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THE OFFICIAL PUBLICATION OF THE BUCKS COUNTY BAR ASSOCIATION



SUMMER 2019

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JUDGE BOYLAN:  
A LOOK BACK ON TWENTY YEARS

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## SUMMER 2019

### JUDGE BOYLAN: A LOOK BACK ON TWENTY YEARS



## Judge Boylan: A Look Back On Twenty Years

Judge Rea Boylan, whose twenty years of service render her the longest-tenured member of the Bucks County Court of Common Pleas, will be retiring at the end of this year. Consequently, our

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### ORGANIZATIONS OFFER PRO BONO SERVICE & PFA DEFENSE CLE CREDITS



## Organizations Offer Pro Bono Service & PFA Defense CLE Credits

Through new PA Supreme Court pilot project, Legal Aid of Southeastern PA offers CLE credit for pro bono service and

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### Meet District Judge MICHAEL PETRUCCI



## Meet District Judge Michael Petrucci

Close to the lovely center of Newtown borough is Magisterial District Judge Michael "Mick" Petrucci's courtroom. I sat down with MDJ Petrucci last week for a lengthy talk on how

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### Bucks County Bar Foundation Golf Outing



## Bucks County Bar Foundation Golf Outing

On a beautiful Monday morning, 80 golfers assembled to play golf at the top-notch Commonwealth National Golf Club (what I refer to as the Four Seasons of golf courses). The

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### When it's a Rainy Day and Your Kids are Bouncing off the Walls

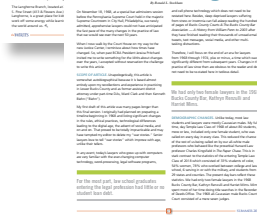


## When it's a Rainy Day and Your Kids are Bouncing off the Walls

Looking for some free indoor fun with your kids? Look no further than the Bucks County Free Library – Langhorne

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### "The Times They Are A-Changin'"



## "The Times They Are A-Changin'"

On November 18, 1968, at a special bar admissions session before the Pennsylvania Supreme Court held in the majestic Supreme Courtroom in City Hall, Philadelphia, we newly

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L to R - Robert T. Repko, Esq., BCBA 2019 President, Greg Nardi, BCBA Executive Director, and the Honorable Cynthia M. Rufe, U.S. District Court for the Eastern District of PA

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## From the Editor...



**Jason R. Weiss**  
Editor, Bucks Writs

### Disconnect.

With the ever-increasing need to be connected to the outside world at all times, we have become attached to our electronic devices. Cell phones, computers, tablets and the like are so integrated into our daily lives that it is nearly impossible to have a conversation without one of the participants checking on the many notifications received. Addiction to technology and the need for

constant interaction and instant gratification are causes for concern — so much so that medical professionals are developing treatment plans including behavioral therapies.

**Many years ago, I could not wait to get home, turn on my computer, listen to a minute of strange noises while the modem connected, and hear “You’ve Got Mail!” Today, I am thrilled if none of my household devices dings or vibrates for an entire meal.**

**For those with children (of all ages), it is even more important to control family screen time — including that of the parents. Kids see what their parents do and want to follow suit.**

Many years ago, I could not wait to get home, turn on my computer, listen to a minute of strange noises while the modem connected, and hear “You’ve Got Mail!” Today, I am thrilled if none of my household devices dings or vibrates for an entire meal. While I am a big proponent of how technology can help individuals and society as a whole, dependency on these devices is an unwelcomed side effect.

For those with children (of all ages), it is even more important to control family screen time — including that of the parents. Kids see what their parents do and want to follow suit. Thus, I am taking this opportunity to advocate for “disconnecting” from your devices. Have a conversation with your family while you have dinner and leave the tablets in another room. Go outside and enjoy the summer with family and friends and leave the phone inside. Although you might feel naked without it, your electronic world will still be there when you return.

Unplug and be present in the moment. ✎

— Jason R. Weiss

## Need a Lawyer?

Welcome to the **Bucks County Bar Association’s Lawyer Referral and Information Service (LRIS)** serving all of Bucks County. The LRIS is a public service of the non-profit Bucks County Bar Association. Each year the LRIS responds to thousands of callers, referring them to attorneys with experience in the appropriate area of law or to area agencies able to provide assistance.

Persons identified as needing legal representation and who do not claim inability to pay an attorney will be referred by LRIS to a participating attorney. LRIS participation is open to all Bucks County Bar Association members having their primary office in Bucks County. You can contact the LRIS at **215-348-9413**. ✎





# PRESIDENT'S MESSAGE

## My Fellow Bar Members:



**Robert Repko**  
*Bucks County Bar  
Association President*

It is with great excitement that I start this President's Message by announcing the formal creation of both the "Diversity Committee" and the "In-House & General Counsel Section" of the Bucks County Bar Association. Both groups are the product of the dedicated work of the steering committees that were created earlier this year to define the specific goals and missions of each, so as to give "voices" to many members who have felt underrepresented within the

BCBA over the years. I am truly grateful for the time and effort put in by the members of both steering committees in making these groups a reality for the benefit of our organization. I also invite all of you to take advantage of getting involved with the Diversity Committee and/or the In-House & General Counsel Section if they are of interest to you, as both truly compliment the differing backgrounds and practice areas of our members.

Of course, that is not all of the good news I have to share. See, your Bar Association is always hard at work bringing more benefits and value to all of its members. Over the past few months, we have continued to offer new and exciting CLEs, as well as increase our library of online CLEs for you to earn credits at your convenience. We have sought, and received, the ability of our Pro Bono PFA Defense lawyers to earn valuable CLE credits for their service to PFA litigants. Our newly established Diversity Committee is working on bringing back the People's Law School and, with the help of Bucks County's very own Judge Clyde Waite, we already have tentative commitments from Supreme Court Justices David Wecht and Max Baer to be a part of that presentation. Our Finance and Bar Property Committee continue to make improvements and repairs to our association building so that we have a home to enjoy for years to come. The Young Lawyers Division has been putting together Happy Hours (July 18 and August 22) and the Women Lawyers Division has been working on a Networking Happy Hour (September 5), the Women's Power Summit (October 17) and the always popular "Sip-N-Shop" (November 7)

**Yes, my friends, despite many of us enjoying the slower pace and time off usually associated with summer, you can rest assured knowing that your Bar Association never stops, or even slows down, in working to make sure we are always doing our best for you!**

so that we all continue to have opportunities to come together and socialize with our fellow members and friends, both the ones we already know and the ones we have yet to meet.

