

LAWYERS JOURNAL

Pathways to Leadership cohort kicked off Feb. 15

By Zandy Dudiak

Approximately eight diverse attorneys identifying as persons of color, disabled (as per ADA definition), LGBTQ+ or from another disadvantaged group who desire to gain skills for leadership in the ACBA, workplaces or community now have that opportunity through a new cohort initiated by the ACBA Committee for Diversity and Inclusion (CDI).

The Pathways to Leadership Cohort kicked off Feb. 15 with an intimate chat in the ACBA reception area. ACBA President-Elect Regina Wilson moderated the discussion that included Juan Paz-Rosario, Gabbi Lee, Alysia Keating and Tony Thompson, who shared their leadership experiences with the cohort members.

The initiative’s goal is to create a pipeline of talented diverse attorneys who will serve in leadership professionally in the ACBA and the community by connecting them to professional resources that can assist in their career growth and development. Kellie Ware, ACBA Director of Diversity, Equity and Inclusion, said the program is geared for young lawyers and also those with more experience who are transplants to the area.

The program pillars include the importance of mentors and sponsors in career development; education on diversity, equity and inclusion leadership in the community; immersion into ACBA events and programs; and collaborating with substantive committees and sections for leadership opportunities.

“It will help them move along the path and understand the nuances to get to a leadership position,” said attorney Jesse Exilus, who is cohort co-chair with Judge Nicola Henry-Taylor. “Knowledge is power. This Pathways to Leadership Cohort will provide members with a lot of knowledge and inspiration.”

By preparing cohort members for leadership roles in firms, law departments and government entities, they will be more likely to ascend to corporate boards or serve in elected or appointed positions on the bench, nonprofit boards or in the legislature. By increasing diverse attorney representation in the ACBA, the cohort members can become more active participants in committee, division, section and other leadership roles.

Through the year, cohort members must attend one ACBA event, two partner programs and two CDI programs. They must also be present at the kickoff and the graduation celebration this fall.

The CDI determined this was a necessary program due to the ACBA struggling to identify qualified candidates to fill positions and preserve diversity. According to Exilus and Henry-Taylor, candidates who apply often do so without proper preparation, experience and knowledge – and as a result may become discouraged when they are not nominated for those positions.

“They do great work, though they don’t see how to become leaders in the ACBA or community,” Exilus said.

The CDI also found a lack of diversity in the substantive sections, including some sections where no diverse attorneys participate despite their existence in that area of law. While some outside groups are preparing students for this kind of service during law school, or even as soon as secondary school, they found that ACBA should undertake this effort to increase diverse participation at the professional level.

“We all suffer when we don’t have diverse voices in the room,” Ware noted.

Henry-Taylor said statistics show fewer than five percent of attorneys are African American and only two percent are Black women. She said a number of diverse attorneys have not had the generational experiences of networking or becoming a member of an organization. Many are first generation college and law students and might not know nuances such as looking someone in the eyes when they speak or shaking hands.

“Many of my (law school) classmates had fathers who were professors or judges,” she said. “When we (diverse attorneys) get into the profession, oftentimes we are slower to excel. If

your goal is the legislature, the bench or to be executive director of a nonprofit, you need the education and experience to be those things.”

Henry-Taylor said she didn’t feel that she belonged until she was four years into her law career and didn’t join the ACBA until she’d been in the profession 10 years.

“We hope people don’t wait that long to become involved,” she said.

Because the cohort is small, Ware said the hope is the members can develop an intimacy and trust that will bond them together, things that can lead to references, sponsorships and mentorships in the future. She said the program “can help advance equity across all ethnicities, gender expressions, etc.”

Ware encourages ACBA members, to “just be friendly and welcoming when you see folks you haven’t seen before. I’d encourage members to be positive and engaging.”

If someone doesn’t have a good experience when encountering a new group of people, Ware said they might not come back.

“So many times doors have been closed to people,” Henry-Taylor said. “It’s like we have to say, ‘we want you.’” ■

Beck elected to Pa. Superior Court

By Zandy Dudiak

Jill Beck didn’t initially set her sights on being an attorney, much less a Pennsylvania Superior Court judge.

But early in her career, she developed a passion to protect vulnerable members of the community, so she charted a path that led to her being elected for a 10-year term on the Superior Court in the 2023 general election.

“I love the work of the Superior Court,” Beck said. “I find it to be meaningful and impactful. These are cases that affect everyday Pennsylvanians.”

She first ran for a seat on the appellate court in 2021. Though



SUBMITTED PHOTO
The Honorable Jill Beck addresses the crowd during her installation ceremony on Jan. 5, 2024 at Duquesne University’s Power Center Ballroom.

Non-Profit Org.
U.S. Postage
PAID
Pittsburgh, PA
Permit #130

Continued on page 2

ACBA
BENCH-BAR
CONFERENCE

The Allegheny County Bar Association's Bench-Bar Conference is the Pittsburgh Legal Community's premier gathering of legal professionals.

SAVE THE DATES
JUNE 13 – JUNE 15, 2024
SEVEN SPRINGS MOUNTAIN RESORT

Visit www.ACBA Bench Bar.com for more.

60TH ANNUAL

ACBA BENCH-BAR
CONFERENCE
★ 2024 ★

LAWYERS JOURNAL

The *Lawyers Journal* is published fortnightly by the Allegheny County Bar Association
400 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219-1818
www.ACBA.org

Advertising Inquiries: 412-402-6620 / bknavish@acba.org
Address Changes: 412-402-6612 / bbrumbaugh@acba.org

Circulation 5,181
© Allegheny County Bar Association 2024

Editor-in-Chief: *Daniel A. Seibel, Esq.*
Supervising Editor: *David A. Blaner*
Editor: *Jennifer A. Pulice, Esq.*
Graphic Artist Supervisor: *Jessica Wysocki Valesky*
Editor/Graphic Artist: *Daniel Priore*
Proofreader: *Sharon Antill*

■ The *LJ* editorial policy can be found online at www.ACBA.org.
■ Information published in the *LJ* may not be republished, resold, recorded or used in any manner, in whole or in part, without the permission of the publishers.

Gender Bias Duty Officers

ACBA.org/member-center/gender-bias-hotline
If you have observed or experienced any form of gender bias in your role as an attorney or law student intern, you may contact any one of the following members of the Gender Bias Subcommittee of the Women in the Law Division on a daily basis. The duty officers will keep your report confidential and will discuss with you actions available through the subcommittee.

Kimberly Brown.....412-394-7995
kabrown@jonesday.com
Rhoda Neft412-606-8387
rhoda.neft@gmail.com

Professional Ethics Hotline

ACBA.org/OfficerAssignments
Wonder if your decisions, legal advice or other professional actions are ethical? Need guidance? The ACBA Professional Ethics Committee “Ethics Hotline” makes available Committee Members to answer ethical questions by telephone on a daily basis. *All calls are confidential.*

February
Dawn Gull412-440-5718
Simone Delorme Harris717-991-7193
March
Darth M. Newman412-436-3443

THE PITTSBURGH LEGAL JOURNAL OPINIONS

provides ACBA members with timely, precedent-setting, full text opinions, from various divisions of the Court of Common Pleas. The *Opinions* can be viewed online in a fully searchable format at www.ACBA.org/Opinions.

The latest cases loaded into the database involve the issues of:
Writ of Summons

Find out what’s happening in the Pittsburgh Legal Community

- CLEs
- Committee Meetings
- Social Events
- Zoom Sessions
- And more ...

ACBA.org/calendar



BECK ELECTED continued from front page

defeated in that race, she tried again last year and won one of two open seats. Beck’s hope is to use her extensive litigation and appellate experience to ensure equal and equitable access to justice for all.

“There are many factors that come into play and whether an error was committed. Although we have great judges, people have lost their freedom, homes and children when they shouldn’t. I was powerless to correct the errors. I could either complain or do something about it.”

While majoring in criminal justice with a minor in psychology at George Washington University, she served as a counselor at a residual facility for adjudicated delinquent girls and then as an assistant forensic interviewer at Children’s Hospital of Pittsburgh’s Child Advocacy Center.

After graduating, she stayed on in D.C. as an AmeriCorps fellow, working with adolescents on probation. She helped them fulfill their probation requirements while exposing them to the arts and sports. Her experiences testifying in cases on their behalf is what led her to consider a career in law, where she felt she could protect the underserved.

“The frustration I had was the judges, more often than not, wouldn’t listen to my colleagues and me,” Beck said. “Instead, they listened to the attorneys who met the kids in the hall for the first time.”

That led her to study at the Duquesne University School of Law.

Upon graduation, she went to work in 2006 as an attorney for the nonprofit KidsVoice, where for the next four years she maintained a busy schedule representing more than 200 abused and neglected children at a time.

While in court five days a week, Beck did more than just protect their legal rights at trial and on appeal. She also worked to ensure that their basic human needs were met – food, clothing, shelter, medical and mental health treatment, and having a safe and loving family.

“I was a litigator,” Beck said. “I was someone who thought I’d enjoy that kind of work. I was wrong. I really enjoyed appellate work.”

The late Pennsylvania Supreme Court Justice Max Baer encouraged Beck to apply to the courts, which led to her serving for five years as a deputy judicial law clerk under Superior Court Judge Christine Donohue. During that time, Beck researched and drafted majority and minority decisions addressing issues on appeal from Pennsylvania Courts of Common Pleas in civil, criminal, family, orphans’ court and juvenile matters.

When Donohue was elected to the Supreme Court of Pennsylvania in 2016, Beck went with her and served as a judicial law clerk. There, Beck conducted state, federal and multi-state legal research, and drafted majority and minority opinions in all areas of the law until 2019.

She then became a civil litigator at Blank Rome, a law firm she selected because of its commitment to providing

free legal services to those who cannot afford them. In addition to her litigation and appellate practice, she chaired Blank Rome Pittsburgh’s Pro Bono Coordinating Committee.

Her combined bench and bar experiences give her a background that she felt would help her as a judge in Superior Court, which she called a “court of last resort.”

“Every person’s history shapes their perspective,” Beck said. “I will have a real working knowledge of individual circumstances as well as the law of the case.”

Beck, whose chambers are in Pittsburgh, will be randomly assigned to panels to handle cases. Because 75% of cases are submitted as briefs, most are decided on paper. The other 25% are typically argued in Pittsburgh, Harrisburg or Philadelphia.

Giving back to the community is important to Beck. Through the years, she has pursued many volunteer endeavors through the ACBA and in the community. She chaired the ACBA Children’s Gift Drive and Holiday Party for two years and was part of the effort to overhaul the annual backpack program to allow teachers to distribute them to children in need.

Beck was also founder and director of Sue’s RUN4KIDS, a project to honor the memory of her mother, Sue Lipman, a runner who died of pancreatic cancer. For seven years, the funds raised benefited the NICU and PICU at Children’s Hospital, where her mother was a social worker.

Beck resides with her husband, two children, and rescue dog in Pittsburgh. ■

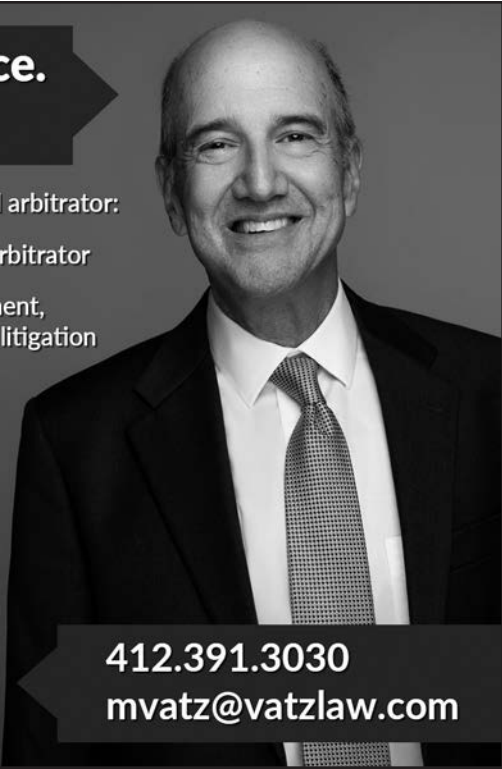
Patience. Persistence. Experience.

