

**A RESOLUTION BY THE
FRANKLIN COUNTY BAR ASSOCIATION
IN MEMORY OF RUDOLF M. WERTIME, ESQUIRE**

WHEREAS, the members of the Franklin County Bar Association have gathered in a special meeting on November 9, 2007, to celebrate the life and honor the memory of our colleague and fellow member, Rudolf M. Wertime, who was called home by his Almighty God on October 31, 2007; and

WHEREAS, although saddened by his death, it is our desire and our tradition to share our recollections of Rudy and honor him with a memorial resolution at this special meeting; and

WHEREAS, before offering this resolution, we want to offer a brief record of his life and career.

Rudolf Milton Wertime was born on May 25, 1912, in Ohio County, West Virginia, the son of the late Rudolf and Flora (Montgomery) Wertime. His family moved to Chambersburg in 1917, and he graduated from Chambersburg High School in 1928.

Rudy entered Haverford College in the fall of 1928, at the age of 16. During his first semester, his father died, leaving his mother to raise a family of six children during the Great Depression. Rudy graduated from Haverford in 1932 with a bachelor's degree in mathematics. With the encouragement of his family's attorney, Edmund C. Wingerd, he enrolled in the Dickinson School of Law later that year. He received his LLB degree in 1935.

After serving his preceptorship, Rudy was admitted to the Bar of the Supreme Court of Pennsylvania on September 28, 1936. He then was sworn in as a member of the Bar of Franklin County by President Judge Watson R. Davison on Columbus Day, October 12, 1936. As Rudy recalled in a series of "sidebars" he wrote for the 100th anniversary of the Franklin County Bar Association in 1999, that day also was the first day of the fall civil trial term. There were no cases listed for trial, but Judge Davison had the custodian ring the courthouse bell anyway, signaling the opening of court in Rudy's honor. The court crier — who had been Rudy's junior high school principal — then announced his admission to the bar, "for which," Rudy wrote, "I gave him a tip of one dollar."

Rudy was admitted to practice before the U.S. District Court for the Middle District of Pennsylvania in 1951.

Rudy started practicing law in Chambersburg in 1936, as an associate of Edmund C. Wingerd, and opened a Greencastle office in 1939. He was called to World War II in 1943, serving in the U.S. Army Finance Division, then returned to Chambersburg in 1946. In 1951, he moved his family to Greencastle, where they still reside.

After returning from the war, he was a partner with the firm of Wingerd and Long for two years, then maintained a solo practice from 1948 to 1973. After that, he practiced in partnerships with David S. Dickey, J. Dennis Guyer, Jay H. Gingrich and David C. Wertime, his son. He became Of Counsel with Wertime & Guyer LLP in 2003, and retired at the end of 2004 after 65 years of practice.

As was the case with all the younger attorneys at the time, Rudy was called on by Judge Davison to represent criminal defendants. "If the defendant had no lawyer," Rudy wrote in 1999, "Judge Davison directed one of us young lawyers who happened to be in the courtroom, or if not there, summoned to the bench, where the Judge directed the young attorney to represent the defendant. In order to keep the cases moving, court was recessed for 10 to 15 minutes to enable us to take our 'client' to the law library for a

quick interview, following which we were expected to return with a plea of guilty, not guilty or, with allowance, *nolo contendere*.”

Before long, Rudy moved to the other side in criminal cases. He served two terms as district attorney for Franklin County, from 1948 to 1956. One of the district attorney’s responsibilities at that time was the collection of payments on fines, restitution and domestic relations orders. The DA also was responsible for providing the judge with presentence background reports on defendants entering guilty pleas in the weekly court sessions held on...Saturday mornings.

Many other things changed over the years that Rudy practiced law. Prior to the institution of compulsory arbitration in the 1960s, he wrote, “I tried several cases before civil juries involving small sums, one relating to a \$250 wheat crop and another relating to a \$90 well drilling bit.” In his earlier years of practice, he said, “The jury commissioners and judge were in charge of filling the jury wheel each year, one-third of the names coming from the Republican Committee members, one-third from the Democratic Committee members, and one-third from the judge.”

