

Franklin County Bar Association

17th Bench Bar Conference of the 39th Judicial District

Friday, October 7, 2022



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Keynote Speaker

Joe Curcillo | The MindShark

“Possible” Communication: Stop, Look, and Listen.

1 substantive CLE credit, Recommended for any practice area

Joe Curcillo - The MindShark – has devoted his life to helping leaders build unified teams in the workplace. The first step in the process is improved communication skills. In this presentation, Joe will showcase his internationally acclaimed, award-winning mind reading show in a 60-plus minute presentation that is half stage



show, half instructional, and 100% fun entertainment. Joe uses the powers of observation and the skills used selecting thousands of jurors to “read the minds” of his audience. This art - combined with his talent as a master magician and showman – allows Joe to push the boundaries of the “possible” as he reads the thoughts of the audience. By focusing his audience on intuitive listening skills and how to interpret cues to better understand behaviors, he shares the secrets

of being “present and in the moment” to empower your ability to improve your relationship skills. Discover how to trust your instincts, use your observations, and experience the power of listening as you pay better attention to those in the world around you.



The Franklin County Bar Association invites you to join us at the picturesque Omni Bedford Springs Resort for the 17th Bench Bar Conference of the 39th Judicial District.

The conference offers 6 continuing legal education credits covering many areas of law.

The Bench Bar Committee appreciates your support of this event. The Committee strives to provide a diversity of sessions relevant to your practice. You'll learn from subject-matter experts, enjoy notable remarks by our keynote speaker, and network with colleagues.

Program

Thursday, October 6th

6 - 8 p.m.

Welcome Reception near the Fire Pit by the Frontier Tavern

Friday, October 7th

7:15 - 8:15 a.m.

Breakfast Buffet

7:45 – 8:45 a.m.

Registration Open

8:45 – 9 a.m.

Announcements and Introductions

9 – 10 a.m.

Keynote Speaker - Joe Curcillo | The MindShark

“Possible” Communication: Stop, Look, and Listen. - *any practice area*

see page 3 for program description

10:10 – 11:10 a.m.

Breakout Session CLEs, see pages 6-7 for program descriptions

Choose one of the following:

· Law, Justice, and the Holocaust:

 How the Courts Failed Germany (Hour 1) - *any practice area*

· Don't Let a Complex Tax Return Scare You - *Family Law*

· Real Estate in the Settlement of Estates - *Estate Law*

Program

11:20 a.m. – 12:20 p.m.

Breakout Session CLEs, see pages 8-9 for program descriptions

Choose one of the following:

- Law, Justice, and the Holocaust:
How the Courts Failed Germany (Hour 2) - *any practice area*
- Deconstructing the Opponent's Expert Witness' Evaluation Report - *Family Law*
- CyberSecurity - *any practice area*

12:20 – 1:40 p.m.

Lunch provided by



1:40 – 2:40 p.m.

Breakout Session CLEs, see pages 10-11 for program descriptions

Choose one of the following:

- Family Law Judges Panel - *Family Law*
- The Supreme Court Under the Leadership of Chief Justice John Roberts - *any practice area*
- History of Policing in America and Minority Engagement - *Criminal Law*
- Ethically Speaking: Email, Social Media & Legal Advertising - *any practice area*

2:50 – 3:50 p.m.

Breakout Session CLEs, see pages 12-14 for program descriptions

Choose one of the following:

- Restorative Justice: A passing fad or a meaningful way to resolve serious cases? - *Criminal Law*
- Unmasking the Sexual Offender - *Family & Criminal Law*
- Practicing Civil Litigation with Civility - *Civil Law*
- Succession [Next Chapter] Planning For Lawyers, Legal Ethics Authorities Acknowledge Reality, Providing Options... Are You With Them? - *any practice area*

4 – 5 p.m.