Qualities of an effective mediator and arbitrator:

- 15 years experience: mediator and arbitrator
- 45 years experience: labor/employment, personal injury, workers’ comp, civil litigation
- Treats your client with dignity, understanding and respect

MEMBER: Federal Court ADR Panel,
Academy of Trial Lawyers of Allegheny
County, Pa. Bureau of Mediation Panel
of Labor Arbitrators, American
Arbitration Association Panel

CHOOSE
MELVIN VATZ
MEDIATION & ARBITRATION



412.391.3030
mvatz@vatzlaw.com

Family Law Practice

in all areas including:

- Divorce
- Custody
- Support
- Equitable Distribution

Pamela V. Collis, Esq.

 **MEYER • DARRAGH**
BUCKLER • BEBENEK & ECK, PLLC

U.S. Steel Tower, Suite 4850
600 Grant Street, Pittsburgh, PA 15219
(o) 412-261-6600 (d) 412-553-7165
(e) pcollis@mdbbe.com
www.mdbbe.com



Five ways to improve your LinkedIn profile in ten minutes or less

By Michele Lando

These five ways to improve your LinkedIn profile in ten minutes or less will help you quickly optimize your profile to increase your visibility on the platform. Yes, you heard that right, you can improve your LinkedIn profile in ten minutes or less! It's a lot easier than you think.

Update Your LinkedIn Profile URL

This is one of the easiest ways to make your LinkedIn profile look more professional. When you create a LinkedIn profile, by default your profile URL will have a long string of random letters and numbers at the end of the link. You can change that! You can actually change the end of your LinkedIn profile URL to almost anything, however I recommend sticking with something along the lines of your first name and last name. If your first and last name are taken, try adding a simple number (i.e. birth year, graduation year, etc.), middle initial, or something else fairly neutral. I've seen people use city or state initials too which works.

The goal is to make your LinkedIn profile URL more simple, clean, and easy to remember.

Update Your Headline

By default, LinkedIn will make your headline whatever your current job title is, but your headline can be a lot more interesting than that! You can manually go in and change your LinkedIn headline.

There are two major benefits to updating your LinkedIn profile headline. 1) Your headline will be more interesting and will be more likely to grab someone's attention. 2) Integrating keywords into your headline makes you more searchable and will increase your chances of coming up on related keyword searches. (There are recruiters who spend the entirety of their days scouring LinkedIn for potential candidates.) You want your headline to grab someone's attention while using key words and phrases that help optimize your profile for search engines.

Here's a great example of a headlining statement: *"Accomplished IT Professional with 20+ Years of Experience in Leadership, Technical Assistance, and Client Facing Communication"*

This statement uses key phrases such as "IT", "leadership", "technical assistance", and "client facing communication" while highlighting this person's extensive experience (20+ years). The statement is much more effective than simply using the job title "IT Help Desk Manager."

Update Your Photos

Having a great LinkedIn profile photo is essential, (members who include a profile photo receive 21x more profile views and up to 36x more messages) however many people don't realize that including a background photo is an important element of a great LinkedIn profile as well. One of the amazing qualities about LinkedIn is that it lets you put a face to a name, which subconsciously establishes an emotional connection. You're much more likely to remember someone who you've seen a picture of than simply remembering their name out of a stack of resumes. Including a background photo provides further insight as to who you are and what your personality is like. This helps strengthen that connection with the reader.

Your cover photo or background photo gives you the opportunity to highlight your personality and/or your field of work. If you're feeling stuck on what kind of photo to use, try going with one of these two options: Pick a photo related to your career (my background photo is a photo I took of a keyboard). If you want to show more personality, pick a photo that you connect with. If you like hiking or camping in a certain place, pick a landscape image of that area. If you're from a specific city that adds to your identity, pick a cityscape. If you do pick a photo without obvious correlation, be sure to reference it somewhere in your summary.

For example, if you picked a landscape of a hiking location you love, you could say something along the lines of *"when I'm not working, you'll often find me outside either hiking or camping..."*

Add Skills

This is an easy way to optimize your profile and improve your search engine optimization (SEO). Add skills to the skills section of your resume. Figure out what kind of jobs you want to attract and include related search terms.

Note that LinkedIn recently updated how skills are included on profiles. Now, LinkedIn asks users to tag skills to different jobs and/or experiences. Ensuring that you have your skills section updated according to the newest features ensures that your profile will get the maximum foot traffic under the platform's algorithm. An added benefit of tagging skills to specific jobs is that a reader can clearly see each skill that you've tagged listed under the job description.

An easy way to figure out what terms to include on your profile is to look at a job description posted on LinkedIn. Often LinkedIn will show you the keywords that they are looking for, and will tell you what terms you have and have not included throughout your profile.

Use these as a guide to figure out what skills to add in the skills section. This will vastly improve your LinkedIn visibility and will help you attract attention from recruiters and hiring managers.

Ask for a Recommendation

Referrals, recommendations, and testimonials are a huge part of building online trust and maximizing your online footprint. When a trusted friend tells you about a business, you transfer that trust to the company. Similarly, when a trusted industry

professional recommends a person, you transfer that trust onto the person they are referring. LinkedIn recommendations are a great way to highlight your expertise and leverage your connections.

If you're stumped on how to reach out to someone about writing you a LinkedIn recommendation, try phrasing it like this:

*"Hi X,
Hope this note finds you well! I'm working on building my online footprint and I was wondering if you would be willing to share some feedback on your experience working with me? If so, I'd really appreciate it if you could write me a short LinkedIn recommendation."*

"Thanks, and please let me know if there's anything I can do to return the favor!"

*Best,
[Your Name]"*

A great LinkedIn profile is an essential element of your personal brand and is a very important tool to utilize when looking for a job. Updating your profile can take time, however there are some details that you can improve quickly! These five ways to improve your LinkedIn profile in ten minutes or less will help you quickly optimize your profile to increase your visibility on the platform. ■

You can find this article and more like it at jobs.acba.org/jobseeker/resources.



PROPERTY TAX SAVINGS



WE KNOW HOW TO GET RESULTS BECAUSE WE KNOW PROPERTY TAX LAW.

We are *the* property tax law firm. It's all we do, with 50 years of experience and billions in assessment reductions nationwide.

Contact Sharon DiPaolo and the team at Siegel Jennings for a no-fee, no-risk review of your portfolio.


412-486-2848 • siegeltax.com

SIEGEL JENNINGS Celebrating 50 YEARS - EST 1974 -
PROPERTY TAX LAW

Pittsburgh • Cleveland • Chicago • Columbus

*Quality...Experience...Results...
It's what your clients deserve.*

Medical Malpractice • Auto Accidents • Personal Injury



GISMONDI & ASSOCIATES

412-281-2200 • www.gislaw.com • 310 Grant St., Ste. 700, Grant Bldg., Pgh., PA 15219

HSBD CHAIR'S MESSAGE

Homer S. Brown Division should be proud of the history we've made

By Gabrielle Lee

The third floor of the Joseph F. Weis, Jr. United States Federal Courthouse proudly displays the rich history of the judiciary in its display of 66 portraits, one for each individual appointed to serve as a United States District Court Judge for the Western District of Pennsylvania. On the ninth floor of this building, you will find 14 more portraits of the district's United States Magistrate Judges. It isn't until portrait number 81, that you will soon find the Western District of Pennsylvania's first and only Black woman federal judge, the Honorable Kezia O. L. Taylor, who was appointed to the court in December of 2023.

Homer S. Brown, ACBA's Black lawyers' division's namesake, was dubbed the father of "firsts" in western Pennsylvania due to his founding and becoming the president of the local NAACP and being the first Black judge in the Allegheny County Court of Common Pleas. Brown graduated from the University of Pittsburgh School of Law in 1923. One hundred years later, Black lawyers in Allegheny County, like Judge Taylor are continuing his legacy of being "the first."

As a 2016 law school graduate, I was shocked by how many opportunities



Gabrielle Lee
HSBD Chair

there were still available for me to make Black history. In 2016, some of our courts had yet to see their first Black woman serve as judge. Quite a few of our large law firms had yet to promote a Black partner in their Pittsburgh offices. For an ambitious, young, new attorney, the prospect of being the first in any of these categories was exciting. As an ambitious, young-ish, slightly more seasoned attorney, the opportunities available, call my attention to where the glass ceilings still exist in our county. Nevertheless, I remain

optimistic about the growth and development of our diverse legal community.

Through intentional efforts by the ACBA in programs like the Committee for Diversity and Inclusion Pathways to Leadership Cohort and individual member commitment to mentor, recruit, and invest in diverse lawyers and law students, we can move closer towards having a legal community that reflects the greater community we serve. Last year, we faced a setback in our efforts to support and elevate our diverse attorneys. Following the Supreme Court's decision in *Students for Fair Admissions Inc. v. President & Fellows of Harvard College*, the ACBA, like many other bar associations, modified its Diversity Clerkship Program by removing the requirement that applicants be diverse. The program is now open to anyone who can demonstrate a commitment to diversity.


This decision understandably caused confusion and frustration for members of the bar association, especially 1L diverse law students who will no longer reap the benefits of this program as it existed for the past 18 years. Many in our community, including myself, credit this program for getting their foot in the door and serving as a steppingstone to their current success.

The first-year law students entering this summer recruitment season are our future Black history makers. As professionals committed to championing equality, diversity and inclusion in this profession, our responsibility to support these future lawyers goes well beyond the clerkship program. We all have something to contribute, whether it be mentorship, professional opportunities, or general support. Let this article serve as a reminder to do just that.

One hundred years after the “father of firsts” entered the Pittsburgh legal scene, members of the Homer S. Brown Division should be proud of the history we’ve made. Some of this history is featured in our new children’s book, “Black Lawyers of the Burgh” available on Amazon (shameless plug). Scan the QR code to check it out:



As we close out the month, the Homer S. Brown Division welcomes you to join us for our 20th Annual Black History Month Celebration on Thursday, February 29 at 5:30 p.m. at Emerald City. ■

A professional headshot of Mark D. Shepard, a middle-aged man with glasses and a mustache, wearing a dark suit, white shirt, and a blue patterned tie. He is smiling slightly. The background is a scenic view of the Pittsburgh skyline, featuring the yellow PPG Place bridge over the Allegheny River, with various skyscrapers and green hills in the distance under a clear sky.

Mark D. Shepard

The “Pleasantly Persistent” Mediator

As an experienced and trusted mediator, Mark Shepard has assisted hundreds of parties in resolving complex legal disputes among individuals and businesses of all types and sizes.

Through his collaborative, relationship-driven approach, Mark has an energy and passion to resolve difficult and time consuming conflicts, and guide parties in reaching agreement in the most professional and productive process possible.

To schedule a mediation or obtain more information, contact:

MARK D. SHEPARD
412.394.6546 (office)
412.559.2264 (mobile)

MShepard@markshepardmediation.com
Two Gateway Center · Pittsburgh, PA 15222

noblemediation, LLC

HON. GARY P. CARUSO (RET.)

HON. DAMON J. FALDOWSKI (RET.)

JOHN M. NOBLE, ESQUIRE

ALICIA R. NOCERA, ESQUIRE

noblemediation, LLC
is proud to announce
Alicia R. Nocera,
Esquire is now
accepting referrals
throughout Western
Pennsylvania.

Ms. Nocera is a certified Mediator and Arbitrator in the United States District Court for the Western District of Pennsylvania, with over 25 years of litigation experience. She has mediated diverse cases, including civil litigation, divorce, custody, real estate, landlord-tenant, EEOC/Human Relation Commission, and workplace disputes. Ms. Nocera has successfully tried cases to verdict, securing million and multi-million-dollar verdicts in both Federal and State courts. Her primary focus areas were complex medical malpractice, product liability, insurance bad faith, UIM/UM, auto accidents, slip and fall cases, nursing home negligence, wrongful termination, and multi-district litigation.

Ms. Nocera is affiliated with The Conflict Lab and holds in-person sessions at 5167 Butler Street, Pittsburgh PA 15201.

Elly Carr
ADR Coordinator

Contact Elly today
to schedule your next in-person or remote Mediation
or Arbitration with one of our ADR professionals.

phone (724) 925-1123
email elly@noblemediation.com
website www.noblemediation.com

LAW PRACTICE MANAGEMENT

The ultimate guide to law firm marketing

By Catherine Brock

Promoting law firms can be the work of high-priced agencies and consultants, but that’s not the only way to succeed. Not every firm wants or needs a set of slick campaigns to win new clients. Many can thrive with cost-efficient, in-house marketing programs – including small firms and solo practitioners.

