroes. Fresh ingredients, & tried and true dinner entrees make the Touchdown Club one of the favorite go-to restaurants in the Latrobe area. Make sure you stop in the bar area to watch the bowlers next-door through the one-way mirror. Located on Rte. 30 across from Walmart, this restaurant has easy access. <http://www.touchdownclub2.com/>

**Wednesday, June 21: Chef Dato's**  
**645 Rt. 217, Latrobe, PA 15650**



Known for home-made dishes "just like Grandma used to make," Chef Dato's offers unpretentious upscale dining with exceptional food and service. Their menu is filled with ethnic food dishes, including Turkish, Moroccan, Greek & German as well as American fare. Rated 4.5 stars on Trip Advisor and #1 Restaurant in Latrobe area, this is a restaurant that is worth the drive. <http://www.chefdato.com/>

# How To Secure, Review and Use Medical Records

— LIVE — 1 Substantive Credit Available



An accredited provider for the PA Board of Continuing Legal Education

## Procuring and using medical records.

1. Use of the appropriate authorizations.
2. Reviewing medical records and electronic charts for the following:
  - The appropriate doctor.
  - The flow of the orders, labs and documentation.
  - The use of macros by the doctor.
  - The audit trail.
  - Reports in the electronic records.
  - How to organize records.
  - Follow-up with request to ensure that records were sent.
3. Request for Hospital Policies and Procedures

### Speakers:

•**Daniel Joseph, Esquire**

*Attorney at Law*

•**Denise Hooks**

*R.N., L.N.C*

## One (1) Substantive Credits are available toward your annual CLE requirements.

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

**May 24, 2017**

### How To Secure, Review and Use Medical Records

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

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

Address: \_\_\_\_\_

Email: \_\_\_\_\_

Phone: \_\_\_\_\_

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

Bill my  MasterCard  VISA  DISCOVER for \$ \_\_\_\_\_ (Amount).

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

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

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

#### Pre-Registration Fees

##### CLE Credit:

- WBA Members - \$30 per credit hour  
 Non-Members - \$50 per credit hour

##### Non-Credit:

- \$10 Flat Rate  
 Waived for Young Lawyers (practicing 10 years or less)

To qualify for Pre-Registration Seminar Fees - Please return this form and your payment to the WBA Office, 129 North Pennsylvania Avenue, Greensburg, PA 15601, **by 12 pm May 23, 2017.**

**Wednesday,  
May 24, 2017  
12:00 pm - 1:15 pm  
WBA Headquarters**

#### Seminar Fees:

##### PRE-REGISTRATION:

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

##### CLE Credit

WBA Members - \$30 per credit hr.  
Non-Members - \$50 per credit hr.

##### Non-Credit

\$10 Flat Rate

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##### WALK- IN:

##### CLE Credit

WBA Members - \$40 per credit hr.  
Non-Members - \$50 per credit hr.

##### Non-Credit

\$20 Flat Rate

Waived for Young Lawyers (practicing 10 years or less)

Lunch will be provided.

[Westmoreland Bar Association](http://www.westbar.org)

129 North Pennsylvania Ave.

Greensburg, PA 15601

724-834-6730

Fax: 724-834-6855

[www.westbar.org](http://www.westbar.org)

For refund policy information, or if special arrangements are needed for the disabled, please contact the WBA Office at

724-834-6730, or

by email at [westbar.org@westbar.org](mailto:westbar.org@westbar.org).





***Westmoreland Bar Association's  
55<sup>th</sup> Annual Memorial Service  
Westmoreland County Courthouse  
Courtroom #3***

***Thursday, May 25, 2017  
at 3:00 pm***



*In remembrance of:*

- *Shawn M. Boyle*
- *Robert Y. Cassol*
- *The Honorable Joseph A. Hudock*
- *The Honorable Debra A. Pezze*



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

**Following the service, a complimentary reception  
will be held at the Rialto Event Room.**

---

**2017 WBA Memorial Service Registration**

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

\_\_\_\_\_ I will attend the Memorial Service on **Thursday, May 25, 2017** at 3 pm in  
Courtroom #3.

Name (please print) \_\_\_\_\_