We are also in the process of putting together a composite photo of our members, the last one of which was done more than 10 years ago. So if you have not already done so, please take advantage of this opportunity to be a part of BCBA history and join 400 of your fellow members who have already had their picture taken. Just don't wait too long or you will miss out.

Many of us also recently had fun at the BCBA's annual John J. Rufe softball game between the Young Lawyers and the Seasoned Lawyers, which I am proud to say the "old-timers" won; Tyler Tomlinson and the entire Bench Bar Committee continue to finalize plans for what I have been told will be the best Bench Bar Conference ever at the popular Seaview Resort in Absecon, NJ (September 26-28, so block off your calendars now); and members of the Bucks County Bar Foundation have been working hard to get ready for the Foundation's 15th Anniversary celebration on October 10. Yes, my friends, despite many of us enjoying the slower pace and time off usually associated with summer, you can rest assured knowing that your Bar Association never stops, or even slows down, in working to make sure we are always doing our best for you!

But that's not all. Because we are committed to working on ways in which we can better serve the communities in



which we work and live, many of us from the BCBA (and their families) recently joined the United Way of Bucks County and the Bucks County Opportunity Council at the "Bucks Knocks Out Hunger" event, where volunteers came together this past June to package over 150,000 meals for food pantries throughout Bucks County. The BCBA will also once again be taking donations of backpacks and school supplies now through mid-August to help those Bucks County children who would otherwise not receive some of the most basic items needed for school, and we are hoping to reschedule the "Bowl for Kids Sake" event later in the year due to its last minute cancellation this past May. All in all, it's been a great year so far for the BCBA and I have no doubt the best is still to come!

So with that, I wish all of you a very "Happy Summer." I truly hope that all of you are able to enjoy the slower pace, some well-earned time off with family and friends, and all of the picnics, vacations, sunshine and fun the summer has to offer! 🍷

— Robert Repko  
President, Bucks County Bar Association

## We Welcome Your Feedback!

Thanks for your interest in *theWRITS*. Please send all comments, questions, submissions to: [WritsEditor@BucksBar.org](mailto:WritsEditor@BucksBar.org).



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# Minute with a Member

## Tiffanie Benfer



**Where did you attend law school?**

I attended The University of Baltimore.

**What's on your desk right now?** I have my computer, calendar, phone, reading glasses ☺ and gummy bears.

**When you're not working, what do you do?** I'm an Uber driver for my two teenagers, ride my Peloton bike, cooking or reading fiction.

**What is your favorite book and why?** My favorite book is *Prayer for Owen Meany* by John Irving.

**Who is your hero and why?** I have been very fortunate to have many role models at different periods in my life.

**What do you wish you could tell your younger-lawyer self?** You can learn a lot if you sit back and just listen to others. 🐼



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# JUDGE BOYLAN: A LOOK BACK ON TWENTY YEARS

By Chris Serpico

**JUDGE REA BOYLAN, WHOSE TWENTY YEARS OF SERVICE RENDER HER THE LONGEST-TENURED MEMBER OF THE BUCKS COUNTY COURT OF COMMON PLEAS,** will be retiring at the end of this year. Consequently, our Court will have three new judges installed in January 2020.

When I asked Judge Boylan why she decided not to seek retention this year, she told me that she felt the time was right to step aside, especially since she believes that when a judge runs for retention, he or she should be willing to serve out the entire ten-year term. As she determined that she wasn't ready to make that commitment, she thought it best to complete her term and move on. She also thinks the Court will benefit from the addition of new judges with fresh ideas and perspectives to share with their colleagues on the bench.

When she no longer dons her legal robe, Judge Boylan envisions using her life experiences and professional background — as a middle school teacher, lawyer, community leader, and jurist — to advocate and work for change in a way one cannot do as a judge. She would also consider teaching, especially in the field of trial advocacy. She is open to the idea of serving as a Senior Judge if requested by President Judge Bateman, but at the present time, that possibility remains unclear.

Judge Boylan, who was sworn in on January 3, 2000, says that she has witnessed a shift over the past two decades in the way that criminal cases are approached and adjudged. In juvenile court, a greater effort is made to avoid detaining children and placing them in the juvenile system whenever possible. And in adult court, there is a growing realization that incarceration is not necessarily the best way to stop individuals from using drugs.



During her tenure, Judge Boylan has become well known for her pioneering efforts to provide alternatives to more traditional methods of punishing persons convicted of committing crimes, especially when it comes to defendants with drug addictions. Programs with which she has been closely involved include The Youthful Offenders Program, Drug Court, the Community Accountability Program, and the District Court Drug Diversion Program.

She believes that diversion, when successful, is the best way to protect the community and avoid recidivism.

In her opinion, trying to teach an incarcerated person how to curb drug use in the future is nearly impossible. Rather, the individual must develop those skills in a way that will enable them to stay "clean" as they try and make it on the outside. Judge Boylan maintains that the most successful diversion programs

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promote accountability, which can be a challenge for people caught in the clutches of addiction. In Drug Court, the two most important rules are: (1) Don't lie, and (2) Ask for help when needed.





**When she no longer dons her legal robe, Judge Boylan envisions using her life experiences and professional background — as a middle school teacher, lawyer, community leader, and jurist — to advocate and work for change in a way one cannot do as a judge. She would also consider teaching, especially in the field of trial advocacy.**

Moreover, risk assessment is key. Although it remains an inexact science, the tools for trying to determine whether a defendant poses a substantial risk to the community have improved over the past twenty years.

In addition to developing alternatives to incarceration for those addicted to drugs, Judge Boylan also believes that society needs to work on prevention. It has been her experience that many addicts are people who have been marginalized by society and turn to drugs and/or alcohol as a means of self-medicating. The key is to develop better tools to identify those people who will be particularly susceptible to relying on drugs later in life. Just because a child is not “acting out” in school and creating a discipline problem does not mean that they are not at risk. If you were to talk to most middle school or high school students, they would probably be able to tell you which kids in their class seem the most marginalized. Young people who harbor feelings of being left out or disregarded are most vulnerable to getting involved with illicit substances.

It’s also Judge Boylan’s view that public institutions such as jails and prisons have become the de facto treatment facilities for our mentally ill population. She believes that society tends to mistakenly view incarceration as a more expedient and less expensive remedy for those with mental illnesses and addictions. Yet the reality is that the costs involved with putting someone in jail are much more extensive than many realize. When taking the

“long view,” these costs — often involving the break-up of families, addiction and mental health treatment — can persist for many years. Prevention and diversion can help cut down on the economic and noneconomic costs of incarceration.