Plenary CLE session

39th Judicial District Judges Panel - *any practice area*

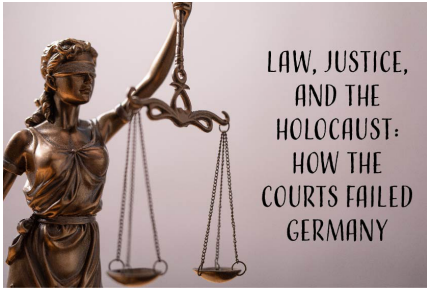
see page 14 for program description

Program

10:10 – 11:10 a.m.

Breakout Session CLEs

Choose one of the following:



Hour 1 of Law, Justice, and the Holocaust: How the Courts Failed Germany, 1 substantive CLE credit, Recommended for any practice area

This session explores the legal system in Nazi Germany and the role of law in the Holocaust. The program encourages discussion

about the Holocaust through the interpretation of images and case studies from the 1930s and 1940s, with special emphasis on the role played by law and jurists in the Nazi regime. Discussion will center on the persecution of targeted minorities, the ultimate loss of judicial independence in Nazi Germany during World War II, and the reign of terror imposed by the Nazi legal system from 1942-45.

Presenter: William F. Meinecke, Jr., Historian, United States Holocaust Memorial Museum, Levine Institute for Holocaust Education. Dr. Meinecke has been invited to share his expertise in numerous venues in both the US and abroad and has specialized in Holocaust seminars working with law enforcement officers, judges, prosecutors and attorneys on the subject of “Holocaust History and The Law.”

Session Sponsored by **Cohen & Co[®]**

Program

Don't Let a Complex Tax Return Scare You, *1 substantive CLE credit*, Recommended for Family Law

You may be surprised by all the relevant information that can be learned from reviewing tax returns. This includes personal income tax returns as well as



business and investment entity tax filings. Information helpful to identifying assets and liabilities, determining disposable income and valuing business and investment holdings is abundant. Using some actual case examples, we will look beyond “page 1” of the returns for hidden details to use in the analyses and clues to additional questions to ask.

Presenter: Gregory A. Crumling, CPA/ABV/CFF, Crumling & Hoffmaster, Business Valuation & Financial Forensics. Greg has over 35 years of experience in public accounting and is a respected forensic, litigation and valuation consultant in central Pennsylvania.

Session Sponsored by  **Conrad Siegel**[™]

Real Estate in the Settlement of Estates, *1 substantive CLE credit*, Recommended for Estate Law

This session explores issues with disputes among heirs, siblings, transfers and sales with and without court approval.

Presenter: William F. Hoffmeyer, Esquire, Hoffmeyer & Semmelman, LLC. William F. Hoffmeyer is CEO of the law firm Hoffmeyer & Semmelman, LLC concentrating his practice on Real Estate and Zoning Law, Estate Planning, Probate, and Corporate Law. He has served as Lecturer, Author, Moderator, and Adjunct Professor in central Pennsylvania, and serves as an expert witness in real estate matters throughout the Commonwealth of Pennsylvania.

Session Sponsored by  **Advocord**

Program

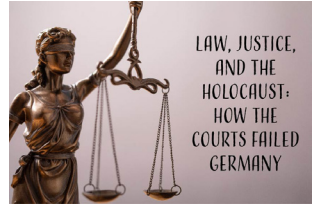
11:20 a.m. – 12:20 p.m.

Breakout Session CLEs

Choose one of the following:

Hour 2 of **Law, Justice, and the Holocaust: How the Courts Failed Germany**, 1 substantive CLE credit, Recommended for any practice area

See page 6 for description.



Session Sponsored by **Cohen & Co[®]**



Deconstructing the Opponent's Expert Witness' Evaluation Report, 1 substantive CLE credit, Recommended for Family Law

This workshop will provide insight into the various procedures and methodology that are considered the standards of practice for custody

evaluations. In so doing, the presenters will provide information that will assist attorneys in conducting both direct and cross-examinations of experts that more effectively highlight strengths and weaknesses in individual reports.