It all starts with understanding the basics of attorney marketing. Whether your firm outsources these activities or handles them in-house, consider this guide your ultimate resource. Learn what law firm marketing is, how it benefits the firm, key marketing terms to know, and strategies to manage marketing efficiently.

What Is Law Firm Marketing?

Lawyer marketing encompasses the activities designed to promote the firm and win new business. Examples include building and maintaining a website, paying for advertising online or offline, sending emails to prospective and existing clients, and encouraging happy clients to write reviews and refer their friends.

Do Law Firms Need Marketing?

Yes, law firms need marketing. Law is a competitive field and firms

that don’t market sufficiently risk being left out of contention for new business opportunities.

Even in less competitive regions and disciplines, marketing generates brand awareness for the firm. Ideally, marketing messages reach prospective clients just when they’re in need of legal representation. A good, memorable marketing effort can also plant seeds for future business. When someone internalizes a practice’s name after engaging with its marketing campaigns, that firm will be in the running if that person needs a lawyer later.

How Can Marketing Benefit a Law Firm?

Law firm marketing has three important benefits. First and most obvious, marketing can bring in new clients. Effective marketing for lawyers also defines and reinforces the firm’s brand image and supports market research efforts.

Gain More Clients

Law firms don’t fare well without an ongoing flow of new clients. The high-level goal of attorney marketing is to build that flow – or, in marketing speak, a new business pipeline. That pipeline fuels the firm’s growth and success over time.

Find this page helpful? Want more information and resources to help you run your practice? Check out the ACBA’s Law Practice Management Center at [ACBA.org/PracticeManagement](https://www.acba.org/PracticeManagement).

Marketing for lawyers must effectively accomplish two objectives to gain new customers:

1. Let the right people know the firm is available
2. Define and reinforce the firm’s unique selling position and branding

Expand Brand Recognition

Good branding communicates the level of service and expertise the firm provides. Marketing supports a firm’s branding efforts through repetition.

Prospective clients can be introduced to nearby law firms through social media posts, online ads, radio spots, and banners at the local tennis courts, for example. When those messages consistently present a compelling brand, prospects are more likely to remember that firm’s name at the right moment.

Ultimately, prospects only convert into paying customers when they believe the firm can successfully address their issue. Branding is what instills that belief, and marketing spreads the word.

Improve Market Research

Law firm marketers build their initial campaigns from assumptions about what motivates their ideal client. The campaign outcomes then prove those assumptions right or wrong.


Of course, no marketing campaign will be 100% right or 100% wrong at the start. Marketers will adjust the messaging and placement over time to maximize the results relative to the cost. That optimization process generates important information about prospects, such as what messaging they find compelling and what information they need to convert into clients.

Overall, these marketing insights contribute to better customer service – because you’re more in touch with your clients and their pain points. Over time, the higher level of service will have a higher likelihood of generating more referrals and repeat business.

Marketing Terms Lawyers Should Know

Marketing, like law, is a complex discipline. Understanding a few basic terms can help solo lawyers develop low-cost marketing approaches. Or, for those who intend to outsource

Continued on page 8




LUPETIN & UNATIN, LLC

ATTORNEYS AT LAW

REFERRALS WELCOME

Medical Malpractice,
Wrongful Death &
Catastrophic Personal Injury



pamedmal.com
412-776-0502

Gulf Tower
707 Grant Street
Suite 3200
Pittsburgh, PA 15219

Brendan Lupetin and Gregory Unatin



OnYourBehalf

by Ursuline Support Services



OnYourBehalf offers a continuum of support services in order to advocate, guide and protect you as you navigate life’s transitions.

Our Services

- Power of Attorney and Guardianship
- Financial Support Services
- Family Guardian Support

For more information on any of our services, please contact us at:

OnYourBehalf

by Ursuline Support Services

2717 Murray Avenue | Pittsburgh, PA 15217
412-224-4700

www.UrsulineOnYourBehalf.org





PHOTOS BY JAMES PIAGGIO
Joseph Scapellato, Vice-President of Pitt OUTLaw (The University of Pittsburgh's School of Law Student Organization), ACBA Secretary Joseph Froetschel and Gwenyth Ortman, President of Pitt OUTLaw, paused for a photo during the "Out in the Law: What 1L's Need to Know About Summer Employment" event on Jan. 18 at the Union Trust Building.

A panel consisting of ACBA Young Lawyers Division (YLD) Diversity Co-Chair Morgan Bonekovic, Nicholas Brady, Karli Celestin, YLD Public Service Co-Chair Jesse Exilus and Andrew Malandra discussed tips and tricks to find your first summer legal job.



ACBA LGBTQ+ Rights Committee Chair Andrew Bell and YLD Chair Tara Sease grabbed a photo during the event.





Attendees networked and gathered before the presentation.



*mediations that
bridge the divide*

Personal injury • Commercial • Construction • Employment






CIPRIANI
• MEDIATION SERVICES •


After decades spent understanding, evaluating, and communicating the strengths and weaknesses of high-stakes conflicts, **Gerard J. Cipriani** is now one of Pennsylvania's leading mediators. His effective communication style and invaluable experience can help your parties build a bridge to resolution.

If you have reached an impasse,
let Cipriani Mediation Services be
your guide to the other side


gjc@ciprianimeditation.com
412-926-1300



**IS YOUR CHILD INTERESTED
IN ATTENDING
YALE OR THE
UNIVERSITY OF PARIS?**



Yale




**Université
de Paris**

Get a scholarship through the
**KENNEDY T. FRIEND
EDUCATION FUND**

Under the will of Kennedy T. Friend, a distinguished Pittsburgh attorney, the children of Allegheny County attorneys who desire to attend **either Yale University or the University of Paris** are eligible for scholarships to those universities. The scholarships are available for students pursuing a **graduate or undergraduate** degree in any field of study at those institutions, not just law.

Don't delay – scholarship applications should be submitted at the same time as the admission application to the respective institution is submitted.



For more information or to apply,
visit ACBA.org/KTF or contact
David Gordon at david.gordon@pnc.com.

PA IOLTA Board’s annual report is now available

By Vanessa Garrett Harley
and Stephanie S. Libhart

We are pleased to present the Pennsylvania Interest on Lawyer Trust Accounts (PA IOLTA) Board’s 2023 Annual Report.

In 2023, the PA IOLTA Board awarded nearly \$30 million in grants to 34 legal aid organizations, each of Pennsylvania’s nine law schools for their poverty law clinics and externships, and the Pennsylvania Bar Foundation to administer our Loan Repayment Assistance Program benefiting attorneys employed by an IOLTA funded legal aid organization.

Our two major sources of revenue are interest income on IOLTA accounts and legislatively directed filing fee revenue through the Access to Justice Act (AJA), both of which are impacted by interest rates. When interest rates are low, IOLTA revenue decreases while AJA revenue increases, and vice versa when interest rates are high. For the ten years preceding 2023, the average annual income on IOLTA accounts was \$4.2 million while interest rates were near zero.

With the rapid rise of interest rates starting in March 2022, the IOLTA Board received more than \$27 million in interest income on IOLTA accounts in fiscal year 2023, which ended June 30, 2023. That’s more than a 500% increase!

What does increased revenue mean for the legal aid organizations we fund? It means they can hire more attorneys, expand outreach, and serve more clients facing a civil legal crisis like homelessness, an illegal eviction, a wrongful termination of utilities, a child custody dispute, job discrimination, and threats to personal safety.

We remain grateful for the ongoing, steadfast support of the Supreme Court of Pennsylvania and the Pennsylvania Legislature. As a statewide funder of civil legal aid, we are committed to ensuring that our grant dollars fairly and equitably support a multitude of civil legal aid providers so all eligible people have access to services no matter where they live in Pennsylvania.

The PA IOLTA Board’s Annual Report can be viewed at www.paiolta.org/wp-content/uploads/2024/01/Pennsylvania-IOLTA-2023-Annual-Report.pdf. ■

The Impact of Platinum Leader Banks and Their Attorney Customers



Where You Bank Matters

There are nearly 200 financial institutions approved by the Supreme Court of Pennsylvania to offer attorney trust accounts to Pennsylvania attorneys. The interest rate applied to IOLTA accounts varies widely by bank. The higher the interest rate, the more funding available for civil legal aid.

Platinum Leader Banks voluntarily pay a premium interest rate on IOLTA accounts in support of IOLTA’s mission. When a law firm selects a Platinum Leader Bank for their IOLTA account, they are maximizing their contribution to civil legal aid.

For more information about opening an IOLTA account and to access the most current list of Platinum Leader Banks, visit our website at www.paiolta.org.

THE FOLLOWING FINANCIAL INSTITUTIONS WERE PLATINUM LEADER BANKS AS OF JUNE 30, 2023:

- American Bank
- AmeriServ Financial Bank
- Bank of Bird in Hand
- Benchmark Federal Credit Union
- Centre 1st Bank
- CFS Bank
- First Resource Bank
- Forbrite Bank
- Juniata Valley Bank
- Mifflinburg Bank & Trust
- Muncy Bank & Trust Company
- New Tripoli Bank
- Parke Bank
- Presence Bank
- Somerset Trust Co.
- Tioga Franklin Savings Bank
- Wells Fargo Bank

For information about how the **Lawyer Referral Service** can help more clients find YOU, please contact Whitney Hughes at 412-402-6703 or whughes@acba.org. For a closer look at this unique Pittsburgh legal service, please visit www.GetAPittsburghLawyer.com.



SOBERLINK
Proving Sobriety, Improving Lives

The #1 Alcohol Monitoring Solution for Family Law



Facial Recognition



Advanced Reporting



Real-Time Results



Compliance Department



Certified Records



Testimony

“I use Soberlink as a way to minimize conflict, protect children, and get to the root of the problem, and potentially show there isn't a problem.”

– FAMILY LAW ATTORNEY

Schedule a Lunch and Learn. Join the thousands of Family Law Professionals who trust our expertise in remote alcohol monitoring.

714.975.7200 | familylaw@soberlink.com



LAW PRACTICE MANAGEMENT
continued from page 5

these efforts, knowing the basics facilitates more productive conversations with consultants who specialize in marketing for lawyers.

Below are six marketing terms every lawyer should know.

1. Lead

A lead is a potential client who has shown interest in working with the firm. Leads are identifiable in that they have provided their personal information. They might have filled out a form on the firm’s website, called the office, or sent a message through social media.

The process of collecting leads is called lead generation. Most law firms generate leads through multiple channels, such as referrals and paid advertising.

Leads usually don’t become clients immediately. They normally will research the firm and other options before they’re ready to sign an agreement. A law firm marketing plan should account for this by incorporating “lead nurturing” actions that help prospects move through their decision-making. Lead nurturing usually involves sending prospective clients helpful content via email. For example, you might send out a guide to choosing the right law firm or tips on interviewing prospective lawyers.

Note that an important aspect of lead nurturing is having a lead management system, like MyCase, that tracks your outreach efforts by prospect. MyCase also simplifies the transition from prospect to client with a built-in intake system.

2. Search Engine Optimization

Search engine optimization, or SEO, is the practice of improving a

website so that it appears more often in search engine results. A family law firm, for example, would benefit from showing up when people search Google for “divorce attorneys near me” or similar keyword phrases.

3. Pay-Per-Click

Pay-per-click, or PPC, is paid online advertising. It’s most used to appear in search engine results for specific queries, so people click on the ad and visit the advertiser’s website. Advertisers pay for each ad click.

Both SEO and PPC achieve the same result, which is more visitors to the advertiser’s website. Marketers often use the two strategies together to amplify overall results.

4. Landing Page

A landing page is a website page that is optimized to generate or convert leads. Best practice is to use a landing page as the destination for clicks on PPC ads. Law firms can also leverage landing pages to receive and convert SEO traffic.

5. Call to Action

A call to action, or CTA, is a phrase that directs readers to engage in some way. Common examples include “buy now,” “download the free report,” or “contact us.” Online, CTAs are often displayed on boldly designed buttons to stand out.

Landing pages should have at least one CTA. If there is more than one CTA, the options should be prioritized visually through design.

For example, a law firm might prefer website visitors to set an appointment immediately. But if they’re not ready for an appointment, the landing page could also offer a free download of an educational guide as a lower-commitment action that engages them with the firm. The “set an appointment now” CTA would be

visually more prominent on the page than the “download now” CTA.

