

LAWYERS JOURNAL

THE FLAGSHIP PUBLICATION OF THE ALLEGHENY COUNTY BAR ASSOCIATION

Introducing the new *Lawyers Journal* Annual Golf and Bocce Tournaments set for July 28



By Dan Seibel

Welcome to the redesigned *Lawyers Journal*, the same publication you've relied on for 25 years, now with a bold, modern look.

As announced in the previous edition by Executive Director David Blaner, the ACBA has spent nearly a year reimagining the *Lawyers Journal* from the ground up. The redesign is the result of a collaborative effort by the ACBA Communications and Publications Department, Marketing Department, and the Publications Committee, with feedback from focus groups to ensure the updated format serves the evolving needs of our members.

So what's new?

First, you'll notice a cleaner, more modern layout. The new design features ACBA-approved fonts, drop caps in select feature articles, and a greater use of vivid, brand-aligned colors. The updated look allows for more flexibility and vibrancy throughout the paper.

Photojournalism is also front-and-center. ACBA event coverage now includes more dynamic layouts, scrapbook-style photo overlays, and consistent visual treatment. You'll see less rectangular rigidity and more creativity. Plus, you can now scan a QR code to view additional photos on the ACBA Instagram account.

Content-wise, the publication remains true to its roots. You'll still find feature stories on the Pittsburgh Legal Community, scholarly articles, updates on law practice management, and long-standing columns by the ACBA President and Division Chairs. The order and structure of these sections, from News to Bar Briefs, is now more consistent and easier to navigate.

We've also improved how member-written content is presented. Prominent headshots now accompany these articles, helping readers connect faces to names.

Importantly, this redesign was guided by our commitment to effective member communication. Mailing a printed edition ensures we reach all members, regardless of their email preferences.

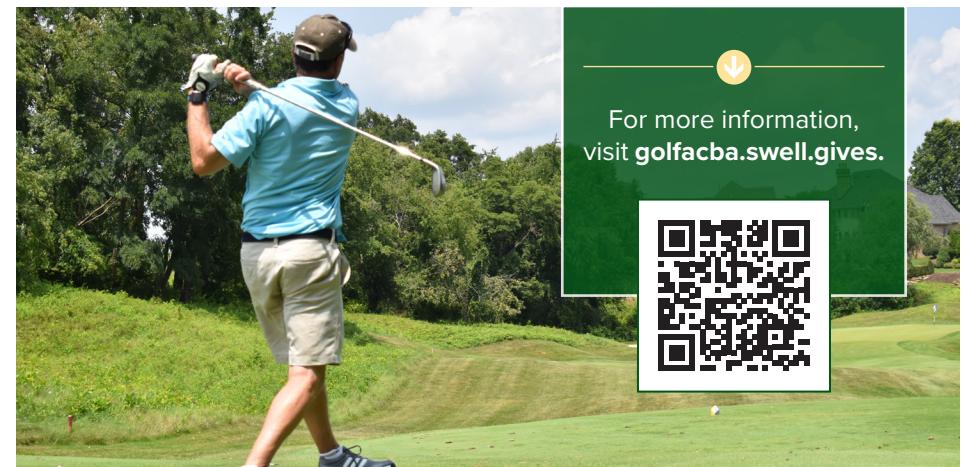
Additionally, the new design was crafted to attract new advertisers while ensuring current partners do not incur additional costs due to ad formatting or color changes. Our advertisers remain key partners in keeping the *Lawyers Journal* not only relevant, but profitable, generating \$300,000 in non-dues revenue and helping avoid any increase in member dues.

This refreshed look honors the legacy of a publication launched in 1999 while ensuring it remains future-ready, a reflection of the community it serves.

Have ideas for a substantive article? We want to hear from you. Email editor Jennifer Pulice at jpulse@acba.org.

Happy reading, and welcome to the next chapter of the *Lawyers Journal*. ■

Dan Seibel is Editor-in-Chief of ACBA Publications.



For more information, visit golfacba.swell.gives.



By Jennifer Pulice

Whether you prefer driving a golf ball or tossing a bocce ball, mark your calendar for one of the most anticipated summer events in the legal community, the 31st Annual ACBA Golf Tournament and 11th Annual Bocce Tournament, set for Monday, July 28, at Westmoreland Country Club.

This day of fun and networking also serves a greater purpose, with proceeds benefiting two vital community organizations.

"This event supports Neighborhood Legal Services and the Allegheny County Bar Foundation in the quest to provide equal justice for all," said Lorrie Albert, Allegheny County Bar Foundation (ACBF) Associate Executive Director.

The ACBF promotes justice through education, philanthropy and community service. Its Pro Bono Center recruits and trains volunteer attorneys to offer free legal services to low-income residents. The ACBF also awards annual grants to legal aid organizations, hunger relief programs and law students.

Neighborhood Legal Services (NLS) is the region's leading provider of civil legal aid for vulnerable residents. Its attorneys and pro bono partners offer critical representation in areas such as protection from abuse, housing stability and employment access – helping individuals and families rebuild safer, more stable lives.

Back again this year is the always-popular Pebble Beach raffle. The lucky winner will receive a three-night stay at the Inn at the Lodge at Pebble Beach and a round of golf at Pebble Beach and Spyglass Hill, or may opt for a \$4,000 cash prize.

Registration includes food and beverages, skill contests, a silent auction and great prizes. Sponsorships are also available, offering firms and businesses prominent exposure to more than 150 attendees.

For more information, including how to register, become a sponsor or donate auction items, visit golfacba.swell.gives. ■

The *Lawyers Journal*, ACBA publications and the power of print



By Fred Egler

We live in an online world. Our phones and computers and other gadgets beckon us to check the latest post, tweet, or text. Paper can seem irrelevant – I recently testified in a four-week-long case where I did not see the lawyers use a single scrap. So the new format that appears with today's edition of the *Lawyers Journal* may seem quaint. But print journalism has long been central to the practice of law – and it is not going anywhere.

The *Lawyers Journal*'s sister publication, the *Pittsburgh Legal Journal* (*PLJ*), predates the ACBA – it started publication in 1853 (Franklin

Pierce was President and Florence Nightingale was in the Crimea). The *PLJ* is the second oldest legal journal in the United States (The masthead once proclaimed it the "Third Oldest Legal Journal in the World," but the provenance of this claim is suspect). It was privately owned until, on Nov. 1, 1962, it was purchased by the ACBA (John F. Kennedy was President, and John Glenn became the first person to orbit the earth).

For many years the ACBA published three regular publications. The daily *PLJ* appeared in pretty much the same format as today. A monthly "magazine" (actually a 5x6 black and white booklet also called the "Pittsburgh Legal Journal") included legal opinions and a selection of articles. "Allegheny Lawyers Online," a glossy mailer, carried bar association news. By the 90s, all of these formats had passed their "Best By" date.