When I asked Judge Boylan what advice she might be willing to offer the three new judges who will be joining the Court, she said the most important quality they will need is the willingness to listen. Over the years, she’s learned things from nearly every person with whom she comes into contact. Recently, she heard a defendant in Drug Court say that every night as he lies in bed, he listens to a tape on how to avoid falling back into addiction. After hearing about that, she offered that advice to a juvenile who was searching for ways to prevent relapsing.

There were certainly challenging moments in the course of her career. When asked to identify her most difficult cases, she immediately brought up death penalty cases that she had presided over. She also mentioned dependency and family law matters as especially difficult since you often have to deal with complex emotional issues where a judge’s decision can reverberate in families for generations to come.

But she also recalled gratifying moments that arose when she least expected. For example, she recently received a letter from a juvenile who had appeared before her some years ago, in which he outlined how his life had changed for the better after she seemed to genuinely take an interest in him and helped him to understand that in the end, he had to be held accountable for his own actions. Despite some of the sad stories she’s seen over the years, Judge Boylan is grateful for having had the opportunity to see many people recover from drug addiction and maintain their recovery for years afterwards.

She says that being a judge is a wonderful job because you get the chance to try and do the right thing every day. While lawyers, who, as advocates, often have to plan their strategy based upon their clients’ desires, a judge can make their decision based on what they believe is the right thing to do. To Judge Boylan, the ability to do this is “freeing.” At the end of the day, those fortunate enough to become judges must define who they are and what type of judge they want to be. Judge Boylan hopes that after she’s left the bench, she will be remembered as someone who was honest and fair, compassionate, and firm when required. And, most importantly, that she was a good listener. ✎



# ORGANIZATIONS OFFER PRO BONO SERVICE & PFA DEFENSE CLE CREDITS

**T**hrough new PA Supreme Court pilot project, Legal Aid of Southeastern PA offers CLE credit for pro bono service and BCBA offers CLE credit for PFA defense.

If you haven't had time to provide pro bono service because you've been busy taking CLE courses, you now can do both at once, by earning free CLE credits for your pro bono work at LASP! In Bucks County, you also can get CLE credit through the Bucks County Bar Association if you volunteer for Protection from Abuse Defense, noted Jennifer Pierce, LASP Doylestown Managing Attorney and Bucks County Bar Association Pro Bono Coordination/Pro Bono Committee Chair.

Through a pilot program approved by the Pennsylvania Supreme Court and launched in 2019, attorneys who donate pro bono service can receive continuing legal education (CLE) credits. In offering the three-year pilot, the PA Supreme Court's goal is to increase support for civil legal aid for low-income Pennsylvanians. Legal Aid of Southeastern PA (LASP) now has Approved CLE Provider status. Thus, attorneys who provide pro bono service to LASP's low-income, vulnerable clients can get CLE credit.

Developed in conjunction with the CLE Board, the program allows registered Pennsylvania lawyers to receive one CLE credit for every five hours of pro bono legal work completed, up to 3 CLE credits for 15 hours of service per compliance period.

"LASP is excited about being a part of this pilot project. Free CLEs are hard to come by, so this is a great opportunity for attorneys to earn credit while doing very fulfilling work," said Kesha James, LASP Deputy Director for Advocacy and Pro Bono Director. "LASP's volunteers gain valuable experience from their pro bono work, so the credits are merited. Since

the program is based on hours of service, LASP can provide CLE credits not just to volunteers who take cases, but also volunteers who help with clinics, outreach, trainings and intake. LASP is pleased to be able to reward hardworking pro bono attorneys and to offer an incentive to engage new volunteers."

"The Pennsylvania Supreme Court is committed to providing access to justice for all and has a long-standing history of support for providing civil legal aid for those with limited resources," Pennsylvania Supreme Court Justice Sallie Updyke Mundy said. "This pilot program furthers our commitment to legal aid while providing opportunities for licensed attorneys to fulfill their annual CLE requirements. I am grateful for the efforts of former Philadelphia Bar Association Chancellor Alan Feldman and former chair of the CLE Board Robert Heim for their tireless advocacy on behalf of the pilot program."

Interested in finding out how you can tailor your pro bono service to your interests AND get CLE credit at the same time? Please contact Jennifer Pierce at 215-340-1818 or [jpierce@lasp.org](mailto:jpierce@lasp.org), or Kesha James, LASP Deputy Director for Advocacy and Pro Bono Director, at 610-275-5400 x131 or [kjames@lasp.org](mailto:kjames@lasp.org). To volunteer for PFA Defense, please contact Emily Carrillo at the Bucks County Bar Association at [emilyc@bucksbar.org](mailto:emilyc@bucksbar.org) or 215-348-9413 x100.

## **Emeritus status for retired attorneys to provide pro bono service**

Are you a retired attorney with some time to give back? You can now apply for emeritus attorney license status to do pro bono work on behalf of those in need! In May 2018, the PA Supreme Court adopted Pennsylvania Rule of Disciplinary Enforcement 403, which creates an emeritus status for retired attorneys and enables them to provide pro bono