6. Sales Funnel

A sales funnel is a conceptual map of the prospect-to-client progression. Generally, there are four stages involved:

1. Awareness
2. Interest
3. Desire
4. Action

Defining what these stages look like for your clients can help you understand where to use your marketing resources.

Let’s say the data shows that a high percentage of website visitors convert into clients, but the firm still isn’t bringing in enough new business. The shortfall in that scenario could be in the awareness stage – not enough people know enough about the firm to visit the website. The solution may be to invest in SEO and, possibly, PPC.

Types of Law Firm Marketing

SEO and PPC are tactics that fall into two different types of lawyer marketing. SEO is organic marketing, while PPC is paid marketing. Those aren’t the only two options, however. Law firm marketers also commonly implement social media marketing, sponsorship marketing, and television advertising.

Let’s look at each of these.

Organic Marketing

Organic marketing for law firms includes strategies that gain exposure without paid advertising. SEO is a core component of organic marketing because it can deliver a large audience at a relatively low cost. Other organic campaigns are more limited in their reach. For example, your organic efforts could also include handing out

flyers around town or contributing to a podcast as a guest speaker. These efforts provide one-time exposure to potential clients, while an effective SEO campaign continues to market the practice over time.

Paid Marketing Campaigns

Paid marketing encompasses any campaign that charges a fee in exchange for exposure to an audience. PPC is in the paid marketing bucket, as is sponsoring email newsletters and buying radio spots.

Social Media Marketing

Social media marketing for law firms can be organic or paid, depending on the activity. Setting up social media accounts and populating them regularly with interesting and engaging content are organic efforts. Law firms can also buy paid ads on the various social media platforms to get in front of a larger or more targeted audience.

Television Advertising

Television advertising is paid marketing, but it’s often evaluated in a category of its own. Running ads on TV requires produced video content – that is, a commercial. The regional nature of television can help the firm reach prospective customers who aren’t likely to see online campaigns.

Local Sponsorships and Event Marketing

Local marketing initiatives seek to reach prospective customers face-to-face. Sponsorships of soccer tournaments or 5k runs, for example, puts the firm’s brand messaging directly in front of the local population. That messaging could be delivered by way of banners, logos on the event materials, or announcements from the master of ceremonies.

Continued on page 10

When the evidence has left the office, we get it. **bit-x-bit**

For 16 years, bit-x-bit has been exclusively endorsed by the ACBA for e-discovery and digital forensics.

Superior computer forensics can help you win cases. And as lawyers and electronic data experts, we get what you need – on every level. Discover more about our capabilities, forensics and e-discovery. Call 412-325-4033. Or visit bit-x-bit.com.

We Stop Online Counterfeiting

Ference & Associates, a national leader in online brand protection, has a successful track record of shutting down online counterfeit sellers so your clients can get back to growing their businesses.

Visit ferencelaw.com/counterfeiting to learn more about how we can help your clients protect their products from online counterfeiting.

REFERENCE

Intellectual Property Lawyers

412.741.8400 • 409 Broad Street / Sewickley, PA 15143 • ferencelaw.com

Regulatory spotlight: What lawyers need to know about new reporting required under the Corporate Transparency Act

By CNA

On Jan. 1, 2024, the new beneficial ownership information (BOI) reporting requirement enacted by the Corporate Transparency Act (CTA) goes into effect. The CTA requires statutorily-created business entities (other than those exempted) to file a BOI report providing *inter alia* personally identifiable information about the individuals who own or control the entity.

For those attorneys not already versed on the CTA changes, this article is a heads-up as the reporting will potentially significantly impact law firms and raise ethical considerations of which you need be aware. For example:

- Law firms, lawyers, paralegals, or other staff may all be considered reporting applicants/companies
- Law firms will need to inform their clients of the CTA’s BOI reporting requirement if applicable and be prepared to advise how to comply
- Withdrawal may be required if a client refuses to comply

Put simply, Congress decided it was necessary to create mandatory BOI reporting to aid the government in policing illicit actors hiding behind shell and front companies in order to launder criminal enterprise funds through the U.S. financial system.

While there are carve-outs for certain entities, despite the American Bar Association’s [ABA] best efforts, *lawyers and law firms are not exempt*. This applies to the law firm’s own

business organization filings with the secretary of state as well as those filed on behalf of clients and other third parties. The limited exception is a law firm (or any other entity) meeting the specific criterion of a “large organization” defined in the rule.¹

31 CFR Part 1010 (RIN 1506–AB49) – What Is It?

Federal Register Summary: FinCEN now requires certain entities to file with it reports that identify two categories of individuals: the beneficial owners of the entity (BOI) and individuals who file an application with specified governmental authorities to create the entity or register it to do business. These regulations implement Section 6403 of the Corporate Transparency Act (CTA), enacted into law as part of the National Defense Authorization Act for Fiscal Year 2021 (NDAA), and describe who must file a report, what information must be provided, and when a report is due.

Beneficial Ownership Defined

The new rule creates a mandatory reporting requirement of beneficial ownership information for all domestic and foreign (non-US) statutorily-created business entities, with limited exceptions.

“Beneficial ownership” is defined as any individual who directly or indirectly either exercises substantial control over a reporting company or owns or controls at least 25 percent of

the ownership interests (31 CFR 1010.380(d)(4)(iii)).

“Substantial control” in turn is defined as an individual who:

1. serves as a senior officer;
2. has authority over the appointment or removal of any senior officer or majority of the board of directors or similar body;
3. directs, determines, or has substantial influence over important decisions.

“Important decisions” are exhaustive as noted in the “illustrative list” included in 31 CFR

1010.380(d)(1)(i)(C)(1)-(7) including control over principal assets, reorganization, dissolution, or mergers, major expenditures, and operating budget approval. Be wary that 31 CFR 1010.380(d)(1)(iv) has a catch-all provision regarding “substantial control” that notes the examples in the list are “non-exhaustive” and reporting entities should be guided by these specific examples but also consider how individuals could exercise substantial control in other ways as well.

What Information Must Be Reported for Each Beneficial Owner?

Required reporting information of each BOI includes but is not limited to full legal name, date of birth, address (residential if an individual), and proof of identification. There is a provision for a FinCEN issued identification number, but the required information will be similar.

Why Are Lawyers Not Exempted?

The ABA, among others, zealously advocated for a law firm exemption to no avail. The reasoning put forth by the government was that an exemption was only appropriate for entities that Congress considered already sufficiently regulated, if not more so, in a related financial area such as securities issuers and brokers, government entities, banks, and credit unions. Congress decided that while lawyers are subject to the Model Rules of Professional Conduct as adopted in their licensing jurisdiction, those rules do not fully align with Circular 230 and were not sufficient in their own right to satisfy the goals of the CTA reporting.

“Large Operating Entity” Exemption

A law firm may be exempted if it is a “large operating entity” defined as (1) employs more than 20 full-time employees in the U.S., (2) has an operating presence at a physical office within the U.S., and (3) filed a federal income tax or information return in the U.S. for the previous year demonstrating more than \$5 million in gross receipts or sales. The full list of exempted entities is found in 31 U.S.C. 5336(a)(11)(B)(i)-(xxiii). Inactive entities are covered in 31 CFR 1010.380(c)(2)(xxiii).

Continued on page 10

PRIVATE INVESTIGATORS WITH A WORLDWIDE REACH FORMER FEDERAL AGENT

Trust our 25 years of results-driven experience
working with attorneys to help you win your case,
improve plea offerings and influence filing decisions.

- Criminal Law
- Corporate Investigations
- Family Law
- Employment Disputes
- Civil Investigations
- Background Services & Polygraph



FORLETTA
INVESTIGATIVE/SECURITY
CONSULTANT

Our services are tailored to your needs.

412-719-2112 | www.fcisllc.com

Larry Forletta FCIS LLC, DEA Retired
Insured, Licensed and Bonded

LAW PRACTICE MANAGEMENT
continued from page 8

How to Manage Your Law Firm's Marketing

Juggling the components of a full marketing program can be overwhelming. Younger and smaller firms often don't have the resources to maintain multiple social media profiles, optimize a website, publish blog posts, run television commercials, and pay to show up in search results.

The firm that requires cost- and time-efficient marketing is best served with an online focus. Core initiatives should include:

1. Developing compelling language that communicates what differentiates the firm from the competition (the unique selling position)
2. Establishing one social media channel (or more if the firm has the resources to manage them)
3. Creating a content plan for social media that includes engaging educational and promotional information
4. Building a website that communicates the firm's unique selling position, can support custom landing pages, and collects leads
5. Initiating a customer relationship management (CRM) system which will track prospects in the business pipeline

Firms that use MyCase legal case management software already have access to the tools needed for Items four and five above.

MyCase designs and builds custom law firm websites that connect seamlessly to MyCase client intake forms, the Client Portal, and a payments link (through the LawPay integration). The websites include lead generation forms that automatically populate your business pipeline within the

MyCase CRM. That CRM also integrates with virtual reception solutions, so you can respond quickly to prospect inquiries.

The MyCase CRM also documents where clients are coming from, how efficiently your team converts them into customers, and how long that conversion takes. The CRM dashboard quickly highlights what's working within your law firm marketing program and where improvement is needed. As your practice adjusts its outreach efforts, the CRM data will reflect the effectiveness of those adjustments – allowing you to see which strategies are worth your time and money.

That data is invaluable to the optimization of your marketing strategies.

Final Takeaways

Marketing is an essential function of a healthy, growing law firm. If your firm has limited resources, you can focus on organic activities such as SEO and social media marketing, possibly alongside select investments in local events and PPC. You can also lean on free resources, such as the downloadable materials available in LawPay's marketing hub.

An optimized website and CRM are essential components of your law firm's overall marketing plan. The website introduces you to prospective clients who come in from SEO, social media, and PPC campaigns, while the CRM tracks the efficiency of your lead generation and nurturing programs.

MyCase offers both services – the development of an optimized website plus an integrated CRM. To learn how MyCase can streamline your law firm marketing efforts, reach out and

schedule a demo today. To further optimize the client experience, book a LawPay demo to see how you can reduce friction from your billing and payment processes. Remember: bringing in more leads is only part of the growth journey. ■

For more information visit ACBA.org/MyCase.

REGULATORY SPOTLIGHT
continued from page 9

What If One of the Beneficial Owners Is an Exempt Entity?

There is a "Special Rule" proscribing limited reporting information required for beneficial owners who are exempt entities, minor children, foreign pooled investment vehicles, and deceased company applicants. 31 CFR 1010.380(b)(3).

What About Trusts?

Unclear. It appears that since a trust is not "an entity created through a filing with the State" the trust should not need to file under FinCEN. However, the beneficial interests of a trust's beneficiaries holding a 25% or greater interest may need to comply with the reporting requirements.

When Are the Reports Due?ⁱ

A reporting company created or registered to do business before January 1, 2024, will have until Jan. 1, 2025 to file its initial beneficial ownership information report. A reporting company created or registered on or after Jan. 1, 2024, will have 30 days to file its initial beneficial ownership information

report. This 30-day deadline runs from the time the company receives actual notice that its creation or registration is effective, or after a secretary of state or similar office first provides public notice of its creation or registration, whichever is earlier.²

Who Will Have Access to These Reports?ⁱⁱ

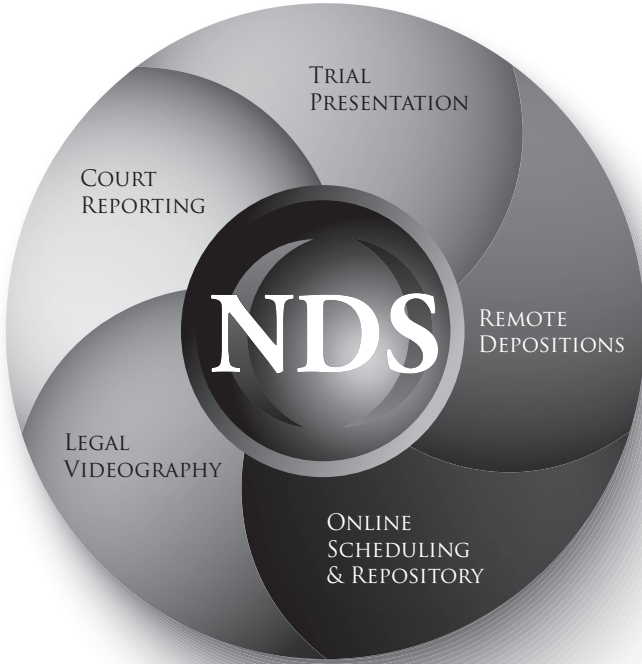
FinCEN reports it will permit Federal, State, local, and Tribal officials, as well as certain foreign officials who submit a request through a U.S. Federal government agency, to obtain beneficial ownership information for authorized activities related to national security, intelligence, and law enforcement. Financial institutions and their regulators will also have some access with the consent of the reporting company.

