

Franklin County Bar Association  
Judicial Candidate Questionnaire  
(Adopted November 2, 2017)

**FULL NAME** (including all aliases): Mary Beth Shank

**OFFICE ADDRESS:** Salzmann Hughes: 79 St. Paul Drive, Chambersburg, PA 17201

Franklin County: 340 N. Second Street, Chambersburg, PA

17201 **HOME ADDRESS:** XX, Chambersburg, PA 17201

**DATE AND PLACE OF BIRTH:** XX, 1978, Harrisburg Hospital

**MARITAL STATUS:** Married

**SPOUSE'S NAME** (if applicable): John Patrick McPaul

**DO YOU HAVE CHILDREN?** YES or NO – XX

**EDUCATION:**

UNDERGRADUATE: Grove City College, B.A. Political Science, May 2000

LAW SCHOOL: Dickinson School of Law of the Pennsylvania State University, May 2004

**DATE OF ADMISSION TO PENNSYLVANIA BAR:** April 2005

**ADMISSION TO OTHER BARS:** Franklin County Bar Association, December 2005

**TYPE OF PRACTICE** (Past and Present): General Civil Practice (2005 – 2016) and Municipal/County Government Practice (2006-current).

- Areas of Practice in my General Civil Practice included: family law (custody, adoption, name change, support, divorce (typically pro bono divorces/ no or limited property issues), marital agreements; business (formation, contracts, general counsel); estate planning, administration and litigation; general civil disputes (i.e. property disputes, contract disputes); landlord tenant matters, children and youth (generally parent's counsel), protection from abuse.
- Description/Areas of practice in my Municipal/County Government Practice: County: Render legal advice required by the Commissioners and any other department or agency of the county that does not have its own solicitor or special counsel. I also serve as Tax Claim Bureau and Election Board solicitor (note – I am not serving as the Election Board solicitor this year due to my candidacy). The position involves a broad range of work and I invite you to review the attached professional summary for a more detailed description.

- Municipalities: Render legal advice, draft agreements, ordinances and resolutions. Sample areas of work: code enforcement, property tax exemption and assessment appeals, right-to-know and sunshine law, contract and request-for-proposal development.

**BAR ASSOCIATION AND PROFESSIONAL SOCIETY MEMBERSHIPS (Include offices held):**

Franklin County Bar Association: Immediate Past President, President, Vice-President, Secretary, Chair of Social Committee, Young Lawyers Committee, Law Library

Member, Franklin County Orphans Court Committee

**LEGAL POSITIONS HELD (Include clerkships, solicitorships, government service):**

- Associate, LopezNeuharth, LLP (2005-2006)
- Non-Equity Partner, Sharpe and Sharpe, LLP (January 2006 – December 2015)
- Principal, Salzmann Hughes, P.C. (January 2016-Present)
- Solicitor, Council of Governments (Appx. 2006-2008)
- Asst. Solicitor, County of Franklin (2006-2009)
- Solicitor, County of Franklin (2010 -Present)
- Solicitor, Waynesboro Planning Commission (Present)
- Asst. Solicitor, Borough of Chambersburg (Present)
- Asst. Solicitor, Borough of Waynesboro (Present)
- Special Counsel, Adams County Board of Assessment (Present)

**COMMUNITY SERVICE ORGANIZATION MEMBERSHIPS (Include offices held):**

- Keystone Rural Health Center, Vice-Chair (2007 – Present)
- Shook Home and Rehabilitation Center, Board Member (2018-Present)
- Cumberland Valley School of Music, Board Member (Past – 2 terms)
- The Foundation for Enhancing Communities, Franklin County Advisory Committee (Past)
- Downtown Chambersburg Inc., Board Member (Past)
- Totem Pole Playhouse, Board Member (Past)
- Chambersburg Head Start, Board Member (served a short term as I was appointed to fill the remainder of a member's term who had to resign)

**OTHER RELEVANT INFORMATION** (May include military service, awards, publications): No

Have you ever had a disciplinary action filed against you? If so, please explain. No

Have you ever had a formal fee dispute litigated or heard by the Bar? If so, please explain. No.