In June 1994 the daily *PLJ* started publishing ACBA announcements and

tried to act as a true legal newspaper. It covered many local legal news stories, including the death of Johnny Gammage during a traffic stop and the resulting trials of police officers in 1995 and 1996. But staff and the publications committee quickly learned that producing a daily paper with largely volunteer contributors was unworkable, and began to look for alternatives.

The result was the *Lawyers Journal*, which debuted on April 9, 1999. (Bill Clinton was President and you probably had an @aol.com email address). It combined all ACBA publications (except the notices and court calendars that remained in the daily *PLJ*) into a single, biweekly publication. The tabloid format, use of color, and large display ads were all innovative at that time. Opinions were published in a removable insert until September 2010, when they

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Bench Brief: Insight into President Judge Susan Evashavik DiLucente

By Dan Seibel

As I mentioned in my cover article, it is my pleasure to introduce our new design for the *Lawyers Journal*. Along with the new design I am excited to announce a new column to our readership. This may be the first time you have heard from me. That is because, above all else, this is your Journal, your voice, and your source. Regardless of your level of interaction with the Journal, whether you are a regular contributor, a devoted patron, or a casual "Bar Briefs" section skimmer, the Journal is and has always been an indispensable resource to our members. My job is merely to listen and serve.

Over the years, ACBA members have enjoyed the benefit of crucial insights, tips, news, and developments from a diverse range of practitioners across an array of practice areas and topics. However, good listening requires not only recognition of the voices from whom you hear, but attention to those voices from whom you do not. One such segment of our readership often missing from the conversation is the bench.

Following the honor of receiving the nomination to this position I noticed that members of the bench are more than willing to offer guidance and valuable insights when asked to do so. These insights are often shared in the context of CLE panels, board or section meetings, Bench-Bar, and similar venues. So, why not the *Lawyers Journal*?

So, without further ado, I introduce the "Bench Brief" which I hope will become a valuable addition to the Journal for years to come. The Bench Brief will be a regular column in the journal featuring different jurists and judicial officers at all levels from among our membership who will share details about their specific role, their approach to jurisprudence, and at least one "Key Insight" which will generally be their opportunity to provide advice and guidance based on their experience and interaction with the Bar.

I thought the most obvious place to start would be with the President Judge of the Court of Common Pleas of Allegheny County. The following is the first ever Bench Brief, featuring President Judge Susan Evashavik DiLucente.

Judge Evashavik was elected to serve as President Judge of the Court of Common Pleas of Allegheny County in December of 2023, having first been elected to the Court in 2009. It was my pleasure to interview her and to provide our readership with her insights and passion for judicial efficiency.

The duties of the President Judge are many, spanning a wide breadth of leadership functions including judicial administration, maintaining court infrastructure, ensuring public safety, contract procurement, and representing



Hon. Susan Evashavik DiLucente

the judiciary in working with County Council and other officials in budget negotiation and oversight functions. "It's literally non-stop work, but it never stops being worth the effort," said President Judge Evashavik. "My goal is to make things as fair as possible, which requires an efficient system of administration."

President Judge Evashavik is driven to optimize efficiency, broaden access, and achieve equity across the county's entire court system through improvements in infrastructure and technology, beginning with those departments with the most need.

"I was honored by the election of my fellow judges to fill this role. I maintained then, as I do now, that this is our court, and I am determined to make our court a reflection of the purpose for which my colleagues and I ran for office in the first place," she said. "Every judge should have a courtroom, and there is a severe space shortage in the Family Division that we are addressing. We are also lacking a proper case management system for the Adult Family, Civil, and Orphans' Court Divisions. Our current systems do not sync with each other and do not track important data, like how many cases each judge has, which ones, or how long each case has been pending. Some litigants are waiting far too long for adjudication of cases, some judges have far too many cases on their docket, and resource allocation is not being matched according to need. Without a system to streamline the identification of these issues it is very difficult for Administrative Judges to manage them. I am going to fix that."

These improvements are coming off the heels of several achievements President Judge Evashavik has made already. Along with the Court of Common Pleas, the President Judge oversees 46 Magisterial District Judges and the Pittsburgh Municipal Court. Though she is only in the second year of her five-year term, President Judge Evashavik has driven progress in some of the most crucial areas facing the County's criminal justice system.

"There were a lot of changes that were overdue. We raised the fee limitations for court appointed defense counsel to retain and attract effective defense lawyers to fill appointments. We are collaborating with ACT to initiate a new process for inmates to

review their discovery which should greatly eliminate the backlog and delay. Also, the Municipal Court was long overdue for attention. We have resolved unsanitary conditions, added a lunchroom, updated the signage, and are repainting the facility. We also brought back live arraignments from virtual, and we are creating a new system to facilitate voluntary reporting by defendants with outstanding MDJ warrants that eliminates jail confinement pending arraignment," she said.

President Judge Evashavik's contributions to the Juvenile Justice System, alongside those of the County Executive's Office and court administration, resulted in the reopening of the Highland Detention at Shuman Center.

"To say it was a 'tough job' is a gross understatement, but we finally got the job done with the first pod now

available and construction on the next phase of the facility soon underway," she said. The Commonwealth shut down the original Shuman Center in 2021 over an array of troubling issues. However, the closure left the County with no acceptable alternative to the detention center. "Juveniles were not getting the resources or rehabilitation they needed, and just as importantly, violent offenders were on the street. We now have a 10-member advisory board to hold operations accountable," she said.

As to President Judge Evashavik's juridical responsibilities, following the retirement of Administrative Judge Lawrence J. O'Toole in December, President Judge Evashavik has taken on the role of Administrative Judge of the Orphans' Court Division. As a

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PITTSBURGH LEGAL JOURNAL OPINIONS

ACBA.org/Opinions

The *Pittsburgh Legal Journal Opinions* offers ACBA members timely, full-text opinions from various divisions of the Court of Common Pleas.

Keyword(s) in latest edition:

Medical Malpractice



Gender Bias Duty Officers

ACBA.org/GenderBiasHotline

If you have experienced gender bias in the legal field, you may confidentially report it to a duty officer of the Gender Bias Subcommittee. Kimberly Brown | 412-394-7995 | kabrown@jonesday.com Megan DelVecchio | 412-760-9204 | mdelvecchio@pollockbegg.com Rhoda Neft | 412-606-8387 | rhoda.neft@gmail.com

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ACBA.org/OfficerAssignments

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July

Global voices, local impact: Celebrating women lawyers' journeys



By Hon. Nicola Henry-Taylor

The Allegheny County Bar Association's Women in the Law Division (WLD) recently hosted a groundbreaking program that celebrated the diverse journeys of women attorneys and judges who have made their mark in the legal profession despite significant challenges. This program was the result of a collaborative effort, sparked by Chair-Elect Fayezeh Haji Hassan's vision, and brought to life through the shared leadership and dedication of WLD Chair Holly Deihl and myself, a former WLD Chair.