Ethical Considerations

While each lawyer's obligations will differ on a case-by-case basis for each client, a lawyer should ask the following questions for each representation:


1. **Duty to dig.** What is the scope of a lawyer's due diligence requirements to inquire sufficient to ethically ensure that the lawyer is not being used to assist a client in a crime or fraud (applies to vetting potential new clients as well as existing clients)?
2. **Duty to disclose business ownership.** Whether, when, and how a lawyer might be required to disclose to the government information about the beneficial ownership of an entity the lawyer forms on behalf of a client or otherwise represents?

Continued on page 12



TEAM UP WITH YOUR LOCAL RESOURCE FOR ALL OF YOUR LITIGATION NEEDS

Proudly serving the Pittsburgh Legal Community for over 18 years.



NETWORK
DEPOSITION SERVICES

Discovery to Verdict. One Reliable Source.

PROVIDING SOLUTIONS FOR IN-PERSON AND VIRTUAL SETTINGS.

ndsreporting.com • 412-281-7908



BEHAVIORAL FINANCE:
Why and How to Avoid Emotional Investment Decision-Making

THURS., APRIL 4, 2024 — 12 – 1 P.M. EST

In-person, Koppers Building— 1 Hour of Substantive CLE Credit

LUNCH WILL BE PROVIDED.

There are many emotional biases that can impact our financial decision-making. All investors want to avoid losses, but we cannot just focus on the losses, or we may miss opportunities to acquire gains. Market downturns, fluctuations, and recoveries are part of the cycle, but the good news is there are ways to mitigate emotional decision-making by incorporating historic research, reasoning, and time-tested investment principles.

Join us for a discussion centered around best practices for individual investors and crucial insights as to what key factors are impacting today's economy and stock market performance. Some of the highlights of this presentation include:

- Let's illustrate the impact of attempting to time the market.
- What impact does inflation and taxes have on your portfolio?
- How do past recessions differ from today's economic landscape?
- Recent changes to Required Minimum Distribution (RMD) start dates.
- Can a Roth IRA conversion strategy benefit your future heirs?

Register Today!

https://www.acba.org/CLE-Events/Event-Info/CLE20240104_CORPORAT

PRESENTERS



MIKE FERTIG, AIF®
Senior Financial Advisor, Fragasso Financial Advisors



JIM SINEGAL
Senior Investment Analyst, Fragasso Financial Advisors

About our presenters: Mike Fertig has been in the industry for over thirty years, acquiring many of his clients through speaking and educating. Prior to joining Fragasso, Jim Sinegal was an analyst at Morningstar where he provided regular commentary for CNBC, NPR and American Banker.

412.227.3200 | FRAGASSOADVISORS.COM

Investment advice offered by investment advisor representatives through Fragasso Financial Advisors, a registered investment advisor.

Schwab honored with William J. Brennan, Jr. Award

By Ron Cichowicz

When John Schwab was awarded the prestigious William J. Brennan, Jr. Award this January from the National Trial Advocacy College at the University of Virginia School of Law, it was especially significant for him. His father, Hon. Arthur J. Schwab, had been similarly recognized 23 years earlier.

The award was established in 1987 to honor Justice Brennan and his “unsurpassed contributions to the United States legal system and, in particular, to the enhancement of trial advocacy skills.” Justice Brennan served on the U.S. Supreme Court from 1956 to 1990.

The more than 75 past honorees include judges, public officials and private practitioners. They are selected based on their outstanding skills as trial lawyers and members of the judiciary as well as their outstanding contributions to trial advocacy education and to the legal profession. Each receives a pewter bowl; noteworthy awardees include Stephen A. Saltzburg and U.S. Supreme Court Justice Antonin Scalia. Joining Schwab as a recipient this year was Judge Barbara Gaden from Virginia.

Following remarks by Laura Bunting, herself a Trial Advocacy College faculty member and Principal with Jackson Lewis, P.C., Professor Saltzburg presented Schwab’s award to him; Justice Scalia did the same for John’s father in 2001.

“My father had Justice Scalia as a professor and worked for him at UVA



John Schwab

Law School,” recalled Schwab. “It was special for me to receive this honor knowing my dad had, too.”

Many of the honorees also lecture at the College, including the elder Schwab, who had been on the faculty since the 1990s until his recent retirement from the faculty. John Schwab has been on the faculty since 2008.

“I was both honored and moved to receive the award,” Schwab said. “When I was younger, I remember going to the College and my dad being on the faculty. I had the chance to meet the faculty members then and when I had the chance to join them, it was a real honor and privilege.”

Based on the criteria for the award, Schwab is a worthy recipient. He served in the U.S. Marine Corps as a trial attorney at Camp Lejeune, North Carolina and Parris Island, South

Carolina, which provided him with substantial litigation and trial experience. Schwab also served as the Battalion Judge Advocate in Fallujah, Iraq in 2007 with 2nd Battalion, 6th Marines, Regimental Combat Team 6.

Following his military service, Schwab returned to Pittsburgh in 2009 where he worked at Pietragallo Gordon Alfano Bosick & Raspanti, LLP for 12 years before starting his own firm in 2021.

Schwab has been recognized as a Pennsylvania Super Lawyer in the category of White-Collar Criminal Defense since 2018 and was a Pennsylvania Super Lawyers Rising Star in 2013. He also was named a future leader of Pennsylvania’s legal community by *The Legal Intelligencer* as a “Lawyer on the Fast Track.”

Schwab is active on the ACBA’s Federal Court Section and its Scholarship Committee, which helps send individuals to the National Trial College who otherwise might not be able to afford it. In addition, he was recently Chair of the Federal Court Section, after serving for years as an Officer of the Section.

Schwab serves on the Local Rules Advisory Committee for the U.S. District Court of the Western District of Pennsylvania, including the e-discovery and criminal subcommittees. He also served as a member of the Editorial Board for the Journal of Law and Public Policy for Grove City College, which published his article on honest services fraud in its inaugural issue in 2010.

Despite all the accolades collected to date, Schwab said the Brennan Award is his most cherished.

“I sat through many Brennan awards ceremonies, but I never thought it would happen to me,” he said. “I am truly humbled. The previous honorees are people with outstanding skills as trial lawyers and those who also contributed to the Trial Advocacy College and the legal profession. Like them, I care deeply about the legal profession and professional development within it.”


Schwab and his wife Rachel live in the North Hills. They have three children: Grace, Hannah and Jack. ■

**Wonder if your decisions,
legal advice or other
professional actions
are ethical?**

Members can get consultation
on their legal actions and
potential actions through
the ACBA Professional
Ethics Hotline.

All calls are confidential.

See [ACBA.org/
OfficerAssignments](https://www.acba.org/OfficerAssignments) for details.



CONVOY GROUP

INTELLIGENCE | TRAINING | PROTECTION

Convoy Group is a veteran-owned and operated intelligence, consulting, training and protection firm.

We leverage our range of expertise and network across public and private sectors to provide clients with highly professional, tailored and effective solutions.




Due Diligence – Investigative

Jury Due Diligence

Litigation Support Services

Private Investigators

Risk Management





CONVOY GROUP LLC
412-805-5609
info@convoygroupllc.com
www.convoygroupllc.com

David Franklin
Co-Founder / Co-Owner

Michael Brode
Co-Founder / Co-Owner

1-800-GET-PHIL





PHIL DILUCENTE
& ASSOCIATES, LLC | ATTORNEYS AT LAW
Pittsburgh, PA

**AUTO ACCIDENTS
PRELIMINARY HEARINGS
CRIMINAL DEFENSE, DUI**

GETPHIL.COM

REGULATORY SPOTLIGHT
continued from page 10

3. Duty to withdraw, and how to withdraw. When is withdrawal permissive versus mandatory? Is a noisy withdrawal permissible or arguably required?

4. Duty to client. How should a lawyer balance the duties owed to a client with the right to protect oneself from regulatory action and personal liability, particularly as the lawyer has an independent duty under the CTA?

Law firms may well be reporting companies under the CTA. Further, lawyers, paralegals and other staff who submit business organization filings may be considered company applicants.

Under MR 1.4 (Communication) and MR 1.16 (Declining or terminating representation) as amended³, lawyers must determine whether they need to inform a client, or prospective client, of the CTA’s BOI reporting requirements. Changes may be advisable to retainer agreements/engagement letters to ensure clients and potential clients are on clear notice of these requirements and the consequences of failing to provide the lawyer with the correct required information.

If a client (or prospective client) requests the lawyer undertake a matter the lawyer knows to be subject to BOI reporting but refuses to provide the information or refuses permission to file, a lawyer is arguably required to terminate (decline) the representation pursuant to MR 1.16 and may have exposure under MR 3.3 (candor toward the tribunal). At minimum, the lawyer may be required to refuse to prepare and/or submit the filing.

Risk-Based Analysis

The ABA urges lawyers to use risk-based analysis.⁴ A lawyer who

has knowledge of facts that create a high probability that a client is seeking the lawyer’s services in a transaction to further criminal or fraudulent activity has a duty to inquire further to avoid assisting that activity under MR 1.2(d). Even where MR 1.2(d) does not require further inquiry, other Rules may. See e.g. MR 1.1(competence), MR 1.3(diligence), MR 1.4(communication), MR 1.13(organizational client), MR 8.4(b)(c) (duty of honesty and integrity), MR 1.16(a) (declining or terminating representation).

The ABA at its 2023 Annual Meeting Aug. 7-8, 2023 amended MR 1.16 (declining or termination representation) and Comments [1], [2], and [7] in response to the federal government’s increasing efforts to regulate lawyers.ⁱⁱⁱ See in particular amendments to Comment 2^{iv} regarding mandatory withdrawal. Comment 2 as amended provides guidance specific to the risk-based analysis under the CTA changes and cites to additional resource publications.

In addition to typical considerations such as familiarity with the client and the nature of the representation, Comment 2 *inter alia* suggests the lawyer should consider whether the jurisdiction involved in the representation is considered at high risk for money laundering or terrorist financing.

One of the several publications Comment 2 cites is the Financial Action Task Force (“FATF”) Guidance for a Risk-Based Approach for Legal Professionals.^v The FATF is an independent inter-governmental body that develops and promotes policies to protect global financial systems. This guide for legal professionals is a comprehensive, exhaustive deep-dive offering guidance from geographic to transactional risks along with client assessment and mitigation.

It is important to understand that it is unlikely lawyers can waive liability for the duty to report BOI information by engagement agreements or otherwise. Like any other ethics rule, a lawyer cannot waive the rules of professional conduct by contract with the client. Because Congress very specifically did not exempt lawyers from BOI reporting, this duty attaches to the lawyer independent of any retainer agreement. *FAFT Guidance for Legal Professionals* recommended in Comment 2 encapsulates this concept where it states:

Even though individual legal professionals or law firms may be able to conclude that specific AML/CFT obligations do not apply to them, ethical standards require them to ensure that their services are not being misused, including by criminals, and they should carefully consider what they need to do to guard against that risk.^{vi}

With that caveat, lawyers may consider adding a notice regarding FinCen BOI reporting requirements to engagement letters in any representation that might invoke the CTA. If a lawyer becomes aware that a client has filed a false BOI report, the new rules do not give lawyers the choice of remaining silent about such fraud. The requirements arise from the case-by-case facts and cannot be waived.

The key to a lawyer understanding their ethical duties in these situations is to ask the right questions. This article provides the basics of the new CTA requirements along with guidance on ethics considerations but is by no means intended to be a comprehensive resource in this new and evolving regulatory system. Any lawyer who practices in this area, whether routinely or rarely, is well advised to read all available resources provided by

FinCEN, the fully annotated rule, and check with local ethics counsel. For lawyers who provide, or have clients who provide, trust company services, FAFT also published Guidance for Risk-Based Approach to Trust and Company Service Providers.^{vii} For lawyers who practice in areas such as business, corporate, securities, and tax law, the FAFT Guidance for Legal Professionals is required reading.

