Message from the chair

By Carol J. Mowery

The PBA Government Lawyers Committee was developed in 1997 to deal with matters of interest and concern to government lawyers, to assist our members achieve their career goals through the provision of services and programs, to educate lawyers on the valuable opportunities and experience available through government service, and to educate the public on the important role served by government lawyers.

Having been active in the committee since its inception 15 years ago, I have personally witnessed advancement of these objectives in many ways. Despite being extremely busy professionally, our members routinely offer up their own time in furtherance of the committee’s goals. I am honored to serve as chair of this committee.

The committee currently has three working subcommittees: Professional Development, Projects and Outreach, and Communications. The Professional Development Subcommittee will be visiting law schools to assist students considering a career in public service. The Projects and Outreach Subcommittee will be engaging in various pro bono projects, in addition to planning our ever-popular holiday reception. The Communications Subcommittee works hard to produce our quality newsletter “News and Views” — article submissions always are greatly appreciated! The committee as a whole has big plans for the upcoming year. If you have a desire to take a more active role, please contact me, our vice chair, or any one of the subcommittee chairs. We would love for you to join us as we continue to improve the public image of the government lawyer!

Dennis T. Guise named Government Lawyer of the Year

The PBA Government Lawyers Committee presented its 2012 Government Lawyer of the Year Award to Dennis T. Guise of Lower Paxton Township, Dauphin County, during PBA Committee/Section Day in Harrisburg, Nov. 15.

The award honors a government lawyer who has made a significant singular contribution or has dedicated his or her career to outstanding service to the profession for the benefit of the public or a government entity.

Guise has served as chief counsel for the Pennsylvania Department of Military and Veterans Affairs since 2004. He has served as chief counsel for the Pennsylvania Department of Military and Veterans Affairs since 2004.

Guise graduated magna cum laude from Gettysburg College and was a distinguished graduate of the Air Force Reserve Officers Training Corps (ROTC). He earned his juris doctor from the University of Pennsylvania Law School.

Following law school he served as an assistant staff judge advocate for the U.S. Air Force Academy in Colorado. He was then appointed as an instructor of civil law and editor of the Air Force Law Review at the Air Force Judge Ad-

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vocate General School, Maxwell Air Force Base, Ala. After completing active military service, Guise served concurrently as chief counsel for the Department of Military Affairs and the Pennsylvania Fish and Boat Commission from 1978 to 1989. He later served as deputy executive director of the Fish and Boat Commission and performed the duties of chief of staff, supervisor of executive office functions and chief counsel.

While serving as senior judge advocate for the Pennsylvania Air National Guard, Guise helped develop the Pennsylvania Support for the Guard and Reserve legislative package that was enacted during the first Persian Gulf War and helped draft the legislation for the Educational Assistance Program. In 2003, he retired as the staff judge advocate with the rank of colonel and received an honorary promotion to brigadier general.

In 2004, Guise played a leading role in drafting legislation leading to the Persian Gulf Veterans’ Bonus program and worked with Pennsylvania’s veterans groups to encourage voter approval of the bond issue to support the initiative.

In 2010, Guise was inducted into the Pennsylvania Department of Military and Veterans Affairs Hall of Fame, which recognizes unique and exemplary contributions to the department and/or to the Pennsylvania National Guard.

Guise is a member of PBA’s Charitable Organizations, Government Lawyers and Military and Veterans’ Affairs committees.

Active in the community, he is a member of the Lower Paxton Township Planning Committee and director of the Ralph W. Abele Conservation Scholarship Fund, the Pennsylvania National Guard Scholarship Fund and the Pennsylvania National Guard Associations and the Pennsylvania Veterans Foundation.
Life lessons from India’s most famous lawyer

By Erin Lokhandwala,
Assistant Counsel, Unemployment
Compensation Board of Review

India is “beautiful, scary, magnificent, mind-blowing, distressing and amazing,” my guidebook read. While no words could have prepared me for seeing this country of contradictions firsthand in January 2012, the book’s description came close.

My husband, parents and I toured six of India’s cities in 15 days, including New Delhi, Mumbai, Agra (site of the Taj Mahal) and the “Pink City” of Jaipur. In each city, centuries-old palaces and worship sites, bejeweled and handcrafted with the most ornate design work that I had ever seen, sit only a stone wall away from communities of makeshift one-room dwellings equipped with plastic tarps for walls and only a few basic survival items for each family. On the congested roadways, modern cars and motorbikes compete for space with wooden rickshaws, food and merchandise vendors, pedestrians, stray dogs, cows, camels and the occasional elephant hauling goods.