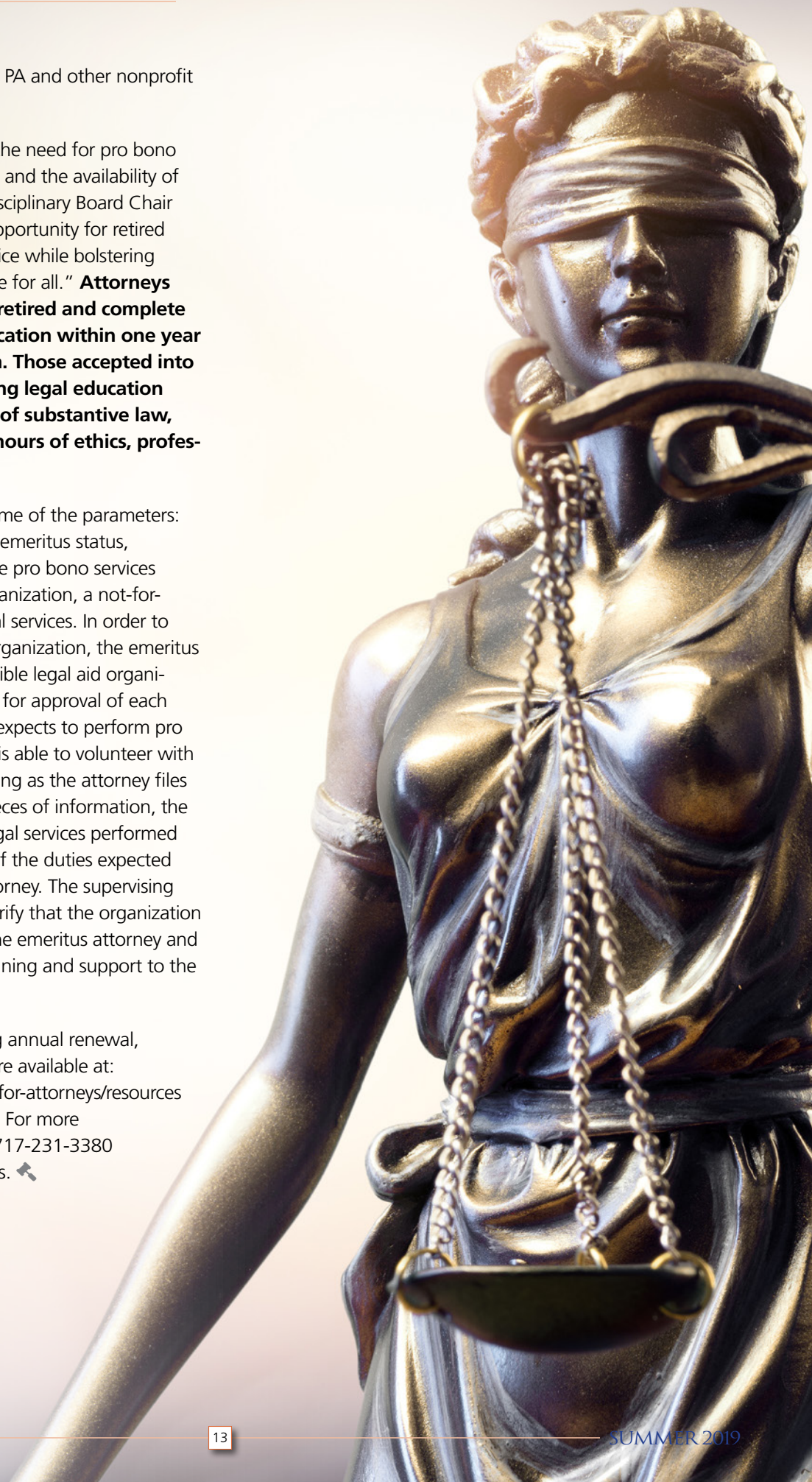


services to Legal Aid of Southeastern PA and other nonprofit legal aid programs.

"There is a significant gap between the need for pro bono legal services for the most vulnerable and the availability of those services in the community," Disciplinary Board Chair Doug Leonard said. "Creating this opportunity for retired attorneys will provide a valuable service while bolstering our efforts to provide access to justice for all." **Attorneys seeking emeritus status must be retired and complete six hours of continuing legal education within one year prior to applying for the program. Those accepted into the program must fulfill continuing legal education requirements including six hours of substantive law, practice and procedure and two hours of ethics, professionalism or substance abuse.**

The PA Disciplinary Board outlines some of the parameters: "After a retired attorney transfers to emeritus status, the attorney will be eligible to provide pro bono services only through an eligible legal aid organization, a not-for-profit organization that provides legal services. In order to commence working for a legal aid organization, the emeritus attorney is required to submit an eligible legal aid organization form to the Disciplinary Board for approval of each organization for which the attorney expects to perform pro bono services. An emeritus attorney is able to volunteer with multiple legal aid organizations, as long as the attorney files the legal aid forms. Among other pieces of information, the form requests a description of the legal services performed by the organization and the nature of the duties expected to be performed by the emeritus attorney. The supervising attorney of the organization must verify that the organization has malpractice insurance to cover the emeritus attorney and that the organization will provide training and support to the emeritus attorney.

Full details on the program, including annual renewal, CLE credit requirements and more, are available at: <https://www.padisciplinaryboard.org/for-attorneys/resources> (scroll to Emeritus Attorneys section). For more information on emeritus status, call 717-231-3380 or email [atty.registration@pacourts.us](mailto:atty.registration@pacourts.us). 📧



# Meet District Judge **MICHAEL PETRUCCI**

*By Susan E. Dardes*

## **CLOSE TO THE LOVELY CENTER OF NEWTOWN BOROUGH IS MAGISTERIAL DISTRICT JUDGE MICHAEL “MICK” PETRUCCI’S COURTROOM.**

I sat down with MDJ Petrucci last week for a lengthy talk on how he got to be a District Judge, how he runs his court and what he describes as his “passion.” Newtown Township is his home, where he resides with his wife, and his 20-year-old son and 18-year-old daughter, both of whom were Council Rock graduates.

Petrucci was sworn in on January 4, 2016, to serve as the Magisterial District Judge (“MDJ”) of Newtown Borough, Newtown Township, Upper Makefield Township and Wrightstown Township. He was elected to replace the long serving Magistrate District Judge Donald E. Nasshorn, who died in 2014. Of the eight people who ran for the Nasshorn seat, Petrucci was the only one who was not a lawyer. Describing Nasshorn as his boss, his friend, and his most profound mentor, Petrucci is grateful to Nasshorn and to everyone who gave him the opportunity to be where he is and, Petrucci says, he thinks he was always meant to be.

Petrucci is 3 ½ years into his 6-year term as MDJ, but he is not new to that Newtown courtroom. Prior to having been elected as a District Judge, Petrucci spent seven years as one of the five constables assigned to Judge Nasshorn. In his constable days, it was not uncommon for Petrucci to log in over 80 hours a week.

Now, his schedule is hectic in a different way. He sees the constable-to-District Judge transition as a continuation of his law enforcement service. He told me that every DJ might get the same sets of facts, and access to the same PA statutes; but the hard part, he said, is knowing the correct procedures and interpreting the law in a way that solves problems and genuinely helps people.

Petrucci isn’t one to bang his gavel for effect as he feels it is rude. He only has done that once, he told me, when a criminal defendant was talking loudly out of turn. He isn’t one for video conferencing, unless he is covering a vacationing judge’s courtroom, because he places great



import on facial expressions and body language. This ability to read people assists him in determining who is telling the truth in a given matter.

In the Newtown area, where he has lived for thirty plus years, he knows the people, he knows the community and he sees a lot of litigants in front of him who aren’t your typical court goers. He tries to help those people turn a negative experience into a positive one, so that next time they are faced with the same or similar set of circumstances, they will make better decisions and learn from their mistakes. He takes his time with all cases, civil or criminal, so that he can understand the situation and how both sides got to his courtroom on that day.