Presenter: Arnold Shienvold, PhD, Riegler, Shienvold & Associates. Dr. Shienvold is the managing partner of Riegler, Shienvold and Associates, a comprehensive psychological practice in Harrisburg, Pennsylvania. He has presented numerous lectures, seminars and workshops on a variety of custody issues, family mediation, child development and parenting coordination for a variety of Pennsylvania county bar associations.

Program

CyberSecurity, 1 substantive CLE credit,
Recommended for any practice area

The training will include an overview of cybersecurity for law firms. Learn the truth about what a VPN is and when it can actually be helpful. Discover how to recover from and, more importantly, prevent a ransomware attack. Keep your data secure without having to keep a secret list of all of your passwords that you hope no one finds.

The program will also be covering the following:

- End-of-life products that you definitely shouldn't be using
- Email security/encryption
- Two-factor authentication (2FA)

Presenter: Michael Cermak, Jr., Cermak Technologies, Inc. Mike Cermak, Jr. is the owner Cermak Technologies, Inc., servicing businesses in Franklin and Washington counties since 1994. He earned a Bachelor of Information Sciences & Technology degree from Penn State and is a Microsoft Certified Professional (MCP). He holds several certifications from the Computer Technology Industry Association (CompTIA).

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AFFINITY

Attendees at this program may receive up to a 7.5% risk control premium credit per attorney on the PBA Sponsored Lawyers' Professional Liability Insurance Policy underwritten by CNA. The credit is applied at the next renewal date and is good for two consecutive policy terms.



Program

1:40 – 2:40 p.m.

Breakout Session CLEs

Choose one of the following:

Family Law Judges Panel, 1 substantive CLE credit, Recommended for Family Law

This hour long discussion will focus on current topics within the practice of Family Law in the 39th Judicial District.

Panelists:

The Honorable Jeremiah D. Zook

The Honorable Todd M. Sponseller

The Honorable Mary Beth Shank



Session Sponsored by



The Supreme Court Under the Leadership of Chief Justice John Roberts, 1 substantive CLE credit, Recommended for any practice area

In June 2019, The New York Times asserted that while John Roberts had been the Chief Justice of the United States since 2005, he did not assume “true leadership” of the Court until the 2018-2019 term. Barely three years later, a headline on CNN read: “Chief Justice John Roberts lost the Supreme Court and the defining case of his generation” (June 26, 2022). This presentation will explore Chief Justice Roberts’ leadership of the Court, voting blocs, and how he will guide the institution going forward.

Presenter: Sara Grove, J.D., Ph.D. Sara Grove is Professor of Political Science and Chairperson of the Department of Political Science at Shippensburg University where she teaches courses on constitutional law, administrative law, and judicial process. She worked for the Governor’s Office of General Counsel under Governor Ridge, as well as for the Pennsylvania Superior and Supreme Courts.

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Program



History of Policing in America and Minority Engagement, 1 substantive CLE credit, Recommended for Criminal Law

During this presentation, this program will discuss both the history of policing and the role of law enforcement in past and present injustices. We also expand on how it could be a barrier to building trust with

minority communities, and we close out with several recommendations for overcoming those barriers.

Presenter: Corporal Ismail El-Guemra, Heritage Affairs Liaison Officer, Pennsylvania State Police. Corporal El-Guemra has had numerous opportunities to mitigate and resolve issues and misunderstandings that impact communities and police forces. He works to create a lasting and positive impression of police within communities while also educating his fellow police officers on different communities and cultures.

Ethically Speaking: Email, Social Media & Legal Advertising, 1 ethics CLE credit, Recommended for any practice area

This program will review recent ethics guidance for lawyers concerning email communications, protecting client confidentiality when responding to negative online reviews, and advertising rule amendments.