Our friendly, skilled tour guides and drivers helped us to navigate safely to my husband’s hometown of Ahmedabad, where we reunited with his parents in time to celebrate Uttarayan, the International Kite Festival. I felt like I was living out a scene from the novel The Kite Runner by Khaled Hosseini when we stood on the roof of my in-laws’ apartment complex and joined thousands of others in a community-wide kite battle. With help from my husband, I maneuvered my kite to cut down three others from the sky (that’s the object of the game!).

As I was enjoying a vacation from the practice of law and experiencing a new culture halfway across the world, I could not escape the specter of the most famous attorney in Indian history, Mohandas Gandhi. We visited the Sabarmati Ashram in Ahmedabad, Gandhi’s home from 1917 until 1930 and a main center of the campaign for Indian freedom. We also toured Gandhi’s headquarters in Mumbai, Mani Bhavan, which is now a museum that houses his original writings and minimal personal effects.

At these historic sites, I learned that in 1893, a 24-year-old Gandhi journeyed to South Africa to serve as a legal representative for the Muslim Indian Traders, and while there he faced the discrimination commonly directed toward black South Africans and Indians. Not long after Gandhi arrived in South Africa, officials threw him off a train when he refused to forego his first-class ticket and move to the third-class coach. Around this time, Gandhi learned of a bill in the Natal Legislative Assembly that would curtail the voting rights of local Indians, and he circulated several petitions to the Natal Legislature and the British government in opposition to the bill.

Although Gandhi was unable to halt the bill’s passage, his campaign drew attention to the grievances of Indians living in South Africa and fueled his desire to continue peacefully protesting against injustice in South Africa and his native India. Gandhi founded...
Touching the lives of Pennsylvania’s citizens
A profile of General Counsel James Schultz

By Judith Gilroy
Assistant Counsel,
Department of Labor and Industry

When Gov. Tom Corbett asked then-Executive Deputy General Counsel James D. Schultz to succeed Steven Aichele as general counsel, Schultz knew that his goal was for the Office of General Counsel to be “the best legal organization in Pennsylvania on a day-to-day basis.”

OGC lawyers “touch the lives of many people in many ways,” Schultz said. With that always in mind, he continues Aichele’s theme of “energy excellence and enthusiasm” within OGC. The responsibility of an OGC attorney is to be both “answerable to the public and to represent our client with zeal.”

Schultz graduated from Temple University and the Widener University School of Law. While a student, he received a fellowship to work with legal services. He says that that experience “impacted the way I looked at the practice of law. I saw the impact on the everyday lives of people.”

After graduation, Schultz served as a law clerk to Superior Court President Judge emeritus Vincent Cirillo. He later worked in the U.S. Attorney’s Office for the Eastern District of Pennsylvania. There he was involved with programs for the prevention of gang activity and for public housing safety. He also worked for the law firm of Cozen O’Connor doing complex commercial litigation and construction law before coming to OGC.

“Steve [Aichele] was a great teacher who prepared me well. He provided great leadership and we have a good working relationship. I want to continue the successes that he began. He has influenced me both personally and professionally.”

To help OGC lawyers to grow professionally, Schultz encourages them to be involved with the PBA, particularly the Government Lawyers Committee. He wants to maintain an “open door” with government lawyers.

Outside of his role as general counsel, Mr. Schultz is actively involved in the community, including serving as a past chairman with the Steward’s Alliance. That organization, which is no longer in existence, raised money to help defray the cost of education for special needs children in the Philadelphia Archdiocese. It’s hardly surprising that both personally and professionally, James Schultz and the OGC lawyers under his leadership are touching lives in Pennsylvania.

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the Natal Indian Congress in 1894, and serving as secretary, he molded the Indian community of South Africa into a homogenous political group.

I was impressed by the courage and determination of this cultural icon, who as a young lawyer sacrificed a life of comfort and privilege to act as a mouthpiece for the voiceless and oppressed. Gandhi once said, “There is a higher court than courts of justice and that is the court of conscience. It supersedes all other courts.”

As government lawyers, we act as the mouthpieces for our clients/agencies — and often for the people of Pennsylvania. We have the unique opportunity to apply our skills and expertise to make positive changes in the commonwealth, as Gandhi did in India and South Africa. We must ensure that fairness and integrity prevail in each project we undertake, whether it involves orchestrating a large-scale movement or a filing a single motion in court. That is the most valuable lesson I took home from my trip to India.

We have the clients . . . you have the expertise.

Join the PBA Lawyer Referral Service today. It’s a win-win situation! For additional information, contact the PBA LRS at 1-800-932-0311, Ext. 2209.