What began as a simple idea for a social gathering evolved into an inspiring and impactful event that gave a platform to women in the legal profession who have overcome immense obstacles. "Global Voices, Local Impact: Celebrating Women Lawyers' Journeys" featured a distinguished panel of women attorneys and judges from around the world, sharing their personal stories of resilience, professional challenges, and triumphs.

Fayezeh Haji Hassan, an attorney at Buchanan Ingersoll & Rooney, not only

played a key role in organizing the event but also served as its moderator. She shared her own compelling journey from Iran, where she was born, to Afghanistan, Pakistan, and Egypt before arriving in the United States in 2010 to attend Middlebury College in Vermont and later Thomas R. Kline School of Law of Duquesne University in Pittsburgh.

Fayezeh was joined on the panel by Gilda Arroyo and Yeyun (Carrie) Xu, attorneys originally from Puerto Rico and China, respectively. Both women spoke candidly about the obstacles they faced in a profession that remains predominantly white and male. They shared experiences of being underestimated, harassed, and belittled, as well as the challenges of learning a new language and adapting to the cultural expectations of both the United States and the unique professional landscape of Pittsburgh. Despite these struggles, they found strength, success, and a supportive community within the legal profession.

The program also had a powerful international component, featuring a virtual presentation by the Honorable Sofia Waqar Khattak, a District and Sessions Judge from Pakistan and an international member of the National Association of Women Judges. With 25 years of judicial experience, Judge Khattak has broken barriers throughout her career. She made history as the first woman District Judge in Chitral (2017) and Abbottabad

(2018-2019), paving the way for women in Pakistan's judiciary.

Beyond her judicial rulings, Judge Khattak has led significant reforms, including court automation, digitization, and access-to-justice initiatives. She has established Women Facilitation Desks in district courts, provided legal aid for women litigants, and advocated for Alternative Dispute Resolution (ADR). As an educator and mentor, she has played a key role in shaping the next generation of legal professionals in Pakistan. Her career is a testament to perseverance, leadership, and a commitment to judicial integrity and reform.

The program was not just about storytelling – it was about action. Attendees, including law students, attorneys, and judges, engaged in breakout sessions facilitated by WLD members. These sessions provided

opportunities for personal reflection, identifying challenges, and brainstorming solutions. Each group shared common themes from the panel and strategies for navigating the legal profession, including the importance of mentorship and community for women in law, strategies to address and overcome systemic biases, and the necessity of continued advocacy for inclusivity in the profession.

The event concluded with closing remarks emphasizing the power of collaboration, mentorship, and shared experience, followed by a networking reception. "Global Voices, Local Impact" was more than just a celebration – it was a call to action. The event provided an essential platform for discussion, inspiration, and empowerment.

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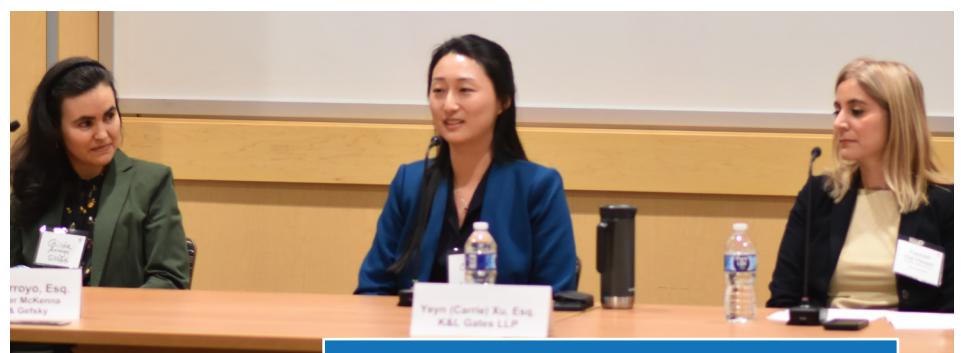


PHOTO BY
JAMES PIAGGIO

Gilda Arroyo, Yeyun (Carrie) Xu and Fayezeh Haji Hassan kicked off the International Women's Day Celebration by sharing their inspiring stories at Buchanan Ingersoll & Rooney on March 12.

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A tune-up guide to Pennsylvania's new advertising rules



By Amy Coco

As the bar year ends, it is an ideal time to give your professional responsibility engine a thorough tune-up. In October 2024, the Supreme Court of Pennsylvania modernized the Rules of Professional Conduct on lawyer communications, replacing a patchwork of seven separate Rules with three more streamlined ones. The overhaul was designed for a world of social media videos, AI chatbots, and multi-jurisdictional practices, not the billboards and Yellow Pages ads that once dominated legal advertising. The consolidation aligns Pennsylvania more closely with the ABA Model Rules, eliminates the old two-year record retention requirement, and requires a more straightforward mandate that each communication identify at least one lawyer or firm responsible for its content. The overriding message of these rules remains the same: Don't mislead.

The first of the new trio, Rule 7.1, addresses false and misleading communications and now subsumes what used to be the separate rule on firm names and letterhead. Under 7.1,

a communication is misleading even when the statements are technically accurate if the overall presentation omits important factual foundation, creates an unwarranted sense of urgency to act, or is not based on objective verifiable information. The comments stress that lawyers may use website addresses and social media handles, so long as those designations are not misleading. A handle such as @PAFamilyLaw is acceptable because it states a practice focus without making unverifiable claims, whereas @BestFamilyLawyerInPA would likely invite scrutiny.

Rule 7.2, retitled "Communications About Legal Services," abandons the notion of "advertising" limited to specific media and governs all channels through which lawyers might describe their work. The rule preserves the ban on celebrity endorsements and still requires truthfulness when lawyers market non-legal services, but it discards the burdensome obligation to archive every ad. Lawyers must ensure that each communication clearly identifies the attorney or firm behind it.

Solicitation is now covered by Rule 7.3, which brings its definition out of the comments and into black letter law. A solicitation is any outreach directed to a specific person whom the lawyer knows, or should know, needs help with a particular matter and that offers to supply legal services. The rule prohibits live, real-time person-to-person contact, such as in-person visits, phone calls, and includes text messages, in a

departure from the ABA Model Rules. Pennsylvania's decision to treat SMS outreach as impermissible live contact sparked a constitutional challenge filed by a marketing company that claims the ban violates the First Amendment. However, the court denied the preliminary injunction and the matter settled before discovery.

The amendments also relax the path to claiming a specialty. Lawyers who lack formal certification may now hold themselves out as specialists if they can objectively substantiate the focus of their practice by reference to volume of matters handled, years of concentrated experience, or relevant continuing education, and if they prominently disclaim that they are not certified by the Supreme Court of Pennsylvania. They may assert only one specialty unless they possess formal credentials in more than one field.