In the case of a juvenile arrested for a first time underage drinking or possession of a small amount of marijuana, DJ Petrucci doesn’t want a teenager’s future ruined for one poor choice. He is a big believer in second chances, and this is his passion — putting someone on the path to that second chance. He could just set a fine for these juveniles, have their parents pay the fine, and send them on their way. But that doesn’t help anyone in the long run. So what Petrucci does,



is have the teens follow a three step program of his making: First, the offender is sent to the Southeastern Council of PA drug and alcohol 16-hour class, in Doylestown; Secondly, the juvenile has to perform community service within their own municipality, from a Common Pleas approved list of nonprofits, such as food pantries, libraries and parks; and Third, he or she has to write Petrucci an essay entitled, "What I learned and why I'll never be in front of a Judge ever again" — or the better decision making piece, as he calls it. His juvenile recidivism rate is remarkably small, after this intervention.

For adult first time offenders, the scenario is actually quite similar as he aims to get the adult some help. Petrucci has high praise for Bucks County's mobile crisis unit, and he often makes a mental health assessment a condition for bail.

Looking around the hallways of his court, you will be impressed with the array of brochures. Education and assistance that is available to people from all walks and with all types of problems, from domestic abuse, to drug addiction, to suicide prevention, smoking and vaping, food insecurity, to homelessness. Petrucci believes that information is key. He works after hours with the Council Rock coalition of healthy youth, speaking at seminars to educate teachers, parents and teens about (among other things) the dangers of drug, alcohol and e-cigarette use, and to prevent classroom bullying.

In 2018, Petrucci was unanimously chosen by his peers to serve as President of the District Judge Association. In this role, Petrucci holds bi-monthly meetings for his colleagues, and arranges for guest speakers at those meetings. MDJs schedule their continuing education through the AOPC and Common Pleas Court Administration, with additional (optional) training at the Doylestown police training center. At the local level, DJ Petrucci sits on the Bucks County central booking committee and the Bucks County Court Security Committee. At the state level, he belongs to three committees, Budget and Finance, Constable Relations, and Judicial Security, within the State Special Court Judges Association of Pennsylvania or "SCJAP."

Judge Petrucci also co-founded "Shop with a Cop" outreach program for the Upper Makefield, Wrightstown and Newtown, to provide gifts to underserved children around the holidays, and in September, he will be welcomed as the newest advisory board member of the Bucks County Big Brothers/Big Sisters program.

What is next for MDJ Petrucci? I always ask and I have gotten the same answer from all my interviewees to date. He is no exception. He wants to retire from the job he holds right now.

It's always nice to talk to someone who loves their work. 🐼

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– Jennifer Pierce, LASP Doylestown Managing Attorney

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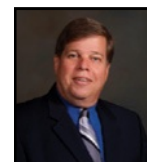
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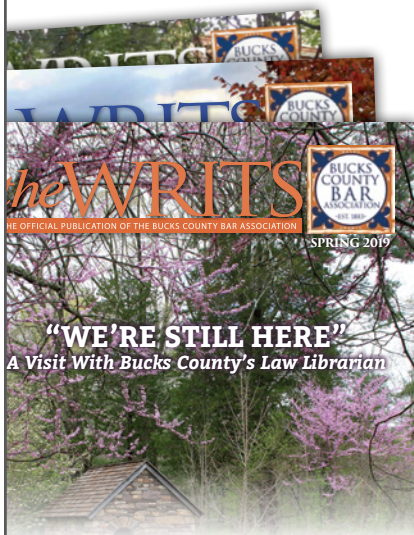
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# Bucks County Bar Foundation Golf Outing

Tina Mazaheri, President, Bucks County Bar Foundation



**ON A BEAUTIFUL MONDAY MORNING, 80 GOLFERS ASSEMBLED TO PLAY GOLF AT THE TOP-NOTCH COMMONWEALTH NATIONAL GOLF CLUB (WHAT I REFER TO AS THE FOUR SEASONS OF GOLF COURSES). THE GOLFERS RANGED IN ABILITY, AGE, DIVERSITY OF LAW PRACTICE AND SIZE OF LAW FIRMS. AMONGST OUR GOLFERS, WE HAD JUDGES, BOTH COUNTY AND FEDERAL, AS WELL AS NON-ATTORNEY FRIENDS OF THE BAR FOUNDATION.**

The golfers started out with a superb lunch buffet and then were off to the greens. Keith Williams organized the golfers, and was also a member of the team who placed first, which included Bill Strein, Greg Mitsch and Tom Brolle. The winner of the longest drive for the women was the Honorable Nitza Quiñones Alejandro, and for the men, Ryan Frain. John Conroy won closest to the pin and Dan Montefor won for the straightest drive.

After what can only be described as a breathtaking day, the golfers came back to cocktails and a scrumptious dinner and dessert buffet.

Thank you to Greg Nardi and the staff of the Bar Association for attending to every detail to make this an amazing and profitable event. We netted close to \$19,000, which will be used to support our programs, including scholarships for which we awarded over \$20,000 this year, and for our annual Learning with Lawyers program, in which we teach constitutional law to over 200 5th grade students in economically challenged areas of Bucks County.



The Bar Foundation, the charitable arm of the Bucks County Bar Association, was formed to spotlight the positive contributions our members make to the greater community and to make an even greater impact on our community in the name of the legal profession. With your help, we continue this mission. Thank you for being so generous and for coming out to support us throughout the year.

We hope you can join us on September 19 for our movie night, which includes dinner at the Bar Association and the movie 12 Angry Men at the County Movie Theatre, as well as our 15-year anniversary party to be celebrated on October 10 at the nationally acclaimed Inn at Barley Sheaf Farm.

It has been my pleasure to be the President of the Bar Foundation these past four years and I thank you for allowing me the opportunity to interact with so many fabulous people, both within our Association and in our greater community. 🍷

# When it's a Rainy Day and Your Kids are Bouncing off the Walls

By Robin Schleifer Weiss

Looking for some free indoor fun with your kids? Look no further than the Bucks County Free Library – Langhorne Branch. Like the other Bucks County libraries, the Langhorne Branch has a lot of exciting events: themed story time for all age groups (with music and finger puppets for the little ones), Earth day activities, reading with dogs, wildlife shows, Franklin Institute space programs, and visits from special performers including magician Ran'D Shine, Center for Aquatic Sciences' Animal Champions, and Strongman Eric Moss. The calendar of upcoming events can be accessed on the Bucks County Library District's website.