Have you ever been charged with a felony, misdemeanor, or non-traffic summary offense? If so, please provide the date, county and state, offense, and disposition of the charge. No.

Are you under any ongoing federal, state, or local investigation or indictment for possible violation of a criminal statute? No.

Has a tax lien or other collection procedure been instituted against you by federal, state, or local authorities? No. To make sure I am answering with full candor, I did, in the past, voluntarily enter into a payment plan with the IRS for payment of taxes over a multi-year period when I had a tax obligation that I was unable to pay in a lump sum. No lien was filed and I was always in good standing with the IRS.

Has a lien for child support been filed against you? No.

Have you filed for bankruptcy within the last ten (10) years? No.

Please provide the Judiciary Committee with the names you have or had used on social media including, but not limited to, Facebook, Twitter, LinkedIn, and Instagram.

Facebook: XX  
XX  
XX

Instagram: XX  
XX

LinkedIn: XX

Twitter: None

Pinterest: XX

Please provide the names and contact information for three (3) attorneys in Franklin County who can provide information to the Judiciary Committee regarding your fitness to serve on the Court of Common Pleas. NOTE: The Judiciary Committee of the Franklin County Bar Association will contact these attorneys as part of its evaluation.

G. Bryan Salzmann, Esq.  
XX

Hannah Herman-Snyder, Esq.  
XX

David C. Cleaver, Esq.  
XX

State why you think you are qualified to serve as a judge on the Court of Common Pleas in the 39<sup>th</sup> Judicial District. Please include any professional, occupational, or other experiences that you have had that should be considered by the Judiciary Committee in its evaluation.

- Please see attached letter and professional summary

### **CERTIFICATION**

The undersigned certifies that all of the statements made in this questionnaire and attachments are true, complete, and correct to the best of my knowledge and belief and are made in good faith.

DATE: 2/1/2019

SIGNATURE: Mary Beth Shank  
Mary Beth Shank

## **My Qualifications to Serve as a Common Pleas Judge**

Thank you for your time and service to the Judicial Evaluation Committee. It is important to have qualified judges serve on the Franklin County bench and I appreciate the opportunity for my experience and qualifications to be evaluated.

My decision to be a candidate for judge was made after an extended period of reflection and consultation with family, other members of our bar association who work with me regularly and community folks who have known me for a long time. While the ultimate decision was mine, I understand that this important position impacts many people and I believed both candid personal reflection, as well as input from others who would be willing to offer a frank opinion and assessment of my strengths and weaknesses was an appropriate step in the process of deciding whether to run.

I am qualified to serve as the next court of common pleas judge for the following reasons.

1. **Legal knowledge.** My practice has provided me with the opportunity to serve clients in a broad range of civil matters for almost 14 years. My questionnaire and attached professional summary address the representative areas of law I have practiced in, so I won't list them here. While no judge will come to the bench having practiced in all areas of civil and criminal law, I am comfortable and proud of the broad base of experience I have gained in my civil practice and My background will complement the existing bench. While my practice has recently focused on municipal work, I have appeared in court for a wide variety of civil matters and am familiar with both state and local rules and practice.
2. **Integrity.** There is nothing more important to me than my integrity. While I have the utmost confidence that I possess all qualities that are important for a judge, if I walked away from this judicial evaluation and the only positive comment was that I was a candidate of integrity, I would hold my head high. As an attorney, my clients trust me and through our attorney-client relationship, I represent them diligently, respectfully and confidentially. I do not know how else to express the importance of integrity but I invite you to speak with anyone I interact with professionally (clients, judges and colleagues) or in the community for their comment. Judges are role models and hold an important place in society. They must keep this in mind in all areas of their life.
3. **Judicial Temperament.** Judicial temperament has varying definitions, but I believe the following traits help define the temperament a judge should possess.
  - a. **Decisive.** This is a characteristic that I have developed through my career and my municipal work has honed this skill. While I have enjoyed the support and "second opinion" opportunity a law firm can provide, my work

as county solicitor has been largely autonomous, requiring me to handle many matters that require prompt advice based upon sound legal research. Parties appear before a judge because the time has likely expired for agreement. A judge must be decisive, while ensuring thoughtful deliberation, and render prompt decisions for parties so they may move forward with their lives. I am prepared to provide prompt but thoughtful decisions and will put in the time and hours to ensure this occurs.