Geographic transparency remains essential. Every communication must disclose the city or town where the lawyer principally practices; if the office is outside municipal limits, the county must also be listed. Multi-state firms may use the same name in every jurisdiction. Still, when individual lawyers are identified, their states where they are admitted licensure must be made clear so clients are not misled about who is authorized to appear where.

The familiar rule on fees survives in streamlined form. Whenever an advertisement mentions a fee arrangement, it must also state whether the client

will remain responsible for court costs and expenses if there is no recovery.

With these changes in force, firms should verify that websites and social profiles include jurisdiction notices, accurate current information of memberships, associations and practice areas, a responsible lawyer line; pausing or redesigning any SMS outreach; updating engagement letters to mirror fee language used in external messaging; making sure your claims of specialties are accurate and comply with the rule; and making sure every member of the team, including vendors, understands the condensed trio of rules that now governs their public statements.

Beginning the year with a clean slate on advertising ethics does more than shield you from disciplinary trouble. It signals professionalism to peers and clients alike and ensures that every brochure, blog post, and boosted social media snippet reflects the integrity of your practice. ■

Amy J. Coco is President-Elect of the Allegheny County Bar Association and a shareholder with DiBella Weinheimer, where she specializes in representing lawyers, law students and judges in professional liability matters. However, she is not certified, as no certification program exists.

Visit the ACBA's website today at **ACBA.org**.



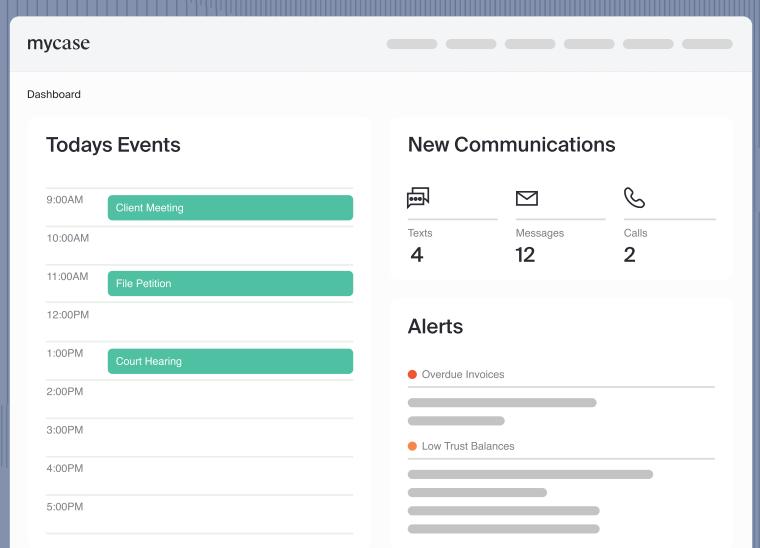
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Connecting Pittsburgh's Legal Community: ACBA Job Board makes matches that matter

By ACBA Staff

The ACBA Job Board remains a go-to resource for legal hiring in the Pittsburgh region – and 2025 is already proving to be a strong year. In just the first few months, more than 80 connections have been made between local legal employers and qualified professionals seeking new opportunities.

Whether you're looking to post a job or land your next role, the ACBA Job Board at jobs.acba.org offers streamlined tools for both employers and job seekers.

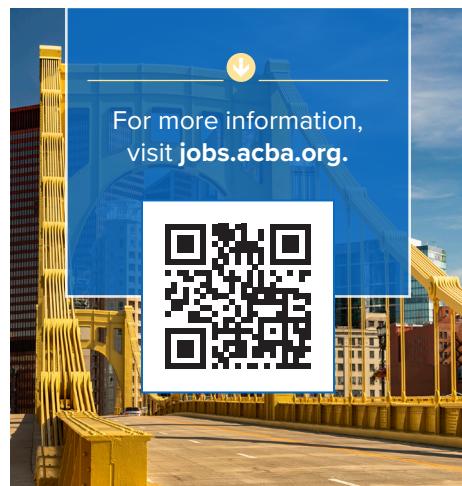
For job seekers

Users can search and apply for open positions ranging from legal support roles to attorney openings. The site also features:

- A confidential resume bank with customizable privacy settings.
- Automatic notifications when jobs align with users' skills and preferences.
- Career advice, resources, and search tools to support every step of the job hunt.

For employers

The platform provides cost-effective access to a targeted audience of legal professionals. Benefits include:



- Discounted posting options tailored to the Pittsburgh market.
- Weekly "Job Flash" emails that highlight listings to active seekers.
- A searchable resume database to find the right fit fast.
- Additional exposure through ACBA's social media promotion.

Limited-time offer

Through August 1, employers can use promo code JOB30 to receive 30% off their first three job packages: "30 Day," "First Seen," and "Job Flash." To learn more or get started, visit jobs.acba.org.

THE LAWYERS JOURNAL | CONTINUED FROM FRONT PAGE

were moved to the online format used today.

Twenty-six years later, the world of publishing looks vastly different. The internet and social media have forced many publications to close, while others exist only online (During COVID, even the daily *PLJ* moved to an online format, which is now permanent). Given these trends, why bother to improve the format of an old-fashioned printed publication? The short answer is that people read it. As an editor and contributor for over 40 years, I have learned that our members are not shy about voicing feedback – and worse. But as I assured many ACBA Presidents over the years, if people are complaining about the paper, it means that they are reading it.

Another reason is that in the age of email spam filters and "unsubscribing" from electronic communication, the hard copy *Lawyers Journal* is the only way to communicate with all ACBA members.

Bar associations and legal journals would seem to have a natural affinity for each other. But the ACBA is one of a few bar associations in the U.S. that owns its local legal journal. That gives its publications an official status with the courts. The foresight of the bar leaders who made that purchase over 50 years ago is remarkable. Today ACBA publications are one of the largest contributors of income to the ACBA, allowing it to offer programs that other bars struggle to maintain while keeping member dues affordable.

With that status – and its 173-year track record – comes responsibility. The *Lawyers Journal* is the paper of record for the Allegheny County legal community. A printed paper, old-fashioned as it may be, tells the reader that what they are reading matters. Refreshing the publication's format helps retain interest and readership, and offers an opportunity to respond to reader input and make use of lessons learned over the years.

What will not change is the *Lawyers Journal's* content. The consistent hallmark of ACBA publications has been member participation. Members have contributed articles, notices and headnotes for opinions for decades. This connection to members makes the *Lawyers Journal* unique among association publications.

It would be foolish to predict what the world of publishing will look like in another 25 years. But in that trial, I mentioned, there was one piece of paper that everyone was interested in – the verdict slip. Even in an online world, it's amazing how often the last word is on paper.

Fred Egler is a Past-President of the ACBA. He was Editor-in-Chief of ACBA Publications from 1984 to 2001 and was one of the creators of the *Lawyers Journal*.