In addition to a full calendar of events, the Langhorne Branch features a children's area with kid-height bookshelves, tables and chairs, and sensory activities and games. However, the most unique feature of the Langhorne Branch is Penn's Little Village, designed for young children up to age five. Penn's Little Village is a miniature play town featuring various storefronts and buildings, including a schoolhouse, a library, and a camper. Your children can deliver mail, go grocery shopping at Penny's Market, bring out their inner auto mechanic at Woody's Service Center, and don a fireman's jacket and hat at the fire station complete with a fireman's hose and a Dalmation. There's also a baby garden, which is a play area designed for infants and those who are not yet walking.

The Langhorne Branch, located at 301 S. Pine Street (413 & Flowers Ave.) in Langhorne, is a great place for kids to work off some energy while learning about the world around us. 🐾





# Bucks Knocks Out Hunger

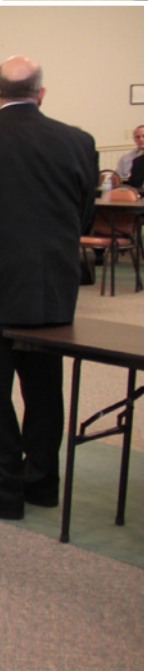




## Federal Courts CLE, Swearing in and Reception









# Foundation Scholarship Presentation







# “The Times They Are A-Changin’,”

By Ronald L. Stockham

On November 18, 1968, at a special bar admissions session before the Pennsylvania Supreme Court held in the majestic Supreme Courtroom in City Hall, Philadelphia, we newly admitted, apprehensive lawyers could not have anticipated the fast pace of the many changes in the practice of law that we would see over the next 50 years.

When I now walk by the Court House on my way to the new Justice Center, I reminisce about how times have changed. So, when past BCBA President Jessica Pritchard invited me to write something for *the Writs* about changes over the years, I accepted without reservation the challenge to write this article.

**SCOPE OF ARTICLE.** Unapologetically, this article is somewhat autobiographical because it is based almost entirely upon my recollections and experience in practicing in Lower Bucks County and as former assistant district attorney under part-time DAs, Ward Clark and then Kenneth Biehn (“Biehn”).

My first draft of this article was many pages longer than this final version. I originally had planned on preparing a timeline beginning in 1968 and listing significant changes in the rules, ethical practices, technological differences leading to the digital age, the advent of social media, and on and on. That proved to be totally impracticable and may have tempted my editor to delete my “war stories.” Senior lawyers love to tell “war stories” which improve with age, unlike their tellers.

In any event, today’s lawyers who grew up with computers are very familiar with the ever-changing computer technology, word-processing, legal software programs,

and cell phone technology which does not need to be restated here. Besides, sleep deprived lawyers suffering from stress or insomnia can fall asleep reading the hundreds of pages of *Bucks County Courts & The Bucks County Bar Association — A History from William Penn to 2003* after they have finished reading their thousands of unread emails, tweets, text messages, social media, and other multi-tasking distractions.

Therefore, I will focus on the end of an era for lawyers from 1968 through 1974, plus or minus, a time which was significantly different from subsequent years. Changes in the practice of law since then are obvious to the reader and do not need to be re-stated here in tedious detail.

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We had only two female lawyers in the 1968 Bucks County Bar, Kathryn Renzulli and Harriet Mims.

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**DEMOGRAPHIC CHANGES.** Unlike today, most law students and lawyers were mostly Caucasian males. My full time, day Temple Law Class of 1968 of about 80 students, more or less, included only one female student, who was called on every day in every class. This reduced the chance of the rest of us being called on by our all-white male professors who behaved like the proverbial Harvard Law professor Charles Kingsfield in *The Paper Chase*. This is in stark contrast to the statistics of the entering Temple Law Class of 2018 which consisted of 33% students of color, 54% women, 78% who worked between college and law school, 6 serving in or with the military, and students from 29 states and counties. The present day bars reflect these statistics. We had only two female lawyers in the 1968 Bucks County Bar, Kathryn Renzulli and Harriet Mims. Mims spent most of her time doing title searches in the Recorder of Deeds Office. The 1968 all-Caucasian male Bucks County Court consisted of a mere seven judges.

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For the most part, law school graduates entering the legal profession had little or no student loan debt.

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**THE GOLDEN AGE FOR BUCKS COUNTY LAWYERS, CIRCA 1960S – 1970S.** Upon my graduation from Temple Law, I received the relatively new juris doctorate degree. Lawyers before then received a Bachelor of Law degree. Law schools changed their bachelor degrees to JD degrees because the federal government paid lawyers with JD degrees more than lawyers with Bachelor of Law degrees, even though the degrees were identical.

For the most part, law school graduates entering the legal profession had little or no student loan debt. Summer jobs for college and law students were readily available. For example, as an undergraduate at the University of Pennsylvania, I was able to earn about one half of my tuition and room and board by working in the shipping department and later in the quality control lab at the Falls Township plant of Stauffer Chemical Company which manufactured phosphate products. My father and a modest partial scholarship paid the rest of my college costs. Many college students had well-paying union wages at summer jobs at the Fairless Works of U.S. Steel and therefore did not need to incur huge student loan debts.

While waiting for Bar examination results, an applicant to the Bar was first required to have a practicing member of the Bar serve as a preceptor for a period of 90 days. My preceptorship was with Congressman Willard S. Curtin of the Morrisville Firm of Curtin & Heefner and my salary was about \$75 a week, better than most preceptorships which paid much less or nothing.

1968 graduating law students predated the baby boomer generation. With an expanding industrial economy and a residential and commercial building boom in Bucks County, most law school graduates easily obtained employment with private law firms, governmental legal departments, and corporate legal departments, even before admission to the Bar. Most law firms granted interviews, even if they had no position available. This predated the multi state big law firms of today. While interviewing for jobs in D.C., I called Congressman Pete Biester who immediately treated me to lunch in the Congressional Dining Room in the Capitol Building. Biester advised me to stay in Bucks County (which at that time favored the admission of lawyers who grew up in Bucks County) and get trial experience. After his years in Congress, Biester became the Attorney General of Pennsylvania and then, as his father before him, became a Bucks County Judge.

Upon passing the Pennsylvania bar examination consisting of two consecutive 8-hour days of all essay questions and after my admission to the Pennsylvania Supreme Court Bar, I also had to be admitted in person to the Pennsylvania Superior

While waiting for Bar examination results, an applicant to the Bar was first required to have a practicing member of the Bar serve as a preceptor for a period of 90 days. My preceptorship was with Congressman Willard S. Curtin of the Morrisville Firm of Curtin & Heefner and my salary was about \$75 a week, better than most preceptorships which paid much less or nothing.