Mark your calendars for these upcoming events

- March 14-15, PBA Minority Bar Conference, Sheraton Philadelphia Downtown Hotel
- March 22-23, Statewide Mock Trial Competition, Crowne Plaza Hotel and Dauphin County Courthouse, Harrisburg
- April 11, PBA Committee/Section Day, Radisson Hotel Harrisburg, Camp Hill
- May 8-10, PBA Annual Meeting, Wyndham Grand Pittsburgh Downtown, Pittsburgh
The Projects and Outreach Subcommittee (chaired by Brandon W. Boberick and Victoria Madden) once again co-hosted the annual holiday reception at PBA headquarters, in conjunction with the Administrative Law Section. The event, as always, was well attended and an enjoyable time. As is the tradition, members donated canned and non-perishable food items to benefit the Central Pennsylvania Food Bank. In addition to the holiday reception, the subcommittee has been diligently working on a number of initiatives, including partnering with the SeniorLaw Help Line, Wills for Heroes and Lend-A-Hand. The subcommittee continues to look for outreach opportunities in and around the community. If you have any ideas for future activities or have an interest in becoming involved with the subcommittee please contact either Brandon Boberick at bboberick@pa.gov or Victoria Madden at vmadden@pa.gov.

Participating in the most recent Lend-A-Hand project are (from left) Keli Neary, Dan Hido, Rebecca McClincy, Don Smith, John Cantwell, Jerry Mackarevich, Carol Mowery, Shawn Westhafer and Don Beatty. (Not pictured: Beth Harris and Kathy Bertolotte)

At the holiday reception were (from left) Jonas Tenney, who accepted donations on behalf of the Central Pennsylvania Food Bank; Carol Mowery, Government Lawyers Committee chair; Thomas G. Wilkinson Jr., PBA president; Jonathan Koltash, Government Lawyers Committee vice chair; and Nicole Bordanaro, Administrative Law Section chair.
Pro bono opportunities abound for government lawyers

By Erin Lokhandwala, Assistant Counsel, Unemployment Compensation Board of Review

PBA Pro Bono Coordinator David Keller Trevaskis was guest speaker for the Government Lawyers Committee meeting, held as part of the Committee/Section Day at the Holiday Inn Harrisburg East on Nov. 15. Trevaskis discussed numerous pro bono opportunities available for government lawyers.

These pro bono programs include: 1) Wills for Heroes (www.pabar.org/public/yld/Projects/willsforheroesyl.asp) — a free basic estate planning document service, supplied by attorneys, for Pennsylvania’s police, fire, and emergency medical personnel and their families; 2) Pennsylvania Senior-LAW Helpline (seniorlawcenter.org) — a free and confidential telephone service, staffed by attorneys, for legal information, advice, and referrals to the commonwealth’s seniors 60 years and older; and 3) Legal Assistance for Military Personnel (LAMP) (pabar.org/public/committees/military/Legal) — a Listserv sponsored by the PBA’s Military and Veterans’ Affairs Committee that has provided attorney referrals to more than 2,000 active-duty military personnel, veterans and their families.

In addition to volunteering for the programs above, government lawyers interested in serving pro bono clients can join the online community probono.net to access additional information and resources. Attorneys can also direct their pro bono clients to visit palawhelp.org, which is a guide to legal information and free civil legal services for Pennsylvania seniors and low-income persons.

In the spotlight

Capt. Joseph Henderson, son of Department of State Hearing Examiner John Henderson, is serving in Afghanistan with the Second Battalion, 23rd Infantry Regiment of the 4th Stryker Brigade of the Second Infantry Division. His unit deployed to Kandahar Province in October, and he is scheduled to return in June.

Jonathan Kunkel of the Department of Corrections served as a judging panelist for the Legal Intelligencer’s 2012 Lawyers on the Fast Track supplement. The competition evaluated over 150 nominations of attorneys under the age of 40 from all across the commonwealth. Thirty-five individuals were chosen who not only excel as attorneys, but also serve as exemplary members of their communities and professions.

Gerard Mackarevich, deputy chief counsel at the Department of Labor and Industry, recently co-instructed a module on unemployment compensation at the Pennsylvania Bar Institute’s Employment Law Institute-West in Pittsburgh. Jerry provided an update on recent statutory and case law changes.

Jessie L. Smith, senior deputy attorney general, received an award on Oct. 10 from the Dauphin County Bar Association Women in the Profession Committee. She is also the PBA Unit County Governor on the Board of Governors, and the vice chair of the PBA Diversity Team.

Rob Teplitz, chief counsel and policy director for the Pennsylvania Department of the Auditor General, was elected to represent the 15th district (Dauphin and York counties) in the state Senate.

Do you have ‘In the spotlight’ news?

Send your news of recent appointments, honors, speaking engagements — and family news — to Carol Mowery at camowery@state.pa.us, or submit your news via a quick click on the “Newsletters” page of the Government Lawyers Committee Web site at www.pabar.org/public/committees/govtlaw/pubs/newsletters.asp.