Presenter: Thomas G. Wilkinson, Jr., Esquire, Cozen O'Connor. Mr. Wilkinson concentrates his practice in commercial and appellate litigation in federal and state courts and in lawyer professional responsibility and liability matters. He is a leader of the firm's Legal Profession Services practice group. He is a past President of the Pennsylvania Bar Association and Pennsylvania Bar Institute.

Session Sponsored by



Program

2:50 – 3:50 p.m.

Breakout Session CLEs

Choose one of the following: (pages 12-14)



Restorative Justice: A passing fad or a meaningful way to resolve serious cases?, 1 substantive CLE credit, Recommended for Criminal Law

This session will introduce to practitioners and the bench the basic premise of restorative justice practices and will look at how one jurisdiction has been using these practices in resolving filed criminal court cases for over 10 years. Attendees will also learn what cases are best suited for a restorative justice approach and some basic guidelines to consider in designing and implementing a restorative justice option in your jurisdiction.

Presenter: Brett Taylor, J.D., West Coast Initiatives for the Center for Court Innovation. Brett provides technical assistance to the MacArthur Foundation's Safety and Justice Challenge Los Angeles County and Palm Beach County sites. He also works with numerous states, cities, and tribes on creating justice system strategic plans and system needs assessments. He has been the lead planner on several community courts and other projects across the country.

Session Sponsored by



Unmasking the Sexual Offender, 1 substantive CLE credit, Recommended for Family & Criminal Law

Sex offenders present difficult and complicated issues interpersonally, as well as in treatment and management. Most people do not understand why and how someone who sexually abuses does what they do, so others inaccurately apply information or explanations that do nothing more than facilitate the offenders' evasion of accountability and visibility. Denial, victim blaming, aggression, and blatant chronic deception are inherent in interactions with sexual offenders. Sex offenders, almost without fail, are not able to accept responsibility nor do they hold themselves accountable for their own behavior. Yet, they are highly effective at using biases and misinformation against others,

Program

as well as creating a public self that hides the private one. Unfortunately, the failure to truly understand their motives and techniques helps provide excuses and further camouflage to their deviance. This training provides an overview of some of the techniques that offenders use on the victim and others to succeed in getting away with offending.

Presenter: Veronique N. Valliere, Psy.D., Valliere & Counseling Associates, Inc. and Forensic Treatment Services. Dr. Valliere is a licensed psychologist and has her doctorate in Clinical Psychology. She has over 25 years experience in the field and has worked in individual and group treatment with violent offenders and their victims, including domestic violence offenders, sexual offenders, violent offenders, and substance abusers. She also serves on the Pennsylvania Sexual Offender Assessment Board and has been reappointed since 1997.

Practicing Civil Litigation with Civility, 1 substantive CLE credit, Recommended for Civil Law

Civility is included as part of the oath taken by each new bar admittee to the Franklin County Court of Common Pleas. The practice of civil litigation with civility and professionalism is productive, achieves effective outcomes, and helps to build positive working relationships with the bench and bar. This program will give examples of how to practice with civility and professionalism, the benefits that will follow, including better results and the reduction of stress.

Presenters: Kathleen D. Wilkinson, Esquire. Philadelphia lawyer Kathleen D. Wilkinson, a partner at Wilson Elser Moskowitz Edelman & Dicker LLP, was the 2021-22 president of the Pennsylvania Bar Association. Her recent efforts to support the organized bar have focused on issues related to attorney wellness and wellbeing in the legal profession as well as issues dealing with the ongoing pandemic.

The Honorable Shawn D. Meyers. Since January, 2010 President Judge Shawn D. Meyers has served as a judge for the Court of Common Pleas for the 39th Judicial District which is the general trial court for Franklin & Fulton Counties, Pennsylvania.

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Program

2:50 – 3:50 p.m.

Breakout Session CLEs (Continued)



Succession [Next Chapter] Planning For Lawyers, Legal Ethics Authorities Acknowledge Reality, Providing Options...Are You With Them?, 1 ethics CLE credit, Recommended for any practice area

A practical review of the evolution of Rules of Conduct providing lawyers with guidance and opportunity to move successfully to your unique next chapter.