• **Full Annotated Regulations, Federal Register:** Vol. 87, No. 189 / Friday, September 30, 2022 / Rules and Regulations – www.federalregister.gov/documents/2022/09/30/2022-21020/beneficial-ownership-information-reporting-requirements

• **FinCEN Regulatory Support:** 1-800-767-2825 or frc@fincen.gov

• **FinCEN website for Beneficial Ownership Information Reporting:** Reference Materials, BOI Newsroom, Small Business Resources (Compliance Guide, FAQ, Quick Reference, and Videos) – www.fincen.gov/boi ■

For more information on CNA and the ACBA Insurance Program, visit ACBA.org/Insurance.

¹ Attorneys who are not already well-versed in changes brought about by the CTA should review the applicable law and administrative opinions to make certain that they are prepared to provide effective compliance advice to their clients and to comply with reporting requirements which might apply to their own firms. Please be advised that this article is intended for educational and informative purposes to guide that preparation, but it should not be treated as a substitute for licensed attorneys to reach their own professional conclusions.

² There is currently pending a proposed rule change that may amend the filing deadline for certain BOI reports from 30 to 90 days. See <https://www.federalregister.gov/documents/2023/09/28/2023-21226/beneficial-ownership-information-reporting-deadline-extension-for-reporting-companies-created-or>

Continued on page 18

PUT YOUR TRUST in Us.



Aligned Partners Trust Company’s team of professionals has over 75 years of combined experience in trust and estate administrative services. Since 2000, we have been serving in the following fiduciary capacities in an efficient, professional, flexible and cost-effective manner:

- Trustee | Agent for Trustee
- Trustee with Independent Investment Advisor
- Executor | Guardian of the Estate
- Financial Agent Under POA

HOW CAN WE **ALIGN** WITH YOU?



707 GRANT STREET 2800 GULF TOWER PITTSBURGH, PA 15219
(412) 258 3590 ALIGNEDPARTNERS.COM

6 CLE credits for \$159

Legal Issues in Sex Assault Investigations

Presented by Ross Township PD Deputy Chief Brian Kohlhepp
February 28, 2024 | 5 pm-9:30pm | \$129
WV CLE (4 .8 attendance) PACLE (4 substantive) & Ohio CLE (4 general)

Artificial Intelligence & Machine Learning Technologies

Presented by Bryce Meyer
March 22, 2024 | 9 am – 3:00 pm | \$159
PACLE (6 substantive) WV (6.0 attendance) & OH CLE (5 general)

Proving Child Physical and Sexual Abuse

Presented by Lieutenant Paul Boyles III
April 19, 2024 | 9 am – 4:00 pm | \$159
Pending WV CLE (7.2 attendance) Pending PACLE (6 substantive)
Pending OH CLE (6 general)

Less Lethal Options in Use of Force for Attorneys

Presented by Edward Bogats Jr. PhD, MPM, FBINA 222nd
May 24, 2024 | 9 am – 4:00 pm | \$159
WV CLE (7.2 attendance) PACLE (6 substantive)
OH CLE (6 general)

\$159 fee includes light breakfast and lunch for 6 credit classes. The fee for a 4 credit class is \$129 (light refreshments).

For your convenience, you now have the option to register and pay online at: <https://centerforcriminaljustice.com>

Please call (740) 284-5367 with any questions

Be sure to look for our other upcoming CLEs, both live and online!

Seminars held at St. Joseph's Center, Totino Room at Franciscan University of Steubenville, just a short drive from Pittsburgh.



Sponsored by the Center for Criminal Justice, Law, & Ethics

Environment and Energy Law Section presents Live Webinar CLE “Environmental Law Update: 2023 Year in Review”

By ACBA Staff

The Allegheny County Bar Association (ACBA) Environment and Energy Law Section is set to host a Live Webinar Continuing Legal Education (CLE) session titled “Environmental Law Update: 2023 Year in Review” on Tuesday, March 5 at noon.

Program Planner Brian L. Greenert has created a comprehensive one-hour session, aiming to delve into the many environmental law and regulatory changes that unfolded at both federal and state levels throughout 2023. This webinar promises an insightful review of decisions from the U.S. Supreme Court, the Third Circuit, and Pennsylvania appellate courts, along with analyses of significant rulings from the Pennsylvania Environmental Hearing Board.

The session will also review the changes to federal and state environmental regulations and guidance in 2023, providing attendees with an understanding of the evolving legal landscape. The panel of speakers, including Anna Zalewski from the Department of Environmental Protection and Brandon D. Coneby from Rothman Gordon, will share their expertise on the potential impact of key regulatory changes anticipated in 2024.



The live interactive Zoom webinar is scheduled from 12 to 1 p.m., offering participants the convenience of remote viewing. The event is open to ACBA law student members at no cost, ACBA members at \$40, non-ACBA law students at \$15 and all other participants at \$65. West Virginia CLE credit is available for an additional \$15.

To secure a spot, participants are encouraged to pre-register by March 3. Participants will receive the webinar link and materials 24 hours in advance of the program.

This program has been approved for one hour of substantive CLE credit in Pennsylvania and qualifies for one hour of credit under the West Virginia Rules for Mandatory Continuing Legal Education.

To register, visit [ACBA.org/calendar](https://www.ACBA.org/calendar). ■

Visit us today at
[ACBA.org](https://www.ACBA.org).

CONNECT
WITH US
SOCIALLY



@AlleghenyCoBar



facebook.com/
alleghenycountybar



alleghenycobar



acba.org/Linked-In

ACBA
www.ACBA.org

Dispute Advisory &
Expert Witness Services

- Forensic Accounting
- Economic Damages
- Business Valuation
- Construction Claims & Schedule Analysis
- Insurance Claims Consulting
- Litigation Technology Services

412-338-6700
www.LitConGroup.com
infopit@LitConGroup.com

LitCon
GROUP

420 Fort Duquesne Blvd.
Suite 2075
Pittsburgh, PA 15222

When You Need:

- Social Media Searches
- Scene/Vehicle Photos
- Motor Vehicle Searches
- Asset Searches
- Surveillance
- Process/Courier Services
- Background Checks
- Employee Terminations
- Pre-Employment Searches
- Witness Statements
- Litigation Support
- Product Liability Investigations
- Record Searches/Procurement
- Mobile Notary (in some locations)
- Skip Tracing
- Insurance Investigations
- Medical Malpractice Investigations
- And Much More!

You Need... **HARRIS INVESTIGATIONS**
Corporate Office: P.O. Box 304, Lansdale, PA 19446
Harris Investigations, LLC is a Woman-Owned Business


Now Offering Virtual Paralegal Services
*Legal services does not include legal advice. All filings will be considered Pro Se. Legal services available only in the state of PA.

HARRIS INVESTIGATIONS
Covering: PA, DE, NJ, IN, MD, MI, OH & WV
LARGE ENOUGH TO SERVE, YET SMALL ENOUGH TO CARE
www.HarrisInvestigations.net
(888) 484-9827 HarrisInvestigationsllc@yahoo.com

YOUR EXPERT IN PSYCHIATRIC CONSULTATION & TESTIMONY

Founder of the National Psychiatric Expert Witness Association

BURTON SINGERMAN, MD, LLC brings you the professional expertise and experience needed for testimony in disability and psychiatric malpractice cases. With his depth of expertise, he brings INTEGRITY, DILIGENCE & EXPERIENCE as an expert witness.

 Awarded in 2021 by the Pittsburgh Psychiatric Society for his outstanding contribution to the field of Psychiatry.

BURTON SINGERMAN
MD, LLC

www.burtsingerman.com | 412-342-8630 | info@burtsingerman.com

MICHAEL D. McDOWELL, ESQ.
Arbitrator and Mediator

www.ArbitrationsAndMediations.com

- Over Thirty Years of Experience in Alternative Dispute Resolution and Complex Litigation
- Member, National Academy of Arbitrators

LABOR • EMPLOYMENT • SECURITIES
COMMERCIAL • ENERGY

PO Box 15054 • Pittsburgh, Pennsylvania 15237
MMcDowell@ArbitrationsAndMediations.com
412-260-5151



Looking to Market Your Mediation Practice?

The ACBA is your premier attorney-to-attorney marketing resource.

Lawyers Journal Advertising • Target Marketing E-Blasts
Native Advertising in the *Sidebar* • Event Sponsorships

Jennifer Pulice: jpulice@acba.org / 412-402-6623 • Brian Knavish: bknavish@acba.org / 412-402-6620
www.ACBA.org/Partnerships



**MASSA
BUTLER GIGLIONE**
ATTORNEYS AT LAW

Experienced in:

- nursing home negligence
- medical malpractice
- auto accidents
- contract disputes
- premises liability



Pete Giglione
Mediator
(412) 338-1800

Three Gateway Center; Suite 1543
401 Liberty Ave, Pittsburgh, PA 15222

YOUR PREMIER MEDICAL-LEGAL RESOURCE

Medical Expert Services

- Independent Medical Examinations (IME)
- Impairment Rating Evaluations (IRE)
- Disability and Fitness for Duty
- Functional Capacity Evaluations (FCE)
- Medical Record Reviews
- Peer Review Services
- Expert Deposition and Live Testimony
- Ergonomic Assessments

Nurse Consultant Services

- IME Attendance
- Life Care Plans
- Medical Cost Projections
- Medical Record Chronology
- Expert Deposition and Live Testimony



E.L.K. IME
ELK INDEPENDENT MEDICAL EXPERT NETWORK

*Leading the Way in Disability Case
Management and Your Medical
Legal Expert Resource*



412-545-3777

experts@elkimenetwork.com

www.elkimenetwork.com

461 Cochran Road, Suite 104
Pittsburgh, PA 15228

Proud business partner of the
ALLEGHENY COUNTY BAR ASSOCIATION

Do personalized service.

Dollar Bank delivers an elevated level of service with personalized attention for high net worth and high-income clients. We also provide peace of mind through prudent management and we are consistently rated as well capitalized by government regulators, representing the highest category of financial strength.

Accounts that meet your advanced needs.

Maximize your interest earning potential while taking advantage of convenient access to your money.

Private Banking Checking

Get interest on your checking balance with the safety of FDIC insurance.

Private Banking Savings

A companion to Private Banking Checking, Private Banking Savings offers a competitive savings rate.

CDs

Round out your investment portfolio with a short or long-term CDs at an interest rate greater than that on a standard savings account.

Contact Melissa Reft Krawczynski today!



Melissa Reft Krawczynski
Vice President, Private Banking
NMLS: 476911
412-261-8288
MKrawczynski807@dollarbank.com

DollarBank®
Private Banking

Lunar New Year Celebration



PHOTOS BY JAMES PIAGGIO

Members were welcomed at Chinatown Inn for the ACBA Asian Attorneys Committee's Lunar New Year Celebration on Feb. 8.



A tai chi demonstration was performed during the Lunar New Year Celebration event sponsored by Achieva Family Trust and Key Private Bank.

When attorneys, legal assistants, legal secretaries and paralegals are looking for job openings in the Pittsburgh Legal Community, one of the first places they turn to is the Allegheny County Bar Association (ACBA) **JOB BOARD** located at ***jobs.acba.org***. In fact, our job board averages nearly 4,000 views per month. Posting a job opening on the ACBA Job Board is an extremely affordable option and ensures your job posting will be seen by an audience who is looking for legal job openings in the Pittsburgh region. In addition to the job posting itself, the ACBA also posts information regarding these positions on our social media channels.



SWMW/LAW

A Trusted Partner

FOR MESOTHELIOMA
AND LUNG CANCER
LITIGATION

HOLLY DEIHL
Partner
Pittsburgh

OUR CO-COUNSEL APPROACH

- Fair and flexible co-counsel arrangements
- All agreements in writing
- 30-day or shorter co-counsel fee payment

PARTNER WITH SWMW LAW FOR:

- Faster, larger settlements
- Decades of complex consumer litigation experience
- People-first approach, dedication to clients and their families

We've recovered more than **\$500 million** for thousands of hardworking families who were the victims of companies putting profits over people.

Our partners are involved in every case through every step, from initial intake through settlement and/or trial. Working with us ensures a mutually beneficial relationship with results you can count on.

Contact Partner Holly Deihl today to get started.