- b. **Compassion.** I believe judges should be tough but compassionate where appropriate. When I reflect on some of the most memorable and rewarding moments I have experienced in the courtroom, the compassion shown by a judge has been a large part of that experience. Gratitude for aging grandparents who took on the duty of raising their grandchildren; a judge who first came down hard on a client for poor choices and then verbally acknowledged their progress after seeing extended, sincere efforts to change; help directly from the bench in locating services for a party who was at risk of losing their home. As long as a party has respect for the position of judge, which not all do, there is an opportunity to touch a life in a positive way and I have seen the extension of compassion impact clients. I believe I will have the desire to search for these opportunities and use discernment in showing compassion to those who appear before me.
  - c. **Respect/Courtesy.** Respect to clients, opposing parties, colleagues and the bench has been a non-negotiable trait in my work. I attribute my ability to settle many difficult and sensitive matters to my unwavering respectfulness and courtesies extended in my profession by being upfront, punctual and communicating regularly.
  - d. **Avoidance of Conflicts of Interest.** Advising clients regarding both real and perceived conflicts of interest is a regular part of a solicitor's work and a regular part of my profession. It is important for parties to have faith in the decisions of judges and for judicial canons to be respected and followed. I will avoid conflicts in my position; however, I do not anticipate this to create a burden for the court system as I would have minimal conflicts given my background.
4. **Diligence/Hard Work.** While maintaining a rigorous position as the county solicitor, I have always had a private practice where I represent clients in a broad range of legal matters. For the first decade of my career, my private practice spanned a wide variety of civil matters, described above. My sound work and the confidence of my clients in the county and municipal world has allowed me to specialize in this area of law in recent years. While my private

practice and county solicitor positions are both part-time, I have always worked so that my clients are provided with full-time attention. I would not hesitate to assert that many of the employees I interface with at the county and many of my private clients do not realize I work in either capacity part-time as I strive to provide prompt legal advice and take every client issue seriously. If that requires late hours, weekend work and limited vacation, I have desired to do what is necessary to best serve my clients. I will bring this same work ethic to the bench.

5. **Commitment to Community**. A judge should be committed to his or her community and care about the place they live and work. I have loved my community and desired to return after my schooling to live and work here. I have been active as both a young person and adult in my volunteer and non-profit work. A review of my community involvement will evidence continued dedication to many areas and people of Franklin County and I believe serving as a member of the Bench is an opportunity to continue my service to the residents of both Franklin and Fulton counties.

# MARY BETH SHANK, ESQ.

## Education

Juris Doctor (May 2004)	Dickinson School of Law Pennsylvania State University	Carlisle, PA
B.A. (May 2000) Major: Political Science	Grove City College	Grove City, PA
High School	CASHS Chambersburg Area Senior High Attended Chambersburg (K-12)	Chambersburg, PA

## Work Experience

Principal, *Salzmann Hughes, P.C.* January 2016-Present  
Chambersburg, Pennsylvania

### Areas of Representation

- Estate planning, business and landlord tenant matters.
- Provide comprehensive legal services in the area of municipal law, including but not limited to contract reviews, ordinance and resolution drafting and interpretation, grant assistance, code enforcement, real estate and easement acquisition, procurement and other legal matters as requested.
- Representation and attendance at municipality meetings.
- Special counsel for real estate tax exemption appeals.
- Solicitor, Waynesboro Planning Commission.