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Understanding Pennsylvania's 8th edition sentencing guidelines



By David Shrager and
Lyle Dresbold

On January 1, 2024, the Pennsylvania Commission on Sentencing implemented a major shift in the criminal justice landscape when it enacted the 8th edition of the sentencing guidelines. For the past year, attorneys have been adjusting to the changes and their implications for defendants and the broader justice system. Understanding these revisions, the rationale behind them, and their potential impact is now paramount for effective criminal defense.

The Sentencing Code requires the sentencing court impose a sentence that is consistent with the protection of the public, the gravity of the offense as it relates to the impact on the life of the victim and on the community, and the rehabilitative needs of the defendant. Although sentencing within the guidelines is discretionary, courts are required to give meaningful consideration to the sentencing guidelines. If the court imposes a sentence outside of the guidelines, it must provide a written statement setting forth the reasons for the

deviation. The failure to do so is grounds for resentencing.

To determine the guideline sentencing range, you must first calculate the correct offense gravity score (OGS) and prior record score (PRS). Every offense has its own offense gravity score, and every defendant has a prior record score based on his criminal record at the time the offense was committed. Those scores are entered into a grid-like sentencing matrix which produces the standard sentencing range. The most obvious change in the 8th edition is the matrix itself, which now includes 38 offense gravity levels up from 14 in the 7th edition. The top 8 levels all involve murder. The OGS calculations also include possible enhancements which can increase the base-level for conduct such as using or possessing a deadly weapon, crimes that occur in school zones, domestic violence, and gang activity.

The second major change is the reduction of PRS categories from 8 to 5. The commission also changed the way the PRS is calculated. The 8th edition retains the fundamental concept of assigning points for prior convictions, but it introduces key changes in how these points are accumulated and considered. One change is the increased emphasis on the most serious prior offense in each sentencing episode. This means that if a defendant has multiple prior convictions stemming from the same

incident, the PRS calculation will primarily focus on the offense with the highest gravity score from that episode. This change could potentially lead to lower PRS scores for defendants with multiple less serious prior convictions arising from a single event.

A prior conviction would previously be used in calculating the PRS regardless of the age of the conviction, unless it were overturned, expunged, or pardoned. There was no statutory provision to argue staleness. For the first time, the 8th edition introduces the concept of "lapsing." Under the new lapsing provisions, the weight given to older convictions diminishes over time, depending on the severity of the prior offense and the defendant's crime-free period. A less serious prior offense might no longer contribute to the PRS after several years without a new conviction. The length of the crime-free period depends on the seriousness of the earlier conviction and whether the offender was a juvenile or adult at the time. Given how difficult it is to receive an expungement or pardon in most circumstances, this is a potentially significant development for defendants with older criminal records, offering a pathway for those who have demonstrated a sustained period of law-abiding behavior, to receive a lower PRS. Defense attorneys will need to meticulously review their clients' criminal histories to identify any prior convictions that may have lapsed

under the new guidelines, potentially leading to a lower recommended sentence.

The lower end of the guidelines has always called for restorative sanctions short of incarceration such as probation or probation with restrictive conditions like electronic home monitoring or community service. For the first time, the 8th edition provides guidance on the appropriate length and type of restorative sanctions. This is intended to provide consistency between similarly situated defendants who happen to be sentenced by different courts or in different counties.

Hopefully as we all continue to navigate the new landscape created by the 8th edition guidelines we can find ways to further the interests of our clients, provide the most effective counsel, and ensure consistent and equal justice under the law. ■

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.

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ACBA launches new Law Day tradition at City-County Building

By Ron Cichowicz

The ACBA added a new twist to its annual observance of Law Day when it invited area high school students to visit the City-County Building to show them how the local legal system works.

President Dwight Eisenhower established Law Day in 1958 as an opportunity to reflect on the importance of law in society and to promote civic engagement and legal understanding among the public. Eventually codified by Congress, Law Day is observed each year on May 1 to celebrate the rule of law and its role in the foundation of the United States.

"We felt that Law Day should be more than just a commemoration," said Gina Zumpella, Senior Attorney with Edgar Snyder & Associates and Past-Chair of the ACBA Civil Litigation Section. "So we invited students from various high schools to the City-County Building to see for themselves how our legal system works. Unfortunately, due to the storm and power issues some schools had to cancel at the last minute due to school cancellations."

"We wanted to show the students that everything they do is governed by law," Zumpella said. "They often don't think about that. We wanted to show them why the rule of law is essential to democracy and how the legal system functions and to educate and inspire them to further their interests."

The day offered the students a chance to observe live civil court



PHOTO BY JAMES PIAGGIO

Students paused for a photo with the ACBA Law Day Committee members during Law Day at the Allegheny County Court of Common Pleas on May 1. Students learned about jury duty, the different levels of courts in Pennsylvania and more.

proceedings, meet court room staff and tour the Pennsylvania Supreme Court. Activities also included a PowerPoint presentation on the three branches of government, lunch and a "Jeopardy" game to close out the experience.

Zumpella acknowledged a number of individuals who made the Law Day observance a novel success, including Law Day Committee Chair Jessyca

McCarl, Co-Chair Kellie Ware and Dianne Wainwright, Deputy Court Administrator for the Allegheny County Court of Common Pleas Civil Division.

Because of that success, Zumpella said the hope is to continue to invite students to participate in the ACBA Law Day event.

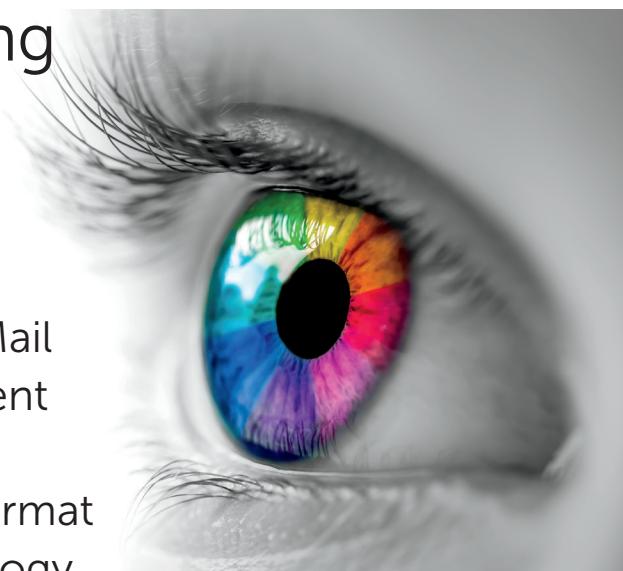
"The day went really well," she said. "The feedback we got from the students was all positive, they loved it

and particularly liked being able to ask questions of the participants.

"Next year we'll invite more schools. The Allegheny County Court of Common Pleas Civil Division loves to promote initiatives like this and to promote learning among students and younger attorneys. We're looking forward to this new tradition continuing for years to come." ■

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WLD MANSMANN AWARD CEREMONY

PHOTOS BY JAMES PIAGGIO

BOTTOM LEFT: WLD Chair-Elect Fayezeh Haji Hassan, Mansmann Awardee Paige Forster, the Hon. D. Michael Fisher and WLD Chair Holly Deihl pause for a photo following the WLD Mansmann Award Ceremony.