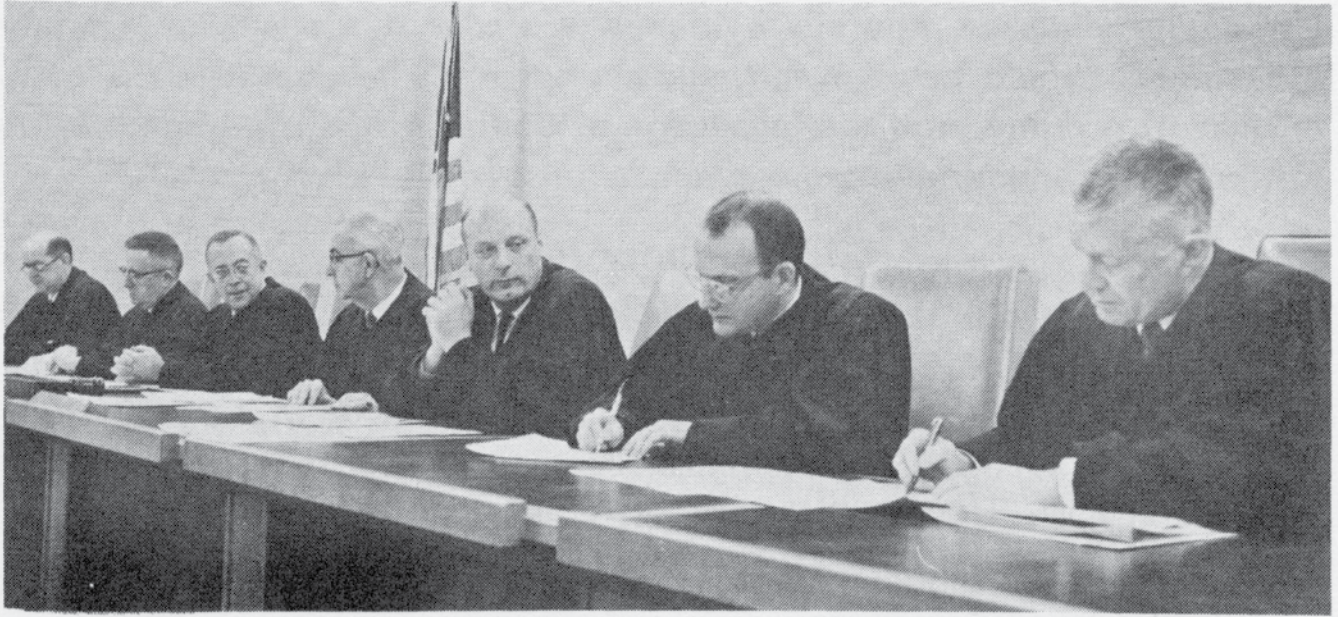
Court Bar (the Commonwealth Court did not yet exist), and I had to specifically apply for admission to the Bars of Bucks County, Montgomery County, Lehigh County, and Philadelphia County. In December of 1969, I was admitted to the U.S. Eastern District of Pennsylvania at a session in Philadelphia at the old Federal Courthouse. My later admissions to the U.S. Supreme Court and the Commonwealth Court of Pennsylvania were by mail. Multiple choice multi state bar examination questions did not yet exist because multi state bar admissions were not yet allowed.

While I was practicing law in Newtown with Stuckert, Yates, and Krewson, Ward Clark hired me as a part time assistant district attorney. This was consistent with my career plan to get trial experience and the part-time salary made it financially feasible for me to set up my own law firm in Morrisville.

In 1968, legal advertising was prohibited. A minimum legal fees committee of each county bar association met annually to set value billing amounts for most legal transactions and the preparation of legal documents. The generally accepted minimum hourly rate was about \$20 per hour. Most lawyers did not keep time records and therefore charged the minimum value billing fee amounts. Written fee letters were rare and clients were happy to be told that they would be charged a minimum fee for specific transactions. As a result, legal fees were rarely contested or objected to because of the ascertainable standards of the fee schedules. It was an ethical violation for lawyers to charge less than the minimum fee schedule amounts. Legal malpractice cases were rare and legal malpractice premiums were a relatively minor cost of practicing law.

Any discussion about changes in the practice of law requires an understanding of the economic conditions in Bucks County in the late 1960s and early 1970s, during which





**From left, Judges Bodley and Monroe, President Judge Satterthwaite and Biester, Judges Beckert, Garb and Power**

there was a growing demand for legal services. With the exception of the townships of Falls, Bristol, and the lower part of Middletown Township and the Boroughs, most of Bucks County was rural and consisted of farmland. The Fairless Works of the United States Steel Corporation in Falls Township along the Delaware River employed about 10,000 well paid workers who lived mostly in Levittown and Fairless Hills. The executives lived primarily in Lower Makefield Township between the Boroughs of Yardley and Morrisville. Numerous other manufacturing plants were located in those townships. The Oxford Valley Mall and the Neshaminy Mall had not yet been built. Unless you went to Philadelphia or New York City, people patronized retail stores in Trenton, the Morrisville Shopping Center, and the downtown areas of the Boroughs. Many of the banks were located in the boroughs but larger banks were located in Trenton. As a result, Bucks County law firms were located in the boroughs of Morrisville, Bristol, Yardley, Newtown, Perkasié, Sellersville, and Quakertown. Most law firms were comprised of sole practitioners of one or more lawyers. For example, Curtin & Heefner in Morrisville had about 12 lawyers.

Lawyers were not yet permitted to practice in more than one state. Nevertheless, lawyers in Trenton had Pennsylvania clients for whom they did Pennsylvania legal work. However, if a case developed in such a way that litigation was inevitable, then the Trenton lawyers would refer their

Pennsylvania cases to mostly Morrisville lawyers. Multi-state banking was likewise not yet permitted. Therefore, the Trenton banks and lenders willingly and eagerly provided mortgage loans for home buyers in Morrisville, Falls Township, Yardley, and Lower Makefield. In those days, banks retained their mortgages. The Trenton banks hired mostly Morrisville lawyers to conduct real estate settlements in Trenton even though multi state bar admissions were not yet permitted. The handling of legal work for Trenton lenders on Pennsylvania mortgages generated significant overhead revenue for Morrisville lawyers who also owned title insurance abstract companies that provided title insurance for such real estate transactions.