412.763.3288 / LetsTalk@SWMWLaw.com / SWMWLAW.com / Pittsburgh, PA / St. Louis, MO



**KnoxLaw**

TODAY'S
CASES.

TODAY'S
COURTS.

TODAY'S
RESOLUTIONS.

KNOX LAW WELCOMES **HON. ANDREW F. SZEFI** (ret.)

Mediation/Arbitration/Early Neutral Evaluation

The Hon. Andrew F. Szeffi (ret.) has joined Knox Law's Pittsburgh office, focusing exclusively on alternative dispute resolution.

Judge Szeffi's experience as a judge in the Civil Division of the Allegheny County Court of Common Pleas, 10 years as Allegheny County solicitor, and over two decades of trial practice bring a fresh and informed perspective to the dispute resolution process. He is available for both in-person and remote sessions.

At Knox Law, Judge Szeffi joins a team of 40 attorneys that provide practical solutions to businesses, families, public entities, and nonprofit organizations for over 65 years.

HON. ANDREW F. SZEFI (RET.)
aszeffi@kmgslaw.com
412-765-3600
310 Grant St., Ste. 3600
Pittsburgh, PA 15219-2301
www.kmgslaw.com

Knox McLaughlin Gornall & Sennett, P.C.
Erie | Pittsburgh | Jamestown, NY

CONTINUING LEGAL EDUCATION *from the*
ALLEGHENY COUNTY BAR ASSOCIATION

Register today at [ACBA.org/calendar](https://www.acba.org/calendar).

Please note: The Pa. CLE Board may
take up to 45 days to post credits.

Cybersecurity for Attorneys: Common Attack Strategies and Best Practices
Tuesday, February 27 | Noon | Koppers Building | *1 Substantive credit*

The Gift That Doesn't Keep Giving: When Charitable Trusts Fail
Wednesday, February 28 | Noon | Live Webinar | *1 Substantive credit*

Bridge the Gap
Monday, March 4 | 9 a.m. | Live Webinar | *4 Ethics credits*

Environmental Law Update: 2023 Year in Review
Tuesday, March 5 | Noon | Live Webinar | *1 Substantive credit*

**She Believed She Could, So She Did...
A Look at Practice Areas with Historic Underrepresentation of Women**
Thursday, March 7 | Noon | Koppers Building | *1 Substantive credit*

**The Other Wealth Transfer Tax: A Generation-Skipping Transfer Tax Primer
for Trusts and Estates Professionals**
Tuesday, March 12 | Noon | Koppers Building | *1 Substantive credit*

Out-of-State Subpoenas Under the Uniform Interstate Depositions and Discovery Act
Wednesday, March 13 | Noon | Live Webinar | *1 Substantive credit*

What You Need to Know About Allegheny County Tax Assessment Appeals
Thursday, March 14 | Noon | Live Webinar | *2 Substantive credits*

**Recent Amendments to Federal Rule of Evidence 702:
What Every Attorney Needs to Know**
Tuesday, March 26 | Noon | Koppers Building | *1 Substantive credit*
**Sponsored by Rimkus*

Allegheny County Discovery Motions Practice – Tips from the Bench and Bar
Wednesday, March 27 | 2:30 p.m. | City-County Building | *1.5 Substantive, 0.5 Ethics credits*
**All Rise (A Glass) Happy Hour to Immediately Follow CLE at the Offices of
Spilman Thomas & Battle Courtesy of HKA*

Pillar Two: Computational and Other Practical Tax Issues
Thursday, March 28 | Noon | Live Webinar | *1 Substantive credit*

The Chemistry of Consent: Navigating Drug Involvement in Sexual Assault
Tuesday, April 2 | Noon | Live Webinar | *1 Substantive credit*

2024 Tax Update
Wednesday, April 3 | Noon | Live Webinar | *1 Substantive credit*

**The Honorable Arthur J. Schwab Trial Advocacy CLE –
Building and Trying Your Case on Remedies and Damages**
Thursday, April 4 | 8:30 a.m. | Fairmont Hotel | *3 Substantive credits*
**Co-sponsored by the Academy of Trial Lawyers of Allegheny County and the
ACBA Federal Court Section*

Behavioral Finance: Why and How to Avoid Emotional Investment Decision-Making
Thursday, April 4 | Noon | Koppers Building | *1 Substantive credit*

Virtual Isolation: Is Hyperconnectivity Helping or Harming the Legal Profession?
Wednesday, April 10 | Noon | Koppers Building | *1 Ethics credit*

The Benefits of Compromise – Alternative Dispute Resolution in Family Law Matters
Thursday, April 11 | Noon | Live Webinar | *1 Substantive credit*

Pardon Me: Clearing Criminal Records in Pennsylvania
Friday, April 12 | Noon | Live Webinar | *1 Substantive credit*

Welcome to the Jungle: Untangling the Ethics of AI and Cyber Liability
Wednesday, April 17 | Noon | Live Webinar | *1 Ethics credit*

Corporate Transparency Act and Trusts and Estates
Thursday, April 18 | Noon | Live Webinar | *1 Substantive credit*

The Promise of Leadership: Unspoken Expectations of Those You Manage and Lead
Wednesday, May 1 | Noon | Koppers Building | *1 Substantive credit*

Key Considerations for Handling the Electronic Discovery Process
Wednesday, May 8 | Noon | Koppers Building | *1 Substantive credit*

Law for Cocktail Parties: Lemon Law and Dealership Fraud
Monday, June 3 | Noon | Live Webinar | *1 Substantive credit*

Protection from Abuse and the Domestic Violence Cycle
Thursday, June 6 | Noon | Koppers Building | *1 Substantive credit*

Mindset as a Business Strategy for Lawyers
Wednesday, September 18 | Noon | Live Webinar | *1 Substantive credit*

The ACBA has hundreds of
**PREVIOUSLY
RECORDED CLEs**
in dozens of practice areas ready to
be viewed 24/7 from anywhere at
cle.acba.org.

Conservatorships, Succession Planning
and the Challenges of Experienced
Lawyers
1.5 Substantive credits

Computer Generated Animations for
Civil and Criminal Trial
1 Substantive credit

Labor and Employment Law Symposium
2023 - Diversity and Inclusion Programs
1 Ethics credit

Labor and Employment Law Symposium
2023 - Year In Review
1 Substantive credit

Scary Legal Issues
1 Substantive credit

Asylum Procedures for Afghan
Applicants
2 Substantive credits

SCOTUS Update: Labor and
Employment Law
1 Substantive credit

The Weaponization of Technology in
Family Law Cases
1 Substantive credit

A Look at PFAS MCLs: Pa. and Federal
1 Substantive credit

Top 20 Procedures Every Firm Should
Have in Writing
1 Substantive credit


AI in the Courtroom
1.5 Ethics credits

Capital Criminal Law Symposium:
A Case Analysis
1 Substantive credit

The Ins and Outs of Dietary
Supplements
1 Substantive credit

View the rest of the CLEs at
CLE.ACBA.ORG
View anytime, anywhere.

Orders Being
Accepted for
Opinions
Compilation



The ACBA is
accepting orders
for the 2023
*Pittsburgh Legal
Journal Opinions*,
Volume 171, which is published in digital .pdf format.

The *Pittsburgh Legal Journal Opinions* is published every other week and contains timely, precedent-setting, full-text opinions, from various divisions of the Court of Common Pleas of Allegheny County. That publication can be found online at [www.ACBA.org/opinions](https://www.acba.org/opinions) and is viewable at no cost to ACBA members. This publication is a compilation of the opinions that appeared on that website during 2023.

Since this document is now provided in a .pdf searchable format, the 2023 edition will not contain a case or a subject matter index. The keyboard shortcut to use the search feature of .pdf documents is "CTRL F".

The price for the 2023 *Pittsburgh Legal Journal Opinions*, Volume 171, .pdf is \$107 (including tax). To purchase, contact Meredith Shumsky at mshumsky@acba.org.

In Memoriam

Samuel Lester Douglass



Samuel Lester Douglass

Samuel Lester Douglass, 90, of Upper St. Clair, PA, passed away peacefully on Monday, January 15, 2024. He was born June 10, 1933, in Pittsburgh, son of the Rev. Willard M. and Agnes Stoughton Douglass.

Sam graduated from McKeesport High School in 1951 and the University of Mount Union (formerly Mount Union College) in 1955. He recently celebrated 66 years of marriage to his wife, Judith, a college classmate. He earned his L.L.B. at the University of Pittsburgh School of Law being admitted to the Pennsylvania Bar in 1959.

For 49 years his law practice focused on corporate real estate and mineral law, including coal, oil, and gas, at the law firms of Rose Schmidt Hasley and DiSalle, and Rothman Gordon. In the eve of his career, he took particular satisfaction in representing the rights of landowners with respect to Marcellus and Utica shale gas leases. In 1979, he envisioned the creation of an educational organization focusing on mineral law in the eastern half of the United States, and ultimately co-founded and served as the first president of that organization, the Energy and Mineral Law Foundation (formerly Eastern Mineral Law Foundation). He also served the Upper St. Clair Township School District as its solicitor for 28 years.

In 1990 he received the coveted "Distinguished Service Award" from the National Coal Association.

He volunteered with Wesley Family Services (formerly Wesley Institute) including service as president of the Board. He was later recognized, along with Judy, with Wesley's lifetime volunteer service award. Additionally, he served as a board member of the Horticultural Society of Western Pennsylvania, where he was instrumental in the development of the Pittsburgh Botanic Garden.

He was a man known for his honesty, integrity and generosity. He was a long-time member of Christ United Methodist Church in Bethel Park where he sang bass in the Chancel Choir and served on various committees. He was known by the congregation both as "the origami bird man" and "the balloon man" for sharing these treasures with children of all ages. He loved to invite conversational sparring among colleagues and family alike! He enjoyed singing, gardening, and doing jigsaw and crossword puzzles, and above all else he valued his family.

In addition to his parents, he was preceded in death by sisters Mary Delle Hale and Jane Staley. In addition to his wife, he is survived by his children, Heather Burtch (Gary), Kevin Douglass (Pam), and Shannon George (Chris), all of Pittsburgh, and Shawn Douglass (Jean) of Chicago. He was the proud grandfather of Kelly (Ryan), Luke (Katie), Kathryn (Andrew), Julia (Chris), Margaret, Duncan, Lincoln and Violet; and great-grandfather of four.

Richard E. Gordon



Richard E. Gordon

Richard E. Gordon, age 75, of Mount Lebanon, PA, passed away on Sunday, January 28, 2024 after a long battle with L e w y - B o d y Dementia. Born in New London, CT, he was a son of the late Milton and Gertrude Gordon. Richard was the loving husband of 41 years of June Swanson; beloved father of Andrew Gordon and Katie Stavros (Matthew); doting grandfather of Ari and Onyx Gordon and Ellie Stavros; brother of Nancy Gordon; and stepsibling of Michael Kauffman (Robin) and the late Barbara Garston (Matthew). He is also survived by his nieces, nephews, and dog, Miley and was predeceased by his stepmother, Molly Gordon.

He graduated from New London High School in 1966, Lafayette College in 1970, and the DePaul University College of Law in 1974. He first worked at Neighborhood Legal Services after moving to Pittsburgh and practiced at Grossinger, Gordon, and Vatz for over 30 years. He was an avid sports fan and tennis player. He also coached his children's recreational league teams. Richard was a long-time member of Temple Emanuel of the South Hills and served on the Board of Trustees.

Visit us today at [ACBA.org](https://www.acba.org).

Karen L. Myers



Karen L. Myers

Karen L. Myers of Monroeville, PA, passed on Friday, January 19, 2024. Beloved daughter of Ken and the late Lois "Jean" Myers; beloved sister of Donna (Robert Mocniak) Myers; companion of Hector Hyman; dog mom of Pixie. Owner of Karen L. Myers Law Office specializing in family law.

She graduated from Plum High School with her undergraduate in criminology from IUP and her law degree from Duquesne Law School. She was a huge sports fan, especially football, being a Pittsburgh Steelers season ticket holder. Karen was an animal lover with a special place in her heart for dogs.

Larry Charles Victum



Larry Charles Victum


Larry Charles Victum reached his desired milestone of 80 years, and three days later, he passed away surrounded by his loving family on Sunday, January 28, 2024, in Pittsburgh, PA.

Continued on page 18

Wealth and investment management services for your clients' complex needs and long-term objectives.