Guidance and resources for determining your own “What’s Next?”

Presenter: David A. Fitzsimons, Esquire, ADRFitz LLC. Mr. Fitzsimons is committed to the value of Alternative Dispute Resolution and is Principal of ADRFitz LLC in Carlisle. David became involved in the subject of attorney succession planning through his involvement as a former Chair of the PBA Legal Ethics and Professional Responsibility Committee and former member of the Disciplinary Board of the Supreme Court of Pennsylvania, as each organization was focusing on the realities and need for accommodation of attorney succession planning.

4 – 5 p.m.

39th Judicial District Judges Panel

1 substantive CLE credit

This 1-hour session will give you updates from the Bench of the 39th Judicial District. Questions and topic suggestions may be submitted to the conference committee until August 19th via email to director@franklinbar.org.

Panelists:

The Honorable Shawn D. Meyers, President Judge

The Honorable Angela R. Krom

The Honorable Jeremiah D. Zook

The Honorable Todd M. Sponseller

The Honorable Mary Beth Shank

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All materials will be available in **electronic format (PDFs)**. You will be sent instructions to download and bring the materials with you. Paper copies may be purchased for \$20 and will not include a binder. Please select paper copies on the registration form and include \$20 in your fee. Paper copies must be ordered prior to the conference registration deadline of September 16th.

REGISTRATION DEADLINE IS FRIDAY, SEPTEMBER 16, 2022

Member Registration Fee (Franklin, Fulton, and Adams County Bars only):

\$179 for members

\$129 for members practicing 5 years or less, legal services attorneys, and law clerks

Non-Member Registration Fee:

\$229 for non-members

\$199 for non-members practicing 5 years or less, legal services attorneys, and law clerks

Fee includes CLE credits and meals.

Complete the enclosed registration form and return it with payment to the Franklin County Bar Association, PO Box 189, Chambersburg, PA 17201. No refunds after the registration deadline.

You may register and pay online at
www.franklinbar.org/bbc17

**FRANKLIN COUNTY BAR ASSOCIATION 2022 BENCH-BAR CONFERENCE
REGISTRATION FORM**

Name _____

Supreme Court ID _____ Email _____

Choice of CLE sessions, please check one for each time slot (*area of practice beside title*):

9 – 10 a.m.

"Possible" Communication: Stop, Look, and Listen. - *any*

10:10 – 11:10 a.m.

Law, Justice, and the Holocaust:

How the Courts Failed Germany (Hour 1) - *any*

Don't Let a Complex Tax Return Scare You - *Family*

Real Estate in the Settlement of Estates - *Estates*

11:20 a.m. – 12:20 p.m.

Law, Justice, and the Holocaust:

How the Courts Failed Germany (Hour 2) - *any*

Deconstructing the Opponent's Expert Witness' Evaluation Report - *Family*

CyberSecurity - *any*

1:40 – 2:40 p.m.

Family Law Judges Panel - *Family*

The Supreme Court Under the Leadership of Chief Justice John Roberts - *any*

History of Policing in America and Minority Engagement - *Criminal*

Ethically Speaking: Email, Social Media & Legal Advertising – *any*

2:50 – 3:50 p.m.

Restorative Justice: A passing fad or a meaningful way to resolve serious cases? - *Criminal*

Unmasking the Sexual Offender - *Family /Criminal*

Practicing Civil Litigation with Civility - *Civil*

Succession [Next Chapter] Planning For Lawyers – *any*

4 – 5 p.m.

39th Judicial District Judges Panel - *any*

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\$229

\$199 for non-members practicing 5 years or less, legal services attorneys, and law clerks

Registration fee: _____

Paper Copy of handouts: + \$20 All materials will be available in **electronic format (PDFs)**.

Total Enclosed: _____