Courthouses, law firms, stores, factories, and places of business did not close because of snow storms that were not above a foot of accumulation. Depending upon when the storm ended, there would be delayed openings. However, school districts usually closed if they had busing. Lawyers got to the courthouse by leaving early and making sure their cars had full tanks of gas and snow tires with snow chains if needed. Packed snow and icy spots on roads, driveways, and parking lots was the norm. Snow fences along rural roads were used to prevent drifts and to allow time for snow plows to get through. Sidewalks and entrance ways to buildings were shoveled. Driveways, parking lots, and roads often had packed snow and icy surfaces that were not salted.



Legal documents were prepared on manual and then electric typewriters, usually made by IBM. While some lawyers continued to dictate documents to secretaries who took shorthand, cutting edge progressive law firms began switching to electric IBM magnetic tape/Selectric Typewriter (the IBM MT/ST) with integrated magnetic tape recording and playback facilities. These were replaced by the \$11,000 Mag Card II Selectric Typewriter with an 8,000 character memory technology that was stored on packs of magnetic cards.

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In the '60s and '70s, many lawyers in Bucks County did well financially, could afford month-long vacations traveling abroad or at their vacation homes at the "Jersey Shore," the Poconos, or the Adirondacks. They also had happy marriages, could afford to send their kids to college and graduate school, and appeared to have well balanced lives and did not complain about stress and burn out.

**THE SATTERTHWAITE COURT.** The most significant change in the Bucks County judiciary over the last 50 years, other than their increase in numbers from seven sitting judges to the present 15 sitting and senior judges, is the absence of judges such as the late, sometimes ill tempered Judge Edwin H. Satterthwaite ("Judge Satterthwaite"), the former President Judge of the Orphans' Court (before it was a division of the Court of Common Pleas) and then later the President Judge of the Court of Common Pleas. No article about changes in the practice of law would be complete without a description of the dreaded appearance in court before Judge Satterthwaite.

All lawyers appearing before Judge Satterthwaite were subject to immediate and unrestrained admonishment, reprimand, rebuke, scolding, reproach, upbraiding, chastisement, censure, castigation, lambasting, berating, lecture, criticism, or being held in contempt for being late, or all of the foregoing, in a yelling, very angry tone. Ironically, Judge Satterthwaite was friendly and pleasant in his non-judicial capacity.

I submit my following "war stories" to demonstrate to new lawyers what older lawyers faced in the past.

It should come as a surprise to no one that the full-time assistant district attorneys ("ADAs") routinely arranged to have the young, inexperienced ADAs assigned to Judge Satterthwaite's courtroom, especially for cases the full-timers did not want to handle because of the risk of acquittals. During the 10-day criminal court sessions, the part-timers were given very little time to prepare because the DA's Office would assign them cases only minutes before the cases were sent to trial. The defendants were mostly represented by recently hired, inexperienced assistant public defenders just out of law school. Experienced criminal defense lawyers, despite the risk of sudden admonishment, nevertheless often preferred being assigned to Judge Satterthwaite's Courtroom because he often issued relatively light sentences. On the civil side, partners of law firms who handled Orphans' Court matters often sent their recently hired associates to audit or to other Orphans' Court matters before Judge Satterthwaite.

True to form for new part-time ADAs, one of my first appearances, if not the first, before Judge Satterthwaite was for a suppression motion hearing. I had never before attended a suppression hearing and was given no pre-instruction on how to handle a suppression hearing case. I nevertheless was assigned to Judge Satterthwaite's courtroom to handle my first suppression hearing.



When Judge Satterthwaite glared at me to let me know it was time to begin, I stumbled around by asking inexperienced questions of the prosecution's witness but was abruptly interrupted by Judge Satterthwaite who impatiently shouted, "Will you stop this pussyfooting around and get on with it!" In response, I totally froze and became speechless. Judge Satterthwaite obviously could see that I was undergoing my initiation in the DA's Office. He then proceeded to ask the prosecuting witness about two questions which he formed by converting the first two answers of the DA's filed reply to the motion for suppression. He then benevolently looked at me and calmly said, "Mr. Stockham, can you take it from there?" Talk about having to think on your feet and on the job learning versus on the job training! Fortunately, I caught on and thought to myself, "So this is how it's done." I then proceeded to convert the remaining reply answers into questions. Judge Satterthwaite denied the suppression motion of defense counsel.

From then on, I spent a good portion of my time in criminal court handling trials and guilty pleas before Judge Satterthwaite. On one occasion, when then assistant public defender, Clyde Waite, said, "Your Honor, the cases seem to say..." Judge Satterthwaite interrupted Waite by saying, "I'm not interested in law review types of arguments. Don't tell me what the cases seem to say, tell me what they say or do not say!"

After months of handling guilty pleas before Judge Satterthwaite, part-time ADA Brenden Brett and I had enough and decided to see if we could wear out Judge Satterthwaite by double-teaming him on guilty pleas by seeing how fast and how many pleas we could get heard by him. Brett would line up the witnesses, get all the paperwork ready, and hand them over to me without delay so I could continuously rush them to Judge Satterthwaite. This went on for hours. No admonishments that day.

Later that evening, when I stopped by my parents' house, my father, who had just come home from a Bucks County Boy Scouts Council Executive Committee Meeting in Doylestown, told me that Judge Satterthwaite told him, "Your son, Ron, was in my courtroom today. I hope he got to wherever he was going on time because he seemed to be in an awful big hurry." That was the last time we tried to wear out Judge Satterthwaite.

I can fill many more pages with "war stories" about Judge Satterthwaite as examples of law practice changes. However, I cannot resist telling one more:

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When the full-time deputy district attorneys in September heard that I would be completing my commitment as a part-time ADA at the end of December of 1972, I found myself assigned to Judge Satterthwaite's courtroom every day during criminal court from then on. In early December, then part-time DA Biehn telephoned me at my law firm office and told me, "I just found out that you have been assigned every day to Judge Satterthwaite's Courtroom No. 1. You never have to go in there again." My reply to Biehn was, "Satterthwaite and I are getting along just fine. He has given up yelling at me. Besides, I'm getting great trial experience and have no problem going in there for the rest of the year." So, Courtroom No. 1 was where I stayed. My departure as a part time ADA paved the way for Alan Rubinstein to replace me, but as a full-time ADA. For budget reasons, Alan had to patiently wait for me to leave before joining the DA's Office. Satterthwaite, after a relatively short time as a senior judge, retired to Pennswood Village where he pursued his hobby of fixing antique clocks until his death.

But, after more than 50 years of practice, "I'm Still Standing."<sup>2</sup> ↗

Endnotes:

1. Bob Dylan, 1964
2. Elton John, 1983

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