Making a Difference

The Pennsylvania Bar News column that highlights Pennsylvania attorneys who make a difference in their communities by providing extraordinary pro bono service and/or other legal services in the public interest.

Thomas A. Tupitza, Erie

Thomas A. Tupitza, president of Erie-based Knox McLaughlin Gornall & Sennett PC, has participated in the Legal Aid Volunteer Attorneys program sponsored by Northwestern Legal Services and the Erie County Bar Association for three decades. With other leaders of those organizations and the Nonprofit Partnership, he founded Erie’s Nonprofit Pro Bono Project, which enlists transactional and corporate lawyers to address the basic legal needs of small and start-up nonprofits. A past president of Northwestern Legal Services, he is treasurer of the Pennsylvania Legal Aid Network (PLAN) and a member of the PBA Access to Justice Committee.

Why do you participate in pro bono? I believe that all lawyers are ethically obligated to help ensure access to our justice system.

How did you first become involved? I have been privileged to spend my entire career in a firm that encourages its members to give back to the profession and the community and [also] to be part of a local bar association that has been a statewide leader in promoting pro bono service.

Have your pro bono cases dealt with legal issues different from your regular practice? If so, how did you adapt? I am primarily a bond lawyer and also assist business, nonprofit and government clients with finance, real estate and governance matters. In my early pro bono work I handled landlord-tenant disputes and bankruptcies; now I provide basic estate planning services in addition to my pro bono work with nonprofits. One advantage of practicing in a midsize, full-service firm is ready access to experienced colleagues who can assist me in other disciplines.

What have been the rewards to you? I derive great satisfaction from serving my larger institutional clients and playing a role in the important contributions they make to the community and the local economy. For most professionals, however, there’s nothing quite as gratifying as helping another human being, particularly one who is facing significant life challenges, to obtain peace of mind.

Avoiding Liability

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This reported decision does not address the thorny question raised concerning a duty to disclose whenever insurance defense counsel, whose only client is the defendant and not the carrier, possesses knowledge that, if reported to the carrier, would give it a basis to deny coverage and its duty to defend. That question will presumably be litigated on remand.

Correction:

Due to an editing error, the following was inadvertently left out of the list of winners of the 2012 William A. Schnader Print Media Awards that appeared in the Dec. 3, 2012 issue of the Pennsylvania Bar News:

Beat Coverage: Weekly Newspapers
2nd Place: Daniel E. Cummins, Pennsylvania Law Weekly. “Call Me from the Road”