TOP RIGHT: As part of their sponsorship, Dollar Bank raffled off a gift card to Hand & Stone Massage and Facial Spa. Congratulations to Megan Lovett on winning the raffle. Pictured: Lisa Manzonelli, Megan Lovett and Melissa Krawczynski.

MIDDLE RIGHT: The Hon. D. Michael Fisher presents the Carol Los Mansmann Helping Hand Award to Paige Forster.

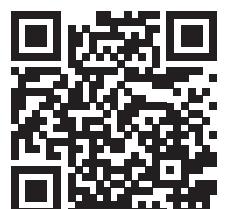
BOTTOM RIGHT: WLD Chair Holly Deihl and WLD Chair-Elect Fayezeh Haji Hassan embrace as Fayezeh recognizes Holly on behalf of the WLD for her service as chair.



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June 26 Live Webinar CLE to examine blockchain, crypto

Overview of Blockchain and Crypto Assets for Attorneys

Thursday, June 26 | Noon
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- Emphasis on blockchain with financial technology

For more visit ACBA.org/blockchain.

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ACBA
CLE

By ACBA Staff

Curious about blockchain and crypto? All members are encouraged to attend "Overview of Blockchain and Crypto Assets for Attorneys" – a one substantive credit CLE presented by the ACBA Asian Attorneys Committee on Thursday, June 26 at noon on Zoom.

This program will provide an overview of how emerging blockchain technology works, with a particular

focus on current blockchain projects such as Bitcoin and Ethereum. The program will also cover the patent application examination process and considerations.

Strategies for obtaining patent protection will be discussed, with an emphasis on blockchain applications within financial technology. For more info or to register, visit ACBA.org/blockchain. ■

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BENCH BRIEF | CONTINUED FROM PAGE 2

jurist, she gives special attention to the material issues. When introduced to a new matter, "I am really big on moving past the 'form over substance' kind of issues to get to the actual dispute without confusing the two. I want to learn what is actually happening rather than getting stuck in the weeds so that I can get to the heart of the case. I want to know, what is really going on here?"

In terms of approach, "I read. I review what has been filed and I prepare myself for every proceeding ahead of time," she said. "You can expect me to be prepared, but I'm new to the Orphans' Court, so I welcome the opportunity to learn and be educated by the bar. "If I make a mistake, and we all do, I will acknowledge and correct it. You can also count on me to start on time. I detest tardiness by litigants, counsel, and the bench. Everyone's time is valuable and I find it extremely disrespectful to be tardy." ■

Finally, if there was one thing she wants the bar to know, it is this, "I know how frustrating practice can be. Sometimes you will have cases where you are following all of the rules, being courteous, and being prepared. Meanwhile your opposing counsel's behavior is 'dilatory, obdurate, and vexatious' and of course you want the court to make them pay for the fees necessitated by their conduct. Sometimes the Court will, but more often not. Try to appreciate that your opposing counsel was chosen by someone who likely had no idea how to measure a lawyer's temperament or competence. If I punish opposing counsel, I am punishing his client, and judges have to take that into consideration. However, keep in mind that judges are not blind. Rest assured, though many such cases will not result in monetary sanctions, the sanction to a lawyer's reputation for poor behavior is far more costly. ■

FACE THE JURY | CONTINUED FROM PAGE 3

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Brendan Lupetin is Managing Partner at Lupetin & Unatin, LLC. Brendan can be contacted at blupetin@pamedmal.com or 412-281-4100.

GLOBAL VOICES, LOCAL IMPACT | CONTINUED FROM PAGE 4

This program reinforced the importance of lifting one another up, ensuring that opportunities exist for the next generation, and committing to

a legal profession that reflects the diversity, strength, and perseverance of women around the world. ■

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PRESIDENT'S MESSAGE



Defending the rule of law: The critical role of legal aid and pro bono



By Regina C. Wilson

Per the World Justice Project, “the rule of law is a durable system of laws, institutions, norms, and community commitment that delivers four universal principles: accountability, just law, open government, and accessible and impartial justice.” These principles form the foundation of a fair and functioning democracy. But the rule of law cannot exist in any meaningful way unless individuals can access the legal system. For many people, especially those with limited financial means, legal representation remains out of reach. That’s where legal aid and pro bono services become not just helpful, but essential.

Legal representation should not be a privilege for the few who can afford it. When it is, we compromise the promise of equal justice under the law. This justice gap erodes the public’s trust in our legal system.

In civil cases, where there is no right to an attorney, the consequences of lacking representation can be profound. Legal aid organizations often make the difference in cases involving eviction, domestic violence, child custody, immigration, and access to essential benefits. These aren’t just legal issues, they are matters that impact people’s homes, families, livelihoods, and safety. When vulnerable members of our society – low-income individuals, the elderly, people with disabilities – cannot access legal help, they are often left to face a confusing and complex system alone, with life-altering consequences.

Pro bono work by volunteer attorneys fills critical gaps in this system. While legal aid organizations provide vital services, they are frequently overwhelmed. Pro bono service helps expand their reach and ensures that more people receive the support they need. Importantly, pro bono work is not simply an act of charity, it is a professional obligation. The legal profession has long recognized this responsibility, and the Rules of Professional Conduct reflect that duty. Moreover, pro bono work fosters a culture of public service within our

profession, reminding us that law is not just a career, but a calling.

Providing access to legal services isn’t just about helping individuals. It’s about reinforcing public confidence in our legal system. When people see that justice is available regardless of wealth or status, they are more likely to trust and respect the system.

As attorneys, we have a duty to defend and uphold the rule of law. A crucial part of that duty is ensuring that justice is accessible to all. The Legal Services Corporation’s most recent Justice Gap Report revealed that people with low incomes do not receive help with over 92% of their civil legal problems. That same report found that there is just one public interest attorney for every 6,415 Americans who need legal representation and cannot afford it. The need is overwhelming. And while we’re fortunate in Allegheny County to have outstanding organizations providing free legal services, including the Allegheny County Bar Foundation, Neighborhood Legal Services, and many others, even these tireless efforts cannot meet the full demand alone.

That’s where each of us as attorneys comes in.

As I am often reminded, only attorneys and law students can provide pro bono representation. We are uniquely positioned to make a difference. And no matter your level of experience, your skills can have a profound impact on someone’s life.

If you’re not already doing pro bono work, consider taking a case. Yes, it can feel intimidating (and I’m speaking from personal experience), but there are mentoring and training resources available to support you. A great place to get started is through the Allegheny County Bar Foundation’s Pro Bono Center (www.acbf.org/volunteer/volunteer-today). Encourage your colleagues to take on pro bono matters as well. Donate to organizations doing this essential work. Advocate for increased funding. And speak up, contact your elected officials and remind them that access to justice should be a public priority. Many legal aid organizations are limited in how they can lobby for themselves; they rely on us to be their voice.