County Solicitor, *County of Franklin* January 2006-Present  
(Assistant County Solicitor 2006-2009, County Solicitor 2010-present)

### Areas of Representation/Major Projects

- Summary: serve as chief legal counsel and provide legal representation to the Board of Commissioners and all county departments and agencies

that do not have an independent solicitor. Representation includes Area Agency on Aging, Jail, Planning, Purchasing, Grants, Tax Services, Property Management (to include landlord tenant matters), Risk Management, GIS, Veterans' Affairs, Department of Emergency Services and Human Resources. Provide daily and ongoing legal guidance on a multitude of matters that require legal guidance, interpretation, research and drafting.

- Supervise any litigation performed by special counsel.
- Solicitor, Franklin County Tax Claim Bureau: provide general legal advice to department; oversee all tax sales and any litigation associated therewith.
- Solicitor, Franklin County Election Board: serve as counsel for all election related matters, including advice regarding vacancies, referenda, Hatch Act and challenges filed by candidates or other parties.
- Represent the county in commercial, residential and tax assessment and exemption appeals.
- Extensive RFP/bid, contract, ordinance and resolution drafting and review.
- Sunshine and Open Records laws.
- Drafting of county policies, interpretation of acts, laws and policies.
- Served as the county's chief legal counsel in the sale of the Falling Spring Nursing Home.
- Currently serving as the county's chief legal counsel in the acquisition of properties, demolition and construction of the Franklin County Judicial Complex.

Partner, *Sharpe & Sharpe, LLP*

January 2006-December 2015

- Provided legal representation as a general civil practitioner, including but not limited to the following areas:
  - Family law: custody, support, divorce, adoption and prenuptial agreements.
  - Estate Planning and Administration: wills, trusts, powers of attorney and living wills. Estate administration. Litigation involving wills and estates. Appointed to serve as an auditor in an estate involving complex issues.
  - Real estate: settlements and contractual matters; landlord and tenant representation.
  - Business: drafting, review and negotiation of business contracts and establishment of corporations.

**Associate, LopczNeuharth, LLC**

- Provided legal representation and advice to clients in the areas of estate planning, landlord and tenant law, bankruptcy, children and youth matters and family law (custody, support, divorce).

**Pro Bono Representation**

- Pro bono representation personally and through Franklin County MidPenn Legal Services, Women In Need and Franklin County Legal Services. Representative areas include family law matters, protection from abuse, estate planning and nonprofit assistance.

**Community and Professional Involvement**

**Board of Directors, Keystone Rural Health Center** 2007-Current

- Vice-Chair 1/2019 - current
- Marketing Committee, member

**Board of Directors, Franklin County Bar Association** 2012-Current

- Immediate Past Present: 2018-19
- President: 2016-2017
- Vice-President: 2014-2015
- Secretary: 2014
- Social Committee, Chair: 2012-2013
- Member, Law Library Board: 2016-2017

**Member, First United Methodist Church** 1983 – Current

- Board of Trustees, Former Member (one term)
- Staff Parish Relations, Former Member (two terms)
  - Chair
- Accompanist, Youth Choir (10+ years)

**Board of Directors, Shook Home and Rehabilitation Center** 3/2018 - Current

- Member, Public Relations and Marketing Committee

**Advisory Committee, Franklin County Foundation** 1/2018 - Current

**Board of Directors, Totem Pole Playhouse** Past

**Board of Directors, Cumberland Valley School of Music (two terms)** Past

- Chair, Ad Book
- Chef's Walk Committee

**Board of Directors, Downtown Chambersburg, Inc.** Past

- Icefest Committee

**Board of Directors, Chambersburg Head Start** Past

**Councilman, Chambersburg Borough Council** December 2005-December 2009

- Served on various committees during my elected term

**American Heart Association**

- Have enjoyed walking with the Franklin County Young Lawyers team and was a VIP Top Walker in 2012 and 2013 and was the #1 Top Walker for 2017.