Mark Busher
Regional Director, Pittsburgh
mark.busher@glenmede.com
412-533-1810





A Partnership Built on Purpose

Our independent ownership, innovation and unwavering commitment to our clients have made us a trusted partner for more than 65 years.

Glenmede
501 Grant St Suite 350, Pittsburgh, PA 15219
www.glenmede.com

REGULATORY SPOTLIGHT
continued from page 12

³ See CNA Article Old is New Again: Recent Revisions to Model Rule 1.16(a) and the Duty to Inquire.
⁴ See <https://www.americanbar.org/content/dam/aba/directories/policy/annual-2023/100-annual-2023.pdf>.
⁵ <https://www.fincen.gov/boi-faqs>
⁶ <https://www.fincen.gov/boi-faqs>
⁷ https://www.americanbar.org/groups/professional_responsibility/discussion-draft-of-possible-amendments-to-model-rules-of-professional_responsibility/publications/model_rules_of_professional_conduct/rule_1_16_declining_or_terminating_representation/comment_on_rule_1_16_declining_or_terminating_representation
⁸ <https://www.fatf-gafi.org/en/publications/Fatf-recommendations/Rba-legal-professionals.html>
⁹ Id. ¶65, p. 18
¹⁰ <https://www.fatf-gafi.org/en/publications/Fatf-recommendations/Rba-trust-company-service-providers.html>

Probate and Trust Mentorship
Program Available

Attorneys interested in learning more about estates, trusts and related practice areas can be connected with a knowledgeable practitioner via the Probate and Trust Law Section Mentorship Program, which offers members one-on-one mentorship in all areas of practice governed by Title 20 of Pennsylvania’s Consolidated Statutes, including estate and trust planning, administration, litigation and related areas as well as inheritance and related tax issues governed by Title 72. Contact Brian Knavish at bknavish@acba.org for more.

In Memoriam (cont.)

Continued from page 17

He was born in Dixon, Illinois to parents Lala (Davis) Victum and Willis Victum. At the age of three, he moved to Pittsburgh from Moultrie, GA, with his maternal aunt Mattie and her husband Charlie Hall who became his legal guardians. As a dynamic student, Victum, who was affectionately known as “Pancho” by his peers, graduated in the top 10% of his class from Scott High School, North Braddock, PA in 1961.

He earned his Bachelor of Science degree in Biology at the University of Akron, where he also became a member of Alpha Phi Alpha Fraternity, Incorporated (President, Alpha Tau Chapter). While attending Akron, Victum joined the US Army ROTC and the Pershing Rifles, launching his military career that spanned from Commissioned 2nd Lieutenant officer to the rank of Major. Victum proudly served during the Vietnam and Desert Storm wars, and he ended his military service as a JAG officer (Judge Advocate General’s Corps). He continued his education by obtaining his Juris Doctor degree from Duquesne University in 1980, ultimately acquiring his license to practice law in Pennsylvania.

Prior to his legal career, he had a wide range of professional experiences working in computer sales for Xerox and IBM. Thereafter, he spent 40+ years practicing law, working as an attorney in several capacities, including but not limited to, an Assistant District Attorney, a civil lawyer for Westinghouse Electric Corporation, a private criminal

defense attorney, and an attorney for the Pennsylvania State Securities Commission.

His life pivoted in 1979 when a colleague introduced him to the beautiful Gwendolyn Branson. They married on March 5, 1981. This union afforded him the opportunity to be a devoted husband and loving father to two daughters, Tamara and Karla. As a “girl’s dad” he took an active role in continuous carpooling, attending numerous music and dance recitals, coaching years of girl’s softball, and offering sincere support and wisdom as his daughters matured. His own life pursuits inspired his daughters to be resilient in reaching their personal and professional goals, instilling the values of being civic-minded, humble, and altruistic.

He was active in the community with participation in varied organizations including the Braddock Field Historical Society (Vice President) and the Braddock Library Board of Directors, the Pittsburgh NAACP (Penn Hills Branch 1997 President’s award), the Penn Hills Girls Softball League (Manager, Treasurer, and Umpire), the Reizenstein Mentoring Program, the Pittsburgh Council of Men (President and Treasurer), the Masons (Jericho Lodge #20), and more recently, the Penn Hills Advisory Council. A proud moment for his family was recognition by his peers at the Homer S. Brown 50th anniversary celebration.

He was also an avid sports fan and was in several bowling leagues, including the Woodchoppers. He became a member of Mt. Ararat

Baptist Church by Christian experience in 2004, serving many years on the Usher Board and enjoying fellowship in the SOAR group. He always said, “his steps were ordered by God.”

He is preceded in death by his birth parents Lala and Willis Victum, his aunt Mattie and Uncle Charles Hall, brother Ralph Davis, and foster siblings Johnny Lowe and Willie Lowe. Left to cherish his memory are his loving wife of 43 years, Gwendolyn C. Victum, daughters Tamara (Victum) Hill and Karla Victum; son-in-law Rashene Hill and granddaughters Amirah Hill and Mariah Hill; brother Willis Frank Victum, sister Carrie Hall (Horace), nephew Gregory Hall, foster brother Clifford Brown, sisters-in-law Nadine Levitt, Deborah Rose, Dr. Sylvia Branson Worley (Jethro), Shelly Williams (Weldon); brothers-in-law Jeffery Branson, Kenneth (Mona) Branson; a host of nieces, nephews, extended relatives, and friends.

Our Health Care
Power of Attorney and
Living Will documents
are available on
the ACBA website
for free at
[ACBA.org/LivingWill](https://www.acba.org/LivingWill).



It’s your journey.
We’re here to help you get there.

- The team of professionals at Key Private Bank provides wealth management and customized services including:
- Investment management
 - Financial planning
 - Insurance management
 - Customized financing
 - Trust and estate planning
 - Credit and banking

To learn more, contact Kim Cantalamessa at 412-807-2755 or kim_cantalamessa@keybank.com, or visit key.com/getthere.



Key Private Bank is part of KeyBank National Association. Bank and trust products are provided by KeyBank. Member FDIC and Equal Housing Lender. Investment products are:

NOT FDIC INSURED • NOT BANK GUARANTEED • MAY LOSE VALUE • NOT A DEPOSIT
• NOT INSURED BY ANY FEDERAL OR STATE GOVERNMENT AGENCY

Key.com is a federally registered service mark of KeyCorp. ©2024 KeyCorp. 220323-1518019



WHAT HAPPENED?
Complex questions answered

From code compliance to injury causation,
you can count on us to uncover the facts.

Consultants. Experts. Innovators.

World-class. Global reach. 800.580.3228 rimkus.com

Bar Briefs

News and Notes



P Bowman
Root IV

The law firm of Sherrard, German & Kelly, P.C. is pleased to announce **P Bowman Root IV** has been promoted to Shareholder and Director. Root is a member of the firm's Estates and Trusts, Tax and Corporate Services practice areas. His practice is focused on estate and trust planning to both individual and corporate executors and administration and business succession planning. Root's tax and business law backgrounds help clients reach their business succession goals as smoothly as possible.



Joseph R.
Kane

The law firm of Sherrard, German & Kelly, P.C. is pleased to announce **Joseph R. Kane** has been promoted to Shareholder. Kane is a member of the firm's Corporate Services, Employment and Financial Services practice areas and Chair of the Tax practice area. He practices in tax, corporate law and executive compensation and employee benefits. He also counsels incorporated and unincorporated entities on matters including mergers,

acquisitions, dispositions, liquidations and reorganizations.

Dell Moser Lane & Loughney, LLC is pleased to announce the election of **Jennie A. Sanchez** to partner of the firm effective Jan. 1, 2024. Sanchez, who has been with the firm for over three years, concentrates her practice in Workers' Compensation defense.

People on the Move



Hon. Andrew
F. Szeft

Hon. Andrew F. Szeft (ret.) has joined Knox McLaughlin Gornall & Sennett, P.C.'s Pittsburgh office. He focuses his practice on alternative dispute resolution, including mediation, arbitration, and early neutral evaluation in both federal and state courts. Judge Szeft served as a judge in the Court of Common Pleas of Allegheny County from July 2022 through December 2023. He conciliated hundreds of civil cases and presided over jury and non-jury trials. Prior to his time on the bench, he served as Allegheny County Solicitor for 10 years, acting as the County's Chief Legal Officer and Director of the Legal Department. He started his legal career in private practice in Pittsburgh, focusing on litigation and governmental practice matters, as well as land use and real estate.

Hon. Andrew F. Szeft (ret.) has joined Knox McLaughlin Gornall & Sennett, P.C.'s Pittsburgh office. He focuses his practice on alternative dispute resolution, including mediation, arbitration, and early neutral evaluation in both federal and state

Laura DelFratte has joined Eckert Seamans' Pittsburgh office as Special Counsel in the Tax, Estates and Employee Benefits practice. She rejoins Eckert Seamans having previously served as an Associate Attorney at the firm from 2018-2020.



Charles F.
Wall IV

Charles F. Wall IV recently joined Babst Calland as an associate in the Corporate and Commercial Group. Wall's practice focuses primarily on corporate and transactional matters, including mergers and acquisitions, venture capital and private equity investments, corporate governance, and commercial contracts.

Charles F. (Chad) Wall IV recently joined Babst Calland as an associate in the Corporate and Commercial Group. Wall's practice focuses primarily on corporate and transactional matters, including mergers and

Change in Status

Thomas Edward Weiers Jr. has been suspended on consent from the Bar of this Commonwealth for a period of one year.

Richard Kimmins' Petition for Reinstatement has been granted.

An article in the January 26 edition of the *Lawyers Journal* featured Richard Kotarba receiving the ACBA Construction Law Section Achievement Award. Regrettably, in the article, the name of ACBA member Thomas A. Berret was misspelled. The *Lawyers Journal* extends its sincerest apologies for this error.

Lawyers' Mart

APPRAISALS

ANTIQUE AUTO APPRAISALS for all vehicles 1900 to 2005. Expert Witness. Diminished Value. Certified Appraiser – K. Merusi. 412-731-2878, kmerusi@gmail.com.

ESTATE PLANNING

IF YOUR CLIENTS ARE CONSIDERING CHARITABLE GIVING as part of their estate planning The Pittsburgh

Presbytery Foundation can provide a means to support charitable work helping those in need throughout SW Pennsylvania. For more information contact the Foundation at www.pghpresbytery.org/pghpresbyterianfdn.htm or Rev. Dr. Douglas Portz at 412-323-1400 Ext. 318.

OIL, GAS & MINERALS

ATTORNEY STEPHEN RALPH, PROFESSIONAL GEOLOGIST Oil & Gas Transactions, Mediation, Asset Management and Consulting. 724-519-8094. OilandGasMediation.com.

PLUMMER SLADE, INC.

Law Office Computer Networking
& Cyber Security Specialists



Problems juggling your technology needs?

Call to see why so many
law firms choose Plummer Slade!

Endorsed
ACBA



www.plummerslade.com

412-261-5600



A trusted
resource for
attorneys
since 1998.

achieva
Family Trust

WE SPECIALIZE IN:

- Helping advisors analyze an individual's current and potential government benefits to determine if a special needs trust is appropriate.
- Providing corporate trustee services for all types of special needs trusts: Pooled Trusts, Payback Trusts and Third Party Trusts.

*We are proud to have the legal expertise
of three attorneys on staff:*

Amy Dolan Strano, Esq., President

Jacquelyn Connell, Esq., Vice President

LeeAnn Fulena, Esq., Director of Strategic Operations

412.995.5000 x565 | www.achievafamilytrust.org

HARRY M. PARAS

Attorney at Law

428 Boulevard of the Allies
Suite 300
Pittsburgh, PA 15219

Phone: 412-391-8100

Fax: 412-391-9972

Email: *hmp@harryparas.com*

Website: *www.harryparas.com*



Mediation and Arbitration/ Civil Litigation

- Resolved over 2,000 cases through Mediation and Arbitration (UM/UIM)
- Practicing Civil Trial Lawyer with over 40 years experience representing plaintiffs and defendants (auto, premises, products liability, medical malpractice, bad faith, workers' comp)
- Knowledge of insurance coverage disputes and primary/excess insurance coverages
- Member - Academy of Trial Lawyers of Allegheny County
- Approved Mediator - U.S. District Court, Western District of PA
- Invited Member - The National Academy of Distinguished Neutrals (NADN)
- Six years (2014-2019) Super Lawyers Selection