The mission of the Allegheny County Bar Association is to “empower our members; promote a just, accessible,

continued on page 14

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Paul is the Founding and Managing Partner of Walsh Barnes P.C. In his 34 years as a trial attorney, his practice has covered the entire spectrum of civil litigation, handling wrongful death, bodily injury and catastrophic property loss claims arising from major fires, construction, industrial, tractor-trailer and automobile accidents, as well as product liability claims. He is also experienced in bad faith claims. Paul has tried more than 70 jury trials in addition to litigating a plethora of bench trials, UM / UIM and common law arbitrations.

Paul has been listed as an AV® Preeminent™ lawyer by Martindale-Hubbell, representing the recognition of the highest level of professional excellence by his peers, since 2000. He has been recognized as a Pennsylvania Super Lawyer from 2007-2011 and 2014-2024.

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YLD CHAIR'S MESSAGE

A grateful farewell from the YLD Chair after a busy bar year



By Danielle Parks

The cliché “time flies when you’re having fun” applies to this bar year. For me, it is hard to believe the YLD is in the final weeks of the bar year. Looking back, it is breathtaking to see everything the Division has accomplished this year.

First, I want to thank YLD Council for their dedication and hard work this year. Balancing careers, personal lives, and bar association responsibilities is an undertaking. I am grateful for everyone’s enthusiasm and participation. This year, half of the Council was comprised of first-time council members who were absolute rockstars! (Yes, I may be biased as most were from last year’s BLI Class that I chaired. But that’s just a minor detail...)

To the Education Committee that planned five CLEs, the topics you selected were new and timely. As past presenters, panelists, and moderators

know, planning and presenting one CLE can take a lot of work, let alone five. Thank you to Council members and co-chairs, Matthew DeMaio, Samantha Dorn, and Adam Garret for your hard work. I am looking forward to ending the bar year with the one last stellar CLE at the Bench-Bar Conference. The Committee has secured an impressive panel to discuss an important topic, *Mentorship, Networking and Professionalism Throughout Your Legal Career*.

The Communications Committee, co-chaired by Council members Alison Gutierrez, Kerven Moon, and Diana Bonino, continued the Division’s tradition of publishing four impressive editions of the *Point of Law* newsletter. The Committee continued to not only maintain but build engagement through the Division’s social media accounts. Thank you for juggling articles and social media posts for all the Division’s events, fundraisers, happy hours, and CLEs.

To the Member Services Committee, co-chaired by Council members Paige Tamecki, Connor Sease, and Michael Bethune, thank you for planning events at new venues such as Puttshack and The Spritzery.

The Committee reimaged Family Feud with the Judges to a friendly and competitive Trivia Night with the Judges. The Booery Tour was also reimagined from a bus tour to a walking tour of local bars and restaurants in the North Shore. This Committee did a fantastic job planning events with a new twist.

Thank you to the Diversity Committee and co-chairs Morgan Bonekovic and Timur Dikec. The Diversity Committee held their annual Diverse Law Student Reception at a new space, Revel and Roost. The Committee expanded its programming to include the Law Student Kickoff to Summer for law students working in the Pittsburgh area this summer. The Committee secured participation from the Pittsburgh Legal Diversity and Inclusion Coalition, the Young Professionals Advisory Board, and other young attorneys to network with the law students.

Arguably one of the busiest committees this year was the Public Service Committee, co-chaired by Devyn Lisi, McCall Chafin, and Hannah Barnett. The Committee hosted four Wills for Heroes events. Chaired by Zoe Crawford and Ashley Morgan, Strike Out Hunger raised over

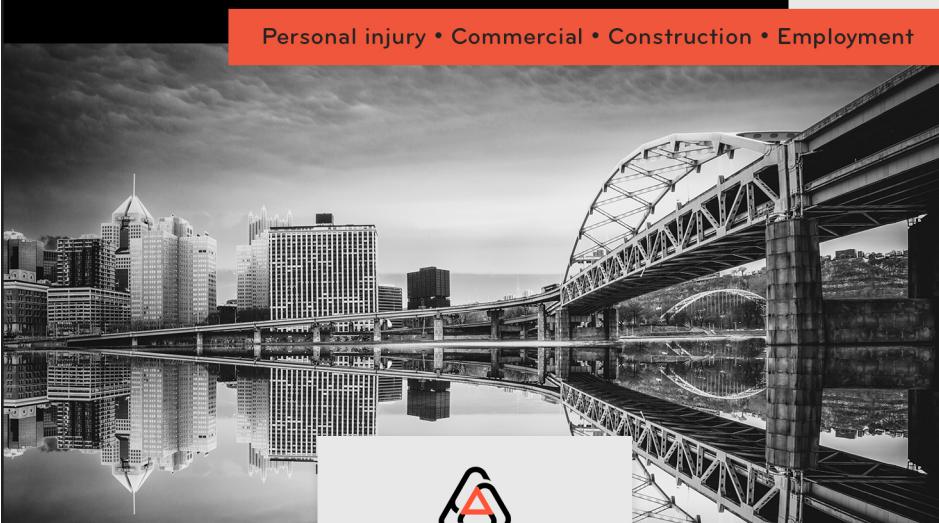
\$7,000 for Attorneys Against Hunger. The Committee’s biggest project, the Children’s Gift Drive, hit record setting numbers this year. Working with 18 community partners, a total of 1,262 children received personalized gifts. The project also provided over 550 stockings to children. The project’s gift buying process was transformed into a new platform to provide YLD and ACBA members a more efficient and more personalized shopping process. A mere thank you to McCall Chafin isn’t enough. Your foresight, planning, and passion to create some holiday magic for these children is downright awe-inspiring. If these events weren’t enough, the Committee is wrapping up the bar year with Operation MVP. The Committee is soliciting snacks, personal hygiene items, other items such as playing cards, games and puzzles for care packages for local military personnel and veterans.

To the co-chairs of the newest committee, the Law Student Committee, Jamie Drennen and Taylor Gillan, thank you for bringing your passion of helping your law schools to the YLD. I have learned that starting a new committee

—continued on page 14—

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LAW PRACTICE MANAGEMENT



Legal Industry Report looks at how AI is impacting the profession

By Breanna Martins

For the 2025 Legal Industry Report, AffiniPay surveyed over 2,800 legal professionals and covered a wide range of technologies that impact law firms, including artificial intelligence (AI) and generative AI. We also explored how law firm leaders approached the adoption of essential software, ranging from financial management platforms to tools that enable flexible office arrangements and remote work.

