

LAWYERS JOURNAL

Bankruptcy symposium set for Dec. 9

By Tracy Carbasho

Nearly three decades ago, a small group of attorneys organized a forum to discuss issues relevant to the practice of bankruptcy law.

That original gathering rapidly evolved into an annual tradition that now draws approximately 200 people to hear skilled bankruptcy practitioners and judges discuss current issues impacting this area of law.

The ACBA Bankruptcy and Commercial Law Section will present the 29th Annual Bankruptcy Symposium on Friday, Dec. 9, at the Westin Convention Center Hotel. Revenue generated from attendance fees and the sponsorships from local law firms is used to make charitable donations to the Neighborhood Legal Services Association and the Attorneys Against Hunger program. Six continuing legal education credits will be available.

“Year after year, the symposium has offered an unfailingly excellent value proposition, combining first-rate programming with unmatched networking opportunities,” said George Cheever, one of the attorneys who organized the inaugural event and has attended every one. “The format of plenary sessions in the morning, followed by smaller breakout sessions in the afternoon, has proven its enduring value. We have been fortunate to attract many judges not only from the Western District, but also from neighboring districts.”

Bill Rochelle, a columnist and editor-at-large for the American Bankruptcy Institute, is this year’s keynote speaker.

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Lunch with the Judges

PHOTO BY JOCELIN HERSTEK

The ACBA Civil Litigation Section hosted its annual “Lunch with the Judges” event last month at the Duquesne Club. The 2016 Professionalism Award went to Marie Milie Jones. Dean Passodelis, Jones and Ken Gormley pose for a photo after Jones’ speech. See page 4 for more photos.

Gray area exists when public holiday displays feature both religious and secular elements

By Tracy Carbasho

Displaying a nativity scene or other religious symbols on government or public property might seem like an innocent holiday gesture, but municipal attorneys advise their clients to respect the separation of church and state – in part because of a case involving holiday displays in Pittsburgh.

“I’ve received phone calls over the years from young solicitors asking questions about displaying a nativity scene in a government building, and I tell them it’s risky,” said Robert McTiernan, a member of the ACBA Municipal and School Solicitors Section. “Today, most public officials and solicitors know that displaying a nativity scene on government property could result in a legal challenge. I advise clients to avoid overly religious displays.”

Legal complaints about religious displays have historically been filed on behalf of individuals by groups, such as the American Civil Liberties Union and the Freedom From Religion Foundation.

Two cases decided by the U.S. Supreme Court in the 1980s – one in Allegheny County and one in Rhode Island – are still referenced when talking about this topic. McTiernan, a shareholder at Tucker Arensberg, served as the county’s co-counsel with local attorney George Janocsko, in the Allegheny County v. Greater Pittsburgh ACLU case in 1989. Roslyn Litman, a pioneering Pittsburgh labor lawyer



PHOTO BY JOCELIN HERSTEK

Pittsburgh’s 45-foot Christmas tree display at City-County Building.

and former ACBA president who died in October, was the lead attorney who represented the ACLU.

“The essence of the Supreme Court’s decision revolved around the context of the displays,” McTiernan said. “The decision was disturbing because the case was so fact-driven and the court’s guidance wasn’t clear.”

The Allegheny County case involved two holiday displays situated on public property in downtown Pittsburgh. The first, displayed on the grand staircase of the county courthouse, was a Christian nativity scene. A nearby sign stated the display had been donated by the Holy Name Society. The display featured a banner with the words “Gloria in Excelsis Deo,” which is Latin for “Glory to God in the highest.”

The second display was an 18-foot menorah located outside the City-County Building in close proximity to the city’s 45-foot Christmas tree. Near the bottom of the tree was a sign showing the mayor’s name and text declaring the city’s “salute to liberty.”

The case began in the Western District with a complaint from the ACLU but was ultimately decided by the U.S. Supreme Court, which ruled the nativity scene was unconstitutional and the menorah display was constitutional. In particular, the justices ruled the nativity scene was unconstitutional because of its placement in front of the grand staircase and the lack of surrounding secular displays. The

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PHOTOS BY JOCELIN HERSTEK
Marie Milie Jones discusses how she missed a meeting in order to be at the Civil Litigation Section's Lunch with the Judges event on Oct. 27. Little did Jones know, her partner cancelled the meeting because he knew she was going to be honored with the 2016 Professionalism Award.



Judge Christine Ward poses for a photo with attorneys from Stewart, Murray and Associates Law Group before lunch begins.



The 2016 Civil Litigation Lunch with the Judges was sponsored by Planet Depos. Planet Depos is a worldwide court reporting service.



Judge Mark Tranquilli and attorneys from the law firm of Tucker Arensberg gather for a photo prior to lunch. More than 20 law firms attended the event at the Duquesne Club.



Meyer Darragh Buckler Bebenek & Eck, PLLC were among the firms to sponsor a table. This law firm had the honor of spending lunch with Judge R. Stanton Wettick.



Craig Fishman, Chair of the Civil Litigation Section, closes and thanks everyone for attending the highly successful event.



ACBA President Melaine Shannon Rothey and Duquesne University President Ken Gormley joined more than 100 attorneys for lunch with the judges. Over lunch, judges and lawyers had open discussion and small talk.