Rudy’s involvement with the Franklin County Bar Association lasted from his admission to the bar in 1936 until his death. He served on the committees that interviewed prospective members of the bar association, a practice that lasted into the 1970s. He was president of the bar association from 1970 to 1972. He was the driving force behind the creation of the county’s first legal aid program, the direct predecessor to what was known as Legal Services Inc. and the inspiration for the establishment of Franklin County Legal Services. He was a strong believer in an attorney’s obligation to provide *pro bono* legal aid to the indigent.

His fellow bar members remembered him fondly in the days after his death. “I recall being chairman of an arbitration case when Rudy was representing the plaintiff in a complex matter — he at the time must have been in his late 70s. He was prepared, professional and tenacious in presenting his client’s position,” one attorney said. “He was a respected and well-liked lawyer.”

“He was one of the examples of lawyers heavily donating their time to a lot of community groups, and providing his services unpaid,” said another attorney. “I remember when he was president of the bar, before we had an executive director or even a legal services office, and he had to find *pro bono* attorneys as poor people came in and needed legal services. And I’m sure everyone remembers him wearing his running shoes every day!”

Another bar member said, “Although I didn’t have many cases with or against him, I can say that he was unfailingly friendly and cordial to me, from my early days as a new lawyer in the county to the last time I saw him. I appreciate that he remained quite active and sharp, which should be an inspiration to us.”

And yet another attorney said simply, “Rudy Wertime was one of the kindest people I ever met.”

Rudy’s commitment to the community did indeed stretch beyond his service to the bar. He was an 84-year member of the Presbyterian Church of Falling Spring in Chambersburg. He served many years as an ordained elder and deacon of the church. He also served as president of its board of trustees, as well as a Sunday school teacher. His deep love of music led he and his wife, Phyllis, who shared his passion, to make a significant contribution to the restoration of the organ at the church.

He was well known in the Greencastle area for his work in preserving the historic Martin’s Mill Bridge in Antrim Township in the 1950s and 1960s, when the county wanted to tear down the structure

for safety reasons. Rudy provided his legal assistance at no charge to the community organization that eventually acquired the landmark, saving it from destruction.

He was a founding member of the Chambersburg Community Chest (now the United Way) and the Chambersburg Community Concert Association. He was past president of the Chambersburg High School Alumni Association and a 50-year member of the Franklin County Chapter of the American Cancer Society, 10 of which he served as president. He chaired the Conococheague District of the Keystone Area Boy Scout Council, receiving the Order of Merit for his service. He served as solicitor for the Cumberland Valley Volunteer Fireman's Association; Rescue Hose Company in Greencastle; Greencastle Borough Council; and a number of school districts and municipal authorities throughout the area.

Whether riding his one-speed Schwinn bicycle to and from his office, growing vegetables in his garden, arguing fervently for his client in court or advising young attorneys in the ways of the law in Franklin County, Rudy lived his life to the fullest and made an indelible imprint on the lives of countless citizens of the county.

Rudy and Phyllis, who we know better as P.J., were married for 57 years. They had five children: Robert, Timothy, Mary Beth, David and Rebecca. They also had two grandchildren, Eliot and Hannah. Rudy also is survived by a sister, Selma, and several nieces and nephews. We join them in mourning his passing, but also in celebrating the relationships we had with him.

NOW, THEREFORE, BE IT RESOLVED that the members of the Franklin County Bar Association express our sympathy at the loss of Rudolf M. Wertime, a husband, father, colleague and attorney at law. We will strive to keep his memory alive, for the strength, dedication and wisdom of those who have gone before us are the foundation for our future.

Respectfully submitted,

Forest N. Myers, President
Franklin County Bar Association