We were particularly interested in tracking changes in AI adoption, so we revisited many of the same questions asked in last year's survey. AI advancement is occurring at a record pace, but we wondered: Is the legal profession embracing the change? The answer is a lawyerly one: It depends. We found that personal AI usage has increased since last year. At the same time, individual and firm-wide AI adoption varied greatly across firm size and practice areas, showcasing the profession's diverse approaches to integrating new technology.

Generative AI in law: Individual use rises while firms take a cautious approach to adoption

First, let's look at how individual legal professionals use generative AI for work-related purposes. 31% of respondents shared that they personally used generative AI at work, up from 27% last year. Within the next year, we can expect to see even more significant increases as the technology advances and restrictive law firm AI policies arising from accuracy and ethics concerns are lifted.

AI adoption rates among legal professionals indicate steady interest. However, growth isn't exponential, likely due to slow law firm adoption and restrictive AI policies.

Personal Use vs. Law Firm Use of Generative AI:

Personal Use | Law Firm Use*

2024: 31% | 21%

2023: 27% | 24%

*Respondents that replied "unsure" accounted for 10% in 2023 and 15% in 2024

Respondents from firms with 51 or more lawyers, though representing a smaller subset of this survey's participants, reported a significant 39% generative AI adoption rate. By

contrast, firms with 50 or fewer lawyers had adoption rates at half that level, with approximately 20% indicating the implementation of legal-specific AI within their practices.

When considering investments in legal-specific generative AI tools, 43% of respondents prioritized integration with trusted software as a top reason. Additionally, 33% highlighted the importance of the provider's understanding of their firm's workflows, while 29% expressed greater trust in the output of legal-specific tools compared to consumer-based options. Ethical alignment was a key factor for 26%, and 23% pointed to other considerations unique to their firm.

These findings indicate that adoption decisions are heavily influenced by seamless integration with existing systems, a deep understanding of legal workflows, and confidence in the reliability and ethical compliance of legal-specific AI tools.

Attorneys increasingly use AI to assist with business operations, not just legal work. The report reveals that 54% of legal professionals use AI to draft correspondence, 14% use it to analyze firm data and matters, and 47%

expressed notable interest in AI tools that assist in obtaining insights from a firm's financial data.

From scheduling to billing: AI's impact on law firm operations

Drafting correspondence, assisting with scheduling, and business decision-making are increasingly common uses for AI technology at law firms. AI scheduling tools can optimize meeting times and avoid conflicts, while billing software with AI integration can reduce errors and streamline invoicing.

AI can also play a role in financial decisions, such as setting competitive pricing strategies and ensuring affordable rates while protecting profit margins. The advantages of integrating AI into your practice management software are clear.

First, AI-driven automation reduces administrative burdens and minimizes human error, especially with time-consuming tasks like drafting correspondence and preparing invoices.

— *continued on page 14* —



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PRESIDENT'S MESSAGE | CONTINUED FROM PAGE 11

and inclusive judicial system; and serve the community at large." That mission is not theoretical; it's something we live by, and it starts with ensuring that our community has meaningful access to justice.

As we reflect on how best to preserve and defend the rule of law, we must remember that access to legal representation is not a side issue; it is one of its cornerstones.

The rule of law is more than a doctrine. It is a commitment to fairness, justice, and equality. But it is not self-executing. It requires the

active engagement of attorneys, institutions, and citizens. Pro bono work and legal aid are essential tools in keeping that promise alive. They protect rights, promote justice, and sustain the public's faith in the legal system. In doing so, they help ensure that the law remains not merely a set of rules, but a living embodiment of justice for all.

To all the attorneys and law students working in public interest, and those who take on pro bono cases: Thank you! Your work is the embodiment of the legal community's highest ideals. ■

LAW PRACTICE MANAGEMENT

Second, AI's ability to analyze data helps firms identify business trends, client preferences, and performance metrics that drive profitability.

Finally, AI tools that assist with writing, brainstorming, and data analysis significantly reduce the time lawyers spend on non-billable tasks, improving overall productivity and financial health.

These trends show that while generative AI is gaining traction, adoption remains uneven due to

| CONTINUED FROM PAGE 13

practical, cultural, and economic factors. Employees often experiment with free or low-cost tools, while firms face pressure to justify more significant investments with proven ROI.

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Breanna Martins is an Affinity Project Specialist at AffiniPay.

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YLD CHAIR'S MESSAGE | CONTINUED FROM PAGE 12

is no small task. The Committee had a great first year thanks to both of you.

Thank you to everyone involved with my chair project, the 60th Anniversary Reception for the Division. To the sponsors, Compass Rose Financial, Jackson Lewis, Burns White, Pollock Begg, Quatrini Law Group, Pietragallo, Leech Tishman, The Webb Law Firm, and Timur Dikec of Nelson Mullins. Without your support, the reception would not have been possible. The reception raised over \$5,000 for the YLD Scholarship Fund. This amount is nearly double its current balance.

To our soon to be Chair, Rebeca Himena Miller, thank you for your partnership, support, and friendship. This year was an adventure (especially those six weeks!). I am glad we navigated this year together. Not only will your chair year be groundbreaking as the first Latina YLD Chair, but your year will be fantastic because of the wonderful and compassionate leader you are. I am honored to serve my last year in this Division as your Immediate Past-Chair.

When I started on this journey as Chair-Elect, I knew the YLD was one of a kind. As I attended ABA conferences, I quickly learned that for a local bar association, we provide our members with valuable resources and meaningful connections. However, it was not until my Chair year that I realized this Division would not be the same without the ACBA staff and support of the ACBA at large. To ACBA President Regina Wilson, ACBA

President-Elect Amy Coco, and the Board of Governors for your consistent and continued support of the YLD. To David Blaner, ACBA Executive Director, and Thomas Petropoulos, ACBA Assistant Executive Director, thank you for the value you place on this Division and its members. Mary Ann Fiorilli and LeeAnn Falcon, you are the backbone of the YLD. I cannot thank you enough for everything you do.

Congratulations to the YLD for an outstanding bar year! ■

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New Judges' Perspectives and Workers' Compensation Updates

Wednesday, June 18 | 4 p.m. | Olive or Twist | 1 Substantive credit
 *Networking reception and Workers' Compensation Section Annual Meeting to follow courtesy of Nemeroff Law Firm

2025 HIPAA Updates and Implications

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Decoding the SECURE Act Regulations

Wednesday, June 25 | Noon | Koppers Building | 1 Substantive credit
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Pennsylvania 2024 Election Review

Tuesday, July 15 | Noon | Live Webinar | 1 Substantive credit

Navigating Medicare in Social Security and Workers' Compensation Benefits

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For **editorial inquiries** and **Bar Briefs** submissions, contact Jennifer Pulice at jpulice@acba.org.



Left to Right: David Finui, President, AmeriServ Wealth & Capital Management; Nicholas Urban, J.D. AVP, Personal Trust Officer; Scott Porterfield, SVP, Director of